

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
427-4863
HEARING IMPAIRED: (415) 904-5200



M18a

Filed: 04/25/97
Staff: SG-SC
Staff Report: 05/20/98
Hearing Date: 06/08/98

STAFF REPORT
AMENDMENT

APPLICATION NUMBER: 4-83-680-A1
 APPLICANT: DEAN VADNAIS
 PROJECT LOCATION: Northeast corner of Main Street and Pine Knolls Drive, Cambria, San Luis Obispo County
 AMENDMENT DESCRIPTION: Revise configuration of offer to dedicate open space easement, recorded pursuant to condominium approval of 6-lot land division in 1984.
 LOCAL APPROVALS: Development Plan D940132D, Variance D940283V, Tract 2176
 FILE DOCUMENTS: Development Plan D940132D, Variance D940283V, Tract 2176 SLO County LCP

PROCEDURAL NOTE The Commission's regulations provide for referral of permit amendment requests to the Commission if (1) The Executive Director determines that the proposed amendment is a material change; (2) objection is made to the Executive Director's determination of immateriality; or (3) the proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access. This amendment was reported to the Commission as an immaterial amendment on April 8, 1998. The Commission also received an objection to this determination and requested that this amendment be set for public hearing at the June, 1998 meeting. This amendment request concerns the same property at issue in A-3-96-113, an appeal of the County's approval of a 25 unit condominium project.

SUMMARY OF STAFF RECOMMENDATION Staff recommends approval of the amendment request with the following standard and special conditions. This amendment increases the size of dedicated open space on the site from 25,000 square feet to 75,000 square feet. An offer to dedicate the 25,000 square foot area was already recorded pursuant to Commission approval of a 6-lot land division in 1984 (the recorded offer has not been accepted, but remains in effect). The proposed dedication also covers all post-construction slopes over 20%, as intended, but not achieved, by the original required dedication, and properly defines the building envelope on a portion of the property most suitable for further development. The amendment also corrects other oversights, and does not in any way weaken the terms of the existing offer to dedicate. The applicant is in agreement with the special conditions (see Exhibit 6). As such, it is consistent with the applicable policies of the certified San Luis Obispo County LCP, as well as sections 30252 and 30253 of the Coastal Act, as originally intended.

I. STAFF RECOMMENDATION

Staff recommends that the Commission adopt the following resolution:

Approval with Conditions

The Commission hereby approves, subject to the conditions below, an amendment to the permit on the grounds that the proposed development with the proposed amendment, as conditioned, will be in conformity with the certified local coastal program, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Authorization to Revise Recorded Offer to Dedicate

This amendment authorizes the permittee to reconfigure the open space easement offered for dedication pursuant to coastal development permit 4-83-680. The reconfigured easement shall conform to the County's subdivision approval as depicted in Exhibit 3, attached.

2. Open Space Easement

PRIOR TO TRANSMITTAL OF THE PERMIT, the permittee shall execute and record a document, in a form and content approved by the Executive Director of the Commission, irrevocably offering to dedicate an open space easement for the areas outside the building envelope on the site as delineated on revised plans; the easement shall be offered to a public agency or a private association approved by the Executive Director. The easement shall include a legal description of the open space area. Such easement shall be recorded free of prior liens except for tax liens and free of prior encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding successors and assigns of the applicant or landowner. The offer of dedication shall be irrevocable for a period of 21 years, such period running from the date of recording. Upon recordation of the new offer to dedicate open space easement, the existing offer to dedicate may be terminated.

IV. FINDINGS AND DECLARATIONS

1. Proposed Amendment

On May 9, 1984, the Commission approved coastal development permit 4-83-680 for a land division on the site at issue in this amendment request. Permit 4-83-680 was approved with special conditions, including a requirement to offer to dedicate an open space easement over the upper slopes of the property because of viewshed and steep slope concerns. The required offer to dedicate (OTD) open space easement wasn't recorded until March 11, 1985, and the permit was issued on April 29, 1985. The permit was for the subdivision of two parcels into six lots encompassing the subject site and the now commercially developed area immediately adjacent to the east. That permit contained four special conditions, as follows (the first three conditions all required completion prior to transmittal of the permit): (1) submit revised map showing six rather than the requested seven lots; (2) record irrevocable offer to dedicate open space easement; (3) submit findings from the County regarding road access; and (4) by accepting permit, permittee agreed to utilize construction practices which minimize erosion. All conditions were met and the coastal development permit was issued. Although the subdivision map was never recorded, the permit was exercised to the extent that improvements (streets, water and sewer lines, etc.) on the now commercially developed site adjacent to the subject site were constructed and the irrevocable offer to dedicate an open space easement was recorded. The two most westerly lots of that subdivision, which would have occupied the area of the current subject site, were to be developed for residential purposes sometime in the future. These parcels remain vacant.

More recently, the applicant has proposed a 25-unit condominium project for the site (see A-3-SLO-96-113). The proposed Amendment 4-83-680-A1 would allow the applicant to reconfigure the area to be offered as an open space easement, in order to facilitate this new project. The County has approved the proposed condominium project on the site with the following open space condition:

Prior to recordation of the final map the applicant shall provide written clearance from the Coastal Commission concerning the open space easements on the northern periphery of the project. Amendment or relocation of the easements and amendment to the previous Coastal Development Permit may be required. The applicant shall submit the proposed easement location map to the Department of Planning and Building for review and approval prior to submitting to the Coastal Commission. The easement revision shall be equal or greater in extent and quality than the existing easement and shall approximately equal 75,000 square feet.

