

CALIFORNIA COASTAL COMMISSION

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Governor's Office of Planning & Research

September 28 2021**STATE CLEARINGHOUSE**Delivered via electronic email: HaskellC@scrra.net

**Re: Serra Siding Extension Project
Coastal Commission Staff Comments on Notice of Preparation
State Clearinghouse No. 2021020118**

Dear Chris Haskell:

California Coastal Commission (Commission) staff appreciate the opportunity to review and provide comment on the Notice of Preparation (NOP) for the Southern California Regional Rail Authority's (SCCRA) Serra Siding Extension Project ("Project") in the City of Dana Point, Orange County. We also would like to acknowledge the significant collaboration that has already taken place to date between interested stakeholders, and several local, regional, and state agency representatives, in the development of this significant transportation project. Given the inherent challenges of medium and long-term climate change risk factors, as well as immediate issues of public access to, and conservation of, coastal resources in the Project area, there is a need for proactive, risk-based planning that ensures the continued operation of the regional and state commuter and freight rail systems alongside mitigation of negative environmental impacts along the coast. Moving forward, Commission staff are interested in collaborating on issues of mutual concern and in offering comments and suggestions on the coastal alignment through Dana Point and other SCRRRA/Orange County Transportation Authority (OCTA) areas. The Commission will provide further feedback upon publication of the Draft Environment Impact Report (DEIR), in anticipation of a future coastal development permit (CDP) for the proposed Project.

Commission Staff Comments**I) Consistency with Relevant Policies**

The NOP states that the proposed Project involves the construction of various new rail infrastructure. Section 30253 of the Coastal Act sets forth parameters on what new developments can and cannot do as to minimize adverse environmental impacts. As it applies to this Project, Section 30253 states, in summary, that new developments shall do the following:

- a) *Minimize risks to life and property in flood prone areas;*
- b) *Assure stability and structural integrity, and neither create nor contribute significantly to erosion, or geologic instability, and not alter natural landforms along bluffs and cliffs;*

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- c) *Be consistent with an air pollution control requirements;*
- d) *Minimize energy consumption and vehicle miles traveled; and*
- e) *Protect unique communities that are popular recreational destination points.*

Each of the aforementioned subsections is discussed by the Commission staff's comments below where applicable. Please ensure the DEIR addresses this crucial section of the Coastal Act in full.

Furthermore, in keeping the Project consistent with all aspects of Coastal Act Chapter Three policies, the DEIR should further detail and make coastal-related findings for the Project site. In particular, it would be important to reference current and future characteristics of the site of the proposed siding extension, as well as its anticipated effects on the rest of Dana Point's Coastal Zone. In this discussion, the DEIR should additionally examine the policies of Dana Point's 1996 Local Coastal Program (LCP), as well as assess cumulative impacts of other nearby concurrent projects, such as the Doheny Village Zoning District Update Project, and other developments near Monarch Bay and Dana Point Harbor.

II) Sensitive Wildlife or Habitat Areas

As the development spans approximately 1.2 miles through the Coastal Zone, the DEIR should address impacts and mitigating actions to nearby environmentally sensitive areas, which are defined by the Coastal Act as follows:

Section 30107.5 (Environmentally sensitive area)

“Environmentally sensitive area means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.”

The Coastal Act specifies that for developments near environmentally sensitive habitat areas (ESHA):

Section 30240 (Environmentally sensitive habitat areas (ESHA); adjacent developments)

“(a) ESHA shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to ESHA 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.”

Therefore, of particular concern is the alignment near San Juan Creek, a historic steelhead stream. In agreement with comments made by the California Department of Fish and Wildlife (CDFW) on March 9, 2021, the Project should minimize impact to special status species along the San Juan Creek corridor, and in addition, shall minimize work during and after construction that would potentially degrade habitat areas. In addition to the adverse impacts and environmental hazards that CDFW references, the Coastal Act asks that DEIR explicitly account for, and analyze concrete ways to optimally maintain, the water quality, hydrology, and ecology of local streams:

Section 30231 (Biological productivity; water quality)

“The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.”

III) Coastal Hazards Analysis

A) Climate Change (Sea Level Rise) Analysis

Sea Level Rise

The Commission’s [Sea Level Rise Policy Guidance](#) discusses sea level rise projections under three scenarios: low risk aversion, medium-high risk aversion, and extreme risk aversion (H++). These scenarios, which are adapted from the Ocean Protection Council’s (OPC) 2018 [Sea Level Rise Guidance Update](#), represent the current best available science regarding sea level rise for the State. Both guidance documents recommend analyzing the medium-high scenario for projects with greater consequences and/or a lower ability to adapt, and the H++ scenario should be used for projects with little to no adaptive capacity that would be irreversibly destroyed or significantly costly to repair, and/or would have considerable public health, public safety, or environmental impacts should that level of sea level rise occur. Such projects include critical infrastructure such as wastewater treatment plants, roadways, and railways.

