

## **CALIFORNIA COASTAL COMMISSION**

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# **F8b**

**A-6-ENC-23-0024 (Beacon's Beach Parking Lot)**

**November 17, 2023**

**CORRESPONDENCE**

JOHN WIGMORE  
870 Neptune Avenue  
Encinitas, CA 92024

California Coastal Commission  
San Diego District Office  
7575 Metropolitan Drive Suite 103  
San Diego, CA 92108  
(619) 767-2370  
[sandiegocoast@coastal.ca.gov](mailto:sandiegocoast@coastal.ca.gov)

November 6, 2023

Appeal Number: A-6-ENC-23-0024  
Local Govt  
Permit Number CDP-005457-2022

### **Appeal of the City of Encinitas Approval to Regrade Beacons Beach Parking Lot**

I oppose and have appealed the approved plan by the City of Encinitas to regrade Beacon's Beach parking lot, a plan that was set forth and approved by the city council. The current Beacon's Beach parking lot has been in existence for many decades. In my view, the city should focus on stabilizing the existing parking lot in its current state rather than removing it, which could potentially worsen the stability of the bluff.

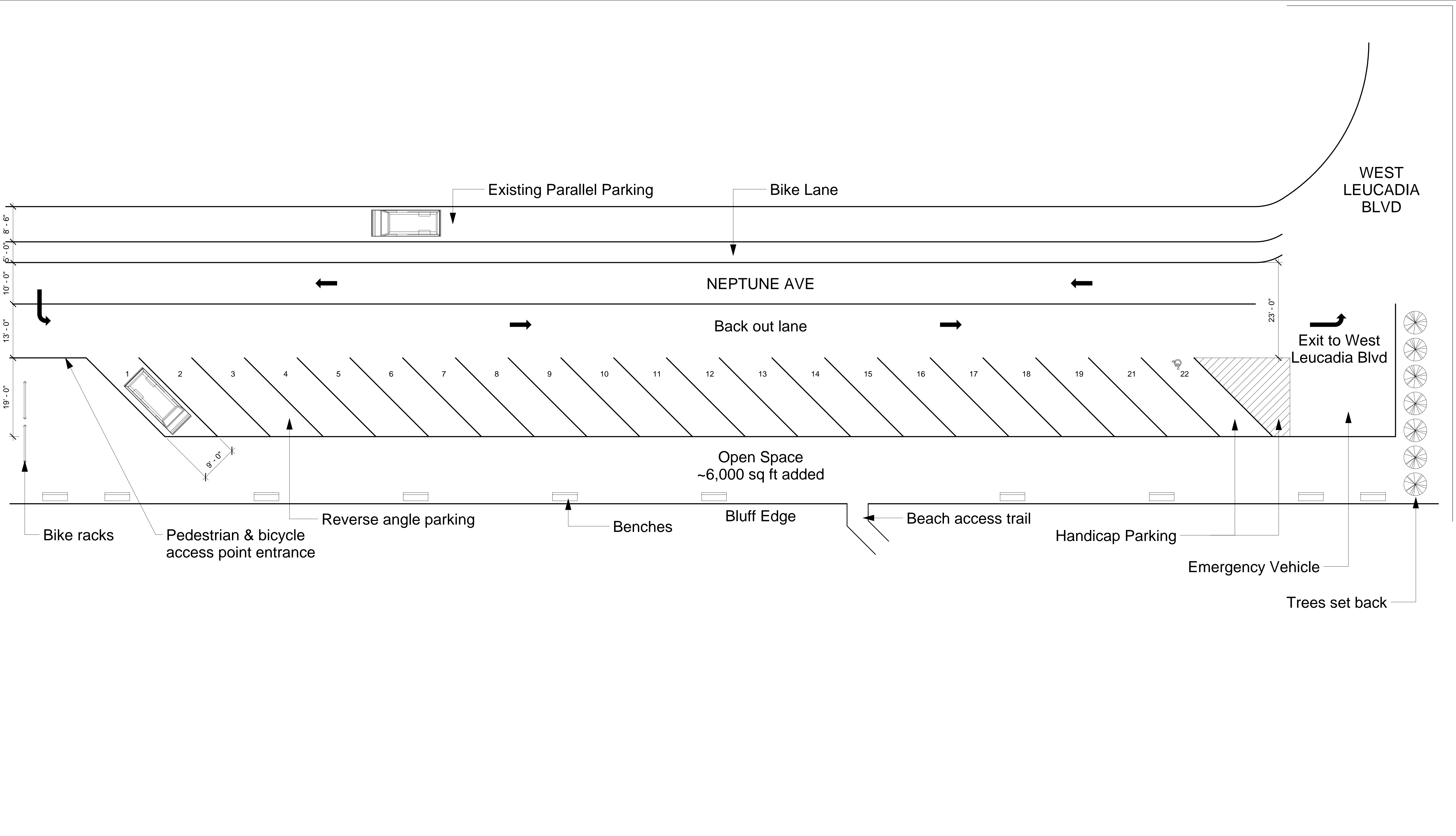
I believe that the city could achieve this by maintaining the existing lot and shifting the parking of cars 10 feet landward without losing any parking spaces. This could be accomplished by redesigning the striping and entrance to the lot, as first proposed by Michael Conway. This approach would also create more park space between the parking area and the bluff's edge if the bluff is properly maintained, rather than resorting to a "managed retreat." I firmly believe that Beacon's Beach bluff should be preserved and maintained by the city, rather than allowing it to erode. Considering the value of the existing Beacon's Beach parking lot and its long-term importance to the community as a gathering area to view the ocean and sunsets, it would be common sense to prioritize the preservation of the bluff. Creating a park space between the proposed parking area and the bluff's edge would greatly benefit the community and enhance the Beacon's Beach experience.

