

**CALIFORNIA COASTAL COMMISSION**

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



# Th15a

**A-6-LJS-19-0198 (CITY OF SAN DIEGO)**

**August 13, 2020**

**CORRESPONDENCE**

Letters of Support

Letters of Opposition

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Public Comment on February 2020 Agenda Item Friday 18a - Appeal No. A-6-LJS-19-0198 (San Diego Children's Pool Retaining Wall)  
**Date:** Monday, February 03, 2020 9:24:36 AM

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**From:** Jane Reldan, MD [mailto:jane@sealconservancy.org]  
**Sent:** Sunday, February 02, 2020 11:49 AM  
**To:** SanDiego@Coastal  
**Subject:** Public Comment on February 2020 Agenda Item Friday 18a - Appeal No. A-6-LJS-19-0198 (San Diego Children's Pool Retaining Wall)

Dear Commissioners:

Please accept staff's recommendation of "**NO** Substantial Issue" unanimously.

The 14 foot retaining wall substantially conforms to CDP #549626, approved by the City for construction of a new lifeguard station.

The San Diego City Council voted unanimously and a Notice of Final Action for the determination was received by the San Diego California Coastal Commission office 9/23/19.

The retaining wall was necessary to support the new ADA ramp from Coast Boulevard to the new restrooms and showers in the lower level of the new life-guard station, including two ADA – compliant restroom stalls and one ADA – compliant shower stall.

There are no identified inconsistencies with the City's Local Coastal Program (LCP) and the Coastal Act, per the San Diego California Coastal Commission staff report of 1/30/2020.

Thank you.

Jane Reldan, MD  
President, Seal Conservancy  
PO Box 2016  
La Jolla, CA 92038  
[jane@sealconservancy.org](mailto:jane@sealconservancy.org)  
[www.sealconservancy.org](http://www.sealconservancy.org)

**From:** [Leslie\\_Kanani@Coastal](mailto:Leslie_Kanani@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Appeal Number: A-6-LJS-19-0198  
**Date:** Tuesday, February 04, 2020 8:27:35 AM

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

From: Jane Reldan, MD [<mailto:jane@sealconservancy.org>]  
Sent: Monday, February 3, 2020 5:30 PM  
To: SanDiego@Coastal  
Cc: 'Eloise Batts'  
Subject: Appeal Number: A-6-LJS-19-0198

Forwarded, since Eloise Batts had the email address wrong from me.

Jane Reldan, MD  
President, Seal Conservancy  
PO Box 2016  
La Jolla, CA 92038  
[jane@sealconservancy.org](mailto:jane@sealconservancy.org)  
[www.sealconservancy.org](http://www.sealconservancy.org)

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

From: Eloise Batts <[ebatts007@gmail.com](mailto:ebatts007@gmail.com)>  
Sent: Monday, February 3, 2020 10:08 AM  
To: SanDiegoCoastal@coastal.ca.gov  
Subject: Appeal Number: A-6-LJS-19-0198

I respectfully request that you adopt your staff's recommendation of "No Substantial Issue" on Appeal Number A-6-LJS-19-0198.

Sincerely yours,  
Eloise P. Batts

Sent from my iPad=

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Appeal Number: A-6-LJS-19-0198  
**Date:** Tuesday, February 04, 2020 8:28:11 AM

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**From:** Deborah Saracini [mailto:debsaracini@yahoo.com]  
**Sent:** Monday, February 3, 2020 8:45 PM  
**To:** SanDiego@Coastal  
**Subject:** Appeal Number: A-6-LJS-19-0198

Dear Commissioners,

I strongly support the Coastal Commission Staff's recommendation of "No Substantial Issue" in regards to **Appeal Number: A-6-LJS-19-0198.**

The retaining wall that is the subject of this appeal, was constructed to provide additional support for the existing gate (at Casa Beach/Children's Pool), to prevent erosion of the bluff and to act as a safety barrier for the newly-constructed ADA ramp.

For these reasons, I urge you to accept your Staff's recommendation of "No Substantial Issue".

Thank you,  
Deborah Saracini  
Del Mar, CA





# SEAL CONSERVANCY

P.O. Box 2016 • La Jolla, CA 92038

[www.sealconservancy.org](http://www.sealconservancy.org)

JANE RELDAN, MD  
PRESIDENT

KATHERINE OZANICH, MD  
VICE PRESIDENT

HANNELORE CICCARELLI  
SECRETARY

MICHAEL GOLD  
TREASURER

February 3, 2020

California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4421

RE: Appeal Number A-6-LJS-19-0198

Dear Commissioners,

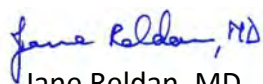
The Seal Conservancy strongly supports the Coastal Commission Staff's recommendation of "No Substantial Issue" in regards to the above-referenced appeal.

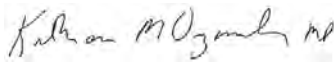
The retaining wall that is the subject of this appeal, was constructed to provide additional support for the existing gate; to prevent erosion of the bluff; to retain the exposed bluff soil to prevent soil falling on to the ramp; and to act as a safety barrier for the newly-constructed ADA ramp.


There are no identified inconsistencies with the City's certified Local Coastal Program (LCP), nor with the public access and recreation policies of the Coastal Act, as discussed in detail in Staff Report F18a dated 1/30/2020.

For all of these reasons, we urge you to unanimously accept your Staff's recommendation of "No Substantial Issue" in regards to this matter.

Sincerely,

  
Jane Reldan, MD  
President

  
Katherine Ozanich, MD  
Vice President

  
Hannelore Ciccarelli  
Secretary

  
Michael Gold  
Treasurer

**From:** Jane Reldan, MD [mailto:jane@sealconservancy.org]  
**Sent:** Wednesday, February 05, 2020 4:59 PM  
**To:** Lee, Deborah@Coastal  
**Subject:** Appeal Number A-6-LJS-19-0198

Dear Deborah,

At the request of Project Officer II James Arnhart from the City of San Diego, Public Works Engineering Department, I am submitting the letters of support that were sent to the City Council last September in regards to the issue of the “unpermitted” retaining wall. Mr. Arnhart will be representing the City at the upcoming appeal to the CCC in Long Beach. Please add these letters to the Commissioners’ packets, if you deem it appropriate, as well as adding them to the correspondence online.

Thank you,

Jane Reldan, MD  
President, Seal Conservancy  
PO Box 2016  
La Jolla, CA 92038  
[jane@sealconservancy.org](mailto:jane@sealconservancy.org)  
[www.sealconservancy.org](http://www.sealconservancy.org)

## Seal Conservancy

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**From:** Daliel Leite <monitors@sealwatch.org>  
**Sent:** Friday, August 23, 2019 3:48 PM  
**To:** georgettegomez@sandiego.gov; kevinfaulconer@sandiego.gov;  
barbarabry@sandiego.gov; jennifercampbell@sandiego.gov;  
christopherward@sandiego.gov; monicamontgomery@sandiego.gov;  
markkersey@sandiego.gov; chriscate@sandiego.gov; scottsherman@sandiego.gov;  
vivianmoreno@sandiego.gov  
**Cc:** cityclerk@sandiego.gov; hearings1@sandiego.gov  
**Subject:** Please Support Project 627990 As-Is

Dear Council President Gomez and City Councilmembers,

On September 17, 2019, you will be asked to decide whether an 8-foot long by 30-inch tall retaining wall at Casa Beach / Children's Pool in La Jolla is in conformance with the previously-issued Coastal Development Permit. Upon review, the City's Development Services Department has found the wall to be in substantial conformance. I urge you to approve the findings of the DSD and Support the Project 627990 as-is.

Sincerely,

Daliel Leite  
sealwatch.org

## Seal Conservancy

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**From:** James Fitzgerald <jimfitz1@pacbell.net>  
**Sent:** Monday, August 26, 2019 4:15 PM  
**To:** georgettegomez@sandiego.gov; barbarabry@sandiego.gov;  
jennifercampbell@sandiego.gov; christopherward@sandiego.gov;  
monicamontgomery@sandiego.gov; markkersey@sandiego.gov;  
chriscate@sandiego.gov; scottsherman@sandiego.gov; vivianmoreno@sandiego.gov  
**Cc:** Kevin Faulconer@sandiego.gov  
**Subject:** Support Project 627990 and Reject Appeal

Council President Gomez and Honorable City Councilmembers:

Re: Appeal of Project 627990, September 17, 2019

My name is James M. Fitzgerald. I am a 30-year resident of La Jolla and I am currently serving as a Trustee of the La Jolla Community Planning Association. Today, however, I am contacting to you as a private citizen and urging you to support the Developmental Services Department (DSD) determination of substantial conformance for the referenced project and to deny the appeal.

The fundamental issue is whether the Council will affirm the DSD's determination that an already-built 8-foot long by 30-inch high retaining wall at Casa Beach/Children's Pool in La Jolla is in conformance with the previously-approved Coastal Development Permit.

As brief background: During the construction of the new lifeguard station at the Children's Pool, the Public Works Department (PWD) concluded that the retaining wall in question was needed for several reasons: (1) to provide additional support for the gate posts; (2), to retain about a foot of soil; and (3) to act as a safety barrier for the newly constructed ADA-compliant ramp to the restrooms, as is required by City policy and Section 1502.2 of the California Building Code (CBC 2010). PWD subsequently implemented this change and constructed the retaining wall.

With the unerring wisdom of hindsight, to avoid any possible future controversy, when the retaining wall was first proposed, this change could have been submitted for community review to help identify if there were relevant design-alternatives that could have effectively satisfied the needs identified above. However, this additional review cycle would have certainly added time and cost to the Lifeguard Station project, which was already significantly over budget and well-past its scheduled completion date.

Procedural process issues notwithstanding, in the context of the full project, the scope of this change to the original permit is relatively minor. The objections from those appealing the DSD substantial-conformance determination appear to revolve primarily around the retaining wall blocking-off the existing ramp down to the Children's Pool beach. However, consider:

- The existing ramp is closed now and has been closed for many, many years both to the public and to emergency-vehicle use.
- Implementation of the ADA-compliant ramp to the Lifeguard Station's restrooms makes future emergency-vehicle use of the existing ramp effectively impossible.
- The existing ramp is steep and, in its present form, is not ADA-compliant-- and could not be made ADA-compliant without major structural changes to the surrounding areas.

As a result, because the new retaining wall does not change current access to or use of the existing ramp, the ramp is a non-issue.

For the reasons above, I am, again, urging you to support the Developmental Services Department (DSD) determination of substantial conformance for the referenced project and to deny the appeal.

Respectfully,

James M. Fitzgerald  
6942 Via Estrada  
La Jolla, CA 92037  
858-456-6255

## Seal Conservancy

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**From:** mhussenbux@btinternet.com  
**Sent:** Saturday, August 24, 2019 3:43 AM  
**To:** georgettegomez@sandiego.gov; barbarabry@sandiego.gov;  
jennifercampbell@sandiego.gov; christopherward@sandiego.gov;  
monicamontgomery@sandiego.gov; markkersey@sandiego.gov;  
chriscate@sandiego.gov; scottsherman@sandiego.gov; vivianmoreno@sandiego.gov;  
kevinfaulconer@sandiego.gov  
**Cc:** cityclerk@sandiego.gov; hearings1@sandiego.gov  
**Subject:** Please Support Project 627990 As-Is

Dear Council President Gómez and City Council Members,

I write on behalf of The Animal Interfaith Alliance, an international alliance of faith groups founded in Britain concerned about the welfare of animals. Our member organisations and individual members include Buddhists, Christians, Hindus, Jains, Jews, Muslims and Sikhs. We are all united by our common concern for animals, based on our various faiths. Our member organisations are listed below.

We have previously supported measures to protect the harbour seals you are fortunate enough to host at Casa Beach, during the pupping season, and were delighted that they will have protection in the form of roping off the area at this important time for the next 10 years.

We now understand that on September 17, 2019, you will be asked to decide whether an 8-foot long by 30-inch tall retaining wall at Casa Beach / Children's Pool is in conformance with the previously-issued Coastal Development Permit.

Upon review, the City's Development Services Department has found the wall to be in substantial conformance.

We therefore urge you to approve the findings of the DSD and support the Project #627990 as-is.

Thank you for the opportunity to support the Project and we send our compliments to you all.

Best regards,

Marian Hussenbux. Secretary International Campaigns

Animal Interfaith Alliance  
[www.animal-interfaith-alliance.com](http://www.animal-interfaith-alliance.com)

Faiths Working Together for Animals

Member Organisations:

Anglican Society for the Welfare of Animals Bhagvatinandji Education and Health Trust Catholic Concern for Animals  
Christian Vegetarian Association UK Christian Vegetarian Association US Dharma Voices for Animals UK Institute of  
Jainology Islamic Concern Jewish Vegetarian Society UK Mahavir Trust Oshwal Association of the UK  
[www.panorthodoxconcernforanimals.org](http://www.panorthodoxconcernforanimals.org)  
Quaker Concern for Animals  
Sadhu Vaswani Centre  
Young Jains

President - Dr Richard D. Ryder. Vice President - Dr Deborah Jones.

Patrons (in alphabetical order) - Rev. Christa Blanke, Joyce D'Silva, Kay, Duchess of Hamilton, Satish Kumar, Nitin Mehta MBE, Dr Andre Menache, Dr Alpesh Patel, Dr Matthieu Ricard, Anant Shah, Ajit Singh MBE, Charanjit Singh, Mohammad Safa.

**From:** [Adrian Kwiatkowski](#)

**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)

**Cc:** [charlesraymondthomas@gmail.com](mailto:charlesraymondthomas@gmail.com)

**Subject:** Appeal Number: A-6-LJS-19-0198 - Please Adopt Costal Commission Staff's Recommendation

**Date:** Friday, February 07, 2020 10:35:53 AM

Dear California Coastal Commissioners,

We are contacting you regarding Appeal Number: A-6-LJS-19-0198. We ask the Commission to please adopt Costal Commission staff's recommendation of "No Substantial Issue" regarding this appeal.

Sincerely,

Adrian Kwiatkowski and Ray Thomas

1806 McKee Street, A6

San Diego, CA 92110

Adrian Kwiatkowski

Mobile Phone (619) 200-6471



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RECEIVED

FEB - 4 2020

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

JANE R. RELDAN, M.D., INC.  
House Calls • Family Practice



2/2/2020

Dear Commissioners:

Please adopt your staff's  
recommendation of "NO  
substantial issue" on Appeal  
# A-6-LIS-19-0178.

Please oppose the appeal  
unanimously, as the City  
of San Diego City Council did.

Sincerely yours,

Jane Reldan, M.D.



# SIERRA CLUB

## SAN DIEGO CHAPTER

February 6, 2020

California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, Ca 92108-4421

RE: Appeal number A-6-LJS-19-0198 - Not in favor

Dear California Coastal Commissioners;

The intent of the City of San Diego in building the cement retaining wall during construction of the new lifeguard tower is very clear: to reinforce the berm of underlying sand under the sidewalk at the intersection of the bathroom facilities and the seawall access. This concrete block was designed to support the gate to Casa Beach.

The final analysis by the City indicated that there is no substantial issue to retain the original configuration. That is a clear and immutable position by the city and should be upheld at the outcome of this appeal.

Thank you for your consideration of the City's decision.

Ellen Shively  
Co-coordinator  
Sierra Club San Diego Seal Society

### **About the Sierra Club**

Founded in 1892, the Sierra Club is the nation's oldest and largest grassroots environmental organization. There are more than 3.5 million members and champions in 50 states, Puerto Rico and Canada. Sierra Club San Diego was founded in 1948 and has more than 43,000 members and supporters locally. Serving San Diego and Imperial Counties, it strives to preserve the special nature of the region through education, activism and advocacy.

***8304 Clairemont Mesa Blvd., Ste 101 • San Diego, CA. 92111  
TEL: 858-569-6005 • <http://sandiegosierraclub.org>***

**From:** Robyn Davidoff  
**To:** SanDiego@Coastal  
**Cc:** Robyn Davidoff

**Subject:** Appeal Number A-6-LJS-19-0198

**Date:** Thursday, February 06, 2020 9:58:24 AM

Dear Commissioners,

I urge you to support the previous Coastal Commission's Staff finding that there is "no substantial issue" in regards to the appeal A-6-LIS-19-0198.

