



December 8, 2023

Delivered via email

To: Karl Schwing
District Director, San Diego Coast
California Coastal Commission

Re: Th17a - Permit No. 6-21-0519-A1 (Dillion & Hennenhoefer, Oceanside)

Honorable Commissioners,

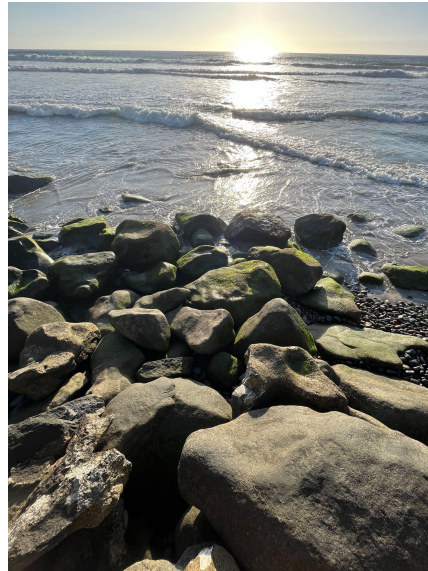
The Surfrider Foundation is a nonprofit grassroots organization dedicated to the protection and enjoyment of our world's ocean, waves, and beaches through a powerful network. Thank you for the opportunity to comment on this project.

As the Commission is well aware, Surfrider is opposed in principle to coastal armoring because of the proven negative consequences it inflicts upon our public beaches and people's access to them. In the case of this permit amendment application, we support staff's recommended Special Conditions and would like to recommend that several additional conditions be placed upon the permit amendment to secure the best outcome for the beach going public, in accordance with Oceanside's LCP and the Coastal Act.

Surfrider supports all of the following Special Conditions and in particular, the requirement that the applicant identifies and submits an annual Mean High Tide Line (MHTL) taken during the Winter season, and to submit where the MHTL location relates to the location of the revetment. Now that this condition has been imposed on several similar CDP's in Oceanside, Surfrider hopes and expects to see it in all future Oceanside CDP applications. Beach erosion in Oceanside is severe and exacerbated by the presence of revetments such as this one; anyone with basic knowledge of California's Public Trust Doctrine can clearly see that privately owned revetments in Oceanside now reside within public tidelands.

While "the applicant estimated that approximately nineteen existing, 2-3 ton rocks

(totalling 60 tons) will be recovered and restacked,"¹ we counted a much larger number of dislodged rocks and boulders within public tidelands during a site visit during a 1.7 foot tide today, December 8, 2023. Identification of the MHTL line prior to issuance of a CDP should help clear up this disparity among others.



Over 30 rocks and boulders appear below current MHTL in this one section of the property

We also support requiring the applicant to remove the private concrete staircase at 1303 South Pacific St. During the same site visit today, we also noticed several instances of concrete grout along the revetments across both properties. Please require removal of concrete grout from the revetment to *Special Condition 1: Revised Final Plans*, as concrete grout is unpermitted and contrary to the seawall specifications in Oceanside's approved LCP and seawall ordinance. Removal of unpermitted concrete grout has been a common requirement in Oceanside CDP applications. Additionally, one boulder in the revetment has 4 rusted poles of metal rebar protruding from it. These should be removed from the revetment as they could cause injury to beach goers. If these poles serve some sort of purpose that Surfrider is unaware of, we recommend that they be replaced with less dangerous markings.

¹ Th17a Staff Report, p.11



The presence of concrete grout and rebar

Although mitigation for unpermitted development via a CDP amendment or application is not the ideal way to resolve LCP and Coastal Act violations, Surfrider is supportive in theory of *Special Condition 13: Mitigation Plan for Public Improvements*. However, we would ask for more specificity and additional requirements re: the access improvements than what is currently recommended, which could easily be interpreted by the applicant as adding a single improvement, such as a park bench or a bike rack. Surfrider recommends Coastal staff to secure a more meaningful commitment from the applicant, including but not limited to:

- removal of all non-native vegetation at the Crosswaithe St public access and replacement with native vegetation in consultation with the City of Oceanside's Coastal Zone Administrator, who is a conservation biologist who specializes in coastal dune and plant restoration.
- funding removal of all (assumedly) city-owned rip rap that currently blocks the Crosswaithe St. public access in consultation with Oceanside's Public Works Dept. and Coastal Zone Administrator as part of this CDP amendment. The applicant can then use said riprap for their approved revetment augmentation and/or place it landward of the MHTL along the exposed north side of their property.
- addition of both a park bench *and* a bike rack.

Lastly and similar to our comment letter for Th16a (CDP No 6-23-0285), Surfrider asks that Commission staff request a full permit history from the City of Oceanside for this revetment that includes any and all CDP exemptions for revetment rock replacement. If rock importation has occurred that has not yet been divulged to the Coastal Commission, it must be accounted for and included in the runup towards when this development reaches the 50% redevelopment threshold.

Thank you for the opportunity to comment on this item. Surfrider looks forward to the

day when we, the beach going public, have standing to legally require Oceanside coastal property owners to remove or reposition their armoring landward, where it no longer encroaches on public trust lands and restricts beach access from local residents and visitors to our coast.

Sincerely,

Mitch Silverstein
Policy Coordinator
San Diego County Chapter, Surfrider Foundation

Kristin Brinner & Jim Jaffee
Residents of Solana Beach
Co-Leads of the Beach Preservation Committee
San Diego County Chapter, Surfrider Foundation