

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 2-01-26-A1

APPLICANT: City of Pacifica
 George Vlazakis
 Patricia Cottrel

PROJECT DESCRIPTION: Permanent authorization of riprap revetments constructed in 1998 at two locations under emergency coastal development permits, within existing gaps in an approximately two-mile section of the Pacifica shoreline that is continuously armored with quarry rock revetments and concrete seawalls.

PROJECT LOCATION: 140 (City of Pacifica) and 146 (Vlazakis) and 236 (Cottrel) and 244 (City of Pacifica) Shoreview Avenue, Pacifica, San Mateo County. APNs 009-281-060, 070, 220, and 230

EXECUTIVE SUMMARY

In 1998, the City of Pacifica Public Works Department constructed two riprap revetments on the beach and bluff at 140 and 146 and 236 and 244 Shoreview Avenue pursuant to Emergency Coastal Development Permits 1-98-15-G and 1-98-18-G to protect a City sewer line, and two storm water outfalls in danger from erosion of the shoreline. The revetments also serve to protect the existing single-family residences at 146 and 236 Shoreview Avenue. The 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 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 obtained Commission approval of 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 applicant's are seeking after-the-fact approval of the

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unpermitted riprap at 140, 146, 236, and 244 Shoreview Avenue through this coastal development permit amendment application.

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 1,2, and 3). This project involves the placement of rock revetments within existing gaps within this two-mile section of the shoreline.

Staff recommends conditional approval of the proposed development because the revetments are necessary to protect existing structures in danger from erosion, will minimize impacts on shoreline sand supply, and as conditioned the project would minimize impacts 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 Amendment No. 2-01-026-A1 subject to the conditions in Sections 2.1 and 2.2 below.

Motion:

I move that the Commission approve Coastal Development Permit Amendment No. 2-01-026-A1 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 amendment 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 amendment 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 amendment 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

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3. 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.
4. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittees 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 approved revetments at 140 and 146 and at 236 and 244 Shoreview Avenue for the life of the structures. The City shall be responsible to maintain the approved revetments to protect the City stormwater facilities within the existing easements at 140 and 244 Shoreview Avenue. The landowners at 146 and 236 Shoreview Avenue shall be responsible for maintaining the approved revetments adjacent to their respective properties.
- B. This coastal development permit only 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 minor 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 revetment is permitted.
 3. Maintenance and repair shall conform 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 5th 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,

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2. Plans and/or photographs showing any weak or potential failure areas,
 3. Provisions for installation of three fixed benchmarks at each of the two revetments (one set of three benchmarks at 140 and 146 Shoreview, and second set of three benchmarks at and 236 and 244 Shoreview Avenue) to be located directly behind the revetment, spaced evenly, which shall be surveyed in within 60 days of the issuance of this permit.
 4. Provisions for submission of "as-built" plans, showing the permitted structure in relation to the existing topography and showing the measurements described in subsection (A)(3) of this Special Condition above, within 60 days of the issuance of this permit.
 5. Provisions for taking revetment and beach profile measurements annually every fall by a licensed professional engineer or surveyor along range lines perpendicular to the seawall at each fixed benchmark. Measurements shall include elevations taken along the range lines at intervals of not more than five feet for a distance from the benchmarks of not less than 60 feet with baseline survey information plotted to compare changes along each range line;
 6. 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.
 7. A description and documentation of any migration or movement of rock that has occurred on the site, and
 8. 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 or repair and maintenance 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.

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5. Assumption of Risk, Waiver of Liability and Indemnity Agreement. By acceptance of this permit, the permittees 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. WITHIN 60 DAYS OF THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, or within such additional time that the Executive Director may grant for good cause, the land owners at 146 and 236 Shoreview Avenue shall submit to the Executive Director for review and approval documentation demonstrating that they have executed and recorded against their respective 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, modification, or amendment thereof, remains in existence on or with respect to the subject properties.
7. State Lands Commission Approval. WITHIN 60 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT APPLICATION, or within such additional time that the Executive Director may grant for good cause, the permittees shall submit, for the review and approval of the executive director, either (1) evidence of approval of the proposed project by the California State Lands Commission, including a copy of an executed lease agreement with the California State Lands Commission authorizing the placement of the revetment on state owned lands, or (2) a written determination by the California State Lands Commission that no such approval or lease is required for the project. If the permittees cannot obtain the above-required approval or written determination from the State Lands Commission, the permittees shall immediately apply for an amendment to this coastal development permit.
8. Permit Expiration and Condition Compliance

Because the proposed development has already commenced, this coastal development permit shall be deemed issued upon the Commission's approval and will not expire. Failure to comply with the special conditions of this permit may result in the institution of action to enforce those conditions under the provisions of Chapter 9 of the Coastal Act.

