

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863

**W18c****RECORD PACKET COPY**

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Staff:	SM
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Hearing date:	9/12/01
Commission Action:	
Opened and Continued	7/12/01

**STAFF REPORT: APPEAL**  
**SUBSTANTIAL ISSUE DETERMINATION**

**Application number** ..... A-3-SLO-01-061

**Applicant** ..... California Department of Parks and Recreation (DPR)

**Appellant** ..... Nell Langford

**Project location** ..... Pier Avenue, Oceano, San Luis Obispo County (APNs 060-381-010, 060-381-011, 060-381-002, 060-382-003, 061-091-020, 075-111-001, 075-111-002, 092-391-013, 092-391-017, 092-391-018, 092-391-031)

**Project description** ..... Maintain existing sand ramp by grading accumulated windblown sand and moving excess sand to the adjacent beach area.

**Local approval** ..... Minor Use Permit/ Coastal Development Permit D960168P was approved by the San Luis Obispo County Board of Supervisors on May 15, 2001.

**File documents** ..... San Luis Obispo County certified Local Coastal Program; documents and materials used by San Luis Obispo County in consideration of local permit D960168P; San Luis Obispo County Emergency Permit P000837E; Permit Amendment file 4-82-300-A5; Coastal Development Permit File 3-96-116.

**Staff recommendation**... **Staff recommends that the Commission determine that NO SUBSTANTIAL ISSUE exists with respect to the grounds on which the appeal has been filed.**

**Summary:** The California Department of Parks and Recreation proposes to conduct maintenance activities on the Pier Avenue sand ramp, which provides vehicle ingress and egress from the Oceano Dunes State Vehicular Recreation Area (ODSVRA). The maintenance activities involve grading and moving sand that accumulates on top of the packed road base ramp to allow for continued vehicular use. These activities will take place inland of the mean high tide, and are therefore subject to the coastal development permit requirements of San Luis Obispo County, and must conform to the San Luis Obispo County certified Local Coastal Program (LCP).

The appellant contends that the project negatively impacts pedestrian beach access and environmentally



**California Coastal Commission**  
**September 2001 Meeting in Eureka**

Staff: SM Approved by: *ATG* 9/22/01

sensitive dune habitats (appeal attached as Exhibit C).

This project, and the issues raised by the appeal, are directly related to the larger coastal resource issues regarding the operation of the ODSVRA park unit recently addressed by the Commission in its action of Coastal Development Permit Amendment 4-82-300-A5 (Revised Findings adopted May 7, 2001). That action established a Technical Review Team (TRT) to advise the park superintendent on matters related to the management of the ODSVRA and the protection of sensitive habitats. Accordingly, the TRT will have input on how maintenance of the Pier Avenue ramp should be coordinated with area wide objectives for habitat protection and coastal access and recreation.

In the interim, the ramp maintenance project proposed by DPR and conditionally approved by the County has been designed to avoid adverse impacts on sensitive habitats and coastal access and recreation. Staff therefore recommends that the Commission determine that **the appeal does not raise a substantial issue** because the project has been designed to protect environmentally sensitive habitats and coastal access, consistent with the requirements of the LCP and the access and recreation policies of Chapter 3 of the Coastal Act.

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## **I. Summary of Appellants' Contentions**

For the full text of the appellant's contentions, please refer to Exhibit C. In summary, the appellant contends that the project significantly negatively impacts the pedestrian beach access historically located south of Pier Avenue as well as sensitive dune and beach habitats. The appeal does not identify any specific LCP or Coastal Act policies with which the appellant believes the project does not conform.

## **II. Local Government Action**

The San Luis Obispo County Planning Commission conditionally approved Coastal Development Permit D960168P for the project on July 13, 2000. This decision was appealed to the County Board of Supervisors, who acted to affirm and modify the Planning Commission's approval on May 15, 2001. The conditions of the County approval are attached to this report as Exhibit D.

Following the appeal of the County permit, which deferred the effectiveness of the local approval, the County issued an emergency permit (P000837E) for a more limited sand ramp maintenance project which has allowed DPR to maintain the ramp while the appeal has been pending. The emergency permit was issued on the basis that ramp maintenance is necessary to provide timely access to the park unit for emergency vehicles, and therefore necessary for public safety. As opposed to maintaining a 36-foot wide ramp, the emergency permit limits maintenance to a 28 foot wide ramp between June 28 and July 9, 2001 and between August 30 and September 4; and, a twelve foot ramp between July 26 and August 29, 2001 and after September 5, 2001. Surveys for snowy plover nests and chicks must be conducted prior to emergency maintenance activities undertaken during the nesting period (March 1 – September 30). The emergency permit requires that if nests and chicks are found, all activity must be postponed until the nest has hatched, or disappeared, and all chicks have left the area. The emergency permit also requires that the maintenance activities conform to US Fish and Wildlife Service provisions.

It is the regular permit approved by the County, as opposed to the Emergency Permit, that is the subject of this appeal.



### III. Appeal Procedures

Coastal Act Section 30603 provides for the appeal of approved coastal development permits in jurisdictions with certified local coastal programs for development that is (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance; (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) in a sensitive coastal resource area; (4) for counties, not designated as the principal permitted use under the zoning ordinance or zoning district map; and (5) any action on a major public works project or energy facility. This project is appealable to the Coastal Commission because it is located between the sea and the first public road paralleling the sea.

The grounds for appeal under section 30603 are limited to allegations that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a *de novo* coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under section 30604(b), if the Commission conducts a *de novo* hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter Three of the Coastal Act, if the project is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone. The project is located between the nearest public road and the sea and thus, this additional finding needs to be made in a *de novo* review in this case.

### IV. Staff Recommendation on Substantial Issue

**MOTION:** *I move that the Commission determine that Appeal No. A-3-SLO-01-061 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

#### **STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE:**

Staff recommends a YES vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the



Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

**RESOLUTION TO FIND NO SUBSTANTIAL ISSUE:**

The Commission finds that Appeal No. A-3-SLO-01-011 does not present a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and the public access and recreation policies of the Coastal Act.

### **III. Recommended Findings and Declarations**

The Commission finds and declares as follows:

#### **A. Project Description**

##### **1. Project Location**

The project is located at the Oceano Dunes State Vehicular Recreation Area (ODSVRA) in the community of Oceano, San Luis Obispo County. The ramp that is the subject of the proposed maintenance activities is located at the seaward end of Pier Avenue, and provides one of two primary access points for vehicles to enter the ODSVRA (the other access ramp is located approximately 1.25 miles to the north, at Grand Avenue in the City of Grover Beach). Sand removed from the ramp is proposed to be placed on the beach, above the mean high tide line, in an area approximately 150 feet by 300 feet immediately to the west and the northwest of the ramp (see Exhibit B), in the same general area that has been used in the past..

##### **2. Project Description**

The project involves grading and removing sand from an existing vehicle access ramp constructed of packed road base material. The ramp is approximately 36 feet wide and 100 feet long. Excess sand will be deposited on the adjacent beach within an area above the mean high tide line measuring 150 feet by 300 feet. The terms of the County permit, which are attached as Exhibit D, require:

- Biologist verification that no snowy plover nesting site is within 200 feet of the disturbance areas prior to undertaking any maintenance activities;
- Postponement of maintenance activities if any snowy plover nests or chicks are found at the sand ramp or surrounding area;
- Conformance with the Biological Opinion issued by the U.S. Fish and Wildlife Service;



- Consultation with the County Environmental Coordinator is any archaeological resources are discovered;
- Notification of the proper authorities in the event of a petroleum product spill;
- Evidence that all required state and federal permits have been obtained; and,
- Compliance with state and federal endangered species laws.

In addition, the County approval prohibits:

- Sand removal on weekends or between 8 a.m. and 5 p.m. on weekdays;
- Removal of vegetation; and
- Equipment fueling or maintenance on the beach, or use of leaking equipment

### 3. Background

The first wooden vehicle access ramp at Pier Avenue was constructed in the 1920's. It has always been necessary to remove sand from the bottom of the wooden ramp to allow for vehicle access. Originally, local merchants supported this operation. Then, San Luis Obispo County contracted for sand removal and, later, DPR assumed responsibility for sand removal. This situation remained until the severe storms of 1982 and 1983. During this period, storms destroyed both the wooden ramp and the unmaintained sand ramp, which was created by the ingress and egress of all-terrain vehicles. This occurred just south of the wood ramp. In the aftermath of the storms, DPR decided to maintain only the sand ramp in place of the wooden ramp. In 1983 a kiosk was constructed at the end of Pier Avenue pursuant to Coastal Development Permit 4-82-300, prior to certification of the San Luis Obispo County LCP. In 1988, the County's LCP was certified and permit authority for projects landward of the mean high tide was assumed by the County.

In early 1992, the Commission approved Coastal Development Permit 4-91-58, an after-the-fact permit authorizing DPR to remove and excavate beach sand to create and maintain the sand ramp. A permit from the Commission, as well as the Army Corps of Engineers was required for that project because it included the disposal of sand below the mean high tide line. This permit had a duration of five years. Upon its expiration, DPR applied for another 5 year maintenance permit (again including sand disposal below the mean high tide line). This application was conditionally approved by the Commission in May 1997 (Coastal Development Permit 3-96-116), and was supposed to allow for ramp maintenance until February 28, 2002. However, the U.S. Army Corps of Engineers permit required for the disposal of sand below the mean high tide line expired on March 21, 2001. In response, DPR redesigned the project to eliminate any work below the Mean High Tide. As a result, the currently proposed maintenance falls entirely within the coastal development permit authority of the County of San Luis Obispo.



## **B. Substantial Issue Determination**

### **1. Environmentally Sensitive Habitats**

#### **a. LCP Policies**

Coastal Plan Policy 35 for Environmentally Sensitive Habitat Areas states:

##### **Recreational Off-Road Vehicle Use of Nipomo Dunes**

Within designated dune habitats, recreational off-road vehicle traffic shall only be allowed in areas identified appropriate for this use. Detailed recommendations concerning protection of the dune habitats within Pismo State Beach and Pismo Vehicular Recreation area are found in the chapter regarding Recreation and Visitor-Serving Facilities.

