

Planning Commission denies year-round rope barrier for La Jolla Children's Pool

BY DAVE SCHWAB

Staff Writer

The City Planning Commission on Thursday unanimously agreed with an appeal from the La Jolla Community Planning Association that the rope barrier protecting seals at the Children's Pool should not be allowed year-round in perpetuity.

In rendering their 7-0 vote, commissioners ruled that neither environmental and land-use findings, nor the necessity for justifying keeping the barrier up beyond the Dec. 15 to May 15 pupping season, could be made. The vote after a nearly three-hour hearing nullifies a September decision by a city hearing officer in favor of the year-round rope, something that was supported by the previous City Council — but rejected by Mayor Jerry Sanders.



Seals lined the beach in early December 2009, before the pupping season rope went up. Light file photo

The commission's decision can be appealed to the California Coastal Commission but not the City Council.

Longtime La Jollans who have been lobbying the city to support access at the popular beach created more than 70 years ago as a safe wading area for children were elated and surprised by the commission's lopsided decision.

"I'm shocked," said Michele Addington, a beach-access proponent who felt going in to the meeting that her side would prevail — only not so overwhelming.

Those who want the rope up throughout the year to separate the seals from people had argued the barrier is just symbolic and is necessary because there will always be people who don't keep a proper, respectful distance from wildlife.

"It's not a fence — the rope is just a guideline," said Dorota Valli of the Animal Protection and Rescue League. "It doesn't prohibit people from going on the beach and accessing the water."

"The rope maintains a safe buffer between people and seals," said Jerry Horn with La Jolla Friends of the Seals.

"A guideline rope year-round would allow at least some measure of public awareness and protection for harbor seals hauled out on the sand," agreed Ellen Shively, president of La Jolla Friends of the Seals.

First District City Councilwoman Sherri Lightner, who argued the "process" involved in approving the rope barrier had been flawed, was uncertain her argument had swayed the commissioners.

“The process was not transparent and the public was left out,” she said.

She said she was concerned that the public wasn't given adequate notice that the staff had determined “a project of this magnitude that was categorically exempt from CEQA (California Environmental Quality Act)” especially since it's an issue that has generated so much public scrutiny.

“We've now hired a full-time ranger who will start a volunteer docent program that, as time goes on, will be successful at Children's Pool in ways an obtrusive rope barrier will never be able to achieve,” Lightner added.

Planning association president Joe LaCava said, “This is a barrier that keeps the public away from the beach and shoreline,” he said. “It is a hindrance to people using the beach and it does not maintain or enhance vertical or lateral access. The project conflicts with the elements of the local coastal plan and therefore you cannot make the findings and you must deny the project development application.”

Planning Commissioner Tim Golba, a La Jolla architect, said, “This is a 133-foot rope and only 3 feet of that is open,” he said. “That's a 98 percent impediment and to me that is a stumbling block.”

Melinda Merryweather struck a nostalgic chord in her testimony.

“I grew up in La Jolla swimming at Children's Pool, my grandmother, mother and children swam there, and now I want my grandchildren to swim there,” she said.

— City News Service contributed to this report.

Posted by [Dave Schwab](#) on Dec 9 2010. Filed under [Featured Story](#), [La Jolla](#), [News](#). You can follow any responses to this entry through the [RSS 2.0](#). Both comments and pings are currently closed.

Comments (10)

Mr. Stun Gun · [49 weeks ago](#)

Dear Joe,

This issue is dead! It doe's not go before the Coastal Commission, that is a error from the reporter, the city council requested in a resolution to seek a permit of a year round rope to the city managers office, that went to the herring officers meeting in September and that was appealed and now it lost, the City Planning Commission will now write a letter to the City Council why it was rejected.

What you don't understand Joe, is what Miss Lightner is talking about is the CEQA notification that the city tried to slip by and did not properly notify the public and city officials properly. Sound like you are just another whining seals sympathizer.

bigdipper · [49 weeks ago](#)

Wrong, Lightner said the CEQA exemption did not have adequate public notice, not even to any City officials. She was right. And wrong again, the Coastal Commission only rules if a permit goes through to them. This permit stopped locally so the Coastal Commission will never see it. Like other Councilmembers, Lightner voted for a 4 measure package in May, including the Ranger and docent program which have succeeded, and the perpetual rope has failed.

Pokey · [49 weeks ago](#)

"It's not a fence — the rope is just a guideline," said Dorota Valli of the Animal Protection and Rescue League. "It doesn't prohibit people from going on the beach and accessing the water."

Remember these word, they will change at the beach as she ans FoS will tell everyone the beach is closed or it is illegal to cross the rope and are breaking federal law...

