

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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W14a

LCP-2-PAC-20-0036-1 (City of Pacifica LUP Update)

MARCH 8, 2023

EX PARTE

RECEIVED
MAY 22 2019

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Carole Groom

1) Name or description of project: Pacifica LCP

2) Date and time of receipt of communication: May 17, 2019 at 3:00 p.m.

3) Location of communication: Redwood City

(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)

4) Identity of person(s) initiating communication: Stan Zeavin

5) Identity of person(s) on whose behalf communication was made: Pacifica Climate Committee

6) Identity of persons(s) receiving communication: Carole Groom, Gina Quiney

7) Identity of all person(s) present during the communication: Carole Groom, Gina Quiney, Stan Zeavin, Timothy Cowan, Cynthia Kaufman, Celeste Langille

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

The members of the Pacifica Climate Committee expressed their concern that the Pacifica City Council will postpone the LCP update process because of disinterest in addressing sea level rise and negative responses to managed retreat, as mentioned in the CCC Sea Level Rise Guidelines. They expressed many concerns and questions, which are attached.

May 22 2019
Date

CAROLE GROOM
Signature of Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.

SUPERVISOR/COMMISSIONER GROOM QUESTIONS:

SUPERVISOR

DECLARES BANKRUPTCY,

- 1) IF CITY ~~GOES BUST FROM BAD DECISIONS~~, E.G., LACK OF LIABILITY PROTECTION ASSOCIATED WITH NEW COASTAL BUILDING PROJECTS, AND POSSIBLY BECOMES UNINCORPORATED, IS THE COUNTY THEN THE RESPONSIBLE PARTY FOR UNPAID LIABILITY ACCRUED BY THE CITY?
- 2) CAN THE COUNTY PUT ANY KIND OF PRESSURE ON PACIFICA TO INSIST ON STRONGER LIABILITY PROTECTION FOR THE CITY ON NEW PROJECTS?

COMMISSIONER:

WE UNDERSTAND THAT THE CCC GUIDELINES ARE A WORK IN PROGRESS. WE ARE HOPING YOU CAN FILL US IN ON SOME OF THE CCC POSITIONS OR NON-POSITIONS CONCERNING NEW PROJECTS.

- 1) IF A CASE OR POSSIBLE APPEAL IS NOT BEFORE THE CCC BUT COULD BE IN THE FUTURE, CAN A COMMISSIONER DISCUSS ASPECTS OF THIS CASE?
- 2) EVEN THOUGH THE CITY'S INTENTION IS TO EITHER REPAIR AN EXISTING SEA WALL OR PUT IN A NEW ONE, THE CITY HAS NOT, AS YET, RECEIVED A GRANT, LET ALONE STARTED SUCH PROJECTS. CAN NEW BUILDINGS BE STARTED BASED ON THE CITY'S INTENTIONS? MUST THESE NEW BUILDS FOLLOW THE END OF CENTURY GUIDELINES?
- 3) NEW BUILDING IN FLOOD ZONE: IF THERE IS NO SEA WALL IN PLACE AT THE SITE OF A NEW PROJECT, DOES THE CCC HAVE AN SLR NUMBER IN FEET THAT THIS NEW BUILDING(S) MUST BE ABLE TO RESIST TO THE END OF THE CENTURY (2050? 2070)? WHAT IS THE POLICY AT THIS TIME?
- 4) WHAT ARE THE STATE RULES, IF ANY, ON LIABILITY FOR THE CITY IN SUCH A SITUATION?
- 5) WHAT IS CONSIDERED TAKE: ACCESS LOST, SEWAGE LOST, WALL FAILURE?
- 6) CAN AN APPEAL TO THE CCC INCLUDE AN ISSUE OR ISSUES THAT WERE NOT ADDRESSED IN THE CITY APPEAL?
- 7) IF THERE IS NO SEA WALL IN FRONT OF A NEW BUILD, WHAT ARE THE PRESENT DAY PARAMETERS FOR THE NEW BUILDING(S) IN TERMS OF DISTANCE FROM MEAN TIDE OR THE LENGTH OF TIME THE BUILD SHOULD LAST?
- 8) DO THESE NUMBERS HOLD IF THERE IS REVETMENT OR RIP RAP?
- 9) WHAT IS THE DEADLINE TO APPEAL TO THE CCC AFTER A PLANNING COMMISSION/CITY COUNCIL DECISION? IS THERE A FEE?