

Notice of Exemption

To:

Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of San Diego
1600 Pacific Highway, Suite 260
San Diego, CA 92101

From:

San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101 [RESPONSIBLE AGENCY]

Project Applicant: San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Project Title: Del Mar Bluffs Emergency Repair at MP 245.2 (“proposed project”).

Project Location: Del Mar Bluffs area south of 4th Street in the City of Del Mar on Torrey Pines State Beach, San Diego County.

Description of Specific Location, Nature, Purpose, and Beneficiaries of Project: The purpose of the proposed project is to secure the railroad track bed in its existing alignment after a bluff failure. On February 28, 2021 an existing seawall built in 1912 collapsed because of ongoing wave erosion at the toe of the bluffs, which caused the material the wall was securing to fall onto the beach below. This material amounts to approximately 3,000 CY and consists mostly of artificial fill that was placed over a former drainage pipe in the area immediately east of the collapsed seawall. The material collapsed onto land owned both by the North County Transit District and the State of California.

Currently, there is a significant continued risk to public safety due to the active movement and instability of the bluff. The beach at the bottom of the bluff failure is actively used by the public for recreation and the failure creates a safety hazard. Trains currently must travel under slow orders (passenger trains at 15 mph and freight at 10 mph) with full time monitoring of the bluff and track until the repairs are complete and the area is deemed safe. Amtrak’s Pacific Surfliner intercity passenger rail service through the proposed project area is the nation’s second busiest, serving six counties and 351 miles of the southern California coastline. In addition to Amtrak, this rail corridor is shared with COASTER commuter rail services and Burlington Northern Santa Fe (BNSF) Railway and Pacific Sun freight services. There may be a subsequent bluff failure in this same area if the proposed project is not implemented immediately.

A Right-of-Entry permit from the State of California is required for access to the emergency repair area. The proposed project consists of remedial grading of the collapsed fill back into the slope, installing soldier piles in the upper bluff just west of the existing tracked, reconstructing the slope, and installing a new, longer seawall at the location of the collapsed seawall. Access through an existing State Parks parking lot, through an existing beach access road, and through State Park land is required to reach the repair area.

Name of Public Agency Approving Project: San Diego Association of Governments

Name of Public Agency Carrying out Project: San Diego Association of Governments

Exempt Status:

Statutory Exemption. State code number: 15269(b)(c)

Reasons why project is exempt:

Section 15269 of the Public Resources Code provides a Statutory Exemption from CEQA for emergency projects:

Notice of Exemption

- (b) Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare. Emergency repairs include those that require a reasonable amount of planning to address an anticipated emergency.
- (c) Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.

The proposed project is required to protect the track bed of this section of the LOSSAN Corridor to protect rail operations and recreation users of the beach from continue slope failures. The area around the existing bluff failure is still moving and constitutes an immediate threat to public health and safety until it can be repaired. The SANDAG Board of Directors approved this Emergency Exemption at its March 12, 2021 meeting.

Responsible Agency Contact Person: Keith Greer

Area Code/Telephone: 619-699-7390

Signature:  **Date:** 03/12/2021 **Title:** Principal Planner

Signed by Responsible Agency