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September 30, 2016

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Jack Ainsworth, Acting Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105
Via US Mail & Electronic Mail

Re: Marin County Local Coastal Program Amendment Number LCP-2-MAR-15-0029-1 (Marin LCP Update)

Dear Mr. Ainsworth:

This letter will serve to explain that the application materials for the above-referenced Marin County Local Coastal Program (LCP) update are incomplete and, therefore, this agenda item cannot properly proceed to a Coastal Commission (Commission) hearing or vote. The application is incomplete, because the "Potential Sea Level Rise Maps" submitted to the Commission July 1, 2016, which are an intrinsic part of the proposed Land Use Plan (LUP) Amendment, were neither considered nor adopted by the Marin County Board of Supervisors (Board) in April 2016, as is required by the Coastal Act and Commission regulations.

Staff and Consultants

Morgan Patton
Executive Director

Ashley Eagle-Gibbs, Esq.
Conservation Director

Jessica Reynolds Taylor
Membership Director

Catherine Caufield
Tomas Dunes Consultant

I. Factual Background

At the August 25, 2015 Board hearing, the Board adopted so-called Amendments 1, 2 and 3 to the Certified LCP. Amendment 1 contained documents specified in the resolution including "Local Coastal Program Amendment Maps." These maps are the land use and zoning maps, and include a single map referring to "Sea Level Rise" (Map 15) marked "DRAFT". In April 2016, the Board reviewed for the first time the Environmental Hazards chapter of the Land Use Plan¹; that chapter and the corresponding Implementation Plan sections included references to "Potential Sea-Level Rise Maps" to determine minimum floor elevation requirements for property owners. No additional maps were produced for the April 2016 hearing and Map 15 is not in any way close to what County staff submitted to the Commission in July 2016 called "Potential Sea Level

¹ *Amendment 4: The Environmental Hazards (EH) Chapter of the LUPA*, available at <http://www.marincounty.org/depts/cd/divisions/planning/local-coastal-program/plans-and-docs>

Rise Maps.” The referenced maps may be found in Attachments 1² and 2 for comparison.

At the April 19, 2016 Board hearing, Principal Planner Jack Liebster made the staff presentation.³ At approximately 2:03:00 on the video recording of the April 19, 2016 hearing, Mr. Liebster begins discussing elevation of houses. At 2:07:30, Mr. Liebster begins discussing maps and showing slides of various pieces that would make up the sea-level rise maps, including a digital elevation model for Stinson Beach. At 2:09:45 Mr. Liebster states, “We have that data, so we can do it for whatever level of sea-level rise the Board seeks to choose as the one we should plan for.” He does not show an actual sea-level rise map at any time. All the slides appear to be restricted to the Calles area of Stinson Beach. At approximately 3:46:00, Supervisor Kathrin Sears states that she wants three feet of sea-level rise, not two feet, as the Community Development staff suggested. Beginning at 4:15:31, a motion to approve the resolution was made with three changes to the staff proposal (including Supervisor Steve Kinsey’s proposal for a minimum of three feet of freeboard, rather than the two feet for sea-level rise plus one extra foot proposed by staff). The Board unanimously approved the motion. The Community Development staff clarified only one point — where to include new language on future consideration of innovative design instead of elevation. There was no mention of the sea-level rise maps. The public attending the hearing had no way to understand the information from the discussion without seeing physical maps which outlined the impact of three feet of sea-level rise in the different flood zones.

The Board adopted resolution did not include any sea-level rise maps, except Map 15, in the list of documents approved by the Board in April 2016.⁴ The resolution refers only to “land use and zoning maps.”⁵

The Commission staff, in its May 6, 2016 filing status letter, asked for the final Board approved “Potential Sea Level Rise Maps.” In its June 3, 2016 response⁶, the County stated:

You have asked for “final” Board adopted “Potential Sea Level Rise Maps.” As you know, at its hearing the Board changed the water level for these maps. Staff is diligently preparing a new set of maps showing a 3 foot rise in sea level, and we

² *Local Coastal Program Amendment Maps, available at*
http://www.marincounty.org/~media/files/departments/cd/planning/local-coastal/lcp-amendment/20150825_all_lcpa_maps.pdf?la=en

³ Board of Supervisors April 19, 2016 hearing, *available at*
<http://www.marincounty.org/depts/bs/meeting-archive>

⁴ *RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS APPROVING THE RESUBMITTAL OF AMENDMENTS TO THE MARIN COUNTY LOCAL COASTAL PROGRAM TO THE CALIFORNIA COASTAL COMMISSION*, available at:
http://www.marincounty.org/~media/files/departments/cd/planning/local-coastal/20160419_attachment2_bos_reso_rev.pdf?la=en

⁵ *See id.*

⁶ June 3, 2016 County response, *available at*
http://www.marincounty.org/~media/files/departments/cd/planning/local-coastal/newdocs/mc-632016-response-to-ccc/16-6-8_compile_cda_responses_with_ccc_filing_letter-v5mg.pdf?la=en

expect to have these in the next two weeks. Amendment 4 should be filed with a contingency that these new maps are provided, so processing can begin on other Amendments.⁷

On July 1, 2016, the County first submitted sea-level rise and elevation maps to the Commission, and the filing was determined to be complete on the same day (*see Attachment 2*: the maps submitted July 1, 2016). As July was the first time that the County produced these maps, the Board clearly did not approve these maps in April 2016. In fact, at the time the Board adopted the resolution in April 2016, there were no maps that referred to sea-level rise for specific properties that would be affected by the hazards of sea-level rise.

II. The Statutory and Regulatory Scheme re “Completeness” of an LCP Amendment Application

The Coastal Act is explicit in what is required when a local government proposes to amend a certified LCP. California Public Resources Code (Coastal Act or Public Resources Code) section 30514(a) permits a certified LCP such as Marin County’s LCP, and all local implementing ordinances, regulations, and other actions to be amended. Coastal Act section 30514(b) requires that proposed amendments to a certified LCP be submitted to, and processed by, the Commission in accordance with the applicable procedures in sections 30512 and 30513. Coastal Act section 30512(c) contains the standard for Commission certification of a LUP amendment: “The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3”

Detailed Commission procedures, codified at 14 California Code of Regulations § 13551(a) (Code of Regulations), require “[a]n amendment to a certified LCP or LRDP shall be accepted for filing by the Commission **if the amendment is submitted pursuant to a resolution** adopted in accordance with the provisions of Public Resources Code Section 30510(a)” (emphasis added).

Code of Regulations section 13552(a) requires a local government to give the public a “maximum opportunity to participate” in the LCP amendment process: an LCP amendment submittal must include “A summary of the measure taken to provide the public and affected agencies and districts maximum opportunity to participate in the LCP or LRDP amendment process”

Section 13552(b) of the Code of Regulations requires that an LCP amendment submittal include: “All policies, plans, standards, objectives, diagrams, drawings, **maps**, photographs, and supplementary data, related to the amendment in sufficient detail to allow review for conformity with the requirements of the Coastal Act.” (emphasis added).

⁷ Note: the reference to “a new set of maps” appears to be a misstatement, since there was no prior “set of maps.”

Section 13553 of the Code of Regulations requires that an “amendment to a certified LCP or LRDP together with all necessary attachments and exhibits shall be deemed ‘submitted’ after having been received and found by the executive director of the Commission to be **in proper order and legally adequate to comply with Public Resources Code Section 30510(b).**” (emphasis added). Section 30510(b) of the Public Resources Code, in turn, requires that the amendment application must contain “materials sufficient for a thorough and complete review.”

When the above schemas are read together, the requirements for an amendment submittal pursuant to Coastal Act section 30514(b) are clear. A local government is to give the public maximum opportunity to participate first (section 13552(a)), and then it is to adopt the amendment via resolution (section 13551). The resolution, of necessity, must have included consideration of any maps that are being approved, or those maps would not become part of the approved resolution.

Once that local government resolution has been accomplished, the amendment proposal can be submitted to the Commission for consideration. Under Code of Regulations 13552(b), the local government is required to submit all of the maps related to the amendment so that the Commission can review the proposal for conformity with the Coastal Act. Once the submittal is found to be in proper order and legally adequate, it is deemed submitted, or complete (section 13553). Finally, under Coastal Act section 30512(c), the Commission can then certify the LUP amendment if it finds it conforms to the Chapter 3 policies of the Coastal Act.

The problems with the process that occurred here with this LCP Amendment application are clear. Here, the Board adopted the LUP Amendment in a vote taken in April 2016. However, the Board did not have the sea-level rise maps in front of it for consideration at that time, nor did the Board vote on those maps at that time. These maps, which were later produced in July 2016, relate intrinsically to certain sections of the LUP Amendment (see further discussion below). Thus, the public was not given a chance to fully participate in commenting on those maps before the Board’s vote in April 2016, as the maps had not yet been released. The submittal to the Commission contains a county resolution; however, that resolution is defective in that it was not based upon information contained in, nor does it adopt, the sea-level rise maps produced by the County in July 2016. Although the County later submitted some sea-level rise maps to the Commission, these maps were not part of the County’s resolution and thus are not legally part of the County’s LCP Amendment submittal.

For these reasons, the County’s application to the Commission is incomplete and must be rejected. The sea-level rise maps that are a critical part of the LUP Amendment are unofficial, as the County has not adopted them. The Commission has no choice but to deem the LCP Amendment submittal incomplete.

