Exhibit F

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August 3, 2018

VIA EMAIL DELIVERY

Craig Smith, Associate Planner
Monterey County RMA-Planning
1441 Schilling Place, South 2nd Floor
Salinas, CA 93901

Re: PLN170915 - Coastal Development Permit, 53810 Highway One, Big Sur (APNs 420-231-004 and 420-231-006)

Dear Mr. Smith:

I am submitting this letter and the enclosed materials in response to the last minute concerns submitted prior to the June 28, 2018 Zoning Administrator hearing. The issues are associated with the construction of a hillside tram or funicular ("Project") on the Applicant's property located at 53810 Highway One, Big Sur ("Property"). The issues brought forth in the emails from Molly Erickson and the California Coastal Commission were as follows: a request for a comprehensive analysis of feasible alternatives; Fire Agency support for the project; the funicular setting a precedent to provide access to otherwise undevelopable parcels; unpermitted development and tree removal; and lastly processing the Project consistent with a CEQA exemption.

At the outset, I want to be clear that the Applicant and I support bolstering the Project's record to avoid creating precedent which may encourage other parties to try and permit a funicular to provide access to an otherwise undevelopable parcel. We welcome having this letter included in an amended staff report to confirm that after a comprehensive analysis of all feasible alternatives it was determined that the funicular presented a unique opportunity to restore access to the main residence and caretaker residence while avoiding over 2,200 cubic yards of additional grading, a 15 foot high retaining wall, and the need for coastal armoring. The remaining portion of the snaking driveway fortuitously provides the pads for the funicular's two towers and therefore limits total grading to 172 cubic yards. We welcome the staff report recognizing that the funicular solution is, after comprehensive analysis, suitable to this specific property and to this particular emergency situation to restore access to both residences.

Summary of Access Options

On January 21, 2017 and during the largest wave storm to impact the Central Coast of California in decades, an approximately 130 foot section of the driveway to the Applicant's main residence and caretaker residence catastrophically slid down the cliff into the ocean below. As soon as they were able to access the Property, John Kasunich and Mark Foxx, of Haro, Kasunich and Associates ("HKA"), assessed both the cause of the slide and all feasible options to restore access

to both residences. These options are detailed in the attached supplemental letter from HKA which is summarized below.

Driveway (landslide bypass)

The landslide bypass driveway option would require at least 2,400 cubic yards of grading along with coastal armoring to shore up the base of the slide. The cost of this option is approximately $1 million dollars and would require about 12 months to construct. The cost of this solution is not unreasonable, however, the amount of grading is extensive and this solution would only be temporary until the head scarp achieves a stable angle of repose, estimated at about 40 to 50 feet further inland. This geomorphological process would eventually undermine the new driveway over time.

Bridge

The bridge option would also require at least 2,400 cubic yards of grading along with coastal armoring to shore up the base of the slide. The cost of this option is approximately $2 million dollars and would also require about 12 months to construct. The bridge option would provide a permanent access solution by supporting the span on massive piers that allow future slumping to flow around the upper 20 feet of the piers. However, the bridge option still requires very extensive ground disturbance while costing twice as much as the new driveway alignment and two and half times as much as the funicular option.

New Access Driveway Alignment

HKA considered bringing in a new driveway from the top of the upper parcel which the applicant acquired in 2012 but concluded, based upon walking the site, LiDAR topography, and geomorphology, this driveway option is infeasible regardless of impacts. The upper parcel is very constrained by elevation, slope and the potential for future slope instability. Locating a driveway on this parcel must avoid the Scenic Easement as shown on Proposed Site Plan (Whitson Engineers Sheet C-03). The shortest alignment that could be constructed (300+ feet) is too steep (approximately 40%) for emergency vehicle and passenger vehicle access. Other alignments would cross 70% to 100% gradient slopes consisting of unstable geologic terrain, making switchbacks to reduce alignment steepness infeasible. HKA did not see any other viable access route where an alternate driveway could be safely built and utilized with an alignment that would have gradients that would be suitable for passenger vehicle and/or fire truck access.

