

CALIFORNIA COASTAL COMMISSION

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VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



W21b

NE-0001-19 - SANDAG

May 23, 2019

CORRESPONDENCE

From: Diane Zeiger [mailto:dihorvath@gmail.com]

Sent: Thursday, June 6, 2019 3:08 PM

To: ExecutiveStaff@Coastal

Cc: dihorvath@gmail.com; 'Ellen Burr'; 'Ross Ridder'; 'Pat Magnarella'

Subject: Public Comment on June 2019 Agenda Item Wednesday 6a - Executive Director's Report

San Elijo Avenue – SANDAG request to make temporary access road permanent

Dear Coastal Commission Board Members:

I reside at 2512 San Elijo Avenue, Cardiff by the Sea, CA. Our residence is on the western side of San Elijo overlooking the San Elijo Lagoon and directly above the San Elijo Double Track Bridge project. Our property has experienced the most disruption and impact from the Double Track construction project. We have endured two years of construction noise, dust, mud, and general destruction of the neighborhood via construction work. The project has now ended and what we were promised as an end result has not materialized. What was once an area of lush natural vegetation is now replaced with completely barren landscape, a horrendously ugly drainage ditch, rip rap that doesn't blend with the landscape, and left-over construction debris. The revegetation plan has not been implemented and if it has, it is seriously inadequate. Now, after the total destruction of the coastal zone environment, SANDAG is requesting to make permanent the temporary access road which will result in more destruction to the area by not restoring the natural bluff, erecting fencing, bollards, signage, etc. This doesn't take into account the massive drainage ditch that was installed to mitigate the water run off from the ramp. (before & after photos attached).

The Coastal Commission's basic goals are to protect, maintain, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources. If the Coastal Commission approves the permanence of the rail maintenance access road, it will do so in direct conflict of its basic goals by:

1. Not restoring the natural bluff line & vegetation in favor of an asphalt road along a coastal bluff line which is visible from the ocean and the highly utilized public viewing overlook area on San Elijo Ave. The access ramp is unsightly, and overtime will only become worse. Permanent is Permanent!
2. Erecting chain link nylon fencing in a coastal zone to limit increased trespassing as a result of the permanence of the road – which is directly visible from the highly utilized public viewing overlook area on San Elijo Ave.
3. Allowing the bluff line just south of the access road to be eroded by trespassers seeking to by-pass the proposed fencing.
4. Erecting bollard style fencing on the access road ramp which will be highly visible from the public viewing overlook area.
5. Placement of signage at the top of the access ramp which are highly visible along San Elijo Avenue
6. Promoting access into a highly sensitive natural habitat. The fence will not stop the trespassing as the public will create a goat trail around the fence as they do so in other

areas. The current temporary access road has a six-foot fence at the bottom of the ramp, and it does nothing to stop trespassing (see photos attached).

7. Limiting the ability of the area to revegetate as a result of increased trespassing via the access ramp and thus increased erosion of the area.

SANDAG's main thesis for making the temporary access ramp permanent is rail worker safety by reducing at grade crossings. SANDAG sites the goal of the Federal Railroad Administration to reduce at grade crossings and the fact that trespassing is the leading cause of rail related deaths. Note that rail workers are not trespassers and fatalities of maintenance rail workers have not occurred. SANDAG's own statistics claim that 74% of trespass casualties occur ¼ mile away from at grade crossing which is exactly where the access ramp is located. In fact, since the access ramp has been constructed, visible trespassing has dramatically increased and will not stop because a fence is located at the bottom of the ramp. The construction of the retaining wall just north of the ramp has removed the ability to access the area except for the access ramp and the bluff just south of the access ramp. All trespassing is now funneling through the access ramp as it is an easy entry point into the rail area and those seeking to walk the new rail maintenance road to Solana Beach are using the ramp to gain entry. Furthermore, the area is now a quiet zone which means the trains don't blow their horns anymore which ultimately may increase trespass fatalities in the area. Rail maintenance workers have a protocol when working on the rail, they work in pairs, normally have a flag man and are trained on rail safety, trespassers are not. Hence SANDAG'S claim that the permanence of the access ramp is necessary for worker safety doesn't outweigh the impact that increased trespassing via the access ramp may result in a much greater risk to the general public. During the weekend, when I am at home, I see approximately 20 people trespassing on the new rail bridge as a result of the access road and if one understands the behavior of the general public, the trespassing will not decrease because a fence is installed. The fence will be circumvented quickly, resulting in unfettered access into a sensitive habitat and hazardous rail area.

Finally, the Coastal Commission must disregard the letter from the Mayor of Encinitas, Catherine Blakespear, which supported the permanence of the access road. The Mayor sits on the board of SANDAG and is clearly not independent and has a direct conflict of interest in the matter. The City didn't seek input from the residents or citizens of the community prior to issuing the support letter and it has yet to be proven whether an adequate review of the matter was performed.

In conclusion, a vote to approve the permanence of the access road will be in direct conflict with the goals of the Coastal Commission, create a general safety hazard for the citizens, and increase environmental impacts to the area. Therefore, I kindly request the Commission vote "No" on the permanence of the rail access ramp.

Regards,
Diane M. Zeiger























From: [Ellen Burr](#)
To: Energy@Coastal
Subject: Public Comment on June 2019 Agenda Item Wednesday 21b - NE-0001-19 (SANDAG, Encinitas)
Date: Friday, June 07, 2019 4:58:23 PM

Dear Commissioners,

I have submitted photos in illustration of many of the issues raised in my email of February 27. Since then two other items of serious concern have become apparent.

1- the San Elijo lagoon restoration approval was granted contingent on seismic retrofit of the San Elijo bridge ; none has occurred or is in the offing

2- NEPA requires that the impact from multiple actions be considered .

That has not occurred or at least as far as noise impact is concerned. We now live across from a giant sound amp. The tons of rock on the slopes, the concrete retaining wall, the asphalt road, the uniformly graded slopes down to the sandstone in many cases, the lack of, or failure of suitable revegetation, the doubling of the rail bed and it's elevation by 4+ feet, ...

So not only has the noise source increased but it is exacerbated by the removal of sound absorbing environment and amplified by the rock and concrete half pipe.
The train horns or whistles are not the problem.

At the very least the Commission should insist that the hillside be restored with appropriate contouring and suitable vegetation.

The road isn't necessary or appropriate or consistent with the neighborhood or the lagoon environment.

Respectfully

Ellen Burr
2471 SanElijo

Sent from my iPad





WCC CORP
ACTIVE CONSTRUCTION ZONE
NO TRESPASSING

































NE-0001-19 (SANDAG, ENCINITAS)
W21b
Sheryl and John Kies

OPPOSED

My husband and I live directly across the street from the temporary access road on San Elijo Avenue and are vehemently OPPOSED to the access road becoming permanent. We have been Cardiff residents for well over 40 years and my husband originally bought at this location in 1982 to enjoy the unobstructed views, the natural and quiet environment, and to make an excellent investment in our property. Before the access road was constructed, cars pulled over to respectfully enjoy the sunset, we saw a natural environment across the street, and enjoyed an open feeling as we looked beyond the railroad tracks to the ocean. Now, we look across the street and see a landscape that looks like a freeway with K rail, a chain link fence and a driveway with a potential for all sorts of problems like more traffic, unruly behavior, trash and partying, and a road in which cars can park and invade our privacy and view. It is offensive to us, our neighborhood, our community and is a disaster waiting to happen to our lagoon, not to mention an estimated 15-20% devaluation of our property-our investment and future.

