

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 6-17-0871

Applicant: California Dept. of Parks and Recreation

Agent: James Newland

Location: 5200 S. Pacific Coast Highway, Surf Beach, San Onofre State Beach, San Diego County (APN: 101-52-01)

Project Description: Retain 900 linear feet of revetment approved under February 16, 2017 emergency authorization until February 28, 2019.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The California Department of Parks and Recreation (State Parks) seeks authorization to retain a 900-foot long rip rap revetment along Surf Beach that was constructed pursuant to an emergency permit issued in February 2017 (G-6-17-0002) until February 28, 2019. The emergency revetment was installed as a temporary measure to protect the beachfront road granting access to 300 of the 320 public parking spaces along Surf Beach during and after the 2016-2017 El Niño winter storms. The proposed short-term authorization of the revetment will allow State Parks time to conduct an engineering survey and draft a long-term hazards management plan for the area, and apply for a new coastal development permit to implement the recommended measures for this site.

Surf Beach is home to world renowned surf breaks, and San Onofre State Beach as a whole receives over one million visitors a year. At the time the revetment was installed, it was a necessary emergency action to ensure the only access road to this popular beach was protected throughout the winter. Since that time, the immediate risk to the road has lessened. However, due to the high cost to State Parks to remove the revetment, the limited duration it is being proposed to be retained, and that a long-term hazards management plan is currently underway and expected to be completed later this year, the impacts from the requested retention are temporary and limited. The proposed revetment will ensure safe public access is maintained while State Parks analyzes long-term alternatives for the site. To minimize potential adverse impacts to public access and sand supply, **Special Condition 1** limits authorization of the revetment until February 28, 2019. This condition also requires submission of a coastal development permit application to implement the hazards management plan by November 1, 2018, so as to ensure sufficient time to prepare the application for a Commission hearing. **Special Conditions 2** and **3** require as-built plans that identify permanent benchmarks and a monitoring program to evaluate the performance of the revetment over time. **Special Conditions 4** and **5** require State Parks to maintain the revetment segments in their approved alignment and prohibits seaward extension of the revetments. Finally, **Special Condition 6** requires State Parks to assume all risks and indemnify the Commission for authorizing the project.

Commission staff recommends **approval** of coastal development permit application 6-17-0871 as conditioned.

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I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 6-17-0871 subject to the conditions set forth in the staff recommendation.*

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

Resolution:

The Commission hereby approves coastal development permit 6-17-0871 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 and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. 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.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

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

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. Limited Authorization Period and Long-Term Hazard Management Plan.

- (a) This coastal development permit authorizes the shoreline protection until February 28, 2019, or until such time when the currently existing structures warranting armoring are no longer present or no longer require armoring for such protection, whichever occurs first.
- (b) No later than November 1, 2018, the permittee or successor in interest shall apply for a regular coastal development permit to implement a long-term hazards management plan for Surf Beach that addresses current and future coastal hazards present at the site. The hazards management plan shall incorporate measures to adapt to sea level rise over time and provide for the long term protection and provision of public improvements, coastal access, public opportunities for coastal recreation, public views and coastal resources, including beach and shoreline habitat (measures should include, but need not be limited to, phased implementation of beach nourishment, soft protection, managed retreat, focused or small-scale armoring) and a time line or event driven schedule for implementation of the plan. The plan shall evaluate and consider all potential constraints, including geotechnical and engineering constraints; potential phasing options with timelines; project costs for the preferred project and alternatives; and potential funding options. The plan shall be submitted with documentation sufficient to support all analyses, methodologies, and conclusions.
- (c) If the permittee proposes to retain any portion the shoreline protection beyond the authorization period in the permit application required by subsection (b) of this Special Condition or in a separate amendment to this permit, the permittee is required to include in the permit application an evaluation of alternatives to the shoreline protection and related elements that are capable of protecting the development while eliminating or reducing impacts to public access, public views, shoreline processes including sand supply, marine resources, and other coastal resources at the site. The information concerning these alternatives must be sufficiently detailed to enable the Coastal Commission to evaluate the feasibility of each alternative for addressing site issues under the Coastal Act. The permittee must also include mitigation for the effects of any remaining portion of the shoreline protection on public access and recreation and other coastal resources during the expected life of the remaining shoreline protection beyond, but not including, the initial period of authorization.