In order to understand the full range of vulnerabilities to the proposed rail corridor, Commission staff strongly recommend analyzing the medium-high and H++ risk aversion sea level rise scenarios over a range of time periods, including the expected life of the project. Additionally, Commission staff recommend analyzing a variety of sea level rise adaptation strategies, including protection options such as nature-based methods, accommodation strategies, and relocation. As this proposed project is located in a vulnerable location within the City of Dana Point, analyzing a range of sea level rise scenarios along with a suite of adaptation strategies will better inform a long-term, phased adaptation approach. A phased adaptation approach may allow for interim adaptation strategies to maintain the rail corridor in place while future realignment plans are evaluated and potentially pursued.

Commission staff also recommend that 100-year storm and king tide conditions be considered. SCRRA should analyze the potential impacts of a sea level rise and storm scenario in excess of its highest scenario estimate. The impacts of climate change are projected to increase both the frequency and intensity of extreme storms, and therefore predictions for these events, including specific references to El Niño should be included in the DEIR’s hazards analysis [Section 30253 (a)]. More specifically, we recommend the analysis include an additional projection of 9.8-10 feet—and analyze the cumulative effect of a 100-year storm event and

king tide conditions—to better understand the consequences of a scenario more severe than the pending highest sea level rise scenario estimate.

Commission staff also suggest that adding information on state and local planning processes underway to address climate change impacts from sea level rise and other hazards. For example, the Commission is working with several cities in Orange County, including Dana Point and San Clemente, to update their LCPs to account for climate change impacts, especially from sea level rise. These jurisdictions are all grappling with adaptation strategies to address impacts to their infrastructure, roadways, rail, and trails. Additionally, Caltrans is working on a Vulnerability Assessment and Adaptation Prioritization for its infrastructure in Orange County. It is important to acknowledge these efforts and ensure the Project is planned with awareness of the adaptation strategies being implemented by other jurisdictions. This is particularly important for facilitating the necessary linkages between land use and transportation adaptation planning along the coast. If relocation of the rail corridor is planned as a future adaptation strategy, it will need to be referenced in LCPs, and will require coordination with local governments.

Coastal Erosion and Cliff Retreat

The report should analyze the future impacts of erosion and cliff retreat along Coast Highway, on the rail corridor, and on the beach [Section 30253 (b)].

We recommend this section include additional discussion of the costs and benefits associated with long-term maintenance of shoreline protection in these areas, as well as the importance of monitoring of adaptation triggers that support consideration of different adaptation strategies over time as sea levels rise. The report should include other real-life examples from Dana Point (or San Clemente), identifying emergency permits and costs associated with repair and maintenance of the stretch of railway, and how they might approach weighing costs and benefits of continuing business-as-usual versus establishing triggers for implementing different adaptation strategies into the future.

B) Coastal Impacts Analysis

The NOP states that based on current estimates, 1,200 linear feet of retaining wall measuring 4 to 15 feet in height will be placed along the beach-adjacent portion of the rail alignment, where required. While Section 30235 (Construction altering natural shoreline) of the Coastal Act provides that retaining walls (or similar structures such as coastal armoring, rip-rap, or seawalls) shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, Sections 30212 and 30253(b) discourage new shoreline armoring where possible. Therefore, the DEIR should address why the proposed retaining wall is the most feasible or least environmentally adverse option, and it should include additional details, such as where the retaining wall is necessary, its needed length, and if any mitigating actions will be taken to protect and enhance coastal resources impacted by the wall (Section 30235).

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Section 30253(b) is especially focused on shoreline sand supplies and the continued natural movement or delivery of sediment and nutrients in the littoral zone; the DEIR should closely examine whether the proposed retaining wall would contribute beneficially or detrimentally in this aspect. Any adaption strategies that include armoring must include such analysis to mitigate for beach loss, natural sand supply deposits from coastal bluffs, and restrictions in public access and recreation that may occur with the placement of rip-rap and other structures. The alternatives explored in the DEIR must additionally describe how OCTA plans to protect and maintain existing Coastal Act resources such as sandy beaches, public access, and recreation and any opportunities to enhance beach resources and public beach access throughout the Project site [Section 30253 (e)]. Additionally, a visual analysis of the any shoreline armoring must be undertaken to ensure that impacts to public views of the coast are minimized.