Everything about this project has been upsetting, emotional and stressful. Those of us across the street from the access road have suffered greatly by noise, dust, dirt, semi trucks, pounding, endless nights that used to keep us awake with night work on the bridge and tracks, now replaced by loud, long running, pounding freight trains, and an access road we all thought was temporary. Our street looks no different than a busy freeway with K-rail, and by living across the street from the access ramp we see first hand the future problems it will cause.

In addition to NCTD request to make this access ramp permanent in order to enhance the safety of the railroad maintenance, we are troubled by Mayor Catherine Blakespear stating in a letter that "by making the temporary ramp permanent, it will create future opportunities for a nature trail and viewing area on the edge of the San Elijo Lagoon on the east side of the bridge". Obviously, no one mentioned above has seen the traffic on our road since The Chesterfield intersection has been made safer for crossing due to the double track project; traffic can back up to our house waiting for the light to turn green to turn left onto Coast Highway. We don't need more traffic or a nature trail – we have the San Elijo Lagoon Conservatory for walking trails and viewing. Furthermore, instead of cars respectfully pulling over to enjoy our beautiful sunsets, the access road has attracted people gathering with food and beer and leaving their trash behind. I have submitted videos and photos of people walking around the chain link fence below, to obtain access to the lagoon and most likely, they are not only putting themselves in danger of the track, but it's a walkway for an open field for people to do whatever they desire. If people are leaving trash and beer bottles at the top

of the access road, there is no telling what trash is left behind down by the lagoon or what they may be doing to disrupt the lagoon, itself. Removing the NO PARKING painted sign at the top of the access road in an attempt to make the access road permanent, would create 2 parking spaces for people that will use it as long term parking with a view. This would attract small campers, people partying with their personal ocean view parking space and would be a nuisance in our neighborhood by creating more traffic, noise, and more calls to the sheriff. Additionally, cars have been backing into the top of the access road, directly facing our home at night. We can't help but feel vulnerable and wonder if our home is being staked out. I have already called the Sheriff on several occasions. The fencing proposed to be placed on the road where it can't be seen by residence or Coast Hwy, is not realistic as we have a reverse floor plan and can see most of the access road from our living room, dining room and patio. Nor will it deter people from going around the chain link fence to head down to the lagoon. I have seen groups of teens walking down the access ramp as well as people with bikes, and those with their dogs; they simply go around the fencing. Obviously, this would also be extremely dangerous to give people direct access to not only the lagoon, but the double railroad tracks as well.

We also find it strange that the NCTD is requesting this road be made permanent at this time. What was the original plan they had for access when we were told the road would be removed after the project was complete? Has this been a hidden agenda all along? There are other access areas and they can cross the tracks at times when the trains are not running.

Please help us restore our street to the natural environment it once was, protect our community and investment and give our lagoon the best chance to be protected. NO ON THE ACCESS ROAD BECOMING PERMANENT!!!

Sheryl and John Kies
2465 San Elijo Ave
Cardiff, CA 92007

From: [Sheryl](#)
To: [Delaplaine, Mark@Coastal](#); [Simon, Larry@Coastal](#)
Subject: Public Comment on June 19 Agenda Item Wednesday 21b-NE-0001-19 (SANDAG, Encinitas)
Date: Friday, June 07, 2019 11:05:38 AM





RECEIVED

JAN 25 2019

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO CO.

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

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: [Dellrae Marassi](#)
To: Energy@Coastal
Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: Friday, March 01, 2019 4:58:06 PM

The 1 1/2 mile section of the railroad that is being double tracked in Cardiff includes a newly created access road down to the railroad tracks. 2 years ago when the project started we (the neighbors in the area) were told the access road would be removed once the project has been completed. Now we are told the road will be permanent to allow maintenance access.

The problem with permanence is that the entrance to the road is a wider and flatter area that invites added parking as well as access to the road that will encourage wheeled activity (skateboarding and other negative activities) just that will end up on or next to the tracks. Additionally the area in the past has had late night loud partying and drinking. We don't need to have more space to encourage problems.

The access road is not necessary in that there is another access road about 2 blocks north off of highway 101 (Pacific Coast Highway). The access road off of San Elijah ave is redundant.

SANDAG has also changed the designs, as originally designed, on the 2 block long bluff north of the access road. All this has been done at the convenience of the "contractor". If there are changes that negatively affect the neighborhood, we should be aware of it and have a chance to review their revisions!!!



March 11, 2019

Mark Delaplaine, Manager,
Ocean Resources and Federal Consistency
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Subject: NE-0001-19, SANDAG

Dear Mr. Delaplaine,

I am writing on behalf of the San Diego Chapter of the Sierra Club, and a number of other organizations, in support of NE-0001-19, SANDAG, No Effects Determination for Modification to previously concurred with Consistency Certification CC-0004-15 for the San Elijo Lagoon Double Track Project, Encinitas/Solana Beach, San Diego County.

We reviewed this request at the February meeting of the San Diego Bay Council, a coalition of environmental organizations including representatives of the Sierra Club, the Surfrider Foundation, San Diego Audubon, San Diego Coastkeeper, the Coastal Environmental Rights Foundation, and the Environmental Center of San Diego. No objections were raised to the SANDAG request.

We agree with SANDAG and the North County Transit District that retaining the eastern access road and eliminating a grade crossing at this location will be a significant safety improvement, and will not have any undesirable environmental impacts.

We also agree with the suggestion from the City of Encinitas that there is future potential for incorporating the access road into some public access enhancements.

Thank you for considering our comments.

David Grubb, Transportation Chair,
Sierra Club San Diego

cc: Rob Rundle, SANDAG
Hasan Ikhata, SANDAG
Tony Kranz, NCTD
Catherine Blakespear, City of Encinitas

Delaplaine, Mark@Coastal

From: Samuel <sambo792@hotmail.com>
Sent: Friday, April 12, 2019 10:15 AM
To: Delaplaine, Mark@Coastal; Diane Horvath Zeiger; Sheryl & John Kies; Yoko Jordan; Lucille; doug@sanelijo.org; ellencburr@hotmail.com
Cc: Leslie, Kanani@Coastal; Buhr, Gabriel@Coastal
Subject: Re: Project Update: San Elijo Lagoon Double Track Project

Dear Mr. Delaplaine,

A construction notice was recently delivered informing local residents of NCTD plans to memorialize the San Elijo Avenue access ramp as permanent. Two years ago, a Mr Lovingfloss had assured us that this temporary access road would be removed circa January 2019.

Our house is immediately adjacent to this access road and has been the bane of our existence for going on 3 years. We have suffered interminable levels of noise, abhorrent levels of dust and traffic delays throughout the construction period.

We are not amused by this decision, which seemed to bypass the local population. (ie why were we not informed of this decision which impacts us the most?) Recently, guard rails were erected which encourages parking in our immediate vicinity...meanwhile to the north of our location, sidewalks and curbing is nearing completion which discourages parking in that location. We have been told that safety and security are foremost in SANDAG plans. Well, approximately 3 weeks ago, a group of adults sponsored a cookout on the access ramp, when they exited they failed to extinguish their fire and our neighbor to the north had to risk personal safety to put out the smoke. More recently, a NO PARKING notice was painted onto the asphalt to the entrance. This is a nice gesture, but the notice is UPSIDE DOWN to approaching traffic and the Lettering is so elongated as to be distorted and unreadable. If you are serious about safety and/or security....then I offer some prioritized recommendations below.

