

## **CALIFORNIA COASTAL COMMISSION**

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# **Th9a**

**LCP-2-PAC-23-0056-3 (City of Pacifica LUP Update)**

**May 8, 2025**

**CORRESPONDENCE**



April 14, 2024

To: Pacifica City Council: Mayor Vaterlaus, Mayor Pro Tem Beckmeyer, Councilmember Bier, Councilmember Bigstyk, Councilmember Boles

Cc: Kate Huckelbridge, Executive Director, California Coastal Commission  
Erik Martinez, District Supervisor, North Central Coast District

**Re: City of Pacifica's proposed modifications to the LCLUP**

Dear Mayor Vaterlaus and Councilmembers,

The Surfrider Foundation (Surfrider) is a grassroots nonprofit organization dedicated to the protection and enjoyment of the world's ocean, waves and beaches for all people. Surfrider's San Mateo County Chapter (Chapter) advocates for equitable coastal access and coastal resource protection in Pacifica. We urge the City of Pacifica to modify the proposed Local Coastal Land Use Plan (LCLUP) to be more protective of the coast and equitable public access. Surfrider opposes the Special Resiliency Areas (SRAs) proposed in alternative modification 6.14 of the City's most recent Revised Certification Draft LCLUP, and the numerous policies that facilitate or leverage the SRA concept.

SRAs are not provided for by the Coastal Act, and such a proposal undermines its access and recreational provisions. The approval of SRAs would set dangerous precedent for interpretation of the Coastal Act throughout the state and would lead to long-term armoring and erosion of Pacifica's beaches — which belong to the *public* and must remain enjoyable by the public rather than eroded by further armoring. Proposed mitigation for SRAs has also been grossly insufficient.

We urge the City to also take the opportunity provided for by the LCLUP process to consider where realignment of public facilities is possible and economical for taxpaying residents. The City needs to engage in long-term planning to relocate aging infrastructure along the coast; including aging sewage lines, other utility infrastructure and runoff pipes that protrude from the bluffs and contribute to bluff erosion. Realignment such structures inland will ultimately be cheaper than working to protect them from escalating flood and storm hazards and will help the City to avoid more beach-destroying armoring for such infrastructure.

Surfrider supports an LCLUP update, but not at all costs. An approved LCLUP will allow Pacifica to be eligible for critical sea level rise adaptation funding from the state and can lay out a vision for Pacifica where beaches and coastal access still exist in the next fifty years. An LCLUP update that undermines the Coastal Act however, ie through the approval of SRAs, sets Pacifica down a path of further armoring that destroys our beaches and prioritizes private interests over the public good.

## **Special Resiliency Areas are Unlawful**

The City's new proposed "Special Resiliency Area" (SRA) provisions came as a surprise to the community and did not arise from public input. This policy proposal constitutes a major change since the 2020 submittal of the draft LUP and there has not been adequate opportunity for public comment. The SRA concept ignores a fundamental policy of the California Coastal Act: New development (built after 1976) is not entitled to shoreline armoring.

Armoring makes erosion worse and drowns the beach and waves as seas rise by fixing the back of the beach in place.<sup>1</sup> The negative impacts of hard armoring on the public trust are well documented in state guidance documents such as [Public Trust Guidance Principles and Action Plan](#) adopted by the Coastal Commission in 2022. Due to impacts on public resources, the California Coastal Act prohibits new development built after 1976 from relying on shoreline armoring. Except for the pre-1977 structures explicitly protected by Section 30235, every pertinent Coastal Act policy militates against armoring the coast.

Consider the impacts of a seawall: it reduces, and in most cases eventually will eliminate public access; it similarly constrains and will eventually eliminate most forms of public recreation; it has significant impacts on marine resources; it degrades the scenic and visual qualities of the coastal area; and it causes a permanent alteration of the natural landforms of the area. Given these multiple potential impacts to resources protected by Coastal Act Sections 30210 (Public Access), 30220 (Recreation), 30230 (Sensitive Habitat), and 30251 (Scenic and Visual), it is understandable that the Legislature in section 30253(c) required that new development not require the construction of these harmful protective devices that would actively harm the public trust by eroding and blocking off beaches.

Implementing a blanket seawall approval provision in the proposed LUP undermines the language and spirit of the Coastal Act and unduly burdens the public's rights and resources. The result of SRAs in Pacifica would be to sacrifice public beaches and waves to coastal squeeze. The City's proposed "coastal amenity improvements" as mitigation for the Special Resiliency Areas are also wholly inadequate - we must not sacrifice the existence of our beaches for things like restrooms and signage.

A similar concept was proposed in Santa Cruz County that would have protected private development from coastal hazards at the expense of the public resources without any significant mitigation. The Coastal Act prohibits shoreline armoring except to protect pre-Coastal Act structures that meet certain criteria for erosion risk. The Commission upheld the foundational Coastal Act policies on shoreline armoring by denying the County's plan in a unanimous vote for denial in October 2022.

## **Policies to Facilitate Realignment Should be Included in the LCLUP**

Infrastructure has been successfully realigned off the coast at Big Lagoon in Humboldt County, Isla Vista in Santa Barbara, Depot Hill in Capitola, Surfer's Point in Ventura and at least 13

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<sup>1</sup> Loughney Melius, M., & Caldwell, M. R. (2015). *California Coastal Armoring Report: Managing Coastal Armoring and Climate Change Adaptation in the 21st Century*. Stanford Law School, Environment and Natural Resources Law & Policy Program. <https://www.slc.ca.gov/wp-content/uploads/2018/10/CACoastalArmoringRpt.pdf>

locations in California.<sup>2</sup> Many communities are planning realignment projects including Ocean Beach, San Francisco (realignment of the Great Highway Extension), Del Mar (train tracks), Carlsbad Boulevard, Highway 1 in Pescadero and more.

Realignment of infrastructure is a logical opportunity to save costs and public resources in the face of increasing storm frequency, flooding and sea level rise. Maintaining infrastructure in place that is inundated by sea level rise is going to grow increasingly expensive and will result in more erosion-causing seawalls, whereas preserving recreational space will drive the local economy and contribute to better quality of life for the vast majority of residents and visitors to the community. In the 2016 El Niño, the City of Pacifica spent \$16 million in emergency response to flooding and had to declare a state of emergency and order an evacuation. Already, the City has become a cautionary story of what happens when armoring is the primary solution to the impacts of climate change and sea level rise, and the public is getting stuck with the bill.

The City's LCLUP should proactively detail the need for relocation of aging infrastructure along the coast — the LUP and staff modifications should explicitly call for planned realignment of the wastewater treatment plant infrastructure along the shoreline, including aging sewage lines and other utility infrastructure as it comes due for repair to move it out of highly vulnerable areas. The City should also plan to redesign the various runoff pipes that protrude from the bluffs for much of the northern portion of Pacifica, which contribute to bluff erosion and are likely to rely on shoreline armoring to function. Utility infrastructure, especially in Sharp Park, should not be replaced in the same location as it creates a perverse incentive for more armoring to protect it.

In the City's own economic analysis of sea level rise adaptation strategies, the City found that removing existing armoring and realigning infrastructure where practical provides a net economic benefit on the order of tens of millions of dollars in some places over time.<sup>3</sup>

### **Pacifica Needs an LCLUP, But Not at All Costs**

An LCLUP update for climate change hazards and sea level rise is a key part of a functional local coastal program and a well-managed coastline. An updated LCP will make Pacifica eligible for coastal resiliency grant funding, per recent State Legislation, SB 272; and funding is needed for major coastal resiliency work in Pacifica. With approximately **57 acres of beach, 78 acres of wetlands and several miles of coastal trail** in Pacifica at risk of being lost by mid to late century (according to the City's Sea Level Rise Vulnerability Assessment), the need for planning for sea level rise is vital. The latest draft Sea Level Rise Guidance from the Ocean Protection Council states that sea levels will rise by approximately 1 foot in just thirty years, which can have an extreme impact on beaches that are already uncrossable at high tides, as well as on erosion<sup>4</sup>.

Surfrider is invested in seeing an LCLUP approved in Pacifica. Our support is conditioned however, on a plan that includes policies consistent with the Coastal Act. An LCLUP that includes policies not consistent with the Coastal Act (such as SRAs) sets Pacifica down a path

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<sup>2</sup> Lester, et al. *Shoreline Retreat in California: Taking a Step Back*. Journal of Coastal Research. September 2022. <https://www.researchgate.net/publication/363795930>

<sup>3</sup> City of Pacifica, *Sea Level Rise Adaptation Plan: Pacifica, CA*. ESA. 2018. <https://www.cityofpacifica.org/home/showpublisheddocument/862/637830110999030000>

<sup>4</sup> Draft Sea Level Rise Guidance, Ocean Protection Council. 2024 <https://opc.ca.gov/wp-content/uploads/2024/01/SLR-Guidance-DRAFT-Jan-2024-508.pdf>

of continuing risk both financially and environmentally. The SRA's outlined in the city's current alternative modifications could be devastating for Rockaway and Sharp Park Beach. Additionally the lack of consideration of realignment opportunities misses a major opportunity to make way for beaches in places like Beach Boulevard and restore bluffs and beaches in places like Esplanade and Palmetto.

The story of holding the line of development with armoring has already had a clear negative impact on public resources in Pacifica. One third of the City's six miles of coast is already armored. As the City's Adaptation Plan points out, erosion is causing loss of beach access, particularly in places where shoreline armoring is used. Shoreline armoring is also prone to failure:

- *Land's End Apartments* – seawall failure, temporary loss of vertical access
- *Manor Apartments* (300 block Esplanade Ave) – demolition of apartments after erosion endangered the apartments despite an existing rock revetment (shotcrete wall was not completed, loss of beach area)
- *The Bluffs Apartments* – loss of lateral access along rock revetment due to beach erosion 500 block Esplanade Ave – remaining two homes demolished, and prior bluff top trail endangered
- *West Avalon Drive at Esplanade Ave* – loss of lateral access along 500 block Esplanade rock revetment due to beach erosion
- *SF RV Park* – emergency rock revetment constructed after bluff erosion and loss of bluff-top access trail; storm drain damaged just south of the RV park at the public parking lot and erosion of vertical access ramp
- *Pacific Skies Estates* (a.k.a. Cottages at Seaside) to Beach Boulevard – loss of lateral access along revetments and seawalls
- *Beach Boulevard* – failure of retaining wall structure north of pier (1/11/2001 and 1/22/2016) and regular overtopping of both structures north and south of pier
- *Rockaway* – wave overtopping of seawall caused hotel damage (1/21/2017), loss of lateral access along seawall from beach erosion is greatest at high tide

Given the numerous failures of shoreline armoring, we strongly disagree with the logic of adopting policies that encourage further armoring as an adaptation response.

### **Conclusion**

Surfrider opposes the City's proposed SRAs and urges the City to identify locations where realignment of infrastructure is possible. Once these minimum changes are made, we hope to work with the City on an approvable LCLUP that sets forth a needed vision for Pacifica in the face of more frequent, stronger storms and flooding due to climate change and rising seas.

Sincerely,

Laura Walsh  
California Policy Manager  
Surfrider Foundation

Mandy Sackett  
Senior California Policy Coordinator  
Surfrider Foundation

Kimberly Williams  
San Mateo County Chapter  
Surfrider Foundation

**From:** Cindy Abbott <cala3319@gmail.com>

**Sent:** Monday, October 28, 2024 11:55 AM

**To:** Vaterlaus, Sue <svaterlaus@pacificca.gov>; Beckmeyer, Sue <sbeckmeyer@pacificca.gov>; Bigstyck, Tygarjas <tbigstyck@pacificca.gov>; Bier, Mary <mbier@pacificca.gov>; Boles, Christine <cboles@pacificca.gov>

**Cc:** publiccomment@pacificca.gov; Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov>; Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>; Ringuette, Oceane@Coastal <oceane.ringuette@coastal.ca.gov>; NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>

**Subject:** City Council Meeting, Oct 28, 2024, Agenda Item #4, LCLUP

Dear Mayor Vaterlaus and City Councilmembers,

I want to thank you for your continued work on the update to the City of Pacific Local Coastal Land Use Plan, a revision long needed and that I've been participating in since 2012. We're almost there.

The latest work on defining the Disclosure Policy on Coastal Hazards has been simplified. This is critical to protect FUTURE generations of Pacificans, not just those of us who are fortunate enough to be here today. And good progress has also been made on defining what are considered as Substantial Structural Modifications – also policies that are intended to benefit both current and future generations by defining how repairs and maintenance can be completed and are not overly onerous to permit and achieve, while clearly indicating that overbuilding in coastal hazard zones is not in the public's interest.

What needs to happen before approval though is the **removal of all discussion and policies(CR-I-38 to CR – I – 44) related to Special Shoreline Resiliency Areas**. Staff has indicated that these policies are:

“...crucial for Pacifica due to their strategic focus on balancing coastal protection with ongoing urban and infrastructural needs. These policies specifically allow the neighborhoods of West Sharp Park and Rockaway to continue maintaining and modifying existing developments while providing flexibility for new development, a benefit not afforded to other areas within the Coastal Zone.”

This is false – SSRAs are not crucial and will instead undermine efforts for visionary planning for ALL of the Pacifica coastline. As stated before:

- These policies are not a resilience strategy but a novel way of re-wording a continued armoring and intensified development plan, and not beginning the action needed to protect our beaches, public trust lands, and natural coastal habitat.
- SSRAs as proposed by city staff create inequities between our neighborhoods and have the documented intention to place more people in hazard zones.
- SSRAs provide short term benefit to property owners today, without any forward visionary thinking for future generations.

- We've seen no analysis by City staff for what the costs will be to implement the mitigation plan relative to SSRAs and if there are ample enough benefits to offset these costs that will be on top of a \$120MM seawall that ALL Pacificans will be asked to pay for.

I've relistened to the California Coastal Commission meeting of September 11, 2024, on Neighborhood Scale Adaptation. In the conversational guidance discussion that followed several presentations, no commissioner endorsed expanding neighborhood scale seawalls that would allow for new development – none of which is coastal dependent. The focus, consistent with the Coastal Act, was on ensuring PUBLIC ACCESS to the coast, that considers nature-based solutions and coastal habitat as primary considerations, while balancing the need for planning to take place about how to handle existing public infrastructure.

Please direct staff to remove the archaic SSRAs strategy and policies from the draft update to the LCLUP. Over the next few years, Pacifica – and all coastal communities – will need to continue this work to comply with AB 272. We can plan to collectively work on a true holistic vision for the entire Pacifica coast as our next step. I'll be here to do it with you (or with whoever is on the dias in the future).

Thank you for considering these important actions for the coast and the City of Pacifica.

Cindy Abbott

West Sharp Park

Pacifica City Council  
1800 Francisco Boulevard  
Pacifica, CA 94044  
publiccomment@pacifica.gov

Date: October 9, 2023

Subject: October 9, 2023 Regular Meeting Item 10: Update regarding Local Coastal Land Use Plan (LCLUP) certification process

Dear City Council:

I agree with City Staff to finally be allowed to actually negotiate with the California Coastal Commission (CCC) Staff to find a resolution for Pacifica's LCLUP. On multiple occasions CCC Staff has requested additional data due to the extensive changes to the LCP, including the Undeveloped San Pedro Avenue Site and the Quarry from the City of Pacifica. Instead of actually working with the CCC Staff, the City spent the last three years repeatedly ignoring overtures from the CCC. Additionally, due to frustration with the city's unwillingness to come to a resolution and to counter the city's misinformation on the CCC's Staff willingness to negotiate and blaming the CCC for the delay in the approval of the LCLUP, CCC Staff made modifications to Pacifica's LCLUP for a hearing before the CCC on March 8, 2023. The city then quickly reversed course to ask for an extension until the end of the year and signaled to the CCC Commissioners that they would work with CCC Staff for resolution. Instead of cooperation, the city chose to start a negative PR campaign with the collaboration of outside real estate and developer lobbyists to vilify the Coastal Commission for doing what they are mandated to do from the people of California: enforcing the Coastal Act's Constitutional Law mandate. And now, in October, eight (8!) months after requesting time to negotiate with the CCC Staff city staff is requesting permission for what you all told us you were already doing since the delayed hearing in March?

Many concerned citizens and community organizations have also presented multiple hazard and environmental restraints data for these undeveloped sites which include flooding (also annual formation of a lake; see exhibit B), SLR issues, liquefaction, tsunami danger, federally designated wetlands, as well as ESHA and protected species habitat only for the data to be disregarded by the city in violation of multiple CEQA and state guidance which include SB379 and instead continue to attempt to change these properties designation's to residential and planned development where all scientific data dictates they should be designated Conservation. The City's October 2023 Local Coastal Land Use Plan's "Environmental and Scenic Resources" and "Natural Hazards" chapters ignore all this data for these sites and also ignores the erosion data for the area known as Aramai Point which invalidates the Land Use Designations for these areas. Even more egregious the city is now down-playing the dangers of global warming and has downgraded Sea Level Rise risk to 1-2 feet by 2050 where all scientific data is acknowledging we should be planning for the 'extreme risk' scenario which the city is not considering. How are 25-year design life models with minimal SLR justifiable?

On at least one of these sites the CCC has already determined *"this undeveloped site is known to contain wetlands and ESHA supporting California Red Legged Frog habitat, and the presence of such coastal ecological resources could significantly constrain the development potential of this site."* (see exhibit A).

Since CEQA Guidelines, Section 15125(a)(3) explicitly prohibits use of future plans and permits as the baseline and the two preceding sections (a) (2) and (a) 1 clarify the correct baseline conditions should describe physical environmental conditions as they exist at the time the notice of preparation is published.

This makes the current DRAFT Land Use Designation (LUD) moot and the city should be using existing conditions to determine what the new LUD should be which would heavily favor Conservation. Section 15125 backs this view and "ensuring all biological constraints are considered" is not adequately addressing CEQA as existing conditions in the Quarry and the Pedro Point site would dictate otherwise.

Please also see comments previously submitted by the Pedro Point Community Association (PPCA) which include input from CEQA and environmental legal experts.

Regards,

Samuel Casillas

Board member, PPCA

Past Vice-Chair, Pacifica Economic Development Committee

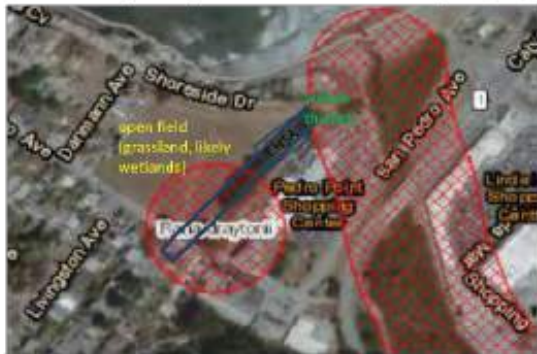
Past Member, Pacifica Sea Level Rise Adaptation Planning Committee

Past Co-Chair GGNRA Board Liaison Committee

Past Member, Pacifica GPU Community Outreach Committee

### **Exhibit A**

CCC Biologist Findings from its denial of an adjacent property at 505 San Pedro Ave (CDP application 2-19-0026 hearing on 3/12/21)



Dr. Linao Mendez-Huerta, Senior Biologist at the California Coastal Commission (File: 2-19-0026) on 10/14/2021 10:11:00 AM EDT. (14)05111\_00112\_00000175

### **Exhibit B**



Pedro Point Field flooding Oct 24<sup>th</sup>, 2021

Pacifica City Council  
1800 Francisco Boulevard  
Pacifica, CA 94044  
[publiccomment@pacifica.gov](mailto:publiccomment@pacifica.gov)  
CC: California Coastal Commission Staff

Date: June 26, 2024

Subject: **June 26, 2024 Special Council meeting: Consideration of a Resolution Certifying the Revised Certification Draft Local Coastal Land Use Plan (LCLUP)**

Dear City Council:

The current draft of Pacifica's Proposed LCLUP is fatally flawed and requires multiple changes due to the current draft's CEQA and Coastal Act violations. These fatal flaws would require the full revision of Pacifica's 2040 General Plan as it will not align with the LCLUP once the CEQA and Coastal Act (CA) violations are rectified.

Staff is conflating land use plan designations in the LCLUP to requirements for project permit-level environmental review. Inherently, projects are speculative and planning around a speculative project is circuitous and prejudicial. It assumes impacts caused by a project will be feasible to mitigate, which is the reverse of mitigation sequencing to first avoid, then minimize, and as a last resort compensate for unavoidable impacts; in other words the city is setting itself up for a taking. The LCP land use designation that is supposed to build in the avoidance of avoidable impacts like placing incompatible residential development in flood-prone hazard zones that are also vulnerable to the escalating risk and conflict forced by SLR and potentially contain ESHA with protected species highlight the violations to both CEQA and the Coastal Act. These violations are not just present in the Quarry, Aramai Point and the Undeveloped San Pedro Ave Site, but also nullify any changes to the general plan outside of the Coastal Zone due to the inherent conflicts that must be rectified prior the 2040 general plan's implementation.

It is negligence by our elected officials to take direction from outside lobbying groups like SMCAR and SMART Coast so that Pacifica can be used as a test case for CEQA and CA violations to see what they can get away with at the cost of the tax payers of this city.

Also, by not acknowledging that the continued efforts to rebuild the Sharp Park seawall at a cost of over \$500 million in order to protect mostly STR properties while devastating Sharp Park Beach in violation of the CA will also bankrupt the city is willful negligence.

The previous planning director constantly stated that the LCLUP has utilized "best available science", but this is false. The willful disregard of scientific data including the biology report from the CCC biologist for the adjacent ESHA and CRLF habitat (CDP application 2-19-0026) will lead to litigation where the city again will be found liable.

Pacifica's proposed LCLUP is in violation of:

- Coastal Act (CA) Section 30240(a): ESHA must be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed. The city has not fully

mapped all ESHA in the CZ and has data in one specific area known as the “undeveloped San Pedro Avenue Site” from the Coastal Commission biologist (exhibit B) showing adjacent ESHA with a protected species (The California Red Leg Frog). By not acknowledging this ESHA what other ESHA sites has the city ignored? The city is also required to standardize ESHA buffer zones.

- CA (Sections 30121, 30230, 30231 and 30233) and California Code of Regulations section 13577 require wetland sites to be identified, designated AND restored as wetlands based on the latest available data including ground water data (see exhibit C).
- CEQA Guidelines, Section 15125(a)(3) explicitly prohibits use of future plans and permits as the baseline and the two preceding sections (a) (2) and (a) 1 clarify the correct baseline conditions should describe physical environmental conditions as they exist at the time the notice of preparation is published. There are at least three violations of this guideline where re-zoning and updated Land Use Designations have not considered “baseline conditions”. These identified parcels in the CZ are the sites known as the Rockaway Quarry where Planned Development is being considered, Aramai Point where commercial is being considered and the San Pedro site where residential is being considered. The city ignored flooding and groundwater data on all three sites but especially the flooding data in the San Pedro Ave site (see exhibit A and C). With the city in violation of this CEQA guideline in these three sites then where else has the city violated CEQA section 15125?
- The city is also ignoring the state guideline recommendation for 6.6 feet of SLR through 2100 from the latest 2024 California Ocean Protection Council Policy Update (*California Ocean Protection Council California Sea Level Rise Guidance: 2024 Science and Policy Update. 2024. California Sea Level Rise Science Task Force, California Ocean Protection Council, California Ocean Science Trust.*)
- The city is also required under SB379 to utilize/restore identified appropriate sites to employ as nature-based solutions for climate resiliency, yet the city is again deferring the selection of SB379 sites without explanation. The San Pedro and Quarry sites should be recorded as SB379 sites.

The fact that the Pacifica City Staff and council has consistently ignored it owns citizens who present the best available science shows that they are not listening and we will be forced to just wait for the CCC appeal process that is there to uphold the law of the state and perhaps leading to litigation is appalling. The CCC is there to protect the Public Trust and those living in the Coastal Zone knew where they live are bound by the laws of the Coastal Zone that the majority of the people of California voted for and vilifying the CCC for imaginary property rights is misleading and continues to cause harm to the city. What is sad is that those who have real fears of losing their homes are not realizing that their anger should be directed at Pacifica’s staff and council for doing the bidding of real estate lobbyists like SMCAR and SMART Coast for developers and not coming up with solutions to help its own citizens with nature based solutions versus hard armoring that will not work. Be honest with Pacificans and help the people who’s homes are vulnerable and not developers for new development that further puts us in danger.

In the Staff report for LD-I-20: Undeveloped San Pedro Avenue Site: CCC staff recommends keeping their original suggested modification from March 2023 that states “some low density” instead of the staff drafted alternative modification that proposed a specific density range. Staff strongly believes that a specified density is necessary to address community concerns regarding potential future development of the site and to assure that the City’s internal land use documents, e.g. General Plan, and LUP are consistent with regard to density designations.---Once again the city is misrepresenting what the community “concerns” are about. The Pedro Point Community Association and the vast majority of the

feedback the city has received from individuals on this parcel clearly state that the “concerns” are that residential should not be considered at all at this due to the present hazards, ESHA and protected species. The further concerns are that how the city came to the conclusion that residential is a good idea when the present conditions clearly point to a Conservation (C) LUD/zoning.

The violations to the Coastal Act, CEQA and California Code of Regulations renders the whole of the LCLUP and potentially the whole 2040 GP fatally flawed and would require a new EIR and considerable revisions to both the LCLUP and the required alignment with the 2040 GP. The city needs to stop hiding behind blaming the CCC and be accountable for following the law which is the Coastal Act and quit pretending the CCC is some out of control bureaucratic entity; The Coastal act has been law since 1979 and the citizens of Pacifica need to be educated instead the hostile environment this staff and council created which has mis-informed its residents and continued blaming the CCC for the city’s continued poor planning which only moves from one emergency evacuation to another without future planning that helps all of us. The staff and council always talk about this great relationship it has cultivated with the CCC, but in action it has never actually been there and is revisionist history that is why we are still working on this LCLUP for over 10 years and still are nowhere closer to resolution of a plan that is from 1980.

Noting that on multiple occasions the CCC Staff has requested additional data due to the extensive changes to the 1980 LCP for specific sites, including the Undeveloped San Pedro Avenue Site and the Quarry from the City of Pacifica and that multiple concerned citizens and community organizations have provided the latest environmental hazards and biology reports including those from USGS and the CCC itself, none-the-less the city continues to disregard this data. By ignoring the presented hazard and environmental restraints data for these undeveloped sites, including flooding (which includes the annual formation of a lake on the San Pedro Ave site (see exhibit A), ground water hazards, erosion, soil stability and SLR, liquefaction, tsunami danger, federally designated wetlands, as well as ESHA and protected species habitat the city is in violation of multiple CEQA and state laws. The city instead continues to attempt to change these property’s LUDs to residential and planned development although all scientific data dictates they should be designated Conservation. The City’s DRAFT Local Coastal Land Use Plan’s “Environmental and Scenic Resources” and “Natural Hazards” chapters ignore all this data for these sites and also ignores the erosion data for the area known as Aramai Point which invalidates the Land Use Designations (LUD) for these areas and may jeopardize the whole 2040 GP with these willfully misinformed policies.

On the San Pedro site the CCC has already determined *“this undeveloped site is known to contain wetlands and ESHA supporting California Red Legged Frog habitat, and the presence of such coastal ecological resources could significantly constrain the development potential of this site.”* (see exhibit B). By not acknowledging the ESHA it is a violation of Coastal Act (CA) Section 30240. The latest hydrology data from USGS also shows the groundwater hazard at both the Quarry and San Pedro sites with a very shallow water table (see exhibit C). The city is required to use the latest data available for the GPU and its EIR. The CA (Section 30121) and California Code of Regulations section 13577 would require these two sites to be designated wetlands as “lands within the coastal zone which may be covered periodically...with shallow water <and> Areas where the water table is at, near, or above the land surface at some time during each year may be identified as wetlands.” This is also required in CA sections 30230, 30231 and 30233. Since the city has chosen not to utilize this data it is in violation of CEQA and other state laws and therefore may invalidate the whole 2040 GP.

CEQA Guidelines, Section 15125(a)(3) explicitly prohibits use of future plans and permits as the baseline and the two preceding sections (a) (2) and (a) 1 clarify the correct baseline conditions should describe physical environmental conditions as they exist at the time the notice of preparation is published.

Due to the violation of this CEQA guideline the current DRAFT LUD/LCLUP is in violation of CEQA. The city is aware that it should be using existing conditions to determine the new LUDs, which would heavily favor Conservation. Section 15125 backs this view and "ensuring all biological constraints are considered" is not adequately addressed as existing conditions in the Quarry (See exhibit D for Western Pond turtle), Aramai Point and the Pedro Point site would dictate otherwise and this potentially applies to the whole of the 2040 GP and its associated FEIR. Additionally, as policy the city's GP/LCP/EIR erroneously allows a deferred analysis as "site-specific as part of proposed development review" for hazards and biological studies to be done at the time a project is proposed. The city has chosen to defer biologic and hazard analysis as policy throughout the LCLUP and the 2040 GP which potentially invalidates the whole of the 2040 GP update where the city has chosen to change LUD/zoning from the 1980 GP/LCLUP. The city is advised that this policy is in violation of CEQA and may end up invalidating the whole 2040 GPU. By changing LUDs without proper CEQA/CA review the city is also purposely setting itself up for a "taking" of private land and would therefore violate its fiduciary duty to protect the city from potential liability.

Also, the city's Sea Level Rise risk assessment to the year 2050 is inadequate due to the lack of acknowledging scientific data that we should be planning for a 100-year time horizon as dictated by design life policies.

The Coastal Act dictates how to manage development with coastal resources and public access guarantees across a physically dynamic environment. It is also the ultimate intent of the CCC to safeguard the permanent protection of the state's natural and scenic resources that are of paramount concern to present and future residents of the state, along with the necessity of protecting the ecological balance of the Coastal Zone by preventing its deterioration and destruction. Exempting the Coastal Act with the proposed SSRAs removes a substantial law that gives the CCC the ability to mitigate impacts to public access guarantees, lower-cost recreation opportunities, critical habitats such as wetlands, and sea level rise preparedness efforts. Simply because an area is being proposed for residential zoning does not mean that the zoned parcel is devoid of natural resources or public access opportunities that the city and CCC must consider prior to changing of zoning. It also does not mean that such a zoning change may avoid the impacts of climate change such as the inevitable rise in sea levels. After all, the Coastal Act purports that sound and timely scientific recommendations are necessary for coastal planning and development decisions and that the CCC should, in addition to its own expertise in significant applicable fields of science, interact with members of the scientific and academic communities, especially with regard to issues such as the cumulative impact of Coastal Zone development. By essentially exempting the Coastal Act through SSRAs it fails to give the public the legally mandated opportunity to utilize scientific information to analyze the potential cumulative impacts that future and additional Coastal Zone developments pose.

Pacifica's LCLUP and related CEQA review is fatally flawed and requires a full re-draft due to the current draft's CEQA and Coastal Act violations. These errors need to consider the impact of building seawalls that will lead to erosion to the adjacent non-hardened bluffs beyond these seawalls as well as the effect seawalls will have on beaches north and south of these seawalls and any environmental degradation

seawalls will cause. The piecemeal placement of seawalls will cause significant damage to the adjacent beaches and bluff areas do not have hard armoring. The degradation of coastal environmental and recreational assets along the coast is a violation of both CEQA and Coastal Act and these violations need to fully reviewed and rectified before this seawall plan can continue.

The proposed LCLUP are in violation of the Coastal Act including:

- The violation of CEQA Section 21081. Where by its implementation the monitoring program for hard armoring is moot because the seawalls themselves cannot avoid significant effects on the environment.
- Coastal Act (CA) Section 30240(a): ESHA must be protected against any significant disruption of valuable habitat, and only uses dependent on such resources shall be allowed. The LCLUP has not fully mapped ESHA in this area of the CZ, including in the Undeveloped San Pedro Site. The city is also required to standardize ESHA buffer zones along the beach/bluff interface which has not occurred.

The city is also ignoring groundwater data at this site that could show soil degradation in along Pacifica's coast. The latest hydrology data from USGS shows the groundwater hazard through its coSmoS database that would create an erosion hazard and become a public nuisance.

The violations to the Coastal Act, CEQA and California Code of Regulations renders the whole of the LCLUP invalid and would require a new EIR and considerable revisions to the LCLUP and the 2040 GP.

By ignoring the potential hazard and environmental restraints data in the LCLUP including ground water hazards, erosion, soil stability, SLR and potential protected species habitat the city is in violation of multiple CEQA and state laws, including the Coastal Act.

Please also see comments previously submitted by the Pedro Point Community Association (PPCA) which include input from CEQA and environmental legal experts.

Regards,

Samuel Casillas

Board member, PPCA

Past Vice-Chair, Pacifica Economic Development Committee

Past Member, Pacifica Sea Level Rise Adaptation Planning Committee

Past Co-Chair GGNRA Board Liaison Committee

Past Member, Pacifica GPU Community Outreach Committee

**Exhibit A: consistent flooding of Undeveloped San Pedro Ave Site**



Pedro Point Field flooding Oct 24<sup>th</sup>, 2021

**Exhibit B: CCC Biologist Report findings at San Pedro Ave site with ESHA and protected species**

CCC Biologist Findings from its denial of an adjacent property at 505 San Pedro Ave [CDP application 2-19-0026 hearing on 3/12/21]



Dr. Lauren Kunkle-Harris, Senior Biologist at the California Coastal Commission (File # 2-19-0026) October 14, 2020. Environmental Report, Appendix 2, 25(1). CDP 0026

**Exhibit C: Hydrology and Ground modeling by USGS OCOF CoSMoS**

**Groundwater Hazard at Quarry Property**



Our Coast Our Future: USGS hydrology modeling in Coastal Storm Modeling System (CoSMoS): Quarry Hydrology

**Groundwater hazard at Pedro Point Field and 505 San Pedro Ave**



Our Coast Our Future: USGS hydrology modeling in Coastal Storm Modeling System (CoSMoS): Pedro Point Hydrology

**Exhibit D: Documented sighting of Western Pond Turtle by private citizen (to be listed by USFWS for protected status)**



Pacifica City Council  
1800 Francisco Boulevard  
Pacifica, CA 94044  
[publiccomment@pacifica.gov](mailto:publiccomment@pacifica.gov)  
CC: California Coastal Commission Staff

Date: October 28, 2024

**Subject: October 28, 2024 City Council Meeting: Continuation of Consideration of a Resolution of the City Council of the City of Pacifica Certifying that the Revised Certification Draft Local Coastal Land Use Plan (LCLUP) with Alternative Modifications.**

Dear City Council:

The current draft of Pacifica's Proposed LCLUP is fatally flawed and requires multiple changes due to the current draft's CEQA and Coastal Act violations. These fatal flaws would require the full revision of Pacifica's 2040 General Plan as it will not align with the LCLUP once the CEQA and Coastal Act (CA) violations are rectified. These issues have not been addressed after multiple comment letters from the Pedro Point Community Association and me. Most recently these comments were submitted at the 6/24/24, 8/12/24 and 9/17/24 meetings (please see attachments for 6/24/24 letter).

NOTE: In the draft LCLUP the site defined as "The Undeveloped San Pedro Site" is more accurately referred to in this comment letter as "The Pedro Point Field & Wetland Site" at 315 San Pero Ave.

In addition to previous comments from the Pedro Point Community Association, multiple experts and concerned citizen comments it has been recently discovered that The Pedro Point Field & Wetland Site previously served as a sewage retention basin/pond for the Linda Mar Valley and the Pedro Point neighborhood. Historical documented pictures from circa 1950s clearly show The Pedro Point Field & Wetland Site with a constructed retention basin (see exhibit A). USGS maps from 1956, 1968 and 1980 clearly show the field labeled as "sewage disposal" (See Exhibit B, C and D). We are skeptical that the city never had this information and demand that the city search all historical documentation of how this information was omitted as a remediation plan would have been necessary and housing construction on sewage retention ponds is not allowed under CEQA and California municipal codes strictly prohibit building on former sewage retention basins. Based on this omission the City of Pacifica also needs to search documentation of other sewage retention ponds that were potentially omitted in the Rockaway Quarry and Linda Mar Valley so we can have full disclosure of sewage disposal sites that have been omitted. As part of the CEQA review, the city must test the site for contamination and include a remediation plan before changing any land use designation while prohibiting construction that can become a public nuisance.

Also, The Pedro Point Field & Wetland Site at 315 San Pero Ave. has recently been put on the market and the realtor environmental risk disclosers state that the environmental risk for flooding is "SEVERE" (see exhibit E) If the realtors own disclosers state that the flooding risk in this property is severe why would the city consider a change in land use designation to residential? A home adjacent to the site at 312 Kent has also been recently put up for sale and its environmental risk assessment is even more disturbing; it states that the flood severity is a 7 out of 10 and that flood insurance will be necessary (see

exhibit F). Again I ask if these realtor sites are disclosing severe flood hazard risk what has led to the city into thinking this is a great place for residential development?

Of the many prior violations we have voiced and not addressed I would like to highlight the following:

1. CEQA Guidelines, Section 15125(a)(3) explicitly prohibits use of future plans and permits as the baseline and the two preceding sections (a) (2) and (a) 1 clarify the correct baseline conditions should describe physical environmental conditions as they exist at the time the notice of preparation is published. There are at least three violations of this guideline where re-zoning and updated Land Use Designations have not considered “baseline conditions”. These identified parcels in the CZ are the sites known as the Rockaway Quarry where Planned Development is being considered, Aramai Point where commercial is being considered and the Pedro Point Field & Wetland Site where residential is being considered. The city ignored flooding and groundwater data on all three sites but especially the flooding data in the Pedro Point Field & Wetland Site (see exhibit A and C in 6/26/24 Casillas comment letter). With the city is in violation of this CEQA guideline in these three sites then where else has the city violated CEQA section 15125?
2. Staff is conflating land use plan designations in the LCLUP to requirements for project permit-level environmental review. Inherently, projects are speculative and planning around a speculative project is circuitous and prejudicial. It assumes impacts caused by a project will be feasible to mitigate, which is the reverse of mitigation sequencing to first avoid, then minimize, and as a last resort compensate for unavoidable impacts; in other words the city is setting itself up for a taking. The LCP land use designation that is supposed to build in the avoidance of avoidable impacts like placing incompatible residential development in flood-prone hazard zones that are also vulnerable to the escalating risk and conflict forced by SLR and potentially contain ESHA with protected species highlight the violations to both CEQA and the Coastal Act. These violations are not just present in the Quarry, Aramai Point and The Pedro Point Field & Wetland Site at 315 San Pero Ave, but also nullify any changes to the general plan outside of the Coastal Zone due to the inherit conflicts that must be rectified prior the 2040 general plan’s implementation.
3. Coastal Act (CA) Section 30240(a): ESHA must be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed. The city has not fully mapped all ESHA in the CZ and has data in one specific area known as the “undeveloped San Pedro Avenue Site” from the Coastal Commission biologist (exhibit B in 6/26/24 Casillas comment letter) showing adjacent ESHA with a protected species (The California Red Leg Frog). By not acknowledging this ESHA what other ESHA sites has the city ignored? The city is also required to standardize ESHA buffer zones.
4. CA (Sections 30121, 30230, 30231 and 30233) and California Code of Regulations section 13577 require wetland sites to be identified, designated AND restored as wetlands based on the latest available data including ground water data (see exhibit C in Casillas 6/26/24 comment letter).
5. The city is also required under SB379 to utilize/restore identified appropriate sites to employ as nature-based solutions for climate resiliency, yet the city is again deferring the selection of SB379 sites without explanation. The Pedro Point Field & Wetland Site and Quarry sites should be recorded as SB379 sites.
6. The attempt to bypass an LCLUP review through the Special Resiliency Areas (SRAs) and the project specific review of the Quarry are not legal under the Coastal Act. The LCLUP must address these two

areas as part of the LCLUP process now and cannot be set aside for future review as an exemption and/or amendment.

7. The city Planning Director also previously stated that the city does not have to conduct a full CEQA compliance review and instead is stating it is the responsibility of the Coastal Commission; in essence admitting that no CEQA review has been conducted. This further invalidates the FEIR until a full review is conducted and invalidates the approval of the FEIR from the City.

**In the agenda packet from 9/17/24 starting on page 670 we agree with the comments from the California Coastal Commission staff (CCCS) in that:**

The LUP alignment standard needs to have consistency with the Coastal Act rather than the City's General Plan especially considering the 2040 General Plan is not valid until the LUP has been approved and changes are made in the GP to align with the CCC approved LUP

In Chapter 2: Land Use and Development; we agree that land that has not be annexed cannot have a designated land use prior to annexation as a proper use of land outside the boundaries of the city cannot be properly evaluated until it is within city limits and therefore would only be premature and hypothetical.

For Policy ER-I-8 on page 4-12, the City's needs to include the term "suitable" or "suitability" with respect to the quality of sediment that can be placed on the shoreline and I would like to add that it would also require an EIR to determine if the sediment (sand) if proper for the ecosystem for each beach where it is proposed to be utilized. This policy also needs to be updated to stipulate how the city would be held accountable for sand nourishment in areas with proposed hard armoring which will devastate adjacent beaches.

The City's attempt to replace the definitions of "easement" and "special status species" with entirely new definitions is alarming.

Easement: An Easement is not necessarily "a right given by the owner of land to another party". An easement can be a rightful use by another party once that use has been established over 5 years without permission by the owner of that land (Warsaw v. Chicago Metallic Ceilings, Inc. (1984) 35 Cal.3d 564, 570-72; Felgenhauer v. Soni (2004) 121 Cal.App.4th 445, 449-50). The city neglects to fully address these coastal access easement points throughout the city of Pacifica but most notably in the Pedro Point Field & Wetland Site.

I also agree with the CCCS that the new definition of "*Special Status Species is particularly concerning as it would not include any listed or candidate animal species under California's Endangered Species Act*" which include multiple protected species including the California Red Leg Frog (CRLF), Western Pond Turtle and potentially others like the Tidewater Goby . This is bold attempt by City Staff to eliminate the protected species from any protection and allow unmitigated development in the Pedro Point Field & Wetland Site where the CRLF is present. The CCCS staff goes further to state "*Coastal Act Section 30240 protects areas in which plant or animal life are either rare or especially valuable, and this would certainly include species identified under the state Endangered Species Act, and not just the federal Endangered Species Act. Notably, there are numerous species listed under the state act but not the federal act, which demonstrates the need for the LCP to protect habitat of state-listed or state-candidate species. Further, the new definition of "special status species" creates an inconsistency with the description of this same*

*term in Chapter 4 (see page 4-23).*” Notably the City is trying to eliminate the inclusion of the CRLF as a protected species which is present in The Pedro Point Field & Wetland Site and Quarry site and other potential sites yet to be determined due to the City’s negligent behavior to recognize the CRLF in sites known to have CRLF habitat like The Pedro Point Field & Wetland Site which was previously identified by CCCS biologist L. Garske-Garcia (CDP application 2-19-0026 F13a exhibit 11). As noted by CCCS this is a violation of Coastal Act Section 30240.

Although I am in agreement with the CCCS Regarding Policies ER-I-1 and ER-I-24, creek and ESHA buffer zones need to be maximized for the requirements of ESHA and also for protected species habitat. A reduction below 50 feet is not adequate for the CRLF and in fact CCCS biologist L. Garske-Garcia (CDP application 2-19-0026 F13a exhibit 11) cites a need for a 300 foot buffer for CRLF habitat in accordance with USFWS recommendations. Additionally, a noted in my comment letter from 6/26/24 the city is actually setting itself up for a taking by changing the LUD in the Pedro Point Field & Wetland Site to residential when it more closely matches “Low-Intensity Visitor-Serving Commercial” (LIVC) or “Conservation” (C) and considering the CEQA and Coastal Act violations noted above makes a change to residential negligent on the City’s part.

I am also alarmed as the CCCS is with their concern with Chapter 4 which is lacking a policy that addresses wetland buffer requirements and should be a minimum of 100 feet. Such a policy is necessary for compliance with the Coastal Act. Within Policies ER-I-1 and ER-I-24 The City also attempts to freeze out the CCC from conducting their own biology reviews and instead wants to only defer biology reviews by the City, USFWS, and CDFW. I am aware that these agencies often defer to the biology report from the developer which by definition is biased. Trying to eliminate the CCC from biology reviews would only benefit the developer at the expense of ESHA and protected species as it would eliminate biology reports similar to the above referenced biology report from L. Garske-Garcia for CDP application 2-19-0026 which determined the adjacent waterway to the Pedro Point Field & Wetland Site to contain both ESHA and CRLF habitat.

The CCCS recommended policy needs to include “the 100-foot buffer may also be expanded as needed to account for feeding, breeding, nesting, and other habitat requirements”.

**We request additional changes to comments from CCC addressing:**

For Policy LD-I-20 Undeveloped San Pedro Avenue Site (AKA, Pedro Point Field & Wetland Site) on page 2-31 in Chapter 2: although I agree with CCCS recommendations based on their concerns about the sensitivity of the site and to appropriately plan for this site to avoid and protect coastal resources. If the City is intending to allow any development it, at best, would only allow LIVC and considering the owner had prior knowledge to the hazard constraints prior to purchasing the property Conservation would be appropriate and not a taking, but LIVC development would be “reduced as necessary to account for coastal resource protections”. As noted previously, the City’s attempt of a zoning change to any type of residential would set the city up for a taking due to the erroneous zoning change in violation of the Coastal Act and CEQA.

**Additionally:**

The City continues to use 5.7 feet of sea level rise (SLR) by 2100 while the 2024 State of California Sea Level Rise Guidance stipulate the use of 6.6 feet of sea level rise by 2100. In the interest of utilizing “best available science” this change needs to be incorporated.

Figure 4-1: Hydrology mapping is not utilizing the latest USGS ground water data from the COSMoS data model which shows the Pedro Point Field & Wetland Site and the Quarry with shallow water tables

Figure 2-2: Existing Land Use in the Coastal Zone: The Pedro Point Field & Wetland Site is currently zoned CR; “undeveloped vacant land” is not a valid zoning

Figure 3-2: Parks and Open Space System: Agree that the whole of Pedro Point Field & Wetland Site is a Park Opportunity Site due to present hazards, ESHA, previous wetland designation and the presence of protected species.

Figure 4-3: Potential Environmentally Sensitive Habitat Areas: Ignores CCC biologist data in Pedro Point Field & Wetland Site for known CRLF habitat and ESHA that needs to be added based on best available science (CDP application 2-19-0026 F13a exhibit 11).

Figure 5-3: Flood Zones: Ignores flood data in Pedro Point Field & Wetland Site from USGS CoSMoS model which is best available science.

The definition for “erosion” needs to include wave and underground water impacts which is directly responsible for the bluff erosion in Pacifica

Also, in the previous LCLUP meeting City staff once again purposely misrepresented the vast majority of the concerns from the PPCA and the multiple comment letters from residents of Pedro Point . Our concern has never been to “address the number of residential units” in the Pedro Point Field & Wetland; our concern has always been the suitability of residential zoning in an area with multiple hazards that make it unsuitable for residential development. Furthermore, City Staff has refused to answer community concerns as to how the decision was made to change the zoning from the 1980 LCLUP from Commercial Recreation (CR) to its closest zoning definition in the LUP update to Low Intensity Visitor Commercial (LIVC) or more appropriately, due to the present hazard and ESHA conditions, to designate it Conservation.

Please also see previous attached comment letters from me and the Pedro Point Community Association (PPCA) which include input from CEQA and environmental legal experts that find substantial violations with the Coastal Act and CEQA guidance which have not be addressed.

Regards,

Samuel Casillas  
Board member, PPCA  
Past Vice-Chair, Pacifica Economic Development Committee  
Past Member, Pacifica Sea Level Rise Adaptation Planning Committee  
Past Co-Chair GGNRA Board Liaison Committee  
Past Member, Pacifica GPU Community Outreach Committee

**Exhibit A:** 1950s photograph of Pedro Point Field with sewage retention pond



Sewage disposal basin

**Exhibit B:** 1956 USGS map with Field labeled as Sewage disposal (Shell Mounds to Cul-de-Sacs: the Cultural Landscape of San Pedro Valley, Pacifica, California; John H. Culp, San Francisco State University, 2002; <https://static1.squarespace.com/static/5c259a66c258b4e0933f6ff9/t/5cec58e2eb39313d13bb96a5/1558993130124/Culp+History+of+San+Pedro+Valley.pdf>)



Figure 21. Portion of the 1956 USGS 7.5 minute Montara Mountains map showing San Pedro Valley (USGS 1956a).

**Exhibit C:** 1968 USGS map with Field labeled as Sewage disposal



Figure 22. Portion of the 1968 USGS 7.5 minute Montara Mountains map showing San Pedro Valley (USGS 1968a).

**Exhibit D:** 1980 USGS map with Field labeled as Sewage disposal

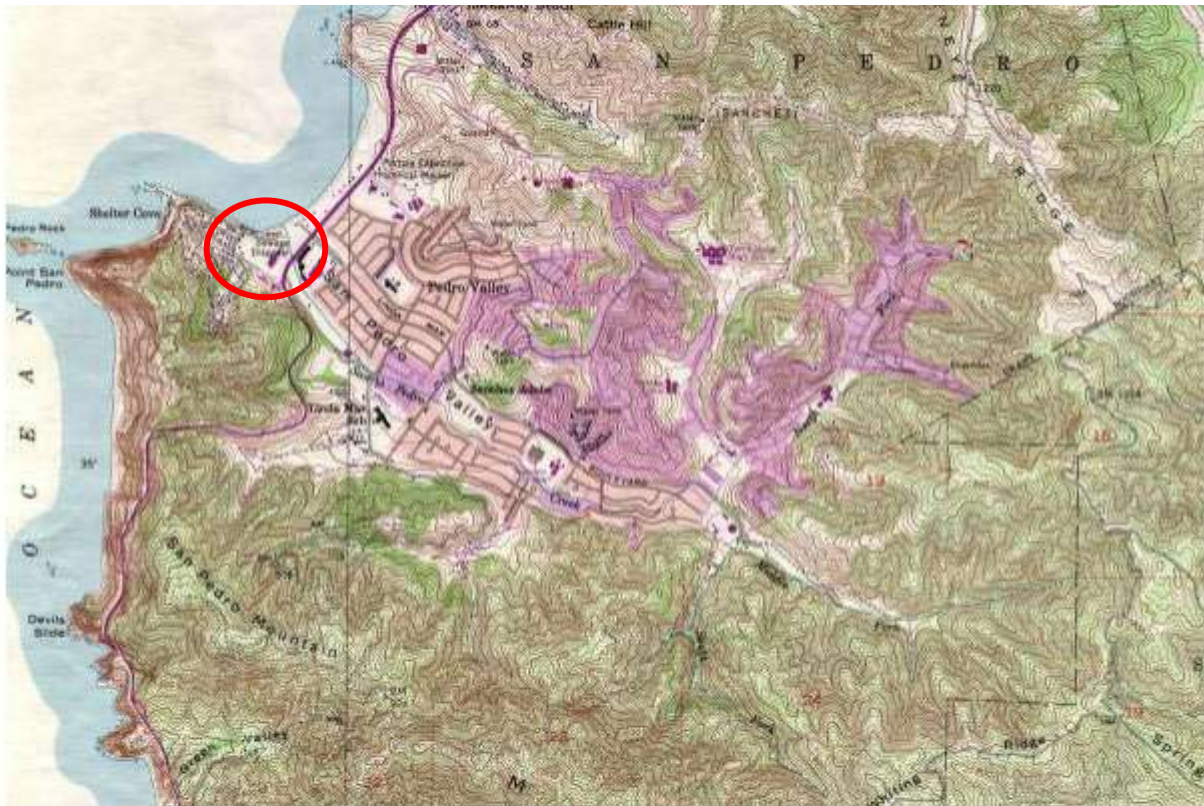


Figure 24. Portion of the 1980 USGS 7.5 minute *Montara Mountain* map showing San Pedro Valley and surrounding hillsides (USGS 1980).

**Exhibit E:** 315 San Pedro Ave Climate Risk disclosers(315 San Pedro Ave Redfin Realtor listing <https://www.redfin.com/CA/Pacific/315-San-Pedro-Ave-94044/home/17491027>)

## Climate risks

Most homes have some risk of natural disasters, and may be impacted by climate change due to rising temperatures and sea levels.



### Flood Factor - Severe

99% chance of flooding in next 30 years



**Exhibit F:** 312 Kent adjacent property to 315 San Pedro Ave realtor disclosures (Zillow Realtor listing on adjacent 312 Kent property; [https://www.zillow.com/homedetails/312-Kent-Rd-Pacifica-CA-94044/15504828\\_zpid/](https://www.zillow.com/homedetails/312-Kent-Rd-Pacifica-CA-94044/15504828_zpid/))

## Climate risks

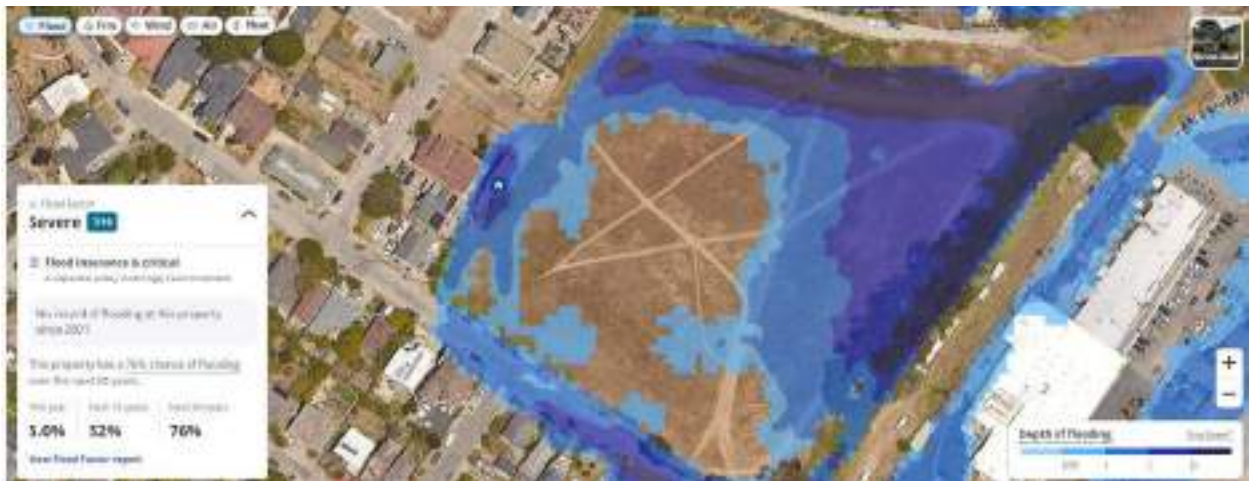
Source: First Street<sup>®</sup>

≡ Flood Factor

# Severe

**7/10**

Insurance: critical



Pacifica City Council  
1800 Francisco Boulevard  
Pacifica, CA 94044  
publiccomment@pacifica.gov

Date: November 13, 2023

Subject: Study Session 11/13/2023 - LCLUP

Dear City Council:

On multiple occasions the California Coastal Commission (CCC) Staff has requested additional data due to the extensive changes to the 1980 LCP for specific sites, including the Undeveloped San Pedro Avenue Site and the Quarry from the City of Pacifica. Many concerned citizens and community organizations have actually provided the latest environmental hazards and biology reports including those from USGS and the CCC itself, but the city continues to disregard this data. By ignoring the presented hazard and environmental restraints data for these undeveloped sites, including flooding (which includes the annual formation of a lake on the San Pedro Ave site (see exhibit A), SLR issues, liquefaction, tsunami danger, federally designated wetlands, as well as ESHA and protected species habitat the city in violation of multiple CEQA and state laws. The city instead continues to attempt to change these properties designations to residential and planned development although all scientific data dictates they should be designated Conservation. The City's DRAFT Local Coastal Land Use Plan's "Environmental and Scenic Resources" and "Natural Hazards" chapters ignore all this data for these sites and also ignores the erosion data for the area known as Aramai Point which invalidates the Land Use Designations (LUD) for these areas and may jeopardize the whole 2040 GP with these willfully misinformed policies.

On the San Pedro site the CCC has already determined "*this undeveloped site is known to contain wetlands and ESHA supporting California Red Legged Frog habitat, and the presence of such coastal ecological resources could significantly constrain the development potential of this site.*" (see exhibit B). By not acknowledging the ESHA it is a violation of Coastal Act (CA) Section 30240. The latest hydrology data from USGS also shows the groundwater hazard at both the Quarry and San Pedro sites with a very shallow water table (see exhibit C). The city is required to use the latest data available for the GPU and its EIR. The CA (Section 30121) and California Code of Regulations section 13577 would require these two sites to be designated wetlands as "lands within the coastal zone which may be covered periodically...with shallow water <and> Areas where the water table is at, near, or above the land surface at some time during each year may be identified as wetlands." This is also required in CA sections 30230, 30231 and 30233. Since the city has chosen not to utilize this data it is in violation of CEQA and other state laws and therefore may invalidate the whole 2040 GP.

CEQA Guidelines, Section 15125(a)(3) explicitly prohibits use of future plans and permits as the baseline and the two preceding sections (a) (2) and (a) 1 clarify the correct baseline conditions should describe physical environmental conditions as they exist at the time the notice of preparation is published.

Due to the violation of this CEQA guideline the current DRAFT LUD/LCLUP is in violation of CEQA. The city is aware that it should be using existing conditions to determine the new LUD, which would heavily favor Conservation. Section 15125 backs this view and "ensuring all biological constraints are

considered" is not adequately addressed as existing conditions in the Quarry, Aramai Point and the Pedro Point site would dictate otherwise. Additionally, as policy the city's GP/LCP/EIR erroneously allows a deferred analysis as "site-specific as part of proposed development review" for hazards and biological studies to be done at the time a project is proposed. The city is advised that this policy is in violation of CEQA and may end up invalidating the whole 2040 GPU. By changing LUDs without proper CEQA/CA review the city is also purposely setting itself up for a "taking" of private land and would therefore violate its fiduciary duty to protect the city from potential liability.

The city is also required under SB379 to utilize/restore identified appropriate sites to employ as nature-based solutions for climate resiliency, yet the city is again deferring the selection of SB379 sites without explanation. The San Pedro and Quarry sites should be recorded as SB379 sites.

Also, the city's use of 1-2 feet Sea Level Rise by 2050 risk is inadequate due to the lack of acknowledging scientific data that we should be planning for the "extreme risk" scenario which the city is not considering. The city also needs to consider a 100 year time horizon as dictated by design life policies.

Please also see comments previously submitted by the Pedro Point Community Association (PPCA) which include input from CEQA and environmental legal experts.

In a separate Coastal Act violation of Section 30252 (Maintenance and enhancement of public access) the city has changed Coastal Access Point 25 which is an established beach access point to a view point and should remain a beach access point.

Regards,

Samuel Casillas

Board member, PPCA

Past Vice-Chair, Pacifica Economic Development Committee

Past Member, Pacifica Sea Level Rise Adaptation Planning Committee

Past Co-Chair GGNRA Board Liaison Committee

Past Member, Pacifica GPU Community Outreach Committee

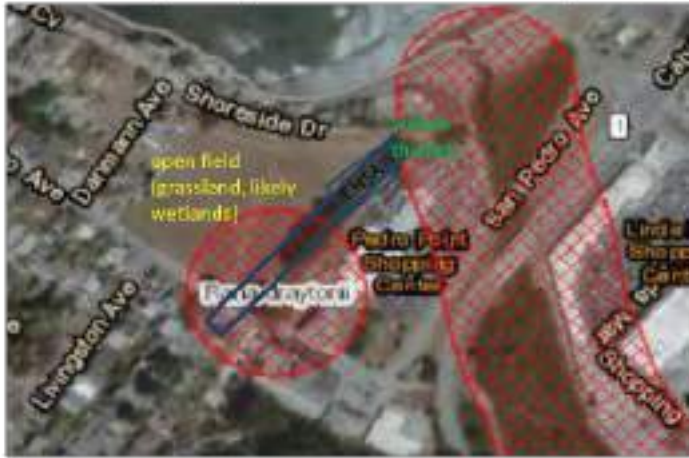
#### **Exhibit A**



Pedro Point Field flooding Oct 24<sup>th</sup>, 2021

**Exhibit B**

CCC Biologist Findings from its denial of an adjacent property at 505 San Pedro Ave (CDP application 2-19-0026 hearing on 3/12/21)



Dr. Lashon Banda-Baños, Senior Biologist at the California Coastal Commission (Phone: 249-8026) (Website: https://www.ccc.ca.gov/), March 11, 2021, CDP 0026

**Exhibit C**

**Groundwater Hazard at Quarry Property**



Our Coast Our Future - IEGC Hydrology modeling in Coastal Storm Modeling System (CoSM2): Quarry Hydrology

**Groundwater hazard at Pedro Point Field and 505 San Pedro Ave**



Our Coast Our Future - IEGC Hydrology modeling in Coastal Storm Modeling System (CoSM2): Pedro Point Hydrology

**From:** [Rexing, Stephanie@Coastal](mailto:Rexing,Stephanie@Coastal)  
**To:** [Ringuette, Oceane@Coastal](mailto:Ringuette,Oceane@Coastal)  
**Cc:** [Honey, Julian@Coastal](mailto:Honey,Julian@Coastal)  
**Subject:** FW: Pacifica City Council / Aug. 12, 2024 / LCLUP Study Session #5, cont. / Comment of San Francisco Public Golf Alliance re: Tsunami, etc.  
**Date:** Wednesday, August 7, 2024 12:29:19 PM

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More correspondence on Pacifica Update.

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Stephanie R. Rexing

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**From:** Jeff Guillet <jguillet@expta.com>  
**Sent:** Wednesday, August 7, 2024 12:13 PM  
**To:** rharrisjr1@gmail.com; 'Coffey, Sarah' <scoffey@pacifica.gov>; 'Pacifica Permit Tech' <permittech@pacifica.gov>; 'City Manager' <cmoffice@pacifica.gov>; 'CoastalPlan' <Coastalplan@pacifica.gov>; 'City Council' <citycouncil@ci.pacificaca.us>; 'Public Comment' <publiccomment@pacifica.gov>  
**Cc:** 'Vaterlaus, Sue' <svaterlaus@pacifica.gov>; 'Bigstyck, Tygarjas' <tbigstyck@pacifica.gov>; 'Beckmeyer, Sue' <sbeckmeyer@pacifica.gov>; 'Bier, Mary' <mbier@pacifica.gov>; 'Boles, Christine' <CBoles@pacifica.gov>; 'Cervantes, Stefanie' <SCervantes@pacifica.gov>; kwoodhouse@pacifica.gov; 'Phil Ginsburg' <phil.ginsburg@sfgov.org>; 'Potter, Spencer (REC)' <spencer.potter@sfgov.org>; Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>; lisav744@gmail.com; 'Butch Larroche' <venkman62@yahoo.com>; 'Bob Downing' <bobbo891@gmail.com>; kkumar@pacifica.gov  
**Subject:** Re: Pacifica City Council / Aug. 12, 2024 / LCLUP Study Session #5, cont. / Comment of San Francisco Public Golf Alliance re: Tsunami, etc.

Dear Mayor Vaterlaus and Councilmembers,

I'm writing to you from a camping vacation in the Sierras. I will still be here and unable to attend the August 12 LCLUP meeting.

I am in 100% agreement with every word attorney Richard Harris wrote below. The new tsunami restrictions remain one of the most hotly contested and confusing issues in CCC staff's rewrite of the LCLUP.

It is an unreasonable demand placed on Pacifica, especially when you consider Half Moon Bay's unanimously approved LCLUP that does not force development restrictions in tsunami evacuation or inundation areas.

I urge city council to use similar language in our LCLUP to protect Pacifica.