2. **As-Built Plans.** WITHIN 90 DAYS OF COMMISSION APPROVAL, the applicant shall submit as-built plans for the approved revetment that implemented the revetment plans approved pursuant to Emergency CDP No. G-6-17-0002, except that they shall be modified to identify permanent benchmarks from fixed reference point(s) from which the elevation and seaward limit of the revetment can be referenced for measurements in the future.

3. **Revetment Monitoring Program.**

(a) WITHIN 90 DAYS OF COMMISSION APPROVAL, the applicant shall submit for review and written approval of the Executive Director, a long-term monitoring plan for the existing shoreline protection. The purpose of the plan is to monitor and identify damage or changes to the revetment such that repair and maintenance is completed in a timely manner to avoid further encroachment of the revetment on the beach. The monitoring plan shall incorporate, but not be limited to, the following:

- i. An evaluation of the current condition and performance of the revetment, addressing any migration or movement of rock which may have occurred on the site and any significant weathering or damage to the revetment that may adversely impact its future performance.
- ii. Measurements taken from the benchmarks established in the survey as required by Special Condition 2 of this permit, Coastal Development Permit No. 6-17-0871, to determine settling or seaward movement of the revetment. Changes in the beach profile fronting the site shall be noted and the potential impact of these changes on the effectiveness of the revetment evaluated.
- iii. Recommendations on any necessary maintenance needs, changes or modifications to the revetment to assure its continued function and to assure no encroachment beyond the permitted toe.
- iv. An agreement that the permittee shall apply for a coastal development permit within 90 days of submission of any monitoring report for any necessary maintenance, repair, changes, or modifications to the project recommended by the monitoring report that require a coastal development permit and implement all aspects approved in any such permit.

(b) The above-cited monitoring information shall be prepared by a licensed engineer familiar with shoreline processes. At a minimum, a monitoring report shall be submitted to the Executive Director along with the permit application required by November 1, 2018, by Special Condition No. 1 of this permit. Monitoring shall continue throughout the life of the revetment or until the revetment is removed or replaced under an amendment to this coastal development permit or pursuant to separate coastal development permit.

- (c) The applicant shall undertake the development in accordance with the approved monitoring plan. Any proposed changes to the approved monitoring plan shall be reported to the Executive Director. No changes to the monitoring plan shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
4. **Future Maintenance.** The applicant shall maintain the existing revetment in its approved state. Any change in the design of the revetment or future additions to or reinforcement of the revetment beyond exempt maintenance as defined in Section 13252 of Title 14 of the California Code of Regulations to restore the structure to its original condition will require a coastal development permit. However, in all cases, if after inspection it is apparent that repair and maintenance is necessary, the applicant shall contact the Executive Director to determine whether a coastal development permit or an amendment to this permit is legally required, and, if required, shall subsequently apply for a coastal development permit or permit amendment for the required maintenance.
5. **No Future Seaward Extension of Shoreline Protective Device.** By acceptance of this Permit, the applicant agrees, on behalf of itself and all successors and assigns, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protective device approved pursuant to this permit, Coastal Development Permit No. 6-17-0871, as described and depicted on approved, as-built plans, shall result in any encroachment seaward of the authorized footprint of the shoreline protective device. By acceptance of this Permit, the applicant waives, on behalf of itself and all successors and assigns, any rights to such activity that may exist under Public Resources Code Section 30235.
6. **Assumption of Risk, Waiver of Liability and Indemnity Agreement.**
- (a) By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from storm waves, flooding, and erosion; (ii) to assume the risks to the applicant and the property that is 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.
- (b) **WITHIN 60 DAYS OF COMMISSION APPROVAL**, the applicant shall submit a written agreement in a form and content acceptable to the Executive Director, incorporating all of the terms of this Special Condition.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The California Department of Parks and Recreation is proposing to extend the temporary retention of a 900-ft. long, 10-ft. tall, 12-ft. wide rip rap revetment at Surf Beach in San Onofre State Beach in San Diego County that was approved pursuant to Emergency CDP No. G-6-17-0002, issued February 16, 2017, until February 28, 2019 [[Exhibit No. 5](#)] The emergency revetment was installed as a temporary measure to protect the beachfront road granting access to 300 of the 320 public parking spaces along Surf Beach during the 2016-2017 El Nino winter storms. The proposed retention of the revetment would allow time for State Parks to complete a currently in-progress hazards management plan and for State Parks to apply for a new coastal development permit to implement the recommended measures for this site.

