



After a storm collapsed 20 feet of bluffs in 2016, owners of a 4-unit apartment building, left, and a 10-townhome complex, right, on Mirada Road in Half Moon Bay, shown here on Thursday, Dec. 7, 2023, asked the California Coastal Commission for a permit to build a 257-foot concrete sea wall. The commission said no, and the ensuing lawsuit could affect billions of dollars of property and hundreds of public beaches along California’s shoreline.(Jane Tyska/Bay Area News Group)”



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Raging storms brought major damage to California’s coastline last winter. They washed out West Cliff Drive in Santa Cruz, smashed the Capitola Wharf, burst levees on the Pajaro River in Watsonville, flooded the Santa Barbara airport, and sent two tornadoes barreling into Los Angeles.

Most of the destruction is largely repaired now, or at least under construction. But at the end of a quiet residential street in Half Moon Bay, a different kind of coastal upheaval is gaining momentum — one that could decide the fate of billions of dollars of property and affect hundreds of public beaches from San Diego to the Oregon border as rising seas pose a growing threat to the state’s beloved 1,100-mile coastline.

In 2016, a severe storm caused 20 feet of bluffs to collapse into the ocean in front of Casa Mira, a complex of 10 townhouses that sits on Mirada Road about two miles north of downtown Half Moon Bay. Worried their homes were in imminent danger, the owners obtained an emergency permit from the California Coastal Commission to put down boulders, called riprap, along the crumbling shoreline to block the waves from causing more damage.

“We were just trying to protect our property,” said Paula Skinner, who lived there at the time. “If we couldn’t do anything, it would fall into the ocean.”

Skinner, a former Los Gatos physical therapist who bought her townhouse in 1987, and the other members of the Casa Mira Homeowners Association spent \$210,000 on engineering studies looking for a permanent solution. They applied to the Coastal Commission, asking to build a 257-foot concrete sea wall.

“Up until that storm we had no problems,” Skinner said. “It was a gorgeous place to be. I always felt I’d like to die there. I could look out on the ocean from my living room and bedroom.”

The Coastal Commission staff [recommended](#) the project be approved. Even though the agency has been granting fewer sea wall permits in recent years, saying that they can cause erosion on public beaches, the \$5 million sea wall would protect a section of the popular California Coastal Trail and a sewer line, the staff said. And the homeowners agreed to pay for park benches, signs and bicycle racks on the trail, along with a staircase to the beach to improve public access.

homeowners sued the Coastal Commission and won when it wouldn't let them build a sea wall, and the case is now on appeal. (Jane Tyska/Bay Area News Group)" In July 2019, they drove four hours each way to the Coastal Commission meeting in San Luis Obispo, then waited nine hours for their item to come up on the agenda.

To their shock, the commissioners said no.

Delia Bense-Kang, an advocate with [the Surfrider Foundation](#) environmental group, testified that the project would "set a terrible precedent" and that "managed retreat," a technique where homes are either moved back or removed entirely, was a better option. The commissioners agreed.

[They voted](#) to only allow 50 feet of sea wall to be constructed in front of an adjacent four-unit apartment building and said the Casa Mira Homeowners couldn't have a sea wall.

"Sea walls eat away at the beach," said the commission's chairwoman, Dayna Bochco, an attorney and former L.A. TV executive. "So someday as this keeps moving in and in, you are going to lose that beach if you have that sea wall. I think it's anti-access."

A few days later, the commission's executive director, Jack Ainsworth, told the homeowners they had to remove the boulders also, essentially leaving the townhouses defenseless against the next storm.