Funicular

The funicular only requires 172 cubic yards of grading for the landings with an estimated cost of $800,000 and a construction period of between three and six months. The funicular was a response to HKA's prior analysis regarding the substantial impacts and costs associated with cutting

in a replacement driveway or a bridge spanning the slide area. It was only after absorbing the scale of pursuing these alternatives that HKA asked the Applicant if he would consider a funicular solution. The Applicant was curious and as everyone vetted this option it surprisingly made more and more sense for this particular property and this particular emergency situation. The funicular avoids any retaining walls or substantial grading because the remaining snaking driveway already provides the pads for the towers such that the total grading is limited to 172 cubic yards of cut. The funicular option also avoids the 15 foot tall retaining wall, the need for coastal armoring at the base of the slide, and reduces the construction time to between three and six months.

The options HKA evaluated are summarized in the matrix below:

Options	Parameters	Coastal Armoring?	Grading	Estimated Cost	Time for Construction
Driveway	160 foot long driveway; 14-foot wide with a 15- foot high retaining wall.	Yes	2,400 cy cut	$1,000,000	12 months
Bridge	130 foot long driveway; 14-foot wide with a 15- foot high retaining wall.	Yes	2,400 cy cut	$2,000,000	12 months
Hillside Tram (Funicular)	214-foot long hillside tram; 4 ½-foot wide track with 8 foot wide towers.	No	172 cy cut	$800,000	3 months
New Access Driveway	Driveway across APN 420-231-006 must avoid Scenic Easement shown on Proposed Site Plan (Whitson Engineers Sheet C-03). Shortest alignment (300+ feet) too steep (approximately 40%) for emergency vehicle and passenger vehicle access. Crosses 70% to 100% gradient slopes consisting of unstable geologic terrain, making switchbacks to reduce alignment steepness not feasible. Geometrically not possible.	Yes	2,400++ cy cut	**NOT FEASIBLE**	n/a

Fire Agency Support

Art Black, of Carmel Fire Protection Associates, reviewed the proposed Project on behalf of Cal-Fire during the Interdepartmental Review process in March 2018 and deemed the Project complete with no conditions. At the request of the California Coastal Commission, they have re-reviewed the Project and the elements pertaining to emergency access to confirm the proposed Project is an acceptable alternative to provide emergency access to both residences. Please see the

enclosed supplemental memo, dated July 30, 2018.

Precedent

Consistent with the comprehensive access restoration analysis above, the Project is intended to restore access to the existing main residence and caretaker residence based upon the least impactful solution. The funicular solution was only considered after HKA confirmed the extensive grading associated with the other 'feasible' access options. Vetting of the funicular ultimately confirmed that it provides the least impactful solution to restore access to on the Property. The 172 cubic yards of grading required to implement the funicular solution reflects less than five commercial dumpsters as opposed to the 2,400 cubic yards associated with the bridge option. The site is constrained by existing development, conservation and scenic easements, and excessive slopes.

As stated above, we invite County staff to incorporate this letter into the amended staff report to confirm that the funicular is the most appropriate access restoration solution for this property and this specific situation and to make it clear that approval of the Project is not precedent to be applied towards vacant parcels which are otherwise undevelopable.

The Property is a developed parcel. The Project is proposed as a means to restore access to existing development where no feasible alternative exists. The site is constrained by existing development, conservation and scenic easements, and steep slopes. To install a new driveway or bridge would require massive grading and excavation and the construction of protective devices (retaining wall and Coastal armoring on the slope below) that would substantially alter natural landforms. Unique to this Property, the funicular restores access to the existing main residence and caretaker residence while avoiding the massive grading associated with the other feasible access restoration options.

Residential development on vacant land is a secondary, conditional use that is considered case by case on a permit application's individual merits. See Big Sur Coast LUP Policy 5.3.1.2. Residential development on vacant parcels is permitted so long as all resource protection policies can be fully satisfied. See Big Sur Coast LUP Policy 5.4.2.5. Based upon the access requirements established by the Big Sur Coast LUP including Policy 5.3.1.2 and Policy 5.4.2.5, in my opinion, the County of Monterey retains the authority to recommend denial of a permit application that is reliant on a funicular to support a new residence.

