

CALIFORNIA COASTAL COMMISSION

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W16a

Date: July 27, 2023

To: Coastal Commissioners and Interested Persons

From: Karl Schwing, Deputy Director, South Coast District
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Subject: STAFF RECOMMENDATION ON CITY OF MANHATTAN BEACH MAJOR AMENDMENT NO. LCP-5-MNB-22-0028-1 (LUP SECTION VI – COASTAL HAZARDS) for Commission Meeting of AUGUST 9, 2023

SYNOPSIS

The City of Manhattan Beach is requesting the Commission certify an amendment to the Land Use Plan (LUP) portion of the Manhattan Beach certified Local Coastal Program (LCP). The City has requested action on the proposed LCP Amendment via City Council Resolution No. 22-0063. LCP Amendment No. LCP-5-MNB-22-0028-1 would add a Coastal Hazards Section to the certified LUP. The Executive Director has determined the proposed amendment as a Major LCP Amendment. The City's submittal is consistent with the procedural requirements of the Coastal Act and the regulations which govern such submittals. The amendment was partially funded by the Commission's LCP Local Government Assistance Grant Program.

The City's LUP was originally approved by the Commission on June 18, 1981, and on May 24, 1994, the Commission certified Amendment 1-92 updating the LUP and also certified the Implementation Plan (IP) portion of the LCP, thus granting full LCP certification and transfer of coastal development review authority to the City. The subject LUP Amendment is the first proposed amendment since LCP certification in 1994. The current certified LUP is divided into five policy area sections: Section I: Coastal Access, Section II: Transportation/Mobility, Section III: Parking, Section IV: New Development (Commercial and Residential), and Section V: Marine Resource policies. The goal of the proposed LUP amendment is to add a section addressing coastal hazards to the LUP to reflect current understandings associated with contemporary coastal land use planning issues. The proposed new Section VI: Coastal Hazards is particularly important in terms of policies addressing climate change and sea level rise adaptation and resiliency (including a shoreline-wide emphasis on nature-based adaptation measures and minimal

coastal armoring). Overall, the proposed Coastal Hazards section is centered around three primary goals: 1) a natural management of coastal hazards; 2) an emphasis on protection of public access, recreation, and sensitive coastal resources; and 3) inclusionary decision-making, coordination, and public participation in planning and regulatory processes.

The City received a Coastal Commission grant in 2019 to develop a Sea Level Rise Risk, Hazards, and Vulnerability Assessment and completed a Sea Level Rise Adaptation Plan in September 2021. The Adaptation Plan provided the City a structure for decision making and planning for sea level rise and an analysis of potential benefits and effects of different adaptation strategies. The Adaptation Plan is the basis informing the proposed LUP Coastal Hazards chapter policies. Since 2020, the City has undertaken an extensive public outreach and community planning process, including numerous Planning Commission and City Council study sessions and updates, public workshops, and focus group meetings. The City and Commission staff worked closely on the draft versions of the Vulnerability Assessment, Adaptation Plan, and the proposed LUP Coastal Hazards chapter. The result of this robust and inclusive process is a thorough and comprehensive Hazards chapter that should result in enhanced coastal resource protection and serve the City well for many years to come.

SUMMARY OF AMENDMENT REQUEST

The City of Manhattan Beach submitted LCP Amendment Request No. LCP-5-MNB-22-0028-1 on June 20, 2022. It was the City's first and only Major LCP amendment submittal for that year. The subject amendment is an amendment to the certified LUP and was filed as complete on July 5, 2022. Pursuant to Section 30517 of the Coastal Act, a one-year time extension was granted at the September 8, 2022 Commission hearing providing until November 9, 2023 for Commission action on this item. This report addresses the entire submittal.

LCP Amendment Request No. LCP-5-MNB-22-0028-1 affects only the LUP portion of the certified LCP and does not propose any land use changes. The Manhattan Beach Planning Commission held a Study Session on February 23, 2022 and a Planning Commission Public Hearing on March 23, 2022, and a final City Council Hearing on May 3, 2022 approved Resolution No. 22-0062, adopting an amendment to the LCP to include a new chapter titled Section VI Coastal Hazards. and Resolution No. 22-0063, authorizing submission of the LCP amendment to the Coastal Commission.

SUMMARY OF STAFF RECOMMENDATION

Commission staff recommends that the Commission, after public hearing, **deny** the City's proposed LCP Amendment No. LCP-5-MNB-22-0028-1 as submitted, and **certify** the proposed amendment only if modified pursuant to three suggested modifications. The suggested modifications are necessary to ensure that the LUP is consistent with the requirements of the Coastal Act. **Suggested Modification #1** would clarify the City's stated intention (from the Adaptation Plan) to implement a citywide beach dune restoration

program as the primary chosen adaptation strategy and, though not mandated to, could also evaluate other “soft” solutions such as living shoreline projects in the future.

Suggested Modification #2 is a minor modification to a proposed policy regarding the City’s commitment to beach dune stabilization and restoration that would simply replace the general term “native coastal vegetation” used in the policy language with a more illustrative description of “native southern California coastal dune plan species” to avoid any potential ambiguity. And finally, although a winter sand berm program is identified as a viable non-structural coastal hazard adaptation strategy in both the Coastal Hazards chapter and the Sea Level Rise Adaptation Plan, the Coastal Hazards chapter lacks an actual policy supporting this strategy. Therefore, staff recommends **Suggested Modification #3** to add a policy to develop and implement, when necessary, a winter season temporary sand berm program that minimizes potential adverse biological, scenic, and recreational resource impacts.