2. Applicable Visual Resource and Slope Development Standards

While Coastal Act Sections 30251 (scenic resources) and 30253 (hazards -- inc. slopes) were the applicable standards of review at the time the offer to dedicate was originally required, the current standard of review is the San Luis Obispo County Local Coastal Program (LCP). Applicable policies for the protection of Cambria's scenic character are found in the North Coast Area Plan (NCAP) portion of the LCP. These policies were intended to reflect the requirements of Coastal Act Sections 30251 and 30253. For example, NCAP Areawide Standard 8.D requires:

Development proposals for sites with varied terrain are to include design provisions for concentrating development on moderate slopes, retaining steeper slopes visible from public roads undeveloped.

And, the LCP's Coastal Zone Land Use Ordinance (CZLUO), Sec. 23.05.034, requires that grading "for the purpose of creating a site for a structure ... shall be limited to slopes less than 20% [with certain exceptions] ..." Finally, the LCP's overall Coastal Plan Policy document, Visual and Scenic Resources Policy 1, states:

Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible.

3. Analysis

The Commission retains jurisdiction over amendments to Commission-approved permits after certification of a local coastal program (LCP). Thus, although the proposed condominium project was approved by the County under its certified LCP, the prior Commission permit that led to the original open space dedication must be amended by the Commission. In any event, the condominium project is also now before the Commission in an appeal of the County's decision (see A-3-SLO-96-113 for an analysis of the condominium project).

The original open space dedication was recorded pursuant to a condition in coastal development permit 4-83-680 (the original subdivision) in order to protect against visual resource and erosion impacts on slopes greater than 20% by future development. With the original condition, the Commission found the land division consistent with section 30251 and 30253; and that the project would not prejudice the preparation of the LCP.

With respect to the new proposed use of the applicant's site, the existing recorded OTD is unsatisfactory in a number of ways: it is too small (25,000 sq. ft.); fails to cover substantial areas which exceed 20% slope; and does not yield a "building envelope" on that portion of the site most suitable for development (areas less than 20% slope). Under the terms of this amendment, the revised OTD would be three times larger (75,000 sq. ft.), would cover all post-construction slopes greater than 20%, and would better protect public views. This will be achieved by reducing the area of open space at the easterly, upper most part of the site so as to accommodate structures, and redistribute some of the open space to the development's common areas on the northern end of the site (see Exhibits 2 through 5, attached).

Overall, the proposed new easement will encompass all areas of the 3.1 acre site that are steep and highly visible and includes all areas of the site greater than 20%, except for access roads and driveways. The reconfigured easement will also still include the most steeply sloping parts of the site, at its northwest and adjacent to Main Street. The proposed reconfigured open space easement will better protect views and be more reflective of existing topography than the existing easement. As such, the amended open space easement is consistent with the applicable LCP sections cited above, and therefore will better achieve the purposes of sections 30251 and 30253 of the Coastal Act as originally intended.

4. California Environmental Quality Act (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The proposed amendment would result in a larger and more appropriate open space area. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the amendment may have on the environment, short of not developing the project. Therefore, the Commission finds that the proposed amendment can be found consistent with the requirements of CEQA.