Unpermitted Development and Tree Removal

As part of a well permit and several drainage/erosion projects between 2003 and 2009, the County Staff and Decision makers have consistently confirmed that the Property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance and 'no violations exist on the property'. These prior investigations and confirmations were supported by County Staff site visits in 2004, 2009, and 2010.

In 2015, an aquaponic pond was installed on the Property. The purpose of this landscaping feature is to maintain fish such that waste from the fish fertilizes the bed of organic plantings below the pond. The pond was located on a flat area that was previously covered by invasive kikuyu grass.

MCC 20.06.310 (*Definition of Development*) defines development in the Coastal Zone. MCC 20.70.120 (*Exemptions from Coastal Development Permits*) outlines the types of development that are exempt from Coastal Development Permits and lists classes of development that would require a permit because they involve a risk of adverse environmental impacts. The pond and the garden beds are a landscaping feature on the property. The pond was installed in a flat area that was inundated with kikuyu grass (invasive species). The area was scraped to remove the grass as shown in the attached April 2015 aerial photo. Both the pond and the garden beds are sealed and do not percolate water. The installation of the ponds and the aquaponic garden beds would have been exempt from a Coastal Development Permit based upon the criteria in MCC 20.70.120.B. However, HKA has assessed that, based on the size of the pond, the grading exceeded 100 cubic yards (by approximately 100 cubic yards); thus, a grading permit would have been required. To remedy the grading that was required, the proposed project could be modified to include the grading for the pond and garden beds. Alternatively, we would ask County Staff to consider a Planning Director waiver, pursuant to MCC 20.90.120, to allow the Project to proceed to deal with this emergency situation while separately permitting the pond.

In response to the alleged tree removal, we reviewed aerial photos of the site from Google Earth and the Coastal Records Project site—the same site where Ms. Erickson retrieved the photos embedded in her June 28, 2018 email. The enclosed 1972 photo of the site shows the Property almost completely devoid of trees, demonstrating that the most of the trees on site have been planted. The enclosed comparison of Google Earth overhead aerials from May 2012 and April 2015 show the pond area avoided existing trees. No tree removal occurred in the area of the pond. Note, in our research we found overhead views from Google Earth more helpful than the oblique views from the Coastal Records Project due to shadowing and difficulty locating the existing trees from the oblique ocean perspective.

Beyond the pond site, the coastal view photos clearly show dead trees in the October 2004 and the September 2008 photos. Pursuant to Big Sur Coast CIP section 20.145.060.A.1, a Coastal Development Permit is not required for the removal of a) non-native or planted trees, except where this would result in the exposure of structures in the critical viewshed or where the tree(s) is/are determined to be a landmark tree; or b) hazardous trees which pose an immediate danger to life or structure. These trees were adjacent to the driveway—the only access to the main house and the caretaker residence. Therefore, these trees were permitted to be removed. In the June 2017 aerial photos, trees are missing from the top of the landslide because they slid into the ocean during the storm. I have also included a photo of the landslide showing the remains of a large tree on the slope below.

CEQA

The County has determined the Project categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Guidelines section 15303 (e) which exempts construction and location of new, small facilities or accessory structures. Ms. Erickson's correspondence expresses the concern that this exemption is inappropriate due to cumulative impacts resulting from approval of the Project starting a trend of other applicants seeking to use funiculars to develop vacant parcels with building sites that are otherwise inaccessible. To address Ms. Erickson's concern I would support amending the Project's staff report to make it clear that while the funicular is the appropriate solution for this particular property and emergency situation to restore access to two existing residences, it is not the appropriate solution to develop otherwise undevelopable parcels. With this amendment, the application of the CEQA exemption remains appropriate. The Project application confirms the Project is not visible from Highway One (also confirmed by the South Coast LUAC) and will not impact biological, cultural, air, geological, mineral, recreational, or agricultural resources and sound from operating the funicular will not exceed the background sound of the ocean.