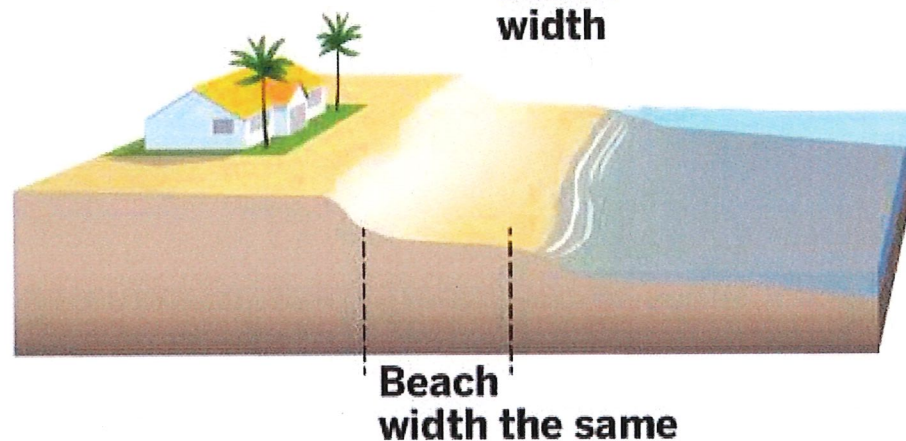
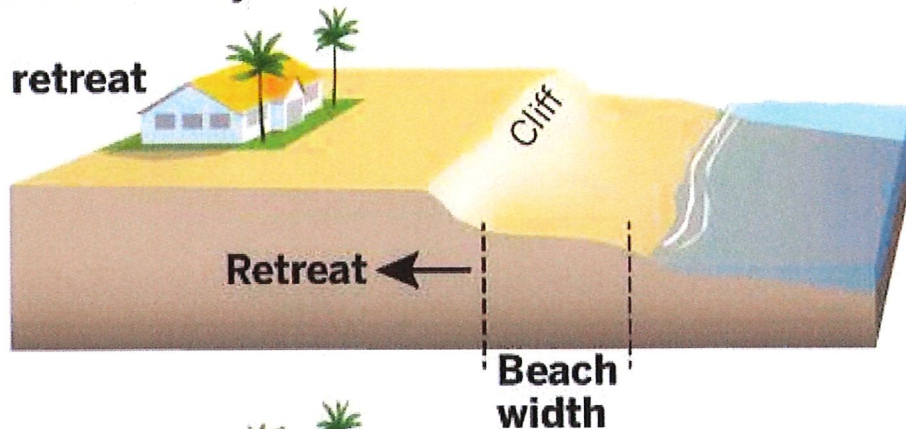
"We were totally frustrated," Skinner said. "We were angry. We felt defeated."

HOW SEAWALLS CAN THREATEN BEACHES

Manmade seawalls are seen as protection from the ocean, but they can decrease or destroy beaches. Here's how:

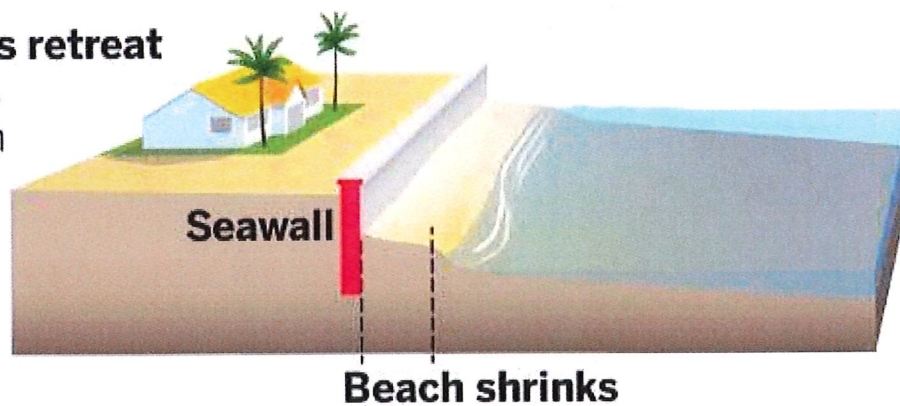
Normal beach retreat

As a shoreline naturally erodes and retreats further inland, the width of the beach is maintained by waves bringing in sand and by cliff erosion.