Assessors Parcel Map

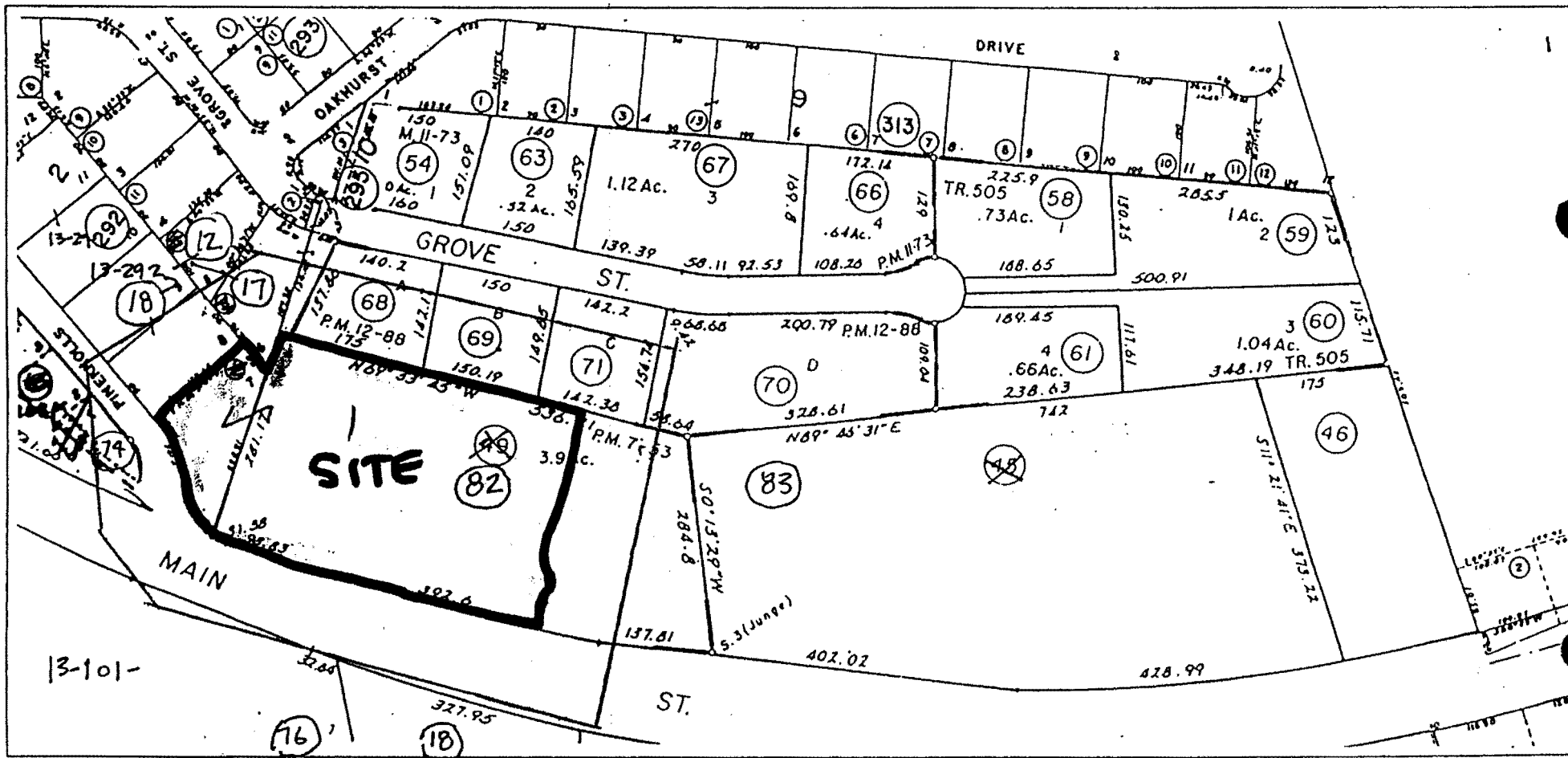
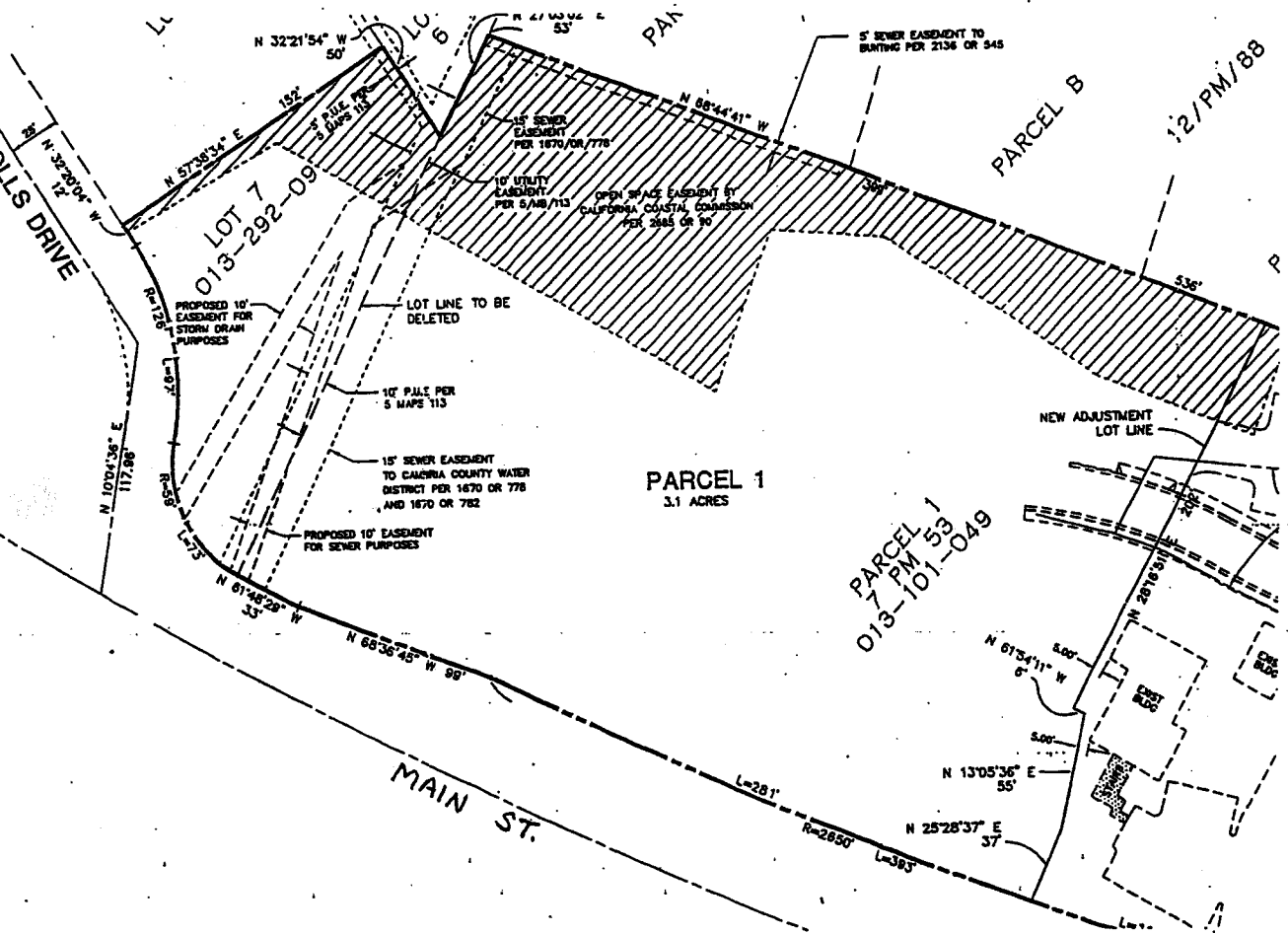


