

BILL MICHALSKY, CHAIR, CITY OF DEL MAR'S SAN DIEGUITO LAGOON PRESERVATION COMMITTEE.

- **(1)** At the Commission's June 15, 2011 meeting, testimony on CDP-10-084 included information about numerous ALLEGED Coastal Act and Coastal Development Permit violations at the 22<sup>nd</sup> DAA Fairgrounds property stretching back over two decades.
- The Commissioners directed staff to investigate and report back at a subsequent meeting. This information, collected by many in our community, was recently provided to Coastal Commission staff, in San Diego, by the City of Del Mar, in much more detail for their review.
- **(2)** We are asking that you look carefully at the evidence of wetlands, and the activities and uses that have occurred on this same area over the last 24 years.
- **(3)** Specifically, grading in the areas commonly referred to as the East Overflow Lot (EOL) and the South Overflow Lot (SOL), including portions of the historic wetlands of the San Dieguito Lagoon.
- **(4)** The pattern of unauthorized fill and grading has continued on over the decades.
- **(5)** And has been documented most recently in both the EOL and the SOL.
- **(6)** On these graded and filled areas, the 22<sup>nd</sup> DAA continues to use the area through most of the year. These illustrate the alleged unauthorized use of areas commonly referred to as the EOL and the SOL in violation of the Coastal Act and of conditions of previously issued Coastal Development Permits: 6-88-9, 6-90-266, 6-02-020 and 6-04-049.
- **(7)** There is evidence of Parking on the EOL and SOL contrary to conditions on CDPs: 6-88-9; 6-90-266; 6-02-020 and 6-04-049.

- **(8)** Violations continue...
- **(9)** In addition to the activities and uses on wetlands, there was most recently a Stage installed in early July 2011, at a location just north and east of wetlands of the recently restored San Dieguito Lagoon and due east of Stevens Creek.
- As you can see the Stage includes banks of speakers and lights.
- The site was used as a venue for eight concerts conducted during the annual summer horse races at the Fairgrounds.
- This placed excessive noise and lights on the wetlands during the nesting and fledging season.
- Concerts at the Fairgrounds in previous years were held at locations further away from the wetlands and Lagoon in the infield area.
- The concert stage is but the latest in a series of alleged unauthorized activities at the property that have had an adverse impact on the coastal wetlands at and adjacent to the Fairgrounds property.
- **(10)** It is our request that the Coastal Commission work with the 22<sup>nd</sup> DAA to correct these alleged violations and ensure that this pattern does not continue.