Seawall blocks retreat

A wall prevents the beach from retreating naturally. The replenishment of sand is disrupted — causing the beach to erode and eventually disappear. Wildlife habitat is also impacted or lost.



The lawsuit

The homeowners sued. In a ruling finalized in July, they won.

San Mateo County Superior Court Judge Marie Weiner [ruled](#) that the Coastal Commission violated the state's landmark Coastal Act by failing to balance the need to protect the environment and private property rights.

The key to the case: The Coastal Act, approved by state lawmakers in 1976, says that the commission "shall" issue permits for sea walls and other types of armoring to protect "existing structures." But the Coastal Commission's attorneys argued that "existing structures" only means those that were constructed before Jan. 1, 1977, when the law took effect.

The 4-unit apartment building at 2 Mirada Road, perched precariously on the oceanfront, was built in 1972, so it got a sea wall permit. The townhomes were built in 1984, so they did not.

In a blistering ruling, the judge said the commission was wrong.

"It is the Respondent's position that the Coastal Act should be interpreted such that all seaside homes and buildings constructed after 1976, if endangered by erosion, should be allowed to fall into the sea and be destroyed," Weiner wrote, calling that position an "erroneous and unreasonable" misreading of state law.

In September, the commission appealed.

The case has caused a tsunami of interest among lawyers, regulators, researchers and environmentalists.

If the property owners win — and the case could eventually land before the state Supreme Court — it could reverberate up and down the California coastline, forcing the state to either allow people to build seawalls and other protective structures or else pay property owners millions of dollars per building to tear down or move homes and businesses in jeopardy of being washed away.

"This is an extremely significant case," said Jeremy Talcott, an attorney with [the Pacific Legal Foundation](#), a Sacramento group that has sued the commission over property rights issues for years. "It addresses the question of which coastal landowners are entitled to protection of their private property under the Coastal Act when sea level rise begins to threaten their homes." Current Coastal Commission staff won't discuss the case, because it is pending litigation. But the commission's former executive director agreed it has the potential to be a landmark.

"If the Coastal Commission loses," said Charles Lester, the agency's chief from 2011 to 2016, and now a researcher at UC Santa Barbara, "it basically would mean that you could get a sea wall for any development after it's built. I think it would have a chilling effect on the capacity of the commission to avoid sea wall development."

Rising seas

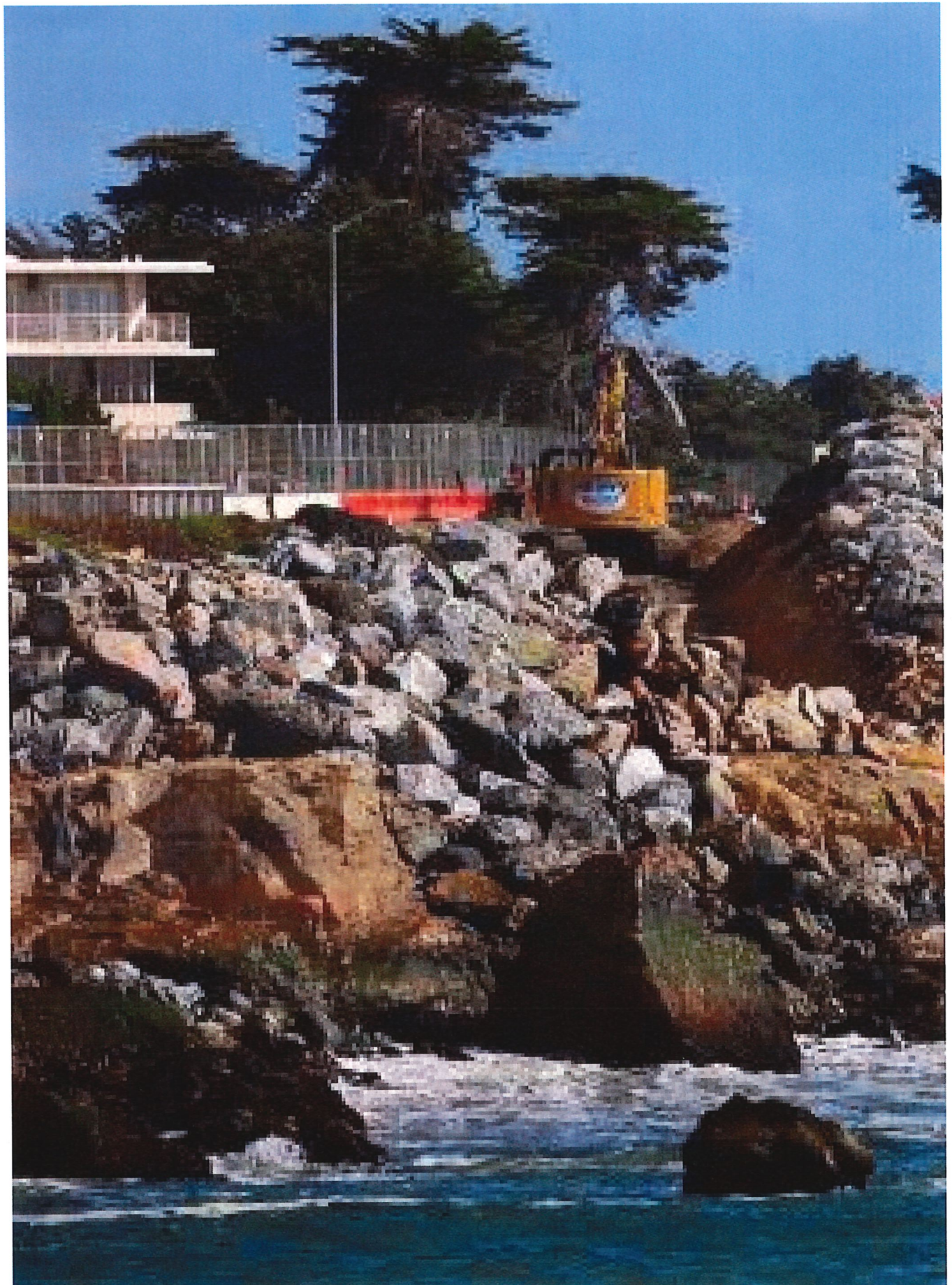
The threat of sea level rise is growing.

The steadily warming climate has caused ocean levels to rise across the world in recent decades as glaciers and polar ice sheets have melted and warming seawater has expanded. San Francisco Bay has risen 8 inches since the mid-1800s.

Recent studies by the U.S. Geological Survey and other scientific organizations estimate that, depending on the amount of greenhouse gasses released into the atmosphere in the coming years, the Pacific Ocean on the West Coast and San Francisco Bay will rise another 1 to 2 feet by 2050 and 4 feet or more by 2100.

“This is the biggest dilemma human civilization has had to face,” said Gary Griggs, a Distinguished Professor of Earth Sciences at UC Santa Cruz, and one of the state’s top experts on coastal erosion. “Many of the biggest cities in the world are at sea level. Our options are very few. We have to face it. There is absolutely nothing we can do over the long term to hold back the Pacific Ocean.”

Between \$8 billion to \$10 billion of existing coastal property in California is likely to be underwater by 2050, with an additional \$6 billion to \$10 billion at risk during high tides, according to [a report in 2020 from the state Legislative Analyst’s Office](#).



Large quantities of rip rap are put into place Tuesday Nov. 7, 2023 on West Cliff Drive

in Santa Cruz as measures to repair damage from January 2023 storms continue. (Shmuel Thaler – Santa Cruz Sentinel)

Growing controversy

What to do? Homes and other buildings can be raised. Natural solutions, like offshore reefs, jetties that stop sand from drifting down the coast, or sand replenishment, can help, but the sand often washes away in big storms. That leaves structural retreat, and sea walls.

The Coastal Commission put out [a guidance document](#) for cities in 2015, saying that managed retreat should be “a framing principle,” or one option to use in local planning. The issue has become politically explosive in cities from Imperial Beach to Del Mar to Pacifica, where it cost the mayor, John Keener, his re-election in 2018 after real estate interests rebelled when he proposed including managed retreat in city plans.

“It’s basic fairness,” said Paul Grisanti, a Malibu city councilman who is president of [Smart Coast California](#), a group formed in 2019 to oppose managed retreat in urban areas. “It says in the state constitution that people have the right to own private property and protect it. There is a conflict between what the Coastal Commission wants to do and what the constitution says.” Griggs and other researchers have shown that sea walls and other shoreline armoring can speed the loss of beaches. Boulders cover the sand 20 or 30 feet wide. Second, bluffs naturally erode, providing more sand to beaches. When they are covered with concrete sea walls, that stops. Lastly, shorelines naturally move back after being pounded by waves, but if a wall prevents that, the waves and rising seas eventually can submerge the beach.

“There are 39 million people in California,” Griggs said. “When you look at the number of people who use the beaches compared with the number of people who own coastal property, what is the greater public good?”

The state has begun to move some roads back from the rising ocean. In March, [Caltrans opened](#) a \$77 million project at Gleason Beach in Sonoma County that moved nearly a mile of Highway 1 roughly 400 feet inland in an area where at least 11 homes had already fallen into the sea.

In other cases, nothing can be done. Three apartment buildings in Pacifica were red-tagged and demolished in 2016 when the cliffs they were perched on eroded so badly they were in danger of collapsing into the surf.

The Coastal Commission already has a policy that requires most property owners who want to build new structures to sign a document waiving any right to come back in the future and request a sea wall.

“We don’t want to see a proliferation of sea walls,” said Kelsey Ducklow, a climate change analyst at the commission. “We don’t want to be armoring private development at the expense of the public beaches we all love and use.”

Griggs noted that 38% of Southern California beaches and 14% of the entire California coast are already armored with sea walls.

One solution as the ocean keeps rising may be to create a state fund to buy endangered coastal homes from voluntary sellers, then rent them back to raise money until they are too unsafe to occupy, and eventually tear them down, Griggs said. State lawmakers passed a bill to do that in

2021, [SB 83](#) by Sen. Ben Allen, D-San Diego. But Gov. Gavin Newsom vetoed it, saying a more comprehensive state study was needed first.

top center, in Pacifica, Calif., Wednesday, Jan. 27, 2016. El Nino storms delivering crashing waves and powerful rain storms put homes perched atop coastal bluffs near San Francisco in danger, forcing residents of apartment complexes to leave. (AP Photo/Jeff Chiu)

Paula Skinner no longer lives at Casa Mira in Half Moon Bay. Frustrated with the bureaucracy and the cost of lawyers, she sold her townhome in 2020 and moved to Santa Rosa. But others still want to move in, despite the risk: Two of the townhomes there sold in 2022 and in 2021 for \$1.7 million each.

On a recent day, Jonathan Carnic, visiting from Hayward, walked along the public path in front of the townhomes.

“Buying property here is a risk you take,” he said. “It’s a nice view, but nature always wins.”

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Walters: In deep-blue California, progressives growing frustratedAlthough Democrats dominate, left-leaning organizations feel frustrated in their efforts to remake the state

Man shot and killed in East Oakland Sunday morningThe shooting was reported near the intersection of 89th Avenue and Plymouth Street.

The tragic history of the Bay Area’s forgotten zoosSanta Rosa’s Safari West is hailing this year’s birth of a southern white rhino as helping restore the global population, and the California Academy of Sciences’ new African-penguin chicks are part of a species-survival plan. At the Oakland Zoo, they’re stabilizing a historic Blackfoot Nation bison