October 30, 2026

Delivered via email

To: Meagan Harmon, Chair, California Coastal Commission
CC: Kate Huckelbridge, Executive Director, California Coastal Commission,
San Diego Coast District Director Karl Schwing

Re: Th11a Application No. 5-21-0866 (OCTA & SCRRA, San Clemente).

Dear Chair Harmon, Commissioners, and South Coast Orange County Coast Staff,

On behalf of Surfrider Foundation, Orange County Coastkeeper, Save Our Beaches San Clemente, and California Coastal Protection Network, thank you for the opportunity to comment on Item Th11a, and for staff's five years of work on this application. The staff report documents a rail corridor managed by emergency. OCTA failed to plan for foreseeable hazards, repeatedly violated its permits, and dumped rock that has consumed San Clemente's beaches without reliably protecting the railroad. The proposed conditions move in the right direction, but they do not go far enough to end this cycle.

Our central request is that OCTA maintain a sandy beach seaward of its armoring for the full permit term. We also ask that all armoring stay within OCTA's right-of-way (or established limit lines) and that the Long-Term Railroad Adaptation Study select a preferred alternative to guide any renewal. If the conditions are not amended to include these requirements, we urge the Commission to deny the permit.

The emergency was foreseeable

Staff finds that "the concerning conditions observed along this rail corridor are not new." Bluff failures and floods have disrupted rail service since the 1930s. The City of San Clemente secured state funding for a relocation study in 1972, but it was never done. The line closed repeatedly in 1992 and 1993, and rock was placed again in 1999 and 2003. (Staff report, p. 47.) In 2003, the Commission approved additional rock revetment based on SCRRA's commitments to set a seaward limit line for rock, adopt a multi-year maintenance program, and investigate beach nourishment. Staff found no evidence that those commitments were met. (Exhibit 10, pp. 4–6; staff report, p. 48.)

The pattern has accelerated. Since 2021 the Commission has processed 15 track stabilization projects here, including 10 emergency permits. Rock at Cyprus Shore extends 15 to 20 feet beyond the limit set in the 2021 emergency permits. About 8,000 tons of rock were placed between July and September of

this year without emergency authorization. (Pp. 3, 111.) Staff calls the armoring, which covers 3.5 acres of beach, "either the largest… or one of the largest encroachment impacts the Commission has ever considered in a single CDP." (p.50)

At Cyprus Shore, the armoring has eliminated the beach. It is impassable most of the year. The Commission's regulations define an emergency as a "sudden unexpected occurrence" (14 CCR § 13009). There are more than ninety years of documented hazards at this site, and it's getting worse. OCTA's failure to plan has turned a foreseeable hazard into a standing emergency of its own making. The public beach has paid the price. Rail service has too.

Critical infrastructure belongs on a secure alignment

Staff describes this corridor as a strategic rail line for national defense and as "active critical transportation infrastructure." But the record shows a segment its operators cannot keep open. Since 2021, it has been fully closed for 9-10 months combined, with additional months of weekend-only or limited service *and* repeated night and weekend closures. (pp 9-15). From October 26 to 30, Metrolink suspended all service between Laguna Niguel/Mission Viejo and Oceanside for five days because of high tides, with no replacement buses. Metrolink has also proposed eliminating Oceanside service entirely and cutting Orange County weekday service by 38 percent and weekend service by 50 percent.

Ridership on this segment is modest. Metrolink's entire 15-station Orange County Line averages 5,116 weekday boardings. Staff notes that the number of riders affected here "may be more limited compared to other segments," and that high weekend ridership points to recreational use. (Pp. 77–78.) The LOSSAN Agency calls the corridor the nation's second busiest, but that claim covers the entire 351 miles and counts only intercity rail. The entire corridor carried 4.48 million trips in FY 2023–24. Caltrain's 77-mile line carried about twice that in FY 2025. Bay Area Rapid Transit (BART) carries that many riders in about a month.

