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FROM: James & Katharine Lockhart

RE: Proposed Development on Vallemar Bluffs Coastal Area, Moss Beach,
San Mateo County, Planning File **PLN2015-00380**

We believe that this project should not be approved as proposed, if at all. There are serious issues of stormwater runoff from proposed houses and paved areas (a) increasing erosion on the site and in the surrounding area; (b) destabilizing the structure of the Vallemar Bluffs, and (c) injecting stormwater runoff onto the Fitzgerald Marine Reserve. A significant part of the proposed development is on a Coastal Prairie, Environmentally Sensitive Habitat Area (ESHA) where residential is not an allowed use and where a buffer zone is needed for protection. The proposed project would deprive the public of access to coastal trails and would block views in a County Scenic Corridor. The land in question has a General Plan designation of Open Space. The legality of the division of the two original parcels (APN 037-086-160 and 037-086-170) into seven parcels (APN 037-086-230 to -290) by Lot Line Adjustment in 1991 has been called into question by San Mateo County Planning Staff and by the California Coastal Commission. We elaborate on these issues below.

A. Accelerated Erosion and Stormwater Runoff into Fitzgerald Marine Reserve

The project as proposed would put more than 25,000 square feet of impervious surface (houses, driveways, and motor courts) over existing soil and vegetation. The property in question contains fragile soil with rapid erosion and low stability. Local Coastal Plan (LCP) Section 9.8, Regulation of Development on Coastal Bluff Tops, states: "(a) permit bluff and cliff top development ...only if the development (including storm runoff, foot traffic, grading, irrigation, ... will neither cause nor contribute significantly to erosion problems or geologic instability of the site or surrounding area." Stormwater runoff from the new impervious surfaces cannot be allowed to flow over the bluff top since that would significantly increase the erosion on the project site as well as on the adjoining bluff top land of the Fitzgerald Marine Reserve. If stormwater runoff from the project buildings and paved areas is captured and placed into dry wells or infiltration trenches, the additional subsurface water flow would daylight on the face of the bluffs (in the Fitzgerald Reserve). The soft bluffs (shown as 'low stability' in the County Geotechnical Hazards Map) would become more quickly and thoroughly saturated than in natural conditions and more subject to failure, even in less intense storms.

Quoting Mr. Carl May in a May 2001 letter to you: " A more massive form of coastal erosion in the form of rather sudden loss of large chunks of bluff could be accelerated by development of the bluffs. As along many soft bluffs in San Mateo County, the bluffs of Vallemar are subject to

massive failure largely due to infrequent storms (of El Niño intensity for example) when the soft material is saturated with water, thus reducing the friction holding the grains of rock together. Near the upper surface...plant...roots help hold the soil and subsurface layers together." Removal and paving over of vegetation could increase the rate of loss of large chunks of bluff.

The Vallemar Bluffs area has subsurface water flowing at rather shallow depth. The proposed grading and setting of foundation pilings for the proposed houses could disrupt this water flow, causing flooding problems for the houses and environmental impacts where the water emerges on the face of the cliffs in the Fitzgerald Marine Reserve. The Reserve prohibits drainage onto its property.

It is hard to see how stormwater runoff could be handled in any way that would not increase erosion, increase subsurface water flow to the cliff faces, and put stormwater onto the Reserve. CEQA requirements mandate special consideration of a project located in an area of severe erosion and within 500 feet of an existing or planned public facility (such as the Fitzgerald Reserve).

B. Proposed Development Intrudes on an Environmentally Sensitive Habitat Area

Botanist Toni Corelli has identified a substantial portion of this Vallemar Bluffs property as a Coastal Prairie, Environmentally Sensitive Habitat Area (ESHA). Houses are not permitted on such an ESHA and there must be a protective buffer zone between houses and the ESHA. This ESHA contains several species of rare plants and is a raptor habitat. Ms. Corelli will submit a report and map to SMC Planning.

C. Deprivation of Public Access to Coastal Trails and Blocking of Ocean Shoreline Views

The proposed project would locate houses too close to the edges of bluff top to allow for long-term preservation of the existing "Strand" coastal trail and the proposed house on Lot A would block an existing coastal access trail from Vallemar St. to the Strand coastal trail. The public has prescriptive easements for use of these trails. LCP Tables 10.1 and 10.2 indicate, from aerial photos (1956, 1965, 1970) the long existence of these trails. Preserving and protecting existing coastal access is a high priority under the Coastal Act and LCP.