The subject site is located along a public beach west of Highway 101 within Marine Corps Base Camp Pendleton in unincorporated San Diego County. Surf Beach, located between a military coastal recreational facility and San Onofre Nuclear Generating Stations (SONGS) is a narrow, kilometer-long, 10-ft. tall earthen shelf next to a sandy beach that backs up to a steep coastal bluff. The width between the water and toe of the coastal bluff ranges from approximately 40 – 140 feet, and is accessed by a single two-lane dirt road from inland Coast Highway. The beach area contains 320 day-use parking spaces, restroom facilities, and fire pits.

Although San Diego County has a certified Land Use Plan, it does not have a certified Implementation Plan. Regardless, the project site lies within the Commission's area of original jurisdiction such that the standard of review is Chapter 3 of the Coastal Act with the Land Use Plan used as optional guidance.

B. PROJECT HISTORY

San Onofre State Beach

Consistent offshore wave breaks have attracted surfers to the beaches of San Onofre since at least 1933. Over time visitors named the three main surf breaks along this stretch of coast: Upper Trestles, Church, and Lower Trestles. In 1943, Camp Pendleton military base was established, which included the subject site, restricting most civilian access to the site. After many years of local, state, and federal discussions and public action, a final lease agreement between California Department of Parks and Recreation and the federal government was signed on March 30, 1971, and San Onofre State Beach was dedicated on April 3, 1971, allowing California State Parks to take over operations at San Onofre State Beach, overseen by the Orange Coast District Headquarters in San Clemente State Beach. A longer 50-year lease was signed between the two parties later that year.

Surf Beach

On January 13, 2017, California State Parks applied for Emergency CDP No. G-6-17-0002 seeking authorization to install approximately 900 linear feet of rip rap revetment along the northernmost portion of Surf Beach, one of the non-contiguous beach segments that compose San Onofre State Beach.

State Parks reported that coastal erosion and storm events – including the 2016-2017 El Niño – caused widespread erosion along the length of Surf Beach, punctuated by sudden collapse events along portions of the earthen shelf. Due to the narrow configuration of Surf Beach, the erosion along the northernmost segment, where the access road comes down around the eastern coastal bluff to the earthen shelf and its beach-side parking spaces, had narrowed to approximately twenty-five feet in width. This led State Parks to begin placing K rails (temporary concrete barriers) in late 2016 along the edge of the earthen shelf to shift vehicular traffic eastward. However, due to the narrow width of a bottleneck in the access road that had formed near the northern end of Surf Beach, this had the effect of reducing the road to the width to one lane which still had to accommodate two-way traffic. During storm events, State Parks would periodically close the road altogether due to stability concerns, cutting off vehicular access to 300 of the 320 parking spaces [[Exhibit No. 3](#)].

After discussion with State Parks and review by the Commission’s coastal engineer, it was determined that placement of the rip rap revetment was necessary to protect the roadway and preserve public access to the beach, and Emergency CDP No. G-6-17-0002 was issued by the Coastal Commission on February 16, 2017 [[Exhibit No. 5](#)]. However, the Commission’s coastal engineer noted that, due to the narrow configuration and consistency of the earthen shelf, the entirety of Surf Beach was in danger of further substantial erosion, and as placement of rock is not necessarily the preferred long term solution to coastal erosion, Commission staff informed State Parks the required follow-up permit application would need to be accompanied by a long-term hazards management plan detailing the anticipated effects of future erosion on Surf Beach and the potential suite of measures to balance protecting public access with natural coastal processes.

Emergency Permit No. G-6-17-0002 was issued by the Commission on February 16, 2017. Special Condition No. 4 of the emergency permit only authorized the revetment until November 1, 2017, as it was believed by State Parks at the time of issuance that they would be able to contract an outside engineering firm and complete a hazards management plan by that date in order to submit the required follow-up permit. However, State Parks ran into unexpected difficulties in procuring the necessary authorizations and funding to commission such a study. Thus, State Parks was not able to initiate the hazards management study until February of 2018. It is now expected that the study will be completed by July 2018; allowing time for State Parks to internally review the study and select an option so apply for and allow for review by the Coastal Commission. Thus, the proposed project would allow for retention of the emergency revetment until February 2019.