A defense corridor that closes for weeks at a time is a readiness liability. If this segment is truly strategic, its closures are the strongest argument for moving it. Critical infrastructure is sited to stay in service. This segment sits on the beach. If it is critical, it needs to move.

Require OCTA to maintain a beach

Staff finds that "maintaining sandy beach in front of the railroad will function as critical natural infrastructure that works with armoring to protect the railroad." (P. 67.) OCTA's own modeling shows that a beach berm only 10 to 20 feet wide provides "considerable reductions in wave overtopping." (P. 43.) A maintained beach simultaneously protects the railroad, the public, and the Coastal Act's access guarantees. Yet the conditions require a single sand placement, and the modeling behind it "could not be well-validated." (P. 59.) Staff concedes that the long-term effectiveness of one placement is "uncertain." (P. 60.)

If the sand erodes after one or two winters, the conditions require no further sand placement for the rest of the term apart from the 85,000 cubic yards owed for past violations. Instead, Special Condition 4

authorizes up to 15,000 more tons of rock. If that's not enough, the cycle of emergency armoring will likely resume despite this CDP.

The outcome of a single placement is uncertain. Staff also estimates a $73 million gap between the value of the beach lost to armoring and the value of OCTA's sand, and never shows that the rest of the mitigation package closes it. (Pp. 57–58.) As conditioned, the project is not fully mitigated. Therefore, the permit should instead set a desired outcome and require OCTA to deliver it.

We request that OCTA be required to maintain a dry sandy beach at least 50 feet wide seaward of all armoring for the full authorization term. OCTA's own modeling predicts a 50-foot beach at Area 4 after its proposed initial placement. The Army Corps and the City's San Clemente shoreline project was also designed for a 50-foot beach. OCTA has secured $305 million in state and federal funding for these coastal rail projects. It has the resources to meet this standard.

There is Commission precedent for conditioning a minimum beach width. For the SFPUC's Ocean Beach armoring, it required a recreational beach at least 80 feet wide and "useable at all times," measured from the seawall to the mean high water line (CDP 2-21-0912, Special Condition 4.c and p. 71.) This same permit is cited by staff as an example of mitigation for public-agency armoring. (P. 57, n. 34.)

This requirement is the only way to ensure the coexistence of a public beach and reliable rail service for the next 10 years. The hazards this rail corridor has faced since 2021 have returned with this winter's El Niño, which is already causing service interruptions. Coastal hazards will continue and escalate with increasing frequency due to climate change and sea level rise. Armoring alone is failing; ironically, it's making the situation worse. Staff asserts that it is "unclear whether the railroad will be able to persist… even with the proposed (and planned) armoring" (p. 67). We will say it plainly. **If OCTA cannot maintain a minimum beach width in front of their rail line, it will be forced to abandon it.**

If the Commission adopts the beach standard, we support converting the Coastal Trail requirement in Special Condition 3.A.7 into a backstop. A maintained beach provides the lateral access the trail is meant to restore. Furthermore, one design option is to cantilever the trail off the seawall, which could build public support for keeping the wall. A seawall-supported trail with no beach fronting it becomes a safety issue when waves crash against it and overtop. Maintaining a walkable beach in front of the seawall is the preferable solution.

Proposed language is in Attachment A.

Keep all armoring landward of OCTA's right-of-way

We urge the Commission to require that all rock and other shoreline protective devices remain landward of established limit lines. Where no line has been established, armoring should sit as far landward as technically feasible, with no armoring seaward of OCTA's right-of-way (ROW).

The 2021 Cyprus Shore emergency permits limited rock to the edge of OCTA's ROW, but OCTA exceeded it by 15-20 feet. Not for technical reasons, but because they dumped undersized rock that spread across the beach rather than build an engineered revetment (pp 51, 67). The public has a right to lateral access across public tidelands regardless of whether that access falls within OCTA's ROW. Furthermore, San Clemente's LUP says shoreline protective devices "shall avoid siting on public land to the maximum extent feasible" (HAZ-26). Lastly, OCTA's lease from the State Lands Commission does not resolve the rock's impacts on public access or sand supply under the Coastal Act.

The conditions also cannot enforce a line they don't define. Special Conditions 1.B, 3.A.4, 4.D, 4.E, and 8 all refer to a "Limit Line," but it is never properly defined nor are there any conditions that require adherence to it. The conditions only require OCTA to map the line, report rock seaward of it, and avoid crossing it "to the maximum extent feasible." SCCRA committed to a limit line in 2003, and staff found no evidence that commitment was met (p. 48). Attachment A includes suggested language defining the Limit Line with OCTA's ROW as its most seaward edge, while applying any more landward line where one exists. Rock seaward of the line is required to come out, new rock seaward of is prohibited, and Area 4 rock removal includes any rock outside of the ROW. At Cyprus Shore, the geotechnical study in Special Condition 3.A.5 should determine how to pull the revetment footprint back, not whether. That question was already settled in the 2021 emergency permit.

The 50-foot beach standard reinforces this by further incentivizing OCTA to reduce armoring footprints to the minimum necessary. Because it is measured from the toe of the armoring, every foot of revetment minimized is a foot of beach width gained.

Other conditions

Two more changes help close the gaps in the current conditions. The 85,000 cubic yards of sand owed as mitigation for past violations (SC 3.A.9) should be placed at Cyprus Shore and Area 4, where the violations occurred. OCTA should also notify the Executive Director, the City, and the public prior to each rock placement under Special Condition 4, with documentation of the threat. The permit already requires 10 days' notice before sand placement and rock removal. SCRRA committed to advance notice for rock placement in 2003, and staff found no evidence it followed through. (Exhibit 10, p. 6; p. 48.)

Make the long-term study count

We thank staff for moving the Long-Term Railroad Adaptation Study (LTRAS) deadline up three years, from January 2034 to November 2030. The urgency is clear. Repeated emergency permits and monthlong closures show OCTA cannot keep the segment running reliably where it is, and the negative impacts to public access and coastal resources has been devastating.

As written, the LTRAS ends in an informational hearing. There is no requirement for OCTA to choose a path or act on it. Staff's findings also describe a "selected long-term approach" that must be the least environmentally damaging feasible alternative and must prioritize strategies that avoid hard armoring. (P. 65.) However, the condition itself does not require that. They must.

We ask that Special Condition 3.A.10 require the final LTRAS to identify a preferred alternative and an implementation schedule, and that the preferred alternative meet the standard in staff's findings. Any application to retain armoring beyond the initial term should be consistent with that alternative and show progress toward carrying it out. This permit already requires removal of the armoring if the railroad is relocated or abandoned. (Special Condition 1.C.). Tying renewal to the LTRAS ensures a plan behind that requirement.

Lastly, we also ask for a draft final LTRAS by November 2029, presented to the Commission at a public hearing. Given the urgency of the situation, we see no reason for a three-year gap between the interim and final reports.

Proposed language is included in Attachment A.

Thank you for the opportunity to provide comments and recommendations on this permit application. Surfrider has opposed seawalls up and down the California coast for over 40 years. Our requests for this permit are measured in comparison. They protect the beach and the railroad together, building off the one thing all parties agree on: a maintained beach is the railroad's first line of defense. Keeping rock within OCTA's right-of-way asks the agency to honor a limit it has already accepted. And a preferred alternative turns the LTRAS from an informational item into a plan.

We understand the intense pressure the Commission faces this winter because of El Niño, the Governor's emergency proclamation, and the perceived importance of this railroad. Despite that pressure, we urge Commission staff and the Commissioners to consider our requests, as well as those of the many dedicated stakeholders who represent the beachgoing public on this issue. The consequences of getting this wrong cannot be overstated. Over a mile of San Clemente's beaches hang in the balance, as does the continued operation of this segment of the LOSSAN rail corridor for the next 10 years. We trust the Commission to uphold the Coastal Act and get this right.

Thank you for considering these comments.

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