The retaining wall that is the subject of this appeal, was constructed to provide additional support for the existing gate; to prevent erosion of the bluff; to retain the exposed bluff soil to prevent soil falling on to the ramp; and to act as a safety barrier for the newly constructed ADA ramp.

I urge you to reaffirm your decision.

Robyn Davidoff  
2138 Historic Decatur Rd.  
San Diego, CA 92106  
858 775-6627

**From:** cameron judith <[jmcameron@videotron.ca](mailto:jmcameron@videotron.ca)>

**Subject:** Appeal Number A-6-LJS-19-0198

**Date:** February 4, 2020 at 3:34:30 PM GMT-5

**To:** [SanDiegoCoastal@coastal.ca.gov](mailto:SanDiegoCoastal@coastal.ca.gov)

To The San Diego Coastal commission

With regards to the Appeal Number A-6-LJS-19-0198, I would request that you adopt, as per your staff's recommendation, NO Substantial Issue

Respectfully,  
Dr. Judith Cameron, MDCM, FRCP

## Ken Hunrichs' presentation to the City Council for the beach ramp SCR Appeal, Sept 17, 2019

Commission Appeal No. A-6-LJS-19-0198

This document is based on a presentation to the San Diego City Council for the Children's Pool Lifeguard Tower Project beach access ramp Substantial Conformance Review (SCR).

An examination of the City's Substantial Conformance Review shows the City staff bypassed the local planning groups when a major change was made to the project in 2015. In this case, the changes were reviewed only after the barrier wall blocking established coastal access to Children's Pool was already built. The City's analysis falls short of justifying the addition of the barrier wall blocking well established coastal access.

Early in the SCR process Section 1502.2 of the California Building Code (CBC 2010) was cited by the City in their "Notices of Public Hearing". It was a misapplied section of the Code having to do with roof drains. After a follow up email with City staff corrected the code section to CBC 1013 it was discovered that the CBC section was again misapplied to the conditions at the site. The hazardous condition cited did not apply to conditions at the site. The City staff dropped that claim in their final presentation to the City Council on Sept 17<sup>th</sup>. Instead, they attempted to characterize their justification with an unnecessary defense against providing a fully compliant ADA access ramp. The ADA ramp issue is settled but was a major diversion to the City Council discussions. There is no issue involving a fully ADA compliant ramp. It only arises as part of the goals in the 2014 closure permit to improve access for the disabled. This appeal is strictly about compliance with the Local Coastal Program, the La Jolla Community Plan and the California Coastal Act.

This ramp was use for public beach access for decades. It is identified as "VERTICAL ACCESS" in the La Jolla Community Plan and Local Coastal Plan documents. By willful neglect, the City allowed the ramp surface to fall into disrepair contrary to the objectives described in the Community Plan and LCP.

The specifications described in the Lifeguard Tower Project Coastal Development Permit were for a beach ramp for emergency vehicles all the way to the beach. With barriers at the street level along Coast Blvd the barrier across the ramp are no longer needed to prevent vehicle trespass. A chain is all that is needed to seasonally close the stairway. The dilapidated gate is a visual and physical barrier that also was never reviewed for conformance to the Community Plan/LCP or Coastal Act. The gate no longer serves any purpose other than to encroach upon public access to the beach and should be removed.

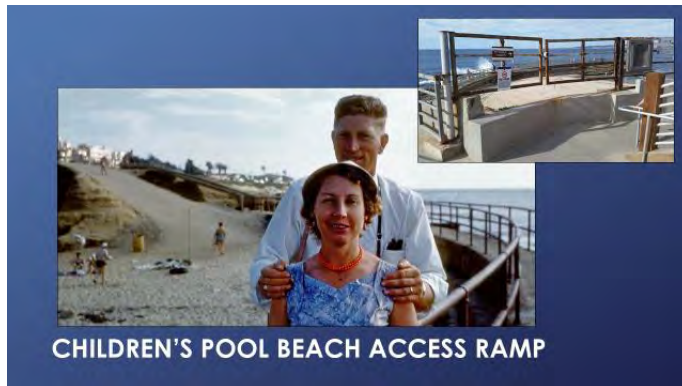
Along with dozens of contradictions to the Local Coastal Program and Community Plan I cited in my appeal application, this ill-advised development does in fact, **"adversely affect the community plan because of the goal to improve existing beach access"**. The concrete barrier across the ramp must be removed. Hopefully the City will take responsibility to provide a ramp, useful and safe for all visitors, by adding an appropriate paving surface to the ramp.

Kenneth L. Hunrichs, President



Friends of the Children's Pool





I am here to ask for your support for the appeal of City staff's decision in this Substantial Conformance Review.

I actively monitored the lifeguard tower project for several years through all the delays and changes. Before construction started, I met with project managers several times after discovering problems with the proposed ramp grades. Unfortunately, this wall blocking the ramp was built very late in the project without anyone in the community knowing about it.

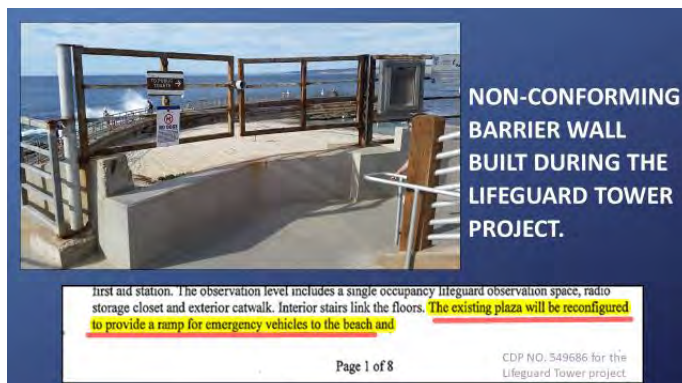
To conform to the approved plans and the CDP, the beach access ramp must be reopened. Removing this wall and opening the ramp will bring this project back into compliance with the LCP and the California Coastal Act.

This photo from the 1950's shows the ramp in excellent condition and in use by the public. Keep this image in mind as you see how this ramp looks today.



Today the ramp is locked off, neglected and crumbling into the sea.

Fortunately, it can be easily restored.

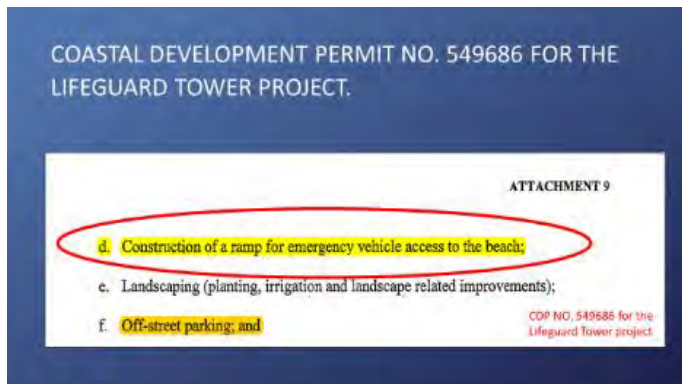


The City's own Site Development and Coastal Development Permits require a functional beach ramp all the way to the beach. This was written in the project description and it was how it was presented to the community.

Clearly this ramp is no longer functional and is non-conforming.



## Ken Hunrichs' presentation to the City Council for the beach ramp SCR Appeal, Sept 17, 2019



Another page of the permit that specifies the access ramp. Ramp repairs should have been done during tower construction. Instead, someone in the City chose to block the ramp with a concrete barrier contrary to the plans and approved permits.



This text is standard language in any Coastal Development Permit determining if a project can proceed.

“The proposed development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in the Local Coastal Program . . . ”



Please look closely at the photo on the left. When the new street level ramp was graded the outer portion of the original bluff was left towering over the new sidewalk grade.

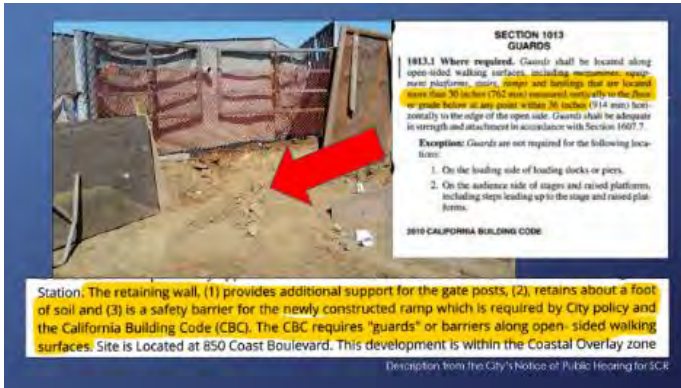
In the photo on the right, the new ramp was properly blended into the existing bluff by removing the excess material.



Only a small curb at the side of the ramp was needed to prevent erosion and to comply with building standards.

Like the original ramp, this area was right at the edge of the project footprint. However, the project description specifically requires an access ramp all the way to the beach so the original ramp should have been repaired for use.

## Ken Hunrichs' presentation to the City Council for the beach ramp SCR Appeal, Sept 17, 2019



along the upper ramp, was needed to align the old and new ramps.

Why then, was this area, at the top of the original ramp, not finished to conform with the permit conditions that requires a ramp to the beach?

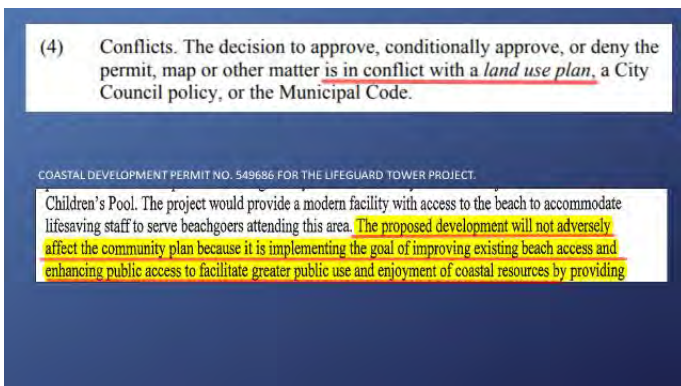
Public Works cited California Building Code section 1013 calling for "guards" or barriers when there is a 30 inch drop off within 36 inches of a walkway. That site condition doesn't exist here.

Only a small amount of grading, like the finish grading done



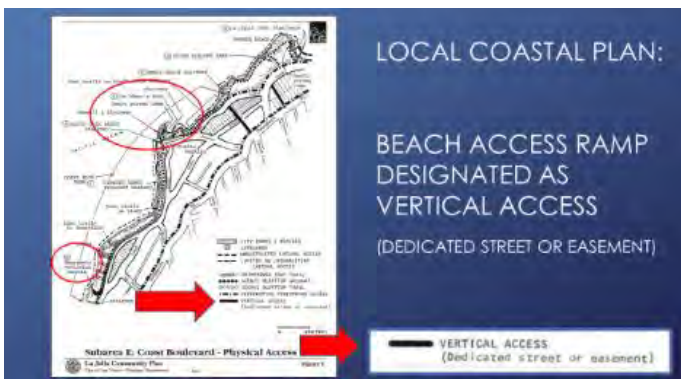
Findings of a hazardous condition justifying this barrier are not supported. The conditions described in building code do not exist here.

Please also notice the condition of the gates. Public Works is stating the wall was needed to support these gates. Vehicle trespass to this area is now blocked at the street and these rusty gates should have been removed.



During this SCR process, easily identified conflicts should have been found by Public Works because the CDP states: "The proposed development will not adversely affect the community plan because it is implementing the goal of improving existing beach access and enhance public access"

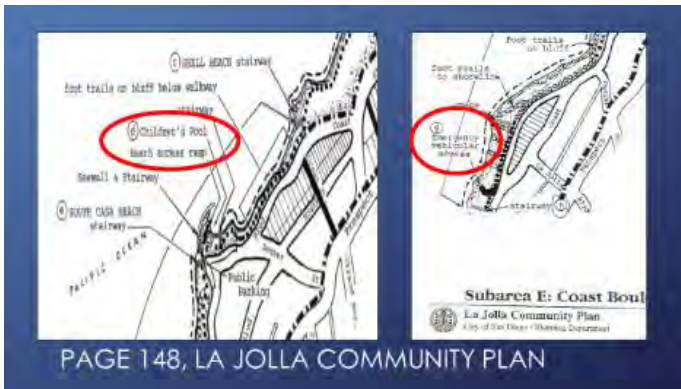
Just the opposite was done.



The La Jolla Community Plan and LCP identifies the Children's Pool beach ramp as VERTICAL ACCESS to the shore. The beach ramp is a coastal access route that cannot be encroached upon without a Local Coastal Program amendment approved by the Coastal Commission. Since this was not done, the barricaded beach ramp is a Coastal Act violation.



## Ken Hunrichs' presentation to the City Council for the beach ramp SCR Appeal, Sept 17, 2019



The La Jolla Community Plan contains descriptions and diagrams of the coastal access points throughout La Jolla.

At Children's Pool the beach access ramp is described and labeled as a public beach access ramp. Ramps designated solely for emergency access are labeled as such.

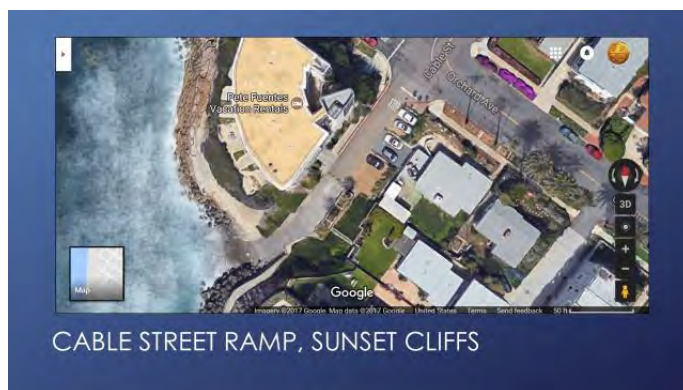
Clearly there is a distinction between the two types of ramps. The Children's Pool ramp was used for decades as public access to the beach and that how it is identified in the LCP.

City staff is attempting a shortcut to re-define the ramp status as an emergency ramp even after decades of public use.



This is a beach access ramp at Cable Street in Sunset Cliffs. It is very similar to the ramp at Children's Pool but is not blocked off.

It doesn't meet current ADA standards but is still open for public use. Bollards allow pedestrian access but prevent vehicle trespass. There isn't a concrete barrier with rusty iron gates blocking access to the beach below.



Cable Street has an open beach ramp with no controversy preventing its use.

Unlike the ramp at Children's Pool, no one is attempting to stretch the meaning of building codes to try to justify the notion this ramp is somehow unsafe, not needed or no longer an important coastal access route.



Recent case law has established there is no legal mandate for the City to build a new ADA ramp at Children's Pool. However, "reasonable accommodation" is required under ADA law. The City Council should reject Staff findings in this SCR and support the restoration of the beach ramp to provide that "reasonable accommodation" for residents and visitors with all levels of ability.

§112.0603 Process CIP-Two Appeal Hearing

**(1) Factual Error, statements or evidence ... were inaccurate**

- California Building Code sec. 1013, cited by Public Works, is erroneous. The conditions don't apply since there is not a hazardous drop off near the new ramp.
- This public access ramp is VERTICAL ACCESS in the LCP and La Jolla Community Plan.

The City Council should reject the staff decision in the SCR because there were Factual Errors.

Building Code sec. 1013, cited by Public Works is erroneous. The conditions on the ground do not apply here since there is not a hazardous drop off near the new ramp.

This ramp is identified as VERTICAL ACCESS to the shore in the LCP and La Jolla Community Plan.

§112.0603 Process CIP-Two Appeal Hearing

**(2) New Information . . . not available through due diligence at the time of the decision**

- No one knew of the barrier wall until after it was already in place.
- No public review

Since the plans were approved there is New Information.

The drastic changes to the approved plans to build the barrier wall were kept secret. No one knew of the plan to block the ramp until after it was already in place.

There was no public review of the plan to block the ramp with the wall.

§112.0603 Process CIP-Two Appeal Hearing

**(3) Findings Not Supported**

- CBC sec. 1013 not applicable to conditions at this site to require a guard or barrier to protect a hazardous drop-off.

The findings in the City's SCR are not supported.

