

**CONSIDERATION:**

**Draft Local Coastal Program Policies Relating to Sea Level Rise Adaptation** - The City has prepared Draft Local Coastal Program (LCP) Policies relating to sea level rise adaptation. A Vulnerability Assessment and Adaptation Plan were prepared to support the LCP policy recommendations. Recommended CEQA Action: Not applicable per CEQA Guidelines Section 15265.

Assoc. Planner O'Connor presented staff report.

Commissioner Nibbelin asked clarification on references made to soft protection measures.

Assoc. Planner O'Connor stated it was beach replenishment.

Chair Campbell opened the public comments.

Dominique Waldell, Pacifica, stated that she was late to this subject and she wasn't sure why they had to rush toward the 10<sup>th</sup> when they will have a new City Council. She stated that many people have busy lives. She stated that there are a lot of stakeholder options of people being involved. She did not remember the highway sign talking about stakeholder meetings. [*Inaudible*] into the future of West Fairway Park where most will be affected by this. She stated that most of the residents live in little homes, and she stated that her husband is disabled and they are on a single income and this is their long term care policy. She stated that, if it gets messed up because someone says there will be a problem, she will lose her equity. She questioned why it can't wait until they have the full new City Council.

Chair Campbell acknowledged the enthusiasm of the audience but reminded them that, if they clap for every person's comments, they will be there very late.

Julie Ulmer, Pacifica, stated that she also lives in West Fairway and she was echoing the previous comment that they would like to wait so they can be more educated. She stated that she is on the board of the Resource Center and IBL and is an active community member who takes advantage of learning about things that directly affect her. She stated that this will have a huge effect on so many people and she would like to have more time to understand how it will affect them and have the opportunity to have their voices heard. She mentioned that we have an amazing community and stated that they had a couple of people who brought them together and she thought that could happen throughout Pacifica which will give the city the opportunity to have a true buy-in from the community so they understand it and not be angry but support the plan the city comes up with as a group. She stated that she was still confused about many things and would love to understand more and she thanked them for considering pushing the vote out.

Amy Guillet, Pacifica, stated that it is a confused process that has been rushed through. She stated that she challenges them to prove to them where the signs have been posted on the freeway and where are the mailers. She stated that they have not seen them in her neighborhood. She felt the science is poor and has not been peer reviewed and has been shown to be based on other information and nothing to do with Pacifica. She felt we were a unique community of different demographics of topography and geography which she didn't think has been taken into consideration. She felt the unwillingness of staff to extend the time and process to allow the

residents to look at it, digest the information and come up with questions and get a clear understanding. She felt the city wanting to push this through without sharing information that they know is out there. She asked them to postpone this and give them the due time they deserve and all the information out there to figure out why they are rushing this.

Jeff Guillet, Pacifica, felt that the LCP was flawed on so many levels. He stated that the LCP was supposed to be based on the best available science and the LCP defines that to mean the most recent peer reviewed science reasonably validated by qualified experts in the scientific community. He stated that when he commented on the October 8 deadline, while the California Coastal Commission put their comments in 11 days later, he said this has not been peer reviewed and the city should get funds to do peer review properly and the city can use the best available science. He stated that the reply to his comment was that a peer review of information prepared by ESA and their consultants is outside of the scope and budget approved by the effort for the City Council. He felt that was not right. He quoted that “the LCP hazard zones shall mean areas shown on the city maps prepared by the Pacifica SLR Vulnerability Assessment incorporated herein”, and then stated that there were no maps incorporated herein. He stated that he has looked for the maps and there were no hazard maps and no one can tell him if it affects his property or not. He has asked the city which policies apply and no one can tell him. He referred to the comments deadline being October 8 and the Coastal Commission’s comments were permitted late and the public was now being asked to provide comments for a final draft that they have not seen other than comments and responses to comments. He referred to the Coastal Commission’s comments replaced the term “new development” with “redevelopment” and he thought that was huge because now redevelopment, according to their definition, was an aggregate of all the remodeling done since January 1, 1977. He stated that adding that up improves more than 50% of the property, such as putting a new roof on, adding flooring and painting, etc., is now considered redeveloped and the policies apply. He referred to being told LCP doesn’t include managed retreat but it can literally be added the day after it is adopted by Council without public comment. He felt this was disingenuous and they can tell where it was going. He asked the Commission to quit ramming this through at a breakneck pace for a lame duck City Council to approve, and get the real best available science, respect the process and do it correctly.

Dan Nicholas, Pacifica, stated that the water was rising, the hills are dry, rain and mudslides, earthquakes are coming, and asked that they let them help managing the retreat. He asked where in the process residents have been included. He stated that Pacifica was a coastal community and they were hired and elected to protect but this was not protection. He stated that they have been led to believe that Pacificans support the retreat of homes west of Highway 1, but the majority had heard the Surfrider Foundation, Coastal Commission, ESA and the voting majority has told them that dividing our community and emptying our community will not be tolerated. He stated that it was not an east/west issue but a shot across the bow to all Pacificans that the residents and their homes were not welcome and pristine land and coasts devoid of homes and communities are the goal. He questioned that it stops at Highway 1. He stated that what they have left was what the Surfrider, Coastal Commission and other special interests fight for, empty space to be used as a public playground and chosen businesses that support that playground. She stated that they are building a hotel in the same managed retreat the city expects the community to accept. He stated that they live in Pacifica and they have heard the voice of the majority of Pacificans and they are still telling them what they want. He stated that they invited ESA into our town and it doesn’t take a lot of digging to understand that they are the paid voice of coastal retreat. He stated that the December 10 vote coming up is a lame duck vote and should be stopped. He stated

Pacificans stopped supporting, paying for and welcoming the trojan horse of their retreat. He stated that these policies don't bring balanced communities but work toward no communities at all.

