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March 19, 2004

3/22/2004
#48

Dave Potter, 5th District Supervisor
Monterey County
1200 Aguajito Rd. #001
Monterey, CA 93940
and
Charles J. McKee, County Counsel
Monterey County
80 West Market St. #140
Salinas, CA 93901

Subject: Release of Draft Environmental Impact Report and Final Environmental Impact Report for Pebble Beach Company's Pending Applications for Development Projects in Del Monte Forest - Final EIR needs Public Review prior to Public Hearings

Reference: December 15, 2003 Letter to me from Mary Perry, Deputy County Counsel on Measure "A" (Copy enclosed)

Dear Dave and Charles,

As you know, Thom McCue, Senior Planner for the County, has notified the public that written responses with comments on the February, 2004 Draft EIR on the Pebble Beach Company's Del Monte Forest Preservation and Development Plan are to be in his office prior to 5:00pm March 22, 2004. He has also indicated that the Final EIR on the proposed major construction projects will be released for the public at the time of the County Planning Commission public hearings are scheduled on the pending applications.

The first public hearing on PB Co's. pending applications was held on March 11, 2004 by the County's Del Monte Forest Land Use Advisory Committee, (LUAC). This Committee voted on thirteen separate proposed Residential Subdivisions and major development projects covered by the pending applications. I am a member of the LUAC and I questioned the timing of this hearing as I believe uninformed decisions would be made without the benefit of an amended Del Monte Forest or County General Land Use Plan encompassing the proposed changes covered by the Measure "A" Initiative that has not yet been certified. In addition, the Committee did not have the benefit of reviewing the Final EIR which won't be available until later this year.

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Thom McCue has advised the Del Monte Forest Land Use Advisory Committee that the County's Subdivision Committee will hold a public hearing on the pending applications on April 8, 2004. It appears that decisions will also be made at this hearing without the benefit of reviewing important facts in the Final Environmental Impact Report on the development plans.

Forest residents and Monterey County tax paying property owners are concerned that the accepted public disclosure procedures are not being followed by the County.

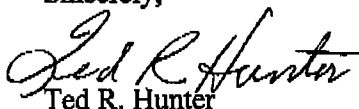
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I understand that the basic principles covered in the 1969 National Environmental Policy Act, (NEPA) and the California Environmental Quality Act (CEQA), amended January 1, 2001, provide guidelines on proper public disclosure periods and that adequate time must be given to allow the public and County officials to review a Final EIR before it is approved by the appropriate authorities.

Shouldn't proper public policy be followed to permit the County decision makers to make informed decisions?

Your views on this important issue with a reply will be appreciated.

Sincerely,



Ted R. Hunter

enclosure

cc: Paul DeLay, Chairman DMF LUAC

Scott Hennessy and Thom McCue, County Planning Dept.

Louis Calcagno, Chairman, County Board of Supervisors

Carolina Garcia, Exec. Editor, Monterey County Herald

Eric Johnson, Editor, Coast Weekly

MONTEREY COUNTY

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CHARLES J. MCKEE
COUNTY COUNSEL

December 15, 2003

Mr. Ted R. Hunter
Post Office Box 1189
Pebble Beach, California 93953

Re: Measure A

Dear Mr. Hunter:

Thank you for contacting this Office regarding Measure A. This letter responds to the following questions and concerns you raised during your recent telephone call with County Counsel, Charles J. McKee: The General Plan Update (GPU) refers to Measure A. How can Measure A be part of the GPU if Measure A has not been certified by the California Coastal Commission (CCC)? Has Measure A been submitted to the CCC? Is Measure A consistent with the Local Coastal Plan (LCP)? Is it consistent with the Coastal Act? Can the County submit the Pebble Beach Company (PBC) plan, Environmental Impact Report (EIR) and Measure A to the CCC at the same time? Can the County accept the PBC application without Measure A certification?

Measure A was approved by the voters but it has not been submitted to the CCC. The County intends to process the Pebble Beach project application that would implement Measure A, including the EIR which is currently nearing completion, through the Planning Commission and Board of Supervisors (Appropriate Authorities). If approved by the Appropriate Authorities, the County will then submit the whole package to the CCC for certification of the Land Use Plan (LUP) amendments necessitated by Measure A and the project. County determinations with regard to Measure A consistency with the Local Coastal Plan (LCP) and Coastal Act will be made by the Appropriate Authorities. If you would like further information, Supervising Planner, Jeff Main and Project Planner, Thom McCue can address all project details and, Annette Chaplin or Lynn Burgess of the Environmental Resource Policy Division, can address how Measure A fits within the GPU.

Very truly yours,

CHARLES J. MCKEE
COUNTY COUNSEL

Mary Grace Perry
Deputy County Counsel

cc: J. Main, T. McCue, A. Chaplin, L. Burgess
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