

Coastal Commission questions beachfront repairs in Oceanside



The California Coastal Commission is reviewing the City of Oceanside's exemption of a permit for construction work done to a beachfront revetment, also known as riprap. Photo by Samantha Nelson

by [Samantha Nelson](#) March 10, 2021 2889

OCEANSIDE — A state coastal management agency is reviewing a city-granted permit exemption for work completed on several beachfront properties along South Pacific Street.

In recent weeks, construction work has taken place on a revetment — a retaining wall made of large boulders made as protection against coastal waters — located at 1200 to 1213 S. Pacific Street in Oceanside.

The work included importing new rock and sand using heavy construction equipment to reinforce the revetment, also referred to as a “riprap,” to support the sandy backyards of several beachfront homes.

According to the California Coastal Commission, a permit is required when there is a replacement of 20 percent or more of the materials of an existing structure with new materials.

The Coastal Act requires permits for the repair and maintenance of seawalls or other shoreline work to existing revetments, but some work can be exempt. Oceanside’s Local Coastal Program (LCP) is unique because it allows the city to exempt certain types of coastal repair and maintenance work, an authority most cities don’t have.

Deputy City Manager Jonathan Borrego said the city has historically interpreted that particular provision in its LCP ordinance as allowing up to 20 percent of new material that matches the current material to be brought in to repair damaged or missing revetments.

“That’s been a consistent disagreement we’ve had with the Coastal Commission,” Borrego said.

The same issue came up in spring 2019 when the city worked with the beachfront property owners on repairs made to the revetment. Back then, the Coastal Commission sent a letter reminding the city that state permits on repair work are still required if construction equipment needs access to the public beach.

Borrego said the more recent work that the city exempted from a permit was to repair damage on the revetment left by a storm in late February. Most of the work involved replacing lost sand and smoothing out the top of the homes’ backyards, filling some voids left by shifting rock and repairing a sinkhole that developed fairly close to one of the homes.

He noted that the sand was clean sand brought from elsewhere and not from the city’s public beaches, as some rumors have suggested.

“You cannot scoop sand off the beach, that’s definitely not something permitted and did not happen,” Borrego said.

According to the Surfrider Foundation San Diego County chapter’s [Beach Preservation committee](#), these beachfront property owners have built their own private beach by building and expanding the riprap that protects it, and in doing so are chipping away at the already narrow public beach access.



The city said the work was to repair damage made to the revetment from a recent storm while local activists argue that the property owners are taking more public beach access away for themselves. Photo by Samantha Nelson

“They keep moving rock to the same location, and the beach gets narrower while their backyard stays the same,” said Jim Jaffee, co-lead of Surfrider’s Beach Preservation committee.

Surfrider and other local residents have been protesting the work done along beachfront properties for the last two years.

Jaffee explained that a permitting process is necessary so that potential negative impacts can be avoided and to keep the public informed about what is potentially happening to their beaches.

“If you fix the beach on an eroding coastline with a hard structure, you will lose the beach in front of it — that’s why there’s a need to study the impact of any mitigation,” Jaffee said.

Following the necessary permitting process is also the law, Jaffee said, adding that the work done to the riprap is illegal because it wasn’t permitted.

Surfrider sent a letter to the Coastal Commission in February 2020 stating its concerns with the construction activity and asking the commission to clarify its position with the city about permitting procedures.

Then in March 2020, the commission sent another letter reminding the city that permits are required for repair or maintenance of riprap with mechanical construction equipment within 20 feet of coastal waters, and that the work in 2019 should not have been exempted from a permit.

On Friday, March 5, the Coastal Commission notified the city that it would be reviewing its decision to grant a permit exemption for the revetment repairs.

Jaffee said a stop-work order was issued but the contractors ignored it and kept working through the weekend. According to Borrego, there was never a stop-work order sent to the city.

“We did not receive a stop-work order and if we had, we would have made sure work was stopped,” Borrego said. “A stop-work order has teeth.”

Coastal Program Manager Diana Lilly told Oceanside Principal Planner Russ Cunningham via email that the commission’s executive director had invoked a “Dispute Resolution for Local Permit Processing Procedures” to review the city’s determination that the project was exempt. She said, “no further work should occur until the dispute is resolved.”

The city interpreted that as a request and not as a demand, though Borrego said the city notified the property owners of what the Coastal Commission had sent.

Work was almost complete by then, and by the following Monday, everything was finished. The Coast News checked out the site on Tuesday morning and while the backhoe remained on the property, there was no active construction work happening at the time.

One [local news outlet](#) compared two images of the site as “before and after” the revetment repairs over the last two years. The “before” picture depicts a sandy beach at the site while the after picture, which is present-day, shows a rocky beach with virtually no sand and a tall riprap. The picture’s caption states that the photo was taken in March 2019, but The Coast News discovered the image is actually a Google Maps street view screenshot taken in March 2014.

Oceanside has been struggling with sand retention for some time now, and Borrego noted that there is usually more sand along the beach in late summer. He explained that sand is pushed up onto the beach and covers the small rocks along the beach as well as much of the revetment.

Borrego also clarified that a rumor suggesting the base of the revetment had been expanded wasn’t true either.

“When they bring in additional rock, it is limited to no more than 20 percent and is stacked in place on the existing rock and used to fill holes,” Borrego said. “It does not allow for the expansion of the revetment base.”

When it comes to repairing revetment, the city feels that this is improving coastal access rather than impeding it.

“If sections of revetment are not being maintained, big boulders tumble down onto the sand which really impedes pedestrian access,” Borrego said.

Borrego said the city plans to work with the Coastal Commission to resolve this dispute over permit exemptions with the hopes that the same issue won’t come up again.