Based upon a review of the written comments from Coastal Commission Staff and Ms. Erickson and our July 16, 2018 meeting with Coastal Commission Staff, I believe this letter addresses everyone's concerns. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aengus L. Jeffers

ALJ:lml

Enclosures

cc: Mike Watson, Coastal Planner, California Coastal Commission (via email)

CARMEL FIRE PROTECTION

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COPY FOR YOUR INFORMATION

MEMO TO: R. Craig Smith, Monterey County RMA

FROM: Art Black, Carmel Fire Protection

SUBJECT: PLN 17 0915 - Mullin Project

DATE: 30 July 2018

This memo is to supplement the Carmel Fire Protection plan review comments for the above-captioned project dated 22 March 2018, a copy of which is attached for your reference. The planning application was reviewed and deemed complete with no conditions, which is usual for fire agencies within Monterey County, since all "conditions" are now included in the Monterey County Fire Code to be applied at the building permit phase of projects.

The applicant proposes to install a hillside tram to provide access to two existing residences due to a landslide that cut off vehicle access from the residences. The project consists of a tram that can hold a rated load of one ton. Similar to an elevator in a high rise building, the tram is sufficient to transport emergency personnel (fire, law enforcement, and EMS) to and from the residences in case of emergency. The tram system is proposed to have a back up generator powered by LP gas. A footpath to provide secondary access is also part of the project. The emergency access plan for the project specifies a hammerhead turnaround for emergency vehicles to reach the top landing.

Two fire hydrants are located in the vicinity of each of the residences, in accordance with the Monterey County Fire Code. The applicant proposes to maintain fire hoses permanently mounted in proximity of each hydrant. In addition, the applicant has proposed to maintain an all terrain vehicle near the residence to transport loads to and from the pedestrian access and the tram.

This proposed project, with the elements described above, including maintenance of the pedestrian footpath, fire hose installation and maintenance, and the backup ATV, is deemed an acceptable alternative to direct vehicular access for emergency service access to this property.

If you require further information, or have any questions, please contact me at art@carmelfire.com or call (831) 624-8303.

Project No. M6365
2 August 2018

Peter Mullin
C/O Aengus Jeffers
The Law Office of Aengus L. Jeffers
215 West Franklin Street, 5th Floor
Monterey, CA 93940

Subject: Analysis of Alternatives to Restore Access to Residence

Reference: Peter Mullin Property
53810 Highway One, Big Sur
Monterey County, California

Dear Mr. Mullin:

As requested, this letter updates our Geotechnical Evaluation of 2017 Winter Storm Damage Analysis of New Alternative Access to Residence at 53810 Highway One, Big Sur, California, APNs 420-231-004, -005, and -006. This letter responds to a request from California Coastal Commission staff to summarize the impacts, cost, and construction timing associated with all of the options available to re-establish access to the main house and caretaker house on APN 420-231-005. Haro Kasunich and Associates has evaluated 4 alternative means of restoring access to the Mullin Residence, since the existing driveway was destroyed by storm damage that occurred in the month of January 2017. These 4 alternatives consist of:

Alternative 1) Alternative Driveway (landslide bypass)

This alternative realigns the damaged section of the existing driveway by excavating deeply into the hillside. The landslide bypass driveway option would require at least 2,400 cubic yards of grading along with coastal armoring to shore up the base of the slide. The cost of this option is approximately $1 million dollars and would require about 12 months to construct. The cost of this solution is not unreasonable, however, the amount of grading is extensive and this solution would only be temporary until the head scarp achieves a stable angle of repose, estimated at about 40 to 50 feet further inland. This process would eventually undermine the new driveway over time.

Alternative 2) New Access Driveway Alignment

This alternative considered whether a new driveway could be constructed from Highway One along an entirely new alignment to connect with the undamaged segment of the existing driveway that continues to the home. Based upon walking the site, LiDAR topography, and geomorphology, this driveway option is infeasible regardless of impacts. The site (APN -006) is very constrained by elevation, slope and the potential for future slope instability. Locating a driveway on this parcel must avoid the Scenic Easement as shown on Proposed Site Plan (Whitson Engineers Sheet C-03). The shortest alignment that could be constructed (300+ feet) is too steep (approximately 40%) for emergency vehicle and passenger vehicle access. Other alignments would cross 70% to 100% gradient slopes consisting of unstable geologic terrain, making switchbacks to reduce alignment steepness infeasible. We do not see any other viable access route where an alternate driveway could be safely built and utilized with an alignment that would have gradients that would be suitable for passenger vehicle and/or firetruck access.

Alternative 3) Bridge

This alternative includes a bridge across the landslide that damaged the existing driveway which reduces the amount of excavation compared to the Alternative Driveway option. The bridge option would also require at least 2,400 cubic yards of grading along with coastal armoring to shore up the base of the slide. The cost of this option is approximately $2 million dollars and would also require about 12 months to construct. The bridge option would provide a permanent access solution by supporting it on massive piers that allow future slumping to flow around the upper 20 feet of the piers. However, the bridge option still requires very extensive ground disturbance while costing twice as much as the new driveway alignment and two and half times as much as the funicular option.

Alternative 4) Funicular

This alternative utilizes a “Hill Hiker” funicular, which is a form of a cable railway in which a cable is attached to a tram-like vehicle that move up and down a steep slope on rails; it is essentially an inclined elevator. This type of access can traverse a much steeper slope than a driveway or access road. The funicular only requires 172 cubic yards of grading for the landings with an estimated cost of $800,000 and a construction period of between 3 and 6 months. The funicular was a response to our prior analysis regarding the substantial impacts and costs associated with cutting in a replacement driveway or a bridge spanning the slide area. It was only after absorbing the scale of pursuing these alternatives that we asked the applicant if he would consider a funicular solution. The applicant was curious and as everyone vetted this option it surprisingly made more and more sense for this particular property and situation. The funicular avoids any retaining walls

or substantial grading because the existing snaking driveway already provides the pads for the towers such that the total grading is limited to 172 cubic yards of cut. The funicular option also avoids the 15-foot-tall retaining wall, the need for coastal armoring at the base of the slide, and reduces the construction time to between 3 and 6 months.
The photograph below shows the storm damaged driveway and the environment where access is required to reach the Mullin Residence.

Photograph of Site Conditions on February 25, 2017

The table below includes a summary of the Parameters of each alternative, whether implementation requires construction of a Coastal Protection Structure (bluff retaining wall), estimated Grading volumes, estimated ball-park construction Cost, and estimated Time for Construction.

Options		Parameters	Coastal armoring?	Grading	Cost Estimate	Time to Construct
1	Driveway (landslide bypass)	160-foot-long driveway; 14 foot wide with a 15 foot high retaining wall	Yes	2,400 cubic yards cut	$1 M	12 Months
2	New Access Driveway Alignment	14-foot wide driveway across APN 420-231-006.	Yes	2,400++ cubic yards cut	Not feasible	n/a
3	Bridge	130-foot-long driveway with 30 feet of driveway approaches; 14 foot wide with a 15 foot high retaining wall	Yes	2,400 cubic yards cut	$2 M	12 Months
4	Funicular	214-foot long hillside tram; 4 1/2-foot-wide track with 8 foot wide towers.	No	172 cubic yards cut	$800K	3 to 6 Months

Conclusions:
As stated in our 20 December 2017 report, due to the moderate to steep slopes of the parcel, the complete loss of vehicular access to the Mullin residence and the caretakers house and the difficulty in rebuilding the existing access road where it was undermined by the large coastal bluff erosional failure, a funicular tram is determined to be the most feasible means or regaining regular access to the residences and the least impact to the coastal bluff setting.

If you have any questions, please call our office at (831) 722-4175.

Respectfully Submitted,

HARO, KASUNICH AND ASSOCIATES, INC.

Mark Foxx
P.G. 4142
C.E.G. 1493

John E. Kasunich
C.E. 33177
G.E. 455

MF/JEK
Copies: 1 to Aengus Jeffers by e-mail

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May 2012
Google Earth
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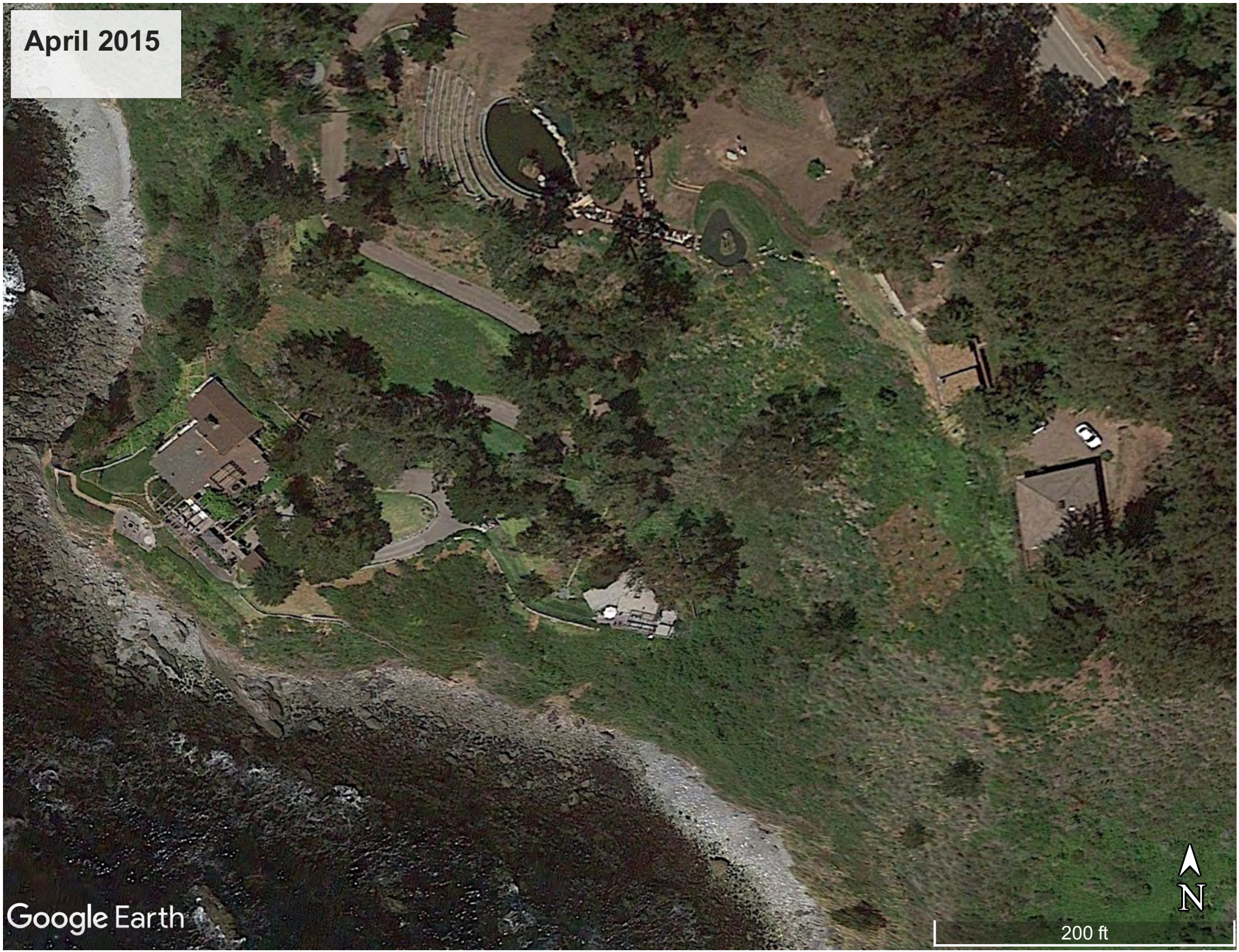
200 ft


April 2015
Google Earth
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October 2004
dead trees

September 2008

dead trees

June 2017

Cabrillo Hwy

Google Earth

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