

# SMART COAST REPORT

OCTOBER 2021



## *Fall Stakeholder Meeting*

SMART COAST CALIFORNIA IS EMERGING AS A KEY RESOURCE FOR LOCAL GOVERNMENTS AND THE CALIFORNIA COASTAL COMMISSION IN EFFORTS TO FIND COMMON GROUND FOR MANAGING SEA LEVEL RISE IN LOW-LYING COASTAL COMMUNITIES.

“Per the Coastal Act, the Coastal Commission and local governments are supposed to work together on Local Coastal Program Amendments (LCPA). That cooperation is legally required but it’s not working. It really needs help,” SCCa consultant Don Schmitz said during the SCCa Fall Stakeholder Meeting on Zoom in late September. “We’ve been receiving feedback from local elected officials and staff that they want our assistance to help bridge that gap. We are primed to be the essential bridge between the counties and the cities and the coastal commission as we try to iron out some of the policy issues.”

Board Member and incoming 2022 Vice President Paul Grisanti echoed that thought. “We’ve proven already that we can move the needle on relationships with the Coastal Commission, and I can’t wait to see what we get done this coming year.”

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Coastal Commission leaders are also recognizing they need to work collaboratively with local officials, recently Commission Chair Steve Padilla said, “whether commissioners liked it or not, local officials were their partners and the Commission needed to do a better job of partnering with them.”

Board Member Judy Taylor from San Mateo County AOR and SCCa consultant Don Schmitz introduced Smart Coast California to the League of California Cities at their conference in Sacramento last month; meeting with numerous city leaders who said they are looking forward to working with SCCa next year.

There was a recap of significant LCPA actions, including the fact the Commission accepted two amended plans that included provisions the Commission and its staff had previously opposed. The approved Half Moon Bay plan rejects the Commission’s preferred policy, that only development existing before the 1977 Coastal Act could be protected. Morro Bay’s accepted plan specifies that there are portions of their waterfront that they will protect from sea level rise. Another key point of Morro Bay’s plan is they acknowledged that if state government refuses to allow seawalls and other barriers to be built, the state must pay property owners for their losses. These two accepted plans are a departure from the Coastal Commission’s preferred response of managed retreat. SCCa believes there are places where that’s appropriate and other places where it is not. This was a very important concession that there are places in coastal communities where managed retreat should not occur.

In the coming months, the City of Carlsbad, Sonoma and Marin counties will be holding hearings on their LCPAs, while Santa Cruz County has requested a one-year extension to further explore the concept of allowing districts to be established to create neighborhood shoreline protection devices, which could be a “crucial precedent.”

In addition to the above update, 2021 President Carla Farley of the San Diego AOR announced the officers and 2022 Board of Directors (see next page).



SCCa BOD member Judy Taylor



SCCa Booth at League of Cities Conference



ex-Coastal Commissioner Erik Howell  
Malibu Mayor Paul Grisanti



Erik Howell & Coastal Commissioner  
Roberto Uranga & Don Schmitz



Malibu City Delegation

# 2022 Board of Directors



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# UPCOMING LCP EFFORTS

Local Coastal Programs (LCPs) are basic planning tools used by local governments to guide development in the coastal zone, in partnership with the Coastal Commission. LCPs contain the ground rules for future development and protection of coastal resources in the 76 coastal cities and counties. The LCPs specify appropriate location, type, and scale of new or changed uses of land and water. While each LCP reflects unique characteristics of individual local coastal communities, regional and statewide interests and concerns must also be addressed in conformity with

Coastal Act goals and policies. - [California Coastal Commission](#)

LCPA's are Local Coastal Program Amendments which have been updated or amended.

## Carlsbad

LCPA was approved Oct 12th by their City Council which included several policies that protect private property rights. SCCa supports Carlsbad Local Coastal Program Land Use Plan or Local Coastal Program Amendment (LCPA) as it provides for tiered response, new shoreline protection, maintenance, and repair of existing shoreline protection up to 50% and defines existing development as what exists as of the date of certification of the LCPA.



## Sonoma County

The County of Sonoma LCPA has been heard and continued by the Planning Commission to their next meeting of November 10, 2021.

## Coronado

The City of Coronado is in the process of holding several community workshops to review the contents of their Sea Level Rise Vulnerability Assessment and Adaptation Plan. Once the community workshops are concluded, the staff will prepare the draft LCPA.



## Marin County

A public draft of the County of Marin Environmental Hazards Section is expected to be released later this month, with public workshops to be held in November and December. The County anticipates that the Board of Supervisors would be scheduled to consider the LCPA in March of 2022. Here are some of the highlights from the County of Marin Vulnerability Analyses.



- Vulnerable Developed Areas - Bolinas, Stinson Beach, Tomales Bay, Dillon/Muir Beach, Point Reyes Station
- Existing Development - While the Marin Ocean Coast Sea Level Rise Adaptation Report (2018) does not define "existing development," the term is used throughout in a way that implies that existing development includes structures that currently exist, rather than ignoring structures built after January 1, 1977. The adaptation plan should reflect this sensible definition of existing development to include structures present at the time of the certification of the LCPA.
- Shoreline Protective Devices - Marin Ocean Coast Sea Level Rise Adaptation Report (2018) includes of hard protection options to protect existing development (for example, around Sadrift and Stinson Beach), and especially adaptation measures that call for maintaining existing shoreline protection devices.
- Managed Retreat / Regulatory Takings - Marin Ocean Coast Sea Level Rise Adaptation Report (2018) acknowledges that managed retreat does not work in all areas, and that an adequate compensation mechanism should be identified prior to implementing managed retreat.

## Santa Cruz County



Submitted their LCP (Local Coastal Program) amendment request intended to update the LCP's coastal hazards provisions, including bluff and shoreline setbacks for new development and redevelopment, permissible shoreline armoring, and other requirements associated with development along the shoreline. Santa Cruz County's LCPA has a geographically defined "Shoreline Protection

Exemption Area " East Cliff Drive Parkway/Opal Cliffs area from Soquel Point to the Capitola city limits. The county's LCPA states that " ...the goal for this geographic area is to maintain, rehabilitate and/or replace existing shoreline protection structures, and allow new shoreline protection structures, in a coordinated manner, largely at private expense, so that impacts on public coastal resources are reduced." Shoreline property owners would be encouraged to form a Geologic Hazard Abatement District (GHAD) and pursue a modern unified project that incorporates public access.

- Coastal Commission approved a one-year extension to October 22, 2022 for both the Safety Element and the Coastal Hazards Element of the Santa Cruz County Local Coastal Program.
- The Coastal Commission Staff report describes "a series of complicated and overarching proposed changes". The staff report also asserts: "A later deadline date would allow for adequate time to thoroughly analyze the proposed changes to ensure that coastal resources are protected consistent with the Coastal Act, and would also critically allow for necessary consultation with the County and interested members of the public (of which there are many) regarding any issues raised and possible amendment modifications." There is clearly disagreement between the County of Santa Cruz staff and the Coastal Commission staff. The Coastal Act sections 30500 (c) and 30004 (a) requires that an LCP be determined by the local government.



## Santa Cruz City

There is a [virtual workshop](#) for the Local Coastal Program Amendment for the City of Santa Cruz on November 2, 2022. There is a West Cliff Drive Adaptation Plan that SCCa will be reviewing carefully.

## Pismo Beach

The City of Pismo Beach anticipates holding workshops in December of this year on their Local Coastal Program. Planning Commission and City Council hearings will be planned in 2022.



## Santa Barbara City

LCP/LUP was certified by the Coastal Commission in 2019, however the Coastal Hazards section references future Sea Level Rise Adaptation Plan which was approved by the City Council in February 2021. City staff is in the process of developing the Coastal Hazards section of their LCPA, which will require Planning Commission and City Council approval and then certification by the Coastal Commission.

# SEA LEVEL RISE STATE LEGISLATION

The California State Legislature recently ended their session and awaited the Governor to sign or veto bills. There were 7 bills of interest pertaining to Sea Level Rise that Smart Coast California watched or took action on.

## SB 1 (ATKINS) - COASTAL RESOURCES: SEA LEVEL RISE

*Signed*

This bill expands the duties of the California Coastal Commission to adopt recommendations and guidelines for the minimization and mitigation of sea level rise across its programs. It also creates the California Sea Level Rise State and Regional Support Collaborative to aid in helping coastal communities deal with the crisis. It requires the newly established collaborative to spend no more than \$100 million yearly on grants to local governments for updating land use plans that take sea level rise into account.

## SB 83 (ALLEN) - SEA LEVEL RISE REVOLVING LOAN PROGRAM

**VETO**

This bill would have created a low-interest loan program so cities and counties can buy coastal properties vulnerable to sea level rise. The veto message from Governor Newsom:

*This bill requires the Ocean Protection Council to develop the Sea Level Rise Revolving Loan Program to provide low-interest loans to local jurisdictions to purchase coastal properties identified as vulnerable. Unfortunately, it does not comprehensively address the costly activities envisioned, likely to be carried out over decades.*

*Climate-driven sea level rise presents major land-use planning challenges. The scope and scale of the problem, and the work necessary to make sure that California can adapt to rising seas, requires innovative planning approaches and implementation action at the state and local level. Financial tools, such as the one proposed in SB 83, have the potential to play an important role in a portfolio of strategies that will help build coastal resilience in California. However, such an effort should be considered within a comprehensive lens that evaluates properties to be included in a statewide plan.*

*I encourage the author to continue to engage with my Administration as we work together to ensure California's coastal communities and natural resources are resilient to sea level rise.*

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## **SB 627 (BATES) - COASTAL EROSION: INSTALLATION OF SHORELINE PROTECTIVE DEVICES: APPLICATION PROCESS**

**2** year bill  
Held in Senate Natural Resources Committee

This bill would, except as provided, require the California Coastal Commission or a local government with an approved local coastal program to approve the repair, maintenance, or construction of retaining walls, return walls, seawalls, revetments, or similar shoreline protective devices for beaches or adjacent existing residential properties in the coastal zone that are designed to mitigate or protect against coastal erosion.

## **SB 433 (ALLEN) - CALIFORNIA COASTAL ACT OF 1976: ENFORCEMENT: PENALTIES**

*Signed*

This bill additionally authorizes the commission to impose specified administrative civil penalties on a person, including a landowner, who is in violation of any provision of the act other than public access. The bill would require the commission staff to annually prepare and present a written report to the full commission that includes specified information related to the imposition of those penalties and to annually provide the written report to the Legislature, as prescribed.

## **AB 50 (BOERNER HORVATH) - CLIMATE CHANGE: CLIMATE ADAPTATION CENTER AND REGIONAL SUPPORT NETWORK: SEA LEVEL RISE.**

**2** year bill  
Held in Assembly Com. on Natural Resources

This bill would create the Climate Adaptation Center and Regional Support Network within the existing Ocean Protection Council. The goal is to provide local governments facing sea level rise with information and scientific expertise necessary to mitigate it. Although it would have to be voted on in the 2022 statewide general election if passed.

## **AB 66 (BOERNER HORVATH) - COASTAL RESOURCES: RESEARCH: LANDSLIDES AND EROSION: EARLY WARNING SYSTEM: COUNTY OF SAN DIEGO**

*Signed*

This bill gives \$2,500,000 general fund dollars to the Scripps Institution of Oceanography at the UC San Diego for research on coastal cliff landslides and erosion in San Diego County. It requires the institution to provide a report to the Legislature with recommendations for developing a coastal cliff landslide and erosion early warning system based on that research by March 2024.

## **AB 67 (PETRIE-NORRIS) - SEA LEVEL RISE: WORKING GROUP: ECONOMIC ANALYSIS**

Assembly  
Suspense File

This bill would require state agencies to take into account the current and future impacts of sea level rise when planning or building infrastructure in the coastal zone. By March 2022 it would require the Ocean Protection Council and the Office of Planning and Research, to establish a multi-agency working group to come up with recommended policies, resolutions, projects, and other actions to address sea level rise.

## **AB 72 (PETRIE-NORRIS) - ENVIRONMENTAL PROTECTION: COASTAL ADAPTATION PROJECTS: NATURAL INFRASTRUCTURE: REGULATORY REVIEW AND PERMITTING: REPORT**

*Signed*

This bill authorizes the California Natural Resources Agency to implement options that expedite the regulatory review and permitting processes for coastal adaptation projects, focusing on projects that restore/enhance natural infrastructure.

# Website STAY INFORMED

## CURRENT LCP/SLR EFFORTS

Efforts of local municipalities within California and status of SLR/LCP process.

## POLICIES

Policies that have been adopted by the Smart Coast California Board of Directors.

## ARTICLES OF INTEREST

Find articles related to sea level rise, coastline policies, and interesting local news.

## SIGN UP

Stay on top of what's happening by joining our newsletter and responding to calls for action. Your voice needs to be heard.

## MARKETING TOOLKIT

Smart Coast California has assembled a Marketing Toolbox of resources to promote our newsletter and calls for action.

## CONTRIBUTE

We have accomplished a lot, but there's much more to be done to protect property rights. Please contribute today?

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