

CALIFORNIA COASTAL COMMISSION

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

www.coastal.ca.gov

W5

CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

For the

December Meeting of the California Coastal Commission

MEMORANDUM

Date: December 13, 2006

TO: Commissioners and Interested Parties
FROM: Charles Lester, Central Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the December 13, 2006 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Central Coast District.

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**Memorandum****December 13, 2006**

To: Commissioners and Interested Parties

From: Charles Lester, Deputy Director, Central Coast District

Re: **Additional Information for Commission Meeting Wednesday, December 13, 2006**

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
W8b, A-3-SCO-06-59	Collins	Staff Report Addendum Correspondence	1 10
W9a, 3-05-62	City of Sand City;	Correspondence	19
W9c, 3-06-33	Pebble Beach Company	Correspondence	34
W10a, 3-05-65-A2	Santa Cruz Port District	Correspondence	45

DE MINIMIS WAIVERS

1. 3-06-061-W Heritage Society Of Pacific Grove, Attn: Steve Honegger (Pacific Grove, Monterey County)

EMERGENCY PERMITS

1. 3-06-066-G Shakuntala Atre (Live Oak, Santa Cruz County)

TOTAL OF 2 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-06-061-W Heritage Society Of Pacific Grove, Attn: Steve Honegger	Reconstruct in the original location the Southern Pacific Railroad railway passenger shelter shed known as the Whistle Stop.	Sinex Avenue (between Dennett & Crocker, Asilomar), Pacific Grove (Monterey County)

REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-06-066-G Shakuntala Atre	Restack and reconfigure existing rock revetment that has collapsed; repair a portion of a shotcrete seawall that has failed.	2866 S. Palisades Avenue, Live Oak (Santa Cruz County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: December 5, 2006
TO: Heritage Society Of Pacific Grove, Attn: Steve Honegger
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 3-06-061-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: **Heritage Society Of Pacific Grove, Attn: Steve Honegger**
LOCATION: **Sinex Avenue (between Dennett & Crocker, Asilomar), Pacific Grove (Monterey County) (APN(s) 006-581-006, 006-096-999)**
DESCRIPTION: **Reconstruct in the original location the Southern Pacific Railroad railway passenger shelter shed known as the Whistle Stop.**
RATIONALE: **Proposed project will enhance public access and recreation along the former Southern Pacific railway turned public recreation trail by offering interpretive opportunities and shelter. The historic replication will be constructed entirely above ground in its original location and therefore not have any adverse impacts on archaeological or visual resources, or public access to the shoreline.**

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, December 13, 2006, in San Francisco. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Signature(s) on file.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: **STEVE MONOWITZ**
District Manager

cc: Local Planning Dept.

CALIFORNIA COASTAL COMMISSION

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EMERGENCY PERMIT

Emergency Permit Number 3-06-066-G

Issue Date: December 4, 2004

PERMITTEE

Tushar Atre
2866 South Palisades Avenue
Santa Cruz, CA 95062

LOCATION OF EMERGENCY

A section of the existing shotcrete retaining wall with tiebacks and a section of an adjacent rock revetment at 2866 South Palisades Avenue in Santa Cruz.

EMERGENCY DEVELOPMENT PROPOSED

Secure 6 to 10 ml plastic sheeting against and across exposed soil deposits from the bluff top down to the existing bedrock platform; the plastic sheeting will then be covered with Marifil 700X woven geotextile fabric and secured to the bluff top; apply a 1.5 inch thick veneer of fiber-reinforced shotcrete (within the area of repair only), secured to the bluff top with 0.5 inch x 18 inch steel rods or hairpins; reclaim displaced riprap from beach area below existing bedrock platform; restack riprap to a maximum steepness of 1.5:1 (H:V) atop the existing bedrock platform.

This letter constitutes approval of the emergency work that you have requested as described above. I understand from the information that you submitted that an unexpected occurrence in the form of a damaged revetment has occurred which represents "a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services." (Definition of "emergency" from §13009 of the California Administrative Code of Regulations.) Specifically, I understand that the proposed work is necessary to prevent imminent loss or damage to the residential property located at 2866 South Palisades Avenue in Santa Cruz. Therefore, the Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit; and
- (b) Public comment on the proposed emergency action has been reviewed if time allows.

The work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,


Signature(s) on file.

Peter M. Douglas
Executive Director

By: Steve Monowitz
District Manager

Copies to: Barry Samuels, Santa Cruz County Parks Department; Rick Parks, Haro, Kasunich, & Associates; Deirdre Hall, MBNMS; Joe Hanna, Santa Cruz County Planning Department

Enclosures: Emergency Permit Acceptance Form

CONDITIONS OF APPROVAL

1. The enclosed emergency permit acceptance form must be signed by the Permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., **by December 19, 2006**). This emergency permit is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that development specifically described in this permit and for the specific property listed above is authorized. Any additional development requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 30 days of the date of this permit (i.e., **by January 3, 2007**) unless extended for good cause by the Executive Director.
4. The measures authorized by this emergency permit are only temporary. Within **60 days** of the date of this permit (i.e., **by February 4, 2007**), the Permittee shall apply for a regular Coastal Permit to either: 1) have the emergency work be considered permanent or; 2) propose reconstruction of the existing shotcrete seawall and riprap revetment. If no such application is received, the emergency work shall be removed in its entirety within 150 days of the date of this permit (i.e., **by May 4, 2007**), unless this requirement is waived in writing by the Executive Director.
5. In exercising this permit, the permittee agrees to hold harmless the California Coastal Commission, its officers, agents, and employees against any and all liabilities for damage to public or private properties, personal injury, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage that may result from exercising this permit, and that any adverse effects to property caused by the permitted project shall be fully the responsibility of the permittee.
6. The Permittee will obtain permission to access the beach at Moran Lake from the Santa Cruz County Parks Department (this only applies if the work is conducted from the beach below the damaged revetment/seawall). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. Construction requirements:
 - (a) A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all rock is properly placed, contained within the approved dimensions, and limited to the amount necessary to abate the emergency.
 - (b) All construction areas shall be minimized to the maximum extent feasible in order to minimize construction encroachment on both the beach and beach access points, and to have the least impact on public access. All construction areas shall be demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible.
 - (c) Construction activities and equipment shall avoid Monterey Bay waters and minimize beach disturbance to the maximum extent feasible by project design and implementation including, but not limited to, limiting construction to the lowest possible tides,

conducting construction operations from the blufftop, and limiting work areas to the area nearest the revetment when working from the blufftop is not feasible.

- (d) All work shall take place during daylight hours and lighting of the beach area is prohibited unless, due to extenuating circumstances, the Executive Director authorizes non-daylight work and/or beach area lighting.
 - (e) Construction work or equipment operations shall not be conducted below the mean high water line unless tidal waters have receded from the authorized work areas.
 - (f) Grading of intertidal areas is prohibited with one exception as follows: existing rock that has migrated seaward of the revetment, that is naturally exposed, and that can be retrieved without substantial excavation of the surrounding sediments, shall be retrieved and reused. Any existing rock retrieved in this manner shall be recovered by excavation equipment positioned landward of the waterline (i.e., excavator equipment with mechanical extension arms).
 - (g) All construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by sunset each day that work occurs. The only exceptions shall be for erosion and sediment controls (e.g., a silt fence at the base of the revetment) as necessary to contain rock and/or sediments at the revetment site, where such controls are placed as close to the toe of the revetment as possible, and are minimized in their extent.
 - (h) Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
 - (i) All construction activities that result in discharge of materials, polluted runoff, or wastes to the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach.
 - (j) The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach).
 - (k) All erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each workday. At a minimum, silt fences, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from entering into the Pacific Ocean.
8. The construction work area, including but not limited any construction access routes, shall be restored to its pre-development condition and all debris removed within 3 days of completion of the emergency development authorized.
9. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.

10. The issuance of this emergency permit does not constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

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W8b

Prepared November 28, 2006 (for December 13, 2006 hearing)

To: Coastal Commissioners and Interested Persons

From: Steve Monowitz, District Manager
Susan Craig, Coastal Planner

**Subject: STAFF REPORT ADDENDUM for Item W8b
A-3-SCO-06-059 (Collins SFD)**

The project plans attached to the staff report as Exhibit #5 are from an earlier phase of the project and are not the project plans approved by the County. The approved project plans are attached to this addendum and replace Exhibit #5 of the staff report.



California Coastal Commission

December 2006 Meeting in San Francisco

Staff: Susan Craig

Approved by: *SM* 12/7/06

A-3-SCO-06-059 (Collins SFD) Addendum 11.28.06

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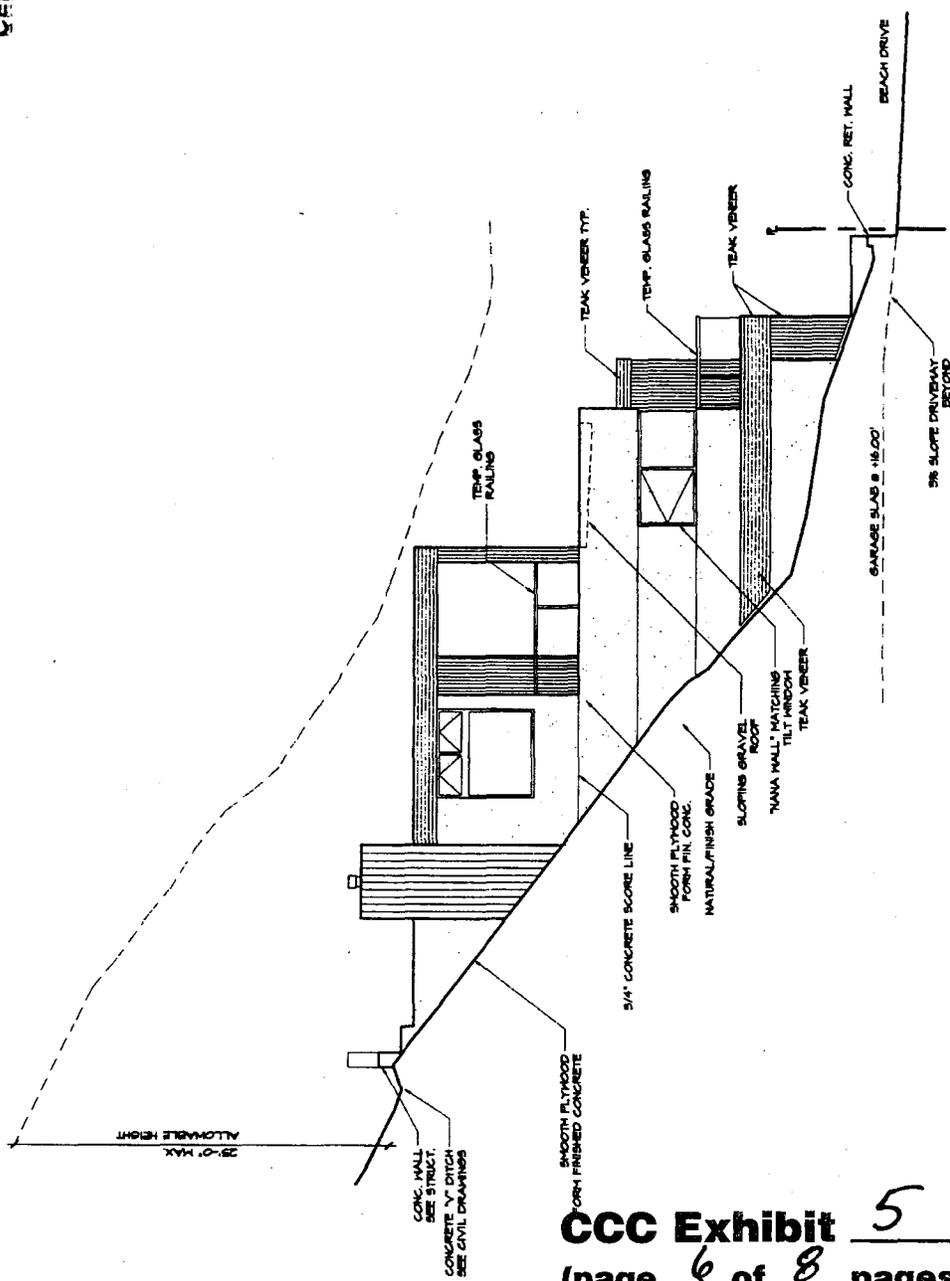
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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

JIM MOSGROVE, ARCHITECT
117 LITTLE CREEK RD., SOLOMA, CALIFORNIA 95073
PHONE 707 234 0549 FAX 707 234 0548

NEW CONSTRUCTION FOR
COLLINS / WENGER RESIDENCE
ARTOL, CA 95025

DATE: 10/25/06
BY: ASB/AMN
SHEET: A6
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE 1/8" = 1'-0"

CCC Exhibit 5
(page 6 of 8 pages)

Item NO. W8b
Appl. # A-3-SCO-06-059
Ellen Mellon
OPPOSED

Commissioners:

I am asking you to uphold the appeal of the Schreck and Forsland parties and deny the permit to build the proposed 5,800 sq. ft. bunker house at 548 Beach Dr., Aptos. I am very much **opposed** to this project for several reasons, but primarily because of the threat it poses to our coastal bluffs in the Rio Del Mar area of Aptos. I have lived on Farley Dr. (Aptos), three houses back from the bluff, for over 15 years and have noticed the increasing destruction to our coastal bluffs, both aesthetically and structurally, by the construction of extremely large houses, be they at the top or base of the bluffs.

These bluffs are far too fragile to withstand the onslaught of mega-home construction. On January 1, 2006, a major landslide occurred below the gigantic retaining wall supporting the construction of a bluff top 8,000+ sq. ft. house at 422 SeaView Dr. The slide resulted in the red-tagging of three houses below on Beach Dr. and the yellow-tagging of two additional houses. In March, 2006, another slide occurred below the bluff top house at 534 BayView Dr. (very close to the proposed house at 548 Beach Dr.) If this proposed bunker house is allowed to proceed there is the potential for more landslides. Cutting a swath 74 ft. wide into the bluff and grading more than 1,000 cubic yards is a recipe for bluff failure.

On the aesthetic side, our coastal bluffs in their natural state are disappearing, giving way to very large and ugly retaining walls along the tops and fortress-like structures along the base. If left unchecked we will no longer be able to walk the beach and enjoy the natural beauty of coastal bluffs. There won't be anything "natural" left to see!

The public entrusts you members of our Coastal Commission to protect our coastal areas, to ensure the safety and beauty of this special environment. Please do the right thing for our community at large and deny the permit to build the proposed house at 548 Beach Dr.

Sincerely,
Ellen Mellon
107 Farley Dr.
Aptos, CA. 95003

RECEIVED

This information is also a separate enclosure with color attachments.

DEC 08 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Agenda Item No.: W8b
Britt L. Haselton

Points for California Coastal Commission Hearing Dec. 13, 2006 Appeal #A-3-SCO-06-059

- **Substantial Issue:** There is a substantial issue in that the project is inconsistent with the policies of the certified LCP regarding geologic hazards and it poses a significant threat of harm to the public, the neighboring properties and rescue service crews involved in the event of a major earth movement from landslide or earthquake.
- **Health and Safety Concerns:** In June, 2006 the Santa Cruz County Planning Commission rightly denied the application because of overriding concerns for public safety. They recognized that this toe of the coastal bluff area is subject to geological hazards and thus inappropriate for large scale excavation and construction. The Board of Supervisors subsequently overturned that denial but it was obvious that was done very reluctantly and merely because the Board felt forced to acknowledge precedent, and they feared legal repercussion.
- **History:** There is a long history of landslides which has plagued this area and destroyed homes. All experts recognize that this threat continues. See Photos.
- **Staff Report:** The staff report recognizes that the site is steeply sloped with the entire area ranging from 50% to over 70% slope. Most significantly, the Staff Geologist recognizes "the slope on the site is unstable" and he agrees that "hazard avoidance is generally preferable to hazard mitigation" and that "the development will be subject to considerable risk, and that unacknowledged errors in defining the geologic conditions, in engineering, or in construction will certainly place the inhabitants at greater risk than they may realize." Geotech. Rev. Memo.. p.4,5. The Staff Engineer did not do a site visit but relied on photos which she admits "do not substitute for a site visit." She notes that applicants' Geotechnical Report is misleading because the project design requires attention to significant landslide hazards and those hazards have a high probability of occurrence during the time the structures are occupied. Staff Engineer Report, p.1,3. Additionally, the report does not address the landslide graphic prepared and based on approved calculations or any threat of harm to the residents of Bay View Drive which sit above the site. See photo of fissure above homesite.
- **Additional Questions Raised by Wallace Memo:** After investigation, appellants' certified, prominent geologist has concluded that the project will result in unsafe conditions. Most importantly, applicants have not avoided or mitigated the hazard; rather they have tried to design the structure to resist the hazard. That is an unacceptable risk. Further, the basis for that design is in serious question because three of the geologists questioned cannot agree on the geologic formation at the site. This is of vital importance because it affects the strength data. That data is admittedly based in part on nearby sites in addition to the proposed site and is therefore unreliable and irrelevant in forming the basis for calculating the strength data for this project. Most of the borings were performed by hand-auger; however, three were performed by a truck-mounted rig. The only soil strength data obtained at the site was by direct shear testing performed on samples obtained in hand-augured holes. All of the sampling was performed for a prior

investigation in the mid-1980s, but for the same property. Nielsen performed the most recent holes, to apparently update the investigation that was performed in the mid-'80s. Technically, if John Wallace's company were reviewing this application, they would not have accepted their soil strength parameters, which are too high for nearly unconsolidated sand. Also, these strengths were obtained from direct shear testing from hand-augured holes, which they do not feel is an appropriate method. For unconsolidated sand, blow count relationships to the angle of internal friction are thought to be the most representative, and cohesion is not typically assumed. This issue could not be dealt with in front of the Supervisors in the allotted time.

Regarding acceptable levels of risk, appellants' geologist notes that applicants' geotechnical consultant cites an outdated 1974 document to define these levels. He questions that premise since we now have a wealth of empirical data to rely on because of the monumental events such as the El Nino '82, '98 Storms, '82 Love Creek Landslide, the '89 Loma Prieta earthquake, etc., Current thinking is that a development with an acceptable level of risk is identified when the unacceptable levels of risk are eliminated. In this case, this has not occurred because the risks of flooding and landslides are high and have not been properly addressed. Nor has there been secondary access provided for this development. Furthermore, there has been no proof that these bunker structures will survive a major disaster as they all post date the Loma Prieta earthquake of 1989.

