

Caitlin Schafer - Fwd: RE: RE: Casserly CDP 2019-0004

From: Vandy Vandewater
To: Caitlin Schafer
Date: 4/30/2020 8:19 AM
Subject: Fwd: RE: RE: Casserly CDP 2019-0004
Attachments: IMAGE.jpeg

>>> "Kraemer, Melissa@Coastal" <Melissa.Kraemer@coastal.ca.gov> 4/29/2020 3:01 PM >>>

Thanks Vandy. We do have recommended conditions that we believe are essential to help bring the project closer to LCP consistency, explained below:

As noted in earlier comment letters from Commission staff, and as confirmed by the applicant's architect, the proposed project is considered "new development" rather than "repair and maintenance" under the County's regulations. The County's LCP requires new development to be setback sufficiently from a bluff edge such that it will be safe from bluff erosion, retreat, landslides, and other geologic hazards for the duration of its economic "life" (typically presumed to be 75-100 years for a new/redeveloped house) so as not to require/necessitate the construction of protective devices. As we've commented to the County on several occasions regarding other bluff-top CDP applications, "protective device" may include any type of stabilization structure that alters a natural landform and natural processes and may consist of above- and/or below-ground infrastructure, including, but not limited to retaining walls, seawalls, caissons, drilled piers with grade beam and tie-back anchors, etc. Such armoring/protection only is allowed to be permitted under the County's LCP in very limited cases – such as when needed to protect coastal-dependent uses or public beaches in danger from erosion – not to protect new residential development such as is the case here.

Even though geologic studies were conducted for the redevelopment project opining that the new development would be safe from geologic hazards for its presumed 75-year life, provided that the geological recommendations in the report are followed, the geologic report acknowledges that the development project even in adherence with those recommendations would still be subject to some geologic risk. This risk is reflected in the 7/17/2018 LACO report "Limitations" section, which states in part:

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The opinions presented in this memorandum are valid as of the present date for the property evaluated. Changes in the condition of the property can occur over time, whether due to natural processes or the works of man, on this or adjacent properties. In addition, changes in applicable standards of practice can occur, whether from legislation or the broadening of knowledge. Accordingly, the opinions presented in this memorandum may be invalidated, wholly or partially, by changes outside our control. Therefore, this memorandum is subject to review and should not be relied upon after a period of 3 years, nor should it be used, or is it applicable, for any property other than that evaluated. This memorandum is valid solely for the purpose, Site, and project described in this document. Any alteration, unauthorized distribution, or deviation from this description will invalidate this memorandum. LACO assumes no responsibility for any

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This language in the report itself is indicative of the underlying uncertainties of this and any geotechnical evaluation and supports the notion that no guarantees can be made regarding the safety of the proposed development with respect to bluff retreat and geologic stability. Because the subject site is an inherently hazardous piece of property, and coastal bluffs at and around the site are naturally erosive and unstable, it's possible that the proposed development project could be subject to geologic hazards and someday require a bluff protective device, which would be further inconsistent with the County's LCP.

Therefore, to bring the project closer to LCP consistency, we recommend adding conditions (a) to prohibit the future construction of shoreline protective devices on the parcel should the house become threatened in the future, (b) to require that the homeowner provide a geotechnical investigation and remove the authorized structure and its foundation if landslide or bluff retreat reaches the point where the permitted structure(s) and associated accessory development is threatened, and (c) to require that the landowners accept sole responsibility for the removal of any structural debris resulting from landslides, slope failures, or erosion of the site. We note that the County commonly includes this type of conditions on blufftop development projects (e.g., see the Schaffer CDP application on the same CPA agenda).

We appreciate the opportunity to comment and let us know if you have any questions.

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