

**CALIFORNIA COASTAL COMMISSION**

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# W11b

DATE: February 26, 2026

TO: California Coastal Commissioners and Interested Public

FROM: Steve Hudson, Deputy Director  
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SUBJECT: **County of Ventura Local Coastal Program Amendment No. LCP-4-VNT-25-0032-2 (Coastal Hazards Update), for public hearing and Commission action at the March 11, 2026 Commission Hearing**

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## **SUMMARY OF STAFF RECOMMENDATION**

The County of Ventura (County) is requesting an amendment to the certified Coastal Area Plan (LUP) and certified Coastal Zoning Ordinance (IP) portions of its certified Local Coastal Program (LCP) to add policies and provisions and update existing policies related to coastal hazards and to add new Coastal Hazard Screening Area Maps and new requirements for coastal hazards analysis reports. The existing coastal hazard policies and provisions have not been updated since the County's LCP was originally certified in 1983. Commission staff recommends 3 suggested modifications to the IP amendment and 4 suggested modifications to the LUP amendment.

The existing coastal hazard policies in the LUP are located in three separate sections, each for a geographic area of the County (North Coast, Central Coast, and South Coast), which results in some repetition of objectives and policies within the LCP. The coastal hazard policies in these sections are proposed to be deleted or moved to a new section in the LUP, which would also include the addition of new goals, policies, and programs that would apply to all areas of the County.

Within the IP, new standards to implement the proposed policies of the LUP, definitions, submittal requirements and findings for coastal development permits are proposed. The proposed amendment would also add an appendix to the IP that includes requirements for coastal hazards analysis reports as well as Coastal Hazard Screening Area Maps, which are intended to serve as a general screening level evaluation tool to be used to identify shoreline hazards that may impact coastal development.

The proposed amendment includes three goals to address hazards, sea level rise, and climate change. The first goal is to reduce risks to life and property from hazards while increasing community, infrastructure, and ecosystem resilience to climate change, sea level rise, and other naturally occurring and human-induced hazards. The second goal is to conserve and protect agricultural lands, public beaches, dunes, estuaries, and other sensitive coastal habitats from harm and degradation through implementation of adaptation policies, programs, and standards to increase resiliency from hazards and the effects of sea level rise. The third goal is to reduce greenhouse gas emissions from land uses and development in the County's coastal zone. To achieve these goals, the amendment includes policies that require development to be sited and designed to reduce risks to life and property from coastal hazards, adaptation policies and provisions to protect open space and other sensitive coastal habitats, and policies to reduce greenhouse gas emissions.

Commission and County staff have coordinated extensively on the contents of the subject amendment. During amendment pre-submittal discussions, respective staffs identified and addressed the key issues, worked out approaches to various procedures, and coordinated on specific language to be included in the subject amendment. This coordination effort began in 2017; however, most pre-submittal coordination regarding the policies and provisions of the LCP amendment occurred between 2019 and 2025. Since receipt of the subject amendment, Commission and County staff have continued to coordinate extensively on the contents of the proposal, and County staff has indicated that they are in agreement with the Suggested Modifications.

Commission staff recommends that the Commission, after public hearing, **reject** the County's proposed LCP amendment as submitted, and **certify** the proposed amendment only if modified pursuant to staff's recommended suggested modifications, which can be found in Section IV (Suggested Modifications) of this staff report. The suggested modifications are necessary to ensure that the LUP portion of the amendment meets the requirements of, and is consistent with, the policies of Chapter 3 of the Coastal Act. Likewise, the suggested modifications to the IP are necessary to ensure that the IP conforms with, and is adequate to carry out, the provisions of the certified LUP, as conditionally certified with those suggested modifications. The motions and resolutions to accomplish this recommendation are found on **pages 6-8** of this staff report.

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**EXHIBITS**

[Exhibit 1 – County of Ventura Board of Supervisors Resolution No. 25-049](#)

[Exhibit 2 – County of Ventura proposed Coastal Area Plan \(LUP\) and Coastal Zoning Ordinance \(IP\) amendment text](#)

## **I. PROCEDURAL OVERVIEW**

### **A. STANDARD OF REVIEW**

The Coastal Act provides:

The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)...(Section 30512(c))

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...(Section 30513)

...The Commission may only reject zoning ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out together with its reasons for the action taken...(Section 30513)

The Commission may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the commission, shall be deemed approved upon confirmation by the executive director...(Section 30513)

Any proposed amendments to a certified local coastal program shall be submitted to, and processed by, the commission in accordance with the applicable procedures and time limits specified in Sections 30512 and 30513... (Section 30514(b))

Pursuant to Section 30512(c), the standard of review that the Commission utilizes in reviewing the adequacy of the proposed amendment to the County's certified land use plan (LUP) is whether the proposed amendment is consistent with the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the County's certified implementation plan (IP), pursuant to Sections 30513 and 30514(b) of the Coastal Act, is whether the proposed amendment is in conformance with, and adequate to carry out, the provisions of the LUP portion of the County's certified local coastal program.

### **B. PUBLIC PARTICIPATION**

Section 30503 of the Coastal Act requires public input in the preparation, approval, certification and amendment of any local coastal program (LCP). The County held several workshops that were open to the public regarding the County's Vulnerability

Assessment and the proposed LCP amendment between February 2018 and June 2024. These meetings occurred with residents, community groups, business owners, landowners, and subject matter experts, and included handouts, briefing sheets, and presentations relating to the subject amendment request. The County also engaged the public through written requests for public review and comment on the Sea Level Rise Vulnerability Assessment and proposed LCP amendment. In addition, the County conducted surveys in 2021 of residents and visitors in English and Spanish to gather information about sea level rise planning and adaptation preferences. The Planning Commission held a public hearing on February 20, 2025 to consider adoption of the LCP amendment. The Board of Supervisors held a public hearing on May 20, 2025 during which the proposed amendment was adopted. All County hearings were duly noticed to the public consistent with Sections 13552 and 13551 of the California Code of Regulations. Notice of the subject amendment was posted in a local newspaper at least ten days prior to the March 11, 2026 Coastal Commission hearing, and individual notices have been distributed to all known interested parties.

### **C. TRIBAL CONSULTATION**

The County offered consultation to tribal communities during development of both the Sea Level Rise Vulnerability Assessment and the subject LCP amendment. In 2017, letters were sent to the Barbareño/Ventureño Band of Mission Indians, the Coastal Band of the Chumash Nation, the Northern Chumash Council, the Santa Ynez Band of Mission Indians, and the Northern Chumash Tribe announcing the development of the Vulnerability Assessment. In 2024, letters were sent to 25 Tribal contacts to provide notification of development of the LCP amendment. Four tribes responded: two tribes declined consultation, one meeting was conducted with the Barbareño/Ventureño Band of Mission Indians on August 1, 2024, and one comment letter, dated July 10, 2024, was provided by the Santa Ynez Band of Chumash Indians.