If modified as suggested, the proposed changes to the LUP will conform with and carry out the policies of the Coastal Act. The appropriate resolutions and motions begin on page 6. The suggested modifications can be found on page 8. The findings for denial as submitted and approval of the Amendment, if modified, begin on page 9.

ADDITIONAL INFORMATION

The file is available for review at the South Coast District office located at 301 East Ocean Blvd., Suite 300, Long Beach, 90802. For additional information on the City of Manhattan Beach LCP Amendment LCP-5-MNB-22-0028-1, contact Liliana Roman, Coastal Resiliency Coordinator in the South Coast District Office at liliana.roman@coastal.ca.gov or at (562) 590-5071. If you wish to comment on the proposed LCP Amendment, please do so via regular mail (directed to the South Coast District Office) or email: southcoast@coastal.ca.gov by 5pm on Friday, August 4, 2023.

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EXHIBITS

Exhibit 1 – Vicinity Map/Site

Exhibit 2 – City of Manhattan Beach Resolution No. 22-0062 and Resolution No. 22-0063

Exhibit 3 – LUP Section VI: Coastal Hazards

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The standard of review for amendments to land use plans is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP amendment if it finds that the amendment meets the requirements of Chapter 3 of the Coastal Act. Specifically, Section 30512(c) states:

The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30512 of the Coastal Act, the Commission shall take action by a majority vote of the Commissioners present.

B. LOCAL PUBLIC REVIEW AND DEADLINE FOR COMMISSION ACTION

Section 30503 of the Coastal Act requires public input in LCP development. It states:

During the preparation, approval, certification, and amendment of any LCP, the public, as well as all affected governmental agencies, including special districts, shall be provided maximum opportunities to participate. Prior to submission of an LCP for approval, local governments shall hold a public hearing or hearings on that portion of the program, which has not been subjected to public hearings within four years of such submission.

Section 30503 of the Coastal Act requires local governments to provide the public with maximum opportunities to participate in the development of the LCP amendment prior to submittal to the Commission for review. The City held a Planning Commission Study Session on February 23, 2022 and a Planning Commission Public Hearing on March 23, 2022 and a final City Council Hearing on May 3, 2022 where it approved Resolution No. 22-0062, adopting an amendment to the LCP to include a new chapter titled Section VI Coastal Hazards, and Resolution No. 22-0063, authorizing submission of the LCP amendment to the Coastal Commission (**Exhibit #2**). All of those local hearings were duly noticed to the public via newspaper ads, social media, the City's website, and email. Notice of the subject amendment has been distributed to all known interested parties.

The City of Manhattan Beach submitted the LCP Amendment request to the Coastal Commission on June 20, 2022. Commission staff determined that the subject amendment submittal was sufficient and filed the application as complete on July 5, 2022. Pursuant to Coastal Act section 30512, the Commission must act on an LUP amendment within 90

working days from filing (in this case by November 9, 2022) unless an extension is granted pursuant to Coastal Act section 30517. On September 8, 2022 the Commission granted a one-year time extension providing from November 9, 2022 to November 9, 2023 for Commission action on this item. This report addresses the entire submittal.

C. FINAL CERTIFICATION PROCEDURES

If the Commission certifies the LCP amendment as submitted, no further City Council action will be necessary pursuant to Section 13544(b)(1) of Title 14 of the California Code of Regulations. Should the Commission deny the LCP Amendment, as submitted, without suggested modifications, no further action is required by either the Commission or the City Council, and the LCP amendment is not effective. Should the Commission deny the LCP Amendment, as submitted, but then approve it with suggested modifications, then the City Council may consider accepting the suggested modifications and submitting them by resolution to the Executive Director for a determination that the City Council's acceptance is consistent with the Commission's action. In that scenario, pursuant to Section 13544(c) of Title 14 of the California Code of Regulations, the modified LCP Amendment will become final at a subsequent Commission meeting if the Commission concurs with the Executive Director's Determination that the City Council's action in accepting the suggested modifications approved by the Commission for this LCP Amendment is legally adequate. If the City Council does not accept the suggested modifications within six months of the Commission's action, then the LCP amendment remains uncertified and not effective within the coastal zone.

II. MOTION AND RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

1. MOTION:

I move that the Commission certify the Land Use Plan Amendment No. LCP-5-MNB-22-0028-1 for the City of Manhattan Beach certified Land Use Plan as submitted by the City of Manhattan Beach.

STAFF RECOMMENDATION OF DENIAL OF CERTIFICATION:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the Land Use Plan Amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only by an affirmative vote of the majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of Land Use Plan Amendment LCP-5-MNB-22-0028-1 for the City of Manhattan Beach certified Land Use Plan as submitted and adopts the findings set forth below on grounds that the land use plan as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the plan would not comply with the California Environmental Quality Act because there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Amendment to the Land Use Plan as submitted.

2. MOTION:

I move that the Commission certify the Land Use Plan Amendment No. LCP-5-MNB-22-0028-1 for the City of Manhattan Beach certified Land Use Plan as submitted if modified as suggested in the staff recommendation.

STAFF RECOMMENDATION: CERTIFICATION IF MODIFIED AS SUGGESTED:

Staff recommends a **YES** vote on the motion. Passage of this motion will result in the certification of the LUP Amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the Commissioners present.

RESOLUTION TO CERTIFY WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies Land Use Plan Amendment No. LCP-5-MNB-22-0028-1 submitted by the City of Manhattan Beach, if modified as suggested, and adopts the findings set forth below on the grounds that the land use plan amendment with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact on the environment that will result from certification of the land use plan amendment if modified as suggested.