1. Remove access road in its entirety/place curbing along San Elijo Avenue's western edge to prohibit parking on unstable embankments.
2. If access road must be made permanent....Erect an impenetrable gate at the very top of the Entrance to discourage delinquency and mayhem in general/Consider using concertina/place curbing along the western edge of San Elijo Avenue to prohibit parking on unstable embankments

Thank you for your consideration. Please consider us.

Regards/Sam

From: Delaplaine, Mark@Coastal <Mark.Delaplaine@coastal.ca.gov>
Sent: Friday, March 15, 2019 4:08 PM
To: Diane Horvath Zeiger; Sheryl & John Kies; Yoko Jordan; Sam Jordan; Lucille; doug@sanelijo.org; ellencburr@hotmail.com
Cc: Leslie, Kanani@Coastal; Buhr, Gabriel@Coastal
Subject: FW: Project Update: San Elijo Lagoon Double Track Project

From: Energy@Coastal
To: Delaplaine_Mark@Coastal
Subject: FW: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: Friday, March 01, 2019 10:56:19 AM

-----Original Message-----

From: Ellen Burr [<mailto:ellencburr@hotmail.com>]

Sent: Wednesday, February 27, 2019 2:03 PM

To: Energy@Coastal

Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)

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: [Pat Magnarella](#)
To: [Delaplaine, Mark@Coastal](#)
Subject: FW: Cardiff Residents are Strongly Opposed to the Maintenance Access Ramp
Date: Monday, March 18, 2019 7:55:33 PM

Local press below.

Patrick Magnarella

GRNDVW

543 Encinitas Blvd., Suite 101

Encinitas, CA 92024

Phone: 760-479-0103

Email: pat@GRNDVW.com

From: Ross Ridder <ross.ridder@me.com>
Date: Monday, March 18, 2019 at 5:36 PM
To: Pat Magnarella <Pat@GRNDVW.com>
Cc: Diane Zeiger <dihorvath@gmail.com>, Rhonda & Greg Houck <houck3@cox.net>, Ellen Burr <ellencburr@hotmail.com>, DeeDee Kirsch <dedekirsch@cox.net>, Eric & Lucille Olson <ericolson1@yahoo.com>
Subject: Re: Cardiff Residents are Strongly Opposed to the Maintenance Access Ramp

Here's an article about this in the San Diego Reader:

<https://www.sandiegoreader.com/news/2019/mar/18/stringers-san-elijo-lagoon-temporary-road/>

Ross Ridder

DMR Direct

760-943-6200

ross.ridder@dmrdirect.com

From: [Community](#)
Sent: Monday, March 19, 2018, 10:00 AM
To: [Community](#)

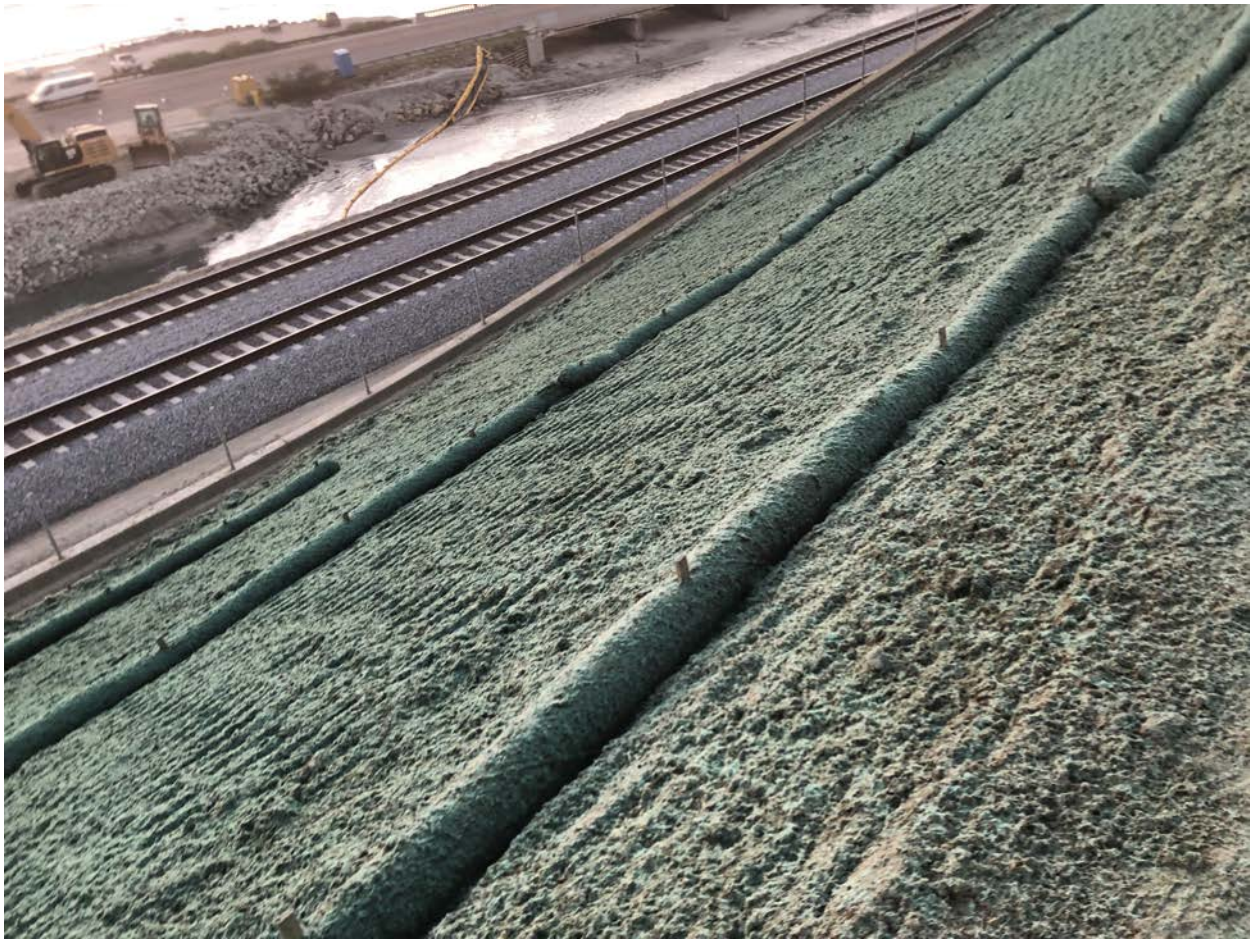
Hi,

Thanks for responding to my email. How does this road issue happen without any input from the Cardiff community? How does our Mayor approve this road with a letter from the Sierra Club? I took these pictures tonight. Is this what our staff is going to look like? Have you been to Cardiff to inspect the road and stuff yourself? It would be great if you could come to Cardiff and meet with the community and please explain to us what is going on. Let me know if that is possible.









Sent from my iPhone
No images were
transmitted.
GARY W.
141 New York Blvd., Suite 101
Hicksville, NY 11801
Phone: 516-779-0500
Fax: 516-493-2154
Email: gary@garyw.com

From: [Ross Ridder](#)
To: [Delaplaine, Mark@Coastal](mailto:Delaplaine.Mark@Coastal)
Subject: Cardiff Residents are Strongly Opposed to the Maintenance Access Ramp
Date: Friday, March 15, 2019 5:03:27 PM

Dear Mark Delaplaine,

You may not be aware that most Cardiff residents who live near the San Elijo Ave Maintenance Access Ramp are **STRONGLY OPPOSED** to this status being changed from temporary to permanent. I've talked with many of my neighbors and all of them have agreed that the road should go.