Tim Blanchard, Pacifica, referred to the supposed notices they were supposed to get about the meetings, and the first he saw was from SAMCAR after they were into a year in the process. He stated that none of his neighbors from Fairway Park will attest that they never saw anything from the Planning Commission or Council. He stated that this was a poor job of explaining the impacts on sea level rise and managed retreat to the residents west of Highway 1. He stated that their science lacks peer review which other have mentioned. He understood that the mayor worked with ESA before and he was questioning whether there was a potential bias. He stated that they were making decisions that will affect people 80 years into the future and he didn't understand why it wasn't a 10 or 20 year plan. He asked, if they believe in this science, why they were going to spend \$80 million to put a sea wall up and tear the chambers down and put a hotel in. He also felt it was a bad decision to have the lame duck mayor and Council make the decision on the sea level rise plan when they are not going to be accountable if there was a lawsuit.

Dennis Miralda, Pacifica, stated he lived in Fairway Park for 40 years. He stated that the original Planning Commission who approved housing and other developments along the coastal line committed this Commission, the Council and the city to supporting those residents as originally planned. He thought to try and do anything that would take that away such as a last minute effort to do managed retreat after the Council would approve it does not make any sense and is a non-committal. He questioned that, if they want to have a commitment from a hotel to come it, what would they look at since they just buried everyone who has built there since the early 50s and 60s. He stated that they are committed to support those properties and he asked that they not give this to a lame duck City Council.

Jeannine Manna, North Central Coast District Manager with the California Coastal Commission, commended the city for tackling these difficult sea level rise issues and identifying practical measures to address these issues moving forward. They also appreciate the city's staff to work with them. She stated that it was their common goal to maintain a resilient coastal community in Pacifica and protect the state's valuable coastal resources for current and future generations. She stated that the proposed policies include important planning provisions and provide a good foundation for the LCP update. She acknowledged that there were still many details which require refinement to insure that the proposed policies are comprehensive, feasible and consistent with the Coastal Act. She stated that the current policies do not adequately address redevelopment of properties in coastal hazard areas inward of the shoreline and leave a lot of future adaptation considerations to a time that is uncertain. She stated that details that they feel need better refinement have been outlined in their October 19 letter to the city. They recognized that addressing new and existing development in Pacifica is a complex challenge with the scope of current and future hazards combined with existing patterns of development and shoreline armoring and uncertainties about future sea level rise. She stated that they have conveyed to city staff policy approaches that allow for continued reliance on armoring for certain development over a specified time horizon as identified in the city's current sub area policies. She added that such policy approaches need to insure that the impacts to other coastal resources such as public access for all Californians would be mitigated. She stated that it needs to build in an understanding that other adaptation options may be necessary if and when armoring or beach nourishment can no longer provide adequate protection for both development and coastal resources. They would prefer to have more staff to staff working sessions to better address the

policy approaches and refinement prior to adoption of such policies. She thanked them and added that she was available for questions.

Mark Steckbart, Pacifica, stated that the talk from the Coastal Commission was an example why they should vote this down and do it right over the next six months. He stated that what she was talking about affects voters, houses and businesses. He felt they were on a “fool’s errand” at this time. He stated that this wasn’t a real meeting because they would not take a vote unless they force the issue. He stated that they were here to “meet and confer.” He stated that they have 900 pages to read and at a page a minute that was a 15-hour meeting and they know that is not going to happen. He mentioned that there wasn’t formal mail notice. He stated that Planning Commission mails within 500 feet for normal projects and no one on the west side of the Highway 1 got a notice in the mail of this meeting or even for December 10. He stated that they got a meeting notice in April and taken at 50,000 feet and you can’t tell a single affected address if their life depended on it. He stated that was the sole city mail notice to people in Pacifica. While the people in the building got it, the owner did not get it if they didn’t live in the building and he concluded that the meeting notice was bogus. He stated that managed retreat is in full force and the underlying referenced documents for 800 pages fully mention managed retreat but have not been scrubbed and the effects of managed retreat are present throughout the report. He stated that houses on stilts means managed retreat. He stated that, when staff says no sea walls for new development, that means managed retreat because the water will come. He asked that they define applicability of west of Highway 1 development or redevelopment and if that includes remodel. He stated that the voters in Pacifica expect a straight answer from Commission and eventually Council. He stated that the new Council will do it which is another reason to delay December 10. He asserted that the voters should know that remodel of their house west of Highway 1 is affected. He referred to cost relocate infrastructure, and stated that they have all the discussion about technical work group, water, sewer, etc., has not been priced out and no one knows what it will cost. He stated that he lives at 700 feet. He was not going to get wet but he will eventually pay to move the sewer he uses. He stated that no one has told him if that was \$40,000-\$60,000. He stated that Moody’s bond rating will downgrade the bonds if they do not protect property values. It will tank school bonds, city revenue will decrease, and 50% of the city’s property tax and essential city services will deteriorate. He stated that the decisions of the LCP are supported by flawed findings and assumptions and are not supported by evidence. He stated that the scenarios in this meeting’s documentation are very glowing and put no cost on the expectation. He stated that there will be a policy that will cost homeowners a fortune and they will not tell the citizens what the numbers are.

Richard Harris, San Francisco, stated he had a couple of exhibits to share.

Chair Campbell asked him to give to staff and they would give to the Commission.

Mr. Harris stated that he wrote several letters stating that there was a systematic undervaluing of the assets behind the beach on the landward side in an attempt to overvalue the beach. He stated that, using a non-economic evaluation method which they were originally told came from the Coastal Commission and it turned out that it didn’t come from them, but actually received by the Coastal Commission and was not approved by the Coastal Commission. He stated that the Coastal Commission’s report stated that this was not objective because there was an attempt to apply statewide beach values to the Pacifica beaches which have a personality that is different than the wide playa of Southern California which attract famous tourists. He stated that Pacifica does not know how many people use the city’s beaches. He stated that the only beach on which

the city has information is Pacifica State Beach and all the rest are guesses with no data. He stated that he addressed that in quite a bit of detail in his letters and it does not meet the standard of substantial evidence. He mentioned that there was a 2014 case in Pacifica that rejected the use of the non-economic evaluation because it did not have the local data. He stated that he gave the citation with excerpts from it. He stated that the discussion is on pages 42-44 and was adopted by the Commission when it adopted the staff report. He stated that he could go on and on and he asked them to read his detailed letters.