Please see the attached example of a more satisfactory revised parking plan. This new plan by the citizens has no reduction in the lot parking, requires no demolition along the sensitive bluff face, does not disturb the equilibrium, and provides more public recreation space for the community. The cost would be many hundreds of thousands saved for other uses.

Moreover, given the current high volume of beachgoers at Beacon's Beach, I am concerned that the city is not adequately addressing the increased foot and car traffic that the reduction in parking spaces will generate on both Neptune Ave and Leucadia Blvd. As a homeowner in the area, I am already aware of the dangers posed by the mix of cars, bikes, and pedestrians on Neptune Ave, a relatively narrow street with parking on both sides. Maintaining the existing number of parking spaces or even adding more would enhance community safety.

In conclusion, the city's current plan for the Beacon's Beach parking lot does not align with the best interests of the community. I urge the City of Encinitas to prioritize the preservation and maintenance of the existing bluff and parking lot. This could involve creating a small park along the length of the parking lot, maintaining the current number of parking spaces, and possibly adding more to accommodate visitors to Beacon's Beach. Thank you.

John Wigmore



Parking Solution	Beacons Beach	Site Plan	Project number
			Date11/06/23
			Drawn by
			Checked by
			A-001
			Scale3/32" = 1'-0"

11-8-23

F8b

A-6-ENC-23-0024

To: California Coastal Commissioners

From: Michael Conway Appellant

Please consider the following comments and pictures.

This is the first appeal I have filed with the Coastal Commission and I am disappointed that staff found "No Substantial Issue." I believe this determination was made based on incomplete and misleading information.

I have used this beach parking lot since approximately 1975 and its size and configuration has not changed. The access trail to the beach, due to slope failures, has been reconfigured many times over the same period.

Staff contends that the primary purpose of this project is public safety, with the parking lot being relocated to avoid an "assumed failure plane." During the City of Encinitas Planning Commission hearing of July 19, 2018 AECOM geologist Dave Shuggs stated that the failure plane is plotted to "within five feet" and in the December 6, 2018 states that the location of the failure plane "is not that exact." The "failure plane," if it exists, cannot be located with any exactitude nor can anyone accurately predict when or if there will be significant earth movement.

A fact that was not mentioned by staff is that Scripps Institute has been permitted to locate seismic monitoring equipment on the slope as well as in the parking lot so real time monitoring of the slightest earth movement currently exists.

City staff declared a "clear and imminent danger" as justification for a CEQA exemption. The emergency was declared over five years ago on May 30, 2018. If such dangerous conditions exist then why is the lot and beach trail still open? This demonstrates that there is no clear and imminent danger, the parking lot exists today just as it has for the last 50 years.

If the CEQA exemption was issued for the trail and parking lot combined, how can the city now utilize it to construct the parking lot while ignoring the condition of the trail?

It is evident, after examining the area, that the beach trail will most likely fail before the parking lot (see pictures A,B,C). Why is there no plan for stabilizing the coastal bluff that will be disturbed and destabilized as a result of this project.

Staff contends: "the relocation of the parking lot will ensure that public access continues by moving the parking lot away from the existing failure plane and thus this does not raise a substantial issue." Relocating the parking lot in and of itself might only ensure that there will be future parking. If the beach trail fails there will be no beach access. What good is a parking lot if the public can't access the beach?

The City of Encinitas has failed in its responsibility to properly maintain this invaluable public resource (see pictures E,F). Relocating the parking lot is not a substitute for proper maintenance.

Given the city's poor maintenance history moving the lot landward will only expose more

irreplaceable oceanfront public property to improper maintenance, erosion and land loss down the slope.

