

**CALIFORNIA COASTAL COMMISSION**

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# Th12a

Filed: 4/4/25  
180<sup>th</sup> Day: 10/1/25  
Staff: SF-V  
Staff Report: 10/22/25  
Hearing Date: 11/6/25

## STAFF REPORT: REGULAR CALENDAR

**Application No.:** 4-23-0406

**Applicant:** City of Santa Barbara

**Agent:** Mike Wiltshire

**Project Location:** Leadbetter Beach and Harbor Way, Santa Barbara Harbor, City of Santa Barbara, Santa Barbara County (APNs: 045-250-013; 045-250-014)

**Project Description:** Follow-up to Emergency Coastal Development Permit (CDP) No. G-4-23-0005 to retain an approximately 360 ft. long, 15 ft. high, 36 ft. wide revetment consisting of 5-ton rocks; and a request for after-the-fact approval for minor changes to the revetment construction, and repairs to the adjacent parking lot and boatyard including asphalt replacement (6,320 sq. ft.), parking lot resurfacing and restriping (30,273 sq. ft.), and fence replacement (375 ft.).

**Staff Recommendation:** Approval with conditions.

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## SUMMARY OF STAFF RECOMMENDATION

The City of Santa Barbara is seeking follow-up authorization to Emergency Coastal Development Permit (CDP) No. G-4-23-0005, for the retention of a rock revetment located at Leadbetter Beach, along the seaward extent of an existing parking lot and boatyard within the Santa Barbara Harbor Commercial area, in the City of Santa Barbara. The project site is located partially within the jurisdiction of the City's certified

LCP, and partially within the Commission's retained permit jurisdiction, and the City agreed to a consolidated permit. The standard of review is the Chapter 3 policies of the Coastal Act, with the City of Santa Barbara's certified LCP used as guidance.

A significant storm event and strong storm surges on January 5, 2023, resulted in the erosion of the beach and removal of fill material, causing partial collapse and loss of existing shoreline development. This damage occurred in spite of the City's construction of protective seasonal sand berms on Leadbetter Beach, which were previously authorized through CDP No. 4-21-0103-A1 and are constructed annually. Erosion of the sand berms and beach resulted in storm damage and flooding within the seaward extent of the City's Harbor Commercial area which includes a paved parking lot, public road, boat yard, and harbor maintenance yard. The damage and subsequent repairs also required temporary relocation of 18 boats from the boatyard to the Harbor's boating ramp, impacting a key accessway used by commercial fishermen.

Following issuance of emergency CDP No. G-4-23-0005 on January 11, 2023, the City constructed an approximately 360 ft. long, 15 ft. high, 36 ft. wide revetment consisting of 5-ton rocks, and completed in-kind repairs at the adjacent parking lot and boatyard including asphalt replacement (6,320 sq. ft.), parking lot resurfacing and restriping (30,273 sq. ft.), and fence replacement (375 ft.) including replacement of a pedestrian and rolling gate. Because these repairs were unintentionally omitted from the emergency permit application and because the constructed revetment included minor differences from the design approved through G-4-23-0005, the City is requesting after-the-fact approval for these aspects as well. In the course of processing this application, staff became aware of an existing section of revetment adjacent to the proposed revetment on the eastern end, which predated the January 2023 revetment construction. This application does not include the eastern revetment section, and the matter has been referred to the Commission's enforcement division to review the permitting history of the eastern revetment section.

The subject site is located at Leadbetter Beach, along the seaward extent of a City-owned parking lot within the City of Santa Barbara's Harbor Commercial area. Public access to Leadbetter Beach, which extends primarily south and west of the revetment, is available along a stretch of sandy shoreline that fronts a large public parking lot located northeast of the subject site. The 2021 City of Santa Barbara Sea-Level Rise Adaptation Plan identifies the Harbor and Harbor Commercial areas as some of the highest priority areas within the City to protect from coastal hazards given the coastal access, visitor serving, emergency response, and recreational and commercial fishing opportunities provided within the area. The Commission's coastal engineer has determined that the subject revetment is adequate to provide protection of the existing development at the subject site during the approved ten-year permit term. However, the installation or retention of shoreline armoring such as the subject revetment has the potential to increase local or downcoast erosion, which can result in adverse impacts to coastal processes, public beach access, and recreational opportunities.

In order to ensure that long term impacts from the revetment are minimized while providing protection to existing development, it is necessary to look at alternative

adaptation strategies for the harbor and adjacent beaches comprehensively. In order to effectively plan for long-term adaptation of the subject site and the Harbor area as a whole, the City of Santa Barbara has initiated the preparation of a 30-Year Waterfront Adaptation Plan which, when complete, will provide a comprehensive shoreline adaptation strategy for the Harbor area. However, the Plan has not been finalized, and the analysis of potential adaptation strategies is not complete.

