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Judge sides with Solana Beach in sea wall battle

By: TERI FIGUEROA - Staff Writer

VISTA -- A court-ordered moratorium on building sea walls in Solana Beach essentially ended Friday when a Superior Court judge found that city officials had adequately revised their ordinance regarding bluff management.

Superior Court Judge Michael N. Anello issued the moratorium last year after noting conflicts between the city's municipal code and a city-certified study that found sea walls contributed to beach erosion.

The ruling stems from lawsuits filed by the Surfrider Foundation, challenging the city's review and approval of sea wall projects along its coastline.

After Anello issued the moratorium against sea walls last year, city officials revised their ordinance. City attorney James Lough said Friday that the changes in the ordinance included input from environmentalist and bluff-top homeowners.

Lough called the ruling "a big deal."

"This gives us a chance to start working to process applications (for sea walls)," Lough said. "From this day forward, all the sea walls and bluff protection devices follow the new rules that we think the Coastal Commission will accept."

Todd Cardiff, an Encinitas attorney representing the Surfrider Foundation, said to count on them to appeal Anello's ruling.

"There is no way we are going to allow that ruling to stand," Cardiff said, adding that Surfrider will likely ask that the moratorium remain in effect until they can appeal the ruling. "This isn't the last step in the process. We are going to fight. The beach is too important to the public."

Friday's ruling addressed only a small part of a much larger suit Surfrider has brought against the city. Much of that suit is now at the appellate court level after Anello last year rejected Surfrider's allegations that Solana Beach has "a pattern and practice" of skirting environmental review of sea walls.

At issue in Surfrider's suit is the city's 1.7 miles of ocean bluffs, which are vulnerable to collapse. Surfrider, an international group with 3,000 members in San Diego County, and other environmental advocates say that sea walls halt natural erosion processes and contribute toward the eventual loss of usable beach.

Many bluff-top homeowners believe that without sea walls, they may be putting their health, safety and property at serious risk. Most of the sea walls in Solana Beach have been built by private property owners to protect their

beachfront homes.

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