



CITY OF DEL MAR

October 19, 2021

SANDAG
Bruce Smith
Principal Engineer & Corridor Director
401 B Street
San Diego, CA 92101

SENT VIA EMAIL

RE: City of Del Mar Comments on Del Mar Bluffs Stabilization Project 5 (DMB5)

Dear Mr. Smith:

The City of Del Mar appreciates the opportunity to provide formal comments on the early design concepts being planned for the San Diego Association of Government's (SANDAG) Del Mar Bluffs Stabilization Project 5 (DMB5). A big thank you to you, Allie DeVaux, and the rest of the project team for the informative presentations to the Del Mar City Council on July 26 and September 20, 2021.

The City Council understands the needs of SANDAG and the North County Transit District (NCTD) to protect the Del Mar Bluffs and critical railroad infrastructure. Further, the City Council understands and recognizes the importance of the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor as it supports interstate passenger and freight, and commuter rail operations and is part of the U.S. Strategic Rail Corridor Network (STRACNET). A significant failure of the bluffs would severely impact the economy and the ability for individuals to access jobs, schools, and other economic activity centers in Southern California. Additionally, a failure of the bluffs would cause detrimental impacts to freight rail services on the only viable rail corridor connecting San Diego with the rest of the nation. For this reason, relocation of the rail tracks is of highest importance.

In light of the planned efforts to maintain the LOSSAN Rail Corridor until such time that a rail realignment can be completed, the City Council requests SANDAG consider its comments in a redesign of the DMB5 plan as provided below:

1. The proposed Del Mar Bluffs Stabilization Project 5 is inconsistent with Del Mar's certified Local Coastal Program.

Several components of the planned DMB5 conflict with the City's certified Local Coastal Program (LCP) and in particular the Beach Overlay Zone (B-OZ, Del Mar Municipal Code (DMMC) Chapter 30.50) and the Coastal Bluff Overlay Zone (CB-OZ, DMMC Chapter 30.55). Both overlays are Implementing Ordinances in the City's LCP (certified in 2001). The B-OZ chapter of the LCP includes a Shoreline Protection Area

(SPA) line that begins at the approximate center-line of the railway tracks and covers the area west as specified in B-OZ Exhibit B.

Components of DMB5 that are in direct conflict with the LCP include, but are not limited to, exposed vertical retaining structures, soil nail reinforced areas with shotcrete facing, terraced grading of the coastal bluff face, and grading within 40 feet of the top edge of a coastal bluff.

Further, DMB5 proposes the excavation and complete removal of an existing coastal bluff berm located west of the track bed and generally below the area of 11th Street to 9th Street. This change will be irreversible.

Under the certified Del Mar LCP (CB-OZ DMMC Section 30.55.080), development on coastal bluffs is regulated under the following provisions (in part):

A. Unless otherwise specified herein, **all new or redeveloped principal or accessory structures, including new supporting foundations or supports for existing structures, shall be set back a minimum of 40 feet from the top edge of the coastal bluff** as defined in this Chapter. [emphasis added]

C. **No grading shall be allowed within 40 feet of the top edge of a coastal bluff.** [emphasis added]

D. **No grading or construction activities shall be allowed on the face of a coastal bluff unless approved as part of a Shoreline Protection Permit or Setback Seawall Permit issued in accordance with the provisions of this Title and when the Planning Commission or City Council, as the authorized review body for the project, makes a finding that the proposed grading has been minimized to the extent feasible to implement the authorized shoreline protection.** [emphasis added]

Under the certified Del Mar LCP (B-OZ, DMMC Section 30.50.060), the construction of a protective structure may be authorized within the SPA area if it meets a list of findings that include (in part):

C. Will assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area,

nor in any way substantially alter natural landforms along bluffs and cliffs. [emphasis added]

G. Will, if there is a vertical wall element in the proposed protective structure, have the seaward face of the vertical wall located within the Shoreline Protective Area only if there is no other feasible location for effectively protecting a principle structure; there is no feasible, less environmentally damaging alternative; **and feasible mitigation measures have been provided to minimize adverse environmental effects; but in no event have the seaward face of the vertical wall more than five feet westward of the Shoreline Protection Area line. [emphasis added]**

H. Will, **if other than a vertical wall,** meet all the conditions of Subsection G above. **[emphasis added]**

Request/Comment: The City desires to explain that the planned stabilization components, including exposed vertical retaining structures, soil nail reinforced areas with shotcrete facing, terraced grading of the coastal bluff face, and grading within 40 feet of the top edge of a coastal bluff (including terraced slopes and the excavation and removal of coastal bluff berms west of the trackbed) are not consistent with City's LCP and in particular the bolded sections above.