Coastal staff failed to respond to two items which I brought up in my appeal. First (Sec.30221) "Oceanfront land suitable for recreational use shall be protected." and second (Sec.30116) that Beacons Beach Access should be considered to be a "Sensitive coastal resource area" due to its "significant recreational value" and its "highly scenic" attributes.

Both of the above Coastal Act sections mention protect and preserve as key factors, this project does the opposite. It is, in effect, abandoning public property because of something that might happen, using this rational we should all leave the area because of an earthquake or tidal wave which also might happen.

As a lifelong builder and general contractor, if a private citizen asked me to save their property from bluff erosion I would find a viable solution, not tell them to give up and abandon their property. This parking lot can and should be saved.

The loss of 11 parking spaces in an area where there is already significant spillover that leads to visitors walking long distances to access the beach should be sufficient grounds for a full public hearing.

Staff contends that the project "will not reduce the travel lane." This statement is incorrect. In the lots current configuration cars can park and unload while traffic continues to flow (see picture D ). When the parking lot is narrowed by seven to ten feet, vehicles that stop will completely block the flow of traffic.

In May of 2022, a portion of the beach trail was affected by a bluff failure. The city immediately fenced off and closed the entire parking lot and consequently the beach trail. On June 30,2022, the parking lot trail and parking lot were reopened. Repair work to the trail was required but the parking lot was not affected and needed no repairs.

City staff has chosen to focus on a relatively simple "brick and mortar" parking lot improvement project because they have no answer to the real question of how to provide long term beach access for the public.

In conclusion, I believe that this project deserves a full public hearing for all the aforementioned reasons. As stewards of this public land we should fight as hard as possible to preserve the existing parking lot, and demand responsible management of this coastal resource through proper beach access trail maintenance and bluff stabilization.

Thank You  
Michael Conway



A



B



C



D

3. Existing condition northern end at bluff-side area, support work by current city subcontractor.



4. Existing condition at northern end sidewalk, support work by current city subcontractor.

Respected Commissioners, Your CCC exhibit links were unable to be accessed by our attorney due to your upload issue. We requested a time extension because of this that was ignored. Today, Nov. 9 we were informed that the due date for our documents was changed from Friday Nov 10 at 5 pm to today. and we are now forced to give you this draft with no attorney review. This is the best that we could do and hope you will forgive our errors and thank you for your patience reading the rough draft below.

Sincerely, Matthew Gordon

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1. Skyline Geotechnical Report: the City Plan for Beacons Beach New Parking and drainage Encinitas is deficient and will not provide safety for the public but reduce safety.
2. City Illegally Pumping of Storm Water from Alley behind 101 Highway beside Leucadia Roadside Park Encinitas .2 miles up hill.
3. Pumping Storm Water at 235 gallons per minute Gorman Rupp Pump GPM from Leucadia Roadside Park.
4. Leucadia Roadside park pump
5. New pump inserted into the street and hidden inside the Beacons beach drain that travels to the Ocean. Note the blue NO DUMPING sign beside the drain has been chipped away.
6. The drainage from the parking lot is blocked due to the new installation of the storm drain pipe that originates from 101 Hwy
7. The lines on the pedestrian path between the white lines shows the pipe trenched lines in asphalt into the street to hide the storm water pipe
8. Photo The now Mayor Tony Krantz as a lay person presenting complaining about the issues with the illegal dumping of storm water in the ocean at Beacons Beach. also, a You tube video link below the photo to view his statements to the ex-Mayor Stocks
9. [https://www.youtube.com/watch?v=xlg2jXilng&ab\\_channel=encinitasyouneedus](https://www.youtube.com/watch?v=xlg2jXilng&ab_channel=encinitasyouneedus)
10. The storm water video impact deep into the sand at the end of the pipe on Beacons Beach shore. This is a video that was viewed by the CCC as opened and watched.
11. CCC opinion letter on remedy for Beacons Beach
12. Coastal Planner Substantial issue 3 email: excerpts from CCC letter to Ed Deane
13. See below the email from Dave Schug AECOM City Geologist stating, "if a 35-year-old emergency sounds bad for the city and / or makes no sense let me know." This Refutes the issue of safety. If it was truly a safety concern then why would the City retract the 49 day Substantial Issue and delay the hearing until it was moved to North CA months later and not give us an extension?
14. Google map direction from Leucadia Road Side Park and 101 hwy to Beacons beach pumping station in the bluff that dumps storm drain water into the ocean filled with human feces rat poison, needles , glyphosate, from Leucadia North 101 hwy and Vulcan Ave Encinitas CA 92024  
<https://duckduckgo.com/?q=google+maps+directions+driving+directions&t=iphone&ia=web&iaxm=directions&end=what%3ABeacon%27s%2520Beach%2Cwhere%3A950%2520Neptune%2520Ave%252C%2520Encinitas%252C%2520CA%2520%252092024%252C%2520United%2520States&transport=walk&start=what%3ALeucadia%2520Roadside%2520Park%2Cwhere%3A101%25E2%2580%2593123%2520W%2520Leucadia%2520Blvd%252C%2520Encinitas%252C%2520CA%2520%252092024%252C%2520United%2520States>