As such, Commission staff recommends approving the retention of the revetment for a limited ten-year term and requiring that any extension of this term be considered by the Commission, as detailed in **Special Condition 1**. Additionally, **Special Condition 4** would require the applicant to contact the Executive Director if and when repair or maintenance is necessary, to determine whether a coastal development permit is required. **Special Condition 5** would require the applicant to waive any rights to future seaward extension of the revetment, unless the proposed work is consistent with a future LCP amendment certified by the Commission that implements a comprehensive shoreline adaptation strategy for the area, such as that anticipated through the City's 30-Year Waterfront Adaptation Plan. Allowing the approved revetment to stay in place, with no additions or seaward encroachment, for an initial period of ten years will allow sufficient time for the City to conduct a long-term hazards analysis and return with an application for a subsequent coastal development permit for the least impactful long-term solution. Prior to the termination of the initial authorization period, the City may apply for additional years of authorization, but such a request must be accompanied by a long-term management plan analyzing feasible alternatives for future adaptation.

Because the retention of the revetment will have some adverse impacts on public access and recreation through the occupation of beach space, **Special Condition 2** would require the City to submit final plans showing the revetment footprint and with identified benchmarks to be used in future monitoring of the revetment to ensure that the approved footprint is maintained and that it does not encroach onto additional beach area. Additionally, **Special Condition 3** requires implementation of an approved revetment monitoring program to document the condition, performance, and footprint of the revetment, throughout the life of the revetment or until the revetment is removed or replaced, in order to identify necessary repairs in a timely manner and to ensure that revetment rock does not migrate into nearby beach area. Finally, due to the inherent risk of shoreline development, **Special Condition 6** requires the City to waive liability and indemnify the Commission against damages that might result from the proposed shoreline protective device.

These special conditions will ensure that the revetment remains in a configuration that can be considered the least impactful to coastal resources during the proposed retention period, while also ensuring comprehensive adaptation planning for future development within the subject site. Commission staff therefore recommends that the Commission **APPROVE** the subject coastal development permit application, as conditioned. The motion is on **page 5**.

## Table of Contents

I. MOTION AND RESOLUTION .....	5
II. STANDARD CONDITIONS .....	5
III. SPECIAL CONDITIONS .....	6
1. Limited Authorization Period .....	6
2. Final Plans .....	6
3. Revetment Monitoring Program .....	7
4. Future Maintenance .....	8
5. Future Modifications to Shoreline Protective Device.....	8
6. Assumption of Risk, Waiver of Liability, and Indemnity Agreement .....	9
IV. FINDINGS AND DECLARATIONS .....	9
A. Project Description and Background .....	9
Unpermitted Development .....	11
B. Coastal Hazards.....	11
C. Public Access and Recreation .....	16
D. California Environmental Quality Act.....	19
E. APPENDIX A – Substantive File Documents .....	21

## EXHIBITS

**Exhibit 1 -** Vicinity Map

**Exhibit 2 -** Aerial Overview

**Exhibit 3 -** Project Plans

## I. MOTION AND RESOLUTION

### Motion:

I move that the Commission approve Coastal Development Permit No. 4-23-0406 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### Resolution to Approve the Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## II. STANDARD CONDITIONS

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicant to bind all future owners and possessors of the subject property to the terms and conditions.

### III. SPECIAL CONDITIONS

#### 1. Limited Authorization Period

- a. This permit authorizes the shoreline protective device for a ten (10) year period following permit issuance.
- b. If the permittee proposes to retain any portion of the shoreline protective device beyond the initial ten (10) year authorization period in this permit as described in subsection (a) of this Special Condition, then the permittee shall submit a complete permit or amendment application to the California Coastal Commission to request up to a ten-year extension to the authorization, no later than six (6) months prior to the termination of the initial ten (10) year authorization period. The permittee shall include in this application an updated long-term hazards management plan that includes evaluation of alternatives to the shoreline protective device that reduce impacts to sand supply, public access and recreation, or any other relevant coastal resources at the site. The information concerning these alternatives must be sufficiently detailed to enable the Coastal Commission to evaluate the feasibility of each alternative for addressing site issues under the Coastal Act. The updated long-term hazards management plan shall refer to the City's forthcoming 30-Year Waterfront Adaptation Plan and ensure that any alternatives to the shoreline protection device are harmonized with adaptation strategies contained in the 30-Year Waterfront Adaptation Plan. The updated long-term hazards management plan shall also include mitigation for the effects of any remaining portion of the shoreline protective device on sand supply, public access and recreation, surf conditions, or any other relevant coastal resources during the expected life of the remaining shoreline protective device beyond, but not including, the initial period of authorization.
- c. Should no permit or amendment application requesting retention of the revetment beyond the initial ten (10) year authorization be submitted, or if such an application is denied, then within 90 days of the termination of the initial authorization period, the permittee shall submit for approval by the Executive Director a plan for the removal of the entire revetment. The removal of the entire revetment shall be completed within 180 days of Executive Director approval of the removal plan.