When this project was originally presented to the community, this access ramp was to be only temporary. We have been patiently waiting for all the double tracking & bridge construction to be over and are extremely upset that there has been this last minute switch in direction.

The double tracking has already forever established a much more industrial look through our community. At least we want our beautiful hillside back! We don't want to see some metal gate and a maintenance road ruining our enjoyment of the beautiful place the community would go to watch sunsets and check out the surf. The view from Hwy 101 would also be marred with that ugly maintenance road. Extra expense was made to make the retaining wall fit into the local environment. Why counteract that direction by allowing that eyesore to remain? Plus, having that road will encourage homelessness and partying at the bottom of the hill and this will result in trash and litter and possible human endangerment due to the proximity of 2 railroad tracks.

I have also asked the Mayor and City Council Members of Encinitas to withdraw their support of this access road becoming permanent.

Please reconsider having the access road removed as originally planned.

Sincerely,

Ross Ridder

2493 Newport Avenue
Cardiff by the Sea, CA 92007-2121
Phone: 760-845-6200

From: [Rhonda Houck](#)
To: jhubbard@encinitasca.gov; tkranz@encinitasca.gov; jmosca@encinitasca.gov; khinze@encinitasca.gov; cblakespear@encinitasca.gov; [Delaplaine, Mark@Coastal](mailto:Delaplaine.Mark@Coastal); doug@sanelijo.org
Subject: Opposition to proposed permanent status of TEMPORARY access road NE-0001-19, SANDAG
Date: Saturday, March 16, 2019 11:26:02 AM

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 for months, with years of grief to go.

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 “landscape” is not at all in keeping with the character of Cardiff by the Sea, let alone a natural environment in a world increasingly bereft of same.

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 of ANY type of access road.

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.

What can we do as concerned members of both the greater Cardiff by the Sea community, and very concerned members of the small and tightly-knit neighborhood adjacent to the TEMPORARY access road, to convince the City, the county, the state, SANDAG, the Lagoon

Conservancy, the Sierra Club and other SO-CALLED environmental groups, to withdraw support for allowing the access ramp to remain? We would appreciate any suggestions you might provide as this is a critical issue for the formerly all-beautiful Cardiff by the Sea.

Sincerely,

Rhonda and Greg Houck

From: [Kathy](#)
To: cblakespear@encinitasca.gov; jhubbard@encinitasca.gov; tkranz@encinitasca.gov; jmosca@encinitasca.gov; khinze@encinitasca.gov; doug@sanelijo.org; [Delaplaine, Mark@Coastal](#)
Subject: San Elijo Ave. Maintenance Access Road in Cardiff
Date: Saturday, March 16, 2019 8:52:07 AM

To city leaders:

I just wanted to take a minute to write that I am opposed to making the San Elijo Avenue Maintenance Road in Cardiff permanent.

I agree with my neighbor, who states:

"When this project was originally presented to the community, this access ramp was to be only temporary. We have been patiently waiting for all the double tracking & bridge construction to be over and are extremely upset that there has been this last minute switch in direction.

The double tracking has already forever established a much more industrial look through our community. At least we want our beautiful hillside back! We don't want to see a metal gate and a maintenance road ruining our enjoyment of the beautiful place the community goes to watch sunsets and check out the surf. The hillside view from Hwy 101 will also be marred with that ugly maintenance road. Extra expense was made to make the retaining wall fit into the local environment. Why counteract that direction by allowing that eyesore to remain?

Plus, having that road will encourage homelessness and partying at the bottom of the hill and this will result in trash and litter and possible human endangerment due to the proximity of 2 railroad tracks."

Thanks for listening,
Kathy Knight

From: [Ellen Burr](#)
To: [Diane Horvath Zeiger](#)
Cc: [Delaplaine, Mark@Coastal](#); doug@sanelijo.org
Subject: Road
Date: Friday, March 15, 2019 9:37:51 PM

The ditch may handle the access road drainage for a while but not the storm water pouring over the slope along San Elijo. What I can't envision is exactly where are these lagoon voyeurs congregating and what are they viewing ? The backside of the bridge with the bird impressions, I guess. Or your beautiful ditch. No, it must be the beautiful new double tracks and all the necessary fencing. Or maybe the barren hydro seeded hillside. I'm sure they have never seen that while traveling the 5 or 15 .

Sent from my iPad

From: [Diane Zeiger](#)
To: [Delaplaine, Mark@Coastal](mailto:Delaplaine.Mark@Coastal)
Cc: ["Doug Gibson"](#)
Subject: Photos
Date: Friday, March 15, 2019 7:06:24 PM

Dear Mark:

I thought I would share with you, photos of before and after. The beautiful photos are of the area directly below my house prior to the double track construction and the photo of the drainage ditch is what it looks like now. The drainage ditch was required because the temporary access road is being made permanent. I ask you how would you feel about this? The blight to the nature is severe and I can't understand why the Coast Commission who is the protectorate of our coast line would stand for further degradation of this area. We need at least one organization which is funded by taxpayers to make the right decision on the behalf of the citizens.

What is sickening, is the drainage ditch was not planned for as the road was not to remain, has now been constructed without final approvals. The ditch was put in on the assumption that the access road was going to be made permanent and we were never given a say into the matter which greater effects our property value. All of this was done on the belief that the rail maintenance crews' safety prevails. I have seen the 90-mph rail corridor cited several times as justification, yet the trains never run any where near that speed as they slow to come into the Solana Station or are just starting to move out of the Solana Station. All trains except freight trains, which mainly run at night, stop at the Solana Station. Hence it is inaccurate to state that the workers are exposed to 90mph trains. It is more likely 30mph. Furthermore, I have never seen a rail worker physically walk on the tracks to perform maintenance. In fact, I never saw one the entire time prior to the construction.

The Sierra Club Letter is further demeaning as they don't live in the neighbor and don't have any interest in our community and obviously wrote the letter on by the City's behest. Additionally, the letter states they would like to see the access road become a trail access to the Lagoon in the future. Such conjecture demonstrates that they don't have a grasp on the facts of the situation (i.e., San Elijo Lagoon & the Rail Authority).

All of us in our neighborhood are very frustrated as to how we have been minimized during this entire process.

Regards,

Diane M. Zeiger, CPA
Mobile 858.945.7874
dihorvath@gmail.com

From: [John Spencer](#)
To: cblakespear@encinitasca.gov; jhubbard@encinitasca.gov; tkranz@encinitasca.gov; [Joe Mosca](#); khinze@encinitasca.gov
Cc: Delaplaine, Mark@Coastal; doug@sanelijo.org
Subject: Opposed to Cardiff Maintenance Access Ramp
Date: Friday, March 15, 2019 5:50:29 PM

Mayor Blakespear, City Council Members, Mark Deleplaine and Doug Gibson,

As a 20-year resident of Cardiff with a home near the maintenance road on San Elijo near Kilkenny, I am very disappointed to hear that the city is considering keeping the maintenance road in this area.

