

**Public Comments**  
**Item 1 – Draft Local Coastal Land**  
**Use Plan (LCLUP)**

Written Comments Received After 12pm on 03/01/2024



*March 2, 2024*

*Study Session*

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**From:** Richard Harris [REDACTED]  
**Sent:** Friday, March 1, 2024 4:44 PM  
**To:** \_City Council; Public Comment; Coffey, Sarah; Pacifica Permit Tech; City Manager; CoastalPlan  
**Cc:** Vaterlaus, Sue; Bigstyc, Tygarjas; Beckmeyer, Sue; Bier, Mary; Boles, Christine; Murdock, Christian; 'Phil Ginsburg'; 'Potter, Spencer (REC)'; Cervantes, Stefanie; Woodhouse, Kevin  
**Subject:** Pacifica Joint City Council and Planning Commission Mtg., LCP Study Session #3, Mar. 2, 2024 / Questions submitted by San Francisco Public Golf Alliance  
**Attachments:** SFPGA.Ltr.Pac.Ci.Cil.re.LCP.3.1.24.pdf

**[CAUTION: External Email]**

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**Subject:** Pacifica Joint City Council and Planning Commission Mtg., LCP Study Session #3, Mar. 2, 2024 / Comment Letter of San Francisco Public Golf Alliance

**City Clerk Sarah Coffey – Please forward to City Council and Planning Commissioners and Planning Department**

**Mayor Sue Vaterlaus, Pacifica City Council and  
Pacifica Planning Department**

**Dear Mayor Vaterlaus, Councilmembers, Planning Commissioners, and Planning Department Staff**  
**Enclosed please find comment letter of San Francisco Public Golf Alliance, for the Mar. 2 Study LCP Study Session.**  
**Please include in the public record and in the Councilmembers' and Commissioners' and Staff's meeting packets.**  
**See you March 2. Rain or shine.**

***Richard Harris***  
***San Francisco Public Golf Alliance***  
*826 Stanyan Street*  
*San Francisco, CA 94117-2726*  
*Phone: (415) 290-5718*

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



February 27, 2024

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

**Re: Pacifica City Council / March 2, 2024 / LCP Study Session:  
SF Public Golf Alliance Objects to proposal to terminate the southern boundary  
of the proposed “West Sharp Park” Special Resiliency Area at Clarendon Rd.**

Dear Mayor Vaterlaus and Council Members,

The nonprofit San Francisco Public Golf Alliance submits this comment on behalf of our 7,000-plus members -- golfers of all ages, backgrounds, cultures, and persuasions, most residents of San Francisco and the Northern Peninsula, including several hundred Pacificans.

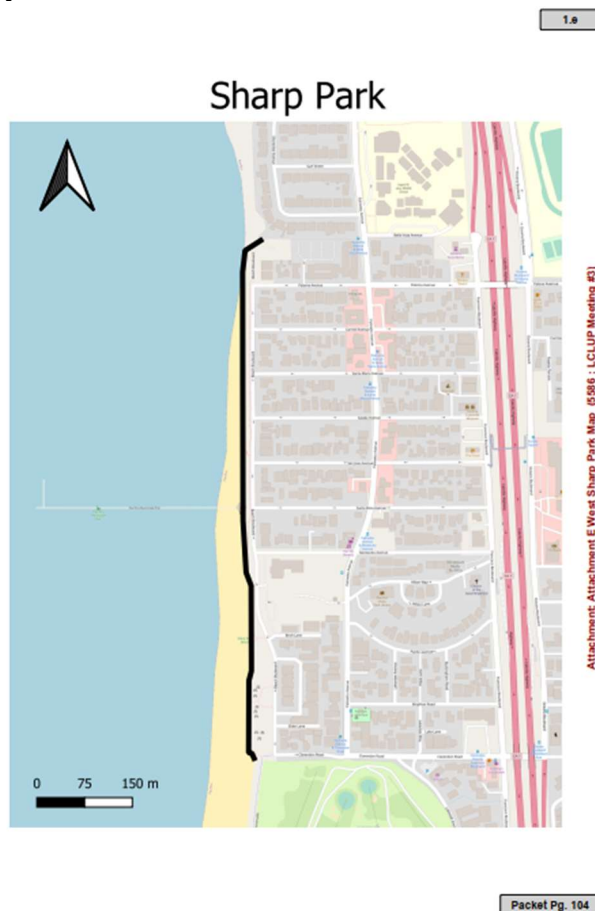
**EXECUTIVE SUMMARY:**

**The “West Sharp Park Special Resiliency Area,” as proposed in the March 2024 iteration of the Consultation Draft Local Coastal Plan, would exclude significant low-to-moderately-priced residential neighborhoods and the Landmark Sharp Park Golf Course, an historic low cost public recreational resource traversed both by golfers and by Pacifica’s critical infrastructure – the sanitary sewer force main and the storm drains and outfalls that serve most of the East and West Sharp Park and East and West Fairway Park neighborhoods. This result would: (1) violate City Council’s “Coastal Resilience” policy goals, expressly stated in Section 6.3 of the March 2024 Draft LCP; (2) would be inconsistent with the “Coastal Vulnerability Zone” sub-area policies found elsewhere in the March 2024 Draft LCP; and (3) be internally inconsistent with the stated rationale for the “Special Resiliency Areas” themselves.**

## 1. The Proposed “West Sharp Park Special Resiliency Area”

The iteration of the draft Local Coastal Land Use Plan under study by Council at its March 2, 2024 Study Session meeting is entitled “City of Pacifica Local Coastal Land Use Plan March 2024 Revised Certification Draft.”<sup>1</sup> (Hereafter, the “March 2024 Draft LCP”).

The March 2024 Draft LCP proposes “Special Resiliency Areas” denominated (1) “Rockaway Beach” and (2) “West Sharp Park.” Attached to Council’s March 2 Agenda Packet as Attachment E and pictured immediately below, is a map captioned only “Sharp Park,” with its southern boundary at Clarendon Rd., which is apparently intended to represent the “West Sharp Park” Special Resiliency Area.<sup>2, 3</sup>



<sup>1</sup> City of Pacifica Local Coastal Land Use Plan, March 2024, Revised Certification Draft - Redlined, Attachment F to Pacifica City Council Meeting, March 2, 2024, Agenda and Agenda Packet: at Packet Page 105, ff, <https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

<sup>2</sup> March 2, 2024, Agenda and Agenda Packet, Attachment E, at packet pg.104  
<https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

<sup>3</sup> Some confusion arises from the fact that creation of the Rockaway Beach and West Sharp Park “Special Resiliency Areas” is described in Section 6.6 of the March 2024 Draft LCP, which states: “The two SRA locations are identified in Figure 6-2 and 6-3.” Council Agenda Summary Report, Dec. 5, 2023, Attachment F, LCP Redlined, at Section 6.6, Packet pg. 293

<https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1508&Inline=True>

**HOWEVER, NO “FIGURE 6-2 AND 6-3” IS ATTACHED TO THE MARCH 2024 DRAFT LCP FOUND IN COUNCIL’S MARCH 2, 2024 AGENDA PACKET; THE FIGURES ATTACHED TO ATTACHMENT F END WITH FIGURE 6-1 AT PACKET PG. 400.**

## 2. City Council's "Coastal Resilience" Policy Goals

The March 2024 Draft LCP at Section 6, "Coastal Resilience," Subsection 6.3, sets forth the following "Coastal Resiliency Policies" goals that were unanimously adopted by Pacifica City Council in March 2018.