#### 2. Final Plans

- a. **Prior to issuance of the Coastal Development Permit**, the applicant shall submit, for the review and written approval of the Executive Director, a full-size set of the following final plans:
  - i. Final construction plans that conform with the plans submitted to the Commission titled "Santa Barbara Waterfront Revetment Emergency Repair As Built Exhibit" dated March 1, 2023. The plans shall identify

permanent benchmarks from fixed reference points from which the elevation and seaward limit of the revetment can be referenced for measurement in the future.

- b. The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

### 3. Revetment Monitoring Program

- a. **Prior to issuance of the Coastal Development Permit**, the applicant shall submit for review and written approval of the Executive Director, a long-term monitoring plan for the existing shoreline protective device: the approximately 360-ft. long revetment. The purpose of the plan is to monitor and identify damage or changes to the revetment such that repair and maintenance is completed in a timely manner to avoid further encroachment of the revetment on the beach. The monitoring plan shall incorporate, but not be limited to, the following:
  - i. An evaluation of the current condition and performance of the revetment, addressing any migration or movement of rock that may have occurred on the site and any significant weathering or damage to the revetment that may adversely impact its future performance;
  - ii. Measurements taken from the benchmarks established in the plans as required by **Special Condition 2** of this permit to determine settling or seaward movement of the revetment. Changes in the beach profile fronting the site shall be noted and the potential impact of these changes on the effectiveness of the revetment evaluated;
  - iii. Recommendations on any necessary maintenance needs, changes, or modifications to the revetment to assure its continued function and to assure no encroachment beyond the permitted toe; and
  - iv. An agreement that the permittee shall apply for a coastal development permit amendment within 90 days of submission of any monitoring report for any necessary maintenance, repair, changes, or modifications to the revetment recommended by the monitoring report that require a coastal development permit, except as described in **Special Condition 4**, and implement all aspects approved in any such permit.
- b. The above-cited monitoring information shall be prepared by a licensed engineer familiar with shoreline processes. Monitoring shall continue throughout the life of the revetment or until the revetment is removed or replaced under an amendment to this coastal development permit or pursuant to separate coastal development permit. The monitoring data shall be

submitted to the Executive Director in annual reports, starting one year following the date of Commission action on this permit.

- c. The applicant shall undertake the development in accordance with the approved monitoring plan. Any proposed changes to the approved monitoring plan shall be reported to the Executive Director. No changes to the monitoring plan shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

#### **4. Future Maintenance**

The applicant shall maintain the existing revetment in its approved state. Periodic use of heavy machinery on the sandy beach during low tide for the sole purpose of restoring the revetment to its approved state by restacking rip rap that has scattered onto the sandy beach is authorized under this permit. The applicant shall notify the Executive Director no less than ten (10) days prior to any use of heavy machinery for restacking purposes. Any change in the design of the revetment or future additions to or reinforcement of the revetment beyond exempt maintenance as defined in Section 13252 of Title 14 of the California Code of Regulations to restore the structure to its original condition will require a coastal development permit. However, in all cases, if after inspection it is apparent that repair and maintenance is necessary, the applicant shall contact the Executive Director to determine whether a coastal development permit or an amendment to this permit is legally required, and, if required, shall subsequently apply for a coastal development permit or permit amendment for the required maintenance.

#### **5. Future Modifications to Shoreline Protective Device**

By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, that no future repair, maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protective device approved pursuant to this permit, as described and depicted on the approved final plans required in **Special Condition 2**, shall result in any encroachment seaward of the authorized footprint of the shoreline protective device unless the proposed work is consistent with a future LCP amendment certified by the Commission that implements a comprehensive shoreline adaptation strategy (such as the City's forthcoming 30-Year Waterfront Adaptation Plan) that includes a comprehensive shoreline planning process that evaluates and balances the impacts and benefits of various adaptation alternatives on coastal-dependent uses, public recreation, public access, public safety, critical infrastructure, and beach widths at the Waterfront. Any proposed changes to the shoreline protective device resulting in seaward encroachment shall also include an evaluation of alternatives, at the time of application, to the shoreline protective device that reduce impacts to sand supply, public access and recreation, or any other relevant coastal resources at the site.

Any proposed changes to the shoreline protective device described and depicted on the approved final plans required in **Special Condition 2** shall be reported to the Executive Director. No changes to the approved final plans shall occur without a new coastal

development permit or an amendment to this coastal development permit, unless the Executive Director determines that a new coastal development permit or an amendment is not legally required.

## **6. Assumption of Risk, Waiver of Liability, and Indemnity Agreement**

By acceptance of this permit, the permittee acknowledges and agrees (i) that the site may be subject to hazards including but not limited to storm waves, flooding, erosion, and sea level rise; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

# **IV. FINDINGS AND DECLARATIONS**

## **A. Project Description and Background**

The City of Santa Barbara is seeking follow-up authorization to Emergency Coastal Development Permit (CDP) No. G-4-23-0005, for the retention of a rock revetment located at Leadbetter Beach, along the seaward extent of a parking lot located between 122 and 130 Harbor Way within the Santa Barbara Harbor Commercial area, in the City of Santa Barbara.

