

NEWS > ENVIRONMENT

Coastal Commission denies Dana Point seawall despite landslide risk

The state agency takes one its strongest votes yet in favor of nature over homes.



At the beach beyond the coastal walkway in the foreground, a much larger replacement rock barrier has been proposed to protect the multi-million dollar homes above it in this photo of Dana Point's Strand Beach taken on Tuesday, Feb. 11, 2020. But despite the threat of landslides, the Coastal Commission rejected the plan in part because of the loss of beach it would cause. (Photo by Jeff Gritchen, Orange County Register/SCNG)

By **MARTIN WISCKOL** | mwisckol@scng.com | Orange County Register

In an environmental clash of past and future, the state Coastal Commission has denied approval of a massive new seawall-type barrier on Dana Point's Strands Beach even though the agency's own geologist said it would leave the multi-million dollar homes on the bluff above in danger of landslides.

Commissioners said they were concerned that the plan would result in a loss of beach to benefit wealthy homeowners at taxpayer expense. They also complained that the public had been inadequately notified of the proposal, and objected to some details of the seawall construction and mitigation.

In its unanimous vote late Thursday, Feb. 13, the commission also signaled that an alternative proposal should be brought forward to address the unstable bluff. But the agency previously rejected a 2012 version of the quarter-mile long wall, and those on the commission dais doubled down against the latest plan, which would stack 4-ton boulders 15 feet to 18.5 feet farther onto the beach than the much smaller existing structure.

"All of us up here have spoken about the preciousness of our beaches and our terror at their loss," Commissioner Donne Brownsey said at the meeting in Long Beach's City Council Chambers.

"(This) is what I consider a handful of homes compared to a large number of people who recreate on that beach and enjoy nature there. The public deserves better."

The decision is one of the most dramatic signs yet that the state commission favors the protection of natural coastal assets over protection of private property.

The Coastal Act of 1976 bans seawalls and similar structures for new construction or major remodeling. With some 60 of the homes in the Niguel Shores neighborhood sitting atop a massive landslide complex, support at the base of the bluff is essential to protect the cliff from collapsing, according to geologists involved with the project.

Seawall drama in Dana Point

A proposal for a larger replacement seawall on Dana Point's Strands Beach was rejected by the state Coastal Commission on Thursday, Feb. 13, 2020 despite concerns that the Niguel Shores neighborhood on the bluff above was in danger of a landslide.



Source: California Coastal Commission photo by Jeff Gritchen SCNG

JEFF GOERTZEN SCNG

Because the homes were mostly built in 1969, they preceded the Coastal Act. But while the homes continue to be exempt from the seawall ban, any modification to the structure must get commission approval.

Current coastal policy favors letting such bluffs to erode naturally, allowing both the beaches and rising seas to migrate landward. That approach also serves the Coastal Commission's mission of preserving beaches for public use. Commission staff reported that loss of sand at Strands Beach — the bigger structure would also lead to the loss of sand — would eventually amount to half the size of an NFL field.

What eventually will happen with the Niguel Shores bluff remains uncertain. But with sea level rise beginning to make its landward march obvious, the commission increasingly will be in a position of deciding the balance between nature and urbanization.

"This is a lens into what is happening to California as a whole," said Stacy Blackwood, director of OC Parks, after the meeting. "People are at risk of losing their homes. Who is responsible? That is the fundamental question."

Taxpayer money at work?

Blackwood was at the center of the storm at Thursday's meeting, thanks to a collection of agreements that leaves the county responsible for shoring up the base of the bluff even though the hillside is the property of those who own the homes above.

In 1971, the county signed a deal with the developer finalizing terms for the new neighborhood. A subsequent lawsuit by the Niguel Shores Community Association resulted in a court-ordered settlement putting maintenance of the bluff's base in the county's hands.

With commission staff recommending approval of the county's proposal for replacement boulders, it appeared that the county would be on the hook not only for the cost of the new structure — estimated at roughly \$10 million — but also \$14.8 million in mitigation fees to be paid to the state.

One of commissioners' concerns was that there was no other beach in the area that could be bought or restored with the mitigation fees, and that once the sand was gone the region would have a net loss of beaches forever.

"We're not trying to deny this is a more massive structure," Blackwood said in response to commissioners. "I wish we could take it away. I wish we could provide more beach. But we have a mandate to do this."

When the commission rejected the earlier proposal, in 2012, it told the county to return with a plan that set the rocks as far landward as possible. The county also wanted the new plan to include a public walkway atop the structure, and to build the structure high enough to protect the bluff from big waves.

The plan presented Thursday included all of those features. Both Blackwood and commission staff said it was the best and least obtrusive option — and necessary to help ensure against future landslides, according to commission geologist Joseph Street. He noted that landslides in 1977 and 1978 resulted in the loss of six undeveloped lots at Niguel Shores.

In rejecting the latest proposal, the commission offered no specific direction as to what exactly it wanted to see in a future plan, although individual commissioners variously called for more public outreach and an exploration of other alternatives to both the seawall and to mitigation.

Some commissioners also said they wanted the homeowners association to be party to any future modification to the seawall. While Blackwood explained

the county's legal obligation, California Deputy Attorney General Jamee Patterson told the commission she would explore possible ways to obligate the association to be a signatory to the project.

Meanwhile, an attorney for homeowners in the Niguel Shores Community Association, pointed out a possible irony of the commission rejecting any new fortification of the bluff.

"If there were to be a landslide, it would end up right across this beach," lawyer Fred Gaines told the commission.

Hungry for beaches

The Surfrider Foundation was among environmental groups calling for denial of the plan. Members of the advocacy group were joined by several Dana Point residents, including 10 seniors from the area's high school, Dana Hills High.

"We're super, super happy seeing the Coastal Commission taking such a strong stance for coastal protection," said Surfrider's Mandy Sackett following the meeting. "It's a good win for now."

And for the next steps in addressing the bluff?

"Maybe there's an alternative we haven't thought of yet," she said. "Maybe there's more data on the geology."

Blackwood told the commission that the county would be monitoring to the stability of the bluff more closely and noted that the county eventually could be forced to apply for emergency protection for the bluff. In 2017, the commission approved an emergency seawall at San Onofre State Beach to protect a parking lot. In 2018, it approved emergency seawall for Capistrano Beach.

After the meeting, Blackwood said she would be meeting with commission staff to see if it would be possible to proceed with a new plan to support the bluff.

The beach below Niguel Shores is currently underwater during winter high tides, thanks in part to the seasonal loss of sand that returns in the summer. However, with the broader structure proposed — coupled with sea rise — the beach could one day be flooded during average high tides in the summer as well, according to the commission staff report.

"Strands is something my father grew up with, that I grew up with and that I hope my children will grow up with," said Alex Heneghan, who graduated from Dana Hills High School last year.

"If we keep building out, there will be nothing to pass on."

[Newsroom Guidelines](#)

[News Tips](#)

[Contact Us](#)

[Report an Error](#)

 **The Trust Project**

Coast Lines

Sign up for our new email newsletter, **Coast Lines**, that is all about what's happening, changing and important along Southern California's coast.

Enter your email to subscribe

SUBSCRIBE

Tags: **Environment, Top Stories OCR**



**This Is the Only
Small SUV to Win the**