Spencer Potter, San Francisco, stated he was with the San Francisco Recreation and Parks Department. He stated that they have serious concerns with the draft of LCP policies as they incorporate and implement Pacifica's sea level rise adaptation plan, specifically Hazard policy #4. He stated that, during the course of the Local Coastal Planning process, Rec and Park has provided Pacifica with their concerns on elements of the sea level rise adaptation plans economic analysis which does not give any value to the wetlands at the Sharp Park property or any wetlands at all or endangered species at the Sharp Park property. They also undervalue non-beach recreational property as compared with other types of assets, such as beach recreational areas and residential and commercial property. He stated that this decision leads to the flawed conclusion that a managed retreat adaptation alternative at the Sharp Park sub area was the least expensive option because wetlands and public recreation land are cheaply valued under the model's assumptions. He stated that the deficiencies are under the sea level rise adaptation plans and economic analysis was unreliable and they do not support this analysis being implemented as part of Pacifica's draft policies.

Kathy Moresco, Pacifica, stated that she cautioned them about making a decision before they have all the answers. She stated that at each meeting she has attended the public has asked the same questions over and over and they have not been answered. She stated that they want to know if their homes are going to be protected if they come to the city for a permit to add a new roof, a new room, etc., under the Local Coastal Plan and will it be approved. She stated that they have not gotten an answer and it was the most important question people have. They want to know if they can maintain and improve their homes in the future or be stopped from doing that. She asked that all their questions be answered before final approval is made on this plan.

Jenette Loveseh, Pacifica, stated that she reviewed the draft plan and she didn't see any definitions and that was what a lot of them came for. She stated nothing was defined, asking where are the limits of the subareas, the limits of what shoreline. She heard in the second scenario was that the proposal for any redevelopment or new development, which was not defined, or a cross reference to some statute or regulation where they are defined, it would be the homeowners or property owners' requirement to prove that sea level rise would not affect the development for the next 100 years. She stated that they have already pointed out that there was a lack of peer review study, and she asked how they would do that. She thought it would create a very vague and haphazard planning if they were trying to say that they have to prove that this is going to be okay for the next 100 years. She also had a concern with the hazard plan that requires indemnifying the city for redevelopment, adding that a lot of the policies are very vague and do not specify exactly what they are based on. She was also concerned about the lack of graphs and maps and referencing, what the attachments are, the page they are on and what document they are in. She stated that it was difficult for lay people to give their opinions when they don't say but use vague references that cause a lot of distress for them. She asked them to not support this plan and send it back to the drawing board.

Chair Campbell closed the public hearing.

Chair Campbell clarified that they were not approving the plan at this time but to ask questions and get public comment.

Planning Director Wehrmeister agreed, stating that, to re-summarize the process, the Commission is being asked to provide comments on the policies and the policies are currently scheduled to go to City Council for their direction on December 10, and they will be incorporated into the 2019 draft of the LCP and then will be brought back at a later time in 2019 for formal action and recommendation to the Council.

Chair Campbell stated that an important question he heard, if not the most important, from public comment which was, if you are a homeowner west of Highway 1 and you want to paint your house or remodel your home and are in the hazard zone, what do you have to do.

Planning Director Wehrmeister stated that there would be nothing different for the vast majority of those who live in what would be demarcated as a potential hazard area. For those who would need to produce studies if they were expanding their home, it would be shoreline development, immediately adjacent to the shoreline with immediate potential to be damaged in a storm event.

Chair Campbell stated that immediately adjacent to the shore line, or is it like a block away.

Planning Director Wehrmeister stated that it would be those on the shoreline.

Asst. City Atty. Bazzano suggested that, if Chair needs to recess for a little bit so that order is restored to the chamber, that might be appropriate for him to consider.

Chair Campbell didn't think they were there yet, but he appreciated the suggestion. He hoped everyone can help him so they can get the questions answered. He has a lot of questions and he thought everyone else does as he sees a lot of lights. They would like to get them answered.

Commissioner Nibbelin mentioned that several comments dealt with evaluation methodology and the role of mitigation, and attempts to value beach use and whether or not those figures would have any relevance at all to mitigation or the cost to the extent mitigation was required going forward under the LCP policies they were discussing.

Assoc. Planner O'Connor thought his question was regarding the role of the cost benefit analysis.

Commissioner Nibbelin agreed, but added that there was some concern about the articulated value that was used for beach access, mentioning possibly \$40 a day and where that figure came from, whether it was an appropriate figure for our community and he asked what those figures were used for, such as mitigation going forward.

Assoc. Planner O'Connor stated that the purpose of the evaluation was to provide an apples to apples comparison of the adaptation strategies, such as the cost of one adaptation strategy compared to another. She stated that, in the adaptation plan, our economic expert, Dr. Phil King, used a beach value of \$40 a day and he was confident in that value and provided an analysis on that number. They received comments on the draft adaptation plan and people were concerned that the value was too high and was more representative of beaches in Southern California and

not representative of all Pacifica beaches. She stated that Dr. King has responded to those comments stating that he believes that \$40 a day continues to be an appropriate value but also has supplemented that an analysis with an evaluation of \$10 a day just to do a sensitivity analysis to see how the impacts would be changed if they significantly lowered that value. He found that it doesn't significantly change the results in the placement of the cost benefit analysis. She thought there was one exception for the Rockaway area but it provided further support that protection was going to be the preferred method. She didn't know if Bob had any further thoughts to add.