### **"Council Goals**

In March 2018, the City Council unanimously adopted the following goals to help guide the direction of the planning effort for development of the Coastal Resiliency Policies. The goals included: . . .

### **3. Preserve Existing Neighborhoods and Promote Environmental Justice and Local Economic Vitality.** Pacifica's Coastal Zone includes:

- 12% of the City's population.
- The majority of **older, and therefore more affordable, housing stock**. . .
- More than half of **commercial businesses**, which provide vitality to the community and tax revenue for City operations.
- **Public facilities** that include City Hall, North Coast County Water District, Ingrid B. Lacy Middle School, the Pacifica Pier, **drainage outfalls**, waste water pumping stations, **sewer force mains**, and the Calera Creek Water Recycling Plant.
- Significant **historical and public recreational assets including** beaches, coastal trails, the Beach Boulevard promenade, parks and **Sharp Park Golf Course**.<sup>4</sup> (emphasis added)

## 3. "Coastal Vulnerability Zones" in the March 2024 Draft LCP

For years before the recent appearance of the "Special Resiliency Areas" concept – and continuing in Section 6.6 of the March 2024 Draft LCP, "**Coastal Vulnerability Zone**" and "**subarea**" **policies and boundaries were approved by the Planning Commission and adopted by City Council** in February 2020.<sup>5</sup> By oral comment at Council's Dec. 5, 2023 meeting and by Dec. 5 letter to Council, we objected to the inconsistent boundaries of the "Coastal Vulnerability" subareas and the new "Special Resiliency Areas".<sup>6</sup>

At sub-subsection 6.6, "Subarea Policies and Programs," the March 2024 Draft LCP creates a "Coastal Vulnerability Zone" sub-area named "Sharp Park-West Fairway Park-Mori Point – which is mapped at Appendix B-3<sup>7</sup> (copy attached hereto as Exhibit 4) and includes the golf course and its adjoining south and north neighborhoods of West Fairway Park and West Sharp Park, with the following policy explanation:

" . . . flooding at the Sharp Park Golf Course (SPGC) affects residences surrounding the course. Any shoreline management strategies taken for SPGC will have implications for the neighborhood north of and adjacent to the golf course. Thus, **the**

<sup>4</sup> March 2024 Draft LCP, at Section 6.3, Packet Page 280-281

<https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=1508&Inline=True>

<sup>5</sup> March 2024 Draft LCP, Section 6.6 starting at Packet pg. 284

<https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

<sup>6</sup> Letter, SFPGA to Pacifica City Council, Dec. 5, 2023:

<https://drive.google.com/drive/folders/1c2e58wSxG86Ek-HsqkXKZUIK03y2U6DW?usp=sharing>

<sup>7</sup> March 2024 Draft LCP, Appendix B-3. at Packet pg. 329

<https://pacificacityca.igm2.com/Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

**southern portion of West Sharp Park sub-area was combined with the Sharp Park sub-area in order to more clearly discuss existing conditions, evaluate vulnerability and develop adaptation strategies that account for this flooding linkage. . . .<sup>8</sup> (emphasis added) “The Sharp Park, West Fairway Park and Mori Point sub-area (Figure 14 and Figure 15, Appendix B-4) includes land west of Highway 1 and contains the Palmetto Ave business district, Beach Boulevard Promenade, Fishing Pier, multiple City-owned parcels and landmarks, the Sharp Park Golf Course (SPGC), West Sharp Park and West Fairway Park neighborhoods and Mori Point. In order to represent the flooding connectivity of the lower Sharp Park neighborhood with the SPGC, the “West Sharp Park” subarea was split in two (as described for Northwest Sharp Park above).”<sup>9</sup> (emphasis added)**

The “flooding connectivity” of the Golf Course and its surrounding residential neighborhoods can be seen in photographs, taken on the morning of Dec. 28, 2023, showing ocean water (1) flooding the westernmost block of Clarendon Road and (2) flooding through the chain link fence along the south side of Clarendon and cascading over the 16<sup>th</sup> tee into the golf course, where the seawater then drains into Laguna Salada.



Clarendon Rd. flooding, Dec. 28, 2023, Photo by Stephen Lam, San Francisco Chronicle  
<https://www.sfchronicle.com/weather/article/santa-cruz-evacuation-weather-storm-18578197.php>



Sharp Park Golf Course, Dec. 28, 2023, ocean flooding 16 Tee (L) and 17 Green (R), Photo by Sean Kelly

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<sup>8</sup> March 2024 Draft LCP, supra, Section 6.6, at Agenda Packet pg. 296  
<https://pacificacityca.igm2.com//Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

<sup>9</sup> March 2024 Draft LCP, supra, Section 6.6, at Agenda Packet pg. 296  
<https://pacificacityca.igm2.com//Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

4. **“Special Resiliency Areas” and their Policy Rationale: Sharp Park South of Clarendon and the Fairway Park West neighborhood meet all the stated policy criteria for “Special Resiliency Area,” and should be included in the March 2024 Draft LCP with the “West Sharp Park” SRA.**

Now, in the March 2024 Draft LCP, up for discussion at the Council’s March 2, 2023 meeting, there appears a new inconsistent paragraph, captioned “Special Resiliency Areas,” which would create two “carve-outs,” and which reads as follows:

“The **Special Resiliency Areas** (SRA) include the existing shoreline protection structures in the Rockaway and West Sharp Park sub-areas. These areas **have existing development patterns with significant amounts of Pre-Coastal** (*sic: probably should read “Pre-Coastal Act”*) **development**, a mix of **public streets and infrastructure**, **land use prioritized by the Coastal Act**, and **significant unified public coastal access**, all **protected by broad existing shoreline protection**, that warrant a unique policy approach. The purpose of modifying policy applicable to this area is to allow ongoing economic use and vitality of property, provision of public services, operation of visitor-serving uses, and protection of robust coastal access for all persons including persons with disabilities within a Special Resiliency Area (SRA). The two SRA locations are identified in Figure 6-2 and 6-3.”<sup>10</sup> (emphasis added)

Without explanation, Sharp Park (south of Clarendon Rd) and West Fairway Park are excluded from the proposed “West Sharp Park” Special Resiliency Area.—even though – as discussed in detail below -- they meet all of the qualifying criteria listed in the “Special Resiliency Areas” paragraph (above) of the March 2024 Draft LCP.