C. 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.

Section 30212 of the Coastal Act states in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Section 30212.5 of the Coastal Act states:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30214 of the Coastal Act states:

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

- (1) Topographic and geologic site characteristics.*
- (2) The capacity of the site to sustain use and at what level of intensity.*
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*

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

San Onofre State Beach has served as a popular coastal recreation destination for decades, receiving over one million overnight and day-use visitors per year. The world-renowned surf breaks offshore have played host to several surfing competitions over the years, and the provision of parking immediately adjacent to the beach along a stretch of coast that is otherwise closed to civilian access combine to make the continued provision of public access especially important.

Being a military base, access to the majority of Camp Pendleton's shoreline is prohibited for civilians. Where public beach access is available – within San Onofre State Beach – vertical access can be limited and constrained for several reasons. San Onofre State Beach is composed of several non-contiguous beach segments interspersed among SONGS and existing military coastal facilities. Furthermore, natural topography, such as the steep bluff backing Surf Beach, and artificial barriers, such as the existing railway corridor and military roads, means that vertical beach access comes in a variety of lengths and levels of convenience. While San Onofre State Beach does offer shoreline day-use spaces and overnight camping spaces in various locations, none of the other lots are in close proximity to Surf Beach, with some even being located east of Interstate-5 and requiring lengthy walks to reach the nearest beach. In the case of Surf Beach, it offers a beachside dirt parking lot consisting of 320 parking spaces, restroom, and shower facilities. State Parks charges a flat fifteen dollar vehicle entrance fee to this particular lot (non-vehicular visitors may enter the area for free, but due to location and topography, non-vehicular visitation is difficult). Thus, the combination of beach-adjacent parking at a renowned surf break makes the parking provided at Surf Beach extremely popular with visitors, and loss of that parking would substantially impact the ability of the public to access this segment of beach.

Although the intent of the project is to maintain public access at most of Surf Beach, the proposed revetment segments would occupy beach space that would otherwise be available for lateral beach access and recreation. The buried toe of the emergency revetment extends approximately twelve feet onto the sandy beach area, though with its partial burial the exposed portion of the revetment extends approximately seven feet onto the beach. To limit adverse impacts to lateral beach access and recreation, both segments of revetment have been designed to minimize encroachment on the beach to the extent feasible to preserve recreational access to the beach. In order to minimize the footprint, the emergency revetment has a 1:1 or greater incline. The base of the revetment is buried 10-12 ton toe stone, underlain by geotextile fabric and backed by a short skirt to help control runoff flows off the road.

Thus, although the project will have adverse impact on public access and recreation, it has been designed to minimize these impacts to the greatest extent feasible. In this particular case, preserving safe public access to the beach offsets the short-term impacts of the revetment for this limited time period. Future impacts associated with this project prior to removal may include the dislodging and/or scattering of revetment rock onto the

public beach, and, as such, **Special Condition No. 2** requires State Parks to submit as-built plans within 90 days of Commission approval to identify the location of the benchmarks from fixed reference point(s) from which the elevation and seaward limit of the revetment can be documented. **Special Condition No. 3** requires State Parks to submit a monitoring report to the Commission to determine settling or seaward movement of the revetment to ensure the revetment continues to be configured to minimize impacts to public access. This monitoring shall be included in the forthcoming permit application for the hazards management plan later this year. **Special Condition No. 4** requires State Parks to contact the Executive Director if repair or maintenance is necessary to determine whether a coastal development permit is required, and **Special Condition No. 5** requires the applicant to waive any rights to future seaward extension of the revetment.

Despite these conditions to minimize the encroachment of the revetment on the public beach, if the revetment were to remain in place indefinitely, this segment of beach would be lost due to sea level rise. As a result, **Special Condition No. 1** authorizes the emergency and unpermitted revetment segment until February 28, 2019. That period is intended to allow State Parks to develop a hazards management plan that describes strategies to address the vulnerability of Surf Beach to coastal hazards in this location. Because public vertical access in Camp Pendleton is limited, to ensure future public access improvements, **Special Condition No. 1** requires that the hazards management plan will also provide for continued coastal access and avoid or minimize adverse impacts to sensitive coastal resources. All of these special conditions will ensure that while the revetment remains on the beach, it will be maintained in a configuration that can be considered the least impactful to public access and recreation, consistent with the public access and recreation policies of the Coastal Act.

