



May 21, 2024

Delivered via email

To: Mayor Lesa Heebner
Deputy Mayor David Zito
Councilmembers Kristi Becker, Jewel Edson, Jill MacDonald
Cc: City Manager Alyssa Muto
City of Solana Beach

Re: Item B1. Request for a Time Extension for an Approved Conditional Use Permit Modification for the Construction of a 60-Foot-Long Drilled Micropile/Caisson Return Wall at the Southern Terminus of the Seawall on the Coastal Bluff Below 135 S. Sierra Avenue, Solana Beach. Case No: TE23-002; Applicant: Las Brisas HOA, APN: 298010-51-01 to 36 Resolution 2024-029.

Honorable Mayor, Deputy Mayor and Councilmembers,

The Surfrider Foundation is a nonprofit grassroots organization dedicated to the protection and enjoyment of our world's ocean, waves, and beaches through a powerful network. Thank you for the opportunity to comment on this project. We oppose the extension without additional conditions.

It is concerning that as the staff report states on page 2:

"When holding a pre-construction meeting onsite, the contractor the Applicant had retained to perform the work backed out of the contract due to the conditions of the site" (page 2, 2024 staff report)

And as further described in his letter dated November 30, 2023, included in the Agenda Packet as part of Attachment 4 , Bob Trettin states:

"Las Brisas's contracted design/build firm for this project reneged on their contract and backed out of the project one day prior to the on-site pre-construction meeting with city staff."

If the site conditions were such that the applicant's contractor backed out one day before the pre-construction meeting with the city, we are concerned that insufficient

information has been supplied by the applicant regarding this extension. Bob Trettin states: :

“Small changes in the topography of the bluff due to ongoing sloughages in the failure area have also dictated that the new plans, once completed, will have some minor changes.”

If an extension were granted we request prior to such granting that the following conditions be applied:

1. Explicit disclosure of the physical characteristics of the “*ongoing sloughages*” described by the applicant’s representative Bob Trettin. This includes:
 - a. Measurements of the sloughages that have occurred since the original plans were submitted
 - b. Updated geological stability degradation calculations
 - c. Analysis of the degradation caused by the sloughages
2. Descriptions of the proposed “*minor modifications*”, and corresponding analysis and description of the stability associated with the “*minor modifications*”
3. Submission of the new plans and descriptions of the “*minor changes*” or “*minor modifications*”.
4. Opening of some or all of the public access path. This access has been closed with a chain. It appears to have been closed for quite some time as shown in the photos below. While we have not confirmed the rationale for closing public access we are under the impression that it has been closed due to the conditions of the bluff. We also note that the residents of Las Brisas continue to enjoy the views from this accessway behind the locked gate, so we ask why has it been closed to the public if it is safe enough for residents to use? We respectfully request restoration of some or all of the public access. As the proposed bluff stabilization activities are for the southern portion of the property, and the closed access is at the northern end of the property, it is unclear why or how these two things are related.



Photo taken 5/20/2024 showing a locked public access gate to the public path.

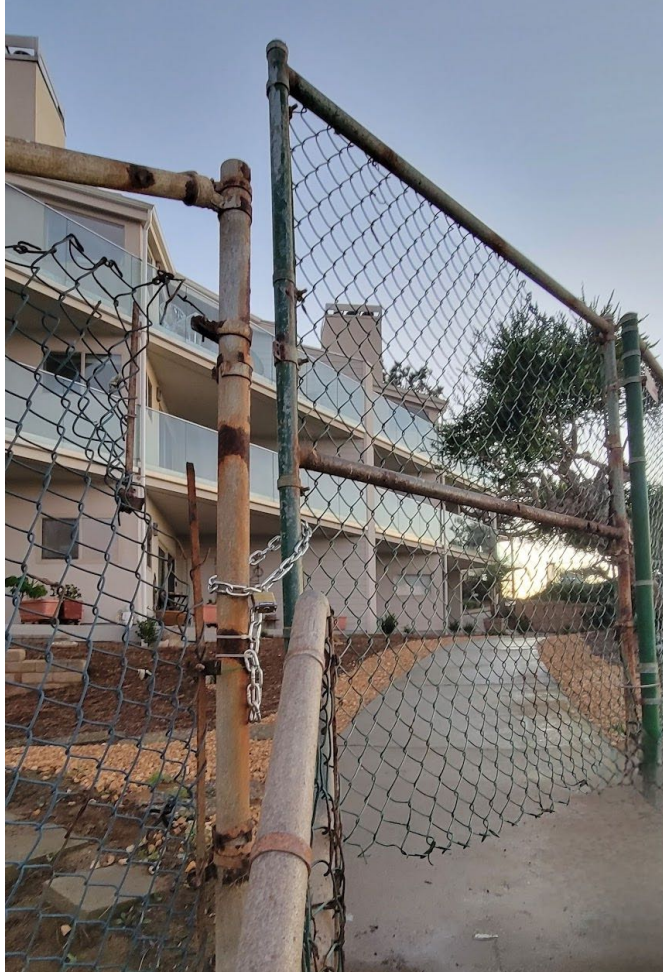


Photo Taken 12/5/2023 showing a locked public access gate to the public path.



Photo taken 3/6/2021 during construction showing a locked public access gate to the public path.

We conclude that any extensions to this project's timeline should be conditioned with the re-opening of the public accessway and additional disclosures about the nature of the conditions on the site.

Sincerely,

Kristin Brinner & Jim Jaffee
Residents of Solana Beach
Co-Leads of the Beach Preservation Committee
San Diego County Chapter, Surfrider Foundation