
APPENDIX C

PUBLIC SCOPING LETTERS

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PUBLIC SCOPING LETTERS

The following agencies, organizations and individuals have provided comments on the proposed East Cliff Drive Bluff Protection and Parkway EIS/EIR.

C.1 FEDERAL AGENCIES

Department of the Army, Corps of Engineers, San Francisco District
US Environmental Protection Agency, Region IX
US Fish and Wildlife Service, Ventura Office
US Fish and Wildlife Service, Portland Oregon
US National Oceanic and Atmospheric Administration, Southwest Region

C.2 STATE AGENCIES

California Coastal Commission
California Regional Water Quality Control Board, Central Coast Region

C.3 LOCAL AGENCIES

Association of Monterey Bay Area Governments
Central Fire Protection District, Santa Cruz County
County of Santa Cruz
Monterey Bay Unified Air Pollution Control District

C.4 ORGANIZATIONS

Save our Shores
Surfrider Foundation

C.5 INDIVIDUALS

Carol McGuire
Robert Giles
Kathy Graves
Jack O'Neill
Charlie Paulden
Robert Stakem
Terrence Willett



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
Regulatory Branch

SUBJECT: File Number 25829S

JAN 11 2001

Ms. Rache'l Lather
County of Santa Cruz
Planning Department
701 Ocean Street, Suite 400
Santa Cruz, California 95060-4073

Dear Ms. Lather:

Your request for comments on the Development Permit Application concerning application number 00-0797 was received on January 5, 2001 by your notice dated December 28, 2000. The application was for a proposal to construct a parkway on East Cliff Drive from 32nd Avenue to 41st Avenue in the City of Santa Cruz, Santa Cruz County, California.

All proposed work and/or structures extending bayward or seaward of the line on shore reached by: (1) mean high water (MHW) in tidal waters, or (2) ordinary high water in non-tidal waters designated as navigable waters of the United States, must be authorized by the Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). Additionally, all work and structures proposed in unfilled portions of the interior of diked areas below former MHW must be authorized under Section 10 of the same statute.

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

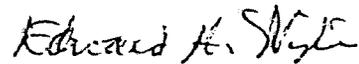
Portions of your proposed work appear to be within our jurisdiction and a permit may be required. Application for Corps authorization should be made to this office using the application form in the enclosed pamphlet. To avoid delays it is essential that you enter the file number at the top of this letter into Item No. 1. The application must include plans showing the location, extent and character of the proposed activity, prepared in accordance with the requirements contained in this pamphlet. You should note, in planning your work, that upon receipt of a properly completed application and plans, it may be necessary to advertise the proposed work by issuing a public notice for a period of 30 days.

If an individual permit is required, it will be necessary for you to demonstrate to the Corps that your proposed fill is necessary because there are no practicable alternatives, as

outlined in the U.S. Environmental Protection Agency's Section 404(b)(1) Guidelines. A copy is enclosed to aid you in preparation of this alternative analysis.

Should you have any questions regarding this matter, please call Phelicia Gomes of our Regulatory Branch at 415-977-8452. Please address all correspondence to the Regulatory Branch and refer to the file number at the head of this letter.

Sincerely,



SA Calvin C. Fong
Chief, Regulatory Branch

Enclosures



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET ST.
SAN FRANCISCO, CALIFORNIA 94105-2197

March 21, 2001

Environmental Section

Ms. Diane K. Noda
U.S. Fish and Wildlife Service
Fish and Wildlife Office
Attn: Ms. Amelia Orton-Palmer
2493 Portola Road, Suite B
Ventura, California 93003

Dear Ms. Noda:

We request a list of threatened and endangered species under your jurisdiction for the East Cliff Drive Seawall Project. The project-area is located on East Cliff Drive Between 41st Avenue and Pleasure Point (32nd Avenue) in the unincorporated area of the City of Santa Cruz, Santa Cruz County, California.

Enclosed are copies of maps depicting the project boundaries. The area is found on the Soquel USGS 7.5 Minute Quadrangles. We have also requested a species list from the National Marine Fisheries Service for this project.

The Point of Contact for this project is Ms. Linda Ngim at (415) 977-8538 or by e-mail (lngim@spd.usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Roderick A. Chisholm, II".

Roderick A. Chisholm, II
Chief, Environmental Section

Enclosures

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Intent To Prepare an Environmental Impact Report and Environmental Impact Statement (EIR/EIS) for the East Cliff Drive Bluff Stabilization and Parkway Project**

AGENCY: Army Corps of Engineers, DOD.
ACTION: Notice of intent.

SUMMARY: The San Francisco District and the County of Santa Cruz, California intend to prepare a combined EIR/EIS to support a cost shared project for the stabilization of a stretch of coastal bluff and development of a parkway. This document will fulfill requirements under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The project area is located within the Pleasure Point area, an unincorporated coastal residential neighborhood located midway between the cities of Santa Cruz and Capitola, California. The project is located on and adjacent to East Cliff Drive, from and including the Pleasure Point Overlook Park site located on the southeast corner of the intersection of East Cliff Drive and 32nd Avenue/Pleasure Point Drive (32nd Avenue becomes Pleasure Point Drive on the south side of East Cliff Drive) to "The Hook" park site located on the south side of East Cliff Drive at the south end of 41st Avenue. The seawall runs only from 32nd Avenue to 36th Avenue, with a smaller portion being constructed along the bluff area at the end of 41st Avenue.

FOR FURTHER INFORMATION CONTACT: Questions and comments can be directed to Ms. Linda Ngim either by telephone at (415) 977-8538, by fax at (415) 977-8695, or by mail at the address below.

SUPPLEMENTARY INFORMATION:

1. *Purpose.* The purpose of this project is to prevent further erosion of the bluff face, which endangers the roadway, utility lines and homes, and potentially impedes public access to coastal resources. Proposed projects include the seawall (soil-nail wall) plan roadway and parkway improvements, a pedestrian and bike path, and landscaping. Alternatives to be evaluated include; groins, rock revetments, partial bluff stabilization, and the no project alternative plan. There is also a possibility of changing the direction of traffic in the project area along East Cliff Drive from the eastbound to the westbound direction. The EIR/EIS will analyze impacts on the

environment on these alternatives, including the recommended plan. The Army Corps of Engineers and the County of Santa Cruz intends to prepare an EIR/EIS to assess the environmental effects associated with the proposed project. The public will have the opportunity to comment on this analysis before any action is taken to implement the proposed action.

2. *Scoping.* The Army Corps of Engineers and the County of Santa Cruz will hold a scoping meeting on April 12, 2001 at the Simpkins Swim Center, 979 17th Avenue in Santa Cruz, California 94062 from 7:30 p.m. to 9:00 p.m. Federal, State and Local agencies are invited to participate at the public meeting or by submitting data, information, and comments identifying relevant environmental and socioeconomic issues to be addressed in the environmental analysis. Useful information for submittal includes other environmental studies, published and unpublished data, alternatives that should be addressed in the analysis, and mitigation measures associated with the proposed action. Comments and suggestions as well as requests to be placed on the mailing list for announcements and for the Draft EIR/EIS should be sent to Ms. Linda Ngim, U.S. Army Corps of Engineers, San Francisco District, 333 Market Street, 7th Floor (CESPN-ET-PP), San Francisco, California, 94105-2197.

3. *Availability of the Draft EIR/EIS.* The Draft EIR/EIS is expected to be published in the late Spring of 2001, and a public hearing to receive comments on the Draft EIR/EIS will be held after it is published.

Dated: March 23, 2001.
Timothy S. O'Rourke,
Lt. Colonel, Corps of Engineers, District Engineer.
 [FR Doc. 01-7916 Filed 3-29-01; 8:45 am]
BILLING CODE 3710-16-M

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Chief of Engineers Environmental Advisory Board**

AGENCY: Army Corps of Engineers, DoD.
ACTION: Notice of open meeting.

SUMMARY: In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the forthcoming meeting of the Chief of Engineers Environmental Advisory

Board (EAB). The meeting is open to the public.

DATES: The meeting will be held from 1:30 to 4:30 p.m. on Tuesday, April 24, 2001.

ADDRESSES: The meeting will be in room 3M65-66, 441 G Street, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ms. Ellen Cummings, Headquarters, U.S. Army Corps of Engineers, Washington, DC 20314-1000, (202) 761-4558.