A significant storm event and strong storm surges on January 5, 2023, resulted in the erosion of the beach and removal of fill material, causing partial collapse and loss of existing shoreline development. This damage occurred in spite of the City's construction of protective seasonal sand berms on Leadbetter Beach, which were previously authorized through CDP No. 4-21-0103-A1 and are constructed annually. Erosion of the sand berms and beach resulted in storm damage and flooding within the seaward extent of the City's Harbor Commercial area, which includes a paved parking lot, public road, boat yard, and harbor maintenance yard. Storm damage within this area resulted in damage to approximately 6,320 square feet of parking lot asphalt, including undermining and partial collapse of the seaward extent of the lot, and resulted in damage to perimeter security fencing at the boat yard located immediately east of the parking lot. This damage also had temporary negative impacts upon the City's Waterfront operations, as compromised security and necessary repairs at the boat yard required relocation of 18 boats, which were temporarily moved to the Harbor's boating ramp, impacting a key accessway used by commercial fishermen.

To prevent further storm damage and restore waterfront operations, the City sought emergency authorization for construction of a rock revetment seaward of the parking lot and boat yard on January 11, 2023. Emergency CDP No. G-4-23-0005 was issued on

January 11, 2023, and authorized the construction of an approximately 400 ft. long, 15 ft. high, and 8 ft. wide temporary rock revetment consisting of 4 ft. diameter, 2-ton rocks at the subject site in order to protect the existing parking lot from wave action, storm surge, and erosion, and to protect adjacent commercial development and public roads from flooding. Construction began on January 12, 2023 and concluded on January 17, 2023. During construction, a temporary fenced work area was established extending approximately 100 ft. south of the revetment area, ensuring public safety during construction activities. Revetment work was performed during low tide windows, using construction best management practices to avoid any potential impacts to water quality. Following project completion, a biological resources assessment dated April 2023 was prepared for the project by Rincon Consultants. The report confirmed that the City had adhered to all required biological resource impact avoidance and minimization measures during project construction, that the project resulted in little to no impacts to biological resources, and that because the site receives only intermittent tidal influence the revetment would not result in any significant loss of biological resource value within the subject site.

The proposed project is a follow-up to Emergency CDP No. G-4-23-0005. The proposed project also includes a request for after-the-fact approval for in-kind repair and replacement of facilities damaged by the January storm event, which had been unintentionally omitted from the City's original emergency permit application, as well as after-the-fact approval for minor changes to revetment construction which were implemented by the City consistent with the design of a revetment that had been previously studied and recommended, but not yet implemented, through the "Santa Barbara Harbor Shoreline Protection and Land Use Alternatives Study" completed in January 2000 by URS Greiner Woodward Clyde, Civitas Urban Design, and Moffatt & Nichol Engineers on behalf of the City. As such, the proposed project includes the retention of the revetment that was actually constructed on the project site, which comprises an approximately 360 ft. long, 15 ft. high, 36 ft. wide revetment consisting of 5-ton rocks.

The project site is located partially within the coastal development permit jurisdiction of the City's certified LCP, and partially within the Commission's retained permit jurisdiction, and is also located within the jurisdiction of the U.S. Army Corps of Engineers (USACE) and the Central Coast Regional Water Quality Control Board (RWQCB). The City provided notification for the project to USACE, and on January 19, 2023 the City received USACE authorization for permanent impacts to approximately 400 linear feet of Tidal Waters of the U.S. The City also shared project information with the RWQCB, and provided notice to both agencies following completion of the project.

The City authorized permit consolidation for Emergency CDP No. G-4-23-0005 on January 10, 2023, and confirmed authorization for permit consolidation for the subject follow-up CDP (4-23-0406) on December 9, 2024. As such, the standard of review is the Chapter 3 policies of the Coastal Act, with the City of Santa Barbara's certified LCP used as guidance.

## **Unpermitted Development**

Development has been undertaken at the subject property without the benefit of a CDP, including, but not necessarily limited to; asphalt replacement (6,320 sq. ft.), parking lot resurfacing and restriping (30,273 sq. ft.), and fence replacement (375 ft.) including a pedestrian and rolling gate at the parking lot and boatyard adjacent to the revetment. Although development has taken place prior to submission of this permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act, with the City of Santa Barbara's certified LCP used as guidance. Approval of this application pursuant to the staff recommendation and issuance of the permit will result in resolution of the unpermitted development with respect to asphalt replacement, parking lot resurfacing and restriping, and replacement of the fence, and pedestrian and rolling gate at the parking lot and boatyard adjacent to the revetment.