Regards,

Jeff Guillet

---

**From:** [rharrisjr1@gmail.com](mailto:rharrisjr1@gmail.com) <[rharrisjr1@gmail.com](mailto:rharrisjr1@gmail.com)>

**Sent:** Wednesday, August 7, 2024 9:48 AM

**To:** 'Coffey, Sarah' <[scoffey@pacifica.gov](mailto:scoffey@pacifica.gov)>; 'Pacifica Permit Tech' <[permitted@pacifica.gov](mailto:permitted@pacifica.gov)>; 'City Manager' <[cmoffice@pacifica.gov](mailto:cmoffice@pacifica.gov)>; 'CoastalPlan' <[Coastalplan@pacifica.gov](mailto:Coastalplan@pacifica.gov)>; 'City Council' <[citycouncil@ci.pacifica.ca.us](mailto:citycouncil@ci.pacifica.ca.us)>; 'Public Comment' <[publiccomment@pacifica.gov](mailto:publiccomment@pacifica.gov)>

**Cc:** 'Vaterlaus, Sue' <[svaterlaus@pacifica.gov](mailto:svaterlaus@pacifica.gov)>; 'Bigstycck, Tygarjas' <[tbigstycck@pacifica.gov](mailto:tbigstycck@pacifica.gov)>; 'Beckmeyer, Sue' <[sbeckmeyer@pacifica.gov](mailto:sbeckmeyer@pacifica.gov)>; 'Bier, Mary' <[mbier@pacifica.gov](mailto:mbier@pacifica.gov)>; 'Boles, Christine' <[CBoles@pacifica.gov](mailto:CBoles@pacifica.gov)>; 'Cervantes, Stefanie' <[SCervantes@pacifica.gov](mailto:SCervantes@pacifica.gov)>; 'Woodhouse, Kevin' <[kwoodhouse@pacifica.gov](mailto:kwoodhouse@pacifica.gov)>; 'Phil Ginsburg' <[phil.ginsburg@sfgov.org](mailto:phil.ginsburg@sfgov.org)>; 'Potter, Spencer (REC)' <[spencer.potter@sfgov.org](mailto:spencer.potter@sfgov.org)>; [stephanie.rexing@coastal.ca.gov](mailto:stephanie.rexing@coastal.ca.gov) <[stephanie.rexing@coastal.ca.gov](mailto:stephanie.rexing@coastal.ca.gov)>; [lisav744@gmail.com](mailto:lisav744@gmail.com) <[lisav744@gmail.com](mailto:lisav744@gmail.com)>; 'Butch Larroche' <[venkman62@yahoo.com](mailto:venkman62@yahoo.com)>; 'Bob Downing' <[bobbo891@gmail.com](mailto:bobbo891@gmail.com)>; Jeff Guillet <[jguillet@expta.com](mailto:jguillet@expta.com)>; [kkumar@pacifica.gov](mailto:kkumar@pacifica.gov) <[kkumar@pacifica.gov](mailto:kkumar@pacifica.gov)>

**Subject:** Pacifica City Council / Aug. 12, 2024 / LCLUP Study Session #5, cont. / Comment of San Francisco Public Golf Alliance re: Tsunami, etc.

Pacifica City Council / Aug. 12, 2024 / LCLUP Study Session, cont. / Comment of San Francisco Public Golf Alliance re: Tsunami, etc.

**City Clerk Sarah Coffey – Please confirm receipt, and include our above-attached letter in the public record and Councilmembers’ Agenda and meeting packets, and forward to Council Members, Planning Commissioners, City Manager’s Office and Planning Department Staff. Thank you.**

Mayor Sue Vaterlaus, Pacifica City Council and  
Pacifica Planning Department

Dear Mayor Vaterlaus, Councilmembers, Planning Commissioners, and Planning  
Department Staff

Enclosed please find comment letter of San Francisco Public Golf Alliance, dated Aug. 6,  
for City Council’s Aug. 12, 2024 LCLUP Study Session #5, cont.

Thank you for your service, and

We look forward to seeing you again on August 12.

**Richard Harris**

**San Francisco Public Golf Alliance**

826 Stanyan Street

San Francisco, CA 94117-2726

Phone: (415) 290-5718

**From:** [Travis, Galen@Coastal](mailto:Travis.Galen@Coastal)  
**To:** [Honey, Julian@Coastal](mailto:Honey.Julian@Coastal)  
**Subject:** FW: Reject the City of Pacifica's Coastal Armoring Program  
**Date:** Thursday, August 29, 2024 10:18:57 AM

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**From:** Susan Rasyidi <civiciput@newmode.org>  
**Sent:** Thursday, August 29, 2024 8:40 AM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Susan Rasyidi  
[susanrasyidi@gmail.com](mailto:susanrasyidi@gmail.com)

United States

## KoppmanNorton, Julia@Coastal

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**From:** Surfrider Foundation <civinput@newmode.org>  
**Sent:** Wednesday, September 6, 2023 6:56 PM  
**To:** NorthCentralCoast@Coastal  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Michael Henderson  
michaelhenderson@hotmail.com

United States

**From:** [Bob](#)  
**To:** [Ringuette, Oceane@Coastal](mailto:Ringuette,Oceane@Coastal)  
**Cc:** [KoppmanNorton, Julia@Coastal](mailto:KoppmanNorton,Julia@Coastal); [Ginsberg, Jo@Coastal](mailto:Ginsberg,Jo@Coastal)  
**Subject:** Re: Planned retreat / pier  
**Date:** Monday, December 4, 2023 3:00:13 PM

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Hi again Julia, Oceana and Jo,

how are you? Just a heads up there's an "important" public meeting tomorrow evening at city hall 540 Crespi drive. Here's a link <https://www.eventbrite.com/e/community-roundtable-on-local-coastal-land-use-plan-update-tickets-750274500227?aff=oddtcreator>

And the city (Woodhouse) is evidently again vilifying the CCC saying they're opposing a new seawall at sharp park and warning that anybody that's within the tsunami zone can be incorporated into the CCC's new rules requiring them to get a permit before even just painting their house or anything and people are getting worked up and are believing them . If that's untrue or even if it is part true someone should issue a statement or show up to rebuke. Or I would be willing to read a statement from you guys stating your position on a seawall or this new permit rule. Or I can post on NextDoor. I believe this is televised on ch 26 and put up pacifica tv (PPC) YouTube portal

All The Best,

Bob Hutchinson  
Reese Advertising  
650-303-0502 Text, Voice, WhatsApp

Sent from my ishoe

On Jun 13, 2023, at 10:14 AM, Ringuette, Oceane@Coastal <[oceane.ringuette@coastal.ca.gov](mailto:oceane.ringuette@coastal.ca.gov)> wrote:

Hi Bob,

Thanks for bringing this to our attention. We will bring it up with the City in our planned coordination meeting with them next week.

In regards to the Pier, I reached out to public works staff and they assured me that the work to open the L had occurred and that it is currently open. If you see otherwise, could you send us a photo of any closures?

Thanks,

**Oceane Ringuette**  
Coastal Planner  
North Central Coast District

California Coastal Commission  
Pronouns: she/her

<Outlook-a0phlhp2.png>

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**From:** Bob <hutch@coastside.net>  
**Sent:** Wednesday, June 7, 2023 2:32 PM  
**To:** Ringuette, Oceane@Coastal <oceane.ringuette@coastal.ca.gov>; KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>; Ginsberg, Jo@Coastal <Jo.Ginsberg@coastal.ca.gov>  
**Subject:** Planned retreat / pier

Hey hi Oceane, Hope you're doing well

Say I wanted to see if there any truth to what the city is saying about the CCC shoving planned retreat down the throats of west sharp park and opposing building a new seawall? I really don't believe anything the city says about the CCC anymore after they said you guys held up the CDP process for the pier for over a year when it was their filing the CDP application wrong 3 times and other idiotic acts.

The city has got the community all riled up over it thinking that their property values are going to go in the garbage can. So maybe you guys can issue some kind of statement I'd be happy to show it to people setting the story straight.

Btw what ever happened to your chain link wall idea to open up the end of the pier? Betcha they found some excuse not to do it. Hate to be a broken record but they only do things if there's repercussions for not doing them.

I found the document that shows Mr. Woodhouse trying to deceive the Coastal Commission in March 2021 by acting like they were opening the pier all along. The first one is a screenshot I took of CM Woodhouses My Turn column on the cities website on March 26, 2021. The 2nd one was posted a few days later when Julia spoke to them open up the pier partially, but says it was also posted March 26. Why? Because they were afraid they might be in trouble with CCC if the truth came out about planning to permanently shut down the whole pier which is what they still want. This is old news but should show you how the city manager does business.

They also tried to get me to use the 2nd doc (PRA2-c) in court in place of the original. I've already sent you the emails from Woodhouse just a couple of days before saying opening the pier depends on City council and it will have to be set to decide at some future city council meeting. And after Julia spoke to them they partially opened 5 days later.

<d245aiju6l3wrlm.png>

All The Best,

Bob Hutchinson  
Reese Advertising  
650-303-0502 Text, Voice, WhatsApp

Sent from my ishoe

## Honey, Julian@Coastal

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**From:** Travis, Galen@Coastal  
**Sent:** Thursday, January 2, 2025 8:08 AM  
**To:** Honey, Julian@Coastal  
**Subject:** FW: Reject the City of Pacifica's Coastal Armoring Program

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**From:** "Delia Kiriyaama-Lee" <civicinput@newmode.org>  
**Sent:** Monday, December 30, 2024 9:18 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

Dear City of Pacifica,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Delia Kiriyaama-lee  
Hacienda Heights, California  
[nolalisanolife@gmail.com](mailto:nolalisanolife@gmail.com)

Sincerely,  
Delia Kiriyaama-Lee  
[nolalisanolife@gmail.com](mailto:nolalisanolife@gmail.com)

United States

**From:** [Ringuette, Oceane@Coastal](mailto:Ringuette, Oceane@Coastal)  
**To:** [James Kremer](mailto:James Kremer)  
**Cc:** [KoppmanNorton, Julia@Coastal](mailto:KoppmanNorton, Julia@Coastal)  
**Subject:** Re: Has Pacifica's "New Plan" been vetted by CCC Staff?  
**Date:** Friday, December 1, 2023 11:44:23 AM  
**Attachments:** [Outlook-xd0dqond.png](#)

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Hi Jim,

Thanks for reaching out. We are working with City staff on a variety of options for addressing coastal hazards through the LUP update and have had discussions with staff about what a 'carve-out' might look like. This 'carve-out' is the concept that has also been called out as 'neighborhood planning' by the Commission (including its local government hazards working group) and it broadly refers to the idea that individual neighborhoods may benefit from an approach that allows for some armoring when the Coastal Act might not allow it, provided there are offsetting benefits beyond what the Coastal Act would require. Although there has been a lot of discussion about the concept, including by the Commission, so far there have been no actual LCP cases that have been approved, so this is all new territory, including for us.

We have been encouraged by the open nature of the discussions we've had with the City to date and hope to eventually reach a consensus with City staff on a proposal, but we have not agreed or 'signed off' on anything yet. We strongly encourage you and others who are interested to fully participate in the City's process, including to share your thoughts and questions in that context. These discussions will help everyone come to a common understanding and understand the costs and benefits of any particular choices being made through the LUP update, including as many of the choices involve direct and indirect tradeoffs along the shoreline.

I hope that helps, and I strongly encourage you and others to fully participate in the City's process, so the City's ultimate proposal can be based on as much community consensus as possible.

Thanks!

**Oceane Ringuette**

Coastal Planner

North Central Coast District

California Coastal Commission

Pronouns: she/her



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**From:** James Kremer <jamesnkremer@gmail.com>

**Sent:** Thursday, November 30, 2023 4:17 PM

**To:** Ringuette, Oceane@Coastal <oceane.ringuette@coastal.ca.gov>  
**Cc:** KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>  
**Subject:** Has Pacifica's "New Plan" been vetted by CCC Staff?

I just became aware of what appears to be a “whole new plan” for Pacifica Planning Dept with CCC Staff support to move us forward to a certifiable LCLUP Draft.  
(<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=14&ID=1508&Inline=True>)  
(see Pkg pg 5 – Meeting 2: Meeting Potential Alternative Modifications. And Apx. A)

The docs included in the City’s agenda for a public meeting Tues. Dec 5 make numerous assertions that seem to be major reversals of prior CCCS guidance. Specifically, a subset of specific items in CCCS’s redline drafts to the City were set aside as “green highlighted” to identify ones that still need the city’s consideration. The upcoming meeting was supposed to focus on these greenies for extended public discussion. Instead, we are presented with an approach that seems to carve out Sharp Park and Rockaway districts from the whole D-LCLUP.

It seems to me (& others) that this document obviate all the previous discussions AND public comment which took place in the process to evaluate the city’s apparent plans? Doesn’t it repeatedly propose specific actions that do again violate the Coastal Act and CCC policies?

I am just diving into trying to even grasp what the City Planning Staff intends to do here, but my reason for dashing off this hasty email is to ask:  
*Is it accurate that CCCS has been consulted in producing this revised approach, and that you are optimistic that this could lead to a LCLUP that would be certifiable by the CCC?*  
*Could a legal LCLUP actually happen if the SRA carve-outs proposed separate by waivers the most difficult conflicts of City hoped-for plans for BBIRP, etc?*

I know other city citizens who have been actively following and contributing to the ongoing LCLUP process are similarly perplexed by this new approach. I am not alone in asking if CCC has seen this new document, and sees this as a viable step forward? (I have hardly begun looking at the new documents. I am stumped by the main agenda summary, and have not even opened **Apx. A** with apparently has the details. Both documents seem to imply that they were acceptable to CCCS.)

Thanks for any clarification you can offer me(us) at this point.

-- Jim

James Kremer  
Pacifica, CA  
[jamesnkremer@gmail.com](mailto:jamesnkremer@gmail.com)

## Public Comment on June 26, 2024 Council Agenda Item 1.

**The SSRAs are a big concern for two reasons:** they are extraordinarily unpopular with most Pacificans, and they seem likely to threaten our chances for getting a Certification Draft LCLUP submitted not to mention earning approval by the full Coastal Commission.

**An additional concern is the process:** for the information we have been provided, with specific details (though I will only mention a few examples), for the inadequacy of the time permitted for study, input and consideration.

**I am perplexed** that our city officials repeatedly claim that SSRA has popular support. This is demonstrably untrue! It has been often and vociferously rejected as a bad idea by a diverse and disparate array of groups. Indeed, it is not just a joke that SSRAs have at last unified sectors of the public that usually oppose each other politically. “Climate activists” (anti seawall–pro long-term planning), Supporters of CCC, Developers, Realtors, & more. Each has their own reasons, but we are united against this idea. A Council member even voiced debilitating frustration at one point realizing that “we thought we were doing what you wanted but no one likes it” (not a direct quote!) SSRA is the Achilles Heel of this draft.

**This meeting is premature.** Long complex documents following iterations of change have not been available long enough. I suspect that not even City Staff have really had time to do their best work turning it around since receiving it from CCCS. Once again, we are being driven by a meeting schedule instead of the goal of adequate attention to do our best.

It is acceptable to begin discussions tonight and get a preliminary first round of reactions from Council and the public. Then this meeting should be continued after sufficient time for Council and interested parties to study, not just read parts of it hastily. But I’ll offer **a few specifics I found**:

- **Kudos for the separating all the items that pertain to SSRA.** After due deliberation, if the idea is deemed unworthy(!), it can easily be excised.

- **Worried that CCCS was being too lenient in some Sugg Mods,** I felt I saw the inclusion of details that constrain the city in way that still ensure the seeming concession so that the policy is consistent with the Coastal Act and the CCC mission. Reading carefully, in context of the full draft document, is the only way to see such details.

- **The Summary Table has problems** (Attachment B). Format of the redline coding are not explained and seem to be used inconsistently. Some city SuggMods seem to open loopholes that would allow non-compliant action by City; these are unlikely to be acceptable.

- **City added a definition of Mean High Tide Line** (Glossary 7.7), at Council’s request(?). I am disturbed that our City would feel qualified to compose a legally binding definition? As you surely know, MHT is already well defined in science and legal precedent. Though I am a coastal oceanographer, I can point out that this definition uses “Shore” vaguely. Yet its meaning is the crux of the City’s suggestion. (Public Trust law addresses where the MHTL is on armored and natural shores, and they differ.) We should stay out of this. We are over our heads.

**Finally, while Staff may feel they have explanations to alleviate my specific criticisms** of a few specific items, that is not my point. The issue tonight is that such details need careful vetting. Pushing for Council to finish deliberations tonight is misguided. Council is working hard to deal with voluminous details of complex issues. Good government depends on transparency and adequate communication. No one can contend credibly that there has been time to read the basic document that will guide our City, not to mention study with care, as it deserves – indeed requires.

Jim Kremer  
Sharp Park, Pacifica  
Professor of coastal Oceanography, emeritus

**From:** [James Kremer](#)  
**To:** [CCC Coastal Commission](#)  
**Subject:** Pacifica's LCLUP marches on  
**Date:** Monday, April 8, 2024 12:16:21 PM

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TO: Coastal Commissioners, and Ms Oceane Ringuette,

As Pacifica undertakes the next steps in the protracted deliberations to achieve a certifiable LCLUP, I want to thank you for your strong defense of Coastal Act and protection Public Trust Lands. I hear that there are political forces that want to weaken your authority.

Private organizations in Pacifica have held well attended public information presentations, one by Dr. Charles Lester on "The Coastal Act and CCC", the second by author Rosanna Xia and Dr. Gary Griggs titled "Pacifica Against the Sea?" based on her recent book.

Some good news is that 2 new upcoming meetings are scheduled, the first on April 15. Both were specifically requested by 2 Council persons and voted unanimously by the whole Council. Their request was for an opportunity to consider – for the first time as a Council despite multiple meetings to do this (!) – CCC Staff's Suggested Modifications from March 2023. We will see if this study & discussion materializes. Some of us are hopeful but not optimistic!

[ HOWEVER, just now before sending this email, I saw the Agenda for 4 /15. Only the first meeting is apparently scheduled; I suppose a 2nd could be added if Council doesn't get to voting on City Staff's recommended Resolution. That Resolution asks Council to approve ALL city's Alternative Modifications to replace ~ 30 of CCCS's Suggestions. Presumably, Council will discuss these difficult items, and could choose to accept some number of CCCS's Suggestions... ]

Regardless of what Pacifica's Resolution submitted to CCC looks like, please know that many in Pacifica know of and appreciate the gracious but persistent input from CCC Staff over recent years, including the proffer of the nominally certifiable D-LCLUP. We do not support Pacifica Planning Staff's distracting proposal of "Special Resiliency Areas" to permit policy violations in two Pacifica districts, and perhaps a big bad BBIRP seawall. Some of us have been outspoken objecting to SRAs. We do not consider the possible mitigating action so far proposed to be adequate – In the words of Dr Lester: neither "commensurate or tangible" to the violations, and certainly doing nothing overall to "further the mission and regulatory goals of the Coastal Commission."

Please know that many Pacifica residents continue to support strongly the Coastal Act and the responsibility assumed by the CCC and Staff to protect the Public Trust lands in the face of climate change and sea level rise.

Sincerely,

James Kremer, Ph.D.  
Professor of Coastal Oceanography, emeritus  
Pacifica resident since 2008

**From:** [James Kremer](#)  
**To:** [SBeckmeyer@pacifica.gov](mailto:SBeckmeyer@pacifica.gov); [MBier@pacifica.gov](mailto:MBier@pacifica.gov); [TBigstycck@pacifica.gov](mailto:TBigstycck@pacifica.gov); [Christine Boles](#); [SVaterlaus@pacifica.gov](mailto:SVaterlaus@pacifica.gov)  
**Cc:** [City Manager](#); [Png Director Murdock](#); [Stefanie Cervantes](#); [Oceane Ringuette](#)  
**Subject:** What we can learn from Santa Cruz County LCP hearing before the CCC  
**Date:** Sunday, April 21, 2024 8:43:42 PM

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TO: City Council, Mngr Woodhouse, Dir Murdock, Planner Cervantes, CCC S Ringuette  
DATE: April 21, 2024

Do you recall the old saw, “*Those who cannot remember the past are condemned to repeat it.*” As we prepare our Resolution to the CCC on our LCLUP, I feel it is prescient.

I recently watched the CCC Meeting on Oct 14, 2022, at which Santa Cruz County LCP was considered with their special neighborhood proposal for “SPEA” carve-outs from CA Coastal Act provisions with respect to new armor (“Shoreline Protection Exception Area”). As the Pacifica City Council about to finish perusal of the Suggested and Alternate Mods including our “SRA” idea, I was overwhelmed with direct parallels. The proposals are similar; the Santa Cruz rationale is near identical. The claim of productive collaboration with CCCS sounds like our City.

I assume all of Council and Staff are aware of this prior case. You, our Council, will soon undertake your deliberations to formulate a Resolution for CCC Staff. In case you have not watched it, or not recently, I thought a quick overview might be useful – even so close to the next meetings, I offer below my narrative synopsis of the Santa Cruz County (SCC) case as a quick reminder of their strategy, and the responses of CCC Staff and Commissioners. (Any errors in transcription are mine, of course. These are excerpts from my personal notes.) (See below for the link and guidance for finding key moments.)

*From the CCS and CCCS presentations in the first hour –*

- CCCS: The SCC LCP plan is overly reliant on armor, not in conformity with the CA Cstl Act yet SCC proposes it be allowed anyway.
- SCC: This plan is a sensible hybrid of Managed Retreat in areas where appropriate, and new armor in developed SPEA areas.
- SCC: This plan is the result of long close collaboration with CCC Staff. We have worked diligently to reach agreement.
- SCC: This plan proposes different policies in different areas because they have different history and needs. We include adaptive, triggered responses where the uncertainty of the future may require our responses to adapt.
- SCC: We understand CCCS’s recommendation (to deny) but are going ahead to submit to full CCC asking for guidance, specific input on how our discussion might proceed to a workable compromise.
- SCC: Historically, our SCC slant has favored the natural environment, but a new balance is needed between Health & Safety and environmental protection. Commissioners, PLEASE GIVE US HIGH LEVEL GUIDANCE to help us reach approval.

[Jim K: I omitted views from *Public Comments* – many were thoughtful, opponents urging denial were the majority, but comments by both sides were thoughtful.]

*From the deliberations by Commissioners (last half-hour) –*

- Ms Hart: We must deny the LCP. SCC request for “high level guidance” is inappropriate. All the reasons for denial are in the CCC Staff report in detail. Many also reflected in valid public comments (e.g. Surfrider, other envt’l support groups). No further input from us (Commissioners) is needed.
- Ms Bocho: If the parties have been working well together for so long, why is the document so complex and confused, poorly written?
- Mr Padilla: What is the history?
- CCS answer: Despite the long “dialog” over 4 years, we just couldn’t do better. ... We repeatedly provided guidance, but they were not responsive. They were not willing partners.
- Mr. Padilla, re: Commissioners high level guidance: It is not our job to guide this work. (we support CCC Staff position).
- Ms Kunkle (not a commissioner; alt? CCC Staff?): In this whole document, there is no mention of Environmental Justice and Equity in this hazard planning. Here, only the wealthy benefit. EJ is an important part of CCAct and our responsibility.
- Chair Ms Brownsee: There is no Hazard Assessment? How can you update a Hazard plan without that? As for the idea that this area is a hodgepodge of different degrees of development that demand this hybrid (neighborhood) approach? This is NOT NEW. The Coastal Act was born out of exactly this – How to balance environment and private ownership. Yet earlier we did not know enough to see that the armor that was being approved was wrong; counterproductive. Now we see this clearly. The CCAct is our path forward. We must listen to a wide swath of the public, not just wealthy property owners; Must respect the definition of existing development.
- Mr Ainsworth (not a commissioner; alt.? CCC Staff?): We are in a time of transition to a time when Managed Retreat will

be required; must be aware that this is ahead. We need mitigation, development restrictions, triggers in all coastal plans. [Despite this long process] this is not even a thoughtful discussion.

*The Vote.* The CCCS's motion was to deny, recommending a NO vote. The vote was Unanimous, 9–0 to deny. Voting: Escalante, Harmon, Hart, Padilla, Rice, Turnbull-Sanders, Wilson, Bocho, Chair Browsee. (Jim K: I was confused that not all the names of persons voting in the recording were listed as Commissioners. This was Oct. 2022, however.)

-- Jim Kremer

The full meeting is only 1.5 hr, with about an hour to presentations by CCC Staff & County, public comments, and Commissioners' Deliberations and vote. Even if you only watch the Deliberations, you will find it sobering. URL & timing:

The link to the meeting: [https://cal-span.org/meeting/ccc\\_20221014/](https://cal-span.org/meeting/ccc_20221014/)

Santa Cruz case begins: 1:55:50

CCC Deliberations begin: 2:54: 20

end of Sta Cruz case: 3:23:00

TO: Director Huckelbridge, Coastal Commission Staff  
FROM: Dr. James Kremer, resident of Pacifica, Professor of Coastal Marine Science (emeritus)  
RE: Concerns that CCC is unaware of public disapproval of SSRAs in LCLUP draft  
DATE: 16 August 2024

I am very concerned that CCC misunderstands the breadth and strength of negative reaction to the entire idea of SSRAs throughout citizens of Pacifica. There are indications that Director Huckelbridge may think SSRAs are what Pacificans want. I and many others have repeatedly over the last months stated clearly to the City staff and City Council why this is bad for the City, sharing comments with CCC staff. Indeed, some of us have spoken at CCC meetings and written directly to CCC to share this counsel. It appears that CCC does not realize that no facet of involved citizens support SSRAs!

My fear of a misunderstanding is based on private communications with City officials is reinforced by a phrase in the CCC letter to Pacifica Planning Dept. & Councilmembers on August 6, 2024 concerning the ongoing refinement of our LCLUP. In the second paragraph:

*“Following significant coordination over the last few months, Commission staff provided the City with detailed comments on the full LUP on June 19, 2024. These comments are generally supportive of the City’s draft sea level rise and coastal hazards policies, including the Special Shoreline Resiliency Area policies.”* (my emphasis)

In general, two “groups” in Pacifica are vocal in their input into the LCLUP process – although this is overly simplistic it is surprisingly accurate. Their perspectives differ dramatically, but their rejection of SSRAs is unanimous and persistent.

First are those who support honest long-term planning for the serious coastal challenges including sea level rise, urging the city to comply with the Coastal Act, CEQA, honoring the Public Trust, and supporting CCC guidance. They oppose SSRA as a device to allow coastal armoring and more coastside development. Initially proposing SSRAs in only Rockaway and Sharp Park, the city has plans to extend this permission to all of Pacifica and to assure renewal of the permits after the initial ones expire.

A second group is characterized as supporting property rights. This is strongly and expensively promoted by real estate and developer interests, and follows a statewide initiative to challenge Coastal Commission authority. They have gathered a measure of public support in owners directly affected, by fanning fears of “regulatory overreach” often with overt misrepresentations of CCC goals, policies and implications. Some want more areas included saying only two is unfairly preferential.

Both groups have fought SSRAs, and all attempts to refine its details from the first mention. Appreciate that the SSRA idea was sprung on us with no prior notice and certainly no public discussion at a large public dinner meeting on 12/5/23 called to discuss CCC *Suggested Modifications*. Another special public meeting held on a Saturday 3/2/24 at Terra Nova High School sought to counter widespread public objections by again explaining SSRAs. Yet recently at the 9<sup>th</sup> public meeting on our LCLUP (City Council meeting 8/12/24), most of the many public comments explicitly opposed SSRAs – not one spoke in favor of SSRAs, although some advocated withdrawing from the entire process to wait for another city to challenge CCC authority. Thus, while not everyone strongly supports the CCC, few support SSRAs. I refer you to the written and oral public comments where you will find literally only a handful voicing direct support among scores of citizens choosing to participate in the discussion. Many have valiantly persisted in urging the City to comply with CCC guidance to embrace the letter and intent of Coastal Act policies and to transition away from dependence on armor. So far we have been conspicuously ignored by the City. †

It is understandable that these facts have not been shared by City staff with CCC staff – they have a lot invested in total reliance on armoring for most of Pacifica’s coast, conspicuously including the BBIRP. They have ignored strong diverse public feedback against this path, seemingly because it is favored by staff leaders and 3, previously 4, council members. November’s election of two new Councilors may allow a new voice to be heard from our representatives. Don’t give up on us yet!

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†On a positive note, the draft discussed at Monday’s meeting included newly reorganized policy CR-I-21 (Coastal Hazard Risk Disclosure; pkt pg 373-375). Such conditions seem essential to me and it is encouraging that CCC staff and city officials have accepted them, though one CC member is balking.

**From:** [Peter Loeb](mailto:Peter.Loeb@pacifica.gov)  
**To:** [publiccomment@pacifica.gov](mailto:publiccomment@pacifica.gov); [Sue Vaterlaus](mailto:Sue.Vaterlaus@pacifica.gov); [Beckmeyer, Sue](mailto:Beckmeyer,Sue@pacifica.gov); [Bier, Mary](mailto:Bier,Mary@pacifica.gov); [Bigstyk, Tygarjas](mailto:Bigstyk,Tygarjas@pacifica.gov); [Boles, Christine](mailto:Boles,Christine@pacifica.gov)  
**Cc:** [stephanie.rexing@coastal.ca.gov](mailto:stephanie.rexing@coastal.ca.gov); [oceane.ringuette@coastal.ca.gov](mailto:oceane.ringuette@coastal.ca.gov); [dan.carl@coastal.ca.gov](mailto:dan.carl@coastal.ca.gov); [kate.huckelbridge@coastal.ca.gov](mailto:kate.huckelbridge@coastal.ca.gov)  
**Subject:** Pacifica City Council meeting 6/26/24, Item 1 LCLUP  
**Date:** Wednesday, June 26, 2024 11:37:53 AM

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This latest LCLUP draft is a mess. I can't track changes and tell which are CCC suggested modifications, which ones are generated by city staff, and which ones came from City Council direction. My eyes glaze over and it gives me a headache just trying to walk through it and understand what has been changed, what has been added that is new, what has been deleted. I know that a lot of work has gone into this, but respectfully I don't think this draft is ready to be approved by the City Council at this meeting. A lot more work needs to be done in order for community members to understand what is being proposed here and what is not.

Speaking of the community, ever since the SRA concept was introduced, the vast majority of public comments have opposed that idea. There seems to be a concerted effort to ignore that fact and imply that there is support for SRAs. That's simply not true. Why do SRAs continue to be part of the LCLUP draft? The community doesn't like them. That SRAs are still in the LCLUP draft gives a lie to the much-vaunted "community engagement" process. What's the point of wasting everybody's time and energy and money on "community engagement" if the community comments are just going to be ignored? Can the Council explain how and why the SRAs have stayed in the LCLUP draft over community opposition to the idea? If the Council approves the current draft of the LCLUP, they will be overtly rejecting community input.

Peter Loeb  
411 Maitland Road  
Pacifica, CA 94044

**From:** [Honey, Julian@Coastal](mailto:Honey.Julian@Coastal)  
**To:** [Honey, Julian@Coastal](mailto:Honey.Julian@Coastal)  
**Subject:** FW: W8 Workshop agenda, Sept 11, 2024  
**Date:** Monday, September 9, 2024 10:08:56 AM

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**From:** Peter Loeb <[peterloeb1@gmail.com](mailto:peterloeb1@gmail.com)>  
**Sent:** Friday, September 6, 2024 2:30 PM  
**To:** ExecutiveStaff@Coastal <[ExecutiveStaff@coastal.ca.gov](mailto:ExecutiveStaff@coastal.ca.gov)>  
**Subject:** W8 Workshop agenda, Sept 11, 2024

I'm concerned that the "neighborhood-scale adaptation" concept is being misused in Pacifica's proposed SSRAs (Special Shoreline Resiliency Areas). SSRAs are being used to justify increased development where there is existing armoring and also to increase armoring. That is in conflict with the intent of the Coastal Act and the mission of the Coastal Commission. That is not what is envisioned in "neighborhood-scale adaptation." The idea of more development in identified hazard areas and more and bigger armoring is contrary to the intent of both the Coastal Commission and the concept of neighborhood-scale adaptation. If the Coastal Commission wants to develop the idea of neighborhood-scale adaptation, it must be made clear that it is not to be used to justify increased development in hazard areas or more or bigger sea walls.

Peter Loeb

**From:** [Travis, Galen@Coastal](mailto:Travis.Galen@Coastal)  
**To:** [Honey, Julian@Coastal](mailto:Honey.Julian@Coastal)  
**Subject:** FW: Reject the City of Pacifica's Coastal Armoring Program  
**Date:** Monday, July 8, 2024 9:11:12 AM

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**From:** Michael Madden <civicinput@newmode.org>  
**Sent:** Friday, July 5, 2024 7:38 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Michael Madden  
[myke907@gmail.com](mailto:myke907@gmail.com)

United States

**From:** Suzanne Moore <suzyqettu2@gmail.com>  
**Sent:** Wednesday, April 9, 2025 11:57 AM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Cc:** Suzanne Moore <Suzyqettu2@gmail.com>  
**Subject:** City of Pacifica draft LCLUP Update: Saying NO to SSRAs.

Honorable Commission Members, and Staff,

Thank you for your work to date on Pacifica's LCLUP that is scheduled to be heard by you soon.

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The draft updates to the 1980 LCLUP are positive, provide clarity through clearer definitions and guidelines on development in the Coastal Zone, address sea level rise and erosion, and write in language for disclosures. Future generations will not be caught off guard as to coastal hazards.

I see no need, however, to be among the first communities to attempt Special Shoreline Resiliency Areas. In spite of City meetings to clarify SSRAs, I and many others in my community remain mystified, consider SSRAs experimental and untested, and worry about unintended consequences - consequences that could be irreparable. I question whether SSRAs challenge the spirit of the law of the California Coastal Act.

Pacifica City staff report a collaborative relationship with the California Coastal Commission. I have confidence that the CCC is balancing coastal access and habitat with affordable housing needs. I understand equity is important to the Coastal Commission and there are current commissioners especially looking for equity and inclusion. As we consider building in the Coastal Zone, we must take safety into consideration: it does not benefit us to create housing that is in areas of coastal flooding and erosion.

I trust the experienced opinions and collaborative efforts of the CCC. For these reasons, I would like to exclude SSRAs from our LCLUP.

Thank you Coastal Commission Staff, for reminding us all that the LCLUP must be consistent with the Coastal Act, must specify the intended uses of land within the Coastal Zone, and serve as a policy/framework for future actions. Our coast is a treasured Pacifica resource and is vulnerable to mismanagement. Our duty is to coastal stewardship, coastal preservation for generations to come, and equitable access - a duty made clear by the vote of the people and passage of the California Coastal Act.

Thank you.

--

**Suzanne Moore**

Home 650.557.0867

Cell 650.243.7310

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- OPERATIONS  
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Fax (850) 358-0735

May 22, 2024

SENT VIA EMAIL

City Council  
City of Pacifica  
540 Crespi Drive  
Pacifica, CA 94044

RE: City of Pacifica Local Coastal Land Use Plan (LCLUP)

Dear Honorable Councilmembers,

The North Coast County Water District (District) submits the following comments regarding proposed updates to the City of Pacifica's Local Coastal Land Use Plan (LCLUP).

The District has been actively involved in the LCLUP update process, participating in the public workshops and following the City Council meetings on this topic. Our mission is to provide the residents and businesses in Pacifica with high quality water in the most cost-effective, reliable, and environmentally sensitive manner. It is our responsibility to ensure that our mission is carried out, and to do so, we must protect and preserve the infrastructure that services our customers.

The District has considerable assets in coastal zone and we are seriously concerned about the vulnerability of these assets in the face of sea level rise. We support investment in shoreline protections to protect infrastructure in the coastal zone and the rest of the City.

We are writing to ask you to consider the following comments:

- Removal of shoreline protections could substantially threaten existing structures and impact the District's ability to provide water service to thousands of homes and businesses across Pacifica.
- Repairing and maintaining shoreline protections will continue to safeguard the community, and the residences, businesses, and assets within the coastal zone.
- Relocating water lines as a result of loss of shoreline protection will increase water costs for all residents of the City.
- The District supports the City Council in its efforts to implement policy that is beneficial to the residents of the City of Pacifica, which are also our water customers.

Sincerely,

Joshua Cosgrove, President  
Board of Directors

**From:** [Dinah Verby](#)  
**To:** [Honey, Julian@Coastal](mailto:Honey, Julian@Coastal)  
**Cc:** [Dinah F. Verby](#)  
**Subject:** Pacifica Local Coastal Land Use Plan  
**Date:** Tuesday, April 15, 2025 4:45:25 PM

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Greetings, Julian.

I corresponded with you in the recent past concerning the proposed Reclamation Plan for the Rockaway Quarry.

As you may have heard, the Pacifica City Council unanimously denied that project and did not certify the EIR, and the applicant's appeal to the State Mining and Geology Board was rejected.

The Quarry Owner has now submitted a "Builder's Remedy" application to develop over one thousand housing units including "affordable" units in the Quarry. Since Pacifica's Housing Element update has not yet been certified by the state, it is possible that our local zoning ordinances - including the right to a public vote for residential use - may not be enforceable with regard to that project. It is also possible that the Coastal Commission will not retain original jurisdiction over the CDP Process if Pacifica's LCLUP update is approved by the Commission in its current form.

I am among many, many Pacificans who oppose parts of the LCLUP, especially the SSRA's - Shoreline Special Resiliency Areas. I also have concerns about certifying the Quarry as part of the new LCLUP. I believe that due to its special attributes including wetlands, ESHA and riparian habitat which are perennially threatened, the Quarry should remain an area of deferred certification so the CCC can retain original jurisdiction over that property.

I understand that Pacifica's LCLUP certification draft will be reviewed by the Coastal Commission in the near future, possibly at its May 8th meeting? Can you confirm that date? And when will the staff report be published for that item? Also, is it possible that a group of us might be able to meet with staff via Zoom to discuss our concerns with the LCLUP prior to the Commission's review?

Please advise how best to proceed, and which staff members would be appropriate to meet with.

Thanks so much,

Dinah Verby  
650-438-0894



# Pedro Point Community Association

October 9, 2023

Board of Directors 2023

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To: [publiccomment@pacifica.gov](mailto:publiccomment@pacifica.gov), [citycouncil@pacifica.gov](mailto:citycouncil@pacifica.gov)

Cc: "KoppmanNorton, Julia@Coastal"

<julia.koppmannorton@coastal.ca.gov>, "Ringuette,  
Oceane@Coastal" <oceane.ringuette@coastal.ca.gov>, "Rexing,  
Stephanie@Coastal" <[Stephanie.Rexing@coastal.ca.gov](mailto:Stephanie.Rexing@coastal.ca.gov)>

Subject: Agenda Item #10: Update regarding Local Coastal Land Use Plan (LCLUP) certification process and incorporating 2040 General Plan consistency revisions into the existing Certification Draft LCLUP and approving a Revised Certification Draft LCLUP to transmit to the California Coastal Commission

Dear Council,

We ask you to **reject** tonight's proposed action to adopt the attached resolution certifying that the Revised Certification Draft LCLUP is intended to be carried out in a manner fully in conformity with the California Coastal Act. It is not.

Specifically, LD-I-20 the establishment of a Coastal Residential Mixed Use designation at the San Pedro Avenue Site as excerpted below, is inappropriate and conflicts with the Coastal Commission's prior assessment of the parcel in question.

**LD-I-20**

**Undeveloped San Pedro Avenue Site.** Establish a Coastal Residential Mixed Use zoning district to allow small-scale visitor-oriented commercial uses as a stand-alone project without any residential development, or small-scale visitor-oriented commercial uses with residential development at a density range of three to five units per gross acre. Housing may be clustered, and uses may be mixed vertically or horizontally. Residential uses may be constructed attached to or detached from commercial uses, provided the overall site contains both commercial and residential uses. Development must include public coastal access and must provide public open space.

In numerous prior letters and comments and testimony from expert witnesses, the Pedro Point Community Association (PPCA) has stated the legal and environmental reasons why the Proposed Land Use Designation change in the coastal wetlands adjacent to San Pedro Avenue from viable Visitor-Serving Commercial Recreational uses to a novel Residential Mixed Use designation conflict with the Coastal Act. In this draft, we include additional testimony from the California Coastal Commission, which was not included in the draft LCLUP.

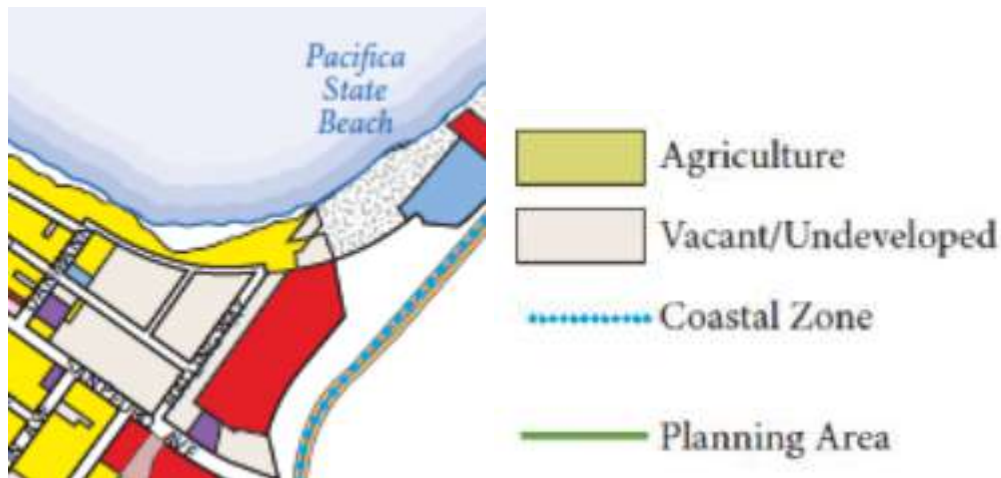


# Pedro Point Community Association

We ask that you correct these deficiencies prior to any further review by the California Coastal Commission

## The Proposed Land Use Designation Change Fails CEQA

The California Environmental Quality Act (CEQA) Section 15125 indicates that a valid Environmental Impact Report must include a description of the physical environmental conditions in the vicinity of the project. The City's attempt to change this land use designation is considered a project under CEQA: the City's required baseline characterization of this parcel as "Vacant"<sup>1</sup> as shown below is incorrect.



The current baseline has already been determined by the Coastal Commission as an open field, grassland, and likely wetlands, as determined by the Coastal Commission, as shown below, and not merely as vacant.<sup>2</sup>

<sup>1</sup> Figure 2-2: "Existing Land Use in the Coastal Zone" at page 237 of 257.

<sup>2</sup> Testimony of Coastal Commission staff ecologist Dr. Lauren Garske-Garcia Item 16: Application No. 2-19-0026 (Rhodes Mixed-Use Development, Pacifica), Exhibit 11, Page 13 of 24. Application was ultimately denied by the Coastal Commission.



## Pedro Point Community Association



### The Draft LCLUP Fails to Recognize the Coastal Commission's ESHA Designation

Critically, the Draft LCLUP also fails to include areas already established as Environmentally Sensitive Habitat Areas (ESHA) by the Coastal Commission, which had already established the wetlands to be a Red-Legged Frog habitat. The City's report at page 251 omits that information, as shown below in Figure 4-3: Potential Environmentally Sensitive Habitat Areas, and inexplicably ignores multiple rounds of prior testimony submitted by the PPCA documenting the



# Pedro Point Community Association

active red-legged frog breeding habitat along San Pedro Avenue.

Figure 4-3:  
Potential  
Environmentally  
Sensitive Habitat  
Areas



In contrast, reports from the rejected building application from a proposed development in an adjacent parcel determined that the Wetlands is a Red-Legged Frog habitat and ESHA.

In a recent report analyzing an adjacent parcel (yellow rectangle below), Coastal Commission staff ecologist Dr. Lauren Garske-Garcia<sup>3</sup> concluded the following: “I find that the subject parcel includes wetlands, Arroyo Willow Thicket ESHA, California red-legged frog ESHA, and habitat corridor ESHA. These sensitive habitat resources are continuous with the immediately adjacent drainage, which additionally includes Small-fruited bulrush marsh ESHA. The boundaries of at least some of these sensitive resources extend beyond the drainage and subject parcel, resulting in the entire subject parcel necessarily being recognized as ESHA in addition to the wetlands that have also been delineated here.”

<sup>3</sup> Available at: <https://www.coastal.ca.gov/meetings/agenda/#/2021/3> Item 16: Application No. 2-19-0026 (Rhodes Mixed-Use Development, Pacifica), Denied by Coastal Commission. Note that even this report does not include subsequent red-legged frog sightings from Pedro Point residents and visitors, available at iNaturalist.org. This memorandum cites prior testimony submitted by Pedro Point residents Michael Vasey, Sheila Harman, and Jon Harman, and prior testimony submitted by the PPCA’s retained biologist, Dr. Peter Baye.



# Pedro Point Community Association



These omissions, in addition to prior submissions by the PPCA, render the City of Pacifica's October 2023 Local Coastal Land Use Plan invalid and in conflict with the Coastal Act. Please reject these changes, and direct your staff to work with the Coastal Commission to submit a Local Coastal Land Use Plan draft which is consistent with the State Law.

Sincerely,

*Allison West*  
President, Pedro Point Community Association

To: [publiccomment@pacifica.gov](mailto:publiccomment@pacifica.gov)  
CC: via [NorthCentralCoast@coastal.ca.gov](mailto:NorthCentralCoast@coastal.ca.gov)

Subject Line: Meeting Date 4/15/2024: Agenda Item 1, Comment on Pacifica Local Coastal Plan

Dear City of Pacifica Decision-Makers and protectors of equitable Coastal access in light with State Law,

I am writing again to ask that we not rush through the City of Pacifica's (Pacifica) proposed Modifications to the Revised Certification Draft Local Coastal Land Use Plan (LCLUP), which now includes disastrous proposals for "Special Resiliency Areas" and carries forward other flawed recommendations such as Land-Use Designation Changes which violate CEQA, and removal of Coastal Access, which violate the Coastal Act.

Pacifica presents no analysis to justify its proposal to change the Land Use Designations without consideration for the conditions on the ground (CEQA) or the City's own certified LCLUP. The proposes Land Use designation change at the Undeveloped San Pedro Avenue Site is but one notable and well-documented example of this failure.

## The Big Picture

I encourage the City of Pacifica's decision-makers take a step back to abide by the big picture: the six main goals the City lays out on its own website for the LCLUP update. Pacific's proposed changes to the LCLUP violate nearly all of its own goals.

- 1) Prioritize Coastal-Dependent and Coastal-Related Land Uses
- 2) Maintain And Enhance Coastal Access and Recreation Opportunities
- 3) Protect And Restore Environmentally Sensitive Habitat Areas and Coastal Water Quality
- 4) Preserve Visual Resources and Community Character
- 5) Address Coastal Erosion, Sea Level Rise, and Natural Hazards

<https://www.planpacifica.org/local-coastal-program>

## We Should Not Rush Forward a Compromise Which is Vulnerable to Legal Challenge

I certainly understand that Pacifica and the California Coastal Commission (CCC) are attempting to balance many conflicting interests, and that the CCC left "even more possible modifications that have been previously identified as appropriate changes for the City to consider that have been 'left on the table' in this effort. Not because those changes would not also be appropriate under the Coastal Act, because they would and could help to further improve the LUP, but more in the spirit of trying to provide the City an as-modified LUP that can be approved and that retains the City's

proposed structure and many of its core provisions in a way that can ideally be accepted by the City and form the basis for future LCP planning, including the IP update that would need to follow.”<sup>1</sup>

That said, the CCC cannot abandon its responsibility to enforce the Coastal Act to appease a vocal minority which has violated the Public Trust doctrine for generations, and the City cannot abandon its responsibility to enforce CEQA by truthfully acknowledging the conditions on the ground that its proposed project, the proposed LCLUP modifications including the establishment of a Coastal Residential Mixed Use zoning district within a known wetlands.

## Specific Errors of Fact: Land Use Designation Change

In its February 2023 letter, the CCC highlights the following:

One area of concern is an undeveloped site west of the shopping center (and bounded by Halling Way, San Pedro Ave, Danmann Ave and Shoreside Drive) which the City indicates it wishes to establish it as a Coastal Residential Mixed-Use designation (which would allow up to 15 units per gross acre and 0.10 Floor Area Ratio (FAR) for nonresidential use) to allow a range of options for development onsite. ***While this new land use designation is not drastically different from its current commercial land use designation***, which would allow a variety of potential commercial uses, including visitor serving, commercial, retail, office, and light industrial, this undeveloped site is known to contain wetlands and ESHA supporting California Red Legged Frog habitat, and the presence of such coastal ecological resources could significantly constrain the development potential of this site. While the proposed policy does note that a wetland survey would be required to delineate potential wetlands on the site as part of any future development application, this text is written as sub-text to the policy and not in the main body of the policy, making it less apparent and more difficult to enforce. In addition, the City fielded significant public comments that expressed concerns with any development at this site because of limited parking, traffic, and infrastructure capacity, as well as with adequate protections for the ecological coastal resources present. Specifically, a group of local residents who reside in the Pedro Point neighborhood have raised these concerns to Commission staff and continue to have issues with the lack of data included in the update around the biological constraints present at the site (mainly in regard to red-legged frogs) and they do not support development at the site. Therefore, to make this policy consistent with aforementioned Coastal Act requirements that protect such resources from development, a modification is proposed to Policy LD-I-20 ensure that all biological constraints are considered for this site prior to any future development allowances (page 41 in Exhibit 2).

In this analysis, the CCC commits a fatal flaw in its early—and non-binding preliminary recommendations—that Pacifica’s proposed conditions are not drastically different from what is currently proposed. The current, certified LCLUP is included here for clarity:

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<sup>1</sup> Letter of Stephanie Rexing, North Central Coast District Manager to the City of Pacifica, Prepared February 24, 2023 (for March 8, 2023 Hearing)

Existing commercial uses adjacent to Highway 1 total about 6 percent of the land use in the neighborhood. Behind the shopping center and bounded by San Pedro and Danmann Avenues and the old railroad berm is a large, flat vacant parcel (+10 acres). Realignment of San Pedro Avenue and improvements to the San Pedro-Highway 1 intersection are proposed. These improvements would facilitate access while improving traffic safety and circulation for the commercial area and the neighborhood as a whole.

The designated land use for this area is commercial with emphasis on coastal related and/or visitor-serving uses. By combining all of the parcels in the area between Danmann and San Pedro Avenue, Highway 1 and the railroad berm and developing them as an integrated project along a realigned San Pedro Avenue, this small, oceanside commercial center could be rejuvenated and expanded to become an attractive visitor destination, as well as provide for neighborhood retail needs. Building on the design character of some of the older homes along Danmann and San Pedro which have been converted to shops, adding a cultural center for performing arts and an attractive motel could, if

C-55

carefully designed, enhance the appearance of this area and provide visitor services near the shoreline. After appropriate study of the protective character of the railroad berm, this area might be linked directly to the beach by removing a portion of the berm; however, alternatives to berm removal for access are preferred. An Environmental Impact Report should be required for removal of the berm.

Small scale, rustic design and ample landscaping throughout the commercial development would complement the existing attractive design elements in the Pedro Point area. Adequate public access through the development to the shoreline and a general orientation to coastal related/visitor-serving uses within the project would be appropriate in this location. Given these criteria, commercial use of this portion of the neighborhood is consistent with the following policies of the Coastal Act: 30212 (Provision of Public Access in New Developments), 30222 (Priority of Recreational/Visitor-Serving Uses), 30250 (Concentration of Development), 30251 (Scenic Resources) and 30253 (Special Neighborhoods).

By casually accepting such a significant change without considering the conditions on the ground along with the regulatory document currently in-effect which have profound ESHA and hydrology (seasonal and persistent year-round flooding constraints) conflicts, the CCC is allowing a piecemeal treatment and inversion of project-level details in violation of the Coastal Act. The point of an LCLUP is to identify, on a landscape and planning-level, where opportunities for Coastal

Access are, and should remain, rather than be erased. We cannot defer this analysis on to parcel level when changes are being proposed.

### Coastal Access is Being Removed

Nevertheless, I will persist in also pointing out the parcel-level flaws in Pacifica's analysis. As a resident of San Pedro Avenue for 15-plus years, I have crossed the property formerly known as the "Archdiocese property" across the railroad berm along sturdy, wooden steps, across the old railroad berm, and down a well-worn path and wooden steps, identified as the second informal beach access in the current LCLUP, excerpted below on page C-58.

## COASTAL ACCESS

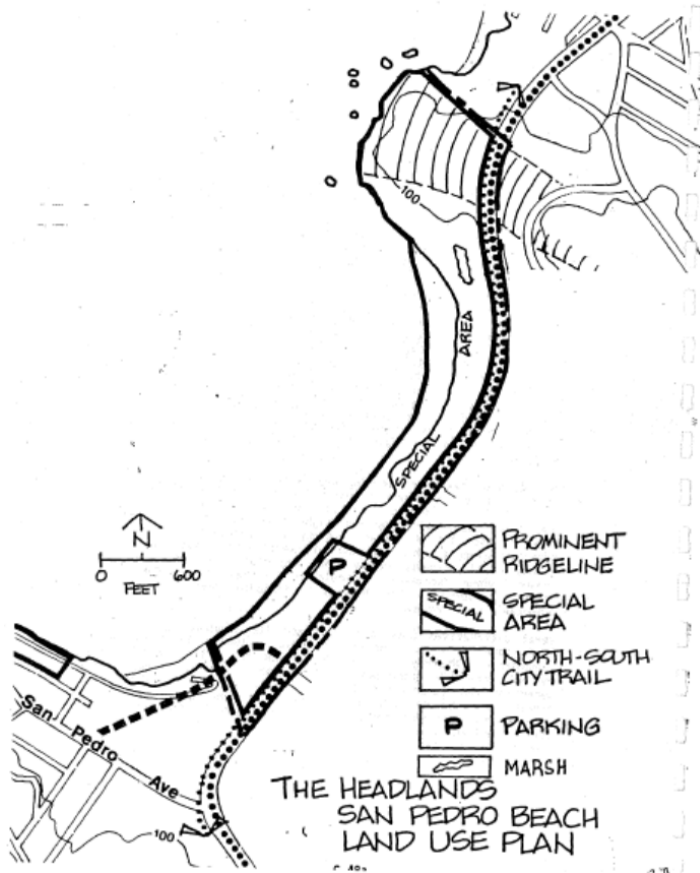
Four beach access points exist in this coastal neighborhood. All are currently unimproved, but are established by frequent use. The most northerly of these accesses is located on the north side of the existing Pedro Point Shopping Center. This access is a trail along the low bank of San Pedro Creek, most of which is in the Headlands-San Pedro Beach neighborhood to the north. This access trail leads through residentially developed frontage on the beach and should be clearly signed. Signing should occur both at the actual access and at the edge of Highway 1 for those using the beach parking on Linda Mar Boulevard.

The second informal beach access is west of the first; a dirt access road used by the residents on the north side of the berm. The developed access to this area should be part of the proposed adjacent commercial development which may include removing part of the unused railroad berm and providing visual and physical access to the beach. Alternatives to berm removal are preferred.

The third access is down the steep bluffs to the cobble beach on the north side of Shelter Cove. Because of public safety problems, particularly landsliding and rock falls, the existing informal access should be allowed to continue, but should not be promoted. The fourth access, Shelter Cove, the sandy pocket beach and the only access to the rocks called Point San Pedro (actually located in unincorporated County), should be retained in private ownership, but set aside for public use. As a part of development proposed for the area, the access road should be improved. Public beach parking should be provided. Because of the isolated location, small area, and confined nature of the beach, public use should be available but not promoted. Should the State wish to operate and manage this area in the future, the area should be actively promoted for diving.

The Pedro Point-Shelter Cove area is served by the County inter-City bicycle trail system and the City's north-south pedestrian-bicycle pathway. Both routes parallel Highway 1. An extension from the City pathway is proposed from Highway 1 west to the vista point/museum proposed at Tobin Station. The route would follow San Pedro Avenue to Danmann; and west on Danmann. The County's trail will eventually continue south along the Devil Slide bypass and along the coast to the coastal communities and beaches to the south.

The current LCP at page C-49 of the Certified LCP (Electronic Page 56/126) identified the San Pedro Avenue site as a vital linchpin between Pacifica State Beach and the continuation of the Pedro Point Headlands.



Instead, the new version erases well-documented public access points which were part of the current LCLUP at left, and turns them into the points in orange at right in its new version, which are merely **View Points**, not access points.



Cites: Current Local Coastal Plan <https://www.cityofpacifica.org/.../2392/637838931960070000>, page 73

(Packet Page 119 /343

here: <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1527&Inline=True>)

Text at page 114 and 122, Figure 3-1 map at page 306.

Map	Name	Beach Access?	Ownership	Detail	Proposed Improvement
3.0	North Side Pedro Point Shopping Center	Yes	Private	Informal trail access, and customer parking at shopping center.	Improve new segment of Coastal Trail along former railroad berms.
3.2	Oceanshore Railroad Berm	No	Private	Narrow sandy beach backed by private residences and the old Oceanshore Railroad berms, about 80-100 feet in height.	Conduct a prescriptive rights study.
	Shelter Cove	No	Private	Steep bluff. Access by steep, informal trail on private land. High-voltage wires over Shelter Cove, Pedro Point.	Conduct a prescriptive rights study.
	Pedro Point Headlands	No	Public	Headlands with steep cliffs. Limited trail access exists from trailhead at Highway 1.	Trail and access improvements expected under land steward management; new trails should provide coastal views from Pedro Point.

Source: Pacifica General Plan, 2015, Dept. of Planning, 2015-2016

Pacifica now denies that this long-held public access point even exists, in violation of the Coastal Act. Please reject these absurd changes which violate the spirit of the Coastal Act.

Thank you.

Cherie Chan

San Pedro Avenue



## PEDRO POINT COMMUNITY ASSOCIATION

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June 20, 2024

Senator Dave Min, Chair  
Senate Natural Resources and Water Committee  
1021 O Street, Suite 6710  
Sacramento, CA 95814

RE: AB 2560 (Alvarez) Oppose Position

Dear Chair Min and Committee members:

We write on behalf of the Pedro Point Community Association (PPCA) which represents the community of Pedro Point in Pacifica, California and is committed to protecting coastal and ocean resources and upholding California's landmark coastal protection law: the California Coastal Act of 1976.

The Coastal Act protects public access guarantees, low-cost recreational opportunities, sea level rise preparedness efforts, wetlands, sensitive habitats, and the biological productivity of ocean waters. It requires new development to minimize energy use, reduce vehicle miles traveled, and avoid hazardous areas such as unstable bluffs, flood zones, wetlands hazards and tsunami runup zones. The Coastal Act also provides that the Coastal Zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem and it is the paramount concern of the state to protect it at all costs. Fifty years of Coastal Act implementation is the reason the California Coast belongs to all and the PPCA welcomes the protection of these resources for all citizens to enjoy and for the wildlife protections it ensures.

Although we are submitting an oppose position, we firmly and genuinely believe the Density Bonus Law can co-exist with public access and coastal resource protection. Significantly, we submit an oppose position because the proposed bill aims to exempt Coastal Zone developments from all California Coastal Commission (CCC) review. While the bill attempts to solve the underlying issue of a statewide lack of affordable housing, the proposed bill is not the right approach to solving that agreed-upon challenge. As discussed below, AB 2560 aims at the wrong target, because it exempts all CCC review for pending or additional development projects.

We are opposed to AB 2560 because as a Coastal Act exemption bill it would deny regular citizens in the Coastal Zone the ability to appeal poorly conceived development decisions to the CCC for review under the guidelines of the Coastal Act.

An exemption from the Coastal Act does not simply shorten the review period for a project. An exemption obliterates the ability of the CCC to enforce public access guarantees and mitigate impacts on coastal resources. A Coastal Act exemption should be treated with the same consideration as an exemption to an analogous law such as the Porter-Cologne Act or State Lands Act. Each of these aforementioned acts empowers a state body to exercise jurisdiction over an area of public concern. The Porter-Cologne Act, for example, defines the role of the State Water Resources Control Board. The State Lands Act defines the role of the State Lands Commission. By the same token, the Coastal Act defines the role of the CCC. Each of these entities was created to manage and balance competing interests over shared resources.

For the CCC, the duty is to manage development with coastal resources and public access guarantees across a physically dynamic environment. The Coastal Commission has demonstrated a remarkable ability to balance competing priorities, including the urgent need for affordable housing as provided under the Coastal Act. The ultimate intent of the CCC is to safeguard the permanent protection of the state's natural and scenic resources that are of paramount concern to present and future residents of the state, along with the necessity of protecting the ecological balance of the Coastal Zone by preventing its deterioration and destruction.

Exempting the Coastal Act removes a substantial law that gives the CCC the ability to mitigate impacts to:

- ◆ Public access guarantees,
- Lower-cost recreation opportunities,
- ◆ Critical habitats such as wetlands, and
- ◆ Sea level rise preparedness efforts.

Simply because an area has been zoned for residential development does not mean that the zoned parcel is devoid of natural resources or public access opportunities. Further, zoning for residential development does not mean that such a zoned parcel may avoid the impacts of climate change such as the inevitable rise in sea levels. If a development already exists on such a parcel, it means that development presumably has had its impacts mitigated.

The removal of mitigation requirements for additional development on that same site is illogical because of the potential cumulative impacts of such further development that it inherently poses. After all, the Coastal Act purports that sound and timely scientific recommendations are necessary for coastal planning and development decisions. This means that the CCC should, in addition to its own expertise in significant applicable fields of science, interact with members of the scientific and academic communities, especially with regard to issues such as the cumulative impact of Coastal Zone development.

Significantly, by essentially exempting the CCC from the further review of future Coastal Zone developments, along with additional developments on established sites, the author of the proposed bill fails to give the Coastal Commission the legally mandated opportunity to utilize scientific information to analyze the potential cumulative impacts that future and additional Coastal Zone developments pose. In this way, the proposed bill directly usurps the letter and intent of state law.

AB 2560 seeks to exempt all Coastal Zone development projects from CCC review entirely, so long as an applicant seeks a density bonus for a given housing development within the Coastal Zone. Potential developments should be required to obtain a Coastal Development Permit (CDP) to ensure that any development within the Coastal Zone is consistent with all local coastal program policies, along with the public access and public recreation policies of the Coastal Act. AB 2560 does no such thing. Rather, the proposed bill attempts to surpass any review by the Coastal Commission, including the preclusion of CDPs, as a way to encourage new and additional developments within the Coastal Zone.

While we fully support affordable housing, we are opposed to developments that are sited in areas that prove to be more harmful than beneficial without the proper review—from ecological, recreational, and anthropogenic standpoints including development in hazardous locations. The proposed bill would do exactly that – that is, provide for scientifically unregarded developments in areas that either deplete sensitive natural resources of the coast, reduce recreational access, or place prospective residents in danger due to factors such as rising sea levels and soil erosion through being exempt from the review process.

AB 2560 aims to surpass any CCC review, including the inevitable sea level rise that is required to be evaluated under the CDP review process. The outcome of AB 2560 will nevertheless prove to be socially and environmentally problematic.

A review by the CCC should be conducted in the name of the safety, health, welfare, and recreational public access, as well as in the name of protecting the ecological integrity of the natural environment. This review would also be considering the heightened impacts in the Coastal Zone which are paramount versus inland regions because of the consequences of the climate crisis' impact on the coast.

Furthermore, the potential developers along the coastal areas have a moral obligation to, at the very least, provide the proper review for potential environmental dangers that may be exposed to prospective residents. To allow exemptions for such potential developments within the Coastal Zone without any proper review would not only put the safety and welfare of the people at risk; it would also prove to be inconsistent with the intent of the California voters who enacted Proposition 20.

Moreover, impact mitigation is not a prohibition on development. Guaranteeing public access through a review process is not frivolous. Access varies as the conditions along our coast vary, which is why project-based review is critical. Without the proper project-based review, the proposed bill would essentially pose as a generalized, blanket "solution" to developing coastal areas that have site-specific problems with distinct intricacies and variables related to public access points. By surpassing the process of project-based review with regard to public access, the proposed bill would not only ignore the provisions of the Coastal Act, but it would also ignore the provisions of the California Constitution. Therefore, the proper project-based review and impact mitigation is necessary to uphold the letter and intent of state law, along with that of our state's Constitution.

As indicated in the most recent report by the Intergovernmental Panel on Climate Change (IPCC), global mean sea levels are rising with virtual certainty, and sea level rise is accelerating with high confidence. With global temperatures being projected to rise at least 1.5 degrees Celsius above pre-industrial levels by 2050, it is virtually uncertain how much sea levels may rise, despite knowing that they are inevitably bound to rise nonetheless. (IPCC, Geneva, Switzerland, pp. 35-115, doi: 10.59327/IPCC/AR6-9789291691647. 23 Id.) Thus, it is important to take a precautionary approach to coastal planning.