The Coastal Plan Policy document chapter on Recreation and Visitor-Serving Facilities referenced above contains a discussion of Pismo State Beach and State Vehicular Recreation Area, describing attendance, recreational uses, the environment, conflicts and adverse impacts, access, carrying capacity, and the State Park General Plan (pages 3-13 – 3-22). This LCP discussion does not provide specific development standards, but rather describes the issues related to continued vehicle use. As noted on page 3-13, development standards for the ODSVRA are contained in the South County Area Plan. These standards are attached to this report as Exhibit E. In summary, they provide the following policies regarding the protection of sensitive habitats:

- Approval of development must be accompanied by a finding that DPR is making a commitment of sufficient manpower to ensure resource protection, ordinance enforcement and access control in conformance with the conditions of Coastal Development Permit No. 4-82-30[0]A;
- Access points are to be controlled, with primary access for off-road vehicles to be provided in accordance with CDP 4-82-30[0]A (e.g., Pier Avenue).
- Natural buffer areas for sensitive areas are to be identified and fenced, and habitat enhancement programs are to be undertaken at Dune Lakes, Coreopsis Hill, Oso Flaco Lake, and Little Oso Flaco Lake.

More generally, Coastal Plan Policies regarding Recreation and Visitor-Serving Facilities require, in relevant part:

- Protection of recreation and visitor-serving facilities (Policy 1);
- Recreational uses shall be consistent with the protection of significant coastal resources (Policy 2); and,
- Recreational development shall conform with State Park Master Plans, applicable LCP



regulations, carrying capacity, and habitat protection (Policy 6).

### **b. Analysis**

The LCP recognizes that Oceano Dunes has been designated as an state off-highway vehicle recreation area, and includes standards intended to allow this recreational activity to continue in a manner that preserves the surrounding dune habitats. Maintenance of the Pier Avenue sand ramp is not in conflict with these standards, which specifically identify Pier Avenue as a primary access point for vehicular access. In accordance with LCP requirements, the project has been designed by DPR, and conditioned by the County, to avoid adverse impacts to sensitive habitats, among other ways, by prohibiting the removal of dune vegetation, and requiring biological monitoring to ensure that maintenance activities do not impact snowy plovers.

As detailed in the findings for 4-82-300-A5, there are many significant coastal resource issues raised by overall vehicle use of the dunes, particularly with regard to protecting environmentally sensitive dune habitats. As adopted by the Commission, the Technical Review Team (TRT) proposed by the amendment will provide a forum to resolve these issues, including any issues related to on-going maintenance of the Pier Avenue Sand Ramp. The TRT is in the process of being created, and according to the conditions of approval, are to meet prior to November 7, 2001. The TRT, and the actions taken by the superintendent of the ODSVRA in response to the TRT's recommendations will be subject to continued oversight by the Commission through the submission of the required annual report, and the mandated annual permit renewal process.

### **c. Conclusion**

The appeal does not raise a substantial issue regarding the project's conformance with LCP standards protecting environmentally sensitive habitats because the specific ramp maintenance project has been designed and conditioned to avoid impacts to sensitive habitats. Any potential adverse ESHA impacts related to pier maintenance or use that may be documented in the future can be appropriately responded to by the TRT and the condition compliance review procedures established by 4-82-300-A5.

## **2. Coastal Access and Recreation**

### **A. LCP and Coastal Act Policies**

LCP standards specific to the ODSVRA include those identified in the preceding finding and those attached to this report as Exhibit E. Other, more general LCP access standards that relate to the appellant's contention that the ramp maintenance project impacts pedestrian access include:

- Coastal Plan Policy 1 for Shoreline Access, which prohibits development from interfering with the public's right of access to the sea;
- Coastal Plan Policy 4 for Shoreline Access, which calls for the provision and maintenance of facilities and improvements needed to support the existing and proposed intensity and level of





access use;

- Coastal Plan Policy 7 for Shoreline Access, which necessitates that the level and intensity of shoreline access be consistent with public safety concerns related to bluff stability, trail improvements and the adequacy of facilities such as signs, fences, and stairways; and
- Coastal Plan Policy 8 for Shoreline Access, which requires that the provision of maximum access minimize conflicts with adjacent uses.

Because the project is seaward of the first public road, it must also comply with the public access and recreation policies of Chapter 3 of the Coastal Act. In summary, the Coastal Act policies applicable to the access issue raised by the appeal include:

- Coastal Act Section 30210 calling for maximum access to be provided consistent with public safety and natural resource protection;
- Coastal Act Section 30211, prohibiting development from interfering with the public's right of access to the sea; Coastal Act Section 30212.5, requiring public access facilities should be distributed throughout an area to mitigate against the impacts of overcrowding and overuse;
- Coastal Act Section 30214, requiring that access policies be implemented in a manner that takes into account the need to regulate the time, place and manner of public access; and
- Coastal Act Section 30223, which reserves upland area necessary to support coastal recreation for such use.

## **B. Analysis**

The appellant contends that the Pier Avenue ramp maintenance project "significantly negatively impacts the pedestrian beach access historically located south of Pier Avenue" and results in "the covert confiscation of a large area of beach historically used by pedestrians". These allegations imply that the project is inconsistent with the protection of pedestrian access, and incompatible with pedestrian beach recreation, in conflict with the LCP and Coastal Act standards identified above.

Indeed, concerns regarding the compatibility of vehicle and pedestrian use of the beach are recognized by the Commission and specifically described in the certified LCP. Protection of public safety, and the general public's ability to access and enjoy the shoreline, are fundamental requirements under both the Coastal Act and the certified LCP.

In responding to this important issue, the Commission's action on Coastal Development Permit Amendment 4-82-300-A5 included various conditions intended to enhance management of the unit. These include interim vehicle limits, establishment of the TRT, and requirements for ongoing research, monitoring, and annual reports. These conditions, and the continued oversight of the Commission, will provide an effective method to respond to the compatibility concerns related to overall park management



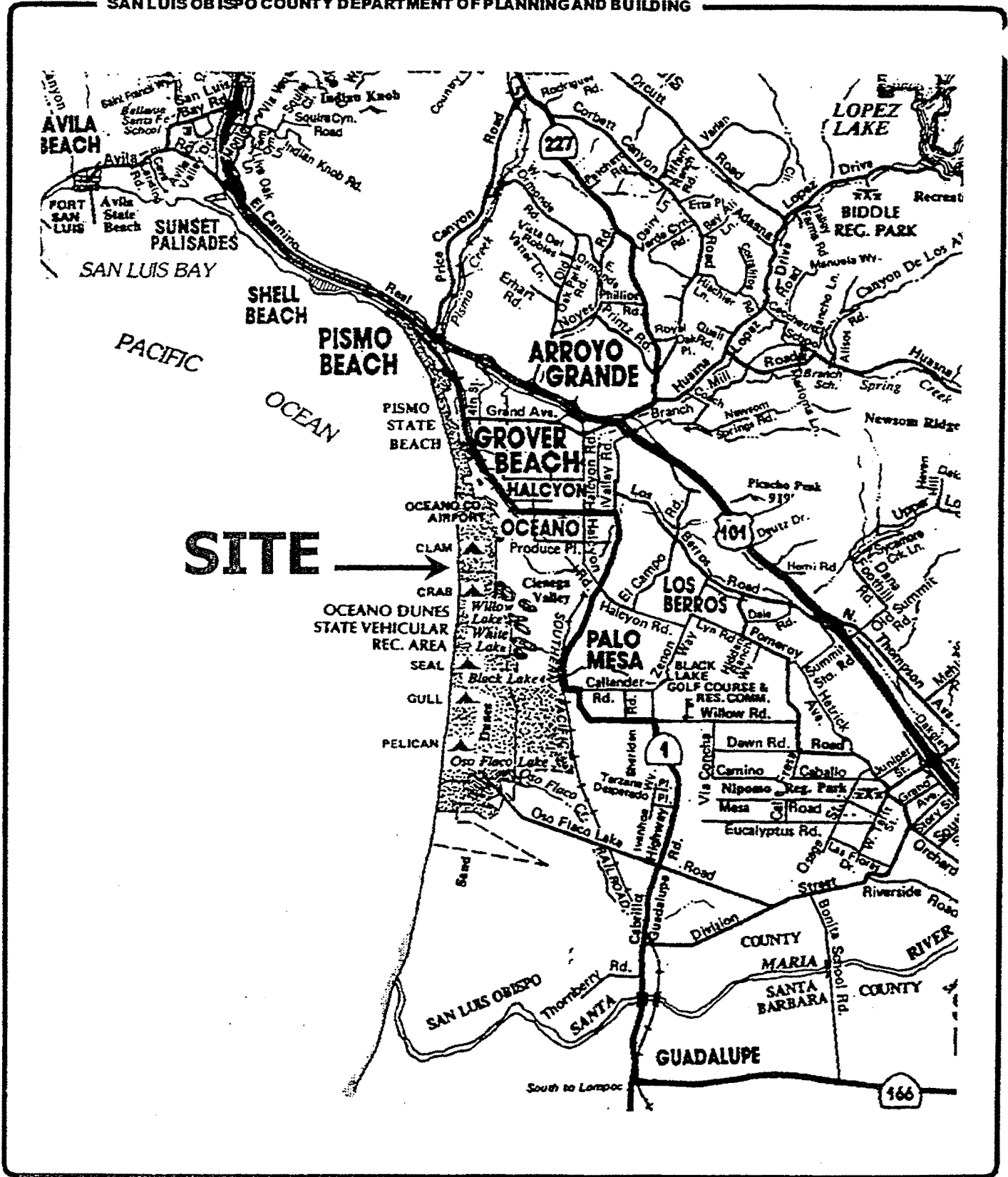
raised by the appeal.