III. SUGGESTED MODIFICATIONS

Certification of the LCP amendment is subject to the following modifications. The City does not propose to modify any existing language, but rather proposes the addition of all new language in a new section titled Section VI: Coastal Hazards. The City's proposed new LUP language additions are shown as single underline text. The Commission's proposed new text added by suggested modification is shown **bold and underlined**, and text suggested to be deleted is shown in ~~double strikethrough~~.

Suggested Modification #1 – Modification to proposed Policy IV.A.2

Policy IV.A.2: ~~Develop and implement a~~ citywide beach dune and living shoreline restoration program **and evaluate softer solutions such as living shoreline projects.** The continued viability of dune and other coastal habitats shall be provided for by planning for inland migration and/or replacement of habitats lost to sea level rise.

Suggested Modification #2 – Modifications to proposed Policy IV.A.3

Policy IV.A.3: Stabilize dunes and back beach with the installation and maintenance of drought-tolerant ~~native coastal vegetation~~ **native southern California coastal dune plant species** capable of enhancing dune stability and the removal of non-native vegetation. Development shall be set back from dunes through buffers of sufficient width and design to protect native coastal vegetation from impacts of adjacent uses, including a bike path set back of a minimum of three feet and a beach grooming set back of a minimum of five feet.

Suggested Modification #3 – Addition of new Policy IV.A.8

Policy IV.A.8: **Develop and implement, when necessary, a winter season temporary sand berm program that minimizes potential adverse biological, scenic, and recreational resource impacts.**

IV. FINDINGS FOR DENIAL AS SUBMITTED, AND APPROVAL OF THE AMENDMENT IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the proposed LCP Amendment to the LUP portion of the LCP as submitted and approval if modified as suggested in Section III (Suggested Modifications) above.

The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

Under Sections 30512(c) and 30514(b), the Commission shall certify a land use plan amendment that meets the requirements of, and is in conformance with, the Chapter 3 policies of the Coastal Act. The subject Amendment Request No. LCP-5-MNB-22-0028-1 would add a completely new chapter/section to the LUP portion of the Manhattan Beach certified LCP, pertaining to Coastal Hazards. Currently, the certified LUP does not include a coastal hazards chapter. This new LUP section would provide background information on current and future coastal hazards present in Manhattan Beach, including flooding and shoreline/beach erosion, provides a discussion on adaptation strategies and includes twenty-nine (29) coastal hazards and adaptation policies.

The City of Manhattan Beach's LUP was certified by the Commission in June of 1981. Since that original LUP certification date, there has only been one other LUP amendment, LUP Amendment No. 1-92 in 1994. While also working toward IP certification and full LCP certification, LUP Major Amendment No. 1-92, making changes to the Coastal Land Use Map, adding a Coastal Access Map, making changes to coastal access policies and new development policies, and adding a marine resource policies section (previously lacking in the LUP), was certified by the Commission in May 1994. At the same May 1994 meeting, the Commission also certified the IP portion of the LCP, and the City achieved full LCP certification. Over the years there have been numerous IP amendments; however, this proposed LCP Amendment 5-MNB-22-0028-1 to add a Coastal Hazards section to the LUP will be the first LUP amendment since the LCP fully was certified in 1994.

The Manhattan Beach LUP is organized as follows:

Section I – Executive Summary

Section II – Policies Summary

Section III – Coastal Access (Policies I.A.1 – I.A.9, I.B.1 – I.B.8, I.C.1 – I.C.17)

Section IV – Locating and Planning New Development (Policies II.1, II.A.3 – A.7, II.B.1 – II.B.5)

Section V – Marine Resources (Policies III.1 thru III.14)

This subject LUP Amendment would add:

Section VI – Coastal Hazards (Policies IV.A.1 – IV.A.7, IV.B.1 – IV.B.4, IV.C.1 – IV.C.6, IV.D.1 – IV.D.4, IV.E.1 – IV.E.6)

In 2018, the City initiated this LUP amendment to address sea level rise coastal hazards and received a grant from the Commission in 2019 to aid in the effort. The City had multiple public workshops, focus group meetings and a Planning Commission study session all aimed to provide opportunities for public discussion and engagement. The first step in the process was the creation of a Sea Level Rise Vulnerability Assessment to assess the City's physical, societal, economic, and ecosystem vulnerabilities to projected sea level rise, coastal flooding, and erosion. The findings of the Vulnerability Assessment

were then used to develop the Sea Level Rise Adaptation Plan, which provided the framework for the City to monitor coastal hazards, plan, and address the identified vulnerabilities through numerous adaptation measures. The Sea Level Rise Adaptation Plan recommended adaptation measures which focus on nature-based sea level rise strategies that would be the most successful within the City's physical setting. These measures, in order of importance are: 1) dune restoration; 2) winter sand berms; 3) construction of off-shore reefs and kelp beds; 4) managed retreat – accepting a narrower beach; 5) beach nourishment; and 6) construction of beach groins. The City then submitted this subject LCP amendment to incorporate the findings and strategies from the Vulnerability Assessment and the Sea Level Rise Adaptation Plan into LUP policies.

