



City of Del Mar



April 30, 2018

VIA EMAIL AND MAIL

Mary Matella and Sea Level Rise Working Group
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

SUBJECT: Coastal Commission Draft Residential Adaptation Policy Guidance

Dear Mary Matella and the Members of the Coastal Commission Sea Level Rise Working Group,

Thank you for the opportunity to comment on the revised draft Residential Adaptation Policy Guidance. We appreciate the on-going coordination and opportunity to comment. After a multi-year, local sea level rise planning process and robust public dialogue in regards to the challenges of planned retreat as an adaptation approach, on May 21, 2018, Del Mar is scheduled to adopt its Adaptation Plan. The City remains concerned that the Commission's evolving discussion of planned retreat, which lacks supporting implementation tools, could ultimately affect Del Mar residents, owners, and the long-term viability of the City.

Del Mar strongly agrees with the Coastal Commission's stated intent to customize adaptation to local conditions. In Del Mar, we have unique neighborhood features and vulnerabilities relating to coastal bluffs, the San Dieguito Lagoon, low lying floodplains affected by the San Dieguito River, and a century-old beach-level neighborhood with associated public facilities and infrastructure subject to coastal and river flooding. It is imperative that jurisdictions with plans that meet State law requirements be afforded the opportunity to account for unique circumstances and constraints in the local context, particularly in regards to planned retreat.

In response to unique local characteristics, Del Mar's proposed Adaptation Plan:

- Closely follows the Coastal Act requirements and State policy guidance
- Identifies the community's goals and long-term vision
- Provides a full toolbox of near-term, mid-term, and long-range adaptation options
- Identifies a favored strategy to pursue a combination of beach nourishment/management and flood management programs and projects to maintain the quality beach and public access
- Relies on the certified LCP allowance for seawalls of a certain design to be built, repaired, and maintained per Del Mar's "Beach Preservation Initiative"(BPI)- the community's desired regulations to protect the beach for present & future generations, protect existing structures in the beach neighborhood and that successfully removed prior beach encroachments and set the approved build-to line for future development

- Explains that beach front seawalls serve a key functional role in Del Mar to protect structures and coastal access from flooding in adjacent low lying floodplain areas
- Explains that implementation of planned retreat in Del Mar's North beach neighborhood is "infeasible" and includes eight findings in the plan to support this conclusion

As mentioned, Del Mar thoughtfully considered planned retreat as an option, and concluded it is infeasible due to the associated economic, environmental, engineering, social, political, and legal uncertainties. Based on our experience, it is concerning that the State's guidance represents planned retreat as simply a recommended policy approach; while in practice, Coastal Commission staff has indicated it not only expects the City of Del Mar to include planned retreat as a long-term option, but also expects the City to begin planning for retreat now. The Commission's approach in this regard is unreasonable given the City's conclusion and supporting findings that planned retreat is infeasible in this LCPA planning timeframe. There appears to be a problematic disconnect between the policy guidance regarding planned retreat as a long-term option and the fact that staff instead considers it a required policy element.

While Del Mar recognizes that our particular situation can be successfully justified and explained based on the definition of "feasible" under the Coastal Act; it is important to note the effect the State's mixed-messaging is having on the public dialogue. Distrust of the State's intent regarding existing development has greatly complicated local planning efforts. Given the high stakes at play in terms of property rights and untested legal scenarios, it is extremely important that the State work as a partner to facilitate local adaptation planning and avoid pushing approaches that the public considers infeasible and unreasonable to pursue.

In closing, the City would like to emphasize the importance of accounting for the local context in the Commission's policy guidance. This is an untested area of the law with many uncertainties and unknown variables. Local jurisdictions must be afforded flexibility to consider a phased approach that allows for conflict resolution at the local level. It is crucial that we work together to maintain a predictable process for development review with reasonable requirements that can adapt to changing environmental conditions and that will allow owners, including the City, to nimbly move forward if and when the level of severity and risk becomes significant. Thank you for your consideration.

Sincerely,



Dwight Worden
Mayor