

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-2801
VOICE (805) 585-1800
FAX (805) 641-1732
WWW.COASTAL.CA.GOV



December 8, 2020

California Department of Housing and Community Development
Division of Financial Assistance
Janice L. Waddell, Federal Programs Branch Chief
c/o: Doug Ganey
via email doug.ganey@hagertyconsulting.com

RE: Tiered Environmental Review of Single-Family Home Projects in Los Angeles and Ventura Counties 2018 Community Development Block Grant Disaster Recovery

Dear Mr. Ganey,

We are in receipt of your letter, dated November 9, 2020, regarding the Department of Housing and Community Development's (HCD's) role as the lead and responsible agency for administering the Community Development Block Grant – Disaster Recovery (CDBG-DR) from the U.S. Department of Housing and Urban Development to support long-term recovery efforts for the Camp, Carr, Mendocino Complex Fire, and Woolsey Fires which resulted in two presidential major disaster declarations, DR-4382 for Shasta and Lake Counties; and DR-4407 for Butte, Los Angeles, and Ventura Counties. The letter explained that HCD has established an Owner-Occupied Rehabilitation and Reconstruction Program (the "Program") to support long-term recovery efforts and address unmet housing needs in areas impacted by the 2018 disasters, outlined the types of single-family housing unit projects that would be included in the Program, and requested a response indicating whether any of those project types would require consultation with the California Coastal Commission should the project location occur within the California Coastal Zone.

Thank you for reaching out regarding the Program and for coordinating with the Coastal Commission as part of the environmental review. The 2018 Woolsey Fire impacted portions of the City of Malibu, County of Los Angeles-Santa Monica Mountains, and County of Ventura Coastal Zones. Each of these local governments has a certified Local Coastal Program (LCP) and Coastal Development Permit (CDP) authority over most¹ new development in the Coastal Zone of their respective plan areas. Each LCP defines "development" and contains policies and provisions to regulate development in a manner that protects coastal resources, public access and minimizes risk from hazards. Each LCP also contains detailed procedures for processing CDPs and identifies the categories of development that may be considered exempt from the CDP requirement, consistent with the exemptions provided in the Coastal Act and the Commission's Regulations. The types of development that are generally exempt

¹ The Coastal Commission retains permit jurisdiction over tidelands, submerged lands, and lands subject to the public trust at any time.

include: the replacement of a legally existing structure destroyed by natural disaster, such as wildfire, provided the replacement structure meets certain criteria; some improvements to legally existing structures; and repair and maintenance activities that meet certain criteria and do not involve the risk of adverse environmental impacts. In addition, our staff has also been coordinating with the City of Malibu and Los Angeles County (for the Santa Monica Mountains LCP segment) on revisions to existing LCP regulations and permit procedures to help streamline the process for the rebuilding of structures damaged or destroyed by the 2018 Woolsey Fire. The Commission certified an amendment to the City of Malibu's certified LCP in 2019, and Los Angeles County has coordinated Commission staff on a draft LCP amendment and plans to submit for certification in the near term. It appears that most of the types of single-family housing unit projects identified in your November 9, 2020, letter would trigger the need for a CDP, unless determined to be exempt from the requirement to obtain a CDP. Each respective local government with a certified LCP is responsible for determining permit requirements, processing the required permit, and analyzing the project's consistency with the policies and provisions of the LCP. We recommend that HCD inform applicants to the Program that they should coordinate with the appropriate local government agency regarding potential CDP requirements and the LCP regulations applicable within the Coastal Zone.

Please contact me at walt.deppe@coastal.ca.gov with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walt Deppe', with a stylized flourish at the end.

Walt Deppe
Coastal Program Analyst