
APPENDIX B

PUBLIC INVOLVEMENT

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B.1 OVERVIEW OF THE NATIONAL ENVIRONMENTAL POLICY ACT

The US Army Corps of Engineers (Corps) and County of Santa Cruz Redevelopment Agency (Redevelopment Agency) were originally cosponsors of the project analyzed in this document. Under NEPA and the Council on Environmental Quality (CEQ) regulations, federal agencies are required to consider the environmental impacts of their proposed actions prior to taking action. Actions that are subject to NEPA include those involving federal funding, those requiring federal permits, those involving federal facilities and equipment, and those that affect federal employees. Consequently, an EIS/EIR was prepared and released in 2003, in accordance with NEPA and CEQA, and the cosponsors of the project conducted public involvement in compliance with NEPA and CEQA.

However, because the project no longer includes federal funds and would be funded entirely by local sources, the Redevelopment Agency and County Department of Public Works became the sole project sponsors. The Corps' authorization for the proposed bluff protection structure is now limited to approval under Nationwide Permit #13. This permit has already undergone NEPA review, so the NEPA analysis in this document is essentially superfluous, and CEQA requirements prevail. County sponsors of the project have ensured that the process meets CEQA's public involvement requirements, as described below.

B.2 PUBLIC INVOLVEMENT

Public involvement is a vital component of NEPA for vesting the public in the decision-making process and allowing for full environmental disclosure. Guidance for implementing public involvement is codified in 40 Code of Federal Regulations 1506.6, thereby ensuring that federal agencies make a diligent effort to involve the public in preparing NEPA documents.

Prior to the planning development permit application, the County held a community meeting on December 12, 2000, where discussions included design elements, environmental concerns, and the next step in the planning process. This meeting was followed by a public scoping meeting, conducted by both the Santa Cruz County Redevelopment Agency and the Corps, on April 12, 2001. This meeting fulfills the NEPA requirement to receive input from the public on the scope

of the project, including the scope of the issues to be addressed (CEQ Regs 1501.7). The scope consists of the range of actions, alternatives, and impacts to be considered in the EIS/EIR (CEQ regs 1508.25).

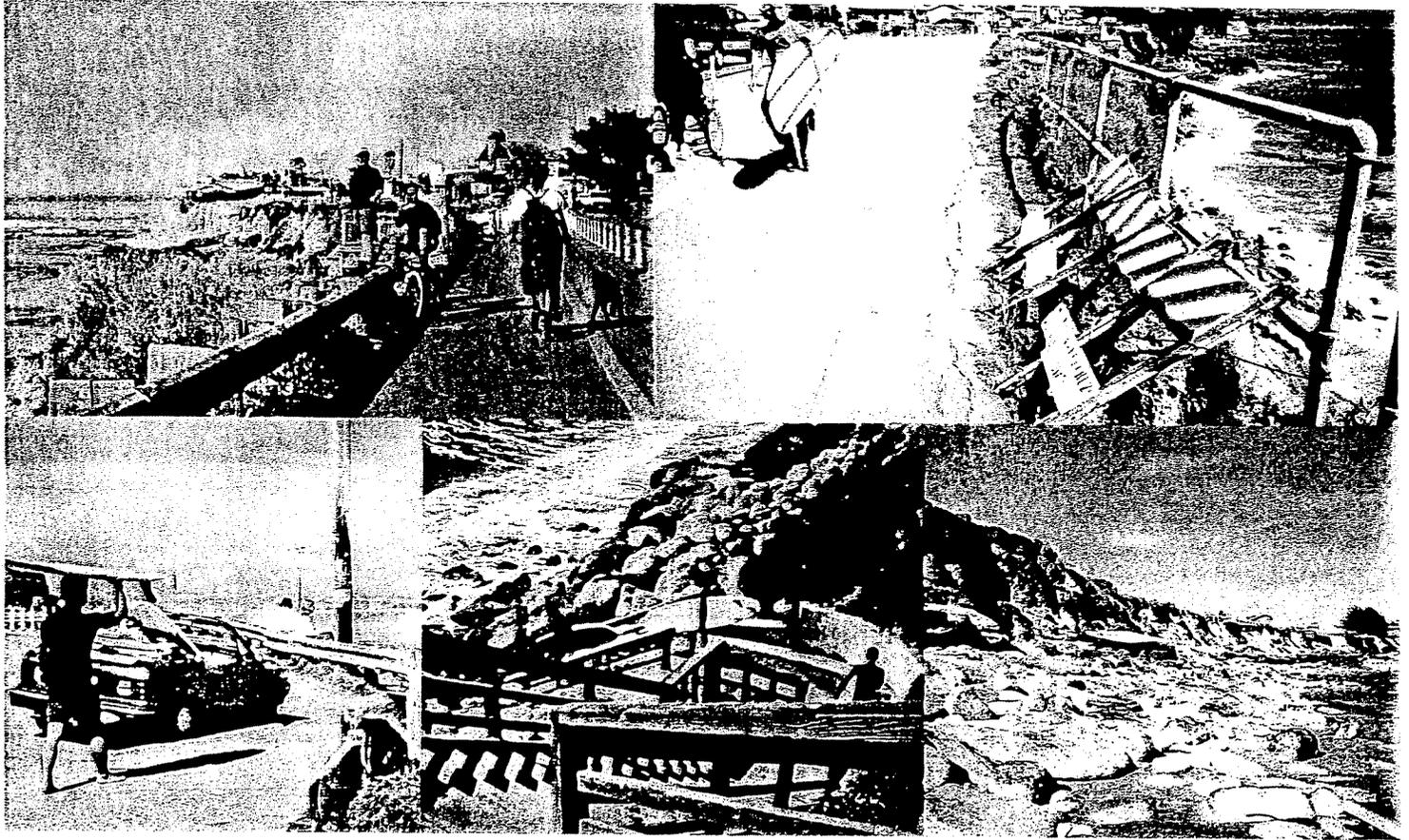
Following release of the Draft EIS/EIR on March 21, 2003, the county held a public open house on April 7, 2003, and the Corps held a public meeting on April 30, 2003. Public comments were received at both agencies via fax, e-mail, and mail. The public comment period closed on May 12, 2003. Public comments received at the public meetings and during the comment period were responded to the 2003 final EIS/EIR.

The EIS/EIR was revised in 2005 and 2006, and the Revised Draft EIS/EIR was released to the public in May 2006. This was followed by a public open house on June 8, 2006, conducted by the Santa Cruz County Planning Department, during which project sponsors met with the public and answered questions about the project. Public comments were received at the public open house and by the Planning Department via fax, mail, and e-mail. Chapter 21 of this document contains all comments received from public agencies, organizations, and members of the public, as well as the County's responses to those comments.

PUBLIC INVOLVEMENT DOCUMENTS INCLUDED IN THIS APPENDIX:

Document Title	Date	Page Number
Postcard sent to over 700 addresses announcing the December 7, 2000 meeting.	November 2000	B-4
Poster announcing the December 7, 2000 meeting.	November 2000	B-5
Cover letter for the Notice of Preparation.	January 29, 2001	B-6 – B-7
Notice of Preparation.	January 29, 2001	B-8 – B-10
Notice of Preparation Mailing List.	December 2000, April 12, 2001	B-11
Map showing the geographic area to which the postcards were mailed announcing the December 7, 2000 and April 12, 2001 meetings.	January 29, 2001	B-12
Federal Register announcement (Notice of Intent) for the EIS/EIR.	March 30, 2001	B-13
Publication proof for advertisements placed in the Santa Cruz Sentinel five days prior to the April 12, 2001 meeting.	April 25, 2001	B-14
US Army Corps mailer sent to over 700 addresses announcing the April 12, 2001 scoping meeting.	April 8-10, 2001	B15 – B-16
Transcript of proceedings for scoping meeting held in Santa Cruz, California.	April 12, 2001	B-17 – B-76
County cover letter announcing availability of Draft EIS/EIR	March 21, 2003	B-77 – B-78

Document Title	Date	Page Number
Corps of Engineers Notice of Availability announcing Draft EIS/EIR	March 21, 2003	B-79 – B80
Transcript of proceedings for public meeting on Draft EIS/EIR held in Santa Cruz, California	April 30, 2003	B-81 – B-142
County cover letter announcing availability of Revised Draft EIS/EIR	May 8, 2006	B-143 – B-144
County summary sheet describing what has changed since 2003 EIS/EIR	May 8, 2006	B-145 – B-146



EAST CLIFF DRIVE CLIFF STABILIZATION & PARKWAY

Community Meeting Scheduled

A community meeting has been scheduled to review the status of a proposed cliff stabilization and public access/parkway enhancement project along East Cliff Drive in Pleasure Point. Design, environmental concerns and the next steps will be discussed.

December 7, 2000

7:30 PM - 9:30 PM

Live Oak Community Center

(Simpkins Swim Center)

979 17th Avenue

All Pleasure Point residents are encouraged to attend this important Community meeting

County of Santa Cruz
Redevelopment Agency
701 Ocean Street, Room 510
Santa Cruz, California 95060

**BULK RATE
U. S. POSTAGE
PAID
SANTA CRUZ, CA
PERMIT NO. 467**

Should you have any questions, or require special accommodations to attend this meeting please contact

Gary Carlson, Project Manager
Redevelopment Agency at 454-2280

rda@co.santa-cruz.ca.us

EAST CLIFF DRIVE

CLIFF STABILIZATION & PARKWAY

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Gary Carlson, Project Manager
Santa Cruz County Redevelopment Agency at 454-2280
rda@co.santa-cruz.ca.us



County of Santa Cruz

REDEVELOPMENT AGENCY

701 OCEAN STREET, ROOM 510, SANTA CRUZ, CA 95060-4000

(831) 454-2280 FAX: (831) 454-3420 TDD: (831) 454-2123

TOM BURNS, AGENCY ADMINISTRATOR

January 29, 2001

To: Interested parties -

RE: East Cliff Drive Seawall and Parkway Project

In beginning the process for an Environmental Impact Report an "Initial Study" has been prepared by the Planning Department which includes a detailed project description and identification of possible environmental impacts. This is part of a procedure in which a "Notice of Preparation" and copies of the "Initial Study" are sent out to various agencies and to the State Clearing House. This provides a finding or basis for determining that an EIR shall be prepared. Many participants in the community review process have asked to be informed of this and may wish to comment on the probable scope of the material to be evaluated in the forthcoming Environmental Impact Report.

The EIR will be focused on those issues which have the potential for significant impacts and/or substantial controversy. The Initial Study has determined that the following issues shall be included in the EIR:

1. Potential for bluff erosion at the two ends of the seawalls where it interfaces with unprotected bluff face.
2. Potential for drainage induced erosion on new sea wall surface from new drainage discharges installed at the armored bluff face.
3. Cumulative impact of loss of beach sand supply.
4. A policy consistency analysis of applicable General Plan policies, including recreational use of the bluffs, beach and surf.
5. Potential temporary construction effects on the intertidal environment.
6. Evaluation of the bluff habitat for protected wildlife species and project impacts on the species.
7. Visual analysis of the proposed constructed seawall component of the project.
8. Update of the 1996 paleontological report prepared for the project.
9. Third party review of project plans to determine if additional erosion control techniques need to be implemented during the construction.
10. Third party review of the technical reports prepared for this project to assess the methodology, conclusions and recommendations included in each report. (Including geology, effects of the surf and natural processes occurring the area).

11. Alternatives to the proposed project:
 - a. No implementation of the project.
 - b. Restrict reconstructed East Cliff Drive to immediate residential traffic with new bicycle and pedestrian improvements and limit bluff protection to vegetative treatment and armoring of the bottom half of the bluff only.
 - c. Evaluate the proposed project with the change in one-way traffic flow on the project segment of East Cliff Drive in the westbound direction.
 - d. Constructing other types of bluff protection structures, such as groins, reefs or riprap, rather than the proposed soil-nail wall.

Copies of the Notice of Preparation are available for review at the Santa Cruz County Redevelopment Agency, 701 Ocean Street, Room 510 and at the Planning Department. If you wish to review the Initial Study or provide comments which might be relevant to the preparation of the Environmental Impact Report you may contact:

Planning Department - Kim Tschantz, Deputy Environmental Coordinator at 454-3170
Redevelopment Agency - Paul Rodrigues, Project Manager at 454-2280

Due to time limits mandated by state law, your response must be made within a thirty day time period beginning from the date of filing with the State Clearing House which is January 30, 2001. This comment period is simply to provide input regarding issues to be looked at in the Environmental Impact Report. Note, you will still have the opportunity, later, to provide your comments on the project during the public review process for the EIR. Following this comment period an environmental consultant will be selected to prepare the EIR



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060-4073

(831) 454-2580 FAX: (831) 454-2131 ADD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

NOTICE OF PREPARATION

DATE: JANUARY 29, 2001

TO: ALL RECIPIENTS
ON THE ATTACHED
LIST

FROM: PLANNING DEPARTMENT
COUNTY OF SANTA CRUZ
701 OCEAN STREET
SANTA CRUZ, CA 95060

SUBJECT: NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT
REPORT

PROJECT TITLE: EAST CLIFF DRIVE PARKWAY AND BLUFF STABILIZATION
PROJECT

PROJECT APPLICANT: COUNTY OF SANTA CRUZ REDEVELOPMENT AGENCY
AND COUNTY OF SANTA CRUZ PUBLIC WORKS
DEPARTMENT

The County of Santa Cruz will be the Lead Agency and will prepare an Environmental Impact Report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by the County if your agency needs to issue a permit or other approval for the project.

The project description and the probable environmental effects are contained in the attached materials. A copy of the Initial Study is attached.

In summary, the project is a proposal to construct a project that includes, engineered seawalls and a "Parkway" in two phases, as follows. Phase I is to consist of the construction of engineered seawalls in two locations (one from 33rd Ave. to 36th Ave and the other near the terminus of 41st Ave. at "The Hook"), construction of new and replacement beach access stairways, demolition of an existing abandoned restroom, grading of about 9,000 cubic yards of material to relocate and/or remove existing concrete rubble and rock rip-rap. Phase II is to consist of the construction of roadway, bicycle and pedestrian pathway improvements on East Cliff Drive from 32nd Ave. to 41st

Ave., a retaining wall near 38th Ave., restroom construction and park site development at the Pleasure Point "Overlook Park", and the installation of various landscape and drainage improvements. Project requires a Coastal Zone Permit, approval of a Master Site Plan for improvements to the Pleasure Point Overlook Park, a Variance to reduce the 30 foot yard setbacks for the proposed restroom at Overlook Park and Preliminary Grading approval.

The EIR will be focused on those issues which have the potential for significant impacts and/or substantial controversy. The issues include:

1. Potential for bluff erosion at the two ends of each sea wall where it interfaces with unprotected bluff face.
2. Potential for drainage induced erosion on new sea wall surface from new drainage discharges installed at the armored bluff face.
3. Cumulative impact of loss of beach sand supply.
4. A policy consistency analysis of applicable General Plan policies.
5. Potential temporary construction effects on the intertidal environment.
6. Evaluation of the bluff as habitat for protected wildlife species and projects impacts the species.
7. Visual analysis of the proposed constructed seawall component of the project.
8. Update of the 1996 paleontological report prepared for the project.
9. Third party review of project plans to determine if additional erosion control techniques need to be implemented during construction.
10. Third party review of the technical reports prepared for this project to assess the methodology, conclusions and recommendations included in each report.
11. Alternatives to the proposed project:
 - a. No implementation of the project.
 - b. Restrict reconstructed East Cliff Drive to immediate residential traffic with new bicycle and pedestrian improvements located on inland side of the right-of-way and limit bluff protection to vegetative treatment and armoring of the bottom half of the bluff only.
 - c. Evaluate the proposed project with the change in one-way traffic flow on the project segment of East Cliff Drive in the westbound direction.
 - d. Constructing other types of bluff protection structures, such as groins, reefs or rip rap, rather than the proposed soil-nail wall. (This alternative could be combined with any form of the parkway component of the project.

NOP to Prepare an EIR
E. Cliff Drive Parkway and Bluff Stabilization Project
January 29, 2001
Page 3

Due to the time limits mandated by state law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to me at the address shown above. We will need the name of a contact person for your agency. I can also be contacted at (831) 454-3170.

Sincerely,



KIM TSCHANTZ, CEP
Deputy Environmental Coordinator

Enclosures: 1 - NOP mailing List
2 - Location Map of Project Site
3 - Initial Study

ecliff-nop.wpd

MAILING LIST FOR E. CLIFF
PARKWAY AND BLUFF
STABILIZATION EIR NOTICE OF
PREPARATION

JANUARY 29, 2001

CENTRAL FIRE DISTRICT
930 17th AVENUE
SANTA CRUZ, CA 95062

AMBAG
PO BOX 838
MARINA, CA 93933

IVE OAK SCHOOL DISTRICT
966 BOSTWICK LANE
SANTA CRUZ, CA 95062

STATE CLEARING HOUSE
1400 TENTH STREET
SACRAMENTO, CA 95814

TA CRUZ COUNTY SANITATION
DISTRICT
701 OCEAN STREET
SANTA CRUZ, CA 95060

MONTEREY BAY NATIONAL MARINE
SANCTUARY
299 FOAM STREET
MONTEREY, CA 93940

SANTA CRUZ COUNTY
ANSPORATION COMMISSION
1523 PACIFIC AVENUE
SANTA CRUZ, CA 95060

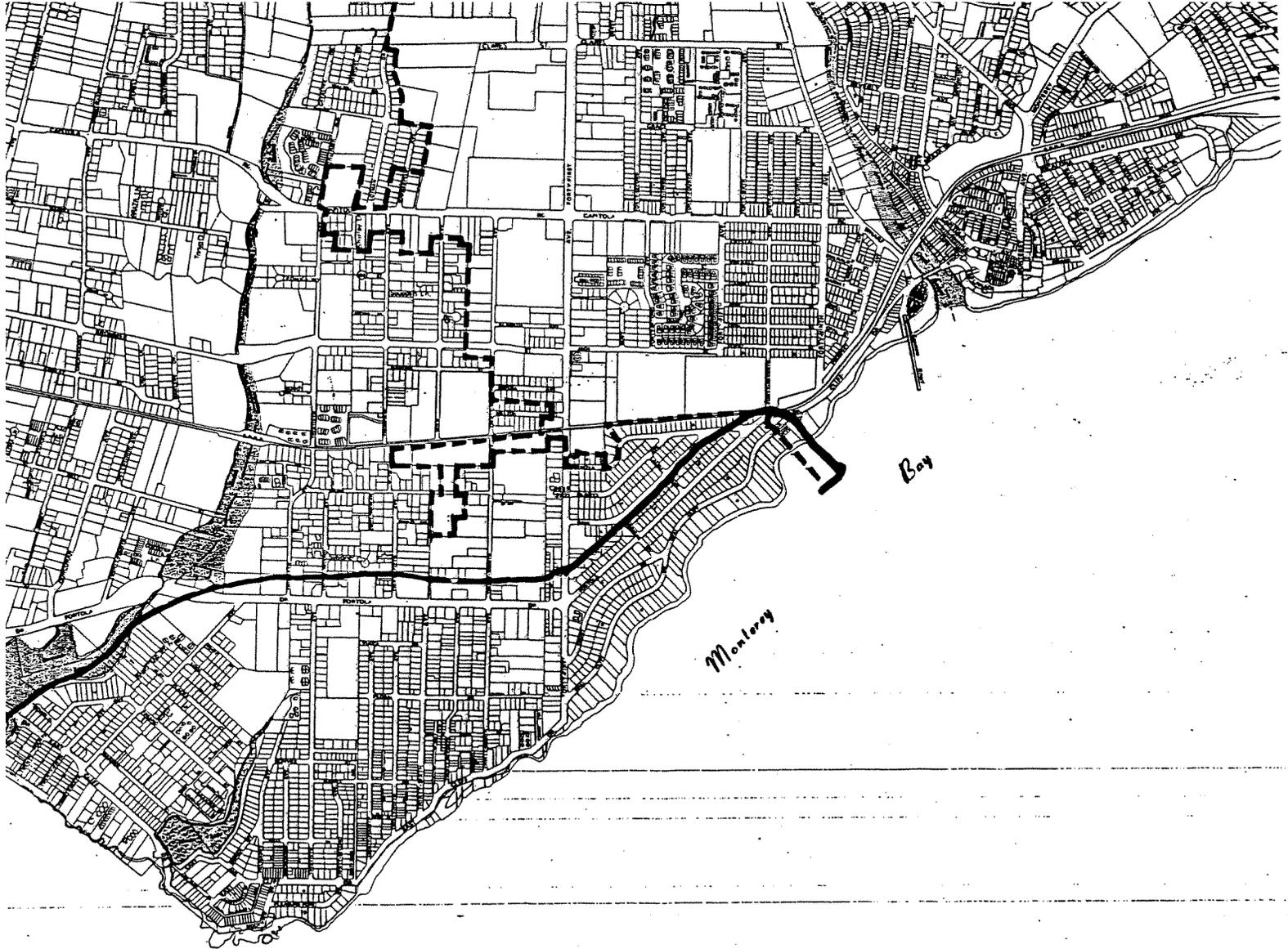
John Winkleman
USACE-San Francisco
CESPN-PE-EH
333 Market Street, 7th Floor
San Francisco, CA 94105-2197

PLANNING DEPARTMENT
420 CAPITOLA AVENUE
CAPITOLA, CA 95010

SAVE OUR SHORES
222 E. CLIFF DRIVE
SANTA CRUZ, CA 95062

MBUAPCD
1580 SILVER CLOUD COURT
MONTEREY, CA 93940

SURFRIDER FOUNDATION
PO BOX 3203
SANTA CRUZ, CA 95062



Bay

Monterey

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 3710-19-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



U.S. ARMY
CORPS OF ENGINEERS
SAN FRANCISCO DISTRICT

To: Interested parties - East Cliff Drive Bluff Stabilization and Parkway Project

Project Scoping Meeting for EIR/EIS
Thursday April 12, 2001 - 7:30pm-9pm
Simpkins Swim Center
979 17th Avenue
Santa Cruz, California

As you may know, the County is moving forward with the preparation of an Environmental Impact Report for the East Cliff Project. An "Initial Study" and a "Notice of Preparation" (N.O.P.) have been completed per the requirements of the California Environmental Quality Act (CEQA). Because this project is federally cost shared with the U.S. Army Corps of Engineers, environmental review must also include and comply with the requirements found under the National Environmental Protection Act (NEPA). In order to meet NEPA requirements, a scoping meeting must be held to address environmental issues to be considered in the Environmental Impact Report/Environmental Impact Statement (EIR/EIS). The purpose of the scoping meeting is to provide an opportunity for interested members of the community and other agencies and organizations to express an opinion regarding issues to be included within the EIR/EIS. It should be noted that this meeting is strictly a discussion of issues related to possible environmental impacts. You may wish to comment on the probable scope of the issues to be evaluated.