2.0 FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

2.1 Project and Site Description

In 1998, the City of Pacifica Public Works Department constructed two riprap revetments on the beach and bluff at 140 and 146 (approximately 120 linear feet) and 236 and 244 Shoreview Avenue (approximately 150 linear feet) pursuant to Emergency Coastal Development Permits 1-98-15-G and 1-98-18-G to protect a City sewer line, and two storm water outfalls in danger from erosion of the shoreline. The revetments also serve to protect the existing single-family residences at 146 and 236 Shoreview Avenue. The 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 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 obtained Commission approval of regular coastal development permits for the development undertaken. Thus, the riprap placed at 140, 146, 236, and 244 Shoreview Avenue is now unpermitted in violation of the Coastal Act. The applicants are seeking after-the-fact approval of the unpermitted riprap at 140, 146, 236, and 244 Shoreview Avenue through this coastal development permit amendment application. Additionally, subsequent to the placement of the riprap, the City has relocated the sewer line located between 236 and 244 Shoreview Avenue, and no longer requires protection of that facility. However, the riprap, which provided protection for the sewer line, also provides protection for the City storm water outfall located in this same easement, and the property at 236 Shoreview Avenue.

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 1,2, and 3). This project involves the placement of rock revetments within existing gaps within this two-mile section of the shoreline.

2.2 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.

According to an Engineering Geologic Evaluation prepared by Earth Investigations Consultants dated May 14, 2002, as well as the findings from the Commission's action on CDP 3-83-172A1, which is the more comprehensive shoreline protection permit encompassing this section of coast, substantial bluff retreat of up to 50 feet occurred in the project area during the 1982/83 storm season. In 1998, severe storms caused additional bluff retreat, exposing City sewer lines and storm drains outfalls, and threatening existing residences at 146 and 236 Shoreview Avenue with erosion. As discussed above, the Commission issued Emergency Coastal Development Permits 1-98-15-G and 1-98-18-G to protect the City sewer line, two storm water outfalls, and these two residences in danger from erosion of the shoreline (Exhibit 4). In 1998, pursuant to these Emergency Permits, the City placed riprap to protect these facilities and residences within existing gaps in an approximately two-mile section of the Pacifica shoreline that is continuously armored with quarry rock revetments and concrete seawalls. Houses in this area, including the residences at 146 and 236 Shoreview Avenue, are generally located close to the bluff edge, with little area between the house and rock revetment (Exhibit 3). As evidenced by the existence of extensive shoreline armoring in this portion of Pacifica, shoreline erosion continues to be a significant threat to residences and public facilities in this area.

In addition to determining if the existing residential development and public infrastructure are in danger from erosion, the Commission must also evaluate whether the proposed placement of riprap is necessary to protect these structures from erosion. The placement of riprap may not be necessary if it is feasible to protect the structures from erosion through less environmentally damaging alternatives. 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 existing residences at 146 and 236 Shoreview Avenue a sufficient distance from the bluff edge to protect them from erosion hazards. In addition, storm water outfalls cannot be relocated a sufficient distance from the bluff edge to protect them from erosion hazards because of their proximity to residences at 140, 146, 236, and 244 Shoreview Avenue. 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 riprap revetments. However, in this case, the proposed placement of riprap would serve to fill gaps in an 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...

Some of the effects of a shoreline protective structure on the beach such as scour, end effects and modification to the beach profile are temporary or difficult to distinguish from all the other actions that modify the shoreline. In the case of the proposed project, end effects and wave refraction caused significant erosion to occur in areas without shoreline protection. This erosion resulted in the emergency placement of riprap revetments on the beach and bluff at 140 and 146

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and 236 and 244 Shoreview Avenue pursuant to Emergency Coastal Development Permits 1-98-15-G and 1-98-18-G to protect residences, a City sewer line, and two storm water outfalls.

