

BILL ANALYSIS

| | | |
|----------------------------------|--------------------------|------------------------------|
| DEPARTMENT Coastal Commission | AUTHOR Robert Pacheco | BILL NUMBER AB 1781 |
| SUBJECT State Beaches | | DATE LAST AMENDED 1/25/00 |

I. SUMMARY:

A. Bill Summary:

AB 1781 would remove the \$250,000 spending limit (adjusted annually for inflation) for the construction or expansion of specified noncommercial developments on 8 public beaches formerly owned by the State, now owned by the County of Los Angeles.

B. Summary of Issues/Concerns:

This bill would allow for the expansion or new construction of public facilities, including rock revetments, sand walls and other forms of coastal slope erosion protective structures. Construction of such structures can cause or contribute to increased erosion up-current and down-current, a net loss of sandy beach as eroding materials are prevented from nourishing the littoral zone, and an eventual loss of public access.

C. Fiscal Summary:

Minor costs to the Department of Parks and Recreation to amend the deeds. Possible future costs to the state if seawall construction leads to increased erosion on adjacent State Beaches.

D. Sponsorship:

County of Los Angeles

E. Related Legislation

A.B. 909 (Bowen)
Chapter 472 Statutes of 1995

F. Support and Opposition:

None registered at this time.

G. Other Departments Likely to be Affected:

Department of Parks and Recreation, State Lands Commission

Prepared By Sarah Christie, Legislative Coordinator
Phone: 445-6067
Prepared by: Sarah Christie Date: 3/3/00

| | | |
|---|---|---|
| Department Director Position <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> SA <input type="checkbox"/> OUA <input checked="" type="checkbox"/> N <input type="checkbox"/> NP <input type="checkbox"/> NA <input type="checkbox"/> NAR <input type="checkbox"/> DEFER TO _____ | Agency Secretary Position <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> SA <input type="checkbox"/> OUA <input type="checkbox"/> N <input type="checkbox"/> NP <input type="checkbox"/> NA <input type="checkbox"/> NAR <input type="checkbox"/> DEFER TO _____ | GOVERNOR'S OFFICE USE Position approved <input type="checkbox"/> Position disapproved <input type="checkbox"/> Position noted <input type="checkbox"/> |
| Department Director _____ Date _____ Peter Douglas | Agency Secretary _____ Date _____ | By: _____ Date: _____ |

II. ANALYSIS

A. Existing Law:

The California Coastal Act regulates development in the Coastal Zone, and requires coastal development permits for all of the activities included in AB 1781. Existing deed restrictions prohibit all new or expanded commercial development, and limit new or expanded non-commercial development to activities which do not exceed estimated construction costs of \$250,000 on the following former State beaches deeded to the County of Los Angeles by the State Department of Parks and Recreation.

- Las Tunas State Beach
- Topanga State Beach
- Manhattan State Beach
- Redondo State Beach
- Royal Palms State Beach
- Point Dume State Beach (partial)
- Dan Blocker State Beach/Latigo Shores
- Malibu Lagoon State Beach/Surfrider Beach

Noncommercial improvements to these public beaches is limited to projects that provide for the safety, use, enjoyment, and educational use of the general public. (5002.6 (3)(B) PRC). The County must apply for a coastal development permit before undertaking any construction. Because the County does not have a certified Local Coastal Program, the Commission retains permit jurisdiction.

B. This Bill Would:

AB 1781 would remove the deed restrictions which limit construction projects to those in which the estimated construction costs do not exceed \$250,000 for the following non-commercial projects:

- Restrooms
- Ramp accessways that comply with the Americans with Disabilities Act
- Pedestrian Accessways
- Storm Drains
- Lifeguard Facilities
- Parking lots
- Sand walls
- Rock revetments

C. Issues/Concerns:

The construction of restrooms, pedestrian accessways, A.D.A. compliant ramps, lifeguard stations, and parking lots is consistent with Coastal Act policies encouraging public access and visitor-serving facilities. However, the construction and placement of storm drains may create conflicts with Coastal Act policies which protect water quality. In addition, sea walls (coastal slope erosion protection) and rock revetments can cause or contribute to increased erosion of adjacent bluffs, net loss of sandy beach as eroding materials are prevented from nourishing the littoral zone, and eventual loss of public access. For this reason, the Coastal Act only allows the construction of sea walls to protect existing structures, or in cases where conditions on a public beach have become hazardous. Because of the damaging cumulative effects of sea wall construction on public trust resources, current Commission practice in many instances is to require applicants for new construction to sign a deed restriction waiving their right to construct a sea wall in the future as a condition of their coastal development permit.

If the County intends to build non-commercial structures in areas of geologic instability, which would likely require a shoreline protective structure at a later date, this would be of concern to the Commission. Additionally, any sea wall construction that may be proposed on a public beach to protect structures on

private property could result in loss of public access and public trust resources for private benefit. This could also be of concern to the Commission.

Documentation of the type or cost of planned facilities is not yet available.

D. Suggested Amendments:

Amend AB 1781 to specify that no new or expanded noncommercial development which takes place after the effective date shall be eligible for protective works at a later date. Additionally, no public funds shall be expended for shoreline protective works intended in part or in whole to protect privately owned improvements on private property on or adjacent to any of the enumerated beaches.