The proposed LUP Coastal Hazards section/chapter documents coastal hazards in the City and sets forth policies to address existing and future impacts from coastal hazards as impacted by future sea level rise. The proposed LUP Section VI: Coastal Hazards provides a robust background setting summarizing the findings of the Vulnerability Assessment. It documents specific present and future coastal hazards associated with sea level rise, including tidal inundation, coastal storm flooding hazards, extreme rainfall hazards, beach erosion hazards, sea level rise impacts on groundwater levels and saltwater intrusion into coastal aquifers. The actual proposed coastal hazards and adaptation policies are informed by the recommendations of the City's Sea Level Rise Adaptation Plan and its emphasis on natural management of coastal hazards with non-structural adaptation strategies such as beach dune restoration, winter sand berms, beach nourishment, off-shore sand retention structures such as reefs and kelp beds.

The proposed LUP policies address the following five topic areas:

A. Natural Management of Coastal Hazards

Overall, these policies emphasize the need to minimize the perpetuation of shoreline armoring and the need to develop and implement beach dune restoration, giant kelp restoration, eelgrass restoration, and sand replenishment projects.

B. Shoreline Protection Devices

The City acknowledges that although engineered structural protective devices such as groins, seawalls, or rock revetments can provide flood and erosion protection to existing coastal development behind them, they can contribute to erosion and acceleration of beach loss, and therefore, these policies limit construction of new shoreline protection devices, discourage them on public lands, outline requirements when allowed, and require modifications to existing shoreline protection devices to ensure they function in a way that has the least impact on coastal resources.

C. Shoreline Redevelopment and New Development

These policies address both new development and redevelopment of existing structures. Although not a policy, this section of the proposed LUP Chapter includes a definition of redevelopment that takes into consideration replacement (including demolition, renovation or alteration) of less than

50% of a major structural component where the proposed replacement would result in cumulative alterations exceeding 50% or more of that major structural component, taking into consideration previous replacement work undertaken on or after January 1, 1977; or an alteration that constitutes less than 50% increase in floor area where the proposed alteration would result in a cumulative addition of 50% or greater of the floor area, taking into consideration previous additions undertaken on or after January 1, 1977.

D. Public Access, Recreation, and Sensitive Coastal Resources

The intent of these policies is to protect, enhance, and maximize public access and public recreation facilities (e.g., public parks, restrooms, parking lots, bicycle facilities, trails, and paths) in such a way as to avoid or limit impacts to sensitive back beach dune habitat and not require new or expanded shoreline protective devices.

E. Decision-Making, Coordination, and Participation

These policies relate to public participation in planning and regulatory processes, public education, coordination with State and federal agencies, and the creation of a Shoreline Monitoring Program to monitor, assess, and inform the public and City decision-makers about the effects of sea level rise on coastal resources, access and public infrastructure and facilities in order to implement adaptation measures.

Coastal Act Chapter 3 coastal resource protection policies are also incorporated into the LCP by reference. Please refer to **Exhibit #3** for the complete proposed Section VI: Coastal Hazards.

B. CONSISTENCY ANALYSIS

Coastal Hazards/Sea Level Rise Background

Sea level rise will have dramatic impacts on California's coast in the coming decades and is already impacting the coast today. In the past century, the average global temperature has increased by about 0.8°C (1.4°F), and global sea levels have increased by 7 to 8 inches (17 to 21 cm). In addition, sea level rise has been accelerating in recent decades, with the global rate of sea level rise tripling since 1971 (IPCC, 2021). This sea level rise has and will continue to increase the risks of flooding, inundation, coastal erosion, saltwater intrusion, and changing groundwater dynamics. In turn, these hazards have the potential to threaten many of the resources that are integral to the California coast, including coastal access and recreation, habitats (e.g., dunes, rocky intertidal areas, and beaches), water quality and supply, cultural resources, coastal development, community character, and scenic quality.

The Coastal Act mandates the protection of public access and recreation along the coast, coastal habitats, and other coastal resources, as well as providing priority for visitor-serving and coastal-dependent or coastal-related development while simultaneously minimizing risks from coastal hazards. Accordingly, the Coastal Act places a strong emphasis on

protecting natural landforms and shoreline/beach access and related resources, while also requiring that risks be minimized in association with coastal hazards, including via ensuring stability and structural integrity for development over time without armoring, and avoiding adverse impacts to natural processes and coastal resources. The Coastal Act also recognizes that shoreline-altering development, such as armoring, can cause significant adverse impacts to coastal resources such as sand supply and ecology, public access, coastal views, natural landforms, and shoreline processes, and thus requires approvable armoring to avoid or minimize coastal resource impacts, and to commensurately mitigate for allowed impacts that are unavoidable. More recently, the Coastal Act was also amended to explicitly require the Commission to consider the effects of sea level rise in coastal resource planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.

Taken together, the Coastal Act's policies on sea level rise planning, coastal resource protection, and minimizing risks from coastal hazards – combined with the increasing scientific certainty that sea level rise is and will continue to increase coastal hazards along the shoreline – elevates the need for local governments to understand the projected sea level rise impacts within their jurisdictions and to implement sea level rise adaptation planning within LCPs. Without such assessment and adaptation planning, sea level rise could push local governments into situations where coastal resources are being lost, inconsistent with the resource protection policies of the Coastal Act.

The Manhattan Beach coastline consists of a 2.1-mile-long beach that is 300 to over 400 feet wide in places, with a low-lying sandy beach and elevated backshore coastal sand dune areas. The coastal zone slopes up from the beach with elevations quickly rising out of the flood zone behind the beach. Manhattan Beach is part of the Santa Monica Bay Littoral Cell – spanning from Point Dume to Palos Verdes Point. Sand predominantly moves downcoast (south) through this littoral cell. Approximately 23% of the Manhattan Beach coastline is currently protected by coastal armoring structures. The El Porto Beach area at the north end of town has a small section of rock revetment, and the beach parking lot and The Strand pedestrian trail is protected by a concrete seawall. There are also sections of concrete seawalls in the vicinity of the Manhattan Beach Pier.