Furthermore, by creating a uniform structure of one design for the entire length of Shoreview Avenue, the proposed placement of riprap would be less visually obtrusive than construction of a different type of structure at the four parcels addressed in this permit amendment. Based on this information, the Commission finds that the proposed placement of riprap at 140, 146, 236, and 244 Shoreview Avenue is necessary to protect existing structures in danger from erosion.

The proposed revetment would have a minimal impact on sand supply in the area due to the short lengths of shoreline affected by the project and the extensive shoreline armoring along this portion of the coast. Compared to longshore sand transport, the amount of sand that would be retained by the revetments is relatively small. As stated above, because of the already extensive armoring existing along this area of the coast, in the case of the proposed project, end effects and wave refraction have previously caused significant erosion to occur in the areas without shoreline protection. The two areas of riprap placement associated with the proposed project are each approximately 120 to 150 feet in length (adjacent to 140 and 146 Shoreview, and 236 and 244 Shoreview, respectively). Sand replenishment is generally not suited to shorter lengths of shoreline of a few hundred feet and would require ongoing replenishment program and continuing costs. There also is no sand replenishment program for this area of the Pacifica shoreline. In addition, any sand replenishment program also would result in additional environmental impacts from hundreds of truck trips required to deliver sand. As a result, based on available information, sand replenishment is not a feasible less environmentally damaging alternative to the proposed infill revetment.

Coastal Act section 30235 also requires that new shoreline structures eliminate or mitigate impacts to local shoreline sand supply. As discussed, sand replenishment is not a feasible alternative in this case. Nor would it provide a meaningful sand supply to the local system relative to the larger sand supply dynamics of this section of coast. In addition, the impacts of these in-fill revetments on local sand supply are relatively small. Finally, inasmuch as the concerns for local sand supply are related to maintaining beaches for public access and recreation, the requirements of 30235 are addressed through the public access mitigations discussed below. In the context of the two-mile armored stretch of coast, including previous Commission approvals of the large revetment in the immediate project area, as well as the benefits of these in-fill projects for the surrounding Shoreview revetment (see below), the projects are consistent with section 30235.

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 or repair and maintenance of shoreline protection structures involving the use of heavy construction equipment and the placement of large boulders are inherently hazardous. Because the applicants voluntarily propose to undertake inherently hazardous activities, 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

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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 project has been designed and approved by Skelly Engineering, a licensed engineer. The purpose of the proposed project is to protect the existing structures, and is conditioned to maintain the stability and structural integrity of the existing Shoreview Avenue Revetment 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 project would improve the stability and structural integrity of the existing Shoreview Avenue Revetment. Therefore, the Commission finds that the proposed project is consistent with Coastal Act Section 30253.

2.3 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:

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 revetments are both in-fill projects, and would cover approximately 400 square feet of beach in between existing revetments. Given their character and the surrounding revetment, though, these areas that would be covered do not provide a significant beach access resource. In addition, after project completion, unimpeded lateral passage along the beach should be possible at all but extreme high tide. Nonetheless, there is an on-going impact to beach access and recreation that must be mitigated given the encroachment and the possibility of long-run erosion of beach in front the revetments. With the special conditions described below, impacts to public access will be minimized over the long run. In particular, required maintenance and monitoring of the revetment will assure that the project does not adversely impact beach resources beyond its immediate footprint.

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 project is consistent with Coastal Act Sections 30210 and 30211.

2.4 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 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 in conformity with Section 30231 of the Coastal Act.

2.5 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.

As previously discussed, this portion of the Pacifica shoreline is extensively armored with rock revetments. The proposed placement of riprap will create a uniform structure of one design for the entire length of Shoreview Avenue, and would be less visually obtrusive than construction of different types of structures at these properties. However, conditions are necessary to minimize the impacts of the proposed project on coastal views and the scenic quality of the surrounding area.

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. As conditioned, the Commission finds that the proposed project is consistent with Coastal Act Section 30251.

2.6 Alleged Violation

Emergency permits previously 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 obtained Commission approval of 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. Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the cited alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject 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.