In the course of processing this application Commission staff discovered that in addition to the subject emergency rock revetment (installed in January 2023), there is an existing revetment located immediately east of the project site, along the seaward edge of the parking lot. Staff has not identified any coastal development permit approving this earlier revetment. The subject application does not include any request for approval of the eastern revetment section which was in place prior to January 2023. The eastern revetment section will not be addressed by the Commission's action on this application, and the matter has been referred to the Commission's enforcement division to review the permitting history of the eastern revetment section. Commission review and action on this permit does not constitute a waiver of any legal action with regard to the eastern revetment section (or any other potential unpermitted development), nor does it constitute an implied statement of the Commission's position regarding the legality of the development undertaken on the subject site without a coastal permit, or of any other development, except as otherwise expressed herein.

## **B. Coastal Hazards**

Section 30235 of the Coastal Act states:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30253 of the Coastal Act states in part that new development shall:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter the natural landforms along bluffs and cliffs.

In addition, the City of Santa Barbara LCP includes the following applicable provisions, used as guidance:

Policy 5.1-44 of the City of Santa Barbara certified Land Use Plan states, in part:

A. New or substantially redeveloped shoreline protection devices shall not be permitted unless avoidance measures, including consideration of relocation or removal of the at-risk structure, beach nourishment, dune creation, dune restoration, and other similar techniques are determined to be infeasible.

Coastal Act Section 30235 allows for the permitting of shoreline protective devices when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and Coastal Act Section 30253 requires that new development shall minimize risks to life and property in areas of high flood hazard. The City of Santa Barbara's certified LCP contains the relevant policy cited above, requiring that new or substantially redeveloped shoreline protection devices shall only be permitted where other protection techniques or removal of at-risk structures are determined to be infeasible.

An issue of major concern facing California today is the gradual loss of sandy beaches due to natural processes (e.g. erosion, subsidence, and storm events) combined with anthropogenic factors (e.g. coastal development and sand supply disruptions). Seawalls, revetments, and other types of hard armoring have long been used to protect backshore development from erosion and flooding, but future accelerated sea level rise and extreme storm events will heighten the rate of beach loss and potential exposure of the backshore to hazards. Hard armoring already results in unintended ecological and public access consequences, such as loss of biodiversity and ecosystem services and displacement of recreational beach area with protective structures.

The Coastal Act acknowledges that seawalls, revetments, retaining walls, groins, and other such structural or "hard" methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, with the exception of new coastal dependent uses, Coastal Act Section 30235 limits the construction of shoreline protective structures to those required to protect existing permitted development or public beaches in danger from erosion. Furthermore, Section 30253 requires that new development be sited, designed, and built in a manner to not require construction of shoreline protective devices that would substantially alter natural landforms along the shoreline. The Coastal Act provides these limitations because shoreline protective devices can have a negative effect on the coastal environment, including adverse effects on sand supply, public access, coastal views, natural landforms, and shoreline beach dynamics on- and off-site, that can result in the loss of sandy beach areas.

Under Coastal Act Section 30235, shoreline protective structures shall be permitted if:

#### 4-23-0406 (Leadbetter Revetment)

(1) there is an existing structure; (2) the existing structure is in danger from erosion; (3) shoreline altering construction is required to protect the existing threatened structure; and (4) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply.

The proposed project includes the retention of an emergency revetment that was installed with Commission authorization through G-4-23-0005, following storm events that eroded protective sand berms and the beach at the subject site and resulted in damage and flooding of a beachfront parking lot and boat yard within the City of Santa Barbara's Harbor Commercial area. The Santa Barbara Harbor was initially built in 1929 with a detached breakwater. Sand immediately began accreting in the harbor once the breakwater was constructed. In hopes of solving the shoaling problem, the breakwater was extended westward to attach to the shore in 1930. Over the next following seven years, Leadbetter Beach and land area within the harbor were created through sand retention and accretion. Federal dredging in the Harbor was authorized in 1935, in order to maintain a navigable entrance channel for vessels accessing the harbor. Approximately 300,000 cubic yards of sand is dredged from the harbor annually, and is then reused to replenish nearby beaches, including Leadbetter Beach, as authorized through CDP No. 4-21-0103-A1.

A January 2000 hazards vulnerability study entitled "Santa Barbara Harbor Shoreline Protection and Land Use Alternatives Study" (Study) completed by URS Greiner Woodward Clyde, Civitas Urban Design, and Moffatt & Nichol Engineers on behalf of the City confirmed that the Harbor Commercial area is vulnerable to wave runup, overtopping, and flooding hazards, which are expected to increase with sea level rise. The Study examined several alternatives for the protection of coastal-dependent uses located within the area, including a vertical seawall, a hybrid seawall, an offshore breakwater, a geotube, a vegetated dune, and others. An updated assessment of project alternatives specific to the project site was also provided through a Hazard Mitigation Plan dated November 2023 and prepared by Moffatt & Nichol, and through an additional memorandum dated February 2025 which was also prepared by Moffatt & Nichol. The updated analyses included assessment of a no project (revetment removal) alternative, retention alternative, retention plus dune system alternative, and dune system only alternative. Ultimately, the initial Study's minimum height rock revetment was recommended, in order to minimize impacts upon coastal processes while still protecting the Harbor Commercial area from storm-related damage. The updated analyses also confirm that the current revetment design is sufficient for protection, and that it is unlikely to impede lateral public access along the beach below the revetment during winter months when the beach is at its most narrow.