However, with regard to the more narrow, specific ramp maintenance activities which are the subject of the appeal, the project has been conditioned by the County to minimize adverse impacts on pedestrian and general beach access and recreational uses by prohibiting maintenance activities during weekends, and between 8 a.m. and 5 p.m. on weekdays. This is consistent with the protocols established by the Commission in its action of the former sand ramp maintenance permit (Coastal development Permit 3-96-116). With this condition, maintenance activities will not interfere with pedestrian access or beach recreation.

### **C. Conclusion**

The appeal does not raise a substantial issue regarding project consistency with LCP and Coastal Act access and recreation standards because maintenance activities, as conditioned by the County, will not interfere with pedestrian access and beach recreation. The Commission notes that broader issues regarding the compatibility of vehicle use of the dunes and general public access, and how the specific maintenance activities associated with the Pier Avenue ramp fits into these broader issues, will be addressed by the TRT and the Park Superintendent pursuant to the procedures established by the Commission in its action of Coastal development permit Amendment 4-82-300-A5.





PROJECT  
 Board of Supervisors  
 State of California D960168P



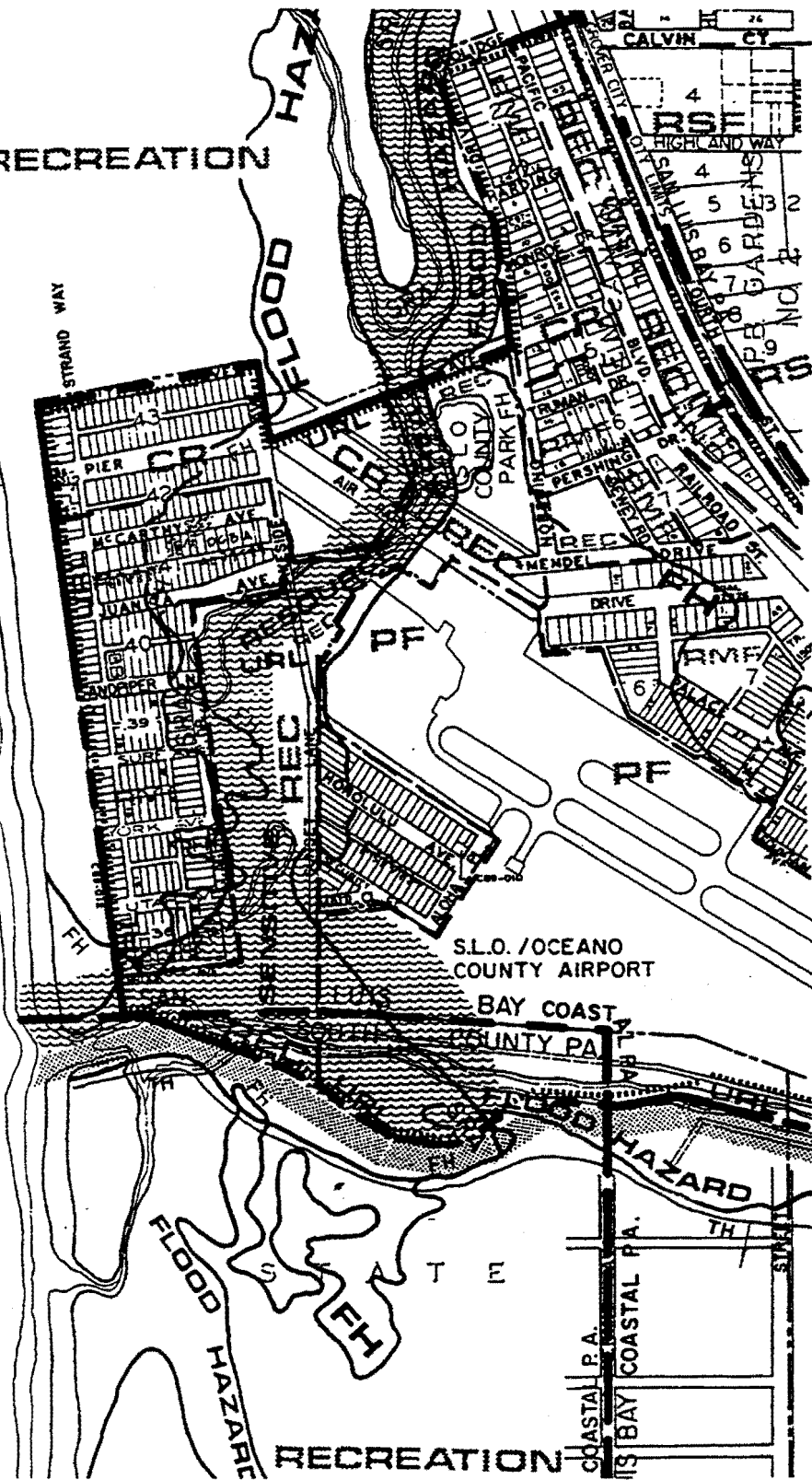
EXHIBIT  
 Site Vic

EXHIBIT NO. A, p.1  
 APPLICATION NO.  
 A-3-340-01-061  
 Project Location  
 California Coastal Commission

**SITE** →

RECREATION

FLOOD HAZARD



S.L.O./OCEANO COUNTY AIRPORT  
BAY COAST

FLOOD HAZARD

RECREATION

PROJECT

Board of Supervisors  
State of California D960168P



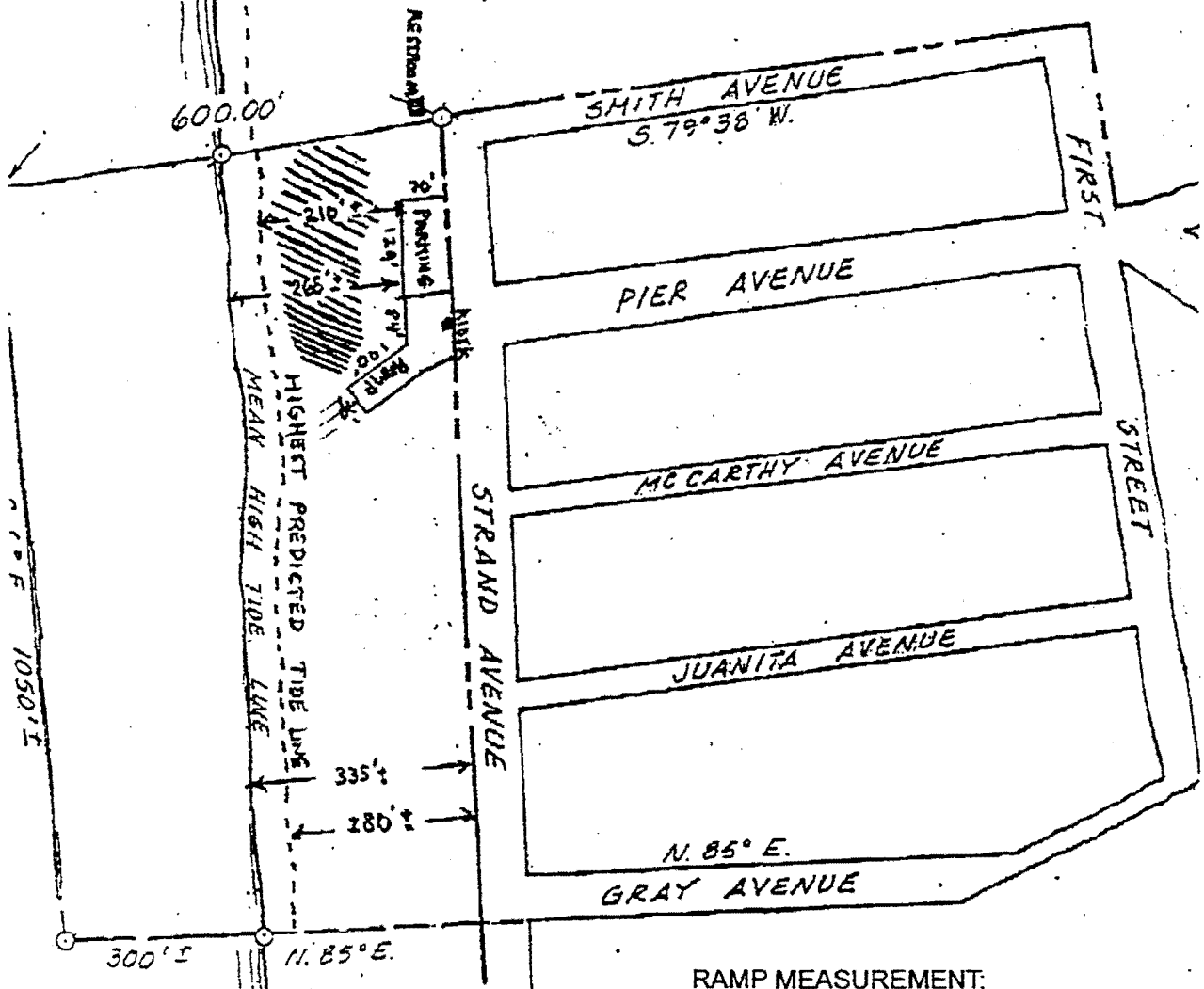
EXHIBIT

Land Use Category


Exhibit A, p. 2  
A-3-SLO-01-061

15

STATE OF CALIFORNIA



RAMP MEASUREMENT:  
 100' +/- length of packed road base material. Disturbance to wet sand below this point varies. Approximate distance to highest predicted tide line from bottom of packed road base is 175' +/-.