SUPPLEMENTARY INFORMATION: The Board advises the Chief of Engineers on environmental policy, identification and resolution of environmental issues and missions, and addressing challenges, problems and opportunities in an environmentally sustainable manner. This meeting will include brief presentations of current issues and discussion of future meeting topics.

In order to facilitate access to 441 G Street, NW., interested parties are requested to notify our office (above address) in writing at least five days prior to the meeting of their intent to attend.

Luz D. Ortiz,
Army Federal Register Liaison Officer.
 [FR Doc. 01-7915 Filed 3-29-01; 8:45 am]
BILLING CODE 3710-92-M

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. PR01-10-000]

Bay Gas Storage Company, Ltd.; Notice of Petition for Rate Approval

March 26, 2001.

Take notice that on March 9, 2001, Bay Gas Storage Company, Ltd. (Bay Gas) filed, pursuant to section 284.123(b)(2) of the Commission's Regulations, a petition for rate approval requesting that the Commission approve as fair and equitable a maximum rate of \$1.7282 per MMBtu for firm transportation service, and a maximum rate of \$0.0568 per MMBtu for interruptible transportation service, on Bay Gas's new Whistler spur under section 311 of the Natural Gas Policy Act of 1987.

Bay Gas states that it does not choose to make an election under section 284.123(b)(1) and instead applies for Commission approval of the transportation-only rates proposed here. 18 CFR 284.123(b)(2).

Pursuant to Section 284.123(b)(2), if the Commission does not act within 150 days of the filing date, these rates will



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

May 1, 2001

Linda Ngim
U.S. Army Corps of Engineers, San Francisco District
333 Market Street, 7th Floor, CESPEN-ET-PP
San Francisco, CA 94105

2001 MAY - 3 PM 3: 10
ESPEN-ET-PP

Dear Ms. Ngim:

The Environmental Protection Agency (EPA) has reviewed the Notice of Intent to prepare a Draft Environmental Impact Statement (DEIS) for an **East Cliff Drive Bluff Stabilization and Parkway Project, Santa Cruz County, CA**. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The Corps of Engineers (Corps) is considering several potential actions to prevent further erosion of the East Cliff Drive bluff face, provide roadway improvements, and recreation opportunities. The project is located on and adjacent to East Cliff Drive, from and including the Pleasure Point Overlook Park site (running from the corner of East Cliff Drive and 32nd Avenue to the "Hook" park site on the south side of East Cliff Drive and 41st Avenue). Alternatives to be evaluated include groins, rock revetments partial bluff stabilization, and no project. Alternatives were to be better defined through a public scoping meeting on April 12 in Santa Cruz, CA.

We appreciate the opportunity to review this NOI. Our attached comments provide further information on issues to consider in preparing the DEIS. Please send three (3) copies of the DEIS to this office at the same time it is officially filed with our HQ Office of Federal Activities. If you have any questions, please call me at 415-744-1574.

Sincerely,

Shanna W. Draheim, NEPA Reviewer
Federal Activities Office

cc: Jacques Landy, EPA Region 9, Water Division
Tim Vendlinsky, EPA Region 9, Water Division

Enclosure: Detailed Comments

EPA Scoping Comments/COE - East Cliff Drive Bluff Stabilization and Parkway

NEPA Comments:

We recommend the DEIS include a clear description of the basic project purpose and need. Some of the identified project alternatives seem unrelated to the identified need of stabilizing the bluff to protect public safety and access to the roadway. Clearly defined purpose and needs will help to identify the best range of project alternatives.

NEPA requires evaluation of reasonable alternatives not within the jurisdiction of the lead agency (40 CFR Section 1502.14 (c)). The DEIS should include a clear discussion of the reasons for the elimination of alternatives which were not evaluated in detail.

The COE should also discuss all potential impacts to the environment from any proposed actions and mitigation for these impacts. Particular attention should focus on an evaluation of the environmental impacts of the proposal and alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options for the decisionmaker and the public (40 CFR 1502.14). The DEIS should clearly describe existing conditions, including information on existing management systems, surface water quality, biological resources, cultural resources, and recreational opportunities. Discuss the extent to which water quality and sensitive or unique habitats, if any, can be protected and improved.

Finally, NEPA also requires evaluation of indirect and cumulative effects which are caused by the action (40 CFR 1508.8(b) and 1508.7). Indirect effects may include growth-inducing effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems." (40 CFR 1508.9(b)). The potential parkway improvements and actions to expand roadway capacity could both have growth-inducing impacts. CEQ regulations also state that the EIS should include the "means to mitigate adverse environmental effects." (40 CFR 1502.16(h)). This provision applies to indirect effects as well as direct effects. Increased rates of growth for commercial and industrial purposes, recreational, or residential indirectly caused by the project, constitute indirect effects and should be evaluated in the DEIS. Induced commercial, industrial, and residential growth can adversely affect water quality, wetlands, and other natural resources. These types of indirect effects and appropriate mitigation measures should be fully disclosed in the DEIS.

Water Quality:

The DEIS should identify potential impacts to wetlands and other aquatic resources protected under the CWA Section 404, including requirements and any compliance measures. EPA will review the proposed action for compliance with the Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230)[Guidelines], promulgated pursuant to Section 404(b)(1) of the CWA, which require that no discharge of dredged or fill material can be permitted if there is a practicable alternative that is less damaging to the aquatic environment.

EPA Scoping Comments/COE - East Cliff Drive Bluff Stabilization and Parkway

The DEIS should include a list of permits and approvals needed for the project (e.g. Clean Water Act (CWA) Section 402 National Pollutant Discharge Elimination System, general construction, and stormwater permits). We also recommend that the COE discuss the applicability of the water quality standards for the basin to this project. Appropriate mitigation measures to protect water quality and beneficial uses should be identified.

Pesticides, Herbicides and Hazardous Materials:

The DEIS should discuss known or suspected hazardous materials contamination at the site, and whether the proposed project will have any effect on ongoing or planned activities for remediation. Also, for both construction and maintenance phases of the project, the DEIS should discuss whether any herbicides or pesticides will be used, and describe potential impacts to non-target species, water quality, visitors, and local residents. Appropriate mitigation measures should be included.

Air Quality:

The DEIS should include a discussion of ambient air quality conditions, air quality standards, and potential air quality impacts from the proposed project. Federal agencies are required by the Clean Air Act to assure that actions conform to an approved air quality implementation plan. These regulations should be examined for applicability to the proposed project. Discussion of appropriate mitigation measures for both construction and maintenance phases of the project should be included.

Environmental Justice

In keeping with Executive Order 12898, **Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (EO 12898), the EIS should describe the measures taken by the Corps to: 1) fully analyze the environmental effects of the proposed Federal action on minority communities, e.g. Indian Tribes, and low-income populations, and 2) present opportunities for affected communities to provide input into the NEPA process. The intent and requirements of EO 12898 are clearly illustrated in the President's February 11, 1994 Memorandum for the Heads of all Departments and Agencies.

Pollution Prevention

EPA encourages the COE to include pollution prevention components in the project design, construction and operation. The Council on Environmental Quality issued a memorandum to Federal agencies (January 29, 1993, Federal Register, pp. 6478-6481) in which Federal agencies were encouraged to integrate pollution prevention in NEPA planning and decision making. For reference, we have attached related pollution prevention checklists for flood control work and habitat preservation/protection. As appropriate, the COE and County of Santa Cruz should include such measures in the proposed project.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

April 23, 2001

Roderick A. Chisholm, Chief
Environmental Section
San Francisco District, U.S. Army of Engineers
333 Market Street
San Francisco, California 94105-2197

Subject: Species List for the East Cliff Drive Seawall Project Site, Santa Cruz County,
California

Dear Mr. Chisholm:

This letter is in response to your request, dated March 21, 2001, and received in our office on March 26, 2001. You have requested information on threatened and endangered species under our jurisdiction which may be present within the boundaries of the East Cliff Drive Seawall Project (project) in an unincorporated area within the city limits of Santa Cruz. You have submitted a similar request to the National Marine Fisheries Service. The requested information will be used by the Army Corps of Engineers (Corps) as part of an environmental analysis for this project.