III. The Sea-Level Rise Maps are a Critical Part of the LUP Amendment.

The sea-level rise maps which the County submitted to the Commission on July 1, 2016 are a critical part of the LUP Amendment, as the LUP policies rely on minimum building elevation as one of the County’s main adaptations to sea-level rise.

The LUP and the Implementation Plan (IP) Amendments, fully adopted by the Board in April 2016, reference the sea-level rise maps directly throughout both documents. LUP policies C-EH-3, C-EH-8 and several subsections of IP section 22.64.060 reference these maps by name.⁸ For example, policy C-EH-8(1) states the following:

Within flood hazard areas mapped by the Federal Emergency Management Agency (FEMA), additional elevation up to a maximum of three feet to accommodate identified sea level rise as depicted on “**Potential Sea Level Rise Maps**” prepared and adopted by the County of Marin, shall be added to the Base Flood Elevation (BFE) when establishing the minimum elevation required for proposed construction (emphasis added).

Furthermore, LUP policy EH-5 refers to “**potential sea level rise estimates prepared and adopted by the County of Marin** for use in coastal hazards analyses.” And two additional LUP policies are dependent on the sea level rise maps: LUP policy EH-11 references policy EH-8, and policy EH-12 references policy EH-3. Without these maps, many of these references would be rendered meaningless. As you can see from this example and the attached excerpts (*see Attachment 3*)⁹, the maps are necessary for homeowners and county officials to be able to make the determinations required by LUP policy C-EH-8. The maps are critical to determining maximum house elevations, which for better or worse is one of the County’s main adaptations to sea-level rise. Without the referenced maps, the County’s LCP policies will be riddled with holes.

The maps are an intrinsic and fundamental part of the County’s LCP submission, yet the Board did not have a chance to review them, comment on them, or adopt them. Furthermore, the public and EAC, as a vitally interested participant working over the last eight years with the County and Commission, had no access to a draft of “Potential Sea Level Rise Maps” until July 2016, as we pointed out in our July 28, 2016 letter to the Commission, supporting the staff’s request for an extension of time.¹⁰ At the time of the April 2016 Board hearing no one could have anticipated what was on the “Potential Sea Level Rise Maps”.

The incompleteness of the LCP Amendment submitted to the Commission is not merely a procedural issue, but rather, it has serious substantive and policy implications. With the maps absent from the Board’s consideration in April 2016, the Board was ill equipped to make policy decisions about flood zones, elevating houses, and adaptations to sea-level rise environmental hazards.

⁸ The attached document entitled “Sea-Level Rise Map References in the LCPA” includes excerpts from the LUP and the IP Amendments that reference these maps (*Attachment 3*).

⁹ *See id.*

¹⁰ *Agenda Item Th21a re: Marin County LCP Amendment No. LCP-2-MAR-15-0029-1 (Marin LCP Update). Time Extension Only, available at <http://documents.coastal.ca.gov/reports/2016/8/th21a-8-2016.pdf>* (Note: This staff report refers to the sea-level rise maps as being “omitted” prior to July 1, 2016.)

EAC
Marin County LCP Amendment
September 30, 2016


IV. Conclusion

As discussed above, the application materials for the Marin County LCP update are incomplete and, therefore, this agenda item cannot properly proceed to a Commission hearing or vote. Thank you for your careful consideration of our concerns.

Respectfully,



Morgan Patton
Executive Director



Ashley Eagle-Gibbs
Conservation Director

cc (via electronic mail):






Christopher Pederson, Chief Counsel
Dan Carl, California Coastal Commission
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Shannon Fiala, California Coastal Commission
Jeannine Manna, California Coastal Commission

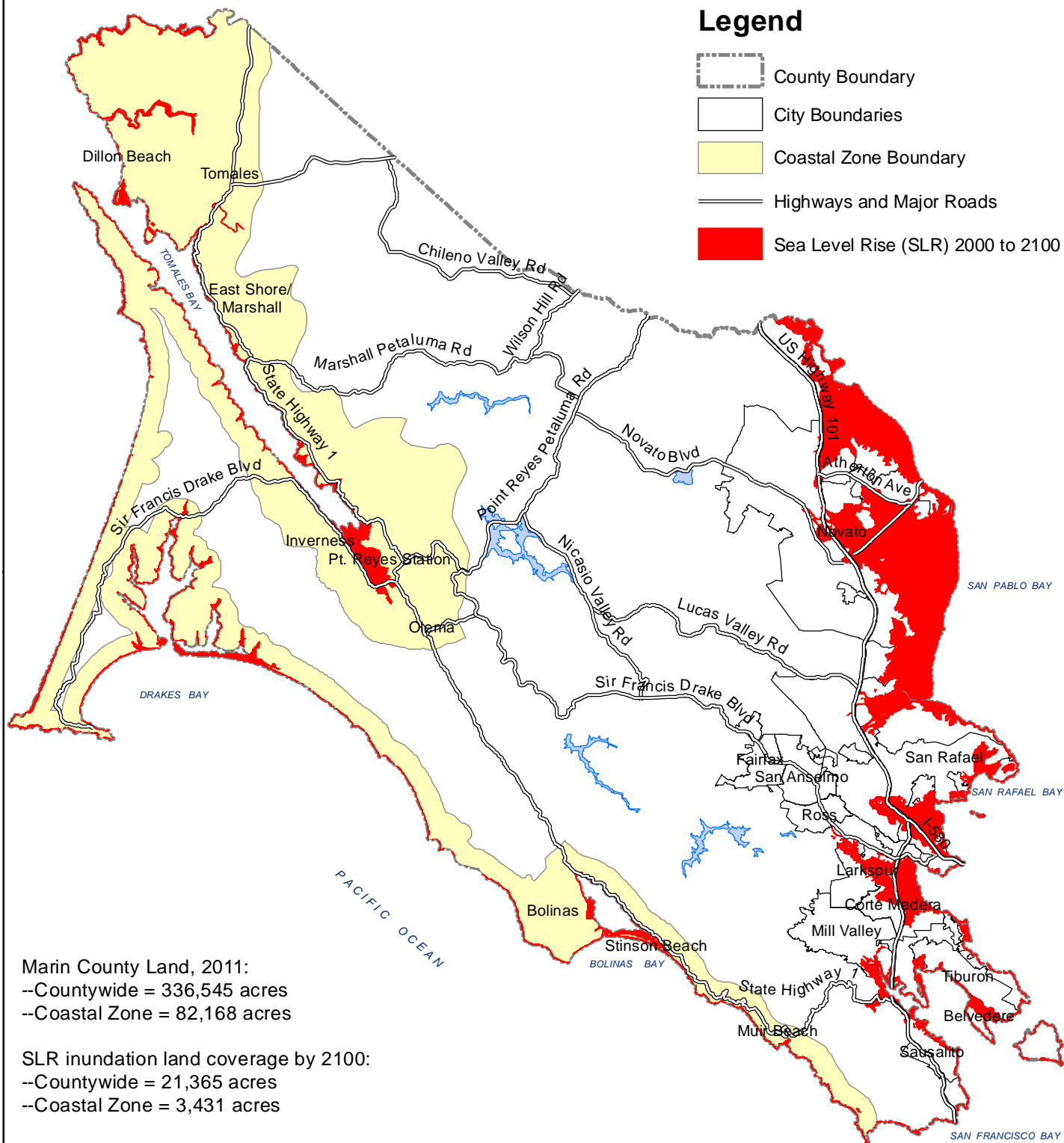
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Attachment 1

DRAFT MAP 15 SEA LEVEL RISE

Legend

-  County Boundary
-  City Boundaries
-  Coastal Zone Boundary
-  Highways and Major Roads
-  Sea Level Rise (SLR) 2000 to 2100



Marin County Land, 2011:
 --Countywide = 336,545 acres
 --Coastal Zone = 82,168 acres

SLR inundation land coverage by 2100:
 --Countywide = 21,365 acres
 --Coastal Zone = 3,431 acres

The projected Sea Level Rise inundation zone reflected here represents an estimated 55-inch rise above a current-day high tide that measures 6.1-feet above Mean Lower Low Water.

