### CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT 455 MARKET STREET, SUITE 300 SAN FRANCISCO, CA 94105 PHONE: (415) 904-5200 FAX: (415) 904-5400 WEB: WWW.COASTAL.CA.GOV





### A-2-MAR-08-028-A3 (Lawson's Landing Improvements)

October 9, 2020

**EX PARTE** 

### **Ex Parte Communication Disclosure**

Filed by: Commissioner Katie Rice

Re: Lawson's Landing

**Day/time:** August 28<sup>th</sup>, 2020 10 a.m.

Type of communication/Location: Zoom meeting; commissioner participated from MC civic center.

Initiator of communication: Tom Flynn, Lawson's representative on behalf of applicant, Lawson's Landing

Participants: Commissioner Rice, Tom Flynn, Robert Hayes, Ann Baker

Comprehensive Description of communication content: (see attached power point presentation)

Applicant representatives presented power-point (attached) and verbally walked through each slide as presented. Emphasis on emergency vehicle access/egress options as presented in power point and represented to be options that they discussed with Marin County Fire Marshall. Description of positives and negatives of each with regards to EV utility/response and environmental impacts (ESHA and red-legged frog). Other specific issue raised not included in power point: siting of utility line direct from residence to treatment/dispersal as designed passing under "EVA" lane.

Date: 07/29/2020 Signature: John Signature:

Fire Marshal's and Fire Captain's recommendation and Coastal Resolution between Commission Staff Position

LAWSONS & LANDING Priorities 3) Most Protective Environmental and Avoiding Lawsons Being Unable to I) Secondary Access to Lawson's for Proceed with their Permitting Public safety solutions Emergencies Process  $\overline{\mathbf{N}}$ 





Chiga Ci View of Existing Roads Supplements dangg







<sup>2019</sup>년(1919년) 2019년 - 11일 - 2019년 - 2019 - 2019년 - 2019

## OPTION A EVA LANE:

EVA lane must be 20' wide

EVA constructed to support (60,000 pounds).

Access unimpeded by seasonal flooding, or tsunami flooding

Access unimpeded by people evacuating from the north or south.

Faster and redundant evacuation routes for better response time

### OPTION B IMPROVE EX. ROADS

Roads must be 20' wide min

Roads constructed to support (60,000 pounds)

Minimum vehicular turning radius (30 feet)

Turn outs every 300 feet.

Fire truck turn-around Area

Slower emergency response time

Public Safety Options



Key: Unpermitted Development Legally Developed Areas Undeveloped ESHA Area 6 Boundary CCC Permit Review oogle Fa Exhibit 10 A-2-MAR-08-028-A2 Page2of4



# Coastal Record 1972





lower cost visitor-serving campgrounds in Marin to stay in principal to support the minimum amount of ESHA business and meet public safety requirements." encroachments in order to allow one of two privately owned are persuasive. I would look for staff to apply the balancing "The directive from the Fire representative and your analysis

Assistant Director Tom Lai, Marin County Community Development Agency

## Reaching Accord





# OPTION A: EVA LANE:

Previously disturbed area under Ex. Truck Shed

Permeable and planted surface serving as wildlife corridor

No Improvements within 300' RLF Pond Setback or in expected path of migration

2000 SF Disturbance Total

### OPTION B IMPROVE EX. ROADS:

Ex. Roads re-constructed to support heavy trucks turning in flood-prone area Minimum vehicular turning radius (30 feet)

Turn outs every 300 feet.

More disturbance w/in 300' RLF Pond setback

4000-5000 SF Disturbance Total

Summary - Environmental Impacts

Received 8.28.2020

### **Ex Parte Communication Disclosure**

Filed by: Commissioner Katie Rice

Re: Lawson's Landing

Day/time: August 28<sup>th</sup>, 2020 11:30 a.m.

**Type of communication/Location**: Phone call; commissioner participated from MC civic center.

Initiator of communication: Catherine Caufield, EAC

Participants: Commissioner Rice, Catherine Caufield

### **Comprehensive Description of communication content**

Catherine articulated her support for staff's recommendations as presented in the August 2020 CC staff report. Expressed EAC's strong position that there be no development in ESHA. Requested that hard deadlines be associated with wastewater treatment milestones and extensions requests for cause be brought to full commission versus to executive director.

Date: August 29, 2020 Signature: Katie Rice

### RECEIVED

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### EX PARTE COMMUNICATION DISCLOSURE FORMAUG 11 2020

Filed by Commissioner: Mike Wilson	
1) Name or description of project: Lawson's Londing CDP	(F)
2) Date and time of receipt of communication: _/pm_8/1//20	
3) Location of communication:	
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)	
4) Identity of person(s) initiating communication:	
5) Identity of person(s) on whose behalf communication was made:	
Cinvirormental action	
6) Identity of persons(s) receiving communication:	
<ul> <li>7) Identity of all person(s) present during the communication:</li> </ul>	н

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

OUS 17. n

Date

Signature of Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, 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. This form may be filed with the Executive Director in addition to the oral disclosure.

### EX PARTE COMMUNICATION DISCLOSURE FORM

Filed	by	Commissioner:	Caryl	Hart

1) Name or description of project: Lawson's Landing CDP Amendment A-2-

2) Date and time of receipt of communication: August 8, 2020 10 am

3) Location of communication: Telephone

(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)

4) Identity of person(s) initiating communication: Catherine Caulfield

5) Identity of person(s) on whose behalf communication was made: \_ Environmental Action Committee of West Marin

6) Identity of persons(s) receiving communication: Caryl Hart

7) Identity of all person(s) present during the communication: Caryl Hart and Catherine Caulfield

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

Discussion of proposed emergency access route and wastewater treatment plant.

Group opposes emergency access through ESHA, and would like hard date for

completion of wastewater treatment plant

8 120

Date

Signature of Commissioner

**TIMING FOR FILING OF DISCLOSURE FORM:** File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, 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. This form may be filed with the Executive Director in addition to the oral disclosure.

### EXPARTE COMMUNICATION DISCLOSURE FORM Filed by Commissioner Donne Brownsey

1:AY 02 2020

1) Name or description of project: Lawson's Landing permit potentially set for June 2020 hearing

2) Date and time of receipt of communication: May 1, 2020, 3:00-4:15PM

3) Location of communication By Zoom video conference

4) Identity of person(s) initiating communication: Tom Flynn, Planner for Lawson's Landing

6) Identity of persons(s) receiving communication: Donne Brownsey

7) Identity of all person(s) present during the communication: Brownsey, Baker, Flynn and Vogler

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

They reviewed the history of the Lawson Landing family and campground and the Lawson permit hearing before the Commission in Nov 2017. The permit was denied at that time due to a number of issues related to the waste water treatment system and the need for

consolidation of buildings into the developable areas and the preservation of ESHA.

They indicated that the waste water treatment plans and upgrades had been resolved with their work with the Commission staff. Further the consolidation of buildings including the upgrading of their Emergency Services facilities in the Area 6 was also accomplished. The efforts to preserve ESHA and the changes made to their infrastructure was also accomplished and reviewed.

One remaining issue that they believe that they have resolved and propose for Commission consideration is the dual requirements of the Emergency Services road between the Area 6 buildings, including the Emergency Services facility, and the adjacent area necessary for the location of Emergency responders area in the event of a crisis. The events could be Tsunami, Fire, Earthquake or some other event such as a major traffic collision etc.

After evaluating 3 options with Commission staff, the Fire Department, and others, they are proposing Option #1 which is the building of a "natural road" through the disturbed ESHA to meet Fire Department requirements for a road that can tolerate 30 tons of weight. The "natural road" components mimic the surrounding land and for all natural purposes, wildlife, including frogs, and other creatures can transgress the road as if it were a part of nature. There had been an additional recommendation to dedicate another current service road as mitigation offset the "natural road" between the two to areas. This recommendation would further consolidate disturbed ESHA land. The Lawson family has agreed to incorporate this recommendation into Option #1 as a show of good faith. The addition of dedicating a current service road and consolidating it with the adjacent ESHA was proposed by the Environmental Action Center (EAC).

Documents were reviewed as part of the Ex Parte by Ann Baker that included maps of the Lawson's Landing property and details of the "natural road" elements intended to minimize impacts on the disturbed ESHA land. Those documents were not shared with me before the meeting. I requested that the documents be sent to me and to staff and will file an addendum to this ExParte once I receive these documents.

Date May 2, 2020

Some Brune.

Signature of Commissioner Donne Brownsey











Area 6 Boundary

Unpermitted Development

Undeveloped ESHA

Legally Developed Areas



### MARIN COUNTY FIRE DEPARTMENT Committed to the preservation of life, property and environment

November 8, 2019 Robert W. Hayes, A

Robert W. Hayes, Architect 620 Butte Street Sausalito, CA 94965 RE: Lawson's Landing Campground 137 Marin View, Dillon Beach, CA 94929 Area 6: Campground Emergency Service Area Fire Department Access and other Requirements

Dear Mr. Hayes,

33 Castle Rock Avenue

PO Box 518

Jason Weber

FIRE CHIEF

Woodacre, CA 94973

It is our understanding that The Lawsons' Landing Campground Project is currently being reviewed by the staff at the Coastal Commission. Per our recent discussion, as part of that review process the owners of Lawson's Landing would like to obtain input regarding Marin County Fire Department's requirements so that these critical requirements can be incorporated into the Coastal Commission permit submission and approval. The location on the site for which this input is requested is specifically "Area 6" in the Lawson's Landing Campground. "Area 6" is shown on the attached aerial photos (existing conditions yellow shaded aerial photo), and the proposed design plan. See attachments 1 through 4 at the end of this document for reference.

www.marincounty.org/depts/fr

CRS Dial 711

Throckmorton Ridge

Woodacre

The design team has met on-site with Tomales Fire Station Senior Captain Tom Nunes. Based on Captain Nunes's input, prior experience and knowledge of Fire Department requirements, we are providing the following requirements for emergency access and Lawson's Landing occupants emergency egress.

Emergency Service Design Components:

Ross Valley: Medic 18 Tamalpais Fire Crew

Marin City Point Reyes Hicks Valley

Tomales

### 1. UPPER PARKING LOT AREA 6:

The upper parking lot of "Area 6" is the highest area in the campground that has road access. The upper parking lot of "Area 6" most importantly is above and outside the limits of a Tsunami surge event. This area will be the emergency staging area in the event of a seismic, tsunami, fire, or other emergency steaper over

The "Area 6" upper parking lot is currently accessed by one road: Sand Haul Road (see attached figures for ref.). NFPA 1194 - Recreational Vehicle Parks and Campgrounds in Section 5.1.1.4.1 states that "more than one fire department access in Section 5.1.1.4.1 states that "more than one fire department access by a single road could be impaired by vehicle congestion, condition of terrain, climactic conditions or other factors that could limit access." Fire Captain Nunes has noted that inside Lawsons Landing's entrance gate the road out of the campgenout is likely to be a choke point, that would be prove to congestion in an emergency. Also, in the event of a Tsuami, it is likely that the intersection of 5an Haul Rd. and the main road would be wiped out. To comply with NFPA 1194, and in concurrence with

## UPPER PARKING LOT AREA 6:

has road access. The upper parking lot of "Area 6" most importantly is above The upper parking lot of "Area 6" is the highest area in the campground that emergency staging area in the event of a seismic, tsunami, fire, or other and outside the limits of a Tsunami surge event. This area will be the emergency event.

The "Area 6" upper parking lot is currently accessed by one road: Sand Haul Road (see attached figures for ref.). NFPA 1194 - Recreational Vehicle Parks and Campgrounds in Section 5.1.1.4.1 states that "more than one fire department access road shall be provided when it is determined by the AHJ that would be prone to congestion in an emergency. Also, in the event of a entrance gate the road out of the campground is likely to be a choke point, Tsuami, it is likely that the intersection of San Haul Rd. and the main road would be wiped out. To comply with NFPA 1194, and in concurrence with condition of terrain, climactic conditions or other factors that could limit access". Fire Captain Nunes has noted that inside Lawsons Landing's that access by a single road could be impaired by vehicle congestion,

## 2. EVA ROAD DESIGN:

The EVA road shall be designed to provide the following minimum conditions:

- 2.1 The EVA road shall be not less than 20-ft. wide, per California Fire Code requirements for fire apparatus access roads.
- The road shall support not less than 30 tons in wet or dry conditions. 2.2
  - The average grade of the road shall be not more than 12.5% with a maximum grade of 14%. 2.3
    - The EVA shall be above the Tsunami runup line (minimum of 30 ft elevation). 2.4










# BRISCOE IVESTER & BAZEL LLP 155 SANSOME STREET SEVENTH FLOOR SAN FRANCISCO, CALIFORNIA 94104 (415) 402-2700 (415) 398-5630 FAX

Peter S. Prows pprows@briscoelaw.net (415) 402-2708

# 11 February 2020

By Email

Stephanie Rexing North Central District Supervisor California Coastal Commission 45 Fremont Street, Suite 1900 San Francisco, CA 94105

Subject: Lawson's Landing Permit No. A-2-MAR-08-028-A2

Dear Ms. Rexing:

Lawson's Landing is in the process of submitting a permit amendment request to build necessary emergency services in allowable development areas of Area 6, and to remove all existing development, including the Truck Shed, in areas of Area 6 deemed "unallowable" by Commission staff. Although Lawson's does not agree with staff's analysis that the Truck Shed is in an unallowable development area, and has submitted extensive and uncontradicted evidence that the Truck Shed area was legally developed, Lawson's is nevertheless prepared to remove the Truck Shed.

However, the Marin County Fire Marshall is requiring Lawson's to construct an emergency vehicle lane, meeting California Fire Code requirements (including specified width, grade, and load requirements), through a portion of the Truck Shed Area. See the attached letter. There is no way to build the emergency vehicle lane the Marin County Fire Marshall is requiring without traversing through the "unallowable" development area. Lawson's will be including this required emergency vehicle lane in its permit amendment request.

The Coastal Act cannot be used to limit the power of any county to prohibit nuisances. (Coastal Act section 30005(b).) The "Fire" chapter of the Marin County Code requires that fire roads "shall" be provided "in a manner approved by the Fire Code Official." (Marin County Code, ch. 16.16.040.) Any violation of the Fire chapter is deemed a "public nuisance", punishable as a crime. (Marin County Code, ch. 16.16.060(g).) Lawson's must build this required emergency vehicle lane, and the



From:	Carl. Dan@Coastal
To:	Manna, Jeannine@Coastal: Rexing, Stephanie@Coastal
Subject:	Lawsons Ex-Parte
Date:	Thursday, March 05, 2020 10:12:15 AM

From: ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov> Sent: Thursday, March 05, 2020 10:07 AM To: Manna, Jeannine@Coastal <Jeannine.Manna@coastal.ca.gov> Cc: Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov> Subject: TV1 - FW: Request for Ex-Parte Communication

From: Tom Flynn [mailto:tomflynn@sonic.net] Sent: Thursday, March 5, 2020 8:35 AM To: Browney, Donn@Coastal Cc: EXParte, Commissioner@Coastal; ExecutiveStaff@Coastal Subject: Re: Request for Ex-Parte Communication

#### Dear Commissioner Brownsey,

It would be preferable if you could do a site visit. As a CCC Staff person (who has been very involved in the Lawsons Landing project and who has been out to the site previously) noted this week: it is not easy to fully visualize details of this project such as critical elevations without visiting the site. At Lawsons Landing's November 2017 hearing, you seemed with your questions to have a comparatively high level of curiously about getting facts and details correct. This kind of attention to detail would be aided by a visit so you can more fully understand the site and the efforts we have gone to resolve CDP requirements along with environmental, public health, and safety priorities.

However, any discussion would probably be helpful toward bringing parties together around an appropriate resolution as soon as possible. We have worked for more than 2 years now to develop plans that address the direction from the Commission and Marin County Fire Marshall, while integrating a proposal from EAC, (Lawsons opposition at the November 2017 hearing) to balance all necessary considerations. However, we want to avoid any of the kind of misunderstandings, which seem to have occurred with some of the Commissioners in November of 2017. While this matter has continued to drag on, Lawsons Landing has do to continue hauling all of their visitors' wastewater on narrow West Marin roads to remote locations like Oakland and Santa Rosa, because they haven't been able to build their wastewater system, which has been fully approved by the Regional Water Quality Control Board.

Since there is a hearing in Central California next week, we wondered if you might be coming to toward the Bay Area and could come visit Lawsons. But the sooner we can speak with you the better in any case.

Thank you, Tom

On Mar 4, 2020, at 3:57 PM, Brownsey, Donne@Coastal <donne.brownsey@coastal.ca.gov> wrote:

hi Mr Flynn: Thank you for your email. Are you requesting a site visit or a discussion? Thanks donne

From: Tom Flynn <tomflynn@sonic.net> Sent: Tuesday, March 3, 2020 3:32 PM To: Brownsey, Donne@Coastal <<u>donne.brownsey@coastal.ca.gov></u> Ce: ExParte, Commissioner@Coastal <<u>CommissionerExParte@coasta</u>

Cc: ExParte, Commissioner@Coastal <<u>CommissionerExParte@coastal.ca.gov</u>>; ExecutiveStaff@Coastal <<u>ExecutiveStaff@coastal.ca.gov</u>> Subject: Re: Request for Ex-Parte Communication

Hi Commissioner Brownsey,

We have been working diligently with Coastal Commission Staff and other stakeholders to arrive at resolution of Lawsons Landing's plans for Area 6. We believe we are getting close to a resolution, which will provide environmental and affordable coastal access benefits consistent with the Coastal Act. This matter is on the agenda for the Commission's June hearing,

At Lawsons Landing's last hearing November 2017, it seemed that it would have been helpful for Commissioners to have had more of an opportunity to learn about Lawsons. Our objective continues to be: clarifying whatever is needed to arrive at amicable resolution of these matters. We previously had a meeting on site with Commissioner Peskin and just today had a meeting on site with Commissioner Rice and Commissioner Hart. Would it be possible for us to present you information on Lawsons Landing's plans at your convenience? Perhaps you will be coming to the SF Bay Area sometime in the near future.

Please let us know what might work for you.

Our sincere thanks, Tom Flynn 415-328-8636

On Jan 23, 2019, at 7:51 PM, Brownsey, Donne@Coastal <donne.brownsey@coastal.ca.gov> wrote

hi Tom: i am on vacation for the next couple of weeks and will get back to you when i return. thanks and best donne

# EX PARTE COMMUNICATION DISCLOSURE FORM

MAR 09 2020

Filed by Commissioner: Katie Rice

1) Name or description of project: Lawson's Landing CDP

2) Date and time of receipt of communication: March 3, 2020 10 a.m.

3) Location of communication: Lawson's Landing

(If not in person, include the means of communication, e.g., telephone, e-mail, etc.) Tom Flynn 4) Identity of person(s) initiating communication:

5) Identity of person(s) on whose behalf communication was made: Applicants

Identity of persons(s) receiving communication:

7) Identity of all person(s) present during the communication: See attached for names of all those attending meeting.

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

This meeting/site visit was requested by Tom Flynn on behalf of applicant. At the meeting applicant team members presented historical summary of development and activity at Lawson's -- campground and broader property -- and a more detailed review of development and activity in area 6; reviewed outstanding challenges meeting CDP permit requirements (see Lawsons Landing ARea 6 Summary/EX2) and their proposals for addressing. A lot of focus and discussion including comments from many meeting participants regarding options for access/egress for emergency vehicles to and from a staging area in Area 6; advantages, disadvantages, potential environmental impacts, additional options that could be considered. Additional discussion regarding potential location of the CDP required 5 Free public parking spaces, traffic flow management challenges and mitigations.

March 9, 2020

Date

Signature of Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, 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. This form may be filed with the Executive Director in addition to the oral disclosure.

#### Public Meeting, Lawson's Landing March 3, 2020

#### **Attendees**

Stephanie Rexing – CCC Jeannine Manna – CCC Bonnie Smetts - Concerned Citizens of DB Scott Miller Stephanie Miller Ann Baker – ABLA Mike Lawson – Lawson's Landing Caryl Hart – CCC (Commissioner) Jeff Stafford – Concerned Citizens of DB Willy Vogler – Lawson's Landing Katie Rice – CCC (Commissioner) Catherine Caufield – EAC Justin Lawson – Lawson's Landing Tom Nunes – Marin Fire Rich Souza - Civil Engineer Lawson's Landing Bob Hayes – Architect Lawson's Landing Tom Flynn – Agent Lawson's Landing Tom Jordan – Marin Office of Emergency Services

From:	Tom Flynn
То:	Rice, Katie@Coastal
Cc:	Manna, Jeannine@Coastal; Rexing, Stephanie@Coastal; Gauna, Jennifer
Subject:	Re: Lawson"s site visit
Date:	Wednesday, October 23, 2019 8:09:54 AM

Hi Katie,

Thanks for getting back to me.

Yes, as I've discussed with Stephanie Rexing of CCC and at least one of your aides, Jen Guana or Nancy Vernon, we agree with Jeannine's suggestion. We've been planning to include other interested folk/stakeholders and Supervisor Rodoni. I've been in touch with Rhonda Kutter in Supervisor Rodoni's office as well as the Fire Dept, OES, SO. Our understanding was that after you had a chance to speak with CCC Staff, then we could begin the process of nailing down a date.

So as you suggest, I'll call Jen today and we'll identify dates that work for you and then get word out to everyone else. We're working to have all parties as up to speed and informed as much as possible before the meeting, in the hope that the meeting can bring outstanding matters to resolution.

Looking forward to a productive meeting.

Thanks again! Tom

On Oct 22, 2019, at 4:48 PM, Rice, Katie@Coastal <<u>katie.rice@coastal.ca.gov</u>> wrote:

Hi Tom, Sorry for taking so long to get back to you....

Per making a date for a Lawson's landing tour...Jeannine is suggesting that we set up this up as a site visit similar to the tour you hosted a couple years back in that it was open to other interested folk/stakeholders. I believe that meeting included staff, Commissioner Peskin, Supervisor Rodoni and a few others including EAC.

Leaving it to you to make the arrangements with coastal staff, as well as County OES and SO if you are wanting them included. My aide, jen Guana, can help with finding day/times that work for me and Supervisor Rodoni if indeed he would like to join. Let us know how much time you think is needed for the site visit.

Thank you for your patience, Katie From: Brownsey, Donne@Coastal
Sent: Wednesday, January 23, 2019 7:52 PM
To: Tom Flynn
Cc: ExParte, Commissioner@Coastal; ExecutiveStaff@Coastal
Subject: Re: Request for Ex-Parte Communication

## RECEIVED

hi Tom: i am on vacation for the next couple of weeks and will get back to you when i return. thanks and best donne

From: Tom Flynn <tomflynn@sonic.net>
Sent: Wednesday, January 23, 2019 11:51:56 AM
To: Brownsey, Donne@Coastal
Cc: ExParte, Commissioner@Coastal; ExecutiveStaff@Coastal
Subject: Re: Request for Ex-Parte Communication

Hi Ms. Brownsey,

While the date of Lawson's Landing's next hearing has not been set yet, we have prepared materials that we believe respond to the Commission's direction and will hopefully facilitate Lawson's proceeding with improvements. If you will be in our area sometime in the near future, we would appreciate sharing these materials with you on-site at Lawson's Landing. Our objective would be to clarify whatever is needed to arrive at amicable resolution of these matters. We previously had a meeting on site with Commissioner Peskin and have further refined our materials since then.

Let us know what might work for you.

Thank you, Tom Flynn

From: "Brownsey, Donne@Coastal" <<u>donne.brownsey@coastal.ca.gov</u>>
Date: Monday, November 5, 2018 at 3:44 PM
To: Tom Flynn <<u>tomflynn@sonic.net</u>>
Cc: "ExParte, Commissioner@Coastal" <<u>CommissionerExParte@coastal.ca.gov</u>>,
"ExecutiveStaff@Coastal" <<u>ExecutiveStaff@coastal.ca.gov</u>>
Subject: Re: Request for Ex-Parte Communication

hi Tom: unfortunately i do not have time for an ex parte this week. i will though, keep in mind your invitation to visit Lawson's Landing. Perhaps in January. Please contact me after the first of the new year. thanks and best donne

From: Tom Flynn <<u>tomflynn@sonic.net</u>> Sent: Friday, November 2, 2018 4:28:49 PM To: Brownsey, Donne@Coastal Cc: ExParte, Commissioner@Coastal Subject: Request for Ex-Parte Communication

Project Name and Application Number: Lawson's Landing, A-2-MAR-08-028-A2

Nature of Communication (In Person, Telephone, Other): Telephone and In-Person

Date and Time Requested: Dates at the convenience of Commissioner, 10 minutes time by phone

Full Name: Thomas Stephen Flynn

Email: tomflynn@sonic.net

On Behalf Of: Lawsons Landing

#### Comments:

Dear Ms. Brownsey,

We request to speak with you in preparation for Lawsons Landing's upcoming revised Area 6 Amendment hearing. The Findings from Lawsons November 2017 hearing will be presented for approval this next week Nov. 8, 2017 in San Francisco. Next we anticipate that Lawson's revised Amendment will be heard at the February 2019 Commission meeting. In addition to requesting to speak with you by phone briefly, we would like to extend an invitation to you and other Commissioners to visit Lawsons Landing at your convenience either sometime next week before, during, or after the hearings or sometime before the Feb. 2019 hearing. We previously invited Commissioner Peskin through our local Marin County Supervisor Dennis Rodoni, and we believe his Sept. 22, 2018 visit was helpful for all involved. Please let us know what might work for you. We'd welcome arranging for more than one Commissioner to visit Lawsons at once, but you are welcome to visit separately if more convenient for you.

We believe that there might have been some misunderstandings, which occurred at the last November 2017 hearing. For this reason, we are seeking to arrive at clearer understanding of this complex project and hopefully an amicable resolution of this matter by all involved.

Public comments submitted to the Coastal Commission are public records that may be disclosed to members of the public or posted on the Coastal Commission's website. Do not include information, including personal contact information, in comments submitted to the Coastal Commission that you do not wish to be made public. Any written materials, including email, that are sent to commissioners regarding matters pending before the Commission must also be sent to Commission staff at the same time.

Hi Stephanie,

See below communication with Commissioners.

Thanks, Tom

From: Tom Flynn <<u>tomflynn@sonic.net</u>>
Date: Monday, November 5, 2018 at 5:01 PM
To: <<u>Ryan.Sundberg@coastal.ca.gov</u>>
Cc: <<u>CommissionerExParte@coastal.ca.gov</u>>
Subject: Re: Request for Ex-Parte Communication

Dear Commissioner Sundberg,

Thank you for your responding to our request for Ex-Parte Communication. I appreciated briefly speaking with you. Unfortunately there was an echo problem in the call. So briefly the upshot via email: Since our hearing last November, Lawsons Landing has worked very hard with Commission (CCC) Staff and all interested parties to develop a revised amendment for Area 6, which is responsive to Commissioner direction last year. We have been requested to do an alternatives analysis of all potential approaches, which would be consistent with Commission direction, the Coastal Act, Lawsons Landing's CDP, and its intent to both provide both environmental protection and lower cost coastal access.

We are still in discussion with CCC Staff to fully vet a complex set of several alternatives. As discussed in the letter of Lawsons Landing's lawyer, Peter Prows, we ask only that you do not take action this week in approving the Findings from last November's Hearing that might inhibit a reasonable process in the months ahead of thorough alternatives analysis given that: 1) we are presenting some additional information regarding prior authorized development in Area 6 as that relates to ESHA and 2) the alternative(s) we settle on with Staff and others will provide intended environmental and lower cost coastal access benefits.

Thanks again, Tom

Tom Flynn 415-924-8250 415-328-8636 mobile

#### tomflynn@sonic.net

On 11/4/18, 6:52 PM, "Sundberg, Ryan@Coastal" <<u>ryan.sundberg@coastal.ca.gov</u>> wrote:

I have time tomorrow morning at 9am if you would like to call me at 707-502-2947 or 707-476-2395. Best, Ryan Sundberg Ca Coastal Commissioner

From: Tom Flynn <<u>tomflynn@sonic.net</u>>
Date: Friday, November 2, 2018 at 4:30 PM
To: <<u>Ryan.Sundberg@coastal.ca.gov</u>>
Cc: <<u>CommissionerExParte@coastal.ca.gov</u>>
Subject: Request for Ex-Parte Communication

Project Name and Application Number: Lawson's Landing, A-2-MAR-08-028-A2

Nature of Communication (In Person, Telephone, Other): Telephone and In-Person

Date and Time Requested: Dates at the convenience of Commissioner, 10 minutes time by phone

Full Name: Thomas Stephen Flynn

Email: tomflynn@sonic.net

On Behalf Of: Lawsons Landing

Comments: Dear Mr. Sundberg,

We request to speak with you in preparation for Lawsons Landing's upcoming revised Area 6 Amendment hearing. The Findings from Lawsons November 2017 hearing will be presented for approval this next week Nov. 8, 2017 in San Francisco. Next we anticipate that Lawson's revised Amendment will be heard at the February 2019 Commission meeting. In addition to requesting to speak with you by phone briefly, we would like to extend an invitation to you and other Commissioners to visit Lawsons Landing at your convenience either sometime next week before, during, or after the hearings or sometime before the Feb. 2019 hearing. We previously invited Commissioner Peskin through our local Marin County Supervisor Dennis Rodoni, and we believe his Sept. 22, 2018 visit was helpful for all involved. Please let us know what might work for you. We'd welcome arranging for more than one Commissioner to visit Lawsons at once, but you are welcome to visit separately if more convenient for you.

We believe that there might have been some misunderstandings, which occurred at the last

November 2017 hearing. For this reason, we are seeking to arrive at clearer understanding of this complex project and hopefully an amicable resolution of this matter by all involved.

Public comments submitted to the Coastal Commission are public records that may be disclosed to members of the public or posted on the Coastal Commission's website. Do not include information, including personal contact information, in comments submitted to the Coastal Commission that you do not wish to be made public. Any written materials, including email, that are sent to commissioners regarding matters pending before the Commission must also be sent to Commission staff at the same time.

From:	Tom Flynn
To:	Rexing, Stephanie@Coastal
Subject:	FW: Request for Ex-Parte Communication
Date:	Monday, November 05, 2018 5:29:52 PM

From: Tom Flynn <<u>tomflynn@sonic.net</u>>
Date: Monday, November 5, 2018 at 5:13 PM
To: Tony Cruz <<u>tcruz@chulavistaca.gov</u>>
Subject: Re: Request for Ex-Parte Communication

Thanks Mr. Cruz, See below:

Dear Commissioner Padilla,

Thank you for your responding to our request for Ex-Parte Communication. We fully understand that your time is limited this week and we may not be able to speak with you directly. So briefly via email: Since our hearing last November, Lawsons Landing has worked very hard with Commission (CCC) Staff and all interested parties to develop a revised amendment for Area 6, which is responsive to Commissioner direction last year. We have been requested to do an alternatives analysis of all potential approaches, which would be consistent with Commission direction, the Coastal Act, Lawsons Landing's CDP, and its intent to both provide both environmental protection and lower cost coastal access.

We are still in discussion with CCC Staff to fully vet a complex set of several alternatives. As discussed in the letter of Lawsons Landing's lawyer, Peter Prows, we ask only that you do not take action this week in approving the Findings from last November's Hearing that might inhibit a reasonable process in the months ahead of thorough alternatives analysis given that: 1) we are presenting some additional information regarding prior authorized development in Area 6 as that relates to ESHA and 2) the alternative(s) we settle on with Staff and others will provide intended environmental and lower cost coastal access benefits.

Given that your time is so limited this week, perhaps we should contact you early next year sometime and we could plan for you to visit Lawson's Landing before the Feb. 2019 hearing when their revised Amendment will be heard.

Thanks again, Tom Flynn 415-924-8250 415-328-8636 mobile tomflynn@sonic.net From: Tony Cruz <<u>tcruz@chulavistaca.gov</u>>
Date: Monday, November 5, 2018 at 11:33 AM
To: Tom Flynn <<u>tomflynn@sonic.net</u>>
Subject: Re: Request for Ex-Parte Communication

Hello Mr. Flynn,

Unfortunately, Commissioner Padilla's schedule doesn't allow for any more ex partes before the meeting this week. Feel free to send me any additional comments or concerns via e-mail and I'll make sure he sees them. In regards to the site visit, I'll need to check with Coastal staff to see if there is some time available. I'll get back to you if there's time for a visit this week.

Thank you.

Tony Cruz Senior Council Aide Office of Councilmember Stephen C. Padilla City of Chula Vista | 276 Fourth Avenue Chula Vista, CA 91910 Tel (619) 691-5044 | Fax (619) 476-5379 tcruz@chulavistaca.gov

From: Tom Flynn Sent: Friday, November 2, 4:33 PM Subject: Request for Ex-Parte Communication To: Padilla, Stephen@Coastal Cc: ExParte, Commissioner@Coastal

Project Name and Application Number: Lawson's Landing, A-2-MAR-08-028-A2

Nature of Communication (In Person, Telephone, Other): Telephone and In-Person

Date and Time Requested: Dates at the convenience of Commissioner, 10 minutes time by phone

Full Name: Thomas Stephen Flynn

Email: tomflynn@sonic.net

On Behalf Of: Lawsons Landing

#### Comments:

Dear Mr. Padilla,

We request to speak with you in preparation for Lawsons Landing's upcoming revised Area 6 Amendment hearing. The Findings from Lawsons November 2017 hearing will be presented for approval this next week Nov. 8, 2017 in San Francisco. Next we anticipate that Lawson's revised Amendment will be heard at the February 2019 Commission meeting. In addition to requesting to speak with you by phone briefly, we would like to extend an invitation to you and other Commissioners to visit Lawsons Landing at your convenience either sometime next week before, during, or after the hearings or sometime before the Feb. 2019 hearing. We previously invited Commissioner Peskin through our local Marin County Supervisor Dennis Rodoni, and we believe his Sept. 22, 2018 visit was helpful for all involved. Please let us know what might work for you. We'd welcome arranging for more than one Commissioner to visit Lawsons at once, but you are welcome to visit separately if more convenient for you.

We believe that there might have been some misunderstandings, which occurred at the last November 2017 hearing. For this reason, we are seeking to arrive at clearer understanding of this complex project and hopefully an amicable resolution of this matter by all involved.

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From:	Tom Flynn
To:	Rexing, Stephanie@Coastal
Subject:	FW: Request for Ex-Parte Communication
Date:	Monday, November 05, 2018 5:30:21 PM
Attachments:	image001.png

From: Tom Flynn <<u>tomflynn@sonic.net</u>>
Date: Monday, November 5, 2018 at 5:28 PM
To: Celina Luna <<u>Celina.Luna@longbeach.gov</u>>
Subject: Re: Request for Ex-Parte Communication

Dear Celina, Thank you for your reply. See below in response.

Dear Commissioner Uranga,

Thank you for your responding to our request for Ex-Parte Communication. We fully understand that your time is limited this week and we will not be able to speak with you directly. So briefly via email: Since our hearing last November, Lawsons Landing has worked very hard with Commission (CCC) Staff and all interested parties to develop a revised amendment for Area 6, which is responsive to Commissioner direction last year. We have been requested to do an alternatives analysis of all potential approaches, which would be consistent with Commission direction, the Coastal Act, Lawsons Landing's CDP, and its intent to both provide both environmental protection and lower cost coastal access.

We are still in discussion with CCC Staff to fully vet a complex set of several alternatives. As discussed in the letter of Lawsons Landing's lawyer, Peter Prows, we ask only that you do not take action this week in approving the Findings from last November's Hearing that might inhibit a reasonable process in the months ahead of thorough alternatives analysis given that: 1) we are presenting some additional information regarding prior authorized development in Area 6 as that relates to ESHA and 2) the alternative(s) we settle on with Staff and others will provide intended environmental and lower cost coastal access benefits.

We will reach out to you early next year to consider a meeting/site visit prior to the February 2019 hearing.

Thanks again, Tom Flynn 415-924-8250 415-328-8636 mobile

#### tomflynn@sonic.net

From: Celina Luna <<u>Celina.Luna@longbeach.gov</u>>
Date: Monday, November 5, 2018 at 5:43 PM
To: Tom Flynn <<u>tomflynn@sonic.net</u>>
Subject: FW: Request for Ex-Parte Communication

#### Mr. Flynn,

Thank you for your email and ex-parte meeting request. Unfortunately, Commissioner Uranga is not available prior to the Commission meeting for an ex-parte meeting. In the future, with at least 7 days notice, we are typically able to accommodate. If you would like to forward your comments, I would be more than happy to include them in his binder to review prior to the hearing.

Also, feel free to reach out to us early next year to consider a meeting/ site visit prior to the February 2019 hearing.

Regards,

Celina

### Celina Luna

Chief of Staff Office of Councilmember Roberto Uranga City of Long Beach, Seventh District 333 W. Ocean Boulevard, 14<sup>th</sup> Floor Long Beach, CA 90802 Phone: (562) 570-7777 Fax: (562) 570-6954 Email: <u>celina.luna@longbeach.gov</u> www.longbeach.gov/district7/



#### From: Roberto Uranga

Begin forwarded message:

Resent-From: <<u>Roberto.Uranga@coastal.ca.gov</u>> From: Tom Flynn <<u>tomflynn@sonic.net</u>> Date: November 2, 2018 at 4:32:28 PM PDT To: <<u>Roberto.Uranga@coastal.ca.gov</u>> Cc: <<u>CommissionerExParte@coastal.ca.gov</u>> Subject: Request for Ex-Parte Communication

Project Name and Application Number: Lawson's Landing, A-2-MAR-08-028-A2

Nature of Communication (In Person, Telephone, Other): Telephone and In-Person

Date and Time Requested: Dates at the convenience of Commissioner, 10 minutes time by phone

Full Name: Thomas Stephen Flynn

Email: tomflynn@sonic.net

On Behalf Of: Lawsons Landing

Comments:

Dear Mr. Uranga,

We request to speak with you in preparation for Lawsons Landing's upcoming revised Area 6 Amendment hearing. The Findings from Lawsons November 2017 hearing will be presented for approval this next week Nov. 8, 2017 in San Francisco. Next we anticipate that Lawson's revised Amendment will be heard at the February 2019 Commission meeting. In addition to requesting to speak with you by phone briefly, we would like to extend an invitation to you and other Commissioners to visit Lawsons Landing at your convenience either sometime next week before, during, or after the hearings or sometime before the Feb. 2019 hearing. We previously invited Commissioner Peskin through our local Marin County Supervisor Dennis Rodoni, and we believe his Sept. 22, 2018 visit was helpful for all involved. Please let us know what might work for you. We'd welcome arranging for more than one Commissioner to visit Lawsons at once, but you are welcome to visit separately if more convenient for you.

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#### EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Aaron Peskin

1) Name or description of project: Lawson's Landing

2) Date and time of receipt of communication: September 22, 2018 at 1:45pm

3) Location of communication: Lawson's Landing

(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)4) Identity of person(s) initiating communication: Dennis Rodoni

5) Identity of person(s) on whose behalf communication was made: <u>Dennis Rodoni</u>, Member, Marin County Board of Supervisors

6) Identity of persons(s) receiving communication: Commissioner Aaron Peskin; See Attachment A

7) Identity of all person(s) present during the communication: See Attachment A

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

Project sponsors discussed plans to modify the original project proposal,

which the California Coastal Commission had previously rejected. Project sponsors

specifically discussed revising the waste water proposal, removing certain aspects of

Lawson's Landing Center, and thorough alternatives analysis for where components

could be sited in Area 6 and elsewhere on the property. Project sponsors also

discussed looking into the historical permitted status of some of the structures

in Area 6 of the property.

<u>// - (2 - (8</u> Date

Commissioner Stanature of

**TIMING FOR FILING OF DISCLOSURE FORM:** File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, 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. This form may be filed with the Executive Director in addition to the oral disclosure.

#### ATTACHMENT A to Ex Parte Communication Disclosure Form

(6) Identity of person(s) receiving communication, and (7) Identity of all person(s) present during the communication:

Catherine Caufield – EAC Bridget Mitchell – EAC Klorm Hantzsche, Lawson's Landing Justin Lawson, Lawson's Landing Anne Baker, Anne Baker Landscape Architects Mike Lawson, Lawson's Landing Tom Flynn, Lawson's Landing Carl "Willy" Vogler, Lawson's Landing Jeff Stafford, DB Local Jeannine Manna, California Coastal Commission Stephanie Rexing, California Coastal Commission Dennis Rodoni, Marin County Supervisor Bonnie Smetts, Concerned Citizens of Dillon Beach Scott and Stephanie Miller, Neighbors

atherine Canfield Bridger Mitchell - FAC Klorn Hantzsche, Quester Eng two Euster Lawson - Lawsons landing tun Plaker Anne Baker Loudscope Arch Mike Lawson , Lawyons Landing and "Willy" Juje Lawson's Landing 16m Flynn , JEFK STAFFORD DB LOCAL Jeannine Manna California COSEL Commission M Stephanic Reight DENNIS Roden, By COMARINS Bonnie Smeffs - concerned Citizens on beac Scott AND STEPHANIE MILLER