

Guillen, Dora

Correspondence
7/12/18
#27

From: Melanie Schlotterbeck <melanie@schlotterbeck.net>
Sent: Thursday, July 12, 2018 11:58 AM
To: Do, Andrew; Nelson, Shawn; Spitzer, Todd; Bartlett, Lisa; Steel, Michelle; Blackwood, Stacy
Cc: COB_Response
Subject: FHBP Comments on Agenda Item 27 (July 17, 2018 BOS Meeting)
Attachments: FHBP Dana Point Harbor Letter 071218 FINAL.pdf

Dear Chair Do and Supervisors,

Friends of Harbors, Beaches and Parks submits this letter to outline our concerns on Agenda Item 27 (Dana Point Harbor Revitalization Plan) scheduled for review/decision at the July 17, 2018 Board of Supervisors meeting. Specifically, we believe the item should be postponed for further discussion, a better deal negotiated that benefits instead of penalizes all of Orange County, and the outdated environmental analysis be brought to current standards through a supplemental document.

COB, please confirm receipt of this letter.

Sincerely,

Melanie Schlotterbeck



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We work to protect the natural lands, waterways, and beaches of Orange County.

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July 12, 2018

Chair Andrew Do
Orange County Board of Supervisors
10 Civic Center Plaza, 5th Floor
Santa Ana, CA 92701

RE: Agenda Item 27, July 17, 2018 Board of Supervisors Meeting
ASR 18-000637 - Option and Lease Agreement for Dana Point Harbor

Dear Chair Do:

Friends of Harbors, Beaches and Parks (FHBP) is a nonprofit organization with a mission to “to promote, protect, and enhance the harbors, beaches, parks, trails, open spaces, natural preserves, and historic sites in Orange County.” In addition to our coalition of some 80 conservation and community groups, FHBP has more than 5,000 individual members who support our regional work. We are writing about our concerns on Agenda Item 27 (Dana Point Harbor Revitalization Plan). Specifically, we believe the item should be postponed for further discussion, a better deal negotiated that benefits instead of penalizes all of Orange County, and the outdated environmental analysis be brought to current standards through a supplemental document.

FHBP was formed in 1997 in response to the Orange County bankruptcy and the financial impacts it had on the regional park system. Concerned residents felt the need to organize and provide important advocacy for parks, water, open space, and environmental education throughout the entire county.

Since its inception, FHBP has provided critical support for OC Parks. We have taken a leadership role in the OC Parks Strategic Plan process, provided input on land transfers, and hosted quarterly meetings that provide direct interaction between park advocates and OC Park staff. We also were a founding member of the Safe Trails Coalition, which formed to help ensure our parks have safe recreational trails that benefit the public and simultaneously ensure our natural resources are protected. Over the years we have been involved in conservation efforts that have resulted in additional parkland for the county.

In addition, we have always been concerned about the financial sustainability of OC Parks. The last 20 years have been difficult for the OC Parks' budget as it was forced to contribute a significant amount for the bankruptcy recovery totaling over \$250 million. Capital improvements, land acquisition, and maintenance suffered, and all expenditures had to be carefully prioritized. Many needs had to be delayed or abandoned altogether.

At the recent OC Parks Strategic Planning Stakeholder meetings, the public expressed strong interest in making sure we had top-notch park facilities and amenities. The public wanted the trail and bikeway system maintained and expanded. There was strong support for more public programs, habitat restoration, and environmental sustainability along with acquiring more open space. One of the top requests was for more parks with an eye on establishing new Regional Parks in central and/or north Orange County as was promised in 2007 by the Board of Supervisors. There is consensus that we must make capital investments in underserved areas, as it is needed and equitable. There was no shortage of requests relating to parks. But this lease agreement completely ignores park poor communities and is certainly not the best deal for OC taxpayers as a whole.

With the above in mind, it took us by surprise to review the recently released Agenda Staff Report 18-000637 for the Option and Lease Agreement for Dana Point Harbor. Many of us have been eagerly awaiting the details of the Dana Point Revitalization Plan. We were assured over the years that it would not impact the OC Parks budget and, in fact, the public/private partnership would be revenue neutral. Upon reading the ASR it appears to be quite the opposite. Astonishingly, the OC Parks budget is being used to finance the shortage of this "deal" to the tune of nearly \$500 million over 66 years. That is a hefty sum and long-term commitment that deserves full understanding by the Board and public before being approved.

We agree that Dana Point Harbor needs revitalization, but we do not agree precious funds from the OC Parks budget should be used to finance the shortfall for this one area in South County. This will jeopardize capital improvements that are needed in Districts 1, 2, 3, and 4. We understand that the 5th District may choose to allocate nearly \$100 million of its share to cover part of the shortage, but the other four districts should not be forced to subsidize this project, which most directly benefits the 5th District. This simply is not a healthy deal for future generations.

We have several areas of concern:

- Did Supervisors agree to subsidize nearly \$500 million for the Dana Point Harbor Partners LLC proposal?
- What was the shortfall for the proposal from Dana Point Partners, the alternative developer?
- Who decided OC Parks should fund the shortfall? What's the rationale?
- Why should we encumber future generations?

- Why has there been no independent citizen oversight to review projected revenues/expenses?
- Why is there no data on the projected revenue for the developer?
- Why would the Board of Supervisors put the OC Parks Capital Improvement Plan at risk?

Moreover, we have concerns about planning such a major endeavor using an Environmental Impact Report from 12 years ago, considering the many environmental challenges facing us in 2018. At a minimum, an addendum that assesses the impacts from climate change and sea level rise must be considered for this coastal area. What sort of cost assumptions have not been accounted for as the predicted droughts and changes in our interrelationship with the tides become more prevalent in the future?

Additionally, cumulative impacts of ongoing redevelopment and infrastructure deficiencies have not been analyzed in years. These will have an impact on operations and long-term functioning of the Harbor, including:

- Deteriorating sewer system at Doheny State Beach;
- South Coast Water District/Doheny proposed desalination plant;
- Water supply including the appropriate purple pipe connections throughout the Harbor to meet new water conservation standards; and,
- Overall water quality from the revitalization project must address the polluted runoff in the affected areas like Baby Beach.

The permitting process also presents some problems for the rectification of our concerns. Since the last permit, the City of Dana Point now has authority for the landside portion of the Harbor, but the California Coastal Commission (CCC) retains original Coastal Development Permit (CDP) jurisdiction over the water.

A significant rebuild of the Harbor will call for a new CDP. With the City as the permit issuing entity for the landside portion, we have concerns that some of these fiscal and environmental issues will not receive a proper public process and scrutiny. Any amendments to the Dana Point Harbor Revitalization Plan Local Coastal Program (LCP) must come before the CCC.

There are too many unknowns with this proposal, including estimating the cost for Harbor Patrol for 66 years provided by the County. The developer should absorb the financial impacts—not OC Parks. We urge the following:

1. Do not take any action on this matter at this time;
2. Establish an independent citizen’s oversight committee to review the deal;
3. Host public study sessions to ensure transparency;
4. Circulate a supplemental Environmental Impact Report; and,
5. Insist that the deal be revenue neutral (if not revenue neutral, excess should be generated from the 5th District).

Thank you for considering our request to delay action on Agenda Item 27. We offer our ideas, solutions, and expertise to aid you and your staff in negotiating the best outcome and agreement that serves all of Orange County, not just the 5th District.

Sincerely,



Michael Wellborn
President

cc: Vice Chair Shawn Nelson
Supervisor Michelle Steel
Supervisor Todd Spitzer
Supervisor Lisa Bartlett
OC Parks Director Stacy Blackwood