

COASTAL CONSERVANCY

Staff Recommendation
September 23, 2021

Princess Street Coastal Access Trail, Phase 2

Project No. 18-023-02
Project Manager: Emely Lopez

RECOMMENDED ACTION: Authorization to disburse up to \$180,680 to the Environmental Center of San Diego to prepare environmental assessments, permit applications, and draft engineering designs to provide additional public access at Princess Street in La Jolla, San Diego.

LOCATION: La Jolla, City of San Diego, San Diego County

EXHIBITS

Exhibit 1: [Project Location Map](#)

Exhibit 2: [Project Site Map](#)

Exhibit 3: [Site Photos](#)

Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed one hundred eighty-eight thousand six hundred and eighty dollars (\$180,680) to the Environmental Center of San Diego ("the grantee") to prepare environmental assessments, permit applications, and draft engineering designs for the Princess Street Coastal Access Trail in the neighborhood of La Jolla.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
 2. Names and qualifications of any contractors retained to implement the project.
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3. Evidence that all permits and approvals required to implement the project have been obtained.
4. To the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development.'

Findings:

Based on the accompanying staff recommendation and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding a system of public accessways.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Environmental Center of San Diego is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends the Conservancy authorize a \$180,680 grant to the Environmental Center of San Diego (ECOSD) to prepare environmental assessments, environmental documents for compliance with the California Environmental Quality Act (CEQA), permit applications, draft engineering designs that will lead to the reinstatement of coastal access on Princess Street in the neighborhood of La Jolla, San Diego. The proposed project involves establishing a public trail through an easement adjacent to private residential property, from Princess Street down to a pocket beach. (Exhibit 2)

The Princess Street residential property easement, both vertical and a lateral, lie on a scenic 55-foot coastal bluff and a pocket beach. The vertical easement has an unmaintained steep path that leads to a pocket beach. This secluded and intimate pocket beach also contains a lateral easement that is part of the new La Jolla Underwater Park and Matlahuayl State Ecological Reserve, all within a Marine Protected Area. Presently, the beach is inaccessible to the public. However, in the early 1900s, the community and other public members used this site for swimming, pole fishing, skin diving, and tide-pooling. Surfers used it as easy access to select a break, while others used the bluff to picnic or watch the sunset. Additionally, the site is part of the designated historic Spindrift Site that has yielded discoveries of marine invertebrates, shells, and tools dating from 965-1645 AD. This pocket beach has served as a multi-use site for the public not only for recreation and aesthetics, but also for scientific research and education.

In 1980, access to the pocket beach came into question. The California Coastal Commission (CCC) approved a Coastal Development Permit (CDP) for the Princess Street homeowner to remodel and add to their existing single-family home. Considering this home had historically provided an accessway to the pocket beach below their home, CCC approved the CDP for the home improvements with the condition to include a vertical and lateral easement for coastal

access. In 1981, the property owner completed the development project. However, the property owner failed to record the easements required by the permit and even constructed a fence that blocked the public's access to the coast. As beach access was blocked off, this site became the subject of litigation between the homeowner and CCC that lasted for 36 years.

In 2015, after public court hearings on the coastal access matter, the court ordered the landowner to devote a portion of the land for public access by recording an offer to dedicate a public access easement (OTD). The OTD included the vertical and lateral easement and was recorded in June of 2016. ECOSD accepted the OTD, thereby acquiring the easement, and led phase one of the Princess Street Coastal Access project with a Coastal Conservancy grant. Phase one included preliminary designs for a trail, staking the trail, topographical surveys, and biological studies.

In this proposed second phase, ECOSD will prepare environmental assessments, permit applications, and draft engineering designs. The engineering designs will further develop designs for a flight of stairs to the beach with a platform and incorporate the following environmental analyses to ensure the safety and longevity of this coastal accessway: biological resources, marine habitat, geotechnical, archaeological, and ocean processes. Additionally, ECOSD will determine and prepare all the documentation needed for environmental review and analysis under CEQA. The City of San Diego will lead the CEQA process on this proposed project.

ECOSD, in partnership with the San Diego Surfrider Foundation, will engage neighborhood residents, Scripps Institute of Oceanography, University of California San Diego, and local tribes to gather their input for the designs and operations of the beach. City of San Diego lifeguards will also be engaged to understand their access needs as it will become a critical emergency accessway for lifeguards. ECOSD and San Diego Surfrider Foundation will integrate stakeholder interests to reinstate coastal access for a wide array of people in San Diego County. The local research institutes will provide access for a wider age group of community members to explore and learn more about tide pools and marine protected areas. The beach will be accessible from sunrise to sunset. There is ample neighborhood parking for visitors, and at this time, there are no neighborhood parking restrictions, except for regular street sweeping restrictions. ECOSD, along with the San Diego Surfrider Foundation, will maintain and monitor the trail and landscaping upon completion.

Site Description: Princess Street is within the affluent neighborhood of La Jolla, which is a coastal community that extends for seven miles starting at Pacific Beach on the south and ending at the Del Mar border on the north side. This public access easement is on a coastal residential property at 7957 Princess Street, which ends at a cul-de-sac. The vertical easement sits on a descending bluff and is approximately 170 feet long. The intimate pocket beach, the lateral easement, is approximately 1,000 linear feet long; for reference, La Jolla Cove public pocket beach is approximately 300 linear feet long.