- **Monster Home Ordinance:** On December 5, 2006, the Santa Cruz County Board of Supervisors passed an ordinance which will limit the size of new and remodeled construction. Currently, owners include coastal bluffs, beach and even submerged ocean when calculating maximum allowable lot coverage and floor area ration. The new ordinance, applicable to vacant lots, remodels and replacement construction, would exclude counting those areas thereby reducing the square footage of the home to be built. The ordinance would also attempt to curtail "monster homes" in that it increases the maximum lot coverage for smaller lots in an attempt to decrease the size of the second storey. This has been a recognized problem with neighboring residents who complain that large second storeys block their light and views.

This measure is important because it shows recognition that the Collins home is being built on what is now recognized as unbuildable area, the steep bluff face and it also involves the issue of compatibility. Moreover, this subject has received widespread public concern which also makes this development a substantial issue deserving higher scrutiny. The subject has been in the newspaper several times and the meeting was attended by many members of the public.

- **Regional and Statewide Significance:** Geologic hazards pose ongoing threat to public safety in coastal developments and this case poses a significant concern which should be further investigated. Additionally, the issue of compatibility is of widespread public concern as is evidenced by the recent Ordinance limiting the size of coastal homes. This has received local and national attention in the press.
- **Conclusion** A substantial issue clearly exists and the California Coastal Commission should be provided the opportunity to have a public hearing on this project.

December 5, 2006

County ordinance would limit giant homes

BY GENEVIEVE BOOKWALTER
SENTINEL STAFF WRITER

Residents who fear Santa Cruz County's coast turning into Malibu are urging county leaders to pass an ordinance to scale back giant homes on bluffs and beaches.

At issue are new homes in Rio del Mar and Pleasure Point, among other neighborhoods in the unincorporated county, where many old-time residents say unsightly new mansions tower over the traditional bungalows and surf shacks, block sun and views and invade privacy.

"When you're being surrounded by monster homes, it takes away the pleasure of living in the neighborhood," said Ellen Melon, a 16-year Rio del Mar resident.

County supervisors are expected to decide today whether to close a loophole that allows property owners to count cliff faces and ocean as developable land. Under current rules, developers can't build on cliffs or too close to the water, but can count these areas toward total square-footage; the more square-footage, the larger the home that is allowed.

As many as 60 applications to raze homes and replace them with larger ones, or to make significant additions, over the past three years could have been curtailed by the proposed ordinance.

The proposal would apply to about 450 to 500 lots.

Some architects like Cove Britton of Santa Cruz criticize the proposed rules, claiming the proposal would virtually eliminate all new development on beaches and other spots without special permission, or variances.

It would also restrict the options for owners of beach or cliff homes who want to rebuild after losing a home to flood or landslide, confirmed planner Steve Guiney with Santa Cruz County Planning Department. Homeowners who want to rebuild would have to meet the new size requirements, even if that means a smaller house would replace the one they had before, Guiney said.

Others have voiced concern that land values will fall if they no longer have the option to build a grand home on the property.

This is not the first time county residents have sought to curb giant homes. In Pleasure Point, for example, a neighborhood group is working with a consultant to develop future neighborhood design and planning guidelines they hope will eventually be adopted by the Board of Supervisors.

The latest ordinance doesn't sit well with Britton.

"I'd rather stand on my head and do a jig than get a variance" for coastal homes, Britton said. He also wondered how forthcoming the county would be with variances, or if they would become a tool to discourage growth in the coastal zone.

But Guiney said county leaders would have to allow property owners to rebuild something, or possibly start compensating people for their land.

"The county wouldn't say, 'Nope, you're out of luck,'" Guiney said.

Contact Genevieve Bookwalter at gbookwalter@santacruzsentinel.com.

Cracking Down On Monster Homes

An ordinance in front of the Santa Cruz County Board of Supervisors today would limit what can count as developable property when a landowner is looking to build a new house.

The proposed ordinance does not allow landowners to count cliff faces and ocean toward their total acreage, something that is currently allowed. The total acreage determines how big of home a landowner can build.

Currently, property owners can build on 30 percent of their parcels.

 Print Article

You can find this story online at:

<http://www.santacruzsentinel.com/archive/2006/December/05/local/stories/01local.htm>

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December 6, 2006

County supes curb plans for giant homes

BY GENEVIEVE BOOKWALTER
SENTINEL STAFF WRITER

Beach homeowners fear they might not be able to refinance or rebuild their homes following a disaster after county leaders approved an ordinance Tuesday that left practically all homes on Beach Drive and Las Olas Drive in Aptos in violation of new development rules.

The ordinance closed a loophole that allowed property owners to count cliff faces, beaches and submerged land as developable property, which led to larger homes. Under previous rules, developers generally couldn't build on these features, but could count them toward a lot's square footage. The higher the square footage, the larger the home allowed.

Caught in the middle are those whose property sits entirely on the beach. The new rules render their lots completely out of compliance with county code, which owners fear could pose problems if they ever want to refinance, sell their homes or rebuild after a disaster.

Because the homes are out of compliance, owners worry they could not rebuild without special county permission if the house is wiped out by flood, fire or mudslide.

"I don't think a lot of us understand what this ordinance will do," said real estate agent Rose Marie McNair with McNair Real Properties. She worried about what agents would have to disclose to potential buyers if and when they sold a beach property. Owners expressed fear that their property values would plummet.

As a result, supervisors asked staff to return in February with a report detailing which homes would be affected by the new rules and how. Supervisor Tony Campos suggested those houses might be "grandfathered" into compliance because they were built before the rules took effect.

But supervisors agreed that those who built their homes on top of cliffs, taking advantage of the loophole to construct a larger home, would have to conform to the new rules if their houses are ever demolished.

Those opposed to closing the loophole said it wasn't fair that one neighbor can have a giant house while the resident next door now can not. But many who live in neighborhoods that have been dwarfed by big homes were thrilled with the board's decision.

"We need to see the ocean," said Terry Winston of Seacliff.

This is not the first time county residents have sought to curb giant homes. In Pleasure Point, for example, a neighborhood group is working with a consultant to develop future neighborhood design and planning guidelines they hope will eventually be adopted by the Board of Supervisors.

Contact Genevieve Bookwalter at atgbookwalter@santacruzsentinel.com.

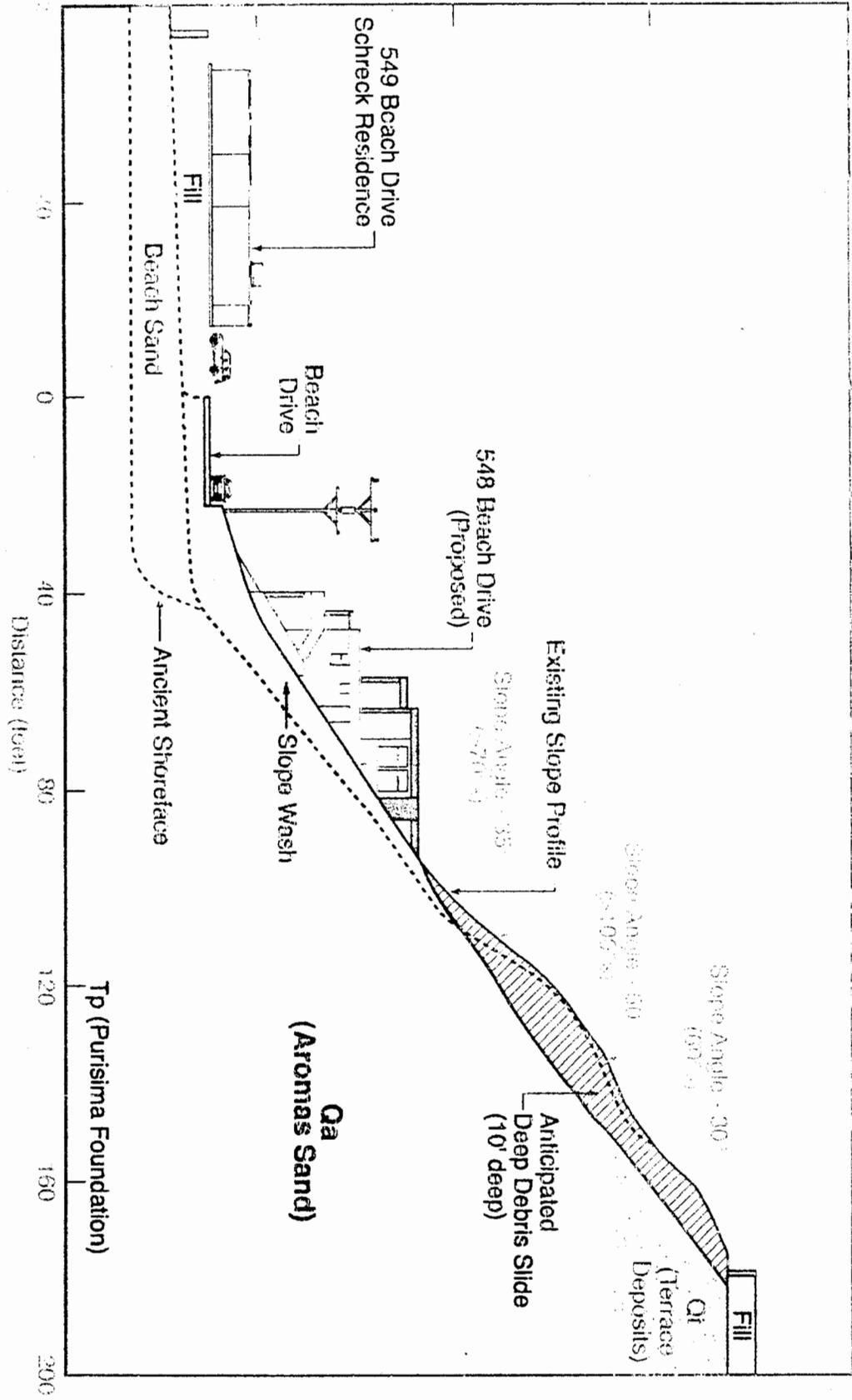
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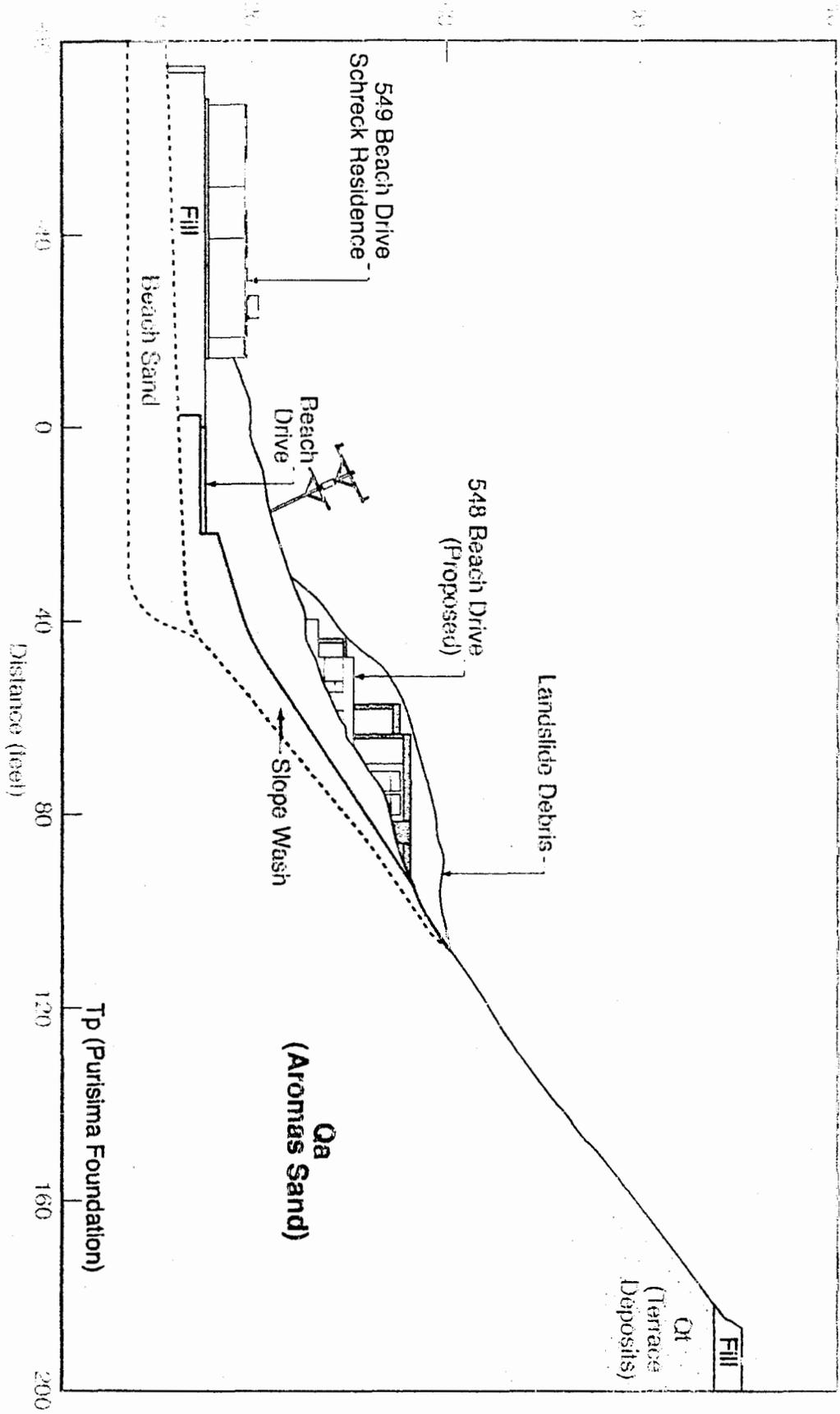
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Anticipated Pre-Landslide (10' Deep) Conditions



Prepared by: Nielsen and Associates, Inc., A Division, Sillies and Associates, Inc.; & Nielsen and Associates

Anticipated Post-Landslide (10' Deep) Conditions*



* Prepared by J. Cotton, Sillies and Associates, Inc. & Nielsen and Associates

W9a



CITY MANAGER
440 Harcourt Avenue
Seaside, CA 93955

Telephone (831) 899-6700
FAX (831) 899-6227
TDD (831) 899-6207

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December 12, 2006

DEC 12 2006

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CALIFORNIA
COASTAL COMMISSION

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105

Honorable Coastal Commissioners:

The City of Seaside was a coastal development permit co-applicant with the City of Sand City to develop the "missing link" to the regional Monterey Recreational trail extending from Pacific Grove to Castroville in the mid-1990s.

Then, as now, we believed the region deserved a class I bike path and commuter route that would be safe for pedestrians and bicyclists during all hours of the day and night. The current low profile, coastal village lights installed adjacent to Sand Dunes Drive provide that measure of public safety and resulted in significant increased coastal access within Seaside and Sand City.

In addition, the lights along Sand Dunes Drive provide an additional nearby amenity for at least four coastal hotels: Embassy Suites and Holiday Inn Express in Seaside; La Quinta Inn and Monterey Beach Hotel in Monterey. All of these facilities are within easy walking and cycling distance from the Sand Dunes Drive bike trail, adding to their attraction and success.

From Seaside's perspective, it is important to keep the overhead coastal village lights. Since their installation in early 2005, tourists and local residents apparently prefer the overhead lights based on observed increases in bicycle and pedestrian traffic on this portion of the trail. I believe this increase in coastal access is directly related to the level of security provided by the existing lights.

Based on the foregoing rationale, and our continuing working relationship with the City of Sand City on this important coastal access and public safety issue, I respectfully request that the Coastal Commission approve Sand City's coastal development permit application.

Sincerely,


Signature(s) on file.

Ray Corpuz
City Manager 

RC:bc

California Coastal Commission

December 12, 2006

Page 2

**c: Mayor and City Council
The Honorable David K. Pendergrass, Mayor, Sand City
Carlton E. Little, Acting Police Chief
Diana Ingersoll, Deputy City Manager-Resource Management Services**



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DEC 11 2006

CALIFORNIA
COASTAL COMMISSION

W9a

December 8, 2006

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DEC 12 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Mayor:
DAN ALBERT

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94015

Councilmembers:
CHUCK DELLA SALA
LIBBY DOWNEY
JEFF HAFERMAN
CLYDE ROBERSON

Subject: Item 03-05-62 Recreation Trail Lights

City Manager:
FRED MEURER

Dear Commissioners:

I write to you today reference Item 03-05-67 regarding overhead lighting on our regional bike bath. As the commission may recall the City of Monterey has two types of light fixtures along the City of Monterey's recreation trail segment. The fixtures on the visible waterfront portion of the trail, along Lighthouse curve, are low bollard fixtures that have over the years been repeatedly vandalized, but do provide basic foot lighting for trail users. We believe the lighting to be safe in our built up area. We recently have been able to develop fixture protection to reduce the amount of vandalism in this relatively high traffic area.

From Pacific Grove to the sensitive Presidio curve area we have pole lights that have a height of twelve feet to the bottom of the fixture. These lights are designed in a way to be sensitive to the Cannery Row Land Use Plan (LUP) architectural standards. From Wharf II to Del Monte Beach we also have the twelve-foot fixtures that again are designed to compliment the LUP design for that area.

The twelve-foot fixture lamps are all shaded to minimize light spill over and any interference with drivers. We find that the tall lights have a better lighting pattern than the bollards but the bollards protect the sensitive view from Lighthouse curve to the wharf area.

We believe the Commission should work with the City of Sand City to ensure that the lighting fixtures provide safety for night time trail use as its highest priority followed by architectural/design sensitivity to the varying environments that the lights occur in.

Sincerely,

Signature(s) on file.

Chuck Della Sala
Mayor

c: City Council
City of Sand City

City of Marina

211 HILLCREST AVENUE
MARINA, CA 93933
TELEPHONE (831) 384-3715
FAX (831) 384-9148

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA



OFFICE OF THE MAYOR

December 7, 2006

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94015

Honorable Coastal Commissioners:

I'm writing to request that the Coastal Commission approve Sand City's coastal development permit application for the lights that line the Sand City Dunes Drive portion of the Monterey Regional bike path. The lighting is low-profile, unobtrusive and compatible with surroundings. Most importantly, it provides security for those using the path without interfering with the viewshed.

The Monterey coastal bike path extends from Carmel to Castroville, of course traversing the city of Marina. As a regional partner for improved safe coastal access and alternative modes of transportation, Marina supports the existing lights along Sand Dunes Drive. As we continue to redevelop the former Fort Ord immediately adjacent to Sand City, the Sand City portion of the trail system will see more use during the daytime and evening hours and (pending improvements to Highway 1) the bike path will become increasingly important as an alternative means of transportation.

The city of Sand City, during the 1990's, took a leadership role in acquiring grant funding in excess of \$1.5 million for completion of the "missing link" of the bike trail between Carmel and Castroville. Through grant funding the city installed bike trail lights in 2000 and then in 2005 added the low-profile lights along Sand Dunes Drive. Small cities have very limited budgets for extras. It seems unnecessary to place the financial burden of removal and replacement of lights when the current lighting provides the needed security in an attractive way. These lights have the regional support of agencies such as the Transportation Agency for Monterey County (TAMC) that provided Sand City with a "transportation excellence" award for their installation.

Sincerely,

Signature(s) on file.

Ila Mettee-McCutchon
City of Marina

W9a



Executive Committee:

President

Mary Ann Leffel
Wells Fargo Bank

Vice-President

Basil Mills
Mills Family Farms

Secretary

David Gill
Growers Express

Treasurer

Claude Hoover
San Bernabe Vineyard

David Cancor
Bastor Engineers

Linda Coyne
Pinnacles High School.
MCBERI

Yvonne Despard
MPUSD, MCBERI

Myron "Doc" Etienne
Noland, Hamerly
Etienne & Hoss

Tom Greer
Monterey Peninsula
Airport District

Richard Rudisill
RCA Enterprises

Wendy Sarafeld
PG & E

Bettye Saxon
AT&T

Staff:

Mary Claypool
Economic Development
Director

Bob Rice
Executive Director

Judy Schmidt
Administrative Assistant

December 11, 2006

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

California Coastal Commission
45 Fremont Street, Suite 200
San Francisco, CA 94105-2219

Application - 3-05-62, Agenda Item 9-A
Wednesday, December 13, 2006

Dear Commissioners:

The Monterey County Business Council, an organization comprised of professionals from business, government, and education, working together on countywide issues and now serving the Monterey County community for eleven years, urges you not to take issue with the "Walking and Bike Trail Lighting," as provided for the community by the City of Sand City.

The issues surfaced by commission staff, that the lights may impinge upon views of the water and even disturb some of the habitat in the area do not out weigh the personal safety benefits the lights provide. Additionally, at a time when we look for ways to encourage lessening the use of cars, the pollution they provide, and promote environmentally friendly community actions like safe walking and bike trails, it makes no sense to criticize the positive project this trail provides the auto less workforce and the eco-friendly tourists of the Monterey Peninsula.

We ask for the Coastal Commissioners to applaud rather than criticize the actions of the City of Sand City.

Sincerely,

Signature(s) on file.

Mary Ann Leffel, President

Bob Rice, Executive Director

W9a

ZANDER ASSOCIATES

Environmental Consultants

December 6, 2006

Steve Matarazzo, Planning Director
City Hall
1 Sylvan Park
Sand City, CA 93955

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DEC 11 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

**Recreational Trail Lights
Sand City, California**

Dear Steve:

At your request Zander Associates evaluated the recreational trail lights south of Tioga Avenue relative to their potential impacts on western snowy plovers (*Charadrius alexandrinus nivosus*) and other state or federally listed species in the shoreline areas of Sand City. We reviewed engineering drawings prepared for the recreational trail by Creegan & D'Angelo and Fehr Engineering, consulted with Mr. Thomas Pinkerton of Fehr Engineering on details of lighting design and lighting standards, Dr. Richard Arnold on presence of Smith's blue butterfly (*Euphilotes enoptes smithi*) in the area, Mr. Gary Page of the Point Reyes Bird Observatory on plover use of the area, and Mr. David Pereksta of the U.S. Fish and Wildlife Service on potential minimization measures for the lights. We also visited the project area both during the day and at night on October 5, 2006. Following is our assessment.

Background

In March 2005, Sand City installed 37 recreational trail lights on 100 foot centers in the median strip between Sand Dunes Drive and the recreational bike trail that parallels it south of Tioga Avenue. Twenty-seven (27) of the lights are within the city limits of Sand City and ten of the lights are in the City of Seaside (Figures 1a & 1b). The light standards are 18-foot high black metal poles anchored on concrete bases and support shaded "coastal village style" light fixtures with a mounting height of 15 feet (Figure 2).

The bike path lighting was designed to conform to the current Illuminating Engineering Society of North America (IES) lighting recommendations for Type B bike paths. The recommended average maintained horizontal illumination level for a Type B bike path is 0.5 foot candles (fc). This level is considered a minimum level for safe and secure lighting on this type of recreational trail; lower levels could pose a risk to trail users at night and also increase City liability. By way of comparison, the typical illumination level of a fully lighted parking lot is about 1.0 foot candle and a full moon under clear conditions provides about

0.01-0.03 foot candles (T. Rich & C. Longcore 2006).¹ A photometric layout produced by Fehr Engineering (November 2006) using visual modeling software indicates that 0.5 foot candles lighting levels are maintained to the edges of the bike path but drop significantly (to 0.1 foot candles or less) at a horizontal distance of about 30 feet. At about 60 feet, light levels drop to 0.0 foot candles (see Figure 3). The modeling software assumes a completely flat surface and does not account for the effects of adjacent dune topography; if actually measured on the ground, zero levels would likely be reached well before the 60 foot distance for the majority of the lights along the path (Figure 3).

California Coastal Commission staff and others have raised issues relative to the extent of illumination cast by these lights and the potential effects on sensitive dune habitats and species. Specifically, the staff report (pp. 10-12) suggests that these artificial lights could adversely affect, harass, harm or otherwise result in “take” of a number of federally threatened and endangered species including the western snowy plover, Smith’s blue butterfly, Monterey sand gilia (*Gilia tenuiflora* ssp. *arenaria*), and Monterey spineflower (*Chorizanthe pungens* var. *pungens*). However, the report fails to acknowledge that none of these species, apart from the western snowy plover, have ever been reported to occur in this part of Sand City over many years of surveys.² Furthermore, while a wintering population of snowy plovers continues to congregate on the beaches just south of Bay Street, nesting snowy plovers have not been observed on Sand City beaches for at least six years (see discussion below). Nonetheless, active winter roosting, historic nest sites and potential plover nesting habitat exist along the Sand City shoreline and plovers could potentially reestablish nest sites in the project vicinity. Consequently, claims regarding potential lighting impacts to plovers, especially potential increased opportunities for avian nest predators such as crows and ravens that might threaten plover recovery, merit some consideration.

Plover Use History

Historic use of the Sand City dune and shoreline area by western snowy plovers is well-documented. The local plover population has consisted of both year-round resident and migratory birds. In-migration of winter residents can begin as early as July and a winter flock of 30-40 birds continues to assemble and roost annually on the beaches between Bay Street and the Monterey Beach Hotel in Seaside (Brian Weed, telephone conversation, December 5,

¹ The reference cited uses lux instead of fc as its unit of measurement. Lux is a metric unit of illuminance; 10 lux is approximately equivalent to 1 fc.

² Biological resource surveys focused on special-status plant and animal species have been conducted along the Sand City shoreline since at least the mid-1980’s (Thomas Reid Associates, 1993). Western snowy plovers are the only listed species recorded in the shoreline area south of Tioga Avenue. Despite active dune restoration efforts (e.g. planting buckwheat—the host plant for the butterfly) in recent years by the California Department of Parks and Recreation around the Seaside Beach parking lot as well at Roberts Beach to the south, no Smith’s blue butterflies have been observed in those areas and are likely excluded by prevailing winds, barriers to movement (e.g. Highway 1), lack of connectivity to other populations and other factors (Dick Arnold, Ken Gray, telephone conversations, December 4, 2006). Neither Monterey sand gilia nor Monterey spineflower have ever been reported as a result of numerous focused plant surveys along Sand Dunes Drive south of Tioga, including surveys for the bike path (EMC, 1995) and for the Sand City Water Supply Project (Zander Associates 2005).

2006). Courting and pre-nesting behavior occurs at the end of the roosting season, typically in early February, followed by residents' establishment of nesting sites for the new year.

The Point Reyes Bird Observatory (PRBO) has been studying plovers in the area since 1984 and actively monitoring nesting and associated behavior in this section of Monterey Bay shoreline since 1989. During the ten year period from 1989 to 1998, a total of 63 snowy plover nests were observed within the city limits of Sand City with 29 of those nests located south of Tioga Avenue (Figures 1a & 1b). Those observations indicate that both the upper beach zone and the gradually-sloped dune areas above the beach zone can support snowy plover nesting on the Sand City shoreline. Areas that have been utilized for nesting are characterized by bare sand or sparse cover of vegetation with direct line of sight to the shoreline; some nest sites have been located as far as 650 feet (~200 meters) inland from the mean high tide line.

However, from the mid-1990's, plover breeding on the Sand City shoreline declined significantly. Nesting activity in Sand City dropped to just one nest in 1998 compared with 7.8 nests per year on average from 1989 to 1994. No active nests have been reported along the Sand City shoreline for at least the past six years including results from two full season surveys by PRBO commissioned by the City of Sand City for the 2005 and 2006 April through July nesting season. The decline in nesting activity may be attributable, at least in part, to higher rates of encounter for pedestrians, American crows and dogs off leash along the Sand City shoreline compared to other southern Monterey Bay beaches (PRBO, 2005).

In September 2005, the U.S. Fish and Wildlife Service determined that the shoreline areas of Sand City were not essential to the conservation of the species and the area was excluded from designation as critical habitat for western snowy plover.

Evaluation of Potential Effects of Trail Lights on Plovers

The potential effects of the recreational trail lights (and the structures that support them) on western snowy plovers along the Sand City shoreline can be evaluated in several different ways. Direct illumination at night of an otherwise dark area of dune or beach roosting or nesting habitat could result in impacts to behavior (most likely, repulsion), increased visibility for predators, disruption of circadian (day-night and seasonal) rhythms and other impacts. Strong lights seen from a distance could serve to disorient, attract or repulse birds, depending on the circumstances and species. For example, artificial lights, lighthouses, lightships and fires have long been known to attract migrating birds, particularly under cloudy and overcast skies (Gauthreaux et al, in C. Rich & T. Longcore 2006). Searchlights, floodlights, broadcast and communication towers and other sources of night time lighting have been shown to affect bird flight patterns, behavior and orientation, often resulting in increased collisions and mortality. However, the potential effects of artificial night lights in and near breeding bird habitat are not as well studied as the effects of lights on birds during migration (Molenaar et al, in C. Rich & T. Longcore 2006). In a study of black-tailed godwits conducted in the Netherlands, there was a small but statistically significant negative relationship between nest

site selection and proximity to roadway lights in flat, open grassland habitat (Molenaar et al 2000). Visibility of strong light sources and perhaps visibility of the illuminated space were considered to be more influential on nest choice than direct illumination in that study. While the observations in that study did not permit any conclusions about the relationship between road lighting and increased predation, light structures themselves can provide elevated perching opportunities for predators thereby improving the line of sight to nesting areas.

We have considered the lighting design, intensity of light, the area of illumination, dune topography, slope, distance and other issues associated with the Sand City trail lights against these types of potential effects on western snowy plover.

Direct Illumination

As noted above, the photometric model indicates that the area of illumination for the Sand City trail lights drops significantly (to 0.1 foot candle) at 30 feet from the trail and is reduced to zero at 60 feet. Wherever the adjacent dune topography rises within the cone of illumination from the light fixture, the effective area of illumination would decrease accordingly (see Figure 3). Cross sections at each of 27 lights within the Sand City limits along the trail south of Tioga Avenue show that only four of the lights, located near the Bay Street entrance to the Seaside Pump Station, would produce areas of illumination to the full extent predicted by the photometric model (i.e. not interrupted by adjacent dune topography). In no case are there recorded historic plover roosting areas or nest sites in Sand City within the illuminated space of the trail lights. Furthermore, in most cases, the illuminated areas associated with the lights would not be visible from roosting areas or the historic nesting sites due to the topography, slope and distance separating the trail from those sites. While some plant and animal species in habitats directly adjacent to the trail could potentially be affected by measurable illumination on the ground from the trail lights, the likelihood is extremely low that western snowy plovers would be among those species.

Visibility of Lights at a Distance

With mounting heights of 15 feet, the light fixtures along the recreational trail are effectively blocked from shoreline views by dune topography from Tioga Avenue south to just north of Bay Street. At that point, slopes flatten and the Seaside Pump Station is the dominant feature of the dune landscape, interrupting views of the trail lights from the shoreline (see attached photographs). South of Bay Street to the Sand City limit line, the lights along the trail are set just above the adjacent dune crest allowing limited visibility from some areas between the trail and the shoreline (see Figure 4 and attached photographs). We walked the entire shoreline area on the evening of October 5, 2006 and observed these lights as individual point sources against a backdrop of competing lights from taller highway light poles, highway traffic, well-lit commercial buildings (lights from two prominent hotels within view of the shoreline area dominate the lighted landscape of the shoreline at night) and general urban glow. We do not believe that the trail lights create strong light sources that would affect snowy plover nest choice, especially in the context of other existing light sources visible from

the shoreline. The trail light fixtures are shaded which limits visibility at a distance, but they use a sag (convex) lens that extends below the shade and the shade is also fluted. Simple modifications to these features (see below) could probably reduce visibility even lower than it already is.

Potential Perches for Predators

The light poles for the trail lights extend to 18 feet, three feet above the mounting height of the light itself. These pole heights are thus several feet above the adjacent dune crest for most of the section of trail south of Bay Street and in the vicinity of the Seaside Pump station. Dune topography and distance from winter roosting areas and historic nest sites temper the increased visual access provided by the tops of the light standards, but they do offer new line of sight to portions of the shoreline area for potential avian predators (Figure 4). During our site visit, we observed whitewash at the base of several of the light standards indicating perching bird use of the poles (see attached photographs). Increased opportunity for predation at night would likely be greatest within the area of illumination associated with the trail (see above), but many avian predators can observe prey from relatively long distances. For example, the twelve-story Embassy Suites Hotel across the highway in Seaside has provided a perch for a pair of peregrine falcons that *“have turned the Embassy Suites into their own virtual cliff-top stronghold. From atop the red letters of the hotel’s sign, they survey their territory, watching even off to sea with nature’s most powerful eyes in search of prey.”* (Monterey County Weekly, March 11, 2004). In addition to the existing perching opportunities for predators in the vicinity of the Sand City shoreline, including the Embassy Suites, the Monterey Beach Hotel, the Seaside Pump Station and various existing light poles, signs and towers, the trail lights provide an incremental benefit to potential plover predators (see attached photographs).

Minimization Measures

Various measures are available to further reduce and minimize the potential effects of the existing trail lights. According to Fehr Engineering, replacement of the existing sag lens with a flat glass lens could bring the light further up into the fixture, reduce glare and minimize visibility from a distance. Clear glass lamps can be replaced with coated (frosted) glass.³ Custom built hood extensions could shield the lights, focus them more directly on the bike path and reduce the size and extent of the illuminated space on the ground. Collars could be designed to block the light from the fluted shades on the fixtures. Switching regimes based on time of day and use patterns could also be considered; especially during critical (e.g. breeding and nesting) seasons of the year for plovers.

Increased perching by avian predators can be discouraged by a number of common methods used successfully in many urban settings. Fehr Engineering suggests mechanical deterrents

³ Spectrum limitations (i.e. longer wavelengths in the yellow range) have been suggested as a condition on the lighting, but such a measure would primarily address effects on insects and other organisms, not necessarily on snowy plovers.

that would involve slight modifications to the light standards, such as the installation of stainless steel spikes above the fixture, or a "tangle foot product" (a sticky substance that keeps the birds from perching). According to Fehr Engineering, spikes and other mechanical deterrents require little, if any maintenance as opposed to the "tangle foot products" which would need to be reapplied periodically.

Conclusions

Historic plover nest sites and winter roosting areas in the Sand City shoreline south of Tioga Avenue are well outside of the illuminated space of the recreational trail lights. While no plover nesting has been recorded in this area for over six years, dune topography and distance would very likely block or at least minimize the influence of the trail lights on plover nesting behavior if breeding plovers were to become reestablished in the area. Lights from other existing sources, including Highway 1 and two prominent hotels, dominate the lighted night landscape in the area. Perching opportunities associated with both hotels, the existing pump station in the middle of the dunes at the western end of Bay Street, existing (and taller) light standards, communication towers, utility poles and lines provide better line of sight access to potential nest sites than most of the trail lights along Sand Dunes Drive.

We do not believe that the trail lights as installed pose a significant threat to the existing winter roosting colony of western snowy plovers or to nesting reestablishment along the Sand City shoreline. Nonetheless, there are reasonable measures that can be employed to further minimize potential ecological impacts from these lights. We would support an effort to implement the various measures recommended herein in a progressive manner and to monitor the results rather than an arbitrary requirement to remove the existing lights altogether.

Please call me if you have any questions.

Sincerely,

Signature(s) on file.

Michael Zander
Principal

Attachments:

- Figures 1a & b: Site Characteristics
- Figure 2: Trail Light Detail
- Figure 3: Limits of Illuminated Area
- Figure 4: Representative Cross Sections
- Photographs

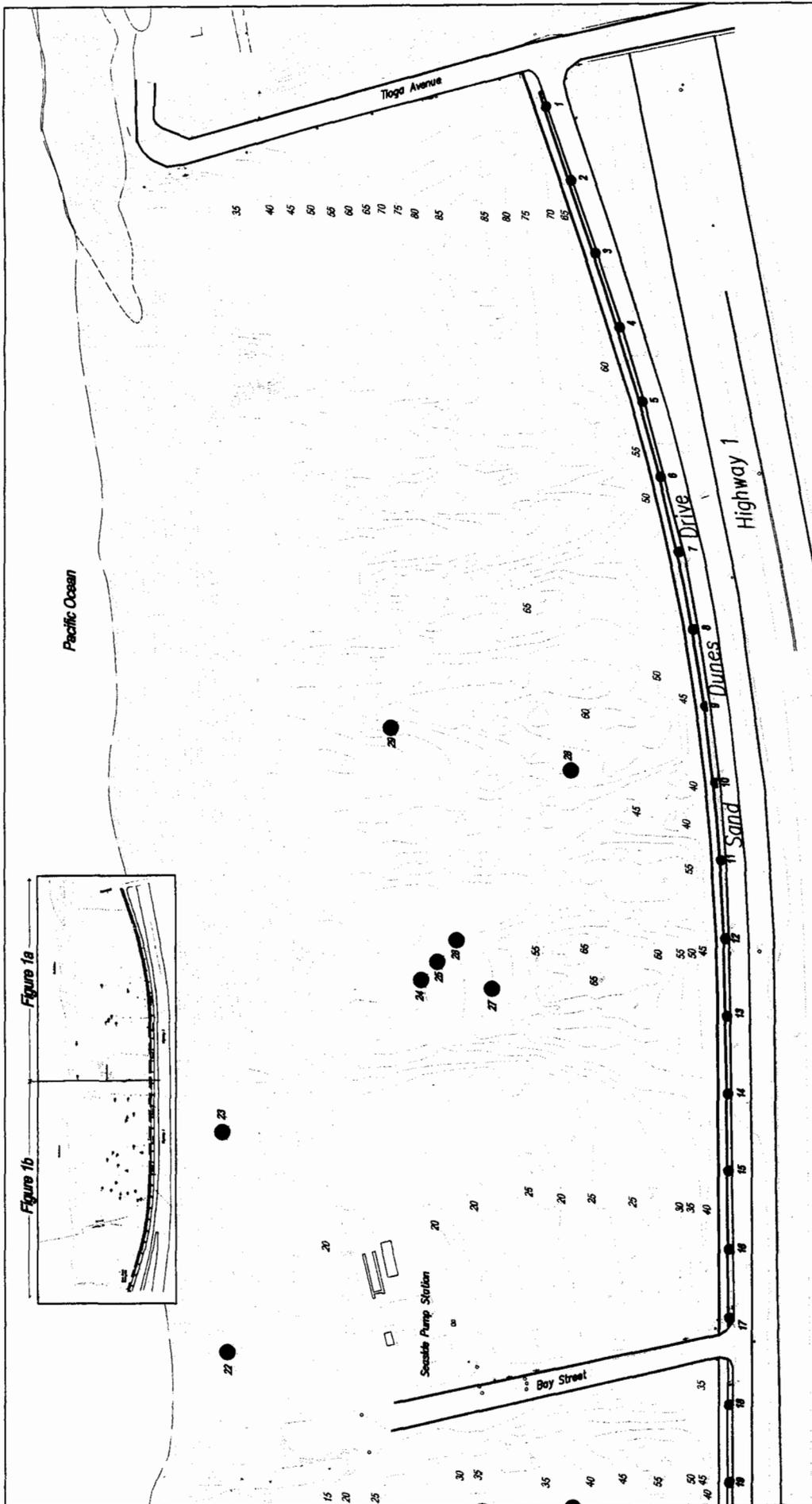


Figure 1a

Site Characteristics
Sand City Recreational Trail
Sand City, California

- LEGEND:**
- 1 ● Light pole
 - 1 ● Historic western arrow plow nest locations
 - Bike path
- 
 Date: 12/88
 Scale: 1" = 125'

Zandor Associates
 Environmental Consultants
 150 Ford Way, Suite 101
 Novato, CA 94945



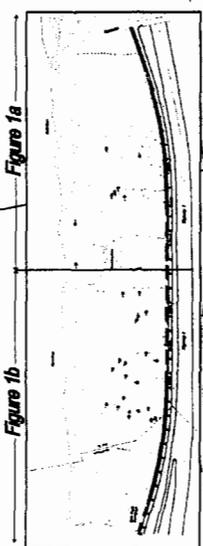
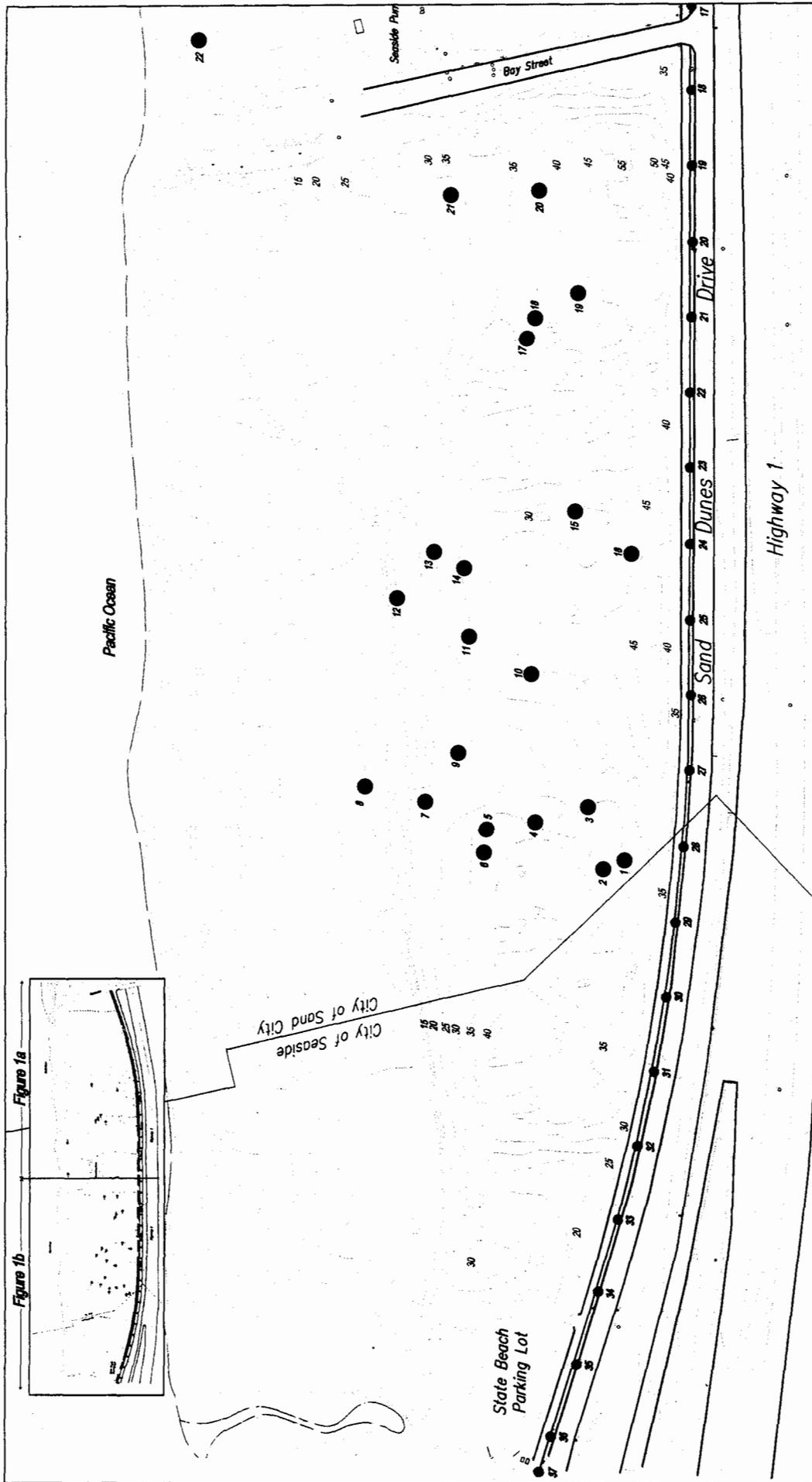
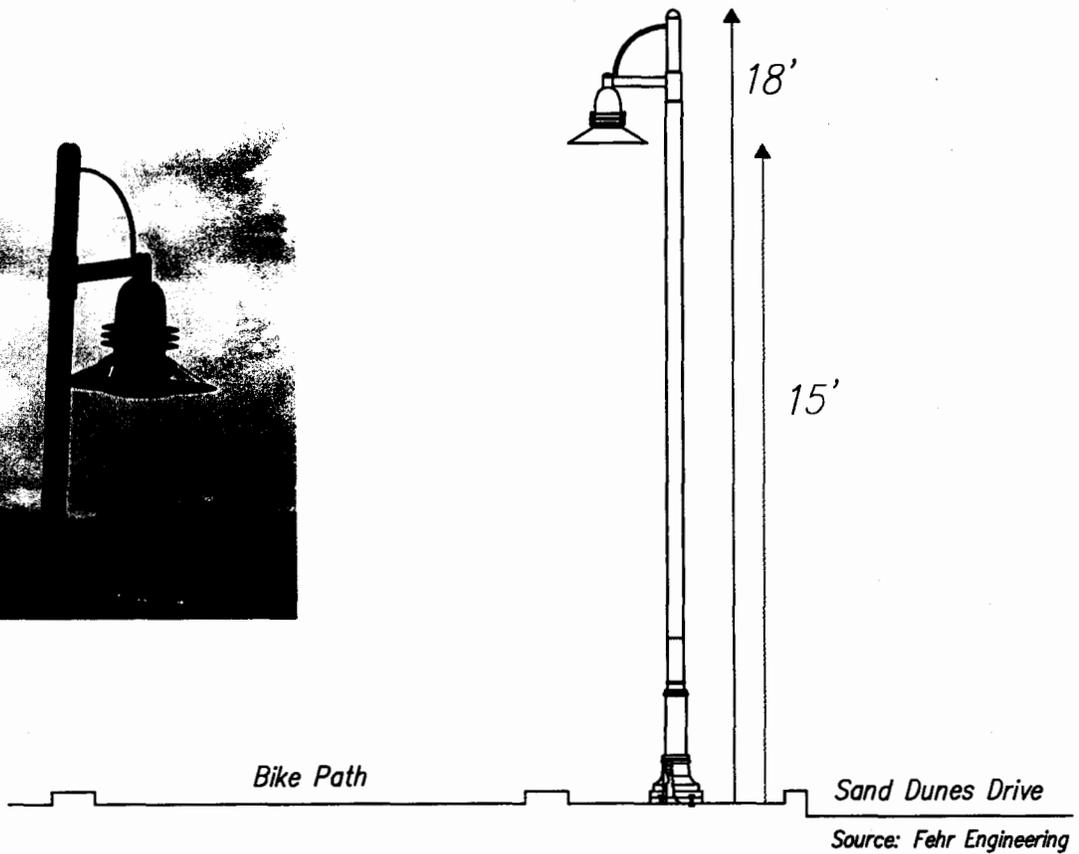


Figure 1b

Site Characteristics
Sand City Recreational Trail
Sand City, California

- LEGEND:**
- 1 ● Light pole
 - 1 ● Historic western snowy plover nest locations
 - == Bird path

Zemler Associates
 Environmental Consultants
 150 Ford Way, Suite 101
 Novato, CA 94945

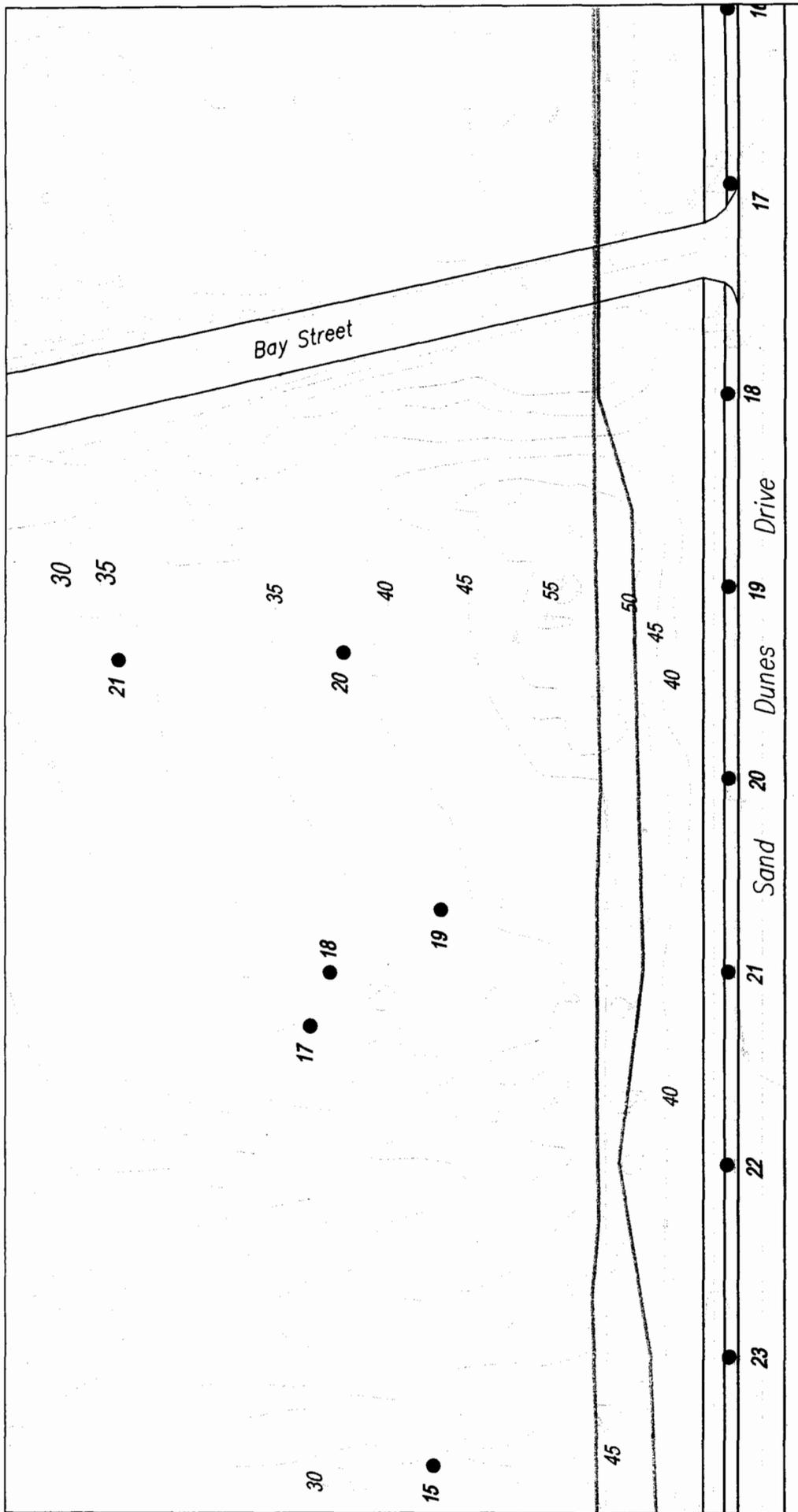


Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, Ca 94945

Light Standard Detail
Sand City Recreational Trail
Sand City, California

Date: 12/06

Figure
2



Limits of Illuminated Area
 Sand City Recreational Trail
 Sand City, California

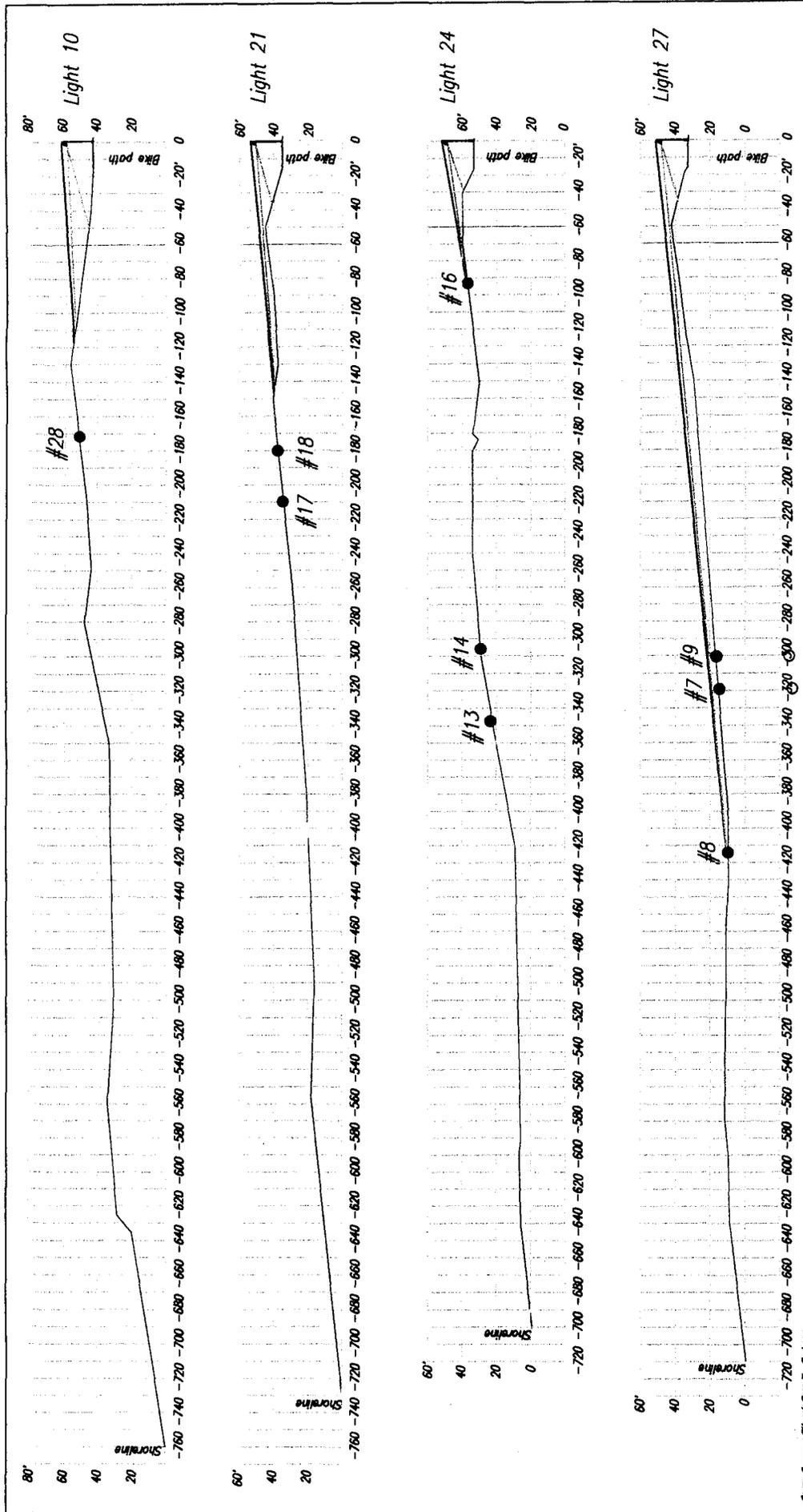
Figure
 3

LEGEND

- Light pole
- Theoretical limit of illumination
- Limit of illumination adjusted for topography
- Historic wetland survey photo point locations
- == Bike path

North Arrow
 Date: 2009
 Scale: 1" = 50'

Zander Associates
 Environmental Consultants
 150 Ford Way, Suite 101
 Novato, CA 94945



Representative Cross-Sections
Sand City Recreational Trail
Sand City, California

Figure 4

Zander Associates
 Environmental Consultants
 160 Ford Way, Suite 101
 Novato, CA 94945

**Site Photographs
Sand City Recreational Trail
October 2006**



Monterey Beach Hotel at the Seaside end of the recreational trail is well lit at night and provides perching opportunities for avian predators in close proximity to the shoreline.



View looking northeasterly from the Seaside Beach parking lot toward lights along the Seaside portion of the recreational trail.

Site Photographs
Sand City Recreational Trail
October 2006



Whitewash at the base of a light from perching birds using the pole.



Lights along parts of the trail extend just above the height of adjacent dune crest. Note utility poles and lines in background that could also provide opportunities for predators.

**Site Photographs
Sand City Recreational Trail
October 2006**



View looking easterly across historic plover nesting areas in the dunes toward the trail. Note top of light pole visible in the mid-horizon.

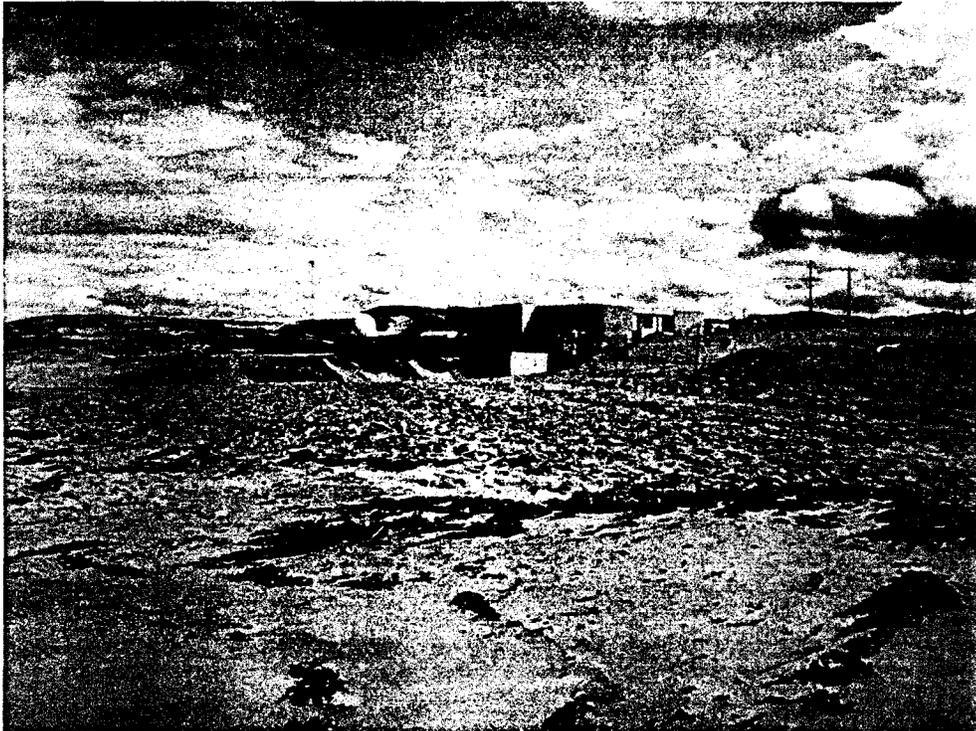


View looking southeasterly across historic plover nesting areas in the dunes toward the Embassy Suites Hotel in Seaside.

**Site Photographs
Sand City Recreational Trail
October 2006**



View from the Seaside Pump Station looking easterly along Bay Street toward Sand Dunes Drive. Note existing utility lines and poles with trail lights in the background.



View from shoreline across suitable foredune plover roosting and nesting habitat to Seaside Pump Station.

W9c

Fazio Golf Course Designers, Inc.

RECEIVED

December 12, 2006

DEC 12 2006

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

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Re: Pebble Beach Golf Links, 5th Hole
Coastal Commission Application No. 3-03-111-G
Hearing Date: 12/13/06

Dear Mr. Lester:

I am writing at the request of Pebble Beach Company with respect to the above referenced permit application. I have reviewed the letter you received from Jack Nicklaus dated November 16, 2006. I am intimately familiar with Pebble Beach Golf Links, including the 5th hole, and want to state my complete agreement with the conclusions expressed by Mr. Nicklaus in his letter.

The details expressed in his letter are very explicit to the numerous factors that need to be addressed from both playability and safety factors of design. Given the specifics Mr. Nicklaus outlined, I do not believe any additional alternatives for the golf hole exist, and I honestly believe the last paragraph of Mr. Nicklaus's letter is the most important part.

For the record, I am also attaching a list of my experience as a golf course designer. Please feel free to contact me if you have any questions at (828) 693-0052.

Sincerely,

Signature(s) on file.

Tom Fazio

TF:sjw

Enclosure: Resume

cc: Mark Stilwell, Pebble Beach Company
R.J. Harper, Pebble Beach Company

- 17755 S.E. Federal Highway, Tequesta, FL 33469 • 561-746-4539 • Fax: 561-746-7503
- 4530 East Shea Boulevard, Ste. 160, Phoenix, AZ 85028 • 602-595-9795 • Fax: 602-595-9462
- 401 North Main Street, Ste. 400, Hendersonville, NC 28792 • 828-693-0052 • Fax: 828-693-0071

FAZIO GOLF COURSE DESIGNERS COURSE LIST**ALABAMA**

Old Overton Club (1993) Birmingham

ARIZONA

The Estancia Club (1996) Scottsdale
 Grayhawk Golf Club - Raptor Course (1996) Scottsdale
 Mirabel (2001) Scottsdale
 Ventana Canyon Golf & Racquet Club - Canyon Course
 (1984) Tucson
 Ventana Canyon Golf & Racquet Club - Mountain Course
 (1987) Tucson
 Whisper Rock Golf Club (2005) Scottsdale

ARKANSAS

The Alotian Club (2004) Little Rock

BARBADOS

Sandy Lane - The Country Club (2002) Saint James
 Sandy Lane - The Green Monkey (2005) Saint James

CALIFORNIA

The Canyons at Bighorn (1999) Palm Desert
 The Meadows Del Mar Golf Club (1999) San Diego
 Oak Creek Golf Club (1996) Irvine
 Pelican Hill Golf Club - The Ocean North Course (1993)
 Newport Beach
 Pelican Hill Golf Club - The Ocean South Course (1991)
 Newport Beach
 The Quarry at La Quinta (1994) La Quinta
 Santa Lucia Preserve (2000) Carmel
 Shady Canyon (2002) Irvine
 The Vintage Club - Desert Course (1983) Indian Wells
 The Vintage Club - Mountain Course (1980) Indian Wells

CANADA

Coppinwood (2006) Uxbridge, Ontario
 The National Golf Club of Canada (1974) Woodbridge,
 Ontario

COLORADO

Cordillera Valley Club (1997) Edwards
 Maroon Creek Club (1996) Aspen
 Red Sky Ranch (2002) Wolcott

CONNECTICUT

Bull's Bridge Golf Club (2004) South Kent

FLORIDA

Amelia Island Plantation - Long Point Course (1986)
 Amelia Island

FLORIDA (CONTINUED)

Amelia National (2006) Fernandina Beach
 Bayou Club (1991) Largo
 Black Diamond Ranch Golf & Country Club - Quarry
 Course (1987) Lecanto
 Black Diamond Ranch Golf & Country Club - Ranch
 Course (1997) Lecanto
 Bluewater Bay Golf Resort - (1982, 1986) Niceville
 Bonita Bay Golf Club - Cypress Course (1997) Bonita
 Springs
 Bonita Bay Golf Club - Sabal Course (1998) Bonita
 Springs
 Camp Creek Golf Club (2001) Panama City Beach
 Champions Country Club at Summerfield (1994) Stuart
 Coral Creek Club (2001) Placida
 Emerald Dunes Golf Course (1990) West Palm Beach
 Gateway Club (1988) Fort Myers
 Golden Eagle Country Club (1986) Tallahassee
 Hammock Dunes Club (1989) Palm Coast
 Hunter's Green (1989) Tampa
 John's Island Club - West Course (1988) Vero Beach
 Jonathan's Landing Golf Club (1978) Jupiter
 Jonathan's Landing at Old Trail (1986) Jupiter
 Jupiter Hills Club - Hills Course (1970) Jupiter
 Jupiter Hills Club - Village Course (1978) Jupiter
 Lake Nona Club (1985) Orlando
 The Legacy Club at Alauqua Lakes (1998) Longwood
 Mariner Sands Golf Club (1980) Stuart
 McArthur Golf Club (2002) Hobe Sound
 Mediterra - North Course (2002) Naples
 Mediterra - South Course (2000) Naples
 Mirasol - Sunrise (2003) Palm Beach Gardens
 Old Collier Golf Club (2001) Naples
 Osprey Ridge (1992) Orlando
 Pablo Creek Golf Course (1996) Jacksonville
 Pelican's Nest (1985) Bonita Springs
 PGA National - Champion Course (1979) Palm Beach
 Gardens
 PGA National - Haig Course (1979) Palm Beach Gardens
 PGA National - Squire Course (1980) Palm Beach
 Gardens
 PGA Golf Club at the Reserve - North Course (1996)
 Port St. Lucie
 PGA Golf Club at the Reserve - South Course (1996) Port
 St. Lucie
 The Ritz-Carlton Members Club (2006) Sarasota
 Riverbend Club (1971) Tequesta
 Windstar Country Club (1982) Naples
 World Woods Golf Club - Pine Barrens (1993)
 Brooksville
 World Woods Golf Club - Rolling Oaks (1993)
 Brooksville

GEORGIA

Capital City Club at Crabapple (2002) Woodstock
 Cherokee Town & Country Club (1998 rev) Atlanta
 Deer Creek at The Landings (1991) Savannah
 Eagle's Landing Country Club (1988) Stockbridge
 Eagle's Landing Country Club - 9 Holes (2005)
 Stockbridge
 The Farm Golf Club (1988) Dalton
 Frederica Golf Club (2005) St. Simon's Island
 The Georgian Resort - The Frog Course (1999) Villa Rica
 Reynolds National (1997) Greensboro
 Sea Island Club - Seaside Course (1999) Sea Island
 St. Ives Country Club (1989) Duluth
 White Columns Golf Club (1995) Alpharetta

HAWAII

Kukio - Makai (2003) Kona

ILLINOIS

Butler National Golf Club (1972) Oak Brook
 Conway Farms Golf Club (1991) Lake Forest
 The Glen Club (2001) Glenview
 Stonebridge Country Club (1989) Aurora

INDIANA

Belterra (2001) Belterra
 Victoria National (1998) Newburgh

IOWA

Glen Oaks Country Club (1994) West Des Moines

KANSAS

Flint Hills National Golf Club (1997) Andover
 Hallbrook Country Club (1988) Leawood

LOUISIANA

Contraband Bayou Golf Club (2005) Lake Charles
 Squire Creek (2002) Choudrant

MARYLAND

Caves Valley Golf Club (1991) Owings Mills
 Congressional Country Club - 4th Nine (1976) Bethesda

MASSACHUSETTS

The International - The Oaks Course (2001) Bolton
 Wollaston Golf Club (1975) Boston

MEXICO

Querencia (2000) Los Cabos San Lucas

MICHIGAN

Treetops Sylvan Resort - Fazio Premier Course (1992)
 Gaylord

MINNESOTA

Spring Hill (1999) Wayzata

MISSISSIPPI

Dancing Rabbit Golf Club - The Azaleas Course (1997)
 Philadelphia
 Dancing Rabbit Golf Club - The Oaks Course (1998)
 Philadelphia
 Fallen Oak (2006) Biloxi

MISSOURI

Branson Creek (1999) Branson
 The Missouri Bluffs Golf Club (1995) Chesterfield

MONTANA

Ironhorse (2000) Whitefish
 Stock Farm (1999) Hamilton

NEVADA

Edgewood Tahoe Golf Course (1967) Lake Tahoe
 Primm Valley - Desert Course (1998) Jean
 Primm Valley - Lake Course (1997) Jean
 Shadow Creek (1990) Las Vegas
 Wynn Las Vegas (2005) Las Vegas

NEW JERSEY

Galloway National Golf Club (1995) Galloway
 Pine Hill (2000) Pine Hill
 Pine Valley - Short Course (1992) Pine Valley
 The Ridge at Back Brook (2002) Ringoes
 Trump National Golf Club (2005) Bedminster

NEW YORK

Hudson National Golf Club (1996) Croton-on-Hudson
 Oyster Bay Golf Club (1986) Long Island
 Atunyote Golf Course at Turning Stone (2004) Verona

NORTH CAROLINA

Bright's Creek Golf Club (2006) Mill Spring
 Champion Hills Golf Club (1991) Hendersonville
 Diamond Creek Golf Club (2003) Banner Elk
 Eagle Point Golf Club (2000) Wilmington
 Finley Golf Course (1999) Chapel Hill
 Forest Creek Golf Club - South Course (1996) Pinehurst
 Forest Creek Golf Club - North Course (2005) Pinehurst
 Headwaters (1999) Cashiers
 Mountaintop Golf and Lake Club (2006) Cashiers
 Old North State Club (1992) Uwharrie Point
 Pinehurst Resort & Country Club - #4 (1999) Pinehurst
 Pinehurst Resort & Country Club - #6 (1976) Pinehurst
 Pinehurst Resort & Country Club - #8 (1996) Pinehurst
 Porters Neck Plantation & Country Club (1991)
 Wilmington
 Treyburn Country Club (1988) Durham
 Wadsworth Hampton Golf Club (1987) Cashiers

OHIO

Firestone -- West Course (2002) Akron
Sand Ridge Golf Club (1988) Chardon

OKLAHOMA

The Golf Club of Oklahoma (1982) Tulsa
Karsten Creek Golf Club (1994) Stillwater

PENNSYLVANIA

Hartefeld National Golf Course (1995) Avondale
Philadelphia Country Club - Centennial Nine (1991)
Philadelphia

SOUTH CAROLINA

Barcfoot Landing - Fazio Course (2000) Myrtle Beach
Belfair -- East Course (1999) Hilton Head
Belfair -- West Course (1995) Hilton Head
Berkeley Hall -- North Course (2001) Bluffton
Berkeley Hall -- South Course (2002) Bluffton
Callawassie Island (1984) Hilton Head
Cliffs at Keowee Vineyards (1999) Sunset
Cotton Dike Golf Club (1984) Dataw Island
The Daniel Island Club (2000) Charleston
Moss Creek Plantation (1978) Hilton Head
Osprey Point (1986) Kiawah Island
Palmetto Dunes (1973) Hilton Head
The River Course at Kiawah Island (1995) Kiawah Island
Sage Valley Golf Club (2001) Graniteville
Thomblade Club (1989) Greenville
TPC - Myrtle Beach (1999) Myrtle Beach
Wachesaw Plantation Club (1984) Pawley's Island
Wild Dunes Resort -- Harbor Course (1985) Charleston
Wild Dunes Resort -- Links Course (1979) Charleston
Woodcreek Farms (1998) Columbia

TENNESSEE

The Golf Club of Tennessee (1991) Nashville

TEXAS

Barton Creek Resort & Country Club -- Canyons (1999)
Austin
Barton Creek Resort & Country Club -- Foothills (1985)
Austin
Briggs Ranch (2001) San Antonio
Carlton Woods -- Fazio Course (2005) The Woodlands
Champions Golf Club -- Jack Rabbit Course (1964, 2000)
Houston
Dallas National (2002) Dallas
Escondido (2006) Horseshoe Bay
Stonebriar Country Club -- Fazio Course (2000) Frisco
Tennwood Golf Club (1979) Houston
Vaquero (2001) West Lake

UTAH

Glen Wild (2001) Park City

VIRGINIA

Bayville Golf Club (1997) Virginia Beach
Independence Golf Club (2001) Midlothian
Lowes Island Club -- Cascades (1992) Sterling
Piedmont Golf Club (2001) Haymarket
Two Rivers Country Club at The Governor's Land (1992)
Williamsburg
The Virginian Golf Club (1993) Bristol

WASHINGTON

The Members Club at Aldarra (2001) Fall City

WEST VIRGINIA

The Greenbrier -- The Snead Course (2004)
White Sulphur Springs

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FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

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CALIFORNIA
COASTAL COMMISSION

Data and time of communication:

12/4/06

Location of communication:
(If communication was sent by
mail or facsimile, indicate the
means of transmission.)

Telephone / Lodi

Identity of person(s) initiating communication:

Mark Stillwell

Identity of person(s) receiving communication:

PAT KRUER

Name or description of project:

Pebble Beach 5th Hole / 9C

Description of content of communication:
(If communication included written material, attach
a copy of the complete text of the written material.)

He reviewed history and stated
that Staff recommendation is for
approval. And that he would attend
the meeting on Wednesday.

Signature(s) on file.

12/4/06
Date

Pat Krueer
Signature of Commissioner

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this Form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

W9c



169 Saxony Road
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Encinitas, CA 92024

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fax 760-942-8515
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December 8, 2006

DEC 08 2006

California Coastal Commission
C/O Katie Morange
725 Front Street
Santa Cruz, CA 95060-4508
FAX (831) 427-4877

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RE: Surfrider Foundation Opposition to Item 9c: Application No. 3-06-33

Honorable Coastal Commission,

This letter is submitted on behalf of myself, the Monterey Chapter of the Surfrider Foundation and the National Surfrider Foundation. The Surfrider Foundation is a non-profit grassroots environmental organization dedicated to the preservation and enjoyment of the worlds waves, oceans and coastlines through conservation, activism, research and education.

Surfrider urges the Coastal Commission to deny the seawall application submitted by the Pebble Beach Company ("Pebble Beach"). The Coastal Commission should not be in the business of bailing out unwise investments, such as golf holes placed intentionally and knowingly into harms way. Please do not give away the public beach simply because Pebble Beach feels it is esthetically displeasing to move or cut down trees to improve sight lines, or that redesigning the hole will somehow affect playability of the fifth hole.

However, Surfrider must first object to the failure of the Staff Report to include the exhibits submitted in conjunction with the comment letters. These exhibits included property reports demonstrating the sales price of the parcels and fifth hole (3.75 million for the parcels, 1.5 million for the hole), aerial photographs of the site, webpages from Jack Nicklaus Design demonstrating that the fifth hole is not unique, my article on the seawall provisions of the Coastal Act, previous staff reports which demonstrate a different interpretation of the word "structure" and the word "existing" in section 30235 and a scientific study establishing the adverse impacts seawalls have on foraging habitat for shorebirds. These exhibits should be attached to the Staff Report, as they are an integral part of Surfrider's comments. In addition, the Staff Report failed to include the letter submitted by Kaya Pederson from Surfrider on March 15, 2005. Failure to attach these exhibits and previous letters reduces the impacts of our comments and provides an unfair advantage to the applicant.

A. THE PEBBLE BEACH COMPANY ASSUMED THE RISK OF MOVING THE HOLE ONTO THE COAST.

In 1998, Pebble Beach moved its fifth hole from a safe inland location, to where it is now. The hole supposedly had sufficient set back enough for 50 years of erosion. The fifth hole was opened for play in January of 1999. However, just four years after constructing the fifth hole, Pebble Beach was demanding the public sacrifice its beach for Pebble Beach's benefit. Considering that 20'

35

Surfrider Opposition**Item 9c: Application No. 3-06-33****December 8, 2006****Page 2 of 3**

waves occur each winter along the Monterey Coastline, (ie., Ghost Trees, Mavericks), Pebble Beach cannot claim with a straight face that it was not aware of erosion problems along the coast. In addition, as displayed by the Staff Report, Pebble Beach has built numerous seawalls to protect a number of its other holes from erosion. (Staff Report at 20-22). Pebble Beach cannot claim that it was ignorant of the risk of putting a golf hole directly on the coast. Pebble Beach assumed the risk of building a coastal fifth hole. The hole was clearly built in violation of the setback provisions of the Coastal Act and LCP. (PRC § 30253).

Of course, the land swap that created the coastal fifth hole netted Pebble Beach at least \$3.75 million dollars (the cost of one of the undeveloped lots), if not more. Pebble Beach should not be rewarded for intentionally violating the Coastal Act. Further, if the Coastal Commission feels it is necessary to grant a seawall, it should actually require mitigation for the loss of the beach the public will experience.

B. MOVING THE FIFTH HOLE IS FEASIBLE

Pebble Beach claims it is infeasible or impossible to either move the hole back to its original location or back another 20 to 40 feet landward. It hired Jack Nicklaus, the original designer who placed the fifth hole directly in harms way, to claim the hole could not be redesigned. Of course, the original designer would not want to change the design. However, the Coastal Commission should be able to distinguish between what is truly infeasible and what is simply not desired by the applicant.

Of course, it is feasible to move the fifth hole out of the way of erosion using a different design. After all, the current location of the fifth hole was simply an empty field at one time. For example, one possible solution would be to increase the length of the fifth hole, relocating the green to the current fairway of the sixth hole, and shortening the sixth hole. Thus, the course could be redesigned to lengthen the fifth hole by 100 yards (it is currently 187 yards) and shorten the sixth hole by 100 yards (it is currently 500 yards). Such move would eliminate the need for a seawall. This is just one of many course design changes to the golf course which would obviate the need for a seawall. The point is, golf courses are extremely flexible in design, and can be altered in many different ways. It is not infeasible to redesign the fifth hole.

Jack Nicholas claims that the hole could not be moved inland because it would put the houses and golf cart path in harms way. This is not the only option for saving the fifth hole. Regardless, netting or fencing could be designed to prevent and mitigate safety problems with errant golf balls. Fencing is exactly what is being proposed for the Carmel Beach Access to protect the public from errant golf balls. (See Staff Photo's Exhibit R). If it is feasible to protect the public using fences at the 10th hole, it is clearly possible and feasible to protect the public with fences and move the 5th hole inland.

Further, the idea that the residences are somehow in danger from errant golf balls is ludicrous. Look at the aerial photographs. (Exhibit L.1) The houses are hundreds of feet from the green. Surely, Pebble Beach golfers are not such poor golfers to pull the ball 200 - 300 feet to the left. (See Exhibit L.1). In fact, the current design of the cart path already looks dangerous, because the cart path travels across the fairway on the sixth hole. (See Exhibit L.1). Yet, according to Pebble

Surfrider Opposition**Item 9c: Application No. 3-06-33****December 8, 2006****Page 3 of 3**

Beach, moving the hole even 20 feet landward is considered a hazard to golfers. Again, the evidence suggests Pebble Beach simply does not want to redesign the hole, instead of it not being feasible to re-design the hole.

Finally, Jack Nicklaus claims that the hole cannot be moved inland because the "land mark oaks" block the site lines. While oak trees are important, surely, Pebble Beach has cut down oak trees in the past to improve visibility. In fact, the Pebble Beach Company wanted to build another golf course in the Del Monte Forest area, and cut down 2000 Monterey Pines. (Monterey County LCPA 1-05 (Measure A)). The Pebble Beach Company cannot be described as tree huggers. If the site lines need to be improved, Pebble Beach company has the option of moving or cut down the oaks (moving them would be preferable). Again, it is clearly feasible to move the hole inland or re-design the hole in a manner that it is not threatened by erosion.

If the Coastal Commission denied the seawall application, as it should, suddenly Pebble Beach would come up with all types of creative and unique solution to preserve the fifth hole. Pebble Beach is not going to cease to function as an 18 hole golf course. Don't let Pebble Beach insult the Coastal Commission's intelligence, by claiming it is infeasible to move a golf hole.

C. LAWNS, SPRINKLER, DRAINAGE AND GOLF HOLES ARE NOT STRUCTURES UNDER SECTION 30235.

Coastal Act section solely permits seawalls to protect coastal dependent uses, "existing structures" or beaches in danger from erosion. (PRC § 30235.) As discussed in my previous letters, a golf hole is not a structure within the meaning of Section 30235 of the Coastal Act. It is simply a closely manicured lawn with fancy sprinklers and a hole in the middle of it. The Staff misreads Section 30106 as the definition of structure in all cases. However, section 30106 states "As used in this section, structure includes, but is not limited to..." (emphasis added). Thus, the definition of structure in section 30106 is limited to that section, and does not include sprinkler, hydro-augers and other lawn maintenance devices.

Pebble Beach's Seawall Application violates the Coastal Act in so many ways. There is no mitigation for adverse impacts to shoreline sand supplies; it reduces public access; the seawall is proposed for a golf hole that is not a "structure"; it is proposed for a non-structure that was built in 1998; it impacts the habitat of shorebirds; and it is completely feasible to re-design the hole to avoid problems with erosion. The Coastal Commission should deny the seawall application.

Sincerely,

Signature(s) on file.

Todd T. Cardiff, Esq. *TC*
Attorney for the Surfrider Foundation

Enclosures:

Color Webpages of Pebble Beach's 4th, 5th, and 6th hole

<http://www.pebblebeach.com/page.asp?id=1279>

<http://www.pebblebeach.com/page.asp?id=1283>

<http://www.pebblebeach.com/page.asp?id=1283>

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PEBBLE BEACH
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PEBBLE BEACH GOLF LINKS

Course Tour 4th Hole

GOLF

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Course Tour

Pebble Beach Golf History
Check Availability

THE LINKS
AT SPANISH BAY ▶

SPYGLASS HILL
GOLF COURSE ▶

DEL MONTE GOLF COURSE ▶

PETER HAY ▶

PEBBLE BEACH
GOLF ACADEMY ▶

CLUB PRO PROGRAM ▶

PEBBLE BEACH
GOLF HISTORY ▶

GOLF TIP OF THE WEEK ▶



LIVE COURSE CAM ▶

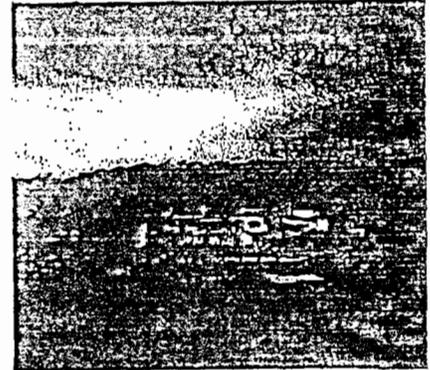
STAY & PLAY PACKAGES ▶

WINTER OFFERS ▶

ROOM AND GOLF RATES ▶

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- 18 TH



◀ PREVIOUS HOLE

NEXT ▶

[VIEW PHOTO GALLERY](#)

A long iron or 3-wood to carry the long the center of the fairway is your best b short hole is tightly guarded with a clu; menacing bunkers and the green slope back and front.

Par 4; Blue Tee Yardage 327

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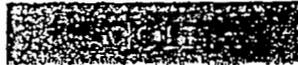
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Pebble Beach Resorts

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PEBBLE BEACH RESORTS

PEBBLE BEACH GOLF LINKS

Course Tour 5th Hole

GOLF

TOURNAMENTS & EVENTS ▶

- PEBBLE BEACH GOLF LINKS ▶
- Course Tour
- Pebble Beach Golf History
- Check Availability

THE LINKS AT SPANISH BAY ▶

SPYGLASS HILL GOLF COURSE ▶

DEL MONTE GOLF COURSE ▶

PETER HAY ▶

PEBBLE BEACH GOLF ACADEMY ▶

CLUB PRO PROGRAM ▶

PEBBLE BEACH GOLF HISTORY ▶

GOLF TIP OF THE WEEK ▶



LIVE COURSE CAM ▶

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WINTER OFFERS ▶

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◀ PREVIOUS HOLE

NEXT ▶

[VIEW PHOTO GALLERY](#)

Opened for play in January of 1999, this spectacular addition is sure to test you. Designed by Jack Nicklaus, this beautiful naturally upon the bluffs overlooking S Cove. The ocean breezes will affect club. The safest play is to the left-center of t

Par 3; Blue Tee Yardage 187

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Pebble Beach Resorts

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PEBBLE BEACH
RESORTS

PEBBLE BEACH GOLF LINKS

Course Tour 6th Hole

GOLF

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- Pebble Beach Golf History
- Check Availability

THE LINKS AT SPANISH BAY ▶

SPYGLASS HILL GOLF COURSE ▶

DEL MONTE GOLF COURSE ▶

PETER HAY ▶

PEBBLE BEACH GOLF ACADEMY ▶

CLUB PRO PROGRAM ▶

PEBBLE BEACH GOLF HISTORY ▶

GOLF TIP OF THE WEEK ▶



LIVE COURSE CAM ▶

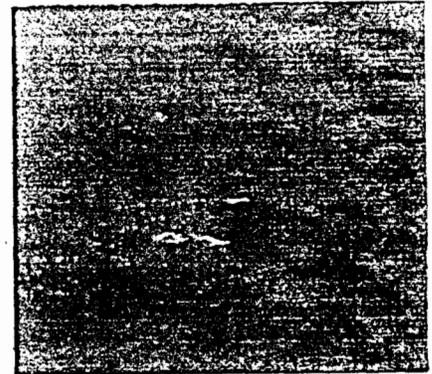
STAY & PLAY PACKAGES ▶

WINTER OFFERS ▶

ROOM AND GOLF RATES ▶

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◀ PREVIOUS HOLE

NEXT ▶

[VIEW PHOTO GALLERY](#)

The optimum placement for the tee shot is the center of the fairway. Your second shot is on the steep slope but beware of the bunker left.

Par 5; Blue Tee Yardage 500

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CENTRAL COAST AREA

EPI-Center, 1013 Monterey Street, Suite 207 San Luis Obispo, CA 93401
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San Luis Obispo COASTKEEPER®

California Coastal Commission
Meg Caldwell, Chair
C/O Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

December 8, 2006

VIA FACSIMILE: 831-427-4877

Public Comment: Application 3-06-033 - Pebble Beach Golf Links, 5th Green Seawall

Chair Caldwell and Honorable Commissioners,

On Wednesday, December 13 your Commission is scheduled to hear a request by the Pebble Beach Company, for a Coastal Development Permit for a seawall along the shore of Stillwater Cove at the Pebble Beach Golf Links - Item 9c on the Agenda.

I am writing to request that you deny this application on the grounds that it is inconsistent with requirements contained in the California Environmental Quality Act (CEQA) and the California Coastal Act.

The San Luis Obispo COASTKEEPER® a program of Environment in the Public Interest, is organized for the purpose of enforcing water quality, watershed management, and coastal planning regulations on the California Central Coast from the Santa Ynez River to Santa Cruz. As such, the SLO COASTKEEPER and our supporters are concerned that the proposed CDP and supporting findings do not adequately address:

1. CEQA requirements to avoid adverse impacts [Sections 150919(a) and (b); 21080.5(d)(2)(A)]
2. Coastal Act requirements to avoid adverse effects of drainage water discharge as required in Sections 30230, 30231, and 30240.

Our specific concerns are outlined below.



San Luis Obispo COASTKEEPER® a Program of Environment in the Public Interest is a trademark and service mark of WATERKEEPER® Alliance, Inc. and is licensed for use herein.

1. CEQA requirements to avoid adverse impacts are not addressed:

As Staff points out, "there are inherent risks associated with development on and around eroding bluffs in a dynamic coastal environment..." (Staff Report p 44). The applicant is aware of these risks, and has made an informed business decision to accept these risks of development in this environment. That business decision in no way excuses the applicant from compliance with the environmental regulations of our State.

For instance, avoidance of significant environmental impacts is the highest priority of project approval under CEQA. While Staff has provided an excellent discussion of project alternatives to the proposed seawall project, it appears that CEQA guidance on the issue of "feasibility" has been misapplied. At least two of the possible project alternatives have been rejected as "infeasible" simply because the applicant doesn't like them with no connection to any rationale or authority applicable under the Coastal Act. However, "the fact that an alternative would be more expensive or less profitable is not sufficient to show that an alternative is financially infeasible." (Citizens of Goleta Valley, v. Board of Supervisors (2d District 1988) 197 Cal. App. 3d 1167, 1181).

Therefore, denial of this application would not mean termination of coast side golf at Pebble Beach; it would merely require the applicant to consider other project alternatives.

2. Coastal Act requirements to avoid adverse effects of drainage water discharge as required in Sections 30230, 30231, and 30240 have not been fully addressed:

As proposed, the sea wall project includes drainage features that transport irrigation and storm water runoff away from the 5th green area and discharging to Stillwater Cove. California's Porter-Cologne Clean Water Act provides guidance on the terms "discharge of waste" and "waters of the state" which are broadly defined such that discharges of waste include any material resulting from human activity, or any other discharge that may directly or indirectly impact waters of the state. The coastal waters of Carmel Bay adjacent to the Pebble Beach Golf links are within a designated Area of Special Biological Significance (ASBS) and as such, special attention must be paid to storm and irrigation water and discharges entering the ocean.

Staff has proposed conditions that will require a construction management plan that will include the implementation of BMPs to prevent discharge of debris into the intertidal zone during construction of the seawall. However, the full impacts of the proposed sea wall project will require drainage features to transport golf course irrigation and storm water runoff away from the green areas. While Staff recommendation addresses runoff in part, the proposal ultimately fails to assure or even commit to assuring that discharges of polluted irrigation and/or storm water will avoid degradation of the beach or near shore water quality (see special condition 1B, Staff Report page 6).



The need to add stricter conditions for this application is further highlighted by the fact that since the Central Coast Regional Water Quality Control Board has yet to resolve issues surrounding runoff from storm drainage systems into Carmel Bay, the Coastal Commission is the only regulatory body currently in a position to require protection of the ASBS at the Bay.

The SLO *Coastkeeper* therefore urges your Honorable Commission to deny the current seawall project application.

However, should your Commission feel a permit must be granted, I would request you consider the following addition to the proposed permit Special Condition, 1B Drainage Plans. (Staff Report p. 7).

In Special Condition 1B, Staff has included appropriate direction in the permit to include water quality best management practices (BMP) and there should be no reason for PBC to "reinvent the wheel" or fail to meet water quality standards already established. Therefore, I urge the Commission to:

- Explicitly incorporate receiving water limitations consistent with the adopted Monterey Regional Storm Water Management Plan; and
- Incorporate permit language requiring the drainage plan to comply with the California Oceans Plan regarding Areas of Special Biological Significance.

Respectfully submitted,

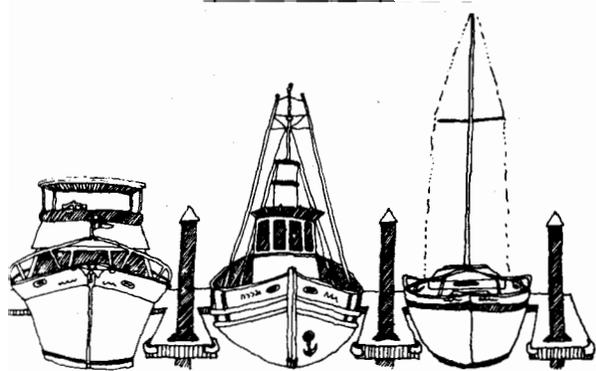
Signature(s) on file.

Gordon R. Hensley,
San Luis Obispo COASTKEEPER®



W10a

SC ✓
CL
SM



SANTA CRUZ HARBOR

Gateway to the Monterey Bay
National Marine Sanctuary

November 20, 2006

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

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

**SUBJECT: Pending Coastal Commission Permit Modification
3-05-065-A2**

Dear Charles:

The permit hearing has been delayed to the December meeting, because of notification issues. The Port District will therefore not implement any pending permit modification elements until a resolution is reached.

However, a clarification is in order for "surf-line" disposal.

The Port District submitted its beach pipeline configuration element of the permit modifications as a clarification and a global unification of the various permits that we hold and follow:

- California Regional Water Quality Control Board
- U.S. Army Corps of Engineers / Environmental Protection Agency
- Monterey Bay National Marine Sanctuary
- Monterey Bay Unified Air Pollution Control District
- State of California Department of Parks and Recreation

The primary, dedicated purpose of the submitted beach pipeline configuration is to control hydrogen sulfide, an element of dredging operations which has been foremost in controversy and agency involvement. For this purpose, we thought it best to definitively state how this would be accomplished. The Coastal Commission should not be adjudicating whether we can be 25 yards offshore, or 15 or 30 yards. We have established that practice right over 40 years. State Parks confirms that right. From a regulatory standpoint, only the Sanctuary cares how far we dispose in the water (and we will comply with their issues).

45

A central purpose in our application was to clear up the onshore / offshore percentage factor. The existing permit says we will try to put 85% to 90% of the sediment through the offshore pipe. By terms of the existing permit, we have the right to place material in the surf-line if we cannot utilize the offshore pipe. Last year was a time when we could not fully utilize the offshore disposal option, so we were **in the surf-line** 80% of the time.

Our permit application speaks to this issue. We want to be **"underwater"** 85%-90%, either **offshore** or in the **surf-line**. That was a principal reason to highlight the beach pipeline configuration, not the particular reach into the surf. Twenty-five yards is a realistic limit of how far we can go; it's not a request to go there.

The expressed beach configuration mirrors the Monterey Bay Unified Air Pollution Control District's proposed protocol amendment (attached). The proposed protocol forces the Port District to utilize the "under-surf" pipeline at all times, except when we have identified non-organic (pure) sand.

Again, the general purpose of this element of our Coastal permit application was to put out a global solution – a unifying permit that confirms the disposal objectives. We did not apply to get permission to be in the surf, under-surf, etc.

The following is a compilation of reasons that the particular reach of the disposal pipe into the surf should not be a permit or permission issue:

1. The harbor disposal has been in the surf and on the beach everywhere from the east jetty to 12th Avenue since 1965.
2. The current Coastal permit allows us to be in the surf-line.
3. The Corps of Engineers' permit outlines a disposal rectangle that incorporates the whole area below mean high water defined by latitude and longitude parameters (see graphic).
4. There is not an **environmental issue** with any disposal location within the rectangle.
5. Mitigation of hydrogen sulfide is everyone's objective, even the severest of harbor critics.

6. The only agency that really cares about the geographic area below mean high water is the Monterey Bay National Marine Sanctuary. We will stay within the current rectangle for them.

We therefore respectfully submit that without threat of violation, the Port District can dispose of its sediment from the shore into the surf-line to achievable depths that will best mitigate hydrogen sulfide.

I have consulted with our District counsel Jim Ritchey. We believe that under the existing permit, the Port District can legally and safely dispose of material in the surf-line; be protective of the public; replenish the beach while being a low impact operation on that beach. "Surf-line" is broad enough a term to allow a wide range of disposal points.

Sincerely, _____

Signature(s) on file.

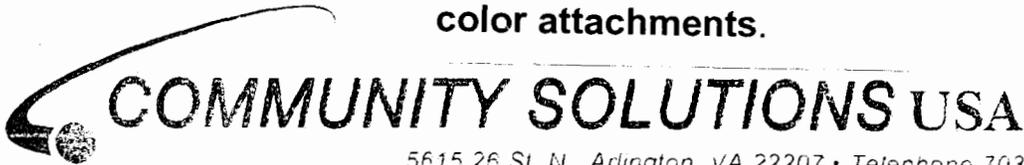
Brian E. Foss
Port Director

BEF:mo

cc: Steve Monowitz
Susan Craig
Ed Kendig, MBUAPCD

corres/cc-pipeclarif.doc

This information is also a
separate enclosure with
color attachments.



5615 26 St. N. Arlington, VA 22207 • Telephone 703 536.7282 • Fax 703 538.5504

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DEC 11 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Agenda item: W10a
Permit Amendment: 3-05-065-A2
Comments from: Lance M. King
Position: Modify proposed
amendments

December 8, 2006

Chair Meg Caldwell and Members of the
California Coastal Commission
C/O Charles Lester, Deputy Director
Central Coast District
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Chair Caldwell and Commissioners:

**Re: Request for modification of proposed permit amendment No. 3-05-65-A2,
Santa Cruz Port District, Santa Cruz County**

I appreciate the opportunity to comment on the proposed permit amendments. Community Solutions USA is a network of professionals and community volunteers working on social issues and public policy.

Position: With modification of the "Special Conditions", I would support the permit amendments.

After discussing the proposed permit amendments with Santa Cruz Port Director Brian Foss, I believe that fairly modest modifications in the Special Conditions would contribute to addressing some environmental concerns. I spoke with Mr. Foss this afternoon and understand that he would support these modifications.

Requests: I request that you modify the proposed "Special Conditions" to:

1. Limit the new unanchored pipeline system for disposal of dredge spoils to one-year and require a Port District report to the Coastal Commission by June 1, 2007 on the effectiveness of the system permit amendment number 3-05-065-A2.
2. Move up the date for the Port District to provide an "Action Plan" to the Coastal Commission (Special Condition 10) to September 1, 2008, rather than a deadline of 2010, regarding long-term dredging and disposal needs, with an examination of alternatives to minimize adverse environmental, recreational and air pollution impacts. In preparing the Action Plan, the Port District would be expected to consult with Interested Parties, including beachgoers, residents, surfers and environmental organizations.

Communications • Advocacy • Reconciliation • Results

Dredging Operations Background:

Keeping the Santa Cruz Small Craft Harbor open is a continuing battle with the forces of nature. Decisions in the 1960's about the location and design of the harbor left it vulnerable to winter storms that deposit hundreds of thousands of cubic yards of sediment in the entrance channel and inner harbor every year. Annual dredging is necessary to maintain adequate navigational depth of the channel and access to North Harbor berths for boats during winter months.

Even though it is a small harbor, the volume of sediment dredged since the 1964 would be enough to build a wall the length of the California Coastline. Dredging operations have cost between \$27 million and \$32 million in the last 42 years.

Unless a long-term solution is identified, dredging costs will continue to increase, perhaps requiring another \$20 million to \$30 million in the next two decades, including funding for disasters like those in the North Harbor in winter 2006 and for anticipated capital expenditures for dredging equipment. Dredging costs for Santa Cruz Harbor are approximately \$1,000,000 per year to remove an average of 210,000 cubic yards of sediment.

In 2007, the Port District anticipates disaster funding totaling \$2.5 million from FEMA and the state of California to remove approximately 39,000 cubic yards of sediment deposited last winter in the North Harbor.

These direct operational costs do not take into account the significant adverse environmental, health and recreational impacts of dredging and disposal operations.

Recent research and medical examinations indicate that some people suffer serious health effects when exposed to low concentrations of toxic hydrogen sulfide gas, released when dredge spoils are dumped at Twin State Beach.

The proposed permit amendments involve important impacts of dredging operations on the community. I am particularly concerned about public exposure to hydrogen sulfide.

If the new unanchored disposal pipeline system works as described by the Port District, then there may be improvements in terms of a reduction in public exposure to hydrogen sulfide. However, there may be new nuisance impacts from running a tractor on Twin Lakes State Beach nearly every weekday to move the disposal pipeline (see attached photographs).

Reasons to Modify Permit Amendments:

Significant new information became available to the public last month about a proposed "Addendum" to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) rules governing Santa Cruz Harbor dredging, rules intended prevent a public nuisance from the release of toxic hydrogen sulfide gas when dredge spoils are dumped on Twin Lakes State Beach. The MBUAPCD's permit Addendum would establish a "2006-2007 trial season", including implementation of the proposed disposal pipeline modification (CCC Amendment Description item 5), with a new unanchored pipeline that can be moved from three locations on Twin Lakes State Beach.

No engineering or technical research is available to evaluate the potential effectiveness of the new pipeline configuration. Requiring a report following completion of the 2006-2007 dredging cycle would provide the first analysis of the operational capabilities of the new disposal system.

With regard to the Action Plan (Special Condition 10), I believe that a plan for dealing with long-term dredging needs and disposal options that minimize adverse environmental impacts is long overdue. I understand from Port Director Foss that he plans to complete that kind of report by spring 2007 as outlined in CCC Exhibit 9.

Potential Benefits of Modifying the Permit Amendments:

Three objectives served by amending the permit and new MBUAPCD rules may include:

- Mitigating public exposure to hydrogen sulfide, consistent with the Monterey Bay Unified Air Pollution District's proposed "Addendum" to its nuisance prevention protocol;
- Evaluating potential nuisance impacts of the new unanchored pipeline disposal system at Twin Lakes State Beach and in the nearby neighborhood;
- Developing a realistic Action Plan could move the Port District, regulatory agencies and the public closer to identifying solutions to reduce the need for dredging, the costs of dredging and the associated adverse impacts on the environment and the community.

I appreciate your consideration of the proposed modifications to the pending permit amendments.

Sincerely,
Signature(s) on file.

Lance M. King
Chairman

Attachments
Color photographs

cc:
Brian Foss, Santa Cruz Port Director
Susan Craig, California Coastal Commission
Ed Kendig, MBUAPCD Compliance Manager

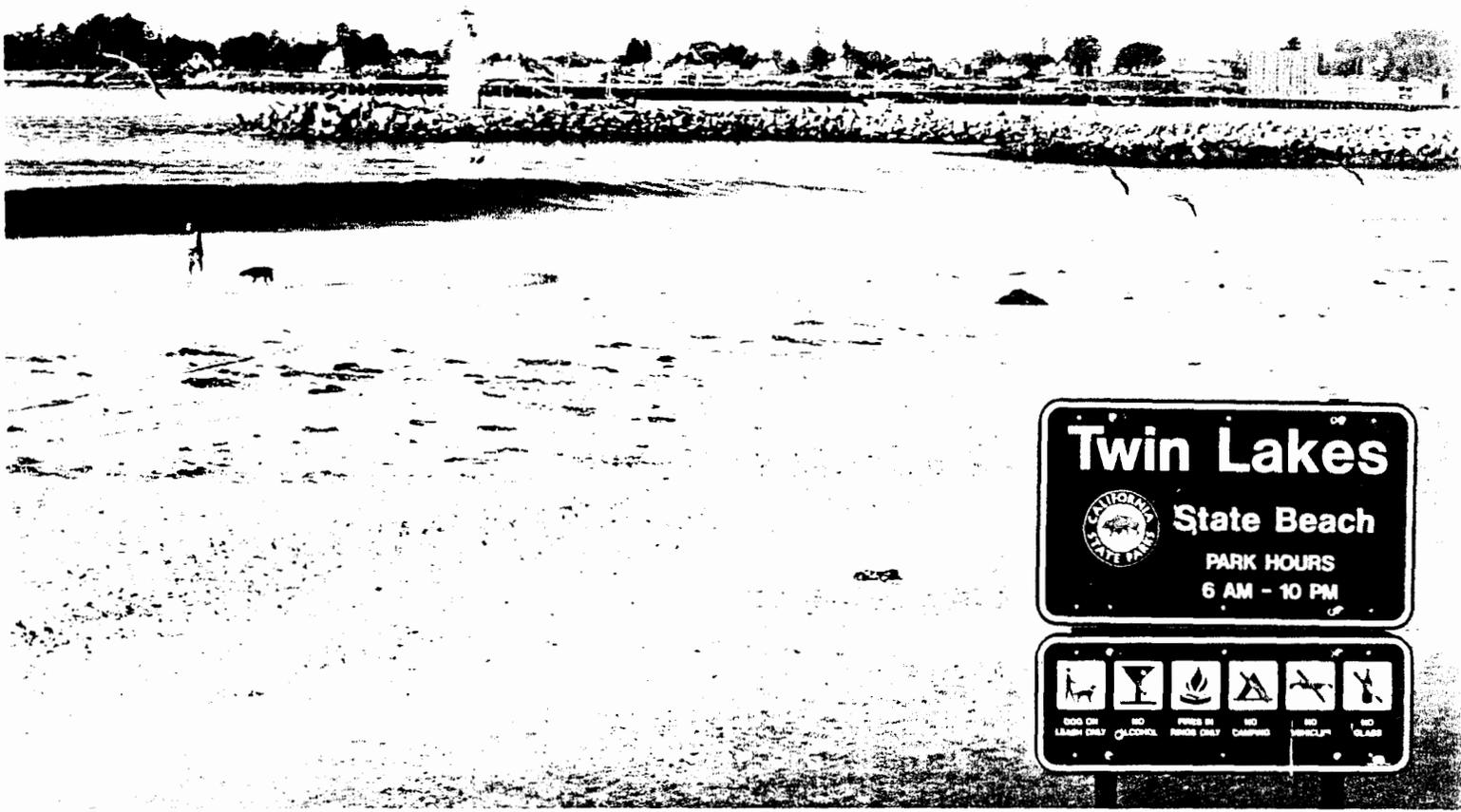
**Community Solutions USA for the
California Coastal Commission**

**Photograph Attachments to letter dated
December 8, 2006**

Running a tractor to move the unanchored pipeline to three locations on Twin Lakes State Beach will likely create a new public nuisance. Dredging normally takes place four days a week, from Monday through Thursday.

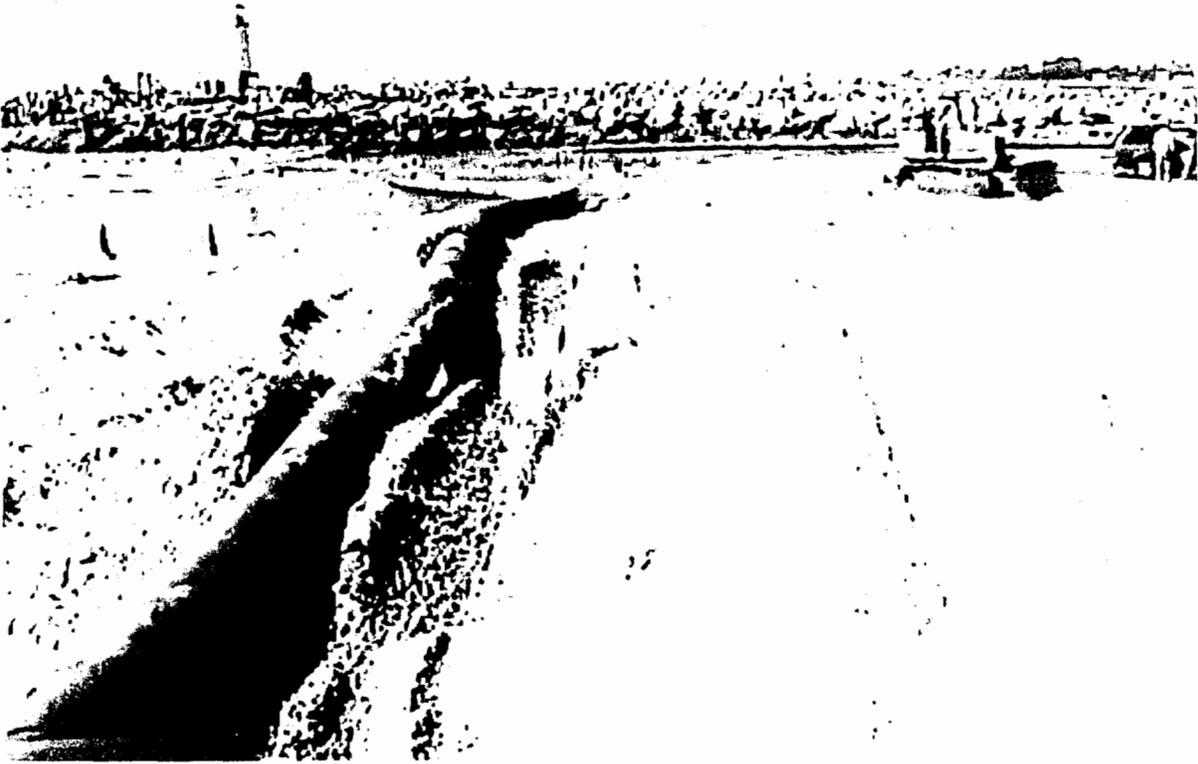
Dredging would take place between October and April. The new disposal pipeline configuration may be utilized between anywhere from 55 to 70 days per year.

1. Photograph with Twin Lakes Beach sign.
2. Disposal pipeline and tractor on April 5, 2005
3. Beachgoers near location for new unanchored pipeline at 9th Avenue location, taken October 28, 2006



Twin Lakes
State Beach
PARK HOURS
6 AM - 10 PM

- | | | | | | |
|---|---|---|---|---|---|
|  |  |  |  |  |  |
| DOG ON LEASH ONLY | NO ALCOHOL | FIRE IN PITS ONLY | NO CAMPING | NO BICYCLING | NO GLASS |



4/5/2005
9:57:50 PM



10/28/2006
3:41:45 PM

Community Solutions USA

5615 26th Street N., Arlington, VA 22207 * 703.536.7282 * Santa Cruz 831.295.1055

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DEC 08 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Agenda item: W10a
Permit Amendment: 3-05-065-A2
Comments from: Lance M. King
Position: Modify proposed amendments

December 7, 2006

Chair Meg Caldwell and Members of the
California Coastal Commission
C/O Charles Lester, Deputy Director
Central Coast District
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Chair Caldwell and Commissioners:

**Re: Request for modification of proposed permit amendment No. 3-05-65-A2,
Santa Cruz Port District, Santa Cruz County**

Position: With modification of the "Special Conditions", I would support the permit amendments.

After discussing the proposed permit amendments with Santa Cruz Port Director Brian Foss, I believe that fairly modest modifications in the Special Conditions would contribute to addressing some environmental concerns. I spoke with Mr. Foss this afternoon and understand that he would support these modifications.

Requests: I request that you modify the proposed "Special Conditions" to:

1. Limit the new unanchored pipeline system for disposal of dredge spoils to one-year and require a Port District report to the Coastal Commission by June 1, 2007 on the effectiveness of the system permit amendment number 3-05-065-A2.
2. Move up the date for the Port District to provide an "Action Plan" to the Coastal Commission (Special Condition 10) to September 1, 2008, rather than a deadline of 2010, regarding long-term dredging and disposal needs, with an examination of alternatives to minimize adverse environmental, recreational and air pollution impacts. In preparing the Action Plan, the Port District would be expected to consult with Interested Parties, including beachgoers, residents, surfers and environmental organizations.

Dredging Operations Background:

Keeping the Santa Cruz Small Craft Harbor open is a continuing battle with the forces of nature. Decisions in the 1960's about the location and design of the harbor left it vulnerable to winter storms that deposit hundreds of thousands of cubic yards of sediment in the entrance channel and inner harbor every year. Annual dredging is necessary to maintain adequate navigational depth of the channel and access to North Harbor berths for boats during winter months.

Even though it is a small harbor, the volume of sediment dredging since the 1964 would be enough to build a wall the length of the California Coastline. Dredging operations have cost between \$27 million and \$32 million in the last 42 years.

Unless a long-term solution is identified, dredging costs will continue to increase, perhaps requiring another \$20 million to \$30 million in the next two decades. These direct operational costs do not take into account the significant adverse environmental, health and recreational impacts of dredging and disposal operations.

Recent research and medical examinations indicate that some people suffer serious health effects when exposed to low concentrations of toxic hydrogen sulfide gas, released when dredge spoils are dumped at Twin State Beach.

The proposed permit amendments involve important impacts of dredging operations on the community. I am particularly concerned about public exposure to hydrogen sulfide.

If the new unanchored disposal pipeline system works as described by the Port District, then there may be improvements in terms of a reduction in public exposure to hydrogen sulfide. However, there may be new nuisance impacts from running a tractor on Twin Lakes State Beach nearly every weekday to move the disposal pipeline.

Reasons to Modify Permit Amendments:

Significant new information became available to the public last month about a proposed "Addendum" to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) rules governing Santa Cruz Harbor dredging, rules intended prevent a public nuisance from the release of toxic hydrogen sulfide gas when dredge spoils are dumped on Twin Lakes State Beach. The MBUAPCD's permit Addendum would establish a "2006-2007 trial season", including implementation of the proposed disposal pipeline modification (CCC Amendment Description item 5), with a new unanchored pipeline that can be moved from three locations on Twin Lakes State Beach.

No engineering or technical research is available to evaluate the potential effectiveness of the new pipeline configuration. Requiring a report following completion of the 2006-2007 dredging cycle would provide the first analysis of the operational capabilities of the new disposal system.

With regard to the Action Plan (Special Condition 10), I believe that a plan for dealing with long-term dredging needs and disposal options that minimize adverse environmental impacts is long overdue. I understand from Port Director Foss that he plans to complete that kind of report by Spring 2007 as outlined in CCC Exhibit 9.

Potential Benefits of Modifying the Permit Amendments:

Three objectives served by amending the permit and new MBUAPCD rules may include:

- Mitigating public exposure to hydrogen sulfide, consistent with the Monterey Bay Unified Air Pollution District's proposed "Addendum" to its nuisance prevention protocol;
- Evaluating potential nuisance impacts of the new unanchored pipeline disposal system at Twin Lakes State Beach and in the nearby neighborhood;

- Developing a realistic Action Plan could move the Port District, regulatory agencies and the public closer to identifying solutions to reduce the need for dredging, the costs of dredging and the associated adverse impacts on the environment and the community.

I appreciate your consideration of the proposed modifications to the pending permit amendments.

Sincerely,

Lance M. King
Chairman

cc:
Brian Foss, Santa Cruz Port Director
Susan Craig, California Coastal Commission
Ed Kendig, MBUAPCD Compliance Manager

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W10a

Date: December 3, 2006

DEC 05 2006

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Re: Support of Permit Amendment #: 03-05-065-A1

Mr. Douglas,

Today's minus tide will likely provide a "soft" grounding for my sailboat.

As a slip owner in the Santa Cruz Harbor I fully support the Santa Cruz Port District's permit amendment 03-05-065-A1 to clear the inner harbor of sediments deposited by the Arana Gulch Watershed during the '05/'06 winter season storms and for the beach nourishment of Twin Lakes State beach.

All around my berth on "J" Dock, winter storm runoff from erosion sites in the Arana Gulch has clogged over 40 inner harbor berths with sediments and many more will be clogged this winter without immediate dredging. Could mine be next?! In addition, the docks become damaged when they rest on the sand and then require expensive replacement.

Twin Lakes State Beach needs nourishment with sand from the dredging process. Erosion at Twin Lakes State beach was so severe last winter due to the winter storms that the beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

The new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed should also be supported. With these changes and the monitoring equipment they have been using for the past 2 years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol.

For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Sincerely,

Daniel Beerman
510 Monterey Drive
Aptos CA 95003

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W10a

DEC 05 2006

December 3, 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Permit Amendment #: **03-05-065-A1**
Position: In Favor

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Douglas,

I support the Santa Cruz Port District's permit amendment **03-05-065-A1** for the purpose of clearing the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter season storms and for the beach nourishment of Twin Lakes State beach.

Winter storm runoff from erosion sites in the Arana Gulch has clogged over 40 inner harbor berths with sediments and many more will be clogged this winter without immediate dredging. In addition, the docks become damaged when they rest on the sand and then require expensive replacement.

I also support the nourishment of the Twin Lakes State Beach with sand from the dredging process. Erosion at Twin Lakes State beach was so severe last winter due to the winter storms that the beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

I support the new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed. With these changes and the monitoring equipment they have been using for the past 2 years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol. I live across the street from Twin Lakes State Beach and I do not consider the current dredging to be causing any problems. However, the nightly fires at Twin Lakes Beach where people are burning chemically laden palettes is causing problems and should be stopped.

For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Sincerely,

Joyce M. Wrenn
2655 E. Cliff Dr.
Santa Cruz, CA 95062

W10a

Permit Amendment #: 03-05-065-A1
Position: In Favor

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DEC 05 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300 Santa Cruz, CA 95060

Dear Mr. Douglas,

I know that you have the best in mind for California's coast, and also for the people that you represent, so I am inclined to send you this letter to help you to make a tough decision about Santa Cruz Port District's permit amendment 03-05-065-A1.

I support this amendment for the purpose of clearing the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter season storms and for the beach nourishment of Twin Lakes State beach.

Winter storm runoff from erosion sites in the Arana Gulch has clogged over 40 inner harbor berths with sediments and many more will be clogged this winter without immediate dredging. In addition, the docks become damaged when they rest on the sand and then require expensive replacement.

I also support the nourishment of the Twin Lakes State Beach with sand from the dredging process. Erosion at Twin Lakes State beach was so severe last winter due to the winter storms that the beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

I support the new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed. With these changes and the monitoring equipment they have been using for the past 2 years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol.

As a participant of the Port District commission meetings, I can assure you that the Santa Cruz Port District is doing everything that it can to assure the Harbor's environmental well-being and overall future, and these amendment plans seem to me to be a win-win situation. But we cannot do it alone: we need your help.

For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Kind Regards,

Kaycee Beames
123 Pilkington Ave. Santa Cruz, CA 95062
kayceeb@gmail.com

W10a

December 1, 2006

Permit Amendment #03-05-065-A1

Position: In Favor

Mr. Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street
Santa Cruz, CA 95060

Dear Mr. Douglas:

I support the Santa Cruz Port District's permit amendment 03-05-065-A1 for the purpose of clearing the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter storms and for the beach nourishment of Twin Lakes State Beach.

The winter storm runoff from erosion in Arena Gulch has clogged over 40 inner harbor berths and many more will be clogged this winter without immediate dredging.

I also support the nourishment of Twin Lakes State Beach with sand from the dredging process.

Although my mailing address is in Palo Alto, I own a vacation house on Twin Lakes Beach (on 14th Avenue) and my family has owned property in the area back to 1925.

I support the new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp. The Port District has demonstrated that they intend to further improve their compliance with the MDUAPCD protocol.

For all these reasons, I ask the Coastal Commission approve this permit amendment at your December meeting.

Very truly yours,

Merrill E. Newman
1256 Martin Avenue
Palo Alto, CA 94301

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DEC 05 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

W10a



2222 East Cliff Drive #222
Santa Cruz, CA 95062
831.475.1561
831.462.9188 FAX
oneillseaodyssey.org

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DEC 05 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

December 5, 2006

Permit Amendment #: **03-05-065-A1**
Position: In Favor

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Douglas,

The Board of Directors of O'Neill Sea Odyssey, a free, ocean-going hands-on youth education program, has voted to support the Santa Cruz Port District's permit amendment **03-05-065-A1** for the purpose of clearing the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter season storms and for the beach nourishment of Twin Lakes State beach. Our program depends upon the ability of the Team O'Neill – a 65 foot catamaran – to effectively use the Harbor.

Winter storm runoff from erosion sites in the Arana Gulch has clogged over 40 inner harbor berths with sediments and many more will be clogged this winter without immediate dredging. In addition, the docks become damaged when they rest on the sand and then require expensive replacement.

We also support the nourishment of the Twin Lakes State Beach with sand from the dredging process. Erosion at Twin Lakes State beach was so severe last winter due to the winter storms that the beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

We support the new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed. With these changes and the monitoring equipment they have been using for the past 2 years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol.

For all these reasons, O'Neill Sea Odyssey asks that the Coastal Commission approve this permit amendment at your December meeting.

Sincerely,

Signature(s) on file.

Dan Haifley
Executive Director

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DEC 04 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

W10a
Permit Amendment #: 03-05-065-A1
Position: In Favor

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Douglas,

I live less than two blocks from Twin Lakes State Beach and one block from the harbor. It is extremely important for the dredging to continue in order to preserve our harbor. The area has become a wonderful recreation area – not just for boaters, but for the general public as well. The area is used extensively by walkers, runners, dog walkers, diners at the many restaurants and by people who just like to sit and observe the general activity. Please do whatever you can to encourage the following action.

I support the Santa Cruz Port District's permit amendment **03-05-065-A1** for the purpose of clearing the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter season storms and for the beach nourishment of Twin Lakes State beach.

Winter storm runoff from erosion sites in the Arana Gulch has clogged over 40 inner harbor berths with sediments and many more will be clogged this winter without immediate dredging. In addition, the docks become damaged when they rest on the sand and then require expensive replacement.

I also support the nourishment of the Twin Lakes State Beach with sand from the dredging process. Erosion at Twin Lakes State beach was so severe last winter due to the winter storms that the beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

I support the new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed. With these changes and the monitoring equipment they have been using for the past 2 years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol.

For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Sincerely,

Signature(s) on file.

Freda W. Crum
290 Fifth Ave. #2
Santa Cruz, CA 95062

Subj: Harbor Dredging
Date: Friday, December 1, 2006 5:21:04 PM
To: alcarlton@aol.com

W 10a

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DEC 04 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Permit Amendment #: **03-05-065-A1**

Position: In Favor

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Douglas,

I support the Santa Cruz Port District's permit amendment **03-05-065-A1** for the purpose of clearing the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter season storms and for the beach nourishment of Twin Lakes State beach.

I can recall when Santa Cruz Harbor was built in the mid sixties. As a result of not dredging the harbor it sanded in and at the same time we lost our beach in Capitola. The two events were related due to the fact that tidal and wave action cause the sand to have a clockwise rotation in the northern part of Monterey Bay. This rotation coupled with the placing of dredged sand on our beaches maintains the beaches and helps prevent cliff erosion.

Winter storm runoff from erosion sites in the Arana Gulch has clogged over 40 inner harbor berths with sediments and many more will be clogged this winter without immediate dredging. In addition, the docks become damaged when they rest on the sand and then

require expensive replacement.

I also support the nourishment of the Twin Lakes State Beach with sand from the dredging process. Erosion at Twin Lakes State beach was so severe last winter due to the winter storms that the

beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, , the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

I support the new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed. With these changes and the monitoring equipment they have been using for the past 2 years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol.

The loss of our Capitola beach some years ago proved that this sand is Capitola's Gold, a very valuable resource for both mother nature and those in our area who depend on and enjoy our harbor and the nearby beaches.

For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Sincerely,

Signature(s) on file.

~~Alfred~~ E. Carlson
5000 Jewel St Capitola CA 95010
831-475-3886

W10a

Law Offices of
MICHAEL HALLEY
 A Professional Corporation

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DEC 05 2006

 CALIFORNIA
 COASTAL COMMISSION
 CENTRAL COAST AREA

 State Bar #49489
 1101 - 15th Street
 P. O. Box 1052
 Modesto, CA 95353-1052
 Telephone: (209) 527-3650
 Facsimile: (209) 527-5518

December 5, 2006

Peter Douglas, Executive Director
 California Coastal Commission
 c/o Susan Craig
 725 Front Street, Suite 300
 Santa Cruz, California 95060

Sent via facsimile (831) 427-4877

RE: In Favor - Permit Amendment: #03-05-065-A1

Dear Mr. Douglas:

I have used the Santa Cruz harbor since it first opened. I presently moor my power boat there and have been a slip renter for more than twenty years.

I support the Santa Cruz Port District's Permit Amendment #03-05-065-A1, to clear the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter season storms, and for the beach nourishment of Twin Lakes State Beach. Winter storm runoff erosion sites in the Arana Gulch have clogged more than forty inner harbor berths with sediments, and many more will be clogged this winter without immediate dredging. In addition, the docks become damaged when they rest on the sand and then require expensive replacement.

I also support the nourishment of the Twin Lakes State Beach with sand from the dredging process. Erosion at Twin Lakes State Beach was so severe last winter due to the winter storms that the beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

I support the new pipe system and other measures that Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed. With these changes and the monitoring equipment they have been using for the past two years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol.

For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Very truly yours,

Signature(s) on file.

 MICHAEL HALLEY

66

RECEIVED

W10a

DEC 05 2006

December 3, 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Permit Amendment #: 03-05-065-A1
Position: In Favor

Mr. Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, California 95060

Re: Dec. 13, 2006, Public Hearing, Item #W102, Permit Amendment 03-05-065-A1.

Dear Mr. Douglas:

I support referenced Amendment for the purpose of cleaning the inner harbor of sediments deposited by the Arana Gulch Watershed for the present and future years, and for beach restoration of Twin Lakes State Beach.

I live at 2655 E. Cliff Dr. in Santa Cruz, Ca. The house is on the corner of E. cliff Dr., thus has a full view of both the Santa Cruz Harbor ingress and egress of the harbor by boats, and Twin Lakes State Beach. I am also in full view of the dredging activity required for boat/vessel passage in and out of the harbor and beach restoration as a result of annual Ocean movement that both take away this beach in mid winter, and partially restores same in the early spring – nature at work.

Santa Cruz small craft harbor is home to more than 1000 boats with an estimated value nearing one billion dollars and generates much tax revenue for both, Santa Cruz, the City, and Santa Cruz the County, plus the harbor businesses and allied businesses tax bases derived from doing business in the harbor.

I am elated in the summer months to see many hundreds of parents and children enjoying The Twin Lakes State Beach daily. The Beach clean up crews and volunteers do a great job after the fact, and the life guards are most professional.

I also commend the Harbor patrol boats for protecting the ocean waters, from Aptos south, to Davenport north. Over 100 rescues and boat assists occur on an annual basis.

I have lived directly or near the Ocean for most of my 77 years and I marvel at the seasonal changes. A number of agencies have appeared on the beaches that take air and sand samples to determine Sulfur Dioxide levels. We have also taken swab samples from the side of our home for analyses by a Federal Agency. None of the findings have been above or approached the minimum safe standards set by the State. At present, on the Twin Lakes Beach side of my residence, on a parks building, has been placed an instrument for reading wind directions and recording air purity.

I do not object to the slight smell of sulfur dioxide that takes place for about a week or ten days every spring as the dredge assists in replacing washed out beach sand and clears the canal through the harbor inlet for boats to pass. I do not object to the crowds at the beach during the summer.

I do have three constructive comments:

1). Apparently there is a high mercury emission coming from the lift station located on Twin Lakes State Beach as a result of it's lack of capacity to handle the refuse.

2). Constant burning, by beach goers, of creosote impregnated pallets used for fire wood, require me to have my home washed outside by professional cleaners on an annual basis. If we want to use outside patio furniture, we must wash it down daily. The wood is oil and chemically soiled and full of industrial staples, that beach goers walk on after the pallets are burned.

3), The agency responsible for maintenance and control of the Beach area and parking during summer months, charges a fee for parking, which I can understand, yet I find it questionable, that large/long R.V.'s are occupying the space of two automobiles are charged the same as one automobile and are so wide that people have to walk on this heavily trafficked street in order to reach the beach, a very dangerous situation.

Respectfully yours.

Augustus P. Gregory
2655 E. Cliff Drive
Santa Cruz, California 95062

Tel. 831-475-0817
Email: GusGreg@yahoo.com

Permit Amendment #: 03-05-065-A1

Position: In Favor

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, CA 95060

RECEIVED

DEC 05 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Mr. Douglas,

I support the Santa Cruz Port District's permit amendment **03-05-065-A1** for the purpose of clearing the inner harbor of sediments deposited by the Arana Gulch Watershed during the 2005/2006 winter season storms and for the beach nourishment of Twin Lakes State beach.

Winter storm runoff from erosion sites in the Arana Gulch has clogged over 40 inner harbor berths with sediments and many more will be clogged this winter without immediate dredging. In addition, the docks become damaged when they rest on the sand and then require expensive replacement.

I also support the nourishment of the Twin Lakes State Beach with sand from the dredging process. Erosion at Twin Lakes State beach was so severe last winter due to the winter storms that the beachfront road was threatened. Without this beach nourishment project, the road and nearby sewer lines could be damaged. In addition, the community would have a much smaller beach than it has enjoyed during the 40+ years that the Port District has provided beach nourishment.

I support the new pipe system and other measures the Port District is proposing in its permit amendment to eliminate the occasional hydrogen sulfide problem due to the rotting kelp seaweed. With these changes and the monitoring equipment they have been using for the past 2 years, the Port District is demonstrating that they intend to further improve upon the 99+% compliance with the MBUAPCD protocol.

For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Sincerely,

NAME

Address

85 addresses

Signature(s) on file.

RECEIVED

DEC 07 2006

REPRESENTATIVE LETTER
RECEIVED FROM 38 SEPARATE
INDIVIDUALS

W10a

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Permit Amendment #: 03-05-065-A1
Position: In Favor

Peter Douglas, Executive Director
California Coastal Commission
C/O Susan Craig
725 Front Street, Suite 300
Santa Cruz, CA 95060

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For all these reasons, I ask that the Coastal Commission approve this permit amendment at your December meeting.

Sincerely,

Signature(s) on file.

Tom Winters
180 Seacliff Dr.
Aptos, CA 95003

W10a

RECEIVED

December 8, 2006

DEC 11 2006

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

RE: PERMIT # 3-05-065-A2

(OPPOSE)

My husband, I and 2-year-old daughter and 5-year-old daughter are completely against this. Our house on the beach has been in this family since the 50's and we are tired of the Harbor trying to get away with everything. Pumping the Hydrogen Sulfide on the beach right in front of our house has caused vertigo, stinging & burning eyes and made us sick in the past. If they continue to pump on the beach at night or in the day we will have to take legal action. It smells horrible like rotten eggs inside our house when they pump on the beach. We have to leave our house with the kids because it smells so bad and makes us sick

If they can keep the pipe in the water it does not smell. That is the only solution! I have some photos enclosed of what the Harbor does right in front of our house less that 50 ft. away. Would you want this on your doorstep?

I will not put our name on this letter because the harbor harasses the homeowners around here when we say anything against what they are doing.

Regards,

Concerned mother of two young children

P.S. The harbor went over there limits last year and had to put our family up in a hotel and I do not want to go through this again. My children's health is very important to us. Pumping on the beach makes them sick.

75

