

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
(619) 767-2370 WWW.COASTAL.CA.GOV



W17

San Diego Coast District Deputy Director's Report for May 2024

Prepared May 01, 2024 (for the May 08, 2024 Hearing)

To: Commissioners and Interested Parties

From: Karl Schwing, San Diego Coast District Deputy Director

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the San Diego Coast District Office are being reported to the Commission on May 08, 2024. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's San Diego Coast District Office in San Diego. Staff is asking for the Commission's concurrence on the items in the San Diego Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on May 8th.

With respect to the May 8th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on May 08, 2024 (see attached)

Waivers

- 6-23-0407-W, City of Oceanside Coast Hwy Bridge Boreholes (Oceanside)
- 6-23-0637-W, Gross ADU (San Diego)
- 6-24-0278-W, SDIA Fuel System Buildings (San Diego)

Immaterial Amendments

- 6-84-578-A15, Mira Costa Comm. College Solar Panels (Encinitas)
- 6-22-0185-A1, Hyatt Mission Bay Event Tents (San Diego)

Emergency Permits

- G-6-24-0026, State Parks Cardiff Day Use Lot Revetment (Encinitas)
- G-6-24-0043, City of Encinitas Manchester Storm Drain Repairs (Encinitas)

Emergency Permit Waivers

- G-6-24-0016-W, City of Oceanside Loma Alta Creek Tapering (Oceanside)
- G-6-24-0018-W, 22nd DAA Culvert Repairs (Del Mar)

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April 24, 2024

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-23-0407-W

Applicant: City of Oceanside, Attn: Luis Cardenas

Location: Coast Highway Bridge over San Luis Rey River, Oceanside (San Diego County) (APN(s): 1430405500)

Proposed Development: The proposed project includes conducting six geotechnical explorations west of the existing North Coast Highway Bridge to attain soil samples (as part of the future Coast Highway Bridge Replacement Project). The geotechnical explorations are proposed at each of the potential bridge foundation locations and will be a combination of drilled boreholes and Cone Penetration Test (CPT) explorations. Either CPT explorations or boreholes will be performed at each of the six locations, except for the site closest to the San Luis Rey River on the south side of the bridge, which will only be tested via CPT to avoid impacts to the adjacent river and habitat. The drilled boreholes will be approximately 8-12 inches in diameter and will be drilled to an approximate depth of 250 feet. The CPT explorations will be performed by pushing a small metal cone into the ground to a depth of approximately 80 feet.

Rationale: The proposed borings and cone penetration tests are necessary to complete geotechnical investigations for future replacement of the Coast Highway Bridge. The proposed project site is bisected by the City's and the Commission's jurisdiction and is being processed as a consolidated coastal development permit.

No impacts to sensitive biological resources will occur as the proposed project will be temporary in nature (1-2 weeks) conducted during the winter months (October to February) outside of outside of the bird nesting season and no removal of sensitive vegetation will occur. If vegetation needs to be trimmed to access the other testing sites,

Coastal Development Permit De Minimis Waiver
6-23-0407-W

impacted areas will be revegetated and returned to their preexisting condition. Best Management Practices will be implemented to protect water quality, and any temporary erosion and sediment control products that contain plastic netting, including photo-degradable plastic netting, shall be prohibited. Heavy-duty silt fences reinforced by plastic or metal netting shall also be prohibited. After drilling is complete, the boreholes will be backfilled with granulated bentonite or other materials as required by the City of Oceanside Environmental Health requirements and the permitting agencies. Spoils from the drilling operations will be disposed of outside of the coastal zone. A Native American monitor will be present during the geotechnical investigations, as requested by the Luiseño Tribe and San Luis Rey Band. The San Luis Rey River Trail is located adjacent to the project area and will be used to transport equipment to the sites for a maximum of one hour at a time. To reduce impacts to public access, flaggers will be present to control bicycle/pedestrian traffic, and temporary traffic control signs will be placed to warn that there is construction equipment in the area.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its May 2024 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

Nora Ives
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
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WWW.COASTAL.CA.GOV



April 02, 2024

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-23-0637-W

Applicant: Matthew Gross

Location: 3651 Riviera Dr, Pacific Beach, San Diego (San Diego County) APN: 423-466-03-00

Proposed Development: After-the-fact approval of conversion of a 575 sq. ft. detached garage into an accessory dwelling unit with carport, and demolition of a 196 sq. ft. deck and construction of new 100 sq. ft. deck for primary residence on a 0.12-acre lot.