D. COASTAL HAZARDS

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 in relevant part:

New development shall do all of the following:

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

- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or*

surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The Coastal Act acknowledges that seawalls, revetments, retaining walls, groins and other such structural or “hard” methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, with the exception of new coastal dependent uses, Coastal Act Section 30235 limits the construction of shoreline protective works to those required to protect existing permitted structures or public beaches in danger from erosion. Furthermore, Section 30253 requires that new development be sited, designed, and built in a manner to not require construction of shoreline protective devices that would substantially alter natural landforms along the shoreline. The Coastal Act provides these limitations because shoreline structures can have a negative effect on the coastal environment, including adverse effects on sand supply, public access, coastal views, natural landforms, and shoreline beach dynamics on- and off-site, that can result in the loss of public beach areas.

Under Coastal Act Section 30235, shoreline protective structures shall be permitted if: (1) there is an existing structure; (2) the existing structure is in danger from erosion; (3) shoreline altering construction is required to protect the existing threatened structure; and (4) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply.

San Onofre State Beach, including this Surf Beach segment, began operations prior to the effective date of the Coastal Act on January 1, 1977, and thus is considered an existing use. State Parks has provided evidence that tidal forces and *El Niño* related storms during the 2016-2017 winter caused failures of the earthen shelf and roadbed on the northern segment of Surf Beach. At its narrowest, the dirt access road that runs of the length of Surf Beach was approximately twenty-five feet wide, and during storm events State Parks would place K rails along the shelf edge, reducing that portion of the road to the width of one lane to shift vehicular traffic eastward away from the shelf edge. As a result, on February 16, 2017, the Commission authorized the emergency revetment on a temporary basis pursuant to Emergency CDP G-6-17-0002. The Commission’s engineer reviewed the project and concurred that without the revetment, the road be in danger. State Parks attempts to avoid completely closing down the road because 300 of the 320 public parking spaces are located south of the bottleneck, and closure would reduce the parking supply to the approximately twenty parking spaces north of the bottleneck.

However, although there is clear evidence that the revetment was necessary as temporary, short-term measure to address the emergency situation during the *El Niño* storm season, there is no evidence that revetment needs to remain in place permanently. As noted, State Parks is currently conducting a long-term management study to address the vulnerability of Surf Beach and potential management strategies and for State Parks to select a strategy and submit the requisite CDP application. This long-term management study is currently underway and expected to conclude in the summer of 2018. Given that this study is currently underway, State Parks staff has indicated that they are not in a position to provide additional studies at this time that could confirm that the revetment cannot be removed until a long-term approach can be implemented. Thus, if the revetment is no

longer required to protect the road, the least environmentally damaging alternative would clearly be to remove the revetment, and eliminate the on-going impacts to sand supply and public access associated with the protection.

However, State Parks informed the Commission that design and installation of the revetment cost \$1.2 million dollars, and that removal would cost between eight hundred thousand and one million dollars. Removal would also cause a variety of environmental impacts in and of itself. Because there is the possibility that the in-progress long-term study may conclude that keeping the revetment in place is the least impactful long-term feasible solution, State Parks does not wish to expend a substantial amount of public money removing the revetment when there is expected to be certainty regarding what measure will replace it within the next nine months or so.

The existing road is clearly located in an area subject to wave action and erosion. Given the history of site, it not unreasonable to conclude that this critical public accessway may be at risk. It is also possible that during the summer season, when the beach is typically wider and there are few storm events, the revetment could be removed without placing the road at risk. But in this particular case, the significant financial burden on the public associated with this alternative, weighed against the short-term impacts to public resources from retaining the revetment for another 9 months, make the removal alternative infeasible at this time.

However, it is important to note that if the revetment were proposed to remain permanently, there could be other alternatives that would be both feasible and less environmentally damaging. For example, various “managed retreat” alternatives could involve removal of the emergency revetment segments allowing continued bluff retreat in the area currently occupied by the parking spaces and access road. A vertical seawall would have a smaller footprint than a revetment. Additional studies will be required to fully understand the costs and adverse impacts associated with these armoring options. The applicant’s on-going study at Surf Beach is anticipated to provide clear data regarding the geological nature of Surf Beach, including the bed rock, for use in devising a long term hazards management plan. Therefore, the Commission finds that the proposed temporary retention of the emergency revetment segments is the least environmentally damaging feasible alternative.

Section 30235 of the Coastal Act requires that shoreline protection be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. An issue of major concern facing California today is the fast pace of disappearing beaches due to natural processes (i.e. erosion, subsidence and storm events) and anthropogenic factors (coastal development and sand supply interruptions). Seawalls, revetments, and other types of hard armoring have long been used to protect backshore development from erosion and flooding, but future accelerated sea level rise and extreme storm events will heighten the rate of beach loss and potential exposure of the backshore to hazards. Hard armoring already results in unintended ecological and public access consequences, such as loss of biodiversity and ecosystem services and displacement of recreational beach area with protective structures. The subject permit is expected to have limited impacts of this nature due to the short time period for which the revetment is being approved. However, in the

future, the revetment should not extend any further seaward than the existing structure. Therefore, **Special Condition No. 5** requires the applicant to waive any rights that may exist under Section 30235 for activity that would create encroachment seaward of the approved footprint of the revetment.

The revetment does take up public sandy beach area and may have adverse impacts on local sand supply by blocking sand-generating materials in the bluff from entering the shoreline sand supply system. However, on a short-term basis, the Commission finds it important to keep public access to this popular and otherwise difficult-to-reach beach operational while State Parks develops a long-term hazards management plan for Surf Beach. **Special Condition No. 1** clearly states that the emergency revetment segment is being authorized only until February 28, 2019, and is intended as a temporary measure. Thus, the sand supply impacts are limited to the time during which the revetment is in place, and will not be permanent.

Conclusion

Although there is no clear evidence that the Surf Beach parking area is currently in danger from erosion and requires temporary shoreline protection, in this case, temporary retention of the revetment is the least environmentally damaging feasible alternative. To ensure that any adverse impacts on local shoreline sand supply are temporary, **Special Condition No. 1** authorizes the emergency and unpermitted revetment segments until February 28, 2019, and requires the applicant to remove the rock revetment by then unless the Commission authorizes further retention of the revetment under an amendment to this permit or subject to a separate coastal development permit. In addition, State Parks is required to submit a coastal development permit application for implementation of a hazards management plan for this section of Surf Beach by November 1, 2018, unless the Commission extends the deadline under an amendment to this permit.

To ensure that the State Parks maintains the revetment in its approved state, **Special Condition No. 2** requires State Parks to submit as built plans within 90 days of Commission approval to identify the location of benchmarks from fixed reference point(s) from which the elevation and seaward limit of the revetment can be calculated. **Special Condition No. 3** requires State Parks to submit monitoring reports to the Commission to determine settling or seaward movement of the revetment to ensure it continues to be configured to minimize impacts to public access. The monitoring data will be incorporated into the aforementioned November 1, 2018 follow-up application that State Parks will already submitting to the Commission pursuant to this permit. **Special Condition No. 4** requires the applicant to contact the Executive Director if repair or maintenance is necessary to determine whether a coastal development permit is required, and **Special Condition No. 5** requires the applicant to waive any rights to future seaward extension of the revetment.

Finally, due to the inherent risk of shoreline development, **Special Condition No. 6** requires State Parks to waive liability and indemnify the Commission against damages that might result from the proposed shoreline protective devices. This special condition further requires State Parks to execute and record a deed restriction on the revetment

prior to any conveyance of the property. The risks of the proposed development include that the proposed shoreline protective devices will not protect against damage to the street from waves, storm waves, flooding, and erosion. Although the Commission has sought to minimize these risks, the risks cannot be eliminated entirely. Given that the applicant has chosen to construct the proposed development despite these risks, the applicant and any future property owner must assume the risks. All of these special conditions will ensure that the revetment remains in a configuration that can be considered the least impactful to coastal resources, consistent with Sections 30235 and 30253 of the Coastal Act.

E. LOCAL COASTAL PLANNING

Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

San Onofre State Beach is located on Marine Corps Base Camp Pendleton in unincorporated San Diego County. The County of San Diego has a certified Land Use Plan but does not have a certified Implementation Plan and thus does not have a certified Local Coastal Program. Regardless, the proposed development is located in an area of the Coastal Commission's original permit jurisdiction, and thus Chapter 3 of the Coastal Act is the standard of review. As approved, the permitted development will not prejudice the ability of San Diego County to finish its LCP.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. State Parks found the emergency revetment exempt from CEQA review as an emergency project under Section 15269(b) and (c).

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing maintenance, monitoring, and design will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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APPENDIX A – SUBSTANTIVE FILE DOCUMENTS