Under the Coastal Act, public access is a legislatively mandated requirement to ensure that all citizens may use and enjoy the state's oceans and beaches for their recreational benefit. As a navigable water, the Pacific Ocean falls within the public trust and is subject to the public trust doctrine. Moreover, the Coastal Act requires that "development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization..." (CAL. PUB. RES. CODE § 30211)

Senator Dave Min, Chair  
Senate Natural Resources and Water Committee  
June 20, 2024  
Page 5 of 5

Nowhere in the amended bill as it is currently proposed provides how developers will comply with the state law requiring that development shall not interfere with the public's right of access to the sea and beaches. Rather, the proposed bill ignores the constitutionally guaranteed aspect of public access to the sea and beaches entirely. The proposed bill fails to indicate therein how developments in the Coastal Zone will avoid usurping the rights of citizens to access the sea and beaches through open and equitable public access.

The CCC has never denied a fully affordable housing project in its 50-year history; it has approved numerous density bonus projects over the last decade; and it has worked with several local governments to incorporate density bonus policies into their LCPs. It has maximized the use of its authority to preserve density and championed the application of the "no net loss" policy to new construction. All AB 2560 guarantees is the removal of coastal resource and public access protections in attempting to supersede the proper review process.

The answer is to restore the original Coastal Act policy protecting and providing for affordable housing in the Coastal Zone just as the CCC was empowered to do between 1976 and 1981. The repeal of these provisions by the Mello Act wrongfully precludes the CCC from requiring affordable housing in the Coastal Zone (See CAL. GOV'T CODE § 65590; Joseph D. Smith AICP supra note 27).

We are happy to work with our government leadership to develop legislation that utilizes the Coastal Act and CCC to further affordable housing throughout the Coastal Zone.

Sincerely,



Allison West  
President



Joanne Gold  
Vice President



Cherie Chan  
Secretary



Gary Emich  
Treasurer

Dear Pacifica City Council,

Thank you for including the most recent letter from Brittney Cozzolino of the California Coastal Commission, dated August 6<sup>th</sup> 2024 in today's agenda packet.. We wish we had more time to review this as a community, but we reiterate the statements made by the Coastal Commission in this recent letter:

***“Coastal Act consistency, rather than General Plan consistency, is the standard of review for the LUP.”***

As the Pedro Point Community Association has noted through countless community letters and testimony from its retained Attorneys, biologists, and planning experts, the change of a land use designation from at the *Undeveloped San Pedro Avenue Site*, also known as 315 San Pedro Ave, from its current status as *Commercial Recreational* to a novel “*Coastal Residential Mixed Use Zoning District*” under an inadequate EIR is illegal under CEQA, and violates the Coastal Act.

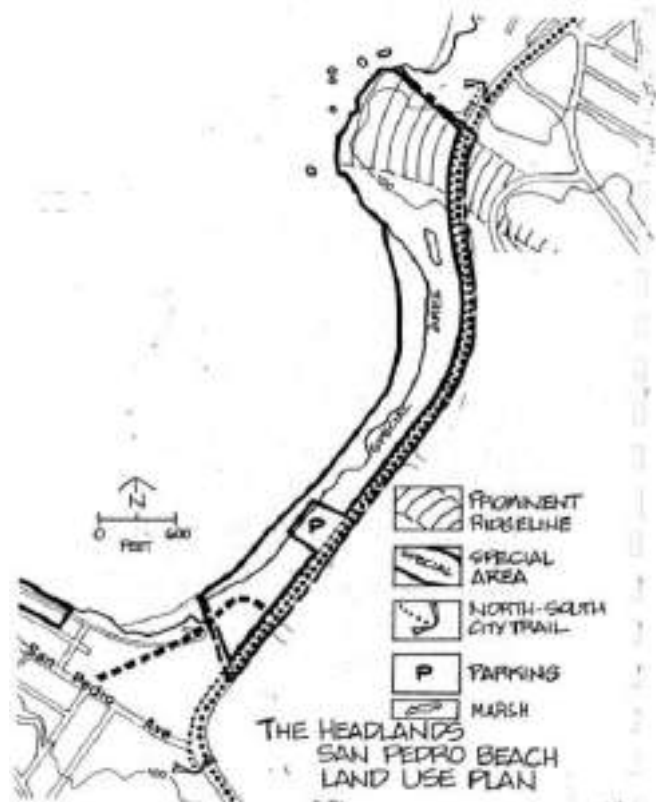
Ms. Cozzolino further states:

***Enhancing access to the coast is a foundational pillar of the Coastal Act (Section 30210).***

Erasure of currently-used Coastal Access Points documented under the current Local Coastal Plan are a direct violation of the Coastal Act, and should have never been proposed, much less contemplated.

The current LCP at page C-49 of the Certified LCP (Electronic Page 56/126) identified 315 San Pedro Avenue as being a vital Coastal Access point, containing several vital coastal Access points. Importantly, it also features a trail extending diagonally through the property: this trail is a key component of a Coastal Access trail connecting Pacifica State Beach to the Pedro Point Headlands.<sup>1</sup> The public has, consistent with the LCLUP, enjoyed continuous, open, and notorious use of this coastal access point.

Instead, the proposed LCLUP advanced by the City erases well-documented public access points which were part of the current LCLUP at left, and turns them into the points in orange at right in its new version.



<sup>1</sup> Also see Attached Letter from City of Pacifica Staff: 2013-04-19\_Clayomb\_MEMO History of projects re- Wetlands

Under Pacifica’s proposed “Coastal Access Plan”, these critical access points will be erased, and become mere **View Points, not Access Points**. Number 24 is particularly problematic because it is inundated and impassable for more than six months per year.



*Current vs. Proposed Local Access Points<sup>2</sup>*

Please remember that the City of Pacifica’s Local Coastal Land Use Plan must be consistent with the Coastal Act, and eliminate these obvious deficiencies

*Sincerely Yours,*

*Cherie Chan*

Secretary, Pedro Point Community Association

Attachments:

2024-06-20\_PPCA\_Letter

2013-04-19\_Clayomb\_MEMO History of projects re- Wetlands

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<sup>22</sup> Cites: Current Local Coastal Plan <https://www.cityofpacific.org/.../2392/637838931960070000>, page 73

(Packet Page 119 /343

here: <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1527&Inline=True>)

LCP-2-Pac-20-0036-1

Dear California Coastal Commission,

Hi there, my name is Cherie Chan, I live in Pacifica, eight miles to the north. I am here to comment on the City of Pacifica's Land Use Plan update, particularly the Pedro Point Field, the peach-colored wetlands below, and the confirmed Environmentally-sensitive Habitat Area, or ESHA.

# City of Pacifica LUP Update

LCP-2-pac-20-0036-1



We'd love to host a Commission meeting in Pacifica. Unfortunately, there is no sweet conference center like this in Pacifica. We don't have an unpaved coastal beer garden like Old Princeton Landing where we had the public meet and greet last night.

Instead, has Pacifica 47 thousand official residents, whereas Half Moon Bay, Moss Beach, and El Granada have a combined total of less than 20,00 residents. More importantly, Pacifica has almost no visitor-serving jobs in town, our largest employers are the Pacifica School District, the City of Pacifica, and Safeway.

## Pacifica in General

“the City’s proposal does not actually take on the difficult coastal hazard questions facing this community, and is most aptly described as a **‘full-armorng’** adaptation plan that would essentially commit the City in the long run to the detrimental effects of same.”

I have been participating on the General Plan Update--and associated LCP Amendment--since I moved to Pacifica in 2008. Indeed, the General Plan Update was stalled for about three years because, by the City planning staff’s own report, they were too busy working on the evacuation and demolition of the apartments on Esplanade Avenue which were collapsing into the ocean.

While the majority of residents have advocated for a balanced approach to support a sustainable economy. A limited, but vocal minority, have argued to ignore the effects of Sea Level Rise. They have largely captured our local newspaper--until lately--and much of our existing city council. They seek to double-down on expanded luxury housing in the coastal zone

I would like to Commend Coastal Commission Staff for its strong recommendations and language thus far, as it relates to the current city’s flawed LCP and sea level rise armorng plan and encourage them to use its statutory powers to go further, for All Californians.

# Additional Recommended Modifications to Pedro Point Field in Pacifica LCLUP

Although the CCC Staff recognizes there are substantial issues with the City of Pacifica's LCLUP, the Commission needs to consider:

- The current baseline of the Field has no development and with this long-standing Environmental Baseline, the actual closest land use designation of would be Conservation (C) followed closely by Low Intensity Visitor-Serving Commercial (LIVC).
- The Pedro Point Field the city should not be allowed to change the Land Use Designation to Residential
- There is documented ESHA and A species of Special Concern
- Runoff from any development could not be mitigated and would surely go into the ESHA
- It is also a documented hazard zone where the City recognizes flooding, Tsunami and hydrology issues
- The Change in Land Use Designation would be substantial and a violation of CEQA

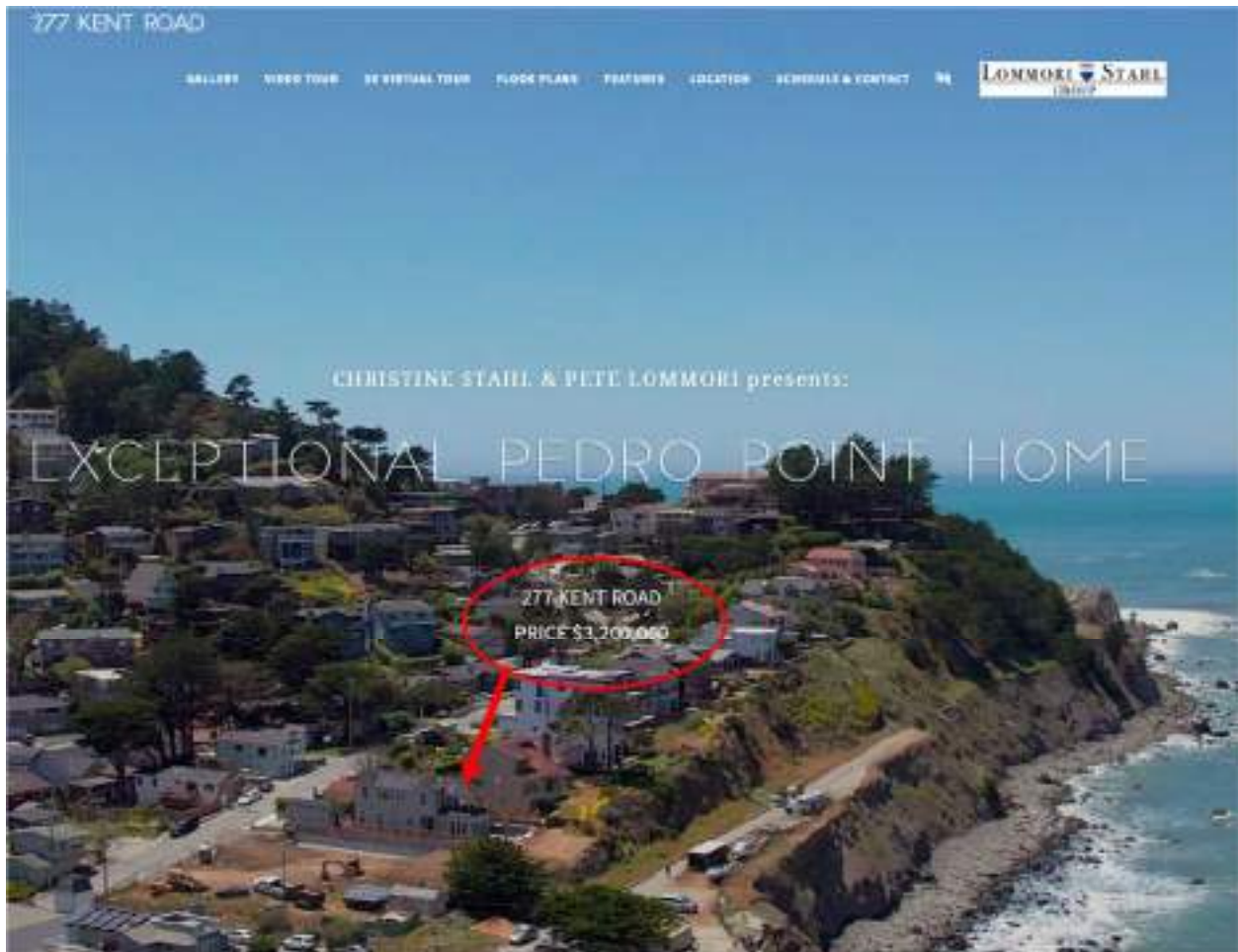
Yesterday, you heard from my neighbor, Samuel Casillas who made recommendations based on the City's substantial proposed land use designation to a coastal wetlands and confirmed EHSA, located adjacent to Linda Mar or Pacifica State Beach.

Access to these beaches has already been challenged by Organizations such as Brown Girl Surf and City Surf Project, which correctly argued that Pacifica's long-standing process of limiting permits to grandfathered organizations<sup>1</sup> is a violation of the Coastal Act. Erik Martinez, your coastal program analyst, also noted that the City still has a way to go. Details in this LCLUP beyond the Sea Walls threaten to further erode coastal access land also deserve a second look.

Yesterday, you also from a number of residents in Half Moon Bay, reeling from the devastating effects of gun violence, exploitation, and the failure of local officials to enforce local laws. You heard from realtors, including our incumbent city council, that this tragedy should be used to erode state coastal act laws. I would like to reiterate that in no way should these tragedies strip a state body, and its staff, from making science-based recommendations to prevent the placement of vulnerable people in hazard zones.

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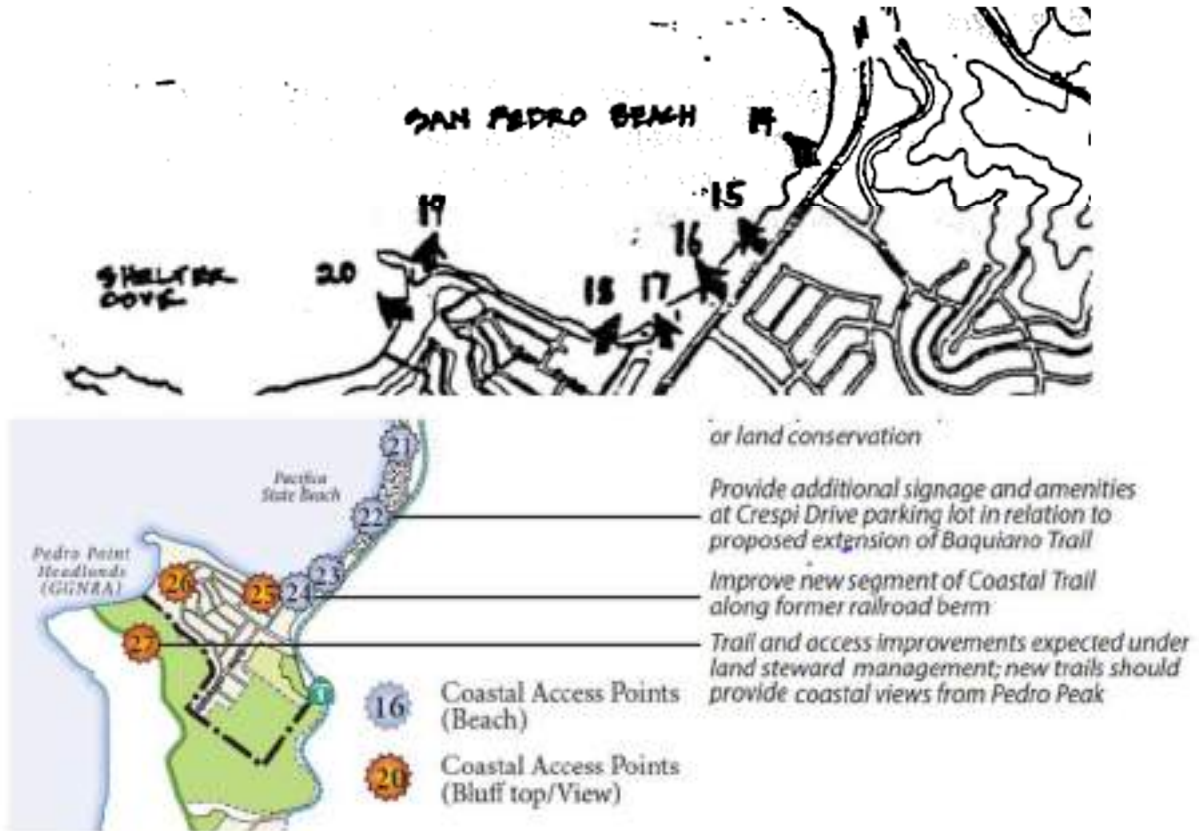
<sup>1</sup> "It's the ultimate Bay Area surf school beach — and California officials are stepping in to ensure equal access" <https://www.sfchronicle.com/> Feb. 12, 2023



In reality, these 3.2 million dollar houses (original asking price, 3.7 million dollars) are the homes that are being actually being built in Coastal Pacifica. These are the castles all Californians be paying to remove when coastal erosion continues.

Also, importantly, the City's proposed LCLUP erases key long-time Coastal Access points--the arrows in the Certified Coastal Access Map on page C-64--and converts them into view points, the items in the orange sunbursts.

# Coastal Access Has Been Erased



I would like to note that this is not about Pedro Point. We are merely the canaries in the coal mine, raising issues which still need to be examined in detail city-wide, by the Coastal Commission. I am a volunteer with my own day job, and do not have the expertise of Oceanne Ringuette, Julia Koppman-Norton, and Stephanie Rexing. They are rock stars working to maintain and enhance an equitable access to the California Coast. My town's inability to produce a compliant plan is not the fault of your hard-working staff. Please give them the time and resources they need to give ALL Californians equitable access to California's coast which benefits all Californians.

Thank you for your time.

Cherie Chan,

Pacifica Resident

**From:** [Ringuette, Oceane@Coastal](mailto:Ringuette, Oceane@Coastal)  
**To:** [James Kremer](mailto:James Kremer)  
**Cc:** [Honey, Julian@Coastal](mailto:Honey, Julian@Coastal)  
**Subject:** Re: Clarification of Public Trust Lands with Armor  
**Date:** Wednesday, August 28, 2024 9:04:22 AM  
**Attachments:** [Outlook-w2tbzdh.png](#)

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Hi Jim,

The summary you wrote below on the public trust is mostly correct, except that the landward boundary of public trust lands is defined by the mean high tide line. This boundary ambulates as both the mean high water elevation changes and as the shore erodes and accretes, and is determined by the elevation of the average high tide. This means that as sea levels rise the mean high tide line will move landward over time. The migration of public trust lands certainly poses complications for development along the coast. Here's a snippet from one of the resources from the link below:

*"Accelerating sea level rise will likely lead to more disputes regarding the location of property boundaries along the shoreline as lands that were previously landward of the mean high tide line become subject to the state's ownership and protections of the Public Trust. These disputes, in turn, will affect determinations regarding what kinds of structures and uses may be allowed or maintained in areas that, because of sea level rise, are already seaward of the mean high tide line, are likely to become seaward of the mean high tide line in the future, or would be seaward of the mean high tide line if it were not for artificial alterations to the shoreline."*

Public trust lands are complicated, but we have some helpful guidance documents and info sheets which can be found here: <https://www.coastal.ca.gov/public-trust/>

Thanks!

**Oceane Ringuette**

District Supervisor

North Central Coast District

California Coastal Commission

Pronouns: she/her



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**From:** James Kremer <jamesnkremer@gmail.com>

**Sent:** Sunday, August 25, 2024 5:47 PM

**To:** Ringuette, Oceane@Coastal <oceane.ringuette@coastal.ca.gov>

**Subject:** Clarification of Public Trust Lands with Armor

i Oceane,

At Pacifica's LCLUP meeting #9 last week, a specific point about Public Trust Lands came up a couple of times. I think I understand a key detail since I heard Charles Lester's presentation earlier this year. I am checking with you about the actual status, or whether the idea was an interpretation that might be subject to revision.

My understanding is:

- Public Trust Lands along the coast are defined by the Mean Higher High Tide Line. This line is well defined and measurable based on long term tidal records at various reference stations. (Perhaps a moving average over time or something?)
- Importantly, as a boundary for PTL, MHHW line is not held back by any existing or new coastal armor. Rather, MHHW is determined to move shoreward of the armor to where the rising sea level would be without the armor, based on local topography surrounding the SPD.
- Coastal Public Trust is one of the oldest and most well established precedents in US law, and is the basis for much of the Coastal Act and CCC regulatory policies.

SO, is this accurate and as legally sound as I understand it to be? The key is whether it would hold up to legal challenge, which is almost certain!

Thanks for all your work with Pacifica!

During last Monday's CC mtg, I noted the itemized Deed Restrictions in policy CR-I-1 (sec. 6.45 in the city's lengthy table). These seem crucially important, and the fact that they are in force even outside proposed SSRAs is some solace for me, though I still hope the SSRAs will be dropped entirely! You probably know that those risk disclosures held the meeting up a long time, although I felt only one Councillor was questioning them,. To their credit Staff (City Mngr., Atty., & Acting Planning Dir.) repeatedly defended the inclusion of the disclosures.

Cheers,

Jim Kremer

Resident of Sharp Park, east of Hwy 1



826 Stanyan St., San Francisco, CA 94117 • 415-290-5718 • [info@sfpublicgolf.org](mailto:info@sfpublicgolf.org)



July 29, 2024

Pacifica City Council  
Mayor Susan Vaterlaus  
540 Crespi Dr.  
Pacifica, CA. 94044

Re: City Council Special Meeting, Pacifica Local Coastal Plan, August 12, 2024, 5:00 p.m.

- 1 PACIFICA'S LCLUP SHOULD EXEMPT MAINTENANCE, REPAIR, AND MINOR ADDITIONS TO EXISTING STRUCTURES FROM CDP PERMIT REQUIREMENTS. THE COASTAL COMMISSION IN APRIL 2021 UNANIMOUSLY APPROVED THESE SAME EXEMPTIONS IN HALF MOON BAY'S LOCAL COASTAL PLAN.**
  
- 2 HALF MOON BAY'S LOCAL COASTAL PLAN ALSO EXPRESSLY PROVIDES FOR "MAINTENANCE AND RESTORATION OF HISTORIC BUILDINGS AND PROPERTIES". PACIFICA'S LOCAL COASTAL LAND USE PLAN SHOULD DO THE SAME.**

Dear Mayor Vaterlaus and Councilmembers,

**1. Maintenance and Repair**

Maintenance and repair of the historic Sharp Park Golf Course and Clubhouse was a major issue of concern raised by public speakers (including the San Francisco Public Golf Alliance) and letter-writers at City Council's June 26, 2024 LCLUP Study Session. Among others, letters from

the Sharp Park Business Women’s<sup>1</sup> and Men’s<sup>2</sup> Golf Clubs (whose collective several hundred members include large numbers of Pacifica residents) expressed “shock” that the broad definition of “development” and other provisions of Pacifica’s June 2024 Draft LCLUP appear to require Coastal Development Permits (with potentially onerous application and collateral requirements including expensive technical reports and siting and design requirements) for ordinary maintenance and repair tasks at the landmark Sharp Park Golf Course and Clubhouse.

Responding to these concerns, Council Members Boles, Bier, Bigstycck and Beckmeyer asked Planning Staff at the June 26 Study Session to identify and list any provisions of the June 2024 Draft LCLUP that allow for maintenance and repair of the golf course.<sup>3</sup> Interim Deputy Planning Director Stefanie Cervantes responded that “regular maintenance [is] currently exempt from coastal development permits,” but did not cite any Policies or other language in the Draft LCLUP that allows for maintenance and repair.<sup>4</sup>

Because Pacifica’s Draft Local Coastal Land Use Plan<sup>5</sup> contains very broad definitions of “development,”<sup>6</sup> “structure,”<sup>7</sup> and “substantial structural modification,”<sup>8</sup> ordinary maintenance activities such as placing or removing sand in sand traps, trimming or removing dead, dying, dangerous, or downed trees, restoring tees and greens, or repairing cart paths or pipes may fall within the broad definition of “development” and thus require Coastal Development Permits. Likewise maintenance and repair issues at the historic Clubhouse. Both Sharp Golf Course and its Clubhouse are formally designated City of Pacifica landmarks<sup>9</sup> because of their architectural pedigree, and in the case of the golf course national and international prominence as the work of the legendary architect Alister MacKenzie. And because they are old – opened in 1932 – they both have special needs to be maintained and kept in good repair.

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<sup>1</sup> Letter, Sharp Park Business Women’s Golf Club (Villasenor) to Pacifica City Council, June 21, 2024: [https://drive.google.com/file/d/1EDm6t1NOBTZ\\_-5bm4AfBxd0yALQiExao/view?usp=drive\\_link](https://drive.google.com/file/d/1EDm6t1NOBTZ_-5bm4AfBxd0yALQiExao/view?usp=drive_link)

<sup>2</sup> Letter, Sharp Park Golf Club (Larroche) to Pacifica City Council, June 24, 2024: <https://drive.google.com/file/d/1S0Uu5x2pqRkZh5USsDBJQVlpLl6BM-FW/view?usp=sharing>

<sup>3</sup> Pacific Coast TV U-Tube Video, Pacifica City Council June 26, 2024 LCLUP Study Session, [https://www.youtube.com/watch?v=KHx8\\_zi3qC0](https://www.youtube.com/watch?v=KHx8_zi3qC0) : Boles at 4:28:35-29:00; Bier at 4:29:04-29:30; Bigstycck at 4:32:08; Beckmeyer at 4:32:15

<sup>4</sup> Pacific Coast TV U-Tube Video, Pacifica City Council June 26, 2024 LCLUP Study Session, [https://www.youtube.com/watch?v=KHx8\\_zi3qC0](https://www.youtube.com/watch?v=KHx8_zi3qC0): Acting Planning Director Stefanie Cervantes, at 4:29:41

<sup>5</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Attachment E to City Council June 26, 2024 Agenda Packet, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1540> (Pages 73-350)

<sup>6</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Id., at Glossary, Pg. G-4 , Packet Pg. 320: “Development: . . . the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of a . . . liquid, solid, . . . waste; grading, removing, . . . any material . . .”

<sup>7</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Id., at Glossary, Pg. G-10, Packet Pg. 326: “Structure: Anything construed or erected which requires a fixed location on the ground, or is attached to a building or other structure having a fixed location on the ground.”

<sup>8</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Id., at Pg. G- 10 Packet Pg. 326

<sup>9</sup> [Pacifica 2040 General Plan \(Adopted 2022-07-11\).pdf \(egnyte.com\)](#), at Table 7-5 Historic Sites and Figure 7-4 Historic and Cultural Resources, at Pages 7-42 to 7-43 (217-218/311)

Operation of the landmark golf course and its clubhouse are supported by policies found in Chapters Two (Land Use), Three (Public Access and Recreation), and Four (Environmental and Scenic Resources) of Pacifica’s June 2024 Draft LCLUP.<sup>10</sup>

- **LD-I-5 Lower Cost Visitor and Recreational Facilities.** Protect, encourage, and where feasible, provide lower-cost visitor and recreational facilities in the Coastal Zone. These include major, free recreational attractions such as Pacifica Pier and Pacifica State Beach; the public golf course at Sharp Park; the San Francisco RV Park; California Coastal Trail and other trails, lower cost overnight accommodations; and numerous beaches accessible at no cost.<sup>11</sup>
- **PR-I-24 Sharp Park.** Support the continued operation of golf at Sharp Park Golf Course consistent with resource protection, natural hazard, and coastal vulnerability policies, existing CDP terms and conditions, and support development of additional recreational uses in upland portions of the Park located outside the Coastal Zone east of Highway 1.<sup>12</sup>
- **ER-G-12 Historic and Cultural Sites.** Conserve designated historic and cultural sites and structures that help define Pacifica’s identity and character and increase public awareness and appreciation for them.<sup>13</sup>

Since “protection,” “operation,” and “conserve” all necessitate maintenance and repair, maintenance and repair are implied in Implementation Policies LD-I-5, PR-I-24, and General Policy ER-G-12. But the Draft LCLUP contains no General or Implementation Policies expressly exempting Maintenance and Repair from development permit requirements. There is only the following recital in the text of the LCLUP’s Section Two, Land Use:

“Pursuant to the Coastal Act, certain categories of development are exempt from coastal development permit requirements. These exemptions are generally set forth in Section 30610 of the PRC (Public Resources Code) and Sections 13252, 13253, and 13250 of the California Code of Regulations (CCR).”<sup>14</sup>

The Coastal Act, at Public Resources Code 30610,<sup>15</sup> provides in relevant part as follows:

30610. Notwithstanding any other provision of this division [The Coastal Act], no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas: , , ,

(d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities . . .

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<sup>10</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Attachment E to City Council June 26, 2024 Agenda Packet, <https://pacificacityca.igam2.com/Citizens/FileOpen.aspx?Type=1&ID=1540> (Pages 73-350)

<sup>11</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, *Id.*, at Pg. 2-27, Packet Pg. 116

<sup>12</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, *Id.*, at Pg. 3-20, Packet Pg. 149

<sup>13</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, *Id.*, at Pg. 4-33, Packet Pg. 209

<sup>14</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, *Id.*, at Pg. 2-13, Packet Pg. 102

<sup>15</sup> California Public Resources Code 30610:

[https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=20.&title=&part=&chapter=7.&article=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=20.&title=&part=&chapter=7.&article=1).

At Implementation Policy LD-I-3, Pacifica's June 2024 Draft LCLUP provides as follows:

**LD-I-3 Coastal Development Permit Findings.** For all development that requires a coastal development permit, continue to require written findings that it is consistent with all LCLUP policies and Implementation Plan provisions of the City's certified Local Coastal Program.<sup>16</sup>

The corollary of LD-I-3 is that development that does **not** require a coastal development permit should as well be exempt from CDP permit **conditions and requirements**, including Pacifica's June 2024 Draft LCLUP's Implementation Policies CR-I-19 (Technical Reports), CR-I-20 ("Siting and Design," and CR-I-21 ("Coastal Hazards Risk Disclosure").<sup>17</sup> But nothing in Pacifica's Draft LCLUP says this expressly.

For guidance on this issue, we turn to Pacifica's neighbor, the City of Half Moon Bay, whose updated Half Moon Bay Local Coastal Plan,<sup>18</sup> unanimously approved April 15, 2021 by the California Coastal Commission,<sup>19</sup> provides at Appendix A a general exemption from coastal development permit requirements for maintenance, repair and minor additions to existing structures – an exemption that applies city-wide, including to the two golf courses within Half Moon Bay city limits at the Ritz-Carlton Resort. Half Moon Bay's Maintenance and Repair exemption includes the following language:

**Coastal Development Permits** A coastal development permit is required for any project that meets the definition of development pursuant to Coastal Act Section 30106. . . . **Certain categories of development are exempt from coastal development permit requirements, such as repair and maintenance, agricultural harvesting, minor additions to existing structures, and replacement of structures destroyed by natural disaster. Other types of de minimis development projects that do not have potential for any coastal resource impacts, such as residential additions, accessory dwelling units, invasive plant removal, and minor habitat restoration projects without the use of motorized or mechanized equipment, may be granted a coastal development permit waiver.**<sup>20</sup>

San Francisco Public Golf Alliance requests that similar language be included in Pacifica's Local Coastal Land Use Plan June 2024 Draft.

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<sup>16</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Supra, at Pg. 2-14, Packet Pg. 103

<sup>17</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Supra, Implementation Policies CR-I-19, CR—I-20, and CR-I-21, at Pages . 2-14, Packet Pages 6-32 to 6-35, Packet Pages 276-279.

<sup>18</sup> Half Moon Bay Local Coastal Plan, <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>, at Exhibit 2; the Local Coastal Plan is attached as Exhibit 2 to the Coastal Commission Staff Report for the April 15, 2021 hearing: <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-report.pdf>

<sup>19</sup> Coastal Commission Meeting, Apr. 15, 2021, Agenda Item 9a, Half Moon Bay Local Coastal Plan, Approved as Submitted: <https://www.coastal.ca.gov/meetings/agenda/#2021/4>; Draft Minutes of Coastal Commission Meeting, April. 14-16, 2021, at page 8 ( <https://documents.coastal.ca.gov/reports/2021/6/W21/W21a-6-2021.pdf>); unanimous vote recorded on CalSpan video of the Commission's April 15, 2021 meeting, at Agenda Item 9a, Motion and Vote: [Video: California Coastal Commission- April 15, 2021, 8 a.m. CAL-SPAN](#)

<sup>20</sup> Half Moon Bay Local Coastal Plan, City Council Final Approved Draft, October 2020, Appendix A, p. 2, at 398/480 <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>

## 2. Maintenance and Restoration of Historic Buildings and Properties

Half Moon Bay's Local Coastal Plan, at Chapter 9 ("Scenic and Visual Resources") also makes special provision for "maintenance and restoration" of historic buildings and properties:

**9-26. Historic Buildings Maintenance.** Allow the maintenance and restoration of historic buildings and properties to preserve their scenic and visual qualities.<sup>21</sup>

### CONCLUSION: REQUESTED TEXT FOR (1) MAINTENANCE AND REPAIR EXCLUSION FROM CDP REQUIREMENTS, AND (2) ENABLE MAINTENANCE AND RESTORATION OF HISTORIC BUILDINGS AND PROPERTIES.

For the reasons discussed above, San Francisco Public Golf Alliance respectfully requests the following provisions and language be added to Pacifica's June 2024 Draft LCLUP.

1. **Modify Implementation Policy PR-1-24** (found in Chapter Three of Pacifica's June 2024 Draft Local Coastal Land Use Plan) should be amended as follows (with requested amending language in yellow highlight):

PR-I-24 Sharp Park. Support the continued operation of golf, including maintenance and repair of facilities, at Sharp Park Golf Course consistent with resource protection, natural hazard, and coastal vulnerability policies, existing CDP terms and conditions, and support development of additional recreational uses in upland portions of the Park located outside the Coastal Zone east of Highway 1.

2. **Modify Implementation Policy LD-1-3** (found in Chapter Two of Pacifica's June 2024 Draft Local Coastal Land Use Plan), should be amended as follows (with requested amending language in yellow highlight).

LD-I-3 Coastal Development Permit Findings. For all development that requires a coastal development permit, continue to require written findings that it is consistent with all LCLUP policies and Implementation Plan provisions of the City's certified Local Coastal Program. Certain categories of development are exempt from coastal development permit requirements, such as repair and maintenance, agricultural harvesting, minor additions to existing structures, and replacement of structures destroyed by natural disaster. Other types of de minimis development projects that do not have potential for any coastal resource impacts, such as residential additions, accessory dwelling units, invasive plant removal, and minor habitat restoration projects without the use of motorized or mechanized equipment, may be granted a coastal development permit waiver.

3. **Add a new Implementation Policy to Chapter 4, Section 4.5, Cultural Resources, as follows:**

**ER-I-44 Historic Buildings Maintenance.** Allow the maintenance and restoration of historic buildings and properties to preserve their historic, architectural, and visual qualities

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<sup>21</sup> Half Moon Bay Local Coastal Plan, City Council Final Approved Draft, October 2020, Chapter 9, at 394/480 <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>

These requested modifications are needed to clear-up uncertainty in Pacifica's Draft Local Coastal Plan, and track provisions already enthusiastically endorsed by Coastal Commission Staff and unanimously approved by the Coastal Commission on April 15, 2021, for the local coastal plan of Pacifica's near-neighbor City of Half Moon Bay. So we respectfully request Pacifica City Council approve the above-requested modifications for Pacifica's LCLUP.

Respectfully submitted,

*Richard Harris*

President, San Francisco Public Golf Alliance

cc: City Manager Kevin Woodhouse, Interim Deputy Planning Director Stefanie Cervantes, Planning Commission and Commissioners, City Clerk Sarah Coffey, Phil Ginsburg, Gen. Mgr., San Francisco Recreation and Parks Dept., Spencer Potter, Esq., San Francisco Recreation and Parks Dept.; Stephanie Rexing, North Central Coast District Manager, California Coastal Commission





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August 11, 2024

Pacifica City Council  
Mayor Susan Vaterlaus  
540 Crespi Dr.  
Pacifica, CA. 94044

Re: City Council Special Meeting, Pacifica Local Coastal Plan, August 12, 2024, 5:00 p.m.

**SF PUBLIC GOLF ALLIANCE COMMENTS RE: PACIFICA LCLUP JULY DRAFT. WE REQUEST CHANGES TO IMPLEMENTATION POLICIES REGARDING REPAIR AND MAINTENANCE, LANDMARK PRESERVATION, AND TSUNAMI POLICIES. WE OBJECT TO THE REVISED COASTAL ACCESS MAP AS INACCURATE, NONRESPONSIVE TO CITY COUNCIL'S DIRECTION, AND OBJECT TO THE NEW TSUNAMI INUNDATION MAP AS LACKING ADEQUATE AUTHENTICATION. AND WE OBJECT TO HURRIED PROCESS AS VIOLATIONS OF DUE PROCESS AND VIOLATIONS OF THE STATE LEGISLATURE'S AND THE COASTAL COMMISSION'S OWN MANDATES TO FACILITATE PUBLIC PARTICIPATION.**

Dear Mayor Vaterlaus and Councilmembers,

Herewith our further commentary, objections, and requests for changes to Pacifica's July 2024 Draft Local Coastal Land Use Plan (V. 5.1).<sup>1</sup>

- 1. Maintenance, Repair, Historic Buildings and Properties.** Request modification of Pacifica Draft LCLUP Implementing Policies PR-I-24 (Sharp Park), LD-I-3 (Coastal Development Permit Findings), and add new Implementing Policy ER-I-44 (Historic Buildings Maintenance), to specifically provide for maintenance and repair, to specifically exempt certain categories of development from coastal development permit requirements, and to allow maintenance and restoration of historic buildings and properties. These requested modifications track language in Half Moon Bay's Local Coastal Plan, unanimously approved by the Coastal Commission in April 2021, as detailed – with citations to the Half Moon Bay LCP – in our Letter to Your Council dated July 29, 2024,<sup>2</sup> which letter can be found in Your Council's Agenda Packet for the August 12, 2024 meeting at Packet Pages 685 to 690.

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<sup>1</sup> Pacifica Local Coastal Land Use Plan, July 2024 Draft (5.1), Attachment C to Staff Report, Agenda Item 14, Pacifica City Council Agenda Packet, Aug. 12, 2024:

<https://pacificacityca.igam2.com/Citizens/FileOpen.aspx?Type=1&ID=1544&Inline=True>, at Pkt.Pgs. 389-707

<sup>2</sup> Letter, SF Public Golf Alliance to Pacifica City Council, July 29, 2024:

<https://drive.google.com/file/d/1pYy2J0WRG0ki0NJRAaRkFzOfGnvYMQp/view?usp=sharing>

2. **Tsunami Should Not be an Infill Development Restriction.** Request changed language in Pacifica Draft LCLUP Coastal Resources Implementing Policies (including Implementing Policies CR-I-1, CR-I-19, CR-I-20, and CR-I-21 to include policy language that was unanimously approved in April 2021 by the California Coastal Commission for the Half Moon Bay Local Coastal Plan at Shoreline Hazards Policy 7-9, which reads as follows:

7-9. New Development in Tsunami Inundation Zone. Limit the creation of new building sites in the tsunami inundation zone. **Infill development on existing building sites may be permitted in the tsunami inundation zone, provided that a disclosure of hazard presence and a hold harmless clause indemnifying the City from any harm caused to permitted development by tsunami inundation are recorded against the property.**<sup>3</sup> (emphasis added)

The rationale and authority for this requested change, including the Coastal Commission's prior approval for Half Moon Bay, is detailed and cited in our letter to Your Council dated August 6, 2024,<sup>4</sup> which letter can be found in Your Council's Agenda Packet for the August 12, 2024 meeting at Packet Pages 691 to 695.

3. **Object to the Revised Coastal Access Map, Draft LCLUP Figure 3-1** (Draft LCLUP, V.5.1, at Packet Page 652), **and to the accompanying Table 3-1**, Coastal Access Points (Draft LCLUP, Page 3-7, at Packet Page 452), because Figure 3-1 incorrectly locates the new beach access handicapped access ramp too far south on the Coastal Trail segment at Sharp Park Beach, and Table 3-1 incorrectly describes the kind of access. **At its April 15, 2024 Special Meeting LCLUP Study Session, City Council specifically directed Staff to revise the Coastal Access Figure 3 to show the location of the wheelchair beach access ramp.**<sup>5</sup> The correct location of that handicapped access ramp is at the north end of Sharp Park Beach, approximately 100 yards south of Clarendon Avenue, as documented by photographs of the ramp and a description of its location ("Sharp Park Levee north end beach overlook and access ramp photograph of the beach access ramp"), at page 8 of our April 8, 2024 letter to Your Council in this matter.<sup>6</sup> Table 3-1 incompletely and incorrectly describes the access

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<sup>3</sup> Half Moon Bay Local Coastal Plan, <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>, at Exhibit 2, Pg. 324/480, first full paragraph, and Pg. 326/480; the Local Coastal Plan is attached as Exhibit 2 to the Coastal Commission Staff Report for the April 15, 2021 hearing:

<https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-report.pdf>, Resolution, at p. 4.

Coastal Commission Agenda, April 15, 2021, Item No. 9a: Half Moon Bay Local Coastal Plan, Approved as Submitted: <https://www.coastal.ca.gov/meetings/agenda/#2021/4;>

Minutes of April 15, 2021 CCC Meeting, at unnumbered page 8 of 17:

<https://documents.coastal.ca.gov/reports/2021/6/W21/W21a-6-2021.pdf>

<sup>4</sup> Letter, SF Public Golf Alliance to Pacifica City Council, August 6, 2024:

[https://drive.google.com/file/d/19ghnzl-ZLO6rkfzJWvD\\_4hwtpU01iWaP/view?usp=sharing](https://drive.google.com/file/d/19ghnzl-ZLO6rkfzJWvD_4hwtpU01iWaP/view?usp=sharing)

<sup>5</sup> Minutes, City Council Special Meeting, April 15, 2024, at page 26, third, fourth, and fifth paragraphs:

<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=15&ID=1454&Inline-True>

<sup>6</sup> Letter, SF Public Golf Alliance to Pacifica City Council, April 8, 2024

<https://drive.google.com/file/d/1KuFZfa5um7qMXNpesOaJ72IW5SP7oR0l/view?usp=sharing>

as follows: “13A Sharp Park, Berm [Beach Access] Yes City/County of SF ADA access on berm.” While it is true that the berm itself is ADA accessible – because it is a flat and relatively smooth road that can be used by wheelchairs – the berm also has a wheelchair accessible ramp from the top of the berm to the beach. To accurately describe this, the handicapped access should be described as follows: “ADA access on top of the berm and ADA access from the top of the berm to the beach by a wheelchair accessible ramp.”

4. **Object to the new Tsunami Inundation Zone map**, which is described in the August 12 Staff Report at Page 5 (Aug. 12 Packet Page 329), and the map itself found in the draft updated LCLUP at [new] Figure 6-2, “Tsunami Inundation Zone,” at Aug. 12 Packet Page 667. This map does not belong in the LCLUP – not even as a placeholder. We object because Figure 6-2 does not appear to be scientifically based – or if it is scientifically based, the scientific basis is inadequately described and is not documented in Figure 6-2’s rudimentary Sources Legend (at lower left-hand corner) or anywhere else we can find. For comparison, see the Legend at the bottom right-hand corner of the Draft LCLUP’s Figure 5-3, “Flood Zones,” which identifies its sources as follows: “Source: National Flood Hazard Layer for San Mateo County, FEMA, 2019; Tsunami Hazard Area for San Mateo County, Department of Conservation, State of California, 2021; City of Pacifica, 2020; San Mateo County, 2020; Dyett & Bhatia, 2021.” The Figure 5-3 “Flood Zones” sources are traceable and verifiable, whereas the Figure 2 “Tsunami Inundation Zones” sources are not.
5. **Note** that the Legend at upper left of the map says that the map’s blue diagonally-stripped areas represent a “475 year Average Return Period”. If this purported “Tsunami Inundation Zone” is ultimately determined to be accurate, it appears from Figure 6-2 that North Sharp Park’s and Rockaway Beach’s currently-existing shoreline protection structures<sup>7</sup> would be significantly overtopped by a 475-year Tsunami and substantial areas inundated in the North Sharp Park and Rockaway Beach neighborhoods, including the City Beach Boulevard properties, the Palmetto district, and the restaurants/hotels/business district of Rockaway Beach. See Pacifica topographic map.<sup>8</sup>
6. **Procedural and Due Process Objections.** Finally, we must object again to a rushed and helter-skelter process, where the Agenda and Staff Report for the August 12 meeting was published on June 8, and the Agenda included an 11-page further comment letter from Coastal Commission Staff, dated August 6, calling for more and new changes, many related back to a draft LCLUP language that was delivered to Commission Staff in or about September 2023. Pacifica Staff did not have time to analyze that Commission Staff letter, and the public (including this correspondent) has not had time to review that CCC Staff letter and understand how those comments relate to the Coastal Resiliency and other Draft LCLUP language and policies that Pacifica Staff wants Council and the Public to review at the August 12. Meeting. This is **not** proper process, and in any event

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<sup>7</sup> The elevation of the top of the Beach Boulevard Seawall between the Pacifica Pier (West end of Santa Rosa St.) and Clarendon Rd. is between 23-26 feet NAVD according to Pacifica’s Notice of Preparation of a Draft Environmental Impact Report for the Proposed Beach Boulevard Infrastructure Resiliency Project, etc., July 31, 2024, at p. 4, first sentence: <https://www.cityofpacifica.org/home/showpublisheddocument/18566/638580359795200000>. The height of the Rockaway Beach shoreline protective structure west of Nick’s Restaurant is barely more than the elevation of the restaurant’s parking lot, which is less than 15 feet above sea level NAVD. See topographic map at footnote 8.

<sup>8</sup> Pacifica Topographic Map (interactive): <https://en-us.topographic-map.com/map-kpc57/Pacifica/>

violates the intentions of the California Legislature as expressed in Coastal Act, Public Resources Code Section 30006,<sup>9</sup> which provides:

“The Legislature further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation, and development; that **achievement of sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing **planning and implementation** of programs for coastal conservation and **development should include the widest opportunity for public participation.**”  
(emphasis added)

The Coastal Commission’s own Mission Statement<sup>10</sup> echoes the importance of strong public participation in coastal planning processes.

The Commission is committed to protecting and enhancing California’s coast and ocean for present and future generations. It does so through careful planning and regulation of environmentally-sustainable development, rigorous use of science, **strong public participation**, education, and effective intergovernmental coordination. (emphasis added)

This is not good process. And we respectfully request that Council not be rushed. It may well be time to put this whole process ON PAUSE.

Respectfully submitted,

*Richard Harris*

President, San Francisco Public Golf Alliance

CC: City Manager Kevin Woodhouse, Interim Deputy Planning Director Stefanie Cervantes, Interim Community Development Director Kavitha Kumar, Planning Commission and Commissioners, City Clerk Sarah Coffey, Phil Ginsburg, Gen. Mgr., San Francisco Recreation and Parks Dept., Spencer Potter, Esq., San Francisco Recreation and Parks Dept.; Stephanie Rexing, North Central Coast District Manager, California Coastal Commission; Mr. Jeff Guillet

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<sup>9</sup> California Public Resources Code 30006  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PRC&sectionNum=30006](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=30006)

<sup>10</sup> California Coastal Commission Website, Mission Statement: <https://www.coastal.ca.gov/whoweare.html>

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August 6, 2024

Pacifica City Council  
Mayor Susan Vaterlaus  
540 Crespi Dr.  
Pacifica, CA. 94044

Re: City Council Special Meeting, Pacifica Local Coastal Plan, August 12, 2024, 5:00 p.m.

**PACIFICA'S LCLUP SHOULD NOT USE TSUNAMI (WHETHER "EVACUATION" OR "INUNDATION") AS AN INFILL DEVELOPMENT RESTRICTION DEVICE BECAUSE IT IS EXTREME, UNLIKELY, AND UNREASONABLE. THE CITY OF HALF MOON BAY'S LOCAL COASTAL PLAN, APPROVED BY THE COASTAL COMMISSION IN 2021, OFFERS A COMMONSENSE ALTERNATIVE APPROACH TO THE TSUNAMI RISK.**

Dear Mayor Vaterlaus and Councilmembers,

# 1. Half Moon Bay’s Local Coastal Plan Has Commonsense Tsunami Policy, Approved by the Coastal Commission in April 2021, which can Provide Guidance to Pacifica.

Half Moon Bay’s Local Coastal Plan was certified by its City Council in October 2020 and unanimously approved by the Coastal Commission in April 2021, including the Commission’s finding that Half Moon Bay’s Plan “conforms with the policies of Chapter 3 of the Coastal Act.”<sup>1</sup> Here is what the Half Moon Bay LCP says about the Tsunami risk:

**“Mitigation of tsunami risk consists mainly of improved early warning systems and evacuation routes and information, rather than restrictions on development for infill development sites.** However, other planning considerations may apply for PDs [Planned Developments] or new subdivisions. In 2005 the City installed two emergency warning sirens within the city limits and updated its evacuation plan. The City has also obtained its TsunamiReady certification from NOAA.” (emphasis added)

Policies – Shoreline Hazards

7-9. New Development in Tsunami Inundation Zone. Limit the creation of new building sites in the tsunami inundation zone. **Infill development on existing building sites may be permitted in the tsunami inundation zone, provided that a disclosure of hazard presence and a hold harmless clause indemnifying the City from any harm caused to permitted development by tsunami inundation are recorded against the property.**<sup>2</sup> (emphasis added)

Significantly, the Half Moon Bay LCP’s tsunami disclosure and hold harmless requirement is simple and straightforward, specific to the tsunami inundation risk, and far less burdensome to property owners than the catchall “Coastal Hazards Risk Disclosure” of Pacifica’s June 2024 Draft LCLUP Implementing Policy CR-I-21, with its eight subparagraphs and a general “waive[r of] any rights that might exist under applicable law for shoreline protection structures.”<sup>3</sup>

Half Moon Bay’s is a commonsense solution to an extraordinarily unlikely occurrence. The “tsunami evacuation zone” mapped in Pacifica’s June 2024 Draft LCLUP at Figure 5-3, “Flood Zones” (copy attached as **EXHIBIT 1**),<sup>4</sup> is based on a once-in “975 year probabilistic tsunami inundation model”.<sup>5</sup>

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<sup>1</sup> Half Moon Bay Local Coastal Plan, <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>, at Exhibit 2, the Local Coastal Plan is attached as Exhibit 2 to the Coastal Commission Staff Report for the April 15, 2021 hearing: <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-report.pdf>, Resolution, at p. 4. Coastal Commission Agenda, April 15, 2021, Item No. 9a: Half Moon Bay Local Coastal Plan, Approved as Submitted: <https://www.coastal.ca.gov/meetings/agenda/#2021/4>; Minutes of April 15, 2021 CCC Meeting, at unnumbered page 8 of 17: <https://documents.coastal.ca.gov/reports/2021/6/W21/W21a-6-2021.pdf>

<sup>2</sup> Half Moon Bay Local Coastal Plan, *Id.* <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>, at Exhibit 2, Pg. 324/480, first full paragraph, and Pg. 326/480

<sup>3</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Attachment E to City Council June 26, 2024 Agenda Packet, <https://pacificacityca.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=1540>, at Pg. 6-33 to 635, Packet Pg. 277-279.

<sup>4</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, *Id.*, Pg. 8-16, Figure 5-3, “Flood Zones,” at Pkt. Pg. 346/350

<sup>5</sup> California Geological Survey Tsunami Hazard Area Map County of San Mateo, Mar. 23, 2021 [https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami\\_Hazard\\_Area\\_Map\\_San\\_Mateo\\_County\\_a11y.pdf](https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Hazard_Area_Map_San_Mateo_County_a11y.pdf)

Since Tsunami is both an extraordinarily unlikely event and an extreme limitation on property rights, and since the Coastal Commission in 2021 unanimously approved the Half Moon Bay Local Coastal Plan's tsunami approach of "improved early warning systems and evacuation routes and information, rather than restrictions on development for infill development sites," Pacifica should seriously consider the same approach. Pacifica should also seriously consider limiting and simplifying its "Coastal Hazards Risk Disclosure" for tsunami, to be specific to tsunami only -- as is done in the Half Moon Bay Local Coastal Plan's Shoreline Hazard Policy 7-9.

## 2. Coastal Confusion: Tsunami, Coastal Hazards, Siting, and Technical Reports, Oh My!

Coastal Commission Staff's demand to establish Tsunami Evacuation Zone as a development restriction in Pacifica's Draft LCLUP – first made public at City Council's March 2, 2024 LCLUP Study Session -- was a topic of discussion and confusion at Council's June 26 meeting. Responding to questions from Councilpersons Bier, Boles, Beckmeyer and Bigstyc<sup>6</sup>, Acting Deputy Planning Director Cervantes assured Council that Tsunami risk only applies as a restriction on development (thereby invoking the Technical Reports and Siting and Design requirements of Pacifica's Draft Implementing Policies CR-I-19 and CR-I-20<sup>7</sup>) for properties in mapped Coastal Vulnerability Zones.<sup>8</sup>

But Pacifica Staff and Councilmembers did not discuss the tsunami implications of two other Coastal Commission Staff-mandated "modifications" that debuted in Pacifica's Draft LCLUP in March and June 2024, respectively: (i) the Glossary's new "Coastal Hazards" definition (which includes "coastal flooding" and "tsunami")<sup>9</sup>; and (ii) the new Coastal Resiliency Implementing Policy CR-I-1,<sup>10</sup> which would effectively extend the impact of the tsunami designation, as follows:

**CR-I-1 Coastal Vulnerability Zones.** Those areas of the City that are predicted to be vulnerable to coastal hazards have been mapped as Coastal Vulnerability Zones in Appendix B, where such mapping is based on the best available science about projected sea level rise, erosion, flooding, and other coastal hazards at the time of LUP adoption. It is likely that such areas will change over time, and Appendix B shall be regularly updated to guide implementation of the LCP's coastal resiliency provisions. **In any case, however, if best available science at the time an application is reviewed shows that proposed**

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<sup>6</sup> Pacific Coast TV U-Tube Video, Pacifica City Council June 26, 2024 LCLUP Study Session, [https://www.youtube.com/watch?v=KHx8\\_zi3qC0](https://www.youtube.com/watch?v=KHx8_zi3qC0)

<sup>7</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Attachment E to City Council June 26, 2024 Agenda Packet, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1540>, Implementing Policies CR-I-19 (Technical Reports) and CR-I-20 (Siting and Design), at Pgs. 6-32 to 6-33, Packet Pgs. 276-277

<sup>8</sup> Pacific Coast TV U-Tube Video, Pacifica City Council June 26, 2024 LCLUP Study Session, [https://www.youtube.com/watch?v=KHx8\\_zi3qC0](https://www.youtube.com/watch?v=KHx8_zi3qC0) Cervantes at 4:33:32-4:35:25, and exchange between Boles and Cervantes at 4:42:12 to 4:43:12.

<sup>9</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Attachment E to City Council June 26, 2024 Agenda Packet, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1540>, Glossary, "Coastal Hazards", at Pg. G-4, Packet Pg. 320: "Coastal Hazards: Include but are not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, wave overtopping, coastal flooding, and their interaction, all of which may be exacerbated by sea level rise."

<sup>10</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Id., Coastal Resiliency, Implementing Policy CR-I-1, at Page 6-13, Packet Pg. 257: <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1540>,

**development located outside of such mapped area is also vulnerable to coastal hazards, then such application shall be reviewed as though such development was located in the Coastal Vulnerability Zones.** (emphasis added)

The text of the 2024 Draft LCLUP, at Chapter 5, Natural Hazards, under subheadings “Flood Zones” and “Coastal Flooding,” provides in relevant part as follows:

“Flood hazards mapped by FEMA . . . identify areas of greater flood risk . . . and the risk of coastal flooding . . . Flood zones based on the FIRMs are shown in **Figure 5-3**. The FIRMs **represent the best available maps of flood hazard areas in Pacifica. Coastal Flooding**. . . . flooding from coastal sources . . . occurs as some combination of high tides, large wind-driven waves, storm surge, and/or **tsunami waves.**” (emphasis added)

The June 2024 Draft LCLUP’s Figure 5-3, “Flood Zones” (**EXHIBIT 1**), shows a green diagonally-striped “Tsunami Evacuation Area” extending to the Coast Highway in virtually all of the developed Sharp Park, West Fairway Park, Mori Point, Rockaway Beach and Linda Mar neighborhoods; the Legend at the map’s bottom right-hand corner identifies the tsunami information source as: “Tsunami Hazard Area for San Mateo County, Department of Conservation, State of California, 2021.”

Because “tsunami” and “coastal flooding” are components of the Draft LCLUP’s defined term “coastal hazards,” and because the “best available science” for the tsunami risk is the 2021 California Department of Conservation’s Tsunami Hazard Area for San Mateo County (mapped in the Draft LCLUP at Figure 3 “Flood Zones”), Draft LCLUP Implementing Policy CR-I-1 means that applications for development in virtually all of Pacifica’s developed neighborhoods west of the Coast Highway “shall be reviewed as though such development was located in the Coastal Vulnerability Zones.” This appears effectively to be a backdoor for technical reports and siting and design requirements for virtually all development in these neighborhoods.

### **3. Summary and Request**

Tsunami is extraordinarily unlikely and a tsunami development restriction burdensome and unreasonable in existing neighborhoods. The Coastal Act does not require Tsunami to be a Local Coastal Plan development restriction – as the Coastal Commission determined in April 2021 in the matter of Half Moon Bay’s Local Coastal Plan. So we respectfully request that Pacifica’s Local Coastal Plan not use Tsunami – whether “evacuation” or “inundation” – as a restriction on infill development in Pacifica’s already-developed areas and neighborhoods.

Respectfully submitted,

*Richard Harris*

President, San Francisco Public Golf Alliance

cc: City Manager Kevin Woodhouse, Interim Deputy Planning Director Stefanie Cervantes, Interim Community Development Director Kavitha Kumar, Planning Commission and Commissioners, City Clerk Sarah Coffey, Phil Ginsburg, Gen. Mgr., San Francisco Recreation and Parks Dept., Spencer Potter, Esq., San Francisco Recreation and Parks Dept.; Stephanie Rexing, North Central Coast District Manager, California Coastal Commission; Mr. Jeff Guillet

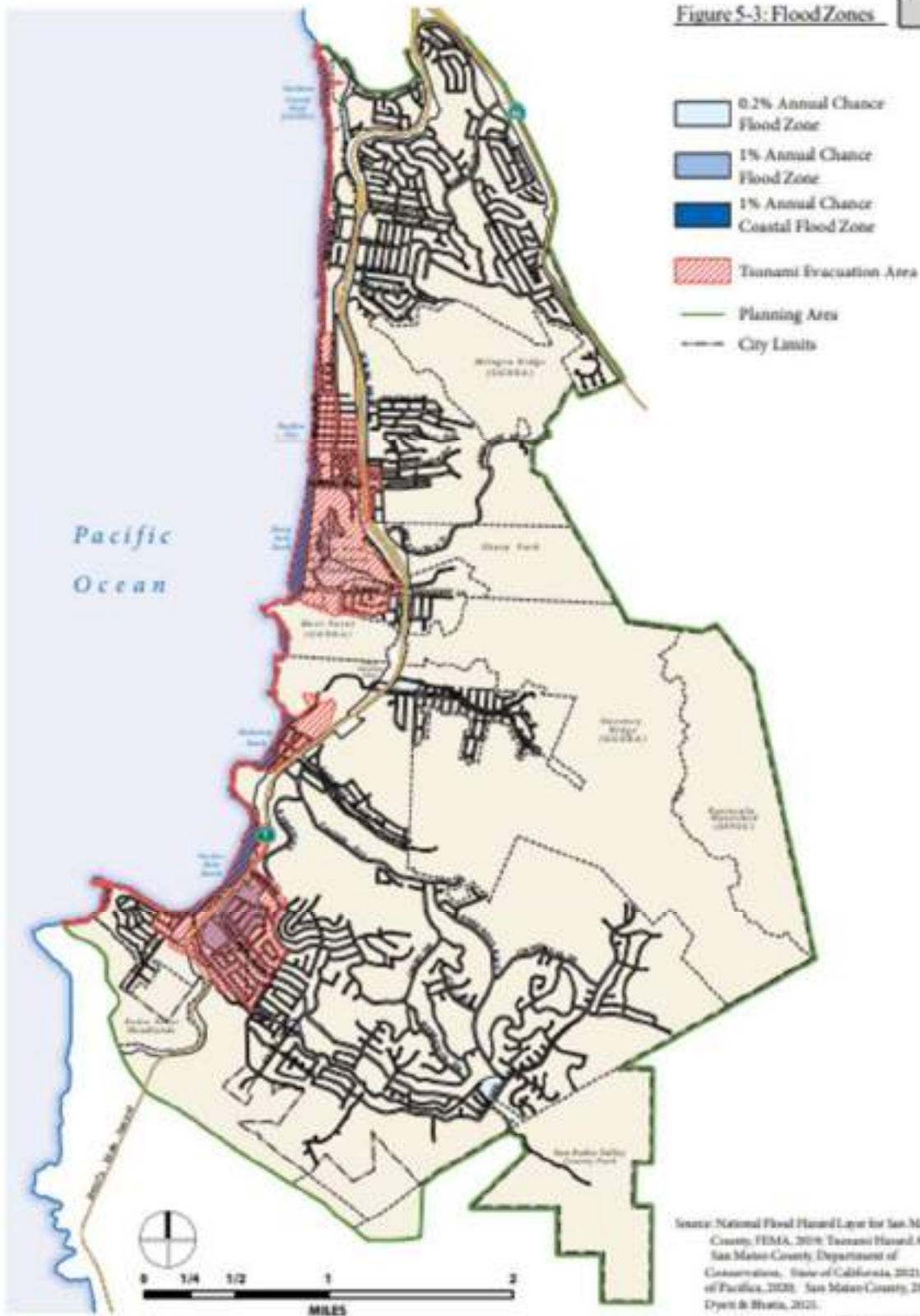


Figure 5-3: Flood Zones 1.0

Attachment Attachment E Redlined LCP (6/6/24 : LCLUP Meeting #5)



826 Stanyan St., San Francisco, CA 94117 • 415-290-5718 • [info@sfpublicgolf.org](mailto:info@sfpublicgolf.org)

September 15, 2024

Pacifica City Council  
Mayor Susan Vaterlaus  
540 Crespi Dr.  
Pacifica, CA. 94044S

**Re: City Council Special Meeting, Pacifica Draft LCLUP, Sept. 17, 2024, 6:00 p.m.**

**Further Comments of San Francisco Public Golf Alliance:**

- (1) Object to rushed process and chaotic documents which disable public participation and informed decision making, in violation of Coastal Act 30006;**
- (2) Object to Staff Failures to follow-up on Council Requests and Staff Promises;**
- (3) Object to new CCC Staff demand to penalize property owners from “doing the right thing” to repair roofs, termite and dry rot, protect property from earthquake hazard, and comply with State and Federally-mandated ADA laws and regulations;**
- (4) Object to CCC Staff-mandated cutback on Coastal Resilience Policy CR-I-39;**
- (5) Object to Coastal Access Map, Figure 3-1, for failure to comply with express Council direction to include the wheelchair beach access ramp;**
- (6) Request Landmark Maintenance and Restoration Policy for Pacifica LCLUP Similar to Half Moon Bay LCP.**

Dear Mayor Vaterlaus and Councilmembers,

- 1. At the Outset, We Strongly Object to Rushed Process, Disorganization, and Absence of Key Information in the Staff Report for the Sept. 17 meeting, all in violation of Coastal Act Sec. 30006 and the CCC’s Commitment to Strong Public Participation.**

Since Council in early March 2024 began its current round of Draft LCLUP public Study Sessions, Staff has tracked the evolution of the Draft LCLUP’s language and structure (numbering, organization, headings, etc.) from meeting-to-meeting by use of underlining, strike-outs, and successive track-changes revised Summary Tables. But for the September 17 meeting<sup>1</sup>, the Staff Report attaches only a “Clean Version” of the Draft LCLUP, dated September 2024 (Attachment A to the Staff Report), which for the first time fails to identify and track changes to the September 17 version from the August 12 and prior drafts. This leaves the public – and Councilmembers – to alternately (i) guess what language may be new and the source and rationale of the new language, or (ii) attempt the virtually impossible task of a word-for-word side-by-side comparison of the prior August 12 document and the September 17 document.

