

Staff Report 44

APPLICANT:

California Department of Parks and Recreation

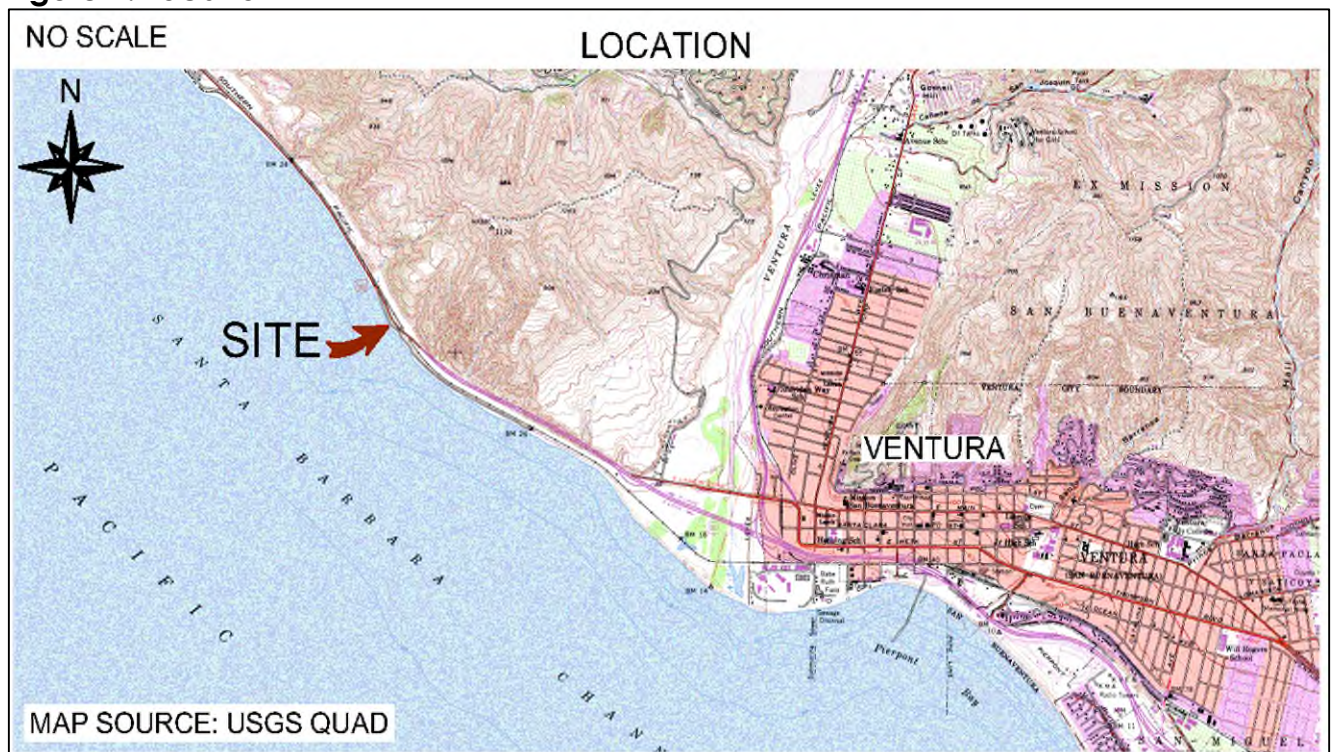
PROPOSED ACTION:

Issuance of a General Lease – Public Agency Use.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Pacific Ocean, adjacent to Emma Wood State Beach, Ventura County (as shown in Figure 1).