K n' K · [49 weeks ago](#)

We La Jollans, if anyone, can afford to build a new pool for kids. Seals can't. My kids can learn how to swim amost anywhere. Seals can't. Humans can live anywhere on land. Seals can't. There are 77 beaches in SD for humans. None for marine mamals. Biodiversity is decreasing exponentially. I prefer paying \$5 admission for a brand new, man-made public beach every weekend to cover the construction costs, than have my kids paying \$70 admissions/person so companies like SeaWorld can grow wealthy on our stupidity for having chased away something that was right under our noses. Just think about it.

Mr, Wizard · [49 weeks ago](#)

If we do build a new pool for the children, what guarantee do we have that the seals won't move to that one?

It sounds like you drank the cool-aid...The are not 77 beaches in San Diego

This sound like propaganda you drank out of the trough at seal watches table.

There are 77 miles of COAST in SD county... the marine mammals have the whole coast and Islands to live ! So you would rather "Yellow Stone" the seals here on a public beach that there is no way in hell that can be closed, just so you can look at them up close for free ! How selfish...

You really thought this through.

K n' K · [49 weeks ago](#)

There are no guarantees, but then we have at least one spot for them and one for us. They can have the old pool, where they are protected, and we have the other one, where people come frequently and the pool itself is costructed in a way that is less "seal-friendly". There are organisations working with transporting back lost animals to their habitat, for eg. bears, cougars, etc. Construction technology has also evolved over the past 70 years you know. Have some faith in it.

There are people with different opinions and we need to find some kind of solution here that works for all of us. This issue has been dragging for so long now and we are all tired of nothing happening. Can you come up with one that doesn't involve removing the seals from the pool?

If the animals wanted to live anyplace else, they would. They don't come to the beach because they enjoy human company.

Would you rather disperse another species from its home so you and me can go for swim ? In my opinion, that is considered selfish. Being able to go for a swim is something you seem to take for granted sir.

I might have had a lot of Kool-Aid, but at least I don't need to boost my opinions with making that kind of statement about someone who does'nt agree with me.

Hope to see a creative solution from your side on the next post.

Mr, Wizard · [48 weeks ago](#)

"There are organisations working with transporting back lost animals to their habitat,"
Great they can relocate them to their natural Habitat, the wild ! this is man made.

"Construction technology has also evolved over the past 70 years you know"
Great, you can pay for the cost of this new technology, 70 k in 1931 is now several millions today....

The location of the Life Guard Station is crucial as it has a 270 degree view of the beaches north and south. and is maned all year round.

This was never the seals home until the mid 90's when Sea World released all of there rehabilitated seals their, thanks to Mayor Susan Golding...

I am not selfish !, I can share the beach as the seals share it with us, they have never left, and must not mind us as they are still here and trust us so much that they will have their pups and leave their new born for us to watch over while mommy goes to look for food.....

The solution is simple, get rid of the seal activist who cause, incite and disrupted the peace and harmony their, and everyone get use to sharing the beach. we will have a full time city Ranger and Docents very soon !

The California Costa Commission will not allow this public trusted beach to be closed. The National Marine Fisheries Service are the only ones who are authorized to create a Marine Mammal park.

Gaga · [49 weeks ago](#)

Public controversy is not a reason to say a project is not exempt from CEQA. If there is substantial evidence (which, according to CEQA, must not be opinions, but substantiated facts) of a physical impact on the environment, then a project may not be exempt. Just because it's controversial doesn't mean there is a significant physical effect on the environment.

Lori · [49 weeks ago](#)

I brought my relatives to La Jolla the other day and we visited the pool, we went down to the beach to see the seals and were intercepted by a old woman with short grey hair and told us that the beach was closed because of pregnant seals so we went up top to take some photos and talked to a nice man at a table and we were shocked to here that the old lady lied to us that the beach is in fact open but should not get to close to the seals. One thing I can't stand is someone ling to me, we marched back down and gave her a peace of my mind, and got some wonderful pictures of the seals.

[cyberKICK](#) · [49 weeks ago](#)

The seals are on the rocks, the other side of the wall, in Point Loma, OB, all along the beaches under the bluffs where it is difficult for people to go, in the open ocean (biologically speaking, seals do not ever need to come ashore-- they can sleep in the water, and many seals migrate and spend months at sea), and on many islands. This breed of seal is the most populous, not endangered, not threatened, not even depleted. The biodiversity you are talking about is being eaten by them as we have taken their natural predators away. There have never been so many. To say they don't live anywhere else is wrong. The experts in the field ran a study, and each day it is different seals at this beach. This beach

was supposed to be protected against being overrun and run down. Now you want to build a new one for the exact same purpose with the same promises as this one. Well, we already have one, and shouldn't need to build a new one just because you want to repurpose this one. Build a new one and put seals on it... that would be more fair.

<http://www.lajollalight.com/2010/12/09/planning-commission-denies-year-round-rope-barrier-for-la-jolla-childrens-pool/>