

CALIFORNIA COASTAL COMMISSION

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



May 19, 1999

William L. Phillips
Planning Director
Monterey County Planning and Building Inspection Department
P.O. Box 1208
Salinas, CA 93902

Subject: ***Pebble Beach Lot Program Application***

Dear Mr. Phillips,

We would like to take this opportunity to offer our views on some of the important Local Coastal Program (LCP) issues associated with the proposed Pebble Beach Lot Program which your Planning Commission will soon be reviewing. We understand that the Lot Program is still subject to several levels of review at the County level and that, as such, the final disposition of the project is some months away. Accordingly, the purpose of this letter is to clearly frame some of the larger coastal concerns early enough in the County's process to allow County decision-makers to proceed with knowledge of these important issues. Of course, this letter only reflects the major issues that have surfaced during our review thus far, with recognition that other concerns may arise as we continue our analysis of the proposal as it moves through the review process.

First, we want to thank your staff, specifically Jeff Main and Kate McKenna of the County Planning Department's Coastal Team, for contributing their time and energy to the Del Monte Forest field trip visit on Tuesday, March 30, 1999. This field trip allowed Commission staff, including the Commission's Executive Director, to meet and discuss Lot Program issues with County Planning staff as well as representatives of the Pebble Beach Company, California Department of Fish and Game, California Native Plant Society, Del Monte Forest Open Space Advisory Committee, Del Monte Forest Property Owner's Association, Concerned Residents of Pebble Beach, and several other individuals interested in the project. I understand from the participants from our office that the site visits to proposed development nodes were very informative and that a number of opposing points of view were heard.

This letter is meant to document and elaborate for the record the comments that Commission staff members made during the March 30 field trip, and to further clarify several Lot Program issues that have otherwise come to our attention. Specifically, we want to be certain that the definition and application of LCP policies regarding Environmentally Sensitive Habitat Areas with respect to the Lot Program are proceeding correctly. As part of this issue, we are especially concerned about the County's treatment of native Monterey pine forest and wetland resources. And finally, we would like to provide guidance on the effect of the Commission's requirement to record a conservation easement covering the Upper Sawmill Gulch borrow site, as well as the need for LCP amendments for the Lot Program as it is currently envisioned.

Environmentally Sensitive Habitat Areas

Issue: All Environmentally Sensitive Habitat Areas (ESHAs), including wetlands, need to be properly delineated and then all applicable LCP policies need to be applied.

Commission staff is concerned that County staff's interpretation of what constitutes an ESHA within the Del Monte Forest is not sufficiently inclusive. Our understanding is that County staff

has recognized certain species and habitats (such as Yadon's piperia) in the CEQA and Ecological Management Implementation Plan processes, but has interpreted the LCP's ESHA policies to apply only to those habitats that are listed in Appendix A ("List of Environmentally Sensitive Habitats of Del Monte Forest Area") of the 1984 Del Monte Forest Area Land Use Plan (LUP). LUP Figure 2 schematically identifies the locations of these Appendix A habitats. However, this method relies on a list created 15 years ago as opposed to the reality of the resources present on the ground today. As a result, a number of rare and sensitive habitat areas are not being considered ESHA for the purposes of Lot Program planning. This ESHA interpretation, in our opinion, is inconsistent with the certified LCP and the effect of such an interpretation is that rare and sensitive habitat areas would not be protected consistent with the protections provided for them by the certified LCP.

The California Coastal Act defines ESHA as follows:

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

The certified Monterey County LCP definition for ESHA is essentially the same as the Coastal Act definition, Zoning Code Section 20.06.440 defining ESHA as follows:

Environmentally sensitive habitat means an area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. (See individual land use plan segments definitions for specific examples.)

The Lot Program project is located within the Del Monte Forest Area Segment of the LCP which is governed by Chapter 20.147 of the Zoning Code. Section 20.147.020(H) of Chapter 20.147 further defines ESHA in the Del Monte Forest as follows:

Environmentally sensitive habitats: Environmentally sensitive habitat areas are those in which plant or animal life or their habitats are rare or especially valuable due to their special role in an ecosystem. These include rare, endangered, or threatened species and their habitats; other sensitive species and habitats such as species of restricted occurrence and unique or especially valuable examples of coastal habitats; riparian corridors; rocky intertidal areas; nearshore reefs; offshore rocks and islets; kelp beds; rookeries and haul-out sites; important roosting sites; and Areas of Special Biological Significance (ASBS).

In the Del Monte Forest area, examples of terrestrial, aquatic, and riparian habitats which have been determined to be entirely or in part environmentally sensitive include: the rare Monterey cypress and endangered Gowen cypress forest communities, the endemic Monterey pine/Bishop pine association, remnants of the indigenous coastal sand dunes, riparian corridors, wetlands, and sites of rare and endangered plants and animals associated with these and other habitats.

This ESHA definition mirrors and implements the definition in the Del Monte Forest LUP, where it states that "environmentally sensitive habitat areas are those in which plant or animal life or their habitats are rare or especially valuable due to their special role in an ecosystem." The LUP goes on to describe "examples" of ESHAs in the Forest (such as sites of rare and endangered plants and animals) and states that a complete listing of these examples is shown in LUP Appendix A. LUP Appendix A states that "the environmentally sensitive habitats of the Del

Monte Forest Area *include* the following" (emphasis added) and then proceeds to provide a categorical and species listing. As such, we believe that Appendix A is not meant to be the definitive list of Forest ESHAs for all time, but rather a listing of ESHA examples known in 1984.

In fact, much has changed in the Forest since 1984 and the LUP ESHA maps and listings have never been updated to reflect these changes. Since 1984, new sensitive species have been discovered and listed (e.g., Yadon's piperia, listed as a federal endangered species), other species have become more endangered and given new listing status (e.g., Tidestrom's lupine, state and federal endangered species), and yet others are threatened in ways not imagined in 1984 (e.g., pitch canker and the native Monterey pine; Monterey pine is now listed as a federal species of concern and a petition is being prepared to propose Monterey pine for state threatened list status).

Irrespective of the LUP's maps and lists, the LCP specifically requires a biological survey for all proposed development in or near ESHAs whether the ESHA is shown on the LUP's ESHA map (LUP Figure 2), or the ESHA is determined through the evaluation of "other current available resource information" and/or on-site investigation (Zoning Code Section 20.147.040(A)(2)). The LCP-required biological survey includes the requirement that all projects in or adjacent to such ESHAs be referred to the California Department of Fish and Game (CDFG) and that "recommendations from the California Department of Fish and Game shall be included as conditions of project approval" (see Zoning Code Attachment 2, Botanical/Biological Report Format). It is our understanding that CDFG has pointed out that certain sensitive habitats would be impacted by the Lot Program, but that these areas were not being treated as ESHAs. We further understand that CDFG has consistently recommended to the County that all such ESHAs be recognized in the planning process. To date, these recommendations have been embraced only within the context of identifying CEQA impacts and mitigations, as opposed to pursuing relevant *avoidance* strategies as required by the LCP.

Consistent with County Zoning Code Sections 20.06.440 and 20.147.020(H) defining ESHA within the Del Monte Forest, and Section 20.147.040(A) defining biological survey requirements, the ESHA designation applies not only to resources known and mapped at the time of LUP certification (i.e., 1984), but also to sensitive habitat areas as they exist today. As such, the ESHA designation applies to: LUP Appendix A habitats, LUP Figure 2 habitats, newly identified habitat areas associated with species known and LUP mapped/listed in 1984, newly identified habitat areas for sensitive species which were not identified or listed as ESHA in 1984, and newly identified habitat areas for sensitive species which were not even known in 1984. In sum, the LCP requires resources on the ground to dictate the presence or absence of ESHA. If biological analysis indicates that an area in which plant or animal life or their habitats are "rare or especially valuable" today, those species and habitats must be treated as ESHAs today. As a general rule, State and Federally listed species, California Native Plant Society List 1B species, other species which have been formally so designated, and their habitats fall into the category of ESHA to which the LCP's ESHA policies apply. Likewise, all wetlands, marshes, seasonal ponds, remnant coastal dunes, and riparian corridors, among other sensitive resources, are protected by the ESHA policies of the LCP.

Please note that Monterey pine (*Pinus radiata*), though not yet currently state or federally listed as threatened or endangered, has been listed on the California Native Plant Society's List 1B ("Plants Rare, Threatened, or Endangered in California and elsewhere"); according to CDFG's Natural Diversity Data Base, List 1B species are specifically eligible for state listing. Due to the threat of pitch canker disease, it has been predicted that 85% to 90% (or more) of the native pine stock constituting the Forest in the Del Monte Forest will eventually die. Because the native

range for Monterey pine is limited only to the Monterey Peninsula (main) stand and three other isolated places on the globe, the primary hope for the survival of the Monterey pine worldwide is that there will be enough natural diversity within the native stands so that at least some trees will have genetic disease resistance and/or tolerance, that these trees can be used to propagate new trees for urban repopulation, and that larger tracts of native Monterey pine forest habitat can be preserved and managed so that natural regeneration can take place to repopulate pine forest habitats. As such, the native pine stands in the Del Monte Forest represent a global resource for native forest management efforts and for breeding programs to develop disease-resistant and/or tolerant stock. The Pebble Beach Company has been active in developing disease resistant stock and thus far has identified 60 individual trees which exhibit resistance to pitch canker. It is not clear at this time whether or not these efforts alone will eventually be enough to ensure the continued survival of the species. In fact, because uncombined native pine genetic materials may as yet lead to resistance and/or tolerance unmanifested to date in any one individual specimen, propagation of individual trees must be complemented by preservation of large, manageable tracts of native pine forest habitat.

Although pitch canker had yet to be identified when the LUP was certified in 1984, the LCP is very protective of Monterey pine in the Del Monte Forest. In fact, in addition to its List 1B and Federal Species of Concern status, the native pine forest making up the Del Monte Forest is to be preserved as a matter of "paramount concern" (LUP Policy Guidance Statement); the natural forest is to be retained "to the maximum feasible degree" (LUP Policy 31); projects are required to minimize tree removal (IP Section 20.147.050(D)(3)) with preference for design concepts which pursue this goal (LUP Policy 34); for all projects proposing tree removal, "preservation of scenic resources shall be a primary objective" (LUP Policy 33); and, perhaps most importantly, "where LUP objectives conflict, preference should be given to long-term protection of the forest resource" (LUP Policy 32).

Because of the pitch canker threat and in light of the special status now associated with the native pine forest in the Del Monte Forest, the LCP's ESHA policies will also come into play, as discussed above. Extinction, or merely extinction in the wild – however remote the possibility – is not acceptable. Therefore, we recommend that until the pitch canker threat is clearly resolved, that the most cautious approach is warranted. The County's treatment should distinguish between Monterey pine forest habitat and individual pine specimens, including ascribing greater sensitivity to those individual specimens which thus far exhibit disease resistance and/or tolerance (regardless of size), and should identify how Monterey pine are to be treated in a planning context. We should note too that the Monterey pine forest in the Del Monte Forest must be understood and treated as a complex, interdependent web of living organisms rather than just a collective noun for a group of trees in the landscaping sense. Given the severity of the threat, the dawning realization of the importance of any disease resistant and/or tolerant trees, the significance of larger manageable forest tracts available for natural genetic recombination and regeneration, and our belief that there is no acceptable risk when the possibility of extinction exists, the County must demonstrate that the environmental sensitivity of Monterey pine in the Del Monte Forest has been thoroughly analyzed in a manner befitting its importance to the species as a whole, as well as its current threatened status.

Accordingly, we recommend that to achieve LCP compliance with respect to Monterey pine forest, the County must identify the different levels of sensitivity associated with the different areas of Monterey pine forest involved in the Lot Program. An illustrative example of this type of differentiation is provided in the LUP for the adjacent Carmel Area LCP segment which distinguishes between ESHA pine forest and non-ESHA pine forest as follows (Zoning Code Section 20.146.040):

The sensitivity of Monterey Pine habitats in the Carmel area shall be determined on a case-by-case basis through the completion of a biological/botanical report for the project. Examples of sensitive Monterey pine forest include naturally-occurring groves which:

- a. function as habitat for rare or endemic plant or animal species;*
- b. have special value for wildlife due to the presence of snags suitable for cavity-dwelling species, or occurrence with Coast live oak, or native shrub understory;*
- c. have high aesthetic value due to their location within the public viewshed.*

Under this methodology, rather than categorically describing all Monterey pine forest as ESHA, some Monterey pine habitat areas may meet the ESHA criteria while others may not. And while this Carmel Area LCP policy doesn't address the pitch canker threat either, it does suggest a more sophisticated planning basis for reviewing proposed development which could acknowledge the current threat to the species, and protect those areas that are sensitive while allowing for development as appropriate, and otherwise LCP-consistent, in those areas determined to not be sensitive. The Carmel LUP method would need additional pitch canker-related sensitivity indicators (for example, 'naturally occurring groves which lend themselves to active management, including prescribed burning' may be an appropriate indicator of ESHA pine). In any event, it would appear very useful for such a delineation to take place prior to any further review of the Lot Program. Pursuant to the LCP's biological survey requirements, CDFG should take part in any such effort.

In any event, please be aware that in a manner similar to the Coastal Act, the certified LCP provides substantial protection for ESHAs. In fact, the LUP's ESHA policy guidance statement states that "all categories of land uses, both public and private, shall be subordinate to the protection of these [ESHA] areas." LUP Policies 8 through 30 provide the policy direction for protection of these areas. Of particular note, and mirroring the requirements of Coastal Act Section 30240, LUP Policy 8 states:

Environmentally sensitive habitat areas that are not designated as rehabilitation areas shall be protected against any significant disruption of habitat values. Within environmentally sensitive habitat areas, new land uses shall be limited to those that are dependent on the resources therein. Land uses immediately adjacent to environmentally sensitive habitat areas shall be compatible with long-term maintenance of the resource; development shall be sited and designed to prevent impacts which would significantly degrade the protected habitat. In designated open space areas, conformance to the applicable OSAC Plan maintenance standards shall be considered the test of consistency with this policy. (Emphasis added.)

LUP Policy 8 is implemented through Zoning Code Section 20.147.040(B)(4) which likewise states "new land uses within environmentally sensitive habitat shall be limited to resource-dependent uses...." The effect of these policies is that ESHAs are protected against any significant disruption and only uses dependent on the ESHA resource are allowed within these areas.

Of note for the Lot Program's proposed subdivisions, LUP Policy 10 states:

New subdivisions which create commitment to development immediately adjacent to environmentally sensitive habitat areas shall be allowed only at densities compatible with protection and maintenance of these resources. New subdivisions may be approved only where potential adverse impacts to environmentally sensitive habitats can be prevented. Conformance to the applicable OSAC maintenance standards shall be

*required wherever open space lands would be affected. No residential subdivision shall be allowed unless it is first demonstrated that, for each new residential lot, normal residential development, including driveway and utility connections, is feasible **without damage to any environmentally sensitive habitat.** (Emphasis added.)*

LUP Policy 10 is implemented by Zoning Code Section 20.147.040(A)(1) which only allows new residential lots where the eventual residential development would be "feasible without damage to any environmentally sensitive habitat." Furthermore, the LCP's development standards require a 100-foot buffer around ESHAs within which "no new residential parcels shall be created whose only building site is in the buffer area" (Zoning Code Section 20.147.040(B)(1)). Whenever "rare/endangered and/or threatened species are encountered on the site of a proposed development...performance standards...are intended to isolate building sites from identified locations of rare and endangered plants or other environmentally sensitive habitats" (Zoning Code Section 20.147.040(B)(3)). These are but a few of the many ESHA-protective policies of the LCP. Please further consult LUP Policies 8 through 30 and Zoning Code Section 20.147.040 for a better understanding of the limitations on development in or near these areas.

Finally, it is our understanding that the Lot Program was submitted without explicit delineations of each of the wetland areas within the project boundaries. Final wetland delineation would take place as a condition of project approval. If this is accurate, such an approach would not conform with LCP policies which require the precise location of these sensitive areas to be mapped, buffered (with 100 foot setbacks from the edge of the wetland) and avoided (Zoning Code Section 20.147.040). It is incumbent upon the project applicant to explicitly delineate all wetland areas prior to any permit decisions being rendered on the project. Accordingly, we would recommend that all wetland delineations, and any other outstanding ESHA delineations, be completed prior to any further debate on the merits of the project.

Upper Sawmill Gulch Easement

Issue: If the proposed full-scale equestrian center is to be constructed at the Upper Sawmill Gulch site, the existing easement (and the underlying permit) needs to be amended.

On December 8, 1998, Monterey County Planning staff requested from Coastal Commission staff clarification of the terms and conditions of the Huckleberry Hill Open Space Area Conservation Easement required by the Commission in 1985 as a condition of approval of the Spanish Bay project. As part of this 1985 Commission approval, the Upper Sawmill Gulch site was to be rehabilitated and incorporated into the Huckleberry Hill Open Space Area if the Applicant (Pebble Beach Company) elected to build a new fifth entrance gate and road in Del Monte Forest (which it did). Accordingly, pursuant to the recorded and accepted Easement, the entire Upper Sawmill Gulch site is within the Huckleberry Hill Open Space Area and is subject to the terms of the easement. Among other things, development and uses permitted in the Huckleberry Hill Open Space Area include "...facilities for active recreational pursuits (such as parks and picnic areas, but excluding tennis courts, off road vehicle use or similar activities inconsistent with the primary purpose of this Offer)." "The primary purpose of this offer is the permanent preservation of natural plant and wildlife habitat within the Huckleberry Hill Open Space."

Although "facilities for active recreational pursuits" could be interpreted to include facilities to accommodate equestrian trail use, Commission staff believe that an entire equestrian center (buildings, stables, rings, etc.) stretches the limit of such an interpretation. Such an equestrian center would be substantially more intense than the limited development to facilitate active

recreational pursuits that is contemplated by the easement. This is not consistent with the primary purpose of Huckleberry Hill Open Space Area of preserving the natural habitat therein.

Although relocation of the equestrian center may be consistent with the Coastal Act, it is our opinion that prior to the County approving an equestrian center at the Upper Sawmill Gulch location (at or near the intensity currently proposed), the Huckleberry Hill Open Space Conservation Easement would need to be amended to allow for this use. Pursuant to the terms of the Easement, such an amendment would take the form of a written agreement between the Pebble Beach Company, the Del Monte Forest Foundation (the Grantee), the County and the Executive Director of the Coastal Commission.

In addition, the Upper Sawmill Gulch area was dedicated open space to offset the impacts of development of the new fifth gate and entrance road (which has been completed) associated with the Spanish Bay Resort project. As such, if the equestrian center is to be relocated to this protected open space area, we would need to process an amendment to the Spanish Bay coastal development permit (CDP 3-84-226) to provide for this alteration; specifically, Special Condition 28 would need to be amended. Such an amendment request would need to demonstrate that it would not substantively weaken the effect of the Commission's previous action and should be predicated on the provision of similar forest open space benefits elsewhere. It would appear that a range of suitable alternative preservation sites, including, but not limited to the Pescadero Canyon Watershed, are available.

Resource Constraint Overlay/B-8 Zoning

Issue: All LCP amendments necessary for the proposed development to proceed must be identified, forwarded to the Coastal Commission, and approved by the Commission before coastal permits are approved.

In order to allow for the proposed Lot Program development, the LUP's Resource Constraint Overlay must be removed and the overlay zoning for the underlying parcels must be changed from B-8 to B-6. The Resource Constraint designation on LUP Figure 5 appears to be a good candidate for removal. LUP Policy 113 states in applicable part:

The Resource Constraint Area designation shall be removed only when water and sewer capacity sufficient to serve such development becomes available and that highway capacity and circulation solutions have been agreed upon and adopted.

The implementing zoning classification can likewise be altered. Zoning Code Section 20.42.030(H)(4) states:

Reclassification of an area from "B-8" zoning may be considered when the constraints existing at the time of placing "B-8" zoning on the area zoned "B-8" no longer exist and additional development and/or intensification of land use will not be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole.

However, the County has thus far categorized these changes as "determination[s] that measurable public facility constraints no longer exist resulting in amendment to the LUP (removal of resource constraint overlay on LUP Figure 5 and reclassification of Title 20 - CIP Section Maps 10 & 16 from MDR/B-8 to MDR/B-6)." From recent conversations between Commission staff and County staff, we now understand that the County intends to process LCP amendments to accomplish these changes. Be that as it may, please note that it is not clear from the materials we have seen to date that such LCP amendments are included as part of the current Lot Program package. The County can determine that measurable public facility

constraints no longer exist, but these determinations do not of themselves "result in amendment" to the LUP and the Zoning Code. Rather, these discretionary decisions on the part of the County must be reflected in adopted amendments to the LUP and the Zoning Code.

LUP Policy 113 and Zoning Code Section 20.42.030(H)(4) allow for the resource constraint designation to be removed and for property to be reclassified from B-8, but the LCP does not provide a self-implementing procedure for this to occur. In fact, the only zoning changes not requiring Coastal Commission approval as an LCP amendment are described by Zoning Code Section 20.94.042 ("Zoning Changes And Amendments Not Subject To California Coastal Commission Certification"):

Zoning designation reclassifications constituting an amendment to this Title and initiated for the purpose of preserving or enhancing the coastal resources including adding any "B", "A", "HR", "Z" overlay zoning designations shall not require certification by the California Coastal Commission.

In other words, the Commission has to approve the removal (but not the addition) of such designations. Because both the LUP and Zoning Code would be changed, and lacking any previously certified means for so changing the LCP without an amendment, the Lot Program as it is currently constituted requires an LCP amendment to modify the Resource Constraint overlay/B-8 zoning. As such, the County decision-making body would need to make the determination that the applicable resource constraints no longer exist and forward to the Commission an LCP amendment package for these changes, as well as any other LCP changes otherwise necessary or contemplated for the Lot Program (e.g., re-zoning for the Sawmill Gulch Borrow Site).

Other LCP Issues

Issue: Findings are needed to establish the appropriateness of a golf course and any accessory facilities within a residentially zoned area.

At the outset, we believe that we should be clear that the Lot Program golf course may or may not be viable due to a number of factors, including the ESHA issues highlighted above. Notwithstanding the question of viability, the proposed golf course would be located on lands partially zoned residential and on lands partially zoned open space recreational (i.e., Collins Field and the existing equestrian center).

The LCP's Del Monte Forest open space recreational land use definition specifically encompasses golf courses and golf course support facilities, such as pro shops, cart shops, and parking areas (Zoning Code Section 20.147.020(N)(3)(a)); all existing golf courses in the Del Monte Forest are zoned Open Space Recreational. This derives from the LUP's land use categories which prescribe golf courses for open space recreational lands. In contrast, the LCP's Del Monte Forest residential land use definition does not include golf courses or golf course support facilities (Zoning Code Section 20.147.020(N)(1)). Nonetheless, golf courses are allowed as conditional uses in the subject residential and open space recreation zoning districts.

Golf courses as a conditional use in residential districts derive from LUP Policy 86 which states in part that "golf courses may be permissible in areas shown for residential development." Based upon this LUP Policy, golf courses were added as a conditional use to the medium and low density residential zoning districts by LCP amendment in 1995 (Zoning Code Sections 20.12.050(Z) and 20.14.050(D)).

In light of this conditional nature of the golf course use, it will be important for the County to make findings that a golf course facility is or is not compatible with the land use category within which it is eventually placed. Moreover, it is clear that some amount of accessory "facilities" and/or "structures" to support golf course use are allowed in the subject residential and open space recreation zoning districts (Zoning Code Sections 20.12.050(R), 20.14.040(R), and 20.38.050(B)). The issue to be analyzed is what level of intensity and what types of uses can be appropriately characterized as "accessory to the main golf course use." The LCP defines Accessory Use as follows (Zoning Code Section 20.06.1330):

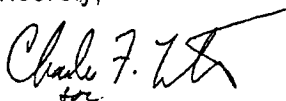
Accessory use means a use accessory to and customarily a part of the permitted use, clearly incidental and secondary to the permitted use and which does not change the character of the permitted use.

It is our understanding that the proposed Lot Program golf course clubhouse building is approximately 40 feet tall and approximately 125 feet wide by 200 feet long, and includes a 2,600 square foot restaurant, a 3,100 square foot meeting room facility, and a 2,300 square foot retail area. It will be incumbent on the County to make the requisite findings that all aspects of such a facility are "accessory to," "customarily a part of," and "incidental to" any golf course that may eventually be approved. If such findings cannot be made for any particular component of the clubhouse or other structural development proposed as accessory to the golf course, then it must be deleted or reduced in size to comply with the LCP. In the alternative, an LCP amendment to redesignate a portion of the site to a commercial use could be pursued.

Thank you for the opportunity to help frame these important Lot Program LCP issues. In closing, I would like to reiterate that the certified LCP requires the County to identify and analyze all ESHAs based upon the reality of the resources on the ground. Furthermore, the LCP requires that this identification and analysis be done prior to a discretionary body making a decision on the project so that these areas can be avoided and protected. Finally, for the project to be approved as it is currently constituted, amendments to the LCP and to the Huckleberry Hill Open Space Area Conservation Easement would be appropriate. We hope that you take these very important LCP issues into consideration before preparing your recommendation(s) on the Lot Program applications. In any event, please note that any coastal permits approved for the Lot Program are appealable to the Coastal Commission.

If you should have any questions about these issues, please feel free to contact Lee Otter, District Chief Planner, at the address and phone number above.

Sincerely,



Tami Grove
Deputy Director
California Coastal Commission

cc: Dave Potter, District 5 Supervisor, Monterey County Board of Supervisors
Ed Brown, Vice President, Planning, Pebble Beach Company
Brian Hunter, Central Coast Regional Manager, California Department of Fish and Game
Kate McKenna, Coastal Team Supervising Planner, Monterey County Planning and Building Inspection Department

Attachment 4-pg 9