Finally, Commission staff recommend that the Project plans identify site-specific conditions that make segments of the rail infrastructure potentially vulnerable to coastal hazards under short, medium, and long-term time periods. Conditions that should be evaluated, include, but are not limited to the following:

- Open ocean-facing versus protected;
- Predominant direction of wave attack;
- Geological conditions;
- Manmade development affecting the site (existing breakwaters, rip-rap, seawalls);
- Historic beach/bluff profile information from satellite imagery; and
- Transportation and traffic considerations (automobile, pedestrian intersections).

Different short-term and medium-term adaptation strategies may be appropriate for different segments, depending on this analysis. The short, medium, and long-term adaptation alternatives should address the following: planning for sea level rise, security of operations, maintenance costs, and public benefits of reuse of existing rail infrastructure and space. The long-term adaptation alternatives scrutinized in the DEIR must also include analysis of multiple relocation options, including alignments, station location options, proximity to the built environment and natural resources, and costs. The cost-benefit analysis should convincingly demonstrate that the greatest intended benefit will be achieved for the least harm or cost, as applicable.

C) Public Access

Chapter 3, Article 2 (Public Access) of the Coastal Act sets forth how developments in the Coastal Zone need to address Public Access of coastal resources. Please take note of the expansive nature of Section 30211 (Development not to interfere with access), and also note Section 30212 (New development projects), with specific attention to Section 30212 Subsection 3 regarding replacing existing development with larger structures, and Section 30212 Subsection 4 for reconstruction of existing retaining walls seaward of the structure to be replaced.

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The DEIR should address how the Project impacts public access, including along the replacement track, new siding, control points, bridge, and retaining wall. We recommend that plans include additional references to, and discussion of, public access and multimodal transportation design opportunities along the alignment. For example, public access, such as a pedestrian railway crossing, should be strongly considered for the reconstructed Pacific Coastal Highway (PCH) overpass bridge. Consideration of enhancements should be made for this portion of the alignment through the addition of bike lanes and pedestrian walkways to increase accessibility from Doheny Beach to the PCH corridor itself (and thereby to Doheny Village). In a case where such improvements are considered, the incorporation of a cumulative impacts analysis with regards to nearby development (e.g., Doheny Village Zoning District Update Project) shall be strongly encouraged per Section 30250(a) of the Coastal Act.

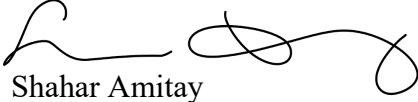
The NOP references increased frequency of passenger trains along Metrolink’s rail corridor, and although increased ridership along the coast will be beneficial to increasing passengers’ public access to coastal resources, Commission staff are concerned increased rail activity may be detrimental to non-passenger public enjoyment due to heightened noise, pollution, greenhouse gas emissions [Section 30253 (c), (d)], physical obstruction (Section 30211 Development not to interfere with access), and visual obstructions (Section 30251 Scenic and visual qualities).

In order to mitigate those environmental impacts, SCRRA should analyze mitigation strategies that incorporate existing and future planned initiatives for the Project area. For example, the vision for the California Coastal Trail (CCT) is a continuous interconnected public trail system along the California coastline; it is designed to foster appreciation and stewardship of the scenic and natural resources of the coast and serves to implement aspects of Coastal Act policies promoting non-motorized transportation. The Project DEIR should reference in detail this initiative and others that are relevant for the area. For instance, currently, the Project crosses over a “Secondary” CCT segment at PCH, and the Project is just east of the “Main” trail and “Beach” or “Shoreline” segments. The DEIR could discuss how development in the Project area impacts the CCT and scenic views. Additionally, the DEIR could explore how future investments in more resilient multimodal transportation infrastructure could be further interwoven within the Coastal Zone. As such, the DEIR would tangibly highlight how several mitigation strategies and alternatives could lessen the environmental burden for the Project site and its immediate vicinity where feasible.

Please note that the comments provided herein are preliminary in nature. More specific comments may be appropriate as the Project develops and site-specific plans are assigned. Commission staff request notification of any future activity associated with this Project or related projects. Additionally, the comments contained herein are those of Commission staff only and should not be construed as representing the opinion of the Commission itself. Thank you again for the opportunity to comment on the NOP. We look forward to future collaboration on preservation of coastal resources within the South Coast region. If you have any questions or concerns, please do not hesitate to contact us at the Commission’s Long Beach office.

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Sincerely,



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Environmental Services Intern

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