Consistent with the Commission's Tribal Consultation Policy, during the process of reviewing the subject amendment application and developing this recommendation, Commission staff contacted representatives from Native American Tribes understood to have current and/or historic connections to the Ventura County Coastal Zone. Letters were sent describing the proposed amendment via mail and email to all individuals on the Native American Heritage Commission (NAHC) contact list. Staff received a response by email from the Barbareño/Ventureño Band of Mission Indians on February 18, 2026 to potentially conduct a formal consultation, and Commission staff followed-up by phone and email to set-up a meeting; however, as of publication of the staff report, consultation had not been established as Commission staff have not been able to reach the Tribe's representative.

### **D. PROCEDURAL REQUIREMENTS**

Pursuant to Sections 13542 and 13544(c) of the California Code of Regulations, if the Commission approves this LCP amendment with suggested modifications, as recommended, the County must act to accept the certified suggested modifications within six months from the date of Commission action for the amendment to become

effective (14 CCR Section 13544.5). Pursuant to Section 13544 of the California Code of Regulations, the Executive Director shall determine whether the County's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. If the Commission denies the LCP Amendment, no further action is required by either the Commission or the County.

## **II. STAFF RECOMMENDATION, MOTIONS, & RESOLUTIONS FOR THE COASTAL LAND USE PLAN**

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to each resolution.

### **A. DENIAL OF LUP AMENDMENT AS SUBMITTED**

#### **Motion I:**

I move that the Commission certify Land Use Plan Amendment No. LCP-4-VNT-25-0032-2 as submitted by the County of Ventura.

#### **Staff Recommendation to Deny:**

Staff recommends a **NO** vote. Failure of this motion will result in denial of the Land Use Plan Amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

#### **Resolution to Deny:**

The Commission hereby **denies** certification of the Land Use Plan Amendment No. LCP-4-VNT-25-0032-2 as submitted by the County of Ventura and adopts the findings set forth below on grounds that the Land Use Plan Amendment as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan as submitted.

### **B. APPROVAL OF LUP AMENDMENT WITH SUGGESTED MODIFICATIONS**

#### **Motion II:**

I move that the Commission certify Land Use Plan Amendment No. LCP-4-VNT-25-

0032-2 for the County of Ventura if it is modified as suggested in this staff report.

**Staff Recommendation to Certify with Suggested Modifications:**

Staff recommends a **YES** vote. Passage of this motion will result in the certification of the Land Use Plan Amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

**Resolution to Certify with Suggested Modifications:**

The Commission hereby **certifies** the Land Use Plan Amendment No. LCP-4-VNT-25-0032-2 for the County of Ventura if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan Amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment, if modified as suggested, complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

**III. STAFF RECOMMENDATION, MOTIONS, & RESOLUTIONS FOR THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE**

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to each resolution.

**A. DENIAL OF IP AMENDMENT AS SUBMITTED**

**Motion I:**

I move that the Commission reject Implementation Plan Amendment No. LCP-4-VNT-25-0032-2 for the County of Ventura as submitted.

**Staff Recommendation of Rejection:**

Staff recommends a **YES** vote. Passage of this motion will result in denial of the Implementation Plan Amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**Resolution to Deny:**

The Commission hereby **denies** certification of the Implementation Plan Amendment No. LCP-4-VNT-25-0032-2 submitted for the County of Ventura and adopts the findings set forth below on the grounds that the Implementation Plan Amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Plan Amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan Amendment as submitted.

**B. APPROVAL OF IP AMENDMENT WITH SUGGESTED MODIFICATIONS**

**Motion II:**

I move that the Commission certify Implementation Plan Amendment No. LCP-4-VNT-25-0032-2 for the County of Ventura if it is modified as suggested in this staff report.

**Staff Recommendation to Certify with Suggested Modifications:**

Staff recommends a **YES** vote. Passage of this motion will result in the certification of the Implementation Plan Amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the Commissioners present.

**Resolution to Certify with Suggested Modifications:**

The Commission hereby **certifies** Implementation Plan Amendment No. LCP-4-VNT-25-0032-2 for the County of Ventura if modified as suggested and adopts the findings set forth below on the grounds that the Implementation Plan Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Plan Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Plan Amendment as submitted.

## IV. SUGGESTED MODIFICATIONS

Staff recommends the Commission certify the proposed LCP amendment with four (4) suggested modifications to the LUP and three (3) suggested modifications to the IP as shown below. Language proposed to be added by the County of Ventura in this amendment is shown underlined. Language recommended by Commission staff to be deleted is shown in ~~double-strikeout~~. Language recommended by Commission staff to be inserted is shown in double underline. Instructional suggested modifications to revise reference numbers are shown in *italics*.

### LUP Suggested Modification No. 1

Policy 1.34 – Risk Disclosures:

... 6) acknowledges that the boundary between public land (tidelands) and private land may shift with rising seas so that the structure(s) may eventually be located on public trust lands impressed with a public trust interest, and ~~State policies regarding development on public trust lands may be amended by the State~~ the development approval does not permit any development to be located on such lands. Any development that comes to be located on lands impressed with a public trust interest due to the movement of the mean high tide line is subject to the original permit jurisdiction of the Coastal Commission and must be removed unless the Coastal Commission authorizes it to remain pursuant to the Coastal Act. If the development comes to be located on lands impressed with a public trust interest due to the movement of the mean high tide line, the permittee would also be subject to the State Lands Commission's (or other designated trustee agency's) discretionary leasing approval;...

### LUP Suggested Modification No. 2

Policy 1.41 – Public Works Projects:

Certain public works projects may be designed to a lower sea level rise scenario than provided for in Table 1 if designing to the sea level rise scenario required in Table 1 would render the public works project infeasible based on the criteria of Policy 1.42. Coastal development permit applications for such discretionary development ~~where full adherence to all LCP policies and development standards regarding coastal hazards and sea level rise would render not feasible a public works project, an ESHA Mitigation Plan, or a public coastal dependent use recreational area project,~~ must include substantial evidence sufficient to support the request and make the additional findings required pursuant to Policy 1.42 (below). A public entity must be the applicant for such a project, or the development must ~~either be undertaken with public funding and/or be required to implement a public entity approved coastal development permit mitigation measure or condition of approval.~~ If development is allowed pursuant to this policy, it must be consistent with all other applicable LCP policies and development standards ~~besides those coastal hazards and sea level rise policies for which deviations are~~

~~requested; as to those policies, the development must be consistent with them to the maximum extent feasible.~~

### **LUP Suggested Modification No. 3**

Policy 1.42 – Public Works Projects Additional Findings:

~~A coastal development permit authorizing a public works project, an ESHA Mitigation Plan, or public coastal dependent use recreational area projects pursuant to Policy 1.41 may only be approved or conditionally approved upon the making of the following findings supported by substantial evidence in the record:~~

~~a. Application of the sea level rise scenario for public works projects provided for in Table 1 LCP policies or development standards for which deviation is requested would:~~

- ~~1. Render the project economically infeasible, including due to limitations in funding sources acquired through competitive grants, or~~
- ~~2. Prevent or unduly restrict the project's provision of public coastal recreational areas or ESHA mitigation, or~~
- ~~3. Prevent or unduly restrict the project's protection of public health/safety or provision of essential public services for legally permitted development; and,~~

~~b. The project is the least environmentally damaging feasible alternative and is consistent with all provisions of the certified LCP other than the provision(s) for which the deviation is requested; and,~~

~~c. The subject coastal development permit includes describes phased adaptation strategies that are may be applicable when sea level rise amounts combined with a 100-year storm will adversely affect the project.~~

### **LUP Suggested Modification No. 4**

*All references to Appendix 4 shall be corrected to refer to Appendix 3.*

### **IP Suggested Modification No. 1**

Section 8172-1 – Application of Definitions:

Designated Disadvantaged Community – An area identified by the California Environmental Protection Agency (Cal EPA) pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. Designated disadvantaged communities are identified by the CalEnviroScreen (<https://oehha.ca.gov/calenviroscreen>) online mapping software by California Office of Environmental Health Hazard Assessment (OEHHA) as areas within which census tracts scores are at or above 75 percent, or

areas with median household incomes at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093.

## **IP Suggested Modification No. 2**

Section 8181-3.5.4 – Additional Findings for Development in the Coastal Hazards Screening Area:

... 6) acknowledges that the boundary between public land (tidelands) and private land may shift with rising seas so that the structure(s) may eventually be located on public trust lands impressed with a public trust interest, and State policies regarding development on public trust lands may be amended by the State the development approval does not permit any development to be located on such lands. Any development that comes to be located on lands impressed with a public trust interest due to movement of the mean high tide line is subject to the original permit jurisdiction of the Coastal Commission and must be removed unless the Coastal Commission authorizes it to remain pursuant to the Coastal Act. If the development comes to be located on lands impressed with a public trust interest due to the movement of the mean high tideline, the permittee would also be subject to the State Lands Commission's (or other designated trustee agency's) discretionary leasing approval;...

## **IP Suggested Modification No. 3**

*All references to Appendix 16 or H shall be corrected to refer to Appendix H1.*

# **V. FINDINGS FOR DENIAL OF THE LUP/IP AMENDMENT AS SUBMITTED & APPROVAL OF THE LUP/IP AMENDMENT IF MODIFIED AS SUGGESTED**

The following findings support the Commission's denial of the Local Coastal Program (LCP) Amendment as submitted, and approval of the LCP Amendment if modified as indicated in Section IV (Suggested Modifications) of this staff report. The Commission hereby finds and declares as follows:

## **A. AMENDMENT DESCRIPTION AND BACKGROUND**

### Amendment Description

The County of Ventura ("County") is requesting an amendment to the Coastal Area Plan (LUP) and Coastal Zoning Ordinance (IP) components of its certified Local Coastal Program (LCP) in order to update existing policies and provisions related to coastal hazards and to add new Coastal Hazard Screening Area Maps and requirements for

coastal hazards analysis reports. The existing coastal hazards policies and provisions have not been updated since the County's LCP was originally certified in 1983.

The proposed amendment includes new goals, policies, and programs to address coastal hazards and sea level rise for the unincorporated coastal areas of Ventura County. Additionally, certain existing policies relating to archaeological resources, the California Coastal Trail, and Energy and Industrial Facilities are proposed to be modified to plan for coastal hazard and sea level rise related impacts. The existing coastal hazard policies are located in three separate sections, each for a geographic area of the County (North Coast, Central Coast, and South Coast), which results in some repetition of objectives and policies within the LCP. To reduce redundancy and improve readability, the coastal hazard policies in these sections are proposed to be deleted or moved to proposed Section 4.1.6 – Hazards, Sea Level Rise, and Climate Change, which would also include the new coastal hazard and sea level rise resiliency goals, policies, and programs that would apply to all areas of the County. Outdated references are also proposed to be corrected, and an outdated map of Naval Base Ventura County Point Mugu is proposed to be deleted.

Within the IP, new standards, definitions, submittal requirements and findings for coastal development permits are proposed in order to implement the new and updated LUP policies. The proposed amendment would add an appendix to the IP that includes requirements for coastal hazards analysis reports as well as Coastal Hazard Screening Area Maps. The maps divide the County into four screening areas based on geography and existing and future shoreline hazards factoring in the effects of sea level rise. The maps are intended to serve as a general screening level evaluation tool to be used to identify shoreline hazards that may impact coastal development.

The proposed amendment includes three goals to address hazards, sea level rise, and climate change. The first goal is to reduce risks to life and property from hazards while increasing community, infrastructure, and ecosystem resilience to climate change, sea level rise, and other naturally occurring and human-induced hazards. The second goal is to conserve and protect agricultural lands, public beaches, dunes, estuaries, and other sensitive coastal habitats from harm and degradation through implementation of adaptation policies, programs, and standards to increase resiliency from hazards and the effects of sea level rise. The third goal is to reduce greenhouse gas emissions from land uses and development in the County's coastal zone. The proposed amendment includes policies, programs, and development standards intended to achieve these goals. More specifically, proposed policies would require development within areas subject to coastal hazards to be sited and designed to avoid coastal hazards or minimize risk from coastal hazards if avoidance is infeasible, without reliance on shoreline protective devices over the anticipated life of the development. In order to determine where on the property it would be safe to site development or how development would need to be designed to minimize risk, the proposed amendment requires site-specific coastal hazard assessments for development on properties mapped within the areas subject to coastal hazards. Other proposed policies would require disclosure of coastal hazard risks in a property's chain of title, development standards for permitted shoreline protective devices, including that they shall be

permitted in conformance with Coastal Act Sections 30235 and 30253, and definitions for commonly used terms, including “substantial redevelopment.”

