

CALIFORNIA COASTAL COMMISSION

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F14a

Prepared December 11, 2023 for December 15, 2023 Hearing

To: Commissioners and Interested Persons

From: Kevin Kahn, Central Coast District Manager
Breylen Ammen, Coastal Planner

**Subject: Additional hearing materials for F14a
CDP Number 3-19-1287 (17 Mile Drive Armoring)**

This package includes additional materials related to the above-referenced hearing item as follows:

Additional correspondence received in the time since the staff report was distributed.

From: Natalie.Rogers@lw.com <Natalie.Rogers@lw.com>
Sent: Tuesday, December 5, 2023 5:00 PM
To: Butler, Katie@Coastal <Katie.Butler@coastal.ca.gov>
Cc: burrellc@pebblebeach.com; DJ.Moore@lw.com
Subject: Briefing Materials for Agenda Item F14a

Good afternoon, Katie,

Attached please find briefing materials that we intend to share with Commissioners regarding Agenda Item F14a. Please let us know if you have any questions.

Best,
Natalie

Natalie C. Rogers
She/Her/Hers

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**Pebble Beach Company:
Protection & Restoration of
17-Mile Drive/Fanshell Beach**

Coastal Commission Agenda Item F14a

These materials have been provided to Commission staff

History of 17-Mile Drive

- Built in early 1900s
- Primary coastal access roadway through Del Monte Forest
- Considered worldwide to be a tourist destination
 - Per LUP, 17-Mile Drive is “a ***special scenic route for visitor access*** to and along the shoreline...”
 - ~ 1.5 million visitors annually (~500,000 cars, 10,000 buses)
- Provides only means of public access to Fanshell Beach



Maintenance of 17-Mile Drive

- PBC maintains 17-Mile Drive and public access amenities through Del Monte Forest gate fees, including:
 - Beach cleanup and public access maintenance along roadway
 - Maintenance of over 30 miles of hiking and equestrian trails within Del Monte Forest and 9 miles of dedicated bike trails along 17-Mile Drive
 - Patrol and security for Del Monte Forest
- Gate fees established per LUP Policy 98
 - Applies only to vehicles—not bicyclists and pedestrians
 - Current fee is \$11.75 per car, \$5.75 per bus passenger
- PBC does not profit off gate fees

Protection of 17-Mile Drive

- LUP aims to “preserve 17-Mile Drive for visitor access”
- Numerous permitted and emergency armoring measures over the years to protect 17-Mile Drive from eroding blufftop
- Result is armoring along 800 linear feet of Fanshell Beach (primarily rip rap)



Existing Conditions



Proposed Fanshell Beach Project

- Remove and replace existing armoring with four new seawall segments
 - 1,272 linear feet of seawall required by Special Conditions to mimic surrounding landforms
 - **Restores 19,000 square feet of usable beach area**
- Access improvements to Fanshell Beach parking lot
- **Construction of ~1-mile coastal trail** connecting Fanshell Beach parking lot to Seal Rock Beach
 - Completes missing segment of California Coast Trail
 - Includes replacement of existing public access stairs to Fanshell Beach
- Three construction phases (6 months each) to avoid seal pupping season
- Approximately **8.4 acres of dune and coastal habitat restoration**



Project Complies with Section 30235

- Section 30235 permits armoring when:
 - Required to serve coastal-dependent uses or protect existing structures
 - Existing uses or structures are in danger of erosion
 - Proposed armoring has been designed to mitigate adverse impacts on shoreline sand supply
- **Staff Report correctly determines that Project satisfies Section 30235**

Project Complies with Section 30235

- **Existing Structure/Coastal-Dependent**

- 17-Mile Drive is both because “this roadway is the primary public accessway through Del Monte Forest and has been consistently and heavily used by the public . . . for more than 100 years” (p. 34)
- Proposed public access improvements (trail, stairs) are also coastal-dependent

- **Danger of Erosion**

- Less than 10 feet of blufftop remains between bluff edge and roadway
- Commission’s coastal engineer “agreed with the conclusion that ***much of the road is in immediate danger*** from erosion” (p. 35)

- **Sand Supply**

- To account for shoreline impacts, staff estimates \$5.7 million mitigation fee
- PBC proposed coastal trail and other public access amenities to provide immediate public benefits at a cost far in excess of estimated mitigation fee

No Feasible Project Alternatives

- Staff Report correctly finds there are no feasible alternatives to protect 17-Mile Drive and Fanshell Beach access
- For example:
 - “No-project” results in continued erosion and loss of 17-Mile Drive along Fanshell Beach; may result in patchwork of emergency fixes
 - Relocation is infeasible because inland side of roadway bounded by private land and protected dune/wetland habitat
 - Beach nourishment not feasible because Fanshell Beach sand has unique texture and would not reduce instability of coastal bluff
 - Other armoring devices are not designed to withstand major coastal hazards or require extensive beach footprint

Project Consistent with LUP and Coastal Act

- Promotes public access and recreation
- Although proposed armoring may have potential coastal resource impacts, Special Conditions would minimize impacts to maximum extent feasible
 - Special Condition 1 requires blufftop landscaping and habitat restoration and special armoring surfacing to mimic natural landform
 - Special Conditions 2-4 require development of construction, marine wildlife monitoring, dune restoration plans
 - Special Condition 10 requires evaluation of additional mitigation in 20 years

Request to Approve CDP

- Staff Report thoroughly evaluates Project and potential coastal resource impacts and recommends approval with 16 Special Conditions
- Shoreline armoring here is critical to protect integrity of 17-Mile Drive and public access to Fanshell Beach
 - ***These are significant public resources in this region***
- Proposed mitigation will substantially enhance public access experience at Fanshell Beach
- Request the Commission approve the CDP as conditioned

From: Natalie.Rogers@lw.com
To: [Brownsey, Donne@Coastal](mailto:Brownsey_Donne@Coastal); ccc@daynabochco.com; [Turnbull-Sanders, Effie@Coastal](mailto:Turnbull-Sanders_Effie@Coastal); [Escalante, Linda@Coastal](mailto:Escalante_Linda@Coastal); [Rice, Katie@Coastal](mailto:Rice_Katie@Coastal); [Hart, Caryl@Coastal](mailto:Hart_Caryl@Coastal); [Wilson, Mike@Coastal](mailto:Wilson_Mike@Coastal); [Harmon, Meagan@Coastal](mailto:Harmon_Meagan@Coastal); [Uranga, Roberto@Coastal](mailto:Uranga_Roberto@Coastal); [Aguirre, Paloma@Coastal](mailto:Aguirre_Paloma@Coastal); [Notthoff, Ann@Coastal](mailto:Notthoff_Ann@Coastal); [Cummings, Justin@Coastal](mailto:Cummings_Justin@Coastal)
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Subject: Agenda Item F14a: Pebble Beach Company, CDP Application No. 3-19-1287
Date: Friday, December 8, 2023 5:00:19 PM
Attachments: [2023.12.08 Pebble Beach Letter re Agenda Item F14a.pdf](#)

Dear Chair Brownsey and Honorable Commissioners,

Please see the attached correspondence from Pebble Beach Company for next week's meeting on Agenda Item F14a.

Regards,
Natalie

Natalie C. Rogers
She/Her/Hers

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December 8, 2023

**Agenda
Item F14a**

VIA EMAIL

Chair Brownsey and Honorable Commissioners
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105

Re: December 15, 2023, Meeting Agenda Item F14a: 17-Mile Drive Armoring,
Coastal Development Permit Application No. 3-19-1287

Dear Chair Brownsey and Honorable Commissioners:

On behalf of the Pebble Beach Company (“PBC”), we appreciate Coastal Commission staff’s efforts in preparing an extremely thorough Staff Report regarding PBC’s proposed seawall construction, public access improvements, and dune/bluff restoration project (the “Project”), which the Commission will consider at its December 15, 2023, meeting. We are submitting this letter to express PBC’s support for staff’s recommendation that the Commission approve the proposed Project with conditions. In addition, in **Attachment A**, PBC clarifies several items for the record and provides additional information in support of the Staff Report’s recommendation.

As the Staff Report explains, PBC owns and maintains 17-Mile Drive—a more than **100-year-old visitor-serving scenic drive** that serves as the primary coastal access roadway through Monterey County’s Del Monte Forest and along its iconic coastline. (Staff Report, p. 22.) The Del Monte Forest Area Land Use Plan (“LUP”) expressly recognizes the importance of this roadway: “[w]orld famous 17-Mile Drive is a visitor destination unto itself.” (LUP, p. 24; see also Staff Report, p. 22 [“17-Mile Drive is widely considered worldwide to be a destination in and of itself, including for the unobstructed views it provides through the Del Monte Forest’s defining landscapes of Monterey pine and cypress forests, coastal bluffs and dunes, and the Pacific Ocean.”].) Indeed, **over 1.5 million people visit the Del Monte Forest and travel along 17-Mile Drive annually**. Moreover, 17-Mile Drive provides numerous public access areas and scenic vista points along its route, including a series of trails along the shoreline and multiple beach access points. Crucially, 17-Mile Drive provides **the only means of public access to**

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Fanshell Beach. (Staff Report, p. 34.) This historic roadway is therefore critical to maintaining important coastal public access in the Monterey region that must be preserved.

PBC has sought to protect the integrity of 17-Mile Drive and the beach access it provides through a series of beach armoring measures, largely prior to the Coastal Act, as well as through emergency coastal development permits in response to El Niño rain and coastal storms. However, as the Commission’s Coastal Engineer and Geologist confirmed, “***much of the road is in immediate danger from erosion.***” (Staff Report, p. 35 [emphasis added].) Based on discussions with staff, PBC designed and applied for the Project to provide a singular, comprehensive approach both to protect 17-Mile Drive and substantially enhance public access to Fanshell Beach.

More specifically, the Project would promote public beach access and coastal habitat restoration through a series of measures:

- Removal of existing rip-rap and rubble from Fanshell Beach that would ***restore approximately 19,000 square feet of usable beach area;***
- ***Restoration of 8.4 acres of coastal dune habitat*** between 17-Mile Drive and the beach through the removal of non-native iceplant and the planting of native coastal bluff plant species;
- Development of ***a new 1-mile segment of coastal trail*** along the seaward edge of 17-Mile Drive that would connect the Fanshell Beach parking lot with the Seal Rock Beach parking lot and incorporate new amenities for the public, such as viewing benches, sitting areas, trash and recycling receptacles, and interpretive signage;
- Replacement of an existing undermined beach access stairway at the midpoint of Fanshell Beach with ***a new beach stairway integrated into the proposed seawall;***
- Development of ***improved public parking at the Fanshell Beach parking lot,*** including parking lot re-surfacing and re-striping with at least two ADA compatible parking spaces. (*Id.*, pp. 6-7, 8, 26.)

As the Staff Report correctly finds, “[a]ll of these enhancements together represent significant public access improvements,” which will enhance this public resource for years to come. (*Ibid.*)

Further, the Staff Report correctly determines that the Project complies with Coastal Act Section 30235’s requirements. (See, e.g., *id.*, p. 3.) 17-Mile Drive was built before the Coastal Act and serves as an important coastal-dependent visitor serving use. It also is in danger of erosion. (*Id.*, p. 35.) “[S]taff is . . . convinced that there is no other way to protect 17-Mile Drive at this location, including the substantial public access benefits that it provides” absent the Project. (*Id.*, p. 3.) The public access measures described above and incorporated through Special Conditions appropriately offset the potential beach and sand supply impacts that may

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result from the Project. Therefore, the proposed Project should be approved pursuant to Section 30235.

We appreciate staff's and the Commission's consideration of this important public access Project. With the Staff Report's sixteen Special Conditions, any potential impacts to coastal resources are mitigated to the maximum extent feasible. PBC supports staff's recommendation and proposed Special Conditions, and respectfully requests that the Commission approve the Project at its December 15, 2023, meeting. Thank you for your consideration and we look forward to presenting the Project to you next week.

Very truly yours,



Duncan Joseph Moore
of LATHAM & WATKINS LLP

cc: Cheryl Burrell, Pebble Beach Company
Tom McMillin, Pebble Beach Company
Natalie Rogers, Latham & Watkins
Katie Butler, California Coastal Commission
Breylene Ammen, California Coastal Commission

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ATTACHMENT A
APPLICANT’S RESPONSE TO THE STAFF REPORT

A. Project Location, Background, and Description (Staff Report, pp. 22-26)

Pebble Beach Company (“PBC”) appreciates the Staff Report’s thorough evaluation of the 17-Mile Drive and Fanshell Beach protection and restoration project (“Project”) and its potential impacts to coastal resources. Respectfully, PBC proposes the following clarifications to the Staff Report’s descriptions of PBC and the Project.

1. Gate Fees

The Staff Report states that access into Del Monte Forest is controlled by five gates for which an \$11.75 entrance fee is required for vehicular access. (See Staff Report, pp. 22-23, fn. 3.) Importantly, these fees are authorized by Policy 98 of the Del Monte Forest Area Land Use Plan (“LUP”), and PBC uses the funds from these fees to maintain and protect roadways and public access amenities throughout Del Monte Forest, consistent with its obligations under the LUP. These activities include beach, public facility, and roadway cleanup; maintaining over 30 miles of hiking and equestrian trails throughout the Forest and 9 miles of dedicated bike trails along 17-Mile Drive; roadway maintenance, including drainage requirements; and patrol and security throughout the Forest. Thus, PBC does not earn a profit off Del Monte Forest entrance fees, but rather invests the fees back into the Forest and its public access amenities.

2. 17-Mile Drive/Fanshell Beach Armoring Background

The Staff Report explains that PBC received an emergency coastal development permit (“CDP”) for about 70 linear feet of armoring in response to large ocean swells and major storms in 2009-2010 that undermined 17-Mile Drive. (Staff Report, p. 24.) The Staff Report notes that PBC did not subsequently obtain a regular CDP to authorize this work permanently. (*Id.*, p. 25; see also *id.*, p. 67.) However, the Staff Report omits that PBC applied in December 2010 for a CDP to recognize the emergency work as permanent coastal protection. (See CDP Application (Dec. 9, 2010), p. 2, attached as **Exhibit 1**.) Instead of processing this CDP application, Commission staff requested that PBC develop “a longer-term fix for Fanshell” that addressed the entire stretch of 17-Mile Drive along Fanshell Beach that would require protection. (See Email from K. Butler to T. McMillin (Sept. 22, 2011), attached as **Exhibit 2**.) Based on this direction from Commission staff, PBC withdrew its 2010 CDP application and began developing a comprehensive solution for 17-Mile Drive protection along Fanshell Beach in close coordination with staff over several years. This collaboration culminated in the 2019 CDP application that is currently pending before the Commission.

B. Coastal Hazards (Staff Report, pp. 26-50)

We agree with the Staff Report’s finding that the Project is consistent with Coastal Act Section 30235. (Staff Report, p. 48.) Section 30235 *mandates* Commission approval of shoreline armoring in limited circumstances where existing or coastal-dependent uses or structures are in danger of erosion, and the armoring has been designed to mitigate a loss of

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shoreline sand supply. (See Pub. Res. Code, § 30235 [“[S]eawalls . . . *shall be permitted* when required to serve coastal-dependent uses or to protect existing structures . . .”] [emphasis added].) 17-Mile Drive is a perfect example of both an existing and coastal-dependent structure requiring shoreline armoring under Section 30235. (See Staff Report, pp. 26-50.)

1. The Project Satisfies Section 30235

The Project Is Required to Protect Existing or Coastal-Dependent Structures. As the Staff Report correctly explains, 17-Mile Drive was constructed in the early 1900s, long pre-dating the Coastal Act. The Staff Report therefore correctly concludes that 17-Mile Drive qualifies as existing development under Section 30235.¹ (Staff Report, p. 34.) Moreover, 17-Mile Drive provides the only pedestrian access to Fanshell Beach, meaning the stretch of 17-Mile Drive impacted by the Project is considered a coastal-dependent use. (*Id.*, pp. 2, 34.) The Project supports this coastal-dependent use by enhancing public access to 17-Mile Drive, adding or improving public access amenities, and restoring a large portion of the coastline along Fanshell Beach.

17-Mile Drive Is in Danger of Erosion. Both the Commission’s Coastal Engineer and Senior Engineering Geologist have concluded that “much of the road is in immediate danger from erosion.” (Staff Report, p. 35.) The Project site has a history of erosion and as much as 15 feet of bluff recession has been observed at this site in one year. (See *id.* [citing Haro, Kasunich and Associates, Inc., Geotechnical, Geologic, and Coastal Engineering Investigation (Nov. 2019)].) “Notably, less than 10 feet of blufftop remains between the seaward edge of the roadway shoulder and the seaward blufftop edge along much of this section of 17-Mile Drive, where the blufftop is composed of fairly erodible material.” (*Id.*, p. 35.) Therefore, as the Staff Report correctly finds, the Project site is in immediate danger of erosion. (*Id.*, p. 36.)

The Project Is Designed to Mitigate Loss of Sand Supply. The Staff Report states that the Project’s proposed seawalls will occupy approximately 6,162 square feet of beach space, the impacts of which staff has calculated would require a mitigation fee of approximately \$5.7 million absent alternative mitigation. (*Id.*, pp. 39, 46.) In lieu of payment, PBC both proposed and collaborated with Commission staff to develop a number of public access improvements and amenities that will provide significantly more value than \$5.7 million. (See *id.*, pp. 46-47.) For instance, the Project’s proposed in-lieu mitigation will complete a missing segment of the California Coastal Trail, which will connect the Fanshell Beach parking lot to the Seal Rock Beach parking lot and provide direct access to an existing, larger trail system in pursuit of the

¹ The Commission’s interpretation of the term “existing” as it is used in Section 30235 is subject to ongoing litigation in *Casa Mira Homeowners Ass’n v. Cal. Coastal Comm’n* (First Dist. Ct. of Appeal Case No. A168645, San Mateo Super. Ct. Case No. 19-CIV-04677). There, the trial court rejected the Commission’s argument that “existing” refers only to those structures in place prior to the effective date of the Coastal Act. (*Casa Mira Homeowners Ass’n v. Cal. Coastal Comm’n*, Decision on Petition for Writ, p. 10.) The Commission appealed the trial court’s determination in September 2023. (See Docket, *Casa Mira Homeowners Ass’n v. Cal. Coastal Comm’n* (First Dist. Ct. of Appeal Case No. A168645).) While PBC believes that the term “existing” has a broader meaning than the interpretation applied in the Staff Report, PBC nonetheless agrees with Commission staff that 17-Mile Drive qualifies as an “existing” structure under any applicable interpretation of the term. (See Staff Report, p. 34.)

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Commission’s objective of establishing a continuous braided California Coastal Trail. (*Id.*, p. 47.) As the Staff Report confirms, these public access improvements will be constructed in the near term and are the best way to mitigate any loss of sand supply and related impacts. (*Id.*, pp. 47-48.)

Indeed, the Staff Report’s recommendation is consistent with recent Commission actions approving a number of shoreline armoring projects for existing development under Section 30235. For example, in September 2023, the Commission approved a shoreline armoring project near Pleasure Point in Santa Cruz County, accepting the applicants’ proposal to enhance lateral and vertical beach access and provide associated amenities in lieu of imposing a \$2.67 million mitigation fee. (Combined Staff Report for CDP Applications 3-18-0720, 3-20-0166, and 3-22-0440 (Aug. 25, 2023), pp. 40-41; see also Staff Report, p. 45, fn. 51 [citing Pleasure Point Staff Report].) PBC therefore supports staff’s position that the Project’s proposed mitigation package offsets potential sand supply impacts. (Staff Report, p. 48.)

2. There Is No Feasible Alternative to the Project²

The Staff Report determines that there is no feasible alternative to the proposed Project. (Staff Report, p. 39.) In fact, failure to protect this area of 17-Mile Drive would cause the loss of significant public access experiences along the Central Coast that cannot be replicated. Specifically, further erosion at the Project site would result in a loss of this stretch of 17-Mile Drive, which cannot be relocated further inland. This would leave a crucial stretch of the coastline inaccessible to the public and would negatively impact the experience of those traveling along the remainder of 17-Mile Drive. For the numerous reasons articulated in the Staff Report, other potential alternatives have been thoroughly analyzed and substantial evidence in the record demonstrates that these alternatives are infeasible. (*Id.*, pp. 36-39.) “As such, the Commission concurs with the Applicant that the proposed project represents the least environmentally damaging feasible alternative, including when coastal resource impacts and mitigations are factored in.” (*Id.*, pp. 38-39.)

3. Duration of Armoring Authorization

The Staff Report explains that although the Commission “typically imposes conditions that restrict the use of armoring to the time frame when the existing structure being protected has not been redeveloped,” the protection of 17-Mile Drive presents a unique circumstance. (See Staff Report, p. 48.) According to staff, “tying the authorization to redevelopment of 17 Mile Drive does not adequately account for the independent utility of the armoring” for coastal dependent public access features seaward of the road. (*Ibid.*) Therefore, staff imposed Special Condition 9, which requires the Project’s public access amenities to remain in good condition and available for public use for the CDP’s duration. (See *id.*, p. 20.) Further, Special Condition 9 gives PBC the opportunity to cure any compliance issues to the Executive Director’s

² In finding that the Project complies with Section 30235, the Staff Report inserts a feasibility analysis where one does not exist in the plain language of the statute. (See Staff Report, pp. 36-39.) While PBC disagrees that the Commission needs to make an alternatives feasibility finding under Section 30235, we nonetheless agree with the Staff Report’s ultimate determination that no feasible alternative exists for purposes of the Commission’s analysis under Section 30233. (*Id.*, pp. 38-39.)

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satisfaction before removal of the armoring would be required. (See *ibid.*) However, Special Condition 9’s cure provision is not reflected in the text of the Staff Report. As such, PBC suggests a clarifying edit to the findings to reflect Special Condition 9.

Page 48, Second Full Paragraph

Provided the coastal trail and related public access improvements continue to exist and are maintained in their approved status, the CDP is otherwise in good standing, and no other violations on the site exist, the subject CDP need not be conditioned to require armoring removal upon road redevelopment. Instead, the subject CDP is conditioned to require armoring removal if the access features are no longer useable and/or the CDP is out of compliance **and the Applicant fails to resolve such compliance issues to the Executive Director’s satisfaction. Further, (e.g., the Applicant is required by Special Condition 10 to does-not-properly apply for a CDP amendment and implement additional mitigation for the time period past 2043, and the Commission may require the implementation of additional mitigation at that timeallows such armoring to remain after 2043, etc.).**

* * *

In sum, PBC agrees with the Staff Report’s findings that the Project complies with Section 30235 and the Coastal Act’s coastal hazard provisions. (Staff Report, p. 50.) Therefore, pursuant to Section 30235, the proposed shoreline armoring “*shall be permitted*” to protect 17-Mile Drive. (See Pub. Res. Code, § 30235 [emphasis added].)

C. Public Access and Recreation (Staff Report, pp. 50-56)

1. The Project Will Not Significantly Impact Available Beach and Shoreline Recreation Areas

PBC understands Commission staff’s concerns that the placement of a shoreline armoring on the beach often results in the loss of available usable beach area. (See Staff Report, p. 53.) However, this is not the typical armoring project.

Here, although the seawalls will occupy some beach space, the Project actually will result in the restoration of approximately ***19,000 square feet of usable sandy beach*** due to the removal of existing rip rap armoring along Fanshell Beach that currently impedes beach access. (*Id.*, pp. 37-38, 65; see also Haro, Kasunich and Associates, Inc., Geotechnical, Geologic, and Coastal Engineering Investigation (Nov. 2019), p. 58 [provided to staff in PBC’s CDP application].) Further, according to PBC’s coastal engineers, the existing rip rap appears to be blocking more sand from accumulating along the downcoast (or west) end of Fanshell Beach. (See Letter from Haro, Kasunich & Associates to Pebble Beach Company (Dec. 6, 2023), p. 1, attached as **Exhibit 3.**) Moreover, along the upcoast (or east) end of the beach, natural littoral drift will “replenish[] the fore and backshore beach environment.” (*Ibid.*) Therefore, once PBC removes the existing rip rap, the coastal engineers “anticipate that sand will naturally migrate to the area where rip-rap is removed.” (*Ibid.*) Thus, the Project, including removal of the rip rap, is

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expected to have minimal net impacts on the total available beach and shoreline recreation areas.³

In addition, the Staff Report characterizes Project construction as taking up to three years, which would temporarily impact public access. (See Staff Report, p. 54.) However, ***the Project will be constructed in three separate six-month phases***, resulting in a total of only one-and-a-half years of active construction. Construction is phased over three years to avoid impacts to harbor seal pupping, consistent with Special Conditions 2 and 3 and the LUP. (*Id.*, pp. 9-10, 12, 62.) Pursuant to these conditions and PBC’s existing LUP obligations, construction may occur only from June 1 through November 30 each year. (*Id.*, p. 12.) As a result, Project construction will have even less of an impact on public access than asserted in the Staff Report.

2. The Project Will Not Adversely Affect the Public Trust

The Staff Report raises concerns that shoreline armoring can adversely affect the public trust because armoring can prevent the migration of the beach and shoreline. (Staff Report, p. 54.) In particular, the Staff Report cites *United States v. Milner*, 583 F.3d 1174 (9th Cir. 2009), for the premise that “an upland owner cannot unilaterally and permanently fix the tidelands boundary with shoreline armoring.” (See *id.*, pp. 52, 54, 55.) Importantly, *Milner* presents an extreme example of shoreline armoring that is not applicable here.

In *Milner*, property owners leased tidelands from the Lummi Nation between 1963 and 1988, constructed shoreline armoring on these leased tidelands to protect waterfront single-family residences, and then failed to renew the lease agreement. (583 F.3d at p. 1181). The issue was exacerbated by significant erosion of the shoreline fronting the homeowners’ property over time, resulting in a number of the shoreline armoring structures being located seaward of the mean high waterline and within the tidelands of the Lummi Nation. (*Ibid.*) As a result, the Ninth Circuit Court of Appeal held that the homeowners were liable for common law trespass and violations of the Rivers and Harbors Appropriation Act. (*Id.*, p. 1197.)

The Project’s shoreline armoring is not analogous. Here, PBC proposes to construct shoreline armoring to protect a significant, long-standing public access amenity. Further, the Staff Report identifies a number of conditions to ensure that the Project will not encroach on tidelands. For example, Special Condition 7 specifically requires that PBC survey the mean high tide line every five years to track its movement. (Staff Report, p. 17.) Special Condition 13 also requires PBC to agree and acknowledge that the CDP is not evidence of waiver of any public rights that may exist on the property now or in the future. (*Id.*, p. 21.) Therefore, PBC is not purporting to—nor would the CDP authorize PBC to—unilaterally and permanently fix the tidelands boundary with shoreline armoring.

³ In addition, with 1.1 feet of sea level rise by 2045 (the low risk aversion scenario), much of Fanshell Beach will continue to exist during “most seasonal beach conditions and tidal conditions.” (See Supplemental Letter from Haro, Kasunich & Associates to Pebble Beach Company (Dec. 8, 2023), p. 2, included in **Exhibit 4**.) Beach sand at Fanshell Beach is supported by an elevated granite platform, thereby minimizing the impact that sea level rise will have on the exposed beach sand over the next 20 years. (*Ibid.*)

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* * *

In sum, PBC understands staff's concerns with potential loss of beach area due to the construction and presence of shoreline armoring. However, the Project will restore beach area currently occupied by rip rap and promote public access through substantial coastal access amenities. Accordingly, PBC agrees with the Staff Report's determination that the protection and continued availability of 17-Mile Drive for public use outweighs potential public access impacts from shoreline armoring. (See *id.*, p. 56.)

D. Public Views (Staff Report, pp. 56-60)

PBC disagrees with the Staff Report's determination that the Project would "detract from public shoreline views" and therefore be inconsistent with LCP policies and Coastal Act Section 30251 regarding the protection of public views. (Staff Report, p. 59.) The Project's seawalls have been designed to blend with the natural undulating bluff landform as much as possible to minimize the visual impacts of the Project. Indeed, Special Condition 1 requires the Project to mimic natural landforms to the maximum extent feasible. (*Id.*, p. 8.) Nonetheless, PBC agrees with the Staff Report's conclusion that "as conditioned, the proposed project can be found consistent with the Coastal Act's public view provisions." (*Id.*, p. 60.)

Further, PBC suggests a clarifying edit to the Staff Report's discussion of Special Condition 1 to align with the language of Special Condition 1 itself. In particular, Special Condition 1 does not require that native trailing plants soften the visual appearance of the top five feet of the shoreline armoring. (See *id.*, p. 59.) Instead, Special Condition 1 requires that "[i]n the immediate vicinity of the armoring, native coastal bluff plant species capable of trailing vegetation [] be planted along the top of the armoring in all feasible locations in such a way as to cover and trail over the armoring as much as possible at maturity in order to help provide visual softening of the armoring features." (*Id.*, p. 8.) PBC therefore proposes the following edit:

Page 59, Second Paragraph

To further reduce the visual impacts of armoring at the site, **Special Condition 1** requires native trailing plants to be planted at the top of the armoring **in all feasible locations** to help soften the visual appearance of **the armoring. at least the top five feet of it.**

E. Coastal Habitats (Staff Report, pp. 60-65)

The Staff Report asserts that the Project will have temporary and permanent impacts to environmentally sensitive habitat area ("ESHA") and is therefore inconsistent with Coastal Act Section 30240. (*Id.*, p. 64.) However, the Biological Resources Assessment conducted by Zander Associates and submitted with PBC's coastal development permit application demonstrates that the Project will have "[n]o impacts to any listed rare, threatened, or endangered species of plants or animals." (See Zander Associates, Biological Resources Assessment (November 18, 2019), p. 2.) Because there is no evidence that the Project will impact ESHA, the Project is consistent with Coastal Act Section 30240. Nevertheless, PBC agrees to implement Special Conditions 1 and 4, which require the restoration of beach, dune, and blufftop areas along 17-Mile Drive. (Staff Report, pp. 13-15.) Accordingly, PBC agrees

These materials have been provided to Coastal Commission Staff

with staff's ultimate determination that the Project, as conditioned, is consistent with the Coastal Act's coastal habitat provisions. (*Id.*, p. 65.)

F. Alleged Coastal Act Violations (Staff Report, pp. 67-68)

In addressing PBC's purported violations of the Coastal Act, the Staff Report repeats its discussion of PBC's work in 2010 pursuant to an emergency CDP. (Staff Report, p. 67.) As discussed above in Section A.2, PBC applied for a permanent CDP for this work, but ultimately withdrew that application upon direction from Commission staff to pursue a comprehensive solution for 17-Mile Drive protection along Fanshell Beach. The Staff Report also asserts that the existing public access stairs at the midpoint of Fanshell Beach were installed without a CDP between 1993 and 2003. (*Ibid.*) However, PBC believes that the existing stairs pre-date the Coastal Act, and current PBC staff recall the stairs being in place in this location for at least the past 35 years. Thus, PBC disputes that these existing features are violations of the Coastal Act. Nonetheless, to resolve these issues expeditiously, PBC has agreed to implement staff's proposed mitigation package in connection with the Project. (See *ibid.*)

These materials have been provided to Coastal Commission Staff

EXHIBIT 1

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
 725 FRONT STREET, SUITE 300
 SANTA CRUZ, CA 95060-4508
 VOICE AND TDD (831) 427-4863
 FAX (831) 427-4877



PERMIT APPLICATION INSTRUCTIONS

A completed application includes the APPLICATION FOR COASTAL DEVELOPMENT PERMIT, the appendices to the application, and **Required Attachments**.

- Please answer all questions. If a question is not applicable to your project, indicate "N.A."
- Refer to pages 7–8 of the APPLICATION for a list of **Required Attachments**.
- Incomplete applications will not be accepted for filing.
- All exhibits must be legible.

The following checklist is provided for the convenience of applicants in gathering necessary application materials; it is not a complete statement of filing requirements.

	Page	Item
<input type="checkbox"/> Proof of applicant's interest in the property.	7	1
<input type="checkbox"/> Assessor's parcel map(s) showing the proposed development site and all adjacent properties within 100 feet of the property boundary.	7	2
<input type="checkbox"/> Stamped envelopes (<i>no postage meter please</i>) addressed to neighboring property owners and occupants and other interested parties <i>and</i> a list of the same.	7, 8	4, 5
<input type="checkbox"/> Vicinity map.	8	6
<input type="checkbox"/> Two sets of project plan(s), site plan(s), and applicable other plans. (Please note the size which plans are required to be submitted.)	8	7, 11
<input type="checkbox"/> Copy of any environmental documents (DRAFT AND FINAL EIRs, EISs, NEGATIVE DECLARATION) if prepared for the project and any comments and responses.	8	9
<input type="checkbox"/> Verification of all other permits, permissions or approvals applied for or granted by public agencies.	8	10
<input type="checkbox"/> Copy of geology or soils report (if necessary).	8	11
<input type="checkbox"/> Local approval of the project.	Appendix B	
<input type="checkbox"/> Has the Notice of Pending Permit been posted in a conspicuous place?	Appendix D	
<input type="checkbox"/> Filing fee.	Appendix E	
<input type="checkbox"/> Have you and the agent (if appropriate) signed the application at the appropriate lines on pages 9, 10, and 13?		

APPLICATION FOR COASTAL DEVELOPMENT PERMIT

SECTION I. APPLICANT

1. Name, mailing address, and telephone number of all applicants.

Mark Stilwell

Pebble Beach Company

P.O. Box 1767, Pebble Beach, CA 93953

831/625-8449

(Area code/daytime phone number)

Note: All applicants for the development must complete Appendix A, the declaration of campaign contributions.

2. Name, mailing address and telephone number of applicant's representatives, if any. Please include all representatives who will communicate on behalf of the applicant or the applicant's business partners, for compensation, with the Commission or the staff. (It is the applicant's responsibility to update this list, as appropriate, including after the application is accepted for filing. Failure to provide this information prior to communication with the Commission or staff may result in denial of the permit or criminal penalties.)

Tom McMillin, P.O. Box 1767, Pebble Beach, CA 93953 831/625-8496

Cheryl Burrell, P.O. Box 1767, Pebble Beach, CA 93953 831/625-8497

John Kasunich/Mark Foxx, 118 E. Lake, Watsonville, CA 95076 831/722-4175

Tom Jamison, 2801 Monterey-Salinas Highway, Monterey, CA 93940 831/373-1241

SECTION II. PROPOSED DEVELOPMENT

Please answer all questions. Where questions do not apply to your project (for instance, project height for a land division), indicate **Not Applicable** or **N.A.**

1. **Project Location.** Include street address, city, and/or county. If there is no street address, include other description such as nearest cross streets.

17 Mile Drive near Fanshell Beach Overlook, Pebble Beach, CA 93953

number

street

Pebble Beach

Monterey

city

county

Assessor's Parcel Number(s) (obtainable from tax bill or County Assessor):

008-991-001 (private roadway system)

FOR OFFICE USE ONLY

RECEIVED _____

FILED _____

FEE _____

APPLICATION NUMBER

DATE PAID _____

2. Describe the proposed development in detail. Include secondary improvements such as grading, septic tanks, water wells, roads, driveways, outbuildings, fences, etc. (Attach additional sheets as necessary.)

The proposed project consists of installing coastal protection adjacent to 17 Mile Drive where it was undermined in two small areas in the winter of 2010.

An emergency permit was issued to place rip-rap to create two rock revetment structures and re-support 17 Mile Drive. There are two areas of work. The upcoast area is located near the east end of Fanshell beach and the coastal protection structure ranges from 14 to 18 feet high, is 50 feet long and covers approximately 800 square feet of beach surface area, based on an average encroachment of 16 feet. The downcoast area is located near the west end of Fanshell beach and the coastal protection structure is 14 feet high, is 20 feet long and covers approximately 230 square feet of beach surface area, based on an average encroachment of 11.5 feet. The downcoast area is adjacent to a similar grouted rip-rap coastal protection structures with artificial rock facing that was approved by Monterey County (PLN 000595) on September 26, 2001. Both areas are well inland of the Mean High Tide Line.

Without coastal protection the pavement of 17 Mile Drive will be exposed to erosion and undermined, creating very unsafe conditions, and the utilities underlying the pavement will be at risk. This project consists of modifying and recognizing the 2010 emergency work as permanent coastal protection. The existing emergency rip rap will be covered with an artificial rock fascia to mimic the color and texture of the adjacent terrace deposits.

a. If multi-family residential, state:

Number of units			Number of bedrooms per unit (both existing and proposed)	Type of ownership proposed
Existing units	Proposed new units	Net number of units on completion of project		
				<input type="checkbox"/> rental <input type="checkbox"/> condominium <input type="checkbox"/> stock cooperative <input type="checkbox"/> time share <input type="checkbox"/> other _____

b. If land division or lot line adjustment, indicate:

Number of lots			Size of lots to be created (indicate net or gross acreage)	
Existing Lots	Proposed new lots	Net number of lots on completion of project	Existing	Proposed

3. Estimated cost of development (not including cost of land) \$ 200,000
4. Project height: Maximum height of structure (ft.) 14'-18'
- above existing (natural) grade 14'-18'
 - above finished grade NA
 - as measured from centerline of frontage road NA
5. Total number of floors in structure, including subterranean floors, lofts, and mezzanines NA
6. Gross floor area excluding parking (sq.ft.)..... 1030 beach surface area
- Gross floor area including covered parking and accessory buildings (sq.ft.)..... NA
7. Lot area (within property lines) (sq.ft. or acre)..... Roadway system, in its entirety, is + 72mil

Lot coverage	Existing (sq.ft. or acre)	New proposed (sq.ft. or acre)	Total (sq.ft. or acre)
Building			
Paved area			
Landscaped area			
Unimproved area			
<i>Grand Total (should equal lot area as shown in #7 above)</i>			

8. Is any grading proposed?..... Yes No

<i>If yes, complete the following.</i>			
a) Amount of cut	cu. yds.	d) Maximum height of cut slope	ft.
b) Amount of fill	cu. yds.	e) Maximum height of fill slope	ft.
c) Amount of import or export (circle which)	cu. yds.	f) Location of borrow or disposal site	

Grading, drainage, and erosion control plans must be included with this application, if applicable. In certain areas, an engineering geology report must also be included. See page 7, items # 7 and 11.

Please list any geologic or other technical reports of which you are aware that apply to this property:

9. Parking:

Number of parking spaces (indicate whether standard or compact)		
Existing Spaces	Proposed new spaces	Net number of spaces on completion of project

Is any existing parking being removed? Yes No

If yes, how many spaces? _____ size _____

Is tandem parking existing and/or proposed? Yes No

If yes, how many tandem sets? _____ size _____

10 Are utility extensions for the following needed to serve the project? (Please check yes or no)

a) water b) gas c) sewer d) electric e) telephone

Yes Yes Yes Yes Yes

No No No No No

Will electric or telephone extensions be above-ground? Yes No

11. Does project include removal of trees or other vegetation? Yes No

If yes, indicate number, type and size of trees _____

or type and area of other vegetation _____

SECTION III. ADDITIONAL INFORMATION

The relationship of the development to the applicable items below must be explained fully. Attach additional sheets if necessary.

1. Present use of property.

a. Are there existing structures on the property? Yes No

<i>If yes, describe</i>

- b. Will any existing structures be demolished? Yes No
 Will any existing structures be removed? Yes No

If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

2. Is the proposed development to be governed by any Development Agreement?..... Yes No
3. Has any application for development on this site including any subdivision been submitted previously to the California Coastal Zone Conservation Commission or the Coastal Commission? Yes No

If yes, state previous application number(s) _____

4. a. Is the development between the first public road and the sea (including lagoons, bays, and other bodies of water connected to the sea) Yes No
- b. If yes, is public access to the shoreline and along the coast currently available on the site or near the site? Yes No

If yes, indicate the location and nature of the access, including the distance from the project site, if applicable.

- c. Will the project have an effect on public access to and along the shoreline, either directly or indirectly (e.g., removing parking used for access to the beach)? Yes No

If yes, describe the effect

5. Does the development involve diking, filling, draining, dredging or placing structures in open coastal waters, wetlands, estuaries, or lakes? (Please check yes or no)

a) diking b) filling c) dredging d) placement of structures

- | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Yes | Yes | Yes | Yes |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| No | No | No | No |

Amount of material to be dredged or filled (indicate which) _____ cu. yds

Location of dredged material disposal site _____

Has a U.S. Army Corps of Engineers' permit been applied for? Yes No

6. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands? Yes No

For projects on State-owned lands, additional information may be required as set forth in Section IV, paragraph 10.

7. Will the development protect existing lower-cost visitor and recreational facilities? Yes No

Will the development provide public or private recreational opportunities? .. Yes No

<i>If yes, explain.</i>

8. Will the proposed development convert land currently or previously used for agriculture to another use? Yes No

If yes, how many acres will be converted? _____

9. Is the proposed development in or near:

a. Sensitive habitat areas (Biological survey may be required) Yes No

b. Areas of state or federally listed rare, threatened, or endangered species Yes No

c. 100-year floodplain (Hydrologic mapping may be required) Yes No

d. Park or recreation area Yes No

10. Is the proposed development visible from:

a. State Highway 1 or other scenic route Yes No

- b. Park, beach, or recreation area Yes No
- c. Harbor area Yes No
- 11. Does the site contain any: (If yes to any of the following, please explain on an attached sheet.)
 - a. Historic resources Yes No
 - b. Archaeological resources Yes No
 - c. Paleontological resources Yes No

12. Where a stream or spring is to be diverted, provide the following information:

Estimated streamflow or spring yield (gpm) _____

If well is to be used, existing yield (gpm) _____

If water source is on adjacent property, attach Division of Water Rights approval and property owner's approval.

SECTION IV. REQUIRED ATTACHMENTS

The following items must be submitted with this form as part of the application.

1. **Proof of the applicant's legal interest in the property.** A copy of any of the following will be acceptable: current tax bill, recorded deed, lease, easement, or current policy of title insurance. Preliminary title reports will not be accepted for this purpose. Documentation reflecting intent to purchase such as a signed Offer to Purchase along with a receipt of deposit or signed final escrow document is also acceptable, but in such a case, issuance of the permit may be contingent on submission of evidence satisfactory to the Executive Director that the sale has been completed.

The identity of all persons or entities which have an ownership interest in the property superior to that of the applicant must be provided.

2. **Assessor's parcel map(s)** showing the page number, the applicant's property, and all other properties within 100 feet (excluding roads) of the property lines of the project site. (Available from the County Assessor.)
3. Copies of required **local approvals** for the proposed project, including zoning variances, use permits, etc., as noted on Local Agency Review Form, Appendix B. Appendix B must be completed and signed by the local government in whose jurisdiction the project site is located.
4. **Stamped envelopes addressed to each property owner and occupant of property situated within 100 feet of the property lines of the project site (excluding roads), along with a list containing the names, addresses and assessor's parcel numbers of same.** The envelopes must be plain (i.e., no return address), and regular business size (9 1/2" x 4 1/8"). Include first class postage on each one. **Metered postage is not acceptable.** Use Appendix C, attached, for the listing of names and addresses. (Alternate notice provisions may be employed at the discretion of the District Director under extraordinary circumstances.)

EXHIBIT 2

From: Katie Butler [<mailto:kbutler@coastal.ca.gov>]
Sent: Thursday, September 22, 2011 11:35 AM
To: McMillin, Tom
Subject: Fanshell summary

Hi Tom,
Here's a summary of our recommendation for the Fanshell revetments. Two issues:

- 1) We have a problem supporting the continued rip rap at Site 1 (upcoast), even with the faux rock treatment. Lately the Commission is not supporting any rip rap, largely due to beach encroachment impacts, visual problems, etc.
- 2) We need to deal with all the scattered, loose rock on the downcoast half of the beach, most (all) of which is pre-Coastal Act and/or unpermitted. We need to clean it up and permit it, especially if we want to include restacking and clean-up under this permit. From an analytical standpoint, we don't see how we can ignore all that unpermitted rock and its ongoing sand supply and recreational impacts, and we don't see how we can get around any rock restacking now as not a new project (that has mitigation, etc.).

To deal with this, we propose that we describe the two current fixes at Site 1 and Site 2 as semi-temporary and incorporate into the project description a longer-term fix for Fanshell that you will implement in next 5 (10?) years. We envision that this longer term fix is a vertical wall for the entire downcoast half of the beach (where the loose rock and roadway fill is on the beach), since this portion of the bluff has experienced and is experiencing continued erosion problems and instability (as evidenced by the emergency project, the two previous County approved seawalls, and continued roadway fill on the beach). At Site 1, the longer term fix is removal of the rip rap structure and construction of a new, faux bluff vertical wall, or possibly something else, like a small bridge. We don't need all the details figured out now, but we'd need to describe generally what you intend to do. We think it's in your best interest to address all the mitigation now (i.e. sand supply impacts for the future large vertical wall), because we expect that the Commission will only become more strict on these things 5-10 years from now, and we think we can propose a reasonable mitigation package now that addresses the impacts. So we would have a condition that requires you to submit plans in 5 (10?) years for the permanent fixes, and we'd do an ED check-off on the plans. No new permit would be needed.

The 5 or 10 years part is still undecided. We can talk about that further with you guys.

The mitigation package we propose for sand loss and recreational impacts of both the temporary and long-term fixes is:

- new small stairway down to Fanshell Beach from the small pullout/overlook
- access improvements at the larger Fanshell parking lot (new picnic table(s), striped parking, new signage, ??)
- water quality drop inlet at 3-pipe outlet onto beach (to improve recreational experience on beach)
- removal of all errant, human-placed rock on beach (this is inherent in project, but we'd describe it as mitigation as well)

We'll need revised sand loss calculations from you now to account for the longer term fix, and possibly more information on the erosion danger for the whole beach.

That's it in a nutshell – hope it all makes sense. Dan and I think this is the smartest approach to dealing with your current application. Let me know about any questions.

Katie

Katie Butler
Coastal Planner
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060
P: (831) 427-4863
F: (831) 427-4877
kbutler@coastal.ca.gov
www.coastal.ca.gov

EXHIBIT 3

6 December 2023

Project No. 11540

MEMORANDUM

To: Tom McMillin
Pebble Beach Company

From: Haro Kasunich and Associates Inc.
Mark Foxx, CEG 1493
John E. Kasunich, GE 455

Subject: Fanshell Beach Sand Supply Discussion

Dear Mr. McMillin,

Our plans for the Fanshell Beach coastal project include removal of legacy and fugitive rip-rap boulders that are presently on the beach. This will have a positive impact on beach access.

The upcoast (east) end of Fanshell Beach typically has a broad sandy beach, as shown in the white areas on the Google Earth 2022 image shown below as Image 1. A large part of the offshore area has underwater sand deposits; those are shown as turquoise areas in Image 1. Natural onshore-offshore littoral drift occurs there with winter storms removing some beach sand to form sand bars just offshore and late spring and summer short period waves replenishing the fore and backshore beach environment. The downcoast (west) end of Fanshell Beach has narrow areas of beach sand seaward of the existing rip-rap that is to be removed, which are shown in white. The rip-rap appears to be blocking more sand from accumulating there.

Image 2 (below) shows existing areas of beach sand along the shoreline where rip-rap is to be removed. Once the beach is uncovered by removal of the rip rap, we anticipate sand will naturally migrate into the area where rip-rap is removed from the beach. There is an ample supply of sand at Fanshell Beach and upcoast of it for this to occur. We think that Fanshell Beach is at the downcoast end of a littoral cell that has formed due to the orientation of the beach; as well as the presence of the very prominent Cypress Point just downcoast (as shown on Image 3; below), which interrupts the flow of sand downcoast due to the variable orientations of the shoreface segments that form Cypress Point and the prevailing wave directions there.



Image 1: 2022 Google Earth Image of Fanshell Beach Showing Sand Both on the Beach (white areas) and just offshore underwater (turquoise areas)



Image 2: 2022 Google Earth Image of Fanshell Beach Showing Existing Areas of Sand Along the Shoreline Where Rip-rap is to be Removed



Image 3: 2022 Google Earth Image of Fanshell Beach Showing Extensive Sand Deposits Upcoast and Few Sand Deposits at Cypress Point

In our opinion, after rip-rap removal, thin sand coverage over the wave cut bedrock surface at beach level is very likely. This coverage may be partly or wholly. The coverage could be seasonal with increased sand elevations in the summer.

Please call us if you have any questions. Thank you.

Mark Foxx
CEG 1493

John E. Kasunich
GE 455
Haro Kasunich and Associates Inc.

Two handwritten signatures in blue ink. The top signature is 'Mark Foxx' and the bottom signature is 'John E. Kasunich'.

EXHIBIT 4

8 December 2023
Project No. 11540

MEMORANDUM

To: Tom McMillin
Pebble Beach Company

From: Haro Kasunich and Associates Inc.
Mark Foxx, CEG 1493
John E. Kasunich, GE 455

Subject: Fanshell Beach Sea Level Rise

Dear Mr. McMillin,

As shown on Figure 1 below the upcoast (east) end of Fanshell Beach typically has a broad sandy beach, as shown in the white areas on the Google Earth 2022 image shown below as Image 1. Natural onshore-offshore littoral drift occurs there with winter storms removing some beach sand to form sand bars just offshore and late spring and summer short period waves replenishing the fore and backshore beach environment. The downcoast (west) end of Fanshell Beach has narrow areas of beach sand seaward of the existing rip-rap that is to be removed. The rip-rap appears to be blocking more sand from accumulating there. Once the beach is uncovered by removal of the rip rap, we anticipate sand will naturally migrate into the area where rip-rap is removed from the beach.



Figure 1: 2022 Google Earth Image of Fanshell Beach

The beach sand profile within Fanshell Cove is supported by a granite platform. A hard igneous rock bottom that erodes vertically very slowly exists, in contrast with the sedimentary rock found in Santa Cruz or cemented terrace materials found in Pacifica. The inshore, foreshore and backshore beach sand profiles are supported by this basement rock and will continue to be for 22 years (2045) and much longer. The diurnal tide cycle of the Pacific Ocean along Central California ranges from about minus 1.5 feet elevation to plus 7 feet elevation relative to static sea level; produced by the gravitational attraction of the earth, moon and sun, and varies through each lunar cycle. If sea level rises 1.1 feet, the Mean High Water level will rise to about 6 feet in elevation, and that will lengthen the time a wide or narrow beach surface is potentially covered with tidal water but it will not come close to drowning most of Fanshell Beach during most seasonal beach conditions and tidal conditions. The long term static elevation of the granite basement rock supporting the beach sand and the wide range of tide water level fluctuations (which varies approximately 4.5 to 8.5 feet through each lunar cycle) will minimize the 1.1 foot sea level rise affect to the extent of exposed beach sand at Fanshell Beach. We believe that there will be beach left to walk on in 2045.

In our opinion, after rip-rap removal, sand coverage over the wave cut bedrock surface at beach level is very likely. The coverage could be seasonal with increased sand elevations in the summer.

Please call us if you have any questions. Thank you.

Mark Foxx
CEG 1493

John E. Kasunich
GE 455
Haro Kasunich and Associates Inc.

