

**CALIFORNIA COASTAL COMMISSION**

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**W-18a****RECORD PACKET COPY**

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Hearing Date: September 13, 2000

**STAFF REPORT: REGULAR CALENDAR**

**Application No.:** 2-00-021

**Project Applicant:** City and County of San Francisco

**Location:** Seaward of the Great Highway, south of Sloat Boulevard, at Ocean Beach in the City and County of San Francisco (Exhibits 1-4).

**Project Description:** Construction and replenishment of a 400-foot-long sand barrier south of Sloat Boulevard and north of the Funston Cliffs, south of the Sloat Parking Lot.

**Related Approvals:** Emergency Coastal Development Permit No. 2-99-003-G.

**Substantive File Documents:** Appendix A

**1.0 EXECUTIVE SUMMARY**

The City of San Francisco Department of Public Works (DPW) is requesting a coastal development permit to place a 400-foot long sand berm south of Sloat Boulevard and north of the Fort Funston cliffs (Exhibits 3 and 4). The permit application is both a follow up to an emergency coastal development permit granted in 1999 for the original construction of a sand berm in the same location and for replenishment of sand lost from the berm during the 1999/2000 winter. The sand berm will protect a public access parking lot, the Great Highway and the infrastructure that exists under the Highway from further erosion. Therefore, staff recommends approval of the proposed development with special conditions limiting the permit term to two years (matching the term of the National Park Service approval of the project) and specifying the placement of fencing around the construction site to protect the public.

## 2.0 STAFF RECOMMENDATION

The staff recommends conditional approval of Coastal Development Permit Application No. 2-00-021.

**Motion:** *I move that the Commission approve Coastal Development Permit Application No. 2-00-021, subject to the conditions specified below.*

### Staff Recommendation of Approval

The staff recommends a YES vote. To pass the motion, a majority of the Commissioners present is required. Approval of the motion will result in the adoption of the following resolution and findings.

### Resolution

The Coastal Commission hereby **grants** permit No. 2-00-021, subject to the conditions below, for the proposed development on the grounds that (1) the development is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and (2) there are no feasible alternatives or feasible mitigation measures other than those specified in this permit that would substantially lessen any significant adverse impact which the activity may have on the environment.

## 3.0 CONDITIONS

### 3.1 Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### 3.1 Special Conditions

1. **Period of Time Development is Authorized.** Development is authorized by this permit only until July 15, 2002. Authorization for development beyond July 15, 2002 will require an amendment to this permit or a new coastal development permit.
2. **Public Access.** The applicant shall place temporary fencing around the work site and staging area when heavy machinery is being operated and during after hours when construction is idle.

## **4.0 FINDINGS AND DECLARATIONS**

### **4.1 Project Background and History**

#### **4.1.1 Project Area**

Ocean Beach, on the western shoreline of San Francisco, is managed by the National Parks Service (NPS) as a part of the Golden Gate National Recreation Area (GGNRA). The beach is heavily used throughout the year by tourists, local beach goers, recreational fishers, and surfers. Immediately inland of the beach is the Great Highway, a City-owned and maintained four-lane boulevard with bicycle and pedestrian pathways. The City's Western Shoreline Plan, which has been certified by the Commission as the Land Use Plan (LUP) portion of the San Francisco Local Coastal Program encourages the development of the Great Highway to enhance its scenic qualities and recreational uses. Objective 6 of the LUP is to maintain and enhance the recreational use of the Ocean Beach shoreline.

#### **4.1.2 Shoreline Erosion at Ocean Beach**

Beach profile data has been collected for Ocean Beach since 1953. These data show that the beach profile oscillates from a very wide beach to a very narrow one over approximately a 20 to 40-year period. Between 1970 and 1985, the beach widened by 105 feet while between 1985 and 1992, the beach narrowed by 72 feet (Moffett and Nichol, 1995). Ocean Beach, though contiguous, cannot be treated as a uniform system; certain areas of the shoreline experience erosion while adjacent areas accrete. The differences in erosion are partially due to the offshore San Francisco Bar which acts to refract wave energy towards certain erosive areas while causing others to accrete (Berrigan and Johnson, 1985). The area to the south of Sloat Blvd is eroding at a rate of .5ft/yr while the north end of Ocean Beach is accreting (Wright, 2000). There is also a strong seasonal cycle of beach erosion and accretion. In the summer when wave energy is less, sand is transported onto the beach. In winter with the influx of high-energy waves, the sand is removed from the beach resulting in a narrower beach.

Since the winter of 1994, the shoreline and bluffs along the reach of Ocean Beach south of Sloat Boulevard have eroded significantly:

- During the 1994/95-storm season, the bluff edge retreated 30 to 40 feet between the two parking lots south of Sloat Boulevard. The Sloat Lot lost all 5 access stairways to the beach and the South Lot lost an additional 5 beach accessways.
- In 1996/97, surface runoff and wave action formed numerous erosion gullies in the bluff face. In March 1997, one storm formed a gully extending to the beach that eroded the bluff to within 15 feet of the highway in the area between the parking lots.
- In 1997/98, lowering of the beach levels south of Sloat Blvd. resulted in extensive bluff erosion. Beach elevations were 10-15 feet lower than summer allowing waves to reach further into the backshore. The bluff edge retreated 30 feet at the south end of the Sloat Lot, which was unprotected by any shoreline structures. The erosion closed both parking lots to public use.
- In 1998/99, the bluff edge retreated 50 feet along the unprotected sections between the Funston Cliffs and the South Lot. A number of steel H-piles and steel sheet piles and a rock protective layer covering a portion of the City's Southwest Ocean Outfall were exposed

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south of the South Lot. This erosion also raised concerns about damaging the Lake Merced Transport and Storage Facility underneath the Great Highway.