EXHIBIT NO. **1**
 APPLICATION NO. **4-83-680-A1**
 VADNAIS
 PARCEL MAP

3-83-680-A1

Existing Open Space Easement



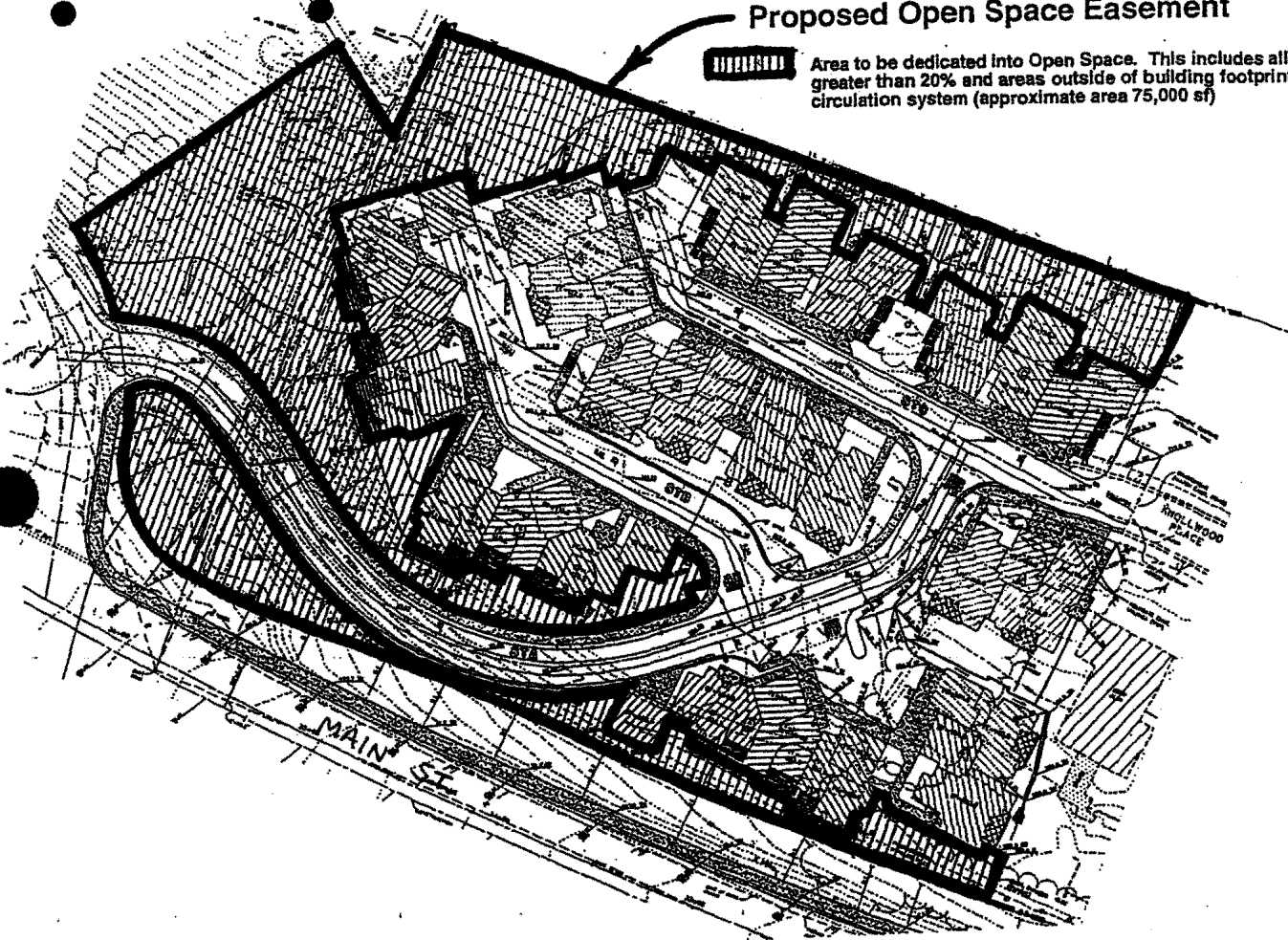
3-83-680-A1

EXHIBIT NO. 2
APPLICATION NO. 4-83-680-
VADNAIS
EXISTING O.T.D.
For Open Space Easement

