

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
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W19c

ADDENDUM

June 4, 2021

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM W19c, APPLICATION NO. 5-20-0505 (Lindahl) FOR THE COMMISSION MEETING OF WEDNESDAY, JUNE 9, 2021.**

I. CHANGES TO STAFF REPORT

This addendum modifies the staff report dated May 20, 2021. Language added to the staff report is identified in **bold underline**.

a) Modify Special Condition 2 on page 5 and 6 as follows:

2. No Future Bluff or Shoreline Protective Device(s) to Protect the Proposed Development.

- A. By acceptance of this permit, the permittees agree, on behalf of themselves and any successors and assigns, that no shoreline **or bluff** protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-20-0505 including, but not limited to, the residence and foundation, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, liquefaction, flooding, sea level rise, or any other natural hazards in the future. By acceptance of this permit, the permittees hereby waive, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235, any similar provision of a certified LCP, or any applicable law.
- B. By acceptance of this Permit, the permittees further agree, on behalf of themselves and all successors and assigns, that they are required to remove all or a portion of the development authorized by this permit and restore the site, if:
 - i. The City of San Clemente or any government agency with jurisdiction has issued a final order, not overturned through any appeal or writ proceedings, determining that the structures are currently and permanently unsafe for

occupancy or use due to damage or destruction from waves, erosion, storm conditions, liquefaction, flooding, sea level rise, or other natural hazards related to coastal processes, and that there are no feasible measures that could make the structure suitable for habitation or use without the use of bluff or shoreline protective devices;

- ii. Essential services to the site (e.g. utilities, roads) can no longer feasibly be maintained due to the coastal hazards listed above;
- iii. Removal is required pursuant to LCP policies for sea level rise adaptation planning; or
- iv. The development requires new or augmented shoreline or bluff protective devices that conflict with applicable LCP or Coastal Act policies.

Approval of CDP No. 5-20-0505 does not allow encroachment onto public trust lands. Any future encroachment onto public trust lands shall be removed unless authorized by the Coastal Commission. Additionally, encroachment onto public trust lands is subject to approval by the State Lands Commission or other designated trustee agency.