I feel that making the road permanent:

- Adds an incredible eyesore to the community. The bluffs above the access road are a beloved spot for watching the sunset and no one wants to see a gate or fence and an unnecessary road. Let's bring back some native species and encourage wildlife to be down there.
- Contradicts previous communication to the community about this project, which indicated that this was to be a TEMPORARY road. Through what process was this plan changed?
- Makes it easy for teens, the homeless and others to "hang out" down near the tracks...inviting drinking, drugs, personal injury and liability for the city
- Puts people's lives at risk by combining the above illegal activities with proximity to the tracks
- Is out of character with the rest of the efforts that have been made to come up with a double-tracking solution that maintains some of the community character

I've also been disappointed to experience the communication (or lack thereof) related to this portion of the project and found it unconscionable that residents were expected to go to Los Angeles for an early-morning meeting if they wanted to share their opposition to this plan.

Thank you for listening to my opinion and concerns. Please let me know the process to reverse this course of action.

John Spencer
2493 Newport Avenue
Cardiff by the Sea, CA 92007

From: [Ellen Burr](#)
To: [Delaplaine, Mark@Coastal](#)
Cc: [Diane Horvath Zeiger](#); doug@sanelijo.org
Subject: Fwd: San Elijo Lagoon Double Track Project/ Welling letter
Date: Friday, March 15, 2019 5:38:26 PM

FYI. Is there any veracity to paragraph 3 ? Most of us are also concerned about the hillside and the unpermitted grading and guardrail construction along the slope edge. Storm water now just runs over the side and causes erosion. I can hear it now, "well, the seed and seedlings and roots just washed away, so sorry". Guess we'll be getting big rocks and boulders on this side of the lagoon and tracks. Who or what is responsible now and in the future ? Same for the road and entry ? Thanks for the heads up on the NEWS, it is the Ides .

Sincerely
Ellen Burr

Sent from my iPad

Begin forwarded message:

From: Ellen Burr <ellencburr@hotmail.com>
Date: March 6, 2019 at 4:52:03 PM PST
To: "<usa5795@fedex.com>" <usa5795@fedex.com>
Subject: Fwd: San Elijo Lagoon Double Track Project

Sent from my iPad

Begin forwarded message:

From: Jody Hubbard <jhubbard@encinitasca.gov>
Date: March 5, 2019 at 5:36:43 PM PST
F
Subject: FW: San Elijo Lagoon Double Track Project

LSeveral of you have requested information regarding landscaping and the access road. I know this has been a tough project and you have put up with a lot of noise, traffic, and rearranging of the land on the west side of San Elijo Ave. Below ar an email response from SANDAG to my inquiry on your behalf.

Cordially,

Jody Hubbard

JODY HUBBARD

Deputy Mayor

505 South Vulcan Ave, Encinitas, CA 92024
760-633-2621 | jhubbard@encinitasca.gov
www.encinitasca.gov

From: Welling, Alex
Sent: Wednesday, February 27, 2019 12:54 PM
To: Jody Hubbard
Subject: San Elijo Lagoon Double Track Project

Hi Deputy Mayor Hubbard,

Thank you for reaching out regarding the San Elijo Lagoon Double Track Project. In late October 2018, SANDAG received a letter from the North County Transit District (NCTD), who are the owners and operators of the Los Angeles-San Diego-San Luis Obispo (LOSSAN) rail line, requesting the temporary construction access road remain permanent. Please find the NCTD letter attached for reference.

As SANDAG is the contracted agency for construction, we have been in the process of developing a plan for the ramp to remain in its location, per NCTD's request. This plan includes the installation of no trespassing signage (see attached for standard NCTD signage) and bollard and chain gate located at the top of the ramp to prevent unauthorized access to NCTD Right-of-Way. Please note, this plan has been submitted to the California Coastal Commission and is subject to their approval. The ramp will be used at least once per month for NCTD crews to perform routine maintenance on the bridge and railroad tracks.

In regard to the revegetation plan, construction crews will replace removed vegetation within the project area in the coming months as construction is anticipated to be complete by late-spring 2019. To accomplish this, the construction team will use a hydroseed mix in the slope areas chosen in coordination with the United States Fish and Wildlife Service, California Coastal Commission, City of Solana Beach, City of Encinitas, North County Transit District, and the San Elijo Lagoon Conservancy. The mix will include a wide-variety of native species, including mostly shrubs, some grasses, and flowers. Please note, these slope areas were originally intended to have the Coastal Sage Scrub (CSS) mix; however, due to a high level of saline in the soils, we modified the typical CSS mix to ensure species establishment. Lastly, SANDAG is required to monitor the slope areas for three years, and water as needed, to ensure plant establishment.

Please feel free to let me know if you have any additional questions. Please also note that interested parties are encouraged to email BuildNCC@KeepSanDiegoMoving.com if there are any questions or

concerns as it helps our project team document and respond to all inquiries in a timely and efficient manner.

Thanks,

Alex Welling
Associate Public Outreach Officer

SANDAG
(619) 699-1918
401 B Street, Suite 800, San Diego, CA 92101

[<image001.png>](#)

[Facebook](#) | [Twitter](#) | [YouTube](#)

<Letter from NCTD re Access Road.pdf>

<LOSSAN Std No Trespassing Sign.pdf>

From: Sheryl
To: Delaplaine, Mark@Coastal
Cc: kies3@cox.net
Subject: Re: Project Update: San Elijo Lagoon Double Track Project
Date: Friday, March 15, 2019 5:30:46 PM

Hi Mark,

I suppose I don't understand how the City of Encinitas and the Sierra Club is able to speak for those of us who are directly effected- those who live across the street!
How do we not have a say? Our landscape has drastically changed and making this access road permanent, as stated before will only add additional traffic, noise, trash, devaluation in our property, as well as an ugly eyesore.

A bollard and chain gate and no trespassing sign at the top? Not only do I NOT want to look at that every day from my home, it won't prevent people from leaving their trash, parking how ever they want, and unwanted people and animals walking around.

Can you please schedule a hearing? What has happened to all of the letters neighbors have written Mayor Blakespear, Sandag, and the City of Encinitas, as well as the San Elijo Lagoon Conservatory? Is anyone reading them? Does anyone even care?

This is very upsetting to all of us who live across the street and love our community, our environment and want to protect our privacy, and the reason we all moved here to start with.

Thank you,

Sheryl Kies

On Mar 15, 2019, at 4:08 PM, Delaplaine, Mark@Coastal <Mark.Delaplaine@coastal.ca.gov> wrote:

In the event you're not on their distribution list - Mark

From: SANDAG [<mailto:buildncc@keepsandiegomoving.com>]
Sent: Friday, March 15, 2019 3:56 PM
To: Delaplaine, Mark@Coastal
Subject: Project Update: San Elijo Lagoon Double Track Project

March 2019

[View this email in your browser](#)



San Elijo Lagoon Double Track Project

Update on San Elijo Avenue Maintenance Access Ramp

The San Elijo Lagoon Double Track Project is currently entering its final stages of construction and is anticipated to be complete in early May 2019. Recently, the California Coastal Commission received a report detailing a formal request on behalf of the San Diego Association of Governments (SANDAG) and North County Transit District (NCTD) to make a temporary construction access ramp along the western side of San Elijo Avenue, between Dublin Drive and Kilkenny Drive, a permanent NCTD maintenance access ramp.

Since the start of construction in early 2017, this construction access ramp has proven to be a useful tool in allowing crews to safely construct the new double-tracked rail bridge over the San Elijo Lagoon and access the work area safely by avoiding the active railroad tracks. As such, NCTD, the owner and operator of the railroad, asked SANDAG (the contracted agency for planning, design, and construction) to develop a plan exploring the opportunity and benefits of transitioning the construction access ramp into a permanent feature for continued operator access. NCTD's formal request can be found [here](#).