Rationale: The property is not between the first public road and the sea but is within 100 feet of the shoreline. The certified LCP allows accessory dwelling units (ADU) on single family zoned lots. The after-the-fact ADU is in an existing structure at the rear of the residential property and is not being expanded. The location does not impact public views or coastal resources and both the primary residence and the ADU are served by a carport for off-street parking. Thus, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its May 2024 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Coastal Development Permit De Minimis Waiver
6-23-0637-W

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

DocuSigned by:

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Alexander Llerandi
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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April 24, 2024

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-24-0278-W

Applicant: San Diego County Regional Airport Authority

Location: Northside of the San Diego International Airport (APN:450-790-22)

Proposed Development: Expand 17 ft. tall 3,568 sq. ft. fuel system administration building by 1,165 sq. ft. with no increase in height, construct new 685 sq. ft., 18 ft. tall laboratory building, and stripe pavement to allow three additional parking spaces.

Rationale: The proposed development will not be visible from a public road so no visual impacts will occur. The project site is paved and no change is proposed to drainage or impervious surfaces. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its May 2024 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

A handwritten signature in blue ink, appearing to read "ML" or similar initials.

signed by:
Melody Lasiter,
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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April 10, 2024

**NOTICE OF PROPOSED IMMATERIAL PERMIT
AMENDMENT**Coastal Development Permit Amendment No. **6-84-578-A15****To:** All Interested Parties**From:** Dr. Kate Huckelbridge, Executive Director**Subject:** Permit No. **6-84-578-A15** granted to **MiraCosta Community College District** for: Construction of a southern campus for MiraCosta Community College. The 80,000 sq. ft. facility will house classrooms, administrative offices and a library and will be constructed in two phases.**Project Site:** 3333 Manchester Avenue, Cardiff, Encinitas, San Diego County (APNs: 261-150-60; 261-150-68)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Installation of four 15-foot tall photovoltaic panel canopy carports, including one double row carport, one single row carport, and two single row in-line carports totaling approximately 32, 300 sq. ft., to connect to the existing electrical service, in a parking lot northwest of the intersection of Manchester Avenue and Mira Costa College Road.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.¹ Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the

¹ The Commission's regulations are codified in Title 14 of the California Code of Regulations.

Notice of Proposed Immaterial Permit Amendment 6-84-578-A15

Coastal Act or certified local coastal program if applicable, the amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the executive director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

Installation of the canopy structures and associated utilities will include trenching and drilling to a maximum depth of 30 feet, with canopy foundations installed in existing planter areas and filled with concrete. Approximately 936 cubic yards of export material will be disposed of outside of the coastal zone. Existing permanent stormwater control devices, as well as best management practices such as fiber rolls, gravel bags, silt fences, and inlet protection, will be utilized during construction and no adverse impacts to water quality are anticipated as a result of the work. Approximately 150 parking spaces will be temporarily unavailable for the duration of project construction (estimated to be 140 working days). No parking spaces will be permanently lost and there is adequate parking available for students, visitors, and staff during all phases of construction. The project will not result in the blockage of any public views or affect biological resources. Therefore, installation of the photovoltaic panel carports is consistent with prior Commission approvals on this site. The proposed project will not adversely impact coastal resources and is in conformance with Chapter 3 of the Coastal Act.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above or SanDiegoCoast@coastal.ca.gov. If you have questions, please call the phone number above or contact Stephanie Leach at SanDiegoCoast@coastal.ca.gov.

Original on File Signed By:

Stephanie Leach
Coastal Planner
San Diego Coast District

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April 12, 2024

**NOTICE OF PROPOSED IMMATERIAL PERMIT
AMENDMENT**Coastal Development Permit Amendment No. **6-22-0185-A1**

To: All Interested Parties

From: Kate Huckelbridge, PhD, Executive Director

Subject: Permit No. **6-22-0185** granted to **Hyatt Regency Mission Bay Spa and Marina** for: After-the-fact approval for placement of two event tents that cover a total area of 10,600 sq. ft. within a parking lot at Hyatt Regency Mission Bay.

Project Site: 1441 Quivira Rd, San Diego (San Diego County) (APN(s): 760-029-02)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Replace two existing covered event tents that cover a total area of 10,600 sq. ft. with two new tents that cover a total area of approximately 11,880 sq. ft. Tents will be similar or the same color, height, design, use, schedule, and parking space occupation.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.¹ Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the Executive Director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the amendment shall

¹ The Commission's regulations are codified in Title 14 of the California Code of Regulations.