- 2. The timeframe associated with DMB5 is inconsistent with the timeframe included in SANDAG's Draft 2021 Regional Plan and as a result, DMB5 proposes excessive and unnecessary engineering solutions that will permanently damage and alter the natural coastal bluff.**

There is an inconsistency between the timing included in the DMB5 Alternatives Analysis Report of 30 to 50 years (i.e., 2051 to 2071 from the date of Report preparation) (available at www.delmar.ca.us/rail) and SANDAG's proposed Draft 2021 Regional Plan (available at <https://sdforward.com/mobility-planning/2021-regional-plan-draft>) and its associated Draft Environmental Impact Report (DEIR) (available at <https://sdforward.com/mobility-planning/draft-eir/>). The Draft 2021 Regional Plan includes an earlier timeframe of horizon year 2035 associated with "Commuter Rail 398 improvements." These improvements include the Del Mar Tunnel and assumed inland rail realignment from the Del Mar Bluffs and restoration of the Del Mar Bluffs, including the removal of installed temporary bluff stabilization measures (only the Del Mar Tunnel is referenced in the 2021 Regional Plan).

Provided that the Draft 2021 Regional Plan includes a horizon year of 2035 for these improvements (14 years from 2021), the City is expressly concerned that the DMB5 improvements are designed for an unnecessary and unwarranted 30 to 50-year timeframe that is inconsistent with SANDAG's draft Regional Plan. This is of critical concern to the City because the extent of engineering solutions proposed by DMB5 for a 30 to 50-year design life (as opposed to a 14 year design life) is excessive and will be devastating to the natural coastal bluff, resulting in irreversible change. If the engineering is constructed as currently proposed, DMB5 will permanently and significantly alter the natural beauty of one of the remaining natural coastal bluffs in Northern San Diego County.

Request/Comment: The City requests an immediate engineering redesign of DMB5 to include the absolute, minimal measures necessary for a maximum 14-year design life (with a horizon year of 2035 consistent with the Draft 2021 Regional Plan) and not a 30 to 50-year period considered as part of the project's Geotechnical Design Report or Alternatives Analysis Report.

- 3. DMB5 does not include mitigation for anticipated impacts to vertical and lateral public access to result from the construction of several bluff stabilization measures over a 30 to 50-year design life, including slope grading, soil-nailed walls with shotcrete facing, and bluff toe seawalls. Further, the project does not provide sufficient vertical access to aid in City residents' and visitors' ability to evacuate westward to the bluffs and beach in the event of fire hazards and other emergencies.**

DMB5 is being planned for a 30 to 50-year design life, which is well past the planned 14-year timeframe included in the Draft 2021 Regional Plan. It is anticipated that the series of bluff toe seawalls to accommodate a 30 to 50-year design life will result in impacts to the shoreline sand supply and ultimately, the public's ability to traverse the beach laterally at high and low tides. Further, the proposed excavation and structural improvements to the coastal bluff and coastal bluff face is anticipated to impact the public's ability to access the beach vertically, from the street to the beach. This type of access is necessary for public recreation and pedestrian emergency egress purposes in the event of a natural disaster, including fire, and other emergencies that may impede evacuation to the east, north, or south.

Request/Comment: In addition to the redesign comment noted above under Comment 2, the City requests vertical and lateral public access components be included proportional to the planned project design life to protect the public's ability to

access the coast both vertically (from street ends to beach) and laterally (along the shoreline during high and low tide events).