Again, CBC sec 1013 is not applicable to conditions at this site to require a guard or barrier to protect a hazardous drop-off.

§112.0603 Process CIP-Two Appeal Hearing

**(4) Conflicts with a land use plan**

- This barrier wall conflicts with LCP and the local land use plan in the La Jolla Community Plan.
- Coastal Act violation to block coastal access.

It is a Coastal Act violation to block coastal access.

There are substantial conflicts with land use plans.

This barrier wall conflicts with LCP and the local land use plan in the La Jolla Community Plan.



Ken Hunrichs' presentation to the City Council for the beach ramp SCR Appeal, Sept 17, 2019



Here are a few photos of the open ramp in use by the beach-going public over the years. The lower left photo shows an early version of the ramp soon after construction of the seawall in 1931.



Ken Hunrichs' presentation to the City Council for the beach ramp SCR Appeal, Sept 17, 2019













Ken Hunrichs' presentation to the City Council for the beach ramp SCR Appeal, Sept 17, 2019



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

From: Ken Hunrichs [mailto:kenhunrichs@cox.net]

Sent: Saturday, December 28, 2019 12:41 PM

To: Lasiter, Melody@Coastal

Cc: Venegas, Marsha@Coastal

Subject: Supplemental information for the appeal of the Children's Pool ramp barrier development.

Hi Melody,

Here are a couple more pieces of the puzzle as to the purpose of the ramp at Children's Pool. At you can see, the City has been all in favor of maintaining a safe walking surface on the ramp for public use. They sought to maintain this public facility for public use. Because the origin of the ramp still a mystery, we can examine the historical uses to determine the purposes for which it was built. The ramp certainly had a role in maintaining the beach when City workers routinely drove vehicles down to empty the trash cans and remove excess seaweed. It was used by lifeguards to access the beach more quickly than is possible using the crowded stairs.

The ramp was also commonly used by the public until the late 1990's according to all accounts (except those from the City with incentive to obliterate historic public use). What followed was two decades of uncertainty as the gate across the ramp was intermittently closed and opened for public use. City intentions to improve the ramp were set aside when City officials found financial and political favor to close the ramp. And they did so. It was easier to restrict beach access by blocking one access point instead of two. Funneling visitors to one steep and dangerous stairway at Children's Pool worked to limit visitors access no matter how much this kind of encroachment violated the Coastal Act.

The preservation of historic public access at CP has been a main objective for Friends of the Children's Pool and all the other local community organizations in La Jolla for decades. It's self serving for the City to obstruct ramp use as a shortsighted cost avoidance measure which should be corrected because it is clearly a Coastal Act violation.

They City failed to maintain the public access ramp for safe use and then used the poor condition of the ramp as an excuse to close the ramp.

The December 20, 1983 memo between the Vice-Mayor, the City Council member and the City Manager and the La Jolla Light article reflects on public use of the ramp and how it might be brought up to safe standards.

So clearly, the ramp was in public use with expressed concern by the Parks and Beaches Committee and the City Council during that time. Now that the ramp has been permanently closed with the unpermitted concrete barrier, has the legality of blocking public access to a historic coastal access route been suspect. The City's intentions may have been vague before the barrier wall was built but now their intentions are clear. Public use is being denied and the very sensible specifications for emergency vehicle access to the beach in the lifeguard tower permit have not been fulfilled.

in August, 2014 , the Coastal Commission attempted reaffirmed its commitment to public access when , Commissioner McClure modified the Children's Pool Beach closure permit conditions to try to encourage better access for disabled visitors. The City was able to divert attention from that very important role that the beach ramp plays in providing coastal access to those unable to use the stairs, by claiming that a fully compliant ADA access ramp could not be built. That was an answer to a question that was not asked. Jack Robertson, who is the disabled swimmer who brought the ADA lawsuit against the City,



simply wanted access to use the existing ramp as it was. With a little help down the ramp in his wheelchair, he could use Children's Pool Beach like everyone else. He was denied access to the beach by City employees acting on City policies. Unfortunately, because of the ruling in the Kirola v. City of San Francisco case in the Ninth Circuit, his ADA access claims were never ruled on in his lawsuit. The Kirola ruling forced Jack to withdraw his lawsuit. The required "reasonable accommodation" for disabled access under ADA law and the Coastal Commission's permitting was never fulfilled. The City intends to permanently block ramp access to Children's Pool and permanently deprive disabled citizens access to the Children's Pool.

I do hope you will recommend to the Commission an approval of my appeal and the appeal from the La Jolla Community Planning Association to deny the City the installation of a permanent barrier to beach access at Children's Pool. Removal of the barrier wall will bring this historic public access back into compliance with the Local Coastal Program and Community Plan. I would welcome the opportunity to answer any questions you have and provide additional photographic evidence of the public use of the ramp.

Ken Hunrichs  
Friends of the Children's Pool

CITY OF SAN DIEGO  
MEMORANDUM

RECEIVED

DEC 23 1983

CITY MANAGER

FILE NO.:

DATE : December 20, 1983

TO : City Manager Ray Silver

FROM : Deputy Mayor Mike [Signature] and Councilman Bill [Signature]

SUBJECT: CHILDREN'S POOL RAMP

For many years the Children's Pool area in La Jolla has been the gathering place for tourists and residents alike. Recently, however, the area has received strong criticism from members of the La Jolla Town Council regarding its appearance.

Specifically, we would like to bring your attention to the condition of the access ramp that services the beach. Several months ago, staff was required to install a dirt ramp in order to provide beach maintenance and lifeguard services. As you may recall, a permanent cement ramp is present but due to erosion and severe weathering, the ramp needed special treatment, therefore a dirt-clay ramp was installed.

Now that the winter months are upon us, we find the dirt ramp being washed away on a daily basis. This action is not only causing the sandy area to harden, but is also creating a serious safety hazard that needs to be eliminated. With this in mind we would like to request that you direct staff to review the existing problems at Children's Pool, and develop a CIP for the construction of a permanent, all-purpose ramp. Our hope is to have the project placed in the 1984-85 CIP budget. This would include estimates on construction, engineering and other costs associated with a project of this magnitude.

We would appreciate a response regarding this matter and a prospective year when you plan to place the CIP in the budget.

MG/ms

⑨ RAMP ERODING, HARMING BEACH L.J.LIGHT 9-1-88

SAVE  
✓

## Children's Pool ramp eroding; harming beach

By BOBBIE JO LEE  
*Light Staff Writer 9-1-88*

The La Jolla Town Council's Parks and Beaches Committee voted unanimously to ask the city for a study of a variety of solutions to the problem of the declining state of the Children's Pool access ramp.

The issue hinges on aesthetics and safety, but area lifeguards say the environment of the beach itself is slowly bearing negative impacts from the ramp.

Lifeguard Joe Barnett told the Aug. 24 committee meeting the

problems began in 1982, after giant swells washed out the existing, mostly asphalt ramp. The ramp was then covered with "10 to 15 truckloads of hard-base red clay" and a top layer of decomposed granite.

He said the continual beat of the ocean then "mulched with that red clay and turned it into a hard, gelatinous type of fluid and made the red clay kind of sneak out toward the beach further. . . bubbling up like a strange

Please see RAMP, A2



AM

Light  
9/1/88 h.

## RAMP

Continued from A1  
kind of oil into a muddy insidious  
kind of sand."

"The problem is the Children's Pool beach is now being slowly, completely destroyed because we have an amoeba-like red clay that is forever creeping toward the beach and taking it over," Barnett told a recent committee meeting, attended by several city officials. "Now it's becoming part of the sand."

Barnett said the solution would be to remove the ramp, and this is the issue. Some area residents and lifeguards want the ramp removed, others want it replaced with something akin to concrete. The committee voted unanimously to have the issue extensively studied.

Much of the committee's discussion urged the city to hire "expert consultants." But Terri Carroll, head of the city Parks and Recreation Department's Coastal Division, said the city has talked to various persons about the issue and may consider only an "in-house" look at the problem.

Committee members spoke of health hazards to the public because the ramp is an "unsafe." The gelatinous access may cause bathers to slip and wheelchairs to overturn. But Carroll, other city officials and a representatives from City Attorney John Witt's office, stopped short of promising the committee an answer.

They asked how city crews could access the beach for removing kelp and emergency teams tend to the injured? Can the city



The ramp at the Children's Pool is decaying.

ward off personal-injury lawsuits caused by removing the well-used access and leaving behind a steeper, natural bluff?

"There are so many issues; there is no easy answer to this one," said Bill Corbett, Witt's supervising litigation investigator, who added he did consult with "national expert," Dan Gilliam, formerly of the California Parks and Recreation Department. He said Gilliam shares his concern.

"My first reaction was to just

let it erode," Corbett said. "People will get used to having a steeper gradient there. If you take it away immediately, you are going to have people who mistakenly thought, 'Well, we went down here before.' You're going to wind up with a problem. Our concern is a safe, positive recreational experience for everyone."

In reference to current wheelchair-access problems, Corbett asked, "What is the problem of having a lifeguard help them?"

## The Pibbles

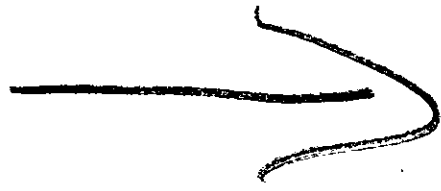


He also mentioned the necessity for emergency access. But Barnett, lifeguard Mike O'Hare and area activist Toni Ciani all said emergency teams would not need to physically bring their transportation onto the beach itself.

And the ever-growing kelp beds?

Barnett said the lifeguards could easily rake the kelp, into piles on a periodic basis. A solution city officials and long-time Children's Pool protector Dolly Bray argued against. Instead, they said, a smaller access ramp could be constructed for city removal.

Others, such as Ciani and committee chairwoman Gayle Pate suggested "unplugging" the barriers now in place in the pool's sea wall. The holes in the base of the wall originally allowed self-cleaning of the beach, despite the barrier. They were plugged for safety reasons and to avoid erosion of the ramp.





January 5, 2016

## **New concrete barrier obstructs beach access ramp at Children's Pool**

***The City of San Diego violates the California Coastal Act and Americans with Disabilities Act***

A new, unapproved concrete barrier wall blocking the beach access ramp has been built at the lifeguard tower project at Children's Pool. The new wall stops much needed access for the disabled and also prevents maintenance and emergency vehicles from using the ramp to the beach at the Children's Pool.

This ramp was regularly used by all beach goers until the City allowed it to go into disrepair and had a locked gate installed, preventing its use. Some City officials claim this ramp had been only for emergency vehicle access even though it is well known to have been used by the general public needing ramp access to the beach for their strollers, wagons and even wheelchairs, since the ramp was built in the 1940's. Only after the controversy arose over seals at the Pool in the late 1990's, did the ramp gate regularly get locked closed. The ramp surface has been damaged by erosion and wave action while the City took no action to maintain the ramp.

The Coastal Commission conditioned their permit for seasonal beach closure on the City developing plans to provide access for disabled beach users (among other mandated conditions). This new wall seems to defy the Coastal Commission's permit requirement. This is an irresponsible reaction from the defendant, City of San Diego, to an ADA lawsuit seeking to restore beach access for the disabled. [Robertson v. City of San Diego] City officials should stop wasting taxpayer's resources, trying to circumvent the Americans with Disabilities Act, and use the money saved to repair and reopen the existing ramp for all beach goers wishing to visit the Children's Pool.

This ramp is identified by the Coastal Commission in the Local Coastal Program/La Jolla Community Plan, as a "beach access ramp". Simple surface repairs would make this ramp safe and usable again with very little cost to the City. Still, the San Diego Park and Recreation Department refuses to repair and reopen the ramp while pointing the finger of blame at other City departments. The gate and new concrete wall obstructs quick access for lifeguards by blocking the most direct route to the beach from the new lifeguard tower. Even if you accept City officials erroneous claim this ramp was for emergency use only, the construction of the new wall across the ramp, blocks all access without public notice or legal authority under the Coastal Act.

[Friends of the Children's Pool \(FoCP\)](http://www.friendsofthechildrenspool.com) again call on San Diego officials to rethink their misguided strategy of management by closure, provide beach access for everyone and restore the Children's Pool for public use within the law.

The following letter has been sent on behalf of Friends of the Children's Pool to San Diego City Council President and District One Councilmember Sherri Lightner and community leaders in La Jolla.

*December 15, 2015*

*Councilmember Lightner and other interested parties,*

*A new concrete barrier wall has been constructed blocking the beach access ramp at Children's Pool under the old gate. Nowhere was there authorization to permanently block an existing beach access ramp in the coastal development permit for the improvements at the new lifeguard tower at Children's Pool. This wall blocks coastal access contrary to the Local Coastal Program/Community Plan and completely blocks any vehicular access; emergency or maintenance vehicles, to the Baja Rd ramp and beach.*



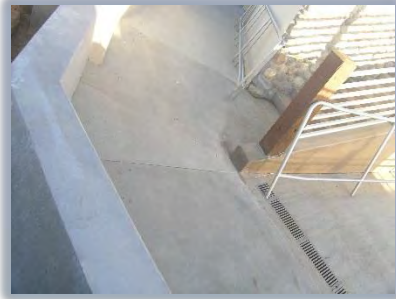


Ken Hunrichs, President  
[friendsofthechildrenspool@cox.net](mailto:friendsofthechildrenspool@cox.net)  
619 787-3372

[Friends of the Children's Pool](http://www.friendsofthechildrenspool.com)  
San Diego, CA 92123

[www.friendsofthechildrenspool.com](http://www.friendsofthechildrenspool.com)

*This is particularly contrary after an agreement was made with the City to correct the ramp width to accommodate vehicle access along the new, upper portion of the beach access ramp. This correction required moving the large retaining wall along that new ramp to make the seven-and-a-half-foot wide ramp at least ten feet wide. Unfortunately, the lower end of that wall was also misplaced to project into the ramp causing an unnecessary restriction at the lower portion near the stair landing.*



*Since there appears to be no engineering necessity, the motivation of this new barrier wall seems to have been built more out of spite towards the residents of San Diego opposing the ever expanding restrictions at Children's Pool. There are plenty of people who remember using this ramp regularly as a safe alternative to the crumbling and sometimes dangerous stairway to the beach. Or perhaps this is a response by someone in the City to a Superior Court ruling, unfavorable to the City, in the Robertson v. City of San Diego lawsuit over access for disabled persons to Children's Pool Beach.*

*Whatever the reason, I am asking for you and your staff to investigate this breach of the approved development plans for Children's Pool and have this corrected as soon as possible and return this beach access ramp back to its original, usable condition.*

*Sincerely,*

*Ken Hunrichs*



[www.friendsofthechildrenspool.com](http://www.friendsofthechildrenspool.com)

[www.friendsofcp.com](http://www.friendsofcp.com)

[www.refusetoberolled.com](http://www.refusetoberolled.com)



The specific purpose of this corporation is to educate the public as to the use of the Children's Pool in accord with Miss Ellen Scripps' charitable intent in 1931 in order to protect La Jolla Children's Pool surroundings as a public park, a bathing pool for children, and public recreational usage in accordance with chapter 937 of the deed of trust between Miss Ellen Browning Scripps, the State of California, and the City of San Diego, county of San Diego. Publicize the return of Children's Pool to public recreational use. Promote water quality and safety. Facilitate cleaning the beach and adjacent areas to make it attractive and convenient for public use.

