

Exhibit F

This page intentionally left blank.

Slawson (PLN 180347)

Watson, Michael@Coastal <Michael.Watson@coastal.ca.gov>

Mon 3/4/2019 4:53 PM

To: Guthrie, Jaime S. x6414 <GuthrieJS@co.monterey.ca.us>

Cc: Watson, Michael@Coastal <Michael.Watson@coastal.ca.gov>

Hi Jaime,

Just wanted to provide a couple quick comments on the proposed demo and rebuild at 30770 Aurora del Mar. First and foremost has to do with hazards and LUP requirements that all development be sited and designed to minimize risk from hazards, hazard notice and maintenance requirements, preparation of geologic report and recommendations, and blufftop setbacks (LUP Sections 3.7.2.3, 3.7.2.4, 3.7.3.9, and 3.9.1.1). In this case, the proposed development would be sited on a coastal bluff and in some cases within 15 feet of the bluff edge (see patio seaward of main residence). Consistent with LUP requirements, a geologic report was prepared (Caprock Geology, 6.29.2018) and included a minimum bluff setback recommendation for all construction of 25 feet –25 feet being the minimum necessary to account for erosion and sea level rise over the next 100 years. Our understanding is that this setback applies to all development including the primary residence, secondary structures, and any patios, decks, etc, that are attached to the main structure. It also our understanding that establishment of a bluff setback is intended to meet the requirements of LUP 3.9.1.1 and CIP 20.145.100 C.1, and to avoid the need for seawalls and bluff armoring over the life of the development. As a result, we recommend that the project be revised and that *all* development be re-sited landward of the 25-foot blufftop setback. In support of this revision, the applicant should provide a revised site plan clearly identify the top of bluff, the required blufftop setback, and all development shown landward of the blufftop setback. In addition, the approved project should be conditioned upon 1) recordation of restrictions in accordance with 3.7.2.4 that describes the nature of the hazards, and 2) prohibiting the use of shoreline armoring devices (eg, seawalls, rip-rap, retaining devices, etc). I've provided an example of the "no future seawall" condition language below.

Secondly, the site of the proposed new development is seaward of Highway 1 in the Big Sur land use planning area of Monterey County. The Big Sur LUP prohibits development within the critical viewshed (LUP 3.2.1) which is defined as everything in sight of the highway. The proposal includes a two story residence and secondary structures that will need to be assessed for visibility from highway one. Please confirm that the site has been staked and that the proposed new development is not visible from the critical viewshed.

Finally, the hazard and risk assessment prepared for the site does not appear to extend to fire hazards as required by LUP policy 3.7.2.3. The LUP prohibits new development in extreme wildfire hazard areas (LUP 3.7.3 C.2). If it has not already been done, a site specific assessment of the fire hazards should be prepared for the proposed development. In addition, and in order to comply with the risk minimization requirements of the LUP, the proposed building materials should all meet or exceed appropriate fire ratings to address the fire hazards of the area.

Recommended Permit Conditions

1. No Future Shoreline Armoring. (See sample condition below). LUP Policy 3.9.1.1 and CIP Section 20.145.100 C.1 sets forth applicable conditions for development on bluffs. Please also ensure that the project is conditioned such that any new development may not rely on shoreline protective

structures. A sample Coastal Hazards condition is provided below (see, especially highlighted provisions).

Sample hazard condition:

2. Coastal Hazards Risk. By acceptance of the CDP, the Applicant acknowledges and agrees, on behalf of itself and all successors and assigns, to the following:

- (a) **Coastal Hazards.** That the site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, coastal flooding, liquefaction and the interaction of same;
- (b) **Assume Risks.** To assume the risks to the Applicant and the properties that are the subject of this CDP of injury and damage from such coastal hazards in connection with the permitted development;
- (c) **Waive Liability.** To unconditionally waive any claim of damage or liability against the [County], its officers, agents, and employees for injury or damage from such coastal hazards;
- (d) **Indemnification.** To indemnify and hold harmless the [County], its officers, agents, and employees with respect to the [County's] approval of the development against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such coastal hazards; and
- (e) **Property Owner Responsible.** That any adverse effects to property caused by the permitted development shall be fully the responsibility of the property owner.

3. Coastal Hazards Response. By acceptance of the CDP, the Applicant acknowledges and agrees, on behalf of itself and all successors and assigns, that:

- (a) **Intent of CDP.** The intent of this CDP is to allow for the approved development to be constructed and used consistent with the terms and conditions of the CDP for only as long as the approved development remains safe for occupancy and use without additional measures beyond ordinary repair and/or maintenance to protect it from coastal hazards. The intent is also to ensure that development is removed and the affected area restored under certain circumstances (including as further described and required in this condition), including that endangered development is required to be removed as described in this condition.
- (b) **Shoreline Protective Structures Prohibited.** Shoreline protective structures that protect the approved development (including but not limited to seawalls, revetments, retaining walls, tie backs, caissons, piers, groins, etc.) shall be prohibited.
- (c) **Section 30235 and LCP Waiver.** Any rights to construct such shoreline protective structures, including rights that may exist under Public Resources Code Section 30235, the Monterey County Local Coastal Program, or any other applicable law are waived.
- (d) **Reporting Requirement/Ten-foot Trigger.** In the event the blufftop edge recedes to within ten feet of residential development, but no government agency has yet ordered that the

residence not be occupied, the Applicant shall retain a licensed geologist or civil engineer with experience in coastal processes and hazard response to prepare a geotechnical investigation that addresses whether any portions of the residence and related development are threatened by coastal hazards. The report shall identify all those immediate or potential future ordinary repair and/or maintenance measures that could be applied to address the threat without shoreline protective structures, including but not limited to removal or relocation of threatened development. The investigation shall be submitted to the Executive Director and appropriate local government officials for review and approval. If the approved geotechnical investigation concludes that the residence or any portion of the residence is unsafe for occupancy, the Applicant shall submit a Removal and Restoration Plan (see subsection (e) below).

4. Removal and Restoration. If an appropriate government agency or the above-referenced approved geotechnical investigation determines that any portion of the approved development is not to be occupied or used due to any coastal hazards, and such safety concerns cannot be abated by ordinary repair and/or maintenance, the Applicant shall remove such development or portions of such development. Prior to removal, the Applicant shall submit two copies of a Removal and Restoration Plan to the [Planning] Director for review and approval. If the Director determines that an amendment to the CDP or a separate CDP is legally required, the Applicant shall immediately submit the required application, including all necessary supporting information to ensure it is complete. The Removal and Restoration Plan shall clearly describe the manner in which such development is to be removed and the affected area restored so as to best protect coastal resources, and shall be implemented immediately upon Director approval, or County approval of the CDP or CDP amendment application, if necessary.

Mike Watson
Coastal Planner
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060
Direct: 831 427-4898
Office: 831 427-4863
Michael.watson@coastal.ca.gov



Every Californian should conserve water. Find out how at:



SaveOurWater.com · Drought.CA.gov



Ms. Laura Lawrence, R.E.H.S.
Senior Planning and Development Analyst
The Law Office of Aengus L. Jeffers
215 West Franklin Street, 5th Floor
Monterey, CA 93940

Ref. No.: 5034-02
Sept. 25, 2019

Dear Ms. Lawrence,

The purpose of this letter is to respond to your request for comment on the proposed hardscape improvement located within the 25 foot setback recommended in the June 29, 2018 CapRock Geology report.

We have reviewed the geology report and the site plans including the February 25, 2019 Partial Site Diagram (Sheet A1.0) by Holdren + Lietzke, and the June 12, 2018 Topographic Survey prepared by Whitson Engineers.

Based on our review, our understanding is that the proposed remodel structure adheres to the recommended setback of 25 feet from the bluff edge as shown on the site plans mentioned above and Figure 7 in the 2018 CapRock Geology Report. The hardscape improvements are not attached to the main house and so are in conformance with our report recommendations.

This letter has been prepared on behalf of Ms. Laura Lawrence as a description of services performed in Monterey County, California. In performing our professional services, we have applied present engineering and scientific judgment and used a level of effort consistent with the standard of practice measured on the date of this letter and in the locale of the project site for similar type activities. CapRock makes no warranty, expressed or implied, in fact or by law, whether of merchantability, fitness for any particular purpose, or otherwise, concerning any of the services provided by CapRock to the client.

Please feel free to contact me at (831) 484-5053 if you have any questions regarding this letter.

Sincerely,

CapRock Geology, Inc.

Robert Barninski, R.G., C.E.G.
Principal Geologist



This page intentionally left blank