- (1) **“Existing development patterns with significant amounts of Pre-Coastal [Act] development”:** The historic Sharp Park golf course and its clubhouse have been there since the 1930’s and are designated City of Pacifica Historical Landmarks.<sup>11,12</sup> The small triangular area northeast of the golf course and bounded by Clarendon Road, Francisco Blvd. and Lakeshore Blvd., appears mostly to have been built in the 1950’s and 1960’s and before, and consists of one- and two-story single and duplex residences, old, small commercial buildings, and two large apartment buildings at 2580 and 2590 Francisco – the latter carrying an “Affordable Rental” star symbol on the Coastal Vulnerability Zone Map.<sup>13</sup> (Copy of map attached as **Exhibit 4**.) The single-family residential Fairway Park West subdivision south of the golf course was built in the 1950’s.<sup>14</sup>

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<sup>10</sup> March 2024 Draft LCP, *supra*, Section 6.6, at Agenda Packet pg. 293

<https://pacificacityca.igmp2.com//Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

<sup>11</sup> Pacifica Historical Society, June 14, 2011, Resolution designating Sharp Park Golf Course a Pacifica “historical and cultural resource”: <https://drive.google.com/open?id=0B1h0x8Eg99decmxrMllwSFJwcWM>

<sup>12</sup> Pacifica General Plan 2040, at pages 7-42 to 7-43 (216-217/311), Table 7-5, “Historic Sites in Pacifica”, and Figure 7-4 “Historic and Cultural Resources: <https://cityofpacificca.egnyte.com/dl/vGfg0Mii2c>

<sup>13</sup> March 2024 Draft LCP, *supra*, Appendix B-3, Sharp Park, West Fairway Park and Mori Point, at Agenda Packet Pg. 329 <https://pacificacityca.igmp2.com//Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

<sup>14</sup> City of Pacifica Website, Pacifica Neighborhoods: <https://www.cityofpacificca.org/about-us/visitors/neighborhoods>

(2) **“Public streets and infrastructure”:** the golf course contains critical infrastructure for Pacifica’s sewers – a key force main for the sanitary sewer system and storm sewer lines and outfalls that drain “a large portion of East and West Sharp Park.”

- **Sanitary Sewer – the Force Main for Pacifica’s sanitary sewer system between the David Davis Brighton Pump Station north of Clarendon and the Calera Creek Water Recycling Plant runs through the golf course, as seen on map Figure ES-1, “Existing Wastewater Collection System”<sup>15</sup> (copy attached to this letter as Exhibit 1), and in the photo of the sanitary sewer Force Main identification marker embedded in the cart path by the 18th green of the golf course. (Attached hereto as Exhibit 2.)**
- **Storm Sewers – “The northern half of the Sharp Park Golf Course . . . serves as the final outfall location for a large portion of the storm water runoff in East and West Sharp Park.”<sup>16</sup> South of the Golf Course Clubhouse, Pacifica storm drains from the Outlook Heights subdivision at the top of Sharp Park Road one mile east of the golf course near Skyline Community College, and then all the way down Sharp Park Road, Lundy Way in Fairway Park East, Bradford Road and Fairway Drive in Fairway Park West, and Francisco Boulevard for its half-mile frontage on the golf course, all storm sewers drain into and have Pacifica storm drain lines and outfalls in the Golf Course. See Existing Storm Drainage System Map, Fig. 4.1<sup>17</sup> (Copy attached to this letter as Exhibit 3).**

(3) **Land use prioritized by the Coastal Act:** the public recreation, specifically low-priced public recreation, scenic, and low-and-moderately-priced residential land uses in the Sharp Park (south of Clarendon) and West Fairway Park sub-areas are specifically prioritized by several sections of the Coastal Act, by the Coastal Commission’s Environmental Justice Policy, and by the Goals of the Pacifica City Council declared in the “Coastal Resiliency Policies” found at Section 6 of all iterations of Pacifica’s Consultation Draft Local Coastal Plan (including the March 2024 version).

The land uses in West Fairway Park and the Sharp Park sub-area south of Clarendon are: (1) the scenic, historic, and Pacific Landmark public golf course and its Clubhouse, both of which were built in the 1930s, and (2) low- and moderately-priced residential in Fairway Park (a modest middle-class single-family residential

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<sup>15</sup> City of Pacifica [Sanitary Sewer] Collection System Master Plan Update, Final Report, Woodward & Curran, August 2021, Figure ES-1, at pg. 10/170  
<https://www.cityofpacific.org/home/showpublisheddocument/2518/637839773773270000>

<sup>16</sup> City of Pacifica Storm Drainage System Master Plan, Carollo Engineers, February 2012, 4.2.2 at p.4-10 (65/129) <https://www.cityofpacific.org/home/showpublisheddocument/12210/637931377778730000>

<sup>17</sup> City of Pacifica Storm Drainage System Master Plan, Carollo Engineers, February 2012, Fig. 4.1 (3 of 5), at p. 59/129 <https://www.cityofpacific.org/home/showpublisheddocument/12210/637931377778730000>

tract built in the 1950's) and in the triangle formed by Clarendon Rd., Francisco Blvd., and Lakeshore Ave. – a collection of small 1950's-1960's mostly one- and two-story single family and duplexes and two large apartment complexes at 2580 and at 2590 Francisco Blvd. (The 2590 apartment building is designated "affordable rental" on the Coastal Vulnerability Map attached hereto as Exhibit 4.)<sup>18</sup>

- **Scenic and Recreational** – and specifically low-cost public recreational" uses are prioritized in the Coastal Act by the following sections of the California Public Resources Code<sup>19</sup>  
**30001(b)**, "permanent protection of the state's natural and scenic resources"  
**30251**, "scenic and visual qualities of coastal areas shall be . . . protected"  
**30001.5(c)** ". . . maximize public recreational opportunities in the coastal zone"  
**30210** "maximum access and recreational opportunities shall be provided for all"  
**30213** "lower cost visitor and recreational facilities shall be protected, encouraged"  
**30221** "oceanfront land suitable for recreational use shall be protected"  
**30223** "upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible."
  - **Low and moderately-priced coastal zone housing and recreational opportunities** are prioritized by **Resources Code Section 30116**, which defines "sensitive coastal resource areas" as areas with "(b) significant recreational value, (c) highly scenic areas, and (f) ". . . existing coastal housing or recreational opportunities for low and moderate-income persons". The **Housing** section of the **Coastal Commission's Environmental Justice Policy**, adopted in 2019, provides: "**The Commission will increase . . . efforts . . . to encourage affordable housing. . . by working with local governments to adopt local coastal program policies that protect affordable housing. . . .** The Commission will also support measures that protect existing affordable housing."<sup>20</sup>
- (4) "Protected by broad existing shoreline protection."**
- It is undisputed, and the March 2024 Draft LCP acknowledges, at Section 6.6, page 6-22, that "the Sharp Park Golf Course berm . . . protects the Sharp Park and West Fairway Park neighborhoods from the coastal flooding source."<sup>21</sup>

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<sup>18</sup> See Exhibit 4 attached hereto and text at Footnote 13, above.