The easement's entrance has a gate blocking public use. Beyond the gate, there is an existing tiled stairway associated with the residence that transitions down to a steep path into the pocket beach. The path is the proposed trail alignment and is currently staked and clear of vegetation. The surroundings of the trail are rocky and vegetated, with shrubs and ice plant.

The lower end of the bluff has eroded. The pocket beach is rocky with sea caves and a functioning intertidal zone.

Grant Applicant Qualifications: ECOSD became a 501(c)(3) organization in 2015 and aims to carry out projects that integrate natural systems and human health. ECOSD is successfully managing six other coastal lateral easements in the County of San Diego. All six lateral easements are annually monitored for any debris, loose dirt or other indications that may require maintenance. ECOSD is equipped to lead the project in the public's interest. Pamela Heatherington, ECOSD board member and project lead, has experience managing grants and administering large budgets from former roles with other organizations.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section below.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section below.
3. **Promotion and implementation of state plans and policies:** The California Constitution and the California Coastal Act require that public access to and along the shoreline be maximized. PRC Section 30001.5(c) declares the state's goal to "maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone." The proposed project would safely open an inaccessible pocket beach and implement the public access and recreation policies of the Coastal Act.
4. **Support of the public:** The project is supported by the following organizations: San Diego Surfrider Foundation, La Jolla Park & Beaches, Windansea Surf Club, and the San Diego Dive Club, La Jolla Town Council, Parks and Beaches Foundation, La Jolla Community Planning Foundation, and the La Jolla Shores Advisory Board. See Exhibit 3.
5. **Location:** See the "Project Summary".
6. **Need:** Without Conservancy funding, progress towards complete designs and construction of the accessway would be significantly delayed.
7. **Greater-than-local interest:** Scripps Institute of Oceanography and UC San Diego, use this site for marine research and education purposes because it is biodiversity hotspot and provides access to diverse ecosystems. For example, Scripps collects specimens at this site for its tide pool studies. These studies will benefit the scientific community at large. Additionally, San Diego is a regional, state, national and international tourist destination, attracting millions of visitors to its coast annually.
8. **Sea level rise vulnerability:** This grant will cover environmental assessments that include sea-level rise. As such, the planning process will incorporate sea-level rise vulnerability in the project development.

Additional Criteria

- 9. **Leverage:** See the "Project Financing" section below.
- 10. **Conflict resolution:** This accessway has been the subject of Coastal Commission enforcement. The opening of this pocket beach will help resolve a decades long conflict over access.
- 11. **Readiness:** ECOSD is prepared to implement this project as soon as funds are available.
- 12. **Cooperation:** ECOSD worked in cooperation with the San Diego chapter of the Surfrider Foundation and other community members to support coastal access to this multi-use beach site.

PROJECT FINANCING

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| Coastal Conservancy | \$180,680 |
| Private Donations | \$500 |
| Project Total | \$181,180 |

The anticipated source of Conservancy funds for the project is the fiscal year 2021/2022 appropriation to the Conservancy from the Violation Remediation Account (VRA). The Coastal Act establishes the VRA within the State Coastal Conservancy Fund to hold funds originating from administrative orders, settlements and judicial actions arising from Coastal Commission enforcement actions (See Public Resources Code Section 30823.) VRA funds must be expended for the purposes of the Coastal Act, and unless otherwise specified, the use of those VRA funds is guided by a Memorandum of Understanding between the Coastal Commission and the Conservancy. The MOU specifies that to the extent possible VRA funds shall be expended on projects located in close proximity to the geographic location of the violation at issue. In addition, Coastal Commission staff must approve use of any VRA funds over \$5,000. The Coastal Commission has agreed to the use of VRA funds for this project.

The total value of in-kind services contributed to this project is estimated at \$45,675.

- ECOSD will provide in-kind project management services. Pam Heatherington, project lead, does not collect a salary or any fees from her work. Pam's in-kind project management services are estimated to be approximately \$39,375 (35 hours per month for over 15 months at \$75/hour).
- Anthony A. Ciani, a local architect with expertise in coastal access has pledged to provide in-kind architecture consulting and construction management services, estimated at approximately \$6,300 (35 hours over grant period at \$180/hr).

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 9 Section 31400.1 of Division 21 of the Public Resources Code, which authorizes grants for the development, operation, or management of public accessways to and along the coast. The development of designs and environmental assessments for access to this pocket beach will lead to a safe coastal accessway for the public.

CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 2, Objective B** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will design a vertical accessway for a coastal area that is currently inaccessible to the public.

CEQA COMPLIANCE:

The proposed project involves preparing designs, environmental assessments, and permit applications. It is therefore statutorily and categorically exempt from review under the California Environmental Quality Act (CEQA) under Title 14 California Code of Regulations (CCR) Section 15262 and 15306 in that it involves planning and feasibility studies for possible future actions that have not been approved, adopted, or funded; and data collection and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource. The proposed project will include consideration of environmental factors as required by Section 15262.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.