Notice of Proposed Immaterial Permit Amendment
6-22-0185-A1

not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the Executive Director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the Executive Director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

The purpose of the proposed project is to replace the existing, deteriorating tents. The new tents will be substantially similar to those recently approved, including in maximum height, color, and design, but will be slightly larger in size. The tents will be used for the same types of events, can accommodate the same number of people, and will not increase the number of parking spaces made unavailable by the tents. In addition, no project conditions are modified or removed as a result of this amendment. Thus, the proposed project will not adversely impact coastal resources and can be found in conformance with Chapter 3 of the Coastal Act.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Lindsey Cain at the phone number provided above.

Original on File signed by:

Lindsey Cain

Lindsey Cain
Coastal Program Analyst

cc: Commissioners/File

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EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-6-24-0026 (Cardiff Day Use Lot Revetment)

Issue Date: April 15, 2024

Permittee: California Department of Parks and Recreation

Emergency Location: Cardiff State Beach, North Day Use Lot


Emergency Description: Storms in December 2023 and January 2024 undermined and destroyed the seaward edge of the vehicular entrance area of the North Day Use Lot at Cardiff State Beach, necessitating the closure of the entire 100-space lot to public parking.

Emergency Development: Place approx. 1,500 tons of 2-5 ton armor rock, 700 tons of 0.25-ton underlayer rock, and 16,000 sq. ft. of geotextile fabric along 190 linear ft. fronting Cardiff Reef Lot's vehicular entrance area, starting at the north end of the existing revetment adjacent to the neighboring Pacific Coast Grill to the south. The work will include approx. 1,700 cubic yards of excavation and backfill of beach sand and cobble. The eroded roadbed will be restored, approx. 3,500 sq. ft. of parking lot will be repaved, and the entire 65,000 sq. ft. lot will be seal coated and restriped per existing layout.

Executive Director's Determination

The Executive Director of the California Coastal Commission hereby finds that: (a) a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services exists (i.e., an "emergency" (see Title 14 California Code of Regulations Section 13009 and California Coastal Act (Public Resources Code) Section 30624); (b) the emergency requires action more quickly than allowed by the procedures for regular CDPs; (c) the emergency development can and will be completed within 30 days unless otherwise specified by the terms of this ECDP; (d) the emergency development carried out under this ECDP is considered temporary work done in an emergency situation to abate an emergency and is undertaken at Permittee risk; (e) a regular CDP must be obtained for the emergency development to become more than temporary emergency abatement and/or if the Permittee wishes to expand the scope of work beyond that authorized by this ECDP; (f) absent obtaining a regular CDP, the emergency development shall be removed and the affected area restored; and (g) Commission staff will review public comment on the proposed emergency development as time allows.

The emergency development is hereby approved, subject to the conditions listed below.

DocuSigned by:

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04/15/2024

Diana Lilly, San Diego Coast District Manager, for Kate Huckelbridge, Executive Director

Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee and returned to the California Coastal Commission's San Diego Coast District Office within 15 days of the date of this ECDP (i.e., by April 29, 2024). This ECDP is not valid unless and until the acceptance form has been received in the San Diego Coast District Office.
2. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Commission's San Diego Coast District Office on April 9, 2024. Only that emergency development specifically described in this ECDP and for the specific location listed above is authorized. Any other development requires separate authorization from the Executive Director or the Commission, as applicable.
3. The emergency development authorized on a temporary basis by this ECDP must be completed within 45 days of ECDP issuance (i.e., by May 27, 2024).
4. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., City of San Diego, California State Lands Commission, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
5. By exercising this ECDP, Permittee acknowledges and agrees that: (a) the emergency development is temporary, is designed to temporarily abate the emergency, and shall be removed unless and until a regular CDP authorizing the work is approved, and provided the Permittee adheres to such regular CDP's terms and conditions; and (b) a regular CDP is subject to all of the provisions of the California Coastal Act (as codified in Sections 30000 to 30900 of the Public Resources Code) and any applicable Local Coastal Program (LCP) policies and may be conditioned accordingly to avoid and/or to offset coastal resource impacts consistent with the Coastal Act (and LCP as applicable) (including but not limited to requirements for public access provisions (such as offers to dedicate, easements, in-lieu fees, etc.), assumption/disclosure of risks (including deed restrictions), triggers for relocation/removal, offsetting mitigations, etc.). The Permittee acknowledges that review of the CDP application to determine consistency with the Coastal Act (and LCP as applicable) will be based on the conditions the property was legally in prior to initiation of the temporary emergency development that is the subject of this ECDP.
6. By exercising this ECDP, the Permittee acknowledges and agrees in relation to this ECDP and the emergency development that it authorizes: (a) to assume all risks (including all coastal hazard risks, that include but are not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, tidal scour, storms, tsunami, coastal flooding, landslide, earth movement, and the interaction of all of these, many of which will worsen with future sea level rise); (b) to unconditionally waive any claim of damage and/or liability against the Commission and/or its officers, employees, agents, successors and/or assigns; (c) to indemnify and hold harmless the Commission and its officers, employees, agents, successors and/or assigns against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense

of such claims), expenses, and amounts paid in settlement, including as it relates to any damages to public and/or private properties and/or personal injury; (d) that any adverse effects to property or people caused by the emergency development shall be fully the responsibility of the Permittee.

7. The Permittee shall reimburse the Commission in full for all Commission costs and attorneys' fees (including but not limited to such costs/fees that are: (a) charged by the Office of the Attorney General; and/or (b) required by a court) that the Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Commission, its officers, employees, agents, successors and/or assigns challenging the approval or issuance of this ECDP, the interpretation and/or enforcement of ECDP terms and conditions, or any other matter related to this ECDP. The Permittee shall reimburse the Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission, its officers, employees, agents, successors and/or assigns.
8. Within 120 days of ECDP issuance (i.e., by August 10, 2024), the Permittee shall either: (a) remove all of the materials placed or installed in connection with the emergency development, and restore all affected areas to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP); or (b) submit a complete application (i.e., satisfying the requirements of Title 14 California Code of Regulations Section 13056) for a regular CDP to authorize the emergency development (or for a different project designed to address the emergency development), including submitting all information and materials requested, and as directed, by the Executive Director if/when the Executive Director determines that such application is incomplete. If such regular follow-up CDP application is withdrawn by the Permittee, or is denied by the Commission, or if it remains incomplete for a period of 120 days after the Executive Director informs the Permittee that the application is incomplete, then all of the materials placed and/or installed in connection with the emergency development shall be removed, and all affected areas shall be restored to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP).
9. Failure to meet any of the applicable requirements of Condition 8 above shall constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Executive Director and/or the Commission. Such formal action may include: recordation of a Notice of Violation on the Permittee's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties of up to \$11,250 per day per violation; a civil lawsuit (that may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day); and/or other applicable penalties and relief pursuant to Coastal Act Chapter 9. In addition, failure to follow and meet all terms and conditions of this ECDP shall also constitute a knowing and intentional Coastal Act violation to which the same actions above may be applied.
10. Alternative Analysis for Long-Term Solution. As part of the application for a regular Coastal Development Permit, the applicant shall include an analysis of alternatives to

the rock revetment to provide for the long term protection and provision of public improvements, coastal access, public opportunities for coastal recreation, and coastal resources including beach and shoreline habitat, taking into consideration future sea level rise. Measures to be considered should include but not be limited to phased implementation of beach nourishment, soft protection, managed retreat, smaller parking lot area, use of flexible pavers or other paving surfaces that may be more adaptable to beach erosion, narrow-profile armoring, such as a vertical wall, focused or small-scale armoring, and mixed or hybrid options and a time line for implementation of the long-term solution(s).

11. All emergency development shall be limited to the least amount necessary to temporarily abate the emergency, and shall be undertaken in a time and manner that avoids any and all coastal resource impacts as much as possible, including avoiding impacts to public access. The Permittee shall keep the Executive Director informed regarding emergency development progress, including in terms of any issues encountered that may require adjustment.
12. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to temporarily abate the emergency consistent with the terms and conditions of this ECDP.
13. Any rock dislodged onto the beach from the revetment during emergency construction activities shall be retrieved and restacked atop the collapsed void. Any existing rock already on the beach in the area seaward of the revetment on the Permittee's property may also be retrieved and stacked on the void. Such fugitive rock shall only be so retrieved and stacked if it is located above the tidal reach and able to be retrieved without significant excavation (i.e., where more than 50% of the rock is visible above the beach elevation). Any other rock work, including any addition of other rock and/or any expansion of the revetment's configuration, shall be prohibited.
14. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements:
15. Construction activities shall take place on non-holiday weekdays to the maximum extent feasible.
16. All construction activities shall take place during daylight hours (i.e., from one-hour before sunrise to one-hour after sunset). Lighting of the beach and/or intertidal area is prohibited.
17. Construction work and equipment operations: shall avoid areas seaward of the tidal extent as much as possible; shall be prohibited in ocean waters and/or wetted sand (i.e., areas either wet and/or with a noticeable sheen from tidal and/or wave action); and shall avoid beachgoers and beach recreational areas as much as possible.
18. Any grading of or in intertidal areas shall be prohibited.
19. Any construction materials and equipment placed on the beach during daylight

construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by one-hour after sunset each day that work occurs.

20. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible, where such areas shall be limited in their spatial extent as much as possible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
21. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
22. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment shall be prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each workday.
23. All areas impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand that is impacted by construction shall be filtered as necessary to remove any construction debris.
24. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/cleanup of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
25. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction. If planning staff should identify reasonable restoration measures, such measures shall be implemented immediately.
26. A qualified biologist or environmental resources specialist acceptable to the Executive Director shall monitor all emergency construction activities (including but not limited to, placement and removal of deposition equipment, as well as during all vehicular access near dune areas and plover and least tern habitat areas) to ensure that adverse impacts to sensitive plant and animal species and/or their habitats are avoided and, where avoidance is not possible, are minimized as much as possible and to the satisfaction of both the monitor and the Executive Director. The monitor shall have the authority to stop emergency construction activities if sensitive species and/or their habitats may be threatened in order to consult with the Executive Director on appropriate impact avoidance and minimization measures.

27. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
28. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections to the Executive Director clearly identifying all development completed under this emergency authorization (comparing the legal pre-emergency development condition to both the emergency condition and to the post-emergency development condition), and a narrative description of all emergency development activities undertaken pursuant to this ECDP. Photos showing the project site before the emergency (if available), during emergency development construction activities, and after the work authorized by this ECDP is complete shall be provided with the site plans and cross sections.
29. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and the construction coordinator's contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, an email address and a telephone number (with voice mail capabilities) that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. The Permittee shall submit the record of complaints/inquiries and actions taken in response to the Executive Director on a weekly basis, and upon completion of construction activities.
30. Minor adjustments to the requirements above, including deadline adjustments, may be allowed by the Executive Director if the Executive Director determines that such adjustments: (a) are deemed reasonable and necessary to help to temporarily abate the identified emergency, including as emergency conditions may change; (b) are designed to avoid coastal resource impacts (and limit those that are unavoidable) as much as possible; and (c) in the case of deadline extension adjustments, are appropriate in light of circumstances, including that the Permittee has shown diligence in pursuing the emergency development and meeting all ECDP terms and conditions.
31. By exercising this ECDP, Permittee acknowledges and agrees that this ECDP shall not constitute evidence against and/or a waiver of any public rights which may exist on the property.
32. The Permittee shall disclose this ECDP, including all of its terms and conditions, to any prospective buyer of the affected property during the period of time that any development that is the subject of this ECDP remains on such property.

Emergency CDP G-6-24-0026 (Cardiff Day Use Lot Revetment)

Issue Date: April 15, 2024

33. Failure to comply with the terms and conditions of this ECDP may result in enforcement action under the provisions of Coastal Act Chapter 9. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the property without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Coastal Act Chapter 9.
34. If you have any questions about the provisions of this ECDP, please contact the Commission's San Diego Coast District Office at SanDiegoCoast@coastal.ca.gov or (619) 767-2370.

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



EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370

RE: **Emergency Permit No. G-6-24-0026**

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the San Diego Coast Area Office within 15 working days from the permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that a regular Coastal Permit is necessary to permanently authorize the emergency work. I agree to apply for a regular Coastal Permit within 60 days of the date of the emergency permit (i.e., by June 11, 2024).

Signature of property owner

Name

Address

Date of Signing

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

**EMERGENCY COASTAL DEVELOPMENT PERMIT**

Emergency CDP G-6-24-0043 (Encinitas Manchester Storm Drain)

Issue Date: April 24, 2024

Permittee: City of Encinitas, attn: Ben Stryker**Emergency Location:** Storm drain pipe located south of Manchester Avenue and near Interstate 5 and the San Elijo lagoon in the City of Encinitas, San Diego County (APN 2612101300).**Emergency Description:** Following large storms on January 20-23, 2024, City staff were notified on February 8 of flooding and private property damage to several residences on Ocean Cover Drive. The damage was the result of sediment build up within the existing storm system and channel and clogging of the outfall, which is located just south of Manchester Avenue.**Emergency Development:** Excavation and removal of approximately 350 cubic yards of sediment from around and downstream of the existing culvert, including excavation of the approximately 100 ft. long by 15 ft. wide channel, and restoration of the work area with a native hydromulch seed mix. A biologist will be present during dredging activities. Construction storage and staging will occur on the south side of Manchester Avenue in city-owned area.**Executive Director's Determination**

The Executive Director of the California Coastal Commission hereby finds that: (a) a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services exists (i.e., an "emergency" (see Title 14 California Code of Regulations Section 13009 and California Coastal Act (Public Resources Code) Section 30624); (b) the emergency requires action more quickly than allowed by the procedures for regular CDPs; (c) the emergency development can and will be completed within 30 days unless otherwise specified by the terms of this ECDP; (d) the emergency development carried out under this ECDP is considered temporary work done in an emergency situation to abate an emergency and is undertaken at Permittee risk; (e) a regular CDP must be obtained for the emergency development to become more than temporary emergency abatement and/or if the Permittee wishes to expand the scope of work beyond that authorized by this ECDP; (f) absent obtaining a regular CDP, the emergency development shall be removed and the affected area restored; and (g) Commission staff will review public comment on the proposed emergency development as time allows.

The emergency development is hereby approved, subject to the conditions listed below.

DocuSigned by:

8FB7E94591934C2

04/24/2024

Diana Lilly, San Diego Coast District Manager, for Kate Huckelbridge, Executive Director

Enclosure: ECDP Acceptance Form

cc: (via email): Tracie Nelson (California Department of Fish & Wildlife)

Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee and returned to the California Coastal Commission's San Diego Coast District Office within 15 days of the date of this ECDP (i.e., by May 9, 2024). This ECDP is not valid unless and until the acceptance form has been received in the San Diego Coast District Office.
2. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Commission's San Diego Coast District Office on April 10, 2024. Only that emergency development specifically described in this ECDP and for the specific location listed above is authorized. Any other development requires separate authorization from the Executive Director or the Commission, as applicable.
3. The emergency development authorized on a temporary basis by this ECDP must be completed within 60 days of ECDP issuance (i.e., by June 23, 2024).
4. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
5. By exercising this ECDP, Permittee acknowledges and agrees that: (a) the emergency development is temporary, is designed to temporarily abate the emergency, and shall be removed unless and until a regular CDP authorizing the work is approved, and provided the Permittee adheres to such regular CDP's terms and conditions; and (b) a regular CDP is subject to all of the provisions of the California Coastal Act (as codified in Sections 30000 to 30900 of the Public Resources Code) and any applicable Local Coastal Program (LCP) policies and may be conditioned accordingly to avoid and/or to offset coastal resource impacts consistent with the Coastal Act (and LCP as applicable) (including but not limited to requirements for public access provisions (such as offers to dedicate, easements, in-lieu fees, etc.), assumption/disclosure of risks (including deed restrictions), triggers for relocation/removal, offsetting mitigations, etc.). The Permittee acknowledges that review of the CDP application to determine consistency with the Coastal Act (and LCP as applicable) will be based on the conditions the property was legally in prior to initiation of the temporary emergency development that is the subject of this ECDP.
6. By exercising this ECDP, the Permittee acknowledges and agrees in relation to this ECDP and the emergency development that it authorizes: (a) to assume all risks (including all coastal hazard risks, that include but are not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, tidal scour, storms, tsunamis, coastal flooding, landslide, earth movement, and the interaction of all of these, many of which will worsen with future sea level rise); (b) to unconditionally waive any claim of damage and/or liability against the Commission and/or its officers, employees, agents, successors and/or assigns; (c) to indemnify and hold harmless the Commission and its officers, employees, agents, successors and/or assigns against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense

of such claims), expenses, and amounts paid in settlement, including as it relates to any damages to public and/or private properties and/or personal injury; (d) that any adverse effects to property or people caused by the emergency development shall be fully the responsibility of the Permittee.