<sup>19</sup> California Public Resources Code Section 30000 et seq. :  
[https://leginfo.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=PRC&division=20.&title=&part=&chapter=&article=&nodetreepath=43](https://leginfo.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=PRC&division=20.&title=&part=&chapter=&article=&nodetreepath=43)

<sup>20</sup> Coastal Commission Environmental Justice Policy, adopted Mar. 8, 2019:  
[https://documents.coastal.ca.gov/assets/env-justice/CCC\\_EJ\\_Policy\\_FINAL.pdf](https://documents.coastal.ca.gov/assets/env-justice/CCC_EJ_Policy_FINAL.pdf)

<sup>21</sup> March 2024 Draft LCP, *supra*, Section 6.6, page 6-22, at Agenda Packet Pg. 298  
<https://pacificacityca.igm2.com//Citizens/FileOpen.aspx?Type=14&ID=1517&Inline=True>

## **SUMMARY**

The low-to-moderately-priced public coastal recreation of the historic and Landmark Sharp Park Golf Course. The modest mostly-single story single-family residences of the West Fairway Park housing tract south of the golf course and the rental apartments and older single-story small residences at the triangle bounded by Clarendon, Lakeshore, and Francisco just outside the northeast corner of the golf course. All are favored, encouraged, and protected under several statutes in the Coastal Act, as listed above in this letter. These uses are also favored by the “Coastal Resiliency” policies adopted by City Council in 2018, which policies are made part of the March 2024 Draft LCP, also cited above.

Critical infrastructure of the City of Pacifica – a key sanitary sewer force main connecting North Pacifica neighborhoods to the Calera Creek Water Recycling Plant, and the storm sewer system that is the primary drain for the East and West Sharp Park and the East and West Fairway Park neighborhoods – transect and in the case of the storm sewer, discharge into the golf course.

All of these assets – the residential neighborhoods, the sanitary and storm sewers, and the Landmark golf course and its clubhouse – are old and in need of repair and maintenance – which repair and maintenance would be facilitated by inclusion within a “Special Resiliency Area”. We understand that facilitation of repair and maintenance of old coastal properties and infrastructure is a purpose of the “Special Resiliency Area” concept. And for the reasons detailed above, the West Fairway Park neighborhood and Sharp Park south of Clarendon meet the March 2024 Draft LCP’s stated criteria.

So we respectfully request that – if Council adopts the “Special Resiliency Area” concept for the Local Coastal Plan -- that the area and neighborhoods mapped in the “Sharp Park, West Fairway Park and Mori Point” Coastal Vulnerability Zone Map, Appendix B-3 to the March 2024 Draft LCP (copy attached as Exhibit 4 to this letter) be included with the “West Sharp” as “Special Resiliency Area”.

Respectfully submitted,

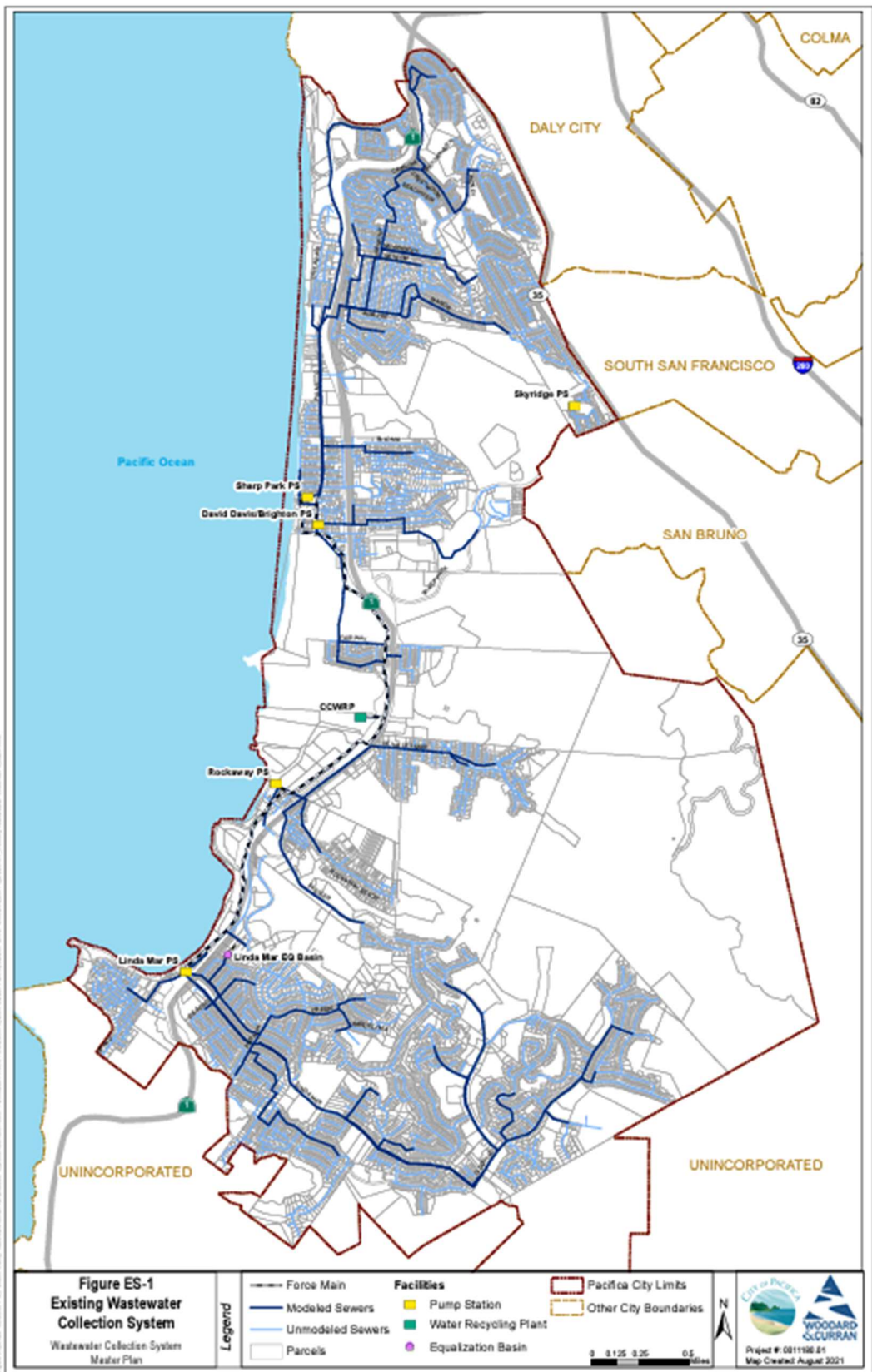
*Richard Harris*

President, San Francisco Public Golf Alliance

cc: City Manager Kevin Woodhouse, Planning Director Christian Murdock, Deputy Planner Stefanie Cervantes, Planning Commission and Commissioners, City Clerk Sarah Coffey, Spencer Potter, San Francisco Recreation and Parks Dept.