SOURCE: Marin County Community Development Agency

0 1.25 2.5 5 7.5 10 Miles

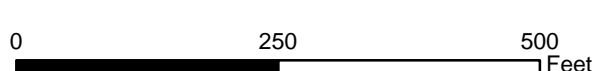
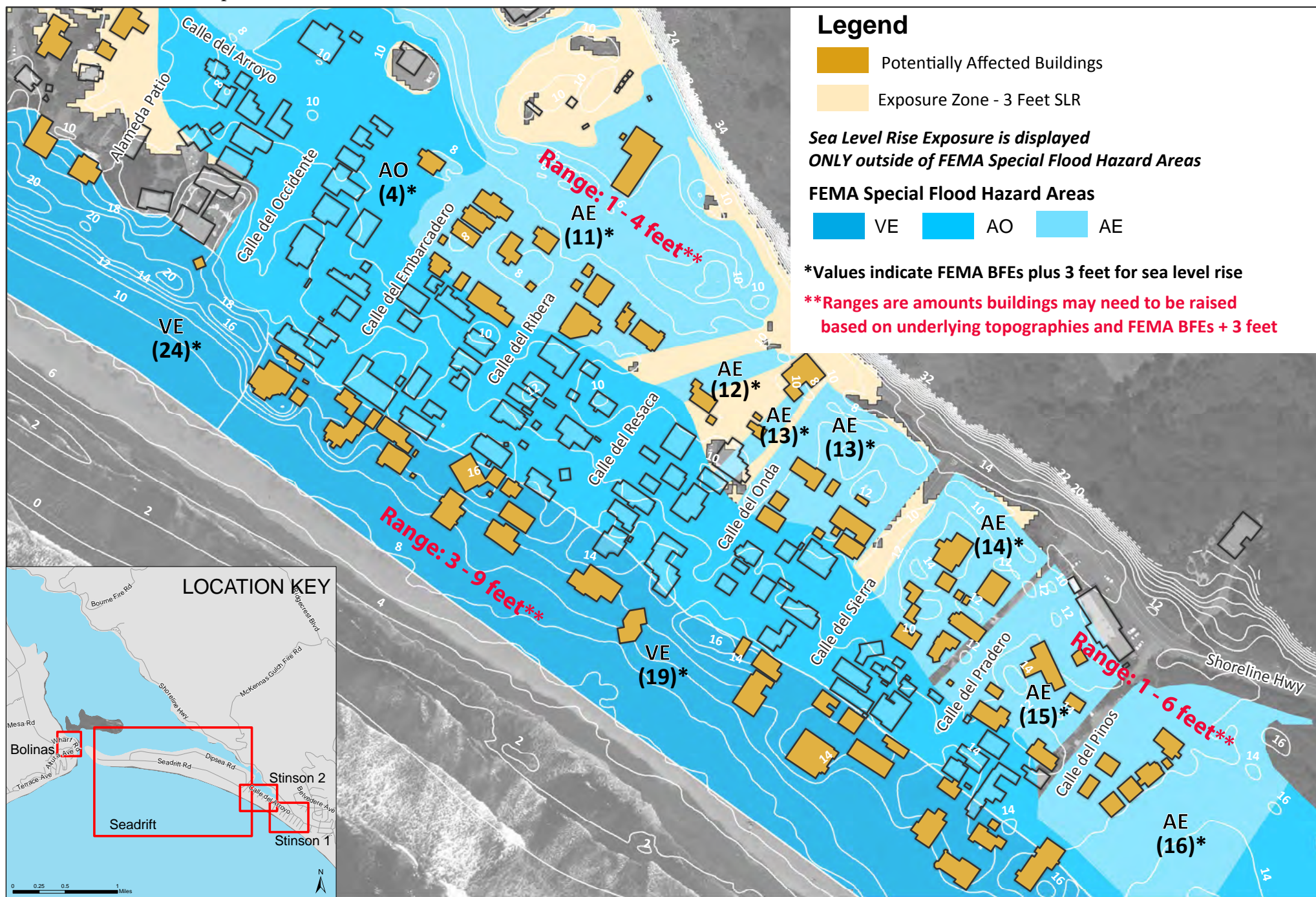
THIS MAP WAS DEVELOPED FOR PLANNING PURPOSES. THE COUNTY OF MARIN IS NOT RESPONSIBLE OR LIABLE FOR USE OF THIS MAP BEYOND ITS INTENDED PURPOSE. THIS MAP IS REPRESENTATIONAL ONLY. DATA ARE NOT SURVEY ACCURATE.

Date: May 3, 2011 File: Map 15_Sea Level Rise.mxd



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Attachment 2

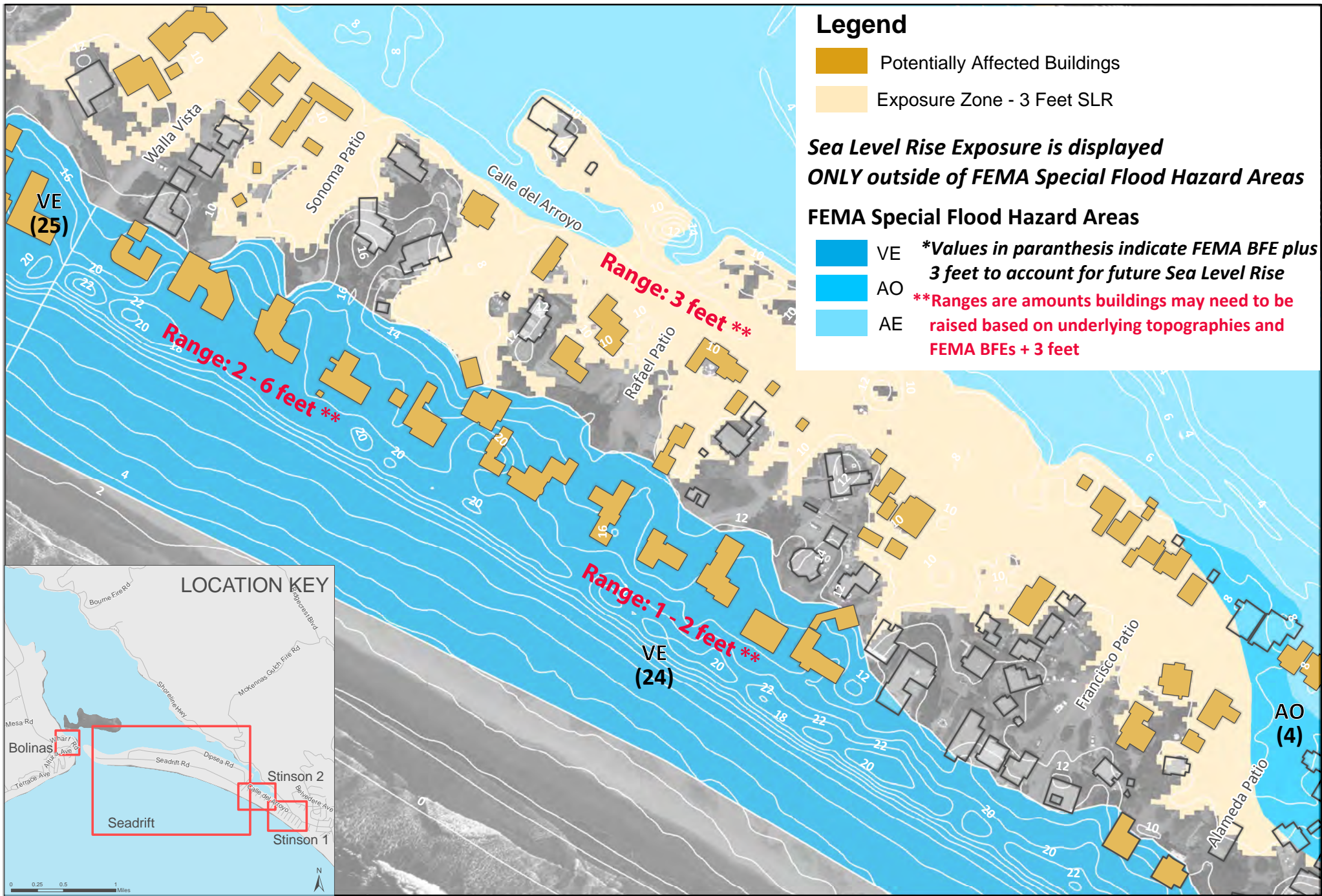


Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

Stinson 1

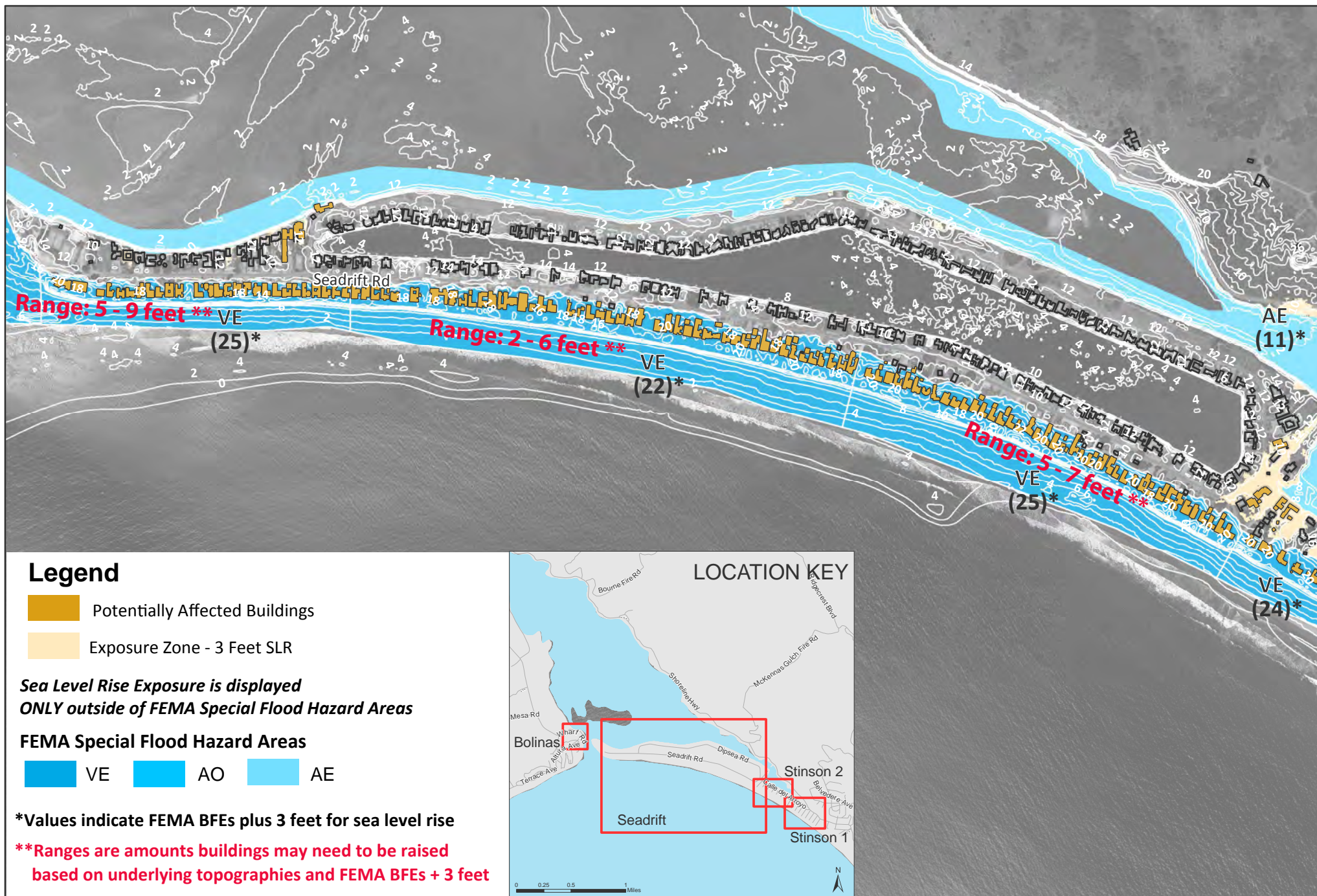
Potential Building Elevation for Sea Level Rise



Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016 Potential Building Elevation for Sea Level Rise

Stinson 2



Seadrift

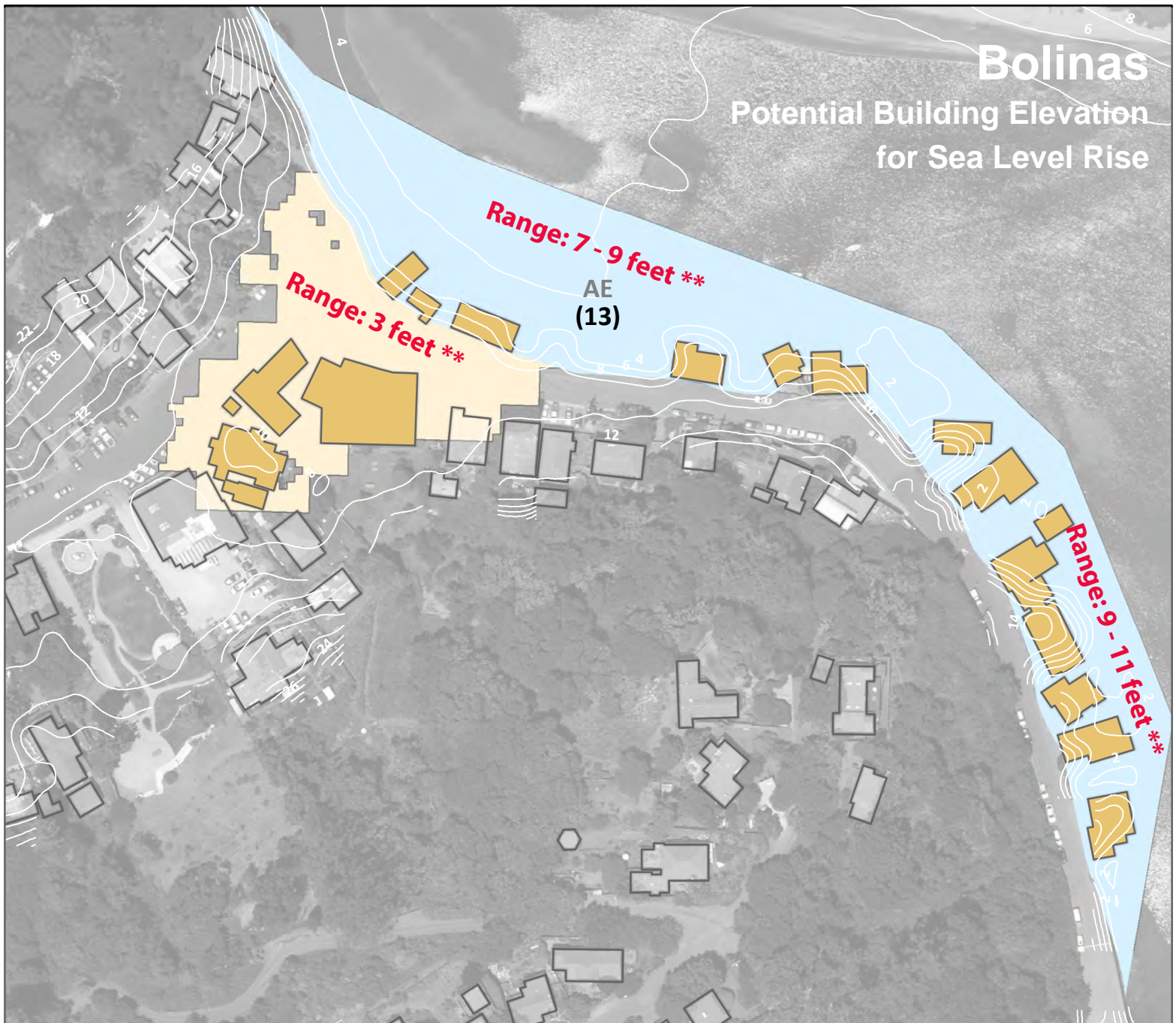
Potential Building Elevation for
Sea Level Rise

Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate map (FIRM) 2015

Marin County Community Development Agency, July 2016

Bolinas

Potential Building Elevation for Sea Level Rise



Legend

- Potentially Affected Buildings
- Exposure Zone - 3 Feet SLR

*Sea Level Rise Exposure is displayed
ONLY outside of FEMA Special Flood Hazard Areas*

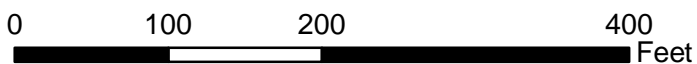
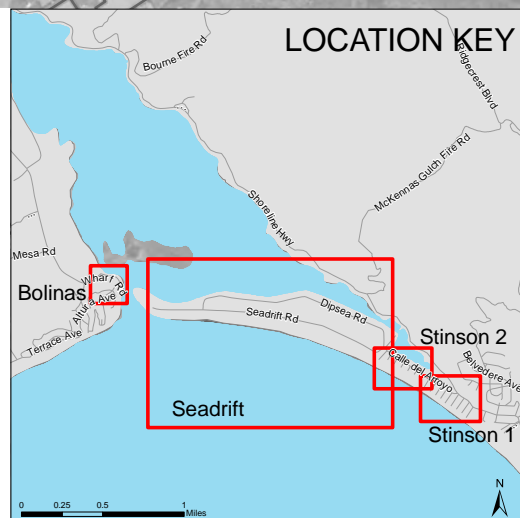
FEMA Special Flood Hazard Areas

