

CALIFORNIA COASTAL COMMISSION

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December 22, 2004

Supervisor Louis Calcagno
Chair, Monterey County Board of Supervisors
P.O. Box 1728
Salinas, CA 93902

Subject: Measure A and the Pebble Beach Company's Project in the Del Monte Forest

Dear Chairman Calcagno:

I write to express the California Coastal Commission's concern about the manner in which the County is processing the Pebble Beach Company's Del Monte Forest project coastal development permit (CDP) application. We understand that this project relies on, and is intended to be measured against, the County's Local Coastal Program (LCP) as modified by Measure A. However, the County has not yet submitted Measure A to the Coastal Commission for review under the Coastal Act, and the LCP modifications proposed by Measure A are not part of the certified LCP. It is premature for the County to take final action on the Pebble Beach Company's CDP application until the Coastal Commission has fully reviewed Measure A for conformance with the Coastal Act. Similarly, because the Pebble Beach CDP application proposes significant development of property in conflict with the previously implemented CDP for Spanish Bay, neither the County's nor the Commission's review of this new project should precede Coastal Commission action on an amendment to the Spanish Bay CDP. As you know, the Coastal Commission holds the Spanish Bay CDP, not the County; therefore the Commission retains continuing jurisdiction over the permit. Finally, the legality of the County's pending action is in question since the standard of review for the County at this time is the existing unmodified LCP. The County's decision to move ahead with the Del Monte Forest project CDP application prior to establishing the degree to which Measure A can be incorporated into its LCP, coupled with the bypassing of Coastal Commission action on an amendment to the existing Spanish Bay CDP, will result in unnecessary and unwarranted expenditures of public funds by both of our agencies and significant confusion for the public.

The Commission therefore strongly advises that the County refrain from taking any final action on the Pebble Beach Company's CDP application until after it has submitted, and the Coastal Commission has acted on, the proposed Measure A LCP amendments, as required by law. Similarly, the County should not take final CDP action until after the Coastal Commission has acted on any Spanish Bay CDP amendment request. As our staff has advised the County on several previous occasions, the Coastal Commission strongly recommends that the County address proposed LCP amendments before conducting any further deliberations on the CDP application for the project.

In summary, the proposed LCP amendment as well as the amendment to the Spanish Bay CDP need to be processed by the County and the Coastal Commission before the County takes further

action on the CDP for the new Pebble Beach Company project. To discuss processing and scheduling options, please contact Deputy Director Charles Lester or Coastal Planner Dan Carl in the Commission's Central Coast District Office.

As always, the Coastal Commission would like to work cooperatively with the County to expeditiously process the County's requests but this will be more difficult to do if the proper processing order is not followed. Acting otherwise will only lead to a needless expenditure of public funds and costly and time-consuming litigation and controversy, which is not in anyone's interest. We look forward to working with you to resolve this situation.

Sincerely,



Meg Caldwell
Chair, California Coastal Commission
On behalf of the California Coastal Commission

cc: District 1 Supervisor Fernando Armenta
District 3 Supervisor W.B. "Butch" Lindley
District 4 Supervisor Edith Johnsen
District 5 Supervisor Dave Potter
Ann Anderson, Clerk to the Board of Supervisors
Sally Reed, Monterey County Administrative Officer
Scott Hennessy, Monterey County Planning Director
Thom McCue, Monterey County Senior Planner
Mark Stilwell, Pebble Beach Company
Peter Douglas, Coastal Commission Executive Director