7. The Permittee shall reimburse the Commission in full for all Commission costs and attorneys' fees (including but not limited to such costs/fees that are: (a) charged by the Office of the Attorney General; and/or (b) required by a court) that the Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Commission, its officers, employees, agents, successors and/or assigns challenging the approval or issuance of this ECDP, the interpretation and/or enforcement of ECDP terms and conditions, or any other matter related to this ECDP. The Permittee shall reimburse the Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission, its officers, employees, agents, successors and/or assigns.
8. Within 120 days of ECDP issuance (i.e., by August 22, 2024), the Permittee shall either: (a) remove all of the materials placed or installed in connection with the emergency development, and restore all affected areas to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP); or (b) submit a complete Coastal Development Permit (CDP) application to the City of Encinitas for a regular CDP to authorize the emergency development. If such regular follow-up CDP application is withdrawn by the Permittee, or is denied by the City, or if it remains incomplete for a period of 120 days after the City informs the Permittee that the application is incomplete, then all of the materials placed and/or installed in connection with the emergency development shall be removed, and all affected areas shall be restored to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP).
9. Failure to meet any of the applicable requirements of Condition 8 above shall constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Executive Director and/or the Commission. Such formal action may include: recordation of a Notice of Violation on the Permittee's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties of up to \$11,250 per day per violation; a civil lawsuit (that may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day); and/or other applicable penalties and relief pursuant to Coastal Act Chapter 9. In addition, failure to follow and meet all terms and conditions of this ECDP shall also constitute a knowing and intentional Coastal Act violation to which the same actions above may be applied.
10. All emergency development shall be limited to the least amount necessary to temporarily abate the emergency, and shall be undertaken in a time and manner that avoids any and all coastal resource impacts as much as possible, including avoiding impacts to public access. The Permittee shall keep the Executive Director informed regarding emergency development progress, including in terms of any issues encountered that may require adjustment.

11. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and the San Elijo lagoon) to the maximum extent feasible. The Permittee shall keep the Executive Director informed regarding emergency development progress, including in terms of any issues encountered that may require adjustment.
12. All work shall take place in a time and manner to minimize any potential damages to any resources, including sensitive upland and wetlands habitats and to minimize impacts to public access. Mitigation for impacts to any sensitive habitat will be required consistent with the requirements of the certified City of Encinitas Local Coastal Program (LCP). Methods for water quality control such as installation or construction of temporary drains and swales, sand bag barriers, silt fencing, stabilization of any stockpiled fill with geo-fabric covers or other appropriate cover, installation geo-textiles or mats on all cut or fill slopes and to close and stabilize open trenches will be undertaken as soon as possible. These erosion measures shall be on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment shall be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
13. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the area; etc.). All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment.
14. The Permittee shall notify planning staff of the Coastal Commission's San Diego Coast District Office immediately upon completion of construction. If planning staff should identify reasonable restoration measures, such measures shall be implemented immediately.
15. A qualified biologist or environmental resources specialist acceptable to the Executive Director shall monitor all emergency construction activities to ensure that adverse impacts to sensitive plant and animal species and/or their habitats are avoided and, where avoidance is not possible, are minimized as much as possible and to the satisfaction of both the monitor and the Executive Director. The monitor shall have the authority to stop emergency construction activities if sensitive species and/or their habitats may be threatened in order to consult with the Executive Director on appropriate impact avoidance and minimization measures.
16. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement

of construction.

17. Within 60 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections to the Executive Director clearly identifying all development completed under this emergency authorization (comparing the legal pre-emergency development condition to both the emergency condition and to the post-emergency development condition), and a narrative description of all emergency development activities undertaken pursuant to this ECDP. Photos showing the project site before the emergency (if available), during emergency development construction activities, and after the work authorized by this ECDP is complete shall be provided with the site plans and cross sections.
18. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and the construction coordinator's contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, an email address and a telephone number (with voice mail capabilities) that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. The Permittee shall submit the record of complaints/inquiries and actions taken in response to the Executive Director on a weekly basis, and upon completion of construction activities.
19. Minor adjustments to the requirements above, including deadline adjustments, may be allowed by the Executive Director if the Executive Director determines that such adjustments: (a) are deemed reasonable and necessary to help to temporarily abate the identified emergency, including as emergency conditions may change; (b) are designed to avoid coastal resource impacts (and limit those that are unavoidable) as much as possible; and (c) in the case of deadline extension adjustments, are appropriate in light of circumstances, including that the Permittee has shown diligence in pursuing the emergency development and meeting all ECDP terms and conditions.
20. By exercising this ECDP, Permittee acknowledges and agrees that this ECDP shall not constitute evidence against and/or a waiver of any public rights which may exist on the property.
21. The Permittee shall disclose this ECDP, including all of its terms and conditions, to any prospective buyer of the affected property during the period of time that any development that is the subject of this ECDP remains on such property.
22. Failure to comply with the terms and conditions of this ECDP may result in enforcement action under the provisions of Coastal Act Chapter 9. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the property without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Coastal Act Chapter 9.