Although annual protective sand berms had been constructed along the subject site prior to the January 2023 storms, as an interim solution to Harbor Commercial area protection authorized through CDP 4-21-0103-A1, these berms and the beach itself were eroded through a combination of seasonal high tides and significant storm surge, necessitating the implementation of additional protection of existing development and coastal dependent uses located landward of and immediately adjacent to the beach. As with other beaches across Southern California, Leadbetter Beach in Santa Barbara

often experiences the highest tides of the year during the winter months, which is also the season that exhibits the highest frequency and intensity of storms. High surf generated by winter storms, in combination with seasonal high tides, results in rapid shoreline erosion as sediment is moved offshore, and leaves beachfront development vulnerable to storm damage. In the summer, southward current and gentler waves facilitate landward movement of offshore sediment, resulting in shoreline accretion. Santa Barbara experiences these annual cycles, which cause seasonal variations in beach width, and which can result in damage to vulnerable areas during extreme winter storms. The Commission's coastal engineer has determined that the subject site can be protected with the retention of the revetment, which is the minimum necessary to protect the most vulnerable area of the parking lot and boat yard and ensure that another emergency situation does not arise in this segment during the permit term. Allowing only the approved revetment to stay in place, with no additions or seaward encroachment, for an initial period of ten years will allow sufficient time for the City to conduct a long-term hazards analysis and return with an application for a subsequent coastal development permit for the least impactful long-term solution.

The 2021 City of Santa Barbara Sea-Level Rise Adaptation Plan identifies the Harbor and Harbor Commercial areas as some of the highest priority areas within the City to protect from coastal hazards given the coastal access, visitor serving, emergency response, and recreational and commercial fishing opportunities provided within the area. In order to adapt the harbor to known hazards projected to increase with sea level rise, the City has initiated the preparation of a 30-Year Waterfront Adaptation Plan which, when complete, will provide a comprehensive shoreline adaptation strategy for the Harbor area. The report is currently in its draft stages and will, in part, draw upon wave uprush and hazard analyses utilized in evaluation and design of the subject revetment. In the meantime, the City believes that retaining the emergency revetment, in its current configuration, will allow it to continue to protect coastal-dependent resources within the Harbor Commercial area while also providing time to identify future, long-term adaptation measures for the subject site and for the Harbor area as a whole.

However, the installation or retention of shoreline armoring such as the subject revetment has the potential to increase local or downcoast erosion. Besides occupying a portion of the sandy beach, coastal armoring can cause impoundment, passive erosion, and active erosion. Impoundment at the subject site of upland sediment that would otherwise enter cross- and downcoast sediment transport would diminish natural sand accretion downcoast, hastening beach narrowing in those areas. Regarding passive erosion, whenever a hard structure is built along an eroding coastline, the shoreline can eventually migrate landward on either side of the structure, resulting in gradual loss of the beach in front of and to either end of the armoring. Localized scour is often observed at the downdrift end of armoring as a result of wave reflection and would also hasten the loss of sand at what is already a fairly narrow beach. In past projects involving the installation or retention of shoreline protective devices, the Commission has required mitigation fees from the applicant to address the impacts the shoreline protective device has to sand supply – through the reduction of natural erosion on near-shore areas and the introduction of sand material into the littoral cell – and public access and recreation – through occupation of public space and prevention of the

beach from migrating landward as sea levels rise. However, in addition to being a site of observed natural sand accretion, as mentioned earlier, sand supply at and immediately up and downcoast of the subject site is also supplemented through the City's periodic placement of sand dredged from the harbor. Retention of the emergency revetment would provide continued protection for the coastal dependent and visitor serving uses of the Harbor Commercial area during the permitted retention period, and continued sand deposition and accretion at the subject site will minimize potential impacts to public beach space during the retention period.

However, this protective approach does not obviate the aforementioned adverse impacts arising from the presence of the revetment. In order to ensure that long term impacts from the revetment are minimized while providing protection of existing development, it is necessary to look at alternative adaptation strategies for the harbor and adjacent beaches comprehensively. As previously stated, the City has undertaken such a study. As such, the Commission finds it appropriate to approve the retention of the revetment for a limited term and require that any extension of this term be considered by the Commission. **Special Condition 1** authorizes the revetment for an initial ten-year period. Prior to the termination of the initial authorization period, the City may apply for ten additional years of authorization, but such a request shall include an updated long-term hazards management plan that includes evaluation of alternatives to the shoreline protective device that reduce impacts to sand supply, public access and recreation, and any other relevant coastal resources at the site, and shall refer to the City's forthcoming 30-Year Waterfront Adaptation Plan and ensure that any alternatives to the shoreline protection device are harmonized with adaptation strategies contained in the 30-Year Waterfront Adaptation Plan. Additionally, **Special Condition 4** requires the applicant to maintain the existing revetment in its approved design and authorizes necessary restacking of rocks. **Special Condition 4** also requires the applicant to contact the Executive Director when repair or maintenance of the revetment is necessary, to determine whether a coastal development permit or amendment of this permit is required. To ensure protection of public beach space seaward of the revetment, **Special Condition 5** requires the applicant to waive any rights to future seaward extension of the revetment unless the proposed work is consistent with a future LCP amendment certified by the Commission that implements the comprehensive shoreline adaptation strategy for the area. Additionally, due to the inherent risk of shoreline development, **Special Condition 6** requires the City to waive liability and indemnify the Commission against damages that might result from the proposed shoreline protective device. The risks of the proposed development include the possibility that the shoreline protective device will not protect against damage to the Harbor Commercial area from storm surge, uprush, overtopping, flooding, and erosion. Although the Commission has sought to minimize these risks, the risks cannot be eliminated entirely. Given that the applicant has chosen to construct the proposed development despite these risks, the applicant and any future successors in interest must assume the risks.