The City of Manhattan Beach completed a Sea Level Rise Risk, Hazards, and Vulnerability Assessment in May 2021 and a Sea Level Rise Adaptation Plan in September 2021, utilizing the best available science on sea level rise projections at various planning horizons to assess vulnerability and conduct adaptation planning in California per the State of California Sea-Level Rise Guidance (OPC 2018) (as reflected in the Coastal Commission Sea Level Rise Policy Guidance (CCC 2018)).

The Vulnerability Assessment identified tidal inundation (regular day-to-day tides) and coastal storm flooding (infrequent) as potential future coastal hazards due to future sea level rise. As sea levels rise, the extent of tidal inundation will gradually increase with infrequent, extreme events, causing more dramatic flooding. These events include higher water levels due to storm surge and ocean waves. Coastal inundation and storm flooding and erosion projections from the USGS CoSMoS model were used to determine potential impacts of sea level rise in Manhattan Beach for typical tides and extreme storm

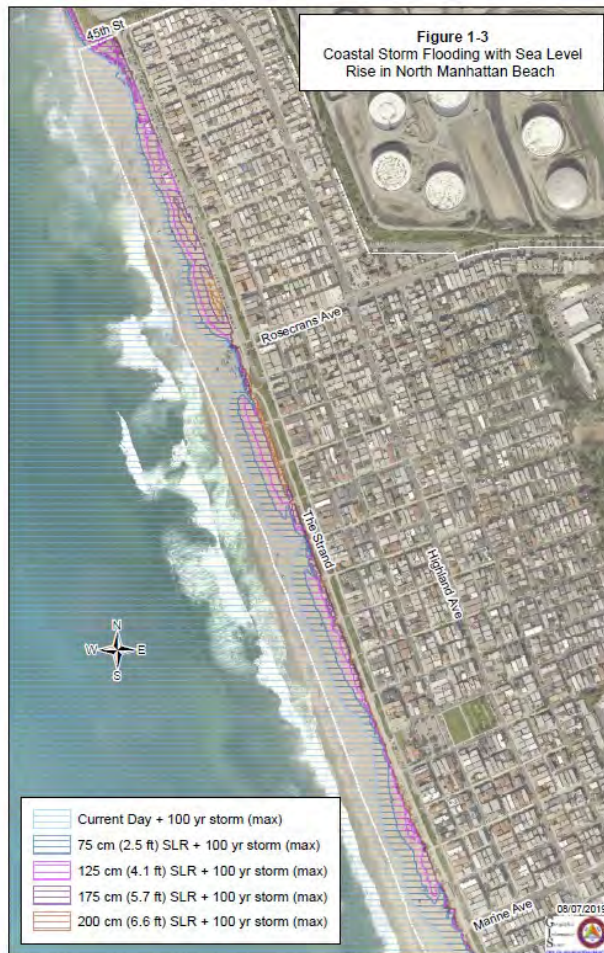
conditions. Five sea level rise scenarios, in addition to existing conditions, were mapped. Figures 1-1 and 1-2, depict areas where daily inundation (i.e., the extent of regular tides that occur day-to-day) could potentially occur in the future with sea level rise; and Figures 1-3 and 1-4 show the maximum modeled flood extent for the 1% annual chance coastal storm flood event (i.e., the upper range of the CoSMoS uncertainty bounds) to better understand the full range of potential exposure. These figures, shown below, are included in the proposed new LUP Section VI: Coastal Hazards (**Exhibit #3**) provide a map of where development standards pertaining to shoreline hazard areas may be applied.



The maps clearly depict that, due to the physical setting of the City (sharp increase in land elevations moving away from the coast), no private development is currently within the identified shoreline hazard areas, only public infrastructure.

The Vulnerability Assessment identified the City's coastal assets in the shoreline hazard areas as: 1) beaches and associated facilities including the Marvin Braude Beach Trail, parking lots, public restrooms, concession stands/beach rentals, beach access points, and lifeguard towers; and events such as popular beach volleyball tournaments; 2) storm drain system and outfall locations; 3) the South Bay Cities' Main Sewer Trunk Line; and 4) other coastal structures. The Vulnerability Assessment also identified vulnerable communities

that experience heightened risk and increased sensitivity to climate change and have less capacity and fewer resources to adapt to or recover from climate change impacts and provided an analysis of socioeconomic impacts and environmental justice concerns.



Figures 1-3 and 1-4 show the maximum modeled flood extent for the 1% annual chance coastal storm flood event, typically known as a 100-year event (i.e., the 100-year storm event is the upper range of the CoSMoS uncertainty bounds) to better understand the full range of potential exposure from an extreme coastal storm. With sea level rise, extreme storm events will cause more dramatic flooding caused by higher water levels from storm surge and ocean waves.

The proposed LUP Section VI: Coastal Hazards is informed by the information gathered in the Sea Level Rise Risk, Hazards, and Vulnerability Assessment and contains sea level rise adaptation policies developed through the City's Sea Level Rise Adaption Plan aimed to proactively address anticipated sea level rise impacts with the goal of updating the LUP to include policies to ensure that adaptation occurs in a way that protects both coastal resources and public safety while allowing for safe development and sustainable economic growth. This process included identifying how and where to apply different adaptation strategies based on Coastal Act requirements, other relevant laws and policies, acceptable

levels of risk, and community as well as statewide priorities. By planning ahead, coastal areas can reduce the risk of costly damage from coastal hazards, can ensure that the coastal economies continue to thrive, and can protect coastal habitats, public access and recreation, and other coastal resources for current and future generations.