The Strand, a heavily-used blufftop access trail, runs along the coast side of this property and must be preserved for the long term. This section of The Strand has been used by thousands of local people for decades for hiking, running, enjoyment of the natural marine environment, photography, and similar recreational purposes. The section of The Strand is a spur route for the California Coastal Trail. (A photograph of The Strand bluffs trail and the connecting trail to Vallemar St. is shown on the California Coastal Trail web site www.californiacoastaltrail.info, San Mateo County Section 4.) Space for the trail must be reserved to account for the projected rate of bluff retreat and loss of the existing trail due to that bluff retreat. USGS estimates an average of more than one foot per year erosion in this area; however, coastal erosion is episodic and many feet of bluff can disappear in a single storm. The Fitzgerald Marine Reserve Master Plan recommends allowing for a coastal bluff retreat of 2 feet per year and establishing a setback zone of 100 feet from the bluff crest.) The proposed houses on lots B and D and part of the proposed house on lot A are too close to the bluff edge to allow for that trail after projected bluff retreat due to erosion and additional bluff retreat due to losing chunks of the bluff as explained in

section A above. The proposed project needs to be located far enough from the bluff edge to allow for such trails for at least the next 100 years. The proposed house on Lot A also needs to be adjusted to avoid blocking the existing coastal access trail between Vallemar St. and the coastal trail on Fitzgerald Reserve land.

The LCP recommends development of "an interpretive trail along the bluff parallel to Vallemar Street." It states: "sign and improve access to the bluff from the end of Juliana Ave. and Wienke Way. This will be the major public access to the bluff. The other trails ...[between] Vallemar St. [and the bluff] should remain open, however." (LCP Table 10.6, p. 10.32.)

The Strand Blufftop Access Trail is perhaps the only local trail to offer open coastal views and access to handicapped and disabled persons. This special set of views and access must be preserved for the longest possible period of time.

Also, the proposed placing of houses close to the bluff edge in a County Scenic Corridor will result in visual impacts in violation of the County's Visual Quality Policies. LCP 8.13 a (5) states: "To the extent feasible, design development to minimize the blocking of views to or along the ocean shoreline from Highway 1 and other public viewpoints between Highway 1 and the sea."

The project as proposed does not appear to comply with LCP-required setbacks for cliff/bluff retreat, does not provide for managed retreat of the Strand Blufftop Access Trail, and appears to violate the County's Visual Quality Policies.

D. Legality of Project Subdivision

The 2.5 acre property (APN 037-086-230 to -290) on which this development is proposed originally consisted of only two APN parcels (037-086-160 and -170). A December 1987 letter from County Planner George Miller to Mario Pelligrini states as follows: "The two parcels [037-086-160 and -170] are zoned RM/CZ and do constitute two separate building sites. The property could not be further subdivided." If this opinion was correct, then there would be at most two legal building sites on the full 2.5-acre property. The property has a General Plan designation of Open Space.

In a letter of Nov. 2001 to planner David Holbrook, Committee for Green Foothills Advocate Lennie Roberts pointed out that "In 1991, the County approved Mr. [Richard] Charnock's application to [subdivide]... using a lot line adjustment process. By using a lot line adjustment process rather than going through a resubdivision process, notice to neighbors and other interested parties was avoided and review of the design of the subdivision for conformity with the LCP and CEQA was precluded." Also, it appears that legal notice of the Lot Line Adjustment proposal was not provided to all owners of adjacent parcels.

Finally, the Coastal Commission's rejection of the appeal to block the boring of test wells on the project site (p. 13, Coastal Commission response to Appeal A-1-SMC-98-049, Nov. 1998) said as follows: "The [Coastal] Commission also notes that there is an underlying issue with regard to the legality of the lot in question and other nearby lots owned by ...Mr. Charnock. These lots were allegedly created by a 'lot line adjustment' in 1991, but may actually require a merger and resubdivision subject to Coastal Development Permit approval....The Commission is putting any subsequent purchasers of these lots on notice to that effect."