

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov

Th24

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

For the

September Meeting of the California Coastal Commission

MEMORANDUM

Date: September 6, 2007

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 September 6, 2007 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.

REGULAR WAIVERS

1. 3-07-038-W Chris Shake (Monterey, Monterey County)

EMERGENCY PERMITS

1. 3-07-040-G Caltrans (, San Luis Obispo County)

IMMATERIAL AMENDMENTS

1. 3-00-164-A1 Mr. Wendell Chambers (Live Oak Beach Area, Santa Cruz County)

EXTENSION - IMMATERIAL

1. 3-04-009-E2 Gregory P. Beardsley (Monterey, Monterey County)

TOTAL OF 4 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-07-038-W Chris Shake	Install five new steel reinforced concrete pilings to replace existing deteriorated pilings.	#40 Fisherman's Wharf No. 1, Monterey (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>
3-07-040-G Caltrans	Repair a failed culvert headwall at Highway One	Highway One (Postmile 65.4) At Arroyo Del Oso, Approximately 1.25 Miles North Of The Piedras Blancas Lighthouse And 9 Miles South Of The San Luis Obispo/Monterey County Line., San Luis Obispo County

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-00-164-A1 Mr. Wendell Chambers	Modify approved project to replace wood deck boards with colorized/textured concrete, to replace under deck revetment rock with colorized sculpted concrete, to replace planter box landscaping system with tree wells fronting the deck and planters along the sides (to achieve previously required screening over time), and to add Brewer's saltbush to the list of non-invasive native plant species to be used for screening.	101 26th Avenue (bluffs and beach seaward of 101 26th Ave., immediately adjacent to the 26th Avenue Beach public coastal access overlook and stairway), Live Oak Beach Area (Santa Cruz County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-04-009-E2 Gregory P. Beardsley	Construction of 5 residential condominium units, 674 square feet of retail commercial space, and 5 basement parking spaces on a 4,750 square foot lot.	201 Cannery Row, Monterey (Monterey County)

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov

**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: August 22, 2007
TO: Chris Shake
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver Number 3-07-038-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 13252 of the California Code of Regulations.

APPLICANT: **Chris Shake**

LOCATION: **#40 Fisherman's Wharf No. 1, Monterey (Monterey County)**

DESCRIPTION: **Install five new steel reinforced concrete pilings to replace existing deteriorated pilings.**

RATIONALE: **The proposed development incorporates appropriate water quality protection measures, including jetting the pilings into place with use of a flexible skirt to reduce turbidity, and additional best management practices typically applied by the Commission to piling projects such as this. Thus the development's impact on coastal resources, including coastal access, will be insignificant.**

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 Thursday, September 6, 2007, in Eureka. If three 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.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: STEVE MONOWITZ
District Manager

BY DAN CARL

A handwritten signature in black ink, appearing to read "Dan Carl".

cc: Local Planning Dept.

CALIFORNIA COASTAL COMMISSION

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



EMERGENCY PERMIT

Emergency Permit Number 3-07-040-G

Issue Date August 13, 2007

PERMITTEE

Caltrans
50 Higuera Street
San Luis Obispo, CA 93401

LOCATION OF EMERGENCY

Highway One (postmile 65.4) at Arroyo Del Oso, approximately 1.25 miles north of the Piedras Blancas lighthouse and 9 miles south of the San Luis Obispo/Monterey County line.

EMERGENCY DEVELOPMENT PROPOSED

Repair a failed culvert headwall at Highway One by pulling back rock rip-rap and exposing the damaged pipe in order to fill voids threatening the road with concrete slurry. A sandbag cofferdam will be placed to prevent slurry seepage onto the intertidal zone. Sand in front of the culvert headwall will be excavated so that a pre-constructed U-shaped form can be attached to the ocean side of the headwall, and quick setting concrete will be poured behind the form to construct an 18 inch thick beam that will then be attached to the headwall and backfill slurry with anchor bolts. The concrete beam will protect the headwall from further wave induced damage until the highway can be realigned. No equipment will be operated on the beach and all work will occur from the highway shoulder.

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 failed culvert headwall 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 culvert and roadbed of the southbound lane of Highway One. 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,

Peter M. Douglas
Executive Director

A handwritten signature in black ink, appearing to read "Dan Carl".

By: **Dan Carl**
Permit Supervisor

Copies to: State Lands Commission; CDFG; MBNMS; ACOE; RWQCB; San Luis Obispo County

Enclosures: Emergency Permit Acceptance Form

CONDITIONS OF APPROVAL

1. The enclosed emergency permit acceptance form must be signed by the permittee and all owner(s) of property where the emergency development authorized by this permit is located and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by **August 28, 2007**). 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 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 **September 12, 2007**) unless extended for good cause by the Executive Director.
4. The development authorized by this emergency permit is only temporary, and must be recognized by a separate regular coastal development permit (CDP) if it is to be considered for a longer term (i.e., longer than 150 days). If the temporary development authorized by this emergency permit is to be considered for a longer term, then the permittee shall submit a complete application for a regular CDP within 60 days of the date of this emergency permit (i.e., by **October 12, 2007**). The temporary emergency development shall be removed in its entirety within 150 days of date of this emergency permit (i.e., by **January 10, 2008**) unless a regular CDP has been obtained prior to that date recognizing the development authorized by this emergency permit for a longer term.
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. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California State Lands Commission, California Department of Fish and Game, Monterey Bay National Marine Sanctuary, U.S. Army Corps of Engineers, San Luis Obispo County, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. Construction requirements:
 - (a) 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.
 - (b) Construction activities and equipment shall avoid waters of the Pacific Ocean 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 highway shoulder, and limiting work areas to the area nearest the culvert when working from the highway shoulder is not feasible.

- (c) 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.
- (d) 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.
- (e) Grading of intertidal areas is prohibited except for the excavation of accumulated sand in front of the culvert to allow installation of the pre-constructed U-shaped form along the ocean side of the headwall. Such sand excavation shall be minimized as much as feasible, and shall be accomplished without substantial excavation of the surrounding beach sand. Any sand removed in this manner shall be accomplished with equipment positioned landward of the waterline (i.e., from the highway shoulder) if feasible.
- (f) Any construction materials and equipment that cannot be delivered to the site from the highway shoulder shall be delivered to the beach area by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
- (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 sandbag cofferdam at the headwall location) as necessary to contain materials and/or sediments at the culvert site, where such controls are placed as close to the culvert 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 work day. 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. All exposed slopes and soil surfaces at the site shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best management practices (for example, those identified in the *California Storm Water Best Management Practice Handbooks* (March, 1993)). The use of non-native and/or invasive species (such as ice-plant) is prohibited.
10. Within 30 days of completion of the development authorized by this permit, the permittee shall submit information clearly identifying the work completed under the emergency permit (comparing any previously permitted condition to both the emergency condition and to the post-work condition), with a narrative description of all emergency construction activities undertaken pursuant to this emergency permit. Before and after photo documentation shall be included.
11. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
12. 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.

As noted in the conditions above, the emergency development carried out under this permit is at the Permittee's risk and is considered to be temporary work done in an emergency situation. If the Permittee intends to have the temporary emergency development recognized, a regular coastal development permit (or waiver thereof) must be obtained. A regular permit application is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly. If you have any questions about the provisions of this emergency permit, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863 FAX (831) 427-4877
www.coastal.ca.gov

**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director *By DGD*
DATE: August 22, 2007
SUBJECT: **Permit No: 3-00-164-A1**
Granted to: Mr. Wendell Chambers

Original Description:

for **Reconstruct deck and revetment seaward of residence.**
at **101 26th Avenue (bluffs and beach seaward of 101 26th Ave., immediately adjacent to the 26th Avenue Beach public coastal access overlook and stairway), Live Oak Beach Area (Santa Cruz County)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

Modify approved project to replace wood deck boards with colorized/textured concrete, to replace under deck revetment rock with colorized sculpted concrete, to replace planter box landscaping system with tree wells fronting the deck and planters along the sides (to achieve previously required screening over time), and to add Brewer's saltbush to the list of non-invasive native plant species to be used for screening.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

The proposed amendment does not alter the basic premise of the Commission's original approval. The modifications only slightly change the approved project's parameters, and do not have the potential for adverse impacts on coastal resources, including public access.

If you have any questions about the proposal or wish to register an objection, please contact Dan Carl at the Central Coast District office.

cc: Local Planning Dept.