Proposed Open Space Easement



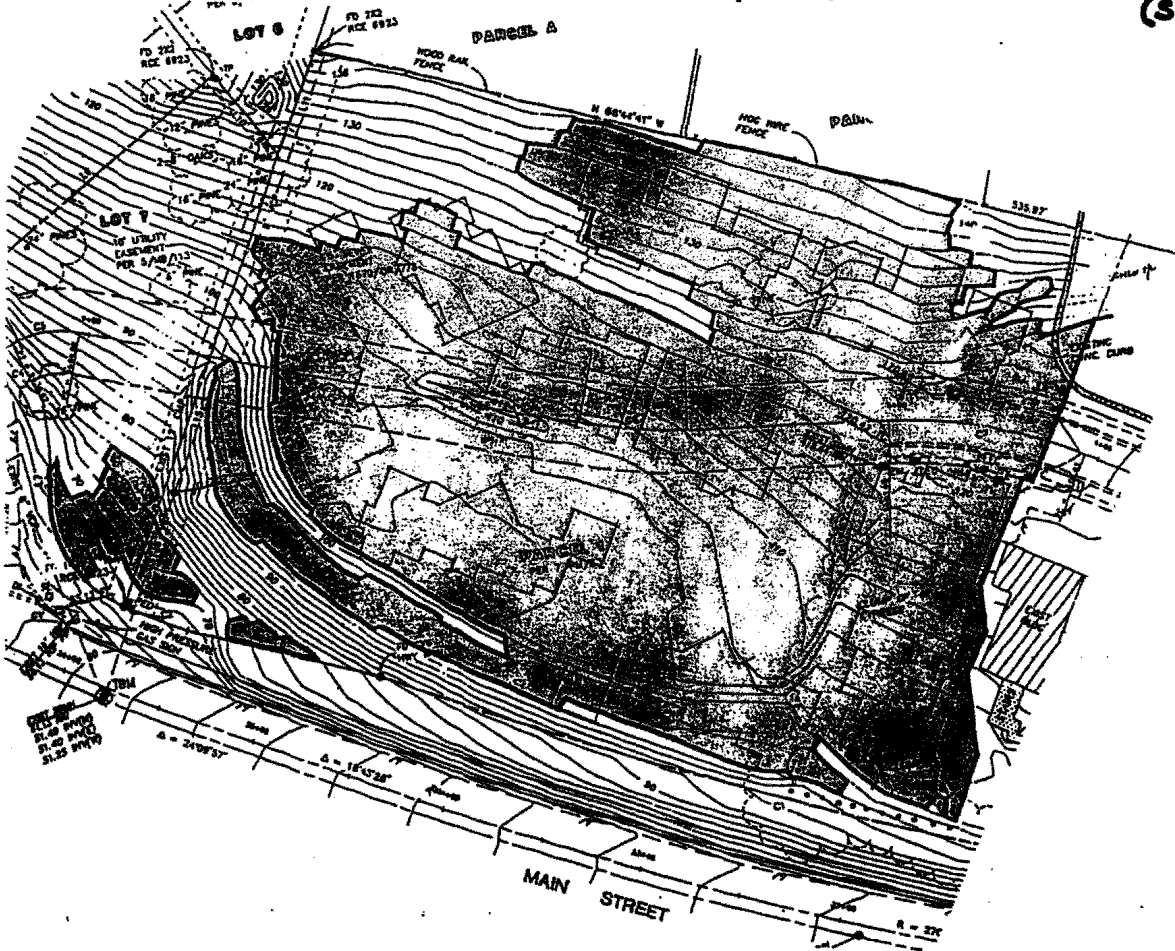
Area to be dedicated into Open Space. This includes all areas greater than 20% and areas outside of building footprints and circulation system (approximate area 75,000 sf)



