



PAJARO DUNES ASSOCIATION & PAJARO DUNES NORTH ASSOCIATION

W7d

December 10, 2021

Mr. Steve Padilla, Chair and
Coastal Commissioners

RE: Item W7d – Local Government Working Group Sea Level Rise Adaptation and LCP Update Documents

Dear Chair and Commissioners:

The Pajaro Dunes Homeowners Associations (PDHOAs) have worked collaboratively over the past several years with Santa Cruz County and other local stakeholders to develop the local update to the Local Coastal Program (LCP) policies to address sea level rise (SLR). The document adopted by the Santa Cruz County Board of Supervisors represents a balanced and appropriate response.

The PDHOAs also have been tracking the process of other LCPAs and have been concerned to see multiple instances in which the Coastal Commission objects to local policies and attempts to insert replacement policies, essentially disregarding the difficult work that went into adoption of these documents. We are concerned that the Coastal Commission staff will also seek significant changes to the Santa Cruz County's adopted LCPA.

Related to this general concern, we write to express our views on this item, which, for the first time, has appeared on your Agenda. We do not believe this item is ready for adoption.

We do not have problems with the development of strategies which may help coastal cities and counties update LCPs to address SLR. We do, however, have issues with the process that is being presented to the Commission.

The Staff Report repeatedly states that this "Framework for a Phased Approach to Updating LCPs" is the product of representatives from the "California State Association of Counties (CSAC), the League of Cities (Cal Cities), and a Coastal Commission subcommittee." We respectfully believe that is misleading. The Staff Report does state that this Local Government Working Group included two esteemed members of the Commission (Commissioners Groom and Wilson), unspecified members of the Commission's staff, and undoubtedly was prepared in all respects by Commission staff. It is silent, however, as to "representatives" of CSAC and Cal Cities representatives. Therefore, as written, it is meant to appear as a consensus document. Yet it does not

appear that the CSAC and Cal Cities organizations have reviewed and endorsed the document, nor has there been any public input in this process.

As you know, there are 76 coastal cities and counties. Each coastal jurisdiction is unique and has its own coastal resource issues and views on Sea Level Rise. Thus, this Local Government Working Group cannot possibly be representative of all 76 cities and counties in the coastal zone.

While we agree that finding common ground is highly desirable, not all jurisdictions simply agree on the approach that Commission staff has taken on the different LCPs submitted to deal with SLR and other issues. The Staff Report is silent as to who were the local government participants, which jurisdictions they represented, whether they all agreed with this approach or expressed any reservations, and whether their respective jurisdictions agreed. If there were but a handful of local government representatives, the vast majority of coastal jurisdictions were not involved at all. Still further, this process has been conducted out of the public view and without input from the public, other local governments, or interested parties.

Consensus on SLR would be a laudable objective. Yet, the history of interaction between the Commission and local government on LCPs is often not one of consensus, but rather "policies" recommended by Staff that appear as mandates on issues where there is legitimate disagreement.

We think you would agree that every LCP should be tailored to the individual characteristics of each coastal jurisdiction. The Staff Report's Appendix includes policy language from various LCPs. Several, for example, include language that require consideration of a "high" sea level rise scenario, and depending on the nature of development, there is considerable disagreement in this State whether an extreme SLR requirement is necessary or reasonable, and that is the kind of "mandate" that local governments face in submitting LCPAs that seek to include SLR policies.

On the surface, it may seem like a collaborative process, but in practice it often appears as "our way or nothing." Some may agree with your Staff's approach, depending on their circumstances (e.g., Morro Bay); others will not. The result is that there may be no consensus, and providing this framework may present an exercise that leads to disagreement and no LCPA at all.

In summary, we do not know which CSAC and Cal Cities representatives participated in this "Working Group," their respective positions, and the positions, if any, of their respective jurisdictions and the CSAC and Cal Cities organizations. This Item just appeared on the agenda, seeking approval, and the public, and presumably all that were not included in the process, are left to wonder as to what is going on.

It is a good idea to surface how local governments can deal with SLR rise through their LCPs. It is not a good idea to create the impression through this document that it represents any kind of consensus on the approach. If anything, it does appear that it is largely a Commission Staff-driven document seeking to create a process it hopes will further the submission of LCPAs so that it can mandate policies with which local governments may or may not agree. Whether a local government would willingly jump through the hoops outlined in the Staff Report may turn on a more collaborative approach on the sea level rise policies themselves.

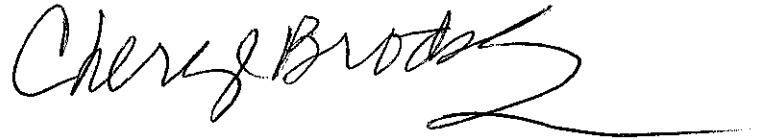
We urge you not to act on this document until more time and vetting can be done, and the process can be clarified and extended.

Thank you for considering this request.

Sincerely,



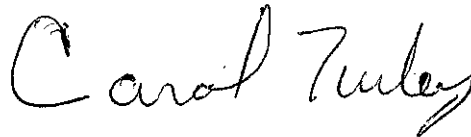
Bob Scranton
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From: I caulfield <slocaul@gmail.com>

Sent: Sunday, December 12, 2021 6:17 PM

To: ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

Subject: Public Comment on December 2021 Agenda Item Wednesday 7d - Local Government Working Group Sea Level Rise Adaptation and LCP Update Documents.

To the coastal commissioners:

I support the Los Osos water sustainability group and the Sierra club And request the coastal commission do all it can to protect the los Osos water basin which continues to have Salt water intrusion issues. The counties LCP update does not reflect current conditions of our water basin. In addition the county continues to permit new housing. Please do all you can do you protect the water basin.

Thank you

Lee Caulfield

Los Osos, Ca

Sent from my iPhone