Sincerely,  
Matthew Gordon

1. Skyline Geotechnical Report: the City Plan for Beacons Beach New Parking and drainage Encinitas is deficient and will not provide safety for the public but reduce safety.



November 9, 2023

Skyline Project No. P23-079P.I

Matthew Gordon  
878 Neptune Ave  
Encinitas CA, 92024  
Phone: 619-572-3556  
Email: [gordon.matthew0@gmail.com](mailto:gordon.matthew0@gmail.com)

**LIMITED GEOLOGIC EVALUATION OF BEACON'S BEACH ACCESS TRAIL  
AND PARKING LOT MODIFICATION  
948 NEPTUNE AVENUE  
ENCINITAS, CALIFORNIA**

Dear Mr. Gordon:

In accordance with your request, Skyline Geotechnical Inc. (Skyline) provides this limited geotechnical evaluation of the Beacon's Beach access trail and proposed parking lot modification. This evaluation is based on site reconnaissance, review of preliminary project plans and documents, geotechnical documents, historic aerial photographs, and regional geologic maps.

**1.0 SITE HISTORY**

Based on review of historic aerial photographs and geotechnical documents provided by the client, Skyline understands the bluff above Beacon's Beach produced a large landslide with episodic failures during winter storms in 1982 and 1983. A previously existing stairway that extended from the parking lot above to Beacon's Beach was damaged during the landslides and limited passage to the beach. Following these failures, a switchback trail was established on the landslide deposits to regain beach access. Over time the access trail has been rerouted numerous times to avoid steep hazardous conditions due to erosion and settlement of the loose landslide deposits.

In 2003 URS performed a geotechnical investigation of the bluff and provided recommendations for mitigation. According to this study, URS determined the slope supporting the access trail was only marginally stable in its current condition and recommended long-term mitigation measures to stabilize the slope for safe beach access. These mitigation measures consisted of tiebacks and a reinforced wall to protect the toe of slope and grading the remaining portion of slope to

produce a buttress. URS also recommended reconfiguring the parking lot to be setback from the bluff edge to facilitate slope flattening and providing drainage away from the face of the slope.

Skyline Geotechnical | 7040 Avenida Encinas STE 104, Carlsbad, CA 92011

PAGE 2

URS provided an Update Geotechnical Feasibility Study on November 21, 2014, to evaluate site conditions at that time and further provide other stabilization alternatives. The City of Encinitas provided three options for URS to evaluate. The first option was an anchored seawall and upper bluff flattening, the second was soil nails without shoreline protection, and the third was slope rebuilding with an erodible soil cement buttress at the toe of slope. At this time a workshop was arranged with representatives of the City of Encinitas and California State Parks preferred mitigation method was the option that involved slope rebuilding with an erodible soil cement toe (4C).

August 28, 2015 AECOM (formerly URS) produced a memorandum indicating the instabilities of the landslide or upper bluff pose a hazard to persons using the trail and could damage the parking lot. It is also explained that slide material is more erodible than the adjoining bluffs and accelerated erosion at the toe of the slide will likely reactivate the landslide and damage beach access. Additional information about the preferred mitigation method was also provided.

May 30, 2018 AECOM produced a supplemental geotechnical report that Skyline did not review but according to the June 11, 2018 report, it provided additional information for current site conditions with updated geologic assessments and geotechnical evaluations of the costal bluff and landslide. Based on this analysis the factors of safety for the upper bluff and landslide are low (below the industry standard of 1.5). They also indicated that site conditions have become more precarious with continued erosion and landslide movement and that ongoing costal erosion and the seismic setting presents risks that could trigger instability in the short term.

June 11, 2018 AECOM produced a Draft report for Coastal Bluff and Landslide Stability. This report provides the opinion that the CEQA exemption conditions are valid and appropriate. This determination was made due to the potential damage to life, health, or property in the event of a new slope failure. This report also provides data from slope stability analysis performed on four cross sections along the bluff that have very low static and pseudo-static values (static FOS of 0.99 to 1.25 and pseudo-static values of 0.7 to 0.99). This study also compares slope geometry from the 2003 study to 2017 geometry to show that the slope is eroding and settling into a less stable condition and provided the opinion that the likelihood of a new slope failure has been increasing with time.