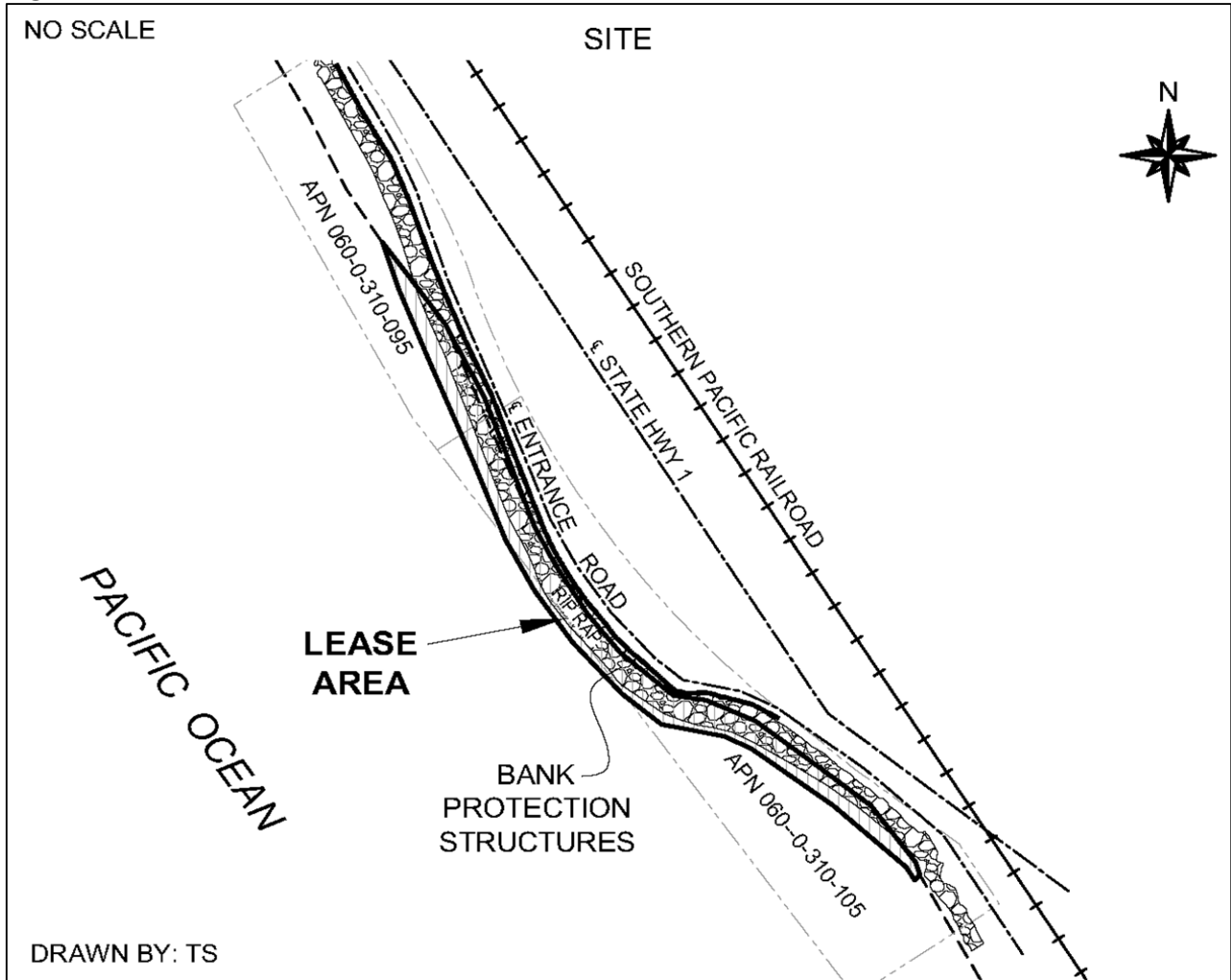
Figure 1. Location



AUTHORIZED USE:

Use of an existing rock revetment and sheet pile wall, and repair of an existing rock revetment (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

10 years, beginning December 17, 2024.

CONSIDERATION:

The public use and benefit, with the State reserving the right to set a monetary rent if the Commission finds such an action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

- Prior to submission of future applications for this lease, or when requesting approval for major repairs or alterations, Lessee shall assess the feasibility of replacing the protective structure on the Lease Premises with alternative adaptation strategies such as nature-based solutions or hybrid protective structure designs such as those discussed in the Lessor's *Shoreline Adaptation and the Public Trust*, approved by the Commission ([Item 60, Dec. 5, 2023](#)), and as amended. Lessee shall provide Lessor with written documentation of such analysis.
- No refueling, repairs, or maintenance of vehicles or equipment will take place on the Lease Premises.
- All construction activities shall be carried out in accordance with all applicable safety regulations, permits, and conditions of all other agencies.
- Construction may not begin until Lessee has obtained all required permits from the appropriate regulatory bodies.
- Any equipment to be used on the Lease Premises is limited to that which is directly required for the authorized activities.
- Lessee and/or its contractors shall remove all personal property, tools, equipment, or any other materials brought onto State lands within 60 days of completion of construction activities. The Commission does not accept any responsibility for any damage to any property brought onto State-owned land, including, but not limited to, equipment, tools, machinery, or other materials.
- All debris shall be promptly removed from the Lease Premises.
- Within 60 days of completing the protective structure project that includes the removal of rock riprap authorized by this lease, Lessee will provide photographs and a set of "as-built" plans that depict where the improvements have been placed or removed.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6321, 6321.2, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

The Applicant is applying for a General Lease – Public Agency Use for use of an existing rock revetment and sheet pile wall, and repair of an existing rock revetment. Staff recommends issuance of a General Lease – Public Agency Use to the Applicant, effective December 17, 2024.