### Background

The proposed LCP amendment has been undertaken by the County as part of a two-phase project to address coastal hazards and sea level rise. This effort began in 2017 when the County received a grant for \$225,000 from the Coastal Commission’s Local Assistance Grant Program to analyze risks related to coastal hazards and sea level rise through the development of a Sea Level Rise Vulnerability Assessment and an Adaptation Strategies Report. The Vulnerability Assessment mapped the unincorporated County’s geographic areas that could be impacted by coastal hazards (five feet of sea level rise, coastal erosion, fluvial flooding of the Santa Clara River, and a 100-year storm event (1% annual chance storm)). These Coastal Hazard Screening Areas maps are intended for the evaluation of potential impacts on parcels, structures, infrastructure, agricultural, coastal access, hazardous materials, critical services, vulnerable communities, and natural resources. The Adaptation Strategies Report evaluated various methods to improve the resilience of coastal areas in unincorporated Ventura County. For example, the Report discusses stormwater drainage improvements within the Hollywood Beach and Silver Strand neighborhoods as well as adaptation of the Rincon Parkway, Hobson, and Faria County parks. In 2020, the County received a second grant from the Coastal Commission for \$130,000 to develop LCP policies and provisions to address hazards, sea level rise, and adaptation strategies, leading to the subject LCP amendment.

While both of these grant projects were initiated and largely completed prior to the passage of Senate Bill (SB) 272 (Laird, 2023), which requires local governments to develop a sea level rise plan as part of a certified LCP, the overall effort and resultant proposed LCP amendment are consistent with and make significant progress towards full compliance with SB 272 requirements.<sup>1</sup> Specifically, the County’s Vulnerability Assessment and Adaptation Strategies Report use best available science, discuss economic costs associated with impacts from sea level rise and potential adaptation costs, consider vulnerable populations, evaluate a range of adaptation strategies, and begin to narrow in on preferred adaptation responses, including by identifying potential adaptation pathways. As highlighted below, this work is reflected in a variety of LUP and IP provisions that ensure that risks from future sea level rise are minimized. Full compliance with SB 272 will require some additional work, primarily to identify specific adaptation projects and to continue to consider and address environmental justice needs, efforts which are envisioned in several continued adaptation planning related

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<sup>1</sup> It should be noted that SB 272 is not the standard of review for certifying the LCP amendment, and the Commission is not required to make SB 272 consistency findings. However, describing consistency with SB 272 requirements is helpful for ensuring good sea level rise planning and for the County to demonstrate the progress being made towards complying with that law.

policies (see in particular the below section on Long-Range and Nature-Based Adaptation Planning).

Commission and County staff have coordinated extensively on the contents of the subject amendment. During amendment pre-submittal discussions, respective staffs identified and addressed the key issues, worked out approaches to various procedures, and coordinated on specific language to be included in the subject amendment. This coordination effort began in 2017; however, most pre-submittal coordination regarding the policies and provisions of the LCP amendment occurred between 2019 and 2025. Since receipt of the subject amendment, Commission and County staff have continued to coordinate extensively on the contents of the proposal, including the Suggested Modifications, a few of which were requested by County staff and are intended as clarifications rather than substantive changes.

## **B. COASTAL HAZARDS, DEVELOPMENT, AND COASTAL RESOURCES**

### **1. Coastal Act Policies**

Section 30210 states:

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

Section 30211 states:

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

Section 30235 states:

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

Section 30236 states:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for

protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30244 states:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Section 30250(a) states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels...

Section 30251 states, in relevant part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

Section 30253 states:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30604(h) states:

When acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.

Section 30270 states:

The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.

## **2. Coastal Hazards Overview**

Sea level rise (SLR) will have dramatic impacts on California's coast in the coming decades and is already impacting the coast today. In the past century, the average global temperature has increased by about 1.1°C, and global sea levels have increased by 7 to 8 inches (17 to 21 cm). In addition, SLR has been accelerating in recent decades, with the global rate of SLR tripling since 1971 (IPCC, 2021). There is strong scientific consensus that SLR will continue over the coming millennia regardless of future human actions, but the exact rate and amount will depend on the amount of future greenhouse gas emissions as well as the exact contribution from sources such as the Antarctic and Greenland ice sheets, which are areas of continuing research. While planning coastal development under this uncertainty presents challenges, it is widely documented that underestimating SLR could result in costly damages and adverse outcomes to coastal resources. Planning and development decisions on the California coast must, therefore, be appropriately precautionary and made with the full understanding that SLR will change coastal landscapes and hazard conditions. Not only will siting and design decisions regarding proposed coastal development influence the future safety of the development and overall resiliency of the California coast, but such decisions will also affect the way that coastal resources protected under the Coastal Act respond to changing sea levels over time.

With SLR, shoreline development will experience increasingly hazardous conditions, including worsening storm flooding, inundation, and shoreline and bluff erosion. On a relatively flat shoreline, even small amounts of SLR can cause large losses of beach space and, in most locations on the open coast, a change in the location of public trust tidelands subject to the public trust doctrine. SLR will also cause coastal groundwater tables to rise in some locations, potentially emerging from the ground to cause flooding, as well as impacts such as damage to development and infrastructure, saltwater intrusion into aquifers, and changing liquefaction risks. Importantly, rising groundwater could constrain the types of adaptation strategies that can be protective; for example,

while shoreline armoring may be effective to address overland flooding and inundation from SLR, it may not, depending on the characteristics of the site, protect against groundwater rise impacts.

Coastal resources such as beaches and wetlands could also disappear if they are squeezed between rising sea levels and a fixed line of development on the shoreline. Such losses will impact public access, recreation, public views, habitats and other coastal resources – all of which are protected under Chapter 3 of the Coastal Act. Further, loss of these public resources could have significant implications from an environmental justice standpoint, since coastal open spaces and habitats provide opportunities for all to visit and enjoy the California coast, and their loss would disproportionately burden those who cannot afford to live near the coast.

Section 30270 of the Coastal Act requires the Commission to take into account the effects of SLR in coastal resource planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of SLR; and Section 30604(h) empowers the Commission to take environmental justice into consideration when acting on coastal development permits. Sections 30253 and 30250 provide standards for safety of new development and require new development to occur in areas able to accommodate it, respectively, while Sections 30235 and 30236 place limits around approvable protective devices. Therefore, to be consistent with the Chapter 3 policies of the Coastal Act, proposed development must be sited, designed, and conditioned in such a way that minimizes SLR hazards and considers the impact of the development upon coastal resources over its full anticipated life, avoiding and mitigating those impacts as appropriate.

Currently, the best available science on SLR projections in California is provided in the State of California Sea Level Rise Guidance (OPC 2024). The state guidance adopts the same framework and approach used by the Federal government and provides five sea level rise scenarios that have been regionalized for California-specific use. The state guidance also includes a decision framework to guide selection of appropriate sea level scenarios, primarily recommending evaluation of the intermediate, intermediate-high, and/or high scenarios depending on the context of the planning effort/project. This information is reflected in the Coastal Commission's Sea Level Rise Policy Guidance (CCC 2024).

### Ventura County

The Ventura County coastline is approximately 43 miles long with the unincorporated areas totaling approximately 29 miles. The County's LUP divides the coast into three geographic sub areas: North Coast, Central Coast, and South Coast. The North Coast extends 12.3 miles from Rincon Point to the City of Ventura. The Central Coast's 2.8 miles primarily consist of the Hollywood Beach and Silver Strand Beach communities, and the South Coast covers 14.1 miles from Naval Air Station Point Mugu to the County line at Leo Carrillo State Beach.

