

CALIFORNIA COASTAL COMMISSION

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F7a

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
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SUBJECT: **Capistrano Beach County Park:** Informational briefing on status of Orange County Parks sea level rise adaptation planning and nature-based adaptation feasibility study required by conditions of Coastal Development Permit No. 5-19-0345, issued to Orange County Parks, to provide for interim protection of public amenities at Capistrano Beach County Park.

SUMMARY OF STATUS REPORT

On December 9, 2020, the Commission approved Coastal Development Permit (CDP) No. 5-19-0345 for removal of damaged or imminently threatened public park amenities including sidewalk, boardwalk, stairs, wooden bulkhead, restroom and associated utilities, basketball court, approximately 55 parking spaces, approximately 20 trees, public beach showers, firepits, and light poles (removal occurred over the last few years pursuant to emergency actions); redesign of the park entrance; maintenance of existing sandcubes and armor rock onsite and installation of sandcubes, if needed; and construction of an elevated beach terrace (sandy area with benches and picnic tables) at Capistrano Beach County Park (**Exhibit 1**) subject to eight special conditions (**Exhibit 2**). The subject permit application was required to be submitted to follow-up several emergency permits issued to Orange County Parks (OC Parks) in response to damage caused by winter storms and high tide events. The site continues to be vulnerable to wave run up, flooding, and erosion.

Following receipt, review, and Executive Director approval of revised final plans, Commission staff issued the permit on March 3, 2021. As conditioned, the authorization for after-the-fact removal of beach park facilities and temporary retention of the shoreline protection onsite (a mixture of rock and sandcubes) is limited to one year from the Commission's December action (December 9, 2021). In addition, the special conditions of CDP No. 5-19-0345 require the permittee to submit a report on the status of OC Parks' Capistrano Beach Park Master Plan—a sea level rise adaptation planning effort that began pursuant to emergency permit requirements—and a nature-based adaptation pilot project feasibility study to help inform the master plan. The status report, including benchmarks for completion of these two documents, and a new CDP application were required to be submitted six months after the Commission's action (June 9, 2021) for public review and comment at a subsequent Commission hearing. Commission staff have been coordinating with OC Parks staff on the development and submittal of the required materials. The report and CDP application were submitted, as required, on June 9, 2021. The permittee's

submittal included, among other things, an exhibit showing OC Parks' progress and expected completion of a nature-based adaptation pilot project, mid-term adaptation plan, and long-term adaptation plan (**Exhibit 3**), a pilot project feasibility study (**Exhibit 4**), and a request to amend the subject CDP to extend the authorization six months through June 2022 to give OC Parks additional time to select and propose implementation of a pilot project alternative, if feasible.

This staff report outlines OC Parks' compliance with Special Conditions 1 and 6 of CDP No. 5-19-0345 requiring submittal of the aforementioned documents.

This item has been scheduled for an informational briefing and public hearing only. There will be no Commission action or vote on this item. People wishing to testify on this matter may provide verbal testimony at the virtual hearing or may present their concerns by written comment to the Commission on or before the hearing date.

PERMIT CONDITIONS

Special Condition 1 of CDP No. 5-19-0345 dictates the term of the permit and required follow-up submittals. Pursuant to this condition, the authorization for temporary retention of the armor rock and sandcubes will expire December 9, 2021. Six months before this date—June 9, 2021—OC Parks was required to submit a new CDP or CDP amendment application to either remove the shoreline protection or modify the permit term and address any mitigation needed. If that application, which must include the nature-based adaptation pilot project feasibility study, results of the public access surveys (required per Special Condition 2.D), and an analysis of any impacts from coastal hazards and/or the temporarily authorized revetment, is determined to be complete prior to December 9, 2021, then the authorization deadline will automatically be extended until the Commission acts on the CDP amendment.

Special Condition 6 requires OC Parks to submit a nature-based adaptation pilot project feasibility study that, at a minimum, analyzes the feasibility of implementation of a nature-based adaptation strategy in place of some or all of the temporarily authorized revetment that can be studied to inform the development of mid-term and/or long-term adaptation strategies. This study was also due June 9, 2021. If the study indicates that a nature-based adaptation strategy is feasible, then OC Parks must apply to implement the pilot project.

APPLICANT'S SUBMITTAL

In compliance with these conditions, OC Parks applied to amend CDP No. 5-19-0345 on June 9, 2021 to extend the subject permit authorization six months. The hard-copy application was received in the South Coast District office on June 14, 2021. The submittal includes a status report, an exhibit showing adaptation benchmarks, and a pilot project feasibility study, as required by the conditions. It also included applications OC Parks has submitted to various entities in an effort to get grant funding and a draft beach nourishment route feasibility study.

Status Report. According to the status report, OC Parks is actively implementing the Commission-approved County Beach County Park Monitoring and Maintenance Plan

with weekly inspections during the summer months. The benchmark schedule (**Exhibit 3**) lays out the timeline for implementation of the various development projects at Capistrano Beach: the subject interim CDP (5-19-0345), the potential pilot project, the Master Plan effort, and the regional long-term planning effort. While OC Parks' current proposal for the CDP amendment application (required by Special Condition 1) is to extend the authorization of the interim permit six months, the benchmark schedule for the pilot project suggests that during the months between now and the December 9, 2021 deadline for a complete CDP application (approximately four months), OC Parks staff and consultants will continue to work with Commission staff and engage with the public to select a pilot project alternative, if determined to be feasible, and go through the permitting process. The benchmark schedule also suggests that the pilot project, if feasible and approved by the Commission, would be constructed by the end of 2023 and would inform the Master Plan, which would be submitted to the Commission November 2024, around the same time the Regional Strategic Plan would be completed.

Feasibility Study. Moffat & Nichol prepared a Nature-Based Pilot Project Study Report, dated June 2021, that describes the site conditions; summarizes lessons learned from shoreline cobble berm projects; outlines a total of five different concepts at two locations onsite, including buried cobble berms, cobble berms with vegetated dunes, and combinations of those with removal of public parking amenities; analyzes the strengths, weaknesses, opportunities, and threats for each concept; assesses the risk of a sand berm alternative using XBeach modelling; and conducts a vulnerability assessment using the U.S. Department of Transportation Vulnerability Scoring Tool (VAST)¹ of three pilot project alternatives.

The three alternatives (**page 25 of Exhibit 4**), selected from the five original concepts, are: (1) partial retreat of the southern reach of the Capistrano Beach public parking lot and installation of a buried cobble berm and vegetated dune; (2) full retreat of the southern reach of the parking lot with a buried cobble berm and vegetated dune; and (3) a buried cobble dune and vegetated berm extending from immediately north of the parking lot entrance up the coast to the Doheny State Beach public parking lot. The study indicates that implementation of a nature-based adaptation pilot project at Capistrano Beach would be technically feasible and concludes that construction of a pilot project in the northern reach would have the greatest chance of success and provide the most useful information for future adaptation efforts.

The feasibility study did not, however, include a determination regarding whether it would be feasible for OC Parks to propose to implement any of the alternatives analyzed in the study (Special Condition 6.B) at this time. OC Parks staff suggest that funding and sand supply may be significant barriers to implementation of a pilot project. In addition, the study did not include the results of the public access survey or an analysis of any impacts to the site identified through the required revetment monitoring (Special Condition 1.B). Thus, Commission staff deemed the CDP amendment application incomplete on July 14, 2021.

¹ The VAST approach may not be the most appropriate tool for examining alternative projects at this site; there may be other options that better evaluate the alternatives' effects on coastal resources.

ANALYSIS OF SUBMITTAL

In conclusion, the required status report, benchmarks, CDP application, and nature-based pilot project feasibility study were submitted in a timely manner in compliance with Special Conditions 1 and 6 of CDP No. 5-19-0345. The CDP amendment application (No. 5-19-0345-A1), however, was deemed incomplete by Commission staff for the results of the public access surveys, revetment monitoring reports, a determination regarding the feasibility of implementing a pilot project, and other supporting materials. Commission staff will continue to coordinate with OC Parks on the incomplete CDP amendment application and longer-term adaptation planning efforts for Capistrano Beach.

Again, there will be no Commission action or vote on this item.