These special conditions will ensure that the revetment remains in a configuration that can be considered the least impactful to coastal resources during the approved retention period, consistent with Sections 30235 and 30253 of the Coastal Act.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the relevant Sections of the Coastal Act and the applicable guidance policies of the City of Santa Barbara LCP regarding coastal hazards.

### **C. Public Access and Recreation**

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Section 30234 of the Coastal Act states:

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

In addition, the City of Santa Barbara LCP includes the following applicable provisions, used as guidance:

Policy 3.1-1 of the City of Santa Barbara certified Land Use Plan states:

Maximum Public Access. As outlined in Coastal Act 30210, in carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall

4-23-0406 (Leadbetter Revetment)

be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Policy 3.1-2 of the City of Santa Barbara certified Land Use Plan states:

Lateral Access Along the Coast. Lateral access along the beach is a public right. Public access opportunities along the coast shall be maximized consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. No attempts to prohibit or interfere with the public's lawful use of the beach area shall be allowed.

Policy 2.2-1 of the City of Santa Barbara certified Land Use Plan states, in relevant part:

Protection of Harbor Commercial Fishing and Recreational Boating Facilities. As outlined in Coastal Act Section 30234, facilities serving the commercial fishing and recreational boating industries shall be protected, and where feasible, upgraded.

Policy 2.2-15 of the City of Santa Barbara certified Land Use Plan states, in relevant part:

Dry Boat Storage. Maintain existing dry boat storage areas at West Beach, Leadbetter Beach, and in the Harbor Commercial area.

Coastal Act section 30210 mandates that maximum public access and recreational opportunities be provided. Coastal Act section 30211 requires that development shall not interfere with the public's right of access to the sea, including the use of dry sand areas and Coastal Act Section 30212 requires that new development shall provide public access to the shoreline, except where adequate access exists nearby. Additionally, Section 30234 of the Coastal Act mandates the protection of existing recreational boating and commercial fishing facilities. The City of Santa Barbara's certified LCP contains the relevant policies cited above related to the protection of public access and related to the protection of recreational boating and commercial fishing.

The subject site is located at Leadbetter Beach, along the seaward extent of a parking lot located between 122 and 130 Harbor Way within the Santa Barbara Harbor Commercial area. The parking lot north of the rock revetment is owned by the City, and is leased to the Santa Barbara Yacht Club for private use by members and guests. Multiple public parking lots that provide ample parking for harbor and beach access are located nearby, including a row of public parking stalls immediately north of the subject parking lot. Public access to Leadbetter Beach, which extends primarily south and west of the revetment, is available along a stretch of sandy shoreline that fronts a large public parking lot located northeast of the subject site. The emergency boatyard and parking area repairs and revetment installation took place over the week-and-a-half period following authorization of G-4-23-0005 on January 11, 2023, avoiding the busy summer season. During construction, a temporary fenced work area was established extending approximately 100 ft. south of the revetment area, ensuring public safety during

construction activities. Revetment work was performed during low tide windows, using construction best management practices to avoid any potential impacts to water quality. Repairs at the boat yard required relocation of 18 boats, which were temporarily moved to the harbor's boating ramp, impacting a key accessway used by commercial fishermen until the repairs were completed and the boats were removed.