At minimum, the City requests public access components be designed and built concurrently with DMB5 – to include vertical access to the beach and two safe crossings across the tracks near 7th and 11th Streets, or at locations as may be identified through the Coastal Connections Study being conducted by WSP (currently underway and expected to be complete by mid-2022). This request is necessary to ensure permanent vertical and lateral access for public recreation and vertical access for pedestrian evacuation in the event of natural disasters or other emergencies.

- 4. Engineering designs should be based on a seven-foot bluff retreat scenario (14-year design life based on the Draft 2021 Regional Plan) and not a 15 to 25-foot bluff retreat scenario (30 to 50-year design life based on the project's Geotechnical Design Report or Alternatives Analysis Report). Further, the projected bluff retreat does not take into account episodic events of bluff erosion, incorrectly assumes that bluffs erode at a consistent rate uniformly from north to south, and does not recognize the heterogeneous make-up of the bluff material at various sections, including variation between original bluff geology and historical infill at localized, punctuated sites.**

The DMB5 Geotechnical Design Report, revised June 20, 2021, assumes bluff retreat is an average of 0.5 feet per year (Report pgs 9, 10). This is the rate used for DMB5 engineering, including new Soldier Pile stabilizations and/or the design of retrofitting of existing Soldier Pile stabilization, bluff toe seawalls, etc. The Report corresponds this retreat to approximately 15 feet and 25 feet for the project's 30-year and 50-year design life. Further, bluffs do not retreat uniformly but in episodic events and are further affected by the heterogeneous make-up of the bluff material involved, including variation with original bluff geological composition interrupted by infill at localized, punctuated sites.

Request/Comment: The City requests an immediate engineering redesign of DMB5 to account for a maximum 14 years of bluff retreat (i.e., approximately 7 feet at 0.5 feet per year) in lieu of 15 to 25 feet of bluff retreat due to a 30 to 50-year design life. Based on the recommendations in the Geotechnical Design Report and Alternatives Analysis Report for a project design life of at least 30 years, redesigning DMB5 to a 14-year design life will reduce the amount of engineering solutions proposed as part of DMB5.

Further, the City requests SANDAG consider more appropriate assumptions for bluff retreat based on episodic events versus consistent erosion rates and also account for the heterogeneous make-up of bluff material at various segments.

- 5. Excavating and complete removal of the existing coastal bluff berm located west of the track bed and generally below the area of 11th Street and 9th Street (i.e., the trench area per the Alternatives Analysis Report) is irreversible and not necessary. Further, the plan does not account for the exacerbating effects of off-site removal and/or restricting the ability via engineering solutions for natural bluff erosion to occur.**

The DMB5 Alternatives Analysis Report, dated July 2021, discusses the excavation and removal of the coastal bluff berm in this area (referred to as the “trench area” or Stabilization Areas 22 and 24). The Report ranks this stabilization method as “medium priority”. Further, the Report provides alternatives to excavating the trench, such as the addition of approximately 100 piles west of the tracks, spaced 10 feet apart within the 1,000-foot-long trench area, or a 1,000-ft long seawall at the bluff toe to protect against a deep-seated failure due to a seismic event. However, the Report states the seawall may be needed within the next 30 years. Designing to a 14-year design life may not require the addition of a seawall or excavation/removal of the coastal bluff berm, which is an irreversible and permanent change.

The Report further states, “the option of grading and removing the overburden is less expensive and more practical than adding soldier piles or seawalls, and results in less hard infrastructure that would have to be removed in the future.” The City notes that the grading and removal of the berm would be irreversible, regardless of expense.

Bluffs naturally erode to the shoreline, increase bluff width along the face, and help in the process of sand retention. By excavating bluff material and transporting material off-site, as well as preventing erosion from occurring via engineering solutions, natural bluff erosion is prevented. As a result, preventing this natural process is anticipated to exacerbate shoreline sand loss and bluff shrinkage and/or require further engineering to harden the shoreline and bluff.

Request/Comment: The City requests an immediate engineering redesign of DMB5 to account for a maximum 14 years of bluff retreat (i.e., approximately 7 feet at 0.5 feet per year) in lieu of 15 to 25 feet of bluff retreat due to a 30 to 50 year design life. Based on the recommendations in the Alternatives Analysis Report for a project design life of at least 30 years, redesigning DMB5 to a 14-year design life will reduce

the amount of engineering solutions proposed as part of DMB5 and appears to avoid the need for excavation and removal of the coastal bluff berm.

The City further requests an analysis be concluded that considers the effects of exacerbating sand loss and bluff shrinkage by the removal of bluff material and/or prevention of natural erosion, as well as the added engineering solutions needed to account for these effects.

6. Short-term construction access to the beach as part of DMB5 construction needs to be coordinated early with the City.

Vehicular access to the beach is generally taken from the City's 18th St street end to the north or from the California State Torrey Beach parking lot to the south. Though the 18th Street street end access has been used for other bluff stabilization activities in the past, the impacts to City staffing resources are considerable. This includes staff time for public communications and continuous monitoring of the 18th Street end, surrounding streets and the public beach by the Community Services Department staff, including lifeguards and parking enforcement, in addition to ongoing coordination with other City departments including Public Works, Planning and Community Development, Clean Water Division, and the City Manager's office. Further, construction access results in impacts to beach area residents (e.g., noise, privacy, traffic/parking) and City streets and poses considerable public safety concern to beach-goers, especially during the busy summer months between Memorial Day and Labor Day.

Request/Comment: The City requests SANDAG begin coordinating with the City early and proactively well before DMB5 would commence. It should not be assumed that construction access via the 18th Street street end will be provided. With several other significant City and SANDAG capital projects on the horizon, such as replacement of the Camino del Mar bridge, replacement of the rail trestle bridge, the double-tracking project, and installation of a seasonal rail platform at the Fairgrounds, there will be limited available land for construction staging.

7. A City-owned bluff parcel west of the NCTD right-of-way is included in the proposed DMB5 proposed work limits and, if included in the design, SANDAG must obtain City authorization prior to construction activity on City-owned land.

The City owns a linear stretch of coastal bluff and coastal bluff face property along the Del Mar Bluffs. This area is located west of the NCTD right-of-way. Based on the proposed DMB5 concept plans, several components of the DMB5 project would occur

on the City-owned bluff parcel including excavation/grading, drainage improvements, slope stability improvements, and bluff toe walls.

Request/Comment: The City requests SANDAG begin coordinating with the City early and proactively well before DMB5 would commence and obtain City authorization prior to construction activity on City-owned land.


8. SANDAG is requested to coordinate with the City on filing for General Plan consistency review with the City's Planning Commission (Govt Code 65402) as additional information to consider as part of the DMB5 plan development.

DMB5 proposes a series of engineering solutions that may be inconsistent with the City's General (Community) Plan, in particular the City's adopted Sea Level Rise Adaptation Plan incorporated by reference. This includes engineering solutions on City-owned land. Government Code 65402 describes a process by which certain actions require review by the Planning Commission to review conformity with a city's General Plan. The report is due within 40 days following filing. SANDAG would be requested to consider the additional information in its design of the DMB5 project.

Request/Comment: The City requests that SANDAG coordinate with the City on filing for General Plan consistency review so that the City's Planning Commission can review the project and prepare a report on the project's consistency with the City's General Plan, in particular the adopted Sea Level Rise Adaptation Plan.

In light of the identified concerns and requests made, the City Council welcomes further dialogue with the SANDAG design team as it continues in the development of DMB5 engineering plans. The City Council wants to ensure that close coordination between the City of Del Mar and SANDAG is undertaken in the ongoing development of the concept engineering design for the Del Mar Bluff. To coordinate next steps on this important effort, please reach out to the Interim City Manager Ashley Jones at ajones@delmar.ca.us or (858) 704-3640.

Sincerely,



Terry Gaasterland
Mayor

CC: Del Mar City Council
Ashley Jones, Interim City Manager
Joseph Smith, Planning & Community Development Director
North County Transit District
California Coastal Commission
State of California Department of Parks and Recreation
State of California Lands Commission
County Supervisor Terra Lawson-Remer, District 3
County Supervisor Jim Desmond, District 5
Councilmember Joe LaCava, San Diego District 1
Torrey Pines Community Planning Board
Carmel Valley Community Planning Group
Torrey Pines Conservancy
Surfrider Foundation