 SAND DISPOSAL AREA  
 APPROX. 150' X 300'

-----  
 STATE OF CALIFORNIA  
 DEPT. OF PARKS & RECREATION  
 BOUNDARY



PROJECT

Board of Supervisors  
 State of California D960168P



EXHIBIT

Site I

EXHIBIT NO. B

APPLICATION NO.  
 A-3-510-01-061

Project Plans

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

I APPEAL THE SAN LUIS OBISPO BOARD OF SUPERVISORS DENIAL OF ALL OR PART OF MY APPEAL, HEARD ON MAY 15 2001 OF THE PLANNING COMMISSION ON JULY 13 2000 OF A COASTAL DEVELOPMENT PERMIT TO GRADE AND REMOVE SAND AT THE SAND RAMP AT PIER AVE OCEANO AND TO RELOCATE THE SAND FROM SOUTH OF PIER AVE TO NORTH OF PIER AVE. THIS PROJECT SIGNIFICANTLY NEGATIVELY IMPACTS THE PEDESTRIAN BEACH ACCESS HISTORICALLY LOCATED SOUTH OF PIER AVE, AND SIGNIFICANTLY NEGATIVELY IMPACTS THE ENVIRONMENTAL HABITAT.

AS SHOWN BY THE DOBERNECK MAP (SEE ATTACHED) PRESENTED IN THE STAFF REPORT ON MAY 15, 2001 ALONG WITH PHOTOGRAPHS SHOWING BOUNDARY CONES, THE HISTORIC COUNTY PEDESTRIAN BEACH AREA FROM PIER AVE SOUTH TO ARROYO GRANDE CREEK ABOVE THE HIGH TIDE LINES HAS BEEN SUBJECT TO WANTON, CONTINUOUS, AND SYSTEMATIC DESTRUCTION BY STATE BULLDOZERS AND OTHER HEAVY EQUIPMENT, THEREBY RESULTING IN DESTRUCTION OF THE ENVIRONMENTALLY SENSITIVE FOREDUNES AND BEACH HABITAT AND THE COVERT CONFISCATION OF A LARGE AREA OF BEACH HISTORICALLY USED FOR PEDESTRIANS.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

[Signature]  
Signature of Appellant(s) or Authorized Agent

Date May 19, 2001

NOTE: If signed by agent, appellant(s) must also sign below.

SECTION VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_

EXHIBIT NO. C
APPLICATION NO. A-3-SLO-01-061
Appeal
California Coastal Commission

APPROVAL

**EXHIBIT B**  
**CONDITIONS OF APPROVAL -D960168P**

**Approved Development**


1. This approval authorizes continuation of maintenance of an existing sand ramp in the fore dune area for that portion that falls under County jurisdiction.
2. The portion of the project that is under the Coastal Commission jurisdiction (that portion that is below mean high tide) is covered by prior permit 3-96-116 which establishes additional conditions for the portion under the Coastal Commission authority. This permit is valid for the period ending February 28, 2002). This permit requires that they initiate a review of the five year period of maintenance by November 15, 2001. Should this permit not be extended beyond 2002, the Department of Parks and Recreation shall inform the county and the local approval shall be null and void for the portion above mean high tide. If the permit from the Coastal Commission is extended beyond this date, the county's permit is extended for the corresponding period.

**Site Development**

3. **Prior to any maintenance activities**, the applicant shall provide verification to the Department of Planning and Building from a biologist that the area within 200 feet of proposed disturbance does not contain a snowy plover nesting site. In the event that a snowy plover nesting site is located, sand removal in that particular area will occur only after approval of a mitigation plan by the Department of Planning and Building in consultation with US Fish and Wildlife Service.

**Biological Resources**

4. **On the day that sand ramp maintenance activities are scheduled**, the sand ramp and surrounding area shall be surveyed by a qualified monitor approved by the county for Western Snowy Plover nests and chicks throughout the nesting season (March 1-September 30). If nests or chicks are found, all activity shall be postponed until the nest has hatched, or disappeared, and all chicks have left the area.
5. The applicant is also subject to all provisions of the Biological Opinion issued by the U.S. Fish and Wildlife Service issued on January 25, 1996 or as amended in further consultation.
6. No vegetation is to be removed during facility operation and maintenance.

EXHIBIT NO. <i>D, p. 1</i>
APPLICATION NO. <i>A-3-SCD-01-061</i>
<i>Local Conditions</i>
 California Coastal Commission

### Hours of Sand Removal

7. To coordinate with the conditions of approval for the portion under Coastal Commission jurisdiction, the hours allowed for sand removal shall be no earlier than 8:00 A.M. and no later than 5:00 P.M. on weekdays. No sand removal or disposal shall take place on weekends. In the event of an emergency situation or condition, as determined by the District Superintendent, sand removal and disposal may be done without hourly or daily constraint until the emergency situation or conditions ends.

### Archaeological Resources

8. In the event archaeological resources are unearthed or discovered during any maintenance activities, the following standards apply:
  - a. Maintenance activities shall cease, and the Environmental Coordinator and the Planning Department shall be notified so that the extent and location of discovered material may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  - b. In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and the Environmental Coordinator so the proper disposition may be accomplished.

### Maintenance Equipment

9. No fueling or scheduled maintenance of equipment shall occur on the beach. Equipment shall be removed from the sandy beach for such activities.
10. All equipment shall be inspected for leakage of petroleum products (e.g. gasoline diesel fuel, hydraulic oil) or antifreeze on a daily basis. Equipment showing obvious signs of such leakage shall not be used on the beach.
11. Spillage of any petroleum product on the beach requires that the applicant immediately notify proper authorities. In the event of a spill, notification shall be accomplished as follows:
  - a. Notify the County Division of Environmental Health at (805) 781-5544
  - b. Contact the State Department of Fish and Game, Office of Oil Spill Prevention and Response at (805) 772-1756.

### Indemnification of County by Applicant

12. The applicant shall as a condition of approval of this minor use permit defend, at his sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this minor use permit or the manner in which the County is interpreting or enforcing the conditions of this minor use permit, or any other action by a third party relating to approval or implementation of this minor use permit. The applicant shall reimburse the County for any court costs and attorney's fees which the County may be required by a

Exhibit D, p. 2  
A-3-510-01-061



court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition.

Miscellaneous

13. The applicant shall provide evidence that all required state and federal permits have been obtained from the pertinent agencies or provide evidence that permits from such agencies are not required. These include but are not limited to U.S. Army Corps of Engineers, California State Lands Commission, Regional Water Quality Control Board, California Coastal Commission, Fish and Wildlife Service and Department of Fish and Game.
14. Applicant shall comply with all state and federal laws including but not limited to the California Endangered Species Act and the Federal Endangered Species Act of 1973.

Exhibit D, p. 3  
A-3-SW-01-061


Pismo State Beach and State Vehicular Recreation Area. Standards 4 through 13 apply to the development of the Pismo State Beach and State Vehicular Recreation Areas. (LCP)

4. General Development Plan Revisions. The General Development Plan (GDP) shall be revised in accordance with the Local Coastal Plan. The plan should identify a variety of recreational opportunities with use areas separated where possible to minimize conflicts. Passive recreational uses and nature study uses should be provided for in the sensitive vegetated areas restricted from OHV use. (LCP)

Approval of the GDP for inclusion into the County's LCP, or approval of a coastal development permit for a development within either Pismo Beach State Park or the Pismo Dunes State Vehicular Recreation Area, shall be subject to a finding that the State Department of Parks and Recreation is making a commitment for sufficient manpower to ensure resource protection, ordinance enforcement and access control in conformance with the conditions of Coastal Development Permit No. 4-82-30A. Should the terms and conditions of the coastal permit not be enforced or accomplished or should they not be sufficient to regulate the use in a manner consistent with the protection of resources, public health and safety and community values, then under the county's police powers, the imposition of an interim moratorium on ORV use may be necessary to protect resources while long-range planning, development of facilities and requisition of equipment and manpower is completed. (LCP)

5. Access Control. All access points to the park facility will be controlled. Primary access for off-road vehicles into the dunes will be as indicated in Coastal Development Permit No. 4-82-30A. (LCP)
6. Noise Control. Noise control measures shall be required for ORV use in proximity to natural preserve areas. (LCP)
7. Alternative Camping Areas. Alternative camping areas subject to the numerical limitations of Coastal Development Permit No. 4-82-30A may be appropriate in the dunes area and beach. These are dependent upon assurance that scattered sites will still allow for adequate environmental protection throughout the dunes. (LCP)

Back dunes camping areas shall be identified at locations outside of the buffers. Adequate sanitary facilities shall be provided. These back dunes camping areas shall be for tent camping or camping from four-wheel drive vehicles that can gain access to them. With provision of adequate improved facilities, heavier units (which would have a greater environmental impact when accessing the dunes) should make use of the designated staging area. For major events such as hill climbs and

EXHIBIT NO. <i>E, P</i>
APPLICATION NO. <i>A-3-SLO-01-001</i>
<i>South County Area Plan Standards for ODSVRA</i>
 California Coastal Commission

competitions, state parks may authorize special access from the Oso Flaco causeway where it can ensure that adequate habitat protection exists. (LCP)

Beach camping in conformance with the numerical limitations of Coastal Development Permit No. 4-82-30A shall be permitted where it can be established that: a) administration of the entire park unit would not be adversely affected, b) control of total users can be maintained within acceptable carrying enforcement/capacity. The General Development Plan must identify area(s) for beach camping which would minimize conflicts with other users of the sandy beach. (It is estimated each campsite can accommodate from five to eight persons). Consistent with the provisions of Coastal Development Permit No. 4-82-30A, this limit can be adjusted either upward or downward based on monitoring of the impacts of this use. (LCP)

In addition, to the camping facilities for ORV users, the GDP must identify overnight and day use areas for non-ORV users, including hikers, horseback riding, etc. (LCP)

Peak OHV use on the six major weekends must be closely monitored to evaluate the impacts. Monitoring data shall be reviewed jointly by State Department of Parks and Recreation, the county, Department of Fish and Game and the Coastal Commission on an annual basis. Long-term reduction of the peak use may be necessary to ensure adequate resource protection. (LCP)

8. Habitat Protection. Natural buffer areas for sensitive habitat areas shall be identified and fenced, consistent with the provisions of Coastal Development Permit No. 4-82-30A and the stabilized dune areas. Habitat enhancement programs shall be undertaken for the following areas including programs such as stabilization of the dunes with appropriate native vegetation to protect encroachment on wetlands and surrounding agricultural land. (LCP)

- a. Dune Lakes
- b. Coreopsis Hill
- c. Oso Flaco Lake
- d. Little Oso Flaco Lake



Fences or other appropriate techniques shall be maintained where needed to preclude vehicular access in such areas as the Dune Lakes, Oso Flaco Lake and natural areas in the eastern portion of the park and lease area. (LCP)

9. ORV Use Area. ORV use shall be permitted only in identified unfenced vehicular use area. These areas are identified in Figure 4. No recreational ORV use will be allowed in the designated natural areas. These buffer areas reflect areas required for habitat protection and generally recognize the

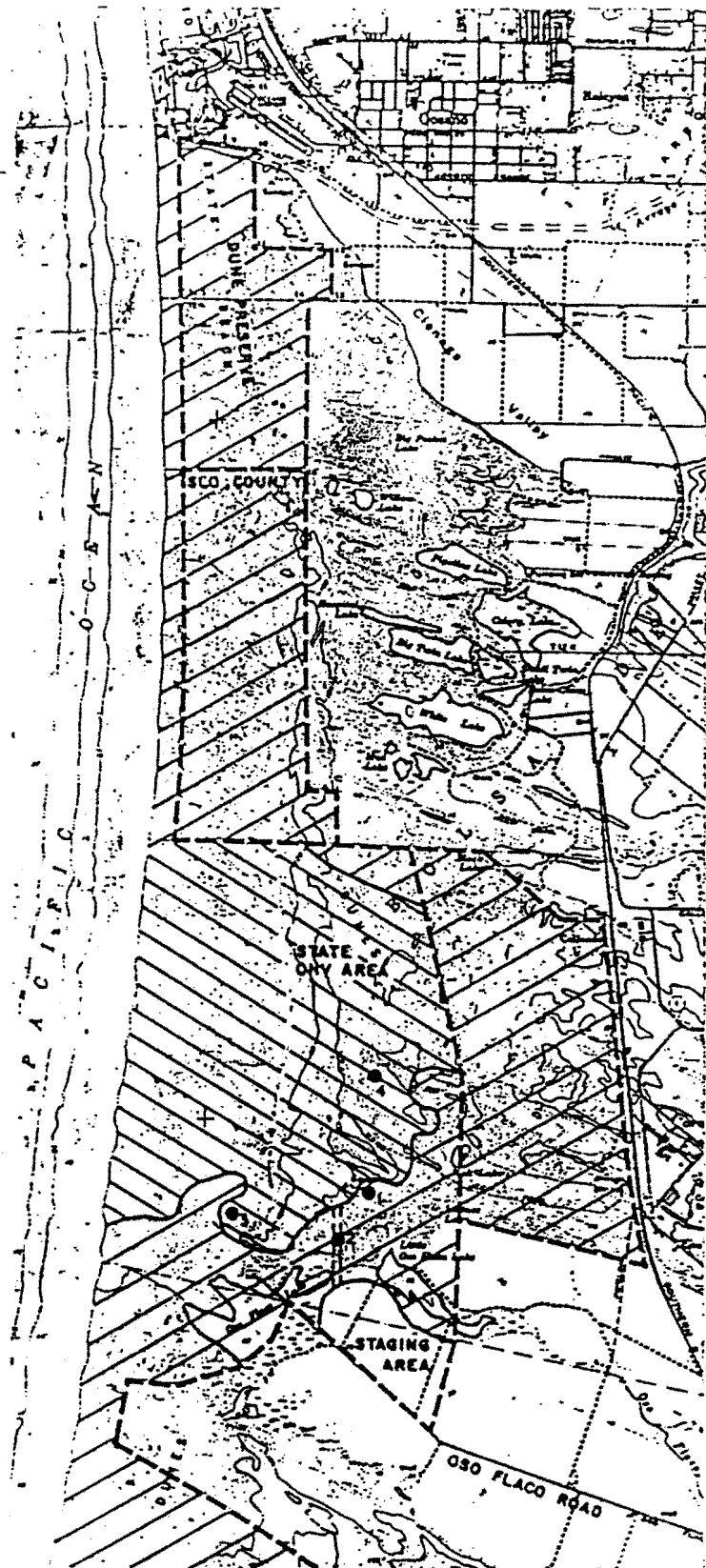
FIGURE 4

OFF-ROAD VEHICLE USE AREAS

LEGEND

-  OHV USE AREA
-  BUFFER AREA
- 1 LITTLE COREOPSIS HILL
- 2 OHV ACCESS CORRIDOR (Schematic)
- 3 MAIDENFORM FLATS
- 4 BOY SCOUT CAMP

SCALE



established lease agreement with Union Oil for the areas adjacent to the eastern portion of the park. ORV is prohibited in all vegetated areas. (LCP)

ORV use of the county held portion (generally lying between the sandy beach and Dune Lakes) shall be limited to the Sand Highway west to the sandy beach. This will minimize conflicts with the Dune Lake Properties to the east and the State Department of Parks and Recreation Dune Preserve to the north. The map of ORV use areas indicates a buffer area along these critical interface areas. (LCP)

10. Administration of County Holdings. The county-owned land south of the dune preserve shall be administered through a memorandum of understanding between the county and the State Department of Parks and Recreation. Management of the facility has been assigned to the State. This shall be reexamined periodically to establish the most appropriate management capability. (LCP)
11. Cooperative Education Programs with ORV User Groups. The Department of Parks and Recreation shall continue and where needed expand the dune users education program. This may include distribution of maps at major access points, identifying user areas and natural buffer areas. Involvement by local and state ORV groups are essential supplements to ensuring proper dune use. (LCP)
12. Archaeological Resource Preservation. To ensure archaeological resource protection, the State Department of Parks and Recreation should provide the fullest protection by fencing all known sites. (LCP)
13. Other Recreation Users. Non-ORV-dependent uses such as camping, hiking trails, and passive use areas shall be identified and developed. Equestrian centers shall be identified. Parking areas for this day use shall be incorporated. (LCP)

---

RURAL LANDS: The following standards apply only to lands in the Rural Lands land use category.

---

Guadalupe Dunes Oilfield. The following standards apply to three parcels comprising the 1,062-acre Rural Lands category within and adjacent to the Guadalupe Dunes oilfield Leroy Lease.

1. Limitation on Use. Uses allowed by Coastal Table 0 of the Land Use Element and Local Coastal Plan are limited to: agricultural accessory structures; aquaculture; crop production and grazing; coastal accessways; fisheries and game preserves; water wells and impoundments; petroleum extraction; accessory storage; pipelines and power transmission. (LCP) (Amended 03-14-89, Ordinance No. 2378)

**STAFF NOTE REGARDING EXHIBIT F,  
A-3-SLO-01-061 (Pier Avenue Sand Ramp):**

In addition to the other correspondence included in this Exhibit, the following letter provides an example of 25 similar letters received, all of which will be available for review at the September 12, 2001 public hearing:

---

07/09/01 4:00 pst


**My name is Charles Steven Driesler and I use the sand ramp at Pier Avenue in Oceano to access the beach for recreation. The ramp is very important to me and to my family, as it is the best way for us to see and use the public beach in Oceano. Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public accessway.**

Charles S. Driesler II

4443 Shadowy Rd.

Lakewood, Ca. 90713

*Charles S. Driesler II*

EXHIBIT NO. F, p. 1
APPLICATION NO. A-3-SLO-01-061
Correspondence
 California Coastal Commission

RECEIVED

July 9, 2001

California Coastal Commission

My name is Julie Monroe and I am faxing you in regards to an issue that I heard about today concerning the ramp on Pier Avenue at the Oceano Dunes. My family & I and many of our friends use this ramp to access the beach for recreation. This ramp access is very important to us as recreationalists! Please continue to allow the State Parks management to all access to the beach by removing loose, soft sand from this ramp.

Thank you for your consideration in this matter.

Sincerely,

Julie M. Monroe  
719 W. Enid Ave.  
Mesa, AZ 85210

*Julie M. Monroe*

RECEIVED

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-061  
Exhibit F, P. 2

To: California Coastal Commission  
Re: Pier Avenue Ramp in Oceano

July 9, 2001

To whom it may concern,  
how much more will we have to endure before the entire economic structure of the United States has collapsed under the sheer weight of stupidity and greed?

It amazes me that one person (Neil Langford) can bring an entire town to it's knees for personal gain! If the ramp cannot be graded many business owners will suffer great losses, these are people with families not mention quicker access for emergency vehicles. The CCC is supposedly dedicated to access, if so, then prove to the people of Oceano that you care about access! Do the right thing and keep the ramp open, don't let greed prevail here.

Jay Heffner  
Lompoc, Ca.



A-3-SLO-01-061  
Exhibit F, p. 3



July 9, 2001

California Coastal Commission

RE: Grating of Pier Ave. Beach ramp in Oceano

To Whom It May Concern:

In response to the above reference hearing please be advised of the following.

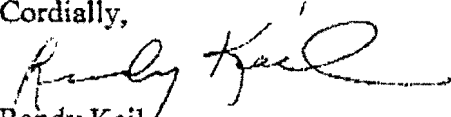
I am a business owner on Pier Avenue and am extremely concerned about having the Ramp grated immediately for the following reasons.

- 1) The safety issue is of prime concern to me. If the ramp is not grated automobiles will try to access the beach regardless on the condition of the ramp. This is very harzardeous as cars get stuck, people get out and try to push them, which can result in human tradgety.
- 2) Emergancy vehicles need to pass down the ramp in order to safe lives, including ambulances, medic vehicles and fire engines.
- 3) Without the ramp grated the tourist traffic is diverted off of Pier Avenue and this results in the business owners loss of revenue. Most all of the owners count on the tourists traffic for their livelyhood.
- 4) My business on Pier Avenue supports my household as my store is below my residence and I count on the summer business to make my mortgage payments. Without traffic on Pier Avenue going down the ramp I could be forced to close my store and this would result in losing my home. Not a pretty picture.

I realize that Nell Langsford is entitled to her feelings, however she should have realized that when she purchased her residence, the ramp was open and there would be beach traffic. It is virtually rediculous for her to want to close down all the businesses on Pier Avenue, resulting in devistation for all the owners.

Kindly consider all the necessities of keeping the Pier ramp open and grating it immediately.

Cordially,

  
Randy Keil  
Owner-Beach Shack

**RECEIVED**

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-061  
Exhibit F, p. 4

California Coastal Commission

Dear Commissioners,

My name is Mark A. Meulpolder and I am writing in regards to the Pier Avenue Beach Access Ramp at the Oceano Dunes State Vehicular Recreation Area.

This access ramp needs to be maintained so vehicles as well as emergency vehicles can have easy access to the Oceano Dunes area. Besides making it easier to access the beach, it creates a safe passage for families so they don't get caught in the bottleneck which forms at the bottom of the ramp when it is not maintained.

The ODSVRA is open to the public for multi-use family activities. Why should one person, who is an absentee landlord, be allowed to spoil a family outing when the family vehicle gets stuck before the day even starts. Or to hold up emergency personell when medical attention is needed.

Please allow State Parks to maintain the ramp at Pier Avenue for easy and safe access to the SVRA.

Thanks,



Mark A. Meulpolder  
Grover Beach  
805-474-0431

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JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-061  
Exhibit F, p. 5

**APPEAL NO. A-3-01-61 (Parks & Rec, San Luis Obispo Co.)  
AGAINST The Appeal**

California Coastal Commission  
725 Front Street  
Suite 300  
Santa Cruz, CA  
95060-4508

Dear Commission Members:

Please accept this fax as my request for your rejection of appeal no. A-3-01-61 (Parks & Rec, SLO Co.) This appeal by Nell Langford (orchestrated by the Sierra Club and EDC) is yet one more attempt by the Sierra Club to close the ODSVRA.

The pier ramp is necessary for emergency vehicle access to the ODSVRA. By not grading the Pier Ave Ramp, emergency vehicles must use the Grand Ave. ramp approx. 1 mile further up the beach. This delay would not only endanger the lives of OHVers, but will also endanger the families who use the beach between Grand Ave and Pier Ave for day use -- the largest number of children and families walking along the beach and swimming in the ocean congregate between these two ramps. CDF Battalion Chief Dan Anderson said if his crews had to use the Grand Avenue ramp, their response times would increase by eight to 10 minutes.

In addition, the only people that are affected by the closing of the Pier Ave. ramp are the business owners and visitors who do not have 4x4 access to the beach. The Off-Roaders who use the ODSVRA have 4x4 access and are no way impacted by the ramp not being graded. However, local business owners on Pier Ave. are in danger of losing their businesses. One business owner in particular lost over \$7,000 a day due to the closure of the Pier Ave. ramp over the Memorial Day holiday. Please consider the economic impact to the business owners of Oceano Dunes before making any kind of decision on this appeal.

In addition, please recognize this feeble attempt by Ms. Langford -- funded by the Sierra Club and EDC, for what it is worth. Ms. Langford is a non-Oceano Dunes resident owner of rental property who is simply out for personal financial gain vs. potential environmental impact. Ms. Langford did not protest the building of the condos next to her rental property, which I am sure had much more environmental impact to the area vs. the moving of sand that is within the tide zone. These sands move tremendously without grading. She and her sister have made their intentions very clear "Zone that tow truck property for hotels." They're not looking to save the environment; they're looking to build hotels on their property.

Lastly, The citizens of California charged you equally with protecting coastal resources and maximizing coastal access. State Parks has a 20-year track record of doing just that at Oceano Dunes. Please insure the preferred coastal access of millions of annual visitors and myself continues by rejecting the appeal No. A-3-01-61. Please let us continue to enjoy the family togetherness and respect for nature and continued access to the beach at Oceano Dunes.

Respectfully,

*Karen M. Suty*

Karen Suty

**RECEIVED**

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-061  
Exhibit F, p.6

Pam Yeaton

From: Paul & Pamela Yeaton [pyeaton@pacbell.net]  
Sent: Monday, July 09, 2001 2:22 PM  
To: Pamela Yeaton

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JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

California Coastal Commission,

My name is Paul Yeaton and my family and I use the Pier Avenue sand ramp in Oceano as an access to the public beach for our weekend outings. The importance of this ramp is very great to my family and I since it is our access to both Oceano and Pismo beach areas. We have been coming to this area for the past 31 yrs, 5 to 6 times per year as a weekend getaway and as part of our yearly vacations. To lose access to the beach areas with our vehicles would surely mean that the thousands of people including ourselves and the Millions of dollars in local sales, hotel accommodations, food sales, fuel sales etc that we all spend each year would disappear.

So, please don't let just 1 person (especially someone who is a absentee landlord or resided in the area themselves) or a well financed group of environmentalists dictate how you control public access to the beaches and coastal areas of this beautiful State of ours just because they don't like all the vehicles using "their" beaches. The beaches and coastal areas of this state belong to everybody, not just a few people who say that they are out to protect the environment.

Thank you for your consideration of this matter and I hope that the voices and wishes of the working people who use this area for recreation will be heard in enough numbers to allow State Parks to continue to allow public access to the beach by allowing them to maintain this important public accessway.

Thank you,

Paul S. & Pamela L. Yeaton, Jenn. Yeaton & George McNutt

*Paul S. Yeaton*  
*Pamela L. Yeaton*  
*Jennifer Yeaton*  
*George McNutt*

A-3-SLD-01-061  
Exhibit F, p.7

9 July 01

COASTAL COMMISSION 831 427 4877

MY NAME IS JIM WEISSENBURGER OF LOMPOC CA, I USE THE PIER AVENUE RAMP IN OCEANO TO ACCESS THE BEACH, MY 2 YEAR OLD ENJOYS THE BEACH.

PLEASE ALLOW THE STATE PARKS TO MAINTAIN THE BEACH PUBLIC ACCESS SO OTHERS AND MYSELF <sup>will</sup> CONTINUE TO HAVE ACCESS TO THE BEACH.

LOMPOC NO LONGER HAS BEACH ACCESS AND WITH GAVIOTA AND JALAMA ALWAYS FULL, THE POINT SAI IS FULLY CLOSED THERE ARE NO PLACES LEFT TO GO.

WHAT KIND OF MEMORIES CAN MY CHILD GET TO HAVE ABOUT THE OCEAN IF YOU CAN NOT GET TO IT ???

RECEIVED

Jim Weissenburger 9 JULY 01  
JIM WEISSENBURGER  
3949 SPICA WAY LOMPOC 93436

JUL 17 2001

CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

A-3-SLO-01-06  
Exhibit F, p.8

To: California Coastal Commission  
Fax: 831- 427-4877

Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public access way.

My name is Jim Suty and I use the sand ramp at Pier Avenue in Oceano to access the beach for recreation. The ramp is very important to me and to my family, as it is the best way for us to see and use the public beach in Oceano.

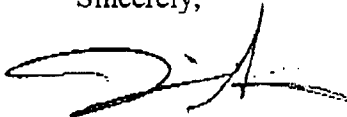
- The only people punished by the closure of the ramp are those who do not have off-road vehicles (poor, elderly and handicapped). It is the off-roaders who are donating their time to assist the vehicles on and off the beach.
- There are NO known snowy plover nest sites at or near the ramp.

**RECEIVED**

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Sincerely,



Jim Suty  
3019 Archwood Circle  
San Jose, CA 95148

Proud to be a member of, "Friends of Oceano Dunes"

A-3-SLO-01-061  
Exhibit F, p. 9

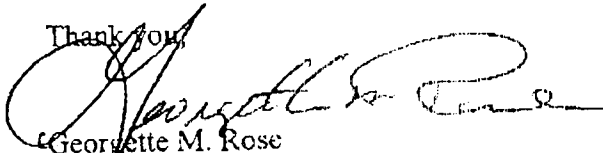
July 9, 2001

To: California Coastal Commission

My name is Georgette M. Rose and I have just learned that the California Coastal Commission is considering an appeal to stop the grading of the sand ramp located at Pier Avenue Oceano Ca. This ramp is very important to my family and I. As well as the many others who use it to access the public beach in Oceano.

We beg of you to PLEASE allow State Parks, to continue the grading and removal of loose sand from this very important public access way. It would be a shame to take this "right" away from the public. I can only hope and pray, that you will find this request totally unjustifiable and realize how important this access way is, to the many, many families, who come from all over. This access way allows "all of us" to enter the Oceano beach. Where we enjoy quality time together with our families and friends.

Thank you,



Georgette M. Rose  
477 Hidden Valley Rd.  
Royal Oaks, Ca 95076

**RECEIVED**

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREAA-3-SLO-01-061  
Exhibit F, p. 10

**David Roman**

---

My name is David Roman and I use the sand ramp at Pier Avenue in Oceano to access the beach for recreation. The ramp is very important to me and to my family, as it is the best way for us to see and use the public beach in Oceano. Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public accessway. I was planning a vacation for the end of this month and if I can not use this access road, my family trip will be cancelled. Oceano is a beautiful place and everyone should have full access to experience this wonderful place.

David Roman  
7960 La Habra Circle  
Buena Park, CA 90620

**RECEIVED**

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-061  
Exhibit F, p. 11



Attn. California Coastal Commission  
831-427-4877

My name is Michael K. Neschke and I use the sand ramp at Pier Avenue in Oceano to access the beach for recreation. The ramp is very important to me and to my family, as it is the best way for us to see and use the public beach in Oceano.

Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public accessway.

It is unfair that the adendas of the few are being forced upon the majority who have responsibly used these public lands for many, many years. The Sierra Club has twisted the facts in an effort to confuse the California Coastal Commission into believing that off road use is a bad thing. It brings families and friends together to enjoy our public lands.

Please approve the grading permit for the ramp at Pier Ave and do not allow this precious resource be closed to me or my family because of bad science and personal adendas of the few.

Michael K. Neschke  
3216 Point Lobos Dr  
Las Vegas, NV 89108

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JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-061  
Exhibit F, p 12

RECEIVE  
JUL 26 2001

CALIFORNIA  
COASTAL COMMISSION

Seaside

fax to: 415.904.5400  
\* TO BE INCLUDED IN  
AUGUST MEETING FOR  
C.C.C.

PHONE/FAX: 805.481.3007

328 PIER AVENUE  
OCEANO, CA 93445  
ROSEANNE/BRUCE KIRBY

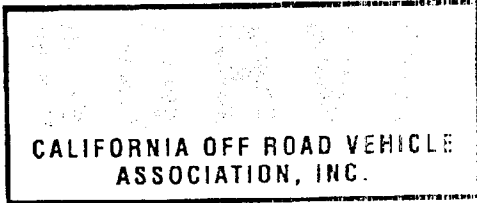
TO: California Coastal Commission  
PHONE/FAX: 415.904.5400  
RE: Continuance on Appeal No. A-3-01-61  
NO. OF PAGES: 1

As business owners and home owners off the Strand in Oceano, it is our opinion that the Pier Avenue ramp should remain maintained and open for several reasons in keeping with the endorsed LCP of San Luis Obispo County:

- safety vehicle public access & exit.
- visitor access for the public that provides maximum public availability. (ie does not discriminate to prevent those with disability, nor those with economic investment in 4 wheeler, ATV.)
- reinforces conforming usage & utilizing park revenues to maintain & protect responsible recreation & its enforcement.

Sincerely, Bruce & Roseanne Kirby 7/25/01

A-3-510-00  
Exhibit F, p.13



www.corva.org

7/9/01

Hello, My Name Is Mike Kammer.

Me And my Friends use the Pier Ave ramp In Oceanco TO recreate In the sand dune Area.

I do NOT visit with a 4-wheel drive street vehicle. there fore Grading the Ramp Is Very Important TO me and my Friends.

Please Allow the Grading TO continue.

The Emergency Vehicles In the Area need IT Also.

Thanks, Mike Kammer  
 Mike Kammer  
 330 West PA-1 Ave  
 Clovis Ca. 93612

RECEIVED

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-06!

Exhibit F, p. 14

**DONALD G. HAMILTON, R.PH.**

590 RED TAIL MEADOW LANE  
ARROYO GRANDE, CA. 93420

805-474-0300  
FAX 805-474-6555

CALIFORNIA COASTAL COMMISSION:

AS A PHARMACIST AT LONGS DRUG STORES, I HAVE LITTLE  
TIME TO TRAVEL LONG DISTANCES FROM MY HOME TO  
HAVE A LITTLE RELAXATION.

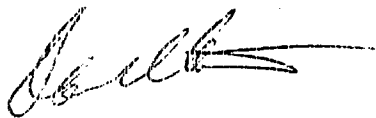
MY WIFE AND FAMILY HAVE BEEN USING THE OCEANO DUNES  
FOR FAMILY OUTINGS NEARLY EVERY WEEK FOR THE LAST  
25 YEARS.

I WOULD BE DISAPPOINTED IF ONE PERSON WOULD CAUSE THE  
CLOSING OF THE RAMP AND ACCESS TO THE BEACH.

WE USE THE SAND RAMP ALL THE TIME, AND THE PIER RAMP  
IS THE ONLY ENTRANCE WE HAVE EVER USED FOR RECREATION.

PLEASE ALLOW THE STATE PARKS TO CONTINUE TO ALLOW  
THE PUBLIC ACCESS TO THE BEACH BY REMOVING LOOSE, SOFT  
SAND FROM THE PUBLIC ACCESSWAY.

SINCERELY, DON HAMILTON



**RECEIVED**

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-50-01-061  
Exhibit F, p. 15

**BRIAN D. HAMILTON**

1613 CHAPALA APT. D.  
SANTA BARBARA, CA. 93101

Phone 805-705-8558

MY NAME IS BRIAN HAMILTON, MY PARENTS LIVE IN ARROYO GRANDE, AND I VISIT THEM SEVERAL TIMES EACH MONTH WHEN WE GO TO OCEANO DUNES TO PICNIC, CAMP AND TAKE OUR DOG FOR WALKS ALONG THE BEACH...

WE OWN A '62 WILLYS JEEP AND A 1950 FORD PICKUP THAT WE ENJOY DRIVING ON THE BEACH.

THE ONLY WAY TO ACCESS THE BEACH FOR RECREATION IS BY USING THE SAND RAMP AT PIER AVENUE IN OCEANO.

PLEASE CONTINUE GRADING, AND ALLOW ACCESS TO THE BEACH... WE HAVE 4 WHEEL DRIVE IN THE JEEP, BUT WE HAVE ALMOST BEEN STUCK IN THE LOOSE SAND SEVERAL TIMES, THIS WOULD BE COSTLY TO HAVE TO HIRE A TOW TRUCK TO PULL US OUT.

PLEASE REMOVE THE LOOSE, SOFT SAND.

**RECEIVED**

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

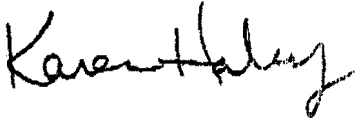
*Brian Hamilton*

A-3-SLO-01-061  
Exhibit F, p. 16

To: California Coastal Commission

My name is Karen Haley and I am writing to you today in regards to the ramp at Pier Avenue in Oceano. My family and a lot of our friends use this ramp for access to the beach and recreation area in Oceano. We are very upset at the possibility of the closure of this ramp. Families like mine come from all around for vacations in Pismo and Oceano and it would be a shame if the access to the beach and recreation areas were no longer available. We are asking you to please reconsider closing the ramp and allow the State Parks to continue to allow public access to the beach. We also would greatly appreciate you to allow the ramp to be graded for easy access to avoid less damage to our vehicles from getting stuck in the loose soft sand. Taking access away from us will only take business away from local businesses.

Sincerely,



Karen Haley  
P.O. Box 341  
San Ardo, CA 93450

RECEIVED

JUL 09 2001

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-540-01-061  
Exhibit F, p. 17

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JUL 09 2001

7/09/01

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

From: FunRunner Products  
9130 Painter Ave  
Whittier, Ca. 90602

To: California Coastal Commission

Re: Pismo access

Dear members of the Coastal Commission,

I am sending this appeal as I use the ramp at Pier Avenue for sand access. I know that many of my customers also use the ramp for their family recreation activities. Please allow State Parks to continue to allow public access to the public beach in Oceano. Keeping this access open and clear of impediments would serve to benefit a large Contingent of interested users. Thank you for your consideration.

Roger Tebo  
FunRunner Products  
562-945-2180  
funrun@earthlink.net

A-3-SLO-01-061  
Exhibit F, p. 18

**RECEIVED**

To: The California Coast Commission 831-427-4877

From: Gerard Forgnone

JUL 09 2001

Re: Pier Avenue Grading Permit

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Dear Sirs and Madams:

*The legislature further finds and declares that the basic goals of the state for the coastal zone are to: . . . (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners."*

The above paragraph is from your own website, and pretty much states why I am writing this letter: Public access to the coast and coastal recreation.

The Pier Avenue ramp at Oceano is the main way for citizens of the United States and our world-wide visitors to access the beach with their vehicles. People come from all over our country and the world to drive on this one last stretch of California beach, and they have been doing so since the dawn of the automobile, long before Nell Langford purchased a rental shack on Strand Way. Langford receives up to \$550 PER DAY for her rental, and can easily ask twice as much if she were to get the public and their cars kicked off the beach in front of her duplex. Langford's sister, Effie McDermott, has been publicly advocating a change in zoning to allow hotels. This will benefit only Langford's and McDermott's pocketbooks, not the general public! The beach ramp and the beach belong to the PUBLIC, not Langford. She is using the Endangered Species Act to her own monetary benefit. If you don't believe me, ask her when she testifies how much she receives per day in rent, and how much her property will appreciate if vehicles are banned from the beach!

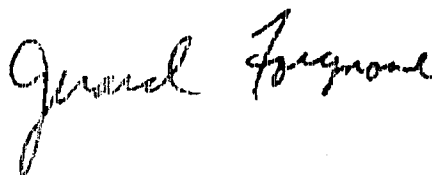
Vehicles can still get on the beach through the Grand Avenue ramp, but doing so adds traffic to the stretch of beach from Grand south to Pier. This extra traffic ruins the beach experience for the non-SVRA users who just want to park on the beach. The way Pismo and Oceano Beaches are divided up now is a great way to satisfy all uses: North of Grand is pedestrian only; Grand to the SVRA is licensed vehicles only, and the SVRA is for all vehicles. The SVRA is also a very inexpensive way for people to camp on the ocean. Not everyone can afford \$250 and \$300 for either of Langford's duplex portions.

Forcing vehicles to use Grand Avenue also causes emergency vehicles to be slower in reacting to emergencies at the Oceano Dunes SVRA. The businesses who are trying to eke out an existence on Pier Ave need that access open to survive. Langford is a wealthy landowner, who doesn't even live in Oceano. She will survive quite well if the ramp is graded.

If Langford and her paid lawyers from the Environmental Defense Center try to use the Endangered Species Act as a reason to stop the grading and effectively close the Pier Avenue ramp, you must ask yourself, who is to benefit by their actions? The birds? There have been no birds nesting in this area for many years, and a truthful biologist will tell you it is not a preferred nesting site anyhow. The only ones who stand to benefit if the Pier Avenue ramp is not graded, and effectively closed, is Nell Langford.

Stop this land grab, for the sake of all of us, the public, who can not afford lawyers to keep their access to this unique vehicular beach.

Gerard Forgnone  
1587 Turquoise Ct.  
Santa Maria, CA 93455  
805-937-3050



A-3-SLO-01-061  
Exhibit F, p.19





GEORGES &amp; SHAPIRO LITHOGRAPH

California Coastal Commission  
Re: Pismo Beach

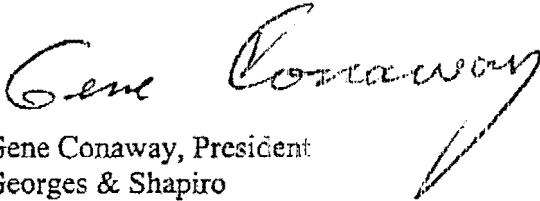
July 9, 2001

This letter is to point out that many people in the general population of our fine State are not able to always afford the accommodations that most of the do-gooders live in; and therefore need beaches such as Pismo/Oeana for the needed recreation for their families.

The recreation afforded at the beach is something that children never forget - an example of this is my own grandchildren. They live to go to Pismo for 4 days in the summer and the three or four trips that we make to Gilamis in the winter.

Luckily we can vacation anywhere in the world when we so desire, but they would not trade a long weekend at Pismo for 10 days at the Disneyland hotel!

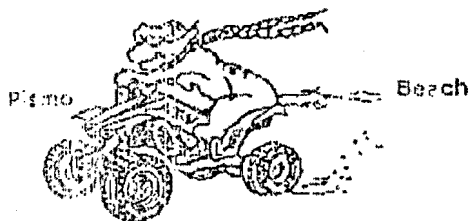
If you want to save something - try saving the relationships that we have with our families that no amount of money can buy.



Gene Conaway, President  
Georges & Shapiro

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## B.J.'S ATV Rentals



187 Grand Avenue, Grover Beach, CA 92433  
(805) 481-5411 FAX (805) 451-0701

July 9, 2001

TO: CALIFORNIA COASTAL COMMISSION  
FAX: 831-427-4877

FROM: JOHN AITKENS  
BJ'S ATV RENTALS

RE: NELL LANGFORD HEARING ON GRADING OF PIER AVENUE RAMP,  
OCEANO

I would like to tell you how important it is to keep Pier Ramp graded for use of the Oceano Beach and Dunes.

I know you have the numbers of day users and campers from the State Parks & Recreation. This brings a lot of money into the Department. Those of us who use the beach for business and pleasure feel by not keeping the Pier Ramp graded many Americans who have the right to use the park system would be stopped from doing so because they cannot get on the beach.

Grading the ramp does not present a hazard to any wildlife or birds. Therefore there is no reason to hamper people from going down to the beach.

By letting the sand build up on both the Pier Ramp and the Grover Beach Ramp will make it impossible for vehicles to get on the beach. This is the same as closing the beach to vehicle traffic. This is something that has not been decided and by ruling for Ms. Langford's appeal, you are in effect closing the beach.

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JUL 09 2001

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COASTAL COMMISSION  
CENTRAL COAST AREA

A-3-SLO-01-061  
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July 9<sup>th</sup> 2001

California Coastal Commission

my name is Donald Southard and I use the sand ramp at Pier Avenue in Oceanos to access the beach for recreation. The ramp is very important to me and my family, as it is the best way for us to see and use the public beach in Oceanos. My family and I have been using this ramp since 1972, now my grandchildren and I are using the ramp to access the beach. Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public accessway.

Thank you  
 Donald L Southard  
 1856 N Glenview Ave  
 Anaheim Ca 92807

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Donald L Southard

JUL 09 2001

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July 9, 2001

California Coastal Commission - via fax: 831-427-4877

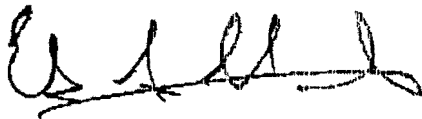
Please consider my comments concerning Oceano Dunes.

My name is Ed Stevens and I use the sand ramp at Pier Avenue in Oceano to access the beach for recreation. The ramp is very important to me and my family, as it is the best and safest way for us to see and use the public beach in Oceano. Safety is important to me, as I am sure it must be to you, to protect my family as we enjoy the recreation opportunity offered by this ramp access.

I urge the Coastal Commission to protect this valuable beach access, and keep it safe for family recreation, by maintaining the ramp and preserving public motorized access to the beach.

Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public access ramp. This small amount of displaced sand, under the intention of public safety, cannot be ignored as a public service (or misinterpreted as an action against a threatened or endangered species).

Please inform me by mail of all future actions regarding Oceano Dunes.



Ed A. Stevens  
2355 Ocana Avenue  
Long Beach, CA 90815

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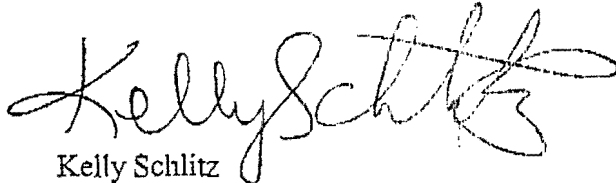
July 9, 2001

California Coastal Commission  
Fax 831-427-4877

To Whom It May Concern:

My name is Kelly Schlitz. I live in Southern California and have vacationed every summer on the beach off Pier Avenue in Oceano for the last 10 years. I believe the ramp is very important to me and my family, as it allows us to see and use the public beach in Oceano. Oceano is very beautiful, and we love visiting every year and keeping our family tradition. My children (ages 6 1/2 and 3 1/2) talk about Oceano and look forward to our vacation every year. Please allow State Parks to continue to allow public access to the beach by removing loose, soft sand from this important public accessway.

Thank you for your consideration.



Kelly Schlitz  
4801 Contour Ct.  
Oceanside, CA 92057

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FAX

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2 November 1998

JUL 09 2001

TO: California Coastal Commission


SUBJECT: Oceano Dunes Recreation Area

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

I am writing to implore you to not close off access to Oceano Dunes for recreational purposes. The kids and I use the sand ramp at Pier Avenue in Oceano to access the beach and it is very important that it continue to be graded.

The public beach in Oceano is one of the very most fun areas to take the children and it would be very sad to see that closed. Is it just that the rich residents would rather have it all to themselves?

Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public access way.



Sandy Blair  
1329 West Fir Ave  
Lompoc, CA 93436

(805) 734-3889

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CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

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**ILA HAMILTON**

**BROKER, CONTRACTOR, DESIGNER**

CENTURY 21 FILER REALTORS, INC.

1160 PRICE ST. PISMO BEACH, CA. 93449  
805-801-8801 Fax 805-474-6555

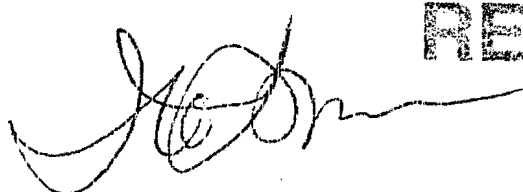
TO: CALIFORNIA COASTAL COMMISSION  
FROM: DONALD, ILA, DAVID AND BRIAN HAMILTON

MY NAME IS ILA HAMILTON. I USE THE SAND RAMP AT  
PIER AVE. IN OCEANO TO ACCESS THE BEACH SEVERAL  
TIMES PER WEEK... WE PICNIC, WALK OUR DOG AND  
CAMP ALONG THE BEACH.

THE RAMP IS VERY IMPORTANT TO ME AND TO MY FAMILY  
AS IT IS THE BEST WAY FOR US TO SEE AND USE THE PUBLIC  
BEACH IN OCEANO.

NELL LANGFORD IS BEING SELFISH, AND HER CONCERNS  
ARE SELF CENTERED TO THINK WE SHOULD CLOSE ACCESS  
TO HOMEOWNERS, FRIENDS, RELATIVES AND VISITORS OF  
OUR VERY OWN BEACH.

PLEASE ALLOW STATE PARKS TO CONTINUE TO ALLOW THE  
PUBLIC ACCESS TO THE BEACH BY REMOVING THE LOOSE,  
SAND FROM THIS IMPORTANT PUBLIC ACCESSWAY.



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CENTRAL COAST AREA

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## DAVID AND STEPHANIE HAMILTON

July 9, 2001

California Coastal Commission

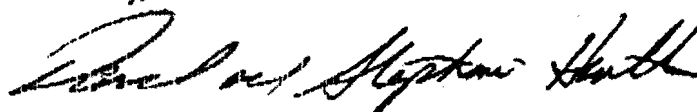
Dear CCC:

My wife and I use the sand ramp at Pier Avenue in Oceano, California, to access the beach for many types of recreation. The ramp is very important to me and my family, as it is the best way for us to see and use the public beach in Oceano. This area was set aside as motorized access and should remain that way for future generations. I hope that our children can also enjoy this unique public recreation area for years to come, as we have in the past.

Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public accessway.

It is my understanding that a property owner in close proximity to the opening of the Oceano Dunes SVRA, Nell Langford, is trying to close the public access. This is un-American and hypocritical! It is very unfortunate that one bad apple can ruin the whole beach access for thousands of visitors. Please allow motorized access to the dunes for the people who enjoy our public lands, not just the selfish few extremists who would rather them be locked up for themselves.

Sincerely,



David and Stephanie Hamilton

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JUL 09 2001

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COASTAL COMMISSION  
CENTRAL COAST AREAA-3-SLO-01-061  
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July 12, 2001

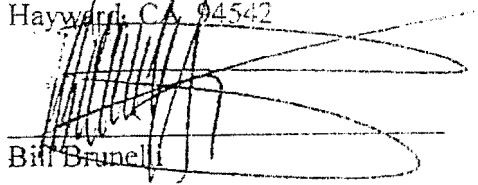
The California Coastal Commission:

My name is Bill Brunelli and I use the sand ramp at Pier Avenue in Oceano to access the beach for recreation. The ramp is very important to me and to my family, as it is the best way for us to see and use the public beach in Oceano.

On our last vacation, June 20<sup>th</sup> - 28<sup>th</sup>, the ramp created a great hazard as people were getting stuck in each others way. It was difficult because the ramp was not properly maintained.

Please allow State Parks to continue to allow the public access to the beach by removing loose, soft sand from this important public accessway.

Bill Brunelli  
4187 Picea Ct.  
Hayward, CA 94542

  
Bill Brunelli

A-3-SLO-01-061  
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