



November 9, 2023

Delivered via email

To: California Coastal Commission

Re: Item F8B, Support for Staff Recommendation to Deny Finding of Substantial Issue

Dear Commissioners and Staff,

Surfrider Foundation is a nonprofit environmental organization that engages a vast volunteer network of ocean users to protect our world's ocean, waves, and beaches for all people. Our San Diego County Chapter represents thousands of ocean recreation users — from dedicated surfers to occasional beachgoers — as well as the coastal communities and economies that rely on them throughout the region. We recognize beaches as a public resource held in the public trust, and the preservation of beaches and public beach access is core to our mission. We appreciate the opportunity to comment on the appeal of the Beacon's Beach Parking Lot Plan.

We note for the record that we have participated in this project at the local level including by attending and providing written comment at the Appeal Hearing on this issue to the Encinitas City Council held on June 28, 2023. We also submitted comments to the May 4, 2023 Planning Commission Hearing.

We support staff's recommendation to deny a finding of substantial issue and allow the parking lot relocation to move forward, as supported by the City's Planning Commission on May 4, 2023. We ask that an additional finding be added to the resolution of denial related to the State Park's General Plan for Leucadia State Beach and the City's obligation under the Operating Agreement for Moonlight and Leucadia State Beaches.

We agree with staff's proposed findings, as summarized in the Staff Report, that detail why each of the appellant's grounds for appeal are neither relevant nor appropriate to this project. The appeal follows a clear pattern of behavior from a vocal minority to oppose any development at Beacon's that does not involve bluff stabilization. While bluff stabilization might offer additional protection from erosion for the properties of adjacent blufftop homeowners, it would negatively impact Beacon's beach and is in clear violation of the Leucadia State Beach General Plan:

Policy: The state-owned cliff faces at Leucadia State Beach shall not be fortified with retaining walls. Seacliff retreat is recognized as a natural process that cannot be permanently stopped. Erosion control should be limited to mitigating the detrimental effects of increased runoff from the



cliff tops and to planting native vegetation on the cliff faces. Seawalls shall not be constructed at the state beach.¹

The City of Encinitas has an obligation under its park maintenance agreement to maintain Leucadia State Beach, including Beacon's Beach. As such, Encinitas cannot approve a retaining wall, seawall or similar device and has been advised so on numerous occasions. The City has done an admirable job adding native vegetation to the extent possible in compliance with the General Plan.

In 1986, Encinitas incorporated as a city and took over maintenance of Leucadia State Beach. In 2008, Encinitas and the State renewed the operating agreement. The operating agreement as renewed requires that any construction project conform to the State Park General Plan of 1984. The General Plan is an exhibit to the agreement.

"3. USE OF PREMISES

The City agrees to develop, operate, control, and maintain the Premises as a recreational beach park with related concessions and/ or other facilities accessible and subject to the use and enjoyment of the general public. Three documents provide general direction for the development and management of these beaches, including the State Park General Plan for Leucadia SIB adopted in 1983 (exhibit C) and for Moonlight SIB adopted in 1984 exhibit D) and the 1996 MOU (exhibit E) between the City and State regarding Management and Development of Moonlight SIB. These three documents are hereby incorporated by reference. In addition, management is governed by State Commission policies and federal, state, and local government statutes, laws, and regulations.

A. Upon written permission of State, the City may improve the Premises by constructing and operating public facilities, concessions, or other general improvements in accord with the General Plan for these park units adopted July 1984." (Agreement at page 3)

Thus, the city agreed to prohibit seawalls and retaining walls. The city also agreed to build a stairway when the bluff was agreed stabilized.

Surfrider has consistently opposed retaining walls at Beacon's beach as early as 2001 because they would result in long-term damage to the beach itself as well as being inconsistent with Leucadia State Beach General Plan. The science is clear on the negative impacts of shoreline armoring; we need not look further than to the armored bluffs on either side of Beacon's, where the beach has subsequently eroded and becomes unwalkable at higher tides. A Beacon's seawall would interrupt the landward erosion of the bluff and rob the beach of a natural sand replenishment source, *while* increasing erosion of existing beach area and surrounding beaches. The result would be, at best, temporary protection of the existing parking lot and bluff trail, coupled with a narrowing beach that is eventually drowned completely by an encroaching ocean.

¹ P.14 of the [Leucadia State Beach General Plan](#)



Meanwhile, reconfiguring the parking lot further from the bluff failure plane is a logical interim step that will take pressure off the slumping bluff edge and set Beacon's up for potential future access improvements that do not require shoreline armoring. We supported parking lot reconfiguration in 2018, and we continue to support it today. The loss of 11 parking spaces is regrettable, but we ultimately agree with staff's findings that the loss would maintain public access and parking.² That said, we would certainly support any designs that incorporate more parking if they do not rely on shoreline armoring. We also agree with resident suggestions and the Commissioners' addition to the project from the May 4 Planning Commission meeting to ensure that new bike stations are spaced to fit bikes with surfboard racks.

For these reasons, we support the staff recommendation of 'No Substantial Issue'. Thank you for your consideration. substantial issue.

Sincerely,

Mitch Silverstein
San Diego County Policy Coordinator
The Surfrider Foundation
msilverstein@sandiego.surfrider.org
619.736.7757

Jim Jaffee and Kristin Brinner
Beach Preservation Committee Co-Leads
Surfrider Foundation San Diego County
beachpres@sandiego.surfrider.org

² "The proposed parking lot and pedestrian pathway will be set back from the bluff edge to minimize the likelihood of public parking closures, promoting safe access. The reduction in parking spaces is necessary to accommodate the landward relocation given site constraints. Therefore, the appellant's contention that the proposed project will reduce public access to Beacon's Beach does not raise a substantial issue." Staff Report at Page 12.