Bob Battalio, engineer with ESA, stated that he was not an economist but the economic analysis was done for their team by a subcontractor, Dr. King. He stated that Assoc. Planner O'Connor was correct from his understanding, and he added that they did not consider the value of the beach ecology in dollars or any other way as well as the value of wetlands ecology. He stated that it was difficult to estimate the dollar value of a wetland or a beach, although they have more wetland information as beaches were difficult to estimate. He stated that there are people who value beaches and wetlands but that was not part of the benefit cost analysis. He stated that the analysis used by Dr. King was consistent with what the Army Corp of Engineers does in terms of assigning a value to beach recreation. When they do a benefit cost analysis for federally subsidized beach nourishment projects, they can consider the recreational value of the beaches in addition to the storm damage reduction benefits and he thought it was in Pacifica's interest as to having some idea of the value to visitors and people who recreate on the beaches in case the city wishes to pursue federal funding for beach nourishment which is done in other parts of the country, particularly in the San Diego area.

Commissioner Nibbelin wanted to make sure he was clear on the scope of the use of the economic analysis. He thought there was some concern that this was going to be proxy for the analysis to be used for setting values for purposes of mitigation that might be required in the future. He referred to the reference of an apples to apples comparison of various potential strategies described in the policies. He asked if that was the extent of its use or was there something else they should know.

Assoc. Planner O'Connor stated that was staff's intention and they were not foreseeing the use of that number for anything in the future at this time. She thought there may be concern that the number may be used for mitigation value but they have a policy to create a separate program that will identify what the appropriate proportional mitigation would be for those impacts.

Commissioner Nibbelin stated that was a helpful record to make.

Vice Chair Clifford referred to a lot of comments directed towards postponing the December 10 City Council meeting and stated that the Commission could not do that but he wanted to understand the driver behind why it was December 10. He referred to packet page 142 which states that the grant agreement requires that the city's LCP be sent to the Coastal Commission for certification by December 31, 2018. He asked if that was correct and was one of the drivers for having the meeting with the City Council before that date.

Planning Dir. Wehrmeister stated that the deadline he identified on packet page 142 has been extended. She stated that was when the actual city adopted LCP would need to be forwarded to the Commission. She stated that because of the large amount of work and time it will take to reintroduce the General Plan and the LCP to the community, they were hopeful to get direction

on the adaptation policies this year so that they can continue with the work in 2019. She knows the meeting can change but they have identified and advertised that date.

Commissioner Stegink stated that he discussed the genesis of this project with Richard Harris of the San Francisco Public Golf Alliance on May 20 for a period of less than seven minutes. He was curious if Mr. Potter was here as the legal representative of San Francisco Parks and Rec Dept.

Mr. Potter responded that he represented the natural resources division of the San Francisco Recreation and Park Dept., not the City Attorney's office.

Commissioner Stegink was curious, if that is his position, whether they would consider granting Mr. Potter another three minutes to specifically discuss hazard policy 4.

Asst. City Atty. Bazzano stated that it was within the Chair's discretion to reopen public comment.

Commissioner Stegink stated that this would not be that.

Chair Campbell asked, if reopening public comment, whether he was reopening it for everyone or can he do it for one.

Commissioner Stegink stated that he was not specifically asking to reopen public comments but asking to specifically ask questions of Mr. Potter if possible.

Chair Campbell asked counsel if that was possible.

Asst. City Atty. Bazzano stated that he wasn't part of staff's presentation and was just making comments as part of the public and her recommendation would be to reopen public comment to allow the commissioner to ask specific questions of this individual if he is willing to answer them.

Commissioner Stegink stated that, on looking at the City Attorney's description, he was withdrawing the request as he misunderstood what his position was, being a member of the public versus representing San Francisco.

Commissioner Nibbelin thought he indicated that he was present on behalf of the City and County of San Francisco, particularly in the natural resources division unless he misunderstood.

Mr. Potter stated that he was correct, adding that he just didn't represent the City Attorney's office.

Chair Campbell stated that was the explanation he heard him give. He stated that, if he wished to speak for three minutes, he would open public comments. He asked Counsel if they needed a vote.

Asst. City Atty. Bazzano stated that he did not.

Chair Campbell encouraged him to comment if he wants to speak and re-opened public comment.

Commissioner Stegink stated that he specifically wanted to hear more on hazard policy #4 that he spoke about.

Mr. Potter stated that his comment pertained to the fact that hazard policy #4 says it incorporates the adaptation plan with which they had identified some serious problems in the course of their analysis. He stated that they were concerned that wetlands mitigation was not considered as part of the economic analysis. He stated that it has been done before and they have received comments both orally and written on the plan back in response to their comments that this was not done more or less because it was difficult. He stated that it has been done before and there is a way to value wetlands as it has been done many times in the past. He stated that the Army Corp of Engineers has recommended guidance for how to value wetlands and he thought that was not done in the course of the project because it was considered outside the scope at one point, but he knows that an RFP in trying to get a consultant for this project talked about ecological assets were supposed to be valued as part of the adaptation of the economic analysis and it wasn't in terms of the wetlands habitat and endangered species habitat. He stated that an additional problem they have with the plan is that the adaptation plan undervalues non-beach recreational property. They valued it in terms of use rather than the actual cost or value according to something, adding that they used Zillow to value residential assets but on looking at the Sharp Park Golf Course by the subsidized fees they get from the users of the golf course and they didn't think it was a fair apples to apples comparison and devalues the recreational assets at Sharp Park, adding that it wasn't just the golf course but also the coastal trail that provides a recreational route along the ocean and other non-beach recreational value that Sharp Park property brings to Pacifica.

Chair Campbell closed the public comment period again.