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<sup>1</sup> Pacifica City Council Meeting Agenda Packet, September 17, 2024, Staff Report, P. 2 (Pkt. P. 5)  
<https://pacificacityca.igam2.com/Citizens/FileOpen.aspx?Type=14&ID=1548&Inline=True>

Moreover, the September 17 Staff Report says (at Page 2, Pkt. Pg. 5) that at the September 17 meeting, “staff will be referencing to the versions [of the revised Summary Table and Redline LCLUP] attached in the August 26 report.” (“August 26” must be scrivener’s error, as Council’s most recent prior LCLUP meeting was on August 12.) Meaning that Councilmembers and the Public will have to simultaneously follow two different versions of the Draft LCLUP.

Moreover again, the September 17 Staff Report (first publicly released September 13) says (at Page 4, Pkt. Pg. 7) that Pacifica Staff had not as of that date “received final confirmation from [Coastal Commission] Staff” on additional changes to language of the September 2024 Draft LCLUP, which changes will presumably be the subject of discussion on September 17.

Finally on this point, the September 17 Staff Report (at Page 4, Pkt. Pg. 7) calls on City Council to make a final decision at the September 17 meeting to approve and certify the September Draft LCLUP for forwarding to the Coastal Commission for approval.

This is beyond unreasonable. It is ridiculous. And it certainly does not meet the due process requirements of the Coastal Act, which proclaims [at Public Resources Code 30006](#) the Public’s “right to fully participate in decisions affecting coastal planning,” and finds that “sound coastal conservation and development is dependent upon **public understanding and support**:

“The **Legislature** further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation, and development; that **achievement of sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing **planning and implementation** of programs for coastal conservation and **development should include the widest opportunity for public participation.**”<sup>2</sup> (emphasis added)

Nor does the process or the information chaotically presented to the public for the September 17 Meeting meet the requirements of the CCC’s own Mission Statement:

“The Commission is committed to protecting and enhancing California’s coast and ocean for present and future generations. It does so through **careful** planning and regulation of environmentally sustainable development, rigorous use of science, **strong public participation**, education, and effective intergovernmental coordination.”<sup>3</sup> (emphasis added)

The Staff Report for Council’s September 17 meeting, (at page 2 Packet Pg. 4), states “the purpose of the LCLUP Update process and community engagement process is to bring the Council and community to a point of **understanding** the Revised Certification Draft LCLUP with Alternative Modifications so an **informed decision** can be made.”

On Its face, the Staff Report for Council’s Sept. 17 Special Meeting disregards the Public’s rights under the Coastal Act to understand and fully participate in decision making in the matter of the September Draft LCLUP. The helter-skelter process, confusion, and disorganized information in

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<sup>2</sup> California Public Resources Code 30006  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PRC&sectionNum=30006](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=30006)

<sup>3</sup> California Coastal Commission Website, Mission Statement: <https://www.coastal.ca.gov/whoweare.html>

the documents available to the public for the September 17 meeting make “understanding” and “informed decision” impossible. And we strongly object to the process on these grounds.

## **2. The September 17 Staff Report Does Not Follow-up on Several Council Requests and Staff Promises Made at Council’s August 12 meeting.**

- (a) Staff promised<sup>4</sup> to provide Council and the public with access to the source documents, referenced only by abbreviations and company and governmental agency names in the Legend box of the LCLUP’s Tsunami Inundation map (Figure 6-2)<sup>5</sup>, which Staff used to create that map.<sup>6</sup> But this appears not to have been done.<sup>7</sup>**
  
- (b) At Council’s August 12 LCLUP Special Study Session, Councilmember Bigstyck asked Staff to explain why “Half Moon Bay and apparently Newport Beach are able to get away with not being beholden to their Tsunami Inundation Zones but we have to be beholden to it”.<sup>8</sup> And Councilmember Bier asked “to see the difference between the Half Moon Bay ordinance and our own [Draft LCULU] language” regarding Tsunami Policies.<sup>9</sup> Pacifica Staff did not answer these questions at Council’s August 12 meeting or in the September 17 Staff Report.**

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<sup>4</sup> Pacific Coast TV U-Tube recording of City Council Aug. 12, 2024 Meeting

<https://www.youtube.com/watch?v=D0R5J9Is6Xc>

**Beckmeyer: 2:04:46.** My follow-up question around tsunami is, I understand the method around tsunami, not the method, but the sources of data that were used to create the map [the new Tsunami Inundation Map, Figure 6-2]. Is there any way that you can provide links to those, some way that the public can follow and have access to what our Staff member was looking at when those were put together.

**Cervantes: 2:05:15.** Yes. We can definitely post those on our website.

**Beckmeyer: 2:05:24.** Because on our graphic, they were listed, but there were no links.

<sup>5</sup> A copy of Figure 6-2 appears at Packet Page 274 of Council’s September 17, 2024 Agenda Packet:

<https://pacificacityca.igam2.com/Citizens/FileOpen.aspx?Type=14&ID=1548&Inline=True>

<sup>6</sup> The Figure 6-2 Inundation Zone Map’s source documents are identified in a Legend box at the map’s bottom left-hand corner as follows: “California State parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Esri Community Maps Contributors, California State Parks,”

<sup>7</sup> **We have searched the Planning Department’s website** (<https://www.cityofpacificca.org/departments/community-development/planning-division>), including specific word searches for “tsunami” and “tsunami inundation,” and have additionally searched the Plan Pacifica website’s “Project Documents” page for the Local Coastal Plan (<https://www.planpacificca.org/project-docs>), and cannot find a posting of the info sources for the Draft LCLUP’s Tsunami Inundation map (Figure 6-2). Neither does this information appear in the Staff Report for Council’s September 17 meeting.

<sup>8</sup> Pacific Coast TV U-Tube recording of City Council Aug. 12, 2024 Meeting, **Bigstyck, at 1:41:17**

<https://www.youtube.com/watch?v=D0R5J9Is6Xc>

<sup>9</sup> Pacific Coast TV U-Tube recording of City Council Aug. 12, 2024 Meeting, **Bier, at 1:42:41**

<https://www.youtube.com/watch?v=D0R5J9Is6Xc>

- (c) **Attached as Exhibit 1 to this letter is a complete 4-page copy of the Half Moon Bay Tsunami “Restrictive Covenant” Form upon which Acting Deputy Planning Director Cervantes and City Manager Woodhouse relied for their mistaken claims at Council’s August 12 meeting that Pacifica’s and Half Moon Bay’s Tsunami risk disclosure policies are effectively the same.**

In our September 9, 2024 letter to Your Council (Attachment D to Council’s September 17 Staff Report, starting at Packet Pg. 287), at pages 4-5 (Packet Pgs. 291-292) we describe Pacifica Staff’s erroneous claim that the “details of the [Tsunami] risk disclosure are the same” in the Half Moon Bay Local Coastal Plan (approved by the Coastal Commission in April 2021) and Pacifica’s August 2024 Draft LCLUP. Acting Deputy Planning Director Cervantes based her mistaken claim on what she said is a 4-page Half Moon Bay Tsunami Restrictive Covenant Form (two pages of which were contained on a slide presented at Council’s August 12 meeting, which slide is copied as Exhibit 2 to our September 9, 2024 letter and appears at Packet Page 297 of Council’s September 17 Agenda Packet.) We have now copied all 4 pages of that Half Moon Bay Restrictive Covenant Form, which are attached as Exhibit 1 below to this (September 15, 2024) letter. Exhibit 1 does not support Pacifica Staff’s claim that “the details of the [Tsunami] risk disclosure are the same” in the Half Moon Bay Local Coastal Plan and Pacifica’s current Draft LCLUP.

- 3. We Object to CCC Staff’s newly-proposed LCLUP revision to the definition of “Substantial Structural Modification” that would effectively penalize property owners for “doing the right thing” to protect property by repairing roofs, termite damage and dry rot, making seismic improvements to defend against earthquakes, and complying with State and Federal laws and regulations, including ADA access requirements.**

Termites, dry rot, and leaky, soggy roofs are common nemeses to Pacifica’s coastal home and property owners. And of course earthquake protection is important in Pacifica, which sits atop the San Andreas Fault just south of where the fault goes out to sea at Mussel Rock near the north end of town. So at City Council’s big March 2, 2024 LCLUP community study session at the Terra Nova High School auditorium, City Council members unanimously called for modification to a harsh “Substantial Structural Modification” provision that in Councilmember Bigstyk’s words “would seem to discourage people from doing the right thing, i.e., keeping [their homes] from falling apart”.<sup>10</sup> Pacifica Staff drafted a proposed modification to the LCLUP’s Glossary definition of “Substantial Structural Modification” that

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<sup>10</sup> Minutes, Pacifica City Council Meeting, March 2, 2024, at Page 28  
<https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=15&ID=1448&Inline=True>

**“Mayor pro Tem Beckmeyer** referred to his **example of a seismic upgrade required by the building code for health and safety.** She thought it goes to the issue that **we do not want to have a policy for LCLUP that creates a scenario where people are penalized by putting together health and safety required by another part of state law or city ordinance.** She referred to the mention of electrifying a home and did not want people to be unsafe due to trying to put an addition to their home.

**“Councilmember Bigstyk** stated it is **very difficult for him to sign off on a policy that would seem to discourage people from doing the right thing, i.e., keeping your house from falling apart because of an earthquake, etc.** He added that they have to translate what that policy looks like in terms of legality.”

has been part of successive LCLUP Draft versions since Council’s April 15, 2024 Meeting, which would exclude from the definition of “Substantial Structural Modification” roof repair (including plywood sheathing), and repairs of dry rot and termite damage, and compliance with State and Federal laws and ordinances such as disability access and earthquake safety repairs and retrofits.<sup>11</sup>

But a Coastal Commission Staff-mandated revision of Glossary Definition “Substantial Structural Modification,” that makes its debut at pages G-10 to G-11 of the new September 2024 Revised Draft LCLUP, V.5.4, Attachment B to Council’s September 17 Agenda Packet,<sup>12</sup> would significantly cut back on property owners’ ability to protect the safety of their homes and properties by completely eliminating the exception for “plywood roof sheathing” (which serves rainproofing and fire retardant purposes, among others), and would limit property owners’ abilities to repair dry rot and termite damage and to comply with State and Federal mandates for earthquake safety, disability access, etc. This is NOT “doing the right thing,” and City Council should reject this latest gambit from Coastal Commission Staff.

**4. The CCC Staff-Revised most current version of the Draft LCLUP’s Coastal Resilience Implementing Policy CR-I-39 cuts back on the ability of property owners in the Sharp Park and Rockaway Beach Special Resiliency Areas – including the City of Pacifica itself -- to “rely on” existing shoreline protection structures for purposes of the technical reports and siting and design requirements for both new development and modification of existing properties.**

Our September 9, 2024 letter to Your Council (a copy of which is found as Attachment D to Council’s September 17 Agenda Packet), at Page 8 (Packet Page 295), alerts Council to a Coastal Commission Staff-proposed modification to Coastal Resilience Implementing Policy CR-I-39, which would restrict the ability of properties in Special Resiliency Areas – including properties owned by the City of Pacifica itself – to “rely on” existing coastal protection structures only for the purpose “to help demonstrate that its **setbacks** meet the requirements of Policies CR-I-19 and CR-I-20.” (These are the Technical Reports and Siting and Design requirements for development permit applications.) Coastal Commission Staff’s purpose and intent for this language change is not explained in the Staff Report to Council for the September 17 meeting, and the issue was overlooked by Pacifica Staff in its August 12 Staff Report (as we noted in our September 9, 2024 letter to Your Council, at page 8 and footnotes 31 and 32).

The “**setbacks**” language in Coastal Staff’s new proposed revision likely means a limitation or elimination of Special Resiliency Areas property owners’ ability to “rely on” the existing shoreline protection structures for flood protection purposes with respect to the Technical Reports and Siting and Design requirements imposed by Coastal Resilience Implementing Policies CR-I-19 and CR-I-20. This is because “**setbacks**” refers primarily to

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<sup>11</sup> Pacifica Local Coastal Land Use Plan (August 2024 Revised Draft, V.5.4), Glossary, “Substantial Structural Modification, at Pgs. G-10 to G-11, Pacifica City Council August 12, 2024 Agenda Packet, Item 14, Attachment C, at Packet Pgs. 642-643 <https://pacificacityca.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>12</sup> Pacifica Local Coastal Land Use Plan (Sept. 2024 Revised Draft, V.5.4), Glossary, “Substantial Structural Modification, at Pgs. G-10 to G-11, Pacifica City Council August 12, 2024 Agenda Packet, Item 14, Attachment B, at Packet Pgs. 249-250 <https://pacificacityca.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=1548>

the beach erosion risk, while “**elevation**” describes design mitigation for flood protection. This can be gathered from Acting Deputy Planning Director Stephanie Cervantes’ description to Council and the public of Special Resiliency Area policies in Council’s August 12, 2024 public meeting.<sup>13</sup>

**5. We Object to the Revised Coastal Access Map, September Draft LCLUP Figure 3-1 (Draft LCLUP, V.5.4, at Council’s September 17 Packet Page 259), and to the accompanying Table 3-1, Coastal Access Points (September Draft LCLUP, V. 5.4, at Page 3-7, at Council’s September 17 Packet Page 75), because Figure 3-1 incorrectly locates the new beach access handicapped access ramp much too far south on the Coastal Trail segment at Sharp Park Beach, and Table 3-1 incorrectly describes the the handicapped access as “ADA access on berm.” This is contrary to the very clear direction, given by Council at its April 15, 2024 Special Meeting LCLUP Study Session, that Staff revise the Coastal Access Figure 3-1 to show the location of the wheelchair access ramp from the berm to the beach.<sup>14</sup> The correct location of that wheelchair access ramp is at the **north end** of Sharp Park Beach, approximately 100 yards south of Clarendon Avenue, as documented by photographs of the ramp and a description of its location (“Sharp Park Levee north end beach overlook and access ramp photograph of the beach access ramp”), at page 8 of our April 8, 2024 letter to Your Council in this matter.<sup>15</sup> Table 3-1 incompletely and incorrectly describes the access as follows: “13A Sharp Park, Berm [Beach Access] Yes City/County of SF ADA access **on** berm.” While it is true that the berm itself is ADA accessible – because it is a flat and relatively smooth road that can be used by wheelchairs – the berm also has a wheelchair accessible ramp from the top of the berm down to the sand beach. To accurately describe this, the handicapped access should be marked on the Figure 3-1 map at the **North end** of Sharp Park berm, and should be described at Table 3-1 as follows: “ADA access on top of the berm and ADA access from the top of the berm to the sand beach by a wheelchair accessible ramp.” **And we request that these changes to Figure 3-1 and Table 3-1 be made.****

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<sup>13</sup> On this point, see Pacifica Acting Deputy Planning Director Stephanie Cervantes’ description to Councilmembers at Council’s August 12, 2024 public meeting of the technical reports and siting and design requirements in Special Resiliency Areas. Pacific Coast TV, U-Tube, Pacifica City Council Meeting, August 12, 2024:

<https://www.youtube.com/watch?v=D0R5J9Is6Xc>

**Stephanie Cervantes, 1:32:15** Here in Pacifica we have two areas of our city where we have existing city-owned shoreline protection structures, and that includes the Rockaway area as well as the Sharp Park area. . . . **1:33:30** And in these two specific areas, when new development comes, the technical reporting and the design of the projects would be allowed to rely on the protections provided by the City’s existing shoreline protection structures. So that includes mostly soil from coastal erosion, but it could also include some protection from wave overtopping as well as flooding and things like that as well, as can be seen in the Coastal Vulnerability maps. **1:34:34 if you’re thinking about flooding** some of these areas might, **if you pretend that the wall is not there flooding might be a lot higher than with the flooding that the protection of the shoreline structure provides. So they may be able to elevate a few feet versus having to elevate to an extreme level.**

<sup>14</sup> **Minutes, City Council Special Meeting, April 15, 2024**, at page 26, third, fourth, and fifth paragraphs:

<https://pacificacityca.igmp2.com/Citizens/FileOpen.aspx?Type=15&ID=1454&Inline-True>

“**Mayor pro Tem Beckmeyer** stated she would like **corrections made to the map regarding wheelchair ramps**. She asked if **Council agreed**, and they responded affirmatively. Planning Director Murdock stated he would prefer to put a single access point and have a note that says multiple access points along the berm or along those lines in order to balance the scale of the map with the symbology. **Mayor pro Tem Beckmeyer emphasized the need for the wheelchair ramp.**” (emphasis added)

<sup>15</sup> Letter, SF Public Golf Alliance to Pacifica City Council, April 8, 2024

<https://drive.google.com/file/d/1KuFZfa5um7qMXNpesOaJ72IW5SP7oR0I/view?usp=sharing>

## 6. Half Moon Bay’s Local Coastal Plan Expressly Provides for “Maintenance and Restoration of Historic Buildings and Properties”. Pacifica Should Do the Same.

Pacifica and Half Moon Bay both grew out of historic small San Mateo County coastal communities, and both towns have their historic landmark buildings and properties – including in the Sharp Park neighborhood (1) Pacifica City Hall, (2) Little Brown Church, and (3) the Sharp Park Golf Course and (4) its Clubhouse.<sup>16</sup> All have been designated as Pacifica landmarks because of their beauty, importance to the community over generations, and architectural significance, and in the case of the golf course, international importance as the work of the legendary golf architect Alister MacKenzie. Necessarily a part of these properties’ historical landmark status is the fact that they are all old – and consequently and in need of ongoing repair, maintenance and restoration (as Pacifica City Hall was very recently restored).

Half Moon Bay’s Local Coastal Plan -- unanimously and enthusiastically approved by the Coastal Commission in April 2021 -- specifically provides at Chapter 9 (“Scenic and Visual Resources”), under “Policies – Built Environment,” for “maintenance and restoration” of historic buildings and properties as follows:

**9-26. Historic Buildings Maintenance.** Allow the maintenance and restoration of historic buildings and properties to preserve their scenic and visual qualities.<sup>17</sup>

Necessary maintenance, repair and restoration of the Golf Course and Clubhouse and Pacifica’s other landmarks are implicitly supported by General and Implementing policies found in the Pacifica Draft LCLUP’s Chapters Two (Land Use), Three (Public Access and Recreation), and Four (Environmental and Scenic Resources) ER-G-12, PR-I-24, and LD-I-5, as follows:

- **ER-G-12 Historic and Cultural Sites.** Conserve designated historic and cultural sites and structures that help define Pacifica’s identity and character and increase public awareness and appreciation for them.<sup>18</sup>
- **LD-I-6 Lower Cost Visitor and Recreational Facilities.** Protect, encourage, and where feasible, provide lower-cost visitor and recreational facilities in the Coastal Zone. These include major, free recreational attractions such as Pacifica Pier and Pacifica State Beach; the public golf course at Sharp Park; the San Francisco RV Park; California Coastal Trail and other trails, lower cost overnight accommodations; and numerous beaches accessible at no cost.<sup>19</sup>

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<sup>16</sup> [Pacifica 2040 General Plan \(Adopted 2022-07-11\).pdf \(egnyte.com\)](#), at Table 7-5 Historic Sites and Figure 7-4 Historic and Cultural Resources, at Pages 7-42 to 7-43 (217-218/311)

<sup>17</sup> Half Moon Bay Local Coastal Plan, City Council Final Approved Draft, October 2020, Chapter 9, at 394/480 <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>. (The Half Moon Bay Final Approved draft is attached as Exhibit 2 to the Coastal Commission Staff Report, in CLP-2-HMB-20-0081-2 Land Use Plan Update, Agendat Item No. 9a on the Commission’s April 15, 2021 Agenda Packet: <https://www.coastal.ca.gov/meetings/agenda/#/2021/4>)

<sup>18</sup> Pacifica Local Coastal Land Use Plan (Sept. 2024 Revised Draft, #5.4), at Pg. 4-32, Packet Pg. 148 Pacifica City Council Sept. 17, 2024 Agenda Packet, Attachment B, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>19</sup> Pacifica Local Coastal Land Use Plan, Sept. 2024 Revised Draft, #5.4, Id., at Pg. 2-26, Packet Pg. 57

- **PR-I-24 Sharp Park.** Support the continued operation of golf at Sharp Park Golf Course consistent with resource protection, natural hazard, and coastal vulnerability policies, CDP terms and conditions, and support development of additional recreational uses in upland portions of the Park located outside the Coastal Zone east of Highway 1.<sup>20</sup>

Since “conserve,” “protect,” “encourage” and “operation” individually and collectively imply maintenance, repair and necessary restoration, this should be made explicit in Pacifica’s Draft as it is made explicit in the Half Moon Bay Plan. Accordingly, we request that a new Implementation Policy be added to Pacifica’s Draft LCLUP, Chapter 4, Section 4.5, Cultural Resources – similar to the language of Half Moon Bay’s Local Coastal Plan -- as follows:

**ER-I-44 Historic Buildings Maintenance. Allow the maintenance and restoration of historic buildings and properties to preserve their historic, architectural, and visual qualities.**

Respectfully submitted,

*Richard Harris*

President, San Francisco Public Golf Alliance

cc: City Manager Kevin Woodhouse, Interim Deputy Planning Director Stefanie Cervantes, Interim Community Development Director Kavitha Kumar, Planning Commission and Commissioners, City Clerk Sarah Coffey, Phil Ginsburg, Gen. Mgr., San Francisco Recreation and Parks Dept., Spencer Potter, Esq., San Francisco Recreation and Parks Dept.; Stephanie Rexing, North Central Coast District Manager, California Coastal Commission; Oceane Ringuette, CCC District Supervisor; Julian Honey, CCC Planner; Mr. Jeff Guillet

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<sup>20</sup> Pacifica Local Coastal Land Use Plan, September 2024 Draft #5.4, Id., at Pg. 3-20, Packet Pg. 87

# EXHIBIT 1: COPY OF HALF MOON BAY RESTRICTIVE COVENANT (TSUNAMI) FORM

Recording requested by  
and when recorded return to:

CITY CLERK  
City of Half Moon Bay  
501 Main Street  
Half Moon Bay, CA 94019

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES  
PURSUANT TO GOV. CODE SECTION 27383

APN'S/ADDRESS:

## RESTRICTIVE COVENANT

This Covenant (this "Covenant") affects the real property and improvements commonly known as Blvd, Half Moon Bay, San Mateo County, California, APN's and is based on the following:

### RECITALS

- A. The Blvd property is more particularly described in Exhibit . Blvd (APN) contains a two-story single-family residence. Two undeveloped parcels along the northeastern side (APN's) and two undeveloped parcels along the southeastern rear (APN's) of Blvd have been acquired by the property owners of Blvd.
- B. On October 25, 2023 the Half Moon Bay Community Development Director approved a Coastal Development Permit and Architectural Review (PDP-or "Permit") to allow as owners of Blvd ("Covenantor") to construct additions totaling 1,430 square feet, attached accessory dwelling unit (ADU), remodel of the existing residence, expansion of the landscaping onto the vacant land, and lot merger of APN's, subject to certain "Conditions of Approval" for reasons stated in the "Findings and Evidence" adopted by the Community Development Director in support of its action.
- C. The development of Blvd is located within a tsunami inundation zone.
- D. Policy 7-9 of the Half Moon Bay Certified Local Coastal Land Use Plan, requires that infill development, while permitted in tsunami inundation zones, must provide a disclosure of hazard presence and a hold harmless clause indemnifying the City from any harm caused to permitted development by tsunami inundation recorded against the property.
- E. Condition B3 to the Permit allows the Covenantor to receive a building permit, following the recordation of the disclosure of hazard and hold harmless. It states: "Prior to the issuance of building permits, the permittee shall cause to be recorded a disclosure of hazard presence and a hold harmless clause against the property indemnifying the City from any harm caused to

c. Covenantor shall provide any purchaser of with a copy of this Agreement prior to sale, and shall provide the City and Covenantantee with proof that it has given such notice.

6. Breach. Any failure to comply with the provisions of this Covenant and Condition B3 and any transfer, assignment, or sale of Blvd that does not recognize the running of the Covenant with that land shall be deemed a violation and breach of the Covenant.

7. Attorney Fees. In the event that an action or proceeding is filed as a result of any breach of this Covenant or to interpret or enforce this Covenant, the prevailing party shall be entitled to recover from the other party or parties all costs and expenses, including reasonable attorney fees, expert fees, and court costs, except that in the event that the City brings an action or proceeding to enforce the Covenant against a subsequent owner of Blvd and that owner raises a defense denying the enforceability of the Covenant or that it runs with the land, regardless of the outcome of the action or proceeding, the City may recover its costs and expenses from, their heirs, executors, administrators, or legal representatives, or any other entity subject to its liabilities and obligations.

8. Governing Law. This Covenant shall be governed according to the laws of the State of California.

9. Effective Date. This Covenant shall be effective on the date it is recorded.

10. Interpretation. The words "shall," "will," and "must" in this restrictive covenant are equivalent to each other and all impose a mandatory duty on the subject party or beneficiary.

Executed on \_\_\_\_\_, 2024

, Owners of Blvd

By: \_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_ Its: \_\_\_\_\_

Owner of Blvd, Half Moon Bay, California  
("Covenantor")

Approved as to form:

City of Half Moon Bay

By: \_\_\_\_\_

Its: \_\_\_\_\_

permitted development by tsunami inundation. The form of said disclosure and clause must be approved by the City Attorney."

F. The City of Half Moon Bay ("Covenantant") and Covenantor intend this Covenant to fulfill the requirements of Policy 7-9 of the Local Coastal Land Use Plan and Condition B3 to the Permit by binding Covenantor and all future owners of Blvd.

## COVENANT

1. Disclosure of Hazard. Covenantor covenants and agrees that Blvd is within a tsunami inundation zone and thus any development there is subject to the risk of tsunami inundation.

2. Hold Harmless. To the fullest extent allowed by law, Covenantor agrees to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including without limitation reasonable attorneys' fees, experts' fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of the Permit; any actions taken by the City related to this entitlement; any review by the California Coastal Commission conducted under the California Coastal Act, Public Resources Code Section 30000 et seq.; or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 21000 et seq. for this entitlement and related actions. This indemnification shall include any Claims that may be asserted by any person or entity, including Covenantor, arising out of or in connection with the approval of the Permit, whether or not there is passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. Covenantor's duty to defend the City shall not apply in those instances when Covenantor has asserted the Claims, although Covenantor shall still have a duty to indemnify, protect and hold harmless the City.

3. Duration, Modification, and Termination of Covenant. The Covenant shall be of perpetual duration and shall not be modified or terminated.

4. Covenant Running With the Land. The Covenant touches and concerns the use and development of the land and shall run with the land. The Covenant shall be binding on all current and future owners and successors-in-interest of Blvd and shall inure to the benefit of all current and future owners and successors-in-interest of Blvd.

5. Enforceability; Estoppel; Notice.

- a. Covenantor hereby waives, for itself and its successors and assigns, any claim that the Covenant is unenforceable or does not run with the land.
- b. Covenantor hereby agrees, for itself and its successors and assigns, that it shall be estopped from asserting in any forum the unenforceability of the Covenant or its failure to run with the land.

EXHIBIT A (LEGAL DESCRIPTION)

END OF DESCRIPTION



826 Stanyan St., San Francisco, CA 94117 • 415-290-5718 • [info@sfpUBLICgolf.org](mailto:info@sfpUBLICgolf.org)

September 9, 2024

Pacifica City Council  
Mayor Susan Vaterlaus  
540 Crespi Dr.  
Pacifica, CA. 94044

**Re: Pacifica City Council Continued Special LCLUP Study, September 17, 2024**

**Further SF Public Golf Alliance comment on the Confusion over Tsunami Issues in Pacifica's Draft LCLUP, and strong suggestion that Pacifica Follow Half Moon Bay Tsunami Policies Approved by Coastal Commission in April 2021.**

Dear Mayor Vaterlaus and Councilmembers,

This is a follow-on to our August 6, 2024 letter to Your Council<sup>1</sup> (incorporated herein by this reference as **Exhibit 1**), in which we objected to the overreach and confusion in Tsunami policies found in Pacifica's Draft Local Coastal Plan {"Draft LCLUP"}.<sup>2</sup> Among others, we objected to the Draft LCLUP's use of Tsunami as a development restriction, and noted that the Coastal Commission has recently approved Local Coastal Plans in other coastal cities, including Half Moon Bay, that do not use the Tsunami risk to restrict or condition infill development. When, about midway through Your Council's August 12, 2024 Council meeting Councilmembers Bier, Beckmeyer and Boles asked City Staff for a legal opinion responding to issues raised in our August 6, 2024 letter,<sup>3</sup> City Manager Woodhouse demurred, saying that Staff believes "we've clearly responded to the comments that we have tonight."<sup>4</sup>

But the Draft LCLUP's Tsunami policies are **NOT COHERENT** but are instead internally inconsistent and confusing to the public, to Councilmembers and to Pacifica City Staff. At that August 12 Council Meeting, Staff's responses were confused, confusing, and incorrect

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<sup>1</sup> San Francisco Public Golf Alliance Letter to Pacifica City Council, Aug. 6, 2024:  
[https://drive.google.com/file/d/19ghnzl-ZLO6rkfJWvD\\_4hwtpU01iWaP/view?usp=drive\\_link](https://drive.google.com/file/d/19ghnzl-ZLO6rkfJWvD_4hwtpU01iWaP/view?usp=drive_link)

<sup>2</sup> Pacifica Local Coastal Land Use Plan (August 2024 Revised Draft), Pacifica City Council August 12, 2024 Agenda Packet, Item 14, Attachment C, at Packet Pgs. 389-707  
<https://pacificacityca.igam2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>3</sup> Pacific Coast TV U-Tube, Pacifica City Council Meeting, Aug. 12, 2024  
(<https://www.youtube.com/watch?v=D0R5J9ls6Xc>), at 3:05:35 – 3:06:30 (Bier and Beckmeyer) and 3:07:12 – 3:07:35 (Boles and Beckmeyer)

<sup>4</sup> Pacific Coast TV U-Tube, Pacifica City Council Meeting, Aug. 12, 2024  
(<https://www.youtube.com/watch?v=D0R5J9ls6Xc>), at 1:48:48 – 1:49:49

to many of the Councilpersons' questions about Tsunami, and to issues raised in our August 6 letter and by other members of the public.

## 1. Tsunami risk is a development restriction in Pacifica's Draft LCLUP

At Council's August 12, 2024 meeting, Acting Assistant Planning Director Cervantes repeatedly told Councilmembers that the Draft LCLUP does not use Tsunami risk as a development restriction, and does not mandate "Technical Reports"<sup>5</sup> or "Siting and Design"<sup>6</sup> requirements on property development located outside mapped Coastal Vulnerability Zones.<sup>7</sup> Responding to a question from Councilmember Boles, Ms. Cervantes also advised City Council that the extensive "Tsunami Evacuation Area" mapped in the Draft LCLUP's Natural Hazards Chapter at the Flood Zones Map, Figure 5-3<sup>8</sup> is "not . . . tied to any policy."<sup>9</sup>

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<sup>5</sup> Pacifica Draft LCLUP, *supra*, at p. 6-32-33 (Pkt.Pgs. 592-593), Coastal Resiliency Implementing Policy CR-I-19, Technical Reports <https://pacificacityca.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>6</sup> Pacifica Draft LCLUP, *supra*, at p. 6-33 (Pkt.Pg. 593), Coastal Resiliency Implementing Policy CR-I-20, Siting and Design <https://pacificacityca.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>7</sup> Pacific Coast TV Video, City Council August 12, 2024 meeting: <https://www.youtube.com/watch?v=D0R5J9Is6Xc>:

- (1) **Boles at 1:46:06**: "And just to clarify something that you told me separately, but we don't have restrictions on development in tsunami inundation zones, right?" **Cervantes: 1:46:17**: "Correct. So, if your property is in a tsunami inundation zone and just a tsunami inundation zone, the only requirement is that you record a deed disclosure – a risk disclosure. There's no other prohibitions on development, there's no requirements for additional technical reporting or siting or design. Those policies are only applicable to the Coastal Vulnerability Map."
- (2) **Bigstycyk: 1:48:02** If it's a Tsunami Inundation Zone but not a Coastal Vulnerability Zone, the only requirement is you put a disclosure "this is a Tsunami Inundation Zone," and that's the entirety of the requirement. **Cervantes: 1:48:18**: Correct.
- (3) **Boles:2:57:37**. A couple of things with the tsunamis. I think even after your clarification, there's still confusion that there's any limitation on development in tsunami zones. Can you say that really clearly one last time. **Cervantes: 2:57:51**. Again, the City's LCLUP does not contain any prohibition, any requirements for development in Tsunami Inundation Zones only. The only requirement is that if you are going to obtain a Coastal Development Permit in a tsunami inundation zone is that you record a risk disclosure on the property, that you are in a tsunami inundation zone. **Cervantes: 2:59:10**. Our LCLUP does not require Siting, Design, Technical Reporting for Tsunami Inundation.

<sup>8</sup> Pacifica Local Coastal Land Use Plan (August 2024 Draft), Pacifica City Council August 12, 2024 Agenda Packet, Item 14, Attachment C, at Packet Pgs. 389-707 <https://pacificacityca.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>, at Pg. 8-16, Packet Pg. 664

<sup>9</sup>Pacific Coast TV U-Tube, Pacifica City Council Meeting,

Aug.12,2024:<https://www.youtube.com/watch?v=D0R5J9Is6Xc>

**Boles: 1:50:14**. So what will happen with our maps. Because the tsunami evacuation area right now is overlaid. Does that go away completely, or is that something that is still showing up in our LCP?

**Cervantes: 1:50:24 – 1:50:57**. The Tsunami Evacuation Zone will likely remain on our map overlay on our maps, not because it's tied to any policy, but because it's important information for property owners and for the city to be aware of, and for that to be easily available to the public. That would be the only reason it would stay and Tsunami FN 10, cont. Evacuation Zones are important information to know and understand for preparedness, but it would not be tied to any policy.

But both of these statements by Ms. Cervantes are incorrect. To begin with, the Draft LCLUP's Chapter 5, Natural Hazards, includes Guiding Policy NH-G-2 and Implementing Policy NH-I-30 that impose siting and design requirements on development in "tsunami hazard zones" and specifically in the "Tsunami Evacuation Zone" (mapped at Figure 5-3), without reference to whether or not the properties lie in mapped Coastal Vulnerability Zones.

#### Guiding Policies

NH-G-2 Development in Hazardous Areas. Site and design development in 100-year floodplains and tsunami hazard zones to minimize hazard risk without the need for armoring (e.g. flood damage prevention programs).<sup>10</sup>

#### Implementing Policies

NH-I-30 Tsunami Evacuation Zone. For new development in the **tsunami evacuation zone**, require use of low impact engineering techniques, such as elevating structures above projected water levels, to mitigate impacts to people and structures.<sup>11</sup> (emphasis added)

Moreover, Ms. Cervantes' answers to Councilmembers' questions did not deal with the newly-added provision in the final sentence of the Draft LCLUP's Coastal Resilience Implementing Policy CR-I-1, which provides that proposed development on properties located **outside** of Coastal Vulnerability Zones will be reviewed **as if** they were located **inside** Coastal Vulnerability Zones, where "best available science" shows that development would be "vulnerable to coastal hazards".<sup>12</sup> As discussed at pages 3-4 of our August 6 letter to Your Council, this "**reviewed as if**" language of Implementing Policy CR-I-1 invokes the Figure 5-3 Flood Zones map and the "best available science" identified in the Legend at the bottom right-hand corner of that map, including the extraordinarily improbable (once-in-975-year recurrence probability) "Tsunami Hazard Area for San Mateo County, Department of Conservation, State of California, 2021."<sup>13</sup> This creates an effective backdoor for imposing the burdensome and potentially impossibly expensive

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<sup>10</sup> Pacifica Local Coastal Land Use Plan (August 2024 Draft), *supra*, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>, Natural Hazards Chapter, at Pg. 5-19, Packet Pg. 551.

<sup>11</sup> Pacifica Local Coastal Land Use Plan (August 2024 Revised Certification Draft), *supra*, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>, Natural Hazards Chapter, at Pg. 5-20, Packet Pg. 552.

<sup>12</sup> Pacifica Local Coastal Land Use Plan (August 2024 Draft), *supra*, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>, Coastal Resilience Chapter, Implementing Policy CR-I-1, at Pg. 6-13, Packet Pg. 573.

<sup>13</sup> California Geological Survey Tsunami Hazard Area Map County of San Mateo, Mar. 23, 2021 [https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami\\_Hazard\\_Area\\_Map\\_San\\_Mateo\\_County\\_a11y.pdf](https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Hazard_Area_Map_San_Mateo_County_a11y.pdf)

requirements of Coastal Resiliency Implementing Policies CR-I-19 (Technical Reports)<sup>14</sup> and CR-I-20 (“Siting and Design”)<sup>15</sup> on virtually all Pacifica properties west of the Coast Highway.

**2. Pacifica’s Draft LCLUP Coastal Hazards Risk Disclosure Policy -- Implementing Policy CR-I-21 -- is severe and disproportionate and far exceeds any reasonable relationship to the Tsunami risk. At City Council’s August 12, 2024 LCLUP Study Session, Pacifica Planning Staff and City Manager told the Council that “in practice the details of the [Pacifica Draft LCLUP] risk disclosure are the same” as in the Half Moon Bay Local Coastal Plan approved by the Coastal Commission in April 2021. But this is wrong.**

At pages 2-3 of our August 6 letter to Your Council we cited the City of Half Moon Bay’s Coastal Commission-approved Local Coastal Plan, whose Shoreline Hazards policies include a narrowly targeted Tsunami risk disclosure and limited hold harmless policy:

“Policies – Shoreline Hazards

**“7-9. New Development in Tsunami Inundation Zone.** Limit the creation of new building sites in the tsunami inundation zone. Infill development on existing building sites may be permitted in the tsunami inundation zone, provided that a disclosure of hazard presence and a **hold harmless clause indemnifying the City from any harm caused to permitted development by tsunami inundation** are recorded against the property.<sup>16</sup>” (emphasis added)

By contrast, Pacifica’s Draft LCLUP’s Coastal Hazard Risk Disclosure Implementing Policy CR-I-21, with its eight subparagraphs and a catchall **“waive[r of] any rights that might exist under applicable law for shoreline protection structures,”**<sup>17</sup> goes far beyond Half Moon Bay’s narrow and tailored Shoreline Hazard Policy 7-9. At Council’s August 12 meeting, Acting Deputy Planner Cervantes compared the Pacifica and Half Moon Bay policies by showing a slide captioned “Tsunami Inundation Zones” (a copy of which is attached hereto as EXHIBIT 2), which included a copy of what she described as the first two pages of a 4-page Half Moon Bay Tsunami Risk Disclosure and Waiver form which Ms. Cervantes said “is very similar to what we’re requiring . . . disclosure of hazards that need to be recorded against the property.”<sup>18</sup> City Manager

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<sup>14</sup> Pacifica Draft LCLUP, *supra*, at p. 6-32-33 (Pkt.Pgs. 592-593), Coastal Resiliency Implementing Policy CR-I-19, Technical Reports: <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>15</sup> Pacifica Draft LCLUP, *supra*, at p. 6-33 (Pkt.Pg.593), Coastal Resiliency Implementing Policy CR-I-20, Siting and Design: <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>16</sup> Half Moon Bay Local Coastal Plan, *Id.* <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>, at Exhibit 2, Pg. 324/480, first full paragraph, and Pg. 326/480

<sup>17</sup> Pacifica Local Coastal Land Use Plan, June 2024 Draft, Attachment E to City Council June 26, 2024 Agenda Packet, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1540>, at Pg. 6-33 to 6-35, Packet Pg. 277-279.

<sup>18</sup> Pacific Coast TV U-Tube, Pacifica City Council Meeting, Aug.12,2024:<https://www.youtube.com/watch?v=D0R5J9Is6Xc>  
**Cervantes: 1:43:30 – 1:46:00: “... the Half Moon Bay LCLUP that has similar policies to what we are proposing to do with the risk disclosure, so that’s Policy 7-9 as you can see here on the slide. And so it does include the second sentence that says that “infill development on existing building sites will be permitted in tsunami inundation zones provided that a disclosure of hazard presence and a hold harmless clause indemnifying the city from any harm caused to permitted development by tsunami inundation are recorded against the property.”** Very simple sentence, just has two clauses. Well, on the left-hand side of on the screen you

Woodhouse followed-up, telling Council: “. . . when we’re talking about Inundation Zones and comparing to Half Moon Bay. . . in practice the . . . details of the risk disclosure are the same. We’re just putting it upfront and transparently in the policy in the LCP, whereas in Half Moon Bay, you get that later on, when you work with city staff and you have this covenant that you have to record.”<sup>19</sup>

But both Ms. Cervantes and Mr. Woodhouse were mistaken. The Half Moon Bay form, captioned “Restrictive Covenant,” recites at Page 1-2, Recitals A thru F, that the property is located in a tsunami inundation zone, that Policy 7-9 of Half Moon Bay’s Local Coastal Plan requires that developers of infill development “must provide a disclosure of hazard presence and a hold harmless clause indemnifying the City from any harm caused to permitted development **by tsunami inundation,**” and that the Covenant is intended to fulfill the requirements of Policy 7-9. Paragraphs 1 and 2 of the Half Moon Bay Tsunami Covenant (at page 2 of the document) then (i) disclose that the property “is within a tsunami inundation zone and any development there is thus subject to the risk of tsunami inundation,” and (ii) covenant that the developer agrees to hold the City harmless against potential liabilities arising out of the City’s approval of the Permit. There are no further waivers of rights in Half Moon Bay’s “Restrictive Covenant” document. (A full 4-page copy of the complete Half Moon Bay “Restrictive Covenant” form was courteously provided to us by Ms. Cervantes, and is linked at the footnote below.)<sup>20</sup>

By contrast, the eight subparagraphs of Pacifica Draft LCLUP Hazard Risk Disclosure Implementation Policy CR-I-21 are **not** limited to tsunami disclosure and are **not** limited to waiver of claims against the city for tsunami-caused damage only. Rather, Pacifica’s Draft LCLUP Implementing Policy CR-I-21 would require property owners to “acknowledge the site is subject to **coastal hazards**, including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunami, tidal scour, coastal flooding, landslides bluff and geologic instability, and the interaction of same, and all as impacted by sea level rise,” [and] “assume and accept the risks to themselves and their properties of injury and damage **from such coastal hazards** in connection with the permitted development,. . . [and] “**waive any rights that may exist under applicable law for shoreline protection structures.**”<sup>21</sup> There is no such wholesale waiver of rights in the Half Mood Bay Tsunami Restrictive Covenant.

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**FN 18, cont.** can see what that actually entails. these are just the first two pages, this is a 4-page document, so again the policy might be very straightforward and simple to read, but when you’re actually considering what that entails for implementation, what it entails for a property owner, it is a more detailed process, and so really what we’re trying to do with our policy for risk disclosure is, it has essentially the language that we are anticipating will be in our risk disclosure that will be a template for Coastal Development Permit approvals,. . . but the idea that just because your policy is one sentence means that it’s easier to implement is really false. I think **the policy itself is very similar to what we’re requiring. It’s disclosure of hazards that need to be recorded against the property.**” (emphasis added)

<sup>19</sup> Pacific Coast TV U-Tube, Pacifica City Council Meeting, Aug. 12, 2024: <https://www.youtube.com/watch?v=D0R5J9ls6Xc>  
**Woodhouse, 1:48:48 – 1:49:48:** “I want to just emphasize the point that I think Ms. Cervantes was saying that’s important at this point when we’re talking about Inundation Zones and comparing to Half Moon Bay. . . **in practice the details of the risk disclosure are the same. We’re just putting it upfront and transparently in the policy in the LCP, whereas in Half Moon Bay, you get that later on, when you work with city staff and you have this covenant that you have to record.**” (emphasis added)

<sup>20</sup> Here is a link to the full 4-page Covenant provided to us by Ms. Cervantes: City of Half Moon Bay, Restrictive Covenant Form (Tsunami) [https://drive.google.com/file/d/1\\_zcrlmr3UVglitP9kgJRporlYAqMetnl/view?usp=drive\\_link](https://drive.google.com/file/d/1_zcrlmr3UVglitP9kgJRporlYAqMetnl/view?usp=drive_link)

<sup>21</sup> Pacifica Draft LCLUP (August 2024), *supra*, <https://pacificacityca.igam2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>, Coastal Resilience Implementing Policy CR-I-21, Coastal Hazards Risk Disclosure, at Pgs. 6-33 to 6-35, Packet Pgs. 593-595

### 3. The waiver of rights in Pacifica’s Implementing Policy CR-I-21 may be an illegal “taking”.

Pacifica’s Draft LCLUP’s Coastal Resiliency Implementing Policy CR-I-21 is the sort of overreaching, disproportionate mandated waiver of rights which the United States Supreme Court described in Sheetz vs. County of El Dorado, California<sup>22</sup> as an illegal “taking” of property rights in violation of the 5<sup>th</sup> Amendment to the United States Constitution, all as discussed at pages 6-7 of our June 25, 2024 letter to Your Council,<sup>23</sup> which letter is incorporated herein by this reference and attached as **EXHIBIT 3**.

### 4. The Draft LCLUP’s “Tsunami Inundation Zone” map is uncertain, unscientific, uncredentialed, unverifiable, and unsuitable for inclusion in the Draft LCLUP.

Staff’s Written Report for Council’s August 12 Study Session lists “updated maps” first among its list of the “many benefits to having an updated LCLUP.”<sup>24</sup> But the “Figure 6-2 Tsunami Inundation Zone” map (found at Packet Page 667 of the August 12 Agenda Packet) is so badly flawed in so many ways as to be unfit for inclusion in the Draft LCLUP. Let us count the ways.

- (1) **The creator of the map is unidentified** by either name of qualifications beyond Acting Deputy Planning Director Cervantes’ response to a question from Council at the August 12 Council meeting that “. . . this map was created [by] our community resources department summer intern who has some experience with GIS.”<sup>25</sup> She did not name the summer intern or describe the intern’s qualifications beyond “some experience with GIS.”
- (2) **The map is unscientific and unverifiable because it does not adequately identify its sources.** A legend at the bottom left-hand corner of Figure 6-2 lists the following sources: “California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Esri Community Maps Contributors, California State Parks” No publications are identified from any of these entities.
- (3) **Pacifica Planning Staff and City Council appear uncertain of what scale of Tsunami should be used to define a Pacifica “Tsunami Inundation Zone”. So the “Figure 6-2 Tsunami Inundation Zone” provides limited information to the public.** The map Legend at the top left of “Figure 6-2 Tsunami Inundation Zone” identifies a 475-year “Average Return Period” frequency for the Tsunami Inundation being mapped. But a new term -- “Tsunami Inundation Zone” – proposed by Pacifica Staff for inclusion in

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<sup>22</sup> Sheetz vs. County of El Dorado, California, United States Supreme Court, October Term 2023, No. 22-1074 [https://www.supremecourt.gov/opinions/23pdf/22-1074\\_bqmd.pdf](https://www.supremecourt.gov/opinions/23pdf/22-1074_bqmd.pdf)

<sup>23</sup> Letter, SF Public Golf Alliance to Pacifica City Council, June. 25, 2024, re, inter alia, Tsunami, at pp. 7-8 [https://drive.google.com/file/d/1i7-flm98PVzqArhsfkV-xBv\\_ycZavINH/view?usp=sharing](https://drive.google.com/file/d/1i7-flm98PVzqArhsfkV-xBv_ycZavINH/view?usp=sharing)

<sup>24</sup> Pacifica City Council August 12, 2024 Agenda Packet, Item 14, City Council Agenda Summary Report, Aug. 12, 2024, at page 2 (Pkt. Pg. 326) <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>25</sup> Pacifica Staff’s Agenda Summary Report, Aug. 12, 2024, *Id.*, at page 5 (Pkt. Pg. 329), says only “The draft TIZ [Tsunami Inundation Zon] map was created using limited staff resources.” At Council’s August 12, 2024 LCLUP Special Study session, Acting Deputy Planning Director Cervantes told Council: “. . . our community development summer intern who has some experience with GIS, so they were able to create this map.” Pacific Coast TV U-Tube, Pacifica City Council Meeting, Aug. 12, 2024: <https://www.youtube.com/watch?v=D0R5J9ls6Xc>, at 1:42:57, ff.

the Draft LCLUP's Glossary clearly shows uncertainty whether ultimately a 475-year period -- or some other frequency -- will be used to define Pacifica's "Tsunami Inundation Zone."<sup>26</sup>

The same uncertainty and indecision can be seen in the Minutes of Council's June 26, 2024 LCLUP Special Study Session,<sup>27</sup> which records the following comments by Mayor Pro Tem Beckmeyer and former Planning Director Christian Murdock.

Mayor pro Tem Beckmeyer stated . . . with the terminology of tsunami inundation zone, she does not know how we are exactly defining that. (Minutes, at page 31.) Mayor Pro Tem Beckmeyer. . . wanted to come back to this inundation versus evacuation and the maps. She . . . wants to understand what our position is or how can we provide some security around this since we do not have the maps and have not identified what epic we are trying to map to. (Minutes, at page 33.)

Former Planning Director Christian Murdock " . . . agreed, and stated there is a proposed definition of tsunami inundation zone which gives the example of a comparable 475-year average return period tsunami event . . . He stated that we are not going to get to a precise outcome. Council has given policy direction with the definition to strive to shrink the affected area to that which would be subject to a more probable tsunami event than essentially the worst case tsunami event that the Coastal Commission's tsunami evacuation zone would have caused." (Minutes, at page 33.)

5. **Tsunami Over the Top.** The Legend at upper left of the Figure 2 Tsunami Inundation Zone map marks the projected "475 year Average Return Period" with blue diagonal striping. If this draft map is accurate, it appears that substantial areas in both the Sharp Park and Rockaway Beach neighborhoods -- including the City of Pacifica's Beach Boulevard properties, the Palmetto district, and popular restaurants and hotels in Rockaway Beach, including Nick's, Moonraker, the Sea Breeze, Lighthouse Hotel, and others -- will be subject under the Tsunami provisions of Pacifica's August Draft LCLUP to the Siting and Design and Technical Reports requirements, notwithstanding those properties location in "Special Resiliency Areas", because the existing shoreline protective structures are projected to be overtopped by a once-in-475-year Tsunami.<sup>28</sup>

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<sup>26</sup> Draft LCLUP, *supra*, Glossary, P. G-12 (Pkt.Pg. 644)

<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544> The new proposed Glossary definition reads as follows: "**Tsunami Inundation Zone:** An area of likely tsunami inundation under a tsunami scenario. The applicable tsunami scenario should balance a reasonable probability of event occurrence with a reasonable potential of the tsunami event causing substantial loss of life and/or damage to property. Such a **tsunami scenario could include, but is not necessarily limited to, 475-year Average Return Period (ARP)** event described in the publication Probabilistic Tsunami Hazard Maps for the State of California (Phase 2), California Department of Conservation (2023)" (emphasis added).

<sup>27</sup> Minutes, Pacifica City Council Meeting, June 26, 2024:

<https://drive.google.com/file/d/1a67PcS9iXEKd2uJRm7lZZfCJuH3PiqEq/view?usp=sharing>

<sup>28</sup> The elevation of the top of the Beach Boulevard Seawall between the Pacifica Pier (West end of Santa Rosa St.) and Clarendon Rd. is between 23-26 feet NAVD according to Pacifica's Notice of Preparation of a Draft Environmental Impact Report for the Proposed Beach Boulevard Infrastructure Resiliency Project, etc., July 31, 2024, at p. 4, first sentence: <https://www.cityofpacificca.org/home/showpublisheddocument/18566/638580359795200000>. The height of the Rockaway Beach shoreline protective structure west of Nick's Restaurant is barely more than the elevation of the restaurant's parking lot, which is less than 15 feet above sea level NAVD. See topographic map below at footnote 30.

See the interactive Pacifica topographic map, footnoted below, which shows the elevations of the shoreline protective structures and streets and buildings in the neighborhoods.<sup>29</sup>

## 6. Special Resiliency Areas Appear Now Less Than Advertised. Some may be surprised.

In its current iteration, the Draft LCLUP's general description of the "Special Shoreline Resiliency Areas" reads, in part: "The purpose of modifying policies applicable to this area is to allow **ongoing reliance on the existing shoreline protection structures** . . ." <sup>30</sup> (emphasis added) But a Coastal Commission Staff-originated change (which change first publicly appeared in Council's June 26, 2024 Agenda Packet<sup>31</sup>) to Coastal Resources Implementing Policy CR-I-39 would limit the "ongoing reliance" only to "may rely on a shoreline protection structure in that area that is existing at the time of the permit application to help demonstrate that its **setbacks** meet the requirements of Policies CR-I-19 and CR-I-20." (emphasis added) One implication of this change is that the SSRAs' shoreline protection structures might not be "relied on" with respect to flood mitigation. The Pacifica Staff Report's June 26 summary comments on the renumbered and revised Implementing Policy CR-I-39 as follows: "CR-I-39 allows development to rely on any existing shoreline protection structure" and "While the changes to Chapter 6 may seem extensive compared to the version of Chapter 6 published for the May 23<sup>rd</sup> City Council meeting, the intent of the Chapter 6 and the SSRA policies is mostly unchanged. The SSRA policies will still allow development behind the designated SSRA to use protection from coastal hazards that may be provided by the existing shoreline protection structures."<sup>32</sup> These Staff comments appear to overlook the point of the new limited application of CR-I-29 to "setbacks".

We suggest that this matter of Implementing policy CR-I-39 merits a detailed and focused discussion at Council's September 17 meeting.

### CONCLUSION AND RECOMMENDATION: LOOK TO HALF MOON BAY

As detailed in our August 6 letter to Your Council, Half Moon Bay's Local Coastal Plan effectively deals with the Tsunami problem by permitting infill development in Tsunami Inundation Areas, without development restrictions, while requiring a targeted tsunami-only disclosure and waiver. [The Coastal Commission recent, unanimous and enthusiastic approval of Half Moon Bay's Local Coastal Plan includes the Commission's determination that the Half Moon Bay plan – including its Tsunami provisions – fully comply with the Coastal Act.](#)

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<sup>29</sup> Pacifica Topographic Map (interactive): <https://en-us.topographic-map.com/map-kpc57/Pacifica/>

<sup>30</sup> Draft LCLUP, *supra*, Coastal Resilience, p. 6-41 (Pkt. Pg. 601  
<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1544>

<sup>31</sup> Pacifica City Council Agenda Packet for Special Meeting re LCLUP, June 26, 2024, Implementing Policy CR-I-39, at P. 6-41 (Pkt.P.285) <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1540>

<sup>32</sup> Pacifica City Council Agenda Packet for Special Meeting re LCLUP, June 26, 2024, *Id.* Staff Report, pp. 6-7 (Pkt Pgs. 9-10). <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1540>

We respectfully recommend the Half Moon Bay approach, closely adapting for Pacifica's use the following language from that Half Moon Bay's Local Coastal Plan, which permits infill development in tsunami areas and provides a narrow disclosure and hold harmless agreement specifically and narrowly targeted to the tsunami risk.

**Mitigation of tsunami risk consists mainly of improved early warning systems and evacuation routes and information, rather than restrictions on development for infill development sites.**

Policies – Shoreline Hazards

7-9. New Development in Tsunami Inundation Zone. Limit the creation of new building sites in the tsunami inundation zone. **Infill development on existing building sites may be permitted in the tsunami inundation zone, provided that a disclosure of hazard presence and a hold harmless clause indemnifying the City from any harm caused to permitted development by tsunami inundation are recorded against the property.**<sup>33</sup>

Respectfully submitted,

*Richard Harris*

President, San Francisco Public Golf Alliance

cc: City Manager Kevin Woodhouse, Interim Deputy Planning Director Stefanie Cervantes, Interim Community Development Director Kavitha Kumar, Planning Commission and Commissioners, City Clerk Sarah Coffey, Phil Ginsburg, Gen. Mgr., San Francisco Recreation and Parks Dept., Spencer Potter, Esq., San Francisco Recreation and Parks Dept.; Stephanie Rexing, North Central Coast District Manager, California Coastal Commission; Oceane Ringuette, CCC District Supervisor; Julian Honey, CCC Planner; Mr. Jeff Guillet

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<sup>33</sup> Half Moon Bay Local Coastal Plan, *supra*. <https://documents.coastal.ca.gov/reports/2021/4/Th9a/Th9a-4-2021-exhibits.pdf>, at Exhibit 2, Pg. 324/480, first full paragraph, and Pg. 326/480

# EXHIBITS

## EXHIBIT 1

Letter, August 6, 2024, San Francisco Public Golf Alliance to Pacifica City Council

[https://drive.google.com/file/d/19ghnzl-ZLO6rkfzJWvD\\_4hwtU01iWaP/view?usp=drive\\_link](https://drive.google.com/file/d/19ghnzl-ZLO6rkfzJWvD_4hwtU01iWaP/view?usp=drive_link)

## EXHIBIT 2

Slide from Staff Presentation to Pacifica City Council Aug. 12, 2024 LCLUP Study Session / Half Moon Bay Form: Restrictive Covenant (Tsunami Inundation Zone)

PCC 8/12/24 - Pacifica City Council Meeting - August 12, 2024

# Tsunami Inundation Zones

Recording requested by and when recorded return to:

CITY CLERK  
City of Half Moon Bay  
501 Main Street  
Half Moon Bay, CA 94019

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO GOV. CODE SECTION 27363

APN'S ADDRESS:

RESTRICTIVE COVENANT

This Covenant (this "Covenant") affects the real property and improvements commonly known as 8160, Half Moon Bay, San Mateo County, California, APN's and is based on the following:

RECITALS

A. The 8160 property is more particularly described in Exhibit. 8160 (APN) contains a two-story single-family residence. Two undeveloped parcels along the northeastern side (APN's) and two undeveloped parcels along the southwestern side (APN's) of 8160 have been acquired by the property owners of 8160.

B. On October 25, 2023 the Half Moon Bay Community Development Director approved a Coastal Development Permit and Architectural Review (CDP or "Permit") to allow as owners of 8160 ("Covenantor") to construct additions totaling 1,430 square feet, attached accessory dwelling unit (ADU), remodel of the existing residence, expansion of the landscaping onto the vacant land, and lot merger of APN's, subject to certain "Conditions of Approval" for reasons stated in the "Findings and Evidence" adopted by the Community Development Director in support of its action.

C. The development of 8160 is located within a tsunami inundation zone.

D. Policy 7-9 of the Half Moon Bay Certified Local Coastal Land Use Plan, requires that infill development, while permitted in tsunami inundation zones, must provide a disclosure of hazard presence and a hold harmless clause indemnifying the City from any harm caused to permitted development by tsunami inundation recorded against the property.

E. Condition 8b to the Permit allows the Covenantor to receive a building permit, following the recording of the disclosure of hazard and hold harmless. It states: "Prior to the issuance of building permits, the permittee shall cause to be recorded a disclosure of hazard presence and a hold harmless clause against the property indemnifying the City from any harm caused to permitted development by tsunami inundation. The form of said disclosure and clause must be approved by the City Attorney."

F. The City of Half Moon Bay ("Covenantor") and Covenantor intend this Covenant to fulfill the requirements of Policy 7-9 of the Local Coastal Land Use Plan and Condition 8b to the Permit by binding Covenantor and all future owners of 8160.

COVENANT

1. **Disclosure of Hazard.** Covenantor covenants and agrees that 8160 is within a tsunami inundation zone and that any development there is subject to the risk of tsunami inundation.

2. **Hold Harmless.** To the fullest extent allowed by law, Covenantor agrees to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including without limitation reasonable attorneys' fees, experts' fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of the Permit, any action taken by the City related to this matter, any review by the California Coastal Commission conducted under the California Coastal Act, Public Resources Code Section 30000 et seq. or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 21000 et seq. for this entitlement and related actions. This indemnification shall include any Claims that may be asserted by any person or entity, including Covenantor, arising out of or in connection with the approval of the Permit, whether or not there is passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. Covenantor's duty to defend the City shall not apply in those instances when Covenantor has asserted the Claims, although Covenantor shall still have a duty to indemnify, protect and hold harmless the City.

3. **Duration, Modification, and Termination of Covenant.** The Covenant shall be of perpetual duration and shall not be modified or terminated.

4. **Covenant Running With the Land.** The Covenant touches and concerns the use and development of the land and shall run with the land. The Covenant shall be binding on all current and future owners and successors-in-interest of 8160 and shall issue to the benefit of all current and future owners and successors-in-interest of 8160.

5. **Enforceability; Estoppel; Notice.**

a. Covenantor hereby waives, for itself and its successors and assigns, any claim that the Covenant is unenforceable or does not run with the land.

b. Covenantor hereby agrees, for itself and its successors and assigns, that it shall be estopped from asserting in any form the unenforceability of the Covenant or its failure to run with the land.

**Policies – General**

7-8. **Shoreline Hazards and New Development.** Ensure that new development, including land division, is sized, sited and designed to be safe from shoreline hazards such as coastal flooding, shoreline erosion, tsunami inundation, seawater intrusion, and other sea level rise impacts without requiring a shoreline protection device at any time over the anticipated life span of the structure.

7-9. **New Development in Tsunami Inundation Zone.** Limit the creation of new building sites in the tsunami inundation zone. Infill development on existing building sites may be permitted in the tsunami inundation zone, provided that a disclosure of hazard presence and a hold harmless clause indemnifying the City from any harm caused to permitted development by tsunami inundation are recorded against the property.

FIGURE 7-1: SEA LEVEL RISE FLOOD IMPACTS

Exit full screen (f)

YouTube

## EXHIBIT 3

Letter, June 25, 2024, San Francisco Public Golf Alliance to Pacifica City Council, pp. 7-8

<https://drive.google.com/file/d/1cmSqBoq6wCqji5PSMxjyyU4thwqohFjU/view?usp=sharing>



826 Stanyan St., San Francisco, CA 94117 • 415-290-5718 • [info@sfpublicgolf.org](mailto:info@sfpublicgolf.org)

October 28, 2024

Pacifica City Council  
Mayor Susan Vaterlaus  
540 Crespi Dr.  
Pacifica, CA. 94044

Re: City Council Meeting Oct. 28, 2024, 6:00 p.m., Agenda Item No. 4 re Pacifica LCLUP

- 1. REQUEST ADDED LANGUAGE TO THE LIMIT THE “WAIVER OF RIGHTS” IN IMPLEMENTATION POLICY CR-I-21 “COASTAL HAZARDS RISK DISCLOSURE”**
  
- 2. REQUEST REVISIONS TO THE COASTAL ACCESS MAP, FIGURE 3-1 AND THE ACCOMPANYING TABLE 3-1 AS FAILING TO MEET COUNCIL’S VERY SPECIFIC DIRECTIONS FOR SHOWING THE BEACH ACCESS WHEELCHAIR RAMP FROM THE COASTAL TRAIL ON SHARP PARK BERM.**
  
- 3. OBJECT TO RUSHED COUNCIL MEETING, AND AN AGENDA PACKET CONTAINING A CONFUSING, EXTRAORDINARILY DIFFICULT-TO-READ TRACK CHANGES VERSION OF THE KEY DOCUMENT, THE DRAFT LCLUP, WHICH DENIES THE PUBLIC A FAIR CHANCE TO REVIEW, UNDERSTAND, AND COMMENT.**

Dear Mayor Vaterlaus and Councilmembers,

**REQUEST ADDED LANGUAGE TO THE LIMIT THE “WAIVER OF RIGHTS” IN IMPLEMENTATION POLICY CR-I-21 “COASTAL HAZARDS RISK DISCLOSURE”**

Following up on our letter of October 28, 2024 submitted earlier today, this is to request the following language be added to the “Waiver” clause of CR-I-21, so that the entire “waiver” (bullet point 5 in the October draft LCLUP) reads as follows:

**That the permittee waives any rights that might exist under applicable law for shoreline protection structures for the duration the permitted development is present on the property; not intended hereby is waiver of rights to shoreline protection from protection structures existing at the time of an application, to which applicant has rights under Coastal Act 30235, as may ultimately be determined by the Courts under the pending Casa Mira Homeowners Association vs. California Coastal Commission litigation.”**

**REQUEST REVISIONS TO COASTAL ACCESS MAP, FIGURE 3-1, AND ACCOMPANYING TABLE 3-1, TO ACCURATELY AND SPECIFICALLY SHOW AND DESCRIBE THE WHEELCHAIR BEACH ACCESS RAMP OFF THE COASTAL TRAIL AT THE SHARP PARK BERM.**

We Object to the Revised Coastal Access Map, October Draft LCLUP Figure 3-1 (Draft LCLUP, at Council’s October 28 **Packet Page 506**) (copy attached, **EXHIBIT 1**), and to the accompanying Table 3-1, Coastal Access Points (October Draft LCLUP, at Page 3-7, at Council’s October 28 **Packet Page 308**) (copy attached, **EXHIBIT 2**) because the current draft Figure 3-1 incorrectly locates the new beach access handicapped access ramp much too far south on the Coastal Trail segment at Sharp Park Beach, and Table 3-1 incorrectly describes the handicapped access as “ADA access on berm”. This is contrary to the very clear direction, given by Council at its April 15, 2024 Special Meeting LCLUP Study Session, that Staff revise the Coastal Access Figure 3-1 to show the location of the wheelchair access ramp from the berm to the beach.<sup>1</sup> The correct location of that wheelchair access ramp is at the north end of Sharp Park Beach, approximately 100 yards south of Clarendon Avenue, as documented by photographs of the ramp and a description of its location (“Sharp Park Levee north end beach overlook and access ramp photograph of the beach access ramp”), at page 8 of our April 8, 2024 letter to Your Council in this matter.<sup>2</sup> Table 3-1 incompletely and incorrectly describes the access as follows: “13A Sharp Park, Berm [Beach Access] Yes City/County of SF ADA access on berm.” While it is true that the berm itself is ADA accessible – because it is a flat and relatively smooth road that can be used by wheelchairs – the berm also has a wheelchair accessible ramp from the top of the berm down to the sand beach. **To accurately describe this, the handicapped access should be marked on the Figure 3-1 map at the North end of Sharp Park berm, and should be described at Table 3-1 as follows: “ADA access on top of the berm and ADA access from the top of the berm to the sand beach by a wheelchair accessible ramp.”** And we request that these changes to Figure 3-1 and its companion Table 3-1 be made.