- In 1999/2000, bluff slopes are 25 feet high, oversteepened, and 30 feet from the edge of the Great Highway. The beach continues in an eroding state with beach elevations consistently low.

### **4.1.3 Previous Shoreline Protection Projects at Ocean Beach**

The area discussed in this permit is south of the O'Shaughnessy seawall built in the 1920's. The unprotected area south of the seawall has received varying erosion mitigating treatments since the 1930's. These methods included dumping of sand fill from inland construction, sand fences to trap sand and finally the placement of quarry rock. The chronology of the most recent events is listed below:

- Fall 1997, in response to severe erosion of 1994/95 the San Francisco Department of Public Works (DPW) placed two rows of armor stones at the toe of the bluff between the two parking lots.
- El Nino 1997/98 brought unusually high waves leading to the placement of a temporary emergency riprap revetment. The NPS authorized the temporary placement of rock on the beach with the requirement that the revetment be reauthorized every year. This riprap revetment is 600 feet long and was placed directly on top of the previously placed armor stones. Due to the extreme wave conditions precluding beach access to construction vehicles, the existing revetment does not meet coastal engineering design standards.
- October 1999, south of the South Lot continued to erode and a 400 foot long sand barrier was placed to provide temporary relief to the exposed metal and infrastructure related to the City's Southwest Ocean Outfall. The sand was authorized by the Coastal Commission under an emergency permit and the City also received a special use permit from the NPS.

### **4.1.4 Ocean Beach Task Force**

In response to the on going erosion issues at Ocean Beach and the community interest in the beach, Mayor Brown appointed the Ocean Beach Task Force (OBTF) in January of 2000. The task force brings together various agencies, groups and interested individuals to provide alternatives to the current cycle of erosion emergency and response. The OBTF responsibilities include identifying, researching and making recommendations to Mayor Brown and his staff on issues affecting Ocean Beach. Lara Truppelli serves as the Chair and Francesca Vietor, Executive Director of the San Francisco Department of the Environment, coordinates the Task Force. The Coastal Commission sits as a non-voting member of the Task Force. Commissioner Chris Dresser and staff members Lesley Ewing and Chris Kern have all attended meetings.

## **4.2 Project Description**

The applicant proposes to replenish the dynamic sand berm revetment placed under the emergency permit in 1999 south of Sloat Blvd. on Ocean Beach. The applicant is asking to replenish the sand berm to its original size due to a 60% loss of sand during the winter months (Exhibits 3 and 4). The applicant is also satisfying the Commission requirement of applying for a regular coastal development permit as follow up to the emergency permit granted in 1999 for the original construction of the sand berm.

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There are two general categories of shoreline protection devices: hard and soft. Hard shoreline protection is not dynamic, it is fixed in place and for the life of the structure determines the location of the shoreline. Hard shoreline protection includes seawalls, bulkheads and riprap revetments. Soft shoreline protection devices are dynamic in nature and move with the seasons and the waves. Soft shore protection, or dynamic revetments include cobble, sand berms or logs placed on the beach.

The sand berm acts as a sacrificial dune providing sand to the beach system while limiting the damage of wave attack on the back beach. The proposed sand barrier will replace the bluff that was lost in winter storms. The sand berm will be located between the south end of the South Parking Lot and Fort Funston. The design life of the sand berm is unknown and depends on the intensity of winter storms. Based on past storms, it can be assumed that a significant portion of the sand berm will need to be rebuilt each spring. The applicant estimates that 60% of the sand berm placed in 1999 has already been removed by waves from the immediate area.

NPS raised concerns about the ability of the sand berm to withstand severe erosion events in a letter to DPW dated August 10, 1999 concerning the emergency placement of sand. During these events, the sand will be removed from the berm and deposited on the beach limiting the effectiveness of the sand barrier. The applicant will provide visual reconnaissance to discern the state of the sand berm during erosion events. The sand berm also provides the applicant time for pro-active action such as closing the Great Highway during large storms. Annual maintenance will be required to maintain the sand berm at its original size and effectiveness.

The sand berm will be 400 feet long, 35 feet tall and 85 feet wide at the toe and 40 feet wide at the top of the berm. The structure will contain approximately 12,000 cubic yards of sand. DPW will be using dump trucks to deliver the sand to the beach. The dump trucks will dump the sand from the top of the berm and will not be on the beach. There will be tractors to move the sand and grade the sand berm.

### 4.3 Other Approvals

#### 4.3.1 National Parks Service

The National Park Service administers Ocean Beach as part of the Golden Gate National Recreation Area. The NPS issued permit number GOGA99-91604 for construction and maintenance of the sand berm in 1999. The NPS permit may be renewed annually through July 15, 2002. The Commission can only grant a permit for the period during which the NPS, as the underlying property owner, has authorized the subject development. Accordingly, **Special Condition 1** specifies that this coastal development permit authorizes development only until July 15, 2002. Either an amendment to this coastal development permit or a new coastal development permit is required to authorize placement of additional sand after that date.

#### 4.3.2 Federal Consistency Review

Pursuant to section 307(c)(3)(A) of the Coastal Zone Management Act, any applicant for a federal permit to conduct an activity affecting any land or water use or natural resource in the coastal zone must obtain the Coastal Commission's concurrence in a certification to the federal permitting agency that the project will be conducted in a manner consistent with the California Coastal Zone Management Program (CCMP). The Commission's action on this permit application shall comprise its federal consistency review for the proposed development for purposes of the NPS and Corps permits described above.

### **4.3.3 City and County of San Francisco**

The Board of Supervisors passed a resolution in July 1999 prohibiting the use of funds for hard shoreline protection structures on Ocean Beach. The sand berm is not considered a hard shoreline protection structure. Therefore, the proposed sand berm is not affected by the City's resolution.

## **4.4 Coastal Act Issues**

The Commission must evaluate the conformity of the proposed development with the Chapter 3 policies of the Coastal Act concerning shoreline protection devices, hazards, public access and recreation and environmentally sensitive habitat areas.

### **4.4.1 Shoreline Protection Devices**

Coastal Act Section 30235 states in relevant part:

*Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.*

Coastal Act Section 30235 provides for two tests to determine when a shoreline protective device shall be permitted by the Commission. The first test is whether or not the shoreline protective device is needed to protect either coastal dependent uses, existing structures, or public beaches in danger of erosion; the second test is whether or not the device is designed to eliminate or mitigate adverse impacts on shoreline sand supply.

#### ***Project Need***

The first test under Section 30235 is that the sand berm must be required to protect an existing structure. The determination of whether a shoreline protection device is required necessarily involves an analysis of whether there are any less environmentally damaging feasible alternatives. The subject sand berm is situated on the landward-most portion of the beach above the normal tidal action. As discussed in Section 3.1.2 above, the shoreline in the vicinity of Sloat Blvd. is susceptible to erosion and will likely continue to erode in coming winters. In 1998/99, the bluff eroded 50 feet prior to the placement of the emergency sand barrier. The rate of erosion along this portion of Ocean Beach is estimated at 4.3 ft/yr. (CH2M Hill, 2000).

The sand berm is intended to protect existing structures, some of which are visitor serving. The sand berm will protect the Lake Merced Sewage Transport and Storage Box under the Great Highway and the Southwest Ocean Outfall and the South Parking Lot. The Lake Merced Sewage Transport Box is part of the sewage treatment system of San Francisco. The box runs under the entire length of the Great Highway from Lincoln to John Muir Blvd and acts to contain sewage and stormwater overflow in times of heavy rain. The Sewage Transport Box reduces the release of raw sewage into the marine environment by allowing delayed treatment of overflow sewage. The Southwest Ocean Outfall runs through the beach and out to the sea underwater and carries effluent to the marine environment. The sand berm will slow erosion towards the Great Highway, which is currently used by 12,000 cars each day. Visitors to Ocean Beach, particularly surfers, heavily use the South Parking Lot.

***Alternatives***

In past actions on coastal development permit applications the Commission has found that shoreline protection structures are required to protect existing structures (within the meaning of Coastal Act Section 30235) only when there is no less environmentally damaging feasible alternative. Thus, the first test under Section 30235 also requires that the Commission find that there are no less environmentally damaging feasible alternative methods to protect an existing structure.

Sand berms are considered soft shoreline protection due to the ability of the structures to respond to wave conditions. Other soft shoreline protection devices include beach cobbles or beach logs, neither of which is compatible with the aesthetic quality of Ocean Beach. Cobble is not in keeping with the natural sand of Ocean Beach and would be visually inconsistent. The use of logs in high-energy systems can result in dangerous conditions for areas of high visitor use. The logs may come dislodged during erosion events leading to safety concerns for the entire area. The sand placed in the berm will be visually consistent with Ocean Beach and will blend with the natural dunes in the surrounding areas better than cobble or logs. Although cobbles and logs are of equal effectiveness, they do not offer any distinct advantages over a sand berm in terms of protecting upland property. In addition, the sand provides adequate protection to the needs described above and is visually consistent with Ocean Beach.

Hard shoreline protection alternatives include riprap or a seawall. Both options are more environmentally damaging to the Ocean Beach system than the proposed sand berm. Hard shoreline protection locks up sand during storm events, may increase erosion in front of the structure due to wave reflection and may exacerbate erosion on adjacent areas. Hard shoreline protection changes the natural aesthetics of the beach and may impede natural accretion.

Another potential alternative to the proposed project is the inland relocation of the threatened parking lot, the Great Highway, and the Sewage Transport and Storage Box (hereinafter "retreat"). Retreat of existing infrastructure has been identified by the OBTF as a potential long-term solution to the erosion issues at Ocean Beach. However, moving the Great Highway and the Storage Transport Box are major financial and logistical challenges. While the feasibility of this alternative as a long-term solution has not yet been determined, retreat cannot feasibly be accomplished in the time-frame required to address the immediate need to protect the Great Highway and Sewage Transport and Storage Box during the impending winter storm season. The proposed sand berm is intended as a short-term erosion control measure that will not preclude future long-term alternatives such as infrastructure retreat.

The proposed sand berm is necessary to protect important public infrastructure from substantial damage due to erosion of the shoreline, and there is no less environmentally damaging feasible alternative to the project as proposed. Therefore, the Commission finds that the first test under Coastal Act Section 30235 is satisfied.

***Sand Supply***

The second test of 30235 requires that the Commission find that the project is designed to eliminate or mitigate adverse impacts to shoreline sand supply. The sand berm is a sacrificial sand supply to the beach during erosion events. As the sand berm erodes, the sand will be dispersed throughout Ocean Beach and in the offshore as determined by wave conditions. Further the amount of sand added to Ocean Beach, 12,000 cubic yards is small compared to the

amount of sand on the beach and will not effect shoreline processes or local sand supply except to enhance it during winter storm conditions.

Therefore, the Commission finds that the second test of 30235 is satisfied in that the proposed sand berm is designed to eliminate or mitigate impacts to shoreline sand supply and the natural sand supply to the beach will not be adversely impacted by the proposed sand berm.

### **Conclusion**

The proposed sand berm maintains the character of Ocean Beach while offering protection to the inland infrastructure in danger of being undermined. The proposed sand berm minimizes risks to life and property in the area south of the Sloat Parking Lot and will not have adverse impacts to the shoreline sand supply. There are no less environmentally damaging feasible alternatives to the proposed sand berm. The Commission therefore finds that the proposed project, as conditioned, is consistent with the requirements of Coastal Act Section 30235. Therefore, the Commission finds that the proposed sand berm shall be permitted.

### **4.4.2 Shoreline Hazards**

Coastal Act Section 30253 states in relevant part:

*New development shall:*

*(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

*(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The purpose of the proposed project is to protect existing infrastructure from damage due to severe shoreline erosion. The placement of the proposed sand berm will protect the Great Highway, the Lake Merced Sewage Storage Box, the outfall pipe and the South Parking Lot. Thus, the proposed sand berm will conform with the requirement of Coastal Act Section 30253 to minimize the risk to life and property in an area of high geologic hazard. In addition, the proposed sand berm will not contribute to erosion and may decrease erosion in the project area by providing a sacrificial dune that will add to the overall beach sand supply. Therefore, the Commission finds that the proposed project is consistent with the requirements of Coastal Act Section 30253.

### **4.4.3 Public Access and Recreation**

Coastal Act Section 30210 states:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Coastal Act Section 30211 states:



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*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Coastal Act Section 30212 states in relevant part:

*(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

*(1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*

*(2) Adequate access exists nearby...*

*(b) For purposes of this section, "new development" does not include...*

*(5) Any repair or maintenance activity for which the Commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the Commission determines that the activity will have an adverse impact on lateral public access along the beach.*

Coastal Act Section 30214 states in relevant part:

*(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:*

*(1) Topographic and geologic site characteristics.*

*(2) The capacity of the site to sustain use and at what level of intensity.*

*(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*

*(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

The project site is located in the Golden Gate National Recreation Area, a heavily used 3-mile stretch along Ocean Beach from the Cliff House south to Fort Funston. Access is served by several large parking lots at both the north and south ends of the beach as well as parking at the Beach Chalet restaurant. The beach also has numerous vertical access points along the Great Highway on either side of the project site. The proposed sand berm will not impede vertical access to the beach.

The sand berm will not adversely affect public access and public recreational opportunities along Ocean Beach. However, although DPW proposes to place the sand berm as landward as possible, the berm may impede lateral access along the section of the shoreline during high tides or in storm conditions. During such times, high tides and/or storm waves may reach the base of the berm leaving no dry beach between the berm and the sea. However, the public will still be able to readily traverse the shoreline under these conditions via the parking lot immediately inland of the berm and/or along the top of the berm itself. Thus, even during such limited events, the proposed sand berm will not significantly interfere with public access to or along the shoreline.

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Construction and maintenance of the proposed sand berm will involve the use of heavy equipment on the beach and could pose a safety risk to beach users. Coastal Act Section 30214 requires the Commission to implement the public access policies of the Coastal Act taking into account the geologic site characteristics, the capacity of the site to sustain use and the fragility of the natural resources in the area. Therefore, **Special Condition 2** requires the applicant to place temporary fencing around the work site and staging area at any time that heavy equipment is in operation on the beach. DPW expects to complete construction and annual maintenance activities in a 15-day period. During such times, access in the immediate project area will be restricted. However, public access will continue to be available immediately up- and down-coast of the project area. DPW has indicated that the construction crew will direct and/or escort any member of the public needing to traverse the beach during project construction safely around the project site. Therefore, the temporary access restrictions in the immediate project area that are necessary to protect the public's safety will not significantly interfere with public access or recreation along the ocean beach shoreline.

The purpose of the proposed project is to protect a heavily used public beach parking lot and the Great Highway. A portion of the parking lot was lost due to damage resulting from bluff erosion during the 1997/98 storm season. The parking lot was closed at this time due to safety hazards and was only reopened this summer. Further erosion of the shoreline could result in the permanent loss of the parking lot and could threaten the Great Highway with the possibility of interrupting traffic. Traffic delays along the Great Highway would interfere with the public's ability to access the coast. By preventing further damage to the parking lot, and possible damage to the Great Highway, the proposed project will serve to improve and protect public access to and along this section of the Ocean Beach shoreline.

The Commission finds that the proposed project, as conditioned, will not significantly interfere with public access and public recreation and will protect public access in conformance with the requirements of Section 30214 of the Coastal Act.

### 4.4.4 Visual and Scenic Qualities

Coastal Act Section 30251 states in relevant part:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

Section 30251 requires protection of the visual qualities of the subject area while minimizing changes in landforms. The proposed sand berm will be no higher than the existing bluff thereby insuring that views of the ocean from the Great Highway are preserved. The sand berm will also be made of sand that is similar in coarseness and color to the adjacent natural sand areas. In addition, the sand berm will blend with the adjacent dune systems to provide visual continuity to Ocean Beach.

The alternatives to the sand berm: cobbles, beach logs, riprap or seawall are all inconsistent with the natural dune system. The sand berm is the most visually consistent alternative. Retreat would also offer long-term protection of the scenic resources of Ocean Beach by removing from the beach area the existing infrastructure thereby precluding the need for any shore protection. The

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City in consultation with OBTF continues to seek long-term alternatives for the erosion situation along Ocean Beach. The placement of the sand berm allows visual consistency while the City searches for long-term solutions to the erosion problem.

Therefore, the sand berm satisfies the criteria outlined in Section 30251 and will protect scenic resources and be visually compatible with the surrounding areas.

### 4.4.5 Environmentally Sensitive Habitat Areas (ESHA)

Coastal Act Section 30240(b) states:

*Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

In March of 1993, the U.S. Fish and Wildlife Service listed the Pacific Coast population of the Western snowy plover as "threatened" under the Endangered Species Act (ESA) of 1973, as amended. The ESA directs Federal agencies to use their authorities to further the purposes of the Act, which include conservation and recovery of listed species. The National Park Service in the Draft Snowy Plover Management Plan of 1998, designated the area between Stairwell 21 (just north of Lincoln Ave) and Sloat Blvd as snowy plover management area. In addition, the area south of the worksite is designated bank swallow habitat. The bank swallow is a California listed threatened species. The subject area is just south of the snowy plover habitat and just north of the bank swallow habitat and is therefore outside of the environmentally sensitive areas.

The proposed maintenance work requires the placement of sand on the beach with accompanying grading and bulldozer work. All construction work, including site access and staging, will occur several hundred feet from the snowy plover and bank swallow habitat areas. Therefore, the Executive Director finds that the proposed project, as conditioned, will not adversely affect the habitat values of the beach in conformance with the requirements of Section 30240(b) of the Coastal Act.

In addition to protecting environmentally sensitive habitat areas from potential impacts of adjacent development, Coastal Act Section 30240(b) also requires that development adjacent to park and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those recreation areas. The proposed sand berm is located on Ocean Beach, which is a component of the Golden Gate National Recreation Area. During construction and maintenance of the berm, public access and recreation in the immediate project area will be interrupted. As discussed in Section 4.4.3 above, extensive public access and recreation opportunities will continue to be provided along the Ocean Beach shoreline immediately up- and down-coast of the project area, and provisions will be made to allow the public to traverse the project site throughout the construction period. Furthermore, the project is required to protect important public access and recreation facilities, including the South Parking Lot and the Great Highway. Therefore, the Commission finds that the proposed development is sited and designed to prevent impacts which would significantly degrade park and recreation areas, and is compatible with the continuance of those recreation areas in conformance with the requirements of Coastal Act Section 30240.

**4.4.6 California Environmental Quality Act**

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect that the activity may have on the environment.

The proposed project has been conditioned to be found consistent with the policies of the Coastal Act and to minimize all adverse environmental effects. The Commission incorporates its findings on Coastal Act policies at this point as if set forth in full. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact, which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, and can be found consistent with Coastal Act requirements to conform to CEQA.

**APPENDIX A**  
**SUBSTANTIVE FILE DOCUMENTS**

Berrigan, Paul, D., Johnson, J.W. 1985. Variations of Wave Attack Along Ocean Beach, San Francisco, California. *Shore & Beach* V. 53(4), pg. 3-9.

CH2M Hill, Inc. 2000. Ocean Beach and Great Highway San Francisco, California Monitoring and Maintenance Plan for Bluff and Shoreline Area South of Sloat Boulevard to Fort Funston Cliffs, Draft. Prepared for the City of San Francisco.

Moffett & Nichols. 1995. Sediment Transport Processes Study Ocean Beach, San Francisco, California. Final Report. Prepared for US Army Corps of Engineers.

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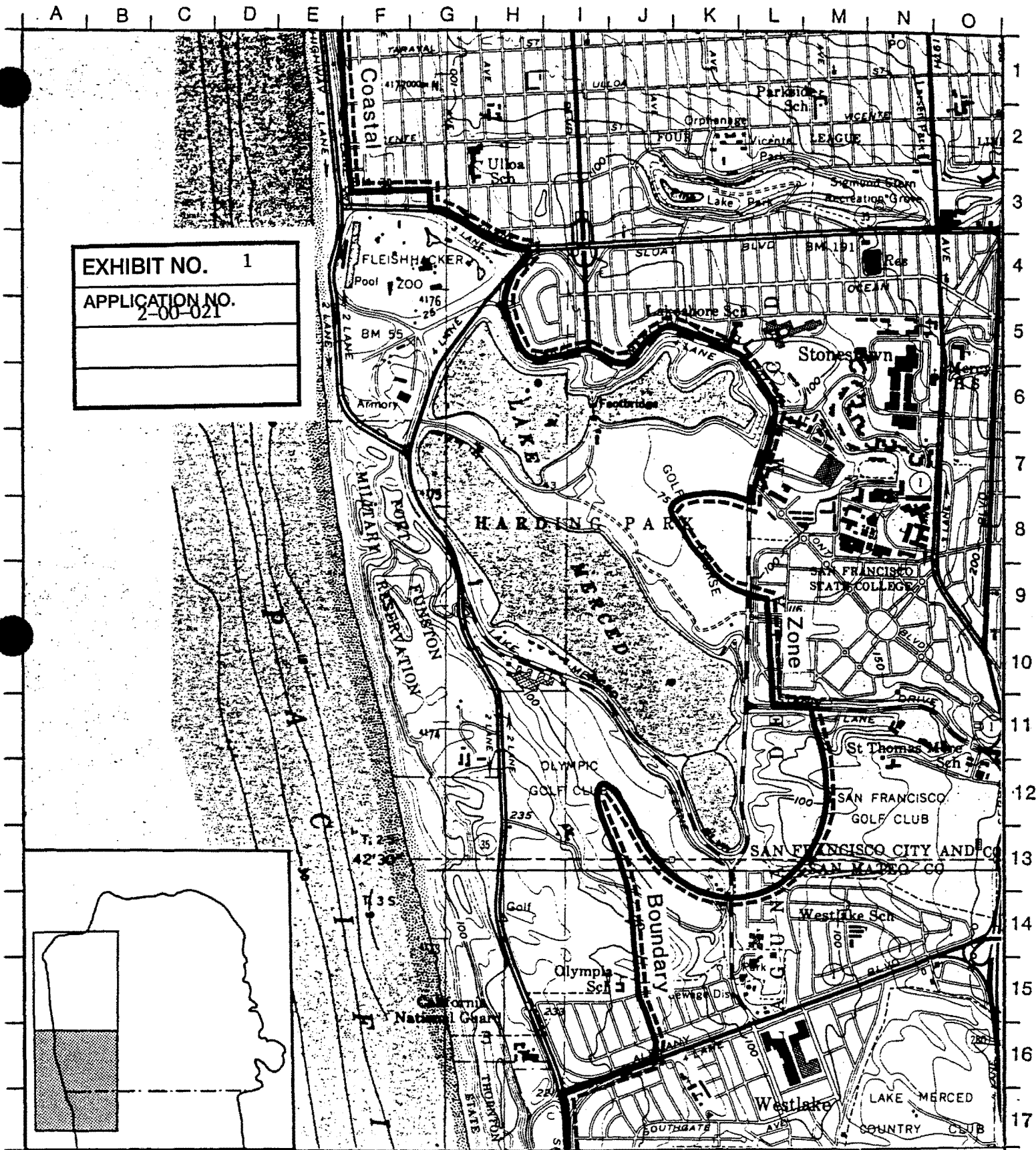
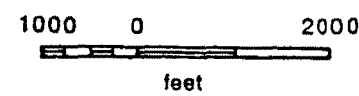
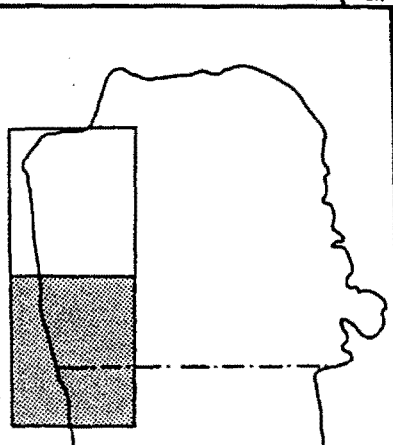


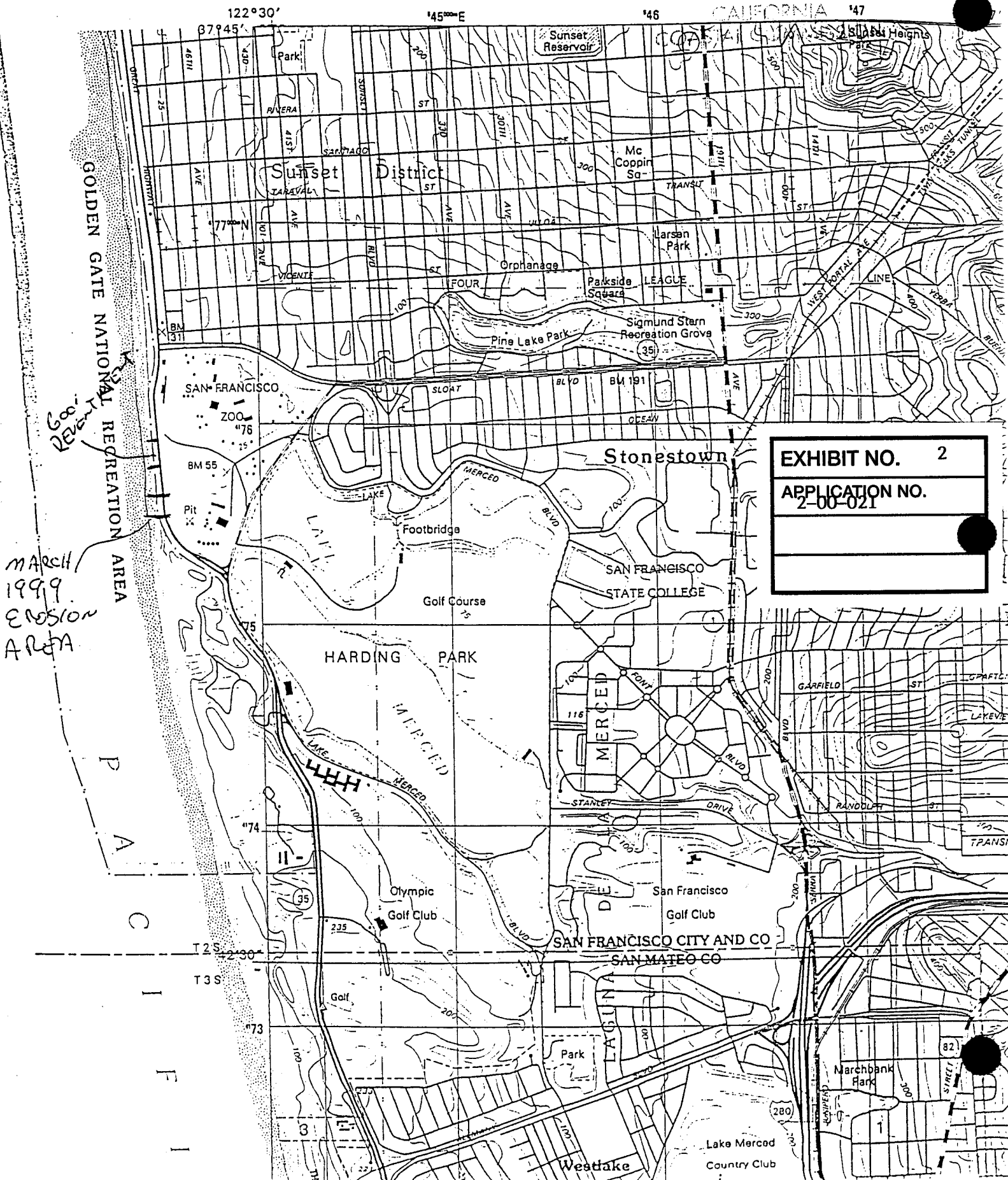
EXHIBIT NO.	1
APPLICATION NO.	2-00-021



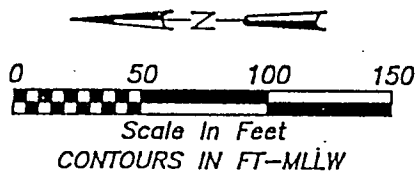
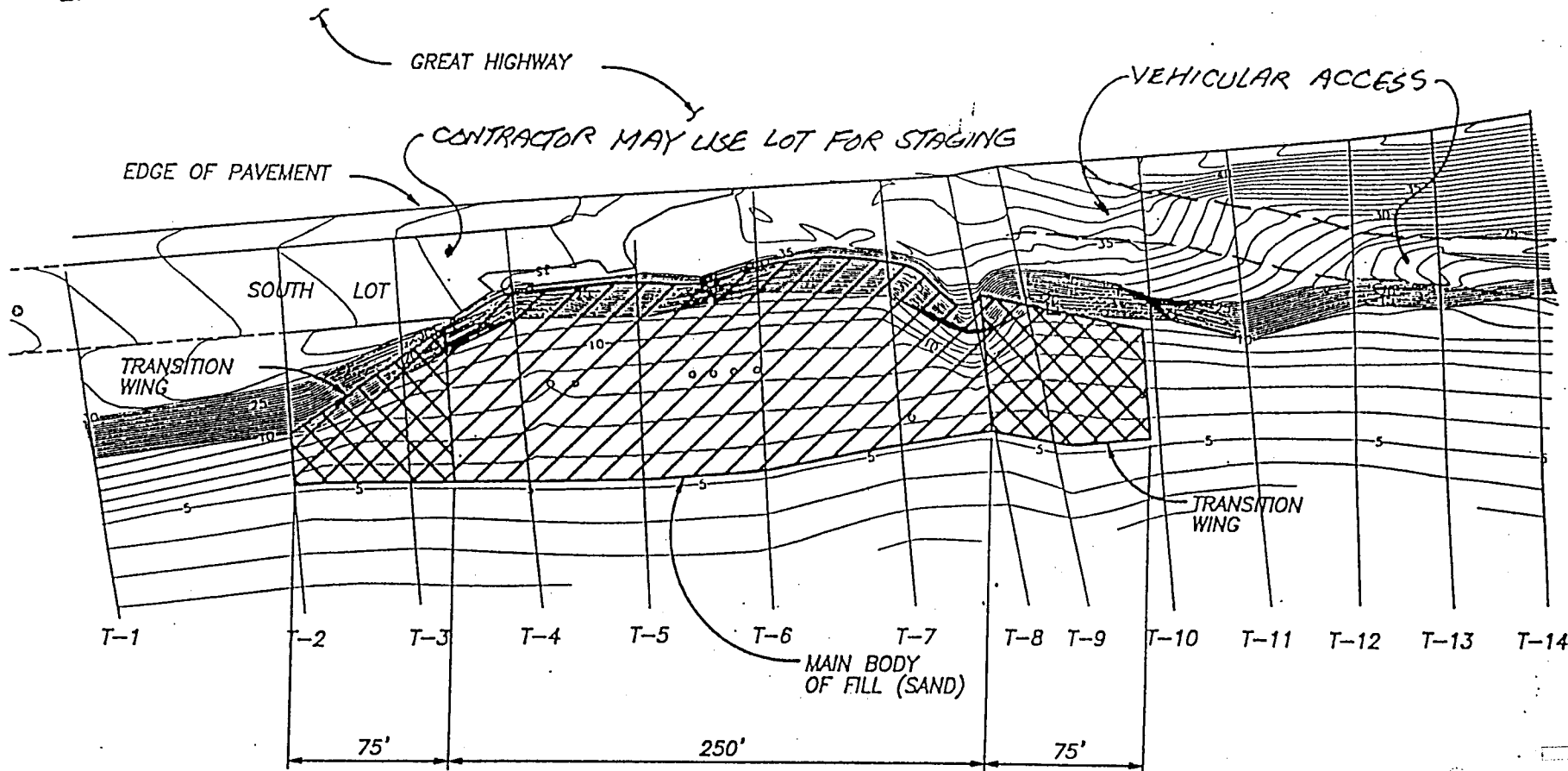
 California Coastal Commission

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

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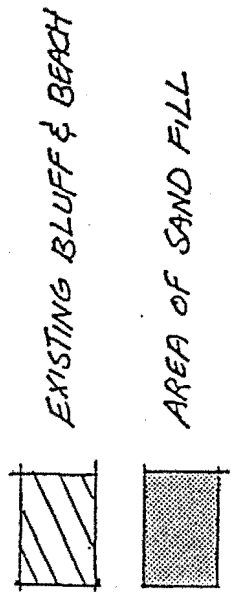
EXHIBIT NO.	3
APPLICATION NO.	2-00-021

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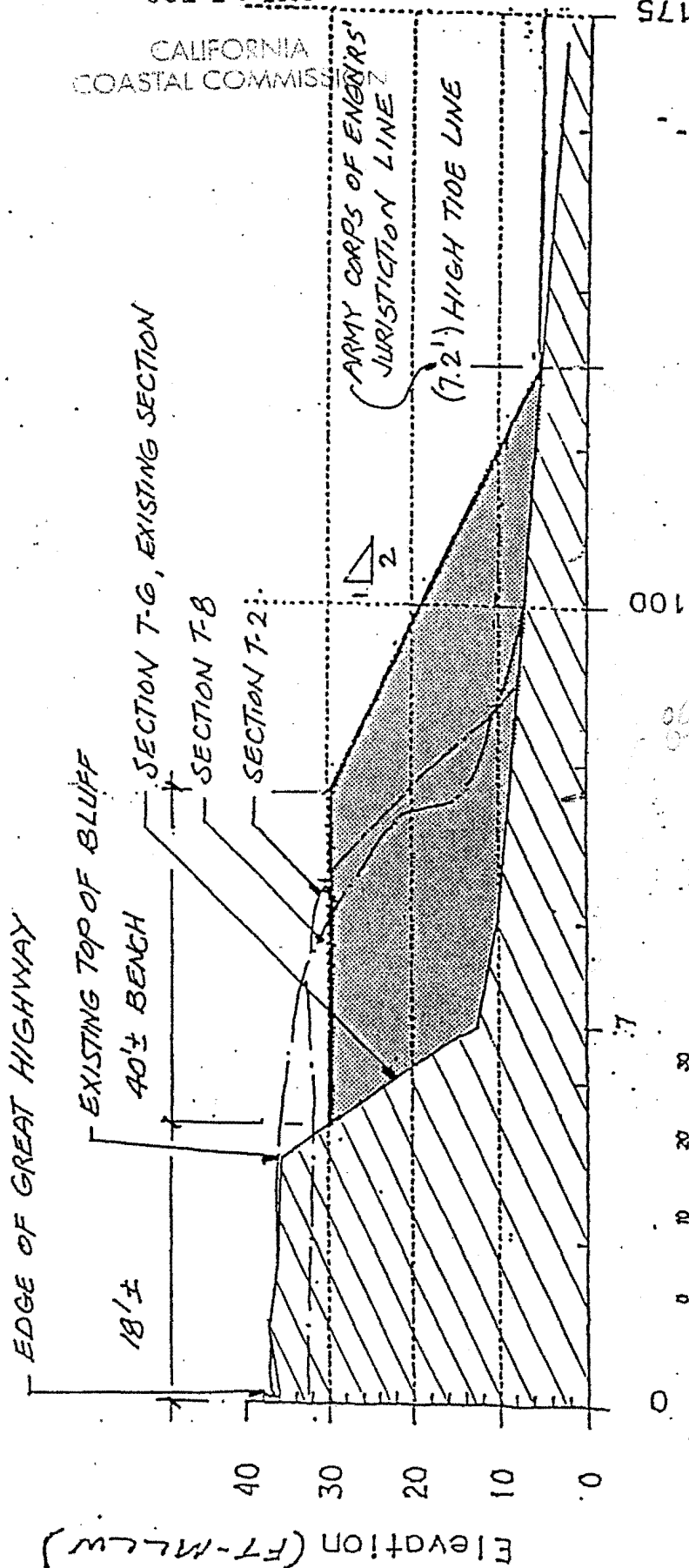
# LEGEND



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TYPICAL PROFILE