Emergency CDP G-6-24-0043 (Encinitas Manchester Storm Drain)

Issue Date: April 24, 2024

23. If you have any questions about the provisions of this ECDP, please contact the Commission's San Diego Coast District Office at SanDiegoCoast@coastal.ca.gov or (619) 767-2370.

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



EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370

RE: **Emergency Permit No. G-6-24-0043**

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the San Diego Coast Area Office within 15 working days from the permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that a regular Coastal Permit is necessary to permanently authorize the emergency work. I agree to apply for a regular Coastal Permit within 60 days of the date of the emergency permit (i.e., by June 23, 2024).

Signature of property owner

Name

Address

Date of Signing

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



April 25, 2024

Nathan Mertz
City of Oceanside, Public Works Department
300 North Coast Highway
Oceanside, CA 92054
nmertz@oceansideca.org

Re: Request for Emergency Action at Loma Alta Creek No. G-6-24-0016-W

Dear Nathan Mertz:

On April 15, 2024, the Executive Director received your request for an emergency permit to breach the cobble rock berm blocking the mouth of Loma Alta Creek in anticipation of a storm event. Due to recent high tides and large swells, the mouth of Loma Alta Creek had filled in with cobble rock to a height of approximately street level above the upstream flood level marker, preventing stormwater from flowing from Loma Alta Creek into the Pacific Ocean. The City of Oceanside Public Works Department determined immediate action was necessary to facilitate natural outflow and prevent flooding. Emergency work was completed on April 11, 2024 and took approximately two hours. The work consisted of using an excavator to excavate approximately 5 cubic yards of cobble and place it on the upper beach to limit it from falling back and blocking stormwater flows. No import or export of materials occurred.

Commission staff has determined that this project qualifies for a Coastal Act Section 30611 Emergency Permit Waiver for the following reasons:

1. Immediate action by a public agency, City of Oceanside, is necessary to protect life and public property and maintain public utilities, and the proposed work is the minimum necessary to alleviate the emergency condition.
2. There will be no permanent erection of any structure valued at more than \$125,000.
3. The project is the minimum amount of work necessary to breach the cobble rock berm at the mouth of Loma Alta Creek and no impacts to public access will occur.

Because the development qualifies for an Emergency Permit Waiver under Section 30611 of the Coastal Act, a follow-up coastal development permit is not required to authorize the work. The work will be reported to the Coastal Commission at the next Commission meeting on May 8-10, 2024.

Sincerely,
Nora Ives
Coastal Program Analyst

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



April 24, 2024

Dustin Fuller
22nd District Agricultural Association
2260 Jimmy Durante Blvd.
Del Mar, CA 92014

Re: Request for Emergency Action at 14550 El Camino Real, Del Mar, No. G-6-24-0018-W

Dear Mr. Fuller:

On February 2, 2024, the Executive Director received the 22nd District Agricultural Association (District) for an emergency permit application for repairs following the atmospheric river events of January 2024 at the Horsepark Facility located at 14550 El Camino Real, Del Mar. The storms had exacerbated scouring downstream of one of the District's culverts, resulting in a scour hole approximately two to three feet below the bottom of the culvert and a void extending downstream from the culvert between approximately four and six feet. In order to prevent the culvert structure from becoming loose due to further scouring, an emergency repair consisting of placement of approximately five tons of six-inch rip rap over 4 linear feet (0.003 acre) of the channel was performed on February 2nd. Emergency work was completed over the course of several hours and included the use of a skip loader to dump rip rap into the drainage as well as shovels to move the material as needed into the eroded areas.

Commission staff has determined that this project qualifies for a Coastal Act Section 30611 Emergency Permit Waiver for the following reasons:

1. Immediate action by a public agency, the District, is necessary to protect life and public property and maintain public utilities, and the proposed work is the minimum necessary to alleviate the emergency condition.
2. There will be no permanent erection of any structure valued at more than \$125,000.
3. The project is the minimum amount of work necessary to clear the emergency access road and no impacts to public access will occur.

Because the development qualifies for an Emergency Permit Waiver under Section 30611 of the Coastal Act, a follow-up coastal development permit is not required to authorize the work. The work will be reported to the Coastal Commission at the next Commission meeting on May 8-10, 2024.

Sincerely,

Stephanie Leach
Coastal Program Analyst