

March 1  
1300-1500

**Misti Harris**

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**Subject:** Gleason Beach Coastal Development Permit Coordination Meeting  
**Location:** SON PRMD, 2550 Ventura Ave, Santa Rosa, CA; Conference Call: Details TBD; Conference dial-in: (866) 203-7023; code: 9190071439  
**Start:** Tue 03/01/2016 1:00 PM  
**End:** Tue 03/01/2016 3:00 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Organizer:** Jeanette.Weisman@CH2M.com

**Conference Call Info**

Conference dial-in: (866) 203-7023; code: 9190071439

Agenda attached.

See/talk to you all soon.

Regards,  
Jeanette

Caltrans invites you to discuss Coastal Development Permit considerations for the proposed Gleason Beach Roadway Realignment Project.

**Date/Time:** March 1<sup>st</sup>, 1-3pm

**Location:** Sonoma County Permitting and Resource Management Department- 2550 Ventura Ave, Santa Rosa, CA .  
You are encouraged to attend in person, however, a conference line will be set up for those of you that are unable to do so.

An agenda and materials will be circulated in advance of the meeting.

Thanks,  
Jeanette

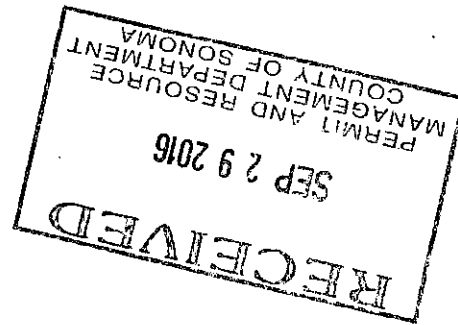
**Jeanette Weisman**  
**Biologist & Coastal Permitting Specialist**  
155 Grand Avenue, Suite 800, Oakland, CA 94612  
Office Phone: 510-587-7724.  
Cell: 510-410-4949  
Fax: 510-622-9124



CCC.LCPGleaso...

# MBM

Martin B. McNair  
411 Western Drive  
Point Richmond, CA 94801  
Phone: 510/232-4232  
Fax: 510/237-7671



September 26, 2016

Jo Ginsbergc Enforcement Analyst  
California Coastal Commission  
45 Fremont, Suite 2000  
San Francisco, CA 94105-2219

Re: Gleasons Beach Property Owners  
File No.: V-2-16-0125  
Property: 6155 North highway One, Bodega Bay, CA; APN 191-120-056  
Martin and Janice McNair, Owners

Dear Ms. Ginsberg:

This letter is to notify the California Coastal Commission that we have retained Nossaman LLP as our agent and that we hereby request an extension of thirty (30) days beyond the 30th of September to respond to your letter of September 9, 2016.

As you must be aware, Caltrans is in the process of moving Highway One some 150 yards to the East and is currently reinforcing the road as a preliminary response. This action will most likely positively impact the options available regarding our residence and thus we will be collecting information about the Caltrans process for your analysis.

We hereby authorize John Flynn, John Erskine, Ben Rubin and Bonnie Neely as well as our personal attorney Robert Lane to act as our representatives regarding all matters before the Commission regarding the above alleged violation.

Please provide written confirmation that the extension is granted either by letter or email to me at mbmmartin@aol.com; and to Bonnie Neely at bneely@nossaman.com; and to Robert Lane at r\_k\_lane@pacbell.net.

Thank you for your consideration.

Very truly yours,

Martin McNair

cc: Dan Carl; Lisa Haage; Nancy Cave; Patrick Veasart; Stephanie Rexing; Sara Pfeifer; Alex Helperin; Jennifer Barrett; Steve Kinsey; and Sarah Glade Gurney.

**McCall Miller**

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**From:** Tom Billeter <tbilleter@gmail.com>  
**Sent:** Wednesday, September 21, 2016 11:52 AM  
**To:** McCall Miller  
**Subject:** Fwd: Property at 6135 North Highway One, Bodega Bay, Sonoma County

McCall:

As discussed last week, I'm sending you an email to follow-up on my phone call to you regarding Jo Ginsberg's letter. Can you please provide a reply email confirming that I contacted you via phone on September 15, 2016, in an effort to discuss Jo Ginsberg's letter with Jennifer Barrett?

Thank you,  
Tom Billeter  
EL CTB, LLC

----- Forwarded message -----

**From:** **Tom Billeter** <tbilleter@gmail.com>  
**Date:** Wed, Sep 21, 2016 at 11:46 AM  
**Subject:** Re: Property at 6135 North Highway One, Bodega Bay, Sonoma County  
**To:** "Ginsberg, Jo@Coastal" <Jo.Ginsberg@coastal.ca.gov>

Jo:

Thank you for the email. I received the letter you sent, dated September 9, 2016, and phoned you on September 15, 2016 to discuss.

Additionally, I contacted the Sonoma County Planning Department to discuss requirements specified in your letter. My communication to Jennifer Barrett at Sonoma County was intercepted by McCall Miller, Jennifer's secretary. McCall asked that I send her an email and she would acknowledge receipt of my communications.