Powers Land Planning, Inc., Attn: Ron Powers

CALIFORNIA COASTAL COMMISSION

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

www.coastal.ca.gov

August 22, 2007

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT

Extension Request No: 3-04-009-E2

Notice is hereby given that: **Gregory P. Beardsley**
has applied for a one year extension of Permit No: **3-04-009**
granted by the California Coastal Commission on: August 11, 2004

for **Construction of 5 residential condominium units, 674 square feet of retail commercial space, and 5 basement parking spaces on a 4,750 square foot lot.**
at **201 Cannery Row, Monterey (Monterey County)**

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director

 BY DAN CARL
By: STEVE MONOWITZ
District Manager

cc: Local Planning Dept.
Gregory P. Beardsley

CALIFORNIA COASTAL COMMISSION

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



Memorandum

August 31, 2007

To: Commissioners and Interested Parties

From: Charles Lester, Deputy Director, Central Coast District

Re: Additional Information for Commission Meeting Thursday, September 6, 2007

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
Th27b A-3-SLO-07-41	Richissin	Ex Parte Communications Correspondence	5 5a-e
Th28a, A-3-SCO-06-59	Collins	Ex Parte Communications	7
Th29a, A-94-78-A1	Cornell	Ex Parte Communications Correspondence	5 15
Th29b, 3-04-52-A1	Witter	Correspondence	31

Th 276 - Richissin
Th 29a - Cornell

RECEIVED

AUG 31 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

RECEIVED
AUG 30 2007
CALIFORNIA
COASTAL COMMISSION

Date and time of communication: THURS. 30th AUG. 2007 3PM

Location of communication: COUNTY GOV. CENTER S.L.O.
(If communication was sent by mail or facsimile, indicate the means of transmission.) MEETING

Identity of person(s) initiating communication: _____

Identity of person(s) receiving communication: please see attached K. ACHAJIAN

Name or description of project: _____

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

See attached

8/30/07
Date

[Signature]
Signature of Commissioner

If communication occurred seven (7) 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 (7) 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 (7) 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.

Meeting with Commissioner Achadjian

RE: September 2007 Coastal Commission Meeting

Attendees:

Morgan Rafferty, Executive Director, Environmental Center of San Luis Obispo
Gordon Hensley, San Luis Obispo Coastkeeper
Noah Smukler, Board Chair, San Luis Bay Surfrider
August 30, 2007

ISSUES:

Wednesday, September 5.

W9a- Appeal by Malibu Coalition for Slow Growth and Steve Littlejohn from decision of City of Malibu granting permit to **Darren Domingue** for construction of 5,200 sq. ft. single family residence, 1,368 sq. ft., attached garage, pool/spa, and alternative onsite wastewater treatment system at 23405 Malibu Colony Drive, Malibu, Los Angeles County.

We urge a finding of Substantial Issue for the following reasons:

This project violates the LCP provisions for ESHA by locating a septic system within ESHA buffer and providing no discussion by the City of alternative locations. If no alternative is available then the project must comply with maximum development standards.

The wetland delineation is flawed – an area with a preponderance of hydrophytic plants was not included and an area with hydrophytic plants was not surveyed.

The upland portion with native transitional habitat was not surveyed for possibility it is ESHA.

The City incorrectly states that the Malibu Colony overlay district supersedes the LUP provisions for ESHA. This is incorrect and if allowed to stand would set a precedent for the interpretation of the Malibu LCP which alone is a basis for finding Substantial Issue.

In addition, does not deal with the protection of the many species of birds, particularly raptors and herons that are in cypress trees that will be impacted by the development

W14a- Appeal by Commissioners Wan & Shallenberger of decision by City of Huntington Beach granting permit with conditions to Signal Landmark/Hearthside Homes, Inc. to construct entry monument for "**Brightwater**" residential development consisting of 10.5 ft. decorative block wall and trellis structure within portions of public right-of-way, at 17261 Bolsa Chica Street (east and west side of Bolsa Chica Street, south of Los Patos Avenue), Huntington Beach, Orange County.

We ask for a finding of Substantial Issue because the entry block, wall and trellis will adversely impact public access to a required public trail which was required as a condition of the approval of the Brightwater development.

Bolsa Chica Street is public but this gives impression it is a private street. In addition, project is immediately adjacent to a park and the project would impact public views from the park.

Inconsistent with the LCP as well as the fact that it is situated on public land.

W15b-Application of Brian and Sarah McNamara to demolish 1-story, 1,539 sq. ft., single-family home with attached garage and construct 24-ft.-high, 3,900 sq. ft., single-family home, with attached 2-car garage and 1,048 sq. ft. decks on 13,873 sq. ft. canyon lot, at 219 W. Marquita, San Clemente, Orange County.

We ask you to support the staff recommendation because this project does not conform to the stringline policies of the LCP and is therefore inconsistent with it and the pattern of development in the area.

The LUP provides three options for setback with the intent to provide a setback for habitat protection and avoid encroachment into the canyon. One option is by depth of lot. If choose setback based on depth, because this is a very deep lot will result in development well beyond adjacent development- therefore need to apply stringline- but this does not meet stringline for the structure or deck.

The applicant argues they can use any one of the three methods they wish which ignores the goal of the LUP to provide a setback for habitat protection.

Approval as proposed will allow applicants/developers to choose which regulations to follow. And sets a precedent and eliminates the discretionary authority of local jurisdictions or the Commission.

15h-Application of County of Orange, Watershed & Coastal Resources to temporarily install 150 ft. long dock attached to existing marina to moor boats to accommodate dredging of 177,000 cu. yds. from navigational channels, shoaled areas under docks, swimming lagoon and areas adjacent to storm drain outlets to design depths varying from minus 7-ft MLLW in swimming lagoon to minus 8-ft. MLLW in marina and boat dock areas with off-shore disposal, Newport Dunes Waterfront Resort, at 1131 Back Bay Drive, Newport Beach, Orange County.

Please support the staff recommendation.

Thursday

Th17a-Appeal by So. California Edison Co. from decision of City of Oxnard denying permit to construct and operate 45 megawatt "peaker" power plant at 251 N. Harbor Boulevard, in Oxnard, Ventura County

The City's LCP - 17-20A energy facilities sub-zone states "coastal dependent energy facilities"- facility is not coastal dependent. SCE states that the zoning does not require it to be coastal dependent. This is a matter of interpretation.

We ask that you disagree with staff and urge that you find no Significant Issue.

At the very least, we ask you to recognize that this is an issue of major importance to the people of Oxnard and that it should be continued to October so the community can have a say in this.

Th18b&c Cambria Test Wells

New project consists of drilling boreholes and wells and capping. Installing well casings and wellheads, using a large crane and laying all sorts of cables, vehicles on the beach and many other activities on the beach. Zoning = RECREATION

The contention that this is segmentation of the project raises valid concerns for SI, contrary to staff recommendation, because LCP does not allow for these types of structures to be located here and it would involve using a state beach. If this were only a test to determine if the method works there would be no segmentation issue but they have already stated that if the test show feasibility they will use this location, therefore there is an issue of segmentation.

This is just another example of attempting to use State Parks for infrastructure- roads, power plants, power lines and deSal facilities.

No analysis of the impacts of the new project- staff report list mitigations but does not provide any analysis of the actual impacts so how can you say that all impacts have been mitigated when they have not been analyzed?

Removal of casings involves major equipment and support lines over the beach, large crane in the parking lot- all the infrastructure to get to the MHTL must cross the state park and this is not consistent with the LCP- The parts that cross the state beach, even though they are not "structures" are elements of the project and therefore is not consistent with the LCP

This drilling is a component of the desal facility, it is not isolated but the area is zoned as recreation so it is not allowable.

Public access impacts-Requires that lateral access be maintained but does not specify how that would be accomplished- twice during the day tides are high and no room for equipment and public access.- condition inadequate because it is impossible to accomplish

Requires monitoring for sensitive species and marine mammals and a report on the impacts but does not specify what happens if there are impacts, i.e that the project cease and changes be made to eliminate those impacts.

Simply states monitoring wells will be located at least 100' from snowy plover nests. This is inadequate- this area is a known Snowy Plover nesting area- plan does not say how close the activity involved in placing or maintaining those wells can come to active nests and 100'- is not sufficient, particularly for any fledglings. For instance, while placement of the wells cannot proceed during nesting season, one the wells are in there will be maintenance activity and that can impact nests and fledglings.

Seismic survey- mitigations inadequate- not enough to model what the sound levels might be- should require that tests be conducted on the actual in-water sound levels produced. In addition, real-time acoustic monitoring should be conducted during the drilling to see what sound levels are produced. If sounds are above 120db drilling or seismic activity should cease until a revised monitoring plan is produced. Again monitoring without stating what happens if the monitoring shows impacts is worthless.

This does not meet the test for "incidental public service". This is not an existing public service and it is not incidental to it. This project is the first phase of the project and is essential to it. In addition, since there is no analysis of the possible impacts nor of any alternatives it is not possible know, even if this is a permissible fill, if this is the least damaging alternative

Urge denial or continuance until issues can be resolved.

Th 27b-Los Osos

Urge SI based on lack of water and erosion issue single house in Cabrillo heights- County required retrofitting of 23 other homes but no program to implement this. As approved, this mitigation is not enforceable (lacks specific details).

Urge SI - to allow Commission to take a look and add appropriate conditions.

Th29a- Support staff

There is a deed restriction requiring restoration and maintenance of plants native to the Asilomar dunes- have not implemented- and in addition prohibits the alteration of the dunes which this project proposes to do.