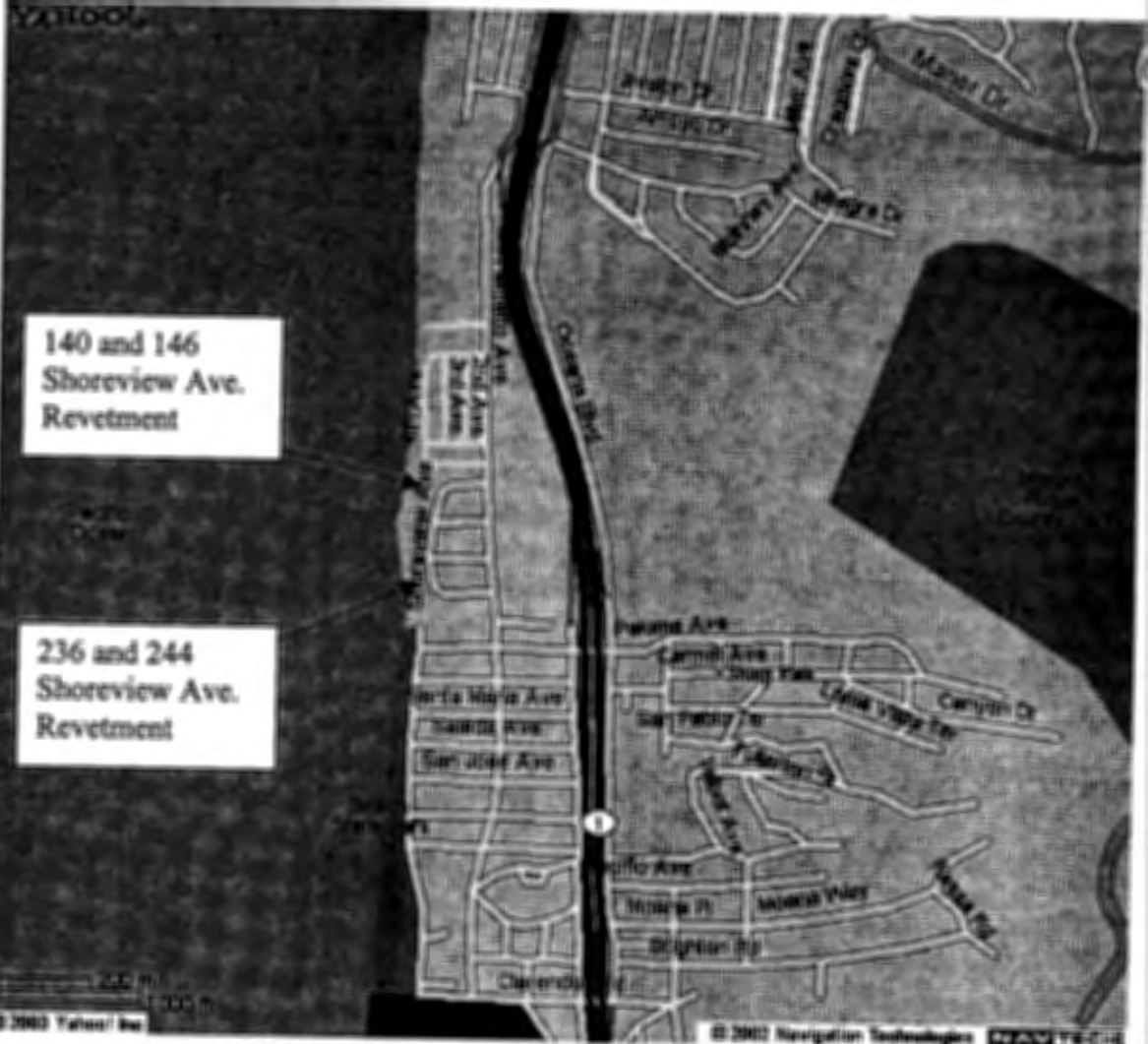
The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. This staff report responds to all comments that have been received prior to preparation of this report. The proposed project has been conditioned to mitigate or eliminate any significant impacts 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

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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.



