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**MEMORANDUM**  
**LAW OFFICE OF MARC CHYTILO, APC**

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**TO:** SUPERVISORS  
**FROM:** MARC  
**SUBJECT:** 755 SAND POINT ROAD  
**DATE:** 8/27/18

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Project is on the **most vulnerable site** in Santa Barbara County to both **sea level rise** and **debris flows/flooding**. Large proposed house will **fill the lot from setback-to-setback**, elevated to a 2 story building requiring a **Modification from permissible height** and **exemption from wetland buffer** requirements.

Progressive sea level rise adaptation policies prefer that development that is vulnerable to sea level rise and climate-change-induced coastal hazards be kept modest to **reduce impacts from debris** and reduce landowner expectations for future armoring.

The **vulnerable and highly visible location, adjacent to ESH** justify **careful CEQA analysis**. Reports from coastal hazard expert David Revell, Ph.D., and biologist Michael Gonella, Ph.D., provide expert fact based opinion that the Project may result in potentially significant impacts, including **impacts to ESHA** and **inconsistency with policies** protecting biological resources, and addressing coastal hazards, sea level rise and adaptation. **Hazard analysis is woefully inadequate, ignoring adopted FEMA debris flow maps** and upcoming FEMA oceanfront high velocity zone designations, causing underestimation of base elevations.

Rock Revetments:

One of which was grandfathered (1963)

One installed by Santa Barbara County at the behest of Sandyland Protective Association in 1984, **with no permits**, and repaired in 1994 and 1998.

Currently:

Boundary is in negotiation at the State Lands Commission

Notice of unpermitted development sent by Coastal Commission. 2008 County CDP application abandoned.

No CDP ever Issued: Revetment is Unpermitted development that violates policy against armoring structures. Must either be removed or moved, after MHTL is established and alternatives are considered

County prohibits Project Approval while zoning violations are outstanding on the property.

Per Dr. Revell, "the unpermitted revetment accelerates longshore currents and sediment transport and would likely alter wave run up elevations" and "[u]ntil this unpermitted armoring issue is resolved, the site cannot be accurately modeled."

Site Hazards:

Sea level rise from ocean and from Carpinteria Salt Marsh behind, **the latter ignored**  
FEMA debris flow maps – elevate Carpinteria Salt Marsh by 5’ from sediment  
FEMA Coastal Flood Maps in production – 5’ rise expected

CEQA:

Disallows use of Negative Declaration when a fair argument of a significant impact is supported by substantial evidence, including the fact-based opinion of experts in their relevant fields. **The Revell Coastal Report and Gonella Biological Report provide this substantial evidence.**

*Biological Impacts:*

Project adds 2,732 square feet of total permanent ground disturbance within 100 ft. of an environmentally sensitive on-site wetland. Additional impacts to this wetland, and to the Carpinteria Salt Marsh associated with the new FEMA maps, were not evaluated and may be significant and not capable of mitigation with the proposed restoration plan.  
Two rare or endangered plants in the vicinity of project – Salt Marsh bird’s beak and Red sand verbena

*Coastal hazard impacts:*

- Carpinteria Salt Marsh will grow as sea level rises, and expand into residential area. Substantially enlarged home and footprint of permanently disturbed area impedes the ability of the Marsh to extend seaward, and restricts the flow of water and sediment to the ocean.
- Growth of the Marsh, coupled with sea level rise and associated increase in coastal hazards, will result in inundation of the property. Debris from the breakaway walls surrounding the storage areas in lower floor of structure will impact the Marsh and on-site wetland, increasing impacts to ESHA and the sensitive Marsh environment.

*Visual Impacts:*

- Visually prominent design, intentionally
- Site is visible from Highway 101, UPRR and new bike path
- Raising elevation further increases prominence and visual impacts

*Cultural and Tribal Cultural Resources:*

- Site was occupied during the Late Period
- No subsurface testing
- Project-induced erosion and caisson construction may impact buried cultural resources
- Carpinteria Salt Marsh is a tribal cultural resource important for basket materials and the prior cultural uses – tar seep nearby, native plants, food and water supply create a significant cultural landscape that has been ignored