The County's Vulnerability Assessment (VA) shows that with 8 inches of SLR (which could occur as early as 2040) the beaches at La Conchita, Rincon Parkway, and Mondos, among other North Coast beaches, will narrow. The beach and sand dunes near the jetty at Hollywood Beach and the South Coast State Beaches at Sycamore Cove and Yerba Buena will also be impacted with 8 inches of SLR. The VA shows that with 16 inches of SLR (which could occur as early as 2060), the narrow beaches on the North Coast become tidally inundated on a daily basis while wider beaches elsewhere in the County become reduced by about 20 percent. Tidal flooding at Rincon Point, Silver Strand Beach near Hobie and Kiddie Beaches in the Channel Islands Harbor, and the agricultural areas near Ormond Beach will also occur with 16 inches of SLR. With five feet of SLR (which could occur as early as 2090), the large beaches at Hollywood and Silver Strand are half the width that they are today, the existing shoreline armor on the North Coast is overtopped, the peninsula and streets at Hollywood Beach become regularly flooded, and nearly all of the Silver Strand neighborhood becomes inundated.

### **3. Proposed Amendment**

#### General Development

To achieve the amendment's first goal of reducing risk to life and property, multiple development policies are proposed, including Policy 1.2 which mirrors the requirements of Coastal Act Section 30253. Specifically, this policy requires new development and substantial redevelopment to minimize risks to life and property from high geologic, flood, and fire hazards, to assure stability and structural integrity, and to neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area over the anticipated life of the development and factoring in the effects of sea level rise. Proposed Policy 1.7 requires development to minimize risk from hazards if avoidance of hazards is infeasible and includes a suite of siting and design techniques that may be used in order to do so. Proposed Policy 1.8 requires development that is proposed to be located in a Coastal Hazards Screening Area or the Federal Emergency Management Agency (FEMA) Zones V1-V30, VE, or V to be sited to avoid coastal hazards or be designed so that the lowest horizontal structural member is 1 foot above the design flood elevation. Proposed Policy 1.11 requires development located in the Coastal Hazards Screening Areas to be sited and designed to not require protection from a shoreline protective device over the anticipated life of the development. Proposed Policy 1.24 requires development on a blufftop to be sited a sufficient distance from the bluff edge to avoid risks for the life of the development without bluff protection devices, based on the project's coastal hazards analysis report. An exception to the required bluff setback is provided for minor, at-grade, easily removable development associated with passive public recreational uses. Policy 1.24 also prohibits development on bluff faces except for public access improvements and drainage systems, and Policy 1.25 requires development to be evaluated for its impacts to and from geologic, flood, and fire hazards and require feasible mitigation measures where necessary.

To ensure development is sited and designed to avoid hazards, or minimize risk from hazards if avoidance is infeasible, the proposed amendment includes policies that

require hazards analysis reports prior to approval of new development. The type of report required is dependent on the location of the project parcel. Policy 1.5 requires preparation of a coastal hazards analysis report for development located in Coastal Hazards Screening Area “A”, while Policy 1.6 requires a stillwater flood analysis for development located in Coastal Hazards Screening Area “B.” Policy 1.26 requires a geotechnical report in addition to a coastal hazards analysis if such a report is determined to be necessary. To ensure all potential hazards are analyzed, proposed Policy 1.3 requires the use of best available science in all coastal hazard analysis reports, and Policy 1.4 requires analyses to use certain sea level rise scenarios and life expectancies (in number of years) depending on the type of development being analyzed.

Several proposed policies contain specific requirements for design of development on shorelines and bluff tops, including Policy 1.22 which only allows geotechnical design features, such as caissons, deep foundations, and slope stabilization, to be used for principal structures; Policy 1.29 which requires structures on a bluff or sandy beach area to be designed for relocation or removal; and Policy 1.30 which requires non-habitable accessory structures to be structurally disconnected from the principal structure in addition to being designed to be removed if the accessory structure becomes threatened or damaged by hazards. These policies will help to ensure that shoreline protective devices are not necessary for new development that becomes impacted by coastal hazards.

A coastal development permit (CDP) is generally required for all new development in the coastal zone; however, Coastal Act Section 30610 provides for types of development that do not require a CDP, including improvements to single-family residences and certain repair and maintenance activities. Over time, however, piecemeal repair and maintenance may result in completely redeveloped structures that do not conform to the proposed policies and provisions intended to minimize risk to life and property. To ensure that structures in hazardous areas are brought into conformance with current standards, the County is proposing Policy 1.9, which provides the criteria for when an existing structure is redeveloped to a degree that is considered a replacement structure or “substantial redevelopment.” These criteria are consistent with the requirements of California Code of Regulations Section 13252(b), which states that, at a minimum, improvements and alterations that result in replacement of 50 percent or more of the existing structure shall be considered a replacement structure and treated as new development/substantial redevelopment. Additionally, proposed Policy 1.10 requires structures that meet the definition of substantial redevelopment to be brought into conformance with all applicable LCP policies and provisions.

In order to determine an applicant’s legal interest in a property upon which development would be approved, as well as to determine whether the County or the Coastal Commission would have jurisdiction to act on the CDP for the proposed development, Policy 1.16 requires all applications for development located on a beach or shoreline area, including applications for shoreline protective devices, to include a Mean High Tide Line survey prepared in consultation with the State Lands Commission. Additionally, Policy 1.21 clarifies that new development located on tidelands, public trust

lands, or other land within the Coastal Commission's original jurisdiction must obtain a CDP from the Coastal Commission.

To implement these proposed LUP policies, the amendment also includes changes to the certified IP. These changes include modifying and adding development standards as well as adding and modifying definitions for terms commonly used in the LCP. Such definitions include, "beach area," "coastal waters," "development envelope," "shoreline protective device," and "substantial redevelopment." The amendment's proposed development standards address all types of development from accessory structures to industrial. For example, the amendment would modify development standards for uncovered porches and decks to continue to allow such uses to be sited within coastal hazard areas but to require such uses to be removable if damaged or threatened by coastal hazards and to clarify that such uses must not obstruct public access to beach areas and other publicly accessible coastal resources. Another example includes modifying development standards for oil and gas development and public works facilities to require analysis of coastal hazards and potential adaptation options for such development.

