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 To: cityclerk@longbeach.gov
 Cc: DAVID BAKER <DBAKERLAW@AOL.COM>
 Date: 06/19/2010 09:06 AM
 Subject: Please forward this email to all Long Beach City Council members re Tuesday's vote to appropriate funds for the Breakwater Study

Dear Councilperson

Councilwoman Schipske has taken a position against wasting millions of dollars on the Breakwater study. Her opposition to the Surfrider Foundation's push for this study takes courage. In a perfect world, she would be applauded for standing up to the loud, but ill informed, supporters of this plan. I hope you will join her in voting against this appropriation for the reasons set forth below.

The Corps of Engineers has adopted a policy requiring that sea level increases be factored into all future projects. You can confirm this fact for yourself by doing a short search online. Surfrider members who want to lower the breakwater have publicly taken the position that the issue of rising sea levels is "irrelevant" to the plan to lower the breakwater, because the breakwater is not a "dyke" designed to hold back the water, like those built in the Netherlands. This illustrates how confused the supporters of this plan are.

Those who have actually studied the issue have concluded that we have three possible responses to the inevitable rise in sea level:

1. RETREAT, which means abandoning our low lying coastal development,
2. ACCOMMODATION, which means re-engineering or adapting coastal development to seawater and wave intrusion
3. HARDENING, which means constructing barriers like our existing breakwater, in order to protect shoreside development from damage due to wave action. The breakwater took 30 years and an enormous amount of money to build, in today's dollars. Obviously, then, spending \$4,000,000 to study the idea of tearing down the breakwater is foolish, because it is clear that we will need the protection afforded by the breakwater in the relatively near future. If we did have an extra \$4 million dollars in the budget, we have plenty of other infrastructure projects on which these funds would be better spent.

The Surfrider foundation has suggested that the funds would come from another (as yet unnamed) source, apparently arguing that there is a free lunch, and that this proposed \$4,000,000 expenditure will not really cost us anything.

The Surfrider foundation and breakwater reconfiguration supporters have also argued that lowering the breakwater will bring waves of money into Long Beach. The end result is likely to be quite different than what they suggest. State Farm already "redlines" the Peninsula (according to my insurance agent) due to concerns about flooding damage, and it is likely that other insurers will follow suit if this project goes forward and eliminates the protection from wave action currently afforded by the height of the breakwater. That would of course make insurance more expensive or unavailable for Peninsula homeowners, potentially making it impossible to get a mortgage on a Peninsula home, rendering them virtually unsellable, and that would in turn have a negative impact on home values and, accordingly, the City of Long Beach tax base.

] If wave damage to Peninsula homes were to result from a lowering of the breakwater, then the City of Long Beach would be certain to face exposure to civil lawsuits for its role in lowering the protective barrier. Certainly, the City would face expenses related to armoring the beach to prevent erosion, as has been required on many exposed Southern California beaches, and for repair to streets and utilities which are likely to be damaged by saltwater intrusion. In the long run, lowering the breakwater could prove to be a very costly mistake.

It is a little known fact that the Corps of Engineers enjoys statutory immunity from such lawsuits. That immunity is, however, very apparent to those who have suffered losses due to the mistakes made by the Corps of Engineers in their planning and execution of projects. The New Orleans levee system is a great example. The Marina del Rey and Mission Beach jetties are prime local examples. These engineering trainwrecks can usually be traced back to the influence of bad politics on the decision making process. And of course that raises the issue of the ultimate reliability of any Corps of Engineers study which we might fund.

Anyone who is realistic knows that we have come to this point in the decision making process solely because of the political clout of the Surfrider Foundation. I have supported their efforts in the past, but on this issue they are all wet. The recent photos of Councilman O'Donnell standing in front of a group of surfers with a megaphone cheering the breakwater reconfiguration brings to mind the ironic phrase "the wisdom of the crowd", and illustrates the way that bad politics result in wasteful government spending. The movement to "sink the breakwater" was started decades ago, before we knew that rising sea levels were a threat to development on our shoreline. If the idea were to have been suggested for the first time today it would never have gained the traction it has because the implications of rising sea levels would have been a part of the discussion. This is a cause which has been championed by its supporters for so long and has such momentum that the effort to achieve that goal has outlived the validity of the arguments in favor of the idea.

A little common sense is in order here. My suggestion is that the City Council should vote to support the Surfrider Foundation's efforts to fund the study, if that's what they want to do, but using their own funds. The City Council should refuse to appropriate taxpayer funds to support what is essentially a fool's errand. I hope you will stand up with Councilwoman Schipske and oppose this terrible waste of taxpayer money. Hopefully that will set an example for the rest of the Council.

Thank you for your hard work on behalf of our community,
David P. Baker

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