We are enclosing a list of species that could potentially occur in or near the proposed project site. The enclosed list of species fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (Act). The Corps, as the lead federal agency for the project, has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the project is a construction project which may require an environmental impact statement^{1/}, the Corps has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. Regardless of whether a biological assessment is prepared, if the Corps determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve conflicts

^{1/} "Construction project" means any major federal action which significantly affects the quality of the human environment designed primarily to result in the building of structures such as dams, buildings, roads, pipelines, and channels. This includes federal actions such as permits, grants, licenses, or other forms of federal authorizations or approval which may result in construction. Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)).

with respect to threatened or endangered species or their critical habitat prior to a written request for formal consultation. During this review process, the Corps may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

Only listed species receive protection under the Act. However, other sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Game's (CDFG) Natural Diversity Data Base and that you contact the CDFG at (916) 324-3812 for information on other species of concern that may occur in this area.

Should you have any questions regarding this letter, please contact Colleen Sculley of my staff at (805) 644-1766.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane K. Noda", with a stylized flourish at the end.

Diane K. Noda
Field Supervisor

Attachments

**LISTED SPECIES
WHICH MAY OCCUR WITHIN OR NEAR THE EAST CLIFF DRIVE SEAWALL
PROJECT SITE IN SANTA CRUZ COUNTY, CALIFORNIA**

Mammals

Southern sea otter	<i>Enhydra lutris nereis</i>	T
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Birds

Brown pelican	<i>Pelecanus occidentalis</i>	E
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Western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T
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Key:

E - Endangered

T - Threatened

CH - Critical habitat



United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland Oregon 97232-4181

IN REPLY REFER TO:
AES/HC

MAY 30 2001

Ms. Linda Ngim
U.S. Army Corps of Engineers
San Francisco District
333 Market Street, 7th Floor
(CESPN-ET-PP)
San Francisco, CA 94105-2197

Subject: Review of ER-01/0261 NOI for the East Cliff Drive Bluff Stabilization and
Parkway Project

Dear Sir/Madam:

In response to your March 30, 2001, Notice, the U.S. Fish and Wildlife Service offers no comment on the subject document. Please refer any questions to Julie Concannon, Regional Environmental Specialist at (503) 231-6154.

Sincerely,

MAR. BARONIS 5/30/01

FER Regional Director



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
777 Sonoma Avenue, Rm 325
Santa Rosa, California 95404-6528

January 16, 2001

F/SWR3:JPM

Rachel Lather, Project Planner
County of Santa Cruz, Planning Department
701 Ocean Street, Suite 400
Santa Cruz, California 95060-4073

Dear Ms. Lather,

Thank you for the opportunity to comment on the East Cliff Drive Cliff Stabilization and Pathway Projects dated December 28, 2000. The Santa Cruz County Redevelopment Agency and Department of Public Works propose to construct a "Parkway" on East Cliff Drive from 33rd Avenue to 41st Avenue. The scope of the project includes roadway, bicycle, and pedestrian pathway improvements. Major construction consists of two engineered seawalls for cliff stabilization, to 35 feet in height from 33rd to 36th Avenue with an 1100 foot length, and to 46 feet in height and 300 foot length at 41st Avenue. Both walls will be finished with sculpted, stained shotcrete facing for a natural look. Two public access stairways to the beach are proposed at 33rd and 36th Avenue. An engineered retaining wall will be built in an eroded segment at the top of the bluff to provide sufficient space for the parkway. The base of the seawalls will have a five foot apron at the base of the wall and a footing sunk three feet into the underlying purisma sandstone rock formation below the beach. The footing and removal or relocation of 7200 cubic yards of concrete rubble and rock rip-rap from the beach will require construction equipment on the beach and will require special measures to be determined as details are further developed.

Central California Coast Evolutionarily Significant Unit (ESU) coho salmon (*Onchorynchus kisutch*) and Central California Coast ESU steelhead (*Onchorynchus mykiss*) are listed as threatened under the Endangered Species Act of 1973. These species are present in two streams in relative proximity to the project location. Steelhead are present in Soquel Creek and the San Lorenzo River. The California Department of Fish and Game has designated the San Lorenzo River as a recovery stream for coho salmon. Both of these species use Monterey Bay for portions of their life history cycle. Populations of coho and steelhead within these Central California Coast ESUs are at critically low levels. Any adverse impacts to them must be minimized to assure that these species do not become extinct.

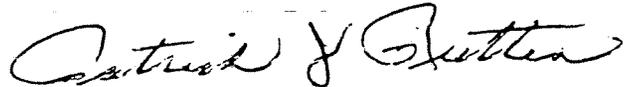
The National Marine Fisheries Service (NMFS) does not find that the project will directly or indirectly impact these two species or designated critical habitat.



In addition to salmonid species, harbor seals (*Phoca vitulina*) may be present in the project area. Known seal haulouts occur at Terrence Point, Table Rock, and Yellow Bank Creek. Please contact Tina Fahey, at NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213, or (562) 980-4023 for further information regarding marine mammals.

If you have any questions concerning the above comments please contact John McKeon at (707) 575-6082.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick J. Rutten". The signature is written in a cursive style with a large, stylized "P" and "R".

Patrick J. Rutten
Northern California Supervisor
Protected Resources Division

cc: J. Lecky - NMFS
P. Anderson - CDFG, Monterey



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
777 Sonoma Ave. Rm 325
Santa Rosa, CA 95404

APR 20 2001

In response refer to
151422-SWR-01-SR-324:JPM

LTC Timothy O'Rourke
U. S. Army Corps of Engineers
Regulatory Branch
333 Market Street, 8th Floor
San Francisco, California 94105

Dear Lieutenant Colonel O'Rourke:

Thank you for your letter of March 21, 2001 regarding the presence of Federally listed threatened or endangered species or critical habitat that may be affected by the East Cliff Drive Seawall Project. A previous request for a species list for this project was submitted by the Corps to the National Marine Fisheries Service (NMFS) in a letter dated September 8, 1998. NMFS responded in a letter dated September 29, 1998. This current letter supersedes that of 9/29/98 as additional species have been listed since that time.

Available information indicates that the following species may occur in the project area:

Central California Coast ESU steelhead (Oncorhynchus mykiss) - threatened

Central California Coast ESU coho salmon (Oncorhynchus kisutch) - threatened

These species are present in two streams in relative proximity to the project location. Steelhead are present in Soquel Creek and the San Lorenzo River. The California Department of Fish and Game has designated the San Lorenzo River as a recovery stream for coho salmon. Both of these species use Monterey Bay for portions of their life history cycle. No critical habitat occurs at the proposed project site.

Monterey Bay is also designated as Essential Fish Habitat (EFH) for fish species managed with the following Fishery Management Plans under the Magnuson-Stevens Fishery Conservation and Management Act:

Pacific Coast Salmon Fishery Management Plan
Pacific Groundfish Fishery Management Plan



Coastal Pelagics Fishery Management Plan

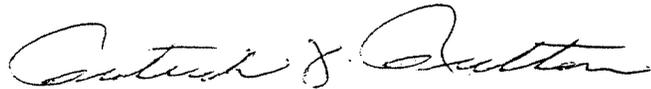
Specific information on EFH and the Fishery Management Plans is located on our website under Habitat Conservation Division (<http://swr.ucsd.edu>).

In addition to fish species, harbor seals (*Phoca vitulina*) may be present in the project area. This species is protected under the Marine Mammals Protection Act. Known seal haulouts occur at Terrence Point, Table Rock, and Yellow Bank Creek. Please contact Tina Fahey, at NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213, or (562) 980-4023 for further information regarding marine mammals.

The U.S. Fish and Wildlife Service (USFWS) may also have listed species or critical habitat under its jurisdiction in the project area. Please contact Mr. Harry Mossman, Deputy Field Supervisor, USFWS, at 2800 Cottage Way, W-2605, Sacramento, California 95825, or (916) 414-6600, regarding the presence of listed species or critical habitat under USFWS jurisdiction that may be affected by your project.

If you have questions concerning these comments, please contact John McKeon of my staff at (707) 575-6069.

Sincerely,



Patrick Rutten
Protected Resources Manager
Northern California

cc: J. Lecky - NMFS Long Beach
L. Ngim - Corps
National Ocean Service, Monterey Bay National Marine Sanctuary
B. Mulvey - NMFS
T. Fahey - NMFS

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877



March 6, 2001

Kim Tschantz
Santa Cruz County Planning Department
701 Ocean Street, Suite 400
Santa Cruz, Ca 95060-4073

Subject: *Notice of Preparation for Proposed Pleasure Point Seawall and Parkway Project*
(County Application Number 00-0797; SCH# 2001012097)

Dear Mr. Tschantz:

Thank you for forwarding the above-referenced Notice of Preparation (NOP) to our office for review. As the NOP indicates, and as the Applicant is aware, a portion of the proposed project appears to be located within the Coastal Commission's retained coastal permitting jurisdiction. The remainder of the proposed project is located within the County's coastal permit jurisdiction; any coastal permit decision by the County here would be appealable to the Coastal Commission. In general, the scope of the proposed Draft Environmental Impact Report (DEIR) appears sufficiently inclusive to allow for an analysis of coastal resource issues when the Coastal Commission reviews the coastal development permit application (for that portion of the project within the Commission's retained jurisdiction), and/or reviews any appeals of the County's ultimate coastal permit decision. There are, however, some specific areas that need clarification. We have the following comments on the NOP; we will provide additional substantive comments when we have seen the DEIR.

Firstly, we are extremely supportive of efforts to improve the East Cliff Drive corridor running from roughly 32nd through 41st Avenue. This area, though heavily used by the public for physical and visual coastal access, is clearly in need of improvements to enhance the public coastal recreational experience. East Cliff Drive along this stretch is currently dangerous for pedestrians and bicyclists, offers little in the way of formal amenities, and is aesthetically cluttered. Notwithstanding these shortcomings, the East Cliff Drive corridor here remains an important coastal resource primarily because of the amazing coastal vista afforded the public here. The County should be applauded for pursuing such an extensive set of access enhancing features atop the bluff within the existing East Cliff Drive road prism. While we have a few suggestions on additional DEIR topics and issues for the portion of the project atop the bluff (as described below), clearly the park and parkway improvements would be a substantial public access benefit.

That being said, the project also includes a seawall that raises a host of coastal resource issues. In general, and as the NOP alludes to, seawalls, revetments, cliff retaining walls, groins and other such structural or "hard" measures designed to forestall coastal erosion can adversely alter natural shoreline processes. Such shoreline protection structures can have a variety of negative impacts on coastal resources including adverse affects on sand supply, public access, water recreational activities, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach. As a result, all such applications must be carefully examined for consistency with the Local Coastal Program (LCP) and the Coastal Act. To consider a seawall here under the applicable policies (including LCP Policies 5.10 et seq,

6.2.16, Chapter 7, Zoning Sections 13.20.130 and 16.10.070(h)(3), and Coastal Act Chapter 3 including but not limited to Sections 30210, 30211, 30235, 30240(b), 30251, and 30253), it must be clear that:

- (1) There are structures in danger from ongoing erosion. To conclusively show that an existing structure is in danger from erosion, there must be an imminent threat to such structures. While each case is evaluated based upon its own merits, the Commission has generally interpreted "imminent" to mean that a structure would be imperiled in the next two or three storm cycles (generally, the next few years). The NOP appears to adequately describe these issues. Please ensure that the DEIR clearly identifies the endangered structures and provides adequate information to determine the nature of the threat to each of them (including a timeline as appropriate detailing the time until such structure(s) would be expected to be lost absent the proposed project).
- (2) Shoreline armoring is the only solution capable of providing protection to the so-endangered structures. In other words, there must be a thorough analysis of methods to protect existing structures so threatened through non-armoring alternatives (e.g., no project alternative, relocating the endangered structures, upper bluff landscaping and drainage control mechanisms, combinations thereof, etc.). With that in mind, in addition to alternatives (11a) through (11d) listed in the NOP, please have the DEIR evaluate a non-armoring alternative that would locate the blufftop parkway improvements to the extreme inland extent of the East Cliff Drive right-of-way and include some form of upper bluff landscaping and/or retaining walls in place of a seawall at the base of the bluffs here. Please also be sure to evaluate the relocation of utilities under the auspices of the "no project" alternative.
- (3) The required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply. The NOP indicates that sand supply issues have been defined. Please ensure that the DEIR specifically quantifies (in cubic yards of sand) the amount of sand and/or sand generating materials that would be blocked from entering the shoreline sand supply regime by all elements of the project.
- (4) All other negative resource impacts are eliminated or mitigated. The NOP clearly identifies several known issues and it appears that the DEIR should thus mostly include adequate information to understand project impacts and potential mitigations. We would recommend, however, that the DEIR include an expanded discussion of potential impacts to the Pleasure Point surfing regime from any sort of armoring project. Whomever performs such additional analysis should be well versed in the subject of armoring and its impact on wave dynamics. We would also recommend that the DEIR include photo simulations with and without the proposed development here as seen from public viewing areas, including views from several vantage points atop the bluff as well as from representative vantage points in the surfing area and from outside of the surf line in the Monterey Bay.

In sum, the DEIR should provide adequate information and analysis to be able to clearly determine that the chosen proposed project is the least environmentally damaging feasible alternative to protect the so endangered structure(s) from ongoing shoreline erosion. The NOP should be sure to expand upon this common thread in such a way as to be able to compare

potential alternatives to a seawall accordingly.¹ In addition to the suggestions above, we also have the following specific requests for information necessary to measure the proposed project for Coastal Act and LCP conformance; please ensure that the DEIR evaluates the following:

- The preliminary plans provided indicate that public improvements would not be pushed to the inland edge of the East Cliff Drive right-of-way in most cases. As a public improvement project, the DEIR must carefully explain each instance where the public right-of-way would remain encumbered by private development. We suggest that a site plan be developed in the DEIR that clearly indicates all public right-of-way area within which private improvements would remain and/or within which additional improvements would be constructed that would be for private benefit as part of the proposed project (for example, the preliminary plans show construction of a looped private driveway located entirely in the right-of-way between 38th Avenue and Larch Lane). Each such area should be identified in terms of the square footage of public right-of-way that would be so encumbered, the public cost of any improvements to be made in that area as part of the project, and discussion of alternative public uses that could be accommodated within the area(s) in question. The DEIR should explore the possibility of adjusting the right-of-way boundary to exclude any right-of-way areas not necessary for public improvements, and offering for sale or lease the so-excluded area to adjacent private landowners.
- A full one-half of the residence on the seaward side of East Cliff Drive between 38th Avenue and Larch Lane is located within the East Cliff Drive right-of-way. The DEIR should evaluate the relative feasibility of methods to address this problem including, but not limited to: acquisition of the adjacent private parcel (on which the other half the residence is located) and use of the property for public purposes; parcel line adjustment and sale of former right-of-way area to private landowner so that the subject residence is on private property; lease or fee payment for continued private use of the subject right-of-way area; and/or other mitigation in favor of the public to compensate for the potential public uses of the property that are being foregone and the public view blockage that is due to residential development in the right-of-way. The preliminary plans also show a large looped driveway in this area and the roadway pushed inland at the expense of potential public improvements (i.e., at the expense of a wider public trail, increased landscaping, additional on-street parking bays along the inland side of East Cliff Drive, etc.). Such a private use of the public right-of-way here is inconsistent with the LCP and the Coastal Act. The DEIR should identify a preferred resolution strategy for this site. Likewise, but to a lesser extent, the preliminary plans show that private development in the right-of-way is taking precedence over potential public right-of-way uses in front of the residence across from Larch Lane on the seaward side of East Cliff. The DEIR should develop a similar resolution strategy for this site as well.
- It appears that additional right-of-way space is available to create parking bays on the inland side of East Cliff Drive (noted areas include space near Larch Lane, upcoast of 38th Avenue,

¹ Please note that the Applicant was previously provided with a document prepared by Commission staff titled "BEAR: Beach Erosion and Response Guidance Document" (dated December 1999). The BEAR document provides additional context for evaluating shoreline armoring proposals and may prove useful in preparing the DEIR. Please consult the Applicant and/or we can provide another copy of the document as necessary for DEIR purposes.

upcoast of 37th Avenue, and between 33rd and 36th Avenues). The DEIR should evaluate the potential for additional parking bays (diagonal and/or parallel parking) on the inland side of East Cliff Drive and make recommendations on modifying the project to include additional parking.

- Is alternative access available for residences located along East Cliff Drive? That is, can the homes along East Cliff be accessed by the Avenues and/or alleyways to avoid conflicts should driveways be reconstructed on East Cliff Drive? If alternative access is not currently available, please also evaluate the potential for developing alternative access to avoid East Cliff Drive conflicts.
- The DEIR should evaluate whether a narrower roadway for reconstructed East Cliff Drive is feasible consistent with County and/or Caltrans road design standards. The narrower road prism would allow additional space to accommodate preferred uses (i.e., wider recreational trail, additional parking bays, etc.) and would help to calm traffic through this stretch.
- The DEIR should evaluate the option of designing the recreational trail to step down the slope where the asphalt pathway for wheeled recreational use is nearest the road, and the decomposed granite pathway for pedestrians is located towards the bluff edge at a slightly lower elevation; between the two pathways would be a landscaped strip. The project Applicant previously identified this a potential design. Such a design would act to better alleviate user conflicts.
- The preliminary plans and the NOP are not clear on how commuter (i.e., fast-moving) bicyclists might be accommodated by the project. Since East Cliff Drive would consist of slow-moving traffic along this stretch of road, particularly with the traffic calming features proposed and the potential for a narrower roadway prism, it would seem reasonable to assume that commuter bicyclists moving in the same direction as the one-way traffic (regardless as to chosen direction) would be able to use the full roadway with limited vehicular conflict since they would be travelling at roughly the same speed. However, commuter bicycle traffic moving the other direction (i.e., the opposite direction of the one-way traffic) would be forced onto the recreational trail increasing the potential for conflict with slower moving trail users. The DEIR should evaluate the potential for the use of a contra-bike lane (i.e., a bike lane striped for bicyclists to move against the traffic flow) with the proposed project.
- The NOP does not clearly indicate the design characteristics of any guardrail that might be located along the proposed recreational trail at the bluff's edge. Would the proposed guard rail be see-through or would it block the public view here? Please ensure that the DEIR provides sufficient detail regarding the proposed guard rail to be able to evaluate viewshed blockage issues. Such an analysis should evaluate several potential designs and materials (e.g., wood versus metal) for their contribution to both blufftop aesthetics and view blockage. The DEIR should also evaluate whether pedestrian safety can be assured through some other means than a view-blocking or view-altering guard rail (for example, through the use of landscaping and low landscape berms).
- The preliminary plans and the NOP do not indicate the types of signs that are proposed. The

DEIR should describe the type and number of signs proposed and make recommendations to consolidate and/or eliminate signs to avoid visual clutter where possible. Also, it has been the Commission's experience in the past in the Live Oak beach area that there are many privately posted signs restricting public parking (for example, 'no parking', 'tenant parking only', etc.). The DEIR must evaluate the project in terms of the signs proposed, existing, and/or expected at the parking areas to ensure that the public is able to make unencumbered use of public parking spaces in the public right-of-way.

- The DEIR should evaluate all runoff in terms of its potential to degrade water quality. Urban runoff is known to carry a wide range of pollutants including nutrients, sediments, trash and debris, heavy metals, pathogens, petroleum hydrocarbons, and synthetic organics such as pesticides. Urban runoff can also alter the physical, chemical, and biological characteristics of water bodies to the detriment of aquatic and terrestrial organisms. The NOP indicates that the proposed project would include standard silt and grease traps to filter runoff from East Cliff Drive. However, project runoff would be directed into the Monterey Bay National Marine Sanctuary at the site of one of the State's more famous – and heavily used – recreational surfing areas (i.e., Pleasure Point) directly offshore. The Sanctuary is home to some 26 Federal and State Endangered and Threatened species and a vast diversity of other marine organisms. Pleasure Point attracts surfers from far and wide to tackle the consistent line of surf wrapping around the headland and heading downcoast to Capitola here. As such, the marine and recreational resources involved with the proposed project are sensitive coastal resources that are of state and federal importance. Accordingly, the DEIR should evaluate additional filtration and treatment options that could be used in place of standard silt and debris traps; these standard silt and debris traps act as sediment holding basins and the efficacy of such units has been suspect in the Commission's experience. Units chosen for comparative evaluation should be capable of both active filtration and active treatment of runoff. The DEIR should also recommend a complementary suite of best management practices (i.e., street sweeping, long-term maintenance, etc.) designed to increase the efficiency and effectiveness of the proposed chosen filtration/treatment system. Such a system should be clearly identified on a DEIR site map with all outfall locations marked. The DEIR should include an assessment of the costs of installation and maintenance for the alternative filtration/treatment systems evaluated.
- The NOP indicates that no biotic assessment has been or will be drafted for the proposed project. Given the potential construction impacts of heavy equipment activity in the intertidal zone, the NOP indicates that the DEIR will provide information on any potential biotic impacts to intertidal resources during the project construction period; it may be that a separate biotic assessment will be necessary for this purpose. In any case, we expect that the DEIR will identify potential construction management practices to avoid and/or lessen any such impacts identified.
- The DEIR should evaluate the extent that planting pockets within the proposed seawall can be used to soften the visual impact without compromising the integrity of the wall surface. For these, and for other planting areas (e.g., the bluff edge cascading landscaping), the DEIR should recommend appropriate plant species designed to withstand drought and salt water, and to best contribute to bluff stability.

- The preliminary plans and the NOP are unclear on how the proposed recreational trail improvements would be integrated with existing trail improvements where 41st Avenue meets East Cliff Drive. As we expressed previously when the Hook parking lot improvements were proposed, it seems dangerous to direct recreational trail users across traffic at this location, creating conflicts that would be unnecessary with alternative designs. It seems to make better sense to provide a continuous recreational trail on the seaward side of East Cliff Drive as it wraps up East Cliff and extended towards Capitola along Opal Cliffs. The DEIR should evaluate the potential for modifying the trail and road improvements at the East Cliff Drive 41st Avenue intersection to allow for a continuous recreational trail on the seaward side of the street.
- The preliminary plans and the NOP are unclear on the characteristics of the recreational trail at Pleasure Point Overlook Park between 32nd and 33rd Avenues. The DEIR should evaluate means for ensuring connectivity between the path and the park, as well as connectivity with potential future recreational trail segments that would be constructed on East Cliff Drive extending upcoast towards the City of Santa Cruz. In other words, the recreational trail should not be designed as an endpoint here, but rather should be developed with this future connection in mind so that a seamless connection is possible when this future trail segment is ultimately developed. Absent planning for this eventuality now, this connecting segment may require unnecessary demolition and reconstruction of the trail and other streetscape improvements in this area when the future upcoast trail segment is constructed; the DEIR needs to evaluate project modifications to avoid such unnecessary public expense and inconvenience.
- The DEIR should evaluate the feasibility of placing the existing overhead utilities underground for this particularly scenic stretch of East Cliff Drive.

Thank you for the opportunity to comment on the NOP. With the clarifications described herein, we expect that the DEIR document will provide a sufficient level of detail to allow for a careful analysis of the project for Coastal Act and LCP policy conformance issues. We look forward to reviewing the draft EIR and we are prepared to give you additional comments at that time.

If you have any questions, please do not hesitate to call me at (831) 427-4893.

Sincerely,



Dan Carl
Coastal Planner

cc: First District Supervisor Jan Beautz
Tom Burns, Director, Santa Cruz County Redevelopment Agency (Applicant)
Barry Samuel, Director, Santa Cruz County Parks Department
Rachél Lather, Project Planner, Santa Cruz County Planning Department
Tim Duff, Project Manager, California Coastal Conservancy
Linda Locklin, Manager, California Coastal Commission Public Access Program
Katie Shulte Joung, Project Analyst, State Clearinghouse (SCH# 2001012097)



California Regional Water Quality Control Board

Central Coast Region



Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411
Phone (805) 549-3147 • FAX (805) 543-0397

February 14, 2001

Kim Tschantz
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060
(831) 454-3170

COMMENTS REGARDING THE NOTICE OF PREPARATION FOR THE EAST CLIFF DRIVE PARKWAY AND SEAWALL PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT (SCH # 2001012097)

Dear Kim Tschantz:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) for the East Cliff Drive Parkway and Seawall Project Draft Environmental Impact Report (EIR.) This document was received at the Central Coast Regional Water Quality Control Board on February 2, 2001. From these documents, we understand that the proposed project involves the addition of two seawalls and a corresponding parkway near East Cliff Drive. The proposed project will disturb 1400 linear feet of shoreline.

Regional Board staff reviewed the documents listed for the above project and the following are our water quality concerns:

1. Storm Water and Nonpoint Source Pollution

- The National Pollution Discharge Elimination System (NPDES) Program (established by the Clean Water Act) regulates discharges to surface water. This regulation intends to control and reduce pollutants to water bodies from both point source and nonpoint source discharges. In California, the California Regional Water Quality Control Board administers the NPDES program. The Regional Board has authority to issue NPDES permits for point source discharges to water bodies in the Central Coast area.
- Development and construction activities cause site-specific and cumulative water quality impacts. Water quality degradation may occur during and after construction due to discharges of petroleum hydrocarbons, oil, grease and metals from vehicles; pesticides and fertilizers from landscaping; and bacteria from pets and people.
- Addition of seawalls may increase the amount of impervious surface area at the site and may result in channelized, high-velocity flow. High velocity flow conditions will mobilize pollutants and transport them to storm drains and surface water.
- Some of these nonpoint source discharges are regulated through the NPDES Storm Water Program, which includes municipal permits and statewide general permits for construction and industrial activities. Projects disturbing more than five acres of land during construction are

California Environmental Protection Agency



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regulated under the Statewide NPDES General Permit for discharge of storm water Associated with Construction Activity. This can be accomplished by filing a Notice of Intent with the State Water Resources Control Board. The project sponsor must propose and implement control measures to protect water quality that are consistent with the General Construction Permit, and with recommendations and policies of local agencies and the RWQCB.

- The general permit requires permittees to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) should minimize project impacts. The SWPPP must be consistent with the terms of the Statewide General Construction Permit, with policies and recommendations of the local authority, and with recommendations of the Central Coast Regional Water Quality Control Board. *See above*
- Temporary construction fencing can be placed along the limits of the construction site and other areas used by equipment and vehicles. This practice would be used to prevent major disturbance to the adjacent intertidal area and to keep pedestrians out of the construction area.

2. Section 401 Water Quality Certification

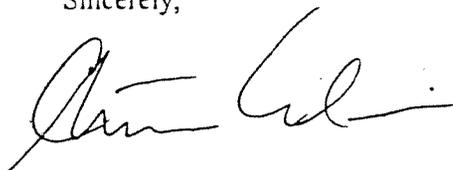
The Regional Board must certify that any permit issued by the Army Corps of Engineers (ACOE) pursuant to Section 404 of the Clean Water Act complies with state water quality standards, or deny such certification. Section 401 Water Quality Certification is necessary for all Section 404 permits, including reporting and non-reporting Nationwide permits. Any project requiring a 404 permit from the ACOE should apply for Section 401 Water Quality Certification by submitting 401 certification application. Applications may be obtained from this office. Any project which involves the disturbance of a streambank or riparian area must also obtain a Streambed Alteration Agreement from California Department of Fish and Game.

3. Wetland and Coastal Marine Environment Importance

Wetlands and coastal marine environments provide critical habitat for hundreds of species of birds, fish and other wildlife. These areas offer open space and many recreational opportunities to the surrounding wildlife. Water quality impacts occur in these areas from construction of structures in waterways, from activities such as dredging and filling, and altering from drainage to wetlands. The State of California's Wetlands Conservation Policy requires no overall net loss in wetlands in the short-term and a long-term net gain of wetlands. All projects must be evaluated for the presence and protection of jurisdictional wetlands.

If you have any questions, please call Patrishia Coffey at (805) 549-3581, or Chris Adair at (805) 549-3761.

Sincerely,



for Roger Briggs
Executive Officer

Cc: State Clearinghouse
Office of Planning and Research
P.O. Box 3044

California Environmental Protection Agency



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AMBAG

ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

February 15, 2001

Mr. Kim Schantz
Deputy Environmental Coordinator
County of Santa Cruz
Planning Department
701 Ocean Street, Suite 400
Santa Cruz, CA 95060

Re: MCH # 020114 –Notice of Preparation of an Environmental Impact Report
for East Cliff Drive Parkway and Bluff Stabilization Project

Dear Mr. Schantz:

AMBAG's Regional Clearinghouse circulated a summary of notice of your environmental document to our member agencies and interested parties for review and comment.

The AMBAG Board of Directors considered the project on February 14, 2001, and has no comments at this time.

Thank you for complying with the Clearinghouse process.

Sincerely,



Nicolas Papadakis
Executive Director



CENTRAL
FIRE PROTECTION DISTRICT
of Santa Cruz County

930 17th Avenue, Santa Cruz, CA 95062-4125
phone (831) 479-6842 fax (831) 479-6848

February 5, 2001

Kim Tschantz, CEP
Deputy Environmental Coordinator
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Dear Mr. Tschantz:

Recently, I received your Notice of Preparation Report on the East Cliff Drive Parkway and Bluff Stabilization Project. After talking to you and Mr. James from Planning it is evident that the Fire District needs to have emergency traffic included in the Environmental Impact Report (EIR).

It is essential that the Fire District be part of the report from an emergency response perspective.

Should you have any questions please feel free to contact me at 479-6842.

Sincerely,

Owen Miller
Assistant Chief

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: January 12, 2001

TO: Rache'l Lather, Project Planner

FROM: Frank Barron, Advanced Planning *FB*

SUBJECT: Application # 00-0797: East Cliff Drive Seawall/Parkway

Completeness/Consistency Comments:

None

Miscellaneous Comments:

1. As a former long term resident of the Pleasure Point area, I believe it would be preferable for the one-way traffic along East Cliff Drive, between 32nd and 41st Avenues, to be routed in the opposite direction (i.e., from east to west) than it is currently. This is because many persons driving along this stretch are interested in viewing the surf as they drive. This is much easier to do driving in the east to west direction (where you can see the surf in front of you through the windshield or the driver's side window) than it is driving west to east (where you must look back over your right shoulder neck to view the surf out the right rear/side of the vehicle). A potentially dangerous situation currently exists because many drivers attempt to view the surf while driving along this stretch, and have to look back over their shoulders, and thus are taking their eyes off the road while they drive.
2. Traffic turnouts should be provided on the ocean side of the roadway to allow drivers to pull over and temporarily stop to view the surf without having to block traffic. While parking should be prohibited in these locations, stopping (with driver in car) for short periods should be permitted. This type of temporary stopping will occur regardless if the turnouts are provided or not, but if turnouts are provided at least the traffic will still be able to flow unimpeded.
3. If not cost prohibitive, the new restroom structure (and possibly also the existing "Hook" parking lot restroom) should be equipped with rooftop a solar water heating panel(s) and storage tank(s) to provide hot/warm outdoor showers. The surfing community would appreciate this, particularly in the winter.



MONTEREY BAY

Unified Air Pollution Control District

serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER

Douglas Cuetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

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King City

Judy Pennycock
Monterey County

February 5, 2001

Kim Tschantz
Deputy Environmental Coordinator
County of Santa Cruz
701 Ocean St.
Santa Cruz, CA 95060

SUBJECT: . NOP OF EIR FOR EAST CLIFF DRIVE PARKWAY AND BLUFF STABILIZATION PROJECT

Dear Mr. Tschantz:

Staff has reviewed the referenced document and has no comments on the air quality section of the initial study. Thank you for the opportunity to review the document. Please do not hesitate to call if you have any questions.

Sincerely,

Janet Brennan
Supervising Planner
Planning and Air Monitoring Division



February 28, 2001

Kim Tschantz
Deputy Environmental Coordinator
Planning Department
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Re: East Cliff Drive Parkway and Bluff Stabilization Project

Dear Mr Tschantz,

I would first like to introduce myself, my name is Molly Ober and I am the Sanctuary Watch Program Coordinator for Save Our Shores (SOS) and work closely with Vicki Nichols the Director of Policy and Research. I have heard great things about you and your history with SOS and look forward to meeting you in the future.

SOS has been closely following the East Cliff Drive Parkway and Bluff Stabilization Project and we are pleased to hear that a full Environmental Impact Report (EIR) will be done for this project. The notice of preparation contained a list of issues that the EIR will be focused on which have the potential for significant impacts and/or substantial controversy. Save Our Shores, with our mission of protecting the ecological integrity of the Monterey Bay National Marine Sanctuary (MBNMS) through policy research, education, and citizen action feels there are additional issues that need to be addressed in the EIR.

In the initial study on page 20 it states that "Potential impacts may occur to this sensitive habitat if the project does not take specific measures to prevent a significant negative impact. Potential impacts may include the unintentional release of toxic substances such as diesel fuels, disturbance of natural intertidal life processes by excessive disturbance, increased siltation caused by excavation of the seawalls' foundations or by construction occurring at an improper time." SOS feels that it is vital that these potential impacts be further addressed in the EIR and that a biotic assessment of the area be done. SOS is also concerned about the proposed

drainage outlets and whether this will increase untreated runoff into the MBNMS. It was noted in the initial study on page 5 that "Both of the proposed outlets are anticipated to outlet in a non-erosive manner, however, this issue has not been addressed by the preliminary plans. Nor have erosion control plans been prepared at this time." SOS would like to see this issue evaluated in the EIR.

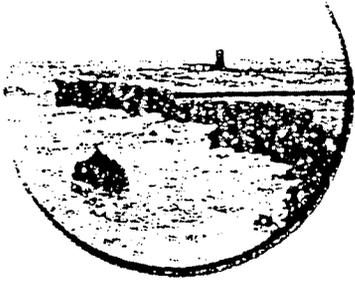
Thank you for your consideration of these comments and please keep Save Our Shores on your distribution list for all notices regarding this proposed action.

Sincerely,

A handwritten signature in cursive script that reads "Molly Ober".

Molly Ober
Sanctuary Watch Program Coordinator

SURFRIDER FOUNDATION



SANTA CRUZ CHAPTER

PO Box 3333 • Santa Cruz, CA 95063

www.surfridersantacruz.org

831-476-7667

February 19, 2001

Kim Tschantz, Deputy Environmental Coordinator
Santa Cruz County Planning Department
701 Ocean St
Santa Cruz, CA 95060

Re: East Cliff Drive Seawall and Parkway Project

Dear Ms. Tschantz,

This letter is to point out issues that should be evaluated in the EIR for the East Cliff Drive Seawall and Parkway Project. There are several issues which have the potential for significant impacts and/or substantial controversy that, according to Tom Burns letter of February 2, 2001, were not identified by the Initial Study.

In addition to those listed in Tom Burns' letter, I request that the following issues also be evaluated by the EIR. Each one of these concerns has been previously expressed during public comment meetings.

- Potential for bluff erosion at the base of the seawall where it interfaces with the unprotected rock.
- Impact of loss of beach due to passive and/or active erosion.
- A policy consistency analysis of applicable General Plan/Local Coastal Plan policies, including development in sensitive habitat, special communities and/or coastal zone.
- Evaluation of the bluff as a habitat for organisms that interact with intertidal organisms.
- Alternatives to the proposed project:

(over)

Restrict reconstructed East Cliff Drive to immediate residential traffic with new bicycle and pedestrian improvements and limit bluff protection to vegetative treatment.

- Effect that the seawall will have on the surf at Pleasure Point as well as recreational surf breaks in the vicinity of the project.

The Initial Study called for investigation of policy consistency analysis of General Plan policies including recreational uses of the surf. However, this is separate from investigation of the impact that the seawall will have on the surf as a result of passive/active erosion (and different from the above-noted concern of loss of beach as a result of these factors).

The Surfrider Foundation recognizes breaking ocean waves as a valuable resource. The California Coastal Commission also recognizes surfing waves as an important public resource in the State of California (CCC Application E-98-15 -Pratte Surfing Reef, El Segundo). The break at Pleasure Point is a frequent location of surf contests, a tourist attraction, and a unique wave. The potential loss of this surf break due to the seawall would mean the loss of an important public resource and loss of tourist income to the county.

Please include these issues to be looked at in the EIR for the East Cliff Drive Seawall and Parkway Project. As stated above, I believe each one of these concerns was raised at the public meetings for this project, but they were not identified by the Initial Study.

If you need further information or clarification as to our concerns, please contact me at: (831) 688-8157 or natnc17@aol.com. Thank you for your cooperation.

Sincerely,



Nathan Pierce, Chairperson

FEB 2001

To: Our County Representatives, Concerned Residents and Visitors to the
Pleasure Point Area

From: Carol McGuire (a previous renter and now property owner in this
area)

Date: December 7, 2000

The recent Santa Cruz Sentinel newspaper article quoting recently by Sterling Lewis addresses the major concern, ACCESSIBILITY of most residents and visitors to our beautiful Pleasure Point area. As a renter and owner in this area for the past 25 years, I have had the opportunity to witness many changes, some good and some not so good. Most of the county controlled changes have had a positive effect for the public, especially the surfers. For example, the purchase and improvements of the properties at the end of 41st Avenue, including the parking lot, bathrooms, picnic area and steps to the surfing area. The new section of road and sidewalk near Larch Lane and the beautiful, effective improvements made to the CLIFF below this road enable the public to sit on the beach without worrying whether the eroding cliff is going to bury them or their children. The techniques and materials used to shore up this area look natural and have definitely been effective in stopping the erosion.

For a minimum of three years, the county has held meetings, sent literature, proposed plans etc. about the plight of East Cliff Drive. NOW is the time to take these concerns and proposed plans and put them into action. This has been going on far too many years.

Following are the major issues and problems that exist. They are not going away and are unfair to our residents, visitors and area tax payers.

#1 SAFETY ON THE ROAD:

- The conditions for drivers of vehicles on this road are obviously unsafe.
- Pedestrians are at risk with each step taken on this road or so called walking area I have personally fallen and turned my ankles more than once.

#5 COSTS AND FUNDING

- Logistics and common sense rein on these issues. The longer this project is put off, the more costly it becomes. We have been told that we have commitments from The Redevelopment Agency, the Army Corps of Engineers and other sources. Grants are also an option. It is my belief, and I believe that of the majority of the people in the community, that this project needs to move forward in a quick and timely manner.

#6 LIABILITY –

- Shouldn't the county and taxpayers be worrying about the above mentioned conditions?

A considerable amount of money has been spent on environmental impact studies, structural engineers, consultants and architectural plans. A considerable amount of time has also been spent by the community, reading about the problems, plans and proposals, yet to materialize. Also many of us have witnessed countless hours spent by county employees dealing with the myriad of problems, ranging from years of maintenance to years of planning that never seems to materialize.

Please consider the above and move on with this project for the sake of ALL concerned. People are getting weary!!! Time is of the essence!

2001 APR 25
CESPII-ET - P. 20

EAST CLIFF STABILIZATION PKWY PROJECT 2001 APR 25 April 2001

TO MS Linda Ngim

HELLO,

I AM writing to voice my concerns about the EAST CLIFF DRIVE project.

TRAFFIC FLOW: Living on 38th we have experienced the original EAST-WEST traffic flow. This direction on EAST cliff Added 20x the normal amount of traffic to our street the reason being 38th & 41st are the "primary entrance" points to begin this ROUTE. At this time, with the WEST to EAST flow, we have a primary "EXIT" route from this course (moderate traffic increase). I believe the EAST-WEST flow proposes a major traffic increase to our small narrow avenue and any (^{TRAFFIC} STUDY) effort to avoid this would be appreciated.

Generally I would like to see the EAST CLIFFS and Roadway left as undeveloped (natural) as possible. The addition of drainage to aid runoff & reduce erosion being necessary.

(NDR)

The "partial Bluff Protection" concenteration (# B)
alternative sounds good using trees & shrubs to aid
erosion protection (# D). No sidewalks gutters or CURBS.
Keep it natural looking.

Thank You Very Much

Sincerely,



Robert Giles
500 38TH AVE
Santa Cruz, Ca

20+ year Resident/homeowner
ph# 831.462. [REDACTED]

95062

To: Kim Schantz
Santa Cruz Planning Department
From: Charles Paulden
415 Palisades, S.C. 95062

Pleasure Point Seawall and Parkway Project

- The placement of the stairs at the old restrooms provide a natural exit point from the surf.
- The viewing area on the top of this old bathroom provides a viewing area and bike parking
- Will the new stairs be usable in high tide/high surf conditions?
- A natural exit point on the shelf below the parking area at 36th ave exists and could be used as an exit stairway.
- A seawall will need to retain the informal "Goat Trails" used to enter and leave the surf resource. Documentation of these trails will give valuable information to the seawall design.
- The stairs at Pleasure Point Night Fighter Park need to be usable at high tide/ high surf times.
- The Importance of the Pleasure Point cultural artifacts and community character need to be respected and enhanced. i.e. Provide space for bulletin boards, public meeting space, public art...
- The existing Casual Coastal Esthetic needs to be maintained and enhanced. The built environment should be minimized and softened.
 - The use of decomposed granite is a good example of this.
 - Stairways, fences and railings of wood is preferable.
 - The use of asphalt over concrete is more "park like".
 - The existing Drainage Swall is preferable to concrete curb and gutter.
 - If curbs and gutters are used, The curved gutters on 32nd ave are less visually abrasive.
- The transition from the road to bike way should be a bike lane line (as seen throughout Santa Cruz County) rather than a curb, unless curved, so that conflicts between pedestrians, surfers, kayakers, baby strollers ect... are to be minimized. Allow bikes to leave and return to the bike way safely!
- Reverse the traffic flow so that drivers do not need to look over their shoulder to view the surf.

-This also allows for more natural right turns rather than less safe left turns, due to visual obstructions

* Due to the sensitive nature of the Monterey Bay Marine Sanctuary and recreational surf resource, the Urban Runoff needs to be treated for the removal of toxins, pesticides, pathogens, oil, ect... A storm drain system, that cleanses the Urban runoff and recharges the Groundwater is needed. Open space needs to be preserved to serve this function and added to the parkway.

* Parking needs to be screened yet allow viewing of the surf.

* Plant materials should recognize the geographic location, Central California, and use indigenous and native planting. The use of Cypress, Pines, Redwoods, Oaks, Sycamore, Ceanothus, Manzanita, native grasses and flowers (Lupines, Poppies ...)

* Conserve energy by providing minimal lighting, with underground wires, so we can observe the rising of the sun and moon and observe the stars in the night sky.

Jack O'Neill
2-3610 East Cliff Drive
Santa Cruz, CA 95062
831-475-

April 12, 2001

U.S. Army Corps of Engineers
County of Santa Cruz

SUBJECT: EAST CLIFF DRIVE BLUFF STABILIZATION AND PARKWAY PROJECT

Sorry I am unable to attend tonight's meeting. As I live at the east end of the proposed sea wall on a growing on the ocean side almost on the beach. I would like to pass along my observations.

- 1.) I believe the stairway and restroom at the end of 36th Avenue should be retained. Even with the toilet facilities at Pleasure Point and The Hook, there are still many people who use this area as a restroom, the beach, the trees, the bushes etc.

The stairway is widely used by surfers and beach goers. With a little modification, this could be a good exit for surfers when the surf is big and the tide is high. This is a very dangerous condition.

- 2.) Visual Analysis: I believe the proposed gunite will look like a Disneyland project after the newness wears off. The similar sculptured work on Highway 17 gives me this impression. I would much prefer to see this area planted. If the concrete and rocks were removed from the beach it would certainly slow down the erosion of the sandstone.
- 3.) One-Way Traffic: This area is most widely used by surfers; they are continually checking the ever-changing surf conditions. Under the current west to east pattern, the surfers are checking the surf by looking over their shoulder behind them, often stopping suddenly, which is a dangerous situation. If the pattern were to be reversed, they would be looking forward to check surf conditions.

Another problem is the west to east pattern sets up a counter clockwise traffic pattern. This counter clockwise pattern necessitates left hand turns, which tie up traffic and cause accidents. That is, to change your direction you make a left hand turn from the avenues onto Portola, and to enter the area from Portola you must make a left turn. If the direction were reversed, it would set up a clockwise right hand turn pattern, eliminating many of these problems. For example: when entering Portola from the avenues a right hand turn would be made involving one lane of traffic, rather than waiting for three (3) lanes to clear with a left turn, it is safer and faster.

Thanking you for your consideration,


Jack O'Neill

JO/CVM

KIM TSCHEKINTZ, LEP

SANTA CRUZ PLANNING DEPARTMENT

- THE PLACEMENT OF STAIRS AT THE OLD RESTROOMS PROVIDE A NATURAL EXIT POINT FROM THE SURF.
 - THE REMOVAL OF THE VIEWING AREA ON THE TOP OF THE BATH ROOM IS OF CONCERN. THE AREA ALSO PROVIDES BIKE PARKING.
- THE SEA WALK NEEDS TO RETAIN IN FORMAL "GOAT TRAILS" USED TO ENTER & LEAVE THE SURF RESOURCE.
 - THIS EXISTING USE COULD BE ACCESSED IN THE PLANNING
- STAIRS AT "NIGHT FIGHTER" PARK NEED TO BE USEABLE AT HIGH TIDE / HIGH SURF TIMES
- THE IMPORTANCE OF THE PLEASURE POINT CULTURAL ARTIFACTS AND COMMUNITY CHARACTER NEED TO BE RESPECTED & ENHANCED.
 - PROVIDE SPACE FOR BULKY TEN BOARDS, PUBLIC MEETING SPACE, PUBLIC ART ...

Robert Stakem
241 30th Avenue
Santa Cruz, CA 95062

February, 26th 2001

Tom Burns
Redevelopment Agency Administrator
County of Santa Cruz Redevelopment Agency
701 Ocean Street
Santa Cruz, CA 95060



Re: East Cliff Drive Seawall and Parkway Project EIR.

Thank you for the notice regarding preparation of the EIR. Since vehicle and pedestrian access are a major part of the project, they should be considered relevant to the following issues:

In your notice letter, evaluation issue number 11 includes changing one-way access to west bound direction. One of the most valuable assets to the scenic corridor along East Cliff Drive is the view. Most people driving along this route are there to evaluate surfing conditions since this stretch of coastline offers some of the finest quality surfing breaks along the entire west coast of the United States. Pleasure Point, like most point breaks in California, (since the surf usually comes from a northwest storm condition) the surf is best evaluated looking west, northwest. Currently, the eastbound traffic flow does not allow a safe and adequate evaluation of these surf breaks. One must greatly reduce their driving speed and even stop to look over their right shoulder for this surf view thereby losing focus of the oncoming bicycle and pedestrian traffic.

Also, it is necessary to consider the street width for this change in traffic direction. The current project proposed a 16 foot pavement width. Traffic flowing in the west bound direction would provide a more efficient use of East Cliff Drive as vehicles exit from the Avenues (34th through 37th

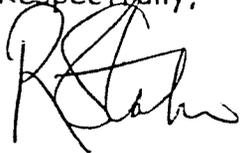
Avenues) thereby requiring a smaller vehicle turning radius and a reduction of the 16 foot width to a standard 12 foot arterial lane width.

In addition, considering the level and speed of traffic and that the scenic drive is completely within a residential area, a combined pedestrian and bicycle access width of 16 feet appears unwarranted. Reducing either or both of these widths provides more area for landscape.

Finally, most of the frontage along East Cliff Drive is unobstructed by guard rails or fencing, allowing a clear view of the ocean and surf breaks from a vehicle. Construction of any additional guard rails or fencing would significantly alter this most valuable view and greatly reduce the natural beauty of the bluff setting.

Thank you for your consideration of these issues.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Stakem', written in a cursive style.

Robert Stakem

cc: Kim Tschantz, County Planning Department
Jan Beautz, District Supervisor
Public Works Department

RECEIVED
CESPI-21 ET-PP

April 12, 2001

2001 APR 17 AM 11:01

To whom it concerns,

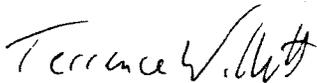
This letter is in reference to the East Cliff Bluff Stabilization and Parkway Project.

Previous meetings have identified several issues and potential impacts related to the cliff stabilization project. One is the impact of the project on bluff habitat for protected wildlife species. I would like to suggest a more expansive view that includes the evaluation of the bluff community as a whole including non-listed and previously unidentified species. This community would include not only vegetation, small mammals, and birds but also resident arthropods such as jumping spiders, mites, and flies.

One possible impact is a direct loss of habitat as cement coating on the bluff would disallow mammals or insects to burrow and may prevent the formation of cavities by weathering for cliff nesting birds. In addition, I am concerned that if the sea wall results in scouring and beach loss, there may be a reduction in the amount of washed up kelp available as food and breeding habitat to fly populations, which in turn may be a food source for predators such as spiders and so have a cascading impact on the bluff community.

Finally, proposed mitigations for biological impacts should include long term monitoring strategies. These monitoring strategies should be seasonally appropriate and sufficiently funded.

Sincerely,



Terrence Willett
510 36th Ave.
Santa Cruz, CA 95062