## **2.0 PROJECT DESCRIPTION**

As Skyline understands, the proposed resolution for the site is to remove the existing sidewalk and western portion of the existing 26-stall parking lot and construct a new 15-stall parking lot east of the modeled landslide failure plane. It also appears a paved PCC pedestrian pathway and decomposed granite surface west of the modeled slide plane and within the modeled slide/predicted is proposed. The proposed setback is estimated to be approximately 10 feet from the current bluff edge and a native hydroseed plant mix will be placed on the exposed subgrade



once the pavement is removed. In addition, inclinometers are proposed to be installed along the top portion of the modeled bluff failure plane and at the mid-point of the bluff.

### **3.0 GEOLOGIC OBSERVATIONS**

Based on site reconnaissance and review of project geotechnical documents, weak to moderately cemented Quaternary Old Paralic Deposits are exposed at the top of slope and in the back scarp of the landslide with landslide deposits descending to the toe of slope. Eocene Ardath Shale generally consisting of interbedded siltstone, sandstone and claystone is exposed at the toe of slope to the north and south of the site. This unit is currently covered by landslide deposits beneath the Beacon's Beach access trail. The upper portion of the slope appears to be over-steepened and the weakly to moderately cemented Old Paralic Deposits are eroding onto the slide material below.

### **4.0 CONCLUSIONS AND RECOMMENDATIONS**

It is likely the proposed parking lot and pedestrian pathway setback may reduce surcharge load near the bluff edge and reduce risk for vehicles to be involved in future failures, but the proposed resolution does not address global slope stability. The analysis provided by AECOM indicated very low factors of safety for the slope geometry in 2017 and provided the opinion that continued erosion will likely create a less stable condition. Relocating the parking lot will not change slope geometry and therefore is unlikely to significantly reduce the potential for future slope failures. The current switchback trail traverses beneath a significant portion of the over-steepened slope and exposes people on the trail or at the beach near the toe of slope to potentially be impacted by a slope failure.

If the sidewalk and pavement are removed near the bluff edge without the construction/installation of additional protection, accelerated erosion to the bluff edge is likely to occur due to this reduction in erosion protection (replacing impermeable pavement with permeable hydroseed and/or decomposed granite). The installation and regular reading of inclinometers is an important method to observe deformations within the slide mass and adjacent geologic units over time, however failures often occur without preceding deformation. Therefore, preceding evidence of failures is unlikely to be obtained.

It is Skyline's opinion that implementation of a long-term solution, as recommended by AECOM in the referenced documents, is considered the safest way to proceed and provide continued access to, and usage of, Beacon's Beach. Less temporary mitigation methods proposed, such as removing impermeable flatwork (without replacement), will not increase the overall stability of the slope or reduce the likelihood of bluff failure and may, in fact, increase infiltration of the slope causing accelerated distress and erosion and change current equilibrium.





## 5.0 LIMITATIONS OF EVALUATION

PAGE 4

This limited evaluation is based on visual site reconnaissance and data collected and analyzed by other geotechnical consultants. Data collected in the referenced reports has been collected over the past 30 years and only represents bluff conditions at the time the data was collected. Site conditions, including settlement, erosion, and groundwater elevation, can change over time as a result of natural processes or actions of man at or adjacent to the site. Revisions to laws, regulations, codes, or standards of practice may occur as a result of government action or the broadening of knowledge. Therefore, the findings in this report may be invalidated over time, partially or entirely, by changes in which Skyline cannot control. The observations and conclusions presented in this report are based on our understanding of the proposed improvements as described in this report. Skyline's conclusions are based on the observed conditions described in this report. The findings and professional opinions provided in this report were developed in general accordance with generally accepted principles and practices of the geotechnical engineering profession at the time of this report preparation. Skyline makes no other warranty, expressed or implied, is made as to the conclusions and recommendations provided in this report.

Skyline appreciates the opportunity to be of service on this project. If you have any questions regarding this report, please do not hesitate to contact the undersigned.

Respectfully submitted,

**SKYLINE GEOTECHNICAL, INC.**

A blue ink signature of Rodney J. Jones, consisting of a stylized 'R' followed by a cursive 'J. Jones'.



Rodney J. Jones, GE #3205  
Principal Geotechnical Engineer

A blue ink signature of Aaron J. Beeby, consisting of a stylized 'A' followed by a cursive 'Beeby'.



Aaron J. Beeby, CEG #2603  
Principal Geologist



**APPENDIX A: REFERENCES**

AECOM, 2018, Supplemental Geotechnical Report, Beacon's Beach Access Reconstruction Project, Encinitas, California, AECOM Project No. 60539890, dated May 30.

