

CALIFORNIA COASTAL COMMISSION

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W16a

ADDENDUM

November 15, 2022

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item W16a**, Coastal Commission Permit Application **#A-6-ENC-22-0051 (Beacon's Beach Monitoring)**, for the Commission Meeting of November 16, 2022

The purpose of this addendum is to make minor corrections and additions to the staff report and respond to a letter submitted by the appellant, Matthew Gordon, on 11/10/2022. Staff recommends the following changes be made to the above-referenced staff report. Deletions shall be marked by ~~strikethrough~~ and additions shall be underlined:

1. On page 11, edit the second complete paragraph as follows:

While the Emergency CDP was not issued until June 29, City staff had promptly contacted Commission staff on May 2 to inform them of the bluff failure and the request to close the public accessway and bluff to protect public safety and to install the monitoring equipment. Public access was restricted by the installation of fencing by the City on May 2, installation of signage informing the public of the failure and temporary closure, and the placement of temporary monitoring equipment on the bluff. The temporary monitoring equipment was placed on the buff to monitor for additional bluff movement in order to determine when public access could safely be restored to the area.

2. On page 14 of the staff report, revise the second paragraph as follows:

City staff acknowledge that the filing date listed on the public notice was incorrect. The notice listed the CDP filing date as August 10, 2020, but the correct filing date is February 1, 2022. However, while the date of CDP filing listed on the notice was incorrect, public noticing was otherwise conducted consistent with LCP requirements. Importantly, the hearing date, time, and location was accurate and thus public participation was not hindered by the filing date mistake. In a November 10, 2022

response to the staff report, the appellant alleges that the City did not post a notice at the project site, in a newspaper, or to property owners and occupants within 500 feet of the project site. However, City staff have confirmed all noticing was done in accordance with LCP requirements. Therefore, this contention does not raise a substantial issue.

3. On page 14 of the staff report, revise the third paragraph as follows:

In addition, the appellant contends a member of the general public was denied due process as the virtual (i.e., Zoom) format of the PC hearing prevented him from having the opportunity to speak during public comment for this agenda item. In a November 10, 2022 response to the staff report, the appellant alleges that a Ms. Slowikowska was prevented from speaking due to technical difficulties. However, according to City staff, all members of the public present at the virtual hearing were given the opportunity to speak and no evidence states otherwise. City Staff received no public comments prior to the meeting from members of the public who could not attend and did not receive any communication after the hearing stating that there was any problem providing public testimony or that anyone was prevented from doing so, including from a Ms. Slowikowska.