The EIR/EIS will focused on those issues which have the potential for significant impacts. A summary of those issues identified so far are:

1. A policy consistency analysis of applicable General Plan/Local Coastal Plan policies, including recreational use of the bluffs, beach and surf, patterns of private encroachments within the public right of way, parking and public access.
2. Potential for impacts related to grading, drainage and run off, and erosion on the new seawall surface from new drainage discharges installed at the bluff face.
3. Cumulative impact of loss of beach sand supply.
4. Potential for bluff erosion at the two ends of the seawall where it interfaces with the unprotected bluff face or adjacent surfaces.
5. Potential effects on the intertidal environment.
6. Evaluation of the bluff habitat for protected wildlife species and project impacts on the species.
7. Visual analysis of the proposed constructed seawall component of the project.
8. Updating the 1996 paleontological report prepared for the project.
9. Third party review of project plans to determine if additional erosion control measures need to be implemented during the construction.

10. Third party review of the technical reports prepared for this project to assess the methodology, conclusions and recommendations included in each report. (Including geology, effects on the surf and natural processes occurring in the area).
11. Air quality and noise during the construction process.
12. Emergency access issues.

As required by the CEQA/NEPA process requires consideration of alternatives. The following alternatives will be evaluated:

- a. No project. An evaluation of the implications of not providing any form of bluff protection or right-of-way improvements.
- b. Partial Bluff Protection. Limit bluff protection to vegetative treatment and protection of the bottom half of the bluff only, with parkway improvements and vehicle traffic adjusted accordingly.
- c. Evaluate the proposed project with a change in one-way traffic flow in the project area of East Cliff Drive to the westbound direction.
- d. Constructing other types of erosion bluff protection structures such as groins, man-made reefs or riprap, rather than the proposed soil-nail wall.

If you believe that there are other significant environmental issues which need to be included in the scope of the EIR/EIS, please attend this meeting and share your concerns about this project. If you wish to provide written comments which might be relevant to the preparation of the EIR/EIS you may contact:

- Ms. Linda Ngim, Environmental Manager, U.S. Army Corps Engineers, San Francisco District, Environmental Planning Section, 333 Market Street, 7th Floor, San Francisco, California 94105-2197
415-977-8538 (For NEPA related issues)
- Mr. Kim Tschantz, Deputy Environmental Coordinator, County of Santa Cruz, Planning Department, 701 Ocean Street, Room 400, Santa Cruz, California 94260-4000
(831) 454-3170 (For CEQA related issues)
- Mr. Paul Rodrigues, Project Manager, County of Santa Cruz, Redevelopment Agency, 701 Ocean Street, Room 510, Santa Cruz, California 94260-4000
(831) 454-2280

You will also have future opportunities to provide your comments on the project during the public review process for the EIR/EIS. Following this scoping meeting, an environmental consultant will be selected to prepare the EIR/EIS. We currently expect the preparation of the EIR/EIS to extend through the fall of this year and that the public hearings regarding the Final EIR/EIS will take place at that time.

Thank you for your interest.

CERTIFIED COPY

EAST CLIFF DRIVE BLUFF STABILIZATION

AND PARKWAY PROJECT

SCOPING MEETING

FOR THE ENVIRONMENTAL IMPACT REPORT

AND ENVIRONMENTAL IMPACT STATEMENT

TRANSCRIPT OF PROCEEDINGS

Santa Cruz, California

April 12, 2001

Taken in the Simkins Family Swim Center, 979 17th Avenue, Santa Cruz, California, by Melinda Nunley, CCR #9332, a Notary Public within and for the County of Santa Cruz, State of California.

McB
MCBRIDE & ASSOCIATES

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MEMBERS OF STAFF

Tom Burns, Director, Santa Cruz County Redevelopment Agency

Eric Bluhm, Project Manager, Corps of Engineers

John Winkelman, Hydrologist, Corps of Engineers

Linda Ngim, Environmental Manager, Corps of Engineers

Paul Rodrigues, Project Manager, Santa Cruz County Redevelopment Agency

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1 Santa Cruz, California, Thursday, April 12, 2001

2 7:32 p.m.

3
4 MR. BURNS: Why don't we get started, folks?

5 Thank you for coming. Some of you look quite familiar
6 faces. Others are new to this process. My name's Tom
7 Burns. I'm the director for the redevelopment agency, and
8 we've been talking with the community over the last year or
9 so formally about issues on the East Cliff area and
10 formalizing bikeways and pathways, and of course as part of
11 doing that, we also need to deal with some coast
12 stabilization issues. We've had 2 large community
13 meetings. Gosh, Paul, when was the last?

14 MR. RODRIGUES: December 7th.

15 MR. BURNS: Yeah, December was the last meeting
16 and then had one I think in March or April of last year,
17 and both of those meetings we talked a little about the
18 potential of doing an environmental impact report for the
19 project and some of the issues that might be addressed as
20 part of that EIR. As time has gone on and we've discussed
21 the issues more with the corps of engineers who is the
22 possible actual firm that would be overseeing construction
23 of the project, it became clear to us that not only if
24 we're going to do an EIR, we actually need to do the
25 federal equivalent of an EIR which is an EIS, and while we

1 did our scoping needed for the state environmental impact
2 report, under federal law, in order to start an
3 environmental impact statement, one needs to do a more
4 formal scoping session for an EIS. So this meeting has
5 been noticed in the federal register, and notices we also
6 did send out to folks who had expressed an interest in the
7 past, so that's really what we're here to do tonight.
8 Maybe it would be helpful just by way of show of hands how
9 many folks have participated in either of those 2 earlier
10 meetings? Okay. So quite a few of you have, so in terms
11 of review, we can move that along quickly. So really we're
12 here tonight to mostly hear from you and hear what
13 additional ideas people may have in terms of issues for the
14 EIS and EIR, and in order to facilitate that process, let
15 me make a few introductions.

16 From the corps of engineers we have several folks
17 here tonight. Eric Bluhm there in the back of the room who
18 is the project manager from the corps of engineers for
19 their aspect of this project, John Winkleman who's -- he's
20 a coastal engineer working with the corps of engineers,
21 John, Linda Ngim who's here as the environmental manager
22 for the corps of engineers and will be overseeing the EIS
23 part of the project for the corps of engineers, and Paul
24 Rodrigues who is the redevelopment project manager from the
25 county on this project.

1 So really with that I'm going to turn this over to
2 folks who came here tonight to give you an overview of
3 these issues.

4 MR. RODRIGUES: I'll get the lights.

5 MS. NGIM: Everybody see? It's okay? As Tom
6 mentioned earlier, I'm Linda Ngim. I'm with the San
7 Francisco District Army Corps of Engineers. I'm the
8 environmental manager for the project. One of the things
9 that I do as part of my job is to put together meetings,
10 basically do environmental compliance, and in this -- for
11 this particular project, the East Cliff Drive Bluff
12 Stabilization and Parkway Project, the corps and the county
13 will be putting together environmental documentation.

14 Next slide. Oh, another thing, I want to say that
15 if you will refrain your questions until after the
16 presentation and then we'll get to everybody as best we can
17 tonight.

18 So anyway, the purpose of this meeting tonight is
19 to -- is a scoping meeting, and as part of a scoping
20 meeting, part of scoping, you need to -- we want to hear
21 your suggestions and your comments on the project.

22 Next slide. So basically what had happened was
23 that back in 1998 the County of Santa Cruz had approached
24 the Army Corps of Engineers, and by -- by means of -- well,
25 we were approached by the county and -- because of a

1 problem with the erosion that was occurring at East Cliff
2 Drive -- one -- which was of course impacting roadway and
3 traffic, utilities and recreational uses.

4 Next slide. You skipped one. Go back. Okay.
5 The project -- the corps is authorized under the Continuing
6 Authorities Project under Section 103 of the Rivers and
7 Harbors Act of 1962 which basically allows the corps to get
8 involved with small coastal projects.

9 Next. And the area that we're referring to
10 tonight is the East Cliff -- is along East Cliff Drive, a
11 1,000-foot section located from 33rd Avenue to 36th Avenue
12 and another section which is between 3- to 400 foot -- feet
13 near the terminus of 41st Avenue.

14 Next. Okay. So tonight's -- so tonight's meeting
15 is -- the reason why we're here is because we need to -- in
16 order to comply with the National Environmental Policy Act
17 and the California Environmental Quality Act, we need to
18 get your comments and put an -- basically hear your
19 suggestions on all this. Anyway, the -- so the document
20 that we're putting together is actually going to be a
21 combined document. Normally there are 2 separate
22 documents, but in this case we felt that to -- to comply
23 with both, that we'd combine the 2.

24 So again, so in terms of public comment, tonight's
25 not your only chance to comment on this project. You also

1 have the period during the circulation of the draft
2 environmental document which is a 90-day period, and
3 basically it's 90 days from the start that the draft
4 document is circulated. You'll have a chance during the --
5 during the -- while the draft is being circulated, we will
6 have another meeting here again taking suggestions and
7 comments on the document, and of course we'll have --
8 there'll be a final comment -- another comment period
9 during the final circulation of the environmental document,
10 and that's a -- that's a 30-day period. Of course on the
11 local level you'll have other opportunities after the
12 publication of the final to make your comments.

13 So tonight we're talking -- the project
14 alternatives that we have listed so far is the proposed
15 plan, which is the soil and nail wall, a no project
16 alternative which basically is leave -- leave the -- leave
17 it alone, partial bluff protection, groins and rock
18 revetments, and other alternatives may come up as
19 suggestions -- as comments and suggestions come in.

20 Some of the issues that we need to -- that will be
21 considered in the environmental document is listed species,
22 marine mammals, marine environment and of course cultural
23 resources, and this is in addition to the issues that were
24 previously mentioned in the last couple meetings that you
25 had back in November and December and which Paul Rodrigues

will tell us about. Then of course any other -- any other issues that come up will also -- will also be considered from this process. Paul?

MR. RODRIGUES: Okay. Could we get somebody to get the lights? I'm sorry. Every time I come in here they've got the lights pointed the wrong way. I don't know what's -- since many of you have been to the other meetings -- there was quite a few people who raised their hand about having seen the project before -- let me say first off that I'm going to kind of run through a description of what we're proposing at this point. We haven't changed it. We haven't changed our ideas from the last meeting, so there isn't -- shouldn't be new information here. It's really kind of just explaining where we are. We're in the process of kind of trying to refine some of the ideas and look at some of the details, and hopefully those issues will come out in the process of doing the environmental impact report/impact statement as well.

So for those of you who aren't familiar with the project and would like a little more information, here's the existing area on the road now. We -- everybody knows that we have a one-way road and we have a very narrow pathway there. What we're proposing is to keep that the same and add a pedestrian and bicycle path that's 16 feet

1 wide, 8 feet for bicycles and 8 feet for pedestrians, and
2 then the location of the bluff varies along the edge here
3 because it's an irregular edge. The sea wall and the soil
4 nail wall will actually go along here. So there's actually
5 2 pieces to the project. There's a soil nail wall that
6 protects this area from 32nd, 33rd Avenue down to 36th, and
7 then it picks up again down here at the end of 41st Avenue.
8 In between there's no wall, but there is the new parkway
9 that we're proposing on top of the bluff. So the roadway
10 and the parkway, the path, runs along the top of the bluff
11 as a continuous corridor all the way down to 41st Avenue.
12 That includes areas for landscaping and improvements along
13 the top of the bluff. We're also including in this some
14 upgrading of the little park that's called the Pleasure
15 Point Overlook Park.

16 AUDIENCE MEMBER: You mean Night Fires Park?

17 MR. RODRIGUES: Night Fires Park. We're talking
18 about putting a rest room building there. We're not
19 changing the configuration of the park very much, but
20 formalizing that. I'm sorry. I didn't hear you.

21 MR. INGHAM: How about a hotel?

22 MR. RODRIGUES: I don't think we need those kind
23 of comments right now.

24 We're talking about a stairway here at the end of
25 this wall, and then there's an existing stairway here where

1 the rest room buildings are. This old rest room building's
2 going to be torn down and a new set of stairs would be
3 constructed here in this location, and the wall will end
4 roughly in the area where the park -- there's a little
5 parking lot right in here at the end of 36th. Now, the
6 configuration for the roadway, you can see there are little
7 indentations here. The road is proposed to be 16 feet
8 wide. That's larger than a normal traffic lane, but it
9 still makes it difficult for vehicles to come out of these
10 streets and make a turn here, so there's a little
11 indentation at the ends of the streets where there's extra
12 turning radius to come out and exit in an easterly
13 direction. We are talking about formalizing some of the
14 parking that's existing now and adding a few parking spaces
15 or formalizing where there is some informal parking going
16 on.

17 The stairways at the end of 38th Avenue will not
18 be changed at all, so there's an existing stairway there
19 and that will stay the same. There is a little area right
20 in here where there's -- at the end of this Manzanita just
21 the other side of 38th. There's a retaining wall that's
22 failing that needs to be repaired. That would be part of
23 the roadway improvements to do that little retaining wall
24 in there.

25 And then down here at the Hook area, we're talking

1 about between that private residence that's here and the
2 other private residence here, if you look in the aerials
3 over there, you can see that there's a significant amount
4 of cliff and bluff erosion that's gone on there. So we're
5 talking about replacing that and putting a soil nail wall
6 in there, and then we may have to remove the stairs but
7 they would get replaced in the same location as part of
8 this project.

9 For those of you who aren't familiar with what
10 we're proposing as a wall structure, we're talking about a
11 soil nail wall which is different than a traditional sea
12 wall, and John can answer questions about walls and sea
13 walls and all that if we -- if there are some issues that
14 come up with that, but what we're talking about is
15 basically a structure where they drill horizontally into
16 the bluffs, put in horizontal ties, and those come out and
17 are attached at the face with a grid structure of
18 reenforcement, and then that is sprayed on concrete over
19 the outside of that. There will be a large footing goes
20 down 3 feet into the bedrock at the base, and there will be
21 an apron that is in front of that footing to protect the
22 vertical scour of waves as they hit this base, and then the
23 whole finish of that will be done and treated with colored
24 stained concrete to be similar to the bluffs in color and
25 character. Yeah.

1 MR. GRASSADONIA: My concern from this, have you
2 designed this from the ocean perspective where you've
3 factored in very high tides, 15-foot swells which happen on
4 at least a couple times a year? And have you factored in
5 the -- enough, you know, exit points? Because when --
6 obviously when it gets high tide and it gets large surf
7 like -- many of you have a concept of what that's like.

8 MR. RODRIGUES: Yeah. No, We've heard that issue.
9 We've heard that comment from people.

10 MR. GRASSADONIA: Well, I just -- what I wanted to
11 know is --

12 MR. BURNS: You finish your presentation. Well,
13 there'll be chances for a lot of the questions and comments
14 later. I think it would be better to get -- those who
15 haven't been a part of these to get an overview.

16 MR. RODRIGUES: Okay. I just have one more -- one
17 more thing to say.

18 MR. GRASSADONIA: Then I just have a question
19 about how that wall is built. Thank you.

20 MR. RODRIGUES: Okay. Maybe John, who's a coastal
21 engineer, can help us with that too. There are some
22 examples here of soil nail walls that have been done.
23 There's one on the right that's in Southern California
24 along Highway 1 at Dana Point, and that's exactly the same
25 kind of a wall that we envision happening here. This other

1 example is -- shows kind of the procedure and the process
2 for construction. This was down in Pebble Beach. And so
3 if you get a chance, you want to come up and look at that.
4 That kind of shows the type construction methodologies that
5 we're proposing to use out here.

6 Your question really relates to the engineering
7 and the technical aspects of the design at this point, and
8 we're really trying to get issues out related to the
9 environmental impacts at this point for the project. So
10 we're ready to open this up to questions I think.

11 MR. GRASSADONIA: Well, I realize this is a
12 meeting about environmental impacts. I've been watching
13 this going on for a quite a long time and I've been surfing
14 Pleasure Point my entire life. I know exactly the erosion
15 that is taking place and I will assure you that over 37
16 years it's minimal, minimal, but I do want to tell you that
17 I know every swell that hits. I know every time a kid
18 drowns. I usually know why, and you have to understand.
19 We have a lot of inexperienced kids out there, my kids
20 included, and my concern here for me being here -- I
21 finally got here -- is that if any of you are familiar in
22 surfing 15-foot surf or 20-foot surf, you'll know that it's
23 life and death. When you're out at Pleasure Point, just
24 last year, October 28th, and it's 15 feet rising and at
25 2:00 o'clock p.m. it rises from 2 to 20 feet, now, there's

1 a few of us out there. Unfortunately we had one kid out
2 there who drowned. Why was because he did not have a
3 proper exit. Now, you start building walls, you start
4 creating moss, and you have an exit point here and an exit
5 point there, and I assure you people that you get your son
6 or daughter who is 19 years old or 20 years old and they
7 get caught in a large swell out there, they're going to
8 have the swim of their life. As it stands right now, as it
9 stands right now, you have hundreds of exit points,
10 hundreds. I will tell you those cliffs have saved my life,
11 not once, but over a 37-year period many times, and I'll
12 tell you the point where I almost drowned was when they
13 built the wall at the Hook, at Hook Beach. Have any of you
14 ever been sucked into that hole when it's high tide and
15 it's popping 12 to 15 feet? Now what you're proposing is
16 you're proposing on building walls along this entire cliff,
17 and I assure every one of you, kids are going to drown. I
18 assure you. If anybody knows about this and about the surf
19 at Pleasure Point, I do. I surf out there. As Tom knows,
20 as many of you know, every day I'm out there, 37 years, men
21 and women, and I'm going to tell you right now, people are
22 going to drown and it could be your children, and that's
23 what this issue is all about for us, for the surfers, and
24 you got to really watch this.

25 MR. BURNS: And that's not first time we've heard

1 concerns about that.

2 MR. GRASSADONIA: Well, you got to understand
3 that -- you got to understand that you have really
4 intelligent water men out there, great, good, excellent
5 water men. I surf waves all over the world, huge waves,
6 and I'm telling you as a consultant freely, your children,
7 some children are going to die. 2 years ago that young
8 boy, 19-year-old boy died on that one bad swell. Every
9 year we have a child who drowns, and I'm sick of that. I'm
10 sick when a young child drowns, and I'm telling you, you're
11 going to make Pleasure Point unsafe, and it's a wonderful
12 recreation area where not only masters can enjoy it but
13 beginners can enjoy it. And you're tampering. When you
14 build those walls, you just better be careful. You're
15 tampering with something that in the long run can kill.

16 MR. BURNS: And what we've heard at prior
17 meetings -- I'm sorry. It sounds like you haven't been
18 able to attend those -- is people have -- what wasn't clear
19 and you can't see from there is not only are these walls
20 colored, but they're also sculpted, and they can actually
21 be sculpted in a fashion that allows continuing some of the
22 goat trails that people use now.

23 MR. GRASSADONIA: I just have to mention that --
24 you know, I want to address all of that. Do you ever deal
25 with mosses?

1 MS. NGIM: Excuse me, sir. For the purpose of our
2 court reporter, is it possible that you can give me your
3 name?

4 MR. GRASSADONIA: Oh, my name is Joseph
5 Grassadonia, G-r-a-s-s-a-d-o-n-i-a. I am a publisher and
6 founder of 8 national sports and fitness magazines. One of
7 them is an international magazine called Dive Travel. I
8 currently am the publisher and editor and founder of On
9 Fitness magazine. Many of the people at the Sentinel know
10 who I am. I'm no flake, and I am telling you it's not just
11 me. Now, I've heard about this, and I'm here, and I'm
12 warning you, kids are going to drown. You need to be very
13 careful about this. And I will tell you, I appreciate all
14 of that, but you have to understand, when it's high tide,
15 when it's winter and it's cold and the swells are swinging
16 high, it's so mossy, and it's the dirt that really -- that
17 really can -- you can claw up there and just hang onto the
18 shrubs. We've all been there. All the guys out there,
19 Chuck was out there with me when it raised 20 feet out
20 there, 20 feet. Rare, but it happens in Santa Cruz. We
21 were paddling for our lives, weren't we? There was no
22 exit, and if that wall would have been there --

23 MR. BURNS: Okay. So your issue is be concerned
24 about safety.

25 MR. GRASSADONIA: So I think we should note that

1 we look at like loss of human life as a potential impact.