# Exhibit 1

## Wastewater Collection System Map



## Exhibit 2

**“SS (Sanitary Sewer) Force Main” sign  
in Cart Path near Sharp Park 18<sup>th</sup> Green and Clubhouse**



# Storm Drain System Map

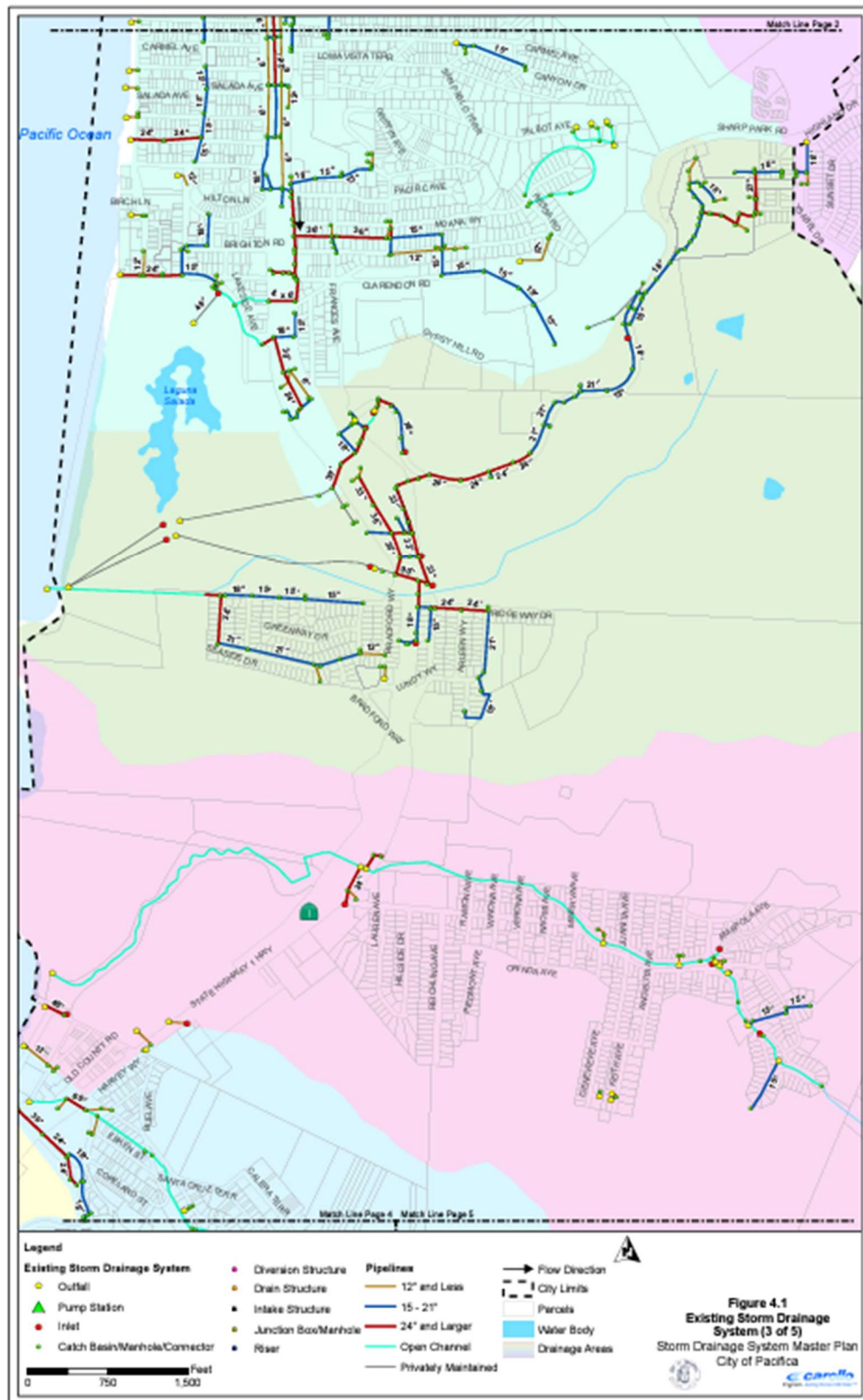
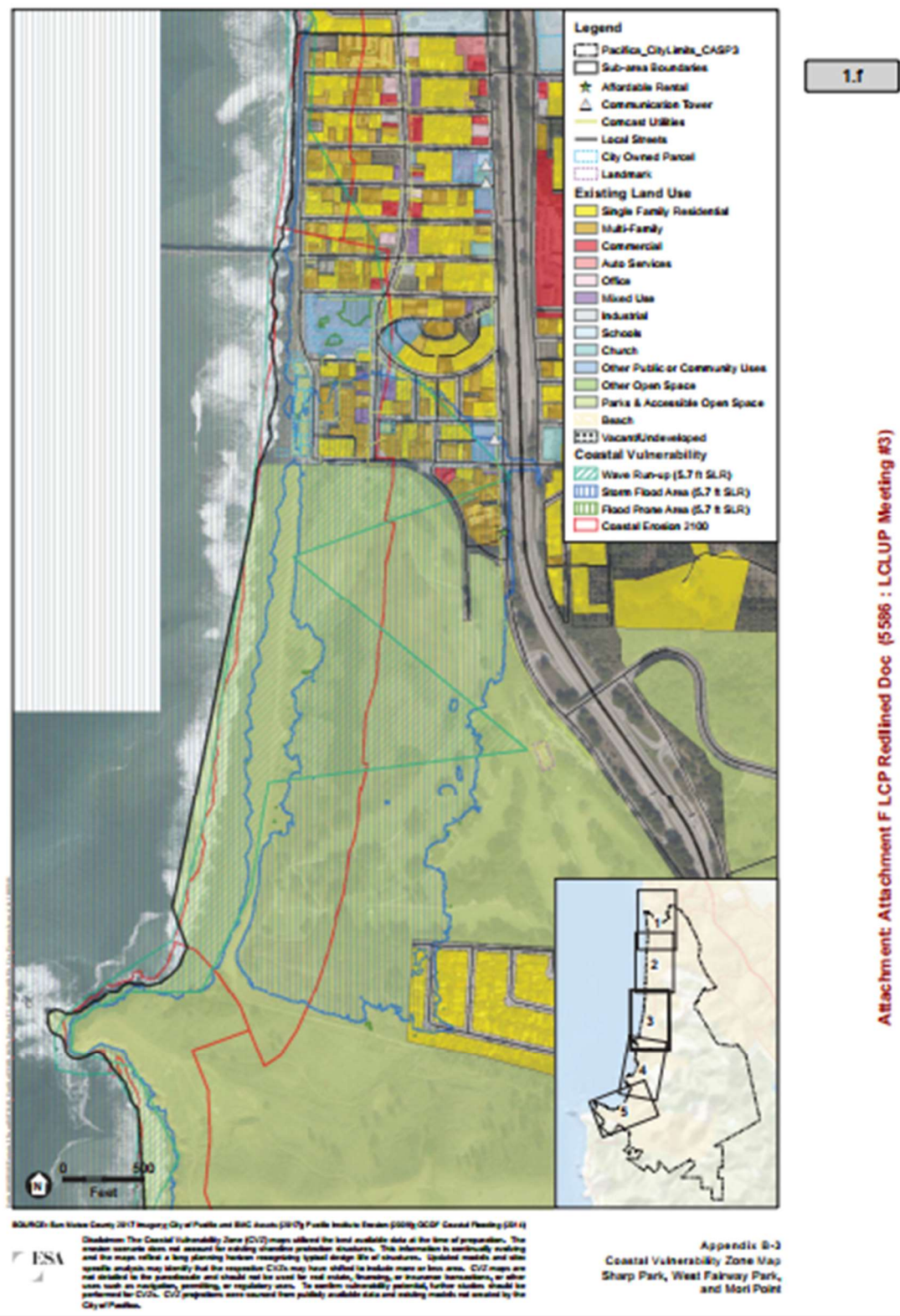