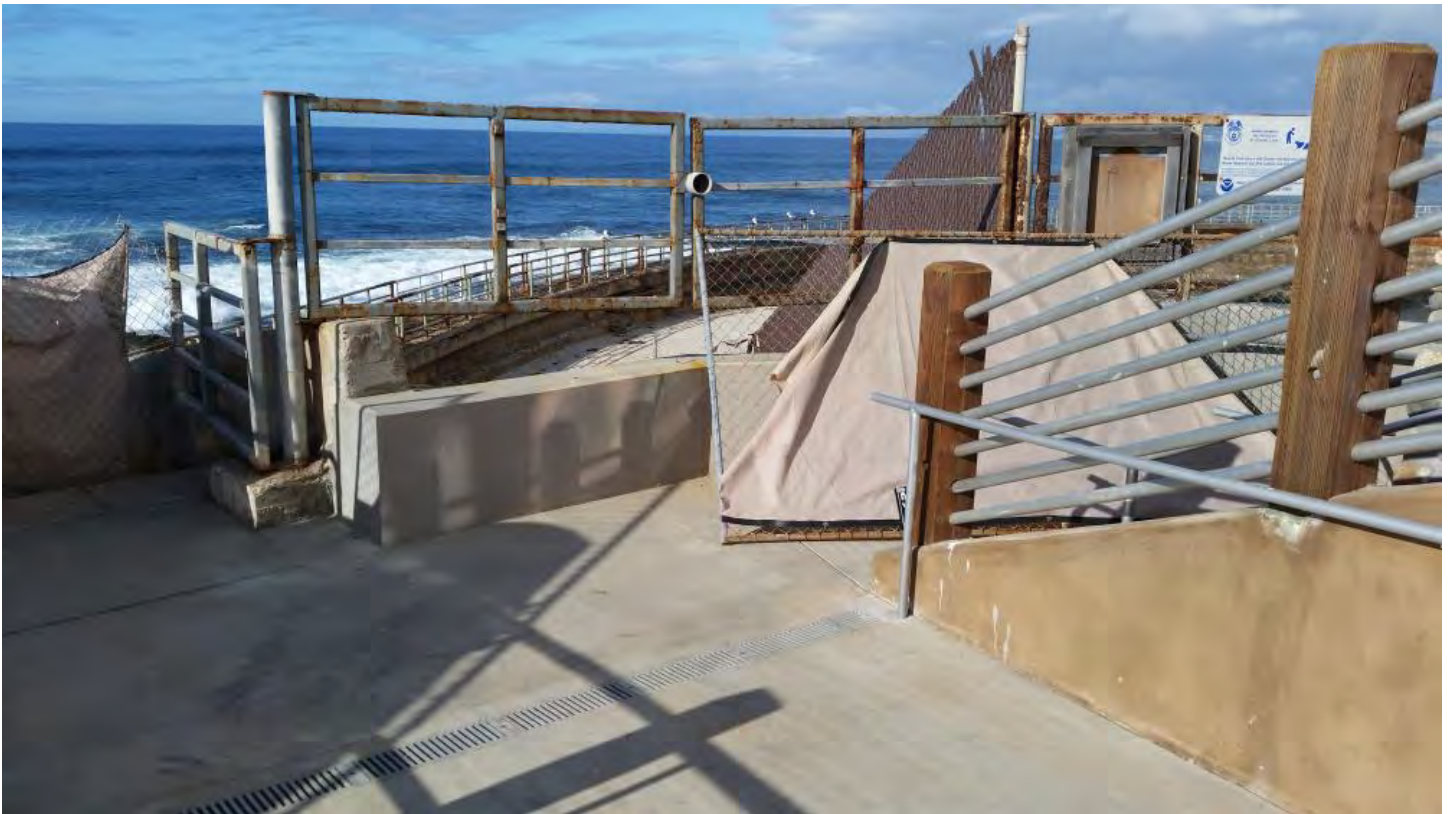




Ken Hunrichs, President  
[friendsofthechildrenspool@cox.net](mailto:friendsofthechildrenspool@cox.net)  
619 787-3372

Friends of the Children's Pool  
San Diego, CA 92123

[www.friendsofthechildrenspool.com](http://www.friendsofthechildrenspool.com)



The specific purpose of this corporation is to educate the public as to the use of the Children's Pool in accord with Miss Ellen Scripps' charitable intent in 1931 in order to protect La Jolla Children's Pool surroundings as a public park, a bathing pool for children, and public recreational usage in accordance with chapter 937 of the deed of trust between Miss Ellen Browning Scripps, the State of California, and the City of San Diego, county of San Diego. Publicize the return of Children's Pool to public recreational use. Promote water quality and safety. Facilitate cleaning the beach and adjacent areas to make it attractive and convenient for public use.

May 31, 2012

Sherilyn Sarb, Deputy Director  
San Diego Coast District Office  
California Coastal Commission  
7575 Metropolitan Drive Ste 103  
San Diego, CA 92108-4402

Subject: A long standing violation by the City of San Diego, and defiance of the Coastal Commission.

You may know the City of San Diego has closed and locked a historic access route to a public trusted beach at Children's Pool in La Jolla for over a decade. I am the President of Friends of the Children's Pool, an organization devoted to maintaining access rights to the Children's Pool. I am also a member of La Jolla Parks and Beaches Inc. where the officers and members have fielded complaints from residents



about the locked gate. We tried to work with Lee McEachern of the San Diego CCC office to get some resolution to this matter. Lee has had to tell us the Coastal Commission has no jurisdiction to act on a violation by the holder of a Local Coastal Plan. It was sad to learn the Commission is helpless in the special case of betrayal of the public trust by the entity (San Diego) deputized to safeguard coastal access.

We offer to help take this matter before the State Lands Commission (SLC). The SLC does have the power to take action through the Children's Pool State Tidelands Trust and the principals of the Public Trust Doctrine. The iron gate at the 10' wide beach access ramp at Children's Pool was recently re-



locked for good, with a shroud welded over the lock. It was open on and off last year and used when the City wanted to allow tourists to the sea wall during temporary construction.

Unfortunately, several times emergency personnel have been



unable to open the locked gate because the key was not available and the victim of a near drowning was shoved under the locked gate on a backboard. A second instance of blocked access to emergency personnel occurred in 2011 when Sea World staff rescued an injured seal and had to slide the animal under the locked gate because the key was unavailable.

This is a documented historic coastal access route that is clearly shown in the Local Coastal Plan and was routinely used by beach goers for many years. Permanently closing the ramp encroaches on



required vertical access and violates the principals and intent of the Coastal Act. The Coastal Commission has a policy to maintain 10' wide access for vertical shore access where ever possible.

At the very least a Letter of Concern from the Commission is needed to direct the City to adhere to its own LCP and review how it can regain compliance. The SLC can act, and will have our full support. The San Diego Director of Parks and Recreation, Stacey LoMedico, has recently vowed to continue to use the gate to bar public access after the road is repaved to allow emergency vehicle traffic only. The lack of action by the Coastal Commission was cited by LoMedico as proof the City was allowed to do so, not mentioning the Commission's hands are tied. If



this violation of the Coastal Act is allowed to stand, there will never be ADA access there, or a means to take strollers to a beach built and commissioned for children, just so the City can save some money. San Diego has coastal land holdings it intends to optimize for its own purposes contrary to the Children's Pool Tidelands Trust, Public Trust Doctrine and State Law.



Plans to completely close the beach seasonally to please a special interest group in are in the wings. This violation is a test case to see if the City can confine public access to one narrow stairway it plans to barricade in the near future. We need to appeal to the State Lands Commission to take action. According to our understanding from working with the local CCC office there is no other entity capable of enforcing the Coastal Act against betrayal by a holder of a Local Coastal Plan.



Sincerely,

Kenneth L. Hunrichs  
President, Friends of the Children's Pool  
6530 Springfield St.  
San Diego, California 92114-1524 (619) 787-3372

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT ST., SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885



August 29, 2011

John Leek  
3090 Admiral Ave  
San Diego, CA 92123

**RE: Your Public Records Act Request dated August 21, 2011**

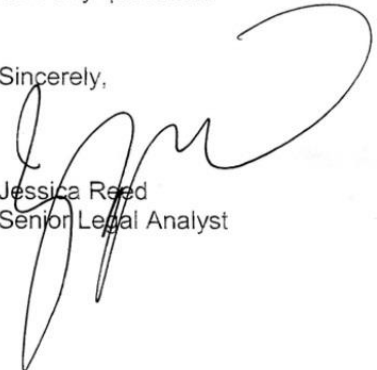
Dear Mr. Leek:

Your above-referenced Public Records Act request dated August 21, 2011, and received by the California Coastal Commission ("Coastal Commission") on August 22, 2011, has been referred to me for response. You have requested records of a coastal development "permit to close and lock the gate for the ramp at the west side of the lifeguard tower at Children's Pool."

Pursuant to the Public Records Act, Government Code section 6250, et seq., a search was conducted for the records you seek, but we were unable to locate any records responsive to your request.

Please contact me at (415) 904-5284 if you have any questions.

Sincerely,

  
Jessica Reed  
Senior Legal Analyst



**From:** John Sabin [mailto:johnsabin@yahoo.com]  
**Sent:** Sunday, January 26, 2020 9:52 AM  
**To:** SanDiego@Coastal  
**Subject:** Keep the Children's Pool beach ramp open

Dear Coastal Commission,

As a long-time resident of La Jolla with friends who are disabled, I plead with you to please **reopen the beach access ramp at Children's Pool**. Without this ramp, disabled access to the pool has been disabled! Please be an enabler, not a disabler, and find in-favor of the appeal to reopen the access ramp at La Jolla's Children's Pool.

Thank you,  
John Sabin

**From:** Donna Gookin [mailto:dgook@hotmail.com]

**Sent:** Monday, January 27, 2020 12:32 PM

**To:** SanDiego@Coastal

**Subject:** Keep the Children's Pool beach ramp open

ai had been able to use the ramp for years to access the beach to swim since the stairs were quite narrow.. It seems that everythig has been done to keep prople who eed this access away. Please do what is necessary to make it available for all of us again!

Thank you, Donna Gookin San Diego resident since 1936



January 27, 2020

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

RECEIVED

JAN 30 2020

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

To Whom It May Concern;

We strongly support that you approve and reopen the Beach Access ramp at the Children's Pool in La Jolla.

This ramp provides access for all and that was the original provision when the Scripps family funded the development of this historic, one of a kind, place for La Jolla as well as the many community supporting visitors.

In addition, this beach ramp is clearly identified as a public access for the La Jolla community and for the visitors to the area in the La Jolla Community Plan and Local Coastal Program.

Thank you in advance for doing the right thing.

Sincerely,

James and Mary Geary  
2530 Davis Avenue  
Carlsbad, CA 92008

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Appeal number A-6-LJS-19-0198, Children's Pool Ramp  
**Date:** Monday, February 03, 2020 9:24:26 AM

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**From:** Jerry Dunaway [mailto:jerrytdunaway@yahoo.com]  
**Sent:** Sunday, February 02, 2020 10:59 PM  
**To:** SanDiego@Coastal  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool Ramp

Please do not support closing the public access ramp at Children's Pool in La Jolla. The City of San Diego has been systematically preventing public access to this mamade beach, and this is simply another effort as part of that larger goal.

This multi-purpose beach ramp was historically used for decades by everyone, including those with mobility challenges. City personnel provided maintenance and beach cleaning services at Children's Pool using the ramp. Back then, City lifeguards assisted disabled visitors down the ramp to the beach below. Lifeguards could use the ramp as the quickest access to the shore at Children's Pool but now are forced to use the crowded and dangerous stairway.

In December, 2015 a 30" concrete barrier wall was constructed completely blocking the ramp. This wall is an unpermitted attempt to justify closure of the ramp. The rusty gate is now locked closed and the ramp cannot be used by anyone. A formal complaint was filed with the Coastal Commission in April, 2017. The City needs to restore public use of this ramp.

This beach ramp is clearly identified as public access in the La Jolla Community Plan and Local Coastal Program. It would



be simple for the City is to repair and reopen the ramp for public use in compliance with the California Coastal Act.

If this vital access ramp remains closed, another part of our coast will be blocked for the benefit of a special interest group seeking to incrementally close Children's Pool to all public access.

V/r, Jerry  
3110 Ducommun Ave  
San Diego, CA 92122

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Appeal number A-6-LJS-19-0198, Children"s Pool Ramp  
**Date:** Monday, February 03, 2020 9:24:58 AM

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**From:** jpoirier9@aol.com [mailto:jpoirier9@aol.com]  
**Sent:** Saturday, February 01, 2020 8:33 AM  
**To:** SanDiego@Coastal  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool Ramp

PLease keep the walk way at the Childrens pool open in La Jolla. It is important.

James Poirier,  
Teacher

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Appeal number A-6-LJS-19-0198, Children"s Pool Ramp  
**Date:** Monday, February 03, 2020 9:25:19 AM

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

From: Ed Harpin [[mailto:betmeg@msn.com](mailto:mailto:betmeg@msn.com)]  
Sent: Friday, January 31, 2020 7:59 PM  
To: SanDiego@Coastal  
Subject: Appeal number A-6-LJS-19-0198, Children's Pool Ramp

I am writing to protest the proposed permanent closure of the ramp at the Children's Pool in La Jolla. With the prior blocking of the ramp, the steep, narrow and broken stairs became the only access to the Children's Pool. This apparently purposeful neglect of public access to a public beach is an unconscionable and disgraceful apparent ploy to discourage the beach-going public from its legitimate use of the Children's Pool. This is a clearly dangerous situation for all users of the Children's Pool, and especially for seniors(like me) and small children (like my grandchildren). The risk of serious injury on the stairs is ever present. I have slipped on the stairs myself. My grandchildren have fallen on the stairs. If anyone in my family is injured on the decrepit stairs, I would not hesitate to bring a lawsuit against all parties responsible for blocking the opening of safe access to the Children's Pool for the public.  
Raoul Harpin  
La Jolla

Sent from my iPhone

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Appeal number A-6-LJS-19-0198, Children"s Pool ramp  
**Date:** Monday, February 03, 2020 9:24:19 AM

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**From:** beuck [mailto:beuck@sbcglobal.net]  
**Sent:** Monday, February 03, 2020 8:07 AM  
**To:** SanDiego@Coastal  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool ramp

To whom it may concern,

There is nothing like Children's pool ramp in San Diego or most places in the world. It was an extraordinary experience to walk out onto the ocean as a child via the ramp and how exciting it was to feel the splash of the ocean at my feet. This view point is so unique I continue to go back. It should be maintained and left open for everyone to enjoy.

Thank you,

Brandy Beuck

Sent via the Samsung Galaxy S7 active, an AT&T 4G LTE smartphone

Sent via the Samsung Galaxy S7 active, an AT&T 4G LTE smartphone

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: appeal number A-6-LJS-19-0198  
**Date:** Monday, February 03, 2020 9:24:45 AM

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**From:** David P. Donahue [mailto:dpdonahue@yahoo.com]  
**Sent:** Sunday, February 02, 2020 10:41 AM  
**To:** SanDiego@Coastal  
**Cc:** friendsofthechildrenspool@cox.net  
**Subject:** appeal number A-6-LJS-19-0198

Wanted to voice my support for preserving and maintaining the ramp at Children's pool. I learned to scuba dive there and am a past president of The San Diego Council of Divers.

It is my hope that as custodians of the Ellen Browning Scripts gift to the citizens this will be an easy choice to make.

Thank you for your work and efforts.

David Donahue, President/Owner  
MH Properties & Investments, Inc., DL1238185  
MHVisual Services, Inc.  
David Donahue Investments, Inc.  
1812 W Burbank Blvd., Suite 957  
Burbank, CA 91506  
**619-251-9273 cell**  
**888-525-6875**  
[www.adu4sale.com](http://www.adu4sale.com)  
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**From:** [Friends of the Children's Pool](#)  
**To:** [SanDiego@Coastal](#); [Lasiter, Melody@Coastal](#)  
**Subject:** Letter from Lifeguard Joe Barnett about beach cleaning routine at Children's Pool from 1969 to 1989  
**Date:** Tuesday, February 04, 2020 11:26:54 AM  
**Attachments:** [Letter from Lifeguard Joe Barnett about beach cleaning routine at Children's Pool from 1969 to 1989.pdf](#)

---

Hi Melody,

I would like to stop by your office this afternoon to examine the Children's Pool ramp file. I received the staff report in the mail which had only two public comment letters as of Jan 30th. I'm concerned that some of the information I submitted has not been included in the file. In particular, I want to make sure you received the letter consisting of my PowerPoint presentation to the SD City Council which contains many reasons the ramp should be reopened. That letter has many photos of the ramp over the 50 years of public use. I also sent a memo dated December 23, 1983 from Deputy Mayor Gotch to City Manager Ray Blair requesting Capitol Improvement Project (CIP) funding to repair the "multi-purpose" beach ramp at Children's Pool. I can resend those documents if you didn't receive them.

