



Caring for Your Coast

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February 13, 2014

California Coastal Commission
c/o Sea-level Rise Work Group
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Commissioners:

COMMENTS ON CALIFORNIA COASTAL COMMISSION DRAFT SEA-LEVEL RISE POLICY GUIDANCE

The County of Los Angeles Department of Beaches and Harbors (DBH) appreciates the opportunity to comment on the California Coastal Commission Draft Sea-level Rise Policy Guidance document (Guidance Document), and the extended time allowed to submit comments from January 15 to February 14, 2014. DBH respectfully submits the following comments to the Guidance document.

- 1. Page 20. Purpose and Scope of Guidance Document** - The Guidance Document states that the purpose of the document is not that of “regulatory.” However, the document’s title and recommendations to amend LCPs infer “policy” and “regulation” instead of guidance. DBH recommends that the document clearly states that it is a guidance document and that it stays consistent throughout.
- 2. Page 22. Use Science to Guide Decisions** – Published documents prepared by different agencies, such as the National Research Council (NRC) SLR, projecting SLR cover large geographic areas and with varying results. It would be very difficult to utilize the recommended NRC SLR document, or any other current scientific document for that matter, to project local conditions. To do this, local public agencies would need to extensively use public funds, possibly at the expense of other public services, to project SLR along their coastlines. The Guidance Document should be revised to include the flexibility to use studies pertinent to local conditions.
- 3. Page 24, 25, B-8, and 54. Property owners should assume risks associated with new development in hazardous areas** – The Coastal Act does not prohibit the construction of seawalls. Section 30253 of the Coastal Act states that “New development shall minimize risk to life and property in areas of high geologic,



flood, and fire hazard”. Minimization of risks can include the use of revetments, seawalls, and retaining walls and the Guidance Document should reflect this.

4. **Page 25, C-9. Provide for maximum protection of public beach and recreational resources in all coastal hazard planning and regulatory decisions** – Stated options should include repairing and replacing structures such as groins that serve to protect public beaches from erosion, therefore maintaining a recreational asset and public access.
5. **Page 25, C-10. Maximize natural shoreline values and processes; avoid the perpetuation of shoreline armoring** - This is contrary to Sections 30235 of the Coastal Act, which 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”. These coastal protection structures have proven to be effective in Los Angeles County and the East Coast, in the prevention of erosion and protection of coastal facilities. Removing them would hamper public safety, infrastructure, public facilities and private property.
6. **Page 26, C-13. Require mitigation of unavoidable public coastal resource impacts related to permitting and shoreline management decisions** - Mitigation fees are already required as part of the Coastal Development Permit, Regional Water Quality Control Board, CEQA, and Federal permit processes. Because there are already mitigation fees in place, adding more fees could discourage projects that protect public beaches and enhance the public’s access to the coast. Instead there should be no mitigation fees for projects of this type.
7. **Page 28 and 29, A. Best available science on sea level rise** – The Intergovernmental Panel on Climate Change 4th Assessment Report (IPCC AR 4) referenced in the Guidance Document is outdated. The new IPCC AR 5 was released last fall, and contains more conservative assessment projections. Should the IPCC AR 5 be used instead of IPCC AR 4 to account for local projections?
8. **Page 30-34, B and C Physical Impacts of Sea-Level Rise/Consequences of Sea-Level Rise for Coastal Resources and Development** - The Guidance Document should emphasize that local jurisdictions affected by all physical impacts should utilize, to the maximum extent possible, offshore sand sources and develop a nourishment program, as suggested on Page 54, to mitigate erosion and protect recreational areas and facilities.

- 9. Page 51 and 54 – Limit or prohibit use of bluff retention or shoreline protection for new development / Require property owners to waive the right to shoreline protection in the future** - Coastal Act, Section 30253, allows for protection of new development, including the protection of “special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses”, and the Guidance Document should reflect this.

We appreciate the opportunity to provide input. Should you have any questions, you may contact me at (310) 305-9522 or by email at gjones@bh.lacounty.gov. Alternatively, you may contact John Kelly, Deputy Director, at (310) 305-9532 or by email at jkelly@bh.lacounty.gov.

Very truly yours,

A black rectangular redaction box covers the signature of Gary Jones. A blue ink scribble is visible below the redaction.

Gary Jones, Acting Director

GJ:JK:CE

c: Don Knabe, Supervisor, Fourth District, County of Los Angeles
Zev Yaroslavsky, Supervisor, Third District, County of Los Angeles