21.3 PUBLIC COMMENTS AND RESPONSES

MONTEREY BAY
Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER
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June 26, 2006

Ms. Claudia Slater
Santa Cruz County
Planning Department
701 Ocean Avenue, Room 400
Santa Cruz, CA 95060

SUBJECT: REVISED DEIR/DEIS FOR EAST CLIFF DRIVE BLUFF PROTECTION PROJECT

Dear Ms. Slater:

The following comments are submitted for your consideration:

A1-1 | Demolition of Abandoned Restroom. Page ES-6.
Please contact Mike Sheehan of the District's Compliance Division to discuss demolition of the abandoned restroom, to ensure that no asbestos is present and would be released during demolition.

A1-2 | §12.2.1 Introduction / Region of Influence. Page 12-2.
Santa Cruz County is not classified for the federal ozone standard. It is the North Central Coast Air Basin (NCCAB), comprised of Santa Cruz County, Monterey County and San Benito Counties, which is classified for this standard. The NCCAB is unclassified/attainment for the federal 8-hour standard. The NCCAB is classified Non-Attainment Transitional for the State 1-hour ozone standard, as well as Non-Attainment for the State standard for PM_{10}. A copy of the current designations is attached for your reference.

A1-3 | Federal Conformity Determination. Page 12-3.
With revocation of the federal 1-hour standard for ozone on June 15, 2005, the NCCAB is classified as attainment for all federal standards. It is no longer subject to conformity determinations.

A1-4 | Air Quality Management Plan for the NCCAB. Page 12-3.
The most recently adopted Air Quality Management Plan for the NCCAB is dated 2004, not 1997.

Responses

A1-1
Thank you for the contact information; the County Redevelopment Agency (RDA) will coordinate with the Monterey Bay Unified Air Pollution Control District's (MBUAPCD) Compliance Division before demolishing the abandoned restroom to assure that no asbestos is released.

A1-2
This correction has been made.

A1-3
This correction has been made.

A1-4
This correction has been made.

Comments

A1-5

Thresholds of Significance, Page 12-5. Table 12-2, Page 12-7.
The threshold of significance for ROG, and for NOx is 137 lbs/day, not 150 lbs/day. The 100 TPY criteria associated with General Conformity, as stated previously, no longer applies to the NCCAB.

A1-6

Construction Emissions. Page 12-6, et al.
Mitigation Measure 12.1. Page 12-7.
The mitigation measure on page 12-7, as written, is precatory and is too vague to be enforceable. What number and models of diesel equipment would be used on the project? Please contact the District to discuss details, to determine if a diesel risk screening analysis should be prepared. Following are recommended mitigation measures for impacts from operation of diesel equipment on construction projects:

1. All pre-1994 model year and older diesel equipment shall be retrofitted with EPA-certified diesel oxidation catalyst filters,
   or the entire construction and demolition equipment fleet shall be fueled with B20 biodiesel fuel;

2. The Project Applicant or his construction contractor shall maintain records of all purchases of diesel oxidation catalyst filters or B20 biodiesel fuel associated with item 1, above, until all construction and demolition work has concluded; and

3. The Monterey Bay Unified Air Pollution Control District shall have the right to inspect the construction and demolition equipment, as well as the records specified in item 2, above, at any time during construction or demolition.

A1-7

Mitigation 12.1. Page 12-6.
Grading or excavation should be discontinued when wind speed reaches 15 mph rather than 20 mph.

Thank you for the opportunity to comment on the project.

Yours truly,

Jean Getchell
Supervising Planner
Planning and Air Monitoring Division

cc: Mike Sheehan, Compliance Division

Responses

A1-5
This correction has been made.

A1-6
Specific information about the number and types of equipment that would be used, the ages and sizes of diesel engines, and the frequency of equipment use cannot be provided until agreements with construction contractors are implemented. However, the emergency repairs that were installed in 2004 required one large track excavator, a horizontal soil nail drill rig with a 20- to 30-foot extension boom, a man lift and, during soil nail construction, a concrete pumping machine, and trucks periodically delivering concrete. Comparable equipment would be necessary to install the proposed bluff stabilization structure. A construction crane and multiple dump trucks would also be required to remove the rubble and riprap from the beach areas. The roadway improvements would require typical excavation and paving equipment. If the project is approved, RDA will consult with MBUAPCD and will provide specific information about the construction equipment to be used so a diesel risk analysis can be performed, if necessary. Additionally, Mitigation 12.1 has been revised to incorporate MBUAPCD's recommendations.

A1-7
This correction has been made.

Comments

CURRENT ATTAINMENT STATUS OF THE NORTH CENTRAL COAST AIR BASIN
February 2006

Pollutant	Federal	State
Ozone (O_3) – 1 Hour	Maintenance*	Nonattainment-Transitional
Ozone (O_3) – 8 Hour	Unclassified/Attainment	Not Available**
Carbon Monoxide (CO)	Unclassified/Attainment	Monterey-Attainment San Benito-Unclassified Santa Cruz-Unclassified
Nitrogen Dioxide (NO_2)	Unclassified/Attainment	Attainment
Inhalable Particulates (PM_{10})	Unclassified/Attainment	Nonattainment
Fine Particulates ($PM_{2.5}$)	Unclassified/Attainment	Attainment

Notes:

* The Federal 1 hour standard was revoked in the NCCAB on June 15, 2005.

** Area designations in relation to the California 8-hour ozone standard are expected to be made by ARB in November 2006, after the rule is finalized. It is expected that the NCCAB will be designated as a nonattainment area for the California 8-hour standard.

Responses

Comments

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION

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REDEVELOPMENT AGENCY

July 12, 2006

Claudia Slater
Santa Cruz County Planning Department
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Subject: Combined Revised Draft Environmental Impact Statement and Revised Draft Environmental Impact Report (RDEIS/RDEIR) for the Proposed Pleasure Point Parkway and Seawall Project in the Live Oak area of Santa Cruz County (SCH# 2001012097)

Dear Ms. Slater:

Thank you for forwarding the above-referenced RDEIS/RDEIR document (hereafter "draft document") to our office for review. The Commission staff appreciates the opportunity to submit the following comments, which are intended to identify some of the additional information that will be critical to our evaluation of the coastal development permit applications required for the project (a seawall application to the Coastal Commission and a parkway application to the County that will be appealable to the Commission).

A2-1

Clearly, the proposed seawall and parkway project presents a complicated set of coastal resource issues that are interrelated, and the various potential alternative outcomes will involve certain trade-offs (e.g., a no seawall project would allow natural processes to continue but it would also result in loss over time of the East Cliff Drive right-of-way area). We recognize that there are few easy answers to the base public policy and planning questions here, and that ultimately some difficult decisions will need to be made. We have not attempted to address these larger policy questions in our response to the draft document.

For example, the range of potential alternatives to the proposed project has been, and will continue to be, a key issue. Much has been said on this point to date, and we appreciate the expanded threat evaluation and the additional information on potential alternatives provided in the draft document. We have not, however, attempted to resolve the broader policy issues regarding project alternatives in these comments, and look forward to working with the County to identify the project alternative that is most consistent with Coastal Act and LCP requirements. We hope that the following comments, recommendations, and requests will facilitate this process.

Armoring

A2-2

1. We are aware of coastal permits for some rip-rap fronting the stairway near 36th Avenue and for some rip-rap fronting the O'Neill residence. We are not aware of coastal permits authorizing any other project area rip-rap or rubble. For all project area rip-rap and rubble,

Pleasure Point Parkway and Seawall RDEIS-RDEIR comments 7.12.2006.doc

Responses

A2-1

The County agrees that there are complex issues associated with the East Cliff Drive Bluff Protection and Parkway Project that require careful consideration. The Revised Final EIS/EIR reflects our best effort to fully analyze and balance those issues. While the original 2003 EIS/EIR satisfied the NEPA and CEQA requirements with respect to alternatives analysis, the Revised Final EIS/EIR has been expanded in response to the Coastal Commission's previous comments on project alternatives. The alternatives discussion in Section 2.4 of the Revised Final EIS/EIR now exceeds CEQA requirements. The County Planning Department believes that the mitigated Alternative 1 is fully consistent with the County's General Plan and Local Coastal Program.

A2-2

Aerial photos from the California Coastal Records Project Web site (www.californiacoastline.org) clearly show rubble on the beach in these areas as early as 1965. Permits for the O'Neill property were issued in 1978 (Coastal Permit 78-463). The cribwalls in the area were constructed post 1972, between 1979 and 1987, as part of Department of Public Works or Parks Department maintenance, repair, and pedestrian and bicycle improvements funded by grants from the Coastal Conservancy. Because records for this work have not been found, detailed categorizations cannot be performed. However, maintenance and road repairs within the public right-of-way (including retaining walls) in this and other areas of the County have been excluded in the past from coastal permits under Section 30610 of the rules and regulations adopted by the California Coastal Commission on September 5, 1978 (see also Section 13.20.061 of the Santa Cruz County Code).

Comments

A2-2 (cont'd) please categorize it as either: (a) pre-1972, (b) post-1972 with coastal permit, or (c) post-1972 without a coastal permit. Please also provide clear evidence supporting each such categorization.

2. A2-3 The draft document is inconsistent in terms of describing what is to happen with project area rip-rap and rubble, indicating in some cases that portions may be retained and reused and in others that it would all be removed. Please clarify what is proposed in this respect. In any case, such rubble/rip-rap is resulting in ongoing coastal resource impacts, and would result in additional similar impacts if retained/reused. We recommend that all project area rip-rap and rubble be removed in all project scenarios.

3. A2-4 The proposed redeveloped stairway at the Hook would include rip-rap at its base. We see no compelling reason (in the draft document or otherwise) to perpetuate the coastal resource impacts associated with rip-rap at the Hook. Please evaluate measures to eliminate the rip-rap at the Hook. At a minimum, please evaluate an alternative that incorporates the stairway into the proposed armoring structure, and, if that proves infeasible (in part or whole) an alternative that includes a concrete base for longevity (e.g., a concrete base such as was constructed for the recently completed County stairway at 26th Avenue).

4. A2-5 The draft document identifies multiple long-term average annual erosion rates that have been calculated for this stretch of coast, and applies this range of erosion rates to the analysis of structures at risk. However, in terms of the analysis of sand retention impacts, the draft document concludes that a 6 inch per year rate should be used as this rate is deemed the most accurate (page 6-17). If the 6 inch per year rate is deemed the most accurate, then it would follow that this is the rate that should also be applied to the threat evaluation. Please clarify the erosion rates being used for the analysis of risks and sand supply impacts, and explain the basis for applying different rates to these analyses. Unless there is compelling evidence for using different rates for different analyses, we recommend that the same rates be used for both.

5. A2-6 The draft document identifies potential block failures of up to 10 feet. However, other than an anecdotal reference to an apparent block failure of this type near Larch Lane, no supporting evidence is provided. There is also reference in the geologic resource chapter regarding the alignment of joint/fracture planes in the bluff that are prone to failure or collapse, but more specific identification of where these planes exist and at what orientation in the project area is missing. Please provide this information. In addition, please identify and distinguish the estimated potential maximum failure events at different locations within the project area (including to the extent they differ within the project area), and provide the geotechnical basis used to determine such potential failure events.

6. A2-7 It continues to be our understanding that the existing cribwalls in the project area (including those covered by the most recent emergency work) were not authorized by coastal development permit. Unless the County can present evidence that the cribwalls were installed prior to 1972, or authorized by coastal development permits, we must analyze the current

Responses

A2-3
As described in Section 2.6 of the Revised Final EIS/EIR, under the preferred alternative, all rubble and most riprap would be removed from the beach. Riprap would be used in conjunction with the stairs at 41st Avenue, because armoring would only cover the terrace deposits at this location, so the stairs could not be completely incorporated into the bluff protection structure. Also, because of the height of the cliffs in this area it is necessary to provide landings and changes of direction in the stairway runs, otherwise the stairs would have to project further out onto the beach. Some riprap is required in this area to protect the wooden stair structure during periods of high surf and storm surges. Riprap would also remain where the armoring transitions into the riprap at the O'Neill property to help prevent erosion (outflanking) at that end of the structure.

A2-4
As noted in the response to Comment A2-3, riprap would be required at 41st Avenue because the armoring in that location would only cover the terrace deposits. Additionally, please note that riprap is also present at the base of the stairway at 26th Avenue.

A2-5
In its threat analysis (found in Appendix G of the Revised Final EIS/EIR), Sanders and Associates Geostructural Engineering (SAGE) addressed the Coastal Commission's previous comments that the County should better document the threat that erosion poses to the road, utilities, and the right-of-way. The analysis is primarily based on field surveys and static and seismic stability calculations for the upper bluff terrace deposits in order to best assess the risk of episodic bluff failures. The threat analysis identified levels of threat based on damage to the existing road, local conditions (such as base rock undercuts), apparent surface tension cracks, and the likelihood of a 10-foot failure under static and seismic conditions. While this method is best suited to evaluate the risk of episodic failures, evaluating issues of sand supply are best determined using average erosion rates. Consequently, both techniques are used in the EIS/EIR analysis.

A2-6
On page 8 of the June 30, 2005 SAGE report, there is reference to a bluff failure that occurred between August 1963 and November 1965. The **(cont'd)**

Comments

Responses

A2-6 (cont'd)

remnant scar on the bluff was almost 30 feet wide and extended about six to 10 feet back into the face of the bluff. Based on the remnant scar configuration and overall steepness of the slope, SAGE concluded that the bluff failure likely occurred during a single event. Because of the nature of the records for this area, it is not possible to provide additional data. Haro, Kasunich and Associates reports from 1995 imply that the Larch Lane failure solely involved the upper terrace deposits, where approximately 60 to 70 feet of lateral bluff top area collapsed. The depth of the failure plane appears to have been about 10 feet. Additionally, as part of the SAGE threat analysis, the size and depth of cave undercuts in the Purisima Formation were mapped and provide a good indication of possible future block failures. Maps of additional potential fractures, faults, and joint planes have not been prepared. In our view, ample information is now available documenting the threat that erosion poses to the road, utilities, and public right-of-way in the project area.

Comments

A2-7 (Cont'd)

project as if the cribwalls were not there. Please categorize each cribwall as either: (a) pre-1972, (b) post-1972 with coastal permit, or (c) post-1972 without a coastal permit. Please also provide clear evidence supporting each such categorization. For any cribwalls that are category (c), please modify the threat evaluation and impact discussions (including the sand retention calculations) in a manner that includes an analysis that presumes the absence of these cribwalls.

A2-8

7. It is not clear from the project plans or description or the draft document to what extent the seawall could include a lateral path at the top of the Purisima level. Please evaluate the option of incorporating a lateral pathway that provides for high tide access along the base of the bluffs at the Purisima interface, including filling gaps as necessary to allow for a complete walkway along the seawall length.

A2-9

8. Please identify the locations where the mechanically stabilized earth areas would be constructed.

A2-10

9. The draft document describes the potential incorporation of "goat trails" to provide emergency exit from the water. However, it is not clear from the project plans or description where these goat trails would be located. Please clearly identify these locations.

A2-11

10. It is unclear why the proposed seawall does not extend all the way to the upcoast O'Neill property line. Absent feasibility issues, we can see no reason why the seawall shouldn't extend to the property line (or even further – see also below) as this would allow for the removal of significant rip-rap on public property. Please evaluate an option that extends the wall all the way to the O'Neill property line with removal of rip-rap on public property (the draft document indicates that over twenty linear feet of the O'Neill revetment is actually located on public land). We note that mitigation measure 6.1a seems to contemplate this option, but it only requires it if feasible. However, the feasibility issues are not detailed. Please also evaluate extending the seawall in front of the O'Neill residence to allow the permitted rip-rap there to be removed as well. Please provide clear supporting evidence regarding any feasibility issues.

A2-12

11. The draft document identifies the project lifetime as both 50 years (e.g., page 4-8 and page 6-31) and also 100 years (e.g., page 6-27). Please clarify the project lifetime and please identify any mechanisms that will be used to enforce the project lifetime (e.g., required removal after 50 years). Or, if the intent is for the project to extend longer than the identified project lifetime (as appears to be the case), please define what "project lifetime" is meant to mean, and please describe how long the improvements are intended to be kept, maintained, etc.. For continuing impacts (e.g., beach loss over time), please identify the ways that these continuing impacts will be mitigated over the time that the project is in place. In other words, "one time" mitigations based on project lifetime assumptions may not be applicable for project impacts that continue for as long as the project is in place.

Responses

A2-7

See the response to Comment A2-2 above regarding the historical background of the cribwalls in the project area. Because permit records for these cribwalls could not be found, the requested categorization cannot be performed. With respect to the threat analysis, assuming the absence of cribwalls in the project area would increase the risk to the road and right-of-way because the cribwalls currently stabilize about 290 lineal feet of bluff top area. While the Planning Department recognizes that the Coastal Commission may approach its analysis differently, CEQA requires that the environmental impact analysis be conducted based on the project site as it currently exists [see 14 CCR § 15125(a)]. It would be inconsistent with CEQA requirements to presume the absence of the cribwalls; consequently, the EIS/EIR has not been revised to include such an analysis. For sand supply considerations, please refer to the response to Comment A2-13 below.

A2-8

The bluff protection structure would not include a lateral path at the top of the Purisima layer, except to the extent that one exists naturally, which would be replicated by the soil nail wall as it is constructed. The Purisima ledge varies in width, from zero to about five feet wide, along the length of the bluff between 32nd and 36th avenues. Without providing build-outs further onto the beach, there would be insufficient space for a path at this location. Additionally, the top of the Purisima layer is between 10 and 12 feet above the foot of the proposed wall. A man-made path at that level would be unsafe without railings and, even with railings, could be unsafe under high surf conditions. Creating a lateral path, with a necessary safety railing, would also introduce an additional feature that would increase the man-made visual effects of the project. For these reasons, a path along the top of the Purisima Formation is not included in the project design.

A2-9

The areas requiring partial build-outs correspond to the six areas identified as Zone #1 in the SAGE threat analysis. These are areas where portions of the existing road structure have already been lost to erosion and would need to be stabilized as part of the bluff protection construction.