

CALIFORNIA COASTAL COMMISSION

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December 9, 2019

Santa Cruz County Board of Supervisors
701 Ocean Street, 5th Floor
Santa Cruz, CA 95060

Subject: Local Coastal Program Coastal Hazards Update

Dear Board of Supervisors:

This letter is in reference to Agenda Item 16 scheduled for tomorrow's Board of Supervisors meeting. We apologize in advance for its late arrival, but the County's staff report and materials were just made available to us late last week. As we have previously indicated, we continue to be highly supportive of the County's efforts to update its Local Coastal Program (LCP) coastal hazards policies to better address current understanding of coastal hazard risks and the vulnerability of coastal resources, including the County's important sandy beach and shoreline recreational areas, and to appropriately plan for development in these areas given that understanding. At the outset, we would like to commend County planning staff for the substantial amount of work that has gone into this effort, as well as what we feel to be excellent collaboration between our respective staffs, and we hope to continue this collaboration as the proposed policies make their way through the Coastal Commission's LCP amendment process.

As we have previously indicated, the currently proposed policies represent a significant departure from current Coastal Commission practice and guidance with respect to the issue of shoreline armoring to protect new development, including redevelopment. The approach proposed is novel, with the County proposing to allow new development to rely on shoreline armoring in some locations, and to apply policies that more strictly limit armoring in other locations. We recognize the types of practical realities being taken into consideration in such an approach, and have worked closely with County staff to help identify whether and how such policy approaches may be appropriate and where they may not be. We believe that the currently proposed policies have come a long way toward being more consistent with the Coastal Act in this regard. However, we continue to have concerns about the proposed policy approach, including with regard to the following issues:

2040 Time Horizon

First, we very much support the County's proposed concept of relying on a 20-year time horizon when the coastal hazard adaptation situation can be reassessed (i.e., the 2040 Time Horizon (Policy 6.4.1)). We consider this component to be an essential element of the overall coastal hazards update, including as it can help respond to uncertainties and set in motion a series of events for better understanding the effects of coastal hazards on the County's shoreline, including in relation to its beaches, which can be further addressed in 2040. However, we continue to have questions regarding how that policy is intended to be implemented in practice,

both in the short term between now and the 2040 time horizon, as well as when 2040 is reached. As of now, it is unclear how such a time horizon would affect permitting and planning between now and 2040, and it is unclear what happens, if anything, when we get to 2040. Again, we can understand the value of a time horizon, including to provide additional time for planning and to help address uncertainties, but the time horizon concept requires actual implementing mechanisms, and they appear to be largely missing in the current draft. This is likely something that will need to be addressed before the Coastal Commission can approve it.

Redevelopment Definition

Second, we appreciate the fact that the County has proposed to define “new development” (and “development activities” and “redevelopment”) for the purposes of evaluating coastal hazards to be more consistent with the Coastal Commission’s current practice by defining the threshold of redevelopment as alteration of 50 percent or more of major structural components. However, as we understand it, the County still intends to use a weighted measurement for each structural element to determine whether a proposed project exceeds this threshold. This approach is not consistent with current Coastal Commission practice that provides that the exceedance of 50 percent of any *single* major structural element (i.e., roof framing, exterior wall framing, floor framing, and foundation) would meet the redevelopment definition (and we would also note that Policy 6.4.28 (Foundation Replacement and/or Upgrade) appears inconsistent with the Coastal Commission’s definition, and would again recommend that it be deleted). Given that the redevelopment definition is inherently tied to armoring considerations and given its importance in terms of the overall application of the proposed policies, it is clear that additional refinement of this concept may be warranted during the LCP amendment process.

Triggers for Improvements to Shoreline Armoring in Exception Area

Third, as explained above, several of the currently proposed policies related to shoreline armoring represent a departure from current Coastal Commission practices and guidance. Although County and Coastal Commission staff have been working closely to identify options to address sea level rise hazards in a way that appropriately reflects the geology and development patterns of the County, Commission staff believes that some additional refinements will be necessary for ensuring that the shoreline armoring policies will effectively implement Coastal Act requirements for protection of coastal resources over time. For example, an overall goal of this update has been to develop policies that will trigger an improvement over the status quo by requiring upgrades to existing riprap armoring in favor of more modern vertical seawalls that incorporate public access features and reduce beach coverage. Proposed policy 6.4.25 includes language requiring that *new* armoring comply with certain design standards related to reducing impacts and maximizing public access, and the staff report for this item envisions that a GHAD (or similar community level effort) would work to upgrade the existing mix of riprap armoring (particularly within the proposed Shoreline Exception Area) into a modern seawall that incorporates public access. However, there does not appear to be policy language explicitly requiring upgrades to existing riprap armoring as a condition of approval for development that is allowed to rely on existing armoring within the Shoreline Exception Area. Coastal Commission staff believes that in order to ensure that the proposed policies will result in an improvement over

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the status quo and will maximize protection of coastal resources and public access in line with Coastal Act requirements, the shoreline armoring policies related to requiring either upgrades or removal of existing shoreline protection, depending on the location and project type, will need to be further refined.

Further Policy Clarifications

And finally, we note that the proposed policies and supporting language are complicated and we believe that further clarification may be required during the amendment process to make the policies more clearly implement what we understand to be the shared vision for the update.

That all said, we again acknowledge the “heavy lifting” that has been done by your staff to get us to this juncture, and we believe that all of these issues can be addressed during the LCP amendment process. We therefore understand that the Board may be ready to take action, and in any case we will continue to work closely with your staff and strive bring this substantial effort to a successful conclusion.

Thank you for your consideration. Our goal continues to be to proactively work with County staff and the interested public through this process to help craft LCP language that respects both the local context and the Coastal Act’s statewide requirements, including with respect to protection of coastal resources. We continue to believe that the fruit borne out of this collaborative process can be a nuanced policy template for the County’s coastal future, and one that can also serve as a model statewide for other cities and counties to emulate in addressing complicated sea level rise adaption issues. We look forward to continuing to work with you so that Santa Cruz County can lead by important example in that respect.

Sincerely,

 FOR:

Ryan Moroney
District Supervisor
Central Coast District Office
California Coastal Commission

Agenda Management Support

From: Agenda Management Support
Subject: RE: Letter to Board re: Hazards Update

From: David Carlson <David.Carlson@santacruzcounty.us>
Sent: Monday, December 09, 2019 2:24 PM
To: Jillian Ritter <Jillian.Ritter@santacruzcounty.us>
Cc: Susan Galloway <Susan.Galloway@santacruzcounty.us>; Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: FW: Letter to Board re: Hazards Update
Importance: High

This is correspondence for Item #16 (8104) Board of Supervisors agenda December 10, 2019. Thank you.

From: Craig, Susan@Coastal <Susan.Craig@coastal.ca.gov>
Sent: Monday, December 9, 2019 2:04 PM
To: David Carlson <David.Carlson@santacruzcounty.us>
Cc: Moroney, Ryan@Coastal <Ryan.Moroney@coastal.ca.gov>
Subject: Letter to Board re: Hazards Update
Importance: High

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Hi David,

Please provide this letter to the Board regarding tomorrow's agenda item for the LCP Coastal Hazards update. Thank you.

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