Applicable Coastal Act Provisions

The standard of review for LCP LUP amendments is consistency with and ability to carry out the provisions of the Coastal Act. The applicable Coastal Act provisions related to coastal hazards include:

Coastal Act Section 30235 addresses the use of shoreline protective devices:

Section 30235. *Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Coastal Act Section 30253 addresses the need to ensure long-term structural integrity, minimize future risk, and to avoid landform altering protective measures in the future, it states, in relevant part:

Section 30253. *New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. ...*

Coastal Act Sections 30210 through 30224 specifically protect public access and recreation, and Section 30240 protects parks and recreational areas. In particular:

Section 30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212(a). *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. ...*

Section 30213. *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...*

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Section 30240(b). *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Among other things, Coastal Act Section 30233(a) lists seven types of development that are allowed to dike, fill, or dredge open coastal waters. Section 30233(a) states:

Section 30233(a). *The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (1) New or expanded port, energy, and coastal dependent industrial facilities, including commercial fishing facilities. (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps. (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that*

provide public access and recreational opportunities. (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines. (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas. (6) Restoration purposes. (7) Nature study, aquaculture, or similar resource dependent activities.

With regard to public coastal views, Coastal Act Section 30251 states:

Section 30251. *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The Coastal Act explicitly identifies the need to ensure equality and environmental justice and allows the Commission to consider coastal resource issues and impacts through that lens in LCPs and LCP amendments, like this one. The Coastal Act states:

Section 30013. *The Legislature further finds and declares that in order to advance the principles of environmental justice and equality, subdivision (a) of Section 11135 of the Government Code and subdivision (e) of Section 65040.12 of the Government Code apply to the commission and all public agencies implementing the provisions of this division. As required by Section 11135 of the Government Code, no person in the State of California, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, shall be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination, under any program or activity that is conducted, operated, or administered pursuant to this division, is funded directly by the state for purposes of this division, or receives any financial assistance from the state pursuant to this division.*

Section 30107.3. (a) *“Environmental justice” means the fair treatment and meaningful involvement of people of all races, cultures, and incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (b) “Environmental justice” includes, but is not limited to, all of the following:*

- (1) The availability of a healthy environment for all people.*
- (2) The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne*

by those populations and communities.

(3) Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process.

(4) At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

To implement its Coastal Act environmental justice authority, the Commission adopted an Environmental Justice Policy (“EJ Policy”) in 2019 to guide and inform its decisions and procedures in a manner that is consistent with the provisions in, and furthers the goals of, Chapter 3 of the Coastal Act and certified LCPs. The EJ Policy further articulates environmental justice concepts, including stating:

The term “environmental justice” is currently understood to include both substantive and procedural rights, meaning that in addition to the equitable distribution of environmental benefits, underserved communities also deserve equitable access to the process where significant environmental and land use decisions are made.

Thus, the Commission’s EJ Policy underscores the importance of both substance (i.e., evaluating whether projects do or do not disproportionately distribute environmental benefits and burdens) and process (i.e., ensuring that those potentially affected by proposed development have an equitable opportunity to participate in a transparent public process).

Coastal Act Consistency Analysis

Coastal Act Sections 30235 and 30253 acknowledge that seawalls, revetments, cliff retaining walls, groins, and other such structural or “hard” methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, under Section 30235 shoreline protective devices are required to be allowed only to serve coastal-dependent uses or to protect existing (not new or redeveloped) structures or public beaches in danger of erosion (subject to the requirement that adverse impacts to local shoreline sand supply are mitigated or eliminated, and per other Coastal Act sections that other coastal resource impacts are also addressed). In other words, new or redeveloped non-coastal-dependent developments cannot rely on shoreline protective devices in their proposed siting and design, and instead must be located safe from coastal hazard threats without reliance on such devices. The Coastal Act provides these limitations because shoreline protective devices can have a variety of negative impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on- and offsite, ultimately resulting in the loss of beaches.

For consistency with Coastal Act Section 30235, the LUP amendment includes Policies IV.B.1 through B.4 that limit shoreline protection devices and specify which structures are

potentially allowed shoreline protective devices, namely coastal-dependent development and other existing development that is considered as such because it was built prior to the Coastal Act's effective date (i.e., January 1, 1977) and not redeveloped since; and, when shoreline protection may be allowed, the policies specify the requirements and mitigation measures needed to ensure resultant coastal resource impacts are mitigated, including with respect to impacts to shoreline sand supply, public access and recreation, public views, beach ecology, natural landforms, and water quality.

For consistency with Coastal Act Section 30253, Policies IV.C.1 through C.6 require new development to be safe from coastal hazards risk, including as these hazards may be exacerbated in the future due to climate change and sea level rise; For example, Policy IV.C.1 duplicates the language of Coastal Act Section 30253, which requires new development and redevelopment to minimize risks to life and property in areas of high geologic, flood, and fire hazard and to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. Broadly, these policies require new development to be sited and designed to avoid impacts from coastal hazards over the expected lifetime of the development in a manner that does not rely on shoreline protective devices and requires findings based on the best available science and evidence via a required coastal hazards report (Policy IV.C.2 and C.3). Should the development be located in an area that may be subject to coastal hazards, including as identified on LUP flooding/sea level rise maps, then Policy IV.C.4 requires recordation of a deed restriction as a condition of approval that acknowledges: 1) the development is located in a hazardous area or an area that may become hazardous in the future; 2) that sea level rise could render it difficult or impossible to provide services to the site; 3) that the boundary between public tidelands and private land may shift with rising sea levels and the development approval does not permit encroachment onto public trust land; and 4) that additional adaptation strategies may be required in the future to address sea level rise, including acknowledgement that the structure may be required to be removed or relocated and the site restored if other adaptation strategies do not work.

