



**Date of Notice:** May 25, 2023

# **NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION PLANNING DEPARTMENT**

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**PROJECT NAME:** Sunset Cliffs Natural Park Sea Cave – Emergency Closure

**COMMUNITY PLAN AREA:** Peninsula

**COUNCIL DISTRICT:** District 2

**LOCATION:** Sunset Cliffs Sea Cave is located within the Sunset Cliffs Natural Park approximately 145 feet north-northwest of the intersection of Sunset Cliffs Boulevard and Monaco Street. The site is located within the Coastal Zone within Sunset Cliffs Natural Park and outside of the Multi-Habitat Planning Area (MHPA).

**PROJECT DESCRIPTION:** The Sunset Cliffs Natural Park (SCNP) is a 68-acre resource-based park stretching along the Pacific Ocean bordering the western edge of Point Loma. The SCNP sea cave is located within the 18-acre linear section of SCNP. The Sunset Cliffs are designated as Environmentally Sensitive Lands (Coastal Bluffs) according to the San Diego Land Development Manual. SCNP's westernmost bluffs and cliffs are subject to wind, wave, and tidal action on an ongoing basis, and there is a documented history of bluff erosion and failure as a result of natural processes, especially during storms. City geologists from the Development Services Department (DSD) conducted a site visit to the Sunset Cliffs Sea Cave on January 20, 2023 after the 2023 winter storms caused wind and water erosion along with saturation/drying of the area's sandstone. The geologists observed a large crack in the cliff west of the sea cave and determined failure along the cracks to be imminent, posing a danger to cave visitors below the cliffs. The crack was 5-6 inches wide and extended to the open beach below. More storms in late March caused even more deterioration of the area. After placing temporary caution tape and signage along the sea cave and bluff after the first visit, another visit on April 19, 2023 revealed that the temporary barriers had been removed and that the public continued to visit the sea caves despite the apparent danger. The temporary barriers have proven insufficient to eliminate the risk of harm to the public.

Due to the unstable geology surrounding the sea cave and for the safety of the public, the proposed project includes emergency closure of the bluffs west and northwest of the sea cave to install permanent cautionary signage and expand the existing permanent chain link fence surrounding the cave. The emergency closure will entail the installation of signage, installation of new permanent chain link fencing (on the north and southwest side of the sea cave) that would tie into the existing chain link fence surrounding the sea cave. For each fence post, an 8" diameter by 20" deep hole will be dug and a fence post placed in each hole. To ensure the structural integrity of the fence, each fence post must be seated in a concrete base. Concrete will be poured into each hole following post-placement. All excavated soil

will remain onsite and used as backfill. The proposed closure would impact the public access trails and viewing areas atop the bluffs west and northwest of the sea cave. Nearby trails and viewing areas to the south and east would remain open.

All work will be conducted by hand with hand tools, such as hand augers, wheelbarrows, and other similar hand tools. Construction crews will park their work vehicles within the public right-of-way east of the sea cave. Construction staging for materials and tools is not required. Construction is expected to take up to 10 working days to complete and is expected to start on or around the week of June 5, 2023.

#### Impacted Resources and Monitoring

##### *Cultural and Paleontological Resources*

The Sunset Cliffs Sea Cave is a recorded archeological site, P-37-011916, within the California Historical Resources Information System, indicating there is a degree of archaeological sensitivity in the emergency project area. Given the archaeological sensitivity of the Sunset Cliffs, and that the proposed work is located on a landform conducive to the preservation of buried archaeological deposits, excavations associated with the fence post installation would be subject to archaeological and Native American monitoring. A site visit will be conducted prior to start of and during construction to confirm the presence of cultural resources by certified professionals from Helix Environmental Planning and Red Tail Monitoring & Research, Inc in order to minimize or avoid impacts to cultural or paleontological resources.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego

**ENVIRONMENTAL DETERMINATION:** Statutorily exempt from CEQA pursuant to California Public Resources Code Section 21080(b)(4) and State CEQA Guidelines Section 15269(c).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego Mayor-Appointed Designee.

#### **STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:**

This emergency activity meets the criteria set forth in Public Resources Code Section 21080(b)(4) and Section 15269(c) of the CEQA Guidelines, which allows for actions necessary to prevent or mitigate an emergency. This determination is supported by and based on the expert opinion and findings of DSD engineering geologists that immediate action is necessary to prevent and mitigate imminent damage to City-owned open space and to prevent loss of or damage to public health and safety.

DSD engineering geologists in April 2023 observed a large crack in the cliff west of the sea cave and determined failure along the cracks to be imminent, posing a danger to cave visitors below the cliffs. The initiation of the project on an emergency schedule is required to complete the fencing and signage installation and mitigate the threat to the public within this timeframe. The work is the minimum necessary to prevent and mitigate the emergency.

**CITY CONTACT:** Mayra Medel, Senior Planner

**MAILING ADDRESS:** City of San Diego Parks and Recreation Department, 2125 Park Boulevard, M.S. 39, San Diego CA 92101

**PHONE NUMBER/E-MAIL:** (619) 235-5923/ [mmedel@sandiego.gov](mailto:mmedel@sandiego.gov)

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On May 25, 2023, the City of San Diego made the above-referenced environmental determination pursuant to CEQA. This determination is appealable to the City Council. If you have any questions about this determination, contact the City Contact listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within 10 business days from the date of the posting of this Notice (**June 9, 2023**). Appeals to the City Clerk must be filed via e-mail or in-person as follows:

1. Appeals filed via Email: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov) by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal.
2. Appeals filed In-Person: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at: <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building— Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

The appeal application can also be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.

**POSTED ON THE CITY'S CEQA WEBSITE**

**POSTED:** 5/25/2023

**REMOVED:** \_\_\_\_\_

**POSTED:** T. Ash-Reynolds