\_\_\_\_\_, 2017, Proposal for Preliminary Design and CEQA Support Services, Beacon's, Beach Access Reconstruction Project, Encinitas, California, Project No. 04103273, dated July 19.

\_\_\_\_\_, 2015, Beacon's Beach Access-Landslide Memorandum, dated August 28.

City of Encinitas, 2023, Attachment CC-3, Resolution No. PC 2023-06, Item #10A-Attachment 3, 11 pages, dated June 28.

\_\_\_\_\_, 2022, A Supplemental Citizen Participation Plan Notification, Case Nos. MULTI-005456-2022; USE-005458-202; CDPNF-005457-2022, dated August 16.

\_\_\_\_\_, Beacon's Beach Parking Lot Improvements, Citizen Participation Plan, MULTI-005152-2022, USE-005152-2022, CDPNF-005153-2022, CPP 5148-2022.

\_\_\_\_\_, 2022, Neighborhood Meeting, Case No. MULTI-005151-2022, USE 005152-2022, CDUF- 005153-2022, and CPP-5148-2022, dated March 1.

URS, 2014, Update Geotechnical Feasibility Study, Proposed Beacon's Beach Access, Encinitas, California, URS Project No. 27661417050000, dated November 21.

\_\_\_\_\_, 2003, Geotechnical Investigation, Beacon's Beach Access, Encinitas, California, URS Project No. 27644559.00001.

SKYLINE PROJECT NO. P23-079P.I  
09NOVEMBER2023

2. City Illegal Pumping of Storm Water from Alley behind 101 Highway beside Leucadia Roadside Park Encinitas



3. Pumping Storm Water at 250 gallons per minute from a GPM Gorman Rupp Pump



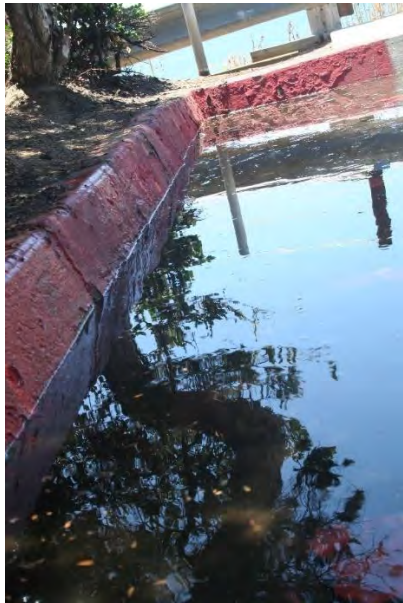
4. Leucadia Roadside park pump



5. New pump inserted into the street and hidden inside the Beacons beach drain that travels to the Ocean. Note the blue NO DUMPING sign beside the drain has been chipped away.



6. The drainage from the parking lot is blocked due to the new installation of the storm drainpipe that originates from 101 Hwy



7.The lines on the pedestrian path between the white lines shows the pipe trenched lines in asphalt into the street to hide the storm water pipe that travels .2 miles into to the ocean.



8.Photo The now Mayor Tony Krantz as a lay person presenting the issues with the illegal dumping of storm water in the ocean at Beacons Beach. You tube video link below the photo to view.



9. [https://www.youtube.com/watch?v=xIgt2jXiIng&ab\\_channel=encinitasyouneedus](https://www.youtube.com/watch?v=xIgt2jXiIng&ab_channel=encinitasyouneedus)

10 The storm water video impact deep into the sand at the end of the pipe on Beacons Beach shore. This is a video that was viewed by the CCC as opened and watched reported by BOX

<https://jancodeveloper.box.com/s/ofch5k2wuuxklfpn5cr5nx2bkg0s6nb4>

11.CCC opinion letter on remedy for Beacons Beach

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE  
103 SAN DIEGO, CA 92108-4421  
(619) 767-2370

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

Coastal Act Section 30235 limits the construction of shoreline protective devices to those required to protect existing structures or public beaches in danger from erosion. The Commission's geologist has reviewed Alternative 4C and agrees that a buttress at the toe of the slope is needed to intercept the weak beds in the Ardath Shale that make the slope susceptible to landsliding that would threaten the beach.

In addition to Coastal Act Section 30235, Coastal Act Section 30253 requires the project to assure long-term structural integrity, minimize future risk, and avoid additional, more substantial protective measures in the future.