The policies in this section adequately require development to be sited to avoid coastal hazard areas including wave, flooding, and erosion zones as they move inland within the expected duration of the development; require site specific coastal hazards report and sea level rise resilient project design; require applicants for new development and/or redevelopment to waive any rights for that may exist under Section 30253 and to record a deed restriction acknowledging coastal hazards for development on a beach or shoreline subject to wave action, erosion, flooding, or in an area that may become hazardous in the future and that the structure may be required to be removed or relocated and the site restored if it becomes unsafe. In short, the proposed policies adequately require that new development minimize risks to life and property in areas of coastal hazards and prohibits new development or redevelopment that would require armoring to ensure stability at any point during its lifetime.

And, as indicated above, the Coastal Act limits mandatory allowance for new shoreline protective devices to those that are necessary to protect existing structures (i.e., structures built before the Coastal Act's operative date of January 1, 1977 and that have not been redeveloped since), coastal-dependent development, and public beaches subject to erosion. The proposed LUP update mirrors these requirements, including that shoreline protective devices are allowed only to serve a coastal-dependent use or to protect an existing structure in imminent danger from erosion, and only when found to be the least environmentally damaging feasible alternative and when all coastal resource impacts are appropriately and proportionally mitigated. This approach in the proposed LUP update for shoreline protection device allowances is consistent with the allowances dictated by Coastal Act Sections 30235 and 30253.

Overall, the proposed policies intend to maintain the existing character of the predominantly unarmored beach and protect the immense recreational, biological and scenic utility that the wide sandy beach provides through non-structural adaptation strategies. The LUP appropriately responds to the City's shoreline setting, including with policies that seek to retain and protect the City's sandy beaches, while appropriately providing for enhanced habitat restoration, noting that the two are not mutually exclusive. This policy nuance is important and appropriate to help the greater Santa Monica Bay's regional shoreline flourish into the future, particularly in light of the uncertainties wrought by climate change and sea level rise. The City recognizes that visitors from surrounding areas may increase in the future as other regional beaches are lost to erosion. Los Angeles County estimates that the nearby Redondo Beach and Torrance Beach may be completely eroded away by 2100, likely increasing the demand for beach access at Manhattan Beach and neighboring Dockweiler State Beach and Hermosa Beach, which the County estimates may maintain around 200-foot-wide beaches by the end of the century. Importantly, the proposed policies under Section A: Natural Management of Coastal Hazards strongly emphasize non-structural adaptation strategies to protect the City's beaches, including protecting them against the effects of armoring in tandem with sea level rise that is known to 'squeeze' beaches and reduce their areal extent. Here, the City's primary objective is to allow natural processes in this sandy shoreline area to occur without the interference brought by armoring and other shoreline and landform altering development that might otherwise lead to a loss of such beaches and shoreline recreational areas. In other words, the City has prioritized the protection of the City's beaches as a critical LUP objective, recognizing the beach as a major recreational asset with value to the entire region (the City hosts large beach events such as beach volleyball tournaments), recognizing its habitat values for both residents and visitors, and also the way in which it contributes to and defines the City's social fabric and identity.

Thus, the City recognizes and identifies beach dune restoration as their chosen primary adaptation strategy to mitigate against backshore erosion, as well as maintain a wider beach by creating an additional source of sand at the back of the beach and increasing local sand retention. Beach dune restoration can provide greater aesthetic/visual beach quality, ecological, resiliency, and recreational benefits. Policy IV.A.1 emphasizes the need to maximize natural shoreline values and processes and minimize the perpetuation of shoreline armoring. Policies IV.A.2 and A.3 focus on the development and implementation of a beach dune and living shoreline restoration program. As written,

Policy IV.A.2 requires the City “Develop and implement a beach dune and living shoreline restoration program.” The City’s Sea Level Rise Adaptation Plan identifies, explains, and ranks adaptation strategies suitable to the Manhattan Beach shoreline providing the framework for the proposed LUP policies. Beach dune restoration as an adaptation strategy is thoroughly analyzed and considered, however, the term “living shoreline” utilized in this policy is not explicitly defined or analyzed in the City’s Sea Level Rise Adaptation Plan or in this proposed Coastal Hazards Chapter. Therefore, to remove any possible ambiguity regarding what may be referred to as a “living shoreline restoration” in Policy IV.A.2, Commission staff recommends **Suggested Modification #1** to clarify the City’s stated intention (from the Adaptation Plan) to implement a citywide beach dune restoration program as the primary chosen adaptation strategy and, though not mandated to, could also evaluate other “soft” solutions such as living shoreline projects in the future.

Suggested Modification #1:

Policy IV.A.2: ~~Develop and i~~ Implement a **citywide** beach dune and living shoreline restoration program **and evaluate softer solutions such as living shoreline projects.** The continued viability of dune and other coastal habitats shall be provided for by planning for inland migration and/or replacement of habitats lost to sea level rise.