2-01-26-A1Exhibit 1
Regional Location Map

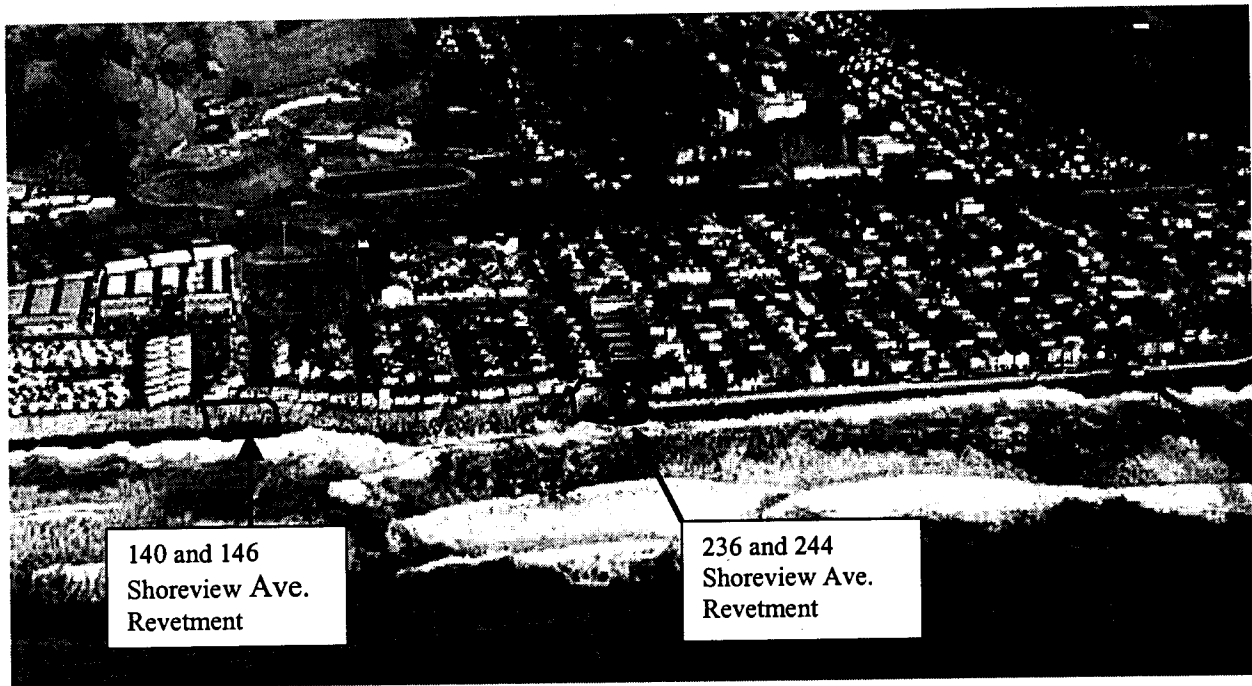


2-01-26-A1Exhibit 2
Project Location Map

2-01-26-A1Exhibit 3

Regional Photo

Pacifica Shoreline – Avalon Drive to Pacific Ave.



