

**CALIFORNIA COASTAL COMMISSION**

South Coast District Office  
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**W20c**

**5-21-0705 (City of San Clemente)**

**May 11, 2022**

**CORRESPONDENCE**



May 6, 2022

To: Donne Brownsey, Chair, California Coastal Commission  
Cc: John Ainsworth, Executive Director, California Coastal Commission  
Honora Montano, Coastal Planner, California Coastal Commission

**Re: Item W20c, Application No. 5-21-0705, City of San Clemente**

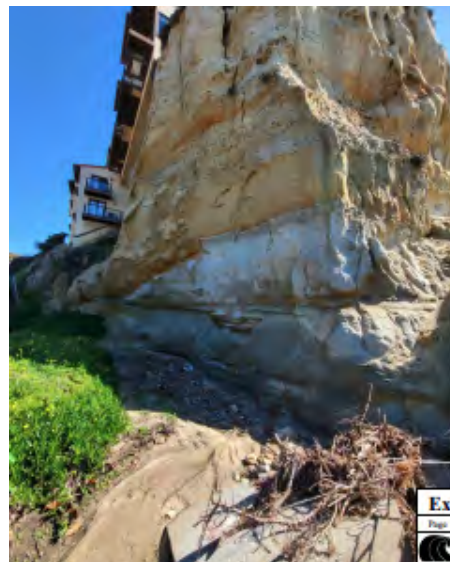
Dear Chair Brownsey and Commissioners,

The Surfrider Foundation (Surfrider) is a nonprofit grassroots organization dedicated to the protection and enjoyment of the world's ocean, waves and beaches, for all people, through a powerful activist network. Surfrider does not oppose the staff recommendation to approve the project and believes it will benefit the public coastal access trail, however we urge the commission to require an additional special condition for mitigation of sand loss due to the impoundment of the bluff.

As detailed in the staff report, the public accessway at Montalvo is unsafe due to the eroding nature of the bluffs and the more recent landslide event. Additionally, the location of the trail in proximity to waves and other trails, dual use as a flood control channel, and availability of an easement make it a desirable coastal access trail. Though neither the public access trail nor the homes above the trail are existing and entitled to armoring solutions, we agree that it is appropriate for the flood control channel to be made safe according to section 30236 of the Coastal Act, particularly given its access use potential.

Regardless of the permitted purpose of the proposed gabion system, it must be made exceedingly clear that this armoring will serve as a protective device for the 9 unit condominium above the bluff that is to be armored. This property was built in 1979 and is not entitled to shoreline armoring, though it is obviously severely threatened by erosion — in some areas the foundation is literally hanging over air due to bluff erosion (see right photo.)

Regardless of Special Condition 9, which seeks to clarify that the permitted purpose of the armoring is not to benefit the condos and to limit future development that may potentially be





reliant on it, the fact of the matter is that the current development will benefit from the armoring.

Therefore Surfrider strongly recommends that the benefitting property owners pay a fee, possibly calculated using the real estate valuation method, for impounding bluff sand that would have otherwise reached the public beach.

If it is not legally possible to obtain this fee, any blufftop property owners who may benefit from the armoring should not be included as applicants to the project, as that seems to provide some de facto endorsement of some rights to the armoring. Additionally and to address this same issue, Special Condition 9 should be strengthened to say:

**“9. Reliance on Permitted Shoreline Armoring.** No development, **either existing prior to or after the issuance of this CDP**, except for the Montalvo Canyon coastal access trail shall rely on the permitted shoreline armoring structure (i.e. gabion protection system) to establish geologic stability or protection from hazards. Any future development and/or redevelopment adjacent to or nearby the project site shall be sited and designed to be safe without reliance on the authorized gabion protection system. In the event the armoring structure (i.e. gabion protection system) is no longer needed to protect the coastal access trail, the City shall apply for a CDP amendment with an alternatives analysis of the feasibility of removal, retention, or alteration of the gabion protection system. If the Commission approves such a CDP amendment, the City shall implement any removal or structural modifications authorized and required.”

Finally, Surfrider agrees with the staff’s suggested conditions to improve public access signage, given the privatization of the trail has violated the easement on the property for forty years.