The attached letter is from retired lifeguard, Joe Barnett and was submitted to your office leading up to the first CP closure CCC hearing in August 2014. The letter has first hand information about the uses of the ramp. Joe also testified during the Robertson v. City of San Diego ADA lawsuit. He was a witness for the City and his testimony in the trial was about these same topics. He surprised the City Attorney with his recollections about how the ramp was publicly used since it was so contrary to the City's claims about it being for emergency use only. It also contradicts the mis-information the City has provided your staff about the long history of public use of the ramp. This maybe led to the staff report recommending no substantial issues when the City walled off the beach access ramp.

Please incorporate this letter into the file that is provided to the Commissioners for the Feb 14th hearing.

Thanks,

Ken Hunrichs





July 31, 2014

To Whom It May Concern,

During my tenure lifeguarding at the Children's Pool from 1969 to 1989, the City of San Diego's beach cleaning team and the San Diego Lifeguard Service had cooperative relationship to ensure that the beaches were safe and clean for the public.

The beach cleaning procedure was performed each Friday at the Children's Pool on a regular basis and also on an 'as-called' basis when the Lifeguards requested additional services. The Baja Road, (road leading to the beach), was maintained diligently by the City of San Diego beach cleaning crew for two different purposes: 1) for heavy machinery to access the beach for the purposes of removing kelp and sand; and 2) for making it safer and easier for people with disabilities to get onto the Children's Pool beach.

At one instance, the City removed tons of sand from the Children's Pool Beach and placed it on the ocean side of the Children's Pool wall in an attempt to maintain the water depth in the Children's Pool for purposes of safe swimming.

The above statement is a true and honest recollection of the reality of events between 1969 and 1989 at the Children's Pool.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Barnett". The signature is written in black ink and has a fluid, connected style.

Joseph Barnett  
Retired Lifeguard

**From:** [Jim Newman](#)

**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)

**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool ramp

**Date:** Friday, February 07, 2020 9:53:19 AM

To whom it may concern -

Just a note to request that all human access, including handicapped, be maintained to the Children's Pool. As someone who grew up there and had unfettered access to that human-made, intended for children, beach I believe it to be a fair and reasonable use to ensure there is safe, protected beach access for humans of all capabilities to the Children's Pool.

Thank you for your consideration.

Sincerely,

Jim Newman

Pacific Grove, CA

Formerly of La Jolla (still have family in the area)

Project Name and Application Number: A-6-LJS\_19-0198

Nature of Communication (In Person, Telephone, Other): Email

Date and Time Requested: 2-6-20 11:23p.m.

Full Name: Thomas J. Brady

Email: [tombradylajolla@gmail.com](mailto:tombradylajolla@gmail.com)

On Behalf Of: Self

Comments: I used the access ramp at the La Jolla Children's Pool in 1967, when I moved to La Jolla, and several years after that contrary to what several of the San Diego City employees have misstated by saying it was never used. Tom Brady

Public comments submitted to the Coastal Commission are public records that may be disclosed to members of the public or posted on the Coastal Commission's website. Do not include information, including personal contact information, in comments submitted to the Coastal Commission that you do not wish to be made public. Any written materials, including email, that are sent to commissioners regarding matters pending before the Commission must also be sent to Commission staff at the same time.

**From:** [Lori Mueller](#)  
**To:** [Lasiter, Melody@Coastal](#); [Tony Crisafi](#)  
**Subject:** La Jolla Community Planning Assoc Advisement action La Jolla Children's Pool Process CIP -2-R  
**Date:** Thursday, February 06, 2020 4:48:12 PM  
**Attachments:** [LJCPA advisement Letter denial after full review.docx](#)

---

Dear Melody,

I am sending this follow up advisement letter from the La Jolla Planning Association denying the SCR for project No. 627990 & 154844.

If you've already gotten this document from us, I apologize; it appears to have not been sent.

Thank you,  
Lori Mueller

Lori Mueller



**Direct Line: 858-869-2871**

[lmuelles@islandarch.com](mailto:lmuelles@islandarch.com) | [www.islandarch.com](http://www.islandarch.com)





## La Jolla Community Planning Association

**Date:** June 6, 2019

**To:**

California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108

**Subject:** La Jolla Community Planning Association Advisement Action

**Re:** La Jolla Children's Pool Process CIP-2 SCR

On the June 6, 2019 Agenda of Regular Meeting of the La Jolla Community Planning Association, one of these Action Item was to vote on the SCR presented to our Development Permit Review committee at their May 21 Regular Meeting. This Project was placed on Full Review and Denied by DPR, via a unanimous vote of 5-0-1 (Chair abstains). This Project did not appear on the Consent Agenda of LJCPA, due to a Decision made by the City on May 21, prior to the June LJCPA meeting. On June 6<sup>th</sup>, LJCPA Trustees publicly discussed this Project with the community and voted to give advisement to the California Coastal Commission on the Project.

**DPR ACTION ITEM as Noticed:**

LA JOLLA- La Jolla Children's Pool Process CIP-2 SCR CST-App WBS S-00644.07.01 - Fund 400002 - to determine if an already constructed 30-inch high retaining wall is consistent with CDP/SDP/CUP (PTS No. 154844), LJ Children's Pool Lifeguard Station. The retaining wall, 1) provides additional support for the gate posts, 2), retains about a foot of soil and 3) is a safety barrier for the newly constructed ramp. The CBC Section requires "guards" or barriers along open-sided walking surfaces. SCR request was prompted by CCC.

**DPR Motion 5/21/2019: Findings are made to Deny the SCR. (5-0-1) Chair abstains.**

**LJCPA Motion 6/6/2019: To Advise CCC that LJCPA concurs with the Findings made by DPR to Deny the SCR. (12- 0-1). Chair abstains.**

Sincerely,

Tony Crisafi  
Chair

**From:** [Tim Bessell](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** A-6-LJS-19-0198  
**Date:** Thursday, February 06, 2020 8:10:32 PM

---

To whom it may concern,

I support the Appeal of the closing of the Children's Pool beach access. I have been using it access since 1959.

Best,

Tim Bessell

Bessell Inc.  
515 Westbourne St.  
La Jolla, Ca. 92037  
858 344 7080  
[tim-info@bessellsurf.com](mailto:tim-info@bessellsurf.com)  
[www.timbessell.com](http://www.timbessell.com)

**From:** [Friends of the Children's Pool](#)  
**To:** [Lasiter, Melody@Coastal](#); [SanDiego@Coastal](#)  
**Subject:** appeal number A-6-LJS-19-0198, Children's Pool Ramp Scripps Pool, "Casa" Pool, CHILDREN'S POOL!  
**Date:** Thursday, February 06, 2020 4:55:27 PM

---

Please add to the Children's Pool ramp appeal file.

Begin forwarded message:

**From:** Hans Newman <[znewman@charter.net](mailto:znewman@charter.net)>  
**Subject:** Scripps Pool, "Casa" Pool, CHILDREN'S POOL!  
**Date:** February 6, 2020 at 2:06:22 PM PST  
**To:** [mbeherenow@sbcglobal.net](mailto:mbeherenow@sbcglobal.net)

To whom this may concern,

The Pool, where I learned to snorkel before we went out to Fanning Island summer of '63(my father is, of course, Dr. Wm A Newman, Professor Emeritus at Scripps Institute of Oceanography, my brother the former astronaut Dr. James H Newman) has always had an access ramp. In the '60's and '70's I remember that not only was it used to access the beach and breakwater, City Lifeguards kept a rescue skiff ready there as well, as between WindanSea and La Jolla Shores there is no other ocean access available for emergencies.

I also have seen it used by older folks with walkers as well as the specialized wheelchairs with sand tires.

I am, sincerely,

Wm Hansen "Hans" Newman  
LJHS '73  
WindanSea Surf Club  
Friends of WindanSea  
Former LJTC Parks and Beaches  
WHSRA  
Longtime Manager of Su Casa

**From:** [Melinda Merryweather](#)  
**To:** [SanDiego@Coastal](#)  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool Ramp  
**Date:** Thursday, February 06, 2020 1:41:18 PM

---

I am writing to tell you my history of my use of the ramp to the Children's Pool.

First of all the city is LYING to you telling you the public did not use the ramp.

I first came to La Jolla in 1948, my grandmother swam at the pool, so did I, so my mother and my son and every one we knew all our friends and family it is where Diving as we know it was created in California.

#### MY HISTORY WITH THE RAMP:

As kids we use to line up at the top of the RAMP and run for the ocean first one in the water won.

We use ride on the tractor that went up and down the RAMP to pick up the seaweed.

And when I was a mother of a toddler, I and my friends used the RAMP to bring our little red wagons down the RAMP with the kids in them and lunch and towels and change of clothes and buckets and shovels, we could have never taken those wagons down the stairs we would spend all day at the beach with tons of other people and go back up the RAMP to go home.

We called the RAMP the Bahia Road.

In my older age I used the RAMP rather than the stairs as they are so steep and small and hard to carry things down for the day or a barbecue.

The city is not telling you the truth saying the public did not use the RAMP we used the Ramp a lot.

Melinda Merryweather La Jolla California



**From:** [Jim Neri](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Appeal number A-6-LJS-19-0198, Children"s Pool Ramp  
**Date:** Thursday, February 06, 2020 5:10:25 PM

---

Dear California Coastal Commission,

Access to the Children's Pool by people with disabilities was available long before the Americans with Disabilities Act was passed in 1990. As a landscape architect I find it incomprehensible that what was universal access for all is in jeopardy of being close forever since I strive to make it part of everyone's daily landscape experience.

This is not a local issue, it is a State, Federal and International issue.

Please vote to restore access for all to the Children's Pool in La Jolla.

Thank you,

***Jim Neri***

NLA

928 Hornblend Street, Suite #3

San Diego California 92109

p: 858/274-3222 x201

m: 858/354-6701

[jim@nerila.com](mailto:jim@nerila.com)

[www.nerila.com](http://www.nerila.com)

All contents of this message and any attachments are confidential and may contain privileged material for the sole use of the intended recipient. E-mails may be altered electronically and digital integrity cannot be guaranteed.

**From:** [James Peterson](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool Ramp  
**Date:** Thursday, February 06, 2020 5:29:05 PM

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Dear Cal Coastal Commission: 5 Feb., 2020  
Please support the appeal filed by the Friends of Children Pool & the La Jolla Planning Commission. Keep ocean access at Children's Pool (CP)....!

Easy access to the ocean for those with disabilities and hampered by age, is very limited. The ramp makes the wonderful Childrens Pool (CP ) beach accessible for the disabled to enjoy the beach.... and easy access to the beach allows easy access for the disabled to enter the ocean to avoid any strong waves. Please take a stand for the those who have trouble standing.... Please support the access ramp appeal at CP.....!!

Much Thanks,  
James Peterson, Esq.

**From:** [Portia Wadsworth](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Appeal number A-6-LJS-19-0198, Children"s Pool Ramp  
**Date:** Thursday, February 06, 2020 5:27:07 PM

---

To Whom It May Concern,

The Children's Pool belongs to the CHILDREN; this what Ellen Browning Scripps wanted, built, paid for, and is a landmark to La Jolla and its environs.

Tourists come and go, but tax paying residents want their children/grandkids to enjoy the natural wild and ocean life. The seals have located here (uninvited) for over 20 years; NOW it is time for our young people, and older divers, fishermen, to enjoy what belongs to the residents and to honor Ellen Browning Scripps for her love of La Jolla and ALL of its beauty !!

Warm Regards

portia s. wadsworth

**From:** [Scott](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Appeal number A-6-LJS-19-0198, Children"s Pool Ramp  
**Date:** Thursday, February 06, 2020 5:42:41 PM

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It's time to hold the city of San Diego accountable for maliciously building a barrier closing off the children's pool ramp. I and my family have use the ramp for many years as it provided an alternate and easier access to the children's pool beach.

Why would the coastal commission allow the city of San Diego to submit a coastal development permit and then allow them to deviate from the development permit and not take action against them. It appears to me that the local Coastal Commission Staff are in bed with the City of San Diego and will not represent the Citizens of California.

Scott Anderson  
5609 Calle Sal Si Puedes  
San Diego, CA  
92139

Sent from my iPhone

**From:** [Melinda Merryweather](#)  
**To:** [SanDiego@Coastal](#)  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool Ramp  
**Date:** Thursday, February 06, 2020 1:41:18 PM

---

I am writing to tell you my history of my use of the ramp to the Children's Pool.

First of all the city is LYING to you telling you the public did not use the ramp.

I first came to La Jolla in 1948, my grandmother swam at the pool, so did I, so my mother and my son and every one we knew all our friends and family it is where Diving as we know it was created in California.

#### MY HISTORY WITH THE RAMP:

As kids we use to line up at the top of the RAMP and run for the ocean first one in the water won.

We use ride on the tractor that went up and down the RAMP to pick up the seaweed.

And when I was a mother of a toddler, I and my friends used the RAMP to bring our little red wagons down the RAMP with the kids in them and lunch and towels and change of clothes and buckets and shovels, we could have never taken those wagons down the stairs we would spend all day at the beach with tons of other people and go back up the RAMP to go home.

We called the RAMP the Bahia Road.

In my older age I used the RAMP rather than the stairs as they are so steep and small and hard to carry things down for the day or a barbecue.

The city is not telling you the truth saying the public did not use the RAMP we used the Ramp a lot.

Melinda Merryweather La Jolla California



**From:** [Glen Rasmussen](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Appeal number A-6-LJS-19-0198, Children"s Pool Ramp  
**Date:** Thursday, February 06, 2020 6:01:36 PM

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I have used the ramp at the Childrens' Pool myself (when I was younger, when the beach was a public beach for children) and I have seen disabled people using it recently for beach access. I am not disabled yet. It is important that beach have a ramp access for the disabled, and for emergency vehicles. All other beaches in the area have stairs or natural steep dirt pathways that a disabled person cannot negotiate. Access to swimming and diving in the area is a major concern for the disabled swimmers and divers, and for those of us who soon will not be able to descend and climb stairs!

*Glen*

Glen McFadden Rasmussen  
6652 Tyrian St.  
La Jolla, California 92037  
Tel: 619 838-3570  
E-mail: [glen@glenras.com](mailto:glen@glenras.com)

Coastal Commissioners  
California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108

A-6-LJS-19-0198, Children's Pool Ramp

Opposed to SCR

[SanDiegoCoast@coastal.ca.gov](mailto:SanDiegoCoast@coastal.ca.gov)

Dear Commissioners,

6 Feb 2020

I am opposed to the City of San Diego's issuing its change to the Coastal Development Permit to close , and block, the ramp to the La Jolla Children's Pool by way of a Substantial Conformance Review. This is for two reasons.

In the 1980s my family, when the children were small, used this ramp to access the Children's Pool beach so the children could enter the calm waters of the Children's Pool. It was so much easier for small children to walk down the ramp than to use the intimidating looking adult size stairs.

I am currently a Trustee of the La Jolla Community Planning Association (LJCPA). We are the San Diego City recognized group to advise the City on land use matters. Many years ago when the Coastal Development Permit for the new Life Guard Tower proposal was presented to the LJCPA I was a Trustee. We voted to approve the Permit knowing that the Permit specially said the ramp and access would remain and be kept open. The Ramp is listed in our Community Plan (approved by the Calif. Coastal Com.) as a Physical Ocean Access Point. My I assure you that we NEVER would have approved any plan that blocked this precious ocean access. The City blocked the ramp access without going through the Permit process or even informing the La Jolla community.

I respectfully request that you direct the City of San Diego to remove its non-permitted blockage of the ramp and restore it to its previously useful state.

Thank You!

Michael Costello  
La Jolla, California

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Appeal number A-6-LJS-19-0198, Children's Pool Ramp  
**Date:** Wednesday, February 05, 2020 8:01:26 AM

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**From:** Clement Hofman [mailto:choffma1@san.rr.com]  
**Sent:** Tuesday, February 4, 2020 9:55 PM  
**To:** SanDiego@Coastal  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool Ramp

Dear Coastal Commission,

I strongly urge you to reopen the existing beach access ramp to Children's Pool in La Jolla. The community has used this ramp for beach access ever since I can remember (since the early 70's). It is the only way for disabled people to reach the beach. Of course, it provides emergency vehicle access, as well.

Thank you.

