

CALIFORNIA COASTAL COMMISSION

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F16b

Prepared February 8, 2022 for February 11, 2022 Hearing

To: Commissioners and Interested Persons

From: Kevin Kahn, Central Coast District Manager
Rob Moore, Coastal Planner

**Subject: STAFF REPORT ADDENDUM for F16b
LCP-3-SCO-20-0067-2 (Safety Element Update)**

The purpose of this addendum is solely to respond to comments received by the Commission (see correspondence package for this item) related to flood mapping and coastal hazards, and it does not change or modify the staff recommendation, which is still to approve the LCP amendment with suggested modifications that were crafted collaboratively with County staff, and with which County staff are in agreement.

First, it is clear that some commenters are confused about what is before the Commission in this amendment, presuming that the safety element includes coastal/shoreline hazards provisions. This confusion is understandable because the County considered a safety element locally that included coastal/shoreline hazards as well as other safety element-related issues (i.e., seismic safety, slope stability, landform alteration, creek and riverine flooding, and fire hazards). However, the coastal/shoreline hazards portions of the safety element are the subject of their own separate LCP amendment, and are not before the Commission today.¹ The LCP amendment being considered on February 11th relates solely to the other safety element-related issues.

Second, and related, some commenters have expressed concern regarding the use of April 15, 1986 as the date that establishes whether a structure is 'existing' or not in relation to creek and riverine flooding. These commenters appear to be conflating issues associated with the definition of 'existing structures' for purposes of shoreline armoring (something that is the subject of the other LCP amendment described above) with the purpose of the date for this LCP amendment. Specifically, April 15, 1986 is the date that the County adopted its first set of Flood Insurance Rate Maps (FIRM) for the purposes of administering FEMA's flood protection program, and its use in the LCP is

¹ As indicated on page 1 of the staff report, Commission and County staffs agreed to separate the coastal/shoreline hazards component from the rest of the safety element due to the increased level of issues and controversy associated with that component (LCP amendment number LCP-3-SCO-20-0066-2), and as a means to help move the rest of the safety element to a conclusion as soon as possible. Staff continues to work with the County on the coastal/shoreline hazards LCP amendment on a separate track.

applicable solely to the LCP's FEMA-related creek and riverine flooding provisions.² In fact, it is only used to reference when certain FEMA-related flood provisions took effect, and thus the date past which certain types of creek/riverine-related development needs to conform to such provisions (e.g., floodproofing, elevation, etc.), whereas development existing prior to that date does not. The April 15, 1986 date has no particular relevance to LCP shoreline armoring provisions, and it is simply stating a fact in relation to the County's adopted FIRM maps and the date when certain requirements went into effect regarding the County's floodplain management program under FEMA.

² And it is also existing certified LCP language that is not proposed to be changed by this LCP amendment.