Sincerely,

A handwritten signature in black ink that reads "Laura Walsh". The signature is written in a cursive, flowing style.

Laura Walsh  
California Policy Manager  
Surfrider Foundation

**From:** Ilkhanipour, Amir <[IlkhanipourA@san-clemente.org](mailto:IlkhanipourA@san-clemente.org)>  
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**Cc:** Rebensdorf, David <[RebensdorfD@san-clemente.org](mailto:RebensdorfD@san-clemente.org)>; Wright, Christopher <[WrightC@san-clemente.org](mailto:WrightC@san-clemente.org)>; Daniel Villines ([dvillines@bkf.com](mailto:dvillines@bkf.com)) <[dvillines@bkf.com](mailto:dvillines@bkf.com)>; Eric Krieg <[Eric.Krieg@lsa.net](mailto:Eric.Krieg@lsa.net)>; [James@jameshawkinsaplc.com](mailto:James@jameshawkinsaplc.com) <[James@jameshawkinsaplc.com](mailto:James@jameshawkinsaplc.com)>; Art Homrighausen <[Art.Homrighausen@lsa.net](mailto:Art.Homrighausen@lsa.net)>; Richard L. Rowe ([rowe11@cox.net](mailto:rowe11@cox.net)) <[rowe11@cox.net](mailto:rowe11@cox.net)>; Gallardo-Daly, Cecilia@City of San Clemente <[Gallardo-DalyC@san-clemente.org](mailto:Gallardo-DalyC@san-clemente.org)>  
**Subject:** RE: CDP application No. 5-21-0705

Hi Vin,

Below please find the City's responses to the Surfrider's comments.

If possible, please distribute our responses to the Commissioners for their information during your presentation.

- While the city does not object to the proposed language change to Special Condition 10, there is no basis for the Surfrider Foundation's proposed fee (legal or otherwise) and imposing such a fee would be inappropriate considering the City is already pursuing a multimillion dollar beach sand replenishment project. As the City is the applicant for this Project, it would be responsible for the proposed fee. The City appreciates the Surfrider Foundation's support for the Project, but its concern that the gabion baskets will provide protection for nine condominium units misunderstands the operation of the gabion baskets. The gabion baskets prevent erosion from the drainage channel, a manmade improvement, not from tidal or wave action. The baskets are not placed on the seaward facing portion of the adjacent bluff, which is also separated from the ocean by the beach, a road, and elevated railroad tracks.
- The loss of beach sand associated with the project will be insignificant. The project watershed is approximately 365 acres in size. The upper reaches of the watershed retain their natural canyon slopes and generate sand and sediment by means of natural erosive processes. The hydraulic characteristics of the project will not affect these processes, nor will it affect the sand and sediment transport capacity of the channel. Furthermore, the volume of sand and sediment produced by the face of the bluff being affected by the project is insignificant in comparison to the volume of sand that is generated by the overall watershed.
- The City has larger plans for monitoring and replenishing beach sand. Recently, the City was awarded a Coastal Commission 7th cycle grant to reestablish a beach monitoring program. Additionally, the City is pursuing a project that will replenish roughly 250,000 cubic yards of new sand on a 3,400-foot long stretch from Linda Lane to South T Street. The project has been in the works for more than 20 years. The feasibility and environmental review for the project began in 2001 and was completed in 2011. The project received \$9.3 million of federal funds and was approved as an Army Corps of Engineers project in 2014, which helped pave the way for the project to receive federal funding. The project is just one of the ways the City of San Clemente is addressing gradual shoreline erosion. Considering these larger efforts, the City disagrees with the need and value of the Surfrider Foundation's proposed site specific project fee, especially because: 1) it is narrow in benefit relative to the length of City shoreline, and 2) reduces the City's budget that supports the implementation of the existing above programs which have

greater potential and longer term benefit for maintaining coastal resources. The sand replenishment project is currently in design and construction is anticipated in 2023.

- Imposing such a fee will serve only to increase the cost of a project designed to provide safe and improved public access, would have no relation to the impact of the Project, and would take away from funds the City can use to complete its current beach sand replenishment efforts.

Thank you.

**Amir K. Ilkhanipour, P.E. | City of San Clemente**

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