Exhibit 4

Sharp Park, West Fairway Park, and Mori Point  
Coastal Vulnerability Zone Map



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**From:** Dan Yonts [REDACTED]  
**Sent:** Friday, March 1, 2024 10:25 PM  
**To:** Public Comment  
**Subject:** Letter to Pacifica City Council 2/8/24 LCLUP UPDATE

[CAUTION: External Email]

Mayor Sue Vaterlaus  
Mayor Pro Tem Sue Beckmeyer  
Council Member Mary Bier  
Council Member Tygarjas Bigstyk  
Council Member Christine Boles

Thank you for your service to Pacifica and for taking the time to read this letter. Also, thank you for facilitating a larger venue and longer Q&A for the upcoming LCLUP public meeting on 3/2/24. I believe what the Residents of Pacifica decide concerning our LCP may be the most significant decision ever made for the future of Pacifica. I know you are very familiar with the subjects I will be addressing so I appreciate your patience.

One of the phone in public comments at a recent City Council meeting stated 'The Coastal Act is Law. You need to follow it.' To better inform myself I read The California Coastal Act and attended 'The People's Law' lecture by Charles Lester.

I appreciate the original intent of the Coastal Act and have enjoyed, along with many other Californians and visitors to our beautiful state, what it has accomplished along California's coast. While the emphasis of The Coastal Act is for Public access to California beaches, it takes a reasonable approach to stewarding the Coastal resources, taking into account the economic and social needs of The People of California. It states that existing and future developments are essential to the economic and social well being of the people [30001(d)]. Residential, Commercial, and Industrial development is expected with provisions for public access [30250]. It's goal is to maximize public access and recreational opportunities...consistent with constitutionally protected rights of property owners [30001.5]. Seawalls...shall be permitted when required to...protect existing structures[30235]

As I read through the The Coastal Act I was unable to imagine the original authors intending 'Existing Structures' to mean only ones built before 1976. For almost 4 decades the CCC interpreted 'Existing' to mean at the time a CDP was requested. This started to change after the Commission adopted the Sea Level Rise Policy Guidance in 2015. In 2019, after indicating they'd approve a project to protect a house in Miramar, they changed their mind after a member of the Surfrider Foundation testified it would set a terrible precedent and that 'managed retreat' was the best option. The CCC's rejection of the CDP didn't just disregard private property rights; They also rejected the homeowners offer to pay for stairs for public access, and refused to protect the coastal path that allows the public to enjoy ocean views. The Superior Court Judge, that decided in favor of the homeowners, emphasized the Commission's interpretation of "existing structures" only applying to pre-1977 seawalls amounted to an unbalanced value for creating sandy beach over the "protection and enjoyment of nature and private property." The court stated the Commission's interpretation, that would effectively mandate a policy of allowing all sea-side homes and buildings built after 1976 to fall into the ocean, was "unreasonable" and contrary to the Coastal Act's purpose. Are the current commissioners being influenced by agendas that override reasonable safe guards in the original Coastal Act? Sec.30320 of the Coastal Act states that the commission shall conduct its affairs in an open, objective, and impartial manner "free of undue influence" and the abuse of power and authority.

At The People's Law lecture Dr. Charles Lester framed 'Managed Retreat' as the only other option to 'Unplanned Retreat'. While the elaborately engineered protections the Dutch are building in The Netherlands would not be 'feasible', California engineers are more than capable of coming up with reasonable 'armoring' solutions. I agree with what Dr. Lester said when he stated "Engineers can do anything."

Sec. 30270 states that the Commission shall, to the extent feasible, avoid, minimize, and mitigate the adverse effects of sea level rise.

Sec.30421 says that State and Regional agencies, consistent with their statutory authorities, shall do the same.

This does not sound like The Coastal Act ever intended for the loss of private property to managed retreat.

Dr. Lester mentioned the Public Trust. He said that anything seaward of the tidal boundary is public trust lands, therefore as the sea level rises the property owner may forfeit their rights. Before 'The People's Law' lecture I was unfamiliar with The Public Trust Guiding Principles and Action Plan, adopted by the CCC in May, 2023. The Public Trust Doctrine is based on common law principles and is 'continuously evolving' according to the needs and values of Californians. Are the Sea Level Rise Policy and Public Trust Doctrine influencing the CCC's decisions more than The California Coastal Act? Are they valuing the 'Land' over 'The People'? I do not know any Coastal commissioners personally and am not speaking for or against anyones character. I am concerned that the CCC is reinterpreting or amending The Coastal Act Law in order to implement the goals and agendas of the Sea Level Rise Policy and The Public Trust Doctrine.

I'm proud of what Pacifica has done to improve our coastal trail. I've spoken with many visitors from outside of Pacifica who come often to enjoy the views. While I appreciate the public access and limited development The Coastal Act has accomplished, I am absolutely opposed to 'Managed Retreat' in any form. Pacifica is at a crossroads. We need to resist any change to our 2020 LCLUP that includes Managed Retreat, either stated or inferred. If we are not equipped to adequately stand up for ourselves and our future we should consider consulting with Smart Coast California or retaining other legal counsel.

Finally, concerning the SSM requirements in the updated LCLUP there is no benefit for Pacifica to give up the provisions in Sec. 30312 that allow property owners to:

1.Replace a structure pursuant to certain provisions 2.Demolish and reconstruct a single family residence with certain restrictions.

3.Improve any structure as long as the intensity of it's use is not changed.

4.Reconstruct or repair any seawall.

5.Do repair or maintenance as long as public access is not impacted.

This should be non negotiable.

Thank you again for your time,

Daniel Yonts

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**From:** Dan Yonts [REDACTED]  
**Sent:** Friday, March 1, 2024 10:28 PM  
**To:** Public Comment  
**Subject:** Letter to Pacifica City Council 2/28/24 - LCLUP Q&A for 3/2/24

[CAUTION: External Email]

Mayor Sue Vaterlaus  
Mayor Pro Tem Sue Beckmeyer  
Council Member Mary Bier  
Council Member Tygarjas Bigstyk  
Council Member Christine Boles

I've read the Planning Commission's answers to the public questions submitted for the #3 LCLUP Public Meeting.

They did not alleviate my concerns. Two of the most significant concerns I have are:

1. The stripping of Private Property Rights and 2. The CCC's reinterpretation of 'Existing Development'.

One of my questions was 'Why did the CCC recommend removing 'Protection of Property Rights is an important theme in this chapter?'. The answer revealed "the CCC felt the Draft placed too much emphasis on protection of property rights without sufficient mention of other important considerations." That seems disingenuous to me. The Draft included significant consideration for many issues important to The Coastal Act. The original Coastal Act takes a reasonably balanced approach to weighing the Constitutionally protected rights of property owners, against the importance of providing public access to our beaches and protecting our coastal resources. In contrast, the 'State of California Sea Level Rise Guidance: 2024 Science and Policy Update' reflects a woefully lacking value for private property rights. I did not notice it anywhere in the main body of the document, though it was mentioned towards the end of the Conclusion section. (It's possible I missed it, though I noticed considerable repeated priority given to many other issues).