Project is inconsistent with ESHA protection policies which would increase the impacts on the dune ESHA. Already have a use of the property so no takings issue



George L. Taylor
August 31, 2007

CALIFORNIA COASTAL COMMISSION
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

RECEIVED

AUG 31 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

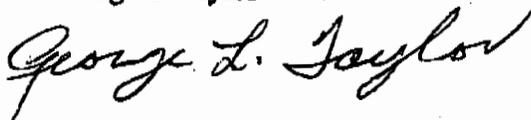
Attn: Jonathan Bishop
Coastal Program Analyst
Central Coast District Office

Dear Jonathan Bishop:

I am submitting this material to substitute for my testimony at the September 6, 2007, Coastal Commission hearing. Agenda number 27, appeal No. A-3-SLO-07-041 - (Richissin).

Sincerely,

George L Taylor



George L. Taylor, Opposition

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
Appeal No. A-3-SLO-07-041

WATER: The Richissin project is not consistent with Coastal Plan Policy (CZLUO Section 23.04.430, Policy 1), Availability Of Service Capacity – Water Supply And Sewage Disposal Services. The County on July 24, 2007 certified a Level of Severity III for the Los Osos Basin. In making their determination SLO County relied on a 2007 ground water capacity study by the planning department in which it stated that the current deficit is now estimated at 600 AFY. This project is proposed to use 0.85 acre feet per year or 745 gallons of water per day, only for inside use. The applicant has not provided any estimated water use for outside (landscaping) purposes.

WATER – RETROFIT: In regard to Coastal Commission staff concerns regarding SLO counties approach to requiring the applicant to retrofit 23 homes in Los Osos Ground Water Basin. I agree with staff that SLO County's response to offsetting the water use inside the project structure is problematic in that the County condition requires the applicant to assume full responsibility for retrofits and the County requires nothing more than "retrofit installation shall be executed by a licensed plumber.) At the present time SLO County does not have an ordinance requiring that this project reduce its water use and may not have one until at the earliest January 2008.

SEPTIC SYSTEM: The excessive amount of projected daily water use (745 gallons inside) and the undersize of the parcel, less than ½ acre (0.413 acres) creates a hazard by the installation of a septic system where soil and site constraints are of the type reflected in the Central Coast Basin Plan Policy, VIII.D.3.i.-11: Site Suitability, which states: While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre.

The parcel size of the proposed project is less than one-half acre and soil (dune sand) and site constraints (slope greater than 30 percent) for this project are not "particularly favorable".

Given the steep slope down from the small area available for a septic pit, it appears inconsistent with the Central Coast Basin Plan criteria, VIII.D.3.i.-11: Site Suitability, for siting a septic system of this large capacity.

TREES: I would be remiss if I did not mention the applicants request to remove 59 Eucalyptus trees from the 30 percent slope on the project site. I strongly oppose the removal of these trees. The Eucalyptus trees (Blue Gum Eucalyptus globules) on this property are a contiguous part of a larger grove extending into several nearby properties. Taken in total these trees constitute potentially significant raptor as well as other winged species habitat.

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION

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

Th27b



Filed: 8/20/07
49th day: 10/8/07
Staff: JB-SC
Staff report: 8/23/07
Hearing date: 9/6/07
Hearing item number: Th27b

APPEAL STAFF REPORT - SUBSTANTIAL ISSUE DETERMINATION

Appeal number.....A-3-SLO-07-041
Applicant.....Brent Richissin
Appellant.....George L. Taylor
Local government.....San Luis Obispo County (D000480P / D010107V)
Local decisionApproved with conditions (July 24, 2007)
Project location.....Austin Court, Los Osos, Estero Planning Area, San Luis Obispo County.
Project descriptionConstruct a 4,534 square foot single-family residence with an attached garage on slopes in excess of 30 percent. The project includes the removal of 59 eucalyptus trees.
File documents.....San Luis Obispo County Certified Local Coastal Program; County Final Local Action Notice; (D000480P / D010107V); Mitigated Negative Declaration and Notice of Determination No. ED06-036.
Staff recommendation ...Substantial Issue



California Coastal Commission

September 2007 Meeting in Eureka

Staff: J. Bishop Approved by: *DCAL*

G:\Central Coast\STAFF REPORTS\2. CCC Meeting Packet\2007\09A-3-SLO-07-041 (Richlssin) SI stfprt 8.23.2007.doc

project



4.0. (Central Coast Basin Plan) for Jonathan Bishop.
For Staff reference ONLY

VIII.D.3.a. SITE SUITABILITY

Prior to permit approval, site investigation should determine on-site system suitability:

1. At least one soil boring or excavation per on-site system should be performed to determine soil suitability, depth to ground water, and depth to bedrock or impervious layer. Soil borings are particularly important for seepage pits. Impervious material is defined as having a percolation rate slower than 120 minutes per inch or having a clay content 60 percent or greater. The soil boring or excavation should extend at least 10 feet below the drainfield¹ bottom at each proposed location.
2. An excavation should be made to detect mottling or presence of underground channels, fissures, or cracks. Soils should be excavated to a depth of 4-5 feet below drainfield bottom.
3. For leachfields, at least three percolation test locations should be used to determine system acceptability. Tests should be performed at proposed subsurface disposal system sites and depths.

X If no restrictive layers intersect, and geologic conditions permit surfacing, the setback distance from a cut, embankment, or steep slope (greater than 30 percent) should be determined by projecting a line 20 percent down gradient from the sidewall at the highest perforation of the discharge pipe. The leachfields should be set-back far enough to prevent this projected line from intersecting the cut within 100 feet, measured horizontally, of the sidewall. If restrictive layers intersect cuts, embankments or steep slopes, and geologic conditions permit surfacing, the setback should be at least 100 feet measured from the top of the cut.

5. Natural ground slope of the disposal area should not exceed 20 percent.
6. For new land divisions, lot sizes less than one acre should not be permitted.

VIII.D.3.i. INDIVIDUAL, ALTERNATIVE AND COMMUNITY SYSTEMS PROHIBITIONS

Discharges from new soil absorption systems installed after September 16, 1983 in sites with any of the following conditions are prohibited:

1. Soils or formations contain continuous channels, cracks, or fractures.¹
2. For seepage pits, soils or formations containing 60 percent or greater clay (a soil particle less than two microns in size) unless parcel size is at least two acres.
3. Distances between trench bottom and usable ground water, including perched ground water, less than separation specified by appropriate percolation rate:

Percolation
Rate, min/in

Distance, ft

<1	50 ¹
1-4	20 ¹
5-29	8
>30	5

4. For seepage pits, distances between pit bottom and usable ground water, including perched ground water, less than separation specified by appropriate soil type:

<u>Soil</u>	<u>Distance, ft.</u>
Gravels ²	50 ¹
Gravels with few fines ³	20 ¹
Other	10

5. Distances between trench/pit bottom and bedrock or other impervious layer less than ten feet.
6. For leachfields, where percolation rates are slower than 120 min/in, unless parcel size is at least two acres.
7. For leachfields, where soil percolation rates are slower than 60 min./in. unless the effluent application rate is 0.1 gpd/ft² or less.
8. Areas subject to inundation from a ten-year flood.
9. Natural ground slope of the disposal area exceeds 30 percent.
10. Setback distances less than:

	<u>Minimum Setback Distance, ft</u>
Domestic water supply wells in unconfined aquifer	100
Watercourse ⁴ where geologic conditions permit water migration	100
Reservoir ⁵ spillway elevation	200
Springs, natural or any part of man-made spring	100

11. While new septic tank systems should generally be limited to new divisions of land having a minimum parcel size of one acre, where soil and other physical constraints are particularly favorable, parcel size shall not be less than one-half acre.

Project would expand the site coverage from 11.6% to 17.5%

Also altered the original location of the driveway- it is 38' wide as compared to 12' width approved- violation

Applicants offer to remove part of driveway and implement dune restoration is not an offer at all since the driveway is currently a violation and the dune restoration is required regardless

Off of off-site mitigation also does not resolve the additional impacts to ESHA. Inconsistent with Section 30240 of the Coastal Act.

LUP Policy limits maximum site coverage to 15% (this is 17.5%) but requires that development be designed to "minimize" impacts.

Inconsistent with LUP policies regarding site coverage and with the existing deed restriction- although it allows a permit amendment that is always an applicants right to ask for but that amendment must still result in a project consistent with the LUP and section 30240 of the Coastal Act.

Support staff- denial

Friday

F8a (Jackson-Grube / Mendocino County)

Proposed Inn location is highly scenic- highly visible from Highway 1- project is inconsistent with Mendocino County zoning requirements, visual impacts, height limitations,

Inadequate, incomplete surveys of property for ESHA

Survey for wetlands used less restrictive Federal Standards instead of State Wetland Delineation Standards used by the Commission.

No adequate discussion of traffic impacts

Urge SI

TH28a
TH29a

ORCA Ex Parte

Commissioner Blank

Commissioner Steve Blank Ex Parte Communication

When: Wednesday, August 29, 2007 3:30 pm

Where: Conference Call

Who: ORCA – Half Moon Bay: Lennie Roberts, Mike Ferreira, Kathryn Slater-Carter and Karen Rosenstein

Projects discussed:

W 9a Appeal No. A-4-MAL-07-095 (Domingue, Malibu)

ORCA requested me to Support the Staff finding of Substantial Issue

- Asked if I could request a hearing date locally so public may attend
- Issues as ORCA sees them:
 - * Proposed project borders Malibu Lagoon – important ESHA
 - * Malibu applied local development overlay district in the Colony inappropriately: the overlay district does not trump LCP Policies
 - * Malibu LCP minimum setback from wetlands is 100 feet, project is within that setback
 - * Mature Cypress trees which are non-native but are important ESHA habitat for herons, osprey, and hawks) may be impacted by project
 - * These issues need to be fully evaluated, therefore Commission should find S.I.

W 14a Appeal No. A-5-HNB-07-242 (Signal Landmark/Hearthside Homes, Inc)

ORCA requested me to Support the Staff finding of Substantial Issue

- Issues as ORCA sees them:
 - * Project is already built and is not in compliance with LCP
 - * Is likely first step to gating off the residential area from public access
 - * This is like asking for forgiveness rather than permission
 - * Illegal construction needs to be removed – possible enforcement issue

W 15b Application No. 5-06-301 (McNamara, San Clemente)

ORCA requested me to the Support Staff findings

- Issues as ORCA sees them:
 - * String line for the location of residence is inconsistent with the LCP policies
 - * Very deep lot means Applicant's choice of criteria for stringline would place this house beyond adjacent development
 - * Stringline policies are intended to protect habitat and avoid canyon – most protective method should be used, in order to comply with goals of LCP
 - * I asked if they want the house accommodated. They said yes, within appropriate stringline setbacks

RECEIVED

AUG 31 2007

Th 28a
Th 29a

ORCA Ex Parte

Commissioner Blank

Th 18b&c Appeal No. A-3-SLO-06-053 and Application E-07-001 (Cambria Community Services District)

ORCA requested me to disagree with the staff recommendations: Staff recommends Approval with Conditions, ORCA asks for a Denial

- Issues as ORCA sees them:
 - * Neither the Project nor this testing is legal under the LCP so this testing is now proposed to be moved to State Park lands subject to Coastal Act – an inappropriate workaround
 - * Inappropriate use in a State Park
 - * Not an “incidental public service”
 - * Project is being segmented – if testing shows desal feasible, no alternative location is identified
 - * At a minimum project needs to be continued until issues can be resolved
 - * I asked and we discussed why we weren’t holding a hearing on the entire desal project in the state park, if this is where it’s going to go.

Th 22f Appeal No. A-2-PAC-07-22 (Pacifica Beach LLC)

ORCA requested me to support Staff and find Substantial Issue

- Asked if I could request a hearing date locally so public may attend (SF-Dec)
- Issues as ORCA sees them:
 - * Project depends upon access from road atop a crumbling seawall
 - * Will require future expansion and raising of dilapidated seawall to protect structure from future storm events
 - * Basement parking/storage is predicted to flood as waves overtop seawall
 - * Project is out of scale for area

Th 28a Appeal No. A-3-SCO-06-59 (Collins, Aptos)

ORCA requested me to disagree with the staff recommendations: Staff recommends Approval with Conditions, ORCA asks for a Denial

- Issues as ORCA sees them:
 - * Landslide instability on bluffs where house is proposed
 - * Engineering solutions are touted as addressing geologic instability, however mitigations often prove inadequate
 - * We discussed the visual issues with the houses on the beach; they completely block public view and access. I asked whether the applicant had opposed any of the 5-plus three story houses built or planned recently. I asked if ORCA was aware of a formal homeowner’s association with CC&Rs, I asked why ORCA believes this wasn’t a dispute between two homeowners in a private gated community.

Th 29a Permit No. A-94-78-A1 (Cornell, Pacific Grove)

ORCA requested me Support Staff and deny the project

- Issues as ORCA sees them:
 - * Applicant has violated deed restrictions on width and location of driveway and dune restoration
 - * Asilomar Dunes in this area are important ESHA
 - * Applicant is offering to remove part of driveway, Commission should require that original conditions in the deed restriction be adhered to
 - * We discussed the history of lot coverage of the other houses that have been approved. I asked why ORCA believes we should be using this house to change our enforcement policies.

**F 8a Appeal No. A-1-MEN-07-28 (Jackson-Grube Family, Inc) **

ORCA requested me to Support Staff and find Substantial Issue

- Issues as ORCA sees them:
 - * Highly scenic area west of Highway One in sparsely populated area, project visible from Highway, scenic impacts
 - * Size of units is inconsistent with "Inn" category – more than a B&B
 - * Applicant used Army Corps definition for wetlands
 - * Finding Substantial Issue will allow more complete evaluation of impacts

Th28a

Diana Chapman

From: Jeff Staben
Sent: Thursday, August 30, 2007 6:53 AM
To: Charles Lester; Diana Chapman
Cc: Vanessa Miller
Subject: FW: Commissioner Blank Ex parte on Th28a 548 Beach Drive/A-3-SCO-06-059

From: steve blank [mailto:sblank@kandsranch.com]
Sent: Wednesday, August 29, 2007 6:43 PM
To: Vanessa Miller; Jeff Staben
Subject: Commissioner Blank Ex parte on Th28a 548 Beach Drive/A-3-SCO-06-059

Ex parte communication

Who: Pete Carrillo and Christine Burnett, Silicon Valley Advisors, LLC (SVA) on behalf of Mr. and Mrs. Albert Schreck and Mr. and Mrs. Rob Forsland
Subject: Th28a 548 Beach Drive/A-3-SCO-06-059
Date/Time: Wednesday August 29, 2007 1:30 pm
Location: K&S Ranch, Pescadero

The meeting started at approximately 1:30 pm and lasted about one hour.

- I informed Mr. Carrillo that I was familiar with the project and had walked Beach Drive on Sunday the 26th.
- Mr. Carrillo explained that the appellant remains concerned about the issues of public health and safety as well as the fact that the project is inconsistent with existing LCP policies.
- Mr. Carrillo said the appellants disagreed with the staff and will be asking the commissioners for a denial
- Mr. Carrillo brought up the issue of staff's concerns regarding a taking, and weighing that against the public policy issues. He said Mark Massara and Pete McCloskey were working on the legal justification for a denial.
- I asked what was Mr. McCloskey's role in this appeal. Mr. Carrillo explained that Mr. McCloskey had been part owner of the house with Mr. Schreck. And that Mr. Schreck uses the house as a vacation home.
- I asked if there is a formal homeowner's association with CC&Rs, Mr. Carrillo will find out that information to share with the entire Commission.
- I asked if the appellants had ever appealed any of the three story houses under construction or previously built.
- I said it would be helpful to have the project history re: Santa Cruz County Planning Commission and Santa Cruz County Board of Supervisors.

Commissioner Steve Blank

RECEIVED

AUG 30 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Aug. 28. 2007 3:51PM

No. 2362 P. 3/5

RECEIVED

AUG 29 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

Th 28th

RECEIVED

AUG 28 2007

CALIFORNIA
COASTAL COMMISSION

Date and time of communication:

7/28/07

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

La Jolla, Ca. 92037

Identity of person(s) initiating communication:

Susan McCabe

Identity of person(s) receiving communication:

Patrick Krueger

Name or description of project:

Th 28th Collins Appeal

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

They believe it's safe and consistent with
the last 11 pass permits in same area. Staff
Geologist said a higher (3 story) house creates
better stability. The taking analysis based on no
new evidence.

Date

7/28/07

Signature of Commissioner

Patrick Krueger

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.

Th28a

RECEIVED

AUG 29 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

**FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATION**

RECEIVED

AUG 28 2007

CALIFORNIA
COASTAL COMMISSION

Date and time of communication:
(For messages sent to a Commissioner
by mail or facsimile or received as a
telephone or other message, date
time of receipt should be indicated.)

8/27/2007 -- 3:30 p.m.

Location of communication:
(For communications sent by mail or
facsimile, or received as a telephone
or other message, indicate the means
of transmission.)

Eureka, CA - Conference Call

Person(s) initiating communication:

Susan McCabe

Person(s) receiving communication:

Bonnie Neely

Name or description of project:

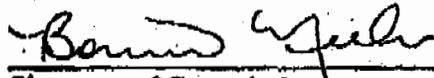
Collins

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

Disagrees with staff's recommendation this month. Eleven bluff side houses approved here.

08/27/07

Date


Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

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 proceedings and provide the Executive Director with a copy of any written material that was part of the communication.

RECEIVED

AUG 29 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

Th 29a

RECEIVED
AUG 28 2007
CALIFORNIA
COASTAL COMMISSION

Date and time of communication: 7/28/07

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

Identity of person(s) initiating communication: Susan McCabe

Identity of person(s) receiving communication: Patrick Kruer

Name or description of project: Th 29a Cornell

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

Applicant can not understand why they are not entitled to 15th lot coverage pursuant to the LUP and consistent with every permit issued in this area. And they are restoring the other 85th state of art dune restoration!

7/28/07
Date

Patrick Kruer
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.

RECEIVED

AUG 30 2007

CHARLES R. KELLER
RONALD F. SCHOLL
THOMAS H. JAMISON
MARK A. CAMERON
JOHN S. BRIDGES
DENNIS G. MCCOY
JACQUELINE P. MENCHACA
CHRISTOPHER H. MENCHACA
DAVID C. SWEIGERT
SARA B. BOYNS
SHARILYN R. PAYNE
BRIAN E. TURLINGTON
AMBER D. PASSNO
CAROL S. HILBURN
JAY P. MENCHACA
KOREN R. MCWILLIAMS
SHERYL L. AINSWORTH

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FENTON & KELLER
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
2801 MONTEREY-SALINAS HIGHWAY
POST OFFICE BOX 791
MONTEREY, CALIFORNIA 93942-0791
TELEPHONE (831) 373-1241
FACSIMILE (831) 373-7219
www.FentonKeller.com

LEWIS L. FENTON
1925-2005

OF COUNSEL
GARY W. SAWYERS

August 29, 2007

JOHN S. BRIDGES

JBridges@FentonKeller.com
ext. 238

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

VIA OVERNIGHT MAIL

Re: Cornell Application (A-94-78-A1); 1601 Sunset Drive, Pacific Grove
Our File: 32920.30187

Dear Commissioners:

This letter is offered as a supplement to our July 3 letter (Attachment 1) regarding the above referenced application. The Cornells are requesting a permit for a modest single story remodel of their home and the addition of a bedroom as approved by the City of Pacific Grove.

In our July 3 letter we noted that the Coastal Commission has regularly permitted remodels and additions of existing homes in the Pacific Grove Asilomar Dunes area involving increased coverage up to (and in some cases even exceeding) LUP coverage limits (15% impervious/5% outdoor living). In their August 17 staff report (at page 16) staff attempts to dismiss these prior Coastal Commission approvals as incorrect applications of the LUP and Commission error. We do not believe that is a reasonable explanation.

Attachment 2 contains detailed information about these prior Coastal Commission approvals as well as two other approvals we learned of (Meyers and Reinstedt). In each of these cases the Coastal Commission approved remodels and additions to existing homes that increased the amount of coverage. Some of the additions were even allowed on properties where the existing coverage already exceeded the LUP maximum. All of these other Coastal Commission approvals are in the vicinity of the Cornell property and all are in the Pacific Grove Asilomar Dunes area located between Sunset Drive and Asilomar Boulevard. Several of these past approvals occurred before the Cornells purchased their property which, as discussed in our previous letter, contributed to the Cornells' reasonable expectation that they would be able to similarly add on to their home. Still other approvals occurred after the adoption of the LUP and therefore represent the Commission's more recent practice of allowing additional coverage. This is all to say that approval of the Cornell project will not establish any "new precedent" but rather approval would simply be consistent with the Commission's established interpretation and application of coverage limitations in the Pacific Grove Asilomar Dunes area. All the Cornells are seeking is fair and equal treatment similar to that which their neighbors have enjoyed.¹

¹ There are also many examples of Coastal permit approvals allowing home additions which increased coverage up to and/or exceeding the LUP coverage limits based upon unique project specific circumstances (e.g., Chase - 1315 Jewell Avenue/CDP 3-91-01; Cort - 1357 Jewell Avenue/1999 permit waiver; Evans - 398 Calle de los Amigos/CDP 3-04-021; Kriens - 380 Calle de los Amigos/CDP 3-01-094; Spradling - 404 Asilomar Avenue/CDP 3-95-42). Mention of these projects is relevant because these home additions were permitted based on project

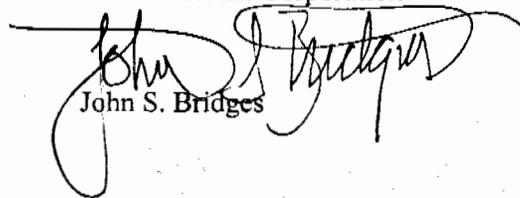
In contrast to all of the above referenced Commission approvals, we are unaware of any Coastal Commission denial of an application for additional coverage up to but not exceeding the 15%/5% allowed by the LUP.

Finally, a few minor corrections to the August 17 staff report. The public hearing notice was updated to correctly describe the revised design which represents 14.47% structural coverage and 2.61% landscape coverage for a total of 17.08% (2.92% less than that permissible under the LUP) but the statistics in the staff report have not been so updated. Also, the Cornell home is already connected to the City's municipal sewer system and has been for decades so no new connection is being proposed.

Based on the express language of the Cornell's original permit (which was confirmed in the Declaration), the pattern of development in the area, and the extensive list of similar projects approved by the Coastal Commission, when the Cornell's purchased their property they certainly had a reasonable investment-backed expectation that they would be able to add on to their home and that they would be treated equally with their neighbors. Again, we respectfully request your approval of the project.

Very truly yours,

FENTON & KELLER
A Professional Corporation



John S. Bridges

JSB:kmc
Enclosures

cc: Commissioner Steve Blank
Commissioner Sara Wan
Commissioner Dr. William A. Burke
Commissioner Steven Kram
Commissioner Mary K. Shallenberger
Commissioner Patrick Kruer, Chair
Commissioner Bonnie Neely
Commissioner Mike Reilly
Commissioner Dave Potter
Commissioner Khatchik Achadjian
Commissioner Larry Clark
Commissioner Ben Hueso
Steve Monowitz
Tom Moss
Susan McCabe
Mr. & Mrs. Cornell

specific circumstances and proffered mitigations. Therefore, the additional mitigations offered by the Cornells can be an appropriate basis for approval of the project (e.g., enhanced restoration/endangered species out-planting, off-site habitat restoration funding, public access safety enhancement). See Attachment 3 which shows the 18,500 square foot area of Coastal Commission approved ice plant that would be replaced with endangered species. See Attachment 4 summary comparison between the 1978 approved and 2006 proposed landscape restoration plans. See Attachment 5 showing the public access (bike lane) sight distance improvement.

Agenda Item No.: 11a (Central Coast District)
John S. Bridges, Representative

CHARLES R. KELLER
RONALD F. SCHOLL
THOMAS H. JAMISON
MARK A. CAMERON
JOHN S. BRIDGES
DENNIS G. MCCARTHY
JACQUELINE P. MCMANUS
CHRISTOPHER E. PANETTA
DAVID C. SWEIGERT
SARA B. BOYNS
SHARILYN R. PAYNE
BRIAN E. TURLINGTON
AMBER D. PASSNO
CAROL S. HILBURN
JAY P. MENCHACA
KOREN R. MCWILLIAMS
SHERYL L. AINSWORTH

FENTON & KELLER
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
2801 MONTEREY-SALINAS HIGHWAY
POST OFFICE BOX 791
MONTEREY, CALIFORNIA 93942-0791
TELEPHONE (831) 373-1241
FACSIMILE (831) 373-7219
www.FentonKeller.com

LEWIS L. FENTON
1925-2005

OF COUNSEL
GARY W. SAWYERS

July 3, 2007

JOHN S. BRIDGES

JBridges@FentonKeller.com
ext. 238

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

Re: Cornell Application (A-94-78-A1); 1601 Sunset Drive, Pacific Grove
Our File: 32920.30187

Dear Commissioners:

We represent Dr. & Dr. Cornell, the applicants for the above referenced permit amendment. The Cornells purchased their property with the intention of adding on to the existing house to accommodate their growing family. Along with their architect and coastal biologist, Tom Moss, the Cornells have worked hard to design an addition that would fit with the neighborhood and its coastal environs. The result is a modest addition that is less than what is permissible under the LUP and zoning requirements. The project has been approved by the City of Pacific Grove and to our knowledge, no one is opposing this application.

When the Cornells purchased their property they learned of a recorded Declaration of Protective Restrictions ("Declaration") which limited further development on the property "except as authorized by duly approved amendment to the permit." Upon reviewing the referenced permit, they learned that this language in the Declaration related to condition 7 of the permit which provided:

The easement document may provide provision that if on completion of the Local Coastal Program the conditions of the easement are found more stringent than the requirements of the LCP, the applicant may submit to the Commission for consideration a request to amend the permit.

Knowing that the certified LUP for Pacific Grove allowed for 15% building coverage plus 5% landscaping, the Cornells purchased the house based on their reasonable expectation that because the permit conditions were more stringent than the certified LUP they could submit an

application to add on to their home. The Cornell's expectation was also consistent with what they saw in the neighborhood; namely, several new homes and remodels with additions approved and constructed along Sunset Drive which had been allowed 15% or more structural coverage and 5% landscaping (Barker, Evans, Fisher, Kapp, Langlois, Lavorini, Leffler, and others). The Cornell's amendment application is precisely what the Coastal Commission anticipated in condition 7 and made provision for in the Declaration.

In September 2005, prior to developing detailed plans and initiating the process for obtaining permits from the City of Pacific Grove and the Coastal Commission, the Cornell's requested that their architect, Al Saroyan, and biologist, Tom Moss, meet with Coastal Commission staff in Santa Cruz to review a preliminary site plan for the proposed project and to identify any concerns or constraints that might result in a denial of the project, including staffs' interpretations of coverage restrictions stated in the original 1978 coastal development permit. At the meeting, staff indicated that because the project appeared to be consistent with the standards of the LUP (approved in 1991), they did not see any problem with amending the original development permit to allow coverage to exceed the 1978 Coastal Commission imposed limits up to the maximum now allowed under the current LUP of 15% for this nearly one-acre property. Based on this information, the Cornells decided to pursue remodeling their residence.

In light of the above, the Cornells were surprised to learn of staff's negative recommendation even though the application requested less coverage than allowed under the LUP and staff input nearly two years before had been encouraging. Not only is the project less than what the LUP allows in terms of coverage, the Cornells have also offered several design amenities and mitigations to enhance the local area. First, the on-site dune restoration plan prepared by Tom Moss would replace previously approved plantings of ice plant and monoculture patches of individual dune species on the property with an appropriate, balanced mix of native coastal dune species, including several rare and endangered species. The Cornells have also proposed a unique restoration monitoring program that would require inspection upon any future sale of the property. The Cornells have also proposed to relocate one dune landform on the property back away from the Sunset Drive curve to improve sight distance and safety for pedestrians and bicyclists utilizing the bike lane along Sunset and to also better screen the home from the public view. The Cornells have also offered to contribute financially toward restoration of the Pacific Grove Golf Course dune environment proportional to the additional structural coverage they are requesting (i.e., approximately .05 acres). All of these proposals were presented to staff but, unfortunately, were not mentioned in the staff report (Attachment 1).

In addition to not discussing these additional benefits of the project, the staff report falls short in several other respects. First, we believe the staff report incorrectly implies that other homes in the area are similarly limited to 11% coverage. In fact, the certified LUP allows 15% structural coverage and 5% landscaping coverage and most of the recently approved homes in the area have been allowed to take full advantage of these coverage percentages. The only reason the Cornell's existing home is less than 15% is because it was originally approved before the LUP was certified and the appropriate coverage rules were not yet decided. To ensure fair treatment of the Cornells and as discussed above, the Coastal Commission anticipated this exact circumstance and addressed it by expressly allowing for a subsequent permit amendment. The

Cornell's plans request 14.47% structural coverage and 2.61% landscape coverage for a total of 17.08%. This is 2.92% less than is permissible under the LUP.

The restoration plan approved by the Coastal Commission originally called for the planting of 18,500 square feet of ice plant, which is approximately 47% of the originally approved undeveloped portion of the property. It is now understood that this plant is not native to the area and coastal biologist Tom Moss has recommended that it be replaced, in a new restoration plan, by truly native species including rare and threatened varieties. This modification to the approved restoration plan would represent a significant enhancement of the dune environment both on the property and in the area. The site is currently degraded and there are no threatened or endangered plants on the property. As noted by Mr. Moss, on balance the project will greatly enhance the property's biological and aesthetic resource values. While the project will encroach into the degraded dune area by 2,521 square feet, the project will offset this encroachment more than seven fold by replacing the previously approved ice plant planting on 18,500 square feet of the property. In addition, the Cornells have offered to further the habitat mitigation/offset by contributing toward the restoration of the Pacific Grove Golf Course dunes in an amount proportional to their project (Attachment 1). Taken as a whole, the project as designed and mitigated will significantly enhance the dune environment rather than disrupt it.

Because the project is consistent with the certified LUP, and because the LUP has been certified as consistent with the Coastal Act we believe there is no conflict with Coastal Act section 30240. The Land Use Plan is the adopted and certified "general plan" for the area and consistency with the LUP should be the applicable standard.¹ As discussed above, the project is consistent with the LUP in that it falls below the maximum coverage allowance of Policy 3.4.5.2² and will result in a net overall enhancement of the habitat (not disruption). Accordingly, there should be no need in this case to rely upon constitutional takings findings. Nevertheless, the Cornell application would be protected under the U.S. Constitution based upon the facts and circumstances of this case. Namely, the Cornells' reasonable investment backed expectation that they could add onto their home is fully supported by the permit history of the property, the LUP, and the pattern of development allowed by the Coastal Commission in the area.

The alternative design staff suggests (e.g., enclosing the existing courtyard) does not work for two reasons. First, because of the roof lines of the existing structure most of the house would have to be demolished in order to tie in a courtyard addition and that would make the project cost prohibitive. Secondly, the small courtyard space is currently the only outdoor living area that is safe for the Cornell's small children to play in. The traffic on Sunset Drive creates safety concerns for children on the property.

With regard to visual resources the proposed addition is lower than the 18-foot height limit allowed by the zoning and it will be further screened by the relocation of the dune landform (which relocation, as noted above, will also enhance public access safety along Sunset Drive).

¹ The yet to be adopted Coastal Implementation Plan/Zoning for the Pacific Grove coastal zone area must necessarily be subordinate to and consistent with the LUP. The LUP is therefore more than merely advisory in this context.

² The Coastal Commission has routinely characterized remodels and additions as new development for purposes of applying LUP Policy 3.4.5.2 (ref. e.g., Kwiatkowski; 3-03-029).

California Coastal Commission
July 3, 2007
Page Four

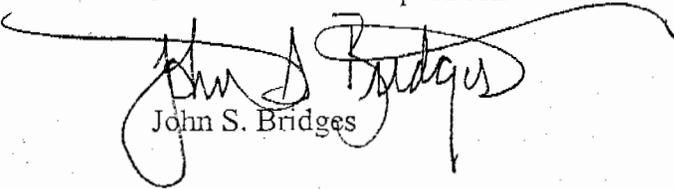
The design does not obstruct any ocean views, public or private. The proposed addition is tucked in and down to match the existing low profile of the home. When completed, the addition will be an all but imperceptible change to the current circumstance.

With regard to the alleged violations, the Cornells intend by this application to bring the driveway into conformity and to better restore the dune environment in accordance with the new habitat plan proposed by coastal biologist Tom Moss.

In conclusion, the Cornells are asking to be treated equally under the LUP and to be allowed to add on to their home in a modest way consistent with the prior Commission's contemplation (as reflected in the original permit). The City has approved this project, there is no opposition to this project, and, as coastal biologist Tom Moss has stated, the project will greatly enhance the property's biologic and aesthetic resource values. We respectfully request your approval. Thank you.

Very truly yours,

FENTON & KELLER
A Professional Corporation



John S. Bridges

JSB:kmc
Enclosure

cc: Commissioner Steve Blank
Commissioner Sara Wan
Commissioner Dr. William A. Burke
Commissioner Steven Kram
Commissioner Mary K. Shallenberger
Commissioner Patrick Kruer, Chair
Commissioner Bonnie Neely
Commissioner Mike Reilly
Commissioner Dave Potter
Commissioner Khatchik Achadjian
Commissioner Larry Clark
Commissioner Ben Hueso
Mr. & Mrs. Cornell
Tom Moss

ATTACHMENT 1

John Bridges

From: John Bridges
Sent: Friday, June 01, 2007 11:47 AM
To: 'Steve Monowitz'
Cc: Dr. Steinbaum-Cornell; Tom Moss (Coastal Biologist); Tom Moss - bio2
Subject: RE: Cornell - (A-94-78-A1)

Also, the extra mitigation off-site contribution Dr. Cornell is prepared to offer (toward restoration of the PG Golf Course) is .05 acre (the amount of new structural coverage the application would involve) which we understand would equate to approx. \$2,050.

Thanks...JOHN

John S. Bridges, Esq.
Fenton & Keller
2801 Monterey-Salinas Hwy
Monterey, CA 93940
831-373-1241 (ext. 238)
831-373-7219 (fax)
www.fentonkeller.com

CONFIDENTIALITY NOTICE

This is a transmission from the Law Firm of Fenton and Keller. This message and any attached documents may be confidential and contain information protected by the attorney-client or attorney work product privileges. They are intended only for the use of the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you received this transmission in error, please immediately notify our office at 831-373-1241. Thank you.

IRS Circular 230 Disclosure: Any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code or promoting, marketing or recommending to another party any matters addressed herein.

From: John Bridges
Sent: Friday, June 01, 2007 10:18 AM
To: 'Steve Monowitz'
Cc: Dr. Steinbaum-Cornell; Tom Moss (Coastal Biologist); Tom Moss - bio2
Subject: RE: Cornell - (A-94-78-A1)

Hi Steve: Tried reaching you by phone earlier. Any update on status? Do you need any further information?

Thanks...JOHN

John S. Bridges, Esq.
Fenton & Keller
2801 Monterey-Salinas Hwy
Monterey, CA 93940
831-373-1241 (ext. 238)
831-373-7219 (fax)
www.fentonkeller.com

CONFIDENTIALITY NOTICE

This is a transmission from the Law Firm of Fenton and Keller. This message and any attached documents may be confidential and contain information protected by the attorney-client or attorney work product privileges. They are intended only for the use of the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you received this transmission in error, please immediately notify our office at 831-373-1241. Thank you.

IRS Circular 230 Disclosure: Any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code or promoting, marketing or recommending to another party any matters addressed herein.

From: John Bridges
Sent: Monday, May 21, 2007 4:11 PM
To: 'Steve Monowitz'

Cc: Dr. Steinbaum-Cornell; Tom Moss (Coastal Biologist); Tom Moss - blo2
Subject: Cornell - (A-94-78-A1)

Steve: As a follow up to our 5-8-07 meeting I will be sending you a revised site plan prepared by Mr. Saroyan with input from Tom Moss which now shows the coverage calculations at 14.91% structure/impervious and 2.61% "outdoor living". The new plan will also better show how the westerly dune would be relocated to both enhance the safety of public access along Sunset as well as better screen the Cornell home.

I trust you also received my voicemail about past application of the "new development" language in the context of other remodels/additions.

As soon as we have the fair share number on the possible extra mitigation offer of off-site contribution to the PG Golf Course restoration project I will send that to you as well.

Based on the above and all we discussed on 5-8-07 including the opportunity for enhanced restoration (with elimination of "all" iceplant species and introduction of additional endangered species instead); much better monitoring; basic fairness of allowing Dr. Cornell to enjoy her property to the same extent her neighbors are allowed to; and her reasonable investment backed expectations (in light of the LUP, the old approval which anticipated just this kind of situation and thus contemplated amendment of the old deed restriction, and the development pattern along Sunset and in the area in general...we hope you will now be able to support the project.

I will look forward to hearing back from you after you have reviewed the revised site plan.

JOHN

John S. Bridges, Esq.
Fenton & Keller
2801 Monterey-Salinas Hwy
Monterey, CA 93940
831-373-1241 (ext. 238)
831-373-7219 (fax)
www.fentonkeller.com

CONFIDENTIALITY NOTICE

This is a transmission from the Law Firm of Fenton and Keller. This message and any attached documents may be confidential and contain information protected by the attorney-client or attorney work product privileges. They are intended only for the use of the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you received this transmission in error, please immediately notify our office at 831-373-1241. Thank you.

IRS Circular 230 Disclosure: Any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code or promoting, marketing or recommending to another party any matters addressed herein.

ATTACHMENT 2

COASTAL COMMISSION PERMIT RECORDS FOR HOUSE ADDITIONS IN THE ASILOMAR DUNES

<u>NAME</u>	<u>ADDRESS</u>	<u>ACRES</u>	<u>DATE</u>	<u>PERMIT</u>	<u>PROJECT (SQ FT)</u>	<u>% CHANGE</u>
Cornell	1601 Sunset drive	0.98	2007	A-94-78-A1	Proposed House Addition (1,545) and patios (451).	11.6 to 14.5 (PROPOSED)
Barker	1313 Pico Blvd.	0.75	1987	CDP 3-87-222	Add 2-car garage (420) and driveway (2,444).	8.8 to *14.9
Borosky	49 Calle de los Amigos	0.50	1985	CDP 3-85-226	House Addition (800).	19 to *22
Kapp	1715 Sunset Drive	0.56	2004	A-109-78-A1	House addition (136) and legalize deck addition (375).	18.7 to 20.3
Lavorini	1705 Sunset Drive	0.79	1999	Waiver 3-99-020W	House addition (1,351) and patio (800).	8.7 to 10
Leffler	10 Calle de los Amigos	1.09	1989 1997	CDP 3-89-61 Waiver 3-97-014W	House addition (308). Enclose and expand carport (115) and expand driveway (105).	13.8 to 14.4 14.4 to 14.6
Myers	1371 Arena Avenue	0.53	1997	CDP 3-97-1	Replace house and reduce hardscape (8,367 to 6,388). House addition (316).	36.3 to 27.7 27.7 to 29.1
Reinstedt	352 Calle de los Amigos	0.47	1986	CDP 3-86-181	House addition and auxiliary unit (total 1,000).	29.4 to 34.3

* Coverage calculation may not include decks, patios, walkways, and/or driveway.

ASILOMAR DUNES NEIGHBORHOOD PROPERTIES PERMITTED INCREASED COVERAGE

CORNELL
(Proposed Project)

MYERS

LAVORINI

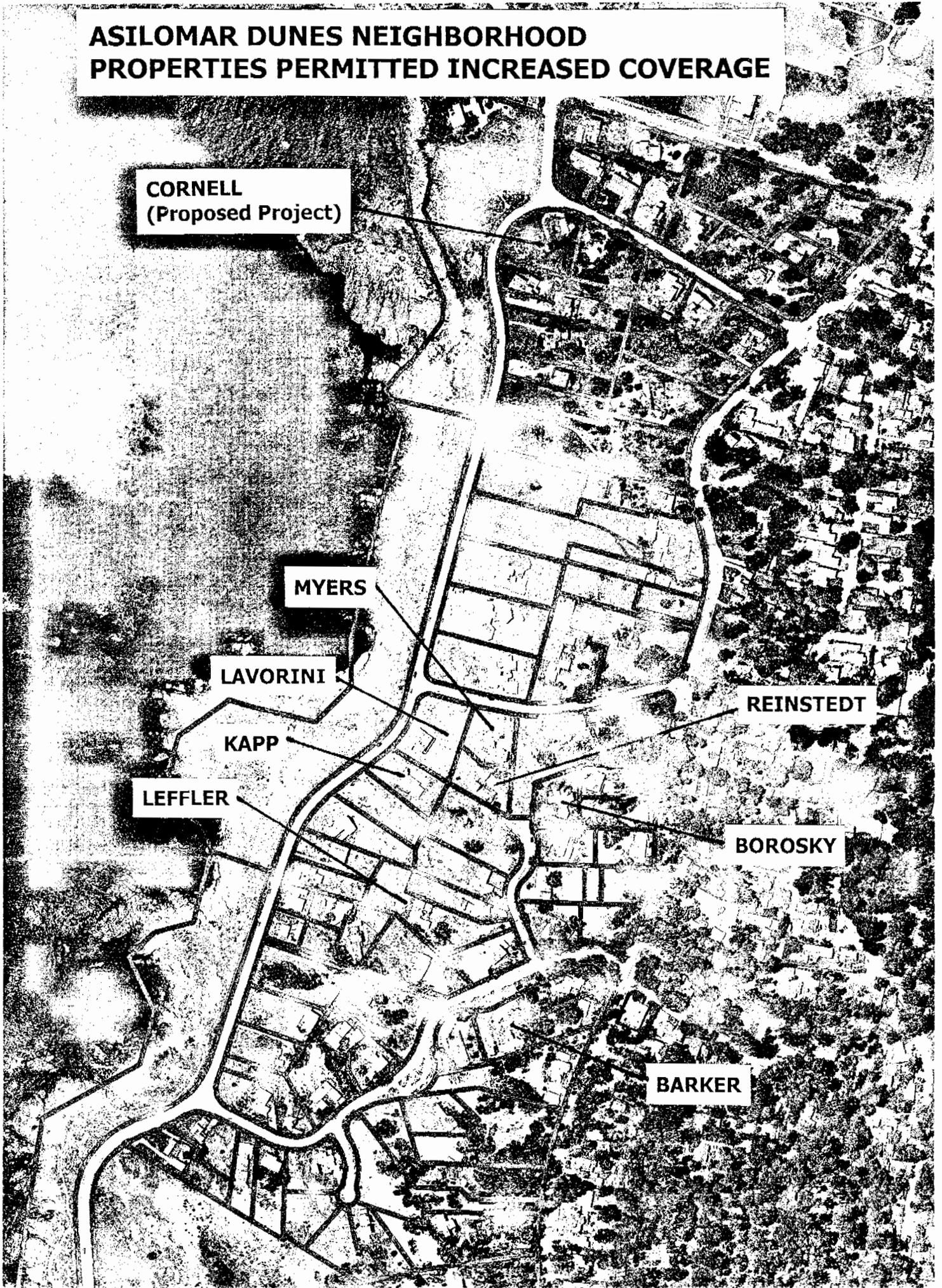
KAPP

LEFFLER

REINSTEDT

BOROSKY

BARKER



ATTACHMENT 4

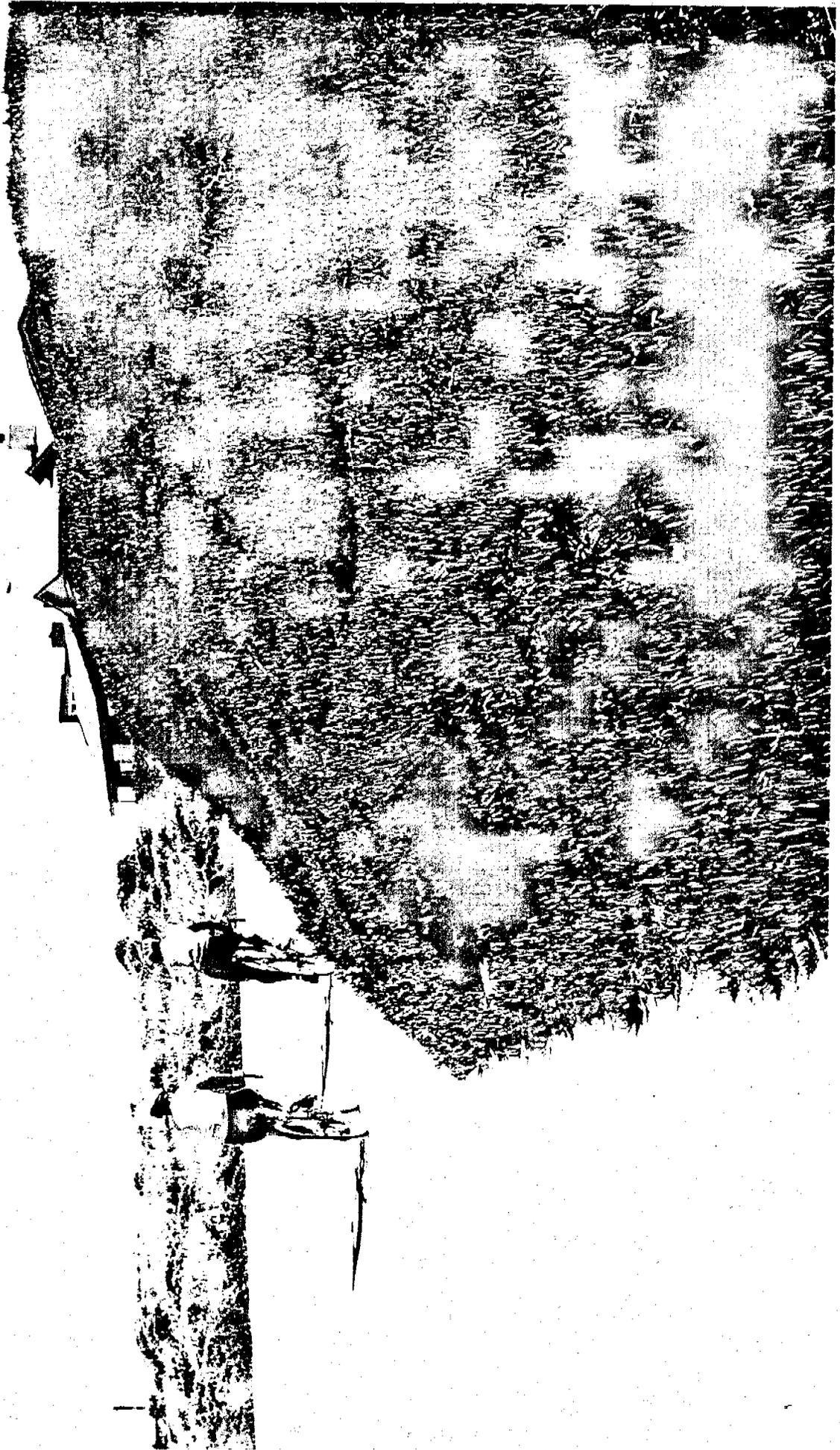
COMPARISON OF THE 1978 AND 2006 LANDSCAPE RESTORATION PLANS

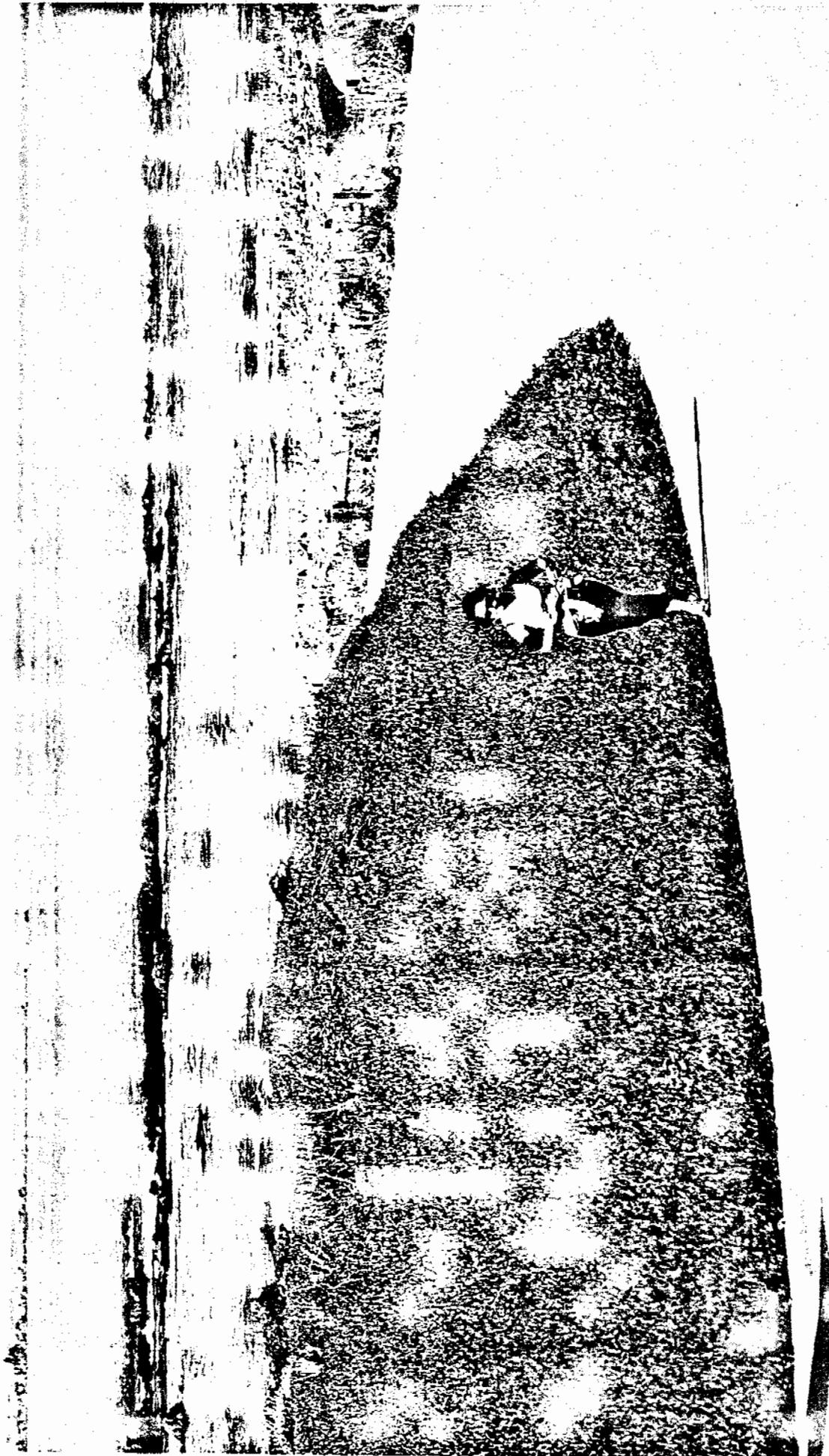
1978 Restoration Plan by Mackenzie Patterson, Architect:

- No restoration goal or objectives are identified.
- No methods or procedures are described for implementation of the project.
- The planting list is limited to mainly showy, flowering plants, and does not reflect the natural species composition of the dunes native plant community.
- The planting plan is based on visual design priorities, not environmental factors or ecological objectives.
- The listed plant palette includes exotic and ornamental plants (two species of ice plant) that are not native to the Asilomar Dunes.
- There is no monitoring and maintenance plan.
- There is no monitoring program.
- No minimum performance standards are identified.
- No long term provisions are provided to verify and ensure success of the restoration project.

2006 Restoration Plan by Tom Moss, Coastal Biologist:

- The restoration goal and objectives are clearly identified.
- Restoration methods and procedures are complete and described in detail.
- The planting list is comprised of an array of naturally occurring native species that is representative of the native dunes plant community.
- The planting plan is based on the aim of creating a self-sustaining natural landscape governed mainly by natural processes.
- No exotic plants are included in the planting plan.
- A clear set of monitoring and maintenance tasks is identified.
- Minimum performance standards for all aspects of the landscape are defined in qualitative and quantitative terms.
- Long term provisions for guaranteeing success of the restoration project are specified.





Aug-22-2007 04:45pm From-

T-549 P.002/002 F-586

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
726 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877



Extension of 180-Day Permit Streamlining Act Deadline

Pursuant to section 65952 of the Permit Streamlining Act (PSA; Government Code §§ 65920 - 65964), the Coastal Commission is required to make a final decision on coastal development permit applications within 180 days of the date on which the Commission accepts such applications as complete. Section 65957 of the Permit Streamlining Act allows for the 180-day time limit to be extended once for a period not to exceed 90 days upon mutual written agreement of the project applicant and the public agency.

In this case, the applicant (Dean and Rebekah Witter) submitted an application (Application Number 3-04-052-A1) to the Coastal Commission that the Commission accepted as complete and thus filed on March 28, 2007. Accordingly, the 180-day PSA deadline for action based on the March 28, 2007 filing date is September 24, 2007.

By signatures of the applicant (or the applicant's designated representative) and the Coastal Commission (by the Central Coast District Manager) below, the applicant and the Coastal Commission now mutually agree to extend the PSA's 180-day deadline by 90 days, said extension to run from said deadline. Accordingly, the new PSA deadline for the Commission to render a final decision on Application Number 3-04-052-A1 is December 23, 2007.

Signature of Applicant or Applicant's Designated Representative

August 22, 2007

Date

Signature of California Coastal Commission Central Coast District Manager

August 27, 2007

Date

RECEIVED

AUG 22 2007

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA