

CALIFORNIA COASTAL COMMISSION

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Staff:	CLK-SF
Staff Report:	August 22, 2003
Hearing Date:	September 10, 2003

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 2-02-27

APPLICANT: Shoreview Homeowners

PROJECT DESCRIPTION: Repair and maintenance of existing Shoreview Avenue Revetment and after-the-fact approval of unpermitted rip-rap at 196 Shoreview Avenue.

PROJECT LOCATION: 154 through 220 Shoreview Avenue, Pacifica, San Mateo County. APNs 009-281-080, 090, 100, 110, 310, 150, 170, 320, and 200

EXECUTIVE SUMMARY

This permit application is for repair and maintenance of the existing Shoreview Avenue Revetment, which was originally constructed in accordance with Coastal Development Permit 3-83-172A1 granted by the Commission in November 1983. The proposed repair and maintenance of the Shoreview Avenue Revetment would primarily be accomplished by recovering and repositioning rock that has migrated seaward of the toe of the original revetment and reconstructing the toe to improve the stability of the structure. However, approximately 30 six to eight ton boulders would be imported to replace rock lost from the southern end of the revetment at 212 and 220 Shoreview Avenue and up to eleven additional boulders may be imported as needed to replace rock lost from other sections of the revetment. Reconstruction of the revetment toe would involve temporarily removing existing stone, excavating the keyway, and locking the rock at the toe of the structure into the underlying bedrock formation. The proposed repair and maintenance would remove rock from the beach and surf zone that has migrated seaward of the toe of the structure and reduce the footprint of the structure from its current configuration.

The applicants are also seeking after-the-fact approval for unpermitted rip-rap placed on the beach and bluff at 196 Shoreview Avenue. This property was not included in the original 1983 coastal development permit.

Staff recommends conditional approval of the proposed repair and maintenance project because as conditioned the proposed method of repair and maintenance would improve the structural integrity and stability of the existing structure for the life of the development, minimize the impacts of the existing revetment to public access and visual resources, and would be undertaken in a manner consistent with the water quality and marine resource protection policies of the Coastal Act.

1.0 STAFF RECOMMENDATION

The staff recommends that the Commission approve Coastal Development Permit No. 2-02-027 subject to the conditions in Sections 2.1 and 2.2 below.

Motion:

I move that the Commission approve Coastal Development Permit No. 2-02-027 subject to conditions pursuant to the staff recommendation.

Staff Recommendation of Approval:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Approve the Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or (2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

1.1 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 or 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.

2-02-27 (Shoreview Homeowners)

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.

1.2 Special Conditions

1. Repair and Maintenance.

- A. The permittees shall maintain the existing Shoreview Avenue Revetment at 154 through 220 Shoreview Avenue, for the life of the structure.
- B. This coastal development permit authorizes repair and maintenance activities for a period of 5 years from the date of this approval only if carried out in accordance with all of the following conditions:
 - 1. Maintenance and repairs shall be limited to removal, repositioning, or replacement of rock within the footprint of the existing approved structure. The permittees shall remove or redeposit any debris, rock or material that becomes dislodged from the revetment as soon as possible after such displacement occurs.
 - 2. No expansion or enlargement of the existing Shoreview Avenue Revetment is permitted.
 - 3. Conforms to the requirements of Special Conditions 3 and 4.
- C. The Executive Director may extend the 5-year authorization specified in Subsection B for the approved repair and maintenance activities for a period not to exceed 5 years, or 10 total years from the date of this approval.
- D. Repair and maintenance activities identified in Subsection B shall be completed as soon as possible but no later than 60 days after the discovery of the need for the repair and maintenance activity.
- E. Repair and maintenance activities other than those identified in Subsection B shall require an amendment to this permit or a new coastal development permit.

2. Shoreline Protection Monitoring Plan.

- A. By no later than December 31 of every year for the life of the structure, the permittees shall submit to the Executive Director a monitoring report that has been prepared by a licensed civil or geotechnical engineer or similar licensed professional, with expertise in coastal processes. Each monitoring report shall contain the following:
 - 1. An evaluation of the condition and performance of the revetment, including an assessment of whether any weathering or damage has occurred that could adversely impact future performance of the structure,
 - 2. Plans and/or photographs showing any weak or potential failure areas,
 - 3. An analysis of erosion trends, including identification of exactly where repeatable measurements had been taken, e.g. by reference to benchmarks, survey positions, or points shown on engineering plans,
 - 4. A description and documentation of any migration or movement of rock that has occurred on the site, and

5. Recommendations for repair, maintenance, modifications, or other work to the revetment needed to correct any rock migration or structural damage, failures or weaknesses, including methods and materials to be used.
- B. If a monitoring report contains recommendations for repair, maintenance, or other work, the permittee shall implement such activities consistent with the requirements of Special Condition 1.
3. Construction Responsibilities and Debris Removal. Any and all debris resulting from construction activities shall be removed from the beach immediately. No construction materials or debris shall be placed where they may be subject to wave erosion or dispersion. Keyway excavation and similar work that could potentially impact the marine environment shall be conducted only during the low tide portions of the daily tidal cycle. Operation of construction vehicles on the beach or in intertidal areas shall be avoided wherever possible and is permissible only to the extent that construction vehicles cannot otherwise physically reach areas of the revetment to perform permitted work.
4. Construction Staging Area. Construction machinery and equipment, quarry rock, and other construction materials and/or debris shall not be staged or stored on the beach or in any other area that may interfere with public access to or along the shoreline. All construction equipment, materials, and debris shall be removed from the project site immediately upon project completion.
5. Assumption of Risk, Waiver of Liability and Indemnity Agreement. By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from waves, storm waves, bluff retreat, erosion, and earth movement; (ii) to assume the risks to the applicants and the properties that are the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
6. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that the applicants have executed and recorded against the parcels governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part,

2-02-27 (Shoreview Homeowners)

modification, or amendment thereof, remains in existence on or with respect to the subject properties.

7. State Lands Commission Approval. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the executive director, either (1) approval of the proposed repair project by the California State Lands Commission, or (2) a written determination by the California State Lands Commission that no such approval is required for the project.

2.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

2.1 Project and Site Description

The project site is located along an approximately two-mile section of the Pacifica shoreline that is continuously armored with quarry rock revetments and concrete seawalls extending from Avalon Drive at the north end to south of the Pacifica Municipal Pier at the south end (Exhibits 1 and 2). The proposed project involves repair and maintenance of the approximately 650-foot long Shoreview Avenue Revetment extending from 154 to 220 Shoreview Avenue (Exhibit 3).

The Shoreview Avenue Revetment was originally constructed in accordance with Coastal Development Permit 3-83-172A1 granted by the Commission in November 1983. The proposed repair and maintenance project would primarily be accomplished by recovering and repositioning rock that has slumped or fallen seaward of the toe of the revetment as originally constructed and the reconstruction of the toe to re-stabilize the structure (Exhibit 4). In addition, the applicants propose to import approximately 30 six to eight-ton boulders to replace rock lost from the southern end of the revetment at 212 and 220 Shoreview Avenue and up to eleven additional boulders as needed to replace rock lost from other sections of the revetment. Reconstruction of the revetment toe would involve temporarily removing existing stone, excavating a keyway, and replacing the toe with large, quarry stone to lock the toe of the revetment into the underlying bedrock formation. The proposed repair and maintenance would reduce the footprint of the revetment from its current configuration by pulling the toe of the structure back toward the shoreline and removing slumped and fallen rock from the beach.

One of the properties included in the proposed repair and maintenance project is not covered under the original permit. The owner of 196 Shoreview Avenue elected not to participate in the project approved in 1983 for the construction of the Shoreview Avenue Revetment. Thus, as approved, a gap existed in the revetment at 196 Shoreview Avenue. However, sometime since 1983, quarry stone rip-rap was placed on the bluff and beach to fill the gap in the revetment at 196 Shoreview Avenue without an approved coastal development permit in violation of the permit requirements of the Coastal Act. The applicants are seeking after-the-fact authorization for the unpermitted placement of rip-rap at 196 Shoreview Avenue as part of this permit application.

In addition to the gap in the revetment at 196 Shoreview Avenue, the properties at either end of Shoreview Avenue, numbers 140 and 146 on the north end, and 236 and 244 at the south end, were not included in the project approved by the Commission in 1983. The City of Pacifica Public Works Department placed additional rip-rap on the beach and bluff in front of these properties pursuant to Emergency Coastal Development Permits 1-98-15-G and 1-98-18-G

2-02-27 (Shoreview Homeowners)

granted by the Executive Director in 1998. These emergency permits granted temporary authorization for the placement of rip-rap, specifying that the City must either remove the rock within 150 days of the date of the permits or City obtain regular coastal development permits from the Commission granting permanent authorization of the development. The temporary authorization granted under these emergency permits expired in 1999. However, the City has neither removed the rock placed at these properties nor submitted an application for regular coastal development permits for the development undertaken. Thus, the rip-rap placed at 140, 146, 236, and 244 Shoreview Avenue is now unpermitted in violation of the Coastal Act.

The City has indicated through recent correspondence with Commission Enforcement staff that it intends to seek after-the-fact approval of the unpermitted rip-rap at 140, 146, 236, and 244 Shoreview Avenue through a separate coastal development permit application.

2.2 Other Agency Approvals

2.2.1 California State Lands Commission

A portion of the revetment is located seaward of the Mean High Tide Line on state tidelands. As such, the proposed repair project must be authorized by the California State Lands Commission. Accordingly, **Special Condition 7** requires as a prerequisite to the issuance of the coastal development permit that the applicants provide the Executive Director written verification of either: (1) approval of the proposed repair project from the SLC, or (2) a determination by the SLC that no such approval is required for the project.

2.3 Permit Authority, Extraordinary Methods of Repair and Maintenance, Shoreline Protection Structures

Coastal Act Section 30610(d) generally exempts from Coastal Act permitting requirements the repair or maintenance of structures that does not result in an addition to, or enlargement or expansion of the structure being repaired or maintained. However, the Commission retains authority to review certain extraordinary methods of repair and maintenance of existing structures which involve a risk of substantial adverse environmental impact as enumerated in Section 13252 of the Commission regulations.

Section 30610 of the Coastal Act provides, in relevant part:

Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas: . . .

(d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter. [Emphasis added.]

Section 13252 of the Commission regulations provides, in relevant part:

(a) For purposes of Public Resources Code section 30610(d), the following extraordinary methods of repair and maintenance shall require a coastal development permit because they involve a risk of substantial adverse environmental impact:

(1) Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:

2-02-27 (Shoreview Homeowners)

(A) Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;

(B) The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;

...

(D) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.

...

(b) Unless destroyed by natural disaster, the replacement of 50 percent or more of a single family residence, seawall, revetment, bluff retaining wall, breakwater, groin or any other structure is not repair and maintenance under section 30610(d) but instead constitutes a replacement structure requiring a coastal development permit.

[Emphasis added.]

The proposed project will not involve replacement of 50% or more of the existing Shoreview Avenue Revetment and is thus considered a repair and maintenance project, rather than a replacement project, under Section 13252 of the Commission's regulations.¹ Section 13252 of the Commission's regulations requires a coastal development permit for extraordinary methods of repair and maintenance enumerated in the regulation. The proposed repair and maintenance involves repair to an existing revetment that would include substantial alteration of the revetment foundation and placement of six to eight-ton quarry stone boulders. The proposed development would also involve use of mechanized equipment on a sand area. The proposed repair and maintenance therefore requires a coastal development permit under Section 13252(a)(1) of the Commission's regulations.

In considering a permit application for a repair or maintenance project pursuant to the above-cited authority, the Commission reviews whether the proposed *method* of repair or maintenance is consistent with the Chapter 3 policies of the Coastal Act. The Commission's evaluation of such repair and maintenance projects does not extend to an evaluation of the conformity with the Coastal Act of the underlying existing development.

2.4 Public Access

Section 30210 of the Coastal Act 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.

Section 30211 of the Coastal Act states:

¹ As noted above, in addition to repair and maintenance of the existing permitted revetment, the applicants are requesting after-the-fact authorization for the placement of rip-rap on the beach and bluff at 196 Shoreview Avenue to fill the gap left in the structure as originally approved. The placement of this additional rock would improve the structural integrity and stability of the revetment overall and is minor in scale in relation to the originally permitted project.

2-02-27 (Shoreview Homeowners)

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.

Public beach access is provided at San Jose Avenue approximately 500 feet south of the project site and approximately 650 feet south of the municipal pier. The proposed development would not affect either of these vertical beach access ways.

The existing revetment was constructed pursuant to a 1983 coastal development permit. Overtime, the revetment has slumped and rock from the revetment has become dislodged and tumbled onto the beach and into the surf zone. As a consequence, the revetment and individual boulders that have become dislodged cover more of the beach than when the project was originally constructed. The proposed repair and maintenance work would reduce the area of the beach covered by the existing revetment by recovering rock that has become dislodged from the beach and surf zone and reconstructing the toe of the revetment in its original location. By reducing the area of beach coverage, the proposed repair and maintenance project would reduce the impacts of the structure to lateral access along the beach.

Special Condition 2 provides for a Shoreline Protection Monitoring Plan, which includes an annual survey of the rock revetment and report to the Executive Director, including a description of any migration or movement of rock that has occurred on the site and recommendations for repair and maintenance to the revetment. In addition, **Special Conditions 1** and **3** require the applicants to remove or replacing any debris, rock or material that becomes dislodged during construction or at any time during the life of the structure as soon as possible. **Special Condition 3** also limits the operation of construction vehicles on the beach and requires that keyway excavation and similar work be conducted only during low tide. **Special Condition 4** prohibits staging or storage of construction equipment, materials or debris on the beach or in other areas that would interfere with public access to or along the shoreline. These conditions together insure that the beach fronting the revetment shall remain free from debris and any rock dislodged from the revetment and that the impacts of the revetment to lateral access along the beach will be minimized.

As conditioned, the Commission finds that the proposed method of repair and maintenance is consistent with Coastal Act Sections 30210 and 30211.

2.5 Marine Environment and Water Quality

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The marine environment immediately adjacent to the Shoreview Avenue Revetment is not characterized by rocky intertidal areas, eelgrass, or other sensitive nearshore habitats. Given its proximity to an urbanized area, the adjacent marine environment appears rather to be adapted to frequent disturbance, and is not likely to be impacted by the proposed development. To

2-02-27 (Shoreview Homeowners)

minimize any potential impacts to the marine environment, **Special Conditions 3 and 4** nevertheless require that keyway excavation and similar work that could potentially affect the marine environment be conducted only during the low tide portions of the daily tidal cycle. **Special Condition 4** further prohibits operation of construction vehicles on the beach or in intertidal areas wherever possible and limits such operation only to work areas that construction vehicles cannot otherwise physically reach.

The Commission finds that the project, as conditioned, will protect the biological productivity and quality of coastal waters and wetlands in conformity with Section 30231 of the Coastal Act.

2.6 Geologic Hazards and Shoreline Erosion

Section 30235 of the Coastal Act states:

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. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30253 of the Coastal Act states:

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.

As discussed above, with the exception of the request for after-the-fact authorization of the unpermitted rip-rap at 196 Shoreview Avenue, the proposed project is limited to repair and maintenance of an existing structure. As such, the Commission's review of the project is limited to a determination of whether the method of repair and maintenance is consistent with the Chapter 3 policies of the Coastal Act. Consideration of this permit application does not require an evaluation of whether the originally permitted revetment conforms to the requirements of the Coastal Act, including whether the revetment is necessary to protect existing structures in danger from erosion or whether it was designed to eliminate or mitigate adverse impacts to shoreline sand supply, because the Commission completed such an evaluation in 1983 when it approved CDP 3-83-172A1. However, because 196 Shoreview Avenue was not included in the 1983 permit, the Commission is required to review the proposed placement of rip-rap within the gap in the revetment at 196 Shoreview Avenue for Coastal Act consistency as if it were a new shoreline protection project.

According to an Engineering Geologic Evaluation prepared by Earth Investigations Consultants dated May 14, 2002, as well as information and findings from the Commission's action on CDP 3-83-172A1, substantial bluff retreat of up to 50 feet occurred in the project area during the 1982/83 storm season. The elevation of the site is approximately 36 feet MSL and the existing residence at 196 Shoreview Avenue is setback approximately 20 feet from the bluff edge. Consequently, the residence is vulnerable to damage from wave run up during high surf events and is in danger from erosion of the bluff and shoreline.

In addition to determining if the existing residence at 196 Shoreview Avenue is in danger from erosion, the Commission must also evaluate whether the proposed placement of rip-rap at this location is necessary to protect the structure from erosion. The placement of rip-rap may not be necessary if it is feasible to protect the structure from erosion through a less environmentally damaging alternative. Potential alternatives could include relocation of the structure away from the bluff edge (retreat) and construction of a vertical seawall.

As shown on Exhibit 3, the lots along Shoreline Avenue are very small with minimal setbacks (generally 10 feet) from Shoreview Avenue. As such, it is not feasible to relocate the structure on the site a sufficient distance from the bluff edge to protect it from erosion hazards. Therefore, retreat is not a feasible alternative in this case. Vertical seawalls generally have a smaller footprint thereby reducing impacts to shoreline access. In addition, vertical walls can be colored and sculpted to simulate the natural bluff formation to minimize visual impacts. As such, vertical seawalls are in many cases preferable shoreline protection structures to rip-rap revetments. However, in this case, the proposed placement of rip-rap at 196 Shoreview Avenue would serve to fill an approximately 77-foot gap in a 650-foot existing revetment to create a uniform structure. Earth Investigation Consultants, strongly recommend against attempting to integrate a vertical wall or other dissimilar designs into the existing revetment as such an approach would degrade the structural integrity of the overall system, stating:

In our opinion, it is unconscionable for any individual property owner to ignore bluff protection or to initiate an independent dissimilar approach to bluff protection because historically such behavior has resulted in damaging consequences...

Furthermore, by creating a uniform structure of one design for the entire length of Shoreview Avenue, the proposed placement of rip-rap at 196 Shoreview would be less visually obtrusive than construction of a different type of structure at this one property. Based on this information, the Commission finds that the proposed placement of rip-rap at 196 Shoreview Avenue is necessary to protect an existing structure in danger from erosion.

The proposed development is located on the Pacifica shoreline, in an area subject to inundation and extreme wave forces, as well as shoreline retreat and erosion. The location of the revetment and the adjacent residences expose these structures to powerful shoreline processes. The construction of shoreline protection structures involving the use of heavy construction equipment and the placement of large boulders is inherently hazardous. Because the applicants voluntarily propose to undertake an inherently hazardous activity, the Commission imposes **Special Condition 5**, requiring the applicants to assume the risks of any injury or damage from such hazards, waive any claim of liability against the Commission for such injury or damage, and indemnify the Commission against any resulting third party claims or liability. **Special Condition 6** requires the applicants to record a deed restriction informing future owners of the affected properties of the Special Conditions of the permit, including the requirement that the permittees assume the risks of and waive any claim of liability as well as the requirement to indemnify the Commission.

Section 30253 requires that new development shall minimize risks to life and property and assure stability and structural integrity, and neither create nor contribute to erosion or geologic stability. The proposed repair and maintenance project has been designed and approved by Skelly Engineering, a licensed engineer. The purpose of the proposed project is to maintain and repair

2-02-27 (Shoreview Homeowners)

the existing Shoreview Avenue Revetment, and is designed to improve the stability and structural integrity of the existing structure.

Special Condition 1 requires the applicants to maintain and repair the existing revetment for the life of the structure. **Special Condition 2** requires the applicants to monitor the revetment to assess movement of the revetment and to prevent future failure. The Commission finds that these measures are necessary to ensure that the proposed repair and maintenance project would minimize risks to life and property and assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

The Commission finds that the project is conditioned to minimize risks to life and property, and that the proposed repair and maintenance would improve the stability and structural integrity of the existing Shoreview Avenue Revetment. Therefore, the Commission finds that the proposed method of repair and maintenance is consistent with Coastal Act Section 30253.

2.7 Visual Resources

Section 30251 of the Coastal Act states, in applicable 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.

Special Condition 1 requires the applicants to maintain the Shoreview Avenue Revetment for the life of the structure. Accordingly, the applicants must remove or redeposit any debris, rock or material that becomes dislodged from the revetment as soon as possible after such displacement occurs. **Special Condition 2** requires the applicants to submit an annual monitoring report to the Executive Director to enable Commission staff to verify compliance with the above-stated maintenance requirements. In addition, **Special Conditions 3 and 4** prohibit the staging or storage of construction equipment, materials, or debris on the beach during project construction and require removal of all equipment, materials, and debris from the project site upon project completion. These conditions are necessary to minimize the impacts of the proposed repair and maintenance work to coastal views and the scenic quality of the surrounding area. As conditioned, the Commission finds that the proposed repair and maintenance project is consistent with Coastal Act Section 30251.

2.8 Alleged Violation

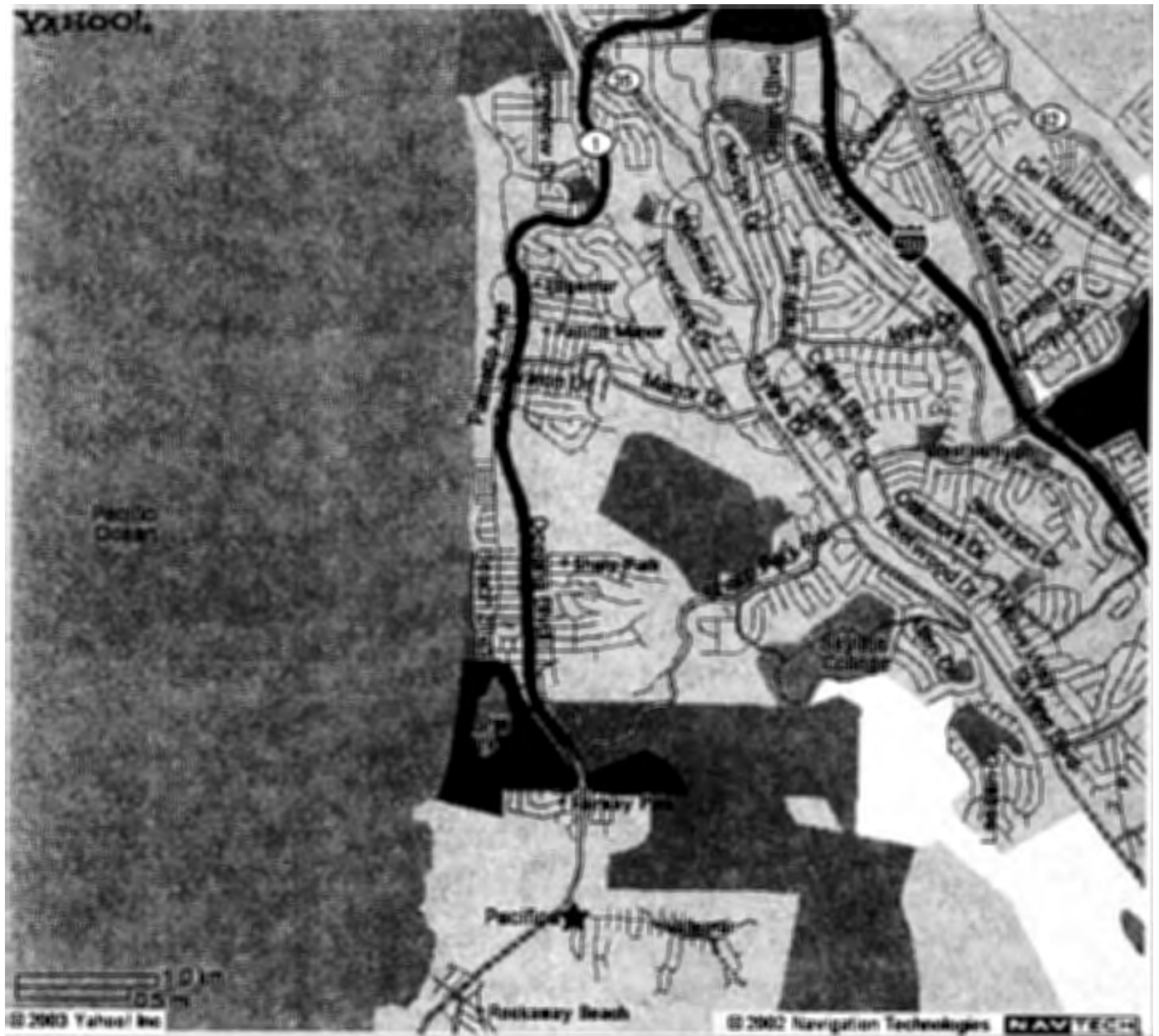
Sometime after November 1983, without benefit of a coastal permit, the applicants undertook development consisting of the placement of rip-rap on the bluff and beach at 196 Shoreview Avenue. In December 2002, the applicants applied for after-the-fact authorization of the above-mentioned development.

Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the policies of the LCP and the public access and public recreation policies of Chapter 3 of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to the alleged violation, nor does it constitute an admission as to the legality of any development undertaken on the site without a coastal permit.

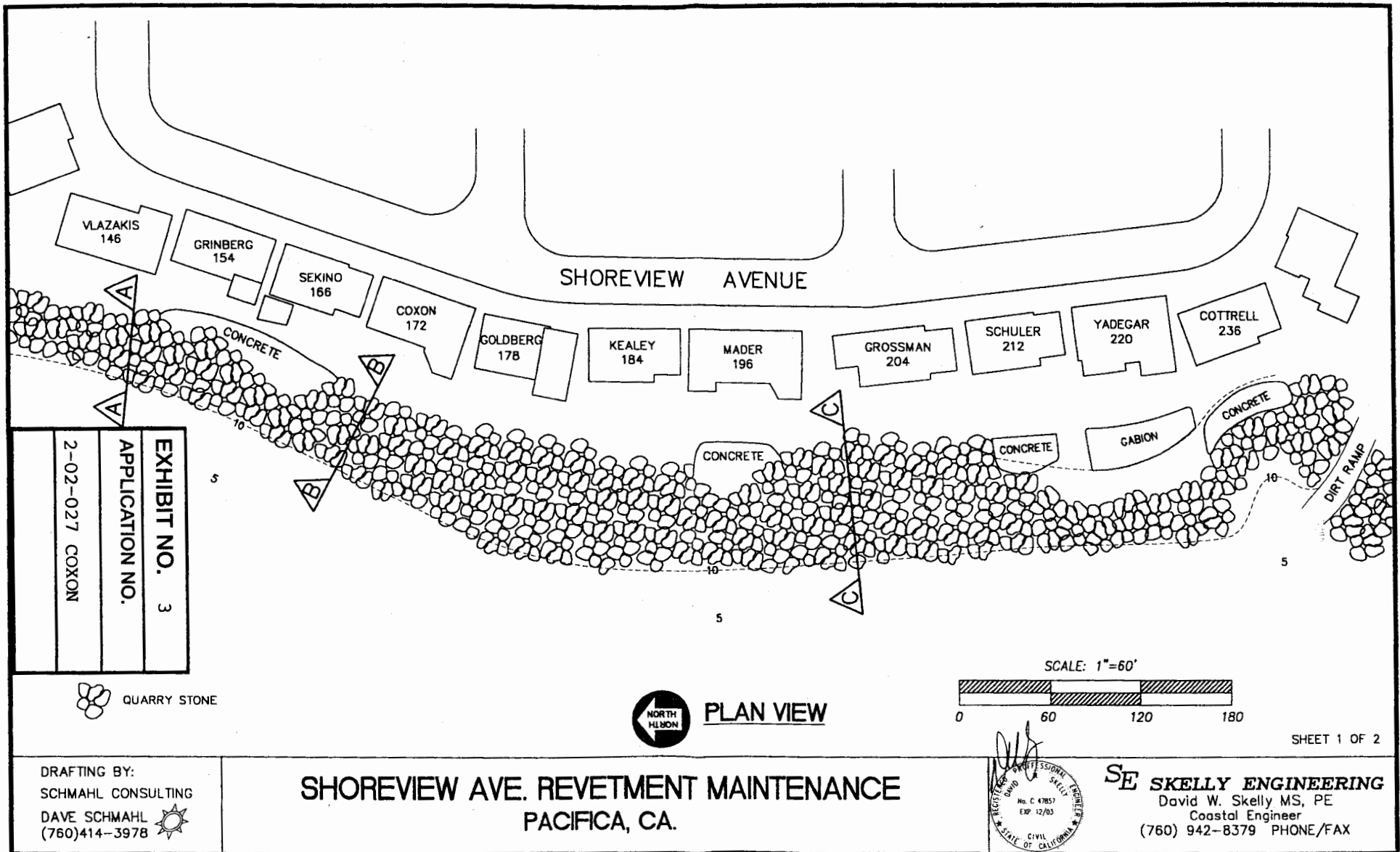
3.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing that 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 effects which the activity may have on the environment.

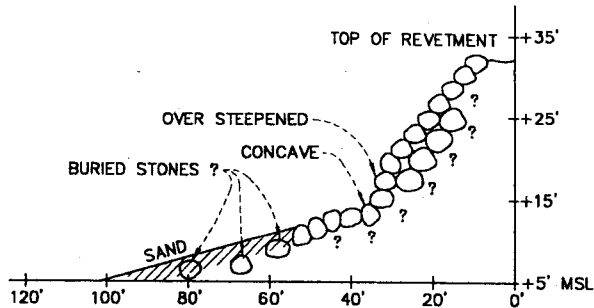
The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. The proposed project has been conditioned to mitigate or eliminate any significant impacts to public access, the marine environment, geologic hazards and visual resources. As discussed above, as conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impacts which the development may have on the environment. Therefore, the Commission finds that the proposed project has been conditioned to mitigate the identified impacts and can be found consistent with Coastal Act requirements to conform to CEQA.



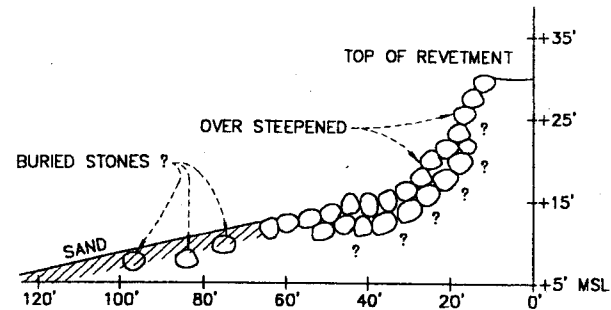
2-02-27 Exhibit 1
Regional Location Map



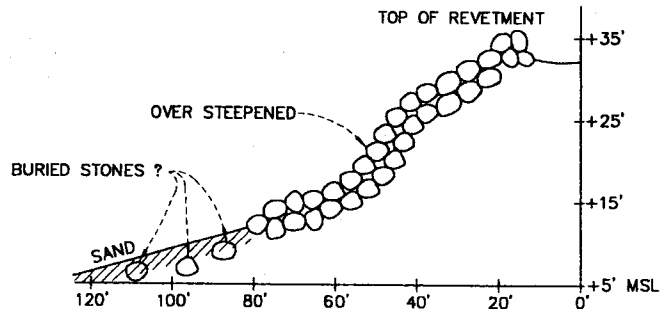
SECTION A
SHOREVIEW AVENUE
PACIFICA



SECTION B
SHOREVIEW AVENUE
PACIFICA



SECTION C
SHOREVIEW AVENUE
PACIFICA



**SHOREVIEW REVETMENT
MAINTENANCE DESIGN
PROFILE**

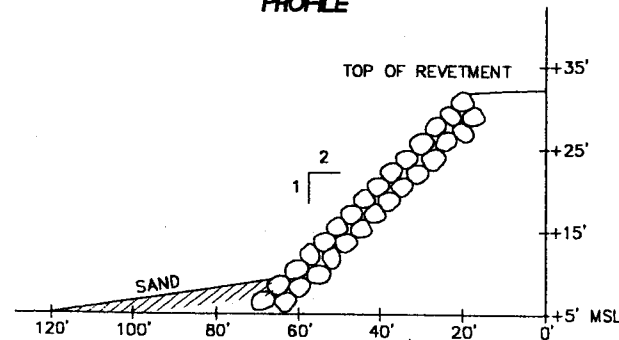


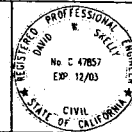
EXHIBIT NO. 4
APPLICATION NO.
2-02-027 COXON

SHEET 2 OF 2

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