Regarding Existing Structures the Planning Commission admitted "The interpretation of 'existing structures' by the California Coastal Commission has changed over time, and the agency currently interprets the term to mean those structures in existence on Jan. 1, 1977".

They also said that "by choosing not to define the term in the LCLUP, the City enables an evolving definition of 'existing structure' that may emerge from ongoing litigation against the Coastal Commission on this subject." I'm not sure that tactic will work out well for us legally. One of my questions Not answered was, "Why is 'development' always synonymous with 'new development' in the entirety of the LCLUP, according to the CCC modification in the glossary?" This seems like an overarching removal of all provisions for ALL 'existing structures'. If The City Council AGREES to any removal of Rights, afforded in the original Coastal Act, will individual property owners in Pacifica unwillingly forfeit their ability to choose legal action against the CCC?

The Planning Commission said "The Coastal Act allows repair and maintenance of legally permitted shoreline protection structures." And they referenced Section 30235 Construction Altering Natural Shoreline. I would've appreciated them also referencing Sec. 30610 (g)(1) which should be informing the needed repair to the damaged revetment protection for the houses on Shoreview Avenue without requiring a permit.

Section 30610 Developments Authorized Without Permit Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas:

(a) Improvements to existing single-family residences; provided, however, that the commission shall specify, by regulation, those classes of development which involve a risk of adverse environmental effect and shall require that a coastal development permit be obtained pursuant to this chapter.

(d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter.

(g) (1) The replacement of any structure, other than a public works facility, destroyed by a disaster. The replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure.

(A) "Disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner.

(C) "Structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

I am not unaware of Pacifica's significant need to be able to move forward with shoreline improvements and development. I'm not wanting to deprive Pacifica of a decade of benefits.

We all understand the City does not have jurisdiction to authorize shoreline protection. We're just asking you to not give up our rights afforded in the original intent of The Coastal Act, thereby stripping us of our ability to pursue legal action against the Coastal Commission in the future.

Lastly, the Planning Commission said "There are no managed retreat policies proposed in the LCLUP Update." I disagree. There is a current move to rebrand 'Managed Retreat' with less offensive terms like 'Phased Adaptation', 'Resilient Relocation', 'Corrective Shoreline Planning', 'Managed Realignment', 'Community Led Relocation', or 'Planned Relocation'. Now when I see 'Adaptation' 'Resiliency' or 'Planning' I have to contextually discern their intended meanings.

More significantly, SSM triggers that could discourage an owner from maintaining their property, repeated damage in a Hazard Zone that could prohibit the owner from rebuilding and require them to pay for removal, potentially requiring future removal of existing shoreline protections, and the removal of all provisions for existing structures are all blatant steps towards managed retreat.

As the City Council of Pacifica, representing it's residents, with the ultimate authority on the final draft of an LCLUP, Please do not be pressured in to rushing a decision. The CCC took 3 years to reject our proposal. WE have until 2034 to update our LCLUP to comply with SB272. I'm not suggesting careless procrastination. I'm asking you to hold out for an LCLUP that significantly benefits Pacifica's interests first.

Thank you,  
Daniel Yonts

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**From:** Dan Yonts [REDACTED]  
**Sent:** Friday, March 1, 2024 10:35 PM  
**To:** Public Comment  
**Subject:** Letter to Pacifica City Council 2/29/24 - SEA LEVEL RISE GUIDANCE: 2024 SCIENCE AND POLICY UPDATE

[CAUTION: External Email]

Mayor Sue Vaterlaus  
Mayor Pro Tem Sue Beckmeyer  
Council Member Mary Bier  
Council Member Tygarjas Bigstyk  
Council Member Christine Boles

Recently I read the  
STATE OF CALIFORNIA SEA LEVEL RISE GUIDANCE: 2024 SCIENCE AND POLICY UPDATE

<https://opc.ca.gov/2024/01/draft-slr-guidance-2024/>

<https://opc.ca.gov/wp-content/uploads/2024/01/SLR-Guidance-DRAFT-Jan-2024-508.pdf>

#### THE SCIENCE

For this 2024 update they included a section on the Science that shows the extreme H++ scenario from 2017 is much higher than available science suggests, so it is no longer included. The current Low Scenario shows a projected slight increase over the .9" per decade that they've observed from 1993-2023, (Not being considered in The Policy Section). The Science is in disagreement concerning the scenarios, especially beyond 30 years; A refreshing disclosure. The most agreement is for the Low-Intermediate to Intermediate Scenarios. However the California Ocean Protection Council (OPC) is pushing "Precautionary" policies based on the less agreed upon Longer Range, Higher Scenarios. I have more observations I'm willing to discuss with any interested council members, but I'm trying to keep this letter shorter to respect your time.

<https://tidesandcurrents.noaa.gov/sltrends/sltrends.html>

[https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fscienceofclimatechange.org%2fwp-content%2fuploads%2fAstrup-Jensen-2023-Time-Trend-Arctic-Sea-Ice.pdf&c=E,1,1pGncVZqGsoqe-y1YM0EXycbL0IHAEjl8PDg1qOE5j5t8EsTiu3WXKkXsHuini9eaLDzKwBxp4tEi\\_MQ9t-PGLx3bNaZloHbEKY2BzKpO8erGoY,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fscienceofclimatechange.org%2fwp-content%2fuploads%2fAstrup-Jensen-2023-Time-Trend-Arctic-Sea-Ice.pdf&c=E,1,1pGncVZqGsoqe-y1YM0EXycbL0IHAEjl8PDg1qOE5j5t8EsTiu3WXKkXsHuini9eaLDzKwBxp4tEi_MQ9t-PGLx3bNaZloHbEKY2BzKpO8erGoY,&typo=1)

#### THE POLICY

I have many concerns about the Policy section of this document that guides the CCC's policies. I don't think their "recommendations" align with the Science. Their priorities are not consistent with Pacifica's budget, abilities or needs. There are apparently no provisions for private property rights. I can discuss this further with anyone interested. I've included recommendations along with the required/recommended policy steps below in 2024 SLR POLICY STEPS.

CALIFORNIA'S AMBITIOUS NET ZERO 2045 PLAN My biggest questions are. "Why is there so much disparity between the Science and the Policy", and "Why is the Coastal Commission radically deviating from their original mission?"

The most plausible answer I've found is Newsom's Plan for a completely New Grid and Infrastructure to Achieve Net Zero Carbon Pollution by 2045. It's the Most Ambitious Climate Action of Any Jurisdiction in the World. Edison International states the Grid must grow rapidly to achieve this ambitious goal, that includes 3 million climate friendly homes by 2030 and 7 million by 2035. It will jump California from the 5th largest economy in the world to the 4th.

("Side Note" Though the OPC claims they're working with California native tribes, the Yukon tribe does not seem pleased with the Ocean Turbine Farm to be built West of Humboldt county, according to Newsom's plan.)

I think that Pacifica's current neighborhoods do not have a place in Newsom's future ambitions for California. The Policies we're being asked to adopt make way more sense from that perspective. Our confusion, when trying to be reasonable with an Agency we thought was considering our best interests, is completely warranted. I'm willing to dialogue with any Council Member interested in the negative impact of Newsom's plan on our planet, or the earth friendly, affordable technologies that are being ignored.

<https://www.gov.ca.gov/2022/11/16/california-releases-worlds-first-plan-to-achieve-net-zero-carbon-pollution/>

<https://newsroom.edison.com/releases/the-grid-must-grow-quickly-to-achieve-californias-net-zero-goal-by-2045>

## 2024 SLR POLICY STEPS

These are the Policy Steps that are being adopted for the CCC to enforce.

STEP 1: Identify the nearest tide gauge

STEP 2: Evaluate Planning and/or Project Time Horizon(s) Thresholds, or triggers, may be defined by observed sea level rise or other impacts such as flooding extent and frequency or cost to repair/replace damaged built or natural assets.

STEP 3: Choose Multiple Sea Level Scenarios and Storm Conditions for Vulnerability Assessment For most planning and projects, it is recommended to evaluate Intermediate, Intermediate-High, and High Scenarios to assess a spectrum of potential impacts, consequences, and responses.

The Low Scenario is scientifically plausible but only with accelerated development of carbon capture technologies and global policy and socioeconomic changes that significantly reduce greenhouse gas emissions. The Intermediate-Low Scenario provides a reasonable estimate of the lower bound for the most likely sea level rise by 2100.

California is taking significant action to achieve the state's ambitious clean energy goals and is committed to addressing and mitigating the impacts of climate change. However, to ensure precautionary sea level rise planning and projects that protect public health and safety, the environment, critical infrastructure, and public access, for the purposes of this guidance, the Low and Intermediate- Low Scenarios are not recommended for planning or projects. The High Scenario is considered to be sufficiently precautionary.

STEP 4: Conduct Vulnerability Assessment The final step in a vulnerability assessment encourages the community to measure the degree to which it is equipped to adapt to sea level rise (i.e., adaptive capacity) through the existence of policies, structures, finances, and human resources that can assist, or already are assisting, adaptation to potential changes.

Adaptive capacity is also a function of the innate characteristics of a system, e.g., a community that is chronically under-resourced may develop effective adaptation strategies but will likely still be at a disadvantage compared to communities with more resources for advanced planning and implementation.

Adaptive capacity is the ability of natural systems and infrastructure to respond or adapt to rising sea levels to minimize harm.

STEP 5: Explore Adaptation Options and Feasibility The results of the vulnerability assessment should highlight what is most vulnerable and allow identification of adaptation priorities.

Typically, the next step is to explore site-specific adaptation options and the feasibility of these options, either through an adaptation pathways approach or as a standalone project.

STEP 6: Select Phased Adaptation Approach and/or Implement Project Following a thorough assessment of adaptation options, a specific project or adaptation pathway must ultimately be selected.

There is no quantitative calculation to determine a project's risk level, however the general guidance can be provided.

#### MY RECOMMENDATIONS FOR:

##### STEP 2

Choose a 2050 Time Horizon based on the Best Available Agreed Upon Science. Not 2100. No Managed Retreat triggers (which don't facilitate the original intent of The Coastal Act). Sight constitutionally protected private property rights. (This may challenge their redefinition of words like Planning, Adaptive, and Resiliency). Assume your own definitions based on Webster's Dictionary.

##### STEP 3

Choose the Low-Intermediate Scenario. Nothing higher. This is a valid, Science Backed Scenario; Unless they're pushing the High Scenario to facilitate the Multi-Trillion dollar industry that will benefit from California's Ambitious Clean Energy Grid.

##### STEP 4

Protect the Vulnerable Communities you're responsible for.

Their language defers to Local / Regional governance so assume they mean it.

##### STEP 5

You define Adaptation, Vulnerability, and Feasibility.

##### STEP 6

You have to choose an Adaptation Pathway or Specific Project so be wise in the prior steps.

#### ADDITIONAL RECOMMENDATIONS

Our LCLUP is a contractual document. If we agree to more restrictive requirements than The Coastal Act I believe we'll be bound by them.

So No Lined Out Surrendering of any of the Coastal Act protections and provisions for property owners.

Be careful about classifying Hazard Zones. It could limit Insurability and discourage development. Putting Hazard Zones in our LCLUP would definitely invite future unforeseen overreach by the CCC.

Regarding Funding. Unfortunately the gatekeepers of funding drive policy, stripping individuals, local communities, and regions of their ability to practice self governance. SB1 allocates \$660 million to critical coastal resilience programs and projects. The probability of receiving any of those funds without bending to their rewriting of our policies is very unlikely. To even have a chance we would need brilliant, energetic, uncompromising lawyers to fight for it.

Don't defer to surrendering to what the CCC will "likely approve". Fight for everything that is legally available to benefit our community

According to their document the following are "recommendations".

Assume that they are indeed recommendations and negotiate to creatively alter/adapt them to best meet Pacifica's needs.

3.3. General Recommendations for Sea level Rise Planning and Adaptation 1. Adaptation planning and strategies should prioritize social equity, environmental justice and the needs of underserved and vulnerable communities.

2. Adaptation strategies should prioritize protection of coastal habitats and public access.

3. Adaptation strategies should consider the unique characteristics, constraints and values of existing water-dependent infrastructure, ports and Public Trust uses.

4. Consider episodic increases in sea level rise caused by storms and other extreme events.

5. Coordinate and collaborate with local, state and federal agencies when selecting sea level rise scenarios; where feasible, use consistent sea- level rise scenarios across multi-agency planning and regulatory decisions.
6. Consider local conditions to inform decision making.
7. Assessment of risk and adaptation planning should be conducted at community and regional levels, when possible.

Thank you,  
Daniel Yonts

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**Could the following questions and comments be discussed during your planned meetings with the City of Pacifica and the public :**

- 1. Could the Beach Blvd. Resiliency Project be extend south to include the earthen seawall along San Francisco's Sharp Park Golf Course ? Otherwise, the ocean water could erode that portion of the seawall and flood not only the golf course but much of West Sharp Park community. Funding should also be provided by San Francisco City and County, and probably by the State of California and the Federal Emergency Management Agency (FEMA)**
- 2. Are similar resiliency projects proposed for the West Rockaway community, and along Linda Mar State Beach from roughly Crespi Blvd., to Pedro Point.? The non-potable fresh water could be used for watering the city and school lawns, Sharp Park golf course, and for fighting fires, etc. Possibly the North Coast County Water District which already supplies non-potable fresh water to public agencies should be a partner in this part of the project(s).**
- 3. Could the Beach Blvd. project, and possibly the West Rockaway and Linda Mar State Beach projects, include linear cisterns for catch fresh water runoff during rain storms similar to the City of San Francisco's cisterns under the Great Highway that runs along Ocean Beach ? I knew an engineer, Gail Cox, who helped design San Francisco cistern project some 30 – 35 years ago.**

**Thank you,**

**Ken Miles**