In coastal hazard areas, one method of minimizing risk to life and property is to require habitable structures to be elevated above predicted flood levels. Currently, the LCP requires the minimum first floor elevation to be solely based on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps. The proposed amendment would update this requirement to require the minimum elevation of the first floor of a structure located in the Residential Beach and Residential Beach Harbor zones to be resilient to the amount of SLR that is projected for the expected life of the development based on a site-specific Coastal Hazards Analysis. While the proposed LCP amendment would continue to require minimum floor elevations to be above predicted flood levels, limitations on the maximum height above existing grade are not proposed, which may result in new development that is much taller and larger than existing development. Subsequently, allowing elevation in response to sea level rise may result in impacts to visual resources and community character, which could be inconsistent with Section 30251, which requires development to be sited and designed to protect views to and along the ocean and scenic coastal areas and to be visually compatible with the character of surrounding areas.

To determine whether the proposed amendment would impact visual resources along the coast, the County conducted a viewshed analysis of the residential beach communities. The shoreline communities of Mussel Shoals, Rincon Point, Hollywood Beach, and Silver Strand were determined to not have the potential for public viewsheds of the ocean to be affected due to existing development and vegetation. The remaining communities (Faria Beach, Solimar, Seacliff, and Solromar) were analyzed to estimate by how much the proposed amendment, or the existing FEMA flood zone requirements, could affect public viewsheds of the ocean as properties are redeveloped in these neighborhoods. The viewshed analysis concluded that the FEMA flood zone requirement (not sea level rise) was the prevailing requirement for the minimum base flood elevation in most areas of the County, and where sea level rise was the prevailing factor, the difference in elevation above FEMA requirements was about one foot. The

analysis ultimately concluded that while allowing for an increase in the elevation of homes along the shore would result in some impacts to views of the ocean, the requirements of the proposed LCP amendment would not result in additional visual impacts to public views of the ocean over existing standards. Additionally, the County concluded that redevelopment based on the updated standards would not significantly affect public viewsheds of the ocean as most views are at a distance from Highway 101 where drivers travel at high speeds. The County also concluded that the proposed elevation standards would not have a significant impact on near views of the ocean along Pacific Coast Highway for traveling pedestrians, bicyclists, or automobiles because ocean views are already blocked by residential development in these neighborhoods.

In order to determine that a proposed development is consistent with the coastal hazard and sea level rise policies of the LCP, new IP Section 8181-3.5.4 requires additional findings to be made by the County decision-making body for development located in the Coastal Hazards Screening Area that include finding that development is sited and designed to: 1) minimize risks to life and property in areas of high geologic, flood, erosion, sea level rise, groundwater inundation, and fire hazards, 2) assure stability and structural integrity of development and, with the exception of coastal dependent development, do so without reliance on shoreline protective devices that substantially alter natural landforms or otherwise harm coastal resources in a manner inconsistent with LCP policies or Coastal Act public access policies, and 3) neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

### Shoreline Protective Devices

The subject amendment also adds new policies and development standards for shoreline protective devices (SPDs). One of the main functions of a shoreline protective device, such as a seawall or revetment, is the protection of the property or structures landward of the protective device. While these devices are often effective in protecting the landward development, they do nothing to protect the beach seaward of the revetment. These devices often create adverse effects on the nearby beach, which ultimately cause additional adverse effects on the availability of public access to and along the beach. Scouring and beach erosion resulting from wave action on a seawall or rock revetment translate into a loss of beach sand at an accelerated rate. The resultant sand loss is greater during high tide and winter season conditions than otherwise would be if the beach was unaltered. In addition, as wave run-up strikes the face of the protective device and is deflected seaward, wave energy is concentrated at the face of the wall and ocean conditions along the beach become more turbulent than would otherwise occur along an unarmored beach. The increase in turbulent ocean conditions along the beach accelerate displacement of beach sand over time where a device is constructed.

Proposed Policy 1.12 would allow SPDs to be permitted in conformance with Coastal Act Sections 30235 and 30253 and would prohibit permitting SPDs for the sole purpose of protecting accessory structures or landscape. Proposed policies 1.13, 1.19, and 1.20

would prohibit enlargement of existing legally established SPDs for new or substantial redevelopment but would allow for repair and maintenance of such devices when required to protect existing structures, public roads, or public beaches in danger of erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Policy 1.13 also requires a CDP for demolition or substantial redevelopment to be conditioned to require removal of an SPD when it is no longer necessary to protect existing development.

Several other policies and provisions require additional standards for SPDs. Policy 1.15 requires SPDs that are on a beach or shoreline area to be sited to not encroach on public trust lands unless the landowner is given legal authorization from the State Lands Commission. Policy 1.17 requires CDP applications for SPDs to include a coastal hazards analysis report that evaluates feasible alternatives, including non-structural solutions to shoreline erosion on both a multi-lot and single-lot scale and hybrid solutions, such as a cobble berm with dune restoration. Policy 1.18 would require SPDs to be repaired or removed if it is deemed to be a public nuisance because of health or safety conditions or because it unlawfully obstructs public access. Additionally, Policy 1.18 would prohibit extension or enlargement of an SPD to be processed concurrently with an application for new or substantial redevelopment on the same lot. Policy 1.23 would require a CDP and building permit for any discretionary authorization or non-exempt repair and maintenance of an SPD, and Policy 1.27 would require the County's Public Works Agency to evaluate permit applications, including coastal hazards analysis reports and other technical documents, for all proposed SPDs. Existing IP Section 8175-5.12 provides development standards for SPDs and is proposed to be modified to implement the proposed SPD policies of the LUP, including the addition of new repair and maintenance requirements for legally established SPDs.

These policies and development standards will ensure risks to life and property are minimized in areas of shoreline hazards and will only allow for shoreline protective devices where necessary to protect public beaches, coastal-dependent uses, existing public structures, and existing principal private structures in danger from erosion and where designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Further, Policy 1.12 provides that for the purposes of the policy, "existing structure" means a legally permitted principal structure that qualifies as "existing" within the meaning of 30235, which the Commission has found in prior actions to mean development that existed prior to the Coastal Act's effective date (January 1, 1977). This interpretation of the meaning of "existing structure," as it pertains to Coastal Act Section 30235, was affirmed in a recent court of appeal decision.<sup>2</sup> While the proposed amendment does not include a definition for "existing structure" that explicitly states that it means development that existed prior to the Coastal Act, the proposed amendment is in-line with the Commission's historic approach on this issue, which is consistent with the public access and other Chapter 3 policies of the Coastal Act.

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<sup>2</sup> *Casa Mira Homeowners Assn. v. California Coastal Com.*, 107 Cal.App.5th 370 (2024).

### Risk Acknowledgement and Disclosure

In addition to the LUP policy requirements for siting and design of new and substantial redevelopment in coastal hazard areas, Policy 1.34 is proposed to require the applicant to assume the risk of injury and damage from coastal hazards and waive any such claim of damage or liability against the County or the Coastal Commission if the CDP is appealed to the Commission. Policy 1.34 also requires the applicant to acknowledge that except for coastal-dependent development, shoreline protective devices are prohibited from being constructed, enlarged or extended in a manner inconsistent with the policies of the LCP or the public access policies of the Coastal Act and that the development site and public services to the site (e.g., utilities, roads) may not be able to be maintained in perpetuity and a structure may be required to be removed or relocated if it is determined to be unsafe for occupancy. Further, Policy 1.34 requires acknowledgement that the boundary between tidelands (public trust lands) and private land may shift with rising seas so that the development may eventually be located on public trust lands. Recognizing that the public trust boundary will migrate inland in some locations, and as it does, that shorefront development might come to be located on public trust property is an important component of sea level rise planning. However, simply requiring the applicant to acknowledge that their development may encroach on public trust land in the future does not clarify that such encroachment is not allowed without proper authorization. Therefore, **LUP Suggested Modification One** is necessary to include a requirement that the applicant acknowledge that development approval does not permit development to be located on lands impressed with a public trust interest, and in the event the development comes to be located on such lands, the development must be removed unless the Coastal Commission authorizes it to remain pursuant to the Coastal Act and that the applicant would also be subject to the State Lands Commission's leasing authority.

Proposed IP Section 8181-3.5.4 – Additional Findings for Development in the Coastal Hazards Screening Area includes language that mirrors proposed Policy 1.34. Therefore, **IP Suggested Modification Two** is necessary to make the same change as LUP Suggested Modification One in order to clarify that development may not encroach on public trust land without proper authorization if it comes to be located on public trust land as a result of the public trust boundary migrating inland.

### Public Works

The subject amendment includes two policies (proposed Policies 1.41 and 1.42), which would allow new public works projects, ESHA mitigation plans, and coastal-dependent public recreation projects to be approved without having to conform to the coastal hazard policies and development standards of the LCP if conformance would render the project infeasible. However, this broad exception is inconsistent with Coastal Act Section 30253, which requires all new development to minimize risk to life and property, assure stability and structural integrity, neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area, or in any way require construction of protective devices that would substantially alter natural landforms.

As stated above, the proposed LCP amendment includes several policies and provisions to implement Coastal Act Section 30253 to ensure that risk to life and property will be minimized, including Policy 1.5, which requires analysis of coastal hazards that may cause impacts over the life of the development. Additionally, to ensure that all potential impacts are analyzed, Policy 1.4 requires the use of certain sea level rise scenarios in the coastal hazard analysis reports, depending on the type of development being proposed. For example, the “Intermediate-High Scenario” is required to be analyzed for large public works projects (e.g., bridges, levees). However, the Commission’s adopted Sea Level Rise Policy Guidance recognizes that while a range of sea level rise scenarios should be analyzed for all new development, it may not be feasible in all cases to site and design development to completely avoid sea level rise impacts. The County has indicated that proposed Policies 1.41 and 1.42 were intended to allow for public works projects to be built even if it would not be feasible to avoid future coastal hazard impacts that may result from higher amounts of sea level rise. To address this concern, while also requiring public works projects to be consistent with the other coastal hazard policies and provisions of the LCP, **LUP Suggested Modifications Two and Three** are necessary to clarify that certain public works projects can be designed to a lower sea level rise scenario than required in Table 1 of the LUP if designing to that scenario would render the project infeasible based on the criteria listed in Policy 1.42 (i.e., it would render the project economically infeasible or unduly restrict the project’s protection of public health/safety or the provision of essential public services). As proposed, Policy 1.42 would also require the project to include phased adaptation strategies that would be applicable when sea level rise amounts combined with a 100-year storm would adversely affect the project. The County requested that this language in the policy be clarified to require the CDP to “describe” rather than “include” phased adaptation strategies that may be applicable, as the term “include” alludes to having detailed descriptions and/or project plans for the adaptation strategies when such detail may not be necessary or feasible to provide at the time of project approval.

Additionally, LUP Suggested Modification Two is necessary to remove ESHA mitigation and coastal-dependent public recreation projects from Policies 1.41 and 1.42 since neither the proposed policies nor the LCP provide definitions for these terms and the proposed LCP amendment already allows for a lower sea level rise scenario to be used for these types of development. “Low” sea level rise scenario is proposed to be required for habitat restoration projects while the “Intermediate” sea level rise scenario is proposed to be required for trails, easily removable development, and public visitor-serving development. Further, analyses for trails and easily removable development along with habitat mitigation are only required to use an expected life of five years while public visitor-serving development is required to use an expected life of 20 years.

#### Long-Range and Nature-Based Adaptation Planning

In addition to the proposed development policies discussed above, the County is also proposing several long-range planning policies to address County infrastructure projects and essential public services and facilities (Policies 1.43 through 1.48), to require periodic updates of the Sea Level Rise Vulnerability Assessment (Policy 1.47), and to

promote equitable civic engagement and inclusion of Designated Disadvantaged Communities in public-decision making regarding LCP amendments for sea level rise and coastal hazards (Policy 1.49).

To achieve the amendment's second goal of protecting open space and areas for people to recreate, the subject LUP adds three policies that encourage the consideration and implementation of nature-based adaptation strategies to address sea level rise, as demonstrated in LUP Policy 2.2. LUP Policy 4.11 states that the County will coordinate with other transportation agencies and stakeholders to develop adaptation options for various critical transportation infrastructure. This policy directs the County to consider nature-based solutions and managed retreat as potential adaptation pathways for vulnerable transportation corridors. Section H-1.4(f)(6) of proposed Appendix H1 in the IP further requires that coastal hazards reports for shoreline protective devices evaluate the feasibility of less environmentally damaging alternatives to shoreline protection, including prioritizing nature-based or "soft" options that protect, enhance, and maximize coastal resources.

Nature-based adaptation strategies are increasingly being recognized as resilient practices to address sea level rise impacts that can respond to, adjust to, and withstand changing conditions while minimizing disruptions to communities and natural resources. These strategies capitalize on the natural ability of coastal ecosystems to protect coastlines from hazards while also providing benefits such as habitat enhancement, recreation and scenic resource preservation, water quality improvements, and carbon sequestration and storage. These policies complement the Commission's effort to support and encourage the implementation of nature-based adaptation strategies with measurable environmental benefits over strategies that have adverse coastal resource impacts such as traditional shoreline protective devices.

LUP Policies 3.1-3.7 aim to achieve the amendment's third goal of reducing greenhouse gas emissions from land uses and development while improving resilience to coastal hazards. These policies require incorporating energy- and water-efficient practices and low- or carbon-zero practices in development projects on commercial and industrial designated lands (Policy 3.1), require the use of permeable paving and other passive drainage features as part of new roadway planning and design (Policy 3.2), encourage the use of neighborhood electric vehicles and support the installation of electric vehicle charging stations (Policies 3.3 and 3.4), and encourage integration of the generation, transmission, efficient use, and storage of renewable energy sources (Policy 3.5). Policy 3.6 requires the County to modernize and upgrade transmission lines, water lines, and gas lines to reduce the risk of various coastal hazards including sea level rise and wildfire hazards, and Policy 3.7 requires the County to work with transit agencies to provide more connections to coastal areas. These policies aim to minimize energy consumption and vehicle miles traveled (VMT) in conformance with Coastal Act Section 30253(d). They also further support the Commission's adopted [Sustainability Principles](#) that provides a framework for reducing greenhouse gas emissions in the coastal zone.

## Environmental Justice

Prior to developing the subject LCP amendment, the County conducted extensive community outreach and engagement. Through funding provided by the Commission's LCP Local Assistance Grant Program, the County developed a comprehensive public outreach campaign to educate residents on the adverse impacts of sea level rise, encourage public participation in the LCP amendment process, and gather feedback from residents on their current uses and concerns for the County's coastal resources.

The outreach plan included updating the County webpage, distributing an informational flyer, conducting community surveys, meeting with local organizations, and several community engagement events. For these tasks, the County aimed to build in approaches or strategies that account for sensitive, vulnerable, and disadvantaged populations and alleviate the burdens to participation that these communities face. The webpage update was translated into five languages most spoken among Ventura County residents including English, Spanish, Vietnamese, Korean, and Chinese (traditional). The informational flyer was distributed among as many residents as possible, including a focused distribution among the most vulnerable populations that included seniors, renters, and Spanish-speaking residents. The survey was provided online as well as mailed to disadvantage census tracts located in rural agricultural areas. Additionally, the County conducted consultation with Native American tribes in accordance with State Tribal Consultation Guidelines, as described in Section I.C above.

The subject amendment adds three policies adapted from existing General Plan policies that address and prioritize environmental justice communities, referred to as "Designated Disadvantaged Communities." LUP Policy 1.46 requires the County to support education and outreach efforts to Designated Disadvantaged Communities on the benefits of the coast and coastal ecosystems as well as the impacts of climate change on the coast. LUP Policy 1.49 requires the County to promote equitable engagement and inclusion among Designated Disadvantaged Communities in decision-making processes for future LCP amendments. Lastly, IP Policy 4.3 specifically identifies that outreach efforts to Designated Disadvantaged Communities shall be conducted for any updates to the County's Vulnerability Assessment or for LCP amendments focused on coastal hazards, sea level rise, or climate change. As proposed, these policies aim to require intentional outreach, inclusion, and consideration of environmental justice communities. While the LCP refers to environmental justice communities as "Designated Disadvantaged Communities" and the term is defined in the County's General Plan, neither the subject amendment nor the existing certified LCP include a definition of "Designated Disadvantaged Communities." Therefore, **IP Suggested Modification One** is necessary to define what communities are identified as "Designated Disadvantaged Communities" in the LCP. IP Suggested Modification One mirrors the definition of "Designated Disadvantaged Communities" in the County's General Plan and is in line with the Commission's definition of environmental justice communities identified in the [Environmental Justice Policy](#).

### Other Coastal Resource Issues and Minor Corrections

Several programs and policies relating to archeological resources as well as the California Coastal Trail are proposed to be added or modified in the County's LUP. For example, a program is proposed to be added to Section 4.1.1 – Archeological Resources to encourage sea level rise monitoring in shoreline areas with a high likelihood of the presence of archaeological resources. This program also notes that the County Planning Division will coordinate with Native American tribes for monitoring potential exposure of archaeological and tribal cultural resources due to coastal erosion and sea level rise. Regarding the Coastal Trail, three new policies (proposed Policies 1.13 through 1.15 of Section 4.1.4 – Coastal Trail) are proposed to allow the Coastal Trail to be located in areas that may be subject to current or future coastal hazards, including sea level rise, while also requiring vulnerable segments to integrate siting and design features that enable retrofits or relocation.

Additionally, after the subject LCP amendment was submitted for certification, it was determined that the proposed amendment included misnumbered references to the proposed Coastal Hazards Appendix. Commission staff coordinated with County staff to determine how best to correct the references. During this coordination, County staff found additional incorrect references to Appendix 4, which was renumbered in a prior LCP amendment, and requested the Commission include a suggested modification to correct those references. Therefore, **IP Suggested Modification Three** is necessary to correct all misnumbered references to the Coastal Hazards Appendix in the IP, and **LUP Suggested Modification Four** is necessary to require all references to Appendix 4 be corrected to refer to Appendix 3.

#### **4. Conclusion**

In conclusion, for all of the reasons stated above, the Commission finds that (1) the LUP amendment, only if modified as suggested in this staff report, will meet the requirements of, and be in conformity with, the Chapter 3 policies of the Coastal Act; and (2) the IP amendment, only if modified as suggested in this staff report, conforms with, and is adequate to carry out, the policies of the certified LUP, as amended.

### **C. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Section 21080.9 of the California Public Resources Code—within the California Environmental Quality Act (CEQA)—exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission, and the Commission's local coastal program review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each local coastal program.

Nevertheless, the Commission is required, in approving a local coastal program submittal to find that the approval of the proposed local coastal program, as amended, does conform with CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended local coastal program will not be approved or adopted as proposed if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. §§ 13540(f) and 13555(b).

The County's LCP amendment consists of an LUP amendment and an IP amendment. As discussed above, the LUP amendment as originally submitted does not conform with and is not adequate to carry out Chapter 3 of the Coastal Act. The Commission has, therefore, suggested modifications to the proposed LUP to include all feasible measures to ensure that such significant environmental impacts of new development are minimized to the maximum extent feasible consistent with requirements of the Coastal Act. These modifications represent the Commission's analysis and thoughtful consideration of all significant environmental issues raised in public comments received, including with regard to potential direct and cumulative impacts of the proposed LUP amendment, as well as potential alternatives to the proposed amendment. As discussed in the preceding sections, the Commission's suggested modifications represent the most environmentally protective alternative to bring the proposed amendment into conformity with the policies of the Coastal Act.

Further, the IP amendment as originally submitted does not conform with, and is not adequate to carry out, the policies of the LUP, as amended. The Commission has, therefore, suggested modifications to the proposed IP to include all feasible measures to ensure that such significant environmental impacts of new development are minimized to the maximum extent feasible consistent with the requirements of the Coastal Act. These modifications represent the Commission's analysis and thoughtful consideration of all significant environmental issues raised in public comments received, including with regard to potential direct and cumulative impacts of the proposed IP amendment, as well as potential alternatives to the proposed amendment. As discussed in the preceding sections, the Commission's suggested modifications represent the most environmentally protective alternative to bring the proposed IP amendment into conformity with the LUP, as amended, consistent with the requirements of the Coastal Act.

Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures under the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts.