SANTA CRUZ COUNTY PLANNING COMMISSIONER’S MEETING

Agenda Item 6, 11/13/19

My name is Steve Forer, and I am President of Coastal Property Owners Association of Santa Cruz County, representing over 600 coastal property owners. We would like to offer our “conditional support” for the County’s Proposed Local Coastal Program Public Safety Element, but we can’t support it until we see the complete final draft. We have met with Kathy Malloy and David Carlson again to go over our concerns. Pursuant to direction from the Board of Supervisor’s meeting on 10/8/19, there are a number of remaining issues which must be clarified in the revised LCP:

1. The term and conditions for existing shoreline protection (armoring devices) shall not be altered and the property owners shall be allowed to maintain their shoreline protection according to the term of their initial permits. Existing shoreline protection must be taken into consideration when calculating the useful life of structures and required set back of structures for new or redevelopment permits.
2. The language used in the LCP regarding recordation on property deeds of “Hold Harmless”, Indemnification, and Waver of Liability” needs to be revised to specify the specific purpose and term of the liability release, as per court ruling in San Diego.
3. Sand Mitigation fees **must be based on hard science and estimates of the actual potential sand loss which will occur at the site of the proposed armoring devices.** The formula used to calculate Sand Mitigation fees, Recreation Use Fees, and Encroachment fees must be specified in the LCP. These fees will only apply to new construction, re-development or new shoreline protection permits.Property owners may offer improved public access and protection from beach erosion in lieu of these fees.
4. The designated “Shoreline Protection Exception Area” for Opal Cliffs will allow for the development of a “uniform seawall” with increased public access and walkway from 41st Ave. to Capitola City border. However, those few existing seawalls should remain in place for the stability of the bluffs, and interface with the “uniform seawall” when it is built. Only the revetment rocks should be removed.

We further request a copy of the final LCP before it is presented to the Board of Supervisors on 12/10/19.

Thank you for your time

Sincerely,

Steve Forer
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