Commissioner Gordon thanked everyone for coming and speaking as it was helpful to hear what everyone has to say. He assured them that they all heard their comments and are taking it into account as they deliberate. He heard a couple of themes from public comment and he would try to ask staff the question directly and give them a chance to answer. He was open to whomever they think is most appropriate to answer the question. His first was a follow up to what Chair Campbell asked. He stated that if he is a homeowner in the hazard zone west of Highway 1 and he wants to remodel his house, but not sure how detailed he wants. He stated that they responded but he asked where they would direct them in the materials that would specify exactly, as they said there was a limiting effect only on structures that are adjacent to the shoreline. He asked if that was a hazard policy and whether it was anywhere in the material that they could find. He asked if there was any more specificity for people to find out.

Planning Dir. Wehrmeister asked if it was in terms of a definition of shoreline.

Commissioner Gordon stated that it was in terms of how his desire to remodel his house would be affected with these documents.

Planning Dir. Wehrmeister stated that the policies were intended to implement the Council's stated desire to protect neighborhoods. She thought that many people are reacting to some language that was in a Coastal Commission guidance document and may be assuming or interpreting that those types of policies would be in the city's document.

Commissioner Gordon asked what type of policies she was referring to.

Planning Dir. Wehrmeister stated they were policies that recommended adaptation measures that could include limitations on redevelopment of if you do so much remodeling that the home is considered new development and therefore not entitled to shoreline protection. She stated that the city did not feel those were good policies for the city and they were not in the city's document.

Commissioner Gordon thought that was helpful information. He then referred to a concern around the city's potential adoption of managed retreat as a policy.

Planning Dir. Wehrmeister stated that they were not adopting managed retreat and there are no managed retreat policies.

Commissioner Gordon thought this was helpful because sometimes they hear someone come up and say they don't want managed retreat and all of a sudden managed retreat become a fact that the city is pushing and that was not the case. He also heard that there was a desire to postpone this process so that the newly seated Council can have a chance to weigh in. He thought they made it clear that it was outside the scope of the Commission's authority to stop it as they were contributing comments for the record but there was no yes or no vote at the end of this meeting. He realized that different stages had different deliberations by different bodies in the process. He asked if there will be an opportunity for the newly seated Council to weigh in on this process.

Planning Dir. Wehrmeister stated that, in 2019, when the adoption of the documents are anticipated to come forward, they will be with the newly seated Council.

Commissioner Gordon concluded that, if there was someone who voted for a candidate who ended up winning the recent election, that candidate will have a chance to eventually weigh in on the merits of this process.

Planning Dir. Wehrmeister responded affirmatively.

Chair Campbell referred to the December 31 timeline and asked if she could explain that deadline.

Planning Dir. Wehrmeister stated that it was the initial deadline written into the grant but they have additional time after that. She thought they have until the end of 2019.

Commissioner Nibbelin asked clarification about what they have until the end of 2019 to do. He thought there was a fair amount of work that needs to get done.

Planning Dir. Wehrmeister stated that they have until the end of 2019 to present the entire LCP as adopted by the city. As explained in the presentation, the LCP isn't just adaptation policies but several other chapters. That is what they will be reintroducing in the entire document to the community in 2019.

Chair Campbell stated that, if he understands it correctly, they have a Local Coastal Plan and policy which is a big multi-chapter document and they were considered one chapter of it at this meeting, but the entire document is going to be looked at by the new City Council in 2019.

Planning Dir. Wehrmeister responded affirmatively.

Chair Campbell reiterated that they will have an opportunity to look at everything in 2019.

Planning Dir. Wehrmeister responded affirmatively.

Commissioner Nibbelin concluded that, if the new City Council wanted to revisit the sea level rise LCP policies, it will be within their discretion to do that.

Planning Dir. Wehrmeister responded affirmatively.

Commissioner Nibbelin referred to the themes they were discussing at this meeting, and he referred to the notion that managed retreat was imbedded in some of the documents that led up to the policies, although managed retreat was not one of the policies reflected in the LCP policies they were discussing at this time, and he referenced some language on page 9 as there might be something staff could share that would elucidate what they are talking about. He reiterated that managed retreat was not included in any of the near term policies. He stated that it said that managed retreat would be reconsidered in the mid to long term if feasibility in monitoring warranted as detailed in hazard policies #5 and 6. He then mentioned that something was said that he was concerned about and he wanted to make sure he understood it. He stated that someone from the public had expressed some concern that after the policies are adopted they could be essentially changed without a public hearing or without some form of a process. He wanted to know from staff's perspective what the process would be if they got to a place in the medium to long term where they had to revisit and think about options that they hadn't incorporated into this set of policies at this point.

Planning Dir. Wehrmeister stated that, once the policies as incorporated into a 2019 LCP are adopted and certified, they cannot be changed without another public process. There would be public noticing and the legislative document requires Planning Commission consideration and recommendation and City Council action.

Commissioner Nibbelin concluded that it would not be the case that staff could "bake" something new into it like managed retreat without a robust process as the one they are presently engaged in.

Planning Dir. Wehrmeister responded affirmatively.

Commissioner Stegink stated that, at other Planning meetings around California, he has observed them approving waivers for FEMA or SBA disaster mitigation loans to the homeowner at low cost no interest loans for \$250,000. He was curious if any of these restrictions on expansion or redevelopment specifically those not entitled to shoreline protections would affect their ability to get a hazard mitigation loan from FEMA.

Planning Dir. Wehrmeister asked if he was speaking to Coastal Commission actions.

Commissioner Stegink asked specifically if the LCP could it affect homeowners' abilities to apply for the FEMA SBA loan of \$200,000 at low interest or no interest depending on the individual situation and the last step before they get their check because it has to be approved by local Planning, and he was curious if there were situations where homeowners who might currently be entitled to shoreline protection and might be using those FEMA loans if they would

not be entitled to shoreline protection and approval to get those FEMA loans after this was complete.

Planning Dir. Wehrmeister stated that, if they were entitled to shoreline protection, these policies would bolster their ability to continue to get shoreline protection.

