



La Jolla Community Planning Association

March 25, 2019

California Coastal Commission
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108

Re: Children's Pool Beach Closure, CDP # 6-14-0691 and Rope Barrier, CDP # 6-15-0223 permits.

The La Jolla community, through a vote of the majority of Trustees of the La Jolla Community Planning Association, opposes the renewal of CDP # 6-14-0691 & CDP # 6-15-0223. These Coastal Development Permits should not be renewed without requiring the intended implementation of improved access, sand and water quality in the permit conditions. Unsafe conditions from widespread animal waste on the sand, polluted water and closed beaches are contrary to local community standards contained in the La Jolla Community Plan. The Commission should require additional performance benchmarks on the City's permits with the goal of actually improving sand and water quality and better beach access for disabled visitors.

The conditions for the beach closure permit CDP # 6-14-0691 are :**"During the five year [permit] period the City shall":**

1. "Examine the feasibility of ADA access."

The Children's Pool beach access ramp is identified as public access in the LCP. The City opposed a disabled swimmer's request seeking reasonable accommodation to use the existing beach access ramp at Children's Pool. A lawsuit was filed but later withdrawn because of a ruling in a separate case. The City spent more resources fighting against improved access for the disabled than it would have to restore and reopen the ramp as a reasonable accommodation for the disabled and public use. Existing ADA law does not require the ramp to be changed to current ADA standards.

The City has not complied with their own development permit requiring emergency vehicle access to the beach when they built the new lifeguard tower at Children's Pool, CDP NO. 549686. The City has permanently barricaded the beach access ramp with an unpermitted concrete barrier. This un-approved development will be the subject of an upcoming "Substantial Conformance Review" hearing at the City.

2. "Examine water quality and determine any method to improve it."

The City has not met State water quality standards at Children's Pool for decades because they have taken no action to reduce the seal waste overload on the beach. There has been no cleaning of the beach since volunteers cleaning the beach were forced to stop by the City in 2013. In August 2018 new County Health Dept. warning signs were posted along the rope barrier indicating a worsening of water quality at the Children's Pool. The "temporary" advisory signs remained until the beach closure in December 2018.

3. "Analyze the quality of the sand and determine a method for improving it."

Two decades of seal waste accumulation on Children's Pool Beach has negatively impacted water and sand bacteria levels. There is no shared use when the summer season starts when beach goers are faced with a beach full of seal waste from the previous closed season. Regular beach cleaning at the beginning of the summer would greatly reduce the buildup of harmful bacteria into the water and sand. Even with the conditions placed on the beach closure permit by the Coastal Commission, the City refuses to clean the beach as was done regularly in the past.

Long term renewal of the current permits will foreclose on any discussion of alternative ways to provide for better access while protecting wildlife. A balanced management plan with defined improvement goals over a one or two year period should be considered instead of meaningless studies and before granting a long term permit renewal.


Children's Pool Rope barrier CDP # 6-15-0223

The rope barrier blocking access across 152 feet of a 155 foot wide beach (98 %) is an encroachment on an established physical access way to the shoreline in violation of the Coastal Act. A summertime rope barrier cannot be justified or permitted to remain in its current form. Any access restrictions must change with changing conditions every day. A City Ranger was hired and should be used for this specific purpose depending on current conditions.

Two decades ago, the City refused to follow NOAA/NMFS recommendations to discourage harbor seals from establishing a colony on Children's Pool Beach. The latest opinion from NOAA is they do not think beach closure was necessary to prevent disturbance of the seals. The closure has led to increased pollution in the sand and water. This represents a degradation of coastal access protections in the Coastal Act.

Please reject the City's application for beach closure permit extensions without imposing intended improvement standards. Instead, please require a better beach management plan that accommodates all users of the beach with clean sand and water. The Children's Pool Beach closure was an extreme measure which has encouraged colonization by more seals at Children's Pool and nearby beaches. This will only lead to more demands for more closed beaches as popular urban recreational beaches are occupied by the growing seal population. This is of great concern to the La Jolla Community Planning Association and anyone wanting to maintain and improve coastal access in La Jolla.

Sincerely,



Bob Steck, President

La Jolla Community Planning Association