Sincerely,

Clement Hoffman, MD  
5503 Calumet Ave.  
La Jolla, CA 92037  
Mobile 858-531-3953

**From:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**To:** [Lasiter\\_Melody@Coastal](mailto:Lasiter_Melody@Coastal)  
**Subject:** FW: Keep the Children"s Pool beach ramp open  
**Date:** Wednesday, February 05, 2020 8:01:58 AM

---

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

From: Milo Vukovich [<mailto:mvotb@sbcglobal.net>]  
Sent: Tuesday, February 4, 2020 11:52 PM  
To: SanDiego@Coastal  
Subject: Keep the Children's Pool beach ramp open

The Coastal Commission established to make sure access to the beaches and ocean was not closed off.  
Do the right thing.

Milo Vukovich  
2409 Margie Way  
Vista Ca 92084

**From:** [Ken Hunrichs](#)  
**To:** [SanDiego@Coastal](#); [Lasiter, Melody@Coastal](#)  
**Subject:** Children"s Pool Ramp Information for the CCC Feb 14, 2020, Appeal number A-6-LJS-19-0198  
**Date:** Thursday, February 06, 2020 3:46:41 PM  
**Attachments:** [Ramp Appeal Information for the CCC Feb 14, 2020.pdf](#)

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Hello Melody,

Please include this document to the file and distribute to the Commissioners for our appeal of the Children's Pool ramp. Appeal number A-6-LJS-19-0198

Thanks for all your help,

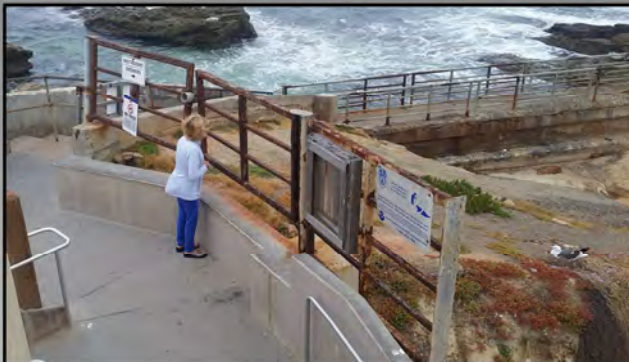
Ken Hunrichs



***“Any development that is inconsistent with the terms or conditions of a previously issued CDP is a violation of the Coastal Act.”***



CCC Website



**“Any development that is inconsistent with the terms or conditions of a previously issued CDP is a violation of the Coastal Act.”**

There are substantial issues in the construction of this barrier wall. This development that blocks established public access, may now set a low standard for unlawful encroachment for all of California. What was built is not what was presented for public review and not authorized in the CDP. It is completely contrary to the LCP and Community Plan. The terms and condition calling for a functional beach ramp were not followed.

Unanticipated changes to the plans are expected during a complex project. A change alone is not necessarily a Coastal Act violation. However, a violation occurs when these changes are in conflict with the CDP as well as coastal access provisions in the Coastal Act. This has clearly happened here and I am asking for help from the Coastal Commission to correct this.

In January, 2016, I discovered the City had built this non-conforming barrier wall making the ramp completely unusable. I actively monitored the construction of the new lifeguard tower at Children's Pool and met several times with City Project Managers. Before construction began, I notified the City of the mis-matched grades between the old and new ramps. I was assured that the grade difference would be corrected.

It would be simple to remove the excess soil like the upper ramp where the remaining bluff was higher than the new ramp. There was never a hint that the ramp would be barricaded closed. It never appeared on any of the site plans. It was not presented to the community during required public hearings. It was hidden behind fencing until it was built during the final weeks of the project.



These photos clearly show the Children's Pool beach ramp open to everyone. It was open and commonly used by the public for decades. Lawful access ended when the City found political and financial incentives that betrayed the citizens of California in the City's policy priorities and actions.

The string of false assertions by the City, denying sixty years of public use, should have been thoroughly examined by the local Coastal staff. They were not. Long time residents with knowledge of the history and use of the ramp were never interviewed.

Please keep these photos in mind as you consider if the City can be allowed to encroach on public beach access.

## THE SUBSTANTIAL ISSUES

- **Inconsistent with terms and conditions in the CDP**
- **Coastal Act violation: New barrier blocks historic coastal access over public beach ramp**
- **Inconsistent with CEQA policies: No public notice or review of added development**

Unfortunately, the CCC Staff Report fails to recognize these three substantial issues with the blocked ramp.

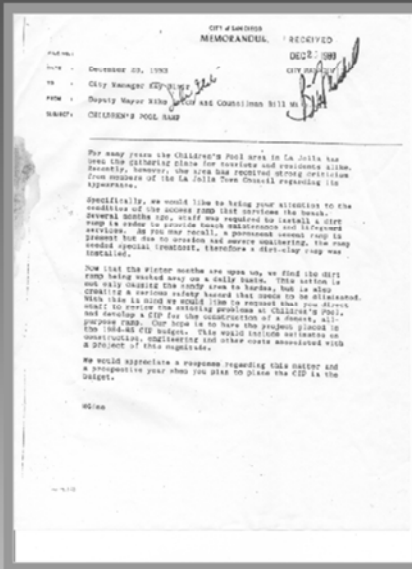
The specific terms and conditions in the CDP call for a functioning ramp to provide emergency vehicle access only. However, decades of public use established the right of public access status for this ramp.

It is important for the Commission to protect public use of this ramp and for the City to make needed repairs. This ramp offers the only possibility, to visitors with limited mobility, to safely get to any beach in the Village of La Jolla. City promises of future beach ramps, miles away at Marine St and Sea Lane, would only expose those ramp users to extremely rough, often dangerous shore break beaches completely unsuitable for disabled visitors.

CEQA was completely bypassed here because there was no public notice or hearing about the change to the ramp status or the last minute barrier wall. Under CEQA, any identified impacts must be mitigated to below a level of significance, or the approving body needs to adopt a statement of overriding considerations to explain why the project is proceeding without mitigation. The obvious mitigation is to re-open the ramp. The city neither provided mitigation nor a reason why mitigation was not possible.

Under consideration here is NOT about building an ADA compliant ramp. You cannot let the City confuse these issues. We are talking only about maintaining the existing ramp for better coastal access. Perfect access cannot be made to be the enemy of better access. There is no legal requirement for the City to build an ADA ramp at Children's Pool.

## 1983 Memo from Deputy Mayor to the San Diego City Manager



“ . . . we would like to request that you direct staff to review existing problems at children's pool and develop a CIP for the construction of a concrete, all-purpose ramp. . . ”

This City memo from December, 1983 expresses the concerns San Diego Deputy Mayor Gotch had about the poor condition of this ramp. His memo is requesting permanent repairs to facilitate safe ramp use by the public since earlier repairs have not lasted.

The memo finishes with a request: “. . . we would like to request that you direct staff to review existing problems at children's pool and develop a CIP [Capitol Improvement Project] for the construction of a concrete, all-purpose ramp. . . ”

The City's failure to make these much needed permanent repairs marks the beginning of deliberate coastal access obstruction by neglect.

Without intervention by the Coastal Commission, we believe the City will continue to try to extinguish all access to Children's Pool.

Terms and Conditions in the Coastal Development Permit:

Children's Pool. The project would provide a modern facility with access to the beach to accommodate lifesaving staff to serve beachgoers attending this area. The proposed development will not adversely affect the community plan because it is implementing the goal of improving existing beach access and enhancing public access to facilitate greater public use and enjoyment of coastal resources by providing new concrete stairs from the public viewing deck to the beach below.

Attachment 8, Page 3

. . . The Proposed development will not adversely affect the community plan because it is implementing the goal of improving existing beach access . . .

I will show several terms and conditions in the City's CDP that were ignored. There are many.





This photo shows the ramp in excellent condition and should set the standard for repairs. This well used coastal access route was clearly identified for public use in the Local Coastal Plan/Community Plan. The City is intentionally misrepresenting this ramp as being for emergency use only. The City has adopted that false designation, by ignoring history, as a shortcut to closing the ramp. People have been harmed because of their actions to close and neglect this ramp.

The Coastal Commission should recognize the substantial issues and require the City to correct their mistakes. This will help reestablish a safer route to the beach.

Terms and Conditions in the Coastal Development Permit:

ATTACHMENT 9

- d. Construction of a ramp for emergency vehicle access to the beach;
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Off-street parking; and

Attachment 9, Page 2

**Construction of a ramp for emergency  
vehicle access to the beach;**

The Terms and Conditions throughout the CDP call out a functional ramp for beach access. From the 1930's to the late 1990's, the ramp was a multi-purpose ramp open to and used by the public. The City's claim, that this ramp's is only for emergency use, is a recent, self serving, City fabrication.



The upper right photo is the earliest known image of the Children's Pool beach ramp. This photo was probably from the 1930's soon after Children's Pool was opened. You can see the sluiceways opening in the seawall are not yet capped with concrete but were probably closed with the internal gates.





This ramp photo is from 2017. It would be a simple project to repair and reopen the ramp, thereby making it safe again for use and in compliance with the CDP.

Terms and Conditions in the Coastal Development Permit:

first aid station. The observation level includes a single occupancy lifeguard observation space, radio storage closet and exterior catwalk. Interior stairs link the floors. The existing plaza will be reconfigured to provide a ramp for emergency vehicles to the beach and

Page 1 of 8

CDP NO. 549686 for the  
Lifeguard Tower project

**The existing plaza will be  
reconfigured to provide a ramp for  
emergency vehicles to the beach. . .**

Another example of the terms and conditions specified in the CDP for a functioning ramp all the way to the beach.

Terms and Conditions in the Coastal Development Permit:

first aid station. The observation level includes a single occupancy lifeguard observation space, radio storage closet and exterior catwalk. Interior stairs link the floors. The existing plaza will be reconfigured to provide a ramp for emergency vehicles to the beach and

Page 1 of 8

Attachment 8, Page 1

. . . provide a ramp for emergency vehicles to the beach . . .

And again from the CDP . . .



## Terms and Conditions in the Coastal Development Permit:

### Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

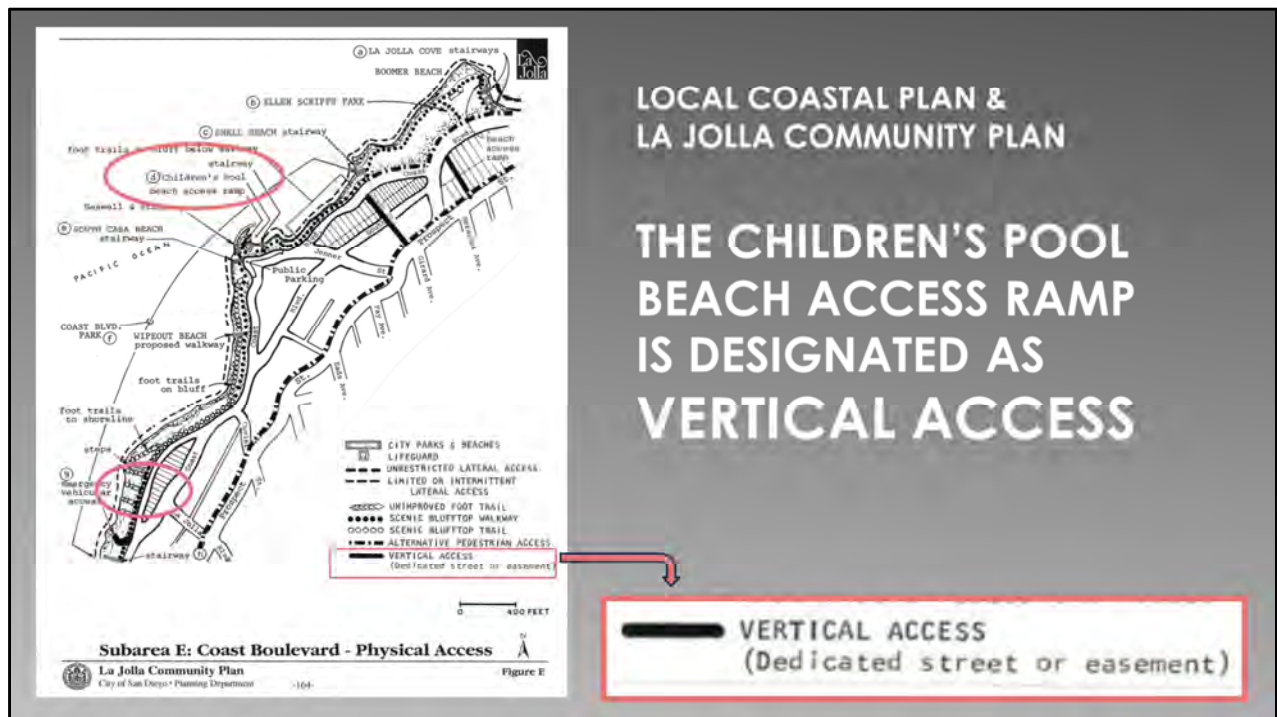
The proposed development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in the Local Coastal Program land use plan in affect for the site. The proposed development will be located within the footprint of the current, closed lifeguard station. The plaza level floor which sits above the restrooms has been shifted slightly to the

Attachment 8, Page 6

. . . development will not encroach  
on any public accessway identified  
in the Local Coastal Program . . .

The Children's Pool ramp is specifically identified for protection by the LCP because it is an established public accessway.

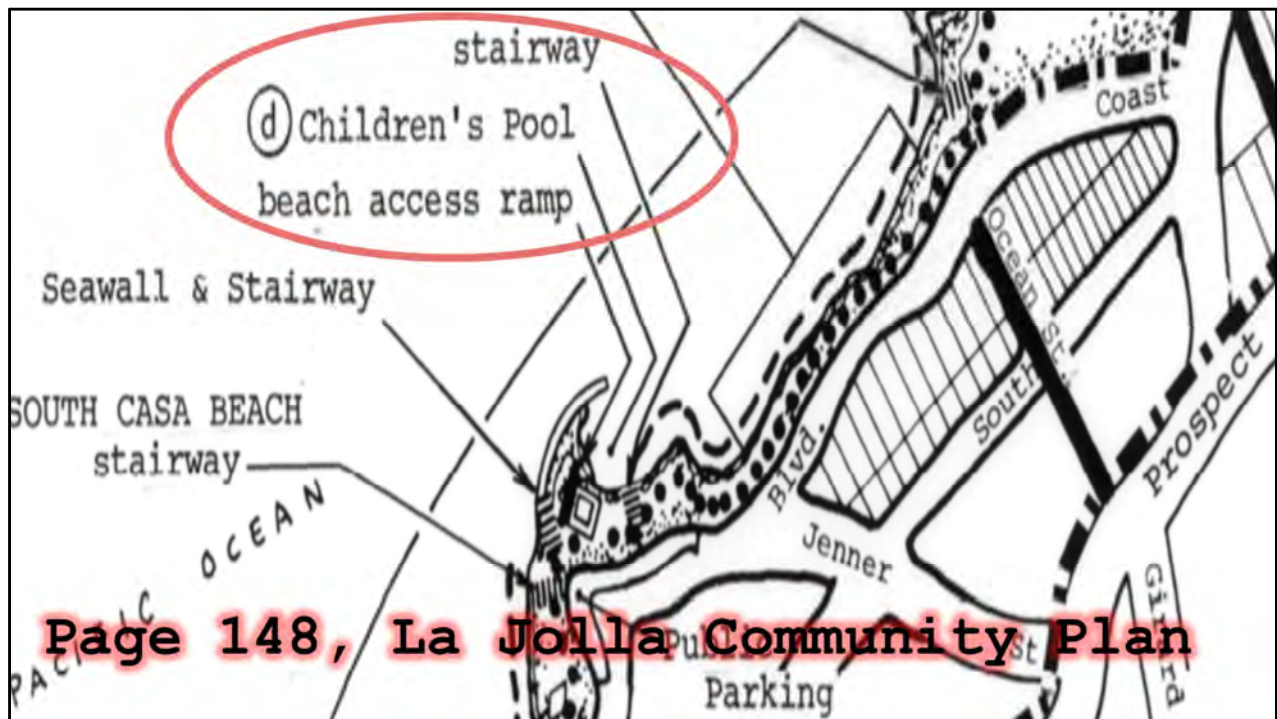
A barrier wall blocking the ramp is inconsistent with the LCP



Page 148 of the La Jolla Community Plan identifies the Children's Pool beach ramp as VERTICAL ACCESS by street or easement dedication.