Furthermore, staff recommends **Suggested Modification #2**, a minor modification to Policy IV.A.3 regarding the City’s commitment to beach dune stabilization and restoration that would simply replace the general term “native coastal vegetation” used in the policy language with a more illustrative description of “native southern California coastal dune plant species” to avoid any potential ambiguity.

Suggested Modification #2:

Policy IV.A.3: Stabilize dunes and back beach with the installation and maintenance of drought-tolerant ~~native coastal vegetation~~ **native southern California coastal dune plant species** capable of enhancing dune stability and the removal of non-native vegetation. Development shall be set back from dunes through buffers of sufficient width and design to protect native coastal vegetation from impacts of adjacent uses, including a bike path set back of a minimum of three feet and a beach grooming set back of a minimum of five feet.

Additionally, both Policies IV.A.4 and A.5 underscore the benefits of sand nourishment projects (while requiring protection of water quality and minimization of potential biological and recreational resource impacts) and encourage participation in regional sediment management programs. Policies IV.A.6 and A.7 highlight the importance of restoration of off-shore resources such as reefs, kelp beds, and eelgrass beds and the ecological function benefits to the community they can provide such as providing habitat, allowing for carbon sequestration as well as some attenuation of wave energy. Restoration of reefs

and kelp beds offshore of Manhattan Beach could provide habitat benefits with possible reduction in sand movement downcoast.

The Sea Level Rise Adaptation Plan also ranked the creation/construction of temporary winter sand berms as second after sand dune restoration as an effective adaptation strategy. Temporary winter season sand berms may provide flood protection to existing structures on the beach such as public restrooms during the winter months. Los Angeles County currently builds winter sand berms on other beaches in Santa Monica Bay when their beach assets (such as restrooms) become exposed to winter storm flooding. There is a possibility that due to future sea level rise impacts, the County could expand the program to Manhattan Beach. And although a winter sand berm program is identified as a viable non-structural coastal hazard adaptation strategy in both the Coastal Hazards chapter and the Sea Level Rise Adaptation Plan, the Coastal Hazards chapter lacks an actual policy supporting this strategy. Therefore, staff recommends **Suggested Modification #3** to add such as policy.

Suggested Modification #3:

Policy IV.A.8: Develop and implement, when necessary, a winter season temporary sand berm program that minimizes potential adverse biological, scenic, and recreational resource impacts.

Policies IV.D.1 through D.4 adequately address public access, recreation, and the protection of sensitive coastal resources through hazard avoidance and an emphasis on nature-based SLR adaptation measures. Finally, although not a Chapter 3 policy, the Coastal Act also requires that environmental justice be considered in terms of all coastal resource areas, requires that coastal development does not unduly burden any particular segment of the population with adverse coastal resource impacts, especially those communities that historically have been overburdened by such impacts, and reflects a focus on explicitly requiring fair treatment of all people in the application of the Coastal Act and LCP. As such, the City of Manhattan Beach's proposed Policies IV.A.1 through IV.A.7, Policies IV.B.1 through IV.B.4, and Policies IV.C.1 through IV.C.6 to protect the future of its wide sandy beaches and protect public access to those recreational areas may be viewed through the lens of social equity and environmental justice, as they ensure that the resource remains available to all. Furthermore, the City's proposed Policy IV.E.3 and Policy IV.E.5 ensure its commitment to effective engagement and outreach to maximize public education and participation in City decisions, including those who traditionally have not been able to participate in such processes. Thus, the proposed LUP update's incorporation of environmental justice considerations is consistent with Coastal Act Sections 30013.

With respect to longer-term coastal hazards planning, the proposed LUP is intended to be a living document, both by requiring the best available science when making CDP determinations, but also in terms of additional study and policy analysis over time. Policy IV.E.6 requires the creation of a Shoreline Monitoring Program initiated by the City, in consultation with other regional, state and federal agencies, which would monitor, assess,

and inform the public and City decision-makers about the effects of sea level rise on coastal resources, coastal access, public infrastructure and facilities, and on existing development, in order to identify when Adaptation Plan triggers for further action occur. The proposed policies take a long-term, comprehensive approach to addressing changes to the shoreline from coastal processes, with an emphasis on soft, nature-based protection strategies. As proposed, the LUP policies related to future planning requirements for development in hazardous areas with appropriate mitigation for impacts will ensure that future development minimizes risk and does not, in the long term, rely on shoreline protection, consistent with Coastal Act requirements regarding coastal hazards and the protection of beaches and natural areas along the shoreline.

Conclusion

With the suggested modifications described above, the Commission can find that the coastal hazard policies of the proposed LUP amendment are consistent with and are adequate to carry out the requirements of Chapter 3 policies of the Coastal Act as they provide for community-led resiliency planning and relocation efforts to ensure protection of coastal resources as sea levels rise, limit shoreline armoring, and require robust studies for development proposed in hazardous areas accounting for projected sea level rise..

C. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

As set forth in Section 21080.9 of the California Public Resources Code, the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program (LCP). The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. (14 CCR § 15251(f).) Nevertheless, the Commission is required in approving an LCP submittal to find that the LCP conforms with the provisions of CEQA, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The Commission finds that, for the reasons discussed in this report, the proposed LCP Amendment, with adoption of the suggested modifications listed in Section III of this report, meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act. The Commission finds that approval of the LCP Amendment with suggested modifications will not result in significant adverse environmental impacts within the meaning of CEQA. Certification of the LCP if modified as suggested complies with CEQA because: 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, and 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts which the LCP Amendment may have on the

environment. The Commission finds that the proposed LCP amendment if modified as suggested will be consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.