**OBJECT TO RUSHED COUNCIL MEETING, AND AN AGENDA PACKET CONTAINING A CONFUSING, EXTRAORDINARILY DIFFICULT-TO-READ TRACK CHANGES VERSION OF THE KEY DOCUMENT, THE DRAFT LCLUP, WHICH DENIES THE PUBLIC A FAIR CHANCE TO REVIEW, UNDERSTAND, AND COMMENT.**

We object to Rushed Process in the setting of the Local Coastal Plan for hearing October 28, and object further to the careless and chaotic public presentation of the subject matter of the

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<sup>1</sup> Minutes, City Council Special Meeting, April 15, 2024, at page 26, third, fourth, and fifth paragraphs:

<https://pacificacityca.igmp2.com/Citizens/FileOpen.aspx?Type=15&ID=1454&Inline-True>

“Mayor pro Tem Beckmeyer stated she would like **corrections made to the map regarding wheelchair ramps**. She asked if **Council agreed**, and they responded affirmatively. Planning Director Murdock stated he would prefer to put a single access point and have a note that says multiple access points along the berm or along those lines in order to balance the scale of the map with the symbology. **Mayor pro Tem Beckmeyer emphasized the need for the wheelchair ramp.**” (emphasis added)

<sup>2</sup> Letter, SF Public Golf Alliance to Pacifica City Council, April 8, 2024

<https://drive.google.com/file/d/1KuFZfa5um7qMXNpesOaJ72IW5SP7oR0I/view?usp=sharing>

hearing, which is the October 2024 Revised Certification Draft Local Coastal Land Use Plan (LCLUP) with Alternative Modifications<sup>3</sup>

The key document for this hearing is the October Revised Certification Draft, in Redline form, attached as Attachment B to the October 28 Staff Report. But that document is virtually impossible to understand because the redlining is so extensive and confounding that it is virtually impossible for ordinary members of the public to understand. City Council anticipated this problem at its September 17 meeting, at which Council directed Staff – and Staff agreed – that Council's Meeting Packet for the follow-up LCLUP meeting would include both an easily-readable "Clean Version" and a track changes version. See our following transcription of Mayor Pro Tem Beckmeyer's following exchange with City Manager Woodhouse and City Attorney Kenyon at the September 17 meeting<sup>4</sup>:

**Mayor Pro Tem Beckmeyer (5:21:20):** Like we did with the General Plan, and I know it was big because it had so many attachments. I remember all that drama of trying to break it up into sections and all that. I don't think this document requires that. But remember how we posted it, with the clean and the track changes versions. So people could, the public could check it and look at it fully.

**Woodhouse (5:21:49):** So Council is requesting a clean version and a track changes version as part of the packet.

**Beckmeyer (5:21:58):** Right. Unless I'm misunderstanding, if we accept all the changes that have been made, that's the clean version. It's like turning off "track changes".

**Woodhouse (5:22:12):** Yes.

**City Attorney Kenyon (5:22:18):** And that's what we're planning to do.

**Beckmeyer (5:22:25):** So that's posted in advance of the meeting so that everybody can look at it.

**City Attorney Kenyon (5:22:29):** Posted when the Staff Report is posted. We generally post the Wednesday before the Council meeting.

The difficult, nigh impossible, public presentation of the key document up for consideration at the October 28 meeting does not meet the public participation standard set by the California Legislature for participation in coastal planning, set forth in the Coastal Act, Public Resources Code Section 30006,<sup>5</sup> as follows:

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<sup>3</sup> Council's Oct. 28, 2024 Agenda Packet: <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1555&Inline=True>  
The Staff Report for Agenda Item No. 4 begins at Agenda Packet Page 233. "October 2024 Revised Certification Draft". (Redline Version) of the draft LCLUP is attached as Attachment B (beginning at Packet Page 247) to the Staff Report, which begins at Packet Page 233.

<sup>4</sup> Official Pacific Coast TV recording of Council's September 17, 2024 meeting: : :  
<https://www.youtube.com/watch?v=qt5kFTLydww>

<sup>5</sup> California Public Resources Code 30006  
[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PRC&sectionNum=30006](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=30006)

“The Legislature further finds and declares that **the public has a right to fully participate in decisions affecting coastal planning**, conservation, and development; that **achievement of sound coastal conservation and development is dependent upon public understanding and support**; and that the continuing **planning and implementation** of programs for coastal conservation and **development should include the widest opportunity for public participation.**” (emphasis added)

The Coastal Commission’s Mission Statement<sup>6</sup> echoes the importance of strong public participation in coastal planning processes.

The Commission is committed to protecting and enhancing California’s coast and ocean for present and future generations. It does so through careful planning and regulation of environmentally-sustainable development, rigorous use of science, **strong public participation**, education, and effective intergovernmental coordination. (emphasis added)

The short notice combined with extraordinarily-difficult-to-understand document handicaps public awareness and input (including by this correspondent) in the coastal planning decision making process on this very controversial and very complex matter, all in violation of Public Resources Code Section 30006 and the Coastal Commission’s Mission Statement.

**So we respectfully request the meeting be reset – again – and the key document – the Draft LCLUP itself – be made publicly available a week in advance and in Clean form together with a Track Changes form, for accessible understanding.**

Respectfully submitted,

*Richard Harris*

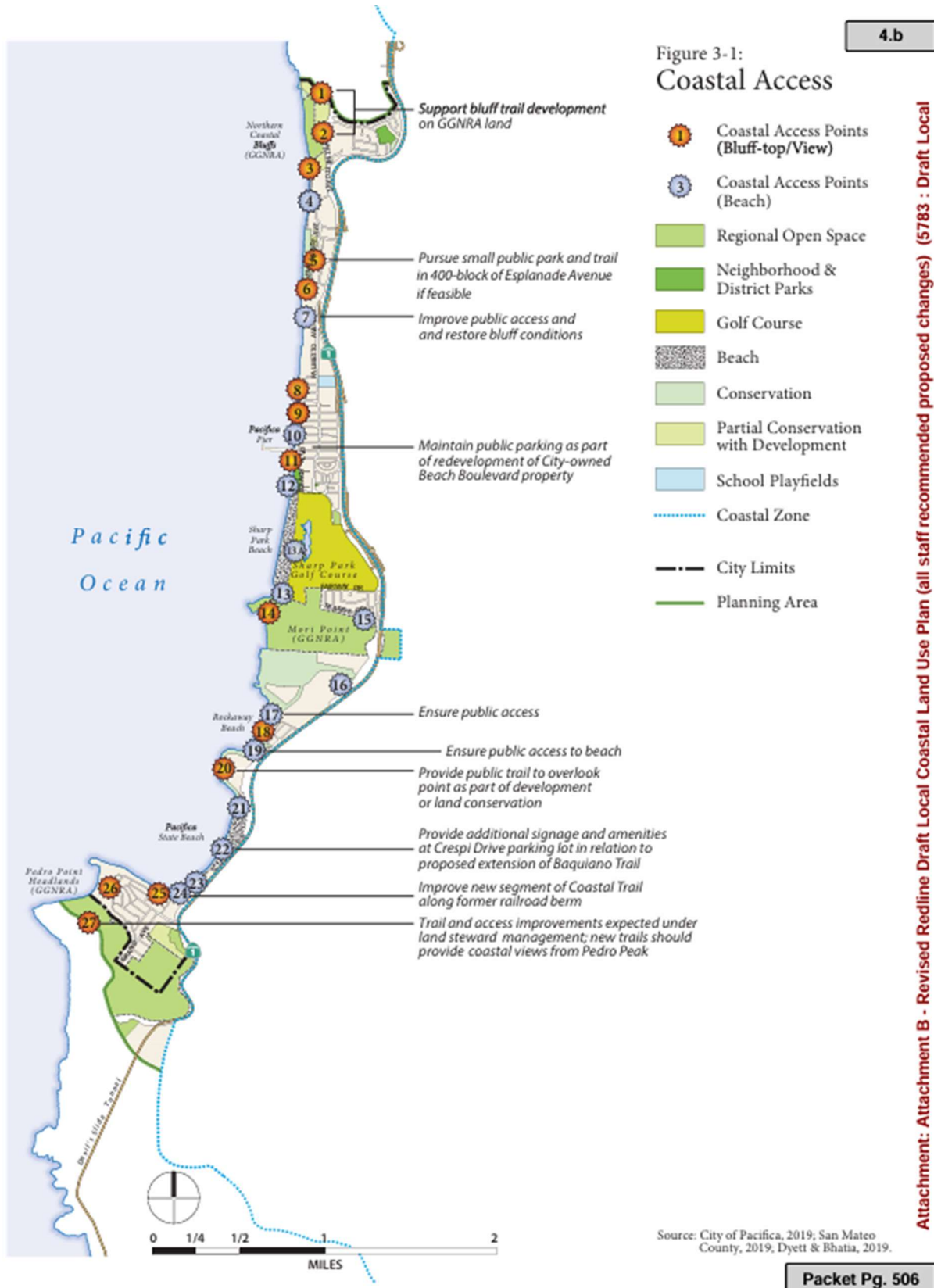
President, San Francisco Public Golf Alliance

cc: City Manager Kevin Woodhouse, Interim Community Development Director Kavitha Kumar, Planning Commission and Commissioners, City Clerk Sarah Coffey, Phil Ginsburg, Gen. Mgr., San Francisco Recreation and Parks Dept., Spencer Potter, Esq., San Francisco Recreation and Parks Dept.; Stephanie Rexing, North Central Coast District Manager, California Coastal Commission; Oceane Ringuette, CCC District Supervisor; Julian Honey, CCC Planner; Mr. Jeff Guillet

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<sup>6</sup> California Coastal Commission Website, Mission Statement: <https://www.coastal.ca.gov/whoweare.html>

Exhibit 1



Attachment: Attachment B - Revised Redline Draft Local Coastal Land Use Plan (all staff recommended proposed changes) (5783 : Draft Local

## Exhibit 2

TABLE 3-1: COASTAL ACCESS POINTS (CONTINUED)					
Map	Name	Beach Access?	Ownership	Detail	Proposed Improvement
12	Clarendon Road	Yes	City and State	Access to long beach across very low bluffs, protective berm. Parking available along Beach Boulevard.	
<u>13A</u>	<u>Sharp Park, Berm</u>	<u>Yes</u>	<u>City/County of SF</u>	<u>ADA access on berm</u>	
13	Sharp Park, South End	Yes	City/County of SF	Beach access from south end of berm. Access point is reached by GGNRA's Mori Point Trail.	
14	Mori Point	No	GGNRA	Steep rocky bluffs, subject to rockfalls. Trail improvements and habitat restoration in progress.	
15	Mori Point Public Parking Lot	Yes	GGNRA	Small parking lot at Mori Point Rd. & Bradford Way. Mori Point Trail provides access to beach and bluff top trails.	
16	Calera Creek Public Parking Lot	Yes	City	Small parking lot west of Reina del Mar & Highway 1 intersection. Calera Creek Multi-use Trail provides access to Rockaway Beach.	
17	Rockaway Beach, North End	Yes	City, private	Low armored bluffs to sandy beach. Informal beach access. Public parking lot provides access to beach, most of which is privately-owned	Ensure public access.
18	Rockaway Beach Seawall	No	City	Promenade above seawall provides ocean views. Parking available in private lots or on-street.	
19	Rockaway Beach, South End	Yes	Private	Gentle slope to sandy beach. Popular for surfing, ocean viewing. Served by public parking lot for 60 vehicles. Also a trailhead for Coastal Trail.	Ensure public access to the beach.
20	Aramai Point	No	Private	Headlands with steep cliffs descending to cobble beach. No formal access. Erosion concerns.	Provide public trail to overlook point as part of development or land conservation.
21	North End of Pacifica State Beach	Yes	State	Unrestricted access along beach and Coastal Trail. Nearest parking at public lot at Crespi Drive.	
22	Central Pacifica State Beach	Yes	State	Unrestricted beach access, and access to Coastal Trail. Public lot across Highway 1 at Crespi Drive provides 175 parking spaces, restrooms and changing facilities/	Provide additional signage and amenities at Crespi Drive parking lot in relation to proposed extension of Baquiano Trail.



826 Stanyan St., San Francisco, CA 94117 • 415-290-5718 • [info@sfpUBLICgolf.org](mailto:info@sfpUBLICgolf.org)

October 28, 2024

Pacifica City Council  
Mayor Susan Vaterlaus  
540 Crespi Dr.  
Pacifica, CA. 94044

Re: City Council Meeting Oct. 28, 2024, 6:00 p.m., Agenda Item No. 4 re Pacifica LCLUP

**1. OBJECTION TO OVERREACHING WAIVER PROVISION IN COASTAL RESOURCES IMPLEMENTING POLICY CR-I-21, REQUIRING PERMIT APPLICANTS TO WAIVE PROPERTY RIGHTS PROTECTED BY CALIFORNIA AND U.S. CONSTITUTIONS.**

Dear Mayor Vaterlaus and Councilmembers,

At Council's September 17 Special Meeting<sup>1</sup>, Councilmembers identified as a "sticking point" in their consideration of the draft Local Coastal Land Use Plan ("LCLUP")<sup>2</sup> certain overbroad and burdensome terms of Coastal Resources Implementing Policy 21 ("CR-I-21"), captioned "Coastal Hazards Risk Disclosure".<sup>3</sup>

In particular, the following waiver language in CR-I-21 – which Councilmembers called "bullet point six" in their September 17 Council discussion, was concerning to Councilmembers:

**"that the permittee waives any rights that might exist under applicable law for shoreline protection structures for the duration the permitted development is present on the property"**

The concern over this waiver-of-rights language was raised in public comment at Council's September 17 meeting by Attorney Stanley Lamport (following is a transcription of his comment):

**Stanley Lamport:** Good evening Mayor Vaterlaus and members of the City Council. I'm a land use lawyer who practices throughout the state and I have been assiduously following your proceedings. And I represent interests in your city that have got shoreline protection, but I'm not authorized to speak on anyone's behalf this evening. But the reason I'm commenting is that you were last focused on CR-I-21, and I think there's a key point that

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<sup>1</sup> Official Pacific Coast TV recording of Council's September 17, 2024 meeting: : : <https://www.youtube.com/watch?v=qt5kFTLydww>

<sup>2</sup> The "October 2024 Revised Certification Draft" (Redline Version) of the draft LCLUP is attached as Attachment B (beginning at Packet Page 247) to the Staff Report for Council's October 28, 2024 Agenda Packet: <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1555&Inline=True>

<sup>3</sup> October 2024 Revised Certification Draft LCLUP, id., P. 33-35. Pkt.Pg. 448-450

needs to be addressed. This is a document that while it says "Hazard Risk Disclosure," it's stated as an agreement. You have to record a document in which property owners acknowledge and agree on behalf of themselves and all successors and assigns. And then you drop down to bullet six, and it says, "waive any rights that might exist under applicable law for shoreline protection for structures, during the duration that the permitted development is present on the property." So if you happen to do something that is not a substantial structural modification, and therefore you continue to be an existing structure, and if you still qualify for structural protection under the Coastal Act currently because you're pre-1977, you are nevertheless waiving all of your rights to protect your property under this provision. And so the idea that there would be properties that could still be protected if they are preexisting structures and if after Casa Mira it gets extended to all structures, this would waive all of those rights. Under the California Constitution Article 1 Section 1 there is an inalienable right to protect property. And this would essentially condition every permit, whether it's for a gazebo or something else that's fairly minor, you would waive any right under the Constitution to protect your property. And this is the most troubling part to me of CR-I-21, and I wanted to bring it to your attention. Thank you.<sup>4</sup>

Mr. Lamport's comment referenced "Casa Mira," which was a reference to a lawsuit, Casa Mira Homeowners Association vs. California Coastline Commission, San Mateo County Superior Court Case No. 190CIV-04677, Aug. 31, 2023<sup>5</sup>, in which the San Mateo Superior Court judge determined that the current "guidance" from the California Coastal Commission that "structures built after 1976" are entitled to the protection of coastal protective structures under the Coastal Act, Public Resources Code Section 30235.<sup>6,7</sup>

Responding to a question from Councilmember Bigstycyk, then-Acting Assistant Planning Director Stefanie Cervantes, told Council that "any project that requires a Coastal Development Permit approval" – e.g. from both private and public applicants -- would be subject to the requirements (including waiver-of-rights) of CR-I-21.<sup>8</sup> And City Manager Woodhouse identified the issue as a potential "sticking point".<sup>9</sup> And after that, Councilmembers and Staff engaged in a lengthy discussion of CR-I-21 and its waiver-of-rights provision, including the following comments (all transcript references are to Pacific Coast TV recording of the September 17 Council meeting).<sup>10</sup>

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<sup>4</sup> Official Pacific Coast TV recording of Council's September 17, 2024 meeting, starting at 4:02:52:

<https://www.youtube.com/watch?v=qt5kFTLydww>

<sup>5</sup> **Casa Mira Homeowners Association vs. California Coastal Commission**, San Mateo County Superior Court Case No. 190CIV-04677, Aug. 31, 2023: <https://drive.google.com/file/d/1TbulR7MAxL38xot813d1vSol-jmkTNmH/view?usp=sharing>

<sup>6</sup> **California Public Resources Code Section 30235:**

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PRC&sectionNum=30235](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=30235)

<sup>7</sup> **California Trial Court Clarifies When Coastal Property Owners Are Entitled to Seawall Protection Under the Coastal Act**, Nossaman LLP, Aug. 30, 2023: <https://www.nossaman.com/newsroom-insights-california-trial-court-clarifies-when-coastal-property-owners-are-entitled-to-seawall-protection-under-the-coastal-act>

<sup>8</sup> Official Pacific Coast TV recording of Council's September 17, 2024 meeting: Cervantes at 4:06:08

<https://www.youtube.com/watch?v=qt5kFTLydww>

<sup>9</sup> Official Pacific Coast TV recording of Council's September 17, 2024 meeting, Woodhouse at 4:09:30:

<https://www.youtube.com/watch?v=qt5kFTLydww>

<sup>10</sup> Official Pacific Coast TV recording of Council's September 17, 2024 meeting,

<https://www.youtube.com/watch?v=qt5kFTLydww>

- **City Attorney Kenyon (4:11;22):** And to provide some more context to the intent of this bullet, to the City Manager's point, **this is an important point for the Coastal Commission** in terms of assuring that our LCLUP is consistent with the Coastal Act, and the reason is this provision is essentially waiving the right to future shoreline protection. That is essentially what they're waiving. . . . **Not that shoreline protection won't exist, but they don't have any right against the city or you know the Coastal Commission** to force us to provide that shoreline protection.
- **Bigstyk (4:17:37):** You know we get these comments about Half Moon Bay's LCLUP, wo which it occurred to me wait a minute, I have one of their Councilmembers on speed dial, actually I have several of their councilmembers on speed dial, but one of them who I regard as particularly savvy on these matters, and so I gave her a call. And had a good conversation. **And she reminded me of the Casa Mira litigation that's ongoing.** And while she did not address the concerns our community members are raising on the one hand, **what she did obviate is that this conversation is within the landscape of that ongoing litigation, in which might change definitions once the appeals process is over.**
- **Boles (4:26:00):** Back to the shoreline protection structures. I'm getting really tired. **Right now these properties have a right if they're pre-coastal act. So is it the Coastal Commission's intention to take away that right, if they do a little project that needs a CDP?**
- **Beckmeyer (5:12:18):** . . . The discussion we had tonight I don't know if there's any way I heard the City Attorney say you were going to try to do something about Bullet Point 6.
- **City Attorney Kenyon (5:13:52):** Yes. We will talk to them about it.
- **Beckmeyer (5:13:55):** That is still an issue. Waivers. That is the biggest issue for me
- **City Attorney Kenyon (5:14:34):** Are you asking what are the disclosures that the Coastal Commission has already required?
- **Beckmeyer (5:14:38):** I know what they require on their own, in form of appeal. And that's basically what they're asking us to put in the LCLUP. I'd like to know what are those recently approved LCLUP's say about it.
- **City Attorney Kenyon (5:14:55):** Exactly

This last exchange between Mayor Pro Tem Beckmeyer and City Attorney Kenyon (beginning with Beckmeyer 5:12:18, ending with Kenyon's "exactly" at 5:14:55) references an prior comment by then-Acting Assistant Stefanie Cervantes that in City Staff's meetings with Coastal Commission Staff, the City Staff had been provided examples of Risk Disclosure provisions from two local coastal plans from other jurisdictions that had been certified in 2023 by the full Coastal Commission.<sup>11</sup>

But Pacifica Staff's October 28, 2024 Report to Council for Agenda Item No. 4 (LCLUP) does not provide Council with copies of Coastal Commission-certified LCLUP's from two other jurisdictions; and that Report only mentions "Del Norte County's LCP," without a copy of or date for

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<sup>11</sup> Official Pacific Coast TV recording of Council's September 17, 2024 meeting, Cervantes, beginning at 3:00:50 : "They also provided examples of more recent LCLUP policies that were adopted, or certified, in 2023 for two other jurisdictions that are much closer to the policy that we're seeing today for Pacifica. Because it does include that more comprehensive look of Risk Disclosure for Coastal Hazards." <https://www.youtube.com/watch?v=qt5kFTLydww>

that local coastal plan, and without providing a copy of any other jurisdiction's LCP.<sup>12, 13</sup> And Councilmembers' questions remain unanswered about the meaning of the waiver-of-rights clause of Implementing Policy CR-I-21, and in particular "bullet point 6--Coastal Hazards Risk Disclosure. Here is the phrase again:

**“that the permittee waives any rights that might exist under applicable law for shoreline protection structures for the duration the permitted development is present on the property”**

**Property Rights, The Federal and State Constitutions, the Coastal Act, the Supreme Court's Recent Sheetz Decision, Fairness, and The “Takings” Issue.**

The Fifth Amendment to the U.S. Constitution provides, in relevant part:

“No person shall . . . be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”<sup>14</sup>

The California Constitution, at Article 1 Section 1 provides:

“All people are by nature free and independent and have inalienable rights. Among these are . . . acquiring, possessing, and protecting property . . .”<sup>15</sup>

The Coastal Act, at California Resources Code Section 2035 provides:

“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.”<sup>16</sup>

Homeowners in the 1950's-era West Fairway Park subdivision and other Pacifica property owners have property rights that include, by virtue of California Resources Code Section 30235, the right to protect their property, including protection from the ocean offered by shoreline protection structures such as the Sharp Park Berm and the Beach Boulevard Seawalls. The extent of that right to protect property and the related question of whether property “existing” at the time of

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<sup>12</sup> **Pacifica Staff Report for Council's October 28, 2024 Meeting**, Item No. 4, Report, Pg. 5 (Agenda Packet Pg. 237): <https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1555&Inline=True>

<sup>13</sup> The otherwise unidentified “Del Norte County” plan may be an LCP Amendment approved by the Coastal Commission at its March 8, 2023 monthly meeting: County of Del Norte LCP Amendment No. LCP-1-DNC-21-pp 53-1 (Crescent City Harbor Segment Comprehensive Update), California Coastal Commission Meeting, Mar. 8, 2024, Agenda Item 11 (approved as Submitted). <https://www.coastal.ca.gov/meetings/agenda/#/2023/3>

<sup>14</sup> Fifth Amendment to US Constitution: <https://constitution.congress.gov/constitution/amendment-5/>

<sup>15</sup> California Constitution Article 1 Section 1: [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=CONS&division=&title=&part=&chapter=&article=1](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CONS&division=&title=&part=&chapter=&article=1)

<sup>16</sup> Coastal Act, California Public Resources Code Section 30235: [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=20.&title=&part=&chapter=3.&article=4](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=20.&title=&part=&chapter=3.&article=4).

a permit application is entitled to the shoreline protection under Coastal Act 30235, are currently in the Courts of Appeals in the Casa Mira litigation.

The United States Supreme Court's April 2024 decision in Sheetz vs. County of El Dorado, California<sup>17</sup> held that a legislative body – such as a city council – can be held liable for “takings” of private property, for imposing fees, exactions or other conditions on the issuance of a permit where, among other things, the exaction or condition lacks a direct nexus and “rough proportionality” to the government’s land-use interest.

“Our decisions in *Nollan* and *Dolan* address this potential abuse of the permitting process. There, we set out a two-part test modeled on the unconstitutional conditions doctrine. See *Perry v. Sindermann*, 408 U. S. 593, 597 (1972) (government “may not deny a benefit to a person on a basis that infringes his constitutionally protected interests”). First, permit conditions must have an “essential nexus” to the government’s land-use interest. *Nollan*, 483 U. S., at 837. The nexus requirement ensures that the government is acting to further its stated purpose, not leveraging its permitting monopoly to exact private property without paying for it. See *id.*, at 841. Second, permit conditions must have “rough proportionality” to the development’s impact on the land-use interest. *Dolan*, 512 U. S., at 391. A permit condition that requires a landowner to give up more than is necessary to mitigate harms resulting from new development has the same potential for abuse as a condition that is unrelated to that purpose.<sup>18</sup>

The disproportionate, out-of-scale impacts on property owners of the Draft LCLUP’s “Coastal Hazards Risk Disclosure” provisions in Implementing Policy CR-I-21, as condition for permit for even minor improvements to individual homes and properties under the “Substantial Structural Modification” rubric, of takings in violation of the California and United States Constitutions.

Respectfully submitted,

*Richard Harris*

President, San Francisco Public Golf Alliance

cc: City Manager Kevin Woodhouse, Interim Community Development Director Kavitha Kumar, Planning Commission and Commissioners, City Clerk Sarah Coffey, Phil Ginsburg, Gen. Mgr., San Francisco Recreation and Parks Dept., Spencer Potter, Esq., San Francisco Recreation and Parks Dept.; Stephanie Rexing, North Central Coast District Manager, California Coastal Commission; Oceane Ringuette, CCC District Supervisor; Julian Honey, CCC Planner; Mr. Jeff Guillet

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<sup>17</sup> Sheetz vs. County of El Dorado, California, U.S. Supreme Court October Term, 2023, No. 22-1074 [https://www.supremecourt.gov/opinions/23pdf/22-1074\\_bqmd.pdf](https://www.supremecourt.gov/opinions/23pdf/22-1074_bqmd.pdf)

<sup>18</sup> Sheetz vs. County of El Dorado, California, *Id.*, at p. 9.

**From:** [Dan Stegink](#)  
**To:** [Rexing, Stephanie@Coastal](#); [carl.dan@coastal.ca.gov](#); [Ringuette, Oceane@Coastal](#); [Cooper, Isobel@Coastal](#); [Henningesen, Luke@Coastal](#); [Honey, Julian@Coastal](#); [Velasquez, Leslie@Coastal](#)  
**Cc:** [Josh Becker](#); [berman@ci.pacifica.ca.us](#); [Ray Mueller](#)  
**Subject:** STEGINK-->CCC Appeal of 10/28/24 Pacifica Item #4 LCLUP  
**Date:** Monday, November 11, 2024 11:20:13 AM  
**Attachments:** [HISTORY pac lcpup p380.png](#)  
[CCC portola discovery site quarry.JPG](#)  
[CCC portola discov site quarry.JPG](#)  
[QUARRY 2010 pacifica village draft eir.PDF](#)

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This is an official California Coastal Commission appeal of City of Pacifica's 10/28/24 LCPUP decision  
"4. Consideration of a Resolution of the City Council of the City of Pacifica Certifying that the Revised Certification Draft Local Coastal Land Use Plan (LCLUP) with Alternative Modifications is intended to be carried out in a manner fully in conformity with the California Coastal Act..."

Most concerning is the complete failure to recognize the Pacific Quarry as an established Native American site (page 380, attached) ignoring the three prehistoric sites already identified in the Pacifica Quarry, including the numerous artifacts found at the 18-30' depth level by the City of Pacifica during filtration installation at the Calera Creek Water Reclamation (aka Sanitary Sewer Plant).

**The Portola Discovery Site of 1769 is on the National Register and looks out directly over the Pacifica Quarry, is marked "Timigtac" on federal maps and is clearly the first sight described by the Spanish (see attached photos).**

Though CPRA'd in April 2024, the **attached SMOKING GUN Pacifica Village Draft Environmental Report** attached was provided to me after close of building on 09/23/24, the day of the original project appeal, and highlights the following:

**2010 Pacifica Village Center Draft Environmental Report** (attached)  
Pg 3.5-1 - "Two prehistoric sites are recorded within the area of potential effect. The former Rockaway Quarry was a significant contributor to the history and development of Pacifica"  
Pg 3.5-5 - "At the Spanish arrival, occupied Ohlone villages were identified by Spanish chroniclers as Pruristac, on San Pedro Creek, and Timigtac at Rockaway Beach, likely right on Calera Creek (Milliken 1983, and 1995)"  
Pg 3.5-7 - "Two prehistoric archaeological sites are recorded within the project site, CA-SMA 162 and CA-SMA 168, and another just north of More Point, CA-SMA 114"

Pg 3.5-11 "Orlins and Schwaderer recommended that SMA-268, "If the site is within the [water treatment plant and wetland restoration project] APE (Area of Potential Effects), the significance of the site will need to be assessed with reference to the criteria for eligibility to the NHRP (National Registrar of Historic Places) (Orlins and Schwaderer 1994)"

Further, "we strongly recommend that the Environmental Management Office designate this site as an archaeological preservation zone with the Calera Creek project area. Neither of these recommendations appear to have been carried out"

Pg 3.5-9 The other prehistoric site, the site was first formerly recorded in 1986,

burials were

"Jaw, skull, arm, leg, and rib bones, along with teeth, were found two feet below ground level by onsite workers while digging in the area...workers found spearheads and arrowheads apparently made of volcanic glass; shell parts of what appeared to be a handmade necklace, and the remains of pottery probably used as cooking utensils..."<sup>SEP</sup>

"At least six and as many as 50 bodies have been buried in an area 100 feet in diameter on the ocean side of Coast Highway (Pacifica Quarry)... A sinker net [sic], considered by Pohorecky to rank among the best ever found in California, was salvaged from the almost completely damaged site. The sinker net (organic material) had the actual netting still preserved on it."

Thank you for your attention,  
-Dan Stegink  
415-235-9918

#### DOCUMENTS:

Agenda:

<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1555&Inline=True>

10min Stegink Quarry Appeal re: Native Cultural Assets 09/23/24

<https://www.youtube.com/watch?v=iS6mnseMZOU&t=7502s>

2min Stegink Quarry Supplement 10/14/24

<https://www.youtube.com/watch?v=dJ0KoHs2eps&t=1h04m>

5 hr Pacifica LCPUP Meeting:

<https://www.youtube.com/watch?v=cbF4HDLFWj8&t=1m04s>



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Fax: 415/338-2295  
<http://www.sfsu.edu/~biology>

March 3, 2023

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Subject: Hearing on Item 14a, March 8, 2023, Half Moon Bay CA, City of Pacifica LCP  
Amendment Number LCP-2-PAC-20-0036-1 (City of Pacifica LUP Update)

Dear Honorable Commissioners:

Although I reside at 368 San Pedro Ave on Pedro Point, and have done so since 1988, I am not writing so much as a resident but rather as an emeritus lecturer and research scientist at San Francisco State University. I emphasize that *I am not speaking on behalf of San Francisco State* but rather as a conservation biologist who has had the great privilege to live on Pedro Point for so long!

I also intend to keep this letter brief and to the point. As a PhD graduate student in Environmental Studies at UC Santa Cruz between 2006-2012, I became very familiar with the concept and history of Environmentally Sensitive Habitat Area (ESHA) protections and the provisions in the Coastal Act that support these protections. I am attaching a pdf of my 2012 dissertation and draw your attention to Chapter 3 (pp. 100-163) entitled: "*Regulatory protection for habitat rather than species: The ESHA (Environmentally Sensitive Habitat Area) policy experience under the California Coastal Act of 1976*". Suffice it to say that this chapter underscores the reason I believe that this provision is actually more powerful than the Federal Endangered Species Act of 1973 which focuses on the conservation of particular *taxa* rather than *habitat* (which often hosts many relatively rare and threatened species that are *not listed* for a variety of reasons, chiefly political).

As a resident of San Pedro Point, I have been a frequent visitor to the field across from my house, generally known as the ~ 5-acre "Calson" property, on my way to Linda Mar beach and the mouth of San Pedro Creek. My house looks directly out at the field, including telephone poles in front that host many perching birds, such as Red-Tailed Hawks, Red-Shouldered Hawks, and Great Horned Owls. My view out back is of the forested uplands of Pedro Point Headland. Flocks of migratory songbirds utilize these forests, as well as these same and other raptors. The annual grassland/wetland field has gone through many changes since I have been here.

To his credit, Ron Calson has cleared away a large population of pampas grass that used to occupy the site. However, what has been there now and for some time is this open, herbaceous annual vegetation that provides great habitat for a variety of fossorial rodents. These rodents provide excellent food resources for these raptors. They nest in the forest above the neighborhood and also perch and forage from a row of eucalypti that border the drainage channel from San Pedro Road to the surfer-lot near the mouth of San Pedro Creek. Significantly, there really is no other major habitat

feature nearby that provides such excellent proximate siting of nesting and foraging resources for these raptors. The field also is occupied by numerous insects and these provide forage opportunities for such resident and migratory bird species as Violet Green Sparrows.

Wonderfully, California Red-Legged Frogs have definitely occupied a drainage pond next to San Pedro Avenue for the past several years. Without doubt, therefore, the drainage channel adjacent to the eastern boundary of the Calson property qualifies as ESHA, and it is very likely that during night time the frogs forage on the insect life in the adjacent field.

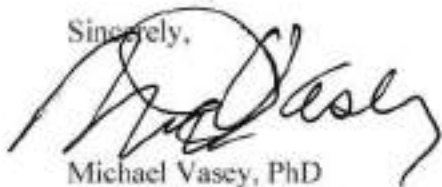
However, the purpose of this letter is to point out that there are other key biological resources in the field that I believe strongly should also qualify as ESHA.

There are numerous other issues that many other parties have commented on which extol the virtues of this property including social and environmental. However, I realize that the system we live in accords rights to those who own property, regardless of the ecological value of habitat that may occupy this land as well. Yet, the California Coastal Act was intended to protect the sensitive resources of our coast.

I suspect the Coastal Commission will uphold the City's right to update its LUP and make possible some development on this property in the future. I agree with the Coastal Commission's concerns over the City's plans to establish a Coastal Residential Mixed-Use designation for the property. The primary purpose of this letter is just to alert you to additional concerns over ESHA that are involved with any development of the property. These of course include the CRLF but also pertain to several other issues in which ESHA could or should be involved. I support the proposed modification of LD-I-20.

Thank you for the opportunity to comment on this very important land use designation issue.

Sincerely,



Michael Vasey, PhD  
Faculty Emeritus  
Department of Biology  
San Francisco State University

## Honey, Julian@Coastal

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**From:** Lisa Villasenor - Volosing <lisav744@gmail.com>  
**Sent:** Monday, September 16, 2024 1:58 PM  
**To:** Coffey, Sarah; Pacifica Permit Tech; City Manager; Bier, Mary; Boles, Christine; CoastalPlan; City Council; Public Comment; Vaterlaus, Sue; Honey, Julian@Coastal; Ringuette, Oceane@Coastal; Beckmeyer, Sue; kkumar@pacificagov; Bigstyc, Tygarjas; Cervantes, Stefanie; kwoodhouse@pacificagov; Rexing, Stephanie@Coastal  
**Cc:** Phil Ginsburg; Potter, Spencer (REC); Butch Larroche; Bob Downing; jguillet@expta.com; rharrisjr1@gmail.com; Helen Duffy; Leslie Davis  
**Subject:** Re: Pacifica City Council / Sept. 17, 2024 / LCLUP Study Session #5, cont. / Comment of San Francisco Public Golf Alliance re: Tsunami, etc.

Dear Mayor Vaterlaus, Councilmembers, Planning Commissioners, and Planning Department Staff,

I have read the very detailed and well documented letter submitted to you by Richard Harris, dated September 9, 2024. I am a 19 year time resident of Pacifica and support the protection of Sharp Park Golf Course and, all neighborhoods west of Highway 1, Here, as to the issue of policy making concerning Tsunami, on behalf of myself and my husband Jeff Volosing (Jeff has resided in Pacifica over 30 years), as well as the Sharp Park Business Women's Golf Club (I am prior Captain), we agree with Richard Harris' analysis. We object to the overreach and confusion in current Tsunami policies found in Pacifica's draft LCLUP. As set out on pgs 8-9 of Mr. Harris' letter "Conclusion and Recommendation: Look to Half Moon Bay," we respectfully request that Pacifica City Council implement policy consistent with the approach taken by Half Moon Bay, which was recently approved by the Coastal Commission.

Respectfully submitted,

Lisa A. Villasenor - Volosing  
1019 Zamora Drive  
Pacifica, CA 94044

On Tue, Sep 10, 2024 at 7:36 AM <[rharrisjr1@gmail.com](mailto:rharrisjr1@gmail.com)> wrote:

Pacifica City Council / Sept. 17, 2024 / LCLUP Study Session, cont. / Comment of San Francisco Public Golf Alliance re: Tsunami, etc.

**City Clerk Sarah Coffey – Please confirm receipt, and include our above-attached letter in the public record and Councilmembers' Agenda and meeting packets, and forward to Council Members, Planning Commissioners, City Manager's Office and Planning Department Staff. Thank you.**

Mayor Sue Vaterlaus, Pacifica City Council and  
Pacifica Planning Department

Dear Mayor Vaterlaus, Councilmembers, Planning Commissioners, and Planning Department Staff

Enclosed please find comment letter of San Francisco Public Golf Alliance, dated Sept. 9, for City Council's Sept. 17, 2024 LCLUP Study Session #5, cont.

Thank you for your service, and

We look forward to seeing you again on September 17.

***Richard Harris***

***San Francisco Public Golf Alliance***

*826 Stanyan Street*

*San Francisco, CA 94117-2726*

*Phone: (415) 290-5718*

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*1019 Zamora Drive*

*Pacifica, CA 94044*

Bus/Cell: (415) 518-8479

Email: [lisav744@gmail.com](mailto:lisav744@gmail.com)

## Honey, Julian@Coastal

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**From:** Travis, Galen@Coastal  
**Sent:** Monday, January 27, 2025 1:24 PM  
**To:** Honey, Julian@Coastal  
**Subject:** FW: Reject the City of Pacifica's Coastal Armoring Program

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**From:** Axel Virgallito <civicinput@newmode.org>  
**Sent:** Sunday, January 26, 2025 6:26 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Axel Virgallito  
[axelgvirgallito@gmail.com](mailto:axelgvirgallito@gmail.com)

United States

## Honey, Julian@Coastal

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**From:** Travis, Galen@Coastal  
**Sent:** Monday, January 27, 2025 1:24 PM  
**To:** Honey, Julian@Coastal  
**Subject:** FW: Reject the City of Pacifica's Coastal Armoring Program

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**From:** Greg Virgallito <civicinput@newmode.org>  
**Sent:** Sunday, January 26, 2025 6:20 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Greg Virgallito  
[gregvirgallito@gmail.com](mailto:gregvirgallito@gmail.com)

United States

## Honey, Julian@Coastal

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**From:** Travis, Galen@Coastal  
**Sent:** Monday, January 27, 2025 1:24 PM  
**To:** Honey, Julian@Coastal  
**Subject:** FW: Reject the City of Pacifica's Coastal Armoring Program

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**From:** Sonja Virgallito <civicinput@newmode.org>  
**Sent:** Sunday, January 26, 2025 6:22 PM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

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One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Sonja Virgallito  
[sonjavirgallito@gmail.com](mailto:sonjavirgallito@gmail.com)

United States

## Honey, Julian@Coastal

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**From:** Travis, Galen@Coastal  
**Sent:** Thursday, August 22, 2024 12:42 PM  
**To:** Honey, Julian@Coastal  
**Subject:** FW: Reject the City of Pacifica's Coastal Armoring Program

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**From:** Lilly Woodbury <civicinput@newmode.org>  
**Sent:** Thursday, August 22, 2024 9:56 AM  
**To:** NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>  
**Subject:** Reject the City of Pacifica's Coastal Armoring Program

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,  
Lilly Woodbury  
[woodburylilly@gmail.com](mailto:woodburylilly@gmail.com)

United States

## KoppmanNorton, Julia@Coastal

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**From:** Murdock, Christian <cmurdock@pacificagov.gov>  
**Sent:** Monday, January 23, 2023 9:14 AM  
**To:** KoppmanNorton, Julia@Coastal  
**Cc:** Ringuette, Oceane@Coastal; Rexing, Stephanie@Coastal; Cervantes, Stefanie  
**Subject:** RE: Pacifica LUP Update

Hi Julia,

Thank you for the update and the thorough explanation of where the Coastal Commission staff stands on its review of our LCLUP amendment submittal. I am aware of your previous efforts to communicate requested changes to gain CCC staff's support. I tried to explain following the LCLUP amendment submittal that City staff was not in a position to negotiate the contents of the LCLUP amendment following City Council approval.

Once the CCC staff makes its formal recommendation, City staff looks forward to engaging in the public process with the CCC itself during the hearing and, following any action, with the City Council to determine whether they will accept the suggested modifications. The irony of this situation is that if the City and CCC cannot come to agreement, we will be forced to continue relying on the 1980 LCLUP which I do not think is in either agency's best interests.

Lastly, I am sad to report that last Friday, 1/20, was Bonny O'Connor's last day with the City of Pacifica. Please include me and Senior Planner Stefanie Cervantes, cc'd, on any correspondence which you would have previously sent to Bonny. Thank you.

Regards,

Christian



**CHRISTIAN MURDOCK, AICP**  
**PLANNING DIRECTOR**  
**CITY OF PACIFICA | PLANNING DEPARTMENT**  
540 Crespi Drive, Pacifica, CA 94044  
Phone: (650) 738-7341 | [cmurdock@pacificagov.gov](mailto:cmurdock@pacificagov.gov)

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**From:** KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>  
**Sent:** Wednesday, January 18, 2023 11:23 AM  
**To:** Murdock, Christian <cmurdock@pacificagov.gov>; O'Connor, Bonny <boconnor@pacificagov.gov>  
**Cc:** Ringuette, Oceane@Coastal <oceane.ringuette@coastal.ca.gov>; Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>  
**Subject:** Pacifica LUP Update

**[CAUTION: External Email]**

Hi Christian and Bonny,

Hope your 2023 is off to a great start. We have been working on the City's LUP update submittal, and as we have indicated throughout the LCPA process, there are a number of modifications that we will be suggesting to the Commission in order to make the proposed LCP Update Coastal Act consistent, and thus in order to recommend approval with modifications. As you'll recall, we sent the City in-line edits to the complete LUP update draft that was ultimately approved by the City Council in 2019, and these in-line edits serve as the basis for our suggested modifications. We have gone through those previously suggested in-line edits and have refined those to the minimum amount necessary that we think is essential for Coastal Act conformance. While this has limited the quantity of the previously provided in-line edits, there remain multiple suggested modifications throughout the document.

Generally, in terms of natural hazards and coastal resilience, the modifications would change a number of definitions in the glossary to ensure that the proposed hazards policies will: adequately apply to development that will likely be subject to coastal hazards over its anticipated life; provide sufficient analyses to demonstrate avoidance, minimization, and mitigation of such hazards and associated impacts; and ensure allowances for shoreline protection are limited to that which is allowable under the Coastal Act. Modifications are made to the proposed policies in the associated hazards-related chapters for consistency with the suggested changes to the glossary. In addition to modifications to the hazards-related chapters, we will also be suggesting modifications to the land use and public access chapters to ensure that all site constraints are considered for any proposed development and that public services are evaluated and planned for accordingly given environmental hazards. Additionally, we will be suggesting modifications to the environmental and scenic resources chapter to expand on ESHA protections as required for Coastal Act consistency.

These are all topics that we've discussed with you for the last five or so years, so the suggested modifications shouldn't be a surprise, and while we know that we have been unable to come to agreement on these points, we would like to bring this forward to the Commission. All that said, if you have follow-up questions on any of this, please let us know. Thanks!

Best,  
Julia

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Julia Koppman Norton  
North Central Coast Coastal Resilience Specialist  
California Coastal Commission



**CAUTION:** This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

# PACIFICA LAND TRUST



PRESERVING AND PROTECTING THE OPEN SPACES OF PACIFICA

Date: January 1, 2020

To: Pacifica City Council , City Staff and California Coastal Commission  
From: Kathy Kellerman, Pacifica Land Trust President

Subject: LCP Public Access and Recreation-Trail System wildlife safety planning concerns

Dear Pacifica City Council, City Staff and California Coastal Commission,

Reviewing the proposed LCP for the City of Pacifica, we have noted that there is a lack of planning for wildlife safety and connectivity in *Public Access and Recreation-Roadway Network and Planned Improvements* (chapter 3, section 3.4). While half of Pacifica is open space, it is fragmented and hazardous for wildlife moving between the coast and inland hills, particularly across Highway 1. This issue is most concerning for the future pedestrian crossings (e.g. PR-I-35, PR-I-36, p. 3-24) which could be designed to accommodate wildlife movement, thereby safeguarding both animals and motorists.

We encourage the City of Pacifica and the California Coastal Commission to develop a plan to enhance wildlife corridors based on the best available science (see "Recommendations to reduce wildlife-vehicle collisions" <https://openspacetrust.org/downloads/MontereyRoadReport.pdf> for a local example). By including wildlife in the LCP plan we can select the number and location of under- and over-passes to reduce wildlife deaths along Highway 1 and preserve the natural character of Pacifica's environment.

Sincerely,

Handwritten signature of Kathy Kellerman

Kathy Kellerman  
President, Pacifica Land Trust



## PEDRO POINT COMMUNITY ASSOCIATION

Board of Directors 2019

November 3, 2019

OFFICERS

Marcia Settel  
President

Joanne Gold  
Vice President

Breck Hitz  
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Allison West

California Coastal Commission  
North Central Coast District Office  
45 Freemont Street  
San Francisco, CA 94105

Dear Commissioners,

We are contacting you on behalf of the Pedro Point Community Association (PPCA) regarding the Local Coastal Land Use Plan Draft recently submitted by the City of Pacifica.

As a non-profit community association, the PPCA serves to provide a voice for its residents, businesses, and property owners in the shaping of Pedro Point as integral part of the broader Pacifica community.

After gathering extensive community feedback, we are writing to state that the PPCA is strongly opposed to the City of Pacifica's recommendation to designate the land use of the Pedro Point Caslon field on San Pedro Ave. as Commercial-Recreational-Mixed Use (CRMU).

Instead, the PPCA urges the Coastal Commission to designate the Calson Field as either Low Intensity Visitor-Serving Commercial (LIVC) or Conservation (C), based on Sea Level Rise and tsunami evacuation zone data previously presented by the PPCA in meetings with the Coastal Commission on 9/18/19.

On a related note, we also urge the Coastal Commission to disallow any further development of hotels/motels in the Pedro Point neighborhood and require adherence to current height limits of 35 feet for all projects, in order to preserve visual impacts along the coast.

We deeply appreciate the Coastal Commission's steadfast commitment to protect, conserve, restore, and enhance the environment of the California coastline, and thank you for your attention to this sensitive coastal parcel adjacent to the beautiful Pacifica coastline.

Sincerely,

Marcia Settel  
PPCA President

Joanne Gold  
PPCA Vice President

**SAN FRANCISCO**  
**PUBLIC GOLF ALLIANCE**



1370 Masonic Ave., San Francisco, CA 94117 • 415-290-5718 • [info@sfpublicgolf.org](mailto:info@sfpublicgolf.org)

September 25, 2019

Pacifica City Council  
170 Santa Maria Ave.  
Pacifica, CA. 94044

Re: Local Coastal Plan Update, Policies Relating to Sea Level Rise Adaptation  
Pacifica City Council Meeting, Monday, Sept. 30, 6:00 p.m.

Executive Summary:

- 1. Coastal Resilience Policy CR-1-3 needs to state expressly, in the language of the Policy itself – not just in Staff’s comment – that the Adaptation Plan and all of its component parts, is strictly a preliminary resource document and is not Policy or in any way “implemented” as Policy.**
- 2. Coastal Resilience Policy CR-1-546 needs more work, to make certain that it does not frustrate Pacifica’s expressed intention to improve its shoreline structures, including in the Sharp Park sub-area.**

Dear Council Members,

This is a follow-up our prior letters to you in this matter dated September 3, 2019, August 26, 2019<sup>1</sup>, and December 7, 2018<sup>2</sup>, which are all in the public record, have previously been furnished to you and to the Planning Department, and which are linked to and incorporated into this letter by reference at footnotes 1, and 2, below..

**Coastal Resiliency Policy CR-1-3 Remains Must be Revised to make clear that The Adaptation Plan and its components, including the Cost-Benefit Analysis, Are not Policy or “implemented” as Policy.**

As it appears in the Sept. 16, 2019 “Consultation Draft” LCP (Appendix 1a to Council’s Sept. 30 Agenda Packet, beginning at Packet Page 13) , Coastal Resiliency Policy CR-1-3, “Sea-Level

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<sup>1</sup> Found at Pacifica City Council Meeting Agenda Packet, Sept 3, 2019, at Packet Page 603 ff  
<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1264&Inline=True>

<sup>2</sup> Found at Pacifica City Council Meeting Agenda Packet, Sept 3, 2019, at Packet Page 606 ff  
<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1264&Inline=True>

Rise Adaptation Plan,” states: “The City **shall implement** its Sea-Level Rise Adaptation Plan as expressed in the general and sub-area Coastal Resilience policies.” The Consultation Draft, by footnote 2 and a url link to the September 2018 Adaptation Plan, effectively incorporates the Adaptation Plan into Policy CR-1-3. This contradicts what is said elsewhere in the Consultation Draft, at page 6-9 (Packet Page 11), that “The purpose of the Adaptation Plan is to be a **background** document that analyzes various adaptation strategies. . . to inform future decisions on adaptation policies.” The Planning department’s Summary Report to Council (Appendix 1 to Council’s Sept. 30 Agenda Packet ( <https://pacificacityca.igq2.com/Citizens/FileOpen.aspx?Type=1&ID=1268&Inline=True> ) , at page 5 (Packet Page 7) also calls the Adaptation Plan “a background document”. Specifically with regard to the Adaptation Plan’s Cost-Benefit sections (Sections 5.3-5.4), the Planning Department’s Sept. 30 Summary Report states:

“. . . components of the Adaptation Plan, such as the cost-benefit analysis and assessment of the managed retreat adaptation strategy, are not a part of the proposed Coastal Resilience policies contained in Chapter 6 “Coastal Resilience” of the LCP Consultation Draft. The City will not rely on these Adaptation Plan background analyses for future project review, LCP amendment, public infrastructure investment, or other purposes unless and until they are updated with the latest information when needed in the evaluation of a future decision.” (Summary Report, pg.6, found at Appendix 1, Agenda Packet page 8.)

If so, then the language of the Policy itself – CR-1-3 – needs to state on its face that the Adaptation Plan is not policy and is not to be construed or “implemented” as policy for any purposes. The “shall be implemented” and other “implementation” language needs to be removed from CR-1-3. We suggest the following revised language to CR-1-3 to make the point clear in the policy language.

CR-1-3 Sea-Level Rise Adaptation Plan. The September 2018 Sea-Level Rise Adaptation Plan, including its Cost-Benefit Analysis and all other components and subparts, is a preliminary background document that was not intended to and does not in fact constitute or establish City Policy, and is not to be used in the future in LCP amendment, public infrastructure investment, mitigation calculation or other future purposes.

### **The Cost-Benefit Analysis is Bogus and should be specifically disclaimed.**

The Adaptation Plan’s Cost-Benefit Analysis sections (Section 5.3-5.4) end with the conclusion that Managed Retreat is the most cost-efficient strategy in most Pacifica coastal neighborhoods, because the value of the coastal resources to be protected is less than the cost of maintaining the shoreline structured. This cannot be in any way be adopted as the “policy” of the City of Pacifica. The bogus Cost-Benefit Analysis does not support such a “policy,” because that Cost-Benefit Analysis does not fully account for or analyze or value Pacifica’s coastal resources. At its September 3 Council Meeting, Council asked staff to prepare a list of the coastal resources that were not analyzed or economically valued in the Adaptation Plan’s Cost-Benefit Analysis, as required by the City’s 2017 Grant from the Coastal Commission. The requirements of that Coastal Commission Grant are analyzed in detail in our Dec. 7, 2018 Letter to the City Council.

Coastal Commission Grant to Pacifica, No. LCP-16-01, dated May 10, 2017, requires an evaluation of “how sea level rise and erosion will impact the city’s social, economic, and physical coastal resources, including homes, businesses and critical facilities and infrastructure. . . . [and ] will include an in-depth assessment of the costs and benefits of implementing each strategy, including costs and benefits related to recreational and ecological values of beaches and other coastal

resources . . .” As discussed in detail at pages 5-12 of our Dec. 7, 2018 letter<sup>3</sup>, at Sharp Park (and we suspect in Pacifica’s other coastal sub-areas), the Cost-Benefit Analysis excluded economic valuations for trail and coastal golf recreation, the economic value of business, of low- and moderately-priced housing, all of which are “coastal resources” mentioned in the Coastal Commission Grant and/or as defined under the Coastal Act. Nor did it evaluate relocation costs for housing, infrastructure, business, or otherwise affected by coastal flooding.

The Consultation Draft, at pages 6-9 and 6-10 and at Table 6-2, admits that the Cost-Benefit Analysis does not include economic values for coastal trail recreation and golf recreation. Through 2050, we calculate the potentially lost public coastal golf recreation value at about \$32 Million – about 75 percent of the value assigned by the Cost-Benefit Analysis to coastal beach recreation.<sup>4</sup> The Consultation Draft states (at page 6-10), that only the public land at the golf course was valued in the Cost-Benefit Analysis. But it was far undervalued. The golf course property – owned by San Francisco – includes not only the fairways and greens, but also the Clubhouse, parking lot, maintenance facility, wetlands with endangered species, and the flood-control pumps that protect the West Fairway Park neighborhood, located at the southwest corner of the golf course near the levee. The real property and natural habitat values are not reflected in the Cost-Benefit Analysis. These omissions have been the repeated subject of critical written comments not only from the undersigned, but also from the City and County of San Francisco. Again at Sharp Park, no value is placed by the Cost-Benefit Analysis on the golf and clubhouse businesses, which according to a letter from Manager Mark Duane, has 50 part- and full-time employees, many of which are long-term and Pacifica residents.<sup>5</sup> Neither does the Cost-Benefit Analysis place any value on any of the other businesses in the Sharp Park sub-area.

On the issue of the Cost-Benefit Analysis’s over-valuation of beach recreation, Table 6-2 of the Consultation Draft (at page 10) shows that, except for Linda-Mar Beach, there is no genuine data showing beach use – actual numbers of people using the beaches – for Sharp Park or any of Pacifica’s “Other Beaches”. According to Table 6-2, the only “Source” for “use” information for these “Other Beaches” is “Pacifica CRSMP”. This is a reference to the 2016 Draft Coastal Regional Sediment Management Plan, which has never been finalized or approved, and which the Adaptation Plan itself states – in its incorporated June 2018 Sea Level Rise Vulnerability Assessment – “are not being directly relied upon for the City’s [Sea Level Rise] study.” Detailed analysis of this point – and of the City’s statement that it will not rely on data from the draft CRSMP – is found at our December 7, 2017 letter to the City Council, at pages 14-16, footnotes 65-72, and Exhibit H thereto, being a copy of the Planning Department’s written Master Response to questions about use of the draft CRSMP in the City’s Sea-Level Rise Study.”<sup>6</sup>

So the bottom-line on the beach recreation valuation issue is that the Cost-Benefit Analysis lacks information on beach use at Sharp Park and Pacifica’s “Other Beaches” (other than Linda Mar),

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<sup>3</sup> Found at Pacifica City Council Meeting Agenda Packet, Sept 3, 2019, at Packet Pages 610-617  
<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1264&Inline=True>

<sup>4</sup> Found at Pacifica City Council Meeting Agenda Packet, Sept 3, 2019, at Packet Page 610  
<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1264&Inline=True>

<sup>5</sup> Found at Pacifica City Council Meeting Agenda Packet, Sept 3, 2019, at Packet Page 613-614  
<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1264&Inline=True>

<sup>6</sup> Found at Pacifica City Council Meeting Agenda Packet, Sept 3, 2019, at Packet Page 619-620  
<https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1264&Inline=True>

so a valuation of “beach recreation value” at those Other Beaches is impossible – whatever the “day-at-the-beach” figure is used, whether \$1 or \$10 or \$40. No total value is calculable because there is no valid multiplier (number of users) for the multiplicand (day-use-value). So it is improper to include any “beach recreation value” in the Cost-Benefit analysis.

The Planning Department’s ”Adaptation Plan” narrative explanation, found at pages 6-9 to 6-11 of the Consultation Draft (Appendix 1a to the Council’s September 30 Agenda Packet), accordingly needs to be revised.

**CR-1-24 and -25: benefit of coastal protection is more than for infrastructure;**  
Also, **CR-1-546 is inconsistent with CR-1-24, -25**

Shoreline armoring structures protect the entire Sharp Park – West Fairway Park neighborhood from the Sea. Coastal Resilience Policy CR-1-24 states the City’s policy to maintain and expand its shoreline protection: “Maintain existing or construct new shoreline protection structures to protect public infrastructure. Extend the Beach Boulevard seawall to the Sharp Park Golf Course berm.” But “public infrastructure” is not the only thing that needs to be protected in this area: residences, both owner-occupied and rented, low-income housing, businesses, wetlands, and other coastal resources including public recreation should also be mentioned as resources to be protected by the shoreline structures. CR1-24 should accordingly be broadened.

There is also an inconsistency problem with CR-1-546. What is commonly called the Beach Boulevard Seawall is actually two “shoreline structures”—the retaining wall north of the Pier, and the true sea wall to the south. There is now no coastal protection structure at the end of Clarendon, leaving an approximately 75-to-100-foot gap between the Sharp Park Golf Course levee and the south end of the Beach Boulevard seawall. A gap-filler in this area may well be considered a “new structure” under draft CR-1-546 as written. The Council must clarify the language of CR-1-24, -25 and CR-1-546 to spell-out how this will be handled. Current language of these two draft policies is very unclear on this point, and in its current state that unclear language has high potential for mistake, confusion, disagreement, potential litigation and delay, in the event of any attempt by the City to adequately protect the Sharp Park – West Fairway Park -Mori Point subarea.:

Respectfully submitted,  
San Francisco Public Golf Alliance

*Richard Harris*

Richard Harris, President

ccs:  
Pacifica City Council and Councilmembers  
Pacifica Planning Commission and Commissioners  
Pacifica Planning Department, Tina Wehrmeister, Director  
Pacifica City Manager Kevin Woodhouse  
Pacifica City Clerk Sarah Coffey  
Pacifica Public Works Department  
Bonny O’Connor, Assistant Pacifica Planner  
Spencer Potter and Lisa Wayne, SF Recreation and Park Department

cc's, cont:

Congresswoman Jackie Speier

State Senator Jerry Hill

Assemblyman Kevin Mullin

San Mateo County Board of Supervisors

California Coastal Commission, North-Central Coast District

ESA, Inc., Attn. James Jackson, Bob Battalio

Philip King

San Mateo County Office of Sustainability

U.S. Army Corps of Engineers, Susan M. Ming, PE

Bo Links, Esq.

SAN FRANCISCO  
PUBLIC GOLF ALLIANCE



1370 Masonic Ave., San Francisco, CA 94117 • 415-290-5718 • [info@sfpublicgolf.org](mailto:info@sfpublicgolf.org)

September 3, 2019

Pacifica City Council  
170 Santa Maria Ave.  
Pacifica, CA. 94044

Pacifica Planning Commission  
170 Santa Maria Ave.  
Pacifica, CA. 94044

Re: Local Coastal Plan Update, Policies Relating to Sea Level Rise Adaptation  
Joint Pacifica City Council / Planning Commission Study Session  
Tuesday, September 3, 5:30 p.m.

- (1) Public Golf Alliance requests clarifying language in the Local Coastal Plan Policies Relating to Sea Level Rise Adaptation to make clear that City of Pacifica is not “implementing” or adopting or approving the defective and incomplete Cost-Benefit Analysis – Sections 5.3 and 5.4 -- of the Sea Level Rise Adaptation Plan.
- (2) The draft LCP Policies under review are not “Final Policies” (as they have been mislabeled); rather, City Council agreed on the record at its Dec. 10, 2018 meeting that they are “draft” policies, subject to reconsideration and revision by the current City Council.

Dear Council Members and Planning Commissioners,

This is a follow-up to our letter to you in this matter dated August 26, 2019.

**1. We request insertion of a disclaimer of the defective Cost-Benefit Analysis**

As detailed in our letters of August 26, 2019 and December 7, 2018 letter to the City Council (attached as Exhibit 1 to the August 26 letter), the Cost-Benefit Analysis (subsections 5.3 and 5.4) of the Pacifica Sea Level Rise Adaptation Plan (September, 2018) ( [Final Draft Adaptation Plan with Response to Comments \(9/21/2018\)](#)), overvalues beach recreation while simultaneously undervaluing and/or ignoring backbeach coastal resources within Pacifica’s coastal zone -- affordable housing, wetlands and their resident endangered species, businesses, public coastal recreation including trail-walking and golfing, and real property including the Sharp Park Golf Course. The Sea Level Rise Adaptation Plan then concludes that Managed Retreat is the most cost-beneficial response to threatened sea level rise in most Pacifica coastal neighborhoods including Sharp Park-West Fairway Park - Mori Point “... because the engineering costs associated with armoring . . . significantly exceed

the benefits (in terms of lowering property vulnerability)” (at Page 82), “ ... because the cost of . . . armoring, were higher than the benefits of protecting the property.” (At Page 96.)

The draft Local Coastal Plan Sea Level Rise Adaptation Policies ( [Final Draft LCP Policies - As Authorized by City Council on 12/10/2018](#) ), now before the Council and Planning Commission for reconsideration, include at least two Hazard Policies which purport to “implement” the Adaptation Plan (Sept., 2018), as follows.