The existing rock revetment and sheet pile wall on the lease premises have existed for many years and protect the North Beach entrance road of Emma Wood State Beach (EWSB) from erosion by waves, tidal action, and storm surge. This road provides public access to the EWSB campground and day use area and is the primary entrance used to access EWSB. The exact date when the existing rock revetment and sheet pile wall were installed is unknown; however, they have been in place for many years and have become damaged and degraded over time. The degradation of these structures has led to significant deterioration and damage to the North Beach entrance road as a result of impacts from environmental factors such as sea level rise and increased wave run up. This damage is so significant that the North Beach entrance road is currently closed to the public and, as a result, the entire North Beach area and campground are unavailable for public use.

In order to reopen EWSB for full public use, the entrance road and adjacent protective structures must be repaired. The proposed rock revetment repair is the main component of a larger project that will include repairs to the entrance road and which will ultimately allow resumption of full public access to EWSB. The proposed rock revetment repair project is intended to return the damaged protective structure to its original design and protective capacity without extending the footprint of this protective structure further seaward than the existing toe of the revetment.

The repair project will include the import and placement of approximately 6,200 tons of armor rock, with each rock being placed individually into the existing revetment. Placement of the new armor rock will primarily be accomplished from

the top of the entrance road via a long-reach excavator. It is also possible that some excavator work will be done from the beach during low tide in order to recover existing armor rocks that have been dislodged and migrated over the years.

Because the riprap and sheet pile wall on the lease premises protect the primary entrance to a State Beach, these improvements provide an important public benefit by ensuring the public can access the public beach. However, protection of this access is not attained without compromise. As with other hard armoring structures that provide a solid barrier to minimize energy from tides and waves, riprap and sheet pile walls can accelerate erosion along the adjacent coastline due to wave reflection and refraction. Therefore, though these improvements protect the entrance road and the public's ability to access the beach, they also exacerbate erosion of the adjacent coastline. To help address these impacts, the proposed lease includes a provision requiring the Applicant to assess the feasibility of implementing alternative adaptation strategies such as nature-based solutions or hybrid protective structure designs prior to future applications for this lease or if the authorized improvements require significant alterations, repair, or replacement during the term of the lease.

The proposed Lease does not alienate the State's fee simple interest or permanently impair public rights. The lease is limited to a 10-year term, does not grant the lessee exclusive rights to the lease premises, and will have no significant impact on Public Trust-consistent uses in the area. Upon termination of the lease, the lessee may be required to remove any improvements from State land and restore the lease premises to their original condition. The proposed lease requires the lessee to indemnify the State for any liability incurred as a result of the lessee's activities thereon.

CLIMATE CHANGE:

Climate change impacts, including sea level rise, more frequent and intense storm events, and increased flooding and erosion, affect both open coastal areas and inland waterways in California. The lease area is located adjacent to the Pacific Ocean in Ventura.

The California Ocean Protection Council updated the *State of California Sea-Level Rise Guidance* in 2018 to provide a synthesis of the best available science on sea level rise projections and rates. Commission staff evaluated the "high emissions," "medium-high risk aversion" scenario to apply a conservative approach based on

both current emission trajectories and the lease location and structures. The Santa Barbara tide gauge was used for the projected sea level rise scenario for the lease area as listed in Table 1.

Table 1. Projected Sea Level Rise for Santa Barbara

Year	Projection (feet)
2030	0.7
2040	1.1
2050	1.8
2100	6.6

Source: Table 22, [State of California Sea-Level Rise Guidance: 2018 Update](#)

Note: Projections are with respect to a 1991 to 2009 baseline.

As stated in [Safeguarding California Plan: 2018 Update](#) (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, drought, and storms (especially when coupled with sea level rise). The combination of these conditions will likely result in increased wave run up, storm surge, and flooding in coastal and near coastal areas. In tidally influenced waterways, more frequent and powerful storms can result in increased flooding conditions and damage from storm-created debris. Climate change and sea level rise will further influence coastal and riverine areas by changing erosion and sedimentation rates. Beaches, coastal landscapes, and near-coastal riverine areas will be exposed to increased wave force and run up, potentially resulting in greater beach or bank erosion than previously experienced.