While the intent of the City's proposed development is to protect coastal dependent uses within the publicly accessible Harbor Commercial area – including recreational boating and commercial fishing, as supported through the adjacent boat yard – the revetment nevertheless occupies beach space that would otherwise be available for lateral access and public recreation. To minimize impacts to public beach space and lateral beach access, the revetment is located as landward as possible, immediately adjacent to the pre-existing developed area that was damaged by the winter storms (**Exhibit 3**). The revetment's design was selected following evaluation of several project alternatives, and was the final recommendation of a study commissioned by the City which examined multiple potential strategies to protect coastal-dependent commercial uses, public parking, and coastal recreation opportunities within the Harbor Commercial area while also ensuring minimal impacts to public beach access and less than significant impacts on coastal processes. The study, "Santa Barbara Harbor Shoreline Protection and Land Use Alternatives Study" was prepared by URS Greiner Woodward Clyde, Civitas Urban Design, and Moffatt & Nichol Engineers and completed in January 2000, and is included in the substantive file documents listed at the end of this staff report. An updated assessment of project alternatives for the project site was also provided through a Hazard Mitigation Plan dated November 2023 and prepared by Moffatt & Nichol, and through an additional memorandum dated February 2025 which was also prepared by Moffatt & Nichol. These analyses confirm that the current revetment design is unlikely to impede lateral access along the beach below the revetment during winter months when the beach is at its most narrow, and confirm that addition of a potential vegetated dune system along the revetment is not appropriate at this site as it would result in additional adverse impacts to lateral beach access and recreational use of available beach area. Additionally, although the proposed project does not include sand placement on the emergency revetment, CDP 4-21-0103-A1 authorizes the City's construction of an annual sand berm along the site's seaward side for protection of the harbor, and seasonal sand accretion along the length of the subject site has been observed to naturally occur there as well. Sand accumulation along the revetment will serve to reduce loss of public beach area that would result from retention of the emergency revetment.

However, because retention of the revetment will have some adverse impacts on public access and recreation through the occupation of beach space, **Special Condition 2** is necessary to require the City to submit final plans that include the revetment footprint and identified benchmarks to be used in future monitoring of the revetment to ensure that the approved footprint is maintained and does not encroach onto additional beach area. Additionally, **Special Condition 3** requires implementation of an approved revetment monitoring program to document the condition, performance, and footprint of the revetment, throughout the life of the revetment or until the revetment is removed or replaced, in order to identify necessary repairs in a timely manner and to ensure that

revetment rock does not migrate into nearby beach area. **Special Condition 4** requires the City to maintain the existing revetment in its approved state, and to notify the Executive Director no less than ten (10) days prior to any use of heavy machinery for restacking purposes. Additionally, **Special Condition 5** is required to ensure that no future repair, maintenance, enhancement, reinforcement, or any other activity will result in any seaward encroachment of the subject revetment unless approved consistent with a future LCP amendment certified by the Commission that implements a comprehensive shoreline adaptation strategy for the subject site (such as the City's forthcoming 30-Year Waterfront Adaptation Plan). Such an LCP amendment shall include a comprehensive shoreline planning process that evaluates and balances the impacts and benefits of various adaptation alternatives on coastal-dependent uses, public recreation, public access, public safety, critical infrastructure, and beach widths at the Waterfront. Finally, to ensure that the subject revetment is retained for the minimum duration of time necessary for the City to design and propose the least-impactful permanent management strategy for the protection of future public access at the subject site, **Special Condition 1** authorizes the revetment for an initial ten-year period only. Prior to the termination of the initial authorization period, the City may apply for an additional ten years of authorization, but such a request must be accompanied by an updated long-term hazards management plan that includes evaluation of alternatives to the shoreline protective device that reduce impacts to sand supply, public access and recreation, and any other relevant coastal resources at the site, and shall refer to the City's forthcoming 30-Year Waterfront Adaptation Plan and ensure that any alternatives to the shoreline protection device are harmonized with adaptation strategies contained therein. The plan shall also include mitigation for the effects of any remaining portion of the shoreline protective device on sand supply, public access and recreation, surf conditions, or any other relevant coastal resources during the expected life of the remaining shoreline protective device beyond the initial period of authorization.

These special conditions of approval will ensure that while the revetment remains on the beach, it will be maintained in a configuration that can be considered the least impactful to public access and recreation, consistent with the public access and recreation policies of the Coastal Act. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the relevant sections of the Coastal Act and the applicable guidance policies of the City of Santa Barbara LCP regarding public access, as well as recreational boating and commercial fishing.

#### **D. California Environmental Quality Act**

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. The City found the proposed revetment exempt from CEQA

review as a Declared Emergency under Section 15269(a), Title 14 of the California Code of Regulations.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing duration of authorization, final design, maintenance, and acceptance of risk will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

4-23-0406 (Leadbetter Revetment)

## **E. APPENDIX A – Substantive File Documents**

Coastal Development Permit Application No. 4-23-0406 and associated file documents.

Emergency Coastal Development Permit No. G-4-23-0005

Coastal Development Permit No. 4-21-0103-A1

Santa Barbara Harbor Shoreline Protection and Land Use Alternatives Study by URS Greiner Woodward Clyde, Civitas Urban Design, and Moffatt & Nichol Engineers, dated January, 2000

Santa Barbara Waterfront Emergency Revetment Project Santa Barbara, California Wave Uprush Study by Moffatt & Nichol, dated April 24, 2023

Santa Barbara Waterfront Emergency Revetment Project Santa Barbara, California Hazard Mitigation Plan by Moffatt & Nichol, dated November 10, 2023

Response to California Coastal Commission Incomplete Letter by Moffatt & Nichol, dated February 28, 2025