3-83-680-A1

EXHIBIT NO. 3
APPLICATION NO. 4-83-680-A1
VADNAIS
PROPOSED OPEN SPACE EASEMENT

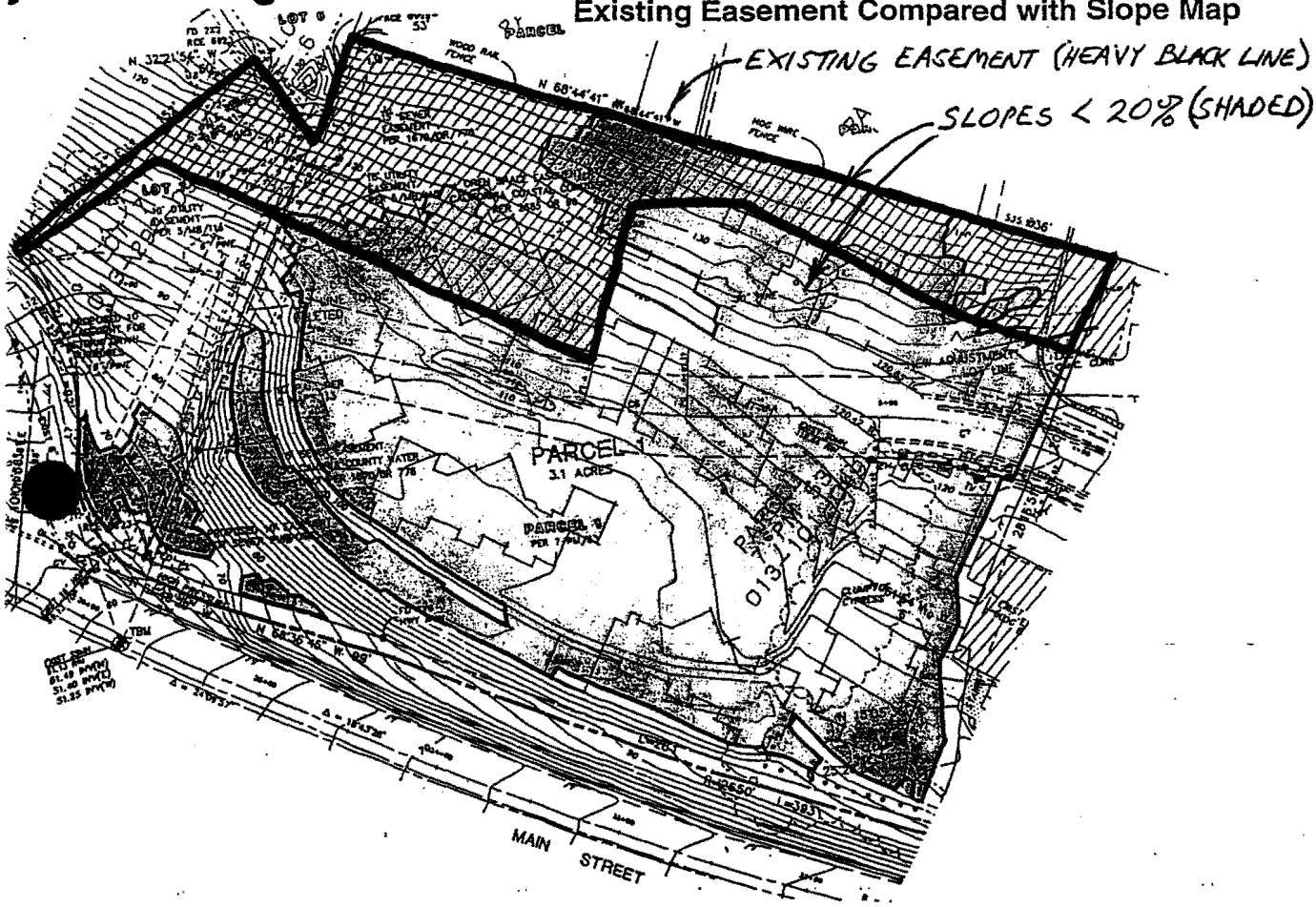
Slope Map - Areas of 20% or Less
(SHADED)



3-83-680-A1

EXHIBIT NO. 4
APPLICATION NO. 4-83-680-A1
VADNAIS
SLOPE MAP

Existing Easement Compared with Slope Map



3-83-680-A1

EXHIBIT NO. 5
APPLICATION NO. 4-83-680-A1
VADNAIS—EXIST. EASEMENT O.T.D. VS. 20% SLOPE

March 23, 1998

Charles Lester
District Manager, Central Coast District
California Coastal Commission
725 Front Street
Santa Cruz, CA 95060

Dear Mr. Lester,

Please accept the following two changes to the project description for immaterial amendment 4-83-680-A1.

First, as representative of the applicant, Dean Vadnais, I understand that this proposed amendment would authorize the permittee to reconfigure the existing offer to dedicate an open space easement previously recorded pursuant to 4-83-680. However, I also understand that any development that might be proposed for that portion of the site outside of the easement would require a separate coastal development permit, independent of this authorization.

Second, I would like to include, as part of the amendment request, the following mechanism for implementation of the amended permit:

PRIOR TO TRANSMITTAL OF THE PERMIT, the permittee shall execute and record a document, in a form and content approved by the Executive Director of the Commission, irrevocable offering to dedicate an open space easement for the areas outside the building envelope on the site as delineated on revised plans. The easement shall be offered to a public agency or a private association approved by the Executive Director. The easement shall include a legal description of the open space area. Such easement shall be recorded free of prior liens except for tax liens and free of prior encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land and in favor of the People of the State of California, binding successors and assigns of the applicant or landowner. The offer of dedication shall be irrevocable for a period of 21 years, such period running from the date of recording. Upon recordation of the new offer to dedicate open space easement, the existing easement may be terminated.

Thank you for your attention to this matter.

Sincerely,



Joe Boud
Joseph Boud & Associates

cc: Dean Vadnais

1009 Marro Street, Suite 206
San Luis Obispo, CA 93401
805/543-0565

EXHIBIT NO. 6
APPLICATION NO. 4-83-680-A
VADNAIS
CORRESPONDENCE- APPLICANT

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APR 17 1998

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

April 15, 1998

Steve Guiney
California Coastal Commission
Central Coast Area Office
725 Front Street
Santa Cruz, CA 95060

Re: Amendment to Permit 4-83-680-A1
Applicant: Martin & Mullholland

Dear Mr. Guiney,

This letter is written in response to an April 7, 1998 letter authored by Vern Kalshan objecting to an IMMATERIAL AMENDMENT to the above permit that had been scheduled for consent approval at the Coastal Commission meeting on April 8, 1998. This Immaterial Amendment to that permit simply proposes to reconfigure an Offer To Dedicate an Open Space Easement that was required as a condition of issuance of the permit. The following background information has been previously submitted and virtually all of my specific comments responding to the Kalshan letter have been addressed one way or another in previous transmittals. I am restating this information again for the benefit of the Commission.

Background. As you point out in your staff report, on 5/9/84, Coastal Development permit #4-83-680 was approved granting a permit for Tract 1036, a 6 lot subdivision on an 11 acre site located along Main Street in the center of Cambria's commercial district. The permit also permitted grading for construction of public service improvements and the subdivisions streets and driveways.

One of the conditions of Permit #4-83-680 was the requirement that the applicant execute and record a document offering to dedicate an open space scenic easement for the areas outside of building envelopes and containing slopes greater than 20%, with exceptions made for construction of access roads and drives. This Offer to Dedicate was recorded on March 11, 1985 and covered the entire 11 acres, including the undesigned westerly portion.

Since that time, the original developers proceeded to rough grade the subdivision on the 11 acre site and also began construction of the Cambria Village Square commercial and office shopping center complex, which was permitted through a second Coastal Development Permit (Permit #4-84-458), approved May 22, 1985. This westerly portion of the site was programmed by special planning area standard to be developed in a future phase with Multi-Family Residential uses, at a density of 15 units/acre with the development occurring on the 20% or less portions of the site (I might point out that this same special planning area standard is reflected in the proposed North Coast Update of the General Plan for Cambria).

The original developers went out of business and Tract 1036 was never recorded, however, the recorded offer to dedicate the open space easement is still on title.

Intent of OTD. The stated intent of this OTD, as discussed in the Coastal permit staff report, was to place the steeper, more visible portions of the site (greater than 20%), located outside of delineated building footprints, into open space. Though no building areas were delineated on the westerly portion, an easement area was crafted by drawing an arbitrary line through the northern and western portions of the site. The area of this OTD totaled about 25,000 square feet.

This present OTD does not meet its original intention for many reasons. It does not reflect the greater than 20% slope areas of the site. It does not reflect the more visible areas of the site. Building footprints were never delineated and roadways and driveways were not shown, so the easement does not reflect any of the design features proposed for the site. The historical grading activities conducted in association with the two coastal permits further altered the landforms, so the easement is even less reflective of the present topography on the site.

This IMMATERIAL AMENDMENT to the Offer to Dedicate an Open Space Easement seeks to correct these obvious deficiencies.

I would also like to respond to the latest comments made by the Appellant's attorney in his 4/7/98 letter (The numbering sequence reflects that in the Appellant's letter).

1. Visual Impact. No structures are proposed on slopes greater than 20%. All areas of the site outside of building envelopes and circulation elements, whether they exceed 20% or not, are to be offered as perpetual open space. Issues of Visual Impact were dismissed as insignificant by the Coastal Commission at their meeting on 1/7/97.

2. Unclear on comment. Private View Obstruction? The subject house is the visually dominant structure above this site. It is setback up the hill at least 35' and with its footprint standing at an elevation at least 15' above Vadnais rear property line elevation. The house itself has a height above grade of at least 50 feet on its southern exposure (the visible one). If the comment implies an issue of private views, it is not a Coastal Policy matter.

3. Slope Stability. It has been confirmed and concluded that the project site is suitable for all proposed uses and will not negatively impact neighboring properties. Reference: Geotechnical Report prepared by registered Soils Engineer; Engineering Geology Report prepared by Engineering Geologist; Grading and Drainage Plans prepared by registered Professional & Civil Engineers; Preliminary designs for structures and retaining walls prepared by registered Structural Engineer.

4. Slope Stability. See above. Exterior landscape & retaining wall terracing was personal choice of property owner. There is no evidence of slope failure created by downslope development.

5. Non-profit entities in region. True statement.

6. Unclear on comment. Hazardous Tree Setback? This is a proposed offer to dedicate an open space easement for visual purposes.

7. Noticing. Moot point.

Please don't hesitate to contact me should you have any questions on any of these above comments.

Sincerely yours,



Joe Boud
Joseph Boud & Associates

cc: Dean Vadnais

CALIFORNIA COASTAL CC
EXHIBIT 6

p. 3 of 3

VERN KALSHAN
ATTORNEY, Bar No. 48078
440 Kerwin Street
Cambria CA 93428-4491
805/927-1222 (also FAX)

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 96060

FAX (408) 427-4877

SUBJECT: Proposed Amendment to Permit No: 4-83-680-A1
Granted to: Martin & Mullholland

for Land division, commercial development

at Main Street/Pine Knolls Drive (At northeast corner Main
Street and Pine Knolls Drive), Cambria (San Luis Obispo
County)

It is proposed as follows: Revise offer to dedicate open space easement,
recorded pursuant to Commission approval of a 6-lot land division in 1984.
Change configuration of the offered easement to cover entire parcel except for
a central building envelope and roadways.

Objection to such proposal is made by Appellant on the following grounds:

1. The disbursement of the current ungraded steep slope easement into
segments that have or will have been graded violates a public trust and
detrimentally impacts the Scenic Highway 1 view corridor.

2. William Baker residing at 4995 Grove Street, Cambria, which abuts the
North side of this easement, relied upon the open space as a set back when he
purchased his house in 1990.

3. The grading that would occur in the current open space will
destabilize the slope of the hill and jeopardize the structures above the
easement. The retaining walls will not be sufficient.

4. The grading which was done pursuant to the above referenced permit to
the East of this easement destabilized the Lewis property up the hill. This
was treated by massive configurations of rock and fence which deteriorate the
public view shed.

5. There are non-profit entities in San Luis Obispo County who can
accept the current easement.

6. By eliminating the set back which this easement provides, the
property owners up hill will have a greater responsibility to the proposed
closer new owners for such matters as falling trees etc.

7. The notice of hearing on this amendment did not give the Cambria
Legal Defense Fund 10 working days to prepare a written opposition.

