

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



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Filed: 7/25/08
49th Day: 9/12/08
180th Day: 1/21/09
Staff: Doug Macmillan-SF
Staff Report: October 24, 2008
Hearing Date: November 12, 2008

STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: **2-82-020-A1**

APPLICANT: **JEFF HARRIMAN**

PROJECT LOCATION: 12938 Sir Francis Drake Blvd., Inverness, Marin County.
Original Permit APNs: 112-101-01, -02, -03.
Amended Permit Applicant APNs: 112-091-07, 112-101-01, -02, -03, -12, and -13, and Adjacent Property APN 112-101-05.

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Conversion of four hotel units and construction of an 868-square foot addition to accommodate a 75-seat restaurant, and upgrade of the septic system.

DESCRIPTION OF AMENDMENT: Reroute part of the existing public access easement pathway on the property, after-the-fact approval of an existing 5 ft. by 63 ft. deck and its modification to accommodate the re-routed access path, after-the-fact approval of a storage shed, a new 96-sq.ft. deck to an existing hotel unit, a new 64-sq.ft. roof at the end of the boat pier, and a new outdoor fireplace and two new outdoor spas adjacent to an existing pool.

LOCAL APPROVALS RECEIVED: Marin County Design Review Clearance Determination, January 30, 2008.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission, after public hearing, approve with conditions the amendment request to modify the existing public access easement by routing the easement path around unpermitted development that has encroached into the easement, provide after the fact approval for a deck, storage shed, and propane tank that encroach into the existing easement area, and approve other new development, including a new 64-square foot roof at the end of the boat pier, a new outdoor fireplace and two new outdoor spas adjacent to an existing pool.

The amendment proposes to resolve violations on the property in the form of encroachment onto the access pathway by an unpermitted storage shed and deck on one of the hotel units fronting Tomales Bay.

Staff recommends after-the-fact approval of the shed, deck, and propane tank and the re-routing of the easement around the shed and onto the deck, on stairs to the north and south of the boat ramp, and around the propane tank and along the driveway. Re-routing the easement around and onto these developments would not hinder the ability of the public to access the beach or walk along the beach. Re-routing of the easement will facilitate the opening of the easement by the County of Marin Parks and Open Space division.

The other new development requested in the amendment consisting of a new 96-sq.ft. wooden deck addition to an existing hotel unit, a new outdoor fireplace and two new outdoor spas on the existing pool deck, and a new 64-sq.ft. roof at the end of the boat pier, involve minor additions to existing facilities at the resort that do not raise coastal act issues. The addition to the end of the pier is a small, open, flat-roofed structure intended to provide a small area of shade. Its wood and green metal materials match the rest of the resort development. It does not increase the shading of the surface of Tomales Bay and as viewed from the Bay would be an insignificant addition.

The principal issue raised by the amendment application is public access. As conditioned, staff believes that the project is consistent with the Coastal Act.

STAFF NOTES

1. PROCEDURE AND BACKGROUND: Section 13166 of Title 14 of the California Code of Regulations states that the Executive Director shall reject an amendment request if it lessens or avoids the intent of the approved permit unless the applicant presents newly discovered material information, which he or she could not, with reasonable diligence, have discovered and produced before the permit was granted. Re-routing the easement would not hinder the ability of the public to access the beach or walk along the beach. Re-routing of the easement will facilitate the opening of the easement by the County of Marin Parks and Open Space division.

Section 13253 (b) states in part that a permit shall be required for any improvement located seaward of the mean high tide line because of the risk of adverse environmental effect.

The proposed amendment would perfect the access trail as required in the original permit and the applicant has been cooperative toward that end.

2. **STANDARD OF REVIEW:** The proposed project is located entirely within the Commission's retained permit jurisdictional area. Therefore, the standard of review is the Coastal Act.

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION:

The staff recommends that the Commission adopt the following resolution:

1. Motion:

"I move that the Commission approve the amendment to Coastal Development Permit No. 2-82-020-A1 pursuant to staff recommendation."

2. Staff Recommendation of Approval:

Staff recommends a **YES** vote, resulting in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

3. Resolution to Approve Permit Amendment:

The Commission hereby approves the amendment to the coastal development permit, subject to the conditions below, on the grounds that the proposed development with the proposed amendment will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. STANDARD CONDITIONS

NOTE: All standard conditions No. 1 - 7 attached to the previously approved permit (2-82-020) shall remain in effect and are attached in **Exhibit 1** and incorporated herein.

III. SPECIAL CONDITIONS

Special Conditions 9, 10, and 11 of the original permit shall remain in full force and effect. Special Condition No. 8 of the original permit is amended as indicated below. A new Special Condition 12, 13, 14, and 15 are added as indicated below.

Special Condition No. 8

Grant of Revised Access Easement by Harriman Over APNs 112-091-07, 112-101-01, -02, -03, -12, and -13

Prior to issuance of the Coastal Development Permit, the applicant shall submit evidence, in a form and content acceptable to the Executive Director, that an amendment to the easement required pursuant to Special Condition 8 of the original permit has been executed and recorded by the applicant granting to the County of Marin on behalf of the people of the State of California a public access easement for public pedestrian access and passive recreational use to and along the shoreline as generally depicted on Exhibit 2. The public access easement shall be revised as generally depicted on Exhibit 2 to include a vertical access pathway 8 feet in width that begins at the junction of the southern corner of APN 112-101-13 at the edge of Sir Francis Drake Boulevard and continues northeast along the property boundary, turns east onto a portion of the adjacent property owned by the Inverness Foundation, turns west back onto the applicant's property, and continues northeast along the property boundary to the mean high tide line of Tomales bay. The easement shall also include a lateral access pathway 5 feet in width which is routed onto the deck bayward of units #31 - 34, around the perimeter of the marina breakwater and across the existing deck of the restaurant, then descends steps from the restaurant deck to the south side of the boat ramp, continues northeast across the ramp, and ascends stairs on the north side of boat ramp to the deck at the landward end of the boat pier and shall include all sandy beaches. The easement shall also include a pathway 8 feet in width running from the northern end of the lateral accessway southwest along the property boundary and south along the existing driveway to Sir Francis Drake Boulevard.

The recorded easement document shall include a formal legal description of the entire property and a metes and bounds legal description and graphic depiction, prepared by a licensed surveyor, of the public access easement, as generally shown on Exhibit 2. The grant of easement shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed, and shall run with the land in favor of the people of the State of California, binding all successors and assigns.

The recorded document(s) described above shall reflect the following restrictions:

- (a) No development, as defined in Section 30106 of the Coastal Act, shall occur within the public access easement area except for the following development:
- i) the installation and maintenance of signs as are necessary to direct the public along the easement;
 - ii) improvements to the easement path such as grading, tree trimming or removal if approved by a Coastal Development Permit;
 - iii) maintenance and repair of the approved development within the easement area if approved by a CDP where a CDP is required.

Special Condition No. 12

Grant of Access Easement by Inverness Foundation Over APN 112-101-05

Prior to issuance of a Coastal Development Permit, the applicant shall submit evidence, in a form and content approved in writing by the Executive Director, that the Inverness Foundation has dedicated to the County of Marin an easement for public pedestrian access and passive recreational use over that portion of APN 112-101-05 which borders the subject property as generally shown on Exhibit 2.

The recorded easement document shall include a formal legal description of the entire property and a metes and bounds legal description and graphic depiction, prepared by a licensed surveyor, of the public access easement, as generally shown on Exhibit 2. The grant of easement shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the interest being conveyed, and shall run with the land in favor of the people of the State of California, binding all successors and assigns.

The recorded document(s) described above shall reflect the following restrictions:

- 1) No development, as defined in Section 30106 of the Coastal Act, shall occur within the public access easement area except for the following development:
 - a) the installation and maintenance of signs as are necessary to direct the public along the easement;
 - b) improvements to the easement path such as grading, tree trimming or removal if approved by a Coastal Development Permit.

Special Condition No. 13.

Condition Compliance

Effective upon Commission action and prior to commencement of development authorized by this Coastal Development Permit Amendment, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

Special Condition No. 14.

Debris Removal

All construction debris shall be removed from the site and disposed of at a lawful disposal site. Any construction debris that enters the waters of Tomales Bay shall be retrieved and lawfully disposed.

Special Condition No. 15.

Public Access Signage

By acceptance of this permit the applicant acknowledges the ability of the accepting agency to post signs on his property within and adjacent to the easement area, including along the deck and the shed, so as to facilitate the public's ability to locate and utilize the realigned accessway.

IV. **FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares as follows:

1. Site Description

The project site is on seven level parcels on the shore of Tomales Bay north of the village of Inverness in western Marin County, and currently consists of a 36-unit hotel, restaurant and marina with onsite parking. It has been a resort since the 1940's and was originally named the Golden Hinde Boatel, and is now operated as the Golden Hinde Inn and Marina. The resort is an approved visitor-serving, commercial recreational use in an area zoned Coastal, Resort Commercial Recreation (C-RCR). The current owner purchased the property in 2005.

2. Original Permit

The original permit approved by the Commission in June 1982 was for the remodeling of one building to create a 75-seat restaurant by converting four hotel units and constructing an 868-sq.ft. addition. Because the property is within the Commission's retained permit jurisdictional area, the permit contained a Special Condition to require an irrevocable offer to dedicate an easement for public access to and along the shoreline of Tomales Bay. The offer was accepted by Marin County in August 1982.

3. Alleged Violation

Development that encroaches on the public access easement consisting of the addition of a wooden deck on the east side of the "Bayview" building, a storage shed on the south side, and an aboveground propane tank has taken place without benefit of a coastal development permit. Although development has taken place prior to submission of this permit amendment application, consideration of the application by the Commission has been based solely upon the public access and public recreation policies of Chapter 3 of the Coastal Act. Approval of the permit amendment does not constitute a waiver of any legal action with regard to the alleged violation, nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

4. Proposed Amendment

The proposed amendment seeks approval to reroute part of an existing public access easement pathway on the property, obtain after-the-fact approval of an existing deck and its modification to accommodate the access path, the addition of a new 96-sq.ft. deck to an existing hotel unit, addition of a new 64-sq.ft. roof at the end of the boat pier, and construction of a new outdoor fireplace and two new outdoor spas adjacent to an existing pool.

The amendment changes the approved access configuration slightly by routing it around an unpermitted propane tank, an unpermitted storage shed and over an unpermitted deck attached to an eight-unit hotel building.

The southern vertical portion of the existing easement path begins at the junction of the southern corner of APN 112-101-13 at the edge of Sir Francis Drake Boulevard and continues northeast along the Golden Hinde Inn's southeastern property boundary until it runs into the encroaching storage shed attached to the southeast side of the "Bayview" building. The proposed rerouted pathway would turn east at the shed onto the adjacent Dana Marsh property which is owned by the Inverness Foundation and includes public access to a restored wetland. The 8-foot wide path would continue parallel to their common property boundary for some 46 feet and then turn northwest back on to the Inn's property and continue along the property line to the mean high tide line of Tomales Bay. The Inverness Foundation agreed to this use of their property in a letter to the Commission dated January 24, 2008. Marin County has agreed to

directly accept the revised easement deeds and to produce and place coastal access signs on both the Golden Hinde and Dana Marsh properties.

The southern lateral portion of the existing easement would be revised to a 5-foot wide path beginning at the south-eastern corner of the property and climb proposed new stairs to the existing deck attached to the bay side of the Bayview building. The seaward five feet of the deck would stay the same except for the addition of a new railing on the seaward edge. The remaining deck area would be raised to the same level as the hotel units to provide a one-step vertical separation from the public access walkway and the level of the rest of the deck.

The proposed changes to the existing deck on the Bayview building would not increase the area of the deck, would not require any fill in the bay, and its modification is conditioned by Special Condition No. 14.

The northern portion of the lateral easement would remain the same and continue northwest along the Bay, around the perimeter of the marina breakwater and across the existing deck of the restaurant. It would then descend steps from the restaurant deck to the level of the south side of the boat ramp, proceed northwest across the ramp, and ascend stairs on the north side of boat ramp to the landward end of the boat pier, allowing access onto the sandy beach at the southern end of Chicken Ranch Beach.

The northern vertical portion of the existing easement is an 8-foot wide path running from the northern end of the lateral easement southwest along the property boundary until it runs into the encroaching propane tank. The proposed rerouted easement would turn south along the existing driveway to Sir Francis Drake Boulevard.

The proposed amendment as conditioned will remedy the violation and restore the public's unimpeded access to and along the shoreline.

The amendment request also includes new development on pre-existing structures. These are the addition of a new 96-sq.ft. wooden deck to an existing hotel unit, a new outdoor fireplace and two new outdoor spas on the existing pool deck, and a new 64-sq.ft. roof at the end of the boat pier.

The new 8-ft. by 12-ft. wooden deck to be added to hotel unit no. 15 is similar in design and materials to others attached to hotel units that already exist on the property. It is at ground level and set back from the accessway along the Bay. The outdoor fireplace and spas are standard amenities that will be set into the existing concrete deck of the existing swimming pool. They are surrounded by existing structures and do not impede the accessway or obstruct views of Tomales Bay.

Only the roof to be added to the end of the pier falls under Section 13253 (b) because it is located over the waters of Tomales Bay. It is a small, open, flat-roofed structure intended to provide a small area of shade. Its wood and green metal materials match the rest of the resort development. It does not increase the shading of the surface of Tomales Bay and as viewed from the Bay would be an insignificant addition. The Commission therefore finds that the amendment, as conditioned, is consistent with the development policies of Coastal Act Section 30106.

5. Public Access

Section 30210 requires in applicable part that maximum public access and recreational opportunities be provided when consistent with public safety, private property rights, and natural resource protection. Section 30211 requires in applicable part that development not interfere with the public's right of access to the sea where acquired through use (i.e., potential prescriptive rights or rights of implied dedication). Section 30212 requires in applicable part that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects, except in certain instances, such as when adequate access exists nearby or when the provision of public access would be inconsistent with public safety.

Public access has long been available at the Golden Hinde Inn and Marina site. The project as originally approved, with the public access walkway required by Special Condition No. 8, resulted in an increase in the public's access to the shore.

The proposed amendment will remedy a violation within the existing access easement by formalizing a route around permitted development and permit the installation of signs directing the public to and along the trail. Re-routing the easement by a few feet around and onto these developments would not hinder the ability of the public to access the beach or walk along the beach. The majority of the re-routed trail is unchanged and where it is changed, it is equal to or better than the original by providing an all-weather surface for the pathway. Re-routing of the easement will facilitate the opening of the easement by the County of Marin Parks and Open Space division, and the ability to place access signs along the route, as required by Special Condition No. 15, will enhance the public's use and enjoyment of the easement.

The Commission therefore finds that the project, as conditioned, is consistent with the public access policies of Coastal Act Sections 30210, 30211, and 30212 requiring that public access opportunities be protected and maximized.

6. Visual Resources

Section 30251 of the Coastal Act states in part that visual qualities of coastal areas, including views of the beach and ocean, shall be considered and protected.

A roof would be added to the end of the pier over the waters of Tomales Bay. The Marin County Community Development Agency approved the design in a Design Review Clearance Determination dated January 30, 2008. The roof only extends over the end of the existing structure and would not significantly increase shading of the water. The plan calls for 4-in. by 4-in. wooden posts and an 8-ft. by 8-ft. matt green, flat metal roof. These materials match the existing pier and marina in color and style, and would not alter the visual character of the site or views of or from Tomales Bay. The Commission therefore finds that the project, as conditioned, is consistent with the scenic and visual policies of Coastal Act.

7. Water Quality

Section 30231 of the Coastal Act states in part that the quality of coastal waters shall be maintained and adverse effects minimized. Special Condition No. 4 requires that construction debris be removed from the site and disposed of in a lawful manor, and that any construction debris entering the waters of Tomales Bay be retrieved and lawfully disposed. The Commission therefore finds that the project, as conditioned, is consistent with the water quality policies of Coastal Act.

8. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed amendment has been conditioned to be found consistent with the policies of the Coastal Act and to minimize all adverse environmental effects.

Mitigation measures have been imposed requiring all construction debris, including any floating debris, be removed from the site and properly disposed.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact, which the activity may have on the environment. Therefore, the Commission finds that the proposed amendment, as conditioned to mitigate the identified impacts, can be found consistent with Coastal Act requirements to conform to CEQA.

EXHIBITS:

- Exhibit 1 Coastal Development Permit 2-82-020, dated August 25, 1982.
- Exhibit 2 Exhibit showing existing and revised easement areas for The Golden Hinde Inn.
- Exhibit 3 Inverness Foundation letter supporting Amendment application, dated January 24, 2008.

State of California Department of Water Resources
North Central District
California Coastal Commission
611 Howard Street, 4th Floor
San Francisco, California 94107
(415) 54-8555 ext. 222

COASTAL DEVELOPMENT PERMIT NO. 2-82-20

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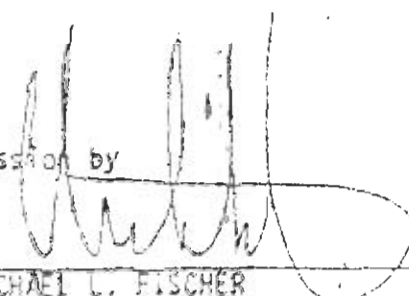
On June 2, 1982, the California Coastal Commission granted to

Golden Hinde Boatel

this permit for the development described below, subject to the attached Standard and Special conditions.

- Project Location: 12938 Sir Francis Drake Boulevard, Inverness, Tomales Bay, Marin County (Assessor Parcel No. 112-101-01, 02, 03).
- Project Description: Conversion of four motel units and construction of an 868 square foot addition to accommodate a 75 seat restaurant. Project includes upgrading of septic system.
- Standard Conditions: See page 2.
- Special Conditions: See pages 2 and 3.

Issued on behalf of the California Coastal Commission by



MICHAEL L. FISCHER
Executive Director
and


Steven F. Scholl
North Central Coast District Manager

Exhibit 1
Application No.
2-82-020-A1 (GOLDEN HINDE INN & MARINA)
Coastal Development Permit 2-82-020, dated
August 25, 1982 (Page 1 of 3)

ACKNOWLEDGEMENT

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.


Signature of Permittee



Application No. 2-82-20

STANDARD CONDITIONS:

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

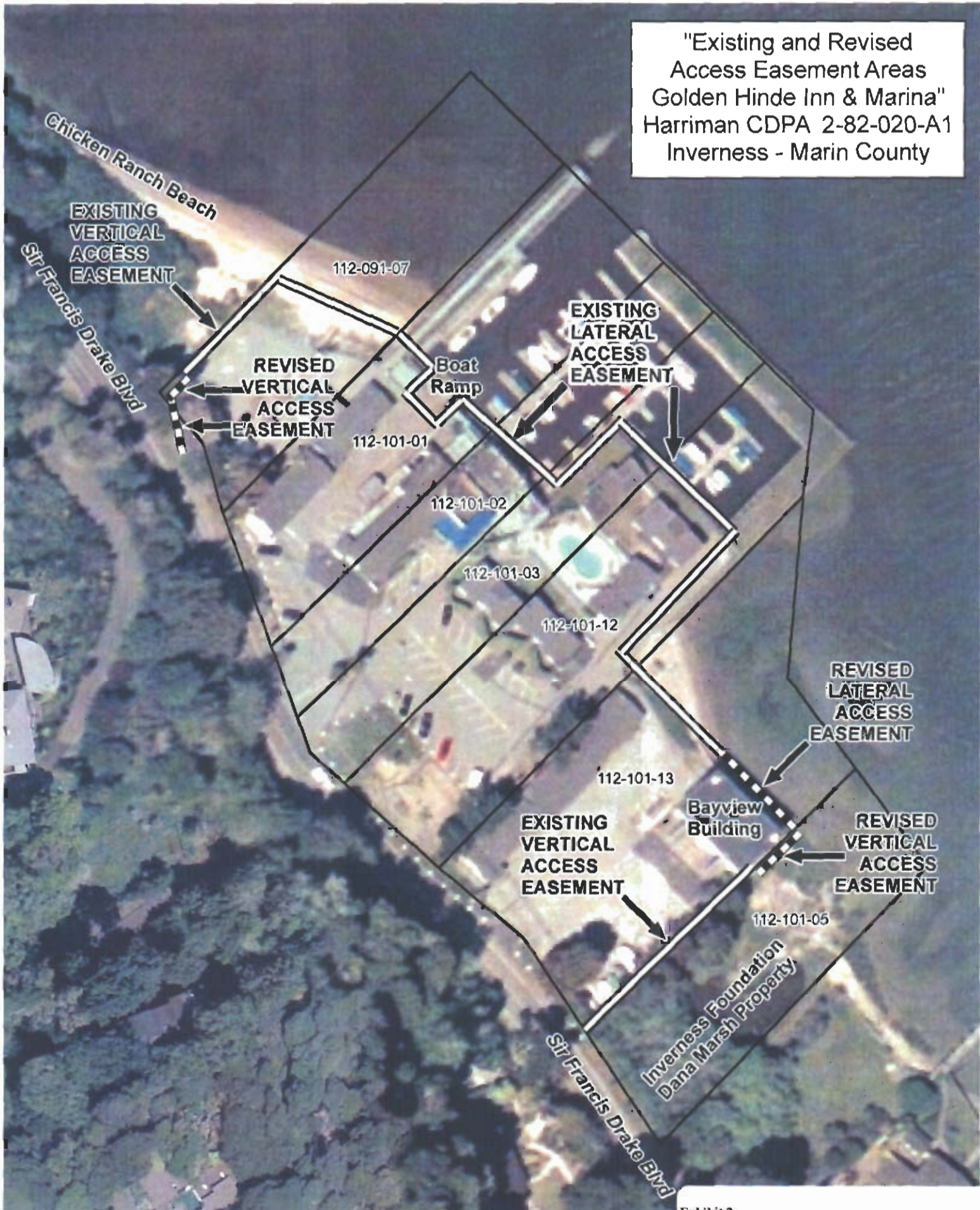
SPECIAL CONDITIONS:

8. Public Access. Prior to the issuance of a permit, the Executive Director shall certify in writing that the following condition has been satisfied. The applicant shall execute and record a document, in a form and content approved in writing by the Executive Director of the Commission, irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, an easement for public access and passive recreational use to and along the shoreline. The easement shall include a pathway 8 feet in width that begins at the junction of the southern and western property lines at the edge of Sir Francis Drake Boulevard and continues to the toe of the bank of Tomales Bay as shown on the drawing entitled Golden Hinde Boatel as prepared by Ronald L. Casassa and dated May 15, 1982. The easement shall also include that portion of the parcel from the toe of the bank to the mean high tideline, 5 feet in width along the perimeter of the marina basin as measured from the inboard side of the seawall; on the northern portion of the property, the area from the mean high tide line to 25 feet inland from the daily high water line, and a pathway 8 feet in width from the lateral accessway to Sir Francis Drake Boulevard along and parallel to the northern property line. The easement is shown generally on Exhibit A.

The offer shall run with the land in favor of the People of the State of California, binding successors and assigns of the applicant or landowner. The offer of dedication shall be irrevocable for a period of 21 years, such period running from the date of recording.

9. Waiver of Liability. Prior to the issuance of a coastal development permit, the applicant shall submit to the Executive Director a deed restriction for recording free of prior liens except for tax liens, that binds the applicant and any successors in interest. The form and content of the deed restriction shall be subject to the review and approval of the Executive Director. The deed restriction shall provide:
- (a) that the applicants understand that the site is subject to extraordinary hazard from earthquakes and waves during storms and the applicants assume the liability from those hazards;
 - (b) the applicants unconditionally waive any claim of liability on the part of the Commission or any other regulatory agency for any damage from such hazards; and
 - (c) the applicants understand that construction in the face of these known hazards may make them ineligible for public disaster funds or loans for repairs, replacement or rehabilitation of the property in the event of earthquakes or storm damage.
10. Prior to the commencement of construction, the applicant shall submit to the Executive Director a determination from the State Lands Commission that:
- (a) No State lands and/or lands subject to the public trust are involved in the development; or
 - (b) State lands and/or lands subject to the public trust are involved in the development and all necessary authorizations required by the State Lands Commission have been obtained; or
 - (c) State Lands and/or lands subject to the public trust may be involved in the development, but pending a final determination, an agreement has been made with the State Lands Commission for the project to proceed without prejudice to that determination.
11. Prior to the issuance of a coastal permit, the applicant shall demonstrate conformance with all wastewater treatment system specifications as prescribed in Marin County Conditional Use Permit 3987 granted April 30, 1982.

"Existing and Revised
Access Easement Areas
Golden Hinde Inn & Marina"
Harriman CDPA 2-82-020-A1
Inverness - Marin County



Inverness Association
Incorporated 1930
Post Office Box 382
Inverness, California 94937

Inverness Communities Design Review

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January 24, 2008

YinLan Zhang (vzhang@coastal.ca.gov)
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, Ca 94105-2219

Re: CDP Amendment Application No. 2-82-020-A 1

Dear Ms. Zhang:

The Board of the Inverness Foundation at our January 23rd meeting voted to support Mr. Harriman's application in applying for a Coastal permit to re-route the public access easement enabling him to retain the storage structure on the Golden Hinde property adjacent to the Dana Marsh. Mr. Harriman agreed to complete and maintain a line of peeler pole tire stops along the property line between his property and the Dana Marsh and to keep the marsh area adjacent to his property free of any debris, e.g., paper, cardboard, etc.

If you have any questions or comments, please let us know.

Thank you very much.

Signature on File

Michael Mery
Corresponding Secretary

Cc: rpap@coastal.ca.gov

Board of Directors: Elizabeth Plak, President • Jerry Abbott, Vice President
Stan Gilheer, Recording Secretary • Michael Mery, Corresponding Secretary
Clady Dhama, Treasurer • Jack Matthews • Lew Richardson • Lisa Doron • Lowell Levinger

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Exhibit 3
Application No.
2-82-020-A1 (GOLDEN HINDE INN & MARINA)
Inverness Foundation letter supporting
Amendment application, dated January 24, 2008