Sincerely,

Sarah Richmond

Coastal Planner

12. Substantial issue 3 :excerpts from CCC letter to Ed Deane

**CALIFORNIA COASTAL COMMISSION**

DIEGO, CA 92108-4421

(619) 767-2370

Ed Deane

City of Encinitas Engineering Department 505 South Vulcan  
Avenue

Encinitas, CA 92024

Coastal Act Section 30235 limits the construction of shoreline protective devices to those required to protect existing structures or public beaches in danger from erosion. The Commission's geologist has reviewed Alternative 4C and agrees that a buttress at the toe of the slope is needed to intercept the weak beds in the Ardath Shale that make the slope susceptible to landsliding that would threaten the beach.

In addition to Coastal Act Section 30235, Coastal Act Section 30253 requires the project to assure long-term

structural integrity, minimize future risk, and avoid additional, more substantial protective measures in the

future.

Sincerely,

Sarah Richmond

Coastal Planner

13. See below the email from Dave Schug AECOM stating "if a 35 year old emergency sounds bad for the city and / or makes no sense let me know."

This refutes the City of Encinitas claim that they have an exemption from CEQA due to an emergency. If the City truly had a safety issue they would need to close the bluff and not defer the 49 DAY substantial issue.

13. please Scroll down to next page for Dave Schug Email

**From:** Schug, David <david.schug@aecom.com>  
**Sent:** Monday, June 11, 2018 8:57 AM  
**To:** Stephanie Kellar; James Knowlton  
**Cc:** Fitzwilliam, Steven; Lee, Dan  
**Subject:** RE: Beacon's CEQA Findings & Due Dates  
**Attachments:** rev draft Beacons Landslide Assessment AECOM 6-11-2018.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged  
**Categories:** Beacon's

Stephanie-

We revised our CEQA exemption letter. See attached.  
This ended up being fairly substantial re-write, and some re-thinking positions.

I also went ahead with the third exemption criteria under the premise-  
"The existing Beacon's Landslide was an emergency situation creating an unstable geologic landform that was never mitigated for public beach access."  
If a 35-year old emergency sounds bad for the city and/or makes no sense, let me know.

If Jim wants to elaborate on the third condition, and/or make his own conclusions on behalf of the city/publc agency, I believe this would bolster the CEQA exemption.

I did some more CEQA research, and have some concerns that potential seismic instability may not be a proper use of the emergency exemption. The imminence of an earthquake is not an existing condition, but rather a potential event. No real change has occurred. However- we're arguing the site stability has become very low, and could be easily changed in the short term. I still kept our seismic analysis in the letter.

See what you think. If we need another call let me know.

**David L. Schug**, CEG, CHG  
Senior Principal Geologist, GeoEngineering  
D 1-619-610-7667 C 1-619-888-0512  
[david.schug@aecom.com](mailto:david.schug@aecom.com)

**AECOM**  
401 West A Street, Suite 1200  
San Diego, CA 92101  
T 1-619-610-7600  
[www.aecom.com](http://www.aecom.com)

---

**From:** Stephanie Kellar [mailto:Skellar@encinitasca.gov]  
**Sent:** Friday, June 08, 2018 11:44 AM  
**To:** Mike Hogan; Scott Vurbeff; James Knowlton

14. Google Map of distance from pump station at Leucadia Roadside Park to Beacons Beach that is now under the road into Beacons parking lot the drain blocks the water from the parking lot to enter. The water pumped at 235 GPM which expels water into the ocean. The blocked drain causing flooding in the Beacons Beach lot parking lot for decades.

<https://duckduckgo.com/?q=google+maps+directions+driving+directions&t=iphone&ia=web&iaxm=directions&end=what%3ABeacon%27s%2520Beach%2Cwhere%3A950%2520Neptune%2520Ave%252C%2520Encinitas%252C%2520CA%2520%252092024%252C%2520United%2520States&transport=walk&start=what%3ALeucadia%2520Roadside%2520Park%2Cwhere%3A101%25E2%2580%2593123%2520W%2520Leucadia%2520Blvd%252C%252>



November 9, 2023

**Delivered via email**

To: California Coastal Commission

**Re: Item F8B, Support for Staff Recommendation to Deny Finding of Substantial Issue**

Dear Commissioners and Staff,

Surfrider Foundation is a nonprofit environmental organization that engages a vast volunteer network of ocean users to protect our world's ocean, waves, and beaches for all people. Our San Diego County Chapter represents thousands of ocean recreation users — from dedicated surfers to occasional beachgoers — as well as the coastal communities and economies that rely on them throughout the region. We recognize beaches as a public resource held in the public trust, and the preservation of beaches and public beach access is core to our mission. We appreciate the opportunity to comment on the appeal of the Beacon's Beach Parking Lot Plan.

We note for the record that we have participated in this project at the local level including by attending and providing written comment at the Appeal Hearing on this issue to the Encinitas City Council held on June 28, 2023. We also submitted comments to the May 4, 2023 Planning Commission Hearing.