If approved, the permanent maintenance access ramp will enhance the safety of railroad maintenance crews by eliminating the need to cross two sets of high-speed (90 MPH) tracks a total of six times per trip to perform maintenance on the new bridge over the San Elijo Lagoon. By eliminating an at-grade crossing, SANDAG and NCTD also would abide by the goals of the Federal Railroad Administration and the California Public Utilities Commission, the two agencies that regulate railroad operations, which mandate for the reduction of at-grade crossings.



The proposed plan for a permanent access ramp includes the installation of no trespassing signage and a bollard and chain gate feature located near the top of the ramp to prevent unauthorized access within NCTD's right-of-way.

Additionally, the City of Encinitas and the Sierra Club recently submitted letters to the California Coastal Commission supporting the permanency of the access ramp for potential future uses as a walking trail and viewing area. The City of Encinitas and Sierra Clubs' support letter can be found [here](#).

As previously mentioned, this plan has been submitted to the California Coastal Commission and is subject to their approval. As a result of last week's hearing, we are continuing to work with California Coastal Commission staff and hope to receive a determination soon. You can view the California Coastal Commission's staff report [here](#), by selecting Thursday, March 7, under item number 7.a.

If you have any questions regarding the maintenance access ramp, please feel free to email BuildNCC@KeepSanDiegoMoving.com or call us at **(844) NCC-0050**. As always, we thank you for your continued patience during construction.











Federal regulations require the train engineer to sound the horn when approaching an active construction site, even in a quiet zone. Train horns serve as a warning system to ensure the safety of railroad workers. More information and rules governing the use of train horns can be found on the Federal Railroad Administration's website at www.fra.dot.gov.

About the San Elijo Lagoon Double Track Project

The San Elijo Lagoon Double Track Project is a \$72.8 million project that will add 1.5 miles of new double track from Cardiff-by-the-Sea to the southern border of the San Elijo Lagoon, replace the wooden trestle bridge over the San Elijo Lagoon with a modern concrete bridge, construct a new pedestrian undercrossing at the south end of the lagoon, and improve the signal and grade crossing at Chesterfield Drive. This project is part of Build NCC and will take approximately two years to complete.

Connect With Us During Construction

 Sign up for updates at KeepSanDiegoMoving.com/BuildNCC	 Email us at BuildNCC@KeepSanDiegoMoving.com
 Call (844) NCC-0050	 Text BuildNCC to 313131 to receive construction alerts
 Follow us @BuildNCC @SDCaltrans #BuildNCC	 Like us at SANDAGregion CaltransDistrict11
 Follow us SANDAGregion #BuildNCC	 Watch more at SANDAGregion CaltransVideo

Si desea obtener información en español, por favor comuníquese al
(619) 699-1950 o pio@sandag.org.



In compliance with the Americans with Disabilities Act (ADA), this document is available in alternate formats by contacting the SANDAG ADA Coordinator, the Director of Administration, at (619) 699-1900 or (619) 699 - 1904(TTY).

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Want to change how you receive these emails?
You can [update your preferences](#) or [unsubscribe from this list](#)

From: [Rhonda Houck](#)
To: jhubbard@encinitasca.gov; tkranz@encinitasca.gov; jmosca@encinitasca.gov; khinze@encinitasca.gov; cblakespear@encinitasca.gov; [Delaplaine, Mark@Coastal](mailto:Delaplaine.Mark@Coastal); doug@sanelijo.org
Subject: Opposition to proposed permanent status of TEMPORARY access road NE-0001-19, SANDAG
Date: Saturday, March 16, 2019 11:26:02 AM

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 for months, with years of grief to go.

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 “landscape” is not at all in keeping with the character of Cardiff by the Sea, let alone a natural environment in a world increasingly bereft of same.

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 of ANY type of access road.

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.

What can we do as concerned members of both the greater Cardiff by the Sea community, and very concerned members of the small and tightly-knit neighborhood adjacent to the TEMPORARY access road, to convince the City, the county, the state, SANDAG, the Lagoon

Conservancy, the Sierra Club and other SO-CALLED environmental groups, to withdraw support for allowing the access ramp to remain? We would appreciate any suggestions you might provide as this is a critical issue for the formerly all-beautiful Cardiff by the Sea.

Sincerely,

Rhonda and Greg Houck

From: [Kathy](#)
To: cblakespear@encinitasca.gov; jhubbard@encinitasca.gov; tkranz@encinitasca.gov; jmosca@encinitasca.gov; khinze@encinitasca.gov; doug@sanelijo.org; [Delaplaine, Mark@Coastal](#)
Subject: San Elijo Ave. Maintenance Access Road in Cardiff
Date: Saturday, March 16, 2019 8:52:07 AM

To city leaders:

I just wanted to take a minute to write that I am opposed to making the San Elijo Avenue Maintenance Road in Cardiff permanent.

I agree with my neighbor, who states:

"When this project was originally presented to the community, this access ramp was to be only temporary. We have been patiently waiting for all the double tracking & bridge construction to be over and are extremely upset that there has been this last minute switch in direction.

The double tracking has already forever established a much more industrial look through our community. At least we want our beautiful hillside back! We don't want to see a metal gate and a maintenance road ruining our enjoyment of the beautiful place the community goes to watch sunsets and check out the surf. The hillside view from Hwy 101 will also be marred with that ugly maintenance road. Extra expense was made to make the retaining wall fit into the local environment. Why counteract that direction by allowing that eyesore to remain?

Plus, having that road will encourage homelessness and partying at the bottom of the hill and this will result in trash and litter and possible human endangerment due to the proximity of 2 railroad tracks."

Thanks for listening,
Kathy Knight

From: [Ellen Burr](#)
To: [Diane Horvath Zeiger](#)
Cc: [Delaplaine, Mark@Coastal](#); doug@sanelijo.org
Subject: Road
Date: Friday, March 15, 2019 9:37:51 PM

The ditch may handle the access road drainage for a while but not the storm water pouring over the slope along San Elijo. What I can't envision is exactly where are these lagoon voyeurs congregating and what are they viewing ? The backside of the bridge with the bird impressions, I guess. Or your beautiful ditch. No, it must be the beautiful new double tracks and all the necessary fencing. Or maybe the barren hydro seeded hillside. I'm sure they have never seen that while traveling the 5 or 15 .

Sent from my iPad

From: [Diane Zeiger](#)
To: [Delaplaine, Mark@Coastal](mailto:Delaplaine.Mark@Coastal)
Cc: ["Doug Gibson"](#)
Subject: Photos
Date: Friday, March 15, 2019 7:06:24 PM

Dear Mark:

I thought I would share with you, photos of before and after. The beautiful photos are of the area directly below my house prior to the double track construction and the photo of the drainage ditch is what it looks like now. The drainage ditch was required because the temporary access road is being made permanent. I ask you how would you feel about this? The blight to the nature is severe and I can't understand why the Coast Commission who is the protectorate of our coast line would stand for further degradation of this area. We need at least one organization which is funded by taxpayers to make the right decision on the behalf of the citizens.

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All of us in our neighborhood are very frustrated as to how we have been minimized during this entire process.

Regards,

Diane M. Zeiger, CPA
Mobile 858.945.7874
dihorvath@gmail.com

From: [Pat Magnarella](#)
To: [Delaplaine, Mark@Coastal](#)
Subject: FW: Cardiff Residents are Strongly Opposed to the Maintenance Access Ramp
Date: Monday, March 18, 2019 7:55:33 PM

Local press below.

Patrick Magnarella

GRNDVW

543 Encinitas Blvd., Suite 101

Encinitas, CA 92024

Phone: 760-479-0103

Email: pat@GRNDVW.com

From: Ross Ridder <ross.ridder@me.com>
Date: Monday, March 18, 2019 at 5:36 PM
To: Pat Magnarella <Pat@GRNDVW.com>
Cc: Diane Zeiger <dihorvath@gmail.com>, Rhonda & Greg Houck <houck3@cox.net>, Ellen Burr <ellencburr@hotmail.com>, DeeDee Kirsch <dedekirsch@cox.net>, Eric & Lucille Olson <ericolson1@yahoo.com>
Subject: Re: Cardiff Residents are Strongly Opposed to the Maintenance Access Ramp

Here's an article about this in the San Diego Reader:

<https://www.sandiegoreader.com/news/2019/mar/18/stringers-san-elijo-lagoon-temporary-road/>

Ross Ridder

DMR Direct

760-943-6200

ross.ridder@dmrdirect.com

From: [Community](#)
Sent: Monday, March 10, 2020, 10:00 AM
To: [Community](#)

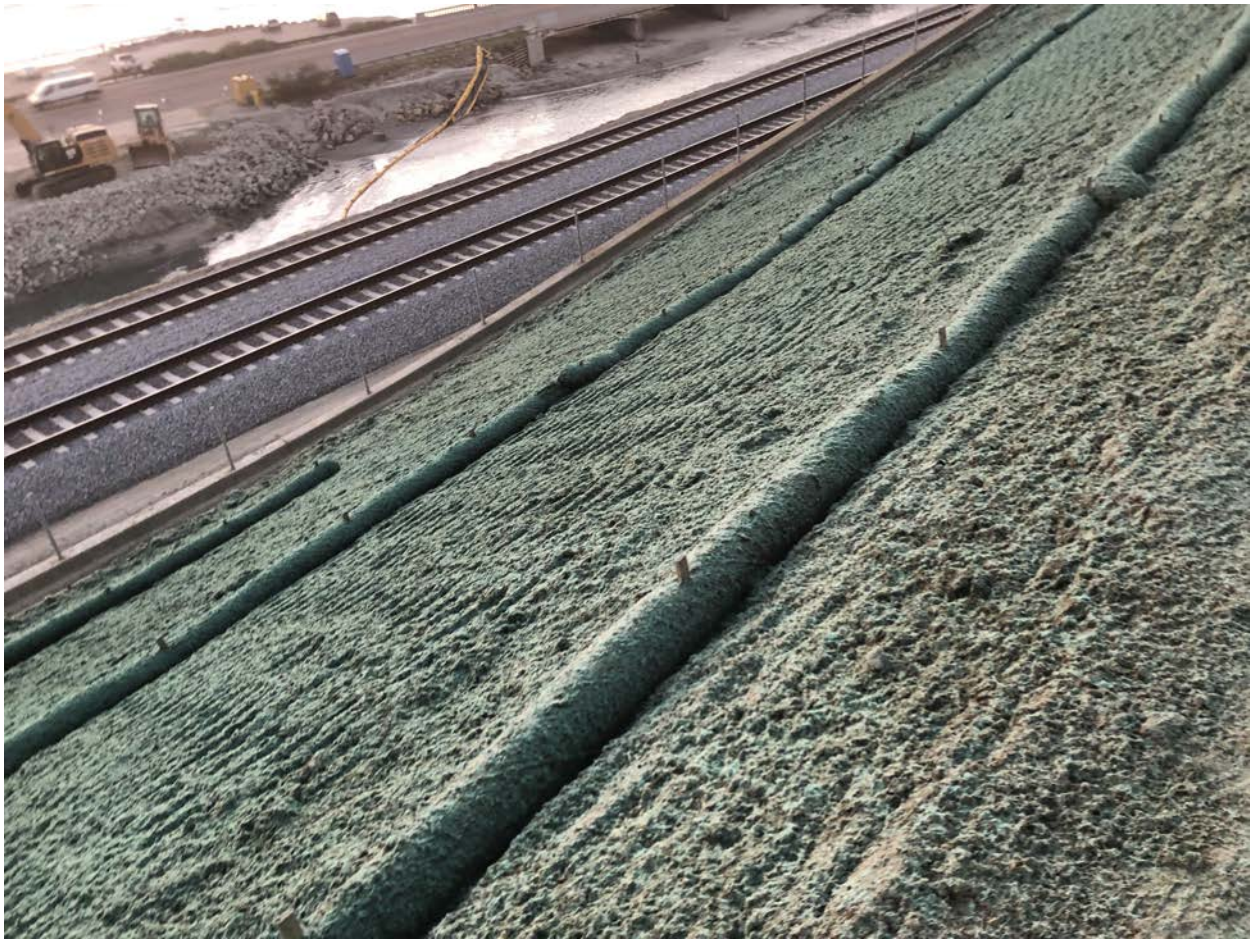
Hi,

Thanks for responding to my email. How does this road issue happen without any input from the Cardiff community? How does our Mayor approve this road with a letter from the Sierra Club? I took these pictures tonight. Is this what our staff is going to look like? Have you been to Cardiff to inspect the road and stuff yourself? It would be great if you could come to Cardiff and meet with the community and please explain to us what is going on. Let me know if that is possible.









Sent from my iPhone
No images were
transmitted.
GARY W
141 New York Blvd., Suite 101
Hicksville, NY 11801
Phone: (516) 791-0101
Fax: (516) 491-2111
Email: gary@garyw.com

From: [Sheryl](#)
To: [Energy@Coastal](#)
Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: Saturday, March 02, 2019 2:05:35 PM

Begin forwarded message:

From: Sheryl <kies3@cox.net>
Subject: To: "EORFC@coastal.ca.gov" <EORFC@coastal.ca.gov> Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: March 2, 2019 at 2:02:38 PM PST
To: "To: EORFC@coastal.ca.gov" <EORFC@coastal.ca.gov>, "SANDAG, Encinitas" <Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19>
Cc: "SANDAG, Encinitas" <Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19>



It is a rainy day here in Cardiff and this is what the "temporary access road looks like from our perspective.
Wait till summer with even more people looking for parking, watching the surf and sunset all a big unnecessary eye sore and safety issue for residence. This temporary access road to be considered a permanent road is

going to cause an unusual number of phone calls to sheriff department, potential accidents by people trying to pull in and out and a huge plummet in our quality of life as we knew it and a devastating decrease in our property value.

Sheryl and John Kies

2465 San Elijo Ave

Directly impacted as the access road is directly across the street from our home

From: [Lucille Olson](#)
To: [Delaplaine, Mark@Coastal](mailto:Delaplaine_Mark@Coastal)
Subject: Re: Project Update: San Elijo Lagoon Double Track Project
Date: Saturday, April 13, 2019 2:06:29 AM

I did not receive this notice in March. I have received many notices on my door steps stating that due to rail construction the trains won't be running. Before the road was installed we were told and assured that it would be a temporary road. An access road along the railway from Chesterfield to the concrete trestle would be less disturbing to the community and the residents that have lived here before double track project began.