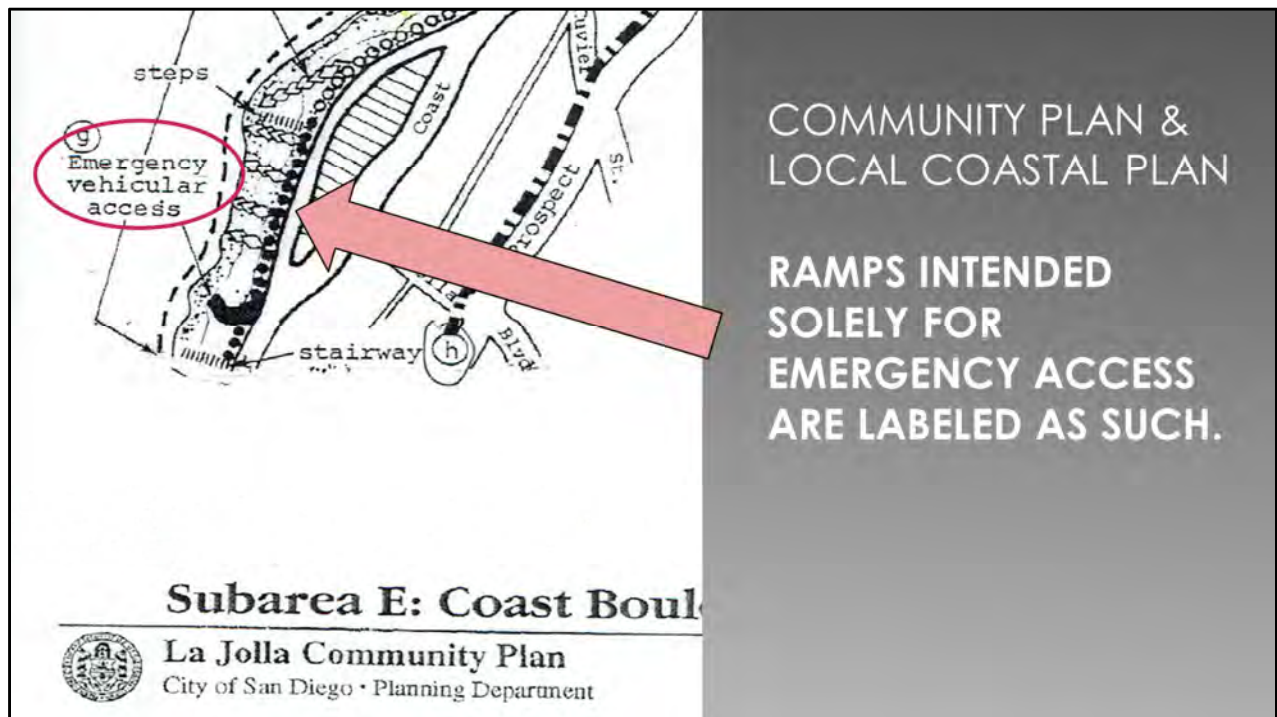
This ramp is public property held in trust to facilitate public beach access.

Blocking this ramp cannot be justified under the Coastal Act.



The La Jolla Community Plan clearly identifies the ramp for public use.

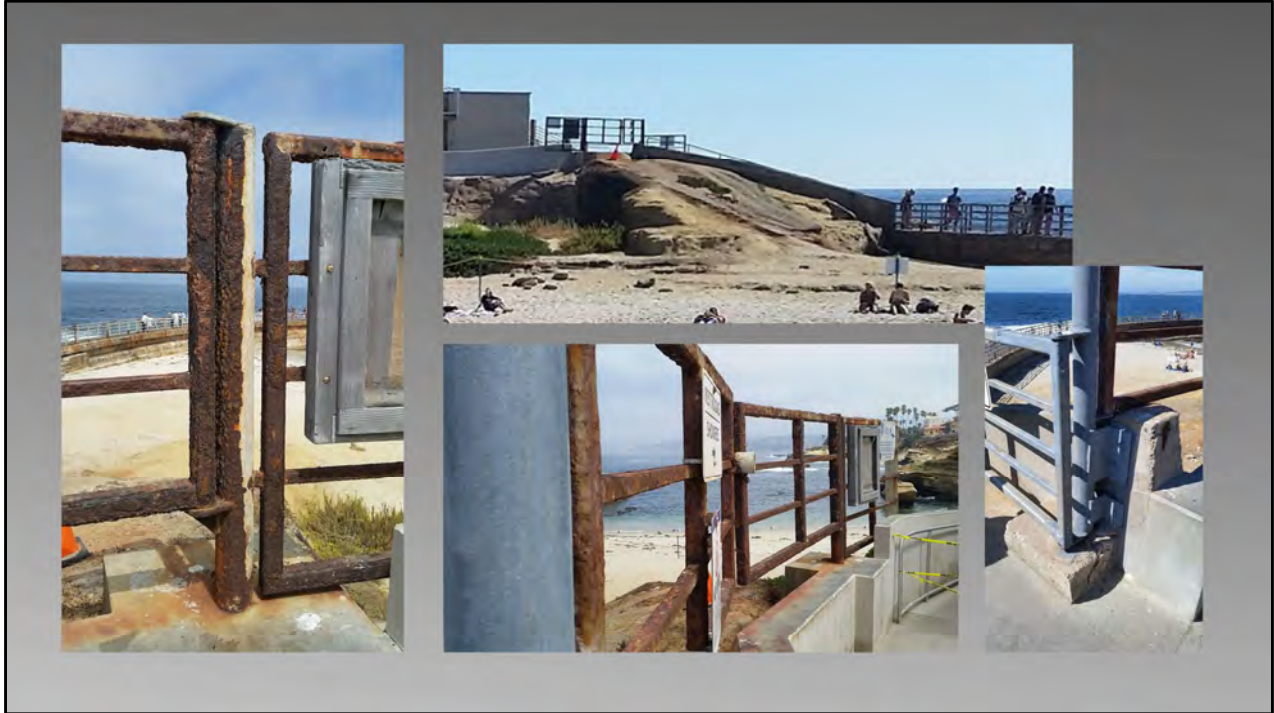
Sixty years of an open ramp, commonly used by the public, confirms its public accessway status.



Beach ramps intended exclusively for emergency access are labeled as such in the Community Plan and LCP.

This ramp just south of the Children's Pool is identified for Emergency Vehicular Access. It is in much worse condition than the Children's Pool ramp but is not blocked for use by the public.





The ramp gates are a hazardous eyesore. These gates recently had to be propped up after a post rusted through and broke off. They should have been removed with the completion of the new lifeguard tower. They are no longer needed because vehicle trespass is now blocked with bollards at the street on Coast Blvd.

With no obsolete gates to prop up, there is no need for the barrier wall.

A chain and sign is enough to close the beach at the stairway and would do so here as well.



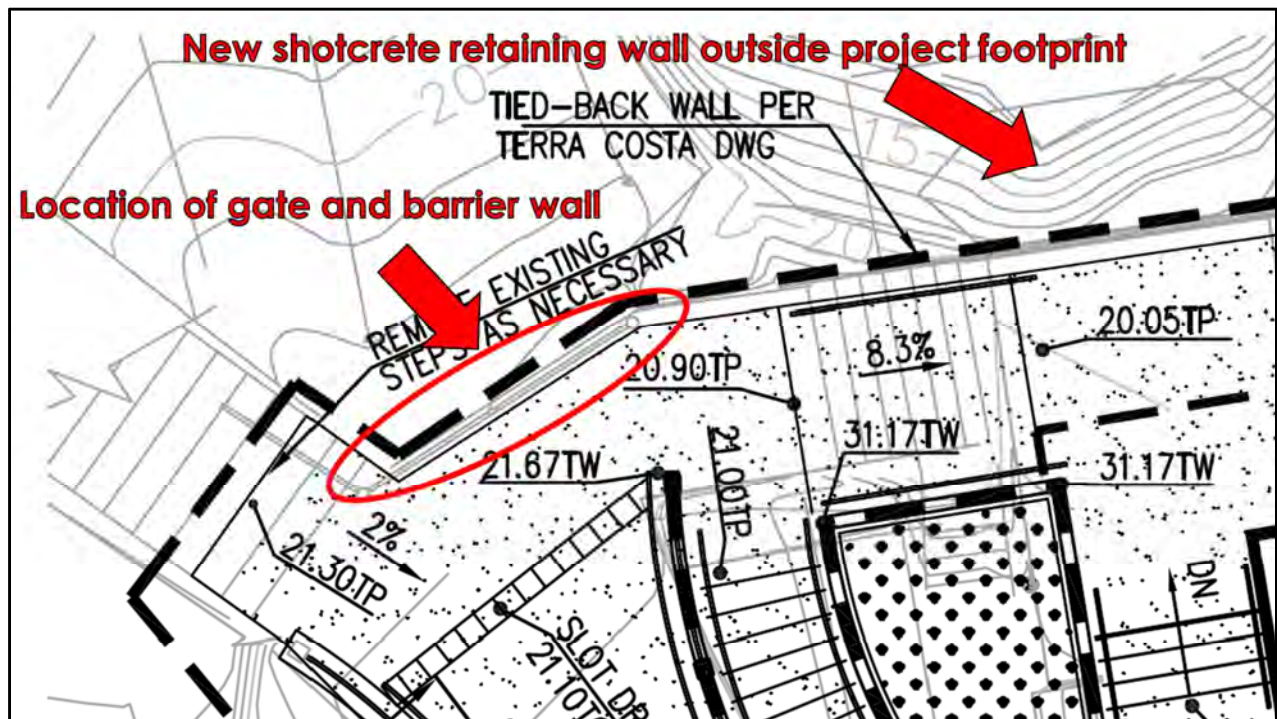
Current condition of obsolete ramp gates. Falling down and dangerous.





This photo shows the tiny amount of dirt under the gate at the top of the existing ramp that needed to be removed. Probably less than five cubic yards of soil. This would have solved many problems and this ramp would be a non-issue. This type of finish grading was done all along the new, upper ramp where the soil was left above the ramp grade. This could have easily been done here as well, but was not, leading to suspicions of other motives by the City.

Lowering the top of the ramp grade would have reduced the steepness of the ramp making it even more user friendly and would have kept this historic coastal access route open. Instead, the City tries to convince you this ramp always was for emergency use only, in spite of all evidence to the contrary. It was a shortsighted way to avoid the minor cost to repair this ramp.



Because the lifeguard tower project limit line was drawn so near the ramp gate, it appears that the City intended all along to barricade this ramp. Otherwise, why didn't the plan footprint include the beach access ramp all the way to the beach to match the project description in the CDP? It seem like they deliberately tried to hide this controversial feature of the project until the last minute to avoid pushback from the community.

The elevations are shown in these City plans. With this it can be determined that there was not a significant change in the grades in this area after the newly installed upper ramp had to be demolished and redone because of incorrect slope ratios in upper ramp areas. Changes to the upper ramp didn't change the final grades on this part of the ramp. There was no need to reinforce the ADA ramp with a barrier wall. It is self supporting without the wall blocking the ramp.



A new shotcrete retaining wall supports the sidewalk under the showers and restrooms. This retaining wall was also just outside the defined project footprint, as shown on the plans, just like the original beach access ramp.

## THE SUBSTANTIAL ISSUES:

*"Any development that is inconsistent with the terms or conditions of a previously issued CDP is a violation of the Coastal Act."*



- Coastal Act violation: Construction blocks historic coastal access
- Inconsistent with CEQA policies: No public notice or review of added development
- Inconsistent with terms and conditions in the CDP

These are the substantial issues that should cause the Commission to accept our appeal and schedule a hearing on the non-conforming ramp barrier wall.

- Coastal Act violation because City development blocks historic coastal access
- Inconsistent with CEQA policies: There was NO PUBLIC REVIEW of the last minute barrier blocking the ramp.
- Inconsistent with terms and conditions in the Coastal Development Permit





The remaining slides show the ramp in use and also document the declining condition from deliberate neglect by officials at the City of San Diego. This vital community asset should be reopened and restored for public use especially for people who cannot use the stairs but still need access to a beach.

This beautiful coastline should be made accessible to as many people as possible. The Coastal Commission serves an important role in insuring that our limited coastal access routes are protected.

Children's Pool provides the very best location for many people to experience the ocean with convenience and safety. The completion of the multi-million dollar lifeguard facility, with the restroom and showers, is just the beginning. The City should finish the project and make access possible again for everyone.



The beach ramp in use in 2008 while stairs were blocked.





The beach ramp in 2011 deteriorating from neglect.



1960's. Ramp open for public use. No barriers to coastal access. No gates



1970 Dodge commercial filmed at Children's Pool.



The Stuntman movie set at Children's Pool in 1977.





1953 image showing the well used beach and ramp at Children's Pool.



Ramp in the early 1960's





Gates in installed but rarely closed. This day it appears there is large surf outside the Pool.



Strong community opposition to the barrier wall in the local newspaper.







August 2019

*“Actions that violate the public access provisions of the coastal act are many and various, but when not authorized by a CDP, these public access violations may include the placement of "no-access," "no-parking," "no-trespassing," or other similar signs; the closure of public access trails or beach access by the placement of gates, fences, or other such development; increasing access fees, prohibiting certain types of public access users, or using security guards to discourage public visitors; placing development in a way that blocks or limits public access; and numerous other actions that limit or impact public access in the coastal zone.”*



CCC Website

The story of Children’s Pool has been tarnished by City officials. They ignored the interests of the community they are supposed to serve in neglecting this wonderful coastal asset. Children’s Pool was set aside as a special place to help safeguard the lives of children, the disabled and inexperienced swimmers.

A growing population of elderly and disabled citizens need the amenities Children’s Pool has to offer. It is shameful the City has allowed this place to deteriorate to the current condition and nowhere more so than at this coastal access ramp. There was no need for this to happen. The repairs to the ramp should have been completed with the new tower construction. By failing to do that, the City did not comply with the CDP and LCP/Community Plan.



**From:** [Cheri Jacobs](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Appeal number A-6-LJS-19-0198, Children's Pool Ramp  
**Date:** Friday, February 07, 2020 5:57:12 AM

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To the California Coastal Commission,

I am writing to you about the ramp at the Children's Pool in La Jolla CA. I am a disabled woman who uses water therapy and swimming to stay alive and fit enough to walk. The Children's Pool ramp that has been there for many decades and is on the La Jolla Community Plan as a dedicated vertical easement ramp from the sidewalk down into the Ocean Pool built by Ellen Browning Scripps for "Children and Especially for those handicapped in life's game". These are Ellen's words.

The seals now have this ocean therapy pool built for humans to lay in their own feces giving birth. This is not educational to have the public watch this unnatural birthing in their own poop. And its not good for the seals to lay in their own feces, many diseases can result as well as polluting the sand. The other beaches wash clean, not the Children's Pool as the four sluiceways were concreted in. They were to be the filters of the pool.

We have over 20 Veterans committing suicide each day, disabled and broken from the illegal wars since the crime of 911. Many are wounded and have no legs. The Children's Pool is the ONLY Ocean pool we have on the Continental United States that should be filled with disabled people enjoying the safety of this special ocean pool. And you have not cared for it, it is falling apart and the walkway is so worn it is dangerous to walk on. There was a net originally from the wall to the bluff to keep children from washing out to sea. Now it's a feces pit because of humans.

You blocked the age old ramp, please reopen it. You put wheelchair showers in but no way for a wheelchair bound swimmer to access the pool built especially for them. This makes no sense. The seals do not need this pool they have thousands of miles of beaches. The disabled only have the Children's Pool. By closing the Children's Pool and blocking access you have hurt me and my water therapy as there is no other place safe enough for me to enter the real ocean. Please reopen the old ramp and refurbish it so I can access the Pacific Ocean.

Please care for children and for the disabled. We need the Children's Pool, the seals have the entire coastline and they swim very well and do not need the protection of the sea wall, I do.

Attached please find a photo of the ramp in question paved with people walking on it. Transient Occupancy Taxes were used to pave the ramp in the 1960's. It is wrong

and illegal to block it and not use it.