- VE
- AO
- AE

***Values indicate FEMA BFEs plus 3 feet for sea level rise**

****Ranges are amounts buildings may need to be raised
based on underlying topographies and FEMA BFEs + 3 feet**

LOCATION KEY

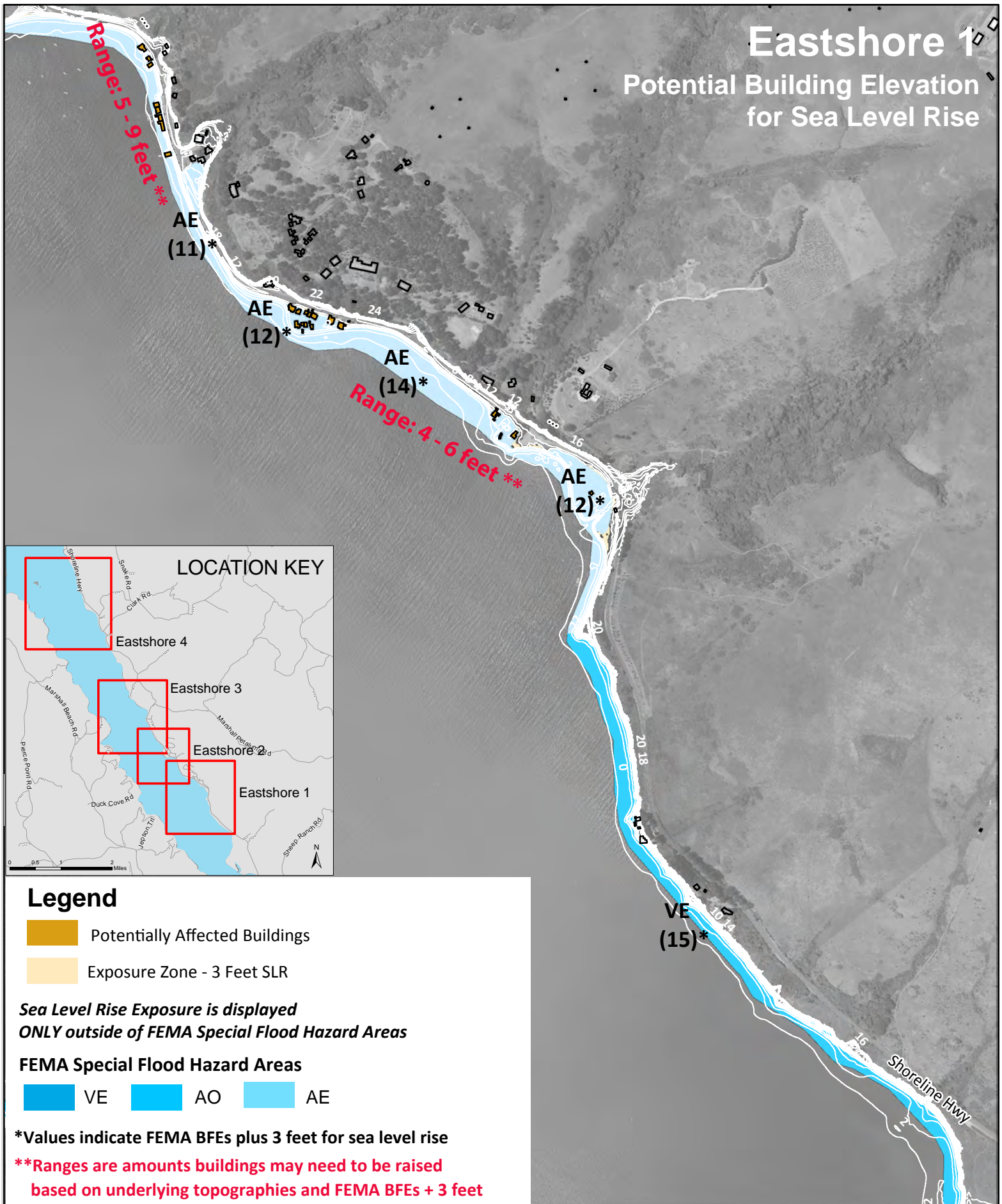


Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

Eastshore 1

Potential Building Elevation
for Sea Level Rise

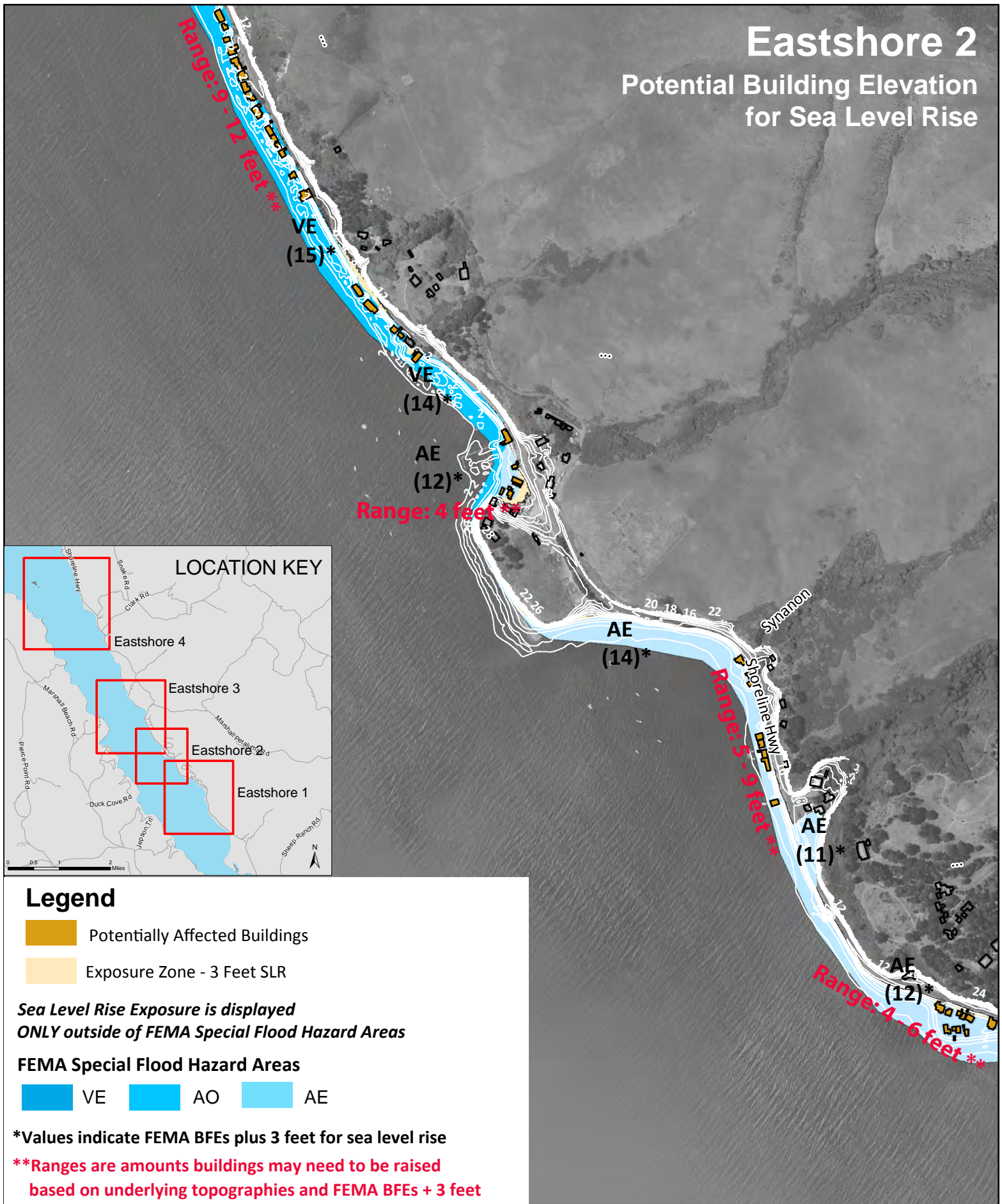


Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

Eastshore 2

Potential Building Elevation for Sea Level Rise

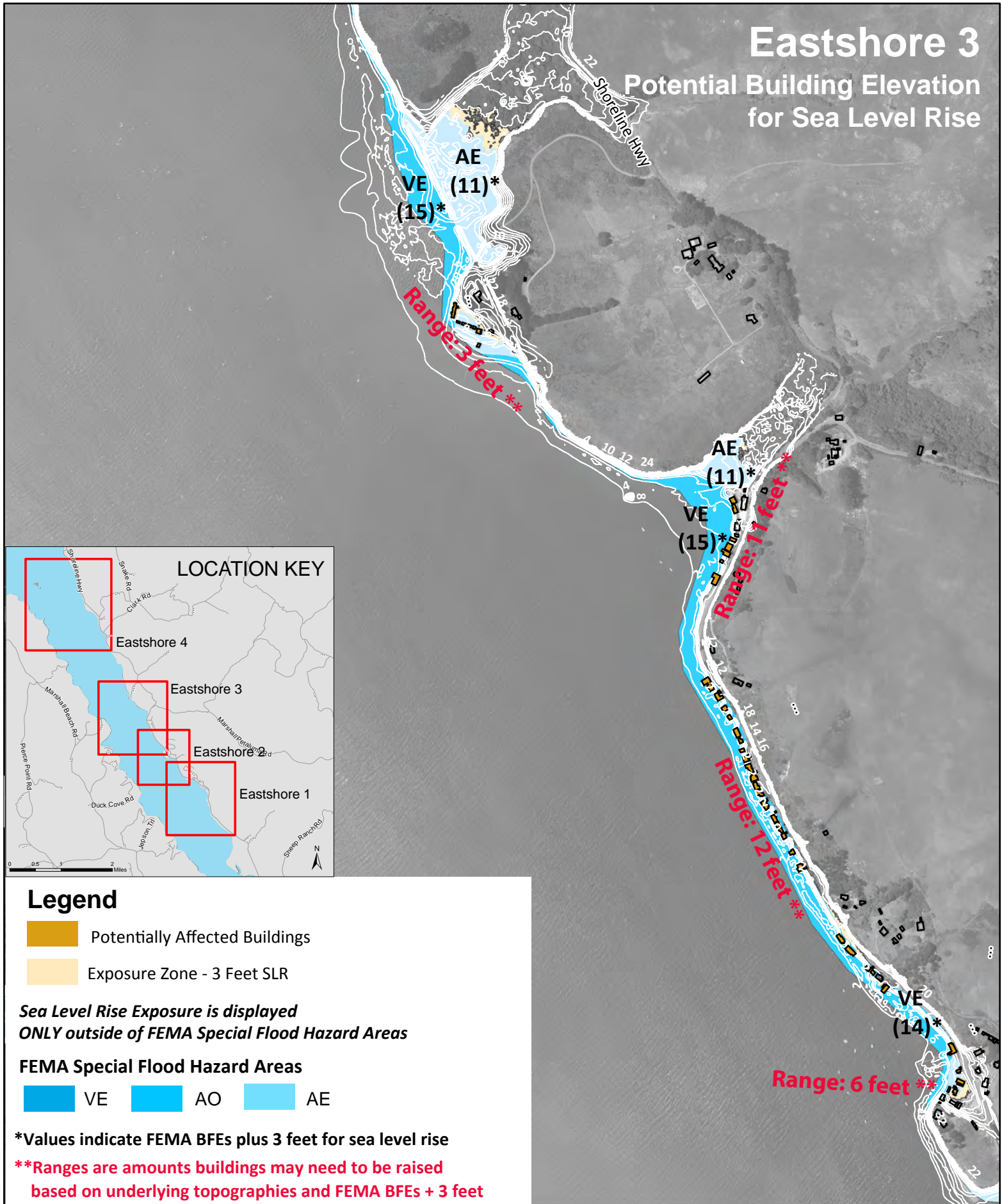


Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

Eastshore 3

Potential Building Elevation for Sea Level Rise

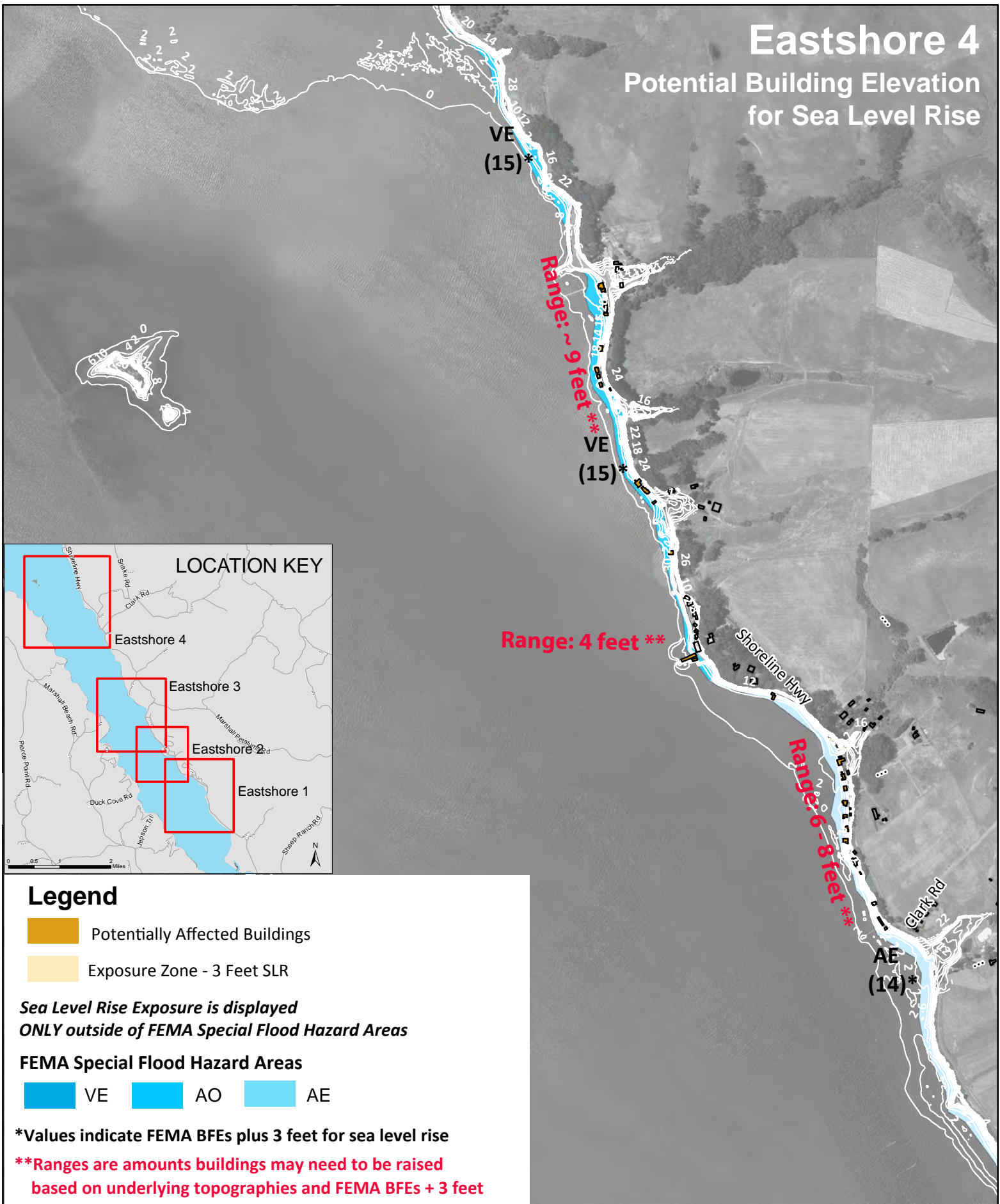


Source: Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

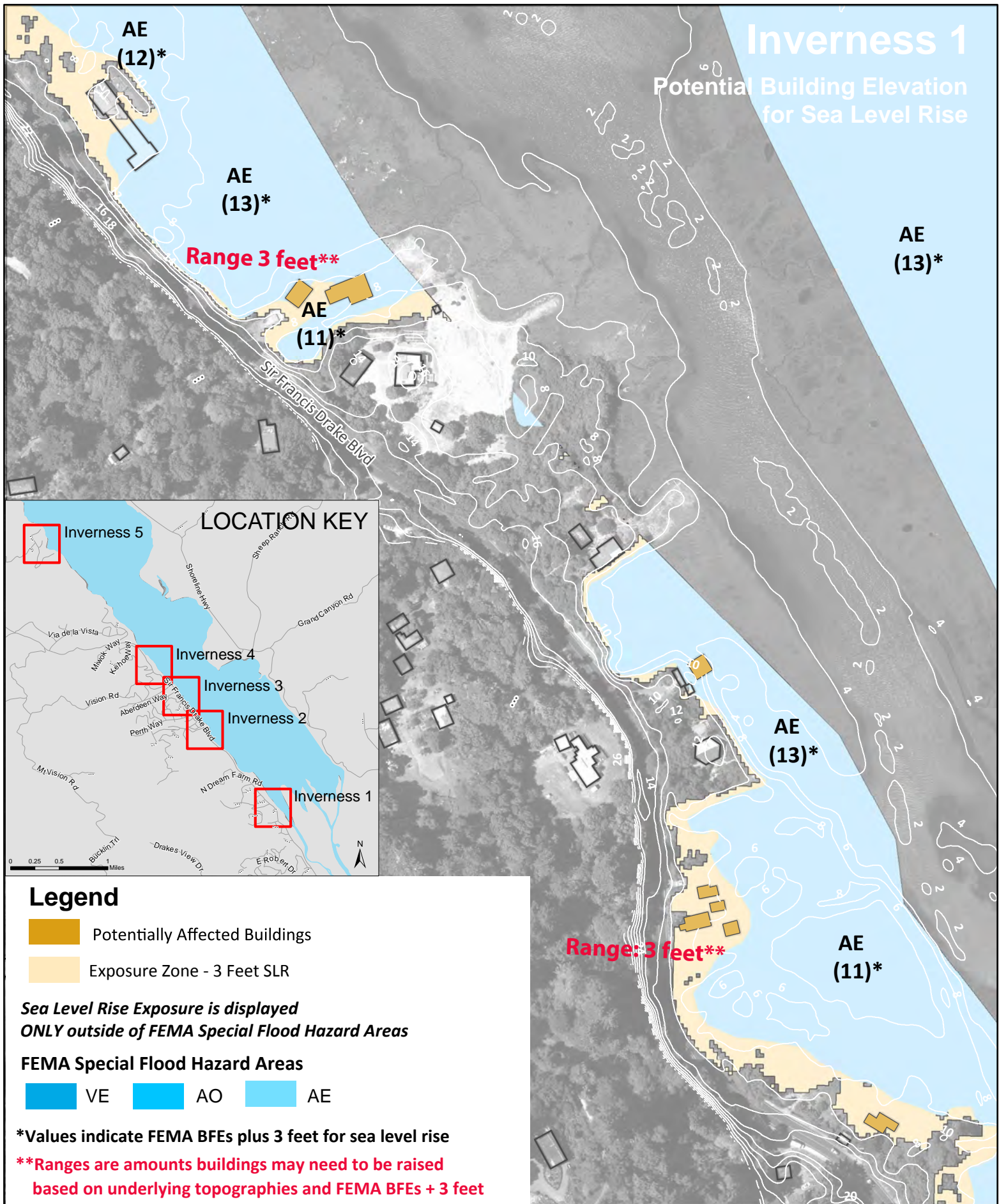
Eastshore 4

Potential Building Elevation for Sea Level Rise



Source: Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016



0 0.05 0.1 Miles

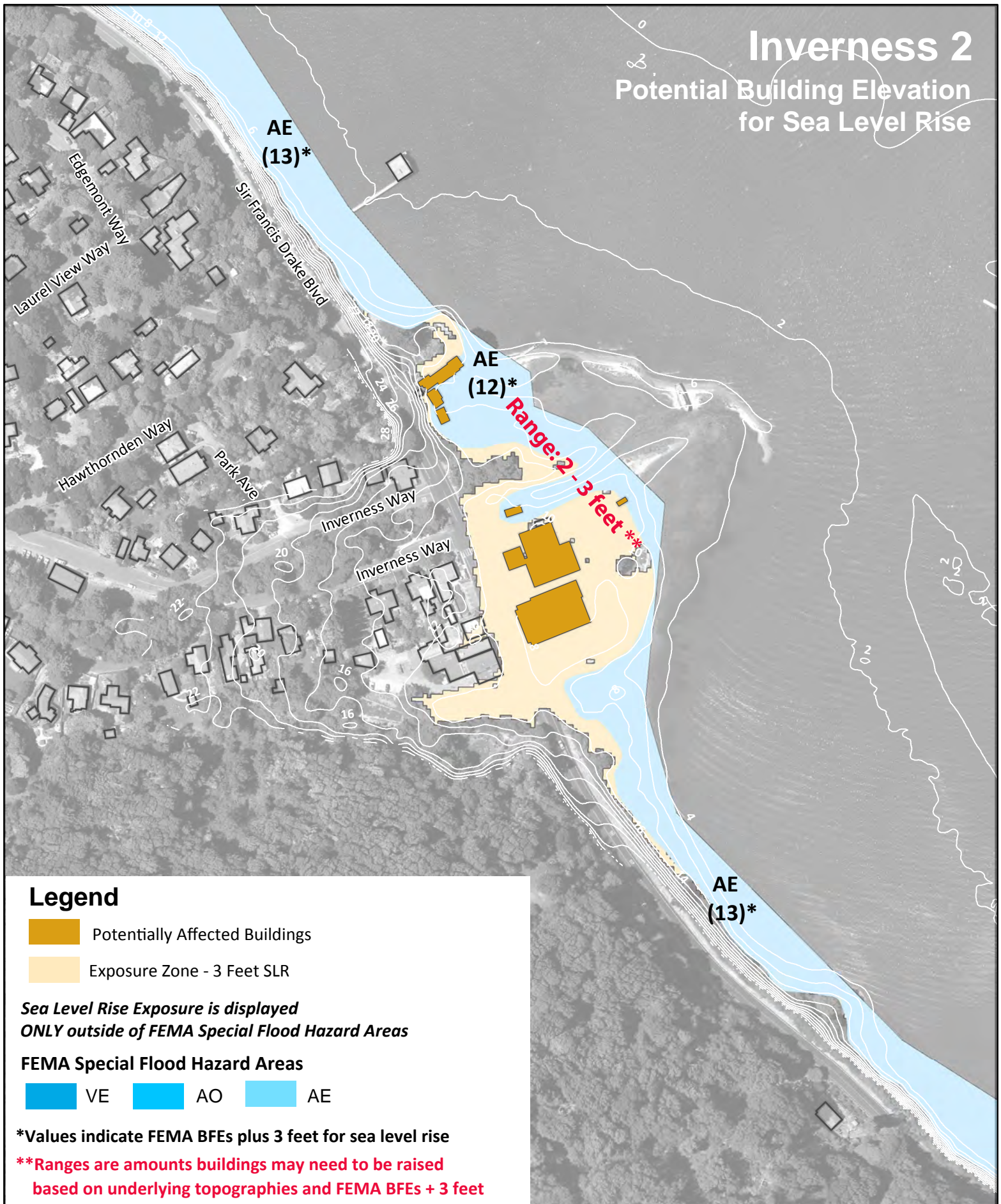


Source: Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

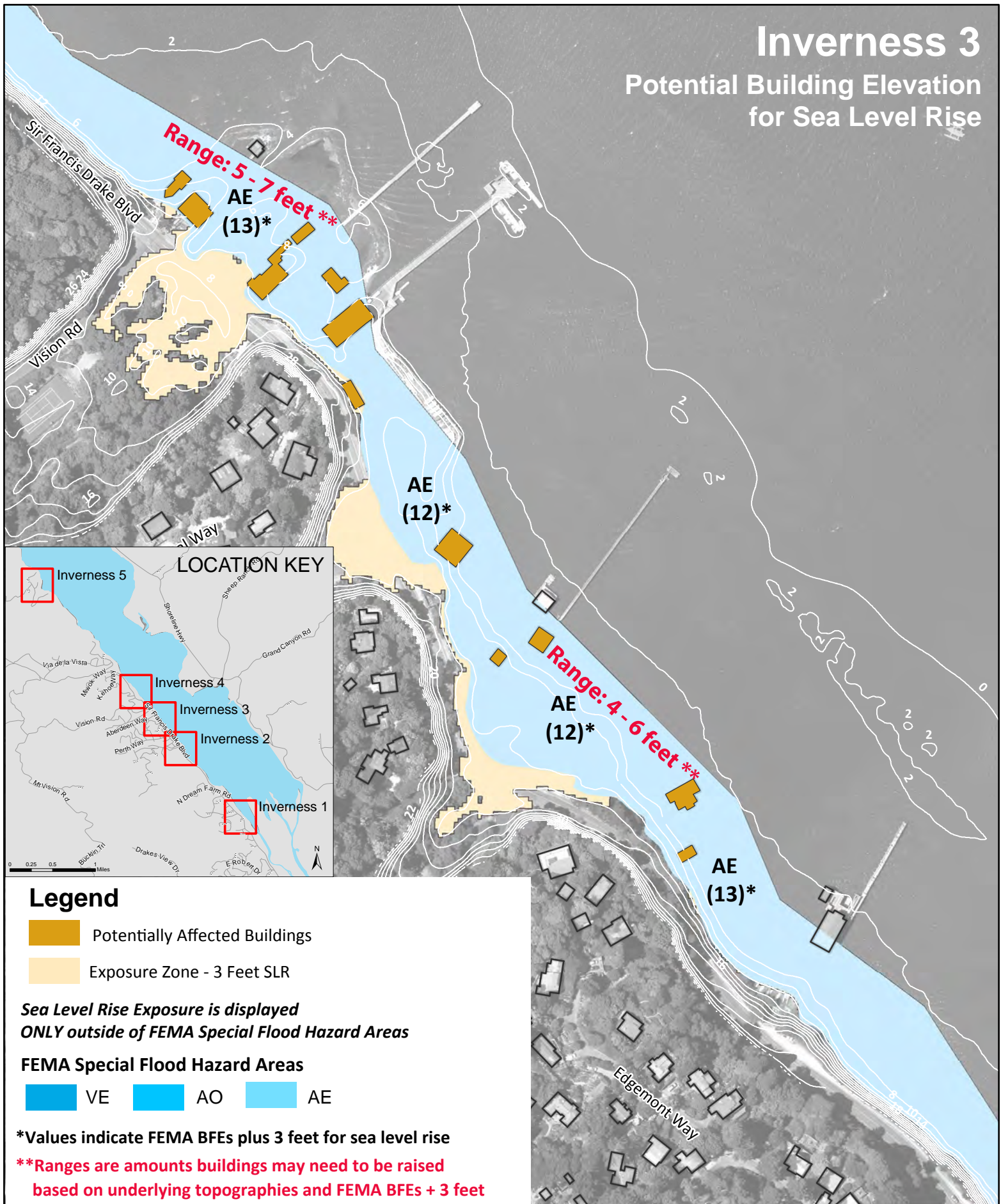
Inverness 2

Potential Building Elevation
for Sea Level Rise



Inverness 3

Potential Building Elevation
for Sea Level Rise



0 0.05 0.1 Miles

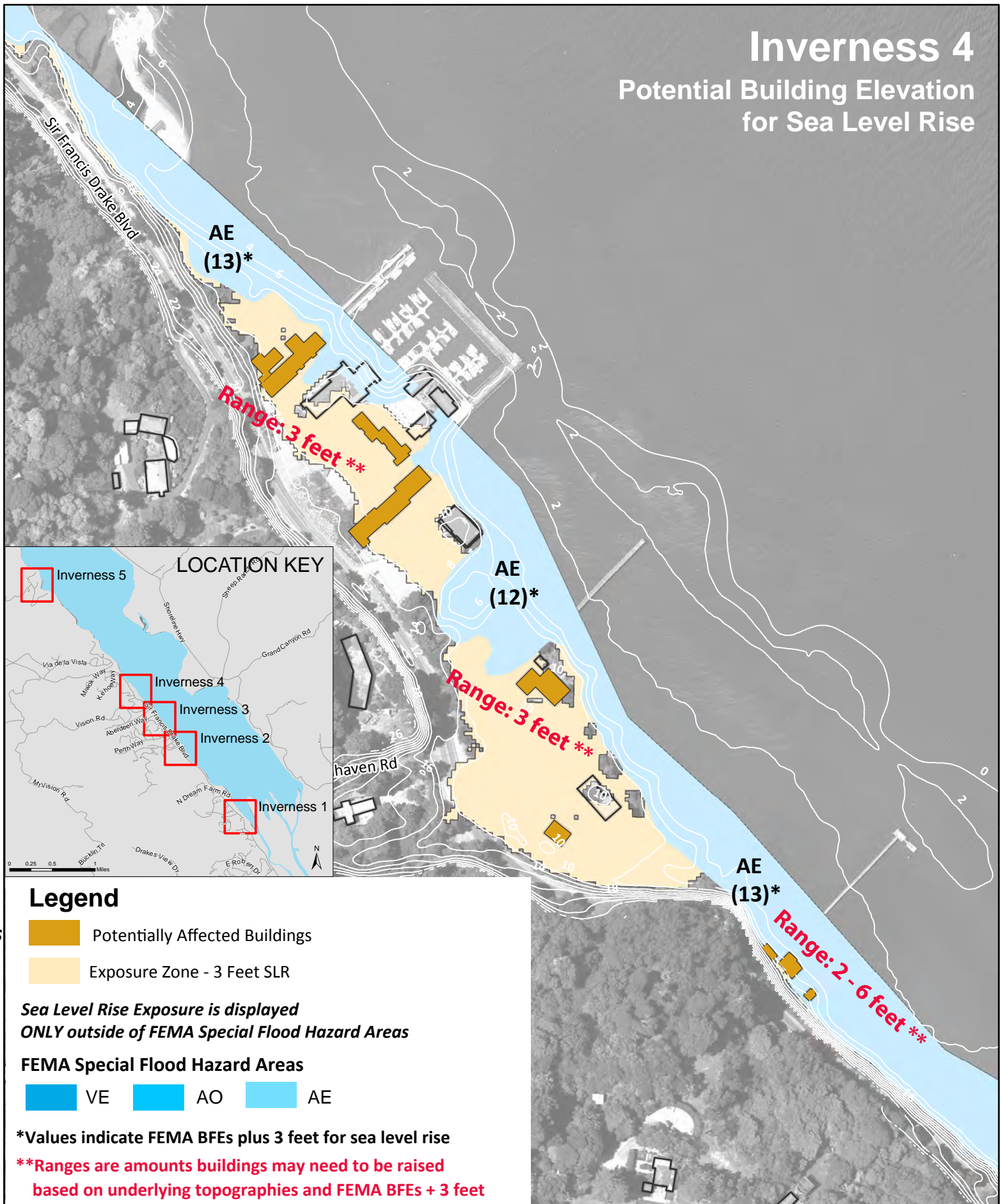


Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

Inverness 4

Potential Building Elevation
for Sea Level Rise



Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

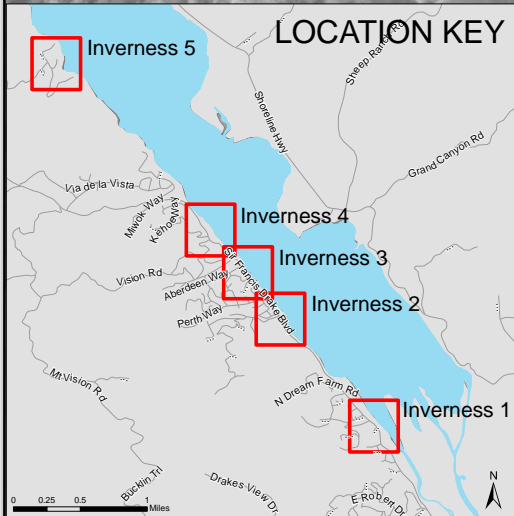
Inverness 5

Potential Building Elevation
for Sea Level Rise

VE
(16)*
Range: 7- 8 feet **

AE
(12)*

VE
(16)*



Legend

- Potentially Affected Buildings
- Exposure Zone - 3 Feet SLR

*Sea Level Rise Exposure is displayed
ONLY outside of FEMA Special Flood Hazard Areas*

FEMA Special Flood Hazard Areas

- VE
- AO
- AE

*Values indicate FEMA BFEs plus 3 feet for sea level rise

**Ranges are amounts buildings may need to be raised
based on underlying topographies and FEMA BFEs + 3 feet

0 0.05 0.1 Miles



Source: Federal Emergency Management Agency
(FEMA) Preliminary Flood Insurance Rate Map (FIRM) 2015

Marin County Community Development Agency, July 2016

Lawson's Landing

Potential Building Elevation for Sea Level Rise



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Attachment 3

Sea-Level Rise Map References in LCPA (emphasis added)

LUP Amendment¹

C-EH-3 Flood Hazards

Flood hazard areas are defined as: 1) those areas shown on Federal Emergency Management Agency (FEMA) “Flood Insurance Rate Maps” (FIRM) and “Flood Boundary Water Maps” for Marin County which have been determined to be subject to flooding from a flood which has a one percent chance of occurrence in any one year (further designated as Zone A, AO, A1-30, AE, A99, AH, VO, V1-V30, VE, or V); and 2) those areas potentially inundated by sea level rise as shown on “**Potential Sea Level Rise Maps**” prepared and adopted by the County of Marin.

C-EH-5 New Shoreline and Blufftop Development

A. Blufftop Development. Ensure that new blufftop development, . . .
The predicted bluff position shall be evaluated considering not only historical bluff retreat data, but also acceleration of bluff retreat due to continued and accelerated sea level rise, and other climate impacts. according to **potential sea level rise estimates prepared and adopted by the County of Marin for use in coastal hazards analyses.**

Shoreline Development. Ensure that new shoreline development (defined as development located in a VO, V1-V30, VE or V zone as mapped by the Federal Emergency Management Agency [FEMA]) is safe from shoreline erosion and flooding hazards, taking into account 3 feet of projected sea level rise, without the need for new shoreline protective devices. . . .

Where development consists solely of raising an existing structure to meet the Base Flood Elevation (BFE) established by FEMA and any additional elevation required by **Policy C-EH-8**, compliance with **Policy C-EH-3** shall be deemed sufficient to comply with coastal hazard, public view, community character and related provisions of the LCP.

C-EH-8 Minimum Floor Elevations in Flood Hazard Areas

Within flood hazard areas mapped by the Federal Emergency Management Agency

¹ Excerpts taken from: *Attachment #4, Environmental Hazard Policies (Coastal Commission (May 2014) and CCC staff-suggested Modifications (April 2015) are shown as baseline (i.e. accepted into the text) CDA changes to Modifications are indicated in blue by ~~italic strike-outs~~ and underlining*), available at <http://www.marincounty.org/~media/files/departments/cd/planning/local-coastal/letters/2016/attachment-4finalehlup4616.pdf?la=en>

(FEMA), additional freeboard up to a maximum of three feet to accommodate identified sea level rise as depicted on **“Potential Sea Level Rise Maps” prepared and adopted by the County of Marin**, shall be added to the Base Flood Elevation (BFE) when establishing the minimum elevation required for proposed construction.

2. Within areas that are not within FEMA mapped flood zones but are shown as potentially inundated by sea level rise identified on **“Potential Sea Level Rise Maps” prepared and adopted by the County of Marin**, new development shall be constructed such that the lowest finished floor exceeds the highest natural elevation of the ground surface next to the proposed walls of the structure prior to construction (i.e., “highest adjacent grade”) by an amount equal to or greater than the projected sea level rise as depicted on the **above referenced maps**.

C-EH-11 Maximum Building Heights in the Flood Velocity Zone at Seadrift.

For new development within the Seadrift Subdivision located in the special flood hazard (V zone) as mapped by the Federal Emergency Management Agency, measure the maximum allowable building height of 15 feet from the minimum floor elevation required by **Policy C-EH-8**.

C-EH-12 Floor Elevations Requirements for Non-conforming Buildings in Flood Hazard Areas.

Within Flood Hazard Areas as defined by **Policy C-EH-3**, allow existing legal non-conforming buildings that are encroaching into a required yard setback to be raised consistent with **Policy C-EH-8** without the need for a variance to setback requirements, as long as the extent of the encroachment is not expanded.

IP Amendment²

22.64.060 Environmental Hazards

A.1.b

1) FEMA Flood Zones: On properties within mapped on Federal Emergency Management Agency (FEMA) “Flood Insurance Rate Maps” (FIRM) and “Flood Boundary Water Maps” for Marin County which have been determined to be subject to

² Excerpts taken from: *Marin County Attachment #5, IP SECTIONS RELATED TO ENVIRONMENTAL HAZARDS (including 22.64.060 and definitions) (CCC staff-suggested Modifications (April 2015 staff report including 4/15/15 Addendum) are shown as baseline (i.e. accepted into the text), available at http://www.marincounty.org/~media/files/departments/cd/planning/local-coastal/letters/2016/attachment-5_16-4-6_final_eh_ipa.pdf?la=en*

flooding from a flood which has a one percent chance of occurrence in any one year (further designated as Zone A, AO, A1-30, AE, A99, AH, VO, V1-V30, VE, or V); and
2) the report shall identify the extent to which:

- a). Development will comply with construction standards contained in Chapter 23.09 (Floodplain Management) including the requirement to add up to a maximum of three feet to the Base Flood Elevation (BFE) to accommodate identified sea level rise as depicted on **“Potential Sea Level Rise Maps” prepared and adopted by the County of Marin** when establishing the minimum elevation required for proposed construction; and
- b). Development will not create a hazard or diminish the stability of the area.
- c). For additional requirements for shoreline development (properties within VO, V1-V30, VE, and V zones), see Section 22.64.060.A.2.b below.

2) Sea Level Rise: On properties outside mapped FEMA flood zones but within areas potentially inundated by sea level rise as shown on **adopted “Potential Sea Level Rise Maps”**, the report shall describe the extent to which:

- a). Development will be constructed such that the lowest finished floor of development exceeds the highest natural elevation of the ground surface next to the proposed walls of the structure prior to construction (i.e. “highest adjacent grade”) by an amount equal to or greater than the projected sea level rise as depicted on **“Potential Sea Level Rise Maps”**.
- b). Development will not create a hazard or diminish the stability of the area.

3) Reliance on Best Available Science. To minimize risks to life and property, and assure stability and structural integrity of existing structures, in recognition of the scientific information represented by FEMA and Potential Sea Level Rise data, modifications of structures consistent with this Policy shall be facilitated by application of Coastal Permit Exemptions, Categorical Exclusions, and Coastal Permits. Raising structures as provided in **Policies C-EH-5, 8 and 9** and limiting the height to that required to provide for BFE and/or sea level rise elevation shall be deemed sufficient to comply with coastal hazard, public view, community character and related provisions of the LCP.

B. Environmental Hazard standards. Development shall be consistent with the Environmental Hazard Policies of the LUP, including

1. Blufftop setbacks. Proposed structures, including accessory structures, shall be set back a sufficient distance from coastal blufftop edges to ensure that they will not be threatened by bluff retreat within their expected lifetime (the evaluation timeframe shall be a minimum of 50 years) and will not require shoreline protection per **Land Use Plan Policy C-EH-5**.

4. Shoreline Development. New shoreline development shall be consistent with **Land Use Policy C-EH-5**.