

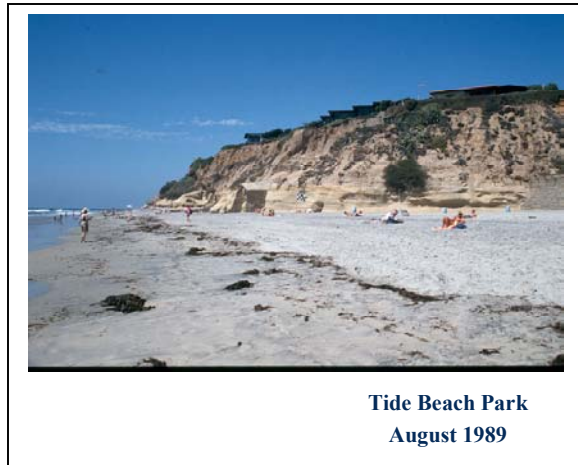


## BBC Perspective #1, January 31, 2002

The BBC Mission Statement: *"To restore, rebuild, maintain, and preserve the safety, beauty, joy, and access of our beaches and bluffs for the benefit of everyone."*

Dear BBC membership, associates and friends:

This is the first in an ongoing series of "BBC Perspectives" designed to update you on the BBC's progress and accomplishments to date. As you know, thanks to the joining of forces with COOSSA and other Solana Beach homeowners we are able to represent the interests of over 2,000 residents. And, since our official incorporation as a non-profit Mutual Benefit Corporation in August of 2000 we have been most fortunate to have raised over \$45,000 in donations, which is enabling us to start building a sound operating foundation for our organization.



While we will be sharing with you in this letter some of the tactical accomplishments we have made, like the development of our website, the creation of a logo and the development of a petition and brochure, I am most pleased to start with some of the more significant strategic progress we have made toward our more important goals including our interactions with the Coastal Commission, the State Lands Commission and the City of Solana Beach. For some of you part of this will be redundant, so I apologize for any repetition.

### **CSBPA – CalCoast Conference Debates on Seawalls**

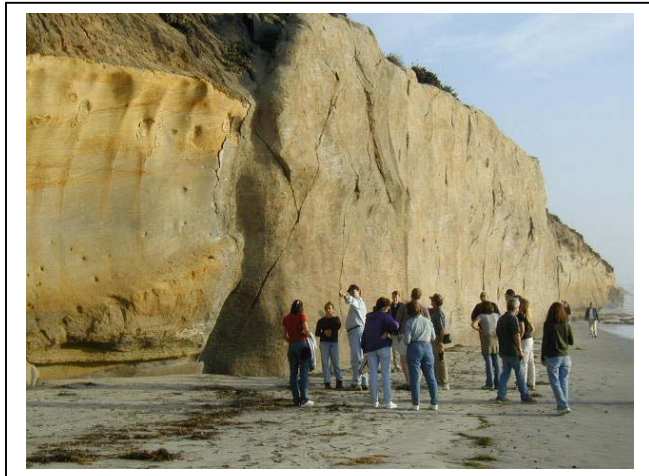
On November 10, 2001 we were invited to make a presentation at the CSBPA – CalCoast Conference debates on seawalls. Other speakers, included: Leslie Ewing and Sherilyn Sarb, staff from the Coastal Commission, Jim Jaffe and Todd Cardiff from Surf Riders, Bob Semple from the City of Solana Beach and Jane Getchell.

We made a very clear and compelling argument that everyone needs to find common ground and work towards a common strategic vision. While many of the attendees were anti-seawalls, they gave us feedback that they would be willing to support our efforts provided we linked it to the rebuilding of the beach with sand retention systems. The biggest concern was that if you build seawalls the beach goes away (passive erosion). Nobody wants seawalls without beaches... They felt that if the seawalls are linked to rebuilding the beach, that was a cause they could all get behind. Surprising and

encouraging. Several people also mentioned that our presentation was the only one that presented a positive solution and that they appreciated that.

The highlight of the day, however, was the tour we all took of the beaches, including Solana Beach. On that tour, I was able to interact and spend time with a number of people who included the State Lands Commission, the Coastal Commission, the Solana beach City Council and a number of geologists, writers, reporters and scientists.

One of the more significant events was the opportunity for me to stand on the beach showing Jane Smith and Alan Scott from State Lands, and Leslie Ewing and Sherilyn Sarb from the Coastal Commission, the Colton seawall, the Greenberg/Kinsel project and Santina/Gregg project (see picture on this page of this group at the Colton seawall). When I discussed the design and look of the Colton wall, they agreed that they were impressed with the aesthetics of the wall and the natural design of the upper bluff. They indicated they would get behind a uniform seawall solution of that design.



I later spent some time explaining to Leslie and Sherilyn why we attack the Coastal Commission in our presentations. I told Leslie and Sherilyn that some of the things that I have heard the Commission say were horrific to us and that is where we are getting our feelings about their intentions. Apparently, this got their attention as they took the time to explain that they are willing to work with us, provided it is linked to restoring the beach and not just uniform seawalls. I pointedly asked them if they would support the creation of a Geologic Hazard Abatement District (GHAD) for this purpose and would they be willing to participate in the process so that we don't get blind-sided by them at the end of the approval process. Again, they indicated that they liked the approach working together, provided it is linked to rebuilding the beaches. The Coastal Commission Staff said they would support the GHAD if it included beach restoration in addition to uniform seawalls...

Since that day, I have had several positive conversations with Sherilyn Sarb regarding the Coastal Commission working with us towards our common goals. They say, like the City, they prefer a holistic big picture solution. They would rather have a uniform solution for all of the bluffs than the piece meal one that is occurring when individual disconnected projects are approved on a one by one basis.

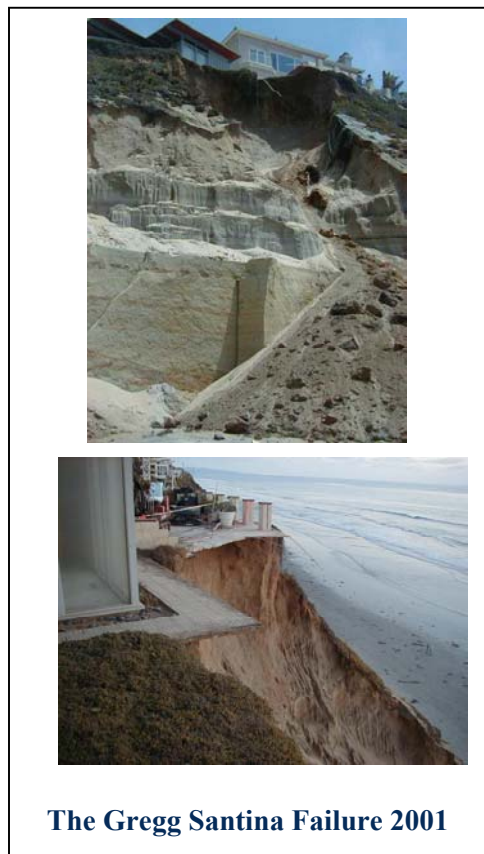
### **Geologic Hazard Abatement District (GHAD)**

The BBC Executive Committee has agreed to pursue the possible creation of a Geologic Hazard Abatement District (GHAD). A GHAD is a legal subdivision of the state that would allow us, the members of the GHAD, to raise funding and design uniform seawalls

and bluff retention devices to protect properties with special powers granted by the State of California. GHADs are generally created to provide a vehicle for property owners to band together and raise funds to fix damage to properties resulting from natural disasters. We are exploring the creation of a GHAD and are planning a presentation about the costs and benefits of a GHAD that we will give to the homeowners and condominium associations along the bluffs.

We have retained the legal services of Attorney, Greg Moser of Foley & Lardner, who is working up a summary of legal issues and important points relevant to the creation of the GHAD. We are also working with Walt Crampton of the TerraCosta Consulting Group regarding the geological engineering issues of a GHAD. Their professional services are examples of where the BBC is spending some of the funds we have raised.

We expect that there will be a number of issues and questions raised regarding the creation of a GHAD. We are planning on having meetings designed to present and explain the creation of a GHAD. At those meetings we will examine the pros and cons of



**The Gregg Santina Failure 2001**

the GHAD and share our work with the BBC membership. Subsequently, we will have follow on meetings and further discussions that will lead to a vote of the residents who wish to create the GHAD.

The creation of a GHAD will require the approval of the City Council. It does not require the approval of the Coastal Commission. We will, however, need to work closely with the Coastal Commission regarding the design, approval and implementation of uniform seawalls, so keeping them in the process is important. Interestingly, the GHAD is exempt from CEQA. CEQA is the basis upon which CalBeach Advocates has been suing the City regarding seawall and notch infill approvals, often demanding Environmental Impact Reports. The GHAD would help reduce some of the nuisance lawsuits and roadblocks that CalBeach Advocates has continuously tried to throw up.

The funding of the seawalls under the GHAD will necessarily come from Private Funding, i.e. the property owners. The typical methodology of a GHAD is to raise a bond at a market interest rate to pay for the construction of all of the necessary seawalls. Each property owner would then be assessed his/her portion of the construction costs as they directly relate to their individual property. (The process is different for condominiums.) That portion of the total would then become a part of each individual's tax bill and would be paid over some extended period of time, say 20 to 25 years. For example, if a property owner is assessed \$300,000 in cost and interest, his/her annual payment would be something like \$12,000 to \$15,000.

This summary of some of the aspects of a GHAD is very simplified and will need a lot more legal and technical explanation. But it gives you an idea of what goals we have. We will address these issues at future BBC GHAD specific meetings.

### **Public Versus Private Funding:**

It is important to note that there is a big difference between funding for the building of seawalls protecting the bluffs with homes on top (private property) and funding for sand retention and sand replenishment programs for the beach (public property and public interest). We must use Private Funding for uniform seawalls to protect the bluffs. We can use Public Funding, however, for sand retention systems and sand replenishment programs for rebuilding the beach.

The Coastal Commission Staff has advised us that they can help steer us in the direction of various possible sources of Public Funding for the rebuilding of the beaches. However, the funding for the seawalls must come from Private Funding.

### **The Opposition:**

I would like to say a few words about our opposition. As you know, there are a few members of our community who zealously oppose any form of saving the bluffs or rebuilding the beaches. In fact, they actively promote the concept of Planned Retreat. They literally want homes to fall into the ocean. The two vocal organizations are CalBeach Advocates and two members of the Surf Riders Foundation.

CalBeach Advocates is primarily a husband and wife team, Scott and Sheila Williams. Jim Jaffe and Todd Cardiff, present themselves as representing the Surf Riders Foundation. The bottom line is that this is a very small group of people and the City Council needs to be quite clear about this.

Fortunately, these people tend to focus on very tactical issues. While they tirelessly work hard to disrupt our progress, the fact is that they constantly bring up petty and nuisance issues without having a real or effective strategy. This approach is proving to be ineffective in several ways. First of all, everyone is tired of hearing about the same old negative silliness. Secondly, they do not do a good job of countering our positive vision.

I believe there is more important work than trying to counter the tactical gibberish of this minority group. While it is good to keep an eye on the opposition, it is more important not to get sucked into their insignificant tactical bickering. We need to keep our eye on our goal. *Save the bluffs, rebuild the beach...it's the right thing to do!*

### **BBC Progress:**

We are making significant progress on significant issues. The Coastal Commission Staff, quite shockingly, is coming around in a positive way that may end up supporting our vision. I, for one believe they want to do the right thing and I welcome their support. I believe that there are good people at the Coastal Commission. Besides, I feel, as custodians of the coast, they need a vision. I would be pleased for them to take our vision as their own. I would see that as a political win for the Coastal Commission.

The Solana Beach City Council is an intelligent and thoughtful group. I believe that as a group they will also do the right thing. I am confident that they will support the BBC vision and the creation of a GHAD. Both the City Council and the Coastal Commission appear to want a big picture, comprehensive solution to the bluff and beach issues. We have that vision and we have a vehicle to implement it, the GHAD.



**36 Bluff Failures in the Last 36 Months**

#### **BBC Website:**

We have launched our new website at [www.beachandbluff.com](http://www.beachandbluff.com). Please visit it and give us your feedback. We have a new logo, an attractive looking website design and a number of interesting articles and topics which are covered our site. We feel it will be very effective tool for the dissemination of BBC information.

#### **BBC Tools and Future Activities:**

We are in the process of designing and producing a brochure and a petition to raise the consciousness of other Solana Beach residents regarding our vision and cause. We need you to donate your time and energy to help us get the word out. Please contact us and let us know if you can help!!!

Respectfully submitted,

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