Hazard Policy 4 Sea Level Rise Adaptation Plan. (found at Page 7):

**“The City shall implement its Sea-level Rise Adaptation Plan (Appendix A) as expressed in the LCP’s general and sub-area coastal hazard adaptation policies.”**

.....  
**Development in coastal hazard zones may be approved consistent with the subarea policies (16– 43) if the following findings can be made:**

**a. The proposed development is sited and designed to minimize coastal hazards and impacts to coastal resources to the extent feasible, consistent with the Adaptation Plan** (emphases added)

Hazard Policy 15 (LHMP Alignment). (found at Page 9):

..... **Leverage FEMA funding opportunities for hazard mitigation and other related funding mechanisms to implement the Sea-Level Rise Adaptation Plan as expressed in the LCP’s general and sub-area coastal hazard adaptation policies.**

We are concerned that unless the Cost-Benefit Analysis (with its conclusion that Managed Retreat is more cost-effective than sea walls, levees, and other shoreline protection) is expressly disavowed, that it will be available to future decision-makers as a “backdoor” to impose Managed Retreat (by increasing mitigation costs or otherwise impairing funding sources – notwithstanding the stated preference elsewhere in the Policies for shoreline protection for Pacifica’s neighborhoods. So we ask that the following language be inserted in the final version of the Local Coastal Plan Policies Relating to Sea Level Rise Adaptation:

**The ‘Cost-Benefit Analysis’ section of the Sea Level Rise Adaptation Plan is not adopted or approved by the City of Pacifica, and is not incorporated into the Local Coastal Plan Policies Related to Sea-Level Rise Adaptation, or any of its policies including but not limited to Hazard Policies 4 and 15 for any purpose, and is not to be used for any future purpose by the City of Pacifica or its planning processes, including its Local Coastal Plan, or by any of its Departments, including but not limited to the Planning Department.**

2. The current version of the “Local Coastal Plan Policies Relating to Sea-Level Rise Adaptation” was not intended – and was not approved or adopted by the City Council at its December 10, 2018 meeting – as a “Final Draft”. Rather, the Council expressly stated in open meeting that it was a revised draft – not intended to be “final,” and subject to future reconsideration and revision by the newly-elected City Council.

“Final Draft” is a mistaken and misleading name for the version of the “Local Coastal Plan Policies for Sea-Level Rise Adaptation” currently posted on the Planning Department’s Sea Level Rise webpage and before the Council and Commission for reconsideration.( [Final Draft LCP Policies - As Authorized by City Council on 12/10/2018](#) ). Rather, it should properly be called “Revised Draft”.

The Minutes of the City Council's December 10, 2018 meeting (quoted from below) ( <http://pacificacityca.ig2.com/Citizens/FileOpen.aspx?Type=12&ID=1206&Inline=True> )report extensive discussion and agreement among the Council members that they were not adopting or approving a “final” draft or a “final” document of any kind, but rather were approving draft policies for inclusion in a revised draft document that in turn would be subject to consideration – and reconsideration in 2019 by the incoming City Council. (See discussion between then-Councilwoman Sue Digre, Planning Director Tina Wehrmeister, and then-Mayor John Keener at December 10, 2018 City Council Minutes Packet, pages 22-24, Councilwoman Martin at page 31 and Motion at page 35, and the language of the Recommended Action, at Minutes, Page 9. Following are direct quotations from Minutes:

**Councilmember Digre** stated that, for the purpose at this time, they can take the words final draft and change it and take away the word final and say this is a draft document and asked if she was correct in that assumption. (Pg. 23)

**Planning Director Wehrmeister** agreed, adding that she thought the motion as written does not include final. (Pg. 23)

**Mayor Keener** stated that it does not. (Pg. 23)

**Councilmember Digre. . . .** She stated that they took the word final out and this is a draft moving forward. (Pg. 24)

**Councilmember Martin** thought that should make people feel better. She wants them to know that and play out good scenarios for 2019 as commented by Councilmember Digre this was a draft. (Pg. 31)

**City Attorney Kenyon** stated that the new Council will have an opportunity to review all the policies again, as this is not the final adoption of the LCP. She stated that staff is just asking direction as to whether Council wants staff to move forward with these policies as crafted today but policies may change in 2019 because staff has additional revisions or because the new Council has their own revisions to make. She was just clarifying that this is not a final document. (Pg. 31)

**Councilmember Martin** understood, but thought approving tonight was wonderful to be able to start socializing with legislators. She feels better that they will still be able to make revisions. (Pg. 31)

**Councilmember Martin** moved to 1) give direction to move forward with incorporating the attached sea level rise adaptation policies into a revised Draft Local Coastal Plan. **City Attorney Kenyon** added including the revisions as reflected in the staff report. **Councilmember Martin** added including the revisions as reflected in the staff report. (Pg. 35)

Agenda Item 8 “Recommended Action” (which was the basis of Councilwoman Martin’s Motion) says nothing about a “final” policy or policies. Rather, the “Proposed Action” is to “Give direction to move forward with incorporating the attached sea level rise adaptation policies into a revised Draft Local Coastal Plan.” (Minutes Package, Page 9)

Respectfully submitted,  
San Francisco Public Golf Alliance

*Richard Harris*

Richard Harris, President

ccs:

Pacifica City Council and Councilmembers  
Pacifica Planning Commission and Commissioners  
Pacifica Planning Department, Tina Wehrmeister, Director  
Pacifica City Manager Kevin Woodhouse  
Pacifica City Clerk Sarah Coffey  
Pacifica Public Works Department  
Bonny O’Connor, Assistant Pacifica Planner  
Spencer Potter and Lisa Wayne, SF Recreation and Park Department  
Congresswoman Jackie Speier  
State Senator Jerry Hill  
Assemblyman Kevin Mullin  
San Mateo County Board of Supervisors  
California Coastal Commission, North-Central Coast District  
ESA, Inc., Attn. James Jackson, Bob Battalio  
Philip King  
San Mateo County Office of Sustainability  
U.S. Army Corps of Engineers, Susan M. Ming, PE  
Bo Links, Esq.

## **Ringuette, Oceane@Coastal**

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**From:** deni asnis <dasnis2001@yahoo.com>  
**Sent:** Friday, January 3, 2020 2:03 PM  
**To:** Wehrmeister, Tina@City of Pacifica; Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal  
**Subject:** Pacifica Local Coastal Plan

Pacifica needs to have a plan in place for when SLR hits defined events and increasing heights. Everything will change over the next several years and so must our response since our LCP is not a workable plan. An example is the city's scattered response to the collapsed housing on the cliffs at Esplanade over the past 20 years. It would have been much cheaper and cleaner for the city to have had plans in place rather than to be forced to respond to emergencies and take a year or two to create new plans when, by this time, it was already too late.

Pacifica needs an LCP that considers long range as well as short range solutions. To have an LCP in which sections are written by special interest groups, i.e., the real estate industry and its sibling, the developers, ignores the needs of the majority of Pacifica's citizens.

I support the positions stated in the CCC comment letter.

Thank you for your urgent attention to this matter.  
Deni Asnis  
Rockaway Beach Avenue, Pacifica, CA

## **Ringuette, Oceane@Coastal**

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**From:** Hal Bohner <hbohner100@gmail.com>  
**Sent:** Thursday, January 2, 2020 11:15 AM  
**To:** KoppmanNorton, Julia@Coastal  
**Cc:** Tina Wehrmeister; Rexing, Stephanie@Coastal  
**Subject:** Pacifica's proposed draft update to the Local Coastal Program (LCP) Land Use Plan (LUP)

Dear Ms. Koppman Norton,

I am writing in support of the position of the staff of the Commission concerning the City of Pacifica's proposed draft update to the Local Coastal Program (LCP) Land Use Plan (LUP) as expressed in your letter dated November 22, 2019, to Ms. Tina Wehrmeister.

I have been following the debates in Pacifica over coastal land use planning which have gone on for many years and have intensified with the impending disaster of Sea Level Rise. I support a robust program of long-range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners. As part of Pacifica's long-range planning, managed retreat must be an option included in and supported by the LCP, and coastal armoring must be discouraged.

I recognize that these issues are being faced today in many other jurisdictions along the California Coast and thank the Commission and staff for their continued support for and encouragement of sound long-range planning by the local jurisdictions. I realize that many local jurisdictions are unwilling and in some cases unable to undertake the necessary planning and implementation of those plans and look forward to the Commission providing the necessary encouragement and technical support. I am also hopeful that the California legislature will provide the necessary financial support.

Sincerely,

Hal Bohner

## Ringuette, Oceane@Coastal

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**From:** Lawrence Bothen <lbothen@sbcglobal.net>  
**Sent:** Friday, January 3, 2020 4:02 PM  
**To:** KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal  
**Cc:** Wehrmeister, Tina@City of Pacifica  
**Subject:** Pacifica LCP

Dear CCC members,

I am writing to oppose the CCC's demands that Pacifica's Local Coastal Plan must include a Managed Retreat component. You surely realize that any language to that effect runs counter to Pacifica's stated intent to protect the citizens, property and business owners of Pacifica from sea level rise.

Adopting such language, and naming all land west of Coast Highway a Hazard Zone, is an immediate red flag to banks and insurers. Property owners would have to disclose this status to prospective buyers, lenders or insurers. Property values would plummet. Additional permits from the CCC would be required for even essential maintenance, repairs or improvements. Property owners might also be required to purchase unnecessary and expensive flood insurance. Insurance companies would likely raise rates for conventional insurance in these zones as well.

And for what? To protect beaches and public access to them? All on a bet that in 100 years the sea level might be 5 to 6 feet higher? The beaches in Pacifica are already accessible, well used and protected. But people have to be protected too. It will be far less costly to keep in place the coastal protections we have and improve them where needed than to condemn 1/3 of the City and remove those protections. The cost of relocating infrastructure alone would be staggering. The cost of paying off all the property owners who would rightfully sue you into oblivion for your heavy handedness is a cost that would have to be borne by the entire state of California. Multiply that by the 60 plus coastal communities up and down the state and you have staked out a position with Managed Retreat that is not just unrealistic. It is unreasonable, untenable, and completely unacceptable.

The CCC has demonstrated repeatedly that it views itself as an imperial authority that cannot be questioned or defied. It has become, in effect, a rogue agency that acts with impunity and answers to no one. You are not elected officials. You are public servants. But, as with any public servant, you must answer to the citizens you claim to serve. When your stated intent is to revoke the rights of property and business owners and take away our voice, then you no longer serve the public and should be removed.

I will be writing my state senator and assemblyman about the outrageous demands by the CCC. Your arrogance must be met with accountability.

Sincerely,

Larry Bothen  
105 Troglia Terrace  
Pacifica, CA 94044

## **Ringuette, Oceane@Coastal**

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**From:** amy <amyvegan@gmail.com>  
**Sent:** Thursday, January 2, 2020 8:35 AM  
**To:** Wehrmeister, Tina@City of Pacifica; KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal; Dierdre Martin Pacifica City Council; Sue Beckmeyer Pacifica City Council; Sue Vaterlaus Pacifica City Council; Mike O'Neill Pacifica City Council; Mary Bier Pacifica City Council; pacifica climate committee, all members  
**Subject:** Managed Retreat, Pacifica

Jan. 2, 2020

Dear California Coastal Commission,

I am a Pacifica homeowner writing in support of the commission's decision that managed retreat must be included in Pacifica's Local Coastal Plan. Here is the reality of the science: Greenland, the Arctic and Antartica and melting NOW much faster than expected. Pacifica and all coastal towns need to accept this grim reality. We need short term and long range planning for sea level rise that mandate multiple solutions, including managed retreat, to protect the coastline that minimize or prevent long run financial devastation to homeowners, businesses, the city of Pacifica and all coastal towns in San Mateo County.

Sincerely,  
Amy Lynn Caplan  
494 Manor Dr.  
Pacifica, CA 94044

## Ringuette, Oceane@Coastal

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**From:** Samuel Casillas <samuelcasillas@hotmail.com>  
**Sent:** Tuesday, August 27, 2019 8:20 AM  
**To:** murdockc@ci.pacifica.ca.us  
**Cc:** Rexing, Stephanie@Coastal; martind@ci.pacifica.ca.us; Mary Bier; joannegold@yahoo.com; o'connorb@ci.pacifica.ca.us; KoppmanNorton, Julia@Coastal; campbellr@ci.pacifica.ca.us  
**Subject:** Re: Pedro Point field - 8/26 Study Session meeting  
**Attachments:** Pedro Point Field U.S. Coast Survey topo w labels 1869.pdf; Pedro Pt Field 2006 wetland ditching and drainage + CRLF.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Christian,

I wanted to follow up on the Study Session conducted last night and how it devolved pretty much into a discussion of the Pedro Point Field (a.k.a: the Calson Field).

First, I apologize for not being there in person as I am on a business trip, but I was kept informed throughout the meeting of what was occurring. I am also only representing myself, but I believe my comments are aligned and representative of our community as represented by the overwhelming comments you received from citizens with the same viewpoint and from those who spoke last night.

Please understand it was not our intention to dominate this meeting, but recall that the community attempted to engage the city and the planning department in a dialogue through a neighborhood specific plan for Pedro Point that I believe could have clarified many of the errors in facts and judgement that continue to bog down the GPU process. And frankly I was surprised that Staff could not answer the question on CCC current land use designation, that a commissioner stated the job of city is to build in flood prone areas and the job of FEMA is to deal with the flooding and the mayor not knowing the difference between a perspective easement and adverse possession and everyone not taking into consideration current conditions based on science and data.

I realize the current city council turned down the PPCA's offer to work closely with the city to determine what is best for our neighborhood, but considering how the Pedro Point neighborhood has shown to be fully engaged and considerably more knowledgeable on issues in Pedro Point I would think it behooves the city to find a way to work with the neighborhood to find solutions that are best for the neighborhood and the city overall. Trying to correct errors in 2 minute increments of public comments is not the ideal way to resolve deficiencies in staff reports.

The PPCA and its citizens have conducted exhaustive research and believe we have a better understanding of the conditions of our neighborhood than anyone else as proven by the confusion on many questions/lack of answers brought up by commissioners, city council and staff.

If the city is not willing to entertain the formality of a neighborhood specific plan then we should find a different venue where we can have a productive dialog; otherwise we have no choice but to continue with the very inefficient process the city has currently chosen to resolve issues that will effect our neighborhood and our city for the foreseeable future.

Additionally, I have attached two more documents that details the illegal draining of the wetlands and the historical significance of the field being part of a much larger estuary.

Finally, I would like to thank you and your team for the continued professionalism you all have demonstrated; I realize this is not an easy task and are trying your best to resolve many issues.

Please let me know if you need any other information and/or if you would like to discuss how we can move forward.

Kind Regards,  
Sam Casillas

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**From:** Samuel Casillas <samuelcasillas@hotmail.com>

**Sent:** Monday, August 26, 2019 8:12 PM

**To:** murdockc@ci.pacifica.ca.us <murdockc@ci.pacifica.ca.us>

**Cc:** Stephanie.Rexing@coastal.ca.gov <Stephanie.Rexing@coastal.ca.gov>; martind@ci.pacifica.ca.us <martind@ci.pacifica.ca.us>; Mary Bier <marykbier@gmail.com>; joannegold@yahoo.com <joannegold@yahoo.com>; o'connorb@ci.pacifica.ca.us <o'connorb@ci.pacifica.ca.us>; KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>

**Subject:** Pedro Point field - 8/26 Study Session meeting

Hi Christian,

Please see my attached GPU comments and accompanying documents that I would like included as part of tonight's study session.

Thanks and I hope things aren't getting too stressful for you!

Sam

**From:** Kathy <qdelrina2002@yahoo.com>  
**Sent:** Saturday, October 19, 2019 7:14 PM  
**To:** Carl, Dan@Coastal; Manna, Jeannine@Coastal; Ginsberg, Jo@Coastal; Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal  
**Cc:** pedropointfield@googlegroups.com  
**Subject:** Comments on the Local Coastal Land Use Plan Draft submitted by the City of Pacifica

Ladies and Gentleman

As a 25 year resident of Pacifica, specifically, Pedro Point, I am *urging* the Coastal Commission to designate the Calson Field as either Low Intensity Visitor-Serving Commercial (LIVC) or Conservation (C), based on all Sea Level Rise and tsunami evacuation zone data previously presented by the PPCA in meetings with the Coastal Commission on 9/18/19.

I ***strongly*** oppose the designation of Coastal Residential Mixed Use (CRMU) as proposed in the Local Coastal Land Use Plan Draft submitted by the City of Pacifica. This strip of land, streets, sewers, cannot support more houses and cars. Parking is already a nightmare with existing commercial uses.

I am also ***begging*** the Coastal Commission:

**A.** to disallow *any* further development of hotels/motels in the Pedro Point neighborhood; and

**B.** require adherence to current height limits of 35 feet for all projects, in order to preserve visual impacts along the coast.

Please.

Thank you for your time.

Kathy Castor  
224 Stanley Ave  
Pacifica, CA 94044

**Ringuette, Oceane@Coastal**

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**From:** Bill [mailto:94116bc@gmail.com]  
**Sent:** Wednesday, January 01, 2020 6:47 PM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Pacifica's LCP

January 1, 2020

Armoring our beaches is an unsightly, ineffective and short-sighted response to rising seas.

Pacifica should stop approving new buildings on the shore when the cost of protecting them from rising seas is borne by the taxpayers.

Bill Collins  
Pacifica

## **Ringuette, Oceane@Coastal**

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**From:** Jack Coots <jawacoots@gmail.com>  
**Sent:** Thursday, January 2, 2020 11:32 AM  
**To:** KoppmanNorton, Julia@Coastal  
**Cc:** Rexing, Stephanie@Coastal  
**Subject:** Pacifica local coastal plan

Dear Coastal Commission,

I am a Pacifica resident and I am writing to tell you I support the recent ruling that managed retreat needs to be included as an option in our local coastal plan.

Many of us Pacificans support long range planning that chooses not to ignore the reality of sea level rise but to include specific strategies for dealing with it to protect our beaches, community, and finances.

Thank you for your diligence,

Jack Coots  
Pacifica, CA

## Ringuette, Oceane@Coastal

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**From:** Bill Crist <raconis79@comcast.net>  
**Sent:** Friday, January 3, 2020 3:17 PM  
**To:** Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal  
**Subject:** Managed Retreat

Dear California Coastal Commission

I am a Pacifica resident and am writing in support of the commission's decision that managed retreat needs to be an option included in our local coast plan. I, like many Pacifica residents, support long range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners.

Sincerely,  
William F Crist

Sent from [Mail](#) for Windows 10

Dave Stewart  
224 Stanley Avenue  
Pacifica, CA 94044  
(650)451-2149

October 21, 2019

California Coastal Commission  
North Central Coast District Office  
45 Fremont Street - Suite 2000  
San Francisco, CA. 94105



Dear Commission Members:

I am a long term resident of Pacifica, Pedro Point, and I am urging the Coastal Commission to designate the Calson Field as either Low Intensity Visitor-Serving Commercial (LIVC) or Conservation (C), based on all Sea Level Rise and tsunami evacuation zone data previously presented by the PPCA in meetings with the Coastal Commission on 9/18/19.

I strongly oppose the designation of Coastal Residential Mixed Use (CRMU) as proposed in the Local Coastal Land Use Plan Draft submitted by the City of Pacifica. This strip of land, streets, sewers, cannot support more houses and cars. Parking is already a nightmare with existing commercial uses.

I am also urging the Coastal Commission to disallow any further development of hotels/motels in the Pedro Point neighborhood; and require adherence to current height limits of 35 feet for all projects in order to preserve visual impacts along the coast.

Thank you for your time.

Sincerely,

A handwritten signature in blue ink that reads "Dave Stewart". The signature is fluid and cursive.

Dave Stewart

## **Ringuette, Oceane@Coastal**

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**From:** Carlos Davidson <carlosdavidson7@gmail.com>  
**Sent:** Thursday, January 2, 2020 9:17 AM  
**To:** Wehrmeister, Tina@City of Pacifica; KoppmanNorton, Julia@Coastal; REXING, Stephanie@Coastal  
**Subject:** Support CCC decision on Pacifica LCP

Dear California Coastal Commission

I am a Pacifica homeowner and am writing in support of the commission's decision that managed retreat needs to be an option included in our local coast plan. I, like many Pacifica residents, support long range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners.

Sincerely,  
Carlos Davidson

## Ringuette, Oceane@Coastal

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**From:** Danny Estrella <warnella@hotmail.com>  
**Sent:** Monday, November 25, 2019 1:27 PM  
**To:** Carl, Dan@Coastal; Manna, Jeannine@Coastal; Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal; Ginsberg, Jo@Coastal  
**Subject:** Pacifica Local Coastal Land Use Plan, September 2019  
**Attachments:** USGS map Pedro Pt.pdf; Peter Baye letter to Lee Diaz Pacifica.pdf; wetlandsMay3201410-41-41 GMT-0700.pdf; Ocampo letter to Calson.pdf; USGS Liquefaction Susceptibility map 2006.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

25 November 2019

California Coastal Commission (CCC)  
North Central Coast District Office  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105

Re: City of Pacifica Local Coastal Land Use Plan, September 2019 (LCP)

Dear Coastal Commission Representatives,

The above referenced land use plan has been submitted to the CCC for review and approval. I'm writing to express my concern about the land use designation for the land located along San Pedro Road in the south region of Pacifica. This particular property is referred to as the land of Ron Calson or the Calson property. This property is designated as Coastal Residential Mixed Use (CRMU) in the LCP, Figure 2-3. This designation "allows residential mixed use development in the Coastal Zone, housing over retail, or housing adjacent to retail (horizontal mixed use)" and "environmental resources must be evaluated and protected", page 2-8. Section LD-I-20 – Undeveloped San Pedro Avenue Site "allows housing of 3-5 units per gross acre (the property is 5.5 acres), a survey is required to delineate potential wetlands on the site, if any, as part of the development application and environmental review process".

I oppose this land use designation for several reasons: 1) the land is a wetlands that serves as a habitat for several species and therefore should be protected, 2) as the land is only a few feet above sea level the land is subject to flooding with sea level rise; development on this property would put people and property at risk, 3) the land is in the tsunami evacuation zone (LCP Figure 5-3, page 5-17 – Flood Zones).

Section 6.2, page 6-3 – Sea Level Rise Key Findings of the LCP discusses the threat to coastal land use due to sea level rise and summarizes this threat "impacts of sea level rise along Pacifica's coastline would be significant". As this land is just a few feet above sea level and within 50 yards of the shoreline it will be in the coastal flooding zone as sea level rises. Sea level rise combined with local storm runoff, flooding and liquefaction increase the risk to people and property in this area.

Figure 5-1- Liquefaction and Fault Lines, page 5-5 of the LCP, characterizes the Calson property as having medium potential for liquefaction. However, the USGS Liquefaction Susceptibility map, dated 2006 (attached), characterizes this property as having high to very high susceptibility to liquefaction. Liquefaction would put people and property at risk in the event of earthquake-induced liquefaction.

This land was included in the USF&W Service National Wetlands Inventory October 16, 2011, and the USGS National Page map, which I've attached for your reference. I want to inform you that the land was ditched and drained by the City of Pacifica on November 30, 2007 as a service for Ron Calson, the property owner. I've attached a copy of a letter, dated January 10, 2008, from Van Ocampo, P.E., the Deputy Director of Public Works and City Engineer for the City of

Pacifica confirming that this work was done. I understand that this kind of work in the Coastal Zone requires approval from the California Coastal Commission. Is this correct? The City of Pacifica cannot produce a permit from the CCC for this work. This work may have been done without permit. Also, in section 1.5, page 9 - 'Wetland context and cumulative impacts: environmental setting of Pedro Point' of Peter Baye's letter to Lee Diaz, Associate Planner, City of Pacifica, dated July 7, 2014 (attached here), Dr. Baye describes the wetlands character of the Calson property and documents witnessing draining of the land. The land has since been taken out of the USF&W Service National Wetlands Inventory. The illegal ditching may have resulted in the change of designation by the USF&WS.

I urge the CCC to take appropriate action to reinstate this property back to its original condition.

There is another section of coastal land that is of concern: the Rockaway Headlands. Figure 2-3, page 2-10 – Land Use Diagram of the LCP specifies the hill between Linda Mar Beach and Rockaway Beach as Low Intensity Visitor Serving Commercial (LIVC). Page 2-11 in the LCP defines LIVC as “allows campgrounds, rustic lodging, concession stands, warming huts, outdoor events sites and similar uses. Further, in ER-I-55, page 4-38, of the LCP is specifies that “a view restaurant may be appropriate if access can be created without harming biological or scenic resources” on the Rockaway Headlands. This land is a habitat for ferruginous hawks as well as other species, and has been used as a view shed and recreation area since people first inhabited the coast. Section LD-I-18, page 2-30, of the LCP states, “Any use on this site must recognize the limited opportunity for vehicular access”. The land is currently accessed by traditional hiking trails and the Pacifica Recreation trail. This statement is true in that any significant access that would accommodate vehicular traffic would require damage to the site and the ecosystem, the recreation trail or would introduce a significant traffic hazard for ingress and egress of this area from Highway 1, which runs alongside this land.

I oppose any development on the Rockaway Headlands.

I appreciate your consideration of my concerns about the Pacifica Local Coastal Plan.

Kind regards,

Danny Estrella  
114 Kent Road  
Pacifica, CA

## **Ringuette, Oceane@Coastal**

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**From:** R Francis <phasmid007@gmail.com>  
**Sent:** Friday, January 3, 2020 8:31 AM  
**To:** KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal; Wehrmeister, Tina@City of Pacifica  
**Subject:** Pacifica Local Coastal Plan

Dear California Coastal Commission

As a Pacifica resident, I wish to state my support for the commission's recent decision that our local coastal plan should include "managed retreat" as an option in long-range planning around sea level rise. Like many Pacifica residents, I support a plan that includes all sensible options that protect property and beaches to the extent possible, and reduce long-range financial risks to the city and home-owners. But I also believe we need to be realistic about the limited ability of engineering solutions and other band-aids for fighting future coastal loss. Thank you for your leadership on the planning effort.

Sincerely,

G. Ross Francis  
424 Buel Ave, Pacifica CA

## Ringuette, Oceane@Coastal

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**From:** wendy wynn garber [mailto:w.garber@sbcglobal.net]  
**Sent:** Thursday, January 02, 2020 9:27 AM  
**To:** Rexing, Stephanie@Coastal  
**Cc:** Wehrmeister, Tina@City of Pacifica  
**Subject:** Managed Retreat

I totally support the Commission's decision to include managed retreat as part of our local coastal plan. I have been a Pacifica resident for the past 24 years, and have witnessed first hand the destructive effects of rising sea levels. With global warming and melting glaciers, continued sea level rise is inevitable and needs to be managed to protect our beaches and homes that are situated near the coast. Long-range planning which includes managed retreat is necessary to protect and preserve our beautiful coastal landscape.

Sincerely,

Wynn Garber

## **Ringuette, Oceane@Coastal**

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**From:** D Gold <dgold184@gmail.com>  
**Sent:** Wednesday, January 1, 2020 5:09 PM  
**To:** Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal; Wehrmeister, Tina@City of Pacifica  
**Subject:** Support managed retreat in Pacifica's LCP

I am writing to express my support for the comments provided by the Coastal Commission on the need for managed retreat in the Pacifica LCP.

Pacifica has already suffered from the lack of planning and infrastructure repositioning to minimize the impact of coastal erosion. Buildings have been dangerously undermined. Builders and developers continue to plan developments that are likely to be endangered within the next 10-20 years. I appreciate the efforts of the Commission to get City managers to realistically appraise the risks resulting from sea level rise. This will enable the City to take reasonable steps to pull essential infrastructure back from the coast, reducing risk to residents and visitors, as well as to non-human life in the ocean, and to the environment.

Please continue to follow the science, rather than succumbing to pressure from realtors and developers who refuse to look at what is no longer even long-term risk.

Thank you.

Deeg Gold  
Pacific Manor, Pacifica CA

## Ringuette, Oceane@Coastal

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**From:** Stan Zeavin <margstan@sbcglobal.net>  
**Sent:** Friday, January 3, 2020 4:35 PM  
**To:** Bonny O'Connor; Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal  
**Subject:** Fw: comments  
**Attachments:** The case for managed retreat.pdf; New film shows Staten Island neighborhoods transformed by climate change - Curbe.pdf; Coastal Resiliency Chesapeake Bay.pdf; Florida Keys Deliver a Hard Message\_ As Seas Rise, Some Places Can't Be Saved - .pdf; Sea Level Rise Hits Home at NASA.pdf; Rolling Easement Wetlands Watch.pdf

Dear City and CCC,

Please include the information below as an addendum to my previous letter.

Attached are several articles referencing sea level rise adaptation and highlighting the need to consider all SLR adaptation options in Pacifica's LCP. After careful study and consideration of options, managed retreat implementation is currently underway in multiple states including Alaska, Florida, New York, New Jersey, Virginia, Maryland, Louisiana and Texas.

- The attached article on rolling easements as a SLR adaptation measure references an EPA article discussing adaption, including managed retreat, from the federal perspective.
- The attached article on how NASA is adapting to sea level rise discusses how this agency has been planning and implementing multiple adaptation measures, including managed retreat. NASA has a huge budget which allows them to spend tens of millions of dollars on SLR planning.

Pacifica hasn't even a fraction of the needed funding to repair existing storm damage to the Beach Blvd seawall and other infrastructure, let alone funding to pay for ongoing sand replenishment as discussed in the LCP. Pacifica must prioritize spending our public money on protecting and moving public infrastructure inland as well as protecting coastal access to our beaches - a crucial public resource. Pacifica's lack of funding and need for resilient coastal planning mandate a consideration of every adaptation measure in our LCP, including managed retreat.

Thank you,  
Margaret Goodale

## **Ringuette, Oceane@Coastal**

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**From:** Stan Zeavin <margstan@sbcglobal.net>  
**Sent:** Thursday, January 2, 2020 1:33 PM  
**To:** Wehrmeister, Tina@City of Pacifica; Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal  
**Subject:** Consultation Draft Local Coastal Program Land Use Plan Update

Ms. Wehrmeister, Ms, Rexing, Ms. Koppmannorton,

I fully support the CCC's thorough and thoughtful comments about Pacifica's LCLUP.

In the current political climate of denial and fear that our City must deal with, I very sincerely appreciate the straightforward and sane approach of the CCC staff to the real problems facing us with sea level rise.

The survival of so many coastal towns like Pacifica will depend entirely on whether local jurisdictions can begin to plan realistically in the face of ever increasing sea level rise and decreasing availability of funding.

The difficult role the CCC is mandated to play is incredibly important to the entire state of California as well as our local our economy which depends in part on tourists visiting our beaches.

With gratitude,

Margaret Goodale  
1135 Palou Drive  
Pacifica CA 94044

## **Ringuette, Oceane@Coastal**

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**From:** chaya gordon <chaygordo@yahoo.com>  
**Sent:** Friday, January 3, 2020 5:00 PM  
**To:** KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal  
**Cc:** Wehrmeister, Tina@City of Pacifica  
**Subject:** Pacifica's proposed draft update to LCP

Dear California Coastal Commission,

As a resident of Pacifica who lives close to the ocean, I want to express my support of the Coastal Commission's belief and determination that sea level rise is here to stay, and all coastal areas need to include managed retreat as an option for long term planning in the coastal zone. Pacifica has already lost many residential structures due to coastal erosion. We have no time to spare. We cannot rightfully pursue options that will delay the inevitable effects of sea level rise.

Thank you very much.  
Chaya Gordon  
Pacifica, CA

## Ringuette, Oceane@Coastal

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**From:** Rexing, Stephanie@Coastal  
**Sent:** Monday, January 6, 2020 4:25 PM  
**To:** KoppmanNorton, Julia@Coastal  
**Subject:** FW: Managed Retreat

**From:** Donna Grant  
[mailto:dgrantart@gmail.com] **Sent:** Friday,  
January 03, 2020 10:47 AM  
**To:** Rexing, Stephanie@Coastal  
**Subject:** Managed Retreat

Dear California Coastal Commission

I am a Pacifica resident and am writing in support of the commission's decision that managed retreat needs to be an option included in our local coast plan. I, like many Pacifica residents, support long range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners.

Sincerely,

Donna and Ron Grant  
830 Reina Del Mar Ave.  
Pacifica, CA 94044

--

Donna Grant  
mobile: (650) 678-5501 home: (650) 738-5988

## **Ringuette, Oceane@Coastal**

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**From:** pawzitively@yahoo.com  
**Sent:** Thursday, January 2, 2020 6:08 PM  
**To:** KoppmanNorton, Julia@Coastal  
**Cc:** Wehrmeister, Tina@City of Pacifica  
**Subject:** Comments re Pacifica's LCP

Dear Ms. Koppman Norton,

We, like many Pacifica residents, support long-range planning for sea level rise that considers multiple options (including managed retreat), protects local beaches, and reduces long-run financial risks to Pacifica and Pacifica homeowners. We are, therefore, writing to support the Coastal Commission's directive that managed retreat needs to be included in Pacifica's LCP, as one of the potential ways in which to plan for and address sea level rise.

Regrettably, the term "managed retreat" has been weaponized by SAMCAR, developers, and related special-interest groups to instill (then exploit) fear in affected coastal residents, who are being manipulated into serving as their sympathetic mouthpieces. The sole goal of these special-interest groups is to reap short-term profits without regard for who will pay for the long-term consequences of their actions.

These special-interest groups achieve their objectives by, among other things, spending hundreds-of-thousands of dollars on local elections to elect like-minded city council members, and by convincing homeowners that, if managed retreat is left on the table, homeowners in the coastal zone will, for example, be unable to remodel a bathroom or fix a leaky roof, or that they will be required to tell prospective buyers that their land is virtually worthless due to looming managed retreat. The level of disinformation being promoted in Pacifica by special-interest groups is shameful, but *very* persuasive.

While I empathize with some of the concerns of my coastal neighbors (homeowners, and business owners) whose property values may one day be affected by aspects of managed retreat, the reality is that not acknowledging and planning for sea level rise, is not a viable solution for the needs of Pacifica as a whole. Armoring the coast with sea walls, then seeking to replenish beaches, are also not feasible, long-term, general solutions. Pacifica does not have the money to pay for these ideas, and, to the extent that we armor the coast, rising seas will ultimately overwhelm the armoring, bringing us back to square one.

That said, I also believe that the Coastal Commission needs to do a much better job of explaining the meaning of "managed retreat" in terms affected lay people can understand, including fleshing out the details of such things as the nature of potential required disclosures and proposed restrictions (if any) on basic home improvements, so as to address the legitimate concerns of people who own property in the affected areas. By *not* doing so, the Coastal Commission is unwittingly arming the special-interest groups, who are exploiting ambiguities to spread disinformation, so as to gin up fear and opposition to managed retreat.

We know that protecting the coast and coastal-zone residents is a difficult job and we thank you for your efforts. If there is a practical way to engage the affected communities directly -- to come to us instead of requiring people whose busy jobs and lives do not afford them the luxury of attending out-of-town meetings and reading the reams of material necessary to overcome the disinformation campaign being waged by special-interest groups -- perhaps we can make some headway as a community and defeat those whose only goal is to take the money and run.

Regards,

Dina and Tom Horan  
Pedro Point Residents and Homeowners

## **Ringuette, Oceane@Coastal**

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**From:** Cynthia Kaufman <kaufman.cynthia13@gmail.com>  
**Sent:** Wednesday, January 1, 2020 6:42 PM  
**To:** KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal  
**Cc:** Wehrmeister, Tina@City of Pacifica  
**Subject:** Pacifica's Local Coastal Plan

Dear Coastal Commissioners,

Thank you so much for insisting that Pacifica plan for the possibility of managed retreat. Our political system had been bombarded with money from real estate interests who want to keep heads in the sand for as long as possible to keep coastal property values high for as long as possible. On our own, against that onslaught of cash, we have not been able to keep a city council in place that is willing to face the future with courage. Indeed, the present council not only doesn't want to plan for possible retreat, it continues to approve building projects right on the beach.

The courage and integrity of the Coastal Commission has been a breath of fresh air.

Thank you for your work.  
Cynthia Kaufman, Pacifica resident.

## Ringuette, Oceane@Coastal

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**From:** Rexing, Stephanie@Coastal  
**Sent:** Monday, January 6, 2020 12:58 PM  
**To:** KoppmanNorton, Julia@Coastal  
**Subject:** FW: Managed retreat

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**From:** Summer Lee [mailto:summerleeart@yahoo.com]  
**Sent:** Wednesday, January 01, 2020 9:09 PM  
**To:** Wehrmeister, Tina@City of Pacifica  
**Cc:** ulia.koppmannorton@coastal.ca.gov; Rexing, Stephanie@Coastal  
**Subject:** Managed retreat

Dear California Coastal Commission,

I am a Pacifica resident since 1999 and am writing in support of the commission's decision that managed retreat needs to be an option included in our local coast plan. I, like many Pacifica residents, support long range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners.

Please heed the wisdom of valuing long-term planning over short term profit-protection — the wisdom to not fall prey to special interests that do not consider the greater welfare of our community — that wisdom which is the ultimate role of regulatory agencies like the CCC.

Sincerely,  
Summer Lee

## Ringuette, Oceane@Coastal

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**From:** Peter Loeb <peterloeb1@gmail.com>  
**Sent:** Wednesday, January 1, 2020 7:32 PM  
**To:** Wehrmeister, Tina@City of Pacifica; KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal  
**Subject:** I support the Coastal Commission comments as stated in their letter of Nov. 22, 2019

In particular, I support this key paragraph:

*In general, the hazard and coastal resilience policies seem to recommend an approach for protecting development throughout the City with hard armoring, supplemented by potential beach nourishment, with no policies that would allow the City to prepare to relocate structures out of hazardous areas. The emphasis on armoring would likely result in the loss of beaches and their associated public access, recreation, economic, and habitat benefits as sea levels rise, and would leave the City unprepared for sea level rise in the long term. While armoring may protect existing development in the short- to medium term, such an approach may not be technically or economically feasible in all areas and/or over longer timeframes, and would not, by itself, be consistent with Coastal Act requirements to ensure protection of coastal resources. Policies should be framed to better balance the dual Coastal Act goals of ensuring safe development and protecting coastal resources such as beaches, habitat, and public access and recreation, as sea level rises over time. As discussed in our previous comment letters and in recent coordination calls, Commission staff would be happy to work with City staff in developing a more appropriate balance of short- and long-term approaches, including those that would consider the use of shoreline armoring.*

Peter Loeb  
411 Maitland Road  
Pacifica, CA 94044

## **Ringuette, Oceane@Coastal**

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**From:** Andrew Meiman <andrew.meiman@gmail.com>  
**Sent:** Friday, January 3, 2020 6:13 PM  
**To:** o'connorb@ci.pacifica.ca.us; KoppmanNorton, Julia@Coastal  
**Subject:** support for the Coastal Commission comments

Bonnie, Julia -

I am writing in support of the Coastal Commission's comments on the LCP Consultation Draft, particularly those that support the concerns the Pedro Point community has with the land use designation of the Calson field. Additionally, I support the Commission's comments that direct the City to consider a more comprehensive set of measures and policies to deal with sea level rise over time and balance out the current draft's over-reliance on costly armoring and beach nourishment.

Sincerely,  
Andrew Meiman  
Pedro Point

1/2/20

TO: California Coastal Commission  
julia.koppmannorton@coastal.ca.gov  
stephanie.rexing@coastal.ca.gov

FROM: Suzanne Moore  
suzyqettu2@gmail.com

RE: Pacifica Coastal Plan

Dear California Coastal Commission

I am a Pacifica resident and am writing in support of the commission's decision that managed retreat needs to be an option included in our local coast plan. I, like many Pacifica residents, support long range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners.

copies to: Tina Wehrmeister: wehrmeister@ci.pacifica.ca.us

## Ringuette, Oceane@Coastal

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**From:** JEFF MOROSO <jmoroso@mac.com>  
**Sent:** Wednesday, January 1, 2020 7:47 PM  
**To:** KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal  
**Subject:** Managed Retreat

Dear California Coastal Commission

I am a Pacifica resident and am writing in support of the commission's decision that managed retreat needs to be an option included in our local coast plan. I, like many Pacifica residents, support long range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners.

The alternative is un-managed retreat which would be a disaster!

Sincerely,

Jeff Moroso  
415-509-3050  
[jmoroso@mac.com](mailto:jmoroso@mac.com)

## **Ringuette, Oceane@Coastal**

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**From:** Blue Murov <bluemurov@gmail.com>  
**Sent:** Friday, January 3, 2020 12:14 PM  
**To:** Wehrmeister, Tina@City of Pacifica; KoppmanNorton, Julia@Coastal; REXING, Stephanie@Coastal  
**Subject:** Coastal Commission plan

I am a resident of Pacifica in the Pacific Manor area. I support the positions stated in the CCC comment letter. I am glad to see the CCC is for managed retreat and hope that you will stand by this plan now and in the future.

Sincerely,  
Blue Murov

## Ringuette, Oceane@Coastal

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**From:** Joanne Gold <joannegold@yahoo.com>  
**Sent:** Sunday, November 3, 2019 11:11 AM  
**To:** Carl, Dan@Coastal; Manna, Jeannine@Coastal; Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal; Ginsberg, Jo@Coastal  
**Cc:** Kevin Woodhouse; Wehrmeister, Tina@City of Pacifica; murdockc@ci.pacifica.ca.us; Marcia And/or David; Cherie Chan; Samuel Casillas; Allison West  
**Subject:** PPCA Comments on the LCLUP submitted by the City of Pacifica  
**Attachments:** PPCA Comments\_City of Pacifica LCP\_11.3.19.pdf

Dear California Coastal Commissioners of the North Central Coast District Office,

We are contacting you on behalf of the Pedro Point Community Association (PPCA) regarding the Local Coastal Land Use Plan recently submitted by the City of Pacifica.

As a non-profit community association, the PPCA serves to provide a voice for its residents, businesses, and property owners in the shaping of Pedro Point as integral part of the broader Pacifica community.

After gathering extensive community feedback, we are writing to state that the PPCA is strongly opposed to the City of Pacifica's recommendation to designate the land use of the Caslon field on San Pedro Ave. as Commercial-Recreational-Mixed Use (CRMU).

Instead, the PPCA urges the Coastal Commission to designate the Calson Field as either Low Intensity Visitor-Serving Commercial (LIVC) or Conservation (C), based on Sea Level Rise and tsunami evacuation zone data previously presented by the PPCA in meetings with the Coastal Commission on 9/18/19.

On a related note, we also urge the Coastal Commission to **disallow any further development of hotels/motels** in the Pedro Point neighborhood and require **adherence to current height limits of 35 feet for all projects**, in order to preserve visual impacts along the coast.

We deeply appreciate the Coastal Commission's steadfast commitment to protect, conserve, restore, and enhance the environment of the California coastline, and thank you for your attention to this sensitive coastal parcel adjacent to the beautiful Pacifica coastline.

Sincerely,

Marcia Settel  
PPCA President  
650-355-8731

Joanne Gold  
PPCA Vice President  
650-270-8574

## **Ringuette, Oceane@Coastal**

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**From:** Karen Rosenstein <karetaker@catsincharge.com>  
**Sent:** Friday, January 3, 2020 1:57 PM  
**To:** KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal; Wehrmeister, Tina@City of Pacifica  
**Cc:** Karen Rosenstein  
**Subject:** Pacifica LCP must include Planning for Sea Level Rise!!

Dear California Coastal Commission,

My husband and I have lived in Pacifica for over 22 years now. During this time, we've noticed multiple changes that make us very aware of the Pacific Ocean's ability to shape and change our town's geography. Here's just three...

1. The popular hiking trail that goes up to the top of the bluffs from above the mouth of Calera Creek next to the parking lot has been moved twice because of eroding cliffs.
2. I attended a work conference in Las Vegas a few months after the house on Esplanade fell into the Ocean. When I was asked where I lived and responded with Pacifica, CA, the news story featuring this event was always mentioned.
3. The walkway and street north of the Pacifica Pier (aka Beach Blvd.) is always damp now despite no rain and the street often has sand and beach rocks in it. Waves cresting over and splashing people, like we experienced yesterday, is much more frequent than 22 years ago.

I'm glad to see that the CCC wants the City of Pacifica, and its citizens, to be pro-active in making long term plans now for our town that address this not-going-away problem Pacifica faces. We feel that by addressing this problem now is the smart way to proceed on this ever changing planet of ours.

Please keep planning for managed retreat in the City of Pacifica's LCP.

Thank you!

Karen Rosenstein  
200 Troglia Terrace  
Pacifica, CA 94044

I am a Pacifica resident and am writing in support of the commission's decision that managed retreat needs to be an option included in our local coast plan. I, like many Pacifica residents, support long range planning for sea level rise that considers multiple options, protects local beaches, and reduces long run financial risks to the city and homeowners.

Sincerely,  
XXX

## Ringuette, Oceane@Coastal

---

**From:** Pete Shoemaker <bentshoe@igc.org>  
**Sent:** Wednesday, January 1, 2020 6:50 PM  
**To:** Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal  
**Cc:** Wehrmeister, Tina@City of Pacifica  
**Subject:** CCC on Pacifica Sea Level Rise

I support the Coastal Commission's position on facing the reality of the impact of sea level rise on Pacifica. All options should be discussed, including managed retreat, however it is called. The real estate industry has put a great deal of money into Pacifica politics to further their interests, and they do not have the "greater good" in mind. The Commission does have that mandate, so please stand up to these narrow-minded people and do your duty.

Pete Shoemaker  
351 Keith Ave., Pacifica  
Resident for 30 years

## **Ringuette, Oceane@Coastal**

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**From:** Julie Starobin <juliestarobin@gmail.com>  
**Sent:** Friday, January 3, 2020 1:45 PM  
**To:** KoppmanNorton, Julia@Coastal; Rexing, Stephanie@Coastal  
**Cc:** Wehrmeister, Tina@City of Pacifica  
**Subject:** Managed Retreat for Pacifica

To the California Coastal Commission

I am a Pacifica resident and am writing in support of the commission's decision that managed retreat is a necessary option included in our local coast plan. I wholeheartedly support long range planning for sea level rise that considers multiple options.

Sincerely,

Julie Starobin  
Pacific Manor

## **Ringuette, Oceane@Coastal**

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**From:** Dinah Verby <dinahv@earthlink.net>  
**Sent:** Friday, January 3, 2020 4:25 PM  
**To:** Wehrmeister, Tina@City of Pacifica; KoppmanNorton, Julia@Coastal; REXING, Stephanie@Coastal  
**Cc:** Dinah Verby  
**Subject:** Comments on Pacifica's Local Coastal Plan Update

To Whom It May Concern:

I am a Pacifica resident and am writing to support the Coastal Commission staff's comments dated November 22, 2019.

I believe that the City's current draft does not meet the goals and policies of the California Coastal Act (as adopted by the voters), for the reasons stated in the Coastal Commission staff comments.

I am concerned that the City Council majority is not considering the ultimate cost to the City – financially and in terms of loss of physical and natural resources – from failing to include and plan for managed retreat as one of many options to confront sea level rise. From my observation and experience, armoring alone is not a proven long-term solution and it ultimately fails, while resulting in shoreline erosion and loss of beaches.

While I understand the fears of homeowners close to the shoreline, eliminating the words “managed retreat” from the LCP update will not avoid the devastating impacts of our expanding and rising seas.

Thank you for considering my comments.

Dinah Verby  
Vallemar, Pacifica

## **Ringuette, Oceane@Coastal**

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**From:** Marilyn Weeks <mgweeks17@sbcglobal.net>  
**Sent:** Thursday, January 2, 2020 8:27 AM  
**To:** KoppmanNorton, Julia@Coastal  
**Subject:** CCC

I am a Pacifica homeowner and I support the decision by the California Coastal Commission to include managed retreat for sea level rise. I understand that managed retreat includes many options and strategies. The waters will rise. Our only choice is between managed or unmanaged. I choose managed.

Sincerely, Marilyn Weeks

## Ringuette, Oceane@Coastal

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**From:** Stan Zeavin <margstan@sbcglobal.net>  
**Sent:** Monday, September 23, 2019 4:04 PM  
**To:** Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal; Manna, Jeannine@Coastal  
**Subject:** City of Pacifica LCLUP Consultation Draft

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi, Julia and Stephanie,

I tried to load the new City of Pacifica's LCLUP Consultation Draft. It's too big for an attachment on the laptop, but if you're interested, here is a link: <https://cityofpacifica.egnyte.com/dl/QTzCvBcYX3/>

My guess is the CCC may not be aware as yet of this particular iteration of the LCLUP. What is of particular interest is section 6, Coastal Resilience. SLR is now in a separate category from other natural hazards. I am appalled. At first glance it seems that our beloved city has once again eliminated even more of the suggested CCC guidelines. Concerning SLR, both hazards and trigger points, if used at all, are, at best, vague. It looks like the city's response to most future trigger points is to build more protections. There doesn't seem to be any serious attempt to create alternatives to more walls.

There are probably many other points to be made, but at this time I'm on vacation up in the wilds near Mt. Baker here in Washington and don't want to spend much time on this. It is my understanding that there will be a Pacifica City Council Meeting on September 30 to review or vote on the acceptance of this document, either as is, or, with whatever changes they make between now and then.

If you already have a copy or other more important things on your calendar, i apologize for taking your time.

Thanks again for all your fine work,

Stan Zeavin

## **Ringuette, Oceane@Coastal**

---

**From:** Stan Zeavin [mailto:margstan@sbcglobal.net]

**Sent:** Monday, September 23, 2019 4:04 PM

**To:** Rexing, Stephanie@Coastal; KoppmanNorton, Julia@Coastal; Manna, Jeannine@Coastal

**Subject:** City of Pacifica LCLUP Consultation Draft

Hi, Julia and Stephanie,

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My guess is the CCC may not be aware as yet of this particular iteration of the LCLUP. What is of particular interest is section 6, Coastal Resilience. SLR is now in a separate category from other natural hazards. I am appalled. At first glance it seems that our beloved city has once again eliminated even more of the suggested CCC guidelines. Concerning SLR, both hazards and trigger points, if used at all, are, at best, vague. It looks like the city's response to most future trigger points is to build more protections. There doesn't seem to be any serious attempt to create alternatives to more walls.

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If you already have a copy or other more important things on your calendar, i apologize for taking your time.

Thanks again for all your fine work,

Stan Zeavin

To: Pacifica City Council

Date: December 10, 2018

Subject: Sea Level Rise Adaptation Plan discrepancies within the Pedro Point section for property known as the "Calson Field"

Dear City Council:

In review of the proposed Sea Level Rise Adaptation Plan there are multiple areas of needed corrections concerning the undeveloped five acres of land known as the Pedro Point Field or "Calson Field". To these points there are multiple issues:

1. On page 73 of the "Wetlands" section of the plan it states that: *"There are two primary areas of wetland habitat in Pacifica: wetlands in Laguna Salada and wetlands at the mouth of San Pedro Creek"* when in fact the whole of the Calson Field is a documented designated federal wetland in the USFWS wetland National Wetlands Inventory. This error is also in the Appendix B as an "unconfirmed wetland" that also needs correction (see Exhibit A).
2. The same section on wetlands states that "No data on CRLF are available for the local lagoon <in San Pedro Creek>". The culvert that leads to San Pedro Creek running along this property has been documented as a known California Red Legged Frog habitat (see Exhibit B).
3. Most importantly the Pacifica Institutes hazard map and program models the Pedro Point "Calson Field" to be fully under water with 4.6 ft. of SLR. Pacifica is using a 5.7 ft scenario, yet it only shows a portion of the field under flooding in its SLR scenario. This also needs to be corrected. Note that FEMA also utilizes utilizes the Pacific Institute as source for their SLR flood mapping (See exhibit C)
4. For the "Transfer of Development Credits(TDRs) section for Pedro Point this property should fall under the Guidance of the Recommendation of the State of California's "Natural Resources Agency(NRA) Safeguarding California: Reducing Climate Risk Adaptation Strategy. This document states on page 12 paragraph 4: *One opportunity to achieve broad environmental benefits is through the use of natural infrastructure solutions to mitigate climate risk. Restoration and conservation of natural systems such as forests, grasslands and shrublands, agricultural lands, and wetlands can provide more resilient natural systems that also offer protection from climate impacts. For example, wetlands can provide protection from flooding, while also providing valuable habitat and other hydrological benefits. Prioritizing these solutions can maximize the benefits of investments to reduce climate risks by providing a broad portfolio of benefits across several sectors.* (Please note that the Pacifica adaption plan erroneously rebutted a comment on this mitigation strategy from Alison West that this strategy can only be implemented on publically owned land. The NRA document does not state anything on ownership and the cities own TDR strategy states that it should work with private land owners in other areas of Pacifica; the same TDRs should apply here.
5. This NRA document also states on page 179 paragraph 1: In order to minimize the adverse effects of sea-level rise and storms, it is important to carefully consider decisions regarding areas vulnerable to flooding, inundation and erosion. The state should not build or plan to build, lease, fund, or permit any significant new structures or infrastructure that will require new protection from sea-level rise, storm surges or coastal erosion during the expected life of the structure, beyond routine maintenance of existing levees or other protective measures, unless there is a compelling need. Again the best use of this property is for flood mitigation and not development.

In consideration of the above issues this SLR adaptation plan needs to be corrected to consider the above documentation so that proper planning can be conducted in the aforementioned property known as the Calson Field in Pedro Point which should be considered as flood mitigation undevelopable land to protect against future SLR.

Sincerely,

Samuel Casillas  
Resident of Pedro Point

Exhibit A: Federally designated Wetland encompassing the whole of "Calson Field"



**Exhibit B: Documented Protected Species Habit Range for California Red Leg Frog**

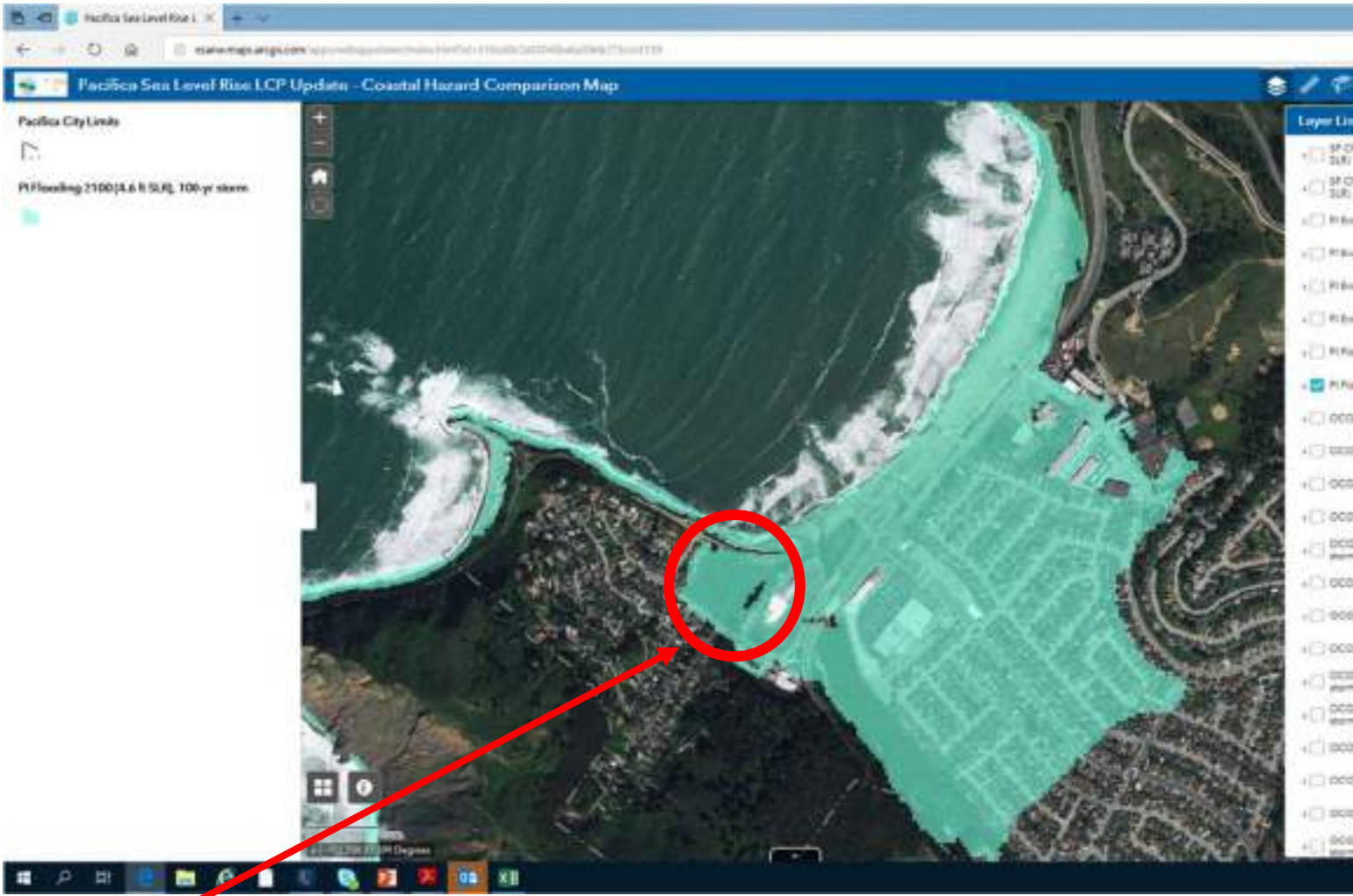


Intermittent breeding habitat of California red-legged frogs in freshwater marsh swale bordering the southeast corner of the field, near roadside culverts. An adult CRLF is shown at the concrete base of foundation culvert on August 20, 2006, after the field ditch connections were breached to the swale north of this pool. CRLF frequently bask in the western muddy or grassy banks of this pool in wet (non-drought) years.

Source: Peter Baye, PhD, Coastal Ecologist:

[https://docs.wixstatic.com/ugd/7be690\\_c88d492841674f999799463d94e5058e.pdf](https://docs.wixstatic.com/ugd/7be690_c88d492841674f999799463d94e5058e.pdf)

**Exhibit C: Pacifica Institute SLR Map at 4.6 Ft of Flooding**



Pedro Point "Calson Field" is under water with 4.6 ft. of SLR with Pacifica Institute's mapping. Pacifica is using 5.7 ft scenario. FEMA utilizes Pacific Institute as source for their mapping.

**From:** [Jeff Guillet](#)  
**To:** [CoastalLCPGrantProgram](#); [Foster, Patrick@Coastal](#); [Nathan.daniel@coastal.ca.gov](#); [nancy.cave@coastal.ca.gov](#); [Cavalieri, Madeline@Coastal](#); [Carl, Dan@Coastal](#); [Ducklow, Kelsey@Coastal](#); [Rexing, Stephanie@Coastal](#); [Ainsworth, John@Coastal](#)  
**Subject:** FW: Comments on Pacifica Draft LCP Policies  
**Date:** Monday, October 1, 2018 11:16:34 AM

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**Forwarding to correct email addresses.**

**From:** Jeff Guillet <>  
**Sent:** Sunday, September 30, 2018 10:32 AM  
**To:** 'sealevelrise@ci.pacifica.ca.us' <[sealevelrise@ci.pacifica.ca.us](mailto:sealevelrise@ci.pacifica.ca.us)>; 'rharrisjr1@gmail.com' <[rharrisjr1@gmail.com](mailto:rharrisjr1@gmail.com)>; 'Foster.Patrick@Coastal.ca.gov' <[Foster.Patrick@Coastal.ca.gov](mailto:Foster.Patrick@Coastal.ca.gov)>; 'CoastalLCPGrantProgram@coastal.ca.gov' <[CoastalLCPGrantProgram@coastal.ca.gov](mailto:CoastalLCPGrantProgram@coastal.ca.gov)>; 'cgroom@smcgov.org' <[cgroom@smcgov.org](mailto:cgroom@smcgov.org)>; 'dhorsley@smcgov.org' <[dhorsley@smcgov.org](mailto:dhorsley@smcgov.org)>  
**Cc:** 'o'neillm@ci.pacifica.ca.us' <o'neillm@ci.pacifica.ca.us>; 'keenerj@ci.pacifica.ca.us' <[keenerj@ci.pacifica.ca.us](mailto:keenerj@ci.pacifica.ca.us)>; 'digres@ci.pacifica.ca.us' <[digres@ci.pacifica.ca.us](mailto:digres@ci.pacifica.ca.us)>; 'martind@ci.pacifica.ca.us' <[martind@ci.pacifica.ca.us](mailto:martind@ci.pacifica.ca.us)>; 'vaterlauss@ci.pacifica.ca.us' <[vaterlauss@ci.pacifica.ca.us](mailto:vaterlauss@ci.pacifica.ca.us)>; 'marc.hershman@sen.ca.gov' <[marc.hershman@sen.ca.gov](mailto:marc.hershman@sen.ca.gov)>; 'marc.hershman@sen.ca.gov' <[marc.hershman@sen.ca.gov](mailto:marc.hershman@sen.ca.gov)>; 'Mario.Rendon@asm.ca.gov' <[Mario.Rendon@asm.ca.gov](mailto:Mario.Rendon@asm.ca.gov)>; 'Brian.Perkins@mail.house.gov' <[Brian.Perkins@mail.house.gov](mailto:Brian.Perkins@mail.house.gov)>; [shermfrederick@gmail.com](mailto:shermfrederick@gmail.com); 'Nathan.Daniel@Coastal.ca.gov' <[Nathan.Daniel@Coastal.ca.gov](mailto:Nathan.Daniel@Coastal.ca.gov)>; 'Carl.Dan@coastal.ca.gov' <[Carl.Dan@coastal.ca.gov](mailto:Carl.Dan@coastal.ca.gov)>; 'Ainsworth.John@Coastal.ca.gov' <[Ainsworth.John@Coastal.ca.gov](mailto:Ainsworth.John@Coastal.ca.gov)>; 'Rexing.Stephanie@Coastal.ca.gov' <[Rexing.Stephanie@Coastal.ca.gov](mailto:Rexing.Stephanie@Coastal.ca.gov)>; 'Cavalieri.Madeline@Coastal.ca.gov' <[Cavalieri.Madeline@Coastal.ca.gov](mailto:Cavalieri.Madeline@Coastal.ca.gov)>; 'Ducklow.Kelsey@Coastal.ca.gov' <[Ducklow.Kelsey@Coastal.ca.gov](mailto:Ducklow.Kelsey@Coastal.ca.gov)>; 'gina@samcar.org' <[gina@samcar.org](mailto:gina@samcar.org)>; 'wehrmeistert@ci.pacifica.ca.us' <[wehrmeistert@ci.pacifica.ca.us](mailto:wehrmeistert@ci.pacifica.ca.us)>; 'o'connorb@ci.pacifica.ca.us' <o'connorb@ci.pacifica.ca.us>  
**Subject:** Comments on Pacifica Draft LCP Policies

Attached are my comments to the "Final" Draft LCP Policies.

1. It is unfair for the city to request the public's final comments to a draft that is incomplete. The coastal commission staff will make "substantial" comments to the current SLR adaption plan at very last minute, before public comments close. When can we expect California Coastal Commission comments to be released to public? The public demands an equal amount of time to review and comment on those changes.
2. The "data" that ESA produced (mostly developed by themselves) has not been peer reviewed. The public demands time and funds to perform a peer review using the grant money that the city was given to produce the data for the report.
3. How much of the LCP grant funds remain - if any? Let the public use them for an impartial peer review.
4. The Draft LCP Policies say, "*Managed retreat is not included in any of the near-term policies.*"

*Managed retreat would be reconsidered in the mid- to long-term if feasibility and monitoring warranted, as detailed in Hazard Policy 5 and Hazard Policy 6.*” However, General Hazard Policy 4 (Shoreline Adaptation Plan) says, *“The City shall implement its Sea-level Rise Adaptation Plan (Appendix xx) as expressed in the LUP’s general and sub-area coastal hazard adaptation policies.”* This is bait-and-switch – nothing more. The Sea-Level Rise Adaptation Plan mentions managed retreat 95 times. This language must be struck from the Sea-Level Rise Adaptation Plan, as well as any reference documentation.