2 MR. RODRIGUES: That will be included, yes. We're
3 registering that right now.

4 MR. GRASSADONIA: Thank you, sir, very much.

5 MR. RODRIGUES: Mr. Swinton?

6 MR. GRASSADONIA: I believe I am reasonable and I
7 am appropriate sitting here and making my voice heard. I
8 am appropriate, because I'm not only fighting for my kids;
9 I'm fighting for your kids. You live here in Santa Cruz
10 and your kids surf, and guess what? The kids are young out
11 at the Pleasure Point. They're young, and you are putting
12 them in a more dangerous situation. It's already
13 dangerous. So beware. And if anyone wants to check my
14 credentials as a water man, please. I know it. I know the
15 danger out here. So that's all I got to say

16 MR. BURNS: Well, thank you.

17 Just for sort of a context for the comments on the
18 EIR scope, for those of you who didn't pick up at the front
19 coming in, there's a 2-page letter that not only invites
20 people to the meeting but summarizes what the topics are.
21 And from the 2 prior meetings that happened last year,
22 there were 12 major issues that were identified. If you
23 don't have that, you might want to pick that up and look at
24 it, and as well, there were 4 alternatives that were
25 discussed, and for those of you who don't know how EIRs and

1 EISs work, not only do they look at the impact -- possible
2 impact of projects and identify significant impacts and
3 what things can be done to mitigate those, but they also
4 look at alternatives to the project that in other ways the
5 sort of broader public goals can be addressed. So as you
6 look at those, and if you just want to say "I agree with
7 number so-and-so," or "in addition to those I think there
8 are some issues here that need to be addressed." Yeah, and
9 if you can identify for the corps of engineers your name?

10 MR. PIERCE: My name is Nathan Pierce. I will be
11 representing the Surf Rider Foundation Santa Cruz chapter
12 this evening.

13 I was just down there this night. I'm beginning
14 to surf too much these days, but I notice that recently you
15 put up a curb, like redid the curb basically to prevent
16 surface runoff. It's a pretty good thing. I want to thank
17 you for that.

18 I also want to say that I found this little
19 souvenir this evening. It's kind of dangerous. Probably
20 hang up somebody like in a meat locker with this puppy. So
21 that stuff is like down in the rocks. Speaking of safety,
22 I think you guys should take out all that riprap under this
23 plan with the project, but you should just do that right
24 now anyway because people from the RVN told us that that's
25 contributing to erosion in the meantime.

1 But in regards to your issues on this EIR, after
 2 getting this letter from Tom Burns on February 2nd, 2001, I
 3 wrote in a letter because it asks -- let's see. What did
 4 it ask me? It asked me if I wished to provide comments
 5 that might be relevant to the preparation of the EIR to
 6 provide input regarding issues looked at in the EIR, so I
 7 wrote a letter. I brought a copy because it was dated
 8 February 19th, and I didn't see any of my suggested issues
 9 or concerns or alternatives in your list in this thing that
 10 I got in the mail which is the same thing they have on the
 11 table. So would you like me to go over those right now? I
 12 would like to, if I may.

13 MR. RODRIGUES: We have your letter and that will
 14 be given to the consultants who are hired for the EIR, so
 15 it's not that we're ignoring that. We're trying to provide
 16 broad categories at this point. But if you want to add
 17 something to it, you're welcome to, sure.

18 AUDIENCE MEMBER: Who gets to hire the
 19 consultants?

20 MR. RODRIGUES: The county hires the EIR
 21 consultant.

22 MR. PIERCE: Okay. This gentleman would like to
 23 hear my components. If I may, I'll try and go through them
 24 quickly, and I'll tell you how they relate. Some of them
 25 are similar -- sound similar but may be quite different to

1 your issues. So I'll just go by the numbers that you have.

2 First one, Number 4, I put "potential for bluff
3 erosion at the base of the sea wall where the end faces
4 with unprotected rock," which somebody raised the concern
5 which you have as at the 2 ends of the sea wall. These are
6 all, as I pointed out in my letter, raised at the previous
7 meetings, and "impact of loss of beach due to passive or
8 active erosion," which is very different to "cumulative
9 impact of loss of beach sand supply" which would be covered
10 up by the -- well, the cliff face covered up by the sea
11 wall, but -- excuse me. Passive erosion occurs anywhere
12 there's an actively eroding shoreline which I believe in
13 this area has been documented right around 12 inches a year
14 or something like that.

15 AUDIENCE MEMBER: 14.

16 MR. PIERCE: 14? Okay. And a "policy consistency
17 analysis to the applicable general plan, local coastal plan
18 policies, including development in sensitive habitat,
19 special communities and/or coastal zone," which is
20 different from the policies that you had for the general
21 and local coastal plan because -- well, sensitive habitat
22 could be important to sensitive species. Special
23 communities, maybe just to clarify, in the coastal zone,
24 that Pleasure Point definitely is a special community I
25 think as defined by the -- well, as allowed for by the

1 general plan, but it's not specified in the general plan as
2 a special community, and I think we should have special
3 development restrictions and whatnot which perhaps wouldn't
4 allow for this absurd construction.

5 Another one, "evaluation of the bluff as a habitat
6 for organisms that interact with intertidal organisms" is
7 different from your "bluff habitat for protecting wildlife
8 species and project impact on the species." So what you
9 would be looking for is maybe animals that live in the
10 cliff face, but I'm looking for organisms that would maybe
11 fall down off the cliff face and interact with the
12 intertidal zone organisms there maybe as part of the food
13 chain or whatnot.

14 And alternatives for the proposed project, which I
15 have is restricted -- excuse me, "restrict reconstructed
16 East Cliff Drive to immediate residential traffic" so that
17 only people living between 33rd Avenue and 36th would be
18 able to use that road, so it would be narrower that way and
19 perhaps maybe even gravel instead, like a more permeable
20 surface, and then allow bicycle traffic and pedestrian
21 improvements but limit the bluff protection. Don't have
22 the bottom half. Just limit all -- any bluff protection to
23 vegetation and not even armor the bottom half because I
24 think half of it might even be worse than all of it.

25 And the last thing that I have to point out is the

1 effect that the sea wall will have on the surf at Pleasure
2 Point as well as recreational surf base through the
3 vicinity of the project, which is similar to you wanted to
4 check for policy consistency analysis of that in the
5 general plan and local coastal plan, which I'd like to say
6 I don't know if the general plan or the local coastal plan
7 addresses impacts to surf breaks, but the State of
8 California has already recognized the importance of
9 breaking ocean waves as a resource with their approving of
10 a recreational -- well, a man-made recreational surf break
11 in Southern California.

12 And I believe that's all I have. Thank you very
13 much for listening.

14 MR. BURNS: Thank you. Anyone else wishing to
15 comment? I saw another hand over there.

16 MR. JONES: Yes, I'm concerned about the drainage
17 runoff. Pleasure Point is a very wet area.

18 MR. BURNS: Oh, I'm sorry. Sir, can you identify
19 yourself?

20 MR. JONES: Tom Jones.

21 MS. NGIM: Thank you.

22 MR. BURNS: So that's your comment, concern about
23 the drainage?

24 MR. JONES: Drainage, and I see no drainage. It
25 says here "new drainage discharges."

1 MR. RODRIGUES: Yeah, what that means is we
2 actually have a project to do -- redo the one that's in
3 here now that's going to start, but the ones that are out
4 here now are basically just pipes that are sticking out of
5 the wall and some of them are in pretty bad condition, so
6 public works will be redesigning those and then improving
7 those drainage issues -- chan- -- or pipes, excuse me,
8 drainage pipes as part of the road reconstruction, and the
9 whole idea is that the road will -- the pathway will pitch
10 back to the roadway itself and the drainage will be picked
11 up in those areas and then discharged underneath that out
12 to the bluffs. So there is an issue about what that means
13 in terms erosion out here. Yeah, we recognize that as a
14 problem.

15 MS. OBER: Will you be increasing the number of
16 drainage areas like outflow areas?

17 MR. RODRIGUES: To my knowledge, the only -- we're
18 not increasing. There may be -- there may be -- actually I
19 take it back there. I think there may be one new one in
20 this area down here, 38th.

21 MS. OBER: A new one. For the record, my name is
22 Molly Ober and I'm with Save Our Shores. We're a local
23 conservation group. Save Our Shores submitted comments to
24 you that you should have on record in detail regarding our
25 environmental issues that we have, but I'd like to note

1 that we're very concerned about increase in drainage in the
 2 area because urban runoff is one of our sources of
 3 pollution in the marine sanctuary, so that is a major
 4 concern of ours. We're also very concerned about the
 5 impact of large construction equipment on the environment,
 6 that intertidal zone. I'm sure you've all been down to
 7 Pleasure Point when it's a negative tide. It's an amazing
 8 system. You can imagine bulldozers, et cetera, on that
 9 area could have some major impacts.

10 I also would like to throw out that I received a
 11 document from actually Governor Gray Davis this week, and
 12 it's a draft coastal erosion policy document saying that
 13 they're actually moving to remove hard structures here in
 14 California. They want to remove dams. They want to remove
 15 some of the armor that's already in place because they're
 16 realizing that this is causing a lot of sediment loss for
 17 our beaches. So I'm concerned here we are increasing the
 18 rate we're armoring our coast, and at the same time our
 19 governor is suggesting that we start removing these
 20 structures so that we can maintain our beaches.

21 MR. BURNS: And the issue on that particular one
 22 clearly has been identified as a cumulative concern.

23 On the water quality issue, just as an aside, Paul
 24 mentioned that this summer there's going to be drainage
 25 improvements on 33rd, 32nd, and 30th Avenue put in and it's

part of the conditions that we negotiated with the coastal commission on that. We're actually going to be doing side-by-side basin studies for water quality discharge and looking at different types of systems for cleaning storm water runoff.

MS. OBER: As far as filtration?

MR. BURNS: Hmm-hmm, yeah. And so we'll have one existing untreated basin, one with the existing sort of old silt and grease trap system the county has used, and then 2 of the new ones will actually have more state-of-the-art system of filtration, and we'll be monitoring those and seeing the difference in water qualities.

MS. OBER: Well, I think that should be the norm for the county. Whenever we're doing a redevelopment project, that should be a necessity of the project, so I definitely encourage you to do that, but I'm still very concerned that this is going to increase the amount of urban runoff that we're going to have into our marine sanctuary, so you need to address that in the environmental impact report. Thank you.

MR. BURNS: So Bob?

MR. STAKEM: Bob Stakem. Yes, as we all know, East Cliff Drive was a 2-way circulation and then due to mother nature in the last few years, it had to be reduced to one way because of erosion. That one-way circulation

1 was changed to what we see as an eastbound, and at that
2 time it had to be an emergency change, and I'm wondering in
3 the environmental review or any kind of review
4 environmentally was ever done to review the effect of that
5 circulation change since it does affect everything from
6 Portola Drive to 41st all the way down to 17th Avenue, how
7 traffic goes. I do believe a plan could be presented that
8 would be more efficient because just the way the streets
9 are lined up now, the avenues with East Cliff, they do come
10 in on an angle. The way the circulation goes now, it
11 completely sort of contradicts the natural flow. We're on
12 angles. Traffic should go the other way to have the most
13 efficient exit from East Cliff. As you indicated there are
14 some of the circulation or the angles as far as the turn
15 coming down from East Cliff requires more pavement to be
16 placed. The way I would see it is less pavement would be
17 necessary, traffic could flow a little easier, and there
18 possibly could be more exiting from East Cliff
19 Drive through the avenues such as 36th, 38th, 30th. Maybe
20 even people would end up going further down 17th Avenue
21 than there is now, basically people coming around off of
22 Portola Drive down 30th Avenue, up East Cliff and 41st
23 Avenue. I've lived in this area 26 years in the same
24 place. People who drive in that area basically are there
25 for one purpose and that is to check out the surf. I would

1 say 95 percent of the people who come there do that. It's
2 very strange to have to look over your shoulder on the
3 avenues area, and then also be sure that you don't run over
4 somebody who's walking their bike. So it just seems like
5 it would make more practical sense to change the
6 circulation, and then if it's going to be reviewed as an
7 alternative, is there going to be a plan presented with
8 that as an alternative so that people who are doing
9 environmental review or proposing that are going to be able
10 to look at that alternative plan?

11 MR. BURNS: Paul, maybe before that other part,
12 just in terms of history, the one-way direction that's
13 there now actually did go through its own environmental
14 review. Some of you who were involved may recall when the
15 county first turned that into a one-way road, it was in the
16 other direction, and actually, based on the objections,
17 strong objections from folks in the area, it was switched
18 to the direction that it's going now. One of the concerns
19 that we've had about switching it back is the impact on
20 your street in particular, on 30th Avenue and what would
21 happen in terms of impacts to 30th Avenue. But as you
22 said, it is an alternative that's been raised throughout
23 the process over the years of gees, from a surfing point of
24 view, it's nuts. Why would you have it in that direction?
25 And it's a balancing between the communities of surfers and

1 the impacts on the surrounding neighborhoods, but we have
2 committed to look at that.

3 MR. STAKEM: Would there be a plan though
4 submitted with that for the environmental review so that we
5 could see the change? Obviously parking that you have
6 proposed there would change it in the other direction.
7 Some pavement would be altered.

8 MR. BURNS: Well, not really, because while
9 you're -- it's true this turning movement would be easier
10 going this way --

11 MR. STAKEM: Right.

12 MR. BURNS: -- if you switch the direction, you've
13 got the same issue with the people trying to turn this way,
14 so you still need the width to accommodate what then
15 becomes right turns instead of left turns because you've
16 still got that acute angle. You're trying to make the turn
17 and you need the extra pavement to make the turn. So I
18 mean it would be a fairly simple change to this. I mean,
19 as you say, the direction of the diagonal parking spaces
20 would change. Where the bulbs are might shift some. You
21 know, we can certainly look at that.

22 MR. BURTON: What was the strong objection in the
23 past to the way it's going?

24 MR. BURNS: Objection to the way it's going now?
25 The other direction? Businesses actually at 41st raised a

1 MR. INGHAM: Not to -- I believe this meeting was
2 about the environmental issues in the project, not
3 necessarily the traffic and so on and so forth, and it
4 strikes me that in this whole plan that we have, there is
5 no information about the ocean side of the bluff. We know
6 everything about the sea wall, the cars, the bike path, the
7 walking for the -- and no information on where is mean high
8 tide in relation to the edge of the coastal bluff for
9 instance? And where is mean low tide out there in those
10 little tide pools where you see all the kelp. See that
11 green picture there in the kelp? My question that I hope
12 gets raised and answered for me in the environmental impact
13 part of it is how long is it going to take, how many
14 years -- we know. We have the science. We know how far
15 the sandstone goes down every year. We know how far the
16 coast goes in every year. We know thanks to the science
17 that was presented to us by our county, I believe it was
18 the beach profile that the gentleman up in Santa Cruz gave
19 to the county, and they said "well, we've got this beach
20 profile, and if you'll notice, the profile doesn't change
21 if you build a sea wall." But then if you actually read --
22 how many people have actually read the beach profile
23 science abstract from Jerry Gray?

24 MR. BURNS: Jerry Webber.

25 MR. INGHAM: And Jerry Webber? Is that who wrote

1 lot of concerns in terms of that part of traffic. Folks
2 particularly on 38th Avenue raised a whole lot of concerns
3 about the impact on their street from switching it around,
4 and we've spoken with a lot of folks on 30th Avenue as part
5 of meetings and said, you know, "let's play this one out."
6 I mean what happens if we switch the direction? What's the
7 street that's going to take the heavy burden of that? And
8 that would be 30th.

9 MR. BURTON: Excuse me. That would be 32nd, which
10 is the street that we're on. If you're coming down East
11 Cliff and you're done looking at the waves, you're hanging
12 a right, and with the speed bumps that have already been
13 put on 30th Avenue, we're already seeing an increased
14 amount of traffic of people that are bypassing the speed
15 bumps and going down 32nd to get to East Cliff, so
16 something that's not on a street that's designed to carry
17 that kind of traffic with the curves and so on that are
18 going, I would be concerned about having that level of
19 traffic going on. I, however, agree with these gentlemen
20 that potentially with the increased foot traffic from the
21 parkway improvements, we may have fewer, you know traffic
22 incidents between pedestrians and cars if you're not
23 looking over your shoulder to look at the waves that you
24 can look in front of you. So I agree with them. I don't
25 know how to balance the concern about the side residential

1 streets that can't take an un- -- you know, unplanned for
2 amount of traffic increase.

3 MR. BURNS: Well, on the scale about we're looking
4 at, if we go all the way to the final hearings on this and
5 that's the issue that goes the other way, that's a minor
6 change to the traffic, right, in the scale of what
7 we're doing.

8 MR. BURTON: But that would involve a little more
9 circulation consideration like they did at the harbor area
10 where some streets were actually considered from no
11 entrance or no exits so that you can create a circulation
12 pattern that's never really been addressed here. 30th
13 Avenue residents were complaining because everyone was
14 rolling down 30th Avenue.

15 MR. BURNS: So just block off all the streets.

16 MR. BURTON: So you can block off -- right. You
17 could exit but you can't enter, and I see that needing to
18 be considered and it never was here, as far as I know.

19 MR. BURNS: Could you identify yourself for --

20 MR. BURTON: Oh, my name is Erik Burton.

21 MS. NGIM: And let's see. I believe the other
22 gentleman?

23 MR. BURNS: Bob Stakem.

24 MS. NGIM: Bob Stakem.

25 MR. BURNS: Yeah.

1 to what are you going to gain vis-a-vis what are you going
2 to lose? So I asked the capital evaluations lady -- 4
3 years ago I wrote her a letter. I went and had a meeting
4 and I asked a specific question. I said "what is the value
5 of the land to seaward of the edge of the bluff?" To this
6 day they haven't given me an answer, but back then they
7 said "nothing." It's worthless. If we want to know what
8 tide pools are worth, we go to the Monterey Bay Aquarium.
9 We look at their faux tide pool and ask them how much it
10 cost to build it and how much it costs to maintain it, and
11 we're talking millions of dollars. Multiply it times the
12 acreage that we're going to drown guaranteed and what are
13 those tide pools worth?

14 Take the surf spots and separate them into the
15 individual waves that different groups of surfers can ride.
16 Go to Indonesia where the world's finest artificial wave is
17 and ask them how much it cost. 40 million Tom, 40 million
18 bucks for a wave that doesn't hold a candle to any one of
19 the separate 7 or 8 distinct waves in Pleasure Point. So
20 add that up.

21 Now, what are we going to lose if we do nothing?
22 We're going to lose the sewer line, and according to the
23 State of California, the sewer lines are supposed to go
24 away from the ocean, not towards it, so we just tilt -- you
25 know, you take your back hoe out and you go towards Portola

1 it? And it's good science, and it says that as time goes
2 by, if you build a sea wall, low and behold, the curvature
3 of the underlying sandstone stays the same. But what it
4 also says, but nobody -- while it stays the same shape,
5 it's moving towards Lake Tahoe. And so what if it stays
6 the same shape if in 25 years we take a picture of Pleasure
7 Point and what used to be tide pools and they have all
8 drowned? Now, make no mistake. It's guaranteed to happen.
9 Drive to West Cliff Drive. Take a look at any of the
10 little pocket beaches that used to exist, Stockton Avenue
11 all the way up the coast to Natural Bridges. Take a look
12 at every one of those. They are gone and the water touches
13 the armory. Whether it's riprap, nail wall, concrete, it
14 doesn't matter. The water eventually is going to touch and
15 very quickly I might add. Within I think most of our life
16 times, we will drown the tide pools, drown them guaranteed,
17 and we can all drive by the national marine sanctuary and
18 look at it as if it's the side of a swimming pool because
19 that's what we are creating.

20 And interestingly enough the leading force behind
21 this concreting of the side of some alleged sanctuary is
22 our public works department. Interesting, they're gone
23 now. They have instituted every single proposal, every
24 search for grant money for 5 years for this whole thing.
25 They have known what they have wanted to do for 5 years.

1 They gave us the Larch Lane wall, no EIR for that, "oh,
2 it's not necessary." They built the Hook parking lot.
3 Nobody wanted to change the parking lot at the Hook. There
4 were more parking places before they fixed it, but they
5 wanted to fix it because that was an anchor, the southern
6 anchor of the Fuhrer bunker. And part of -- interesting
7 everybody -- Tom laughs, and he's a smart guy. He's a
8 geologist. He knows more than all of us what is going to
9 transpire and he's laughing at me.

10 MR. BURNS: I'm chuckling at your conspiracy
11 theories. Is there anything more you want to add about the
12 EIR process?

13 MR. INGHAM: Yes, yes, there is.

14 MS. NGIM: Can you give us your name?

15 MR. INGHAM: George Ingham. And what I would like
16 in this EIR, I want a time line from a geologist taking
17 into consideration the mean high tide as it stands today,
18 not the 40-year-old one that you guys used in your original
19 plan. 40 years ago mean high tide was pretty far away from
20 the bluff. Well, now mean high tide is a lot closer, and
21 every year it's going to get closer, and eventually, like I
22 said, Bingo, no more tide pools.

23 Under CEQA, the County of Santa Cruz, the very
24 first job they are required to do under the laws of the
25 State of California are make an economic determination as

1 Avenue.

2 The redevelopment agency is supposed to redevelop
3 blighted neighborhoods. That's what it says in the State
4 of California. The coast is not blighted. They should
5 dedevelop the coast, redevelop 41st Avenue and Portola
6 Drive, build a giant -- one of those modern car park
7 things, close the road, make everybody walk. As soon as
8 they get out of their car, they become shoppers. Every --
9 right? You get out of your car -- you get an American out
10 of his car; he turns into a shopper. So that entire edge
11 that has always been crummy real estate, Walter Eller's
12 little shopping center there, the buildings at the end of
13 41st, all those, it would look like Carmel, and we would
14 have the first enlightened project of the 21st century
15 instead of the last stupid project of the 20th century. It
16 just doesn't make economic sense to kill the modern marine
17 sanctuary.

18 And we've got the -- where are they? In I believe
19 here section 102, or 102 under U.S. Code 42, blah, blah,
20 blah, "the responsible federal officialship shall consult
21 with and obtain the comments of any federal agency which
22 has jurisdiction by law or special expertise with any
23 environmental impact involved." Now, if there isn't going
24 to be an environmental impact to us building the largest
25 sea wall in Northern California, ladies and gentlemen, this

1 is not like they do this every day, okay? Where are they?
2 How come Tom hasn't talked to them? How come we don't have
3 as good a maps of the environmental side of the equation as
4 we do of the planning? That's what CEQA says we're
5 supposed to do. Side by side we're supposed to march along
6 in this planning process with the environmental on one side
7 and the plan on the other. And that hasn't even happened
8 yet. They've planned the whole thing and we're just
9 beginning. Here we are the first meeting on the
10 environment. Thank you.

11 MR. BURNS: Thank you. So you know what? There's
12 a number of people who actually when you signed up asked to
13 speak, so I want to make sure I covered those and then come
14 back to the hands. Shirley Allen?

15 MS. ALLEN: That's me. You can forget about it.
16 That's okay. On -- where you had noted item C on the
17 second page about --

18 MS. NGIM: Could you speak up a little louder?

19 MS. ALLEN: About the proposed project and
20 possibly a change in the traffic flow, I've been involved
21 from the get-go in all this stuff, and the fire department
22 is -- they couldn't even have access if you reversed it,
23 you know, people who live along there, the access into
24 their homes and their driveways under the private street of
25 Manzanita. There are various issues. There were 5,000

1 cars a day going down 38th, and it's reduced of course, but
2 not a whole lot, but going the opposite direction it is
3 just phenomenal. Plus you have the problem of turning on
4 the street, and it's a real issue. Sheriff's department
5 and fire department totally support the direction it's
6 going now. We can understand, you know, surfers wanting to
7 see the road from the other way, but actually the natural
8 flow is more from going Santa Cruz to Capitola, you know,
9 right along, and that's why redevelopment did what they did
10 there. They developed the parking lot and the way the
11 traffic flows, and it's also to help businesses. I'm also
12 an officer in the Business Association of Pleasure Point
13 and Pleasure Pizza and the businesses there at 41st, as Tom
14 had mentioned, would be greatly impacted. Pleasure Pizza
15 lost probably about 60 percent of their business. But it
16 greatly impacts them more than you'd ever know, and if you
17 lived in this particular area along here, you would really
18 feel it, just like 32nd, so, you know --

19 MS. OBESLO: Why did they lose business?

20 MS. ALLEN: I'm sorry?

21 MS. OBESLO: Why did they lose business? What
22 happened?

23 MS. ALLEN: Because people would just go straight
24 by them on 41st, and it did --

25 MS. OBESLO: More people?

1 MS. ALLEN: Oh, yeah, when it was the other way.

2 MS. OBESLO: You want it to go both ways?

3 MS. ALLEN: No, no, not both ways. If it went
4 both ways, it would be wonderful. All issues would be
5 solved, but fire department trucks can't turn on any of the
6 streets, and they'd be happy to show up if we knew that was
7 an issue, but that's not where they need to be here
8 tonight, but --

9 MR. BURNS: Well, actually they are.

10 MS. NGIM: Actually the fire department is here.

11 MS. ALLEN: Oh.

12 BATTALION CHIEF HOWTON: Fire department's here,
13 happy to answer any questions.

14 MS. ALLEN: He's not going to say a word, huh?
15 Well, anyway I --

16 BATTALION CHIEF HOWTON: If you have any
17 questions, I'd be happy to answer them.

18 MR. RODRIGUES: We actually did get a letter from
19 the fire department telling us that they wanted us to
20 consider making an emergency access on East Cliff Drive in
21 part of the area.

22 MS. ALLEN: Thank you. That's the -- the only
23 other thing I was wondering about. I don't think this
24 would be the point to really even ask this, but it's about
25 if the construction really started, we've talked about this

1 in other meetings. Like would the roads be blocked off in
2 certain areas? And I'm sure you'd have to plan for that as
3 it came up.

4 MR. BURNS: Well, there's a whole series of
5 construction-related impact issues that would need to be
6 looked at as well.

7 MS. ALLEN: Okay. Well, that's what I was
8 interested in. Thank you.

9 MR. BURNS: Go ahead.

10 MS. NGIM: Let's see.

11 MR. BURNS: Chief, do you want to actually say
12 anything?

13 BATTALION CHIEF HOWTON: One of the reasons I'm
14 here too is to answer any questions anybody would ask about
15 that and to make sure that we are advised of any road
16 changes, any permanent or temporary changes, shut down of
17 the roads, fire hydrants being limited to our access. We
18 do respond along that area for not only the people that
19 live there but the people on their bicycles and of course
20 the surfers and the people that walk along.

21 AUDIENCE MEMBER: You can help them scramble up
22 the wall.

23 BATTALION CHIEF HOWTON: Yeah.

24 MS. NGIM: Charles Paulden?

25 BATTALION CHIEF HOWTON: There's one thing I could

1 add. I feel it is important to keep that road open no
2 matter which way it goes, and that's something we could
3 work upon, but that is an important road for us traveling
4 through the district to reach those people that are injured
5 and those homes and the people that live along there.

6 MR. PAULDEN: My name's Charles Paulden. I'm from
7 the Special Coast Community of Pleasure Point which still
8 could receive that designation. It's probably in the
9 process of meeting. We could take control over our
10 community and have special design criteria. Also I
11 represent people for the protection and preservation of
12 Pleasure Point.

13 These -- many issues are coming up here that have
14 not been addressed. When I appealed the 30th Avenue
15 project to the coastal commission, they said to the
16 redevelopment people that the process had not been correct.
17 Luckily this time we have a more formal process and we're
18 actually doing environmental impact reports. What isn't
19 happening here is the realization that this, like the Hook
20 parking lot, is one anchor. The harbor is another anchor.
21 Whatever happens here and happens to the harbor is what's
22 going to happen between the 2. Such things as 12- to
23 16-foot paved sidewalks with simple things like should a
24 sidewalk, bicycle path, should it have a curb when somebody
25 is walking with a kayak in front of you? Will you be

1 thrown into the traffic? I question whether the
2 circulation in the other direction couldn't work. I don't
3 know how the fire department got there when it was 2 lanes,
4 2 directions. The idea that people will go up 30th rather
5 than going down to the Cheese Factory and coming around
6 there taking right turns the whole time or use a reopening
7 at a place by Corcoran where somebody has put a gate up and
8 using that.

9 So there are many issues, the fact that we had a
10 2-week notice of this and it was very poorly publicized, by
11 indicative of who came here this evening, I'm not saying
12 that there's a conspiracy to get a plan through that has
13 not changed and is still presented in the same form each
14 time we come here with a different presenter. However, it
15 would be nice to show some other plans. We don't have
16 anybody talking about returning that to 2 lanes,
17 2-direction traffic. Maybe that's a possibility. I'm not
18 saying that I'm for that or not. There's supposed to be a
19 lot -- in the CEQA review there's supposed to be a lot of
20 information being brought in, and from those we come down
21 to what is hypothetically the best and most efficient. So
22 such things as there's going to be coastal commission money
23 for signage. Do we have places for people to communicate?
24 Do we have kiosks? We don't have even those things
25 presented. The idea of moving this trailway down from the

1 natural exit point from the ocean to a place that is much
2 harder to get to shows a lack of awareness from the people
3 that are presenting this. It may look really nice on
4 paper, but when you're out in the real world, there's other
5 things happening here.

6 So I just want to bring these things up, what they
7 said about the moss. All you have to do is go down there
8 by the walkway at the end of 38th Avenue and try to crawl
9 up there when it's high tide. I've got scars from that.

10 So there's many things and I think those things
11 are important. This -- the idea of moving the sewer
12 like -- they're going to spend \$10 million to move it out
13 farther from the beach. I know people that live there.
14 You know, eventually you'll be able to pay for a sea wall
15 if you need to, and you may want the county to pay for it
16 instead. That would be nice. Just like the person on 33rd
17 that's getting free drainage in front of her house for
18 spending a million and a half dollars to pollute the ocean.
19 Are we going to find in 5 years that these filtering
20 devices worked or not or are we going to do like L.A.,
21 capture urban runoff, treat it, recharge the groundwater,
22 which I suggested in my appeal to the coastal commission?
23 And so when I see a project like this presented just like
24 the 30th Avenue project and it's never changed even though
25 the coastal commission's own analysis gave us a better

1 project for 30th Avenue, I say be very careful of what you
2 see up there and ask for other views, other presentations.
3 Thank you very much.

4 MS. NGIM: Is it Jim Marshall?

5 MR. MARSHALL: I think actually most of my -- I
6 think you've covered most things tonight. I'd like to make
7 a little bit more specific issues 5 and 6 on the first
8 page.

9 MS. NGIM: Okay.

10 MR. MARSHALL: I think that the sea wall is a
11 matter of protecting the folks' right-of-way and public
12 access to the beaches and the surf, and this is an issue
13 that is kind of personal because I like to go to Baja. I
14 like to go fishing, and we usually end up clamming because
15 when we can't fish, and we can get clams by the bucketful
16 in a square foot, and the old people, the old-timers say
17 that you could get Pismo clams here off of these beaches,
18 and you -- you know, I just think it's a travesty in low
19 tides to see people out there ripping the reef up. I just
20 think it's outrageous because there isn't much left, and in
21 the middle of the night I hear the otters out there working
22 and I feel sorry for them. I don't know what the heck
23 they're feeding on because, you know, they say otters have
24 to have several times their body weight every day. So got
25 to just go along with me. You know, we've gone through so

1 many issues on this but this is just another issue. I'd
2 like to see it specifically -- I think we need some
3 protection from the -- you know, from the tide pool people
4 because I think they're just overdoing it. I've never
5 heard anybody talk about limiting it, but those tide pools
6 just get raped. I see the people just ripping the tide
7 pools up and it isn't right, you know.

8 MS. OBER: That is a concern I think is important,
9 but it's an interesting dynamic though because you just
10 talked about clamming, and so you want to extract a
11 resource yet limit people from observing it? I'm just
12 confused by your point.

13 MR. MARSHALL: No, I know pristine places in the
14 Baja where I'm telling you, probably 15 people a year going
15 to get out there, and you can get clams by the bucket. And
16 what I'm saying is here there used to be clams like that
17 and there aren't even clams. I don't know how the otters
18 can even live out here, and if we protect our public
19 right-of-way, I think we have to, you know, protect the
20 rights of the marine mammals and so forth that have to deal
21 with it to live, to eat, because there's no doubt about it.
22 If East Cliff goes, there are going to be fewer people so
23 these problems are probably going to be less, but if we
24 protect East Cliff and protect the public access, I think
25 that we also have to think about, you know, protecting --

1 you know, maybe making a sanctuary right on the shores so
2 that at the low tide the tide pools don't get ravaged.
3 That's it.

4 Nice job by the way. I think you covered all the
5 points and --

6 MS. NGIM: Let's see. I need to go through my
7 list here first. Let's see. Nathan Pierce, you've
8 spoken.

9 MR. PIERCE: That was me. I just went earlier.
10 Thank you.

11 MS. NGIM: Let's see. Who else do I have? Nadine
12 McKinney? No?

13 Okay. Keith Adams?

14 MR. ADAMS: Yes. I was looking at item Number 4
15 here where it talks about bluff erosion at the ends of the
16 sea wall, and I was wondering what conclusions, if any,
17 have been made about what additional erosion would be
18 taking place at the end of the sea walls and particularly
19 the downcoast side where there's many properties that are
20 not armored. Has any consideration been given to that?

21 MR. RODRIGUES: Well, that's an issue that we want
22 the outside consultant to take a look at and provide us
23 with some background information. That's why it's in here,
24 that guy over there.

25 MS. NGIM: And --

1 MR. SWINTON: Alane Swinton. I waived before. I
2 think that the one thing we should make sure the EIR and
3 EIS should address is either the construction of the
4 project or actually the other alternative which I think is,
5 you know, the realistic alternatives are riprap or no
6 project at all, that the EIR -- that this environmental
7 document should look at things over time and especially if
8 we don't do anything, what the environmental impacts would
9 actually be of the slow erosion and deterioration of all
10 those manmade materials which are East Cliff Drive, and
11 then the political realities over I'd say a 10- or 15-year
12 period of the random armoring of the cliff. So I think
13 that that kind of augments kind of I guess just kind of the
14 EIR looking at the 3 alternatives in terms of not this
15 being just a static moment in time 4 years from when the
16 project's done or not done, but actually looking at the
17 course of the project over time, similar to what these guys
18 are talking about too, looking at the temporal space of not
19 doing anything and evaluate it that way as well.

20 MR. BURNS: So you're saying in the no project
21 alternative, which is leave it alone, let's look at that in
22 the future and what that means?

23 MR. SWINTON: What that means is this isn't the --
24 this isn't pristine Baja here. It's like this whole
25 meeting is political, and it's political because people

1 live right there in those pictures. So politics and the
2 environment interact, and the EIR should look at that in
3 reality.

4 MR. RODRIGUES: Are you talking about alternative
5 G?

6 MR. SWINTON: No, I'm not talking about -- I'm
7 talking about all the alternatives, the political reality
8 of if we do this, there's impacts on the environment. If
9 we do one of the alternatives like riprap, there are
10 impacts on the environment. If we do nothing, there are
11 impacts on the environment. In all 3 of those cases, the
12 impacts on the environment aren't just static, and then
13 they actually -- they're dynamic over time both due to
14 natural causes and politics, because all those houses you
15 see there and all the people that want to use the beach
16 will have political action that affects the environment
17 also.

18 MR. BURNS: And maybe, you know, just for a moment
19 if I could interject, and I probably should have said this
20 at the beginning. For people who aren't used to this whole
21 process and how EIRs work, you start off the process with
22 some -- hopefully somewhat thought-through project that is
23 a response to a series of issues. The EIR process
24 identifies possible impacts of that project and develops
25 technical information and recommendations for the

1 decision-making body, in this case the board of supervisors
 2 to consider, and that's where the political part of it
 3 comes in. They will hold probably pretty large public
 4 hearings. People come, come up to the microphone, testify.
 5 Whatever your opinions are, based on whatever those are,
 6 those can be political; they can be technical. What the
 7 EIR attempts to do is set those issues aside and focus on
 8 developing a fact-based set of information on the technical
 9 issues so the decision makers have that to rely on.

10 MS. NGIM: That's pretty much covered as part of
 11 an EIS process as well, impacts, whether it's direct or
 12 indirect and for all the alternatives. So who -- ma'am?

13 MS. OBESLO: Well, this is, you know, after the
 14 fact, but where did this project come from? Did the
 15 citizens who live in this area ask for this to be done?
 16 The people I talked to on my block are saying "who asked us
 17 if they wanted to do this? We don't want this."

18 MR. INGHAM: Public works.

19 MS. OBESLO: "Go away."

20 MS. NGIM: Ma'am, could you identify yourself?

21 MR. INGHAM: The sewer guys.

22 MS. OBESLO: Audrey Obeslo.

23 MS. NGIM: Excuse me?

24 MR. INGHAM: Public works, they want to protect
 25 their sewer guys. That's it.

1 MS. OBESLO: The sewer I have heard should be
2 replaced.

3 MR. INGHAM: But it's easier to just build a sea
4 wall. Don't you get it?

5 MR. BURNS: But for what it's worth, actually
6 there are a lot of people who may not be here tonight who
7 have been supportive of this project and are very
8 supportive of improving public access through this area,
9 access to the beach, and you know, one of the issues that
10 we set early on is the kind of improvements we're talking
11 about on top of the bluff. You can't spend the money to do
12 those without providing some assurance that they're going
13 to be there for a while.

14 MR. INGHAM: Tom, who started it? Who initiated
15 it?

16 MS. OBESLO: But we don't want this, and I thought
17 public works -- the redevelopment -- I would rather see the
18 redevelopment agency up their 10 percent money that they're
19 supposed to be paying for low income housing to 60 percent
20 or 70 percent. Spend it there. We don't want it spent
21 here.

22 MS. NGIM: She was --

23 MS. BURTON: Laura Burton. I was just wanting to
24 second my concern about the future if we -- I don't know if
25 this wall is a solution, but in the long run, if the road

1 is gone, there's no public access to the beach and the
2 individual homeowners would be building their own walls all
3 along, so I again would like some more information about
4 that impact along with the ones already addressed. Because
5 I think that will happen and we'll have another Opal Cliffs
6 again.

7 MR. INGHAM: Get out of your car and walk.

8 MS. BURTON: I live there. I walk all the time.

9 MR. INGHAM: Then there you go. There will be
10 more public access to the beach because --

11 MS. BURTON: But not when that's somebody's
12 backyard, it won't. I'm just saying they're going to build
13 their own walls anyway, so --

14 MR. INGHAM: Not if we change the law like the
15 enlightened states, and just because we're being stupid --

16 MR. BURNS: You know what? Hold on. Hold on.
17 This is not okay. People have come here to raise their
18 issues. We're not here to debate amongst the audience.
19 This is an informational meeting and I'd appreciate if
20 people stayed on the point.

21 MS. BURTON: And I'm very concerned about the
22 environment and the impacts, but I just see in the future,
23 one way or another, we're going to end up with walls there,
24 so I'm just interested in looking at all the
25 alternatives.

1 MR. BURNS: Right. And that was an issue that did
2 get talked about at a couple of the earlier meetings that
3 the law may change at some point in time, but the way it
4 exists today, as this roadway erodes back, the coastal
5 commission will not stop people from doing piecemeal
6 stabilization of the cliff. That's what's going on all
7 over the place. They've pulled the line back to where
8 they're not letting people do that to protect their yards,
9 but when structures are threatened, they're allowed. Yeah.

10 MR. GRASSADONIA: I just have one question. I
11 basically went through what my peace and my concern is. I
12 would like to say that an option is close the road off,
13 which I think would be great, and I do realize that in the
14 last -- well, I grew up here as a little boy, you know.
15 I've been here all my life, and I can tell you those old
16 shacks are now worth about \$5 million apiece, and I realize
17 that a lot of people are coming into town, lots of Silicon
18 Valley people, and they have invested a lot of money along
19 these cliffs and they want to know it's protected and I
20 understand that, but I also want to state too that, you
21 know, if you go look at Cowell Beach, over there, why
22 hasn't the boulder concept been brought in? I understand
23 it might be a little more expensive, but I have to tell you
24 it works beautiful over there, and it's been there all my
25 life, and I'll tell you something, just on an esthetic

1 level and I think especially on a safety level, it's much
2 more practical, and those cliffs haven't budged in my
3 entire life. They do not budge, and those big boulders are
4 just sitting there and they buffer those cliffs, and I just
5 want to know why -- what's wrong with that plan of just
6 putting boulders out there along those -- along those
7 cliffs? And then really the issue here is do what you want
8 to there. That's okay. You know, just you can make it
9 prettier and put walkways and everything, maybe close the
10 road off, but I'm questioning why haven't we gone that
11 route like a lot of other coastal areas in our community
12 have? Go down towards 6th Avenue. Go along those beaches.
13 They're all protected by boulders and those homes are just
14 sitting right there on the bluffs and they don't budge and
15 they're in great shape. Why is that?

16 MR. BURNS: And the answer to that is the coastal
17 commission is very opposed to structures like that that
18 block lateral beach access, and that's why if you see in
19 this photo here and see what the prism of rock does here
20 and how much beach is lost from that.

21 MR. GRASSADONIA: Okay. I want -- oh, the beach
22 is lost. Well, because I just want to say that if you look
23 at Steamer Lane for instance, okay? Steamer Lane by the
24 way is just covered -- those big surf zones are covered
25 with the boulders, and actually they are quite safer than

1 having these walls, you know, because there's lots of
2 access. You can build these stairways right down into the
3 water right on top of these boulders. They seem to be
4 pretty successful with it over there. I don't even see why
5 we can't create that kind of stability too, so let the
6 people come, and enjoy -- enjoy the tide pools and do what
7 we do -- do what we do. I'm a scuba diver. I've spent my
8 life in the ocean, and you go to all the Caribbean and you
9 will see that there are rules. You can't take anything out
10 of the water. You can't be taking clams, and that can be
11 applied here to Pleasure Point too or for that matter along
12 the whole coast line. But I'm just saying it's like this
13 isn't the only path that we can choose because we've got to
14 just look at all the implications, and again I just want to
15 stress to everybody, please, safety is the most important
16 thing we've got to look for, because one life, one child's
17 life is far more important than protecting a \$5 million
18 home.

19 MR. BURNS: Final comments?

20 MS. NGIM: Final comments perhaps?

21 MR. STAKEM: Yes, the area that was redone by
22 public works on March Lane, the bridge there, in essence
23 what it looks like, is that basically a representation of
24 the width of the pavement for pedestrian and bike and a
25 16-foot-wide road?

1 MR. RODRIGUES: Actually designed for a 2-way
 2 road.

3 MR. STAKEM: But I mean is that width of pavement
 4 very much the width that we're seeing?

5 MR. RODRIGUES: I think it's wider.

6 MR. STAKEM: Wider?

7 MR. RODRIGUES: Wider.

8 MR. STAKEM: Because I was curious how we arrived
 9 at an 8-foot-wide bike lane and and an 8-foot-wide
 10 pedestrian lane which goes to 16 feet, and we have anywhere
 11 from 3 to 7 feet out there now for pedestrians and bikes
 12 and nobody seems to be hurt, and now we have --

13 MR. RODRIGUES: Well, it's shrinking the road.

14 MR. STAKEM: No, I mean why do we need 16 feet for
 15 the same use as we have now that's probably half of that?

16 MR. RODRIGUES: That's an issue.

17 MR. BURNS: That's not -- when we started this
 18 process, that wasn't what we heard. We heard stories from
 19 people of bicyclists going through and surfers turning
 20 90-degree angles and getting whacked by surf boards and all
 21 sorts of issues about it being too narrow for everything
 22 that's going on there. It's too narrow for -- I mean I
 23 actually ride through there frequently, and just
 24 bicyclists, 2-way bicycle traffic with pedestrians and
 25 people with baby strollers, seems to me I've seen a whole

1 lot of conflicts.

2 MR. STAKEM: So where did we come up then with
3 that 16?

4 MR. BURNS: It really was sort of looking
5 practically at kind of the space that was there generally
6 to work with and how much we needed to commit to provide
7 for one-way vehicle access.

8 MR. STAKEM: I see that in Venice Beach,
9 California. That has about a 16-foot-wide
10 pedestrian/bikeway, and -- but it has an enormous amount of
11 traffic, where here you're going to see one-tenth of that
12 there. I'm thinking since we have such a limited area to
13 work with, do we really need to expand to the ultimate
14 width and maybe we should consider something else?

15 MS. NGIM: I believe Nathan had something to say.
16 Sir?

17 MR. PIERCE: Well, I had a question, but if we got
18 to go, I'd rather --

19 MR. BURNS: Actually we only have the room till
20 9:00 o'clock, so we really do need to wrap.

21 MR. ADAMS: With East Cliff, my feeling is the
22 wider the better. Right now when you're out there walking,
23 people on bicycles will be flying by at 20 miles an hour
24 and I think it's probably -- I don't want to exaggerate.
25 Being on East Cliff's almost as dangerous as being out

1 there surfing sometimes.

2 MS. NGIM: Please identify yourself just so we
3 have your comment down for the reporter.

4 MR. ADAMS: Keith Adams.

5 MS. NGIM: Keith Adams.

6 MR. BURNS: Well, thank you. Again, just to kind
7 of put this process in perspective, we already had 2 large
8 meetings. We've heard a whole lot more than we heard
9 tonight about the EIR, scope issues and much broader
10 questions and concerns about the project. This is -- we're
11 at the very early stages here. The EIR process itself, you
12 will probably see a draft EIR/EIS sometime by the fall.
13 There would be a public meeting around the release of that
14 document for the consultants to actually present their
15 findings and answer questions, and as well that's then
16 released for public comment. You can get copies, present
17 formal written comments, and those need to be responded to
18 in writing in the final EIR, all of that which then goes to
19 the board of supervisors when they consider their final
20 action on the project, and that's -- during that process is
21 when -- someone asked earlier why does this project not
22 change in response to comments made at the meetings?
23 That's when the project starts changing in response to
24 issues that are identified and analyzed in the EIR and
25 recommendations.

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MS. NGIM: That also goes for the EIS, so it's --
being that they're one document and the same, so everything
-- both federal concerns and state/local concerns will also
be identified in it along with all -- all the suggestions
and the concerns that you've expressed tonight. So
anything else?

MR. BURNS: Thank you.

(The proceedings were concluded at 9:03 p.m.)

1 STATE OF CALIFORNIA)
2 COUNTY OF SANTA CRUZ) ss.

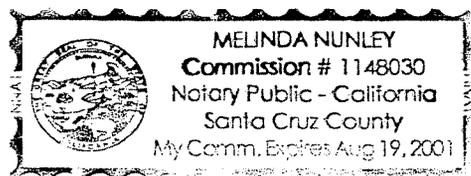
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I, MELINDA NUNLEY, a Certified Shorthand Reporter, License Number 9332, and a Notary Public in and for the State of California, do hereby certify:

That the said Transcript of Proceedings was reported by me in machine shorthand at the time and place therein named and was thereafter transcribed by means of computer-aided transcription, and the same is a true, correct and complete transcript of said proceedings, to the best of my ability.

I further certify that I am not of counsel nor related to any of the parties hereto, nor in any way interested in the outcome of these proceedings.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 22nd day of April 2001.



Melinda Nunley
Certified Shorthand Reporter
and Notary Public



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN JAMES, DIRECTOR

March 21, 2003

SUBJECT: DRAFT ENVIRONMENTAL IMPACT STATEMENT AND DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE EAST CLIFF DRIVE BLUFF PROTECTION AND PARKWAY PROJECT

Enclosed is a copy of the Draft Environmental Impact Statement and Draft Environmental Impact Report (DEIS/DEIR) for the proposed East Cliff Drive Bluff Protection and Parkway Project. The DEIS/DEIR analyzes the potential environmental effects of three inter-related projects, which are outlined below.

Project 1 (Main Bluff Protection Structure)

- Construction of an engineered bluff protection structure from 33rd Avenue to 36th Avenue;
- Construction of both new and replacement beach access stairways (one at Pleasure Point Park and one at 35th Avenue); and
- Demolition of an abandoned restroom, and removal of concrete rubble and relocation of rock riprap.

Project 2 (Parkway)

- Construction of road improvements (new curb along southern edge), installing drainage structures, making pedestrian and multi-use path improvements from 32nd Avenue to Larch Lane, and making landscape improvements and installing railings;
- Construction of a retaining wall near 38th Avenue; and
- Construction of a new restroom, development of a park site (referred to as Pleasure Point Park), landscaping and drainage improvements.

Project 3 (The Hook Bluff Protection Structure)

- Construction of a second engineered bluff protection structure near the end of 41st Avenue at The Hook;
- Removal, repair and replacement of a wooden stairway near 41st Avenue; and
- Construction of road and path improvements similar to those in Project 2.

The DEIS/DEIR identifies five alternatives (including a "no action" alternative) and evaluates potential project impacts on: land use, recreation, visual resources, geological resources, water resources, biological resources, transportation, emergency services, cultural and paleontological resources, and utilities.

Pursuant to the California Environmental Quality Act (CEQA), this document is available for a 45-day public review and comment period, which ends on May 5, 2003. All written comments received during the comment period will be responded to in the Final EIS/EIR. All commentors will receive a copy of the Final EIS/EIR when it is released. Written comments must be submitted no later than 5:00 P.M. on May 5, 2003 to either:

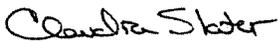
Claudia Slater
Santa Cruz County
Planning Department
701 Ocean Street, Room 400
Santa Cruz, CA 95060
(831) 454-5175

or

Sarah Cameron
U.S. Army Corps of Engineers
San Francisco District
333 Market Street, 7th Floor
San Francisco, CA 94105
(415) 977-8538

Comment letters received before the deadline date are appreciated. Copies of this DEIS/DEIR have also been placed on reserve for public review at the County of Santa Cruz Planning Department on Ocean Street, the County Aptos Permit Center on Soquel Drive, the main branch of the Santa Cruz Library system in downtown Santa Cruz, and the Aptos branch library on Soquel Drive. The report can also be viewed on the Internet at the County of Santa Cruz website (www.co.santa-cruz.ca.us). A public open house will be held on April 7, 2003 at the Live Oak Community Center (Simpkins Family Swim Center), located at 979 17th Avenue in Live Oak. Additionally, the County Planning Commission will conduct a public hearing on the project after the Final EIS/EIR is released. This hearing will be noticed in local newspapers. If you have any questions about the environmental review process, please contact either Sarah Cameron or me at the phone numbers noted above between 8:00 A.M. and 5:00 P.M. weekdays.

Sincerely,



Claudia Slater
Environmental Planner



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105

NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL IMPACT STATEMENT/REPORT (EIS/EIR)
EAST CLIFF DRIVE BLUFF PROTECTION AND PARKWAY PROJECT
CITY OF SANTA CRUZ, SANTA CRUZ COUNTY, CALIFORNIA

Notice is hereby given that a Draft Environmental Impact Statement/Report (EIS/EIR) has been prepared by the Corps of Engineers, San Francisco District, and the County of Santa Cruz to evaluate the impacts associated with the proposed East Cliff Drive Bluff Protection Project. The purpose of the study was to evaluate alternatives for coastal bluff erosion protection in areas of East Cliff Drive in Santa Cruz, CA, between 33rd and 36th Avenues. The Corps and the County of Santa Cruz's preferred plan is Alternative 1, Full Bluff Armoring.

Project alternatives, site plans, and cross sections, are discussed in detail in the Detailed Project Report (DPR) and the Environmental Impact Statement (EIS) and are incorporated herein by reference. While the EIS discusses three separate projects involving East Cliff Drive, the Corps, at this time, is only initiating the 1100 linear foot project (Main Bluff Protection Structure). The parkway improvement project is a County of Santa Cruz project and the Corps is not directly involved in this project. The final project that is discussed in the EIS is an approximately 300 linear foot project located at the "Hook" area (41st Avenue) of East Cliff Drive (which involves a very similar bluff protection structure). This project is currently in the reconnaissance phase of study by the Corps. The Project Management Plan has not been written yet, and the study plan has not been initiated. This project is still in the initial stages, however, studies indicate federal interest in this project. Further development of this project is subject to funding constraints.

The project plan for the East Cliff Drive Bluff Protection structure (1100 linear foot section) would be to fully armor the cliff face with an engineered (soil nail and shotcrete) bluff protection structure: an 1,100-linear-foot segment, between 33rd and 36th Avenues. The bluff protection structure proposed is referred to as a soil nail wall. This soil nail wall would be supplemented with Mechanically Stabilized Earth (MSE) retaining walls on an as needed basis in areas where the Terrace deposits have failed. The proposed bluff protection structure would be designed to protect the slope and to look as natural as possible. The proposed structure would be sculpted and stained to match the existing soils and rock layers and would follow closely or hug the natural cliff face. The DEIS/DEIR identifies five alternatives (including a "no action" alternative) and evaluates potential project impacts on: land use, recreation, visual resources, geological resources, water resources, biological resources, transportation, emergency services, cultural and paleontological resources, and utilities.

A copy of the Draft EIS/EIR is now available and is being distributed to Federal and State agencies, which have jurisdiction by law or special expertise with respect to the environmental impacts involved; appropriate Federal, State, and local agencies authorized to develop and enforce environmental standards; and to all other parties who have requested copies.

DOCUMENT AVAILABILITY

A copy of the Draft EIS/EIR may be obtained by writing to the Corps of Engineers or the County of Santa Cruz at the address listed below, or by telephoning Ms. Sarah Cameron at (415) 977-8538. A copy of the Draft DPR may be obtained by writing to the Corps of Engineers at the address below, attention Ms. Katherine Reyes, or by telephoning Ms. Katherine Reyes at (415) 977-8552. Copies of both documents are also available for public review at the following locations:

Corps of Engineers
Environmental Planning Section
333 Market Street, Seventh Floor,
San Francisco, CA 94105-2197
(415) 977-8538
Attn: Sarah Cameron

County of Santa Cruz
701 Ocean Street, Room 400
Santa Cruz, CA 95060
(831) 454-5175
Attn: Claudia Slater
www.co.santa-cruz.ca.us

COMMENT PERIOD

Comments on the Draft EIS/EIR will be accepted by the Corps of Engineers for a 45-day period following the estimated publication of the Notice of Availability in the March 21, 2003 *Federal Register*. All comments received will be considered before the Final EIS/EIR is prepared. All written comments on the Draft EIS/EIR must be received during the 45-day Public Review Period, which is scheduled to end on May 5, 2003. Any questions regarding this project should be called in to Ms. Sarah Cameron at (415) 977-8538. Comments on the Draft EIS/EIR should be mailed to the Corps of Engineers address above, to the attention of Ms. Sarah Cameron, or they can be sent by Fax: (415) 977-8695, or by e-mail: Sarah.M.Cameron@spd02.usace.army.mil.

EAST CLIFF DRIVE BLUFF STABILIZATION
AND PARKWAY PROJECT
SCOPING MEETING
RELEASE OF THE DRAFT EIR/EIS
TRANSCRIPT OF PROCEEDINGS
April 30, 2003

Taken in the Simkins Family Swim Center, 979 17th Avenue, Santa Cruz, California, before Melinda Nunley, CCR #9332, a Notary Public within and for the County of Monterey, State of California, pursuant to Notice.

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

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East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 Santa Cruz, California, Wednesday, April 30, 2003

2 7:15 p.m.

3

4 LIEUTENANT COLONEL McCORMICK: Good evening,
5 ladies and gentlemen. My name is Lieutenant Colonel Mike
6 McCormick. I'm the district engineer for the San Francisco
7 District U.S. Army Corps of Engineers. Welcome to this
8 evening's public meeting. I am -- San Francisco district
9 is your public engineering agency here in Santa Cruz
10 County. You guys fall within the watershed that's serviced
11 by the San Francisco district. Next slide.

12 Our agency's mission is to -- at the very, very
13 broad scale is to do that, civil works projects. The part
14 that's underlined is important. We do civil works projects
15 that help build the nation's long-term economic might in
16 environmentally sustainable ways, and I honestly -- my
17 staff and I believe there's a very genuine concern for both
18 and I don't think that they are mutually exclusive. I
19 think you can, and that's why that word "long-term" is in
20 there, because I really honestly believe that you can do
21 things -- if you build it right the first time, then it
22 might cost a little bit more on the front end, but at the
23 end of the day we don't have to redo it when we find, you
24 know, that we have not obtained the environmental
25 sustainability that we should build into all federal

McBRIDE & ASSOCIATES - (831) 426-5767

4

1 projects.

2 So anyway, that's what we do, and before I go on
3 any further, I'd like to just introduce the folks from the
4 San Francisco district that are here in support of
5 tonight's town hall meeting. Tom Kendall, the gentleman
6 there with the tie, he's our chief of planning. Katherine
7 Reyes, she works in planning as well. Yvonne DeTellier,
8 she is our project manager. Sarah Cameron works in the
9 planning. Craig Conner, he's our engineering, and we
10 actually even have a lawyer here as well, Jack Kerns, the
11 man in the blue tie and added server. Both him and Tom
12 have added servers. Anyway, next slide.

13 The purpose of this evening's public meeting is
14 we're really here to -- you can read it as well as I can
15 talk it. We're really here to address the adequacy and
16 make sure that we've considered alternatives, we've
17 adequately considered all environmental impacts with the
18 current plan in this draft EIR/EIS, and that's why we're
19 here tonight is to address the plan and the
20 environmental -- any environmental impacts. We've put out
21 this report and said "this is what we think are the
22 environmental impacts if this project was done. Okay. And
23 so the idea is we're trying to focus on if there's
24 something we've missed or something that maybe we've
25 covered but we didn't cover it in enough detail. And

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 that's where we're going to get all the input from you all
2 in order to do that. So that's kind of what I view as the
3 purpose of the meeting. We're supposed to go till about
4 9:00 o'clock this evening and so we're going to try to
5 address everyone's concerns. I guess Craig Conner, right
6 now he is I guess the gate keeper on cards and I guess
7 we'll get into the -- if you have -- would like to be
8 addressed tonight or if you could hand your card -- your
9 name card to Craig, he will put you in order and we will be
10 able to address your comments and concerns.

11 I'd also like to introduce from Santa Cruz County
12 Mr. Tom Burns. Tom, you want to come up if you've got
13 anything to say? He's from the county redevelopment
14 agency.

15 MR. BURNS: Well, thank you, everybody. Just very
16 quickly, I see a lot of familiar faces here tonight. You
17 all know this has been a several-year-long planning process
18 and we're now getting near the end of that, whichever way
19 things go, and the key is people have lots of questions
20 over the years about environmental issues connected to
21 these projects, and there are multiple projects here. The
22 EIR and the EIS are really the vehicle for sorting out the
23 issues connected to that, and tonight's meeting is one of 2
24 meetings actually that have happened regarding this. This
25 is a more formal meeting. A few weeks ago we had a meeting

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 where people were invited to come into a more informal
2 workshop process and actually interact with some of the
3 technical consultants who helped write the document and
4 answer questions and also submit written comments, and of
5 course after tonight up until the deadline people are
6 welcome to submit written comments.

7 Just very briefly, there's 2 pieces to this
8 project -- well, really 3, but 2 that are kind of the
9 primary focus. The Corps of Engineers is the sponsor for
10 the Coastal Protection Project from 32nd to 46th Avenue.
11 The county and redevelopment agency are responsible for the
12 improvements up on the roadway itself. They're going
13 through separate processes. They're both part of this
14 document, so --

15 AUDIENCE MEMBER: The third?

16 MR. BURNS: The third is also a separate section
17 of potential coastal protection at the Hook which is not
18 part our plans at this point or the Corps of Engineers
19 right know. We're looking at it as a possible project for
20 the future.

21 And then lastly I just want to introduce Jan
22 Beautz, the supervisor for the district, is in the back of
23 the room and here if people want to catch her afterwards
24 with questions, so thank you.

25 LIEUTENANT COLONEL McCORMICK: Thank you. Turn it

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 over to Yvonne.

2 MS. LeTELLIER: Next slide, please. There we are.
3 I just wanted to give you a little background on the corps
4 process or program that we are participating in this
5 project with. The Corps of Engineers -- back up one. The
6 Corps of Engineers has a Continuing Authority Program under
7 Section 103. It is for shoreline protection projects. The
8 way that this program works is that, for instance, the
9 redevelopment agency of Santa Cruz County, the local agency
10 would request assistance from the corps. We would take a
11 look at their request, do an initial assessment that's
12 typically funded initially by the federal government, and
13 determine if there's federal interest in participating in
14 the project. At that point, once that's determined, and in
15 this case of course it was, we sign a feasibility
16 cost-sharing agreement and we conduct a feasibility study
17 cost-sharing it with the county, 50 percent federal, 50
18 percent local funding. This produces the detailed project
19 report which was just released along with the draft EIS/EIR
20 and that's where we are now. In the future once we have --
21 we'll go through a process where we'll receive your
22 comments, we'll produce a final EIS/EIR, then again you'll
23 have another opportunity to comment on it, and at that
24 point, once we have an approved project, we'll move into
25 preconstruction engineering design and eventually

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 construction which is cost-shared 65 percent federal, 35
2 percent local, and federal limit on spending for this type
3 of project is 3 million. Next slide.

4 And as you are of course aware, the lead agency
5 under NEPA is the Corps of Engineers. The lead agency
6 under CEQA is the county. And our general schedule for
7 public review of the draft would be to complete this in May
8 with the draft of the final EIS/EIR in the summer and a
9 final EIS in the fall, record of decision towards the end
10 of this year. Next slide.

11 And I think Tom Burns went through this.
12 Basically I brought this slide up here just to distinguish
13 the 3 projects. The Corps of Engineers is involved
14 primarily with project Number 1, the coastal armoring of
15 the 1100-foot section around Pleasure Point.

16 And I'll turn it over now to Sarah Cameron who is
17 our environmental planner to talk about the alternatives.

18 MS. CAMERON: Our preferred alternative is
19 alternative 1, and that is a full bluff armory alternative.
20 We've also considered 4 other alternatives in this EIS and
21 the second one is the partial bluff armory with the full
22 parkway improvements. Alternative 3 is similar to that but
23 with limited parkway improvements. Alternative 4 is no
24 armoring which would involve a groin and notch infilling,
25 and basically we're replacing groins which are

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1 perpendicular structures and they're actually constructed
2 in the water at the base of the cliff, and they're designed
3 to trap sand and prevent the wave action from eroding the
4 cliff further. And then the fifth alternative that we
5 considered as required under NEPA is the no-action
6 alternative, and basically this would be no project would
7 be built. What are the existing conditions? Thank you.

8 MS. LeTELLIER: Okay, meeting rules for this
9 meeting tonight, again, we've asked everyone who wanted to
10 speak to fill out a yellow card and we have those cards
11 now. If during the meeting you think of something that you
12 want to say, you can still fill out a yellow card and hand
13 it to Craig and it will get to the colonel.

14 Colonel McCormick will call your name and each person has
15 an opportunity to speak, but you only have one opportunity
16 to speak and you have a 3-minute time limit and at that
17 time you will be asked to sit down, but again, our goal is
18 to get as much public involvement as possible through this
19 process and if you can please -- if you have more to say,
20 if you have other comments, please fill out a written
21 statement and leave it with us or mail it in and we'll
22 address all of your comments in the final EIS/EIR. Thanks,
23 everyone.

24 LIEUTENANT COLONEL McCORMICK: Okay. I've got a
25 list of a couple. If you've got some more, please hand

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1 them to Craig, and what I'll do is I'll call off 2 names.
2 The first name, you can come right on up here, and the next
3 person, we can just stand them on deck like baseball. That
4 way we could kind of move through a little quicker and with
5 those we'll get more people to do the public comments.

6 First one is Anna Cummius. On deck is Scott
7 Correa-Mickel. And excuse me if I for some reason have --
8 you know, don't pronounce the name correctly. I'll try the
9 best I can.

10 MS. CUMMIUS: Thank you very much on behalf of
11 Save Our Shores. Save Our Shores' position is that hard
12 protection devices such as this project should only be
13 considered as a last alternative and this only if other
14 alternatives have been carefully and thoroughly considered.
15 Save Our Shores feels that the Environmental Impact Report
16 does not adequately address managed or planned retreat, and
17 that the most effective -- cost-effective economically and
18 environmentally long-term solution would be a combination
19 of planned and managed retreat. Thank you very much.

20 MR. CORREA-MICKEL: She was good. My name is
21 Scott Correa-Mickel. I'm a resident here. I have several
22 points that I'd like to have considered. The first
23 involves the new parking which is being proposed for the
24 corner near 30th -- 32nd Avenue and East Cliff. I believe
25 that that's a poor idea as not having parking now, we could

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1 continue that. First of all, it would create a safety
2 issue. Even though car traffic is one way currently,
3 pedestrian is both ways. As a matter of fact, there's a
4 variety of pedestrian traffics there, skateboarders,
5 surfers carrying surfboards, lot of water people in and
6 out. Putting parking there where people would be backing
7 up into the flow of that pedestrian traffic would create a
8 safety hazard. In addition to that, it would be a terrible
9 way to start your viewshed of what will be a really
10 magnificent view. Right now in Nightfighters Park --
11 that's how it should be designated in the plan by the way,
12 Nightfighters Park. Nightfighters Park is a wonderfully
13 beautiful area that could be improved. As a matter of
14 fact, we recommended and several people spoke to putting a
15 skateboard facility there, you know, little tiny ramps and
16 little gutters and stuff like that. Finding some human use
17 for that very valuable property would be much more
18 important than putting cars. 6 parking spaces would not
19 significantly improve public access and would decrease the
20 enjoyment and the safety of that area.