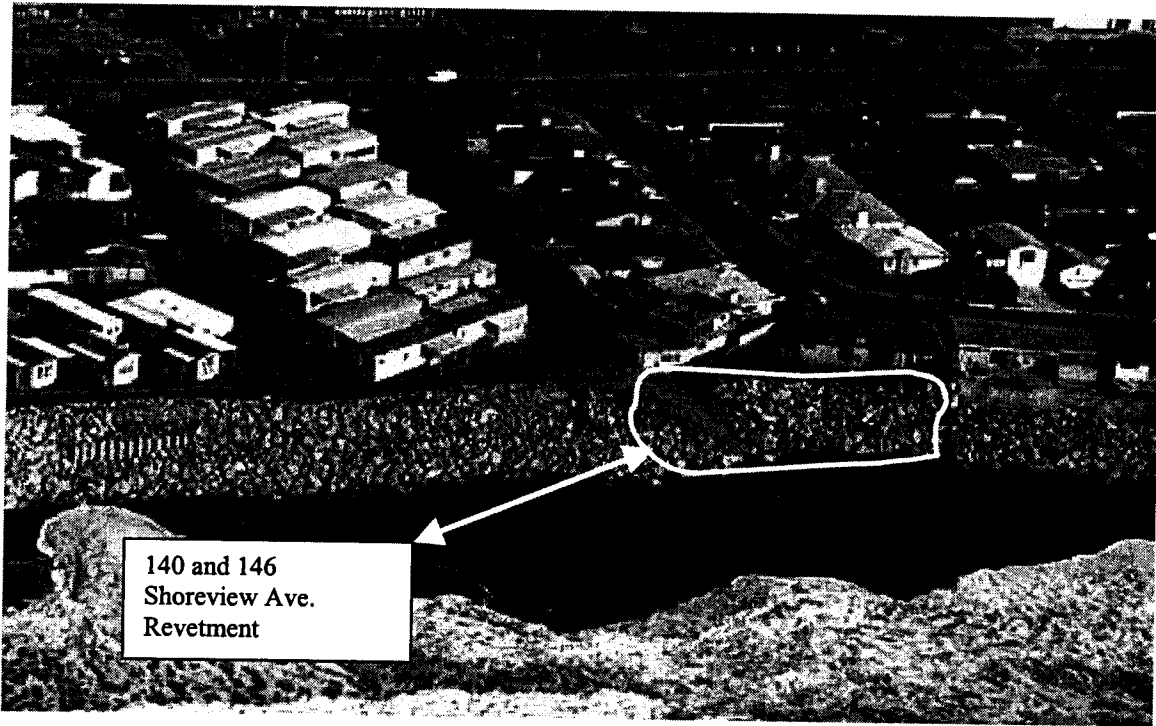
California Coastal Records Project

N37 38.45 W122 30.34

Image 13168 Thu Nov 14 15:20:29 2002

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2-01-26-A1 Exhibit 4
Photo of 140 and 146 Shoreview Ave. Revetment

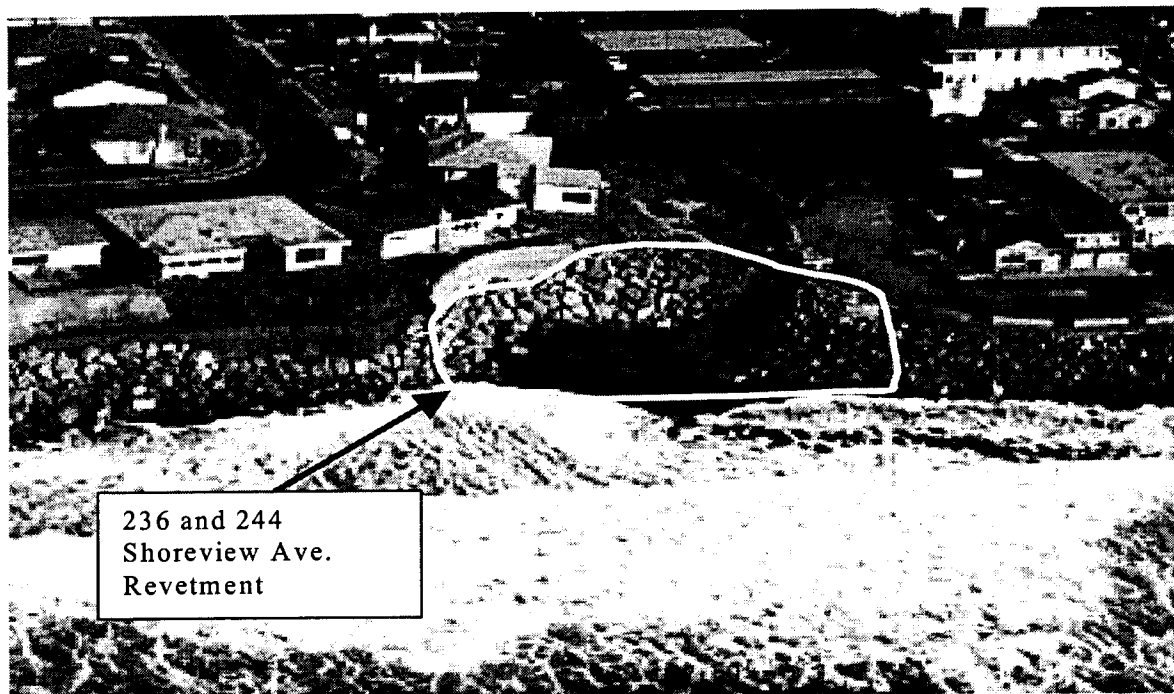


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2-01-26-A1 Exhibit 5
Photo of 236 and 244 Shoreview Ave. Revetment



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