5. Hazard Policy 26 mentions, *“Elevate development structures as necessary to mitigate flood damage, consistent with existing height limitations.”* Putting houses on stilts **\*IS\*** managed retreat!
6. Hazard Policy 46, which indemnifies the city and holds it harmless, is illegal and will be fought with many lawsuits. Remove it from the LCP Policies, otherwise ESA will need to include these litigation costs in the cost benefit analysis.
7. Why is the city requesting an RFP for a hotel in the old waste water treatment site, which is ground zero for all the bad data that ESA has developed? Which is it? Is this a hazard area, as indicated in the reports, or a place to develop a resort?
8. At the Sept. 15<sup>th</sup> LCP Policy Meeting, ESA said they were going to adjust the cost benefit analysis (after it was already final). Where is that? Has it been formally requested? Based on what objective data? Hiring Surfrider Foundation is NOT a neutral party. Southern California data is not applicable for this area and there is no peer review.
9. The map of Fairway Park West that was continually referenced in the Sept. 15<sup>th</sup> LCP Policy Meeting is a “guess” at what they would look like in the year 2100 with 5.7ft sea-level rise during a 100 year storm and with all SLR protections removed. That is an unreasonable series of events, especially since the CCC has directed the city and county of San Francisco to maintain the levee. Why is the city using such outlandish predictions for a document that is designed to last 20-30 years? Why does this need to be approved Dec 10?? Why the rush?
10. The term “new development” is entirely too vague and could be taken to mean ANY construction to a property, such as adding an edition, replacing a roof, adding solar panels, etc.
11. The term “shoreline” is too vague. The city needs to have a detailed map available to the public that shows these areas.
12. The document repeatedly references bluffs. Where are these? The city needs to have a detailed map easily available to the public that shows these areas.
13. All references to “city maps”, “hazard zones” and all other external references must have public links to their sources. This document is intentionally vague and confusing. It sends the public and city staff on wild goose chases trying to find the source data.

14. Areas and neighborhoods like Fairway Park West, which are not affected by sea-level rise in the scope of this document, must have a statement made in their policies that they are “exempt” from the policy regulations or be removed from the document entirely. Why have policies for neighborhoods that are, by definition, not in affected zones?
15. There needs to be a policy stating that no policies may go into effect until the public has had at least 60 days to review them.
16. Who or what organization will be responsible for future monitoring and reporting. Sounds like ESA, who wrote these policies, is writing themselves into a sweetheart deal in perpetuity. This is a conflict of interest. At what cost to the city? Where are these funds coming from?
17. Why is this plan subject to review at least every 5 years? This is a very short time period and is designed to keep a steady stream of revenue for ESA and the Surfrider Foundation, both of which are biased and cannot be trusted – hence the need for peer review and public comment.
18. The LCP Policies document that was presented to the public is version 7. Was John Keener or anyone on the city council involved in writing versions 1-7?

– **Jeff Guillet**

[www.nopacificaretreat.com](http://www.nopacificaretreat.com)



Scenic Pacifica  
Incorporated Nov. 22, 1957

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**CITY OF PACIFICA**  
**Planning, Building, and Code Enforcement**  
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(650) 738-7341 • [www.cityofpacifica.org](http://www.cityofpacifica.org)

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**MAYOR**  
Tygarjas Bigstycyk

**MAYOR PRO TEM**  
Sue Vaterlaus

**COUNCIL**  
Sue Beckmeyer  
Mary Bier  
Christine Boles

March 1, 2023

Stephanie Rexing, District Manager  
North Central Coast District  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

**Re: Local Coastal Land Use Plan Update, March 2023 Agenda Item No. W14a (File No. LCP-2-PAC-20-0036-1)**

Dear Stephanie:

I write in regards to the subject Local Coastal Program (LCP) amendment. The City of Pacifica ("City") submitted its application for Coastal Commission certification of a comprehensive amendment to the existing 1980 Local Coastal Land Use Plan (LCLUP) in June 2020. We have eagerly awaited Coastal Commission staff's final recommendation on the application since that time and are pleased to be at this stage in the process.

The City received notice of posting of the Coastal Commission staff report on February 24, 12 days in advance of the March 8<sup>th</sup> hearing. The comprehensive nature of the LCP amendment combined with the extent and nature of Coastal Commission staff's suggested modifications necessitate more time for the City to review the staff report before participating in a public hearing on the matter. Therefore, the City respectfully requests a continuance to no earlier than the July 2023 meeting so that we can evaluate options to most effectively respond to the Coastal Commission staff's recommendations.

Thank you in advance for consideration of the City's continuance request.

Regards,

Christian W. Murdock, AICP  
Planning Director



March 6, 2023

To: Donne Brownsey, Chair, California Coastal Commission

Cc: Kate Huckelbridge, Executive Director, California Coastal Commission  
Julia Koppman Norton, District Supervisor, California Coastal Commission  
Oceane Ringuette, Coastal Planner, California Coastal Commission

Sent via e-mail

**Re: Support for Staff Modifications to City of Pacifica Land Use Plan Update**

Dear Chair Brownsey and Commissioners,

As leaders from the undersigned organizations, we stand united on the principles that all Californians deserve the opportunity to access and enjoy the California Coast and that the state government has a legal duty to ensure municipalities protect public resources and public trust lands, including beaches and waves. From this basis, we urge the California Coastal Commission to approve Coastal Commission staff's suggested modifications to the City of Pacifica's proposed comprehensive land use plan update (LUP) in their entirety. Without the modifications, the City's proposed plan would undermine key Coastal Act policies that prohibit shoreline armoring and protect coastal resources from coastal erosion and rising seas, and the City's proposal fails to adequately protect coastal habitats.

We are gravely concerned with certain provisions of the LUP's coastal hazard policies, which staff defines as a coastal armoring program that could result in "full armoring" of Pacifica's coast. The LUP provisions would grant unlawful shoreline armoring allowances in certain sub-areas and prohibit consideration of managed retreat. The City proposes definitions of "shoreline," "existing development" and "redevelopment"

(substantial exterior structure modifications) that would greatly expand coastal armoring. The LUP boldly exempts the majority of development within vulnerable coastal hazard zones from analyzing or considering coastal hazards with its narrow definition of “shoreline”. The City’s proposal would also inadequately protect environmentally sensitive habitat area and coastal dunes by failing to define minimum buffer zones or list dunes as protected habitat types.

As such, we agree with the staff report that City’s proposal does not adequately protect coastal resources and cannot be found consistent with the Coastal Act without incorporating all the suggested staff modifications. Importantly, the City’s coastal armoring program must be rejected. **We strongly urge the Commission to approve the City’s Land Use Plan update only with the entirety of Coastal Commission staff’s suggested modifications.**

### Major LUP Impacts

The City’s LUP policies would eliminate the possibility for upland migration of coastal habitats and resources and expressly prohibit proactive adaptation policies including managed retreat. Prohibition of managed retreat is shortsighted and a woefully inadequate response to sea level rise. Adaptation requires flexibility and a variety of approaches for the dynamic coast. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Avenue due to storm damage and bluff erosion.

The overreliance on seawalls contradicts the state’s priority to conserve 30 percent of our lands and coastal waters by 2030 and threatens the vitality of the City’s spectacular coastal bluffs, beaches, dunes and wetlands. Staff’s modifications are vital for ensuring Coastal Act mandates for habitat protection and wetlands are upheld. Pacifica is home to some of the state’s few remaining wetland habitats, which must be protected from encroaching development with adequate buffer zones.

The City’s broad reliance on shoreline armoring and sub-area armoring allowances would greatly impact public coastal resources, coastal habitats and public trust lands. The LUP must minimize coastal armoring due to its impediment of public beach access. Coastal armoring fixes the back of the beach, coupled with rising sea levels, this is a recipe for narrower beach area or none at all during high tides. The public’s right to access and enjoy the coast will be further curtailed by increased armoring. Coastal armoring not only kills the beaches, it also has a negative impact on waves since the refraction off the seawalls and other hard structures will compromise the natural wave shape and direction.

The City's armoring plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach because nearby development may become eligible for shoreline armoring. These beaches are visited by millions and beloved for their beginner-friendly waves. They serve as important access points including for surf schools and environmental justice communities in the region. By failing to consider alternatives to armoring, the LUP also destines the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise. A [recent report](#) funded by California State University Council on Ocean Affairs, Science & Technology (COAST) released preliminary results that show that beach loss through sea level rise will affect underserved communities the most. Equitable coastal access might become another victim of climate change – unless we plan proactively.

**The impacts of hardened armoring on public access, recreation and habitats are too severe to be negated. Any decision short of full incorporation of Coastal Commission staff's suggested modifications could create a very dangerous precedent statewide for managing coastal resources in the face of rising sea levels.**

### Coastal Act Inconsistencies

We strongly commend Coastal Commission staff for their thorough work to correct the LUP's numerous Coastal Act inconsistencies. We support these modifications in their entirety and highlight several key issues below.

The LUP glossary is an essential element for interpretation of the LUP. The City's definitions play an enormous role in interpreting the proposed policies and determining whether a structure is entitled to shoreline armoring.

Crucially, the City exempts the majority of development within vulnerable areas from analyzing and planning for coastal hazards by limiting the definition of shoreline to the area immediately adjacent to the shore. This leaves development just one block away potentially vulnerable and potentially entitled to shoreline armoring. We support the staff modifications that correct this departure from adequate coastal planning.

The LUP would also allow for a broad interpretation of "existing structure" that is inconsistent with prior interpretations and case law. It would consider all structures "existing" that are built or permitted before the date of certification of the LUP. This goes against standard interpretation that changes in the law are effective from the date of the law going forward. The date of the Coastal Act implementation is largely recognized as

January 1, 1977. The City's LUP also broadly defines redevelopment, referred to as "substantial exterior structure modification," such that a majority of the city would be entitled to armoring into perpetuity. These definitions fail to meet the intention of the Coastal Act to alter the pattern of development landward, away from coastal hazards, erosion and rising seas. Instead, it locks this dangerous pattern of development within hazardous zones and dooms our vital remaining coastal resources.

Coastal Commission staff's modifications will improve the LUP by removing the definition of existing development instead of correcting it. This may ultimately put more burden on limited state resources as City issued coastal development permits with improper interpretation would have to be appealed. We recognize that this may be a necessary temporary compromise to move the City's plan forward.

We further support modifications that protect dune habitat and establish clear buffer zone minimums for sensitive habitats so as to fully comply with Coastal Act sections 30233 (wetlands) and 30240 (ESHA). Wetlands are a significant coastal resource and buffer for sea level rise, adding to resilience capacity for the City. We support staff's call for clarification around natural resource delineation buffer areas and ESHA protections. Californians rely on the wellbeing of the coast and its creatures for economic, recreational and spiritual well-being. Coastal Commission staff's modifications are necessary to ensure the City's sensitive habitats are protected from development, grading and rising seas.

#### Additional Modifications Needed

We strongly support Coastal Commission staff's modification to remove the City's references that exclude managed retreat as a potential adaptation strategy. If we fail to commit to adaptation pathways that lead to managed retreat, including within urban and suburban areas, we will lose critical coastal habitats and fail to meet state goals for habitat conservation. Nature-based solutions to sea level rise will produce multiple benefits and should be the preferred adaptation method in the LUP.

The City should proactively plan for relocation of aging infrastructure along the coast. **The LUP and staff modifications should explicitly call for planned relocation of the wastewater treatment plant infrastructure along the shoreline, including aging sewage lines and other utility infrastructure as it comes due for repair to move it out of highly vulnerable areas. The City should also plan to redesign the various runoff pipes that protrude from the bluffs for much of the northern portion of Pacifica, which contribute to bluff erosion and often subject to shoreline armoring. Utility infrastructure, especially in Sharp Park, should not be replaced**

**in the same location as it creates a perverse incentive for more armoring to protect it.**

Additionally, the Coastal Commission staff report acknowledges that there is an unknown amount of unpermitted armoring. **As part of this update, the Commission should require that Pacifica evaluate where unpermitted armoring exists and require its removal.** For all the reasons stated in this letter, removal of unpermitted armoring should be a top priority in sea level rise adaptation planning.

### Conclusion

If the Coastal Commission approves the Pacifica LUP as proposed, it will open a Pandora's Box for jurisdictions across the state to copy the full armoring approach and undermine the state's efforts and substantial investments in ensuring equitable coastal preservation as sea levels rise. **Please approve the City's Land Use Plan update only with the entirety of Coastal Commission staff's suggested modifications along with our additional requests, above.**

Sincerely,

Mandy Sackett  
California Policy Coordinator  
Surfrider Foundation

Kimberly Williams  
Volunteer Policy Manager  
Surfrider Foundation  
San Mateo Chapter

Susan Jordan  
Executive Director  
California Coastal Protection Network

Kristen Northrup  
Policy Advocate  
Coastal Environmental Rights Foundation

Pamela Heatherington  
Board of Directors  
Environmental Center of San Diego

Marce Gutiérrez-Graudiņš  
Founder/Executive Director  
Azul

Stephanie Chang, MD  
Advocacy Specialist  
Brown Girl Surf

Andrew Johnson  
California Representative  
Defenders of Wildlife

Erica Donnelly-Greemam  
Executive Director  
Save Our Shores

Laura Morgan, MD  
Sebastopol, CA



March 3, 2023

California Coastal Commission  
455 Market Street  
Suite 300  
San Francisco, CA 94105  
(415) 904-5202  
[Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

RE: City of Pacifica Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1 (City of Pacifica LUP Update)

Honorable Chair Brownsey and members of the Coastal Commission:

Smart Coast California (SCCa) is grateful for the opportunity to submit our comments regarding the City of Pacifica Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1, City of Pacifica Land Use Plan Update. SCCa is a 501(c)3 organization established in 2019 to promote and advocate for smart land use policies affecting California's 1,271 miles of coastline. Smart Coast California is dedicated to community sustainability, property rights and the environment.

Smart Coast California (SCCa) commends the City of Pacifica on producing a detailed Land Use Plan Amendment that balances the goals of protecting healthy beaches, private property, and public access—each a valuable component of the City's shoreline. We are concerned with the suggested modifications as they significantly change the intent of the document, which City of Pacifica has so diligently prepared. City leadership has made the choice to reject managed retreat, and to expressly provide protection for existing development (not just those structures built before the effective date of the Coastal Act January 1, 1977). This document reflects the goals and policies that have been identified as critical to their community.

Smart Coast California would like to express SUPPORT for the City of Pacifica LCPA Land Use Plan as submitted.

Smart Coast California generally OPPOSES the suggested modifications as proposed by the Coastal Commission staff.

SCCa appreciates that the City of Pacifica has made significant investments of both time and resources in planning for Sea Level Rise and have facilitated extensive stakeholder involvement over a number of years resulting in the LCPA/LUP that is specific to the conditions of their locality. SCCa respectfully requests that you certify the Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1, City of Pacifica Land Use Plan as submitted or continue this item

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for further consideration at a later date. As stated in staff report, the Commission has until December 22, 2023 to take a final action on this LCP amendment. We appreciate your service, and thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Grisanti".

Paul Grisanti  
President  
Smart Coast California

**Received 782 emails with the following text:**

Dear California Coastal Commission Chair Donne Brownse,

I am writing to express my opposition to the City of Pacifica's Land Use Plan update, particularly its proposed coastal hazard policies. The City should pursue coastal planning solutions that address the long-term impacts of sea level rise in a manner protective of public resources - our beaches, bluffs and waves. More effective alternatives consistent with California Coastal Commission recommendations and the Coastal Act include strategic relocation, consideration of living shoreline options and avoidance of hard armoring. Proactive planning is essential for avoiding costly disasters such as the condemned blufftop apartment building on Esplanade Ave due to storm damage and bluff erosion.

As a local beachgoer, I support long-term solutions that benefit my right to beach access, protect coastal resources and habitats and preserve the coast from rising seas as required within the California Coastal Act. The City's plan will erode our beaches over time and make access impossible. The City's plan could be devastating for popular surf and recreational beaches such as Linda Mar, Rockaway and Sharp Park Beach. By failing to consider alternatives, it also dooms the beaches fronting Beach Boulevard, Esplanade and Palmetto to permanently drown as seas rise.

One third of the City's six miles of coast are already armored. More coastal armoring will fundamentally alter our remaining waves and beaches by exacerbating beach erosion and eventually drowning our beaches and waves.

Please reject the City's plan and approve the entirety of Coastal Commission staff's suggested modifications to protect our public resources and preserve our precious coast.

Sincerely,

*Corinna Girard*

*Susan Grant*

*Nhu Ngo*

*Samantha Torres*

*Stan Souza*

*SYLVIA GLENN*

*Drew Drew Madsen*

*Nina Antony*

*GLENN SPIDELL*

*Lauren Unger*

*lonna richmond*

*doug frazier*

*Rebecca Salcedo*

*J. Barry Gurdin*

*jayne pitchford*

*Chris Casey*

*Rae Putnam*

*John Hall Jr*

*Sandra Summeril*

*Lindsay Buente*

*doug frazier*

*Mike Monson*

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*Mark Irwin*

*Christine Nagel*

*Bob Stevens*

*Christopher Smith*

*Charlie O'Brien*

*Michael Caracozza*

*Maryellen Redish*

*J.P. Bruner*

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*cn brisebois*

*Charles Tribbey*

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*Melora Garrison*

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<i>Edward Mazzarella</i>	<i>Mike Miner</i>	<i>Bilkly Rankin</i>
<i>Juliet Lamont</i>	<i>David Dolotta</i>	<i>DAVID SOTO</i>
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<i>John Marikos</i>	<i>Denise McCulloch</i>	<i>Sonia Gaona</i>
<i>Janet Price</i>	<i>Amy Havin</i>	<i>Nicholas Ferrif</i>
<i>Everett A. Vieira III</i>	<i>Elena Tillman</i>	<i>Therese DeBing</i>
<i>Nona Weiner</i>	<i>Scott Van Fossen</i>	<i>Alivia Alton</i>
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<i>Jeffrey Jones</i>	<i>Wyatt Licht</i>	<i>Mary Simun</i>
<i>christelle whittaker</i>	<i>Andrea Johnson</i>	<i>Leslie Bowen</i>
<i>Noah Haydon</i>	<i>Carolyn Krammer</i>	<i>Jamie Le</i>
<i>Bill Labate</i>	<i>Noah Mabon</i>	<i>Sarah Louie</i>
<i>Ronelle Decker</i>	<i>Steve Anderson</i>	<i>Elizabeth Bettenhausen</i>
<i>Terry Olgin</i>	<i>Keri Briones</i>	<i>Michael Mobley</i>
<i>Leslie Ortega</i>	<i>LeeAnna Diehl</i>	<i>Savannah Stotts</i>
<i>ed iglesias</i>	<i>Caitlin Shields</i>	<i>Heather Hill</i>
<i>Steve Sketo</i>	<i>Gregory Abe</i>	<i>Kurt Loeffler</i>
<i>Inge Lorentzen Daumer</i>	<i>Brunie Felding</i>	<i>Armando A. Garcia</i>
<i>Cindy Abbott</i>	<i>Roth Herrlinger</i>	<i>Rebecca Fenton</i>
<i>ed iglesias</i>	<i>Brett Bring</i>	<i>Tansy Woods</i>
<i>Derrick Claar</i>	<i>Dawn Forster</i>	<i>Parker Day</i>
<i>Gabriel Remon</i>	<i>kent morris</i>	<i>Buuce gordon</i>
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<i>Rafal Dobrowolski</i>	<i>Walter Erhorn</i>	<i>Kelly Sykes</i>
<i>Nicolas Baldoni</i>	<i>Steve Smith</i>	<i>Lenard Wilson</i>
<i>Francis Hayhurst</i>	<i>Summer Lee</i>	<i>Bill Winternitz</i>
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<i>Jonathan Weinstock</i>	<i>John Stout</i>	<i>Mary F Platter-Rieger</i>
<i>Logan Donovan</i>	<i>Henry Bartz</i>	<i>Linda Selvey</i>
<i>Eric Breitbard</i>	<i>Julien Egger</i>	<i>Meaghan Quarles</i>
<i>Terry McDaniel</i>	<i>Michael Hogan</i>	<i>Yazmin Gonzalez</i>
<i>roberta newman</i>	<i>David Wagmeister</i>	<i>Marisa McFarlane</i>
<i>Glen Frank</i>	<i>Lauren Edwards</i>	<i>Lisa Reymann</i>
<i>Marc Silverman</i>	<i>Elaine Benjamin</i>	<i>Kevin Grim</i>
<i>Kyle McNeill</i>	<i>David Rapp</i>	<i>Laura Kowalski</i>
<i>JL Angell</i>	<i>Kerry Boomsliter</i>	<i>Darcy Muirhead</i>
<i>Eric Denys</i>	<i>Antony Tersol</i>	<i>Michael Gilgun</i>
<i>Kenneth Miller</i>	<i>anne veraldi</i>	<i>Michael Esten</i>
<i>Ellen Wade</i>	<i>Jake Matatyaou</i>	<i>Kurt Speidel</i>
<i>Megan Morgan</i>	<i>Lily Lau-Enright</i>	<i>Curt no Black</i>
<i>Angela Howe</i>	<i>Logan Wilson</i>	<i>Tom Nulty</i>
<i>George Hegarty</i>	<i>WILLIAM BARHAM</i>	<i>Kevin Matthews</i>
<i>Catherine Wood</i>	<i>S W Hopkins</i>	<i>Dawna Dorcas-Werner</i>
<i>BARBARA KETCHUM</i>	<i>Pamela Gomez</i>	<i>Tanja Goerig</i>
<i>Shawn Johnson</i>	<i>Barry Schneider</i>	<i>Megan Gonzalez</i>
<i>Marie Martin</i>	<i>Lucas Nuttall</i>	<i>Sarah McCarthy</i>
<i>John Fowler</i>	<i>Michelle Sirota</i>	<i>Bob Miller</i>
<i>Steve Loe</i>	<i>HUGH Gurin</i>	<i>kim escalante</i>
<i>Margaret Fowler</i>	<i>Mary Beth Russo</i>	<i>John Varga</i>
<i>Maureen Barrio</i>	<i>Eddie Scanlon</i>	<i>Laurence Altobell III</i>
<i>Cheryle Besemer</i>	<i>Michael Merlesena</i>	<i>Chris Withrow</i>
<i>Rachel Lubich</i>	<i>Olivia Munoz</i>	<i>Christine Nelson</i>
<i>Jennifer Fields</i>	<i>Cynthia Clark</i>	<i>Deborah Collodel</i>
<i>Emily Richie</i>	<i>Nadine Scott</i>	<i>Jill Seagren</i>

<i>Rita Raskin</i>	<i>Taylor David</i>	<i>Tammy Bullock</i>
<i>John Svelan</i>	<i>Aditi Crosby</i>	<i>Bob Keats</i>
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<i>Nicole Lambertson</i>	<i>Lisabette Brinkman</i>	<i>Edi Cooke</i>
<i>Debra Neckanoff</i>	<i>andrew schrage</i>	<i>Marisa Chirico</i>
<i>Madame Gina Roxanne</i>	<i>Melissa Vizcarra</i>	<i>Camryn Wilson</i>
<i>Mary Franz</i>	<i>Joseph Dito</i>	<i>This is not rocket science! Lea</i>
<i>Alex Jelinek</i>	<i>Joseph Coppi</i>	<i>Sebastien Ballesteros</i>
<i>Terry Lucas</i>	<i>Prestyn Vickers</i>	<i>RYAN HARTMAN</i>
<i>Douglas Jacuzzi</i>	<i>Nancy Keatingl</i>	<i>Julie Ford</i>
<i>Claudia Grandez</i>	<i>Michael Johnson</i>	<i>Catherine Geanuracos</i>
<i>Joan Ayton</i>	<i>Miranda Robles</i>	<i>Sid Vance</i>
<i>Lorelei Ranney</i>	<i>Laurie Petronis</i>	<i>Kristy List</i>
<i>Kristina Wunder</i>	<i>Sparrow McMorran</i>	<i>Stephanie Kaupp</i>
<i>Brian Siebert</i>	<i>Julie Wartell</i>	<i>Pamela Hamilton</i>
<i>Scott Henderson</i>	<i>Keri Pommerenk</i>	<i>Miguel Avila</i>
<i>john chayas</i>	<i>Duane Lynwood</i>	<i>Eron Rauch</i>
<i>Benjamin Zeko</i>	<i>Dustin Thomas</i>	<i>James Goethel</i>
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<i>Jagjit Chadha</i>	<i>Mike Guerreiro</i>	<i>Oliver Cary</i>
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<i>Christian lopez</i>	<i>Cyndi Ringoot</i>	<i>Steven Conlon</i>
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<i>payton tully</i>	<i>Suzanne Benton</i>	<i>Nyah Kinsey</i>
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<i>Mary Turnipseed</i>	<i>Melanie Barna</i>	<i>Abraham Svoboda</i>
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*Bill McLaughlin*

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*Tyler Toy*

*Indie Adamich*

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*Amy Hanley*

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*Sarah Gallagher*

*Jessica Hale*

*Joan Singleton*

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*Barbara Weber*

*Rita Frerk*

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*Kim Kolpin*

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*John Manocchia*

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*Isabella Gaytan*

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*Claire Chambers*

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*Torger Johnson*

*Alexei Klestoff*

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*Gloria Roth*

*Benjamin Ersando*

*Nicole Kelsey*

*Judy Hartmann*

*Daniel Schuessler*

*paul rivas*

*Natalie Scott*

*Karen Chan*

*Utkarsh Nath*

*Natalie Kilmer*

*Courtney Garneau*

*Mary Bissett*

*Christopher Miller*

*Bill Schauman*

*Christina De Quero*

*marty keller*

*John Rizzi*

*Deane Plaister*

*Chris Ritter*

*James Kremer*

*Patricia McCarthy Kremer*

*Keegan Hanks*

*Aimee Wyatt*

*Roland Roberge*

*Matthew Leddick*

*Michael Guzman*

*Anna Bainter*

*Joanna Lonerio*

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*Larry Kendrick*

*Morgan B*

*Danielle Zucchini*

*MARGARET GERARD*

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*William Wong*

*Claire Lacy*

*Matthew Walker*

*Patrick Martin-Schafer*

*Allegra tachner*

*whitley smith*

*Mark Ricci*

*Mark Hubbell*

*lawrence lare*

*Nancy Tierney*

*Lisa Martinez*

*Candace Rocha*

*KATHY SCROGGS*

**From:** [Stan Zeavin](#)  
**To:** [Ringuette, Oceane@Coastal](mailto:Ringuette,Oceane@Coastal); [Rexing, Stephanie@Coastal](mailto:Rexing,Stephanie@Coastal); [KoppmanNorton, Julia@Coastal](mailto:KoppmanNorton,Julia@Coastal)  
**Subject:** my letter  
**Date:** Monday, March 6, 2023 11:19:49 AM

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Dear Commissioners,

I STONGLY SUPPORT THE CC STAFF'S CHANGES ON PACIFICA'S LCLUP!

I'd also like to give a well deserved shout out to Stefanie Rexing, Julia Koppmannorton and Oceane Ringuette, the three CC Staff members who have been responsible for controlling Pacifica City Council's continued attempts to subvert the CCC's basic guidelines.

As a 30 year resident of Pacifica who has been an active participant in attempting to deal with the effect both climate change and sea level rise (SLR) will have on our city, I have seen our LCLUP (this process started in 2018 with the help of a CCC grant and a very different city council) morph from a CCC guideline friendly plan to one that the real estate industry would be proud to author. No managed retreat, no feasible alternate plans if their plan A fails, and, although an LCLUP plan's fiscal responsibility is not in the jurisdiction of the CCC, it certainly will have a profound effect on the citizens of Pacifica.

Here is just one of many examples of how our city council uses a not so slick slight of hand to create the LCLUP:

Our current LCP states that no new seawall shall be built to protect new development. However, the Sharp Park pump, along with its western sewer lines, needs to be moved eastward to protect it from SLR. Several years ago, the price was estimated to be around \$40M for the job. Meanwhile, the city decided Pacifica needs a fully armored seawall that will last 50 years to protect the sewer system while it is being moved. They don't mention that with the seawall built, the city believes it can now create significant new development via the Sharp Park Specific Plan in a coastal hazard zone.

At that time the total cost of the seawall was estimated at \$235M. Residents have little to no idea how far along the grant process has progressed. The City of Pacifica has implemented a new sewer rate hike to raise \$40M over a four year timeline for "sewer support". If interest is included, it may push the cost up to around the \$70M mark. The obvious guess is that "sewer support" means the seawall. The city was vague on this point. It appears the citizens of

Pacifica are being asked to pay for a sewer rate hike that could cover the approximate cost it would take to move the Sharp Park pump and sewer system. However that money is probably heading towards supplementing the cost of the seawall.

All Pacificans are being asked to cover the cost of a seawall that would protect, at most, 5% of the population. This portion of the sewer system provides service to 40% of the population.

Furthermore, the cost of delaying the moving of the Sharp Park pump and sewer system into the future could conceivably double or triple the price. Add to that the cost of removing the seawall when it collapses. Add to that the possible grants we could get now for the pump and sewer line move may not be available down the road. By using the “sewer support” investment to actually move the pump/sewer lines now, it would save the city hundreds of millions of dollars and eliminate the need for the seawall.

You can find this kind of thinking throughout the LCLUP.

**COMMISSIONERS, REJECT THE CITY OF PACIFICA’S ONGOING ATTEMPT TO HARD ARMOR THE COASTLINE DEFERRING THE INEVITABLE TO FUTURE GENERATIONS. PLEASE SUPPORT AND APPROVE THE MODIFICATIONS TO THE PACIFICA LCLUP PRESENTED BY CCC STAFF.**

Thank you,  
Stan Zeavin

**From:** [Summer Lee](#)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal)  
**Subject:** Pacifica LCP  
**Date:** Friday, March 3, 2023 9:39:10 PM

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Dear Staff and Commissioners:

I understand the hearing on Pacifica's LCP has been delayed.

I still would like to express my strong support of the Coastal Commission staff comments and additions on the LCP draft. I, like many of my neighbors, would support both motions: the rejection of Pacifica's LCP draft, and the adoption of this draft with modifications.

However, I believe the modifications could go further for some of the most sensitive coastal areas in our City. For example there should be stronger language in the rezoning of the Pedro Point field ("Field"), as well as for the rezoning of the Quarry in an upcoming reclamation project FEIR, that falls under the Coastal Commission jurisdiction. These proposed changes to land use designations pose conflicts that are not currently addressed in the staff's proposed modifications.

Specifically, for both the Pedro Point field and quarry, the changes in land use designations are not consistent with the ESHA and CEQA guidelines that require such changes to have proper analysis of environmental conditions.

I am heartened by the rest of the Coastal Commission staff comments that understand the need for planning for future SLR and sensitive ecologies, and with these small additional modifications, I strongly urge you to adopt this draft and give Pacifica a reasonable LCP that we neighbors will fight to uphold.

Sincerely,  
Summer Lee  
Pacifica Resident for 23 years

**From:** [Christopher Pederson](#)  
**To:** [NorthCentralCoast@Coastal](#)  
**Cc:** [Huckelbridge, Kate@Coastal](#); [Carl, Dan@Coastal](#); [Rexing, Stephanie@Coastal](#); [julia.koppmannortan@coastal.ca.gov](#); [Ringuette, Oceane@Coastal](#); [Warren, Louise@Coastal](#); [Brownsey, Donne@Coastal](#); [Hart, Caryl@Coastal](#); [Aguirre, Paloma@Coastal](#); [Aminzadeh, Sara@Coastal](#); [Bochco, Dayna@Coastal](#); [Escalante, Linda@Coastal](#); [Harmon, Meagan@Coastal](#); [Rice, Katie@Coastal](#); [Turnbull-Sanders, Effie@Coastal](#); [Uranga, Roberto@Coastal](#); [Wilson, Mike@Coastal](#)  
**Subject:** Public Comment on March 2023 Agenda Item Wednesday 14a - City of Pacifica LCP Amendment Number LCP-2-PAC-20-0036-1 (City of Pacifica LUP Update).  
**Date:** Tuesday, February 28, 2023 11:24:42 AM

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Dear Chair Brownsey and Commissioners:

Climate disruption is the greatest environmental challenge of our era, imperiling many, if not all, of the coastal resources that the Coastal Act commands the Commission and local governments to protect. The Commission and local governments must use all the tools their disposal to minimize the greenhouse gas emissions that drive climate disruption.

According to the California Air Resources Board (CARB), transportation is by far the single largest source of carbon pollution in the state, accounting for half of the state's greenhouse gas emissions. (CARB, 2022 Scoping Plan for Achieving Carbon Neutrality, p.184 <https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp.pdf>) Numerous approaches will be necessary for reducing carbon pollution, but reducing vehicle miles traveled (VMT) is indispensable for achieving the state's climate goals. (2022 Scoping Plan, p. 192, Appendix E (Sustainable and Equitable Communities), pp. 4-6 <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-e-sustainable-and-equitable-communities.pdf>.)

One of the strategic objectives for achieving VMT reductions falls squarely within the Commission's and the City of Pacifica's local coastal program obligations: to "[e]ncourage future housing production and multi-use development in infill locations and other areas in ways that make future trip origins and destinations closer together and create more viable environments for transit, walking, and biking." (2022 Scoping Plan, pp. 193-94.) So too is one of the core strategies for achieving that objective: "[a]ccelerat[ing] infill development and housing production at all affordability levels, with a focus on housing for lower-income residents." (2022 Scoping Plan, p. 195.)

The Coastal Act provides the Commission and local governments with the authority necessary to help the state accomplish its objectives and strategies for reducing VMT and carbon pollution. Chapter Three of the Coastal Act requires new development to:

- minimize energy consumption and vehicle miles traveled (Section 30253(d),
- be concentrated within or in close proximity to already developed areas (Section 30250(a)),
- to facilitate transit service (Section 30252(1)),
- to locate commercial and residential uses in close proximity in order to limit driving (Section 30252(2)),
- to provide for non-automobile circulation (Section 30252(3)), and
- to assure the potential for public transit for high-intensity uses (Section 30252(5)).

It further allows the provision of public transit to substitute for parking requirements. (Section 30252(4)). Finally, the Coastal Act requires the Commission to encourage housing opportunities for low- and moderate-income persons and to allow density bonuses for

development that includes affordable housing unless the density cannot be accommodated in conformity with Chapter Three or the applicable LCP. (Section 30604(f).)

These Coastal Act requirements are precisely the kinds of actions that the Air Resources Board urges public agencies to take in order to reduce VMT. (See 2022 Scoping Plan Appendix D (Local Actions), pp. 11-12 (Table 1), pp. 22-23 (Table 3) <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf> and Appendix E, pp. 22-28.)

Unfortunately, Pacifica's proposed updated Land Use Plan falls short of these minimum Coastal Act requirements. To address these basic gaps in the City's submittal, the Commission should adopt the following suggested modifications (modifications to the City's proposed language shown in underlining and strikeout):

- 1) Policy LD-I-2: **Land Divisions in the Coastal Zone.** Continue to require coastal development permits for all land divisions within the Coastal Zone. Land divisions in the Coastal Zone shall be:
- Designed to minimize impacts to public access, recreation, and other coastal resources.
  - Designed to minimize site disturbance, landform alteration, and the removal of native vegetation for development or fire safety.
  - Designed to minimize energy consumption and vehicle miles traveled and to promote modes of transportation other than the automobile.
  - Prohibited on properties that include any areas that are within or adjacent to an Environmentally Sensitive Habitat Area (ESHA) unless the resulting parcels are set aside for conservation, or unless the resulting parcels can be developed consistent with policies protecting sensitive habitats including but not limited to a prohibition on building or requiring vegetation clearance in the ESHA or ESHA buffer.
  - Prohibited on properties that are within Coastal Vulnerability Zones, unless the resulting parcels are set aside for conservation, or unless the resulting parcels can be developed consistent with the LCP. [staff recommended suggested modification]
  - Permitted only in areas with adequate public services to serve development on the resulting parcels.
- Any land division that would result in a parcel that could not be developed in accordance with the policies of this LCLUP is not allowed.

Explanation: the design of a subdivision can be crucial to whether modes of transportation other than the automobile are feasible. To comply with Sections 30252 and 30253, the LUP policy governing the review of land divisions should require evaluation of whether a proposed subdivision is designed to facilitate or impede walking, biking, and transit.

- 2) Policy LD-G-2: **Concentrated Development.** Focus new development in or directly adjacent to already-developed areas, where it can be served by existing public services and where it will not have significant impacts on coastal or other resources. Allow small-scale multifamily housing in all residential zones.

Explanation: Neighborhoods that consist solely of single-family residences generally do not have the density necessary to support convenient public transit service. Allowing small-scale multifamily housing in currently low-density residential areas can facilitate transit service,

serves to concentrate development in already developed areas, and can provide more opportunities for lower-cost and more energy efficient multifamily housing. Moving away from single-family residential zoning also advances the Coastal Act's environmental justice provisions because single-family zoning was historically an important tool in enforcing racial segregation and exclusion and establishing automobile-dependent land use patterns. (See 2022 Scoping Plan Appendix E, pp. 3-4, 6-8, 22-23; *Village of Euclid v. Ambler Realty Co.* (1926) 272 U.S. 365, 394-95 (segregation-era Supreme Court decision characterizing apartment buildings in single-family neighborhoods as parasites and nuisances).)

3) New policy LD-I-8.5: **Affordable Housing.** Allow additional density, incentives and concessions to eligible housing development pursuant to the Density Bonus Statute (Government Code section 65915) unless they cannot feasibly be accommodated on site in a manner that is in conformity with Chapter 3 of the Coastal Act. Allow accessory dwelling units that comply with the standards specified in Government Code section 65852.2, unless the proposed accessory dwelling unit cannot feasibly be accommodated on site in a manner that is in conformity with Chapter 3 of the Coastal Act.

Explanation: Coastal Act Section 30604(f) requires the Commission and local governments to approve additional density for projects that include affordable housing pursuant to the state's Density Bonus statute, except where that density cannot feasibly be accommodated in conformity with Chapter 3 or the applicable certified LCP. This modification would clarify that if a proposed density bonus is consistent with all Chapter 3 policies, then it should be approved even if it might require exceptions to LCP standards that exceed minimum Chapter 3 requirements. An example could be exceptions to setback, height, or parking requirements for an apartment building proposed in a location where coastal hazards, coastal views, or public access are not at issue. This modification would similarly clarify that accessory dwelling units should be allowed in conformity with state law except on sites where doing so would be inconsistent with Chapter 3.

4) Policy PR-G-4: **Transportation and Vehicle Miles Traveled.** The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

City shall strive to implement infrastructure and programs which support a significant reduction in vehicle miles traveled (VMT). New development shall minimize energy consumption and VMT.

Explanation: The updated LUP does not include the relevant language of Coastal Act sections 30252 and 30253 (except as relegated to an appendix). This modification would correct that.

5) Policy PR-G-26: **Private Parking.** Ensure adequate off-street parking in all new development, except where substitute means of serving the new development with public transportation are provided. The determination and regulation of any required off-street parking shall take into account the effects of parking supply on energy consumption and VMT. Allow exceptions to off-street parking requirements for low- and moderate-income housing.

Explanation: Coastal Act section 30252 expressly provides that new development is not required to provide off-street parking where substitute means of serving the development with public transit are provided. The City's proposed language, by not allowing that exception, is inconsistent with Chapter Three. In addition, lower-income households typically have lower vehicle ownership rates than more affluent households. Allowing less off-street parking for less expensive housing still complies with Section 30252's provision regarding "adequate" off-street parking and also responds to the Coastal Act's requirement to encourage low- and moderate-income housing. The Air Resources Board calls for the reduction or elimination of minimum off-street parking requirements as a strategy for reducing VMT. (See 2022 Scoping Plan, Appendix D, pp. 11, 22-23; Appendix E, pp. 27-28.)

Adoption of these suggested modifications would bring the updated LUP into conformity with Chapter Three's policies regarding transportation and the concentration of development and promote environmental justice. It would also advance the Commission's and Pacifica's efforts to reduce greenhouse gas emissions and the threat climate disruption poses to coastal resources.

Thank you for your consideration of my comments.

Sincerely,

Christopher Pederson

**From:** [James Kremer](#)  
**To:** [Ringuette, Oceane@Coastal](#)  
**Cc:** [KoppmanNorton, Julia@Coastal](#)  
**Subject:** RE: Pacifica Item W14a, hearing delayed  
**Date:** Friday, March 3, 2023 2:52:05 PM

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Oceane,

I read all the changes recommended by CCC Staff to the Pacifica Draft LCLUP.

I really appreciate CCC Staff's clear attention to being as clear as possible about intent and policies. This care was apparent in the many cases where additions were paired with deletions of City's text which would have overtly put the city in positions inconsistent with the CCA and CCC staff guidance over the last years. I strongly support the suggested modifications, and applaud the CCC Staff's persistence in dealing with the city's recalcitrance in a protracted dialog.

I want to comment on two places where deletions are suggested, but where their specific history in the Vulnerability study may argue against the modification. I feel qualified to offer these comments because I was invited and served on the 2018 Pacifica "[Sea Level Rise Community Working Group](#)." I observed the discussions of the SLR adaptation plans, and the cost-benefit study. Both were strongly contested. I think some history may justify changes to the CCC modifications here.

I am not sure how this may be accomplished prior to or in the ~~March 8~~ CCC meeting. I suspect the City may engage CCC Staff in discussions related to any number of specific suggested modifications. Again, I urge you to hold the line – my city has not shown good faith in prior years' dialog. I hope that my 2 points are places where concessions could be made, with mutual benefit if further discussions take place. *[I see just now that the full CCC meeting has been postponed. I hope there is a productive dialog.]*

1. Objective triggers for SLR adaptations. Early drafts of adaptation plans (in the Vuln. Assmnt) used a timetable for proposed adaptive responses (e.g. in 25 yrs, do this; in 50 yrs. do this). Subsequent creative deliberations achieved a compromise using observable triggers (e.g. specific levels of SLR or erosion). It was a major change. I felt this shift overcame the strong unified objections of climate skeptics and dogmatic opponents of managed retreat. The resulting plan details seemed to blunt the objections, and bought acceptance of the important and detailed steps of future adaptive response.

Further, and importantly, the use of observable triggers rather than a temporal schedule necessitated the monitoring plan, which remains in the DLCLUP (policy CR-I-3, p. 168 of Exhibit 2). This revision passed the outgoing Council, I think largely because of this.

I strongly endorse the wording changes, deletions and additions, proposed by Staff in this area of the LCLUP, specifically sec. 6.6. However I feel that keeping the concept of observable triggers has important advantages, as well as being a successful product of the early drafters, when the city officials at that time leaned toward prudent, conservative adaptive policies for Pacifica's coastal zone.

Triggers are specifically mentioned in 2nd ¶ of sec. 6.6, and many following sub-area policies. When a policy is completely deleted, of course the specified trigger is invalid (e.g. CR-I-20 & -21, p 175), but when a policy survives as modified (e.g. CR-I-22), the trigger may have merit.

Q: Are such specific triggers against the CCC guidance and the intent of the CCA? If not, I encourage these sections to be revisited, retaining much or all of the wording modifications,

but leaving the objective and scientific guidance *vis á vis* the observable monitoring results. Retaining the monitoring program is predicated on some rational use of the results, and this would provide that tight linkage. It is likely that the specific triggers should be revised using acceptable science and monitoring at some interval, e.g. every decade. This could be added.

2. That cost-benefit study (*Adaptation Plan*. Exhb. 2 file p 164 ff). I have some background in coastal policy and economic analyses like this, and I spoke in detail with the author of the C/B section of the Report at the public meeting when it was presented to the CWG I was serving on. This too raised near-violent objections in these public meetings. What you should know is that the economic part of the consulting project was done on “a shoestring” and the author readily admitted this. He offered caveats that backed off from the quantitative precision of his findings. However, he defended his work as a valid scaling of relative costs and benefits for the considered alternatives. Such a ranking is of genuine value, and it was mostly in this vein I believe, NOT as a precise quantitative accounting, that the work was included in the report. Taken in that light, the C/B study was valuable, but misunderstood.

I worry that the suggested modifications to delete all of the City’s references to the City refusing to use the C/B in any way might have unintended consequences. It would be unfortunate indeed if these deletions allowed the specific quantitative values of the C/B to be used as is at a future time! Total omission potentially seems to risk this. The wording should be changed so that the shortcomings are considered, and any use of the C/B be only used for approximating relative costs of adaptive response options. This is a dilemma, but as presently stated, you remove any suggestion of the valid shortcomings explained by the author that should inform any future use of that section of the report. Yet, the original City wording is also fraught. Their total denial is clearly an overreaction, as I see as CCC Staff’s intent in the complete deletions.

I know these detailed comments may or may not be helpful.

My reaction to almost all the CCC Staff modifications is strong support. I have read the Staff responses in the protracted negotiations exposed in the numerous “Filing Documents” with the city over the years. I and many others are disturbed by the City’s resistance to the guidance and the legal constraints. Many positions are not well defended, not supported by policy or scientific evidence. They mostly arise solely from a hopeful claim of regulatory overreach. I do not believe this has the support of many Pacifica citizens.

-- Jim

James Kremer, Ph. D.  
Resident of Sharp Park since 2008  
Retired Professor of Marine Science, emeritus (USC and UCONN)

**From:** [Amy Pritchard](#)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal)  
**Subject:** RE: March 8th CCC Meeting - Agenda Item 14: Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1 (City of Pacifica LUP Update)  
**Date:** Thursday, March 2, 2023 6:32:58 PM

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Dear Commissioners,

I'm writing to comment on the City of Pacifica's proposed update of its Local Coastal Program (LCP) and Land Use Plan (LUP) - Program Amendment Number **LCP-2- PAC-20-0036-1**.

I have read the Summary of Staff Recommendations, and support the staff's suggested modifications, but additional refinements are needed before you vote to approve this LCP/LUP.

Some of the proposed changes to land use designations pose conflicts that are not currently addressed in the staff's proposed modifications. In particular are the ESHA conflicts related to the undeveloped site west of the Pedro Point shopping center (also known as the Pedro Point field on San Pedro Ave.)

My neighbor, Joanne Gold, has already submitted details about ESHA and habitat-for-species-of-special-interest conflicts in an email sent to Commissioners on March 2<sup>nd</sup>, including:

The presence of California Red Legged Frogs (CLRF) in the freshwater swale adjacent to the Pedro Point field - a species of special concern that requires specific protections.

The swale itself, which has been determined as ESHA due the wildlife and plant species that exist there and have previously been documented by the Coastal Commission.

The proposed CRMU land use designation, which conflicts with ESHA and CEQA guidelines that require changes in designation and zoning to consider the current state of the field as the environmental baseline.

Local citizens like myself have been providing the City of Pacifica with scientific data and neighborhood feedback related to this sensitive undeveloped parcel for many years only to be ignored. I strongly urge you to defer voting on this amendment on March 8th, and consider adding further required modifications to ensure that Pacifica has a functional, responsible LCP/LUP that protects and enhances our coastal environment.

Amy Pritchard, Pedro Point resident for 11yrs.

312 Kent Road

**From:** [Stan Zeavin](#)  
**To:** [Ringuette, Oceane@Coastal](mailto:Ringuette,Oceane@Coastal); [KoppmanNorton, Julia@Coastal](mailto:KoppmanNorton,Julia@Coastal); [Rexing, Stephanie@Coastal](mailto:Rexing,Stephanie@Coastal)  
**Subject:** W14A, LCP Amendment Number LCP-2-PAC-20-0036-1  
**Date:** Friday, March 3, 2023 3:22:01 PM

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Honorable Kate Huckelbridge  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

3 March, 2023

Subject: Pacifica LUP Update

Dear Director Huckelbridge, Honorable Commissioners and Staff,

I fully support the corrections made by CC staff to the Pacifica LCLUP and presented to you today.

With our entire coast vulnerable to SLR, our Pacifica City Council and Staff have chosen to ignore the long-term reality and financial viability in favor of short term armoring.

Since our City Council eviscerated our LCLUP in 2018-19 and proclaimed their version “certified” they have proceeded with both armoring and new development that will need future protection.

The City continues to seek public resources to protect private investment. This is without acknowledging the real need to plan for the inevitable retreat that will be necessary if Pacifica is to survive.

For example, requiring a consultant to equate managed retreat to “no project” badly skewed perception in Sharp Park. Yet, eventually moving the sewer pump station will be necessary.

Manipulating zoning changes and specific plans for separate areas of the city have forced citizens to focus hyper-locally and casts citizen concerns as NIMBYism.

In truth, if the cavalier solution is always “Raise the Wall!” Pacifica will eventually be bankrupt.

Your dedicated staff has worked patiently for five years to align our LCLUP with State policy. Pacifica has chosen to ignore and obfuscate as our staff continues to grant permits faster than public watchers can respond.

Please accept your staff’s proposed amendments and add what Pacificans are requesting for Pedro Point, Aramai Point and the Quarry.

With thanks to you and your staff,

Sincerely,

Margaret Loring Goodale  
Pacifica

**From:** [Heba Ismail](mailto:Heba.Ismail@NorthCentralCoast.com)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal.com)  
**Subject:** : March 8th CCC Meeting - Agenda Item 14: Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1 (City of Pacifica LUP Update)  
**Date:** Thursday, March 2, 2023 7:59:42 PM

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Dear Commissioners,

I'm writing to comment on the City of Pacifica's proposed update of its Local Coastal Program (LCP) and Land Use Plan (LUP) - Program Amendment Number **LCP-2- PAC-20-0036-1**.

I have read the Summary of Staff Recommendations, and support the staff's suggested modifications, but additional refinements are needed before you vote to approve this LCP/LUP.

Some of the proposed changes to land use designations pose conflicts that are not currently addressed in the staff's proposed modifications. In particular are the ESHA conflicts related to the undeveloped site west of the Pedro Point shopping center (also known as the Pedro Point field on San Pedro Ave.)

My neighbor, Joanne Gold, has already submitted details about ESHA and habitat-for-species-of-special-interest conflicts in an email sent to Commissioners on March 2<sup>nd</sup>, including:

- The presence of California Red Legged Frogs (CLRF) in the freshwater swale adjacent to the Pedro Point field - a species of special concern that requires specific protections
- The swale itself, which has been determined as ESHA due to the wildlife and plant species that exist there and have previously been documented by the Coastal Commission
- The proposed CRMU land use designation, which conflicts with ESHA and CEQA guidelines that require changes in designation and zoning to consider the current state of the field as the environmental baseline.

Local citizens like myself have been providing the City of Pacifica with scientific data and neighborhood feedback related to this sensitive undeveloped parcel for many years only to be ignored. **I strongly urge you to defer voting on this amendment on March 8<sup>th</sup>, and consider adding further required modifications** to ensure that Pacifica has a functional, responsible LCP/LUP that protects and enhances our coastal environment.

Sincerely,  
Heba Ismail

**From:** [Robine Runneals](#)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal)  
**Cc:** ["pacfam5r@pacbell.net"](mailto:pacfam5r@pacbell.net)  
**Subject:** 14A Public Comment on March 2023 Agenda Item Wednesday 14a - City of Pacifica LCP Amendment Number LCP-2-PAC-20-0036-1 (City of Pacifica LUP Update).  
**Date:** Friday, March 3, 2023 4:59:37 PM

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Dear Coastal Commission Commissioners,

I wish to express on behalf of my family living in Sharp Park our support for the Pacifica's LCP & LUP draft submitted to you. Our family has lived here for four generations. We love and respect this area and consider being good stewards of Sharp Park beach our responsibility. We wish to continue being a family in this Sharp Park neighborhood. Our Grandchildren go to school here.

We live a block and a half from the Beach Boulevard Promenade. A street that was elevated into a wall to stop winter storm surge damage to the street that started back in the 60's & 70's. That stretch of road has been protecting us since built in the late 1970's. And the Sharp Park Beach, a long and deep beach, has co-existed with the Promenade for over 40 years. The presence of the promenade has not diminished the Sharp Park beach at all. Please contact me and I'll take you on a tour of this area.

Our homes are in the Brighton Beach subdivision and desperately need Beach Boulevard's promenade to be improved and to continue to protect our home from predicted Sea Level rise. Also the homes of our neighbors, businesses, City Hall, IBL Middle School and Pacifica Resources Center that serves the unhoused and needs of so many here.

Please do not Manage Retreat our neighborhoods and our futures by denying our proposed LCP & LUP. The plan before you was years in the making with much public comment and represents the vision and desires of the people of Pacifica. To deny us this use and protection denies thousands of lives here a future. Please give Pacifica an opportunity to prove to you we are good stewards in the futrues.

Thank you,  
Robine Runneals & Family  
Sharp Park

**Hal Bohner**  
736 Keller Court  
Petaluma, CA 94952  
[Hbohner100@gmail.com](mailto:Hbohner100@gmail.com)  
650-784-1418

March 3, 2023

To: California Coastal Commission – Commissioners, all alternates for Commissioners, the three non-voting members of the Commission, and Commission staff.

Re: Hearing March 8, 2023, Item 14a - City of Pacifica proposed Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1.

Dear Commissioners et al.

I am a California resident and formerly a resident of Pacifica for about 30 years. My request to you today is simple - I urge that the Commission not approve Pacifica's proposed amendment and instead support the staff and its report.

There is a fundamental issue that permeates this agenda item. Namely – whether to allow further armoring of the California coast or not to allow armoring. We have seen the Commission address this issue before. I vividly recall that in one debate on armoring a Commissioner stated, "Coastal armoring should be anathema to this Commission." I almost stood and cheered!

Unfortunately, the debate goes on but it is a debate that should have been settled long ago. Coastal armoring is essentially prohibited by the Coastal Act, both its letter and its spirit. Limiting or prohibiting future armoring and removing existing armoring was a basic promise of the Coastal Act when it was enacted by the California voters in 1972 and later adopted by the California Legislature.

I urge the Commission to do the right thing and not approve Pacifica's proposed amendment.

Thank you for helping to preserve the California coast,

Sincerely,

Hal Bohner

Anthony A. Ciani, Architect 220 Walnut Street, Pacific Grove, California 93950

March 2, 2023

**W14a**

California Coastal Commission  
c/o Ms. Stephanie Rexing  
North Central Coast District Manager  
455 Market Street, Suite 300  
San Francisco, CA 94105

Via Email: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)  
[Stephanie.Rexing@coastal.ca.gov](mailto:Stephanie.Rexing@coastal.ca.gov)

**RE: City of Pacifica Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1  
(City of Pacifica LUP Update)**

Dear Chair, Brownsey, and Members of the Coastal Commission:

The proposed amendment to the City of Pacifica LCP Land Use Plan regarding Sea Level Rise could set a negative precedent for how to manage coastal erosion and sea level rise for cities, counties, and the state with similar circumstances in California.

Please deny the amendment and recommend the Pacifica modify the Land Use Plan Policies to prioritize protection and restoration of the natural coastal resources for future generations, and plan now, to relocate its development and infrastructure to safe areas, out of harms way.

Sincerely,

Anthony A. Ciani

**From:** [Andrew Meiman](#)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal)  
**Cc:** [Margo Meiman](#); [Joanne Gold](#)  
**Subject:** Comment on City of Pacifica Local Coastal Program Amendment LCP-2- PAC-20-0036-1 (City of Pacifica LUP Update)  
**Date:** Friday, March 3, 2023 4:17:51 PM

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Commissioners -

We sincerely appreciate Coastal Commission staff efforts and involvement over the past several years assisting Pacifica in developing our LCP. We agree that modifications are needed in order to approve the plan and we implore the Commission to significantly strengthen the suggested modification language to further detail the changes required, particularly concerning the Pedro Point field on San Pedro Avenue. A comprehensive and compliant plan cannot leave ambiguity about what is required in order to be acceptable. The currently suggested modification language fails this test. Clarity and specificity is needed to arm the City with the ability to enforce the Plan in coming years as development pressure will inevitably lead to reinterpretation of the soft suggested language only that "*... all biological constraints are considered.*"

Additionally, we support the other points made by Joanne Gold in her March 3 letter and also request that the Commission take more time to develop strong and clear modification language, prior to plan approval.

Sincerely,  
Andrew and Margo Meiman  
Pacifica

**TO:** [NorthCentralCoast@coastal.ca.gov](mailto:NorthCentralCoast@coastal.ca.gov)

**RE: March 8th CCC Meeting - Agenda Item 14:** Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number **LCP-2- PAC-20-0036-1** (City of Pacifica LUP Update)

**DATE:** March 3, 2023

Dear Commissioners,

I'm writing to comment on the City of Pacifica's proposed update of its Local Coastal Program (LCP) and Land Use Plan (LUP) - Program Amendment Number **LCP-2- PAC-20-0036-1**.

I have read the Summary of Staff Recommendations, and while I support the staff's efforts to work with the City of Pacifica and agree with their suggested modifications to ensure Coastal Act consistency, I feel additional refinements are needed before you should vote to approve this LCP/LUP.

As you will hear from a number of other Pacifica citizens whom I understand will be commenting on this LCP update, some of the proposed changes to land use designations in the LUP Update contain serious ESHA (Environmentally Sensitive Habitat Area) and habitat-for-species-of-special-interest conflicts that are not currently addressed in the staff's proposed modifications.

In particular, I want to bring to your attention ESHA conflicts related to the undeveloped site west of the Pedro Point shopping center (also known as the **Pedro Point field** on San Pedro Ave.)

Although the summary of staff recommendations correctly notes the proposed LUP provisions are "*not consistent with the Coastal Act, as it relates to coastal hazards and Sea level rise conditions along the coastline*" (p. 2), staff goes on to state that "*Beyond the coastal hazard concerns, the proposed LUP mostly provides for appropriate updated provisions affecting coastal resources in the City, and should be able to effectively govern proposed coastal zone development moving forward, with some caveats.*" [p. 3 paragraph 2]. **On this point, I strongly disagree.** The City of Pacifica has a long and well documented history of catering to the special interests of developers & realtors at the expense of basic, common sense environmental protections that would benefit the whole community and have not demonstrated an ability to self-govern effectively when it comes to protecting coastal resources.

In the case of the Pedro Point field, the caveat noted by staff is a proposed modification to Policy LD-I-20 "*to ensure that all biological constraints are considered for this site prior to any future development allowances*" (P. 17, paragraph 2). **This modification does not go far enough and does not take into consideration the known ESHA conflicts and species-of-special-concern that exist within this parcel.**

California Red Legged Frogs (CLRF) have long occupied the freshwater marsh swale adjacent to the Pedro Point field and is a species of special concern that requires certain protections; Dr. Peter Baye, Coastal Ecologist, reported their presence to the U.S. Fish and Wildlife Service-Sacramento Fish and Wildlife Office, Endangered Species Program in 2005. Since that time, CLRF have consistently been documented foraging and breeding in the swale, even as recently as the spring/summer of 2022 (See photos-Exhibit A). There is strong scientific evidence that adult CLRF Red-legged frogs travel hundreds of feet away from wetlands at night to feed and then and retreat to underground moist refuges by day (ie: the freshwater swale) - behavior that has been scientifically researched and published for over 20 years. The Pedro Point field adjacent to this swale is the only feeding habitat available for the CLRF and is critical to their survival – on the other side of the swale is a non-habitat parking lot and commercial shopping center development. **Additional modifications to the LUP must be conditionally recommended to address this basic protected species conflict.**

Additionally, the swale - which is characterized by the Coastal Commission Staff as the “unnamed waterway” - has been determined as ESHA due the fauna and flora that exists there. Both the CLRF and the ESHA require buffer zones along with restrictions of adding additional runoff into this waterway which development would undoubtedly cause. **Note that these issues have previously been documented by the Coastal Commission** and by Dr. Lauren Garske-Garcia, Senior Ecologist at the California Coastal Commission in its denial of an adjacent CDP application at 505 San Pedro Ave (CDP application 2-19-0026 hearing on 3/12/21 - **see exhibit C**)

Another ESHA conflict related to the Pedro Point field is the Staff’s assessment that the City of Pacifica’s proposed land use designation of Coastal Residential Mixed-Use for this parcel (which would allow up to 15 units per gross acre and 0.10 Floor Area Ration (FAR) for nonresidential use) is “*not drastically different from its current commercial land use designation*” (p. 17 , paragraph 2). **But Land Use decisions must be based on the current state and environmental conditions.** The current state of the field today - and since long before the last 1980 LUP/LCP - is;

- an undeveloped open space
- A CRLF feeding and movement habitat
- a season wetland habitat
- a floodplain for run off from the surrounding area
- an access point to Linda Mar beach

With this as the current and long-standing Environmental Baseline, the actual closest land use designation of the Pedro Point Field would be **Conservation (C)**... followed closely by **Low Intensity Visitor-Serving Commercial (LIVC)**. Any other land use at this baseline would not only be in conflict with ESHA but also in conflict with CEQA guidelines that require changes to land use designation and zoning to consider the current on the ground baseline. And the proposed CRMU designation would additionally exacerbate known flooding hazards that are already increasing due to climate change and SLR conditions. (**see exhibit B – Flood photos**)

While I do want to thank your staff for doing a very fine job in assessing the City of Pacifica’s Local Coastal Program Amendment, I strongly believe additional modifications are needed - I’ve cited just a few examples of a basic ESHA conflicts, but I know other Pacifica residents will point out additional concerns. Local citizens have been providing the City with scientific data and neighborhood feedback for many years only to be ignored. (This was noted by CC Staff who commented “*such modifications should not appear to be unfamiliar to the City as they are the same types of changes that staff has been suggesting to the City for many years*” – page 45).

Knowing that the Commission has until December 22, 2023 to take a final action on this LCP amendment, I **would like to strongly urge you to defer voting on this amendment on March 8<sup>th</sup>. Instead, please take more time to consider adding further conditional modifications,** and ensure that Pacifica has a functional, responsible LCP/LUP. It’s close... but just not there yet.

Sincerely,  
Joanne Gold, Pacifica Resident for 23 years  
Vice President, Pedro Point Community Association  
[joannegold@yahoo.com](mailto:joannegold@yahoo.com) | c: 650-270-8574

**Exhibit A**

**CLRF in the freshwater marsh swale adjacent to the Pedro Point field**



CLRF –May 2022



Tadpoles - August 2021



CLRF - August 2021

\*\*\*\*\*

**EXHIBIT B**

**Pedro Point Field Existing Flooding Condition Hazards**



Oct. 2021



Oct. 2021

Linda Mar  
State Beach  
access point  
to beach



Dec. 2022



Dec. 2022 - San Pedro Rd. Flooding in front of field

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT  
455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105  
PHONE: (415) 904-5260  
FAX: (415) 904-5400  
WEB: WWW.COASTAL.CA.GOV



# F13a

**2-19-0026 (RHODES MIXED-USE DEVELOPMENT)**

**FEBRUARY 12, 2021**

## **EXHIBITS**

### **Table of Contents**

#### **EXHIBITS**

**Exhibit 1 – Location Map**

**Exhibit 2 – Site Photos**

**Exhibit 3 – City-Approved Project Plans**

**Exhibit 4 – City of Pacifica Final Local Action Notice**

**Exhibit 5 – Wetland Delineation**

**Exhibit 6 – Coastal Commission comment letters to City**

**Exhibit 7 – Peter Baye Biology Memo dated May 4, 2005**

**Exhibit 8 – Peter Baye Biology Memo dated July 7, 2014**

**Exhibit 9 – Photographic Documentation of CRLF**

**Exhibit 10 – CNDDDB Field Survey Report**

**Exhibit 11 – Commission Staff Ecologist memo**

## CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105  
VOICE (415) 904-5200  
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[WWW.COASTAL.CA.GOV](http://WWW.COASTAL.CA.GOV)



## MEMORANDUM

FROM: Lauren Garske-Garcia, Ph.D. – Senior Ecologist

TO: Julia Koppman Norton – North Central Coast District Analyst  
Jeannine Manna – North Central Coast District Manager  
Dan Carl – North Central Coast District Deputy Director  
Jessica Reed – North Central Coast Legal Counsel

SUBJECT: 505 San Pedro, Pacifica (APN 023-72-010): Ecological Resources

DATE: January 25, 2021

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### Documents Reviewed:

- California Natural Diversity Database (CNDDDB), latest query: January 10, 2021.
- Coast Ridge Ecology. Biological Resources Assessment for APN 023-72-010. Prepared for Shawn Rhodes/NorCal Surf Shop, Pacifica, California 94044; March 2015.
- Coast Ridge Ecology. 505 San Pedro Avenue, Pacifica Wetland Delineation. Prepared for Shawn Rhodes/NorCal Surf Shop, Pacifica, California 94044; November 2019.
- Coast Ridge Ecology. Letter to Shawn Rhodes RE: Observed Change of Flow Conditions of Drainage Channel Adjacent to the Pedro Point Shopping Area and the Proposed NorCal Surf Shop Mixed-Use Development Project, San Mateo County, California. CDP Application 2-19-0026; June 13, 2020.
- Live Oak Associates, Inc. Letter to Nick Pappani RE: Biological Resources Assessment Peer Review for the Shawn Rhodes/NorCal Surf Shop project, located in the City of Pacifica, San Mateo County, California (PN 2110-01); January 19, 2017.
- Thomas Reid Associates. 2005a. Biological Assessment Report. APN (023-72-10) Pacifica, CA 94044. For Compliance with San Mateo County Local Coastal Program Policies. Prepared for Rick D Lee and Richard Lee. August 2005.
- Thomas Reid Associates. 2005b. Site Assessment for California Red-Legged Frog. APN (023-72-10) Pacifica, CA 94044. For US Fish and Wildlife Service, Sacramento Field Office. Prepared for Rick D Lee and Richard Lee. August 2005.