As discussed in our phone conversation, you mentioned that there may be some agencies that would be interested in accepting the property as-is for no fee, can you provide information on those specific agencies?

Thank you,  
Tom Billeter  
EL CTB, LLC

On Thu, Sep 15, 2016 at 5:51 PM, Ginsberg, Jo@Coastal <Jo.Ginsberg@coastal.ca.gov> wrote:

Dear Tom,

Thanks for calling today about your parcel at 6135 North Highway 1, Bodega Bay, Sonoma County, APN 101-120-043. Please note that in the body of the September 9, 2016 letter I sent you, on Page 7, Item No. 5, I have the wrong Parcel Number listed for your property. I inadvertently listed the parcel number as 101-120-033 rather than 101-120-043.

As we discussed, I am sending you a copy of the staff report for **CDP No. 120-80**, which was the permit approved in July, 1980 for Mr. Mandel to construct a seawall at 6135 Highway One. As you can see, Special Condition No. 1 of the Permit required the recordation of an irrevocable offer to dedicate ("OTD") to a public agency or private association an easement for public access along the shoreline. This OTD was duly recorded and was accepted on February 9, 2006 by the State Coastal Conservancy. I am attaching herein a copy of the original Irrevocable Offer to Dedicate a Public Access Easement, as well as a copy of the Certificate of Acceptance of the OTD, and a copy of the Subordination Agreement. I am also attaching an image that shows the approximate location of the public access easement.

I look forward to continuing to work with you to resolve any outstanding Coastal Act violations on your property.

Jo

Jo Ginsberg

Enforcement Analyst

California Coastal Commission

45 Fremont St., Suite 2000

San Francisco, CA 94105-2219

(415) 904-5269 FAX (415) 904-5400

[jo.ginsberg@coastal.ca.gov](mailto:jo.ginsberg@coastal.ca.gov)



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## **Misti Harris**

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**From:** Misti Harris  
**Sent:** July 30, 2015 2:45 PM  
**To:** Tennis Wick; Jennifer Barrett  
**Subject:** RE: Hwy 1 realignment at Gleason Beach

Misti's notes  
July 29 DEIR public meeting, hosted by CalTrans

### Attendance

~45-50 members of the public, mostly nearby property owners and coastal residents

### Outcome

CalTrans listened, provided answers when they could, and repeatedly advised the public to submit written comments for formal response in the FEIR.

### General public comments

- No outright opposition, but a lot of concerns and questions
- Public beach access is important, but the access is out of scale with surroundings
- Concern about traffic impacts from construction vehicles accessing site, especially through Bodega Bay
- Lack of design-level details to comment on (Note: CalTrans punted to public participation opportunity in the Coastal Permit process)
- Highway 1 needs good drainage but there's increased erosion due to concentration of water
- What happens to the Gleason Beach houses and the land between old and new Hwy 1?
- Ped and bike access along Hwy 1 and/or the CA Coastal Trail is important
- Safety of public access road on northern portion of project (road appears to end at bluff)

### My thoughts

This process could be an excellent opportunity to:

1. Prove prescriptive rights on Gleason's Beach, despite Dennis McAllister's statement that he doesn't want the public on "his" beach. *ROBIN MEYER*
2. Restore Scotty Creek on the Ballard property. I met Roberta Ballard, who is passionately committed to restoring the creek.

Let me know if you need anything else.  
Misti

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**From:** Tennis Wick  
**Sent:** July 30, 2015 10:58 AM  
**To:** Jennifer Barrett; Misti Harris  
**Subject:** RE: Hwy 1 realignment at Gleason Beach

I had a feeling he might not want to let go of it if locals don't like it. Lowers his leverage and misplaces accountability.

TW

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**From:** Jennifer Barrett  
**Sent:** Thursday, July 30, 2015 9:17 AM  
**To:** Misti Harris; Tennis Wick  
**Subject:** RE: Hwy 1 realignment at Gleason Beach

## MEETING SUMMARY

# Gleason Beach Roadway Realignment Project FEIR Coastal Coordination

ATTENDEES:      Misti Harris, Sonoma PRMD      Sandi Potter, Sonoma PRMD  
                         Jennifer Barrett, Sonoma PRMD      Tami Grove, CCC  
                         Stefan Galvez, Caltrans      Wahida Rashid, Caltrans  
                         Lilian Acorda, Caltrans      Jeanette Weisman, CH2M  
                         Erika Sawyer, CH2M

### ***By phone***

Nancy Cave, CCC  
Stefani Rexing, CCC  
Melanie Brent, Caltrans

MEETING DATE:      March 1, 2016  
LOCATION              Sonoma County PRMD- 2550 Ventura Avenue, Santa Rosa  
  
PROJECT:              Gleason Beach Roadway Realignment Project/EA 0A020

## Objectives

The purpose of this meeting was to update agency staff on key changes to the Gleason Beach Roadway Realignment Project EIR/EA since the DED and to identify the appropriate coastal coordination/project consistency review for the purposes of the FEIR/EA.

## Summary:

- 1. Introductions**
- 2. Stefan introduced the purpose of the meeting and the pressing need for the realignment**
  - a. Erosion along the roadway continues and is being closely monitored by Caltrans