21 Yeah, I've got 2 more minutes, so I'm doing fine.
22 Another consideration is I believe the placement of the
23 stairway, the second stairway, is too far toward the point.
24 It needs to be set quite a bit further. If you look at the
25 photograph there with the existing stairs, you'll notice

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1 that they're in a very natural little concave and there's a
2 second natural concave next to it. We should take
3 advantage of what nature provides and engineer according to
4 what nature has there already. I do know that at high tide
5 it's much easier to get out of the water there because
6 there's less long shore current, especially during large
7 waves, so I think that that's the second change that should
8 be made. Thank you very much.

9 LIEUTENANT COLONEL McCORMICK: Okay. Next 2,
10 Surfers Environmental Alliance, I think it's Doug Ardley,
11 and Robert Giles.

12 MR. ARDLEY: Thank you for this public comment
13 period. I had actually intended on speaking for quite a
14 bit longer so I'll try to shorten my comments here. In
15 fact I'll leave my comments primarily to the issue of
16 public access on the lateral coastside along the foot the
17 bluff. I notice in section 6.1.11 of the Draft
18 Environmental Impact Report/Environmental Impact Statement
19 that a trench is to be dug approximately 3 feet into the
20 Purisima rock layer along the foot of the bluff which is
21 cited as being necessary to prevent undermining of the sea
22 wall over the course of the lifetime of the sea wall.
23 However, what is artfully avoided mentioned in that same
24 report is the fact that if the Purisima layer can be
25 expected to be eroded down to a point where it could

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1 undermine the wall itself, that of course the rock along
2 that area is being undermined so that during periods of low
3 tides that are currently accessible to the -- along the
4 foot of the bluff, that area would then be under water. I
5 don't see how that can be avoided if a wall is being placed
6 along a cliff side. There must be other alternatives such
7 as groins or planned retreat which could add lifetime to
8 the roadside and public access along the bluff top without
9 eliminating public access along the foot of the bluff. The
10 report manages artfully to avoid mentioning more than once
11 the placement of that footing.

12 The report also is vague insofar -- and
13 contradictory insofar as what has never been mentioned
14 other than in the text of the report -- it's not even on
15 the diagrams that have been presented to the public -- is a
16 concrete apron which is, depending on which part of the
17 report you read -- I see I have one minute left -- either
18 10 to 15 feet would extend out from the wall toward the
19 waterline. That is not shown in diagrams and only
20 mentioned in one place I believe in the Environmental
21 Impact Report. That obviously needs to be addressed and
22 the public needs to be informed about the effects of such
23 an apron.

24 MR. GILES: Hi, good evening. I would like to add
25 to the parking issue of the area south of Jack O'Neill's

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1 house on the cliff between 36th and 37th avenues. There's
2 a little park there that I would also like to see preserved
3 free of parking, which the parking late at night, if it's
4 not monitored by law enforcement, which it oftentimes is
5 not, attracts a late night crowd and I see it. I drive by
6 there every night, and I just would like to see that area
7 protected and possibly just leave it as it is and --
8 because everybody likes to walk out there and enjoy it. No
9 parking. Thank you.

10 LIEUTENANT COLONEL McCORMICK: Okay. Next 2 on,
11 Phyllis Christensen and Craig Worthley.

12 MS. CHRISTENSEN: I live right in the neighborhood
13 and I'm also going to address the parking issue primarily,
14 but Number 1, since they broke out the project in a couple
15 of different phases, I'm fully in favor of protecting the
16 bluff. I think that's very, very important mainly because
17 I'd like to see that area continue to be enjoyed by
18 surfers, cyclists, pedestrians and just for recreational
19 use, but I am not in favor of parking at all along the East
20 Cliff corridor because I would like it preserved and I
21 don't want to see cars getting mixed in with people walking
22 and surfing and enjoying that area. I think -- I think
23 kind of Joanie Mitchell summed it up best by saying that
24 "they paved paradise and put in a parking lot." I think if
25 you went down along the beach area along the Boardwalk, you

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1 can see that the City of Santa Cruz actually took away the
2 parking places that were along the volleyball courts, and I
3 think they did that for a reason. I think they want to
4 preserve that as a recreation area and let people freely
5 flow and enjoy the beach and the shops, and I think that we
6 should take a cue from them and not put any parking on the
7 bluff area also because I think the initial environmental
8 report showed that the thing that was eroding the cliffs
9 most of all was the traffic. It wasn't people, you know,
10 walking or surfers going down to the beach, so if we leave
11 the artery for traffic but just keep the traffic flowing
12 and not have them park along the bluffs, I think we're sort
13 of protecting the work that we're doing. And I think that
14 the side streets can provide enough parking, but actually I
15 can't say enough because, yeah, it's all impacted, but to
16 put it along the bluff areas is not the way to go. Thank
17 you.

18 MR. WORTHLEY: Hi, everybody. My name's Craig
19 Worthley. I've been a resident of Santa Cruz County for
20 about 20 years. Although I live in Aptos, I do spend a lot
21 of time along the bluffs including West Cliff, so I feel
22 this is very close to me, this whole issue, and I hope it's
23 done well. I appreciate the efforts that the Army Corps is
24 making to do a good job of this. However, with public
25 input, which is probably a thorn in the side with a lot of

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1 these projects, I think it can be a cooperative effort.

2 Maybe we can come to a compromise.

3 I'm not going to ramble on. There's a lot of
4 things here I'm concerned with. Scott here addressed that

5 one particular parking issue along the 32nd/East Cliff
6 intersection. That was one area that I was particularly

7 concerned about because of pedestrian safety issues. Also
8 as Phillis stated, you know, although the proposed angled

9 parking is going to take up a percentage of what's already
10 green space there, we are talking about covering up green

11 space with impervious -- you know, impervious asphalt.

12 Thanks, Scott. One thing that was mentioned, and this may

13 be my own opinion but maybe some other people would agree,

14 that I think that a lot of parking that is proposed along

15 here that is increasing that it's nice to have people out

16 of the area can have a place to land rather than, you know,

17 just feeling like they're being scooted through and they

18 don't have anyplace that safe to park. However, the

19 experience that I've witnessed on the west side of Santa

20 Cruz with similar parking arrangements along the bluffs is

21 that those spots are used by people from the area and the

22 people who otherwise are riding their bikes from 3 blocks

23 in. They're the first ones that get there in the morning

24 when the surf's up, and rather than putting the surfers on

25 the bikes and booting them out to the coast like they're

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1 doing now which is a beautiful way to do it, I think you're
2 going to find more automobiles from within the neighborhood
3 using those spots and the people from out of town aren't
4 going to benefit anyway, so it's sort of a no-gain. That's
5 all I have to say.

6 LIEUTENANT COLONEL MCCORMICK: Okay. Mike Guth
7 and Charles Paulden.

8 MR. GUTH: I have about 4 things I wanted to go
9 over. My name's Mike Guth. I live on East Cliff at
10 Rockview. I've been in the community quite a long time and
11 I work quite a few conservation issues, and one that I
12 don't -- I'm out of line with a lot of my conservation
13 colleagues is I'm not really anti-wall. One of the things
14 that I say is that, you know, as an attorney, I understand
15 that you've got homes that are on the coast line. You can
16 armor the heck out of them if they're threatened and that's
17 just your legal right. In many cases it's better to have a
18 wall because, as you see in that picture, from aerial
19 studies, roughly 40 percent of the sand at mean tide is
20 covered by riprap protective rock and we could just have so
21 much more beach if we got rid of all this supporting rock
22 that's piled up there year after year, especially between
23 Moran Lake and Corcoran Lagoon.

24 I want to expand on ---- that's the A comments,
25 Doug Ardley's comments that the design is such that they're

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1 not going to allow for that sand to be in there and at mean
2 tide walk through perhaps all the way down to Capitola like
3 you can when there's some sand like this here. The design
4 should be looked at again. And that's an impact on the
5 public. We want the throughway for people at the base of
6 the cliffs. That's one of the true beauties of this area
7 is to be able to go down at low and mean tides and walk
8 along, and any design that's going to put in deep spots
9 should be redesigned. That's one thing I want to point
10 out. I think what I say here is it's so important that we
11 can cruise around.

12 Another thing I want to point out about this is,
13 you know, before I was an attorney, I was a mechanical
14 engineer for a decade and a half and I was an assistant
15 dynamicist, and there's no way we're going to understand at
16 high tide, storm tide and big wave what's going to happen
17 in front of this wall until it happens. There's no model
18 available to look at it, and a portion of this \$3 million
19 max budget should be withheld in reserve so that if any
20 modifications have to be made after we've seen it at big
21 wave conditions, if anything has to be put in, groins or
22 what have you, that the budget should be there in advance.
23 There should be a contingency in the design fund. I think
24 that would be important or else we might get stuck with
25 something with unforeseen consequences -- thank you -- and

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1 not have any money to do anything about it.

2 I also want to mention that all these pictures
3 show the design area but don't show that there's about 4
4 lots that go around the corner, and I have quite a few
5 large wave photographs from the air that we have that I
6 will supply for the record. The key toe to this cliff is
7 held in private hands. It's not part of this, and I think
8 that there's a risk to the design if the private portion
9 goes, and that's something that also should be looked at in
10 the context of this design. And other than that, I guess
11 my time is up. Thank you very much.

12 MR. PAULDEN: Charles Paulden, People for the
13 Preservation of Pleasure Point. One thing I think we
14 really ought to be concerned about is urban runoff,
15 cleaning that. They're going to increase that.

16 Another option -- I know we took variations of one
17 option -- is a setback wall similar to between Rockview and
18 the 30th Avenue access or the Sandbox. If we lose our
19 beach, we would still be able to go along there, and if we
20 do the sea wall, all the people on the cliffs are going to
21 say -- and all the people in Capitola are going to want a
22 sea wall, and that way we could have access above high tide
23 all the way down to New Brighton Beach. More regular
24 surface would be needed to help stop the wave reflection
25 and reduce the velocity of the waves so we won't be

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1 overtopping of the cliff as they say will happen if we
2 don't do this project.

3 Protection of the kelp beds to help reduce the
4 power of the waves. Right now the kelp beds are cut almost
5 every day. What's the effects of that?

6 If we're going to spend public money to -- and
7 eminent domain to take property from Jack O'Neill for
8 parking, why don't we instead buy the green property across
9 the street from Jack O'Neill that's now empty and use that
10 for parking perhaps with pavers that grow grass and so is
11 permeable?

12 They're going to be staging the equipment from
13 Gomey's (phonetic) Cove, so they're going to be taking
14 heavy equipment down by their house. How is that going to
15 affect the sandstone?

16 They're also saying "we have to do this because
17 the erosion might harm the kelp." What is the effects of
18 the nutrients of this soil if it's reduced by putting
19 concrete over it, and what is the effects of the leaching
20 of the concrete, and what are the effects of loss of the
21 mudstone provision species?

22 And then to go to the parkway which is hiding
23 behind all of this and I don't get why you can't have a
24 separate thing on the design of the parkway. Will it be a
25 natural one such as the City of Carmel, or will it be more

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1 of an urban setting out of character with a historic surf
2 community?

3 LIEUTENANT COLONEL McCORMICK: Next 2, Brad Asmuj
4 and J.D. Vidnovic.

5 MR. VIDNOVIC: I decline, Vidnovic. It's already
6 been addressed.

7 LIEUTENANT COLONEL McCORMICK: Okay. On deck is
8 Christian Fine.

9 MR. ASMUJ: I'm Brad Asmuj. I'm a surfer from
10 Santa Cruz. I currently live in Aptos and I'm one of the
11 those guys who drives into the neighborhood and would
12 dearly love to have easy parking so I could just zoom up,
13 get in the water, get my waves and get out, and yet I think
14 it's a really lame idea to put parking in front of Phillis'
15 house. I think it would be much better for me to park way
16 out on Portola and walk through the whole neighborhood and
17 say "hi" to the folks in the neighborhood and enjoy that.

18 And one of the things that concerns me about the
19 plans that we see, the 4 alternatives -- 5 alternatives, is
20 how ham-handed they are. One of them, for instance, the no
21 armoring, Number 4, you know, proposing groins, there's
22 such a history of the failure of groins to control erosion
23 and they have such a huge potential for destroying the
24 recreational resource of the surf. I think it's just
25 ridiculous to consider. I'm shocked that it's even one of

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1 the alternatives. I can't help but think that it was a
2 straw man to have other alternatives considered more
3 seriously, and yet the other alternatives don't bear up
4 under careful scrutiny. The engineering, the difficulties
5 of engineering for longevity are manifold, and with all due
6 respect to the colonel, the history of the Army Corps in
7 Santa Cruz County argues that they simply are not the
8 people to do the analysis, they're not the people to do the
9 engineering, and they're not the people to do the
10 construction or even to manage the construction. I think
11 one of the ways we'll know -- I'm not one of those people
12 who thinks that you shouldn't do any armoring of the
13 bluffs. I think there are probably engineered alternatives
14 that are reasonable that are balances of great edifices and
15 allowing the terrain to retreat, but one of the ways we'll
16 know that we haven't looked at all the alternatives -- and
17 I'm not being fanciful here -- is that if we don't have an
18 engineering firm from the Netherlands or from England who
19 deal with these issues and have over hundreds of years
20 learned what's possible to do, how to engineer for success,
21 if we don't have one of those organizations, we know that
22 we can be sure that it's going to fail, if not immediately,
23 eventually, and so I'd also like to say bless the
24 Nightfighters for taking care of the neighborhood in the
25 way they have and for the property owners there at the

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1 headlands, at the park who've put so much of their own
2 money into not just preserving their own property but
3 maintaining the bluff for what it is for us today. Thank
4 you.

5 LIEUTENANT COLONEL McCORMICK: Next, Mr. Jamie
6 Wine.

7 MR. FINE: Christian Fine.

8 LIEUTENANT COLONEL McCORMICK: Oh, I'm sorry. My
9 apologies. I got ahead of myself. I'm sorry.

10 MR. FINE: Hi. My name is Christian Fine. I'm
11 active with Surfers Environmental Alliance as well as the
12 Santa Cruz chapter of Surfrider, and I just want to say
13 that I'm just mad and I want to know why a planned retreat
14 has not been included in the analysis as a sixth option to
15 the other alternatives that they've presented. Planned
16 retreat or managed retreat would be a situation where we
17 accept the dynamic nature of the coastal area and the
18 eroding cliff and we would take an approach such as buying
19 up the houses and property on the cliff, dismantling all
20 coastal armoring structures, relocating sewers and roads.
21 To me, an approach like that would preserve a greater area
22 for a greater common good for more people to enjoy that
23 area. I would want to see an approach such as that taken
24 with compassion to the property owners that are currently
25 living on that cliff, and I want to know what would that

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1 analysis look like? How much would it cost versus what
2 would be the benefits to the greater good to all the other
3 people who enjoy Pleasure Point?

4 I also want to note that especially in the Hook
5 area, the surf, where it occurs is actually 50 to 200 feet
6 from the bluff, not the 400 to 600 feet where they said
7 that the surf is actually taking place and is well over in
8 the Pleasure Point area versus the second peak. It's more
9 like 150 feet to 400 feet. That's in my opinion. I want
10 to know where they got their numbers from in terms of
11 measuring out how far the waves break.

12 I believe that the footprint of the wall that
13 they're planning to build would make the cliff face
14 protrude another 2 to 3 feet into the impact zone, and I
15 think they're underestimating the scouring effect that that
16 will have on the sand and that it will impact wave quality
17 with bounce-back effects and less sand there.

18 And I also just want to conclude by saying that I
19 think some of the esthetic impacts of that wall will be
20 regrettable. It will look like the cheesy structure you
21 see that the log ride is made out of at Knott's Berry Farm
22 or something like that. It's going to look kind of fake,
23 and I'm very wary of making this beautiful geologic feature
24 kind of an artificial surface as though we had plastic
25 surgery for the earth or something. Thank you.

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1 LIEUTENANT COLONEL McCORMICK: Mr. Jamie Wine and
2 Scott Julian.

3 MR. WINE: Hello. I'm Jamie Wine from the Ocean
4 Conservancy, and we just wanted to bring up a few key
5 points here at this meeting. We're also submitting a
6 written comment.

7 First, we're concerned that full coastal armoring
8 will have a scouring effect as has been mentioned before on
9 the sand in front of the coast, and that's an important
10 throughway just as much as the road is an important
11 throughway. We'd like to see that preserved. The
12 second -- and also we'll lose the habitat of that beach
13 that still lives there.

14 The second point that we'd like to make is that
15 the no-action alternative is poorly represented, that the
16 sediment loading from the bluff is much less than what
17 occurs from the San Lorenzo River and also dredging at the
18 Santa Cruz Harbor as has been shown in a study done in 2002
19 by a group at Moss Landing Marine Laboratories, and we'd
20 like to see that corrected in the final EIR and EIR/EIS.

21 And the third point that we'd like to make is that
22 the California Resource Agency put out a really good draft
23 statewide policy for dealing with erosion and coastal
24 armoring, and we'd like to see that being followed more in
25 this EIR. We'd like especially the soft solutions such as

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1 beach nourishment and planned retreat be considered. Thank
2 you.

3 MR. JULIAN: Well, I'm a third generation Santa
4 Cruz resident, and I'd like to remind people that we're in
5 this situation because we put the yacht harbor in back in
6 the early 60's, and the Army Corps of Engineers was behind
7 that whole thing and I'm really skeptical of this situation
8 we're going to do right now. I'd like to also remind
9 people that we had natural groins that went out all along
10 Pleasure Point that held sand in the whole area before the
11 harbor was put in, and that when the harbor was put in, the
12 currents changed completely and started knocking all these
13 natural groins out taking away all the sand that was
14 protecting the whole area. When I was a kid, you could
15 walk all -- it was like Malibu and the waves would break
16 indefinitely all the way across the point and it's
17 completely changed since the 60's. So in my opinion, I
18 think replacing those groins would help since the harbor's
19 going to stay there. It's not going anywhere, and they
20 haven't figured out how to do -- you know, what -- the
21 damage that the harbor has started. So the only thing that
22 I can see that changed at the point is the natural groins,
23 so if they could build off of those natural groins that
24 were there, you know, years and years and years and years,
25 we would probably bring all the sand back and protect it

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1 and not have to put any kind of sea wall up at all.

2 LIEUTENANT COLONEL McCORMICK: Carol McGuire and
3 Jim Marshall.

4 MS. McGUIRE: First of all, I'd like to say that
5 it's been a long time coming that things are finally
6 getting done, and I do have some concerns. The first one
7 that I'm going to mention was the parking but I think a lot
8 has been said about it already, but there were some parking
9 that we were talking about, the parking on the bluff side,
10 but there are some up farther more at the Hook area where
11 there's a huge parking lot, and then there's been 5 parking
12 spots incorporated into that part across from the new
13 structure and bridge area and they don't belong there
14 either. I'd like to see the roads completely clear as much
15 as possible of parking other than what's already there.

16 And the second thing that no one's mentioned, I
17 guess it's just me, but that 4-foot railing, I don't know.
18 I've been out there measuring and I know the one that's 2
19 feet is probably not in code anymore, and then there's a
20 bunch of that white fencing and that measures approximately
21 3 feet. You take a tape up 4 feet and it is a horrendous
22 structure and the most unesthetic piece of work I've ever
23 seen, so I would like for you to consider moving that down
24 to whatever the code is and no more.

25 That's -- and then I know that there are the

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1 improvements at Larch Lane. I think they did a wonderful
2 job on that. I've been watching that ever since they
3 started it and ever since they finished it, and you can now
4 feel safe with your children, grandchildren, whatever down
5 there. It looks good. I don't -- and I understand that
6 there hasn't been a comparison study or anything to that
7 effect to see whether that's held up, but they did a
8 wonderful job on that and I hope you do as good a job on
9 this one.

10 And let's see. Oh, and I don't know who this goes
11 to, but I hope that once this project's done that they keep
12 the heavy equipment off of the road. I watch fire engines
13 go -- please don't take this personally but -- if you're a
14 fireman, but I watch them go down 4 or 5 times a day. They
15 are definitely breaking the law. It has a tonnage
16 requirement on that road and it hasn't been monitored, and
17 I think it's knocked -- I've seen them actually pull off
18 and actually hang over the bluff, and I think that if
19 there's anybody here from that department, if you could
20 please check with the captain at the fire department to see
21 if he could keep those engines -- and even the big ladder
22 trucks go down at least twice a day. So if you could do
23 something about that, it would be nice. I think you --
24 that would preserve a lot of the cliff.

25 I guess the biggest point to me is leave the

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1 parking the way it is and let people park in those parking
2 spaces that have already been built. Thank you.

3 MR. MARSHALL: Hi. My name's Jim Marshall. My --
4 my home is right in front of this proposed development
5 here. We've been residents since 1984, and I have a few
6 comments. Personal comments are that we'd prefer to see
7 the design avoid having the continuous railing, and we'd
8 also like to see the existing -- well, the existing cliffs
9 have several goat trails and these are essential for surfer
10 safety. They're not specifically addressed in any of the
11 alternatives. For safety sake and to avoid the very ugly
12 railing, we propose that the cliff sculpting could be
13 angled less steeply and provided with a few diagonal goat
14 trails to help surfers that are trapped by high tide,
15 surfers such as my wife and children.

16 I'm also a member of the East Cliff Drive Property
17 Owners' Association and I'd like to note that our
18 organization has for many years promoted the concept of
19 alternative Number 4, namely the restoration of the natural
20 groins. We request that the Army Corps investigate the
21 cost-effectiveness of restoring one or more of the groins
22 and incorporating them into alternative 1 to enhance the
23 public benefit by providing a more usable beach and their
24 value to enhance the life expectancy of the armored bluffs.
25 Thank you.

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1 LIEUTENANT COLONEL McCORMICK: Last 2, Shirley
2 Allen and Teresa Ish.

3 MS. ALLEN: Thank you. I've nothing written down.
4 I just simply want to put my input as a resident at the
5 corner of 38th and East Cliff. I don't think I've missed a
6 single one of these meetings, whether it's 10 years or
7 whatever. I'm not a homeowner but I've been involved with
8 this and seen all the work that's gone into it and I think
9 the most important thing is that redevelopment and the
10 county has paid attention to getting notices out to
11 residents and being able to get people to put their input
12 on this.

13 I really hope that there is no parking on East
14 Cliff Drive whatsoever. It's dangerous.

15 I also would like to say something that hasn't
16 been mentioned is that people with disabilities really need
17 to be thought about. More people have been able to be out
18 since the redevelopment work on 41st Avenue, Portola Drive.

19 I'm also secretary/treasurer of the Pleasure Point
20 Business Association. I'm not really speaking on behalf of
21 them but I will say that our businesses support what the
22 neighbors and people who live there want to see done. You
23 know, they're saying "what do the people who live there and
24 everything want done?"

25 People with disabilities, you've talked about cars

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1 backing out like the one lady said and like Robert Giles
2 talked about. They back up.

3 Folks have been able to be out more on Portola
4 Drive and down 41st Avenue than you can ever imagine
5 because we now have some sidewalks. Some people didn't
6 like it because it takes away from the naturalness of
7 Pleasure Point but I think it's only added and made it
8 better. And the same should be done for the East Cliff.
9 Let the people be able to get out and around safely and for
10 people to walk and not get killed by all the cars.

11 Traffic of course is there one way going the way
12 it is, but that parking that the lady addressed across from
13 Larch Lane there, that to me looks ridiculous and I saw it
14 at the last meeting, and so hopefully you'll really listen
15 to us. Thank you very much.

16 MS ISH: Hi. My name is Teresa Ish. I'm from the
17 Surfrider Foundation and I'm also a Pleasure Point
18 resident, and Surfrider has felt that this Environmental
19 Impact Report has not adequately addressed managed retreat.
20 A good portion or at least the erosion that the county's
21 concerned about comes from above, so curbs need to be
22 maintained. Storm drain runoff needs to be maintained.
23 The concrete rubble which is not riprap and it's serving no
24 point in protecting the cliff needs to be removed
25 regardless, and after that's done, then erosion rates need

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1 to be recalculated to see if they're really as high as
2 people are saying. And you can even see looking at that
3 picture that if the concrete rubble is removed, you can
4 walk along the entire way at a moderately high tide, not at
5 like 6-foot tide, but you will be able to walk on the beach
6 still, and adding 18 inches -- or I think is that the
7 thickness of the wall, 18 inches? Okay. So even adding 18
8 inches or 2 feet will impinge upon your ability to walk
9 along at higher tide.

10 Surfriders are also concerned that the wall will
11 increase further erosion. This sea wall will increase
12 further erosion on the end and the strong point that you
13 have at Jack O'Neill's house protecting the rest of the
14 cliff and possibly be eroding more quickly.

15 And parking will adversely affect water quality by
16 expanding the amount of hard surfaces.

17 And then as a personal concern, not as a
18 representative of Surfrider, all the way along the path
19 there are a number of memorials and different sort of parks
20 and small tributes that are important to the character of
21 the point and those need to be maintained as best we can.

22 And also as someone who rides their bike to work
23 and rides along the point, I do appreciate the fact that
24 pedestrian walkways and bikeways are trying to be expanded,
25 but it shouldn't be at the expense of the entire cliff and

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1 beach area. Thank you.

2 LIEUTENANT COLONEL McCORMICK: We also have a
3 vehicle with its lights on. It's a forest green '98 Toyota
4 T100. 6C95874 is the license number. You've got your
5 lights on.

6 Last one, at least we have so far, Baidra Murphy.

7 MS. MURPHY: My name's Baidra Murphy. I live at
8 the corner of 30th and East Cliff and I absolutely love the
9 place that we live. And everyone here I think has been
10 hitting on a lot of the same comments but I just don't
11 think it's been verbalized in the same manner that I've
12 been thinking about it so I wanted to share it. I think
13 one thing we've all been talking about but haven't really
14 mentioned and it doesn't come up in this type of study is
15 the atmosphere we have in Pleasure Point. I live in a
16 wonderful -- I live on the busiest corner. I have cars and
17 buses and people passing me all the time, but I have
18 surfers and skateboarders and bicyclists and pedestrians
19 and people walking their children and people walking their
20 dogs and people taking their kids down to the beach to
21 learn how to surf and to learn how to enjoy this wonderful
22 place that we live in, and for a lot of people living on
23 this busy corner like this would be a drawback, but it's
24 fabulous and it really adds to this wonderful place that we
25 all want to be in. I work over the hill and I go and I

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1 tell people I live in Santa Cruz and they say "where?" And
2 I say "Pleasure Point" and they go "oh, that's wonderful.
3 That's great," and I say "you have no idea." I have
4 relatives visit me from Sacramento who have never visited
5 me before but I move to Pleasure Point and they find me.

6 One thing that does concern me is the issue of
7 parking. I live on a corner. I get lots of people parking
8 in front of my house and that's just fine, but I think if
9 we had more parking on East Cliff, one thing that, besides
10 the busy-ness and the safety-ness is it would change the
11 atmosphere. It would change us from a wonderful beach
12 community where people can come, enjoy the surf, enjoy the
13 beach, enjoy being outside, it would change it into a busy
14 area with too much traffic and too much, you know, concern
15 about your safety, and it would just change the attitude
16 and atmosphere and create something that would be a little
17 bit more -- commercial's not the right word, but that type
18 of thing where there's too much hustle and bustle of the
19 cars. I love seeing people out walking. I love seeing
20 people out riding their bike and rollerskating and all of
21 that, so I hope that everyone keeps that in mind this
22 wonderful atmosphere of this wonderful place that we have
23 and we all love. This is one of the greatest spots on
24 earth. It's one of the greatest spots to surf. It's one
25 of the greatest spots to enjoy the beach no matter what it

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1 is that you do, and it's a great antidote to the rest of
2 the world out there. So I hope that we can find some way
3 to help protect that. I'm really hopeful we can protect
4 the cliff absolutely because I first moved here when I was
5 4 years old and East Cliff was 2 directions. Half of that
6 is gone now in a short period of time, so I just hope that
7 we can keep that in mind. Thanks very much.

8 LIEUTENANT COLONEL McCORMICK: Sir?

9 AUDIENCE MEMBER: Since we're a little early, can
10 you take some questions?

11 LIEUTENANT COLONEL McCORMICK: Actually I was
12 going to get Tom Kendall up here, our chief of planning.
13 Before he gets up, do we have anybody else that would like
14 to come up and talk?

15 MR. WOODS: My name's John Woods. I live in
16 Aptos, spend a lot of time surfing in the point area. I
17 had no intention of speaking, but it's a wonderful area and
18 it just seems a shame to change it and not really knowing
19 the result of the change and changing the natural
20 environment that has lasted for hundreds of years, and it
21 is a wonderful area, and I think that studies don't
22 necessarily tell you what's going to happen, and it seems a
23 shame to risk what we have because it's -- and risk losing
24 the area. We've talked a lot about the street and the
25 cliff and how good it is if we just walk along there, but

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1 as Doug mentioned, there is that whole other area to walk
2 at the base of the cliff and I think we need to be very,
3 very concerned to preserving that, but by preserving that,
4 you're preserving everything else that goes from there out
5 to the lineup, so I hope -- I hope people think a lot about
6 the result of doing something that is this permanent and
7 this costly and possibly very detrimental to the quality of
8 the whole area. Thanks.

9 MR. STECKER: My name is Jeremiah Stecker. I'm
10 here with the Surfrider Foundation. First I'd like to
11 thank all the great comments and a lot of really
12 intelligent comments made.

13 So much to say. First of all, this is not West
14 Cliff. It's a whole different ball game, so I heard some
15 people talking today down the cliff. I was actually
16 hanging out with some locals and "yeah, we just want some
17 rocks and make it like West Cliff." It's not West Cliff,
18 little different deal.

19 One of the main things Surfrider is concerned
20 about is access to the waves. The moving of the stairway
21 that was proposed could be a potential issue for access.
22 As anybody knows who's gone in and out of the surf there,
23 high tide, storm swell, it gets pretty hairy, so that
24 definitely has to be considered in this analysis.

25 I like the idea of improving the park. Why can't

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1 we just get an improvement of the park without having a
2 huge sea wall?

3 Wave reflection, as we know, during high tides,
4 during storm events, we get wave reflection, which is when
5 the waves hit against a hard surface and bounce back. As
6 you know, that can sometimes damage a wave, and Pleasure
7 Point is all about the wave as we all know who surf.

8 There are a lot of alternatives that need to be
9 explored. We could limit vehicle use down East Cliff as
10 has already happened. Have an electric trolley. You know,
11 parking situation, electric trolley, 2003.

12 I talked to Jack O'Neill. Is Jack O'Neill here
13 today -- tonight? He's a big advocate of devil's grass.
14 How about a little devil's grass on the cliff to help the
15 erosion? Thank you, Jack.

16 When we bring in big equipment on the cliff,
17 there's going to be a permanent footprint. This footprint
18 is going to be irreversible. There's probably not going to
19 be any turning point once you get in these cranes, so it
20 gets very emotional.

21 Last thing, why don't we take some of this money,
22 put the bathroom there, put in some hot showers, you know?
23 Okay. Thank you.

24 LIEUTENANT COLONEL McCORMICK: Anybody else that
25 would like to come up and talk?

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1 MR. SIGALA: My name's Marco Sigala, and I was
2 looking at the alternatives and it seems like one of the
3 reasons they're putting in this sea wall is to help with
4 erosion, and it seems like with the alternatives, with each
5 one you get less of an environmental impact putting in less
6 of a sea wall, but there's also less erosion controls in
7 terms of less -- in terms of dealing less with the drainage
8 problems, and I was just wondering why. I think in that
9 last one there's no call for dealing with the drainage, and
10 it seems like if they improved that, then it would help
11 with the erosion which would also benefit by putting in
12 less sea walls.

13 MS. HAWKINS: I'm Rebecca Hawkins. Rebecca
14 Hawkins. I have been bringing my -- my children to these
15 East -- East Cliff beaches since -- you know, for like 30
16 years, and I watched them put that sea wall in at Rockview,
17 and I just don't want to see one anywhere along that cliff.
18 Please, please do anything to save the natural landscape.
19 Thank you.

20 LIEUTENANT COLONEL McCORMICK: Anybody else?
21 Okay. Tom, you want to --

22 MR. KENDALL: Well, yeah, there was a request for
23 maybe a little Q and A time, and we were -- the real
24 purpose is public comments, so if you have public
25 comment --

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1 AUDIENCE MEMBER: No, I have a question if you
2 could take a question.

3 MR. KENDALL: Okay. So we get a chance to do a
4 little Q and A. You know, the colonel introduced some from
5 the people here from the study team, and you know, there's
6 some pretty smart people from the county too who could
7 probably actually answer some of the questions better who
8 could be made available if we want to do a little of bit of
9 that, but my original plan was just to get up here and say
10 we're not leaving, so just to inform -- you know, a lot of
11 the comments, you know, good comments. Some of them
12 surprisingly we've actually thought about and we can kind
13 of share some of those thoughts with you. They will all be
14 responded to formally as part of the EIS process, so we're
15 not pretending to actually give a full treatment of any of
16 them as part of tonight's gathering. That's again not the
17 purpose, but we'd love to engage some of you in
18 conversation if you'd like to do that afterwards. So
19 that's kind of what I was planning to offer up. If there
20 are -- I'd hate to have a public Q and A time go on too
21 long if people, you know, wanted to get -- you know, some
22 people are more comfortable just asking offline questions
23 and we want to allow that to happen, but you know, maybe
24 just for 10 minutes or so, if, you know, people don't mind,
25 we'll go ahead and stay together as a more structured

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1 group, take a few questions, and then cut it off and allow
2 for some more informal conversations. So go ahead.

3 AUDIENCE MEMBER: To the corps or some of the
4 county people, once this -- if this project went through,
5 once the wall was completely built and everything was done,
6 would full ownership of this project reside in the County
7 of Santa Cruz?

8 MR. KENDALL: Yes, it would. So your comment
9 earlier about contingencies for, oops, something's not
10 working, the way that's handled is initially it would be
11 county responsibility. However, we do have a program
12 where, if it's recognized that there was a, quote,
13 "deficient design," there are ways to have the feds
14 participate in a fix that might be required of them, but
15 initially it would be the county's ball to run with.

16 AUDIENCE MEMBER: I've got a multipoint question.
17 Who assumes the liability if this sea wall creates damage
18 to property owners who are farther down the coast? And
19 case in point is the Army Corps of Engineers' design of the
20 yacht harbor in the 60's. If you look at the riprap that
21 is along that coastline from the yacht harbor down to
22 Pleasure Point, it probably totals millions and millions of
23 dollars of cost to property owners. They paid for it
24 themselves. In the 1960's I'm sure there was no issue of
25 liability that the Army Corps of Engineers' design would

1 have any link to that. It's proven now that it does have a
2 link to that, and in general across the country, it's
3 proven over and over again that coastal armoring causes
4 downstream impact on private property owners. Who's going
5 to assume that liability if the private property owners can
6 sue because of this design being planned on Pleasure Point?

7 MR. KENDALL: Of course we have Jack here. I
8 don't know. Jack's actually a surfer attorney type, but
9 maybe you want to help me out, Jack, but I'll say what I do
10 know and just take it for what it's worth because I'm not
11 -- I don't know all the issues you're speaking of. I'm
12 aware of the district. Yes, there was a fillet that built
13 up west of the west jetty. As I understand it -- and you
14 know, we've actually studied this. Gary Griggs I know has
15 studied it. This has been a retreating shoreline for some
16 time. There was the immediate response that occurred after
17 the jetties went in. The fillet built up on the west beach
18 there, but fortunately that coincided with some major
19 flooding on the San Lorenzo, so it only took about 2 years
20 to really establish that west beach, and so the impacts to
21 the down coast which are very real were transitory. You
22 know, they were not -- you know, we immediately -- not
23 immediately. I think -- is Brian here, Brian Fossi? But
24 we did start off with sort of spotty dredging, but
25 basically sand has been bypassing that harbor ever since

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1 that west beach built up, so the impacts that occurred are
2 really tied to how wide that beach is west of the west
3 jetty. So anyhow, that's just kind of the physics, but
4 that does mean there was -- I'm not saying there wasn't an
5 impact. I'm just saying that it was short-lived in terms
6 of we got some natural bypassing relatively soon and the
7 fillet was as big as it is and that's obviously starving
8 somebody down the coast. Now, that sand does move through
9 there pretty quick, eventually ends up in the Monterey
10 Submarine Canyon. You can run the numbers different ways,
11 but again it's been a retreating coast for years. It's
12 not --

13 AUDIENCE MEMBER: My question is not a geology
14 question. It's a liability question.

15 MR. KENDALL: Yeah. I'm sorry. It is a liability
16 question. Let me -- okay. So there is a program. It's
17 called Section 111. It's an authority where we go in and
18 say "here is an impact, a downcoast impact of a corps
19 project," and if they're linked, improvements addressing
20 the downcoast impacts can be implemented. Those are done
21 along the same cost-sharing lines as the original project
22 that caused the impact. So for example, if we really
23 wanted to pursue it this way, the port district who
24 cost-shared in the construction of Santa Cruz Harbor, they
25 would be the cost-sharing partner for a project that was

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1 clearly linked to the impacts of the corps construction. I
2 believe there are cases back east where it came down to,
3 you know, an actual lawsuit, and I think the feds ended up
4 paying a bigger share than what I'm describing in this
5 Section 111 program. That's where I get a little fuzzy and
6 maybe Jack's --

7 MR. KERNS: I was going to see how far Tom was
8 going to go before I ran up the white flag. He's doing a
9 good job as an engineer.

10 MR. KENDALL: You want to grab the mike?

11 MR. KERNS: Can everybody hear me? Yeah, I'll
12 stand up for a minute. I'll give you a typical lawyer
13 answer. It depends. I'm a lawyer.

14 AUDIENCE MEMBER: Maybe if you could -- could you
15 speak into the microphone so it's clearly on the record?

16 MR. KERNS: Yeah, you want to get me down on my
17 words, pretty sharp on that. How I would answer that
18 question is --

19 AUDIENCE MEMBER: Can I ask -- I'm sorry. Who are
20 you?

21 MR. KERNS: I'm Jack Kerns. I'm with the office
22 of counsel in the San Francisco district. I work one floor
23 up from Tom. On this issue the way I would answer this is
24 the federal government under certain circumstances allows
25 itself to be sued, and that's called in legal terms "waiver

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1 of sovereign immunity." I don't no offhand in this
2 instance if and how much the federal government has waived
3 sovereign immunity. If not, then it would become an issue
4 of "is the government liable under some sort of negligence
5 theory?" and so the answer really depends on how much, if
6 any, the federal government has waived sovereign immunity,
7 and at this time, to be quite honest, I can't give you the
8 answer on that, but that's the kind of issues you look at.
9 Hopefully the wall we designed would work. Now, if for
10 some reason it doesn't, then it depends on what caused
11 that. You get into those type of legal issues, but the
12 first question to be answered is what type of immunity has
13 been waived?

14 AUDIENCE MEMBER: So if it's a joint
15 county/federal project and the federal bows out as a
16 defendant on immunity grounds, you say the county takes the
17 whole load of the lawsuit, isn't that what your saying?

18 MR. KERNS: Well, I'm not sure, sir. I'm not sure
19 because I don't know --

20 AUDIENCE MEMBER: But it's certainly a possibility
21 the way the scenario -- what you were referring to?

22 MR. KERNS: If the government has not waived its
23 sovereign immunity --

24 AUDIENCE MEMBER: The county doesn't have that
25 option, and so if you're saying what the feds might do,

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1 you're not answering Chris' question just saying that the
2 county could pull the full load even though the first
3 speaker said that there would be a sharing of the cost
4 there.

5 MR. KERNS: You've gone beyond my expertise on the
6 county's liability.

7 AUDIENCE MEMBER: I'm just trying to understand
8 your answer.

9 MR. KERNS: Right. Well, my answer, I'm
10 addressing the federal liability. I'm not addressing the
11 county liability in this instance, and my answer for the
12 federal liability is it really depends on if we've waived
13 it or not. I'm really not sure. I can't really speak as
14 to the liability of the county. That's beyond my
15 expertise.

16 AUDIENCE MEMBER: Can I continue? I've got a
17 further question.

18 MR. KERNS: Now see what you've started?

19 LIEUTENANT COLONEL McCORMICK: One question per.
20 Why don't we just stick to one question per, and you've got
21 about 3 minutes left.

22 AUDIENCE MEMBER: Jack would be the person to
23 answer.

24 MR. KERNS: Let's see. The gentleman who began
25 the questioning, have you finished up here?

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1 AUDIENCE MEMBER: Well, what I want people in the
2 audience to hear is whether your design would create a
3 situation where all the property owners on the area
4 downstream from this along Opal Cliffs which, as a
5 geologist speaking, I know from studies has a much higher
6 erosion rate, so it may be extremely sensitive to what you
7 put in. Now, I'd like to know who the liability is. If
8 it's going to be the people of the County of Santa Cruz
9 that are going to pay for private property owners all along
10 Opal Cliffs to the tune of say 50- to \$80 million, I'd like
11 to know that, and if you haven't addressed it in what
12 you've written so far, I would also like to know and I'd
13 like Tom Burns to also address it since this has been
14 raised repeatedly by me and I've heard by other people.

15 MR. KENDALL: That's a very good issue. I think
16 it's important to remember that the process of an
17 environmental impact statement is operating on a natural
18 environmental policy act and it's looking at the
19 environmental consequences, not necessarily liability, but
20 that's a good point. Remember, the purpose of this is to
21 look at all the environmental impacts, and I think we're at
22 least attempting to look at all the environmental impacts,
23 but that's a very good question. Yes.

24 MR. ARDLEY: Okay. My other legal question has to
25 do with project Number 3 which is the Hook. I'm Doug

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1 Ardley with Surfers Environmental Alliance. Throughout the
2 public scoping process and the initial public comment
3 periods, it was always stated "oh, we might be doing
4 something at the Hook later on" but there was never a
5 project that had been proposed. Even up until the last
6 meeting before the Draft Environmental Impact Report came
7 out, there was never a proposal for the Hook project. Then
8 in this draft environmental impact report, suddenly there's
9 a Hook project. At this introductory meeting we were then
10 told "oh, that's something in the future. It's not really
11 a project." Is there or is there a Hook project and is
12 this the last period for public comment on the Hook
13 project?

14 MR. KERNS: That's not the point here. As I
15 understand it, the Hook project has not been funded and is
16 not under study at this time. It does not mean it might
17 not in the future. However, the purpose of the tonight's
18 meeting is to look at this project, the East Cliff Drive
19 bluff. They are separately funded projects.

20 MR. ARDLEY: And so to reiterate, it's not under
21 study at this time?

22 MR. KERNS: It has not been funded at this time.

23 AUDIENCE MEMBER: But it is under study?

24 MR. KENDALL: I'll jump in here. The county has
25 been studying it, have you not, and the intent is to make

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1 it a federal project, at which point there are going to be
2 NEPA issues to address. Right now it's more in the context
3 of cumulative impacts under NEPA, whereas under CEQA, are
4 you guys -- is it already being considered?

5 MR. BURNS: It's actually being considered in the
6 document both as CEQA and NEPA issues, but again, what the
7 environmental document does is look at the range --

8 AUDIENCE MEMBER: Could you use the mike?

9 MR. BURNS: I'm sorry. I have to go on record
10 too? The environmental document looks at environmental
11 issues for a number of different projects. Each of the
12 projects has to go through its own separate approval
13 process, and this piece has its own unique process. The
14 coastal protection project were looking at now has one, has
15 to go to coastal consistency finding with the coastal
16 commission and a hearing related to that. The roadway
17 improvements have a local permit requirement, a coastal
18 permit requirement. If the Hook project were ever to
19 proceed, it would have its own permit requirement, again
20 partly depending on who the project sponsor was. Was it
21 the Corps of Engineers or the County of Santa Cruz?

22 But I do want to correct something that was said
23 earlier that some of you have made comments about the
24 alternatives and who selected them and some of them seem
25 self-serving. Actually the community selected the

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1 alternatives through 2 scoping meetings that were held a
2 couple years ago. And some of the alternatives we didn't
3 think were very practical, but nonetheless, that's what
4 people wanted to look at, so we said "okay. Let's go ahead
5 and look at those." The Hook was included in the project
6 description way back then. It was not something new that
7 was added. It was part of the discussion a couple years
8 ago when the project was scoped out. So we're not trying
9 to sneak anything in here. There's plenty of public
10 process that goes on. Some of you have been to more
11 meetings than you would like to on this and we're not
12 finished yet, but nothing is being snuck in here. And
13 again, the Hook is something we've looked at. It's
14 something that, if it proceeds, is on a slower track than
15 the other cliff stabilization work. It may or may not be a
16 project done by the Corps of Engineers if it becomes a
17 project.

18 AUDIENCE MEMBER: Tom, could I ask you a question?
19 Is the sea wall, the Army Corps of Engineers part, separate
20 from the parkway redevelopment part? And if they are, it
21 doesn't seem like -- we've mostly been focusing on the sea
22 wall and there hasn't been a lot of discussion about the
23 park, and there seems to be some issues about parking.

24 MR. KENDALL: No, a lot of legitimate issues
25 raised about parking and the like. The sequence of events

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1 as we envision them, and of course things can always
2 change, is that the Corps of Engineers as the sponsor of
3 this first section of coastal protection project would go
4 forward. There would be a coastal consistency hearing
5 before the coastal commission. If that was given the
6 thumbs up, the project would proceed through final design
7 and be constructed under the guidance of the corps ideally
8 sometime next year. What would then be following that is a
9 more detailed design and discussion with the community on
10 the roadway improvements, and then we would actually go
11 through a local permit process for that, and only after
12 that that would we bid and construct those improvements,
13 and it would have to follow that section of coastal
14 protection.

15 LIEUTENANT COLONEL McCORMICK: Last question.

16 AUDIENCE MEMBER: When does the public get to
17 understand the government's position on liability?

18 MR. KERNS: Yeah.

19 MR. KENDALL: Thanks for coming, Jack.

20 MR. KERNS: Thanks for inviting me, Tom. It's a
21 good question. I think since it's been addressed in this
22 forum that there'll -- there will be a response from these
23 meetings.

24 AUDIENCE MEMBER: Is it before the project, after
25 the project?

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1 MR. KERNS: Well, I think the project -- any
2 liability is -- would -- would not necessarily be answered
3 at this time at this meeting, and I can't really answer you
4 at this time as to liability because there's so many "what
5 if's." I mean I'm not sure. We're talking a lot of
6 hypotheticals and I'm just trying to be straight with
7 you.

8 AUDIENCE MEMBER: But isn't it like a development
9 contract? I mean aren't there hold safe harmless clauses
10 in it?

11 MR. KERNS: Yeah, that's true. There also is in
12 the process where we have some language in specific
13 contracts that the government, in order to protect itself,
14 like anyone, is held harmless, and I'd want to look at that
15 language too, but since it's the last question, I'd be
16 happy to talk with you off line too on that.

17 MR. BURNS: Could I just had a one piece to that?
18 And I'm not a liability expert, and you know, most of the
19 time things that we've had designed work the way we want
20 them to. That's not always the case. What we've tried to
21 do through this process, the EIR process, is bring in some
22 outside technical experts, and in the case of the coastal
23 erosion and wave issues, actually the expert of the
24 opponents of this project. Gary Griggs was touted over and
25 over again as the expert on coastal protection structures

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1 and the skeptical expert on coastal protection structures,
2 so we made a point of bringing him in as part of the EIR
3 team to review the project so we got the most critical
4 review we could of the concerns and issues people have
5 raised about the impact of this proposed project, so that's
6 not directly addressing your liability issue, but I think
7 it does address to some degree the sort of critical review
8 that's gone on in terms of looking at the design.

9 MR. KENDALL: Let me just add one thing to that.
10 I know there was a comment earlier too about, you know,
11 "you need to see what the Dutch or the English would do"
12 and so on, and I know Gary and I've been in Europe with
13 Gary with Dutch and English and everybody else and there's
14 no tricks that they have that we don't have. We're all
15 talking to each other, so I don't want to leave this, you
16 know, mystical thing about "gees, if we only have a
17 foreigner out here."

18 AUDIENCE MEMBER: That's not his area --
19 professional area of expertise.

20 MR. KENDALL: Well, he's an engineer and
21 geologist.

22 AUDIENCE MEMBER: Of course he is.

23 MR. KENDALL: But he's studied sea wall impacts
24 and so on.

25 LIEUTENANT COLONEL McCORMICK: Okay. I had 3

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1 people, this woman here, the woman in blue, and this
2 gentleman here. Democracy is great thing, so sir?

3 AUDIENCE MEMBER: My question is really not as
4 sophisticated. It's kind of a simple one. We've given you
5 a lot of input. Are you guys really going to do something
6 about the input? And if so, when are we going to see the
7 results of this meeting so we can see whether or not some
8 of the points we made actually are acted upon?

9 MR. KENDALL: You have the schedule, right, sir?

10 MS. CAMERON: What we're going to do is we're
11 going to take all the public comments that we had from this
12 meeting, from the previous meeting, anything from the
13 agencies. The comment period ends May 12th, so at that
14 point we would take all of the comments and then we'd
15 respond to every comment, and then that would be addressed
16 in the final document.

17 MR. KENDALL: And you get to comment on the final
18 EIS.

19 AUDIENCE MEMBER: So we'd be able to see a plan?
20 We'd be able to come to something like this and we'd see a
21 map up here and we'd say "oh, yeah, they did that. They
22 took out that and they added that"?

23 MR. KENDALL: 2 different things. I mean I think
24 one of them is what are issues that are relevant to the
25 EIR, environmental impacts? And that's what the changes to

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1 the EIR will do. The EIR might not say -- for those who
2 say "let's eliminate parking spaces," it may not say
3 there's not an environmental impact from determination of
4 the EIR results. That does not mean, when we get to the
5 design stage for that, we will not engage and deal with
6 that issue then.

7 AUDIENCE MEMBER: So later?

8 MR. KENDALL: Yes, on those issues.

9 LIEUTENANT COLONEL McCORMICK: You're last.
10 You're next.

11 AUDIENCE MEMBER: One thing I see, maybe I don't
12 know what's in the complete summary of the environmental
13 impacts, but were some of the skeptical experts that you
14 brought in actually -- because what I want to see in these
15 pictures, I see a lot of data about erosion and runoff and
16 undercutting, but what I want to see is the picture of the
17 alternatives, and then I want to see like low tide and high
18 tide and exactly what it did to the waves to create these
19 different walls, because it's a unique recreation area.
20 It's not just, you know, land use. I'm looking for the
21 water use section. And so I'm just wondering in the full
22 study, did you glean some experience from scientists who
23 studied wave formation or experience with the different
24 kinds of structures exactly what it's doing the 150 feet
25 off the cliff where the waves are breaking?

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1 MR. KENDALL: Yes and no. I don't know. Bob, you
2 want to take this one? Actually there was compliments
3 earlier about Larch Lane. Bob Battaglia was one of the
4 designers on that. He just walked in. But, yeah, the
5 waves were definitely looked at and where they break, how
6 they reflect and so on, and you know, if it's not
7 adequately written up, maybe there'll be some better
8 write-ups in response to the comments we're getting
9 tonight, but there are lots of people who understand
10 oceanography and the depths that water has to be for a wave
11 of a certain height to trip and break and the angle of
12 reflection off the cliff relative to the incident angle of
13 the wave that's being served and all that, and it's a very
14 valuable resource, one that many of us enjoy personally,
15 and the conclusion is basically if, you know, you just
16 think about it in simple terms, we're talking about the
17 face of this bluff being pushed out a couple feet relative
18 to where it is now, very similar to where it was a couple,
19 3 years ago and with water level where it is, and we can
20 talk about the subtleties of water level. Going up you'll
21 see the horizon and so on, but if we just say water level
22 still where it is and the bluff face moved out a couple
23 feet, if you were here a couple, 3 years ago, you would
24 know what the conditions were like, so it's not that
25 radical oceanographic thing we're really talking about in

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 the simplest terms.

2 AUDIENCE MEMBER: Well, maybe that information
3 should be presented -- maybe that information should be
4 presented so that you can see the results of each of these
5 plans. I mean how can I know what to support if I don't
6 know that particular effect?

7 MR. KENDALL: Yeah, if it's not well enough
8 discussed in there, we need to do that, and that comment
9 has been taken here so -- but again, it's -- go ahead, Bob.
10 You want to speak to this or ask me?

11 MR. BATTAGLIA: Actually I should say that I was
12 just hired by the Surfrider Foundation this week to review
13 the EIR and I expect to have some comments before the
14 period ends. I'm not prepared to really detail those. I
15 just started reading the EIR. You should know that Tom is
16 also a surfer so he's very aware of these issues. I
17 believe the belief is there won't be effect on the surfing.
18 I do have some concerns about the feasibility of
19 constructing a toe of concrete wall, the bottom part of the
20 wall in a manner resulting in geography similar to what
21 exists and the difference between those 2 geometries raises
22 some concern in me about wave reflection, and the other
23 concern I have is how the -- what the situation will be 50
24 to 100 years into the future after we have some continued
25 erosion of the near shore wave on that platform, so those

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1 are areas that I intend to comment on and I haven't had a
2 chance to review the document.

3 MR. KENDALL: Yeah, I mean obviously I would
4 imagine 50 to 100 years out you will see slightly higher
5 water levels. You will see maybe a little notching between
6 the mudstone and the toe of the structure because, you
7 know, this is a shoreline that wants to recede and it won't
8 be allowed to, so that material -- it'll try to take some
9 material from somewhere, right? And if it doesn't take it
10 laterally, it will probably take it a little bit
11 vertically, but it's probably very, very small scale in the
12 big scheme of things, and we'll see what Bob quantifies in
13 his analysis.

14 LIEUTENANT COLONEL McCORMICK: Last public
15 question and then if afterwards, after we conclude, you
16 know, people will hang around and you can privately ask
17 questions. Ma'am, you're the last question.

18 MS. BEAUTZ: I'm the county supervisor from this
19 area, and this discussion of this liability whatever
20 concerns me because sometimes these -- this isn't exact
21 science. I was here during the earthquake. The epicenter
22 was up here. The area I represented was summit. The Army
23 Corps came and everybody came in and tried to figure out
24 what was going to happen and nobody could really figure it
25 out. Now, maybe this is more clear-cut than that was, but

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 maybe you don't want to discuss it in terms of liability.
2 I can understand that, but I think ongoing responsibility
3 needs to be something that we need to understand because if
4 things don't work out right, you guys get to go. You may
5 come to surf, but you're -- and we will be here, and
6 everybody that, you know, is concerned about the way this
7 would or would not be done is going to be down at our
8 building to fix it and we won't have those resources to do
9 that. So I think when people talk contingencies and
10 holding, you know, some funds until you see how things work
11 and whether it goes or not, those are not unreasonable
12 requests, and I'd just like to see some discussion, maybe
13 not putting it in the liability way because I think that is
14 something that certainly attorneys don't like to see it
15 done that way, but how does this partnership continue? If
16 you waive responsibility and if there's a problem, does
17 that mean that all this land that is in our county which is
18 already -- so if you could just address that in writing in
19 some sort of response, that's really what we would ask.

20 MR. KENDALL: Yeah, I'm just thinking off the top
21 of my head, I do recall one project. It was a shore
22 protection one, and the sponsor expressed similar concerns,
23 and the way the turnover of a project goes from, you know,
24 this fed/local partnership to just the local interest, it
25 happens with an operations and maintenance manual being

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 sort of signed over as "here you go, County. It's now
2 yours. You know, congratulations." We had a sponsor that
3 said "I'm nervous about this," so we actually -- I don't
4 know if Jack would say we were allowed to do this, but we
5 waited 3 years to give them their OM manual just to wait
6 till they were comfortable. It was a small project in a
7 part of the world where, you know, people weren't
8 necessarily checking it every day, but so we did let it go
9 I think it was 3 years, and then we said "okay. We really
10 need to get this one off the books" and they took the OM
11 manual then, but anyhow, so we're sensitive to that. We've
12 attempted to accommodate people in the past. You know,
13 that's about all I can say at this point.

14 AUDIENCE MEMBER: How about 2 El Nio cycles
15 inside of 10 years?

16 LIEUTENANT COLONEL McCORMICK: Could we do -- in
17 the interest of trying to meet time, because I know this is
18 going to go on a little bit longer, so I'd like to see if
19 we could go to private questions now. Please -- you know,
20 this is going to end the formal part of the meeting.
21 Please come on up. If you've got additional questions or
22 comments, those addresses are there in your packet if you'd
23 like, but please come up and talk to the team and see, you
24 know, if they can answer questions privately. Thank you
25 very much for coming tonight.

East Cliff Bluff Protection Draft EIR/EIS Scoping Meeting, 4/30/03

1 (The proceedings concluded at 8:47 p.m.)
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COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

May 8, 2006

SUBJECT: REVISED DRAFT ENVIRONMENTAL IMPACT STATEMENT AND REVISED DRAFT ENVIRONMENTAL IMPACT REPORT (EIS/EIR) FOR THE EAST CLIFF DRIVE BLUFF PROTECTION AND PARKWAY PROJECT

A Draft EIS/EIR for the proposed East Cliff Drive Bluff Protection and Parkway Project was released in March 2004 and a Final EIS/EIR was completed in October 2003. However, in November 2003, the California Coastal Commission determined that the project was not fully consistent with the California Coastal Management Program (CCMP). In an attempt to achieve maximum consistency with the CCMP, additional information was gathered and the enclosed Revised Draft EIS/EIR was prepared. The Revised Draft EIS/EIR analyzes the potential environmental effects of three inter-related projects, which are outlined below.

Project 1 (Main Bluff Protection Structure)

- Construction of an engineered bluff protection structure (soil nail wall) within the East Cliff Drive right-of-way from 33rd Avenue to 36th Avenue;
- Construction of both new and replacement beach access stairways (one at Pleasure Point Park and one near 36th Avenue); and
- Demolition of an abandoned restroom near 35th Avenue, and removal of concrete rubble and relocation of rock riprap on the beach between 33rd Avenue and 36th Avenue.

Project 2 (Parkway)

- Construction of road improvements (new curb along southern edge), installation of drainage structures, pedestrian and multi-use path improvements from 32nd Avenue to Larch Lane, and landscape improvements and installation of railings and other site furnishings;
- Construction of a retaining wall near 38th Avenue; and
- Construction of a new restroom, paving, and landscaping and drainage improvements at a park site (referred to as Pleasure Point Park).

Project 3 (The Hook Bluff Protection Structure)

- Construction of a second engineered bluff protection structure near the end of 41st Avenue at "The Hook" and existing public parking and access point;
- Removal, repair and replacement of a wooden stairway near 41st Avenue; and
- Construction of road and path improvements similar to those in Project 2.

The Revised Draft EIS/EIR identifies five alternatives (including a “no action” alternative) and evaluates potential project impacts on: land use, recreation, visual resources, geological resources, water resources, biological resources, transportation, emergency services, cultural and paleontological resources, and utilities.

The main differences between the 2003 Final EIS/EIR and the Revised Draft EIS/EIR are outlined on the attached summary sheet.

Pursuant to the California Environmental Quality Act (CEQA), this document is available for a 50-day public review and comment period, which ends on June 26, 2006. All written comments received during the comment period will be responded to in the Revised Final EIS/EIR. Everyone that submits written comments will receive notification of the availability of the Revised Final EIS/EIR when it is released. Written comments must be submitted no later than 5:00 P.M. on June 26, 2006 to:

Claudia Slater
Santa Cruz County
Planning Department
701 Ocean Street, Room 400
Santa Cruz, CA 95060
(831) 454-5175

Comment letters received before the deadline date are appreciated. Copies of this Revised Draft EIS/EIR have also been placed on reserve for public review at the County of Santa Cruz Planning Department on Ocean Street, the County Aptos Permit Center on Soquel Drive, the main branch of the Santa Cruz Library system in downtown Santa Cruz, and the Live Oak Branch on Portola Drive. The report can also be viewed on the Internet at the County of Santa Cruz website (www.co.santa-cruz.ca.us). A public open house will be held on June 8, 2006 from 6:00 to 9:00 P.M. at the Live Oak Community Center/Simpkins Family Swim Center, located at 979 17th Avenue in Live Oak. Additionally, the County Planning Commission will conduct a public hearing on the project after the Revised Final EIS/EIR is released. This hearing will be noticed in local newspapers. If you have any questions about the environmental review process, please contact me at the phone number noted above between 8:00 A.M. and 5:00 P.M. weekdays.

Sincerely,

Claudia Slater
Environmental Planner

Enclosure

May 2006
PROPOSED EAST CLIFF BLUFF PROTECTION AND PARKWAY PROJECT

REVISED DRAFT ENVIRONMENTAL IMPACT STATEMENT
AND ENVIRONMENTAL IMPACT REPORT (EIS/EIR)

This brief summary explains why a Revised Draft EIS/EIR was prepared. Previous work on the project has been updated based on continued communication, direction, and consultation with the Live Oak community, California Coastal Commission staff, and various consultants.

Wasn't there a Draft EIS/EIR prepared for this project before? Why is there another one?

A Draft EIS/EIR was released in March 2003 and a Final EIS/EIR was completed in October 2003. However, based on a U.S. Army Corps of Engineers' submittal, in November 2003 the California Coastal Commission determined that the project was not fully consistent with the California Coastal Management Program (CCMP). The Commission said that further information and exploration of issues was needed before the project could be adequately evaluated. In an attempt to fully address all of the issues and achieve maximum consistency with the CCMP, additional analysis has been prepared and the Revised Draft EIS/EIR reflects this new information.

What are the differences between the 2003 Final EIS/EIR and the Revised Draft EIS/EIR?

The main differences include:

- A geotechnical engineering company was hired to conduct an evaluation of the “threat” that coastal bluff erosion presents to East Cliff Drive, associated utilities, and the public right-of-way. This analysis indicates that roughly 65 percent of East Cliff Drive between 33rd and 36th avenues, and approximately 15 percent of the road at The Hook, are either immediately threatened by erosion or may be rendered unsafe within the next few years (see Section 2.3).
- The alternatives discussion has been reorganized and expanded to more fully explain why non-structural alternatives (e.g., drainage improvements, bluff vegetation, and beach nourishment) were initially considered but eliminated from further study (see Section 2.4).
- The project description and portions of the impact analysis, such as visual resources (see Section 5.2) and sand contribution calculations (see Section 6.1.9), have been updated to reflect the emergency cribwall repairs that were constructed during the summer of 2004. These repairs include three sculpted and colored concrete soil nail walls, which collectively cover about 290 linear feet of the upper bluff face (terrace deposits) between 33rd and 36th avenues (see Figures 2-9a and 2-9b for locations). These repairs were necessary to stabilize failing cribwalls and to protect public safety.
- Passages throughout the document were revised to reflect that the County Redevelopment Agency and Department of Public Works are now the sole project sponsors. Previously, the Army Corps of Engineers was a co-sponsor.

What's the public comment period on the Revised Draft EIS/EIR and whom should we send our comments to?

Written comments will be accepted until 5:00 P.M. June 26, 2006. Comments should be mailed to:

Santa Cruz County Planning Department
Attention: Claudia Slater
701 Ocean Street, Fourth Floor
Santa Cruz, CA 95060
(831) 454-5175

Will there be a public meeting on the proposed project and Revised Draft EIS/EIR?

Yes, a public open house will be held on June 8, 2006 from 6:00 to 9:00 P.M. at the Live Oak Community Center (Simpkins Family Swim Center), located at 979 17th Avenue in Live Oak. The open house will provide an opportunity for people to review the updated information and analysis and ask questions.

What's the process for moving forward with the project?

First, a Revised Final EIS/EIR will be prepared. This document will include responses to all of the written comments received on the revised draft, as well as appropriate revisions based on those comments. The proposed project will then proceed through the County permitting process. Should this be successful and have community support, the California Coastal Commission will be asked to issue a permit(s) for portions of the project under its' jurisdiction.

Why has this project taken so long?

Just like any other development project, the County must comply with all applicable local, State, and federal environmental review and permitting requirements. Questions and concerns about various aspects of the project were also expressed, so it was necessary to collect additional information and update the environmental analysis to address those concerns, as well as changing circumstances (e.g., construction of the emergency repairs in 2004).