Vice Chair Clifford referred to policy 9, the transfer of development, and stated that he wanted to know if it works only for undeveloped properties or if someone owns a home that is threatened and they have another lot somewhere in the city can transfer the development that is existing to that lot.

Planning Dir. Wehrmeister stated that, for clarity, they were speaking of the development rights but not necessarily a physical home. She stated that the transfer of development rights was more of the right to potential entitlement. She knows the Commission was familiar with it as they recently did a transfer of development rights project. She stated that, although it wasn't envisioned when the current ordinance was drafted, after these policies are adopted, if they are adopted, they should look at applying it to parcels that may currently have development and are looking to move so they can get additional value out of their property.

Vice Chair Clifford referred to the transfer of development right, stating that in terms of the quarry or the Carlson property where especially the quarry has a kink in it in terms of whether they want to do residential they would have to go for a vote of the people. If they purchased another piece of land and wanted to transfer the development rights from the quarry to that other piece of land, he asked if they could transfer residential without a vote.

Planning Dir. Wehrmeister thought that was an interesting question and they would need to address it when they got into the actual implementation of the policy on how to address the quarry specifically.

Chair Campbell stated that, if you are a homeowner and directly adjacent to the shoreline and you want to remodel, they have had instances where they have had commercial property owners on the west side of northern Palmetto where they want to put something along the shoreline and they make them do a geotechnical report and make sure it was not going to fall into the ocean. He stated that was what they have done for years. He imagined if a homeowner comes in and wants to do a remodel and they are directly on the shoreline and it involves more than painting the house, and asked what do they envision they will have to do, other than the general geotech analysis that they have to do today, as a result of implementing this plan.

Planning Dir. Wehrmeister stated that they would need to analyze the safety they currently have with shoreline armoring, such as how well it has been maintained and how it was operating and how many more years they expect it to continue its protection of the shoreline. She stated that, if they are on a shoreline that doesn't have any armoring and she didn't know if there were too many of them, but they would be looking at an analysis of the expected erosion rates to make sure for the estimated lifespan of the home that it would remain safe. She stated that part of the policy's direction is to create a clear guidance on what exactly homeowners or property owners will need to produce so they have a clear understanding of what studies are needed. She stated that currently they have had some shoreline development that was more on a commercial nature and not a single family homeowner and there was a lot of back and forth and frustration on their part because the Coastal Commission keeps asking them for more and more studies. She thought

that property owners would get more surety in the process through implementation of these policies.

Commissioner Kraske referred to policy 3, hazard identification mapping, stating that it clarifies that the city must prepare and update maps to identify projected hazardous areas. He asked where those maps were located for the public to view, specifically does the public have access to those maps and where they may find them.

Assoc. Planner O'Connor stated that the maps are available in the vulnerability assessment and they show what assets are anticipated to be vulnerable.

Commissioner Kraske asked if the public has access to these maps.

Assoc. Planner O'Connor stated that they do and the maps are in appendix B through D of the vulnerability assessment, adding that they are included in this staff report as well as posted on the sea level rise webpage. She stated that there is a GIS webview mapper that someone can use instead of reviewing a static map they can use a live GIS webmapper to identify their specific property, search by address, and use different layers to identify if and what projection sea level rise may affect their property.

Commissioner Nibbelin referred to hazard policy #4 which is the sea level rise adaptation plan which sets forth some additional findings that will be required going forward at the point where these policies are adopted with respect to development in sub areas. He stated that there is a reference in subsection A, in the first finding articulated, which is the proposed development is cited and designed to minimize coastal hazards and impacts to coastal resources to the extent feasible consistent with the adaptation plan. He thought one place where they are getting a little concern is that the adaptation plan does analyze managed retreat. He stated that it was not articulated in any of the policies but he wanted to be clear for the record that the reference to adaptation plan was not a reference to the notion of managed retreat until that was analyzed and incorporated into our LCP. He asked if that was a fair statement or is there something different that they extrapolate from the reference to the adaptation plan.

Assoc. Planner O'Connor stated that she would let Charles take a swing at that.

Charles Lester stated that his interpretation of the language in hazard policy 4 in the first sentence is that the city shall implement the adaptation plan as expressed in the policies of the LCP so it specifically is acknowledging that the policies that they may adopt are the manifestation of the adaptation plan.

Commissioner Nibbelin thought that made sense and he thought he would like to offer the comment to City Council that it would be comforting to a lot of people if they were to add language that would be helpful in clarifying what the intent is there. It might put some people's minds a little more at ease with respect to some of this. He referred to a comment expressed with concerns about hazard policy 46 which was the assumption of risk and it has language with respect to indemnity in it as well. He thought the holding of harmless is a pretty clear concept and he got that, but what staff might have in mind going forward with respect to the scope of indemnity. He asked if this was something they already have or something that was new. He asked what the scope of indemnity would look like.

Planning Dir. Wehrmeister stated that they do have standard indemnification language but she was going to look to Counsel.

Asst. City Atty. Bazzano stated that, in her experience, it was something that was fairly standard and would be incorporated in the actual wording of the deed restriction.

Commissioner Nibbelin asked if it would be holding the city harmless for any claims made against the city with respect to any harm that might flow to adjacent properties in connection with development that was covered by a deed restriction. He stated that he was an indemnity nerd since he deals with this in his own work.

Asst. City Atty. Bazzano stated that it would be a broad form indemnity provision, protecting the city from any sort of claims or liabilities that might arise from the development.

Commissioner Gordon stated that when reference to the understanding of the language in hazard policy 4 sub A consistent with the adaptation plan, was he saying that the purpose of that language is simply to say as expressed in the hazard policies. He asked him to repeat what he said.

