

CALIFORNIA COASTAL COMMISSION

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F15a

ADDENDUM

November 18, 2021

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item F15a**, Coastal Commission Permit Amendment Application **#6-93-207-A2 (NCTD Conservation Easement Revision)**, for the Commission Meeting of November 19, 2021.

The purpose of this addendum is to ensure that the proposed amendment to expand the area of habitat in a conservation easement includes amendment of the exhibited maps in the offer to dedicate recording as well as amendment to the exhibited maps in the acceptance recording. Staff recommends the following changes be made to the above-referenced staff report. Deletions shall be marked by ~~strikethrough~~ and additions shall be underlined:

On pages 5-6, Special Condition 10 shall be modified as follows:

10. Expanded Environmental Easement. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT:

a. ~~The applicant shall execute, including obtaining a signatures from the City of Carlsbad, and record a document(s) in a form and content acceptable to the Executive Director, amending Recording No. 2015.0317274 to expand the area of the environmental easement according to the "Current Natural Conditions Report for the Poinsettia Station Vernal Pool Preserve (PSVPP) — North County Transit District (NCTD) Parcel" dated July 5, 2018 by the City of Carlsbad, as approximately depicted in Exhibit 5. Excepting the description of the expanded area, the permittee shall continue comply with all uses, restrictions, and requirements for the easement as described by Special Condition 1. The applicant shall record an amendment to the Conservation Easement that was created by recordation of the Irrevocable Offer to Dedicate Conservation Easement and Declaration of Restrictions recorded as Document No. 1994-0490179 and the Acceptance of Offer of Dedication of Conservation Easement recorded as Document No. 2015-0317274, in the San Diego County Recorder's~~

Office, collectively, the “Conservation Easement.” This amendment to the conservation easement area will expand the easement area to include the additional portion of the property consistent with the “Current Natural Conditions Report for the Poinsettia Station Vernal Pool Preserve (PSVPP) – North County Transit District (NCTD) Parcel” dated July 5, 2018, by the City of Carlsbad, as generally shown on [Exhibit 5](#) of this Staff Report. This Amendment to Conservation Easement shall be executed by the Owner of the easement property and the grantee of this amended Conservation Easement, the City of Carlsbad. The permittee shall continue to comply with all uses, restrictions, and requirements described in Special Condition 1 that apply to the entire area covered by the easement, including the additional area added through this amendment.

b. The recorded document(s) shall include a legal description and corresponding graphic depiction of the legal parcel(s) subject to this permit amendment and a metes and bounds legal description and a corresponding graphic depiction, drawn to scale, of the additional easement area subject to this permit amendment, prepared by a licensed surveyor based on an on-site inspection of the easement area. The easement amendment shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed.