

Midcoast Community Council

An elected Municipal Advisory Council to the San Mateo County Board of Supervisors

Serving 12,000 coastal residents

Post Office Box 248, Moss Beach, CA 94038-0064

<http://mcc.sanmateo.org>

Len Erickson

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March 15, 2011

Honorable Carole Groom, Supervisor, District 2, President

Honorable Don Horsley, Supervisor, District 3

Honorable Rose Jacobs Gibson, Supervisor, District 4

Honorable Adrienne Tissier, Supervisor, District 5

400 County Center

Redwood City, CA 94063

Re: Big Wave Planning Commission Appeal

Dear President Groom and Fellow Supervisors,

The Midcoast Community Council (MCC) hereby reaffirms our opposition to the Big Wave Project as expressed in both the DEIR and FEIR that we have reviewed and commented on extensively in prior correspondence. Put simply, Big Wave in all of its various iterations is the wrong project for the wrong location and has been badly mishandled in its public review. We are writing separately to address the merits of the appeal itself, and the development agreement associated with the project. **This correspondence specifically addresses the merits of the project appeal of the decision reached by the Planning Commission to certify the DEIR as the FEIR.**

(1) Notice – Development Agreement

As with the DEIR and the FEIR, public notice of the Development Agreement, consisting of two (2) working days, was woefully inadequate and insufficient for meaningful feedback from both the public and public serving agencies, including those needed to serve the project. This reason alone is sufficient for the appeal to be granted. The substance of the Development Agreement is independently addressed by the MCC in separate correspondence.

(2) Planning Commission Standard of Review

Commissioner Gail Slocum correctly pointed out that the Planning Department failed to independently review the project proposal, including fact checking and seeking planning and zoning conformance. In Ms. Slocum's dissenting opinion, she maintained that the Planning Department has not done its job in serving as an important check and balance in providing oversight and independent scrutiny of the work done by the developer in tandem with county staff. In stark contrast,

two commissioners asserted their prerogative to take the 40,000 foot view to determine adequacy and to support validity of the judgment that found the Wellness Center to be a Sanitarium

In view of the Planning Commission's established charter, we agree with Ms. Slocum's characterization and for this reason alone, ask that the Planning Commission's decision be found lacking objective reason and analysis and it be disregarded for the purposes of this appeal.

(3) LCP

The Board of Supervisors and California Coastal Commission have now all but finalized the long overdue updates to the Midcoast LCP. The Board of Supervisors would be remiss in not seeking conformance of the project proposal with the forthcoming LCP update. No project of this scale that is at odds with the forthcoming LCP update should be allowed to proceed without first making a good faith effort to be brought into compliance with the forthcoming LCP and there is no evidence that County Staff and the Developer have met and conferred in good faith in an attempt to achieve LCP conformance. For this reason, a decision on this item should be deferred until the LCP is finalized and the project

(4) Airport Overlay

CCAG expects imminent adjustments, per the FAA, to the Airport Overlay for the Half Moon Bay Airport that would render a number of aspects of the project proposal untenable. These should be anticipated and incorporated into the BOS's consideration of its support of the project.

(5) Tsunami Inundation.

On March 11, 2011 the San Mateo County coastline, including the site of the proposed development project, was evacuated as the result of a tsunami. This reaffirms the threat of tsunami as not merely being a distant academic concern, but rather, a serious barrier to the habitability of the site for the mobility impaired and a serious detriment to the evacuation of existing residents.

For these reasons, and the inadequacies we have separately identified regarding the Development Agreement associated with this project, **we ask that the appeal be granted and the certification of the Big Wave FEIR be denied.**

Sincerely,

[SIGNED]

Len Erickson
Chair, Midcoast Community Council

Cc:
Midcoast Community Council