Mr. Lester stated that he was referring to the preamble of the policy at the top where it says that the city shall implement the sea level rise adaptation plan as expressed in the LCP's general and sub area coastal hazard adaptation policies. It has been pointed out that there are not any specific policies addressing managed retreat in the proposed policies even though that concept was also noted and well discussed in the adaptation plan. He stated that the decision was made to draft these policies with attention to some of the shoreline protection policies, beach replenishment policies discussed in the adaptation plan and embody them in the proposed document but not managed retreat. That aspect of the adaptation plan is not expressed in these policies.

Chair Campbell concluded that was why hazard policy 8 which was the managed retreat hazard policy was in the draft but no longer in the current plan.

Mr. Lester asked if he was saying policy 8.

Chair Campbell stated that it was in the prior draft policy and was gone now even though it was considered in the assessment.

Mr. Lester stated that there were numerous references to managed retreat that are not in this document.

Commissioner Gordon stated he was struck by Commissioner Nibbelin's conversation with the Planning Director regarding a member of the public expressing concern that after the LCP is adopted what was to keep someone in the process from simply reinserting managed retreat. He stated that the speaker had stated it with so much certainty that he thought maybe it could happen. He was glad Commissioner Nibbelin brought it up and asked him and he explained that it cannot happen. He stated that what struck him was that, if Commissioner Nibbelin had not asked the question, we would not have had the opportunity to clarify for the record that it was not a potential scenario that could happen and many of them would have walked away thinking it was a possibility. He wondered if there was anything else that was stated in the public comment period that they would say was not right as he thought this was an opportunity for them to get better

educated about this process. He stated that, if there was anything else that struck anyone as being worthy of commenting on, he thought it would be helpful for everyone to hear.

Planning Dir. Wehrmeister stated that she will start and she may ask her colleagues if she doesn't capture something. She stated that there were quite a few statements that managed retreat is in the plan and it is not in the plan which was why the city was moving forward with the Palmetto downtown specific plan and hopefully redeveloping the chamber site. They were not planning to retreat from the area. As Assoc. Planner O'Connor mentioned in response to another question, all of the plans and documents are readily available on the website for the public to view including all of the maps and other associated documents. She stated that they did send out a postcard to the entire community, both property owners and renters. She stated that the electronic reader board sign on the freeway is usually posted closer to Crespi.

Assoc. Planner O'Connor clarified that the road sign was only used to advertise one meeting, but it was available for motorists to view for the first public meeting in the adaptation plan phase.

Planning Dir. Wehrmeister pointed out that, when a body, either the Planning Commission or City Council is considering items that are applicable to very large areas of town so the noticing directly in the mail would be difficult to do, State law does allow for a 1/8 page advertising to suffice for the noticing and that was what they did for all of the meetings, even the community meetings.

Assoc. Planner O'Connor asked if Bob would mind mentioning the claims that they were not using best available science but using science recommended by the Coastal Commission.

Mr. Battalio stated that they were following the policies of the Coastal Commission in their guidance in the LCP and CDP. He stated that the best available science refers to the sea level rise scenarios that they were using which are state policies and they use the term, best available science. He stated that there are a number of reports they rely on that are peer reviewed. He stated that was a concern that several people mentioned. He stated that their work for Pacifica has not been peer reviewed. He was not aware of the other cities in the same process having their work peer reviewed. He stated that they were selected in a competitive selection process and he think that they were practicing at the standard of practice. He stated that they would be fine with a peer review if someone wanted to do that as they have done it before. He stated that there were a number of people from West Fairway Park and the plan emphasizes allowing the city of San Francisco to continue to maintain the coastal levee and there were elements in the plan that provide a small berm and two pump stations to maintain flood management for the neighborhood. He was puzzled by the references to managed retreat, especially for that neighborhood which is pretty far back from the shore. He cleared that up as the engineer who worked on the project.

Planning Dir. Wehrmeister added that the vast majority of Fairway is not in a hazard zone, except for a very few lots that could be impacted by flooding which they have tried to mitigate with the policies. She stated that West Fairway Park is not in a hazard zone and these policies would not impact them. She also mentioned the Coastal Commission comments that came in later, and they responded to them. She stated it was because they granted Pacifica the funds and they were required to communicate with them throughout the process and they are not the same as a typical commenter.

City Manager Woodhouse reiterated that Assoc. Planner O'Connor's presentation was very clear about the extensive outreach process and the months and months that this process has been ongoing with many meetings and outreach to community members. He stated that in the middle of this process they did extend the timeline of the project which was how you get to a policy decision at this point in time and they move into next year with the rest of the LCP update. He stated that it has been an extensive and long process.

Chair Campbell stated that he understood that the public will have additional "bites at the apple" on this plan as it moves forward through 2019 and the City Council has the ability to open public comment or do what they want as each chapter of the Local Coastal Plan comes up before them. He asked confirmation.

City Manager Woodhouse stated that he was correct. He stated that part of the goal of taking this in stages as the commissioners know, there are a significant number of chapters and issues in the rest of the Local Coastal Plan and the goal is to address the sea level rise adaptation policies now and then next year be able to focus on all of those other issues, package it all together and bring it back for the formal action by the Commission as well as Council.

Chair Campbell had another question for Mr. Battalio. He referred to hazard zones, referred to on the maps as the bluff dune erosion zone, that a lot of people were concerned about. He asked how that line was drawn and the data behind it.

Mr. Battalio asked if he was referring to the red line.

Chair Campbell responded affirmatively.

Mr. Battalio stated that the red line was from the Pacific Institute study published around 2008 or 2010 that was full disclosure. He contributed to that. He stated that the erosion estimate was based on the historical erosion rate amplified through an equation by the rate of sea level rise. The concept was that, as sea level rises, the wave run up in waves will essentially impact the base of the bluff more frequently with greater intensity. Therefore the erosion rate would accelerate along with sea level rise. He stated that it was an acceleration of the historic erosion rate. He stated that they use that information because the cosmos, the coastal storm modeling system by the US geological survey did not adequately address coastal erosion in their 2.0 Our Coast, Our Future model outputs. They had some bluff erosion but not much mapped and they couldn't use that consistently through the city. They did use the cosmos 2.0 for all the coastal flooding by waves and used the FEMA maps with some other adjustments for the creek flooding. He stated that there will be new cosmos maps coming out. They were just starting to come out and there will be a new estimate of coastal erosion by the US geological survey available soon.