During the construction of the double track when construction workers were installing it, the trains would not run, and at any time there are construction workers working near or on the train track the trains travel at a very slow speed and honk the horn.

I have never seen the trains traveling at a high rate of speed (90MPH) when construction workers are near the tracks. Isn't there a safety rule that goes into effect when there's any type of construction to check or repair the rail, that the trains don't run?

Lucille Olson

[Sent from Yahoo Mail for iPad](#)

On Friday, March 15, 2019, 4:08 PM, Delaplaine, Mark@Coastal <Mark.Delaplaine@coastal.ca.gov> wrote:

In the event you're not on their distribution list - Mark

From: SANDAG [<mailto:buildncc@keepsandiegomoving.com>]
Sent: Friday, March 15, 2019 3:56 PM
To: Delaplaine, Mark@Coastal
Subject: Project Update: San Elijo Lagoon Double Track Project

March 2019

[View this email in your browser](#)



San Elijo Lagoon Double Track Project

Update on San Elijo Avenue Maintenance Access Ramp

The San Elijo Lagoon Double Track Project is currently entering its final stages of construction and is anticipated to be complete in early May 2019. Recently, the California Coastal Commission received a report detailing a formal request on behalf of the San Diego Association of Governments (SANDAG) and North County Transit District (NCTD) to make a temporary construction access ramp along the western side of San Elijo Avenue, between Dublin Drive and Kilkenny Drive, a permanent NCTD maintenance access ramp.

Since the start of construction in early 2017, this construction access ramp has proven to be a useful tool in allowing crews to safely construct the new double-tracked rail bridge over the San Elijo Lagoon and access the work area safely by avoiding the active railroad tracks. As such, NCTD, the owner and operator of the railroad, asked SANDAG (the contracted agency for planning, design, and construction) to develop a plan exploring the opportunity and benefits of transitioning the construction access ramp into a permanent feature for continued operator access. NCTD's formal request can be found [here](#).

If approved, the permanent maintenance access ramp will enhance the safety of railroad maintenance crews by eliminating the need to cross two sets of high-speed (90 MPH) tracks a total of six times per trip to perform maintenance on the new bridge over the San Elijo Lagoon. By eliminating an at-grade crossing, SANDAG and NCTD also would abide by the goals of the Federal Railroad Administration and the California Public Utilities Commission, the two agencies that regulate railroad operations, which mandate for the reduction of at-grade crossings.



The proposed plan for a permanent access ramp includes the installation of no trespassing signage and a bollard and chain gate feature located near the top of the ramp to prevent unauthorized access within NCTD's right-of-way.

Additionally, the City of Encinitas and the Sierra Club recently submitted letters to the

California Coastal Commission supporting the permanency of the access ramp for potential future uses as a walking trail and viewing area. The City of Encinitas and Sierra Clubs' support letter can be found [here](#).

As previously mentioned, this plan has been submitted to the California Coastal Commission and is subject to their approval. As a result of last week's hearing, we are continuing to work with California Coastal Commission staff and hope to receive a determination soon. You can view the California Coastal Commission's staff report [here](#), by selecting Thursday, March 7, under item number 7.a.

If you have any questions regarding the maintenance access ramp, please feel free to email BuildNCC@KeepSanDiegoMoving.com or call us at (844) NCC-0050. As always, we thank you for your continued patience during construction.



Federal regulations require the train engineer to sound the horn when approaching an active construction site, even in a quiet zone. Train horns serve as a warning system to ensure the safety of railroad workers. More information and rules governing the use of train horns can be found on the Federal Railroad Administration's website at www.fra.dot.gov.

About the San Elijo Lagoon Double Track Project

The San Elijo Lagoon Double Track Project is a \$72.8 million project that will add 1.5 miles of new double track from Cardiff-by-the-Sea to the southern border of the San Elijo Lagoon, replace the wooden trestle bridge over the San Elijo Lagoon with a modern concrete bridge, construct a new pedestrian undercrossing at the south end of the lagoon, and improve the signal and grade crossing at Chesterfield Drive. This project is part of Build NCC and will take approximately two years to complete.

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In compliance with the Americans with Disabilities Act (ADA), this document is available in alternate formats by contacting the SANDAG ADA Coordinator, the Director of Administration, at [\(619\) 699-1900](tel:6196991900) or [\(619\) 699-1904](tel:6196991904)(TTY).

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Coastal Property Rights, Land Use & Litigation

June 7, 2019

California Coastal Commission
7575 Metropolitan Dr. Ste 103
San Diego, CA 92108

Re: **NE-0001-19**, SANDAG, Modification to previously concurred with Consistency certification CC-0004-15 for the San Elijo Lagoon Double Track Project, Encinitas/Solana Beach, San Diego County

Dear Commissioners:

We represent residents located along San Elijo Avenue near the intersection of Kilkenny Drive. Our clients object to the continuing public hazard presented by North County Transit District (NCTD) maintaining, and further perpetuating, an “unregulated” and “not legal” unofficial public parking area along San Elijo Avenue.

This admittedly illegal parking area attracts and encourages dangerous behavior in the neighborhood. Throughout the day, and peaking during the sunrise and sunset hours, numerous vehicles traverse San Elijo Avenue from both directions (thereby driving in the wrong direction on San Elijo) in order to trespass onto this NCTD property. This results in drivers making unsafe traffic maneuvers that cause a large number of traffic accidents in the area. And because the parking area is “unofficial,” there is no enforcement of reasonable hours of operation, which encourages late night use for drinking, drugs, noise, litter, and other public nuisance.

Unsafe Traffic Flow

Examples of dangerous traffic maneuvers that regularly occur due to the unique traffic conditions in the area include:

- Vehicles regularly cross the double yellow line from the northbound lane to park. Additionally, cars regularly park the wrong direction after driving the wrong direction in the oncoming lane (see photo below);
- Vehicles regularly make illegal U-turns to access parking;
- Vehicles regularly reenter the road by driving the wrong direction and then cross the double yellow line again;
- Vehicles regularly back up into the street, including across the double yellow line, to re-enter the road, causing accidents.

This section of San Elijo Avenue is particularly dangerous because there is a blind curve on San Elijo (northbound) right before the NCTD-owned dirt strip. Vehicles coming this way cannot see other vehicles making parking maneuvers. The City already recognizes the danger of this blind curve by prohibiting left turns (southbound) out of Kilkenny Drive.

While Exhibit 8 of the Staff Report depicts idealized orderly public parking, the reality in practice in this area is much different, as can be seen from just one example below from prior to the guardrail being constructed:



Damage to the Local Bluff

Moreover, the bluff in this area is fragile due to the previous construction that has occurred. Heavy traffic from vehicles, leaking oil and other fluids, and regular littering has caused further damage to the sensitive bluff.

To make the situation worse, there are no curbs to contain storm water run-off in this area. This is in stark contrast to the rest of San Elijo Avenue to the north and the south. It does not make sense to treat this area differently than the rest of San Elijo.

Conclusion

Continuing to maintain an unofficial, illegal, and unregulated parking area in the name of “public access” is at best negligence, and at worst intentional conduct that could result in liability by all the entities involved, including SANDAG, NCTD, the City of Encinitas, and the Coastal Commission.

The governing entities should work together to extend and move the guardrail to prevent future illegal parking, traffic violations, and other criminal behavior in the area. In addition, a curb should be installed and other measures implemented to protect the sensitive bluff.

Sincerely,



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