- Wood Biological Consulting. One-Parameter Wetland Delineation for the Proposed NorCal Surf Shop Mixed-Use Development, San Mateo County, California (CDP Application 2-19-0026). Prepared for Shawn Rhodes, 5460 Pacific Coast Highway, Pacifica, CA 94044; May 14, 2019.

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The North Central Coast District has requested a technical analysis of the ecological resources that could be adversely impacted by proposed development at 505 San Pedro Avenue in Pacifica, California (APN 023-72-010). The project would almost entirely cover the approximately 600-ft long by less than 60 ft-wide parcel with several buildings, a skate park, parking, and pedestrian pathways. The parcel is bounded by Halling Way and a strip mall to the east, San Pedro Avenue to the south, a drainage and an open field to the west, and to the north, a footpath leading to the southern reach of Pacifica State Beach (**Figure 1**). The adjacent drainage intermittently conveys water, including from westward San Pedro Avenue to a culvert at the northern end of the subject parcel, which connects to the mouth of San Pedro Creek on the opposite side of a shopping center parking lot, approximately 270 feet to the east. Importantly, the parcel is divided between jurisdictions, with approximately one third nearest the sea occurring within the Commission’s retained jurisdiction and the remainder nearest San Pedro Avenue within the City’s jurisdiction – the applicant did not elect to pursue a consolidated permit and the City approved a permit for the portion of the project in its jurisdiction in 2018. The following analysis addresses the Coastal Development Permit (CDP) application submitted to the Commission and my **conclusion is summarized on page 12**.

## History

Since May 2010, when the applicant preliminarily sought consultation with Commission staff, staff has consistently identified concerns regarding wetlands and other biological resources both on and adjacent to the project site. In a letter dated May 8, 2015 to the City of Pacifica concerning review coordination for the proposed project, staff cited a 2005 biological report that characterized the drainage as an intermittent stream, that California red-legged frogs (CRLF) were likely present and breeding in the area surrounding the property, and that the drainage likely served as a dispersal corridor from nearby San Pedro Creek. In the 2015 letter, staff concluded that the proposed project would not conform to Local Coastal Plan (LCP) policies protecting sensitive habitats. In May 2018, staff commented on the project’s Initial Study/Minimum Negative Declaration (IS/MND)<sup>1</sup> and again reiterated concern for both wetlands and sensitive species that may be affected, specifically citing concern for CRLF use of the drainage as a corridor and its movement across adjacent areas including the subject parcel. The City’s response largely dismissed these concerns<sup>2</sup> and since that time, staff has continued to reiterate them to the applicant.

Following review of several submitted documents, initial desktop research, and having made an informal roadside visit to the site in March 2019, I and several District staff met with the applicant and their representatives on-site on October 3, 2019. During this visit, ecological concerns were again discussed at length.

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<sup>1</sup> Email from Patrick Foster, Coastal Commission Analyst, to Christian Murdock, Senior Planner at City of Pacifica RE: 505 San Pedro CEQA Document. May 1, 2018.

<sup>2</sup> City of Pacifica. 2018. Response to Comments: 505 San Pedro Avenue Project Initial Study/Mitigated Negative Declaration, Public Review Draft – Agency Comments. June 2018.

## Wetlands

The 2005 biological report referenced in the Commission staff 2015 letter regarded the drainage adjacent to the subject parcel as an intermittent stream and the California Aquatic Resources Inventory (CARI) maps it as part of a natural fluvial drainage sourcing from across San Pedro Avenue and the forested area behind existing development (**Figure 2**). The drainage receives flows from the Pedro Point neighborhood, which primarily enter through a culvert directly east of the subject parcel and flow northward until meeting San Pedro Creek. A scour pool has formed at the mouth of the culvert, next to the roadside, and water generally ponds for some distance thereafter, even well after seasonal flows cease (**Figure 3**). During larger flows, surface water continues along the full length of the drainage paralleling the subject parcel and exits through a culvert largely obscured by the willow thickets at its north end, which daylight within a restoration area on City land for a short distance, enters another culvert, and then flows into San Pedro Creek on the other side of the San Pedro Shopping Center. Aerial imagery shows that throughout the year, the drainage remains largely green with vegetation even when surrounding areas dry out (**Figure 4**).

Despite suggestions that the drainage be characterized as a stream, I believe it is more accurately treated as wetlands for several reasons. First, while there may be intermittent seasonal surface flows along the length of the drainage between San Pedro Avenue and the northern willow thickets, the scour pool near San Pedro Ave appears to remain a largely wetted feature year-round, while mid-way ponding and flow beyond this is more seasonal, and in the area furthest north, limited to the largest flows. Second, apart from the planted windbreak along the western side of the drainage, which is above the banks and/or normal extent of flows, the drainage largely lacks the multi-strata structure of a typical riparian corridor; instead, the vegetation is primarily composed of an herbaceous layer with some vines and brambles along the eastern bank. Third, the presence of emergent vegetation typical of wetlands (e.g., willows and bulrush) has reportedly increased over time despite the drainage's relatively degraded state, suggesting the persistence of subsurface water.<sup>3</sup> Fourth, a previous biological assessment report references delineated three-parameter wetlands within the drainage totaling approximately 0.02 ac (Thomas Reid Associates 2005a). Fifth, as detailed in a 2014 comment letter provided by Dr. Peter Baye to the City regarding the Draft Environmental Impact Report for the Pacifica General Plan Update Project, this area was historically a complex of freshwater marsh and alder-willow swamp surrounding what was once Lake Mathilda, a freshwater lagoon outlet of San Pedro Creek prior to its channelization and infill to support the development observed today.<sup>4</sup> Finally, the project's 2018 IS/MND regarded the drainage as a man-made intermittently flowing swale that would be exempt from creek protections under the Local Coastal Land Use Plan (LCLUP) and asserted that the proposed project would have a less-than-significant impact on sensitive resources even though it acknowledged that the drainage would meet the Coastal Commission definition of a wetland (and despite the lack of a proper delineation at that time).<sup>5</sup>

Wetlands are protected under the Coastal Act by several policies including §30231, which emphasizes the importance of protecting and enhancing water quality and states:

***Biological productivity; water quality***

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes*

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<sup>3</sup> Baye, P. 2014. Letter to City of Pacifica RE: Draft Environmental Impact Report for the Pacifica General Plan Update Project – SCH #2012022046. 29pp

<sup>4</sup> Baye, P. 2014. *Ibid.*

<sup>5</sup> City of Pacifica. 2018. 505 San Pedro Avenue Project Initial Study/Mitigated Negative Declaration, Public Review Draft. April 2018.

*appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Another key policy is §30233, which limits the allowance of direct impacts to wetlands to specified situations, requires that such action would constitute the least environmentally damaging feasible alternative, and that the impact is minimized and mitigated for:

***Diking, filling or dredging; continued movement of sediment and nutrients***

*(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
- (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
- (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.*
- (6) Restoration purposes.*
- (7) Nature study, aquaculture, or similar resource dependent activities...*

## Wetland Delineations

In May 2019, the applicant submitted a wetland delineation to inform the proposed project's potential to impose adverse impacts on wetland resources, both on the subject parcel and in the adjacent drainage. This delineation had several issues and shortly following our site visit in October 2019, a second delineation was completed; the delineation dated November 2019 has since been used as a basis for technical analysis. Despite having been completed outside of the wet season when wetlands are best detected and delineated, all three wetland parameters were present in at least some areas<sup>6</sup> and six different wetland types were identified within the drainage channel, characterized as: arroyo willow thicket, perennial rye grass, small-fruited bulrush marsh, smartweed, ephemeral channel, and wetted channel. Two of these have been mapped on the subject parcel itself (a small area of smartweed within the City's jurisdiction and a large portion of the arroyo willow wetlands at the

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<sup>6</sup> United States Army Corp of Engineers jurisdictional wetlands, based upon the presence of all three parameters (hydrology, vegetation and soils), totaled 0.088 ac; Coastal Commission wetlands, based upon the presence of at least a single parameter, totaled 0.248 ac.

northern end, in the Commission's jurisdiction). Of note is that the increase in area delineated in 2019 relative to what was reported from 2005 (Thomas Reid Associates 2005a) supports observations also made by Dr. Baye that wetland areas have expanded at this location.<sup>7</sup>

According to estimates provided in the analysis of the November 2019 wetland delineation, the proposed development would occur inside the wetland boundary at the arroyo willow thickets where a retaining wall to support an existing earthen berm and proposed pedestrian pathway along the full length of the subject parcel would be constructed. **Figure 5** illustrates that the retaining wall would in fact encroach roughly 20 ft into the willows and directly remove wetland habitat; however, the project fails to qualify as an allowable use under Coastal Act §30233 and moreover, the willow stand also qualifies as ESHA (see next section). Elsewhere along the length of the drainage, the retaining wall would be sited no more than 11 ft from the delineated Commission wetlands while the buildings and other development features would sit between 9 and 30 ft of the wetland boundaries at their nearest points.

### Wetland Buffers

Typically, staff recommends at minimum 100-ft buffers surrounding wetland habitats to adequately protect them from the many impacts that they may experience due to adjacent development. Such impacts can include altered drainage patterns and runoff, noise, debris, visual disturbance to wildlife, and inadvertent trampling. In some situations, reduced buffers have been recommended after taking into consideration wetland quality, the surrounding landscape, habitat functions, and the wetland's susceptibility to various impacts; however, buffers sufficient to provide meaningful protection are still generally required.<sup>8</sup> Here, based on the information available to us prior to April 2020, including a lack of records affirming concerns for sensitive species use, I have advised that **with the proposed BMPs and additional project modifications to avoid direct impacts to wetlands and to protect water quality, that wetland buffers might be reduced to no less than 25 ft along most of the drainage except where delineated by willow thickets and bulrush marsh. Around the willow thickets and bulrush marsh, which constitute arguably robust features providing relatively more habitat value and support for other species (e.g., complex shelter, refuge, foraging), my recommendation was a minimum 50-ft wetland buffer.** Further informing my recommendation is that the willow thickets and bulrush marsh are characterized by the California Department of Fish and Wildlife (CDFW) as sensitive natural communities that qualify as ESHA (see discussion below). These recommended wetland buffers are reflected in **Figure 5** except around a small patch of small-fruited bulrush marsh, which would extend further onto the subject parcel than as depicted.

### Environmentally Sensitive Habitat Areas

Coastal Act §30107.5 defines environmentally sensitive [habitat] areas as:

*... any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

Rarity determinations for habitats and species are made by CDFW, the United States Fish and Wildlife Service (USFWS), and California Native Plant Society (CNPS), and are used to support Coastal Commission ESHA

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<sup>7</sup> Baye, P. 2014. *Ibid.*

<sup>8</sup> For example, see: Blackman and O'Connell (A-2-PAC-15-0046) where wetland buffers surrounding a willow stand were reduced to 50 ft, or Trask (A-1-DNC-07-036) where wetland buffers surrounding emergent vegetation were reduced to a minimum 68 ft.

determinations.<sup>9</sup> An ESHA determination may also be made on the basis of an area constituting ‘especially valuable habitat’ where it is of a special nature and/or serves a special role in the ecosystem, such as providing a pristine example of a habitat type or supporting important ecological linkages.

The key policies addressing ESHA follow under §30240:

- (a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*
- (b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

This is notably more restrictive than the preceding wetland policies, as it limits uses of ESHA to those dependent upon it and requires protection from not only direct impacts, but also indirect impacts that may result from adjacent development.

## Sensitive Natural Communities

### Arroyo Willow Thickets

The arroyo willow thickets located at the northern end of the subject parcel and continuing into the adjacent drainage are classified by CDFW as a natural vegetation community. Although the broader alliance Arroyo Willow as a whole is not considered rare, the more specific association characterized by stands exclusively composed of the namesake species, arroyo willow (*Salix lasiolepis*), is represented at this site and is considered sensitive.<sup>10</sup> While this association does not presently have a rarity ranking, CDFW guidance is to treat communities designated as sensitive, whether or not they are ranked, with comparable protections. Under the Coastal Act, the arroyo willow thickets delineate as a wetland on the basis of their facultative wetland indicator status and therefore, must be treated as wetlands under Coastal Act §30233 rather than as ESHA under §30240<sup>11</sup>; however, the sensitive natural community status gives weight to the ecological significance of the thickets and is reflected in my more protective buffer recommendation of 50 ft relative to that for other wetlands at this site (except small-fruited bulrush marsh), as detailed above. Though not documented at this location, sensitive species such as the saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*; CA Species of Special Concern) are known to use willow thickets as breeding habitat and many birds and smaller animals use them more generally.

### Small-fruited Bulrush Marsh

Similar to the arroyo willow thickets, the small-fruited bulrush marsh identified in the wetland delineation is characterized by CDFW as a sensitive natural community. Specifically, the alliance Small-Fruited Bulrush has a state rarity ranking of S2 indicating that is considered imperiled within the state and at high risk of extirpation. The association characterized by stands exclusively composed of the namesake species, small-fruited bulrush

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<sup>9</sup> CDFW defines natural communities, animals, and plants with a global or state ranking of 1, 2, or 3 as rare and the CCC typically finds these to be ESHA. CCC also typically considers plant and animal species listed by the federal and state endangered species acts (ESA and CESA, respectively) and/or identified under other special status categories (e.g., California Species of Special Concern), and/or identified by the California Native Plant Society (CNPS) as ‘1B’ and ‘2’ plant species as constituting ESHA.

<sup>10</sup> Explanation of alliance vs. association; see Arroyo Willow Thickets alliance (CaCode: 61.201.00) and *Salix lasiolepis* association (CaCode: 61.201.01) in California Sensitive Natural Communities list (version: September 9, 2020) – accessible online at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline>.

<sup>11</sup> *Bolsa Chica Land Trust v. Superior Court* (1999) 71 Cal.App.4th 493

(*Scirpus microcarpus*), is represented at this site and though unranked, is considered sensitive.<sup>12</sup> The species is an obligate wetland indicator and like the arroyo willow, is necessarily treated under wetland policies but warrants the protection of a 50-ft buffer due to its ecological significance. Species such as the California red-legged frog (see below) frequently use bulrush habitat for breeding.

## Sensitive Wildlife

### California Red-Legged Frog

The California red-legged frog (*Rana draytonii*) is federally-listed as threatened and recognized by the state as a Species of Special Concern, is state-ranked as S3 indicating that it is considered vulnerable, and is the official state amphibian.<sup>13</sup> It is the largest native frog in the western United States and is frequently associated with freshwater emergent wetlands, marshes, and riparian corridors throughout the central California coast but can also inhabit lagoons, ephemeral water bodies, stock ponds, and man-made drainages as well as drier habitat types within the wetter and cooler coastal fogbelt. CRLF uses both aquatic and upland habitat, the former for refuge and breeding, and the latter for foraging, dispersal, and aestivation. Breeding habitat is often characterized by perennial bodies of water with emergent vegetation providing structural complexity such as cattails, bulrush (see above), or dense riparian cover; however, sub-optimal habitats with little to no emergent vegetation and/or that periodically dry out are also known to be used.<sup>14</sup> Dispersal habitat is generally considered to be areas within 1-2 miles of breeding areas, and can include forests, grasslands, coastal scrub, root masses formed by brambles or thickets, and oak woodlands in addition to those already named above.<sup>15</sup> CRLF movement across habitat tends to peak during rainy periods and can vary widely among individuals.

CRLF breeding occurs from November to April. Reproduction rates tend to be highly variable and responsive to climate conditions (e.g., drought vs. wet years). Individuals may remain at breeding sites year-round or disperse to neighboring areas. Along the central coast, the species is particularly mobile and has been documented traversing areas that would not otherwise be expected, especially during wet conditions.<sup>16</sup>

CRLF has a diverse diet, which changes throughout its life cycle. Early in its life, it is believed to primarily consume algae, diatoms and detritus.<sup>17</sup> As it matures, terrestrial and aquatic insects tend to make up the largest fraction of its diet, although larger frogs have been documented as consuming smaller invertebrates, including the smaller Pacific chorus frog (*Pseudacris sierra*), which is also common throughout this region.<sup>18</sup> CRLF are considered diurnal but primarily forage at night.

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<sup>12</sup> See Small-fruited Bulrush Marsh alliance (CaCode: 52.113.00) and *Scirpus microcarpus* association (CaCode: 52.113.01)

<sup>13</sup> California Assembly Bill 2364, approved June 28, 2014 - [http://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB2364](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2364)

<sup>14</sup> USFWS. 2004. Federal Register: Endangered and Threatened Wildlife and Plants; Proposed Designation of Critical Habitat for the California Red-legged Frog (*Rana aurora draytonii*); Proposed Rule. 50 CFR. Part 17. Vol 69. No. 71: 19620-19642.

<sup>15</sup> Fellers, G. 2005. *Rana draytonii* Baird and Girard, 1852b California red-legged frog. Pages 552-554 in M. Lannoo (editor). Amphibian declines: the conservation status of United States species. University of California Press. Berkeley, California; CWAHA database

<sup>16</sup> Bulger, JB, NJ Scott Jr. & RB Seymour. 2003. Terrestrial activity and conservation of adult California red-legged frogs *Rana aurora draytonii* in coastal forests and grasslands. Biological Conservation 110(1): 85-95.

<sup>17</sup> Fellers, G. 2005. *Ibid.*

<sup>18</sup> Hayes, MP & MR Tennant. 1985. Diet and feeding behavior of the California red-legged frog, *Rana aurora draytonii* (Ranidae). The Southwestern Naturalist 30(4): 601-605; Fellers, G. 2005. *Ibid.*

Key threats to CRLF are recognized as habitat loss, urban encroachment, and the introduction of non-native species such as American bullfrogs that can compete with CRLF for habitat as well as prey upon them. Several introduced freshwater fish species are also known prey on CRLF. Herbicide and pesticide use as well as disease may be other significant threats to CRLF, as has been documented for many amphibians around the globe.<sup>19</sup>

Prior to April 2020, we were unaware of any records affirming the presence of California red-legged frogs (*Rana draytonii*) at the subject parcel or its immediate surroundings although it has been well-documented at nearby San Pedro Creek.<sup>20</sup> While I and the consulting reports I had initially reviewed for this project considered the species to have at least a moderate potential to occur given records from the nearby creek, there has also been recognition of the degraded state of the subject parcel and adjacent drainage as relatively unfavorable when compared to nearby habitat opportunities. No published record had appeared in the California Natural Diversity Database (CNDDDB) beyond the creek's main channel, the project's IS/MND, or the other known reports for the location that staff generally relies upon. In addition, recent neighboring developments within the City's jurisdiction along San Pedro Avenue had truncated the drainage's corridor extension to more forested areas in the south and potential foraging, aestivation, and dispersal areas to the east (**Figure 2**). As such, my recommendations had focused on the wetlands and ensuring that appropriate measures would be taken during construction, in the off chance a frog was encountered.

On April 18, 2020, Commission staff received a report and accompanying photo from Pedro Point resident and San Francisco State University ecologist, Michael Vasey, documenting the presence of CRLF in ponded water at the drainage adjacent to the subject parcel six days prior.<sup>21</sup> I was able to validate that the animal in the photo (**Figure 6a**) was a CRLF based upon diagnostic markings that were clearly visible and advised Dr. Vasey to submit his documentation to CDFW for further validation and inclusion to the CNDDDB; District staff informed the applicant of this new finding. On April 24, another Pedro Point resident, Sheila Harman, contacted staff on behalf of herself and Jon Harman, with additional reports of having observed as many as four CRLF at the same location at one time and provided both time-stamped photos and a video also showing the surrounding location in relation to San Pedro Avenue to confirm this (**Figure 6b-c**)<sup>22</sup>. She also commented that this was the first time in the past seven years that they had observed CRLF at the site, indicating previous but undocumented observations. On April 28, Dr. Vasey communicated with staff again, indicating that he and the Harman's had now seen as many as five CRLF at a time in the drainage ditch along San Pedro Avenue and the pool just past the culverts feeding into the drainage adjacent to the subject parcel at 505 San Pedro Avenue.<sup>23</sup> He also relayed a 2014 comment letter he had discovered through conversation with Peter Baye, another ecologist working along the central coast. This letter is referenced above in the discussion on wetlands.<sup>24</sup>

Dr. Baye's 2014 letter provides important insights specific to CRLF, the surrounding area, and the drainage itself.

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<sup>19</sup> Davidson, EW, M Parris, JP Collins, JE Longcore, AP Pessier, & J Brunner. 2003. Pathogenicity and transmission of chytridiomycosis in tiger salamanders (*Ambystoma tigrinum*). *Copeia* 2003(3): 601-607.

<sup>20</sup> CNDDDB records for Occurrence Number 652 cover the lower half-mile of San Pedro Creek since 2002, when a total of 5 frogs were recorded from approximately 0.2 mi north of the subject parcel; reports since 2014 have more frequently detailed occurrences, including as many as 129 frogs caught in June-October in 2014 and notes that that adults were observed year-round in 2015. Egg masses were documented in 2014 and 2015.

<sup>21</sup> Vasey, M. (personal communication, April 18, 2020)

<sup>22</sup> Harman, S. (personal communication, April 24-29, 2020)

<sup>23</sup> Vasey, M. (personal communication, April 29, 2020)

<sup>24</sup> Baye, P. 2014. *Ibid.*

He presents information on CRLF not found in the research various parties had conducted, including reporting having observed CRLF at the drainage over different seasons since at least 2005 and having submitted an official report to USFWS in 2005.<sup>25</sup> Dr. Baye specifies that his observations have occurred regularly at the drainage and that CRLF have been most frequently found in the ponded, perennially wet area [scour pool] nearest San Pedro Avenue, the location neighborhood residents made reports from in April 2020. He hypothesizes that these animals may represent a local sub-population with a relationship to the lower San Pedro Creek wetland complex and that this perennially wet area may be breeding habitat given his observations of intermittent local population fluctuations and observation of other habitat requirements being immediately proximate, including the large field just west of the drainage. He also states that he believes this area would qualify as ESHA. Dr. Baye's report goes on to note that CRLF was apparently absent throughout the drought period beginning in 2012 through the time of his report in 2014. As the drought ended in the winter of 2017, it is not all the surprising that the applicant's consultants would not have observed CRLF at the site when conducting the biological assessments in 2015 (Coast Ridge Ecology) or January 2017 (Live Oak Associates) as the area was just coming out of drought status.<sup>26</sup>

I reached out to colleagues at CDFW and the USFWS in May 2020 to further investigate whether there was any other unpublished CRLF occurrence information, either from the drainage or otherwise nearby apart from San Pedro Creek. CDFW staff at the Biogeographic Branch were able to confirm that Dr. Vasey's April 2020 CNDDDB submission appeared to be valid, including the species identification; since then, his record has been processed and officially incorporated to the state database (**Figure 2**). USFWS staff from the Bay-Delta Regional Office indicated that while they did not have the 2005 record submitted by Dr. Baye available digitally, it was likely that it has been held as a paper file that cannot be accessed readily due to constraints imposed by the current pandemic. Nonetheless, they were not surprised by the contemporaneous observations and were able to provide comments on recent observations from nearby San Pedro Creek<sup>27</sup> as well as advise that ESA Section 10 permitting may be necessary and that recommended habitat corridors for CRLF are typically 300 ft, which is consistent with Commission decisions elsewhere along this part of the coast.<sup>28</sup>

In response to the discovery of CRLF in April 2020 at the drainage channel, the applicant's consultant at Coast Ridge Ecology (2020) has observed that significantly more water appears to be flowing through the drainage now than during their initial assessment in 2015. Notably, 2015 would have been several years into a drought (stage 3: extreme drought) whereas conditions were less severe in 2020 (stage 1: moderate drought), so this might be reasonably expected.<sup>29</sup> The consultant speculates that the differences could be a result of supplemental water inputs from nearby residential properties but does not provide any evidence thereof or consider alternative explanations (including relative drought conditions). They also express doubt concerning CRLF's ability to have moved from San Pedro Creek into the drainage and suggest that they may have been "assisted by humans (i.e. planted in the drainage)". They consider the area "isolated" without acknowledging the dispersal range and known movement patterns of the species, particularly in the coastal fogbelt, where culverts connect the drainage channel directly to a City restoration area and ultimately, San Pedro Creek only 300 ft away from the north end of

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<sup>25</sup> Baye, P. 2005. Letter to United States Fish and Wildlife Service RE: Documentation of California red-legged frog occurrence at Pedro Point, Pacifica, San Mateo County. May 4, 2005.

<sup>26</sup> <https://www.drought.gov/historical-information> for January 2017

<sup>27</sup> For example: United States Fish and Wildlife Service. Consultation Letter to United States Army Corps of Engineers RE: Formal Consultation on the San Pedro Terrace Project in San Mateo County, California. Reference #08ESMF00-2017-F-1370. April 5, 2018.

<sup>28</sup> UC Santa Cruz Marine Science Campus - Coastal Long Range Development Plan. January 2017. 344pp.

<sup>29</sup> <https://www.drought.gov/historical-information> for March 2015 and April 2020

the subject parcel. Though these avenues of dispersal are perhaps not the most idyllic, the species is capable of having used any variety of these. Finally, the consultant argues that the location is unlikely to provide “*consistent, stable long-term habitat for [CRLF] over time*” and that it would likely be considered a population sink. However, CRLF is known to use (and require) a mosaic of habitat types across the landscape and we cannot ignore that the species has been documented using this location intermittently for decades, even in the absence of focused study. Moreover, it is not necessary for CRLF to carry out its full life cycle in the drainage for the area to have ecological value for this sensitive species.

In August 2020, I reached out to Dr. Baye to inquire whether he had a copy of his 2005 report to the USFWS, which had been referenced in his 2014 letter. He was able to forward this report to staff, including photos of CRLF, thus providing additional information that had not been otherwise available through standard data searches or inquiries during the pandemic. On May 4, 2005, Dr. Baye reported to USFWS having observed three adult CRLF at the [scour] pool adjacent to San Pedro Avenue on the previous day, at the southern end of the drainage ditch directly adjacent to the subject parcel. He also states that he had observed “*multiple aural detections of diving frogs in April*” and indicates that water turbidity limited visual detections but “*no egg masses were observed within the visible upper 10 cm of water column.*” **Figure 7** is excerpted from Dr. Baye’s report and also appears in his 2014 letter to the City.

In the course of my research, I also sought out the biological assessment report from 2005, which had been referenced in the May 8, 2015 staff letter to the City regarding review coordination for the proposed project. Although such reports are generally considered outdated after five years for the purposes of evaluating current conditions at a site, they can be informative in the context of habitat change as well as documenting patterns of use (or likely use). Where data is limited and/or species may not be readily detected, historical reports can be especially helpful. In this situation, I located not only the biological assessment report (Thomas Reid Associates 2005a) but also discovered a site assessment specifically for CRLF (Thomas Reid Associates 2005b). Both 2005 reports had been intended to inform a different project at the same location, which would have restored habitat over approximately 60% of the subject parcel including the willow thickets and upland areas to be contiguous with the then-planned wetland restoration at San Pedro Creek. Concerning CRLF, while the species was not explicitly confirmed on-site by these two reports, it was regarded that “*there is a high potential for them to be present within proximal aquatic habitats... [including] the drainage ditch adjacent to the property as a traveling corridor or nearby upland areas for aestivation*” and the consultants recommended “*that this report be submitted to the [USFWS]*” for further consultation, though it remains unclear whether it ever was. The proposed restoration was apparently anticipated to benefit CRLF among other species.

The recent repeated daytime observations of multiple CRLF at the roadside end of the drainage indicates that even in the absence of formal surveys, the area has been functioning as habitat for more than an individual transient CRLF. Consideration of this, the multiple reported occurrences of CRLF at the drainage since at least 2005, and the concurrence of information from colleagues at partner resource agencies informs my revised opinion that CRLF occurrence here is not a moderately hypothetical possibility but in fact, a demonstrated pattern of use. Given the connection to San Pedro Creek, including by way of the underground culvert, the observations of CRLF near San Pedro Avenue, wetlands, and evidence of the drainage’s role as a green corridor year-round, the full length of the drainage adjacent to the subject parcel should be considered habitat. In addition, because CRLF requires not only wetted areas but also makes use of upland habitats for foraging, dispersal, and estivation, this habitat is very likely extends to adjacent upland areas on either side of the drainage. Though we cannot presently delineate the full extent of CRLF use in these areas without protocol-level surveys, we can interpret that at a

minimum, the drainage itself constitutes ESHA and is likely functioning as a habitat corridor for this species between San Pedro Creek and upland areas.

### Habitat Corridors

The drainage running adjacent to the subject parcel arguably constitutes a habitat corridor for CRLF but additionally, likely supports several other species moving across the landscape as well. As evident from the time-series of aerial imagery (**Figure 4**), the drainage remains relatively green throughout the seasons and as compared to adjacent parcels. It also connects to San Pedro Creek (through culverts), the shore, and the Pacific Ocean in the north; a large open space to the west; historically, to spaces in the east beyond the subject parcel (i.e. the parcel due east of Halling Way, along San Pedro Avenue); and to a major forested area to the south, which again connects to San Pedro Creek, though this connection was somewhat fragmented by recent development.

Despite the more recent encroachments of development, it remains that the drainage provides a connection across the landscape capable of supporting many species including birds and small mammals that may be less affected by some of these interruptions. For example, birds move primarily by line of sight rather than on-the-ground conditions and while raptor nests have not been observed in the trees immediately along the drainage, the forested area to the south is better-suited for such and the large open space just west of the drainage provides excellent conditions for foraging on fossorial rodents and small reptiles; raptors have been regularly observed using the area.<sup>30</sup> These same small animals (and others) are likely to find refuge within the drainage relative to sun, wind, and predator exposure where surrounding areas are paved, mowed, or otherwise devoid of vegetation. During my brief roadside visit in March 2019, I observed a duck resting among ponded waters of the drainage (**Figure 3e**) indicating that waterfowl also use the shaded and wetted area at least occasionally. Small mammals such as skunks, raccoons, and coyote would all be likely to make use of the drainage area as well.

In addition, the California Essential Habitat Connectivity Project identifies a major natural landscape block beginning in Pacifica and extending south through the San Mateo and Santa Cruz Counties coast and mountains (**Figure 8**).<sup>31</sup> It also recognizes “small” natural areas (defined as < 2000 ac), with one of approximately 140 ac occurring some 800 ft south of the project site, in the forested area that has already been discussed (**Figure 9**). All of this emphasizes the especially valuable role of the drainage in facilitating connections across a semi-developed landscape, from the shore and creek mouth to forested areas inland, as well as open spaces that can function as upland habitat and foraging grounds, and I recognize it as a habitat corridor rising to the level of ESHA.

### ESHA Delineation & Buffers

The sensitive natural communities of **Arroyo Willow Thickets and Small-fruited Bulrush Marsh both constitute ESHA** in addition to wetlands, as delineated in the November 2019 wetland delineation report. As stated above in the wetlands section, **buffers of 50 ft should be applied to these two areas.**

As a federally-threatened and California Species of Special Concern, the California red-legged frog qualifies for Coastal Act protection under ESHA policies. Thus, the revelation that CRLF does, and has, in fact occurred at this location necessitates consideration of habitat beyond that of the wetlands. With the limited documentation available, it is not possible to precisely delineate boundaries for CRLF habitat but we can observe that there is no

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<sup>30</sup> eBird records for the area include white-tailed kites, golden eagles, sharp-shinned hawks, red-shouldered hawks, and red-tailed hawks – [www.ebird.org](http://www.ebird.org)

<sup>31</sup> Spencer, WD, P Beier, K Penrod, K Winters, C Paulmann, H Rustigian-Romsos, J Strittholt, M Parisi and A Pettler. 2010. California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California. Prepared for California Department of Transportation and California Department of Fish and Game, and Federal Highways Administration. 313 pp.

biological argument that would exclude CRLF from the subject parcel or limit its movement to the narrow drainage immediately adjacent. Provided the species ecology, including dispersal and foraging patterns along the central coast, I expect it will readily use nearby upland areas and move freely with little regard for topography or substrate. Given the USFWS recommendation of providing CRLF with at least a 300-ft dispersal corridor where it is known, we can conclude that even if this width was centered on the drainage, it would extend across and beyond the subject parcel well to the east (**Figure 5**); therefore, **I find that the entire subject parcel constitutes CRLF ESHA and that this extends some yet-to-be-defined distance beyond the parcel. No buffer recommendation is provided since it is irrelevant in the absence of an outer habitat limit from which to apply.**

Habitat corridors are increasingly critical to preserve as natural lands are converted and encroached upon by development; however, their delineation can be challenging since each species will use the space differently. Often, riparian areas are treated as corridors with the outermost extent of riparian vegetation being recognized as the edge, from which buffers are then applied to ensure that wildlife movement in and out of riparian cover is protected for some distance. In this case, it is clear that the drainage adjacent to the subject parcel is part of a larger network connecting different habitats but its boundaries are less well-defined by a canopy than riparian areas and it is likely somewhat more permeable within the landscape mosaic. Because we know that CRLF is almost certainly using the drainage as a corridor but cannot clearly define the bounds of such use with the data available, the same determination must transfer to the EVH-based ESHA – **I find that the subject parcel is part of a general habitat corridor ESHA, which extends some yet-to-be-defined distance beyond the parcel. No buffer recommendation is provided since it is irrelevant in the absence of an outer limit from which to apply.**

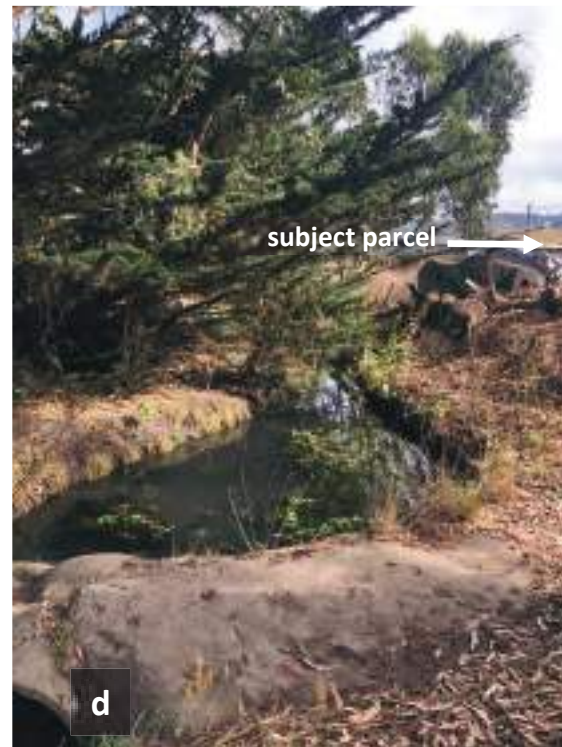
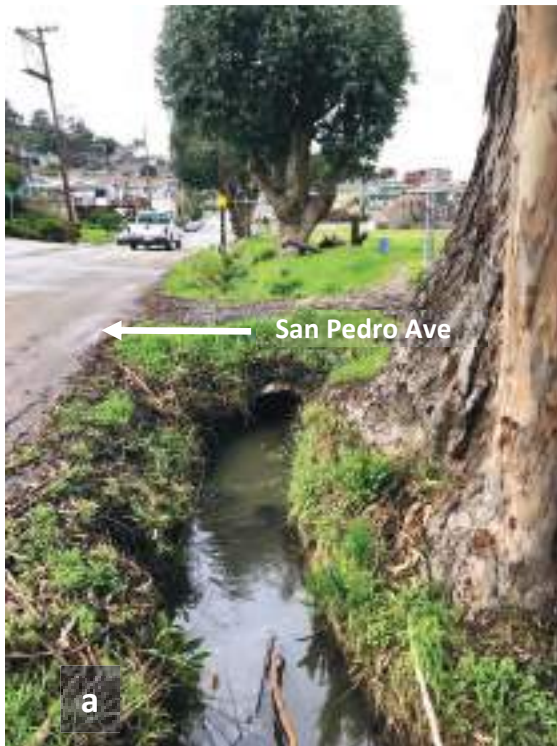
**In conclusion, I find that the subject parcel includes wetlands, Arroyo Willow Thicket ESHA, California red-legged frog ESHA, and habitat corridor ESHA. These sensitive habitat resources are continuous with the immediately adjacent drainage, which additionally includes Small-fruited bulrush marsh ESHA. The boundaries of at least some of these sensitive resources extend beyond both the drainage and subject parcel, resulting in the entire subject parcel necessarily being recognized as ESHA in addition to the wetlands that have also been delineated there.**

**Figure 1a:** 505 San Pedro Avenue parcel (approximated in yellow) as situated in the broader surrounding landscape, and **b:** relative to specific features including the adjacent drainage (approximated by dashed white arrow), scour pool (red asterisk), and willow thickets.





**Figure 3:** Photos from site visits in March and October 2019, showing seasonal variation in drainage conditions – **a-b:** culvert running parallel to San Pedro Avenue, immediately west of the drainage and subject parcel; **c-d:** from San Pedro Avenue, facing north with scour pool in foreground; **e-f:** from San Pedro Avenue, facing north-northwest into drainage (note Eucalyptus wind break on left (west) before open field and subject parcel on right (east), and duck (white circle) using drainage as resting area in e); **g:** from western side of drainage, looking south towards San Pedro Avenue (note continuation of tree canopy into forested area south of San Pedro Avenue).





**Figure 4:** Subset of larger aerial time series (2002-2020) of the subject parcel (yellow box) and the surrounding landscape, showing wet versus dry season patterns of vegetation. Note how the drainage immediately adjacent to the subject parcel consistently provides a green corridor and effectively links San Pedro Creek with the open field to the west while providing a valuable secondary connection to the forested habitat south of the site.





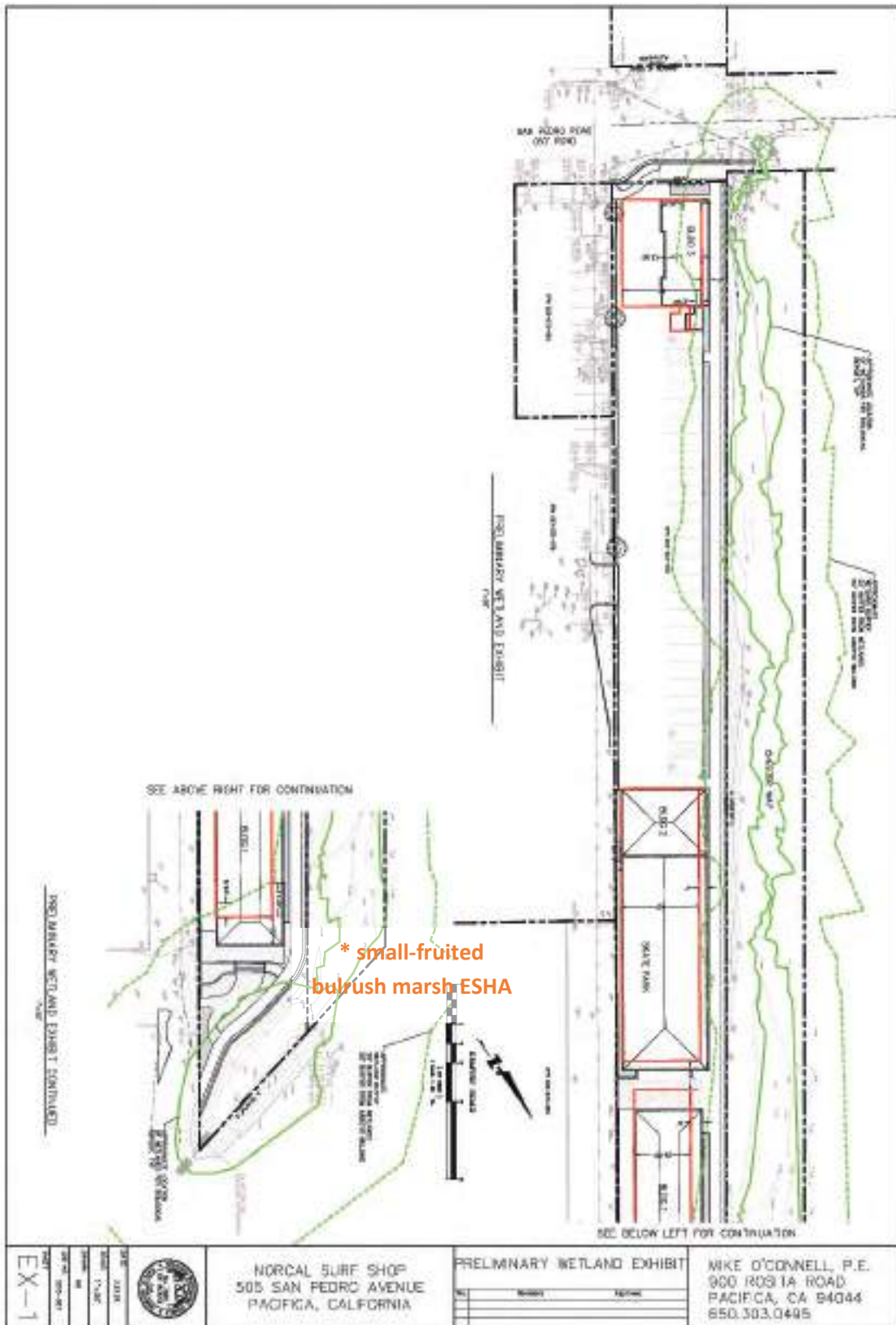
May 2010



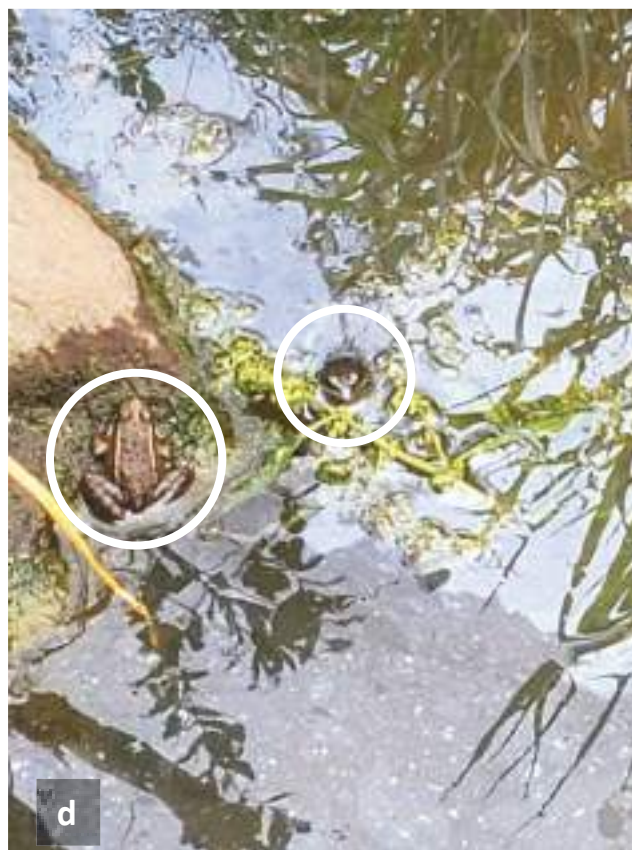
September 2003



**Figure 5:** Delineated single-parameter wetlands (solid green lines) and approximate wetland buffers (dashed green lines) relative to proposed project. Note that 50-ft buffer was drawn around the willow ESHA but should also extend slightly further south around some small-fruited bulrush marsh ESHA, which would further overlap with the proposed footprint, even as potentially modified (red lines).



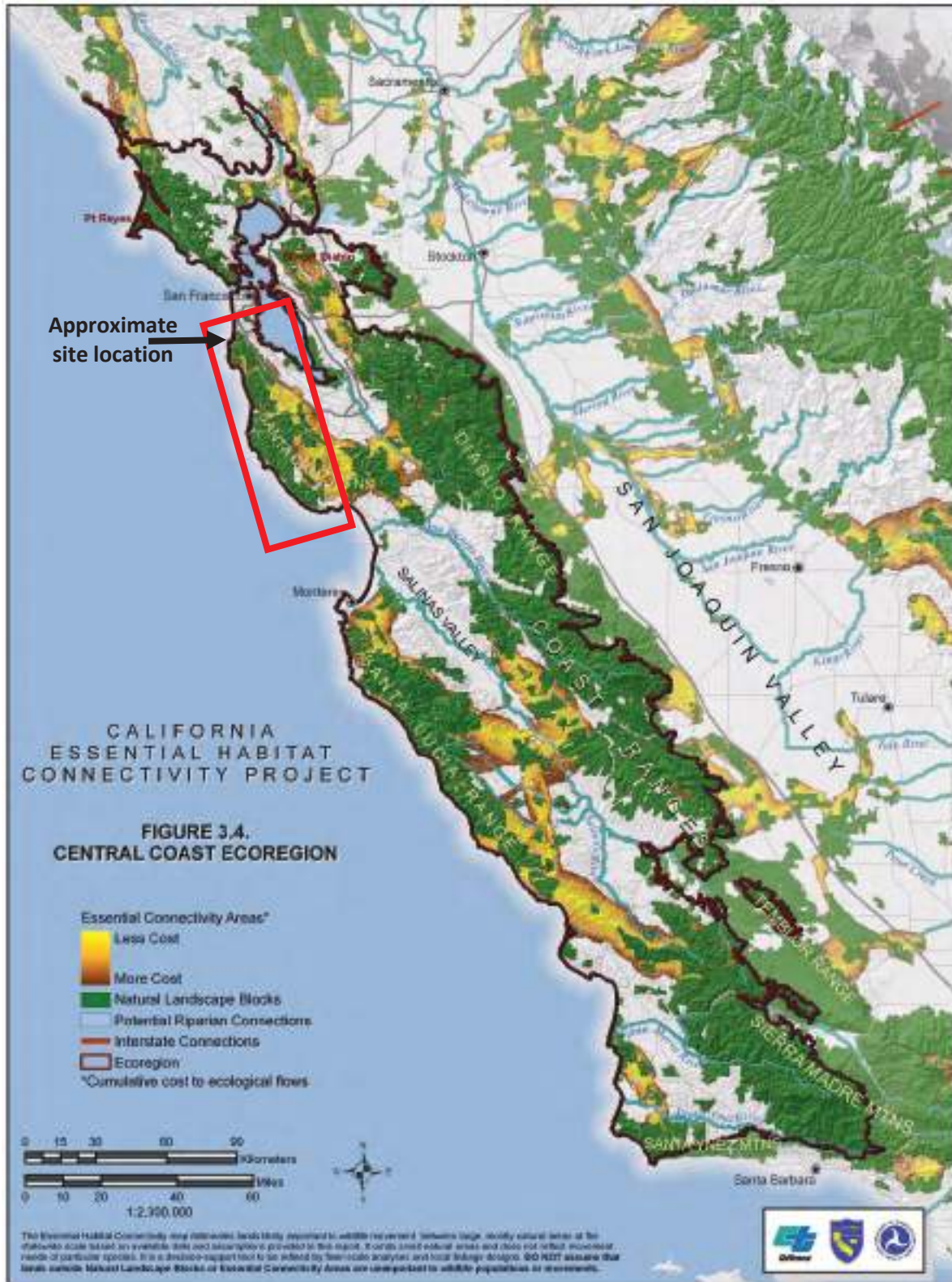
**Figure 6a:** CRLF as observed at San Pedro Avenue on April 12, 2020 by Michael Vasey, Sheila Harman and Jon Harman (photo credit: Jon Harman); **b-d:** CRLF as observed at San Pedro Avenue on April 23, 2020 by Sheila Harman. Individual CRLF circled in white for visibility.



**Figure 7a:** From San Pedro Avenue, looking northeast, view of scour pool in drainage with subject parcel as grassy area immediately behind the fence, and **b:** CRLF observed in scour pool by Peter Baye. Photos by Peter Baye, as submitted to USFWS in May 4, 2005 letter.



**Figure 8:** Excerpt from California Essential Habitat Connectivity Project displaying the San Mateo-Santa Cruz Counties coastal corridor (within red box). The project location in Pacifica is approximately located at the black arrow, near the northern edge of the extent. Areas in green represent connected stretches of habitat and the yellow-brown spectrum represents areas that would ideally be added to provide better linkages. The Pedro Point area is among those areas identified as valuable additions to improving connections through this corridor.



**Figure 9:** CNDDDB display of the Pedro Point area in Pacifica, with CRLF occurrences observed in hatched red areas and finer-scale features identified as particularly valuable by the California Essential Habitat Connectivity Project in solid green. The proposed project site (yellow bar) is largely covered by the upper two CRLF occurrences and is situated to link multiple habitats across the landscape mosaic, including riparian, wetland, forest, and grassland.



**From:** [Gary Furlong](#)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal)  
**Subject:** March 8th CCC Meeting - Agenda Item 14: Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1 (City of Pacifica LUP Update)  
**Date:** Thursday, March 2, 2023 10:50:37 PM

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Dear Commissioners,

I have reviewed the report about what is being considered for the field on Pedro Point in Pacifica. I appreciate that you have taken time to carefully consider the issues involved in this matter but would ask that you take the time for further consideration. It is my belief that some of the proposed changes pose conflicts that are not addressed in the staff's proposed modifications. My concern is that once this is done, it's done forever; more time in consideration would be prudent. My neighbor, Joanne Gold, has already submitted details about ESHA and habitat-for-species-of-special-interests conflicts so I will not repeat those details here but ask that you give her concerns your full attention.

Among the issues that she rightly raises are the presence of the endangered Red Legged Frog as well as the concern that the area itself is ESHA (which has been previously documented by the Coastal Commission itself). In the near past this field has existed in a somewhat different state than its normal state, due to our drought. However, with the return of our wet season the field has reverted to its previous state of deep dampness, perhaps even marsh, and with that the rebound of it's ESHA state.

I would also ask that the Coastal Commission take the additional time to consider that the proposed changes will create an area that will be 180 degrees different from its current state, which will be in conflict with ESHA and CEQA guidelines which lay out that consideration needs to be given for the current state of an area when considering changes. The field will go from an area that is marshy, has an endangered species and an environmentally sensitive area to one that is, literally, full of houses, packed as closely together as possible. It will go from a neighborhood gathering spot that has been shared with wildlife, where paths have been used for decades, to a series of private lots that will allow no such communal or wildlife use. Instead of wild birds and Red Legged Frogs we'll see concrete, pavement, houses and chain link fences.

I urge you to put in place strong, environmentally sensitive protections for this area. I wish I could say that the city of Pacifica would be a trusted guardian of this environmentally sensitive area but the city council has a consistent record of building first and asking questions later.

Thank you for taking the time to consider my letter.

Regards,  
Gary Furlong

**From:** [CATHY GLENN](#)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal)  
**Subject:** March 8th CCC Meeting - Agenda Item 14: Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number LCP-2 - PAC-20-0036-1 (City of Pacifica LUP Update)  
**Date:** Thursday, March 2, 2023 6:38:55 PM

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Dear Commissioners,

I'm writing to comment on the City of Pacifica's proposed update of its Local Coastal Program (LCP) and Land Use Plan (LUP) - Program Amendment Number **LCP-2-PAC-20-0036-1**.

I have read the Summary of Staff Recommendations, and support the staff's suggested modifications, but additional refinements are needed before you vote to approve this LCP/LUP.

Some of the proposed changes to land use designations pose conflicts that are not currently addressed in the staff's proposed modifications. In particular are the ESHA conflicts related to the undeveloped site west of the Pedro Point shopping center (also known as the Pedro Point field on San Pedro Ave.)

My neighbor, Joanne Gold, has already submitted details about ESHA and habitat-for-species-of-special-interest conflicts in an email sent to Commissioners on March 2<sup>nd</sup>, including:

- The presence of California Red Legged Frogs (CLRF) in the freshwater swale adjacent to the Pedro Point field - a species of special concern that requires specific protections
- The swale itself, which has been determined as ESHA due to the wildlife and plant species that exist there and have previously been documented by the Coastal Commission
- The proposed CRMU land use designation, which conflicts with ESHA and CEQA guidelines that require changes in designation and zoning to consider the current state of the field as the environmental baseline.

Local citizens like myself have been providing the City of Pacifica with scientific data and neighborhood feedback related to this sensitive undeveloped parcel for many years only to be ignored. **I strongly urge you to defer voting on this amendment on March 8<sup>th</sup>, and consider adding further required modifications** to ensure that Pacifica has a functional, responsible LCP/LUP that protects and enhances our coastal environment.

Sincerely,

Cathy E, Glenn

Pacifica Resident for 44 years, Pedro Point resident for 34 years  
1324 Grand Avenue,  
Pacifica, CA 94044  
glennfamily5@comcast.net

**From:** [Andy Narraway](#)  
**To:** [NorthCentralCoast@Coastal](#)  
**Cc:** [KoppmanNorton, Julia@Coastal](#); [Ringuette, Oceane@Coastal](#)  
**Subject:** March 8th CCC Meeting - Agenda Item 14: Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number LCP-2- PAC-20-0036-1 (City of Pacifica LUP Update)  
**Date:** Friday, March 3, 2023 10:27:43 AM

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Dear Commissioners,

I have been a Pacifica resident for over 10 years and am writing to comment on the City of Pacifica's proposed update of its Local Coastal Program (LCP) and Land Use Plan (LUP) - Program Amendment Number LCP-2- PAC-20-0036-1.

I have read the Summary of Staff Recommendations, and support the staff's suggested modifications and I thank you for your input so far, but I must insist that additional refinements are needed before you vote to approve this LCP/LUP.

The CCC is simply proposing a modification requiring the City to "ensure that all biological constraints are considered for this site prior to any future development". That's it, and it's not nearly enough.

Some of the proposed changes to land use designations pose conflicts that are not currently addressed in the staff's proposed modifications. In particular are the ESHA conflicts related to the undeveloped site west of the Pedro Point shopping center (also known as the Pedro Point/Calson field on San Pedro Ave, Pacifica)

A recent building proposal at 505 San Pedro (adjoining the Pedro Point field) was recently rejected by the CCC, PRECISELY because of ESHA concerns, so HOW can the commission now take the opposite approach and dismiss these issues by considering rezoning? I quote the Pacifica Tribune March 9, 2021: "Coastal Commission staff in its report about 505 San Pedro Ave. recommended denying the project due to "habitat inconsistencies" for the California red-legged frog. Staff gave the project site a wetlands delineation due to a nearby watercourse and the potential for sensitive coastal resources to be on or near the project."

I understand many of my neighbor's have already submitted details about ESHA and habitat-for-species-of-special-interest conflicts in emails sent to Commissioners, including:

The presence of California Red Legged Frogs (CLRF) in the freshwater swale adjacent to the Pedro

Point field - a species of special concern that requires specific protections

The swale itself, which has been determined as ESHA due the wildlife and plant species that exist there

and have previously been documented by the Coastal Commission

The proposed CRMU land use designation, which conflicts with ESHA and CEQA guidelines that require

changes in designation and zoning to consider the current state of the field as the

environmental  
baseline.

Please add my name and comments to this list of concerned citizens who have continually been ignored by the City of Pacifica for far too long. Local citizens like myself have been providing the City of Pacifica with scientific data and neighborhood feedback related to this sensitive undeveloped parcel for many years only to be ignored. I strongly urge you to defer voting on this amendment on March 8th and consider adding further required modifications to ensure that Pacifica has a functional, responsible LCP/LUP that protects and enhances our coastal environment.

Sincerely,  
Andrew Narraway  
Grand Avenue, Pacifica CA 94044

**From:** [John Peterson](#)  
**To:** [NorthCentralCoast@Coastal](mailto:NorthCentralCoast@Coastal)  
**Subject:** March 8th CCC Meeting / Agenda Item 14: Local Coastal Programs (LCP); City of Pacifica Local Coastal Program Amendment #LCP-2-PAC-20-0036-1 (City of Pacifica LUP Update)  
**Date:** Friday, March 3, 2023 8:44:58 AM

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Dear Commissioners,

I'm writing to comment on Pacifica's LCP and LUP, Program amendment #LCP-PAC-20-0036-1 after I read the staff recommendation summaries pertaining to the undeveloped site west of Pedro Point Shopping Center. I am concerned that some of the proposed changes to land use designations pose conflicts to the ESHA and hazard zone related to this site. I would like to add the following:

- Consider that every spring there are the sounds of frogs in the Pedro Point field and swale and this has always been this way.
- I understand that it is local common and documented knowledge that this area fills up with runoff during fall/winter/spring storms because it is a previous wetland and a known flood plain that acts as a catch basement for the surrounding hillsides. I've been here in Pacifica Linda Mar area since 1961 to 75, and returned to live in Pedro Point from 96-present. While living in Pedro Point, this area has quite a bit of wildlife. Egrets, herons, small mammals, hawks, owls, the occasional bobcat, and of course, the frogs.
- The above nature points should be considered in the update of the LCP and LUP.

Please consider to defer the voting on this amendment on March 8th and consider these above facts that I have been providing to all entities for years. This is an important decision and the local voices need to be heard!

Thanks,

John Peterson  
415-531-5616  
[winsurfa@gmail.com](mailto:winsurfa@gmail.com)

TO: [NorthCentralCoast@coastal.ca.gov](mailto:NorthCentralCoast@coastal.ca.gov)

RE: **March 8th CCC Meeting - Agenda Item 14:** Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number **LCP-2- PAC-20-0036-1** (City of Pacifica LUP Update)

Dear Commissioners,

I'm writing to comment on the City of Pacifica's proposed update of its Local Coastal Program (LCP) and Land Use Plan (LUP) - Program Amendment Number **LCP-2- PAC-20-0036-1**.

I have read the Summary of Staff Recommendations, and support the staff's suggested modifications, but additional refinements are needed before you vote to approve this LCP/LUP.

Some of the proposed changes to land use designations pose conflicts that are not currently addressed in the staff's proposed modifications. In particular are the ESHA conflicts related to the undeveloped site west of the Pedro Point shopping center (also known as the Pedro Point field on San Pedro Ave.)

My neighbor, Joanne Gold, has already submitted details about ESHA and habitat-for-species-of-special-interest conflicts in an email sent to Commissioners on March 2<sup>nd</sup>, including:

- The presence of California Red Legged Frogs (CLRF) in the freshwater swale adjacent to the Pedro Point field - a species of special concern that requires specific protections
- The swale itself, which has been determined as ESHA due the wildlife and plant species that exist there and have previously been documented by the Coastal Commission
- The proposed CRMU land use designation, which conflicts with ESHA and CEQA guidelines that require changes in designation and zoning to consider the current state of the field as the environmental baseline.

Local citizens like myself have been providing the City of Pacifica with scientific data and neighborhood feedback related to this sensitive undeveloped parcel for many years only to be ignored. **I strongly urge you to defer voting on this amendment on March 8<sup>th</sup>, and consider adding further required modifications** to ensure that Pacifica has a functional, responsible LCP/LUP that protects and enhances our coastal environment.

Sincerely,

Essam Metwally, Pacifica Resident for 6 years  
240 Stanley Ave, [essam@metwally.org](mailto:essam@metwally.org)

**Exhibit A**

**CLRF in the freshwater marsh swale adjacent to the Pedro Point field**



CLRF –May 2022



Tadpoles - August 2021



CLRF - August 2021

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**EXHIBIT B**

**Pedro Point Field Existing Flooding Condition Hazards**



Oct. 2021



Linda Mar  
State Beach  
access point  
to beach

Oct. 2021



Dec. 2022



Dec. 2022 - San Pedro Rd. Flooding in front of field

March 3, 2023

**TO:** [NorthCentralCoast@coastal.ca.gov](mailto:NorthCentralCoast@coastal.ca.gov)

**RE: March 8th CCC Meeting - Agenda Item 14:** Local Coastal Programs (LCPs); City of Pacifica Local Coastal Program Amendment Number **LCP-2- PAC-20-0036-1** (City of Pacifica LUP Update)

Dear Commissioners,

I'm writing to comment on the City of Pacifica's proposed update of its Local Coastal Program (LCP) and Land Use Plan (LUP) - Program Amendment Number **LCP-2- PAC-20-0036-1**.

While I have read the Summary of Staff Recommendations, and support many of the staff's suggested modifications, I feel strongly that additional focus is needed on specific issues before you vote to approve this LCP/LUP.

Significantly, some of the proposed changes to land use designations pose conflicts that are not currently addressed in the staff's proposed modifications. Specifically, the ESHA conflicts related to the undeveloped site west of the Pedro Point shopping center (also known as the Pedro Point field ("Field") on San Pedro Ave.

#### Land Use Designation

The record is replete with detailed scientific reports provided over the years from respected experts retained by the Pedro Point Community Association (PPCA) that presented multiple hazard and environmental restraints data to the City of Pacifica (and to the Coastal Commission). These hazards include flooding, SLR issues, liquefaction, tsunami danger (the field is designated by the City as a Tsunami Evacuation Area), federally designated wetlands, as well as ESHA and protected species habitat. Yet, the City of Pacifica repeatedly ignored the data.

My view, as well as other residents of the City, is that the summary of staff recommendations correctly states that the proposed LUP provisions "are not consistent with the Coastal Act, as it relates to coastal hazards and sea level rise conditions along the coastline..." However, the modifications noted in the report are not sufficient as they fail to address the known ESHA conflicts and species of special concern that exist within the parcel.

My neighbor, Joanne Gold, has already submitted details about ESHA and habitat-for-species-of-special-interest conflicts in an email sent to Commissioners on March 2<sup>nd</sup>, including:

- The presence of California Red Legged Frogs (CLRF) in the freshwater swale adjacent to the Pedro Point field - a species of special concern that requires specific protections
- The swale itself, which has been determined as ESHA due to the wildlife and plant species that exist there and have previously been documented by the Coastal Commission
- The proposed CRMU land use designation, which conflicts with ESHA and CEQA guidelines that require changes in designation and zoning to consider the current state of the field as the environmental baseline.

## Flood Zone

I want to highlight that the Field sits at the lowest part of Pedro Point which means it is a catch basin from the rain runoff. Please view the photos in Exhibit A showing dramatic flooding in the Field and in Pedro Point. These pictures and those provided by my neighbors provide a clear view of the immense issues regarding the field and changes to the land use designation and the resulting impact to the community. Please know there is only one way in and out of Pedro Point and the flooding is a clear and present danger during the rainy season.

As President of the PPCA, I'd like to extend an invitation to the Commissioners to come to Pedro Point for a tour to see the field, the ESHA area, and entire neighborhood in-person that are deeply impacted by the LCP/LUP.

We appreciate the hard work by the CCC staff in assessing and evaluating the City of Pacifica's Local Coastal Program Amendment. Likewise, our community appreciates your time and thoughtful approach to reviewing the LCP/LUP. We look to the CCC to make certain environmental protections are clearly in place to protect sensitive habitats as well as the residents in the coastal zone.

Our community wants a responsible LCP/LUP, but we are requesting further analysis and additional modifications which we believe are imperative to ensure Coastal Act consistency.

**I strongly urge you to defer voting on this amendment on March 8<sup>th</sup> and consider adding further required modifications** to ensure that Pacifica has a functional, responsible LCP/LUP that protects and enhances our coastal environment.

Sincerely,

Allison West, President, Pedro Point Community Association  
Pacifica resident for 20 years  
280 San Pedro Ave  
650-922-4611

**Exhibit A**

**Pedro Point Field Existing Flooding Condition Hazards**



Oct. 2021



Dec. 2022