We support staff's recommendation to deny a finding of substantial issue and allow the parking lot relocation to move forward, as supported by the City's Planning Commission on May 4, 2023. We ask that an additional finding be added to the resolution of denial related to the State Park's General Plan for Leucadia State Beach and the City's obligation under the Operating Agreement for Moonlight and Leucadia State Beaches.

We agree with staff's proposed findings, as summarized in the Staff Report, that detail why each of the appellant's grounds for appeal are neither relevant nor appropriate to this project. The appeal follows a clear pattern of behavior from a vocal minority to oppose any development at Beacon's that does not involve bluff stabilization. While bluff stabilization might offer additional protection from erosion for the properties of adjacent blufftop homeowners, it would negatively impact Beacon's beach and is in clear violation of the Leucadia State Beach General Plan:

*Policy: The state-owned cliff faces at Leucadia State Beach shall not be fortified with retaining walls. Seacliff retreat is recognized as a natural process that cannot be permanently stopped. Erosion control should be limited to mitigating the detrimental effects of increased runoff from the*



*clifftops and to planting native vegetation on the cliff faces. Seawalls shall not be constructed at the state beach.<sup>1</sup>*

The City of Encinitas has an obligation under its park maintenance agreement to maintain Leucadia State Beach, including Beacon's Beach. As such, Encinitas cannot approve a retaining wall, seawall or similar device and has been advised so on numerous occasions. The City has done an admirable job adding native vegetation to the extent possible in compliance with the General Plan.

In 1986, Encinitas incorporated as a city and took over maintenance of Leucadia State Beach. In 2008, Encinitas and the State renewed the operating agreement. The operating agreement as renewed requires that any construction project conform to the State Park General Plan of 1984. The General Plan is an exhibit to the agreement.

### "3. USE OF PREMISES

The City agrees to develop, operate, control, and maintain the Premises as a recreational beach park with related concessions and/ or other facilities accessible and subject to the use and enjoyment of the general public. Three documents provide general direction for the development and management of these beaches, including the State Park General Plan for Leucadia SIB adopted in 1983 ( exhibit C) and for Moonlight SIB adopted in 1984 exhibit D) and the 1996 MOU ( exhibit E) between the City and State regarding Management and Development of Moonlight SIB. These three documents are hereby incorporated by reference. In addition, management is governed by State Commission policies and federal, state, and local government statutes, laws, and regulations.

A. Upon written permission of State, the City may improve the Premises by constructing and operating public facilities, concessions, or other general improvements in accord with the General Plan for these park units adopted July 1984." (Agreement at page 3)

Thus, the city agreed to prohibit seawalls and retaining walls. The city also agreed to build a stairway when the bluff was agreed stabilized.

Surfrider has consistently opposed retaining walls at Beacon's beach as early as 2001 because they would result in long-term damage to the beach itself as well as being inconsistent with Leucadia State Beach General Plan. The science is clear on the negative impacts of shoreline armoring; we need not look further than to the armored bluffs on either side of Beacon's, where the beach has subsequently eroded and becomes unwalkable at higher tides. A Beacon's seawall would interrupt the landward erosion of the bluff and rob the beach of a natural sand replenishment source, *while* increasing erosion of existing beach area and surrounding beaches. The result would be, at best, temporary protection of the existing parking lot and bluff trail, coupled with a narrowing beach that is eventually drowned completely by an encroaching ocean.

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<sup>1</sup> P.14 of the [Leucadia State Beach General Plan](#)



Meanwhile, reconfiguring the parking lot further from the bluff failure plane is a logical interim step that will take pressure off the slumping bluff edge and set Beacon's up for potential future access improvements that do not require shoreline armoring. We supported parking lot reconfiguration in 2018, and we continue to support it today. The loss of 11 parking spaces is regrettable, but we ultimately agree with staff's findings that the loss would maintain public access and parking.<sup>2</sup> That said, we would certainly support any designs that incorporate more parking if they do not rely on shoreline armoring. We also agree with resident suggestions and the Commissioners' addition to the project from the May 4 Planning Commission meeting to ensure that new bike stations are spaced to fit bikes with surfboard racks.

For these reasons, we support the staff recommendation of 'No Substantial Issue'. Thank you for your consideration. substantial issue.

Sincerely,

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<sup>2</sup> "The proposed parking lot and pedestrian pathway will be set back from the bluff edge to minimize the likelihood of public parking closures, promoting safe access. The reduction in parking spaces is necessary to accommodate the landward relocation given site constraints. Therefore, the appellant's contention that the proposed project will reduce public access to Beacon's Beach does not raise a substantial issue." Staff Report at Page 12.