Respectfully submitted by

Vern Kalshan
Vern Kalshan, Attorney for
Cambria Legal Defense Fund

APR 07 1998

EXHIBIT NO. 7
APPLICATION NO. 4-83-680-A1
VADNAIS
CORRESPONDENCE - OPPONENTS

GREENSPACE

The Cambria Land Trust

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MAY 01 1998

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Charles Lester
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

April 29, 1998

Dear Mr. Lester,

It has recently come to the Greenspace board of directors' attention that the proposed Vadnais condominium project in Cambria is suggesting the use of an undersized drainage pipe which already drains a portion of their existing development as a means of draining their proposed project.

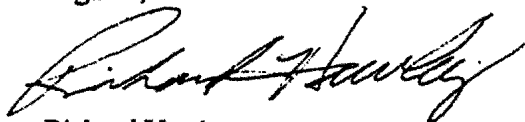
The pipe that exists is undersized for the existing project and, as currently installed, fails to meet the clean water act as it discharges pollutants directly into Santa Rosa Creek at a point a few thousand feet upstream from the State owned Santa Rosa Natural Preserve, which empties into the Monterey Bay National Marine Sanctuary. Adding hundreds of thousands of gallons of water to this existing, poorly designed drainage system is not acceptable under any conditions. Water will simply run past the intake areas and flow down Main Street and add to the existing drainage and flooding situations in the West Village.

We strongly suggest that a detailed flood plain analysis be undertaken by the Army Corps of Engineers that establishes new cross sections of Santa Rosa Creek and examines the watershed hardscape and newly paved road and drainage patterns that have occurred due to massive development of the surrounding community. It would be wise to extrapolate these findings to future build-out scenarios as urban runoff will increase dramatically under these conditions... Additionally, if the Monterey pine forest disappears due to development and disease, massive amounts of sediment and erosion will occur causing far worse damage to our community during times of significant storm events.

A document that may be of some help to you is The Santa Rosa Creek Enhancement Plan 1993. This document, prepared for Greenspace by Prunske Chatham, Inc., with funding from the State Coastal Conservancy (Contract No. 90-080) is available at the County of San Luis Obispo, the Coastal Conservancy or through Greenspace. Our fee for this document is \$10.00 plus postage.

Thank you for your attention concerning this matter.

Regards,



Richard Hawley
Executive Director

cc: Steve Guiney ✓

CALIFORNIA COASTAL COM
EXHIBIT 7 (p. 2 of 2)

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APR 06 1998
CALIFORNIA
COASTAL COMMISSION

(Santa Cruz)

April 2, 1998

Dear Mr. Douglas;

I guess that I should say at first that, regardless of the date shown above, this letter is express my genuine and serious concern about a matter that is about to come before the Coastal Commission.

I have just been notified that Coastal Commission, in its April 8 meeting in Long Beach, is going to consider the application of Dean Vadnais to develop the property which is on the uphill side of Main Street Cambria, between East and West Villages.

My concern is that even consideration of this matter is premature because the North Coast Area Plan update is not in place. As far as I know, the San Luis Obispo Board of Supervisors is going to begin its consideration of the update on Tuesday, just the day before your meeting. (By the way, I believe that the staff report on the update was excellent, showing consideration of the meaning behind the Coastal Commission's mandate).

As of yet, there has been no assessment of the possible damage to the flood plain by this project. There has been no evaluation of the direct and indirect endangerment of the wildlife that inhabit our region. The possibility of providing water in one fell swoop to such a large number of people who are expected to live in the development is a great deal more problematic than the applicant would have one believe.

After our experience with heavy rain, both this year and in 1995, I find it hard to believe that development of this hillside, with its great slope above the main street that connects the two halves of our city, is in the best interest of anyone who plans to live here.

More personally, I feel that the designation of Highway One as a scenic highway would be snubbed by putting structures on this traditionally open space which is part of Cambria's charm.

Before I get so long-winded that I tempt you to trash this letter, let me conclude by requesting that you defer making a decision on this matter until a number of the recommendations in the plan update have been considered and implemented.

Yours truly
Steve Wayne
Cambria, CA
(805) 927-9440

CAMBRIA COASTAL COMMISSION
EXHIBIT 7
p. 3 of 4

Mr. and Mrs. Wayne Gracey
984 Manor Way
Cambria, CA 93428

Santa Cruz

April 6, 1998

RECEIVED

APR 06 1998

VIA FAX:

RECEIVED CALIFORNIA COASTAL COMMISSION

Mr. Rusty Arias- Chairman California Coastal Commission
and all members of California Coastal Commission

APR 07 1998

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Coastal Commission,

As residents of Pine Knolls for many years, we are very distressed that the new staff report regarding the Vadinalis Project does not substantiate the original concerns expressed by the Cambria Legal Defense Fund. The initial issues and concerns seemed to have disappeared completely from the new document. We are also disappointed that the movie which was made for the benefit of the commission was never displayed to them (Mr. Guiney can confirm this). Considering the fact that the commission gave very short notice of a very important meeting on April 8th, which does not give adequate time to prepare any response to the new report, we request that the decision of your staff be postponed to a later date.

Thank you for your time.

Sincerely,

Wayne Gracey

Wayne Gracey

CALIFORNIA COASTAL COMMISSION
EXHIBIT 7

p. 4 of 4

TOTAL P. 01