As photographs of the current damage clearly show, the concrete parapet wall and access road above the lease area are vulnerable to impacts from sea level rise and more frequent and intense storms that are the result of climate change. Even after the proposed repairs have been completed, the structures protecting the access road will still be exposed to wave action, storm surge, and higher total water levels. Bluff erosion as a result of precipitation, groundwater drainage, wind force, and slumping may also exert pressure on these structures from the landward side. Therefore, they may require more frequent maintenance to ensure continued function during and after storm seasons and to reduce the risk posed to public safety in the event the wall becomes a coastal hazard as a result of dislodgement or additional structural failure.

The sheet pile wall and riprap on the lease premises also have the potential to exacerbate the impacts of sea level rise and increased storm and wave activity on sovereign land adjacent to the lease area. The beach area seaward of these

features is subject to width reduction and loss from erosion, scour, and coastal squeeze (the reduction of beach width due to the inability of the beach to naturally migrate landward as a result of hard armoring infrastructure). In addition to the sheet pile wall and riprap exerting an artificial influence on the natural landward migration of the beach, they are also a barrier between the naturally eroding bluffs and the beach, and effectually prevent beach replenishment via natural passive erosion. In general, seawalls increase beach scour at the toes and sides of the walls by reflecting and refracting wave energy back onto the beach with higher force due to their placement and composition. Beach loss is anticipated to increase over the term of the lease because of the combined factors of climate change impacts, natural dynamic coastal processes, and the presence of the sheet pile wall and riprap.

Consistent with the Commission's 2023 report, [Shoreline Adaptation and the Public Trust](#), in locations where nature-based strategies or managed retreat are feasible mid- or long-term strategies, hard armoring should be avoided or only be used for temporary purposes while the mid- and long-term strategies are implemented. In addition to regular maintenance on the sheet pile wall and rock revetment, the lessee should assess the feasibility of short-term strategies that can provide a buffer against beach loss, such as beach nourishment, and mid-to-long term strategies to improve shoreline resiliency to sea level rise and extreme storms. The mid-to-long term strategies could include relocation of the access road further upland towards the Pacific Coast Highway, or removal and replacement of the rock revetment with an alternative nature-based strategy, such as a cobble berm. These approaches to shoreline protection would also be consistent with the Applicant's [Sea Level Rise Strategy](#) that states "Nature-based green infrastructure that conserves natural processes, resilient infrastructure that accommodates sea level rise, and managed retreat — where necessary — will generally be preferred alternatives to hard armoring in the long-term management of coastal park units" (Principle 4, pg.12). Any future construction or activities on state land would require a separate authorization from the Commission.

Regular maintenance as required by the lease will help reduce the likelihood of severe structural degradation. Further climate change impact analyses on the leased facilities will be assessed at the time the lease is considered for renewal and would be based on projected sea level rise scenarios at that time.

CONCLUSION:

For all the reasons above, staff believes approval of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the term of the lease; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the application, the Applicant must remove the improvements and restore the property to its original condition. The lessee has no right to a new lease or to renewal of any previous lease
2. This action is consistent with the “Leading Climate Activism” and “Meeting Evolving Public Trust Needs” Strategic Focus Areas of the Commission’s 2021-2025 Strategic Plan.
3. Staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, title 14, section 15301.

Authority: Public Resources Code section 21084 and California Code of Regulations, title 14, section 15061.

APPROVALS OBTAINED:

- California Coastal Commission – Immaterial Amendment to Coastal Development Permit (Coastal Development Permit Amendment No. 4-10-021-A1)
- County of Ventura

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, title 14, section 15301.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially interfere with Public Trust needs and values at this location, at this time, and for the term of the lease; and is in the best interests of the State.

AUTHORIZATION:

1. Authorize issuance of a General Lease – Public Agency Use to the Applicant beginning December 17, 2024, for a term of 10 years, for the use of an existing rock revetment and sheet pile wall, and repair of an existing rock revetment; consideration being the public use and benefit, with the State reserving the right to set a monetary rent if the Commission finds such an action to be in the State's best interests.
2. Authorize the Executive Officer or designee to replace Exhibits in the lease upon submission, review, and approval of as-built plans detailing the final location of the improvements following the proposed project.