Thank you very much,

Cheryl K. Aspenleiter

279 San Dimas Ave, Oceanside CA 92057

858 -568-1257



**From:** [diverdavid](#)  
**To:** [SanDiego@Coastal](#)  
**Subject:** Keep the Children's Pool beach ramp open  
**Date:** Thursday, February 06, 2020 7:19:09 PM

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A-6-LJS-19-0198

I David Pierce is in opposition of the closer of this historic beach ramp access to the Children's Pool.

Signed,  
David Pierce  
9344 Leticia Drive  
Santee, ca. 92071

Sent from my Verizon, Samsung Galaxy smartphone

To: California Coastal Commission [SanDiegoCoast@coastal.ca.gov](mailto:SanDiegoCoast@coastal.ca.gov)

Public input, Appeal A-6-LJS-19-0198 (San Diego Children's Pool Retaining Wall)

**This appeal concerns just the latest of a series of violations for over 20 years that San Diego has come to expect the Commission to accommodate.**

If exception is granted this time again, it cannot be the last because San Diego has never been honest about how much it wanted. I have witnessed 12 of the years, always hoping the Coastal Commission would tell San Diego one day, 'NO', "You have to live within the strictures of the Act, not just alter your LCP should someone catch you".

**Is there a substantial issue?**

There is, because the Coastal Act is an act of the Legislature derived from the State Constitution. If the Legislature wishes to have it instead be a set of policies open to local interpretation, then they can alter the Coastal Act or the State Lands Act – or both.

**It began about 20 years ago when lifeguards placed barriers on the beach,**

to separate people from friendly seals and locked the gate on the access ramp to divert people around the barriers. No permission was sought from the CCC then, as with this "People Retaining Wall" the City assumed it could install with traditional impunity.

(From court record of Valerie O'Sullivan vs San Diego)

**March 13, 2003**

*"California Coastal Commission advised the City that the rope barrier the City had erected closing off most of the beach at Children's Pool and access to the water at the Pool, needed a Coastal Permit. The Commission was concerned that a supposed temporary situation had been in place for four years and appeared to be permanent."*

The eventual result was San Diego was allowed to cordon off the entire shoreline with a "Rope barrier not intended to affect beach usage". It was not enough. San Diego never stopped manipulating the patience and forbearance of the CCC to benefit its local interests and budget. Why should it? The LCP still documents the ramp as a historic public access route, such is San Diego's arrogance.

**San Diego will need more special exceptions. As will other towns.**

Adjacent South Casa Beach has hosted pregnant and nursing seals for a decade but has remained unmentioned. I had a mother seal seek the protection of my beach umbrella to have her pup next to me on that beach in 2013. <https://www.youtube.com/watch?v=3jquHtJJ0vw&t=25s> This month they will be back and self-appointed guardians will be forming barriers and demanding the lifeguards close that beach to human use; again. The South Casa seal rookery was never mentioned to the Commissioners. The time was not right. Just a bit more encroachment on the Children's Pool.

**Whose fault is this?**

Everybody. The Legislature, the SLC, NOAA, local politicians, populist radicals, and so there is not fault



found here, but responsibility still lies with the Commissioners. The CCC has been pushed down a slippery slope. Only the Commissioners can pull it back.

Coastal Act requirements that all beaches be open to all persons benefits our local tourist driven economy, but allowing public access to Children's Pool has cost the City dearly. Nationally based Animal Rights groups found power, influence and notoriety for the taking by "Blackfishing" here. Nobody could explain why the seals kept coming back if they were being abused,

**Our original crime was kindness**, treating seals released from a federal Sea World rehab program with such kindness over a decade, that the seals invented "Shared Use". NOAA denied the facts, lied about it, and altered their own data to allege the seals were our victims. NOAA so claimed correction had to be with San Diego's resources. San Diego was desperate. It needed to steal a beach from its own children. The Commission had to help then, not realizing there would be no end to it. I can document everything I say, but you Commissioners will not see it unless you find a substantial issue.

**The Commission no longer has to accept NOAA's bullying or San Diego's whining.**

That was proven in court in 2018. Some commissioners or staff may not be aware of this.

**This wall was not an unplanned oversight. It is a deliberate escalation.** San Diego had claimed it could effect a compromise, meaning 5 months of complete closure and 7 months of normal access. But normal access would have been with the ramp open as shown in the LCP. San Diego threw in that new wall to further minimize access, against the old, the infirm and baby strollers. Why not? What's anybody going to do? It's in San Diego's Coastal Zone.

**I have helped handicapped swimmers** enjoy the access to calm ocean water. Even help carry a guy in his wheelchair up and down the 2 flights of stairs at the Children's Pool. Do you think badly of me for it?

**I have taken a handicapped scooter** up the now closed ramp up to the gate just to show it could be done. Not to violate the Coastal Act, but because I believe in it and public shore access.



**I have supplied urban sea lion data** to our ranger park ranger service and NOAA SW for 3 years, verifying sea lions are happily breeding and mingling with people just 2 blocks from Children's Pool. My 2000+ photos of 295 different tagged sea lion released "to the wild" are the only data NOAA has accumulated in San Diego on our sea lion rookery.

John Leek Long time San Diego resident.

**From:** [John Leek](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Public Comment on February 2020 Agenda Item Friday 18a - Appeal No. A-6-LJS-19-0198 (San Diego Children's Pool Retaining Wall)  
**Date:** Thursday, February 06, 2020 1:42:54 PM  
**Attachments:** [Complaint of Access Violation 2010 John Leek.pdf](#)  
[LJP&B Letter about new barrier wall sent by Dan Allen.pdf](#)

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Please accept this additional public input regarding Appeal A-6-LJS-19-0198.

In response to your Hearing Notice mailed to me on Jan 30.

John Leek    3090 Admiral Ave    San Diego CA 92123

John Leek  
3090 Admiral Ave  
San Diego, CA 92123

June 21, 2010

To: Marsha Venegas  
California Coastal Commission  
7575 Metropolitan Drive Ste 103  
San Diego, CA 92108-4402  
cc. Stacy LoMedico

Re: Complaint of violation by the City at Children's Pool; closure of an establish access path without Coastal Permit

Per our conversation, there is limited action the Coastal Commission can take without written complaint from citizens. I am submitting this written complaint concerning one long series of moves made by the City of San Diego to violate the Local Coastal Plan and therefore the Coastal Act at Children's Pool

The access road and wide footpath at the base of the sea wall, known as the "Baja Road" has been locked for several years with no reason given or permit requested for this closure of a long standing pubic access route. I have attached the Local Office Staff report of 1/3/01 recommending the City be allowed to re-establish a temporary marine mammal reserve at Seal Rock, but with conditions required by the State Land Grant Trust where it is situated. This is not a strong as the Children's Pool Trust, but still disallowed a permanent establishment of denial of beach access to effect a permanent reserve. On page 4 the report refers to the access in question.

"To the south of the lifeguard station, a walkway slopes down to provide access to the breakwater. There is also a gated unimproved emergency vehicle ramp that provides pedestrian access down to Children's Pool".

So there you have it – historical establishment of a public access route.

The City locked that gate years ago with no explanation or notice to the Coastal Commission. It has let the access route deteriorate, as everything there has been allowed to deteriorate, but the path is still useable, were it not illegally locked. In fact, for the convenience of the tourists the City likes having there, the gate was opened for pedestrians during construction of a temporary lifeguard tower. This shows the City never had legitimate reason for closure. A couple of years ago a near drowning victim had to be slid under the locked gate on her stretcher because the lifeguards had no key.

Please notify the City Parks and Recreation it has to open that gate pending a permit from the Coastal Commission to close it, even if it has to modify the Local Coastal Plan to do it. I am sure if that department were only made aware it has inadvertently violated the law it would hasten to correct the situation. I would appreciate a copy of the letter of notice, or any communication from your office.

The City has intent to apply for a new CDP to make trespass on Children's Pool Beach illegal from Dec to May forever. It will top off years of clear defiance of the Coastal Act, as it has done with the repeated unauthorized rope barricade structures it has used in the past to

encroach on public access. (Authorization was finally granted after the CCC noted the rope had been in place in violation for 3 months)

The City Attorney recently succeeded in showing the Mayor the emergency permit the City Council had requested him to enact by himself would not be justified, or legal. In fact, he had to add that measures the City had tried to get in place immediately to create a permanent rope barricade would require change to local LUP and LCP to even start on a legal permit. All without reference to any notice to the CCC by the City. (Nobody else contacted the CCC either – assuming the City was correct to disregard it)

It is past time for the CCC to remind the City of its existence and ascendancy as a State Agency, not to be taken for granted. A clear standing violation by closure of an established access route to a trusted public beach would not be tolerated anywhere else, or at least one would hope not.













Per a Coastal Commission brochure:

*What types of development require a permit?*

New development in the Coastal Zone that requires a permit from the Coastal Commission or the appropriate local government includes the placement of any solid material or structure; a change in land use density or intensity (including any land division); change in the intensity of water use or access to water;

John Leek

Secretary, San Diego Council of Divers.



✦ LA JOLLA PARKS AND BEACHES, INC. ✦

[lajollaparksandbeaches.org](http://lajollaparksandbeaches.org)

04 March 2016

Chief Rick Wurtz  
Lifeguard Service, Fire-Rescue Dept.  
City of San Diego  
2581 Quivira Court  
San Diego CA 92109

Mr. James Nagelvoort, Director  
Public Works Department.  
City of San Diego  
202 C Street  
San Diego CA 92101

Subject: New Barrier Wall Blocking Beach Access Ramp at Children's Pool

Dear Chief Wurtz and Mr. Nagelvoort:

In December, 2015, a concrete wall blocking the beach access ramp was added to the lifeguard tower project at Children's Pool. This never appeared in plans reviewed by the public. The new barrier blocks much needed access for people unable to use the stairs and also prevents maintenance and emergency vehicle access the beach at the Children's Pool. Public safety is compromised by the gate and new concrete barrier obstructing quick access for lifeguards to the most direct route to the beach from the new lifeguard tower.

The beach access ramp was built in the 1940's and was regularly used by beach goers until the City allowed it to fall into disrepair and locked the gate to prevent its use. It is well known the ramp was used by the general public needing better access to the beach for their strollers, wagons and even wheelchairs. It was also used by City staff for beach cleaning access. LJP&B expressed the community's concern about the ramp in letters addressed to the Park and Recreation Department in 2012 and 2013, copies of which are enclosed.

The ramp gate was locked closed without public notice in the late 1990's. A coastal development permit is required when changing an established coastal access route and intensity of use of a California beach. The locked gate and new wall do both, and they have not been permitted. The ramp is identified by the Coastal Commission in the LCP/La Jolla Community Plan, as a "beach access ramp". There has been an unfounded and erroneous claim made that this ramp was always for emergency use only. It is demonstrably untrue since there are many City lifeguards and beachgoers who have first-hand knowledge of use by the public for many years.

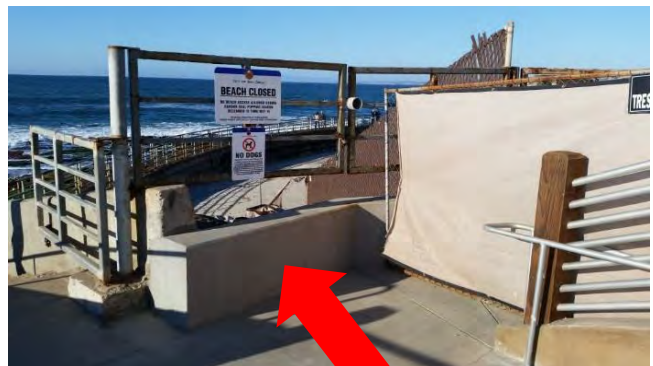
Simple surface repairs would make this ramp safe for public use again with very little cost to the City. Please remove the barrier wall and repair and reopen the existing beach access ramp.

Yours sincerely,



Dan Allen  
President, LJP&B

cc: Mayor Kevin Faulconer  
Councilmember Sherri Lightner  
Herman Parker, Director, Park & Recreation Department  
Andrew Field, Assistant Park and Recreation Director  
Dan Daneri, District Manager, Shoreline Parks



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La Jolla Parks and Beaches, Inc., P. O. Box 185, La Jolla, California 92038

[lajollaparksandbeaches@gmail.com](mailto:lajollaparksandbeaches@gmail.com)

Regular Meetings: 4th Monday of the Month, 4:30 PM, La Jolla Recreation Center, 615 Prospect St., La Jolla

bcc: Justin Garver, City Council 1st District  
Rich Reyes, Office of the Mayor  
Jorge Acevedo, Public Works Department  
Lt. Rich Stropky, Lifeguard Service



**From:** [Kay R Stafford](#)  
**To:** [SanDiego@Coastal](mailto:SanDiego@Coastal)  
**Subject:** Ramp at Children's Pool  
**Date:** Thursday, February 06, 2020 10:17:24 AM

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to the Commissioners of the California Coastal Commission:

You will have received letters detailing the legal reasons why the ramp at the Children's Pool should be open and maintained, and you will have seen documentation of the City's violation of codes, rules and any semblance of honesty in its drive to use the beach and the seals as a lure for tourists. It takes all my self control not to offer a list the documented lies told by the seal zealots and the City. I was present at a meeting in which the engineer for the City promised that, in the construction of the lifeguard station, the ramp would be unobstructed.

I want to approach you from the point of view of someone whose family has been enjoying the CP since the '50's. I have observed the entire history of the pool for all these years, and I actually know the facts. It's a heartache to see this marvel of philanthropy and engineering confiscated for the agenda of the City and the dishonest activists. But more than that, it's frustrating to see a commission such as yours accept the dishonest claims of these factions.

I've been told that "The City" has represented that the ramp was never used significantly by the public or the lifeguards or for maintenance of the pool's beach. This is absolutely inaccurate. Further, the idea that the City's research didn't demonstrate such use is outrageous. Anyone making any kind of an effort can find people such as myself and such as Joe Barnett, long time lifeguard, to testify that we've witnessed the regular, necessary use of that ramp.

Can you actually imagine a young mother carrying an infant or toddler along with beach necessities down those stairs? Of course not. I, along with nearly all the families who used the beach over the years, walked down the ramp so that we could safely enjoy the beach that was created for the smallest children.

My mother brought me to the Children's Pool to swim until I was old enough to manage small waves at the shores. I brought my two little boys there to learn to swim in water deep enough for swimming without being tossed by waves.

I would love to speak with a commission member about this. I am not a zealot. I am an ardent lover of wildlife. My major at U of Miami was Marine Ecology. I know the facts of the seals and the pool from first hand observation over many years. The City, in its greed, has allowed massive tourism to destroy Scripps Park. No new saplings will ever replace the Monterey Cypress that have a lifespan of 300+ years... unless subjected to the destructive consequences of massive tourism. What could be more toxic than an endless stream of idling cars? Please protect the CP. Please contact me for discussion.

Sincerely,

Kay Stafford  
[kaystafford@mac.com](mailto:kaystafford@mac.com)



April 28, 2019

Children's Pool – Beach Access Ramp

To whom it may concern:

I am the current President for the San Diego Council of Divers and a former seasonal Lifeguard1 for the City of San Diego from 1990-1996. During my tenure as a lifeguard I had the opportunity to work the Northern Division under Lt. Brandt Bass – my expertise as a dive instructor put me at the Children's Pool on occasion working under Lifeguard 2 Ron Trenton.

With respect to the "access ramp" at the Children's Pool three things stand out in my memory:

- 1) The ramp was regularly used by City of San Diego beach clean up crews to bring heavy equipment on to the sandy beach for the specific purpose of removing washed up kelp.
- 2) When citizen's with mobility limitations arrived at the beach, it was common for the individual, or their assistant to contact lifeguards on duty and request assistance getting their wheelchair down the access ramp. I had the pleasure of assisting more than one party on to the beach and in to the water. This (assisting those with limitations on to the beach) was common practice by lifeguards, supported and expected by upper management.
- 3) I was shocked to observe, during the most recent change to the permanent lifeguard station now at the Children's Pool, the blocking-off of the original ramp. It seemed a spiteful gesture to the disabled community who frequently used this access ramp.

The San Diego Council of Divers is in strong opposition to the closure of any access to public beaches and rights of way, and urge the California Coastal Commission to require the City of San Diego to re-establish this access ramp.

  
Joel Tracey, President  
San Diego Council of Divers  
(619) 415-9426