Chair Campbell asked if that will be incorporated.

Mr. Battalio stated that it was not in our scope but would be relatively easy for the city to post that on the website, as they have the webmapper viewer that they set up so anyone can click on it without the geographic information system software and look at all the maps on line on the city's website. He stated that the US GS will provide a similar viewer but they also provide the data and it would be a simple matter of uploading that and it would be available that way. He stated that they haven't actually selected the erosion hazard maps, at least ESA has not, and that would be used for the city's policies. The adaptation analysis used was different than the red lines on

the maps which were from the Pacific Institute. He stated that for the alternative analysis they used another model and the erosion limits predicted with that model are less than what was shown in the Pacific Institute. He stated that there was another set, and for each adaptational alternative there were different erosion amounts, and if you have a wall there is less and beach nourishment there is less. He stated that, if you have managed retreat, there was more. When they did that analysis, they had to use some additional mapping. He expected that the cosmos maps that come out will probably be somewhere in between the Pacific Institute and the adaptation maps. They are similar to what they used. He stated that he would be happy to answer further questions if he would like.

Commissioner Nibbelin thanked the Coastal Commission for being here as well as everyone from the public and sharing information. He stated that something Coastal Commission related and maybe the Coastal Commission was the right place to get the answer. He was unclear on a comment that spoke to redevelopment versus new development and a reference to sometime in the 1970s and he thought it was a definition difference between the way the city assesses what constitutes improvement versus new development versus redevelopment. He hoped he could get a little clarity again on that, adding that he didn't know if it had any specific relevance to the policies.

Planning Dir. Wehrmeister stated that the Coastal Commission guidance provides some recommendations for how jurisdictions could address what constitutes new development.

Commissioner Nibbelin stated that a house that existed in 1976 and looking at all the changes that have occurred and if it was more than 50% or whatever, that constitutes new development if it exceeds the 50% in his example. He stated that wasn't something they have actually incorporated.

Planning Dir. Wehrmeister stated that the City's draft policies do not include such language and this was not something that the city supports at this time.

City Manager Woodhouse added that what Planning Dir. Wehrmeister was referring to was the Coastal Commission's residential adaptation planning guidance document. He stated that months ago he met with the Executive Director of the Coastal Commission along with a couple of Council members and other representatives from the Commission, and Pacifica representatives conveyed their knowledge from their process on the ground that there was a significant amount of confusion and concern in the community about what the RAPGs are saying or not saying. They recommended that the Coastal Commission come to town, hold meetings, inform residents about the content of the document and do more outreach before the Coastal Commission considers adopting that guidance. He stated that subsequent to that meeting the Coastal Commission did go back and revisit their timeline and the process for developing the RAPGs, and they were not being considered by the full Commission before the end of this year, adding that he didn't know the timeline.

Commissioner Stegink stated that he supported Commissioner Nibbelin's support for plain and simple language. While the binary softer versus harder armoring is familiar to those who have coastal land use planning, it might be fuzzy to those who have been to this meeting for the first time and just make those as close to layman's terms as possible.

Vice Chair Clifford stated that there are several policies that talk to monitoring of both the conditions on the coast and also any of the new developments that might be put in place. He asked who was actually going to be doing that monitoring.

Assoc. Planner O'Connor stated that there was some monitoring that will be put on the property owners to conduct and report to the city but some of the policies talk about monitoring that the city would have to either hire or sub out those efforts.

Vice Chair Clifford asked if it will be annual, semi-annual, bi-annual, etc.

Assoc. Planner O'Connor stated that each policy describes the frequency of the monitoring intentions and some are every five years, the frequency of the high water program was not defined yet and that would have to be created. The mean high tide line was every ten years, and she stated it depends on the policy.

Chair Campbell had a question about the sub area policies and programs of the current Local Coastal Plan that they are discussing at this meeting for Sharp Park and West Fairway Park and Mori Point. He stated that they have taken out anything with regard to managed retreat and he saw hazard policy 24 encourages berms and armoring, sand nourishment and upgrading existing shoreline structures, sand retention structures. He mentioned hazard policy 27 and 28, Clarendon Avenue storm water basin and a pump station, with a lot of infrastructure coming in. He was curious what the general plan was for funding of the capital improvement projects. He asked if they were currently in the city CIP.

Planning Dir. Wehrmeister stated that some of them may but most of them are not, such as flood protection for Clarendon which is an ongoing problem. She stated that the funding was the next step in implementing these policies and they would either be looking for new local funding and looking for grants and they were already in the process of doing that. They have gotten several grants for other hazard mitigation programs such as on Esplanade.

City Manager Woodhouse stated that this question has come up at many public meetings and he will add to that. He stated that all of these projects and protective measures are immensely expensive way beyond what Pacifica's budget would be and this is the case for every one of the 61 coastal cities in California which is way beyond local means to fund them. He stated that was why it drives the importance of getting policies in place so they have a tool to go out and leverage with federal funding from the Army Corp, state funding, regional based entities in counties as well as local funding and there will have to be a mix or blend of all of the various sources of funding to make these a reality.

Chair Campbell thanked everyone for coming, including staff. He followed up on the recommendation by possibly Commissioner Nibbelin about putting some of the key excerpts of information on the website such why managed retreat was not in it anymore, etc., and that it isn't the end of the road but more like the beginning of a process. He thought it might alleviate the understandable confusion that he shared when he was reading through it.

Asst. City Atty. Bazzano stated that on her agenda she has staff communications.

Chair Campbell stated that he was going to close this part of it.