

**CALIFORNIA COASTAL COMMISSION**

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**W6a**

July 12, 2016

TO: California Coastal Commission and Interested Parties

FROM: John Ainsworth, Acting Executive Director

SUBJECT: Executive Director's Report, July 2016

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Significant reporting items for the month. [Strategic Plan](#) (SP) reference provided where applicable:

**LCP Program Status – San Diego County (SP Goal 4)**

The San Diego county coastal zone, extending south from the Orange County line to the Mexican border, is rich in resources and geographic diversity. The County shoreline, including the shoreline of San Diego Bay and Mission Bay but excluding the lagoons is approximately 167 miles long. It contains a wide variety of significant coastal resources including major state and local beaches, marine terraces, and bluffs, coastal marshes, estuaries and lagoons and canyon-cut mesas, seaside beach communities, significant urban development, state university campus lands, cultural resources, recreational harbors and the Port of San Diego, one of the four ports identified in Chapter 8 of the Coastal Act. There are also major federal lands within the county, including Camp Pendleton Marine Corps Base, numerous U.S. Navy facilities adjacent to San Diego Bay (such as the North Island Naval Air Station, Naval Amphibious Base, Naval Station San Diego and Naval Submarine Base), as well as the Tijuana River National Estuarine Research Reserve (NERR).

The coastal zone area totals approximately 137 square miles of the County's 4,526 square miles of total land area. The unincorporated coastal area of San Diego County contains no lands along the oceanfront, but the county coastal area includes the shoreline of 10 cities: Oceanside, Carlsbad, Encinitas, Solana Beach, Del Mar, San Diego, Coronado, National City, Chula Vista, and Imperial Beach.

LCPs for all but four jurisdictions or segments have been certified. The certified LCPs, some with several segments, were certified from 1986 through 2001. The Port Master Plan for the Port of San Diego was certified in 1980. Not yet effectively certified are San Diego County, the City of Carlsbad Agua Hedionda segment, the City of Solana Beach, and the Mission Bay segment of the City of San Diego.

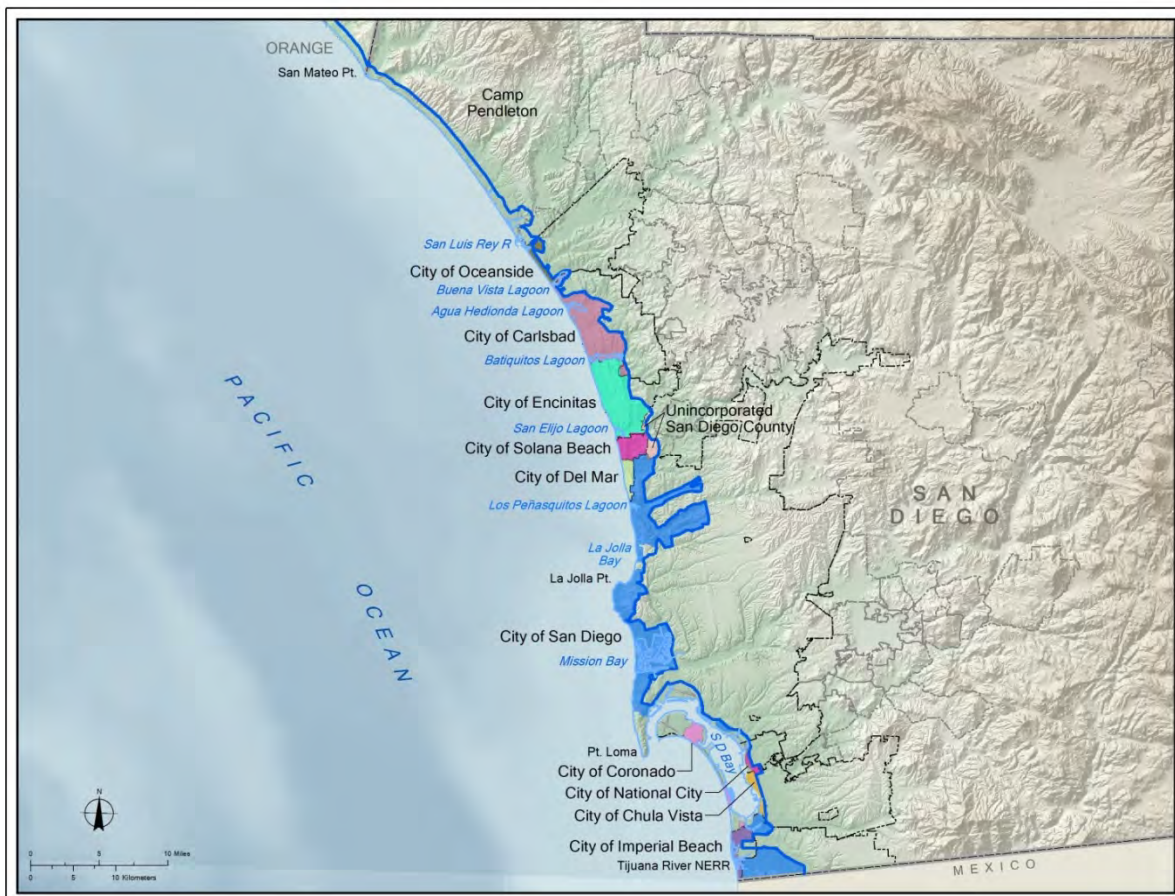
Some of the certified segments have been updated in whole or in part. The Carlsbad Village Redevelopment Area segment, and the City of San Diego Ocean Beach, La Jolla, Pacific Beach and Centre City segments, the City of Chula Vista balance and the City of Imperial Beach have been comprehensively updated since initial certification. Several other segments have updated portions of either the LUP or Implementation Plan since initial certification. In 2015, the Commission also approved a regional Public Works Plan sponsored by Caltrans and SANDAG that includes transportation related infrastructure improvements and resource enhancements and spans 27 miles of north San Diego County. The City of Solana Beach recently submitted an LUP amendment that incorporates a methodology for calculating a Public Recreation Fee for blufftop property owners with coastal structures. This work was undertaken with the support of

a \$120,000 Round 1 LCP grant from the Coastal Commission. No update has yet occurred in the cities of Oceanside, the bulk of Carlsbad, Encinitas, Del Mar, Coronado or National City.

Additional LCP update planning is underway at the local level for the County of San Diego, the City of Carlsbad, the City of Del Mar, the City of Oceanside and for the Port of San Diego Port Master Plan. Coordination meetings with local governments have been expanded and Commission staff has worked to provide early comments on appealable developments, major development proposals or environmental assessments that raise environmental concerns. Over the past year, the Commission approved 14 separate LCP amendments.

In FY 14-15, the Commission awarded the County of San Diego a \$52,000 LCP grant to assist in the certification of its Land Use Plan and Implementation Plan. The Commission also awarded the City of Carlsbad a \$48,000 LCP grant in association with a \$180,000 OPC grant to be directed toward a comprehensive Sea Level Rise analysis that would be integrated into an entire update and consolidation of the City's LCP including certification of the currently uncertified Agua Hedionda Lagoon segment. The City of Del Mar also received a \$100,000 OPC grant to fund Sea Level Rise analysis and adaptive management alternatives along with the development of an LCP amendment. These grantees are about halfway through their scheduled work programs, which conclude in April 2017. To date, this work has involved extensive coordination between local staff and Coastal Commission staff, public outreach, and Commission staff have engaged in regional meetings and conferences in the San Diego area to support collaboration and information-sharing.

**Figure 1. San Diego County Coastal Zone LCP Jurisdictions**



## Sea Level Guidance Implementation Outreach (SP 3.1)

Commission staff have been providing regular outreach and training sessions to support implementation of the newly adopted Sea Level Rise (SLR) Guidance and in support of LCP Grant work. In May staff participated in one event:

- On June 21, 2016 the Sea Level Rise Team presented the Sea Level Rise Guidance at the 2016 Joint IEPR Workshop on Climate Adaptation and Resiliency for the Energy Sector. The Integrated Energy Policy Report workshop is jointly convened by the California Energy Commission and the California Public Utilities Commission. The Coastal Commission presentation covered general information about the Coastal Act, coastal concerns related to climate change and sea level rise, the Commission's SLR guidance, and some of the adaptation options included in the guidance that might be appropriate for energy facilities. The workshop agenda can be viewed at:  
[http://docketpublic.energy.ca.gov/PublicDocuments/16-IEPR-04/TN211883\\_20160620T124952\\_AGENDA\\_2016\\_Joint\\_IEPR\\_Workshop\\_on.pdf](http://docketpublic.energy.ca.gov/PublicDocuments/16-IEPR-04/TN211883_20160620T124952_AGENDA_2016_Joint_IEPR_Workshop_on.pdf)

## Meetings and Events

### New Public Accessway Opened in Malibu

On June 14, 2016, Commission staff attended the opening of a new public accessway in Malibu. The accessway consists of a beach stairway, 3 dedicated parking spaces (one for ADA), an ADA view platform plus a second lower platform, is located at 24038 Malibu Road, the far east end of the road (hence the name of the site – Malibu Road East).

This new accessway was built on property obtained through conditions imposed on a 1980 coastal development permit approved by the Commission. The permit allowed an expansion to the Point Dume Club Mobile Home Park and required off-site mitigation for the increased residential impacts. The offsite property (now developed with the beach stairway) was a Fee Title dedication of a vacant 100 ft. long beach front parcel to be used for future public access.

The main impediment to getting this OTD property opened up was a lack of an entity with the capability to construct the bluff face stairway plus do the operation and maintenance activities. Fortunately, the ***Mountains Recreation and Conservation Authority (MRCA)*** stepped in around 2008 to become our partner in opening and operating beach accessways in Malibu. Therefore, MRCA is the agency managing the accessway.

The stairway will serve as a direct link between the Malibu Bluffs State Park trails (inland) to not only the beach in front of the stairway but also provide lateral access east along the beach in front of the Malibu Colony (private and gated) and onward to Malibu Lagoon and Surfrider State Beach. Thus this one stairway will open and connect over a mile of coast (during lower tides).

This accessway adds to the other five other stairways located along Malibu Road, all leading to pocket beaches. Four of the five stairways are pre-coastal; the stairway at the far western end of the Road was created by an OTD required by the Commission in 1980 and constructed and opened by Los Angeles County in the early 1980's.

Like so many of these kinds of projects, it has taken a lot longer than we ever expected but the result is a fantastic new public access facility. The Stairway cost was \$ 1,000,000 with 50% of

the funding provided by the Coastal Commission's Violation Remediation Account which is held by the Coastal Conservancy. The other 50% of the funding came from the State Coastal Conservancy, our Joint Access partner.

## **Pacific Gas & Electric (PG&E) Closure of Diablo Canyon**

In June, PG&E announced an agreement, called a Joint Proposal, with several environmental and labor groups to close California's last nuclear plant at Diablo Canyon when its federal operating licenses expire in 2025. The eight to nine year transition period is to provide the time to plan and replace Diablo Canyon's energy with a new GHG-free portfolio of energy efficiency, energy storage, and renewables such as sun and wind. The Joint Proposal must be approved by the California Public Utilities Commission (CPUC). In the meantime, PG&E has agreed to immediately cease any efforts on its part to renew the Diablo Canyon operating licenses and will ask the Nuclear Regulatory Commission to suspend consideration of PG&E's license renewal application pending CPUC approval of the Joint Proposal. Similarly, PG&E has requested that the Coastal Commission keep PG&E's pending consistency certification for license renewal (currently incomplete) in a suspended status pending CPUC approval of the Joint Proposal. The future decommissioning of the Diablo Canyon Nuclear Power Plant will require coastal development permits from the County of San Luis Obispo and the Coastal Commission.

## **San Onofre Nuclear Generating Station (SONGS) – Status of Mitigation**

As reported in October 2015, the Wheeler North Reef, an offshore reef constructed in 2008 by Southern California Edison as mitigation for impacts associated with operation of the San Onofre Nuclear Generating Station (SONGS), has not met all necessary performance standard required by CDP 6-81-330-A and thus has not yet received any years of mitigation credit for the project to date. Specifically, WNR has not met the permit requirement that the reef sustain a minimum fish standing stock of 28 US tons. Commission staff, the Science Advisory Panel (SAP) and the University of California Santa Barbara (UCSB) independent monitoring team analyzed the reasons for WNR's inability to meet the fish standing stock requirement and determined that the current size (174.42 acres) and configuration (low relief reef with an average of 47.6% coverage of rock) of WNR is insufficient to consistently meet the fish standing stock requirement. In May, I sent a letter formally notifying SCE of my determination as acting Executive Director that remediation of WNR is necessary to meet the requirements of CDP 6-81-330-A (see attached). As a first step, we requested that SCE submit a Remediation Plan of Action to Commission staff including a list of steps and a proposed timeline for implementation of remediation of WNR. The Commission staff just received a Remediation Plan of Action and after staff review, will continue to work with SCE to implement an effective remediation project.

## **Status Report on Lower Cost Overnight Accommodations Workshop (SP 1.2.2)**

Staff is continuing to work actively on the issues raised at the Commission's workshops on Lower Cost Overnight Accommodations. Staff is pursuing opportunities to use each of the unspent in-lieu fees, and is coordinating closely with partner state agencies, including California State Parks, the Coastal Conservancy, and the Mountains Recreation and Conservation Authority (MRCA) on new opportunities for lower cost overnight accommodations. Staff intends to hold a

third workshop on lower cost overnight accommodations this fall (hopefully in September if we have room on the agenda or October).

### **Pursuing Opportunities to Use Unspent In-Lieu Fees**

Staff has developed action plans for moving forward on each of the 11 lower cost overnight accommodations fees that remain unspent (Attachment 1). Although each fee is constrained in a unique way based on the Commission's approval of the related permit, staff has identified potential projects to fund, as well as potential opportunities to pool funds.

Since the Commission was last provided with an update in December 2015, staff has participated in numerous meetings with proponents of lower cost accommodations projects, in an effort to move those projects forward as quickly as possible. In April, staff met on site at Dockweiler State Beach with staff of LA County Department of Beaches and Harbors to view the site of a planned expansion of the Dockweiler RV Park expansion. This new expansion would accommodate smaller RVs at lower rates than the existing RV Park. In addition, the County is exploring the possibility of establishing a program for overnight stays at this facility for underserved and low income persons. Preliminary planning has been done for the project and construction will likely move forward early next year.

In April, staff met with San Diego County staff to discuss potential opportunities for lower cost accommodations. The County is in the process of a Feasibility Study to evaluate four potential campground locations being considered in the Tijuana River Valley. After the Feasibility Study is completed, staff will evaluate whether there are sufficient and appropriate in-lieu fees to help support one or more of the campground projects. The Coastal Conservancy is also actively involved in this effort.

In June, staff met with State Parks Headquarters and District Staff as well as San Mateo County staff at the site of a potential new campground or cabin project at the Green Valley site in Montara State Beach. The site is located in an area with high demand for overnight accommodations, near the new California Coastal Trail segment at Devil's Slide. Although the site has many positive attributes, there may be significant challenges to permitting given resource constraints and the LCP's limits on new development. Commission staff is evaluating these issues and working collaboratively with State Parks and the County to determine if there is a potential path forward for overnight accommodations at the Green Valley site.

Staff is also continuing to coordinate with MRCA on a project at Puerco Canyon in Malibu that includes developing a camp facility that would serve foster children and their families, as well as camp sites for the general public. This project will be partially funded through a four million dollar in-lieu fee required as mitigation pursuant to a coastal development permit for a residential project in Malibu known as the Crummer Project. Staff is also working with Hostelling International, which is pursuing an expansion of the Santa Monica Hostel.

### **Coordination with State Parks**

Commission staff has been coordinating closely with State Parks staff, including Karl Knapp, who leads State Parks' efforts related to new overnight accommodations. Last year, Commission staff met with State Parks headquarters and district staff as well as Monterey County staff to view a demonstration cabin and visit the site of a potential new cabin development in Pfeiffer Big Sur State Park. The staff of all three agencies agreed that the site appears suitable for cabin development and agreed to work cooperatively together to pursue funding and permitting for the project. In January, State Parks installed the demonstration cabin at an existing campsite in Pfeiffer Big Sur State Park. The demonstration cabin is open to the public at a rate of \$75 per



night. The online reservation system shows that the cabin is reserved nearly every night through the end of the summer season and for much of fall and winter.

State Parks and Commission staff have been working together on a *Memorandum of Understanding (MOU)* that will provide a framework for use of Commission in-lieu fees and achieving the objectives of the Pfeiffer cabin project. Commission staff and State Parks staff aim to use the MOU as a model framework to facilitate collaboration on future projects where Commission in-lieu fees are used to fund low cost overnight accommodations in State Parks. The draft MOU is currently being reviewed by State Parks and Commission staff is hopeful that the MOU can be finalized soon.

### **Coordination with Resources Legacy Fund**

The Resources Legacy Fund, an organization specializing in conservation and environmental policy, worked with Maurice Robinson, the expert who spoke at the Commission's March hearing, to develop information about the supply and demand of overnight accommodations along the coast. In addition, Mr. Robinson developed a potential method for determining the rate of lower cost accommodations in a particular location. Commission staff coordinated with both the Resources Legacy Fund staff and Mr. Robinson on this project, which is now complete.

### **Coordination with Coastal Conservancy**

Commission staff has been coordinating closely with staff of the State Coastal Conservancy. The Coastal Conservancy is exploring new opportunities for supporting lower cost overnight accommodations along the coast statewide. The Conservancy will be working with a consultant to develop additional information about the supply and demand of overnight accommodations along the coast that will likely build upon the work that Mr. Robinson did for the Resources Legacy Fund (described above). The Conservancy will also explore the feasibility of having a public agency or non-profit entity purchase and/or operate existing lower cost motels along the coast as a way to protect and provide lower cost accommodations. This work is in its beginning stages and will likely take at least several months to complete.

## **California State Fair – Coast and Ocean Exhibit**

One of the Whale Tail grants this year funded an educational exhibit at the California State Fair in Sacramento on the California coast and ocean. The exhibit features educational stations on topics such as marine debris, ocean acidification, urban runoff, invasive species, and overfishing, as well as a stage show of live rescue animals representing California's coastal regions with messaging promoting coastal stewardship.

This grant also supported creation of a large sand sculpture display that celebrates the 40<sup>th</sup> anniversary of the Coastal Act. Designed by a professional artist, the sand sculpture features an orca and other coastal themes, and is located in a central area of the fairgrounds. A time lapse video of the construction of the sand sculpture and can viewed at:  
[https://vimeo.com/174058384?inf\\_contact\\_key=42dd5c10b0244d979c1f3e8d6be98a86c21a0f8cfcca1651c0a4ff89e993423f](https://vimeo.com/174058384?inf_contact_key=42dd5c10b0244d979c1f3e8d6be98a86c21a0f8cfcca1651c0a4ff89e993423f)

The fair opened last Friday, July 8<sup>th</sup> and runs through July 24<sup>th</sup>.

## **“Do the Whale Tail” – Whale Tail License Plate Campaign**

The Commission's Public Education staff has a new campaign called “Do the Whale Tail,” designed to raise awareness of the Whale Tail License Plate and the important work funded by plate sales. The campaign was designed for the Commission pro bono and features a 2 ½ minute video, as well as on-line advertising and transit ads. The video can be viewed at <http://www.ecoplates.com/> or on the Commission's website <http://www.coastal.ca.gov/>

## **Coastal Trail Videos**

The Coastal Commission recently funded a series of eight short videos about segments of the California Coastal Trail along the Central Coast. The funding was provided through a Whale Tail grant to the International Documentary Association, which supported the work of filmmakers at Rigler Creative. The new videos are on the website of public television station [KCET](http://www.kcet.org/), and will also be shared through the Commission's Public Education YouTube channel, and on social media.

Prior to the Whale Tail grant for the Central Coast videos, the Coastal Conservancy had funded videos that cover Coastal Trail segments from the San Diego border northward through San Luis Obispo County.

Since we're meeting in San Diego this month, we thought you would enjoy watching one of the videos from San Diego County. The Borderfield State Park video which features Commissioner Cox can be viewed at: <https://vimeo.com/125970132> - password: **coast**.

ATTACHMENT 1

<b>California Coastal Commission Available Funds for Lower Cost Visitor Serving Facilities</b>				
	<u>Permit Number</u>	<u>Applicant Name</u>	<u>Collected with Interest</u>	<u>Status</u>
1	3-91-071	Half Moon Bay Resort Partners	\$433,835	Funds held by State Parks. Evaluating potential project at Montara State Beach.
2	5-82-542	Westport Beach Club	\$331,500	Funds held by LA County Beaches and Harbors. Initial site plan for expansion of RV Park at Dockweiler State Beach completed. CCC staff site visit done 4/26/2016.
3	A-3-MCO-98-083	Highlands Inn	\$808,594	Funds held by State Coastal Conservancy. Evaluating projects at Pfeiffer Big Sur State Park, Piedras Blancas Motel, and Hostel at Fort Ord.
4	A-5-RPV-02-324; 5-89-941; 5-89-240	Destination Development; Maguire Thomas; Michael Const	\$1,656,240	Funds held by Hostelling International. Evaluating project for expansion of Santa Monica Hostel.
5	5-07-085/5-07-085-A1	New Home Company	\$3,774,572	Funds held by Crystal Cove Alliance. Evaluating additional cottage renovation.
6	A-3-PSB-06-001	FLMW Group	\$97,020	Funds held by City of Pismo Beach. Letter sent to City on 4/25/2016 offering assistance.
7	3-07-002	Ken Scott	\$30,166	Funds held by City of Morro Bay. Funding amount is likely not adequate to develop a new project. Potential to pool funds.
8	A-4-VNT-07-009	Crown Pointe Estates	\$502,335	Funds held by State Parks. Evaluating potential project at Topanga Canyon.
9	3-11-030-W/ 3-07-048	Smith-Held	\$22,625	Funds held by City of Morro Bay. Funding amount is likely not adequate to develop a new project. Potential to pool funds.
10	A-6-COR-08-098 & 099	Hotel Del	\$1,080,000	Funds held by State Coastal Conservancy. The County is in the process of a Feasibility Study for new campgrounds in the Tijuana River Valley.
11	LCP-4-MAL-14-0408-1	Malibu Coast Estate/Crummer Trust Property Planned Development	\$4,000,000	Funds held by MRCA. Evaluating potential project to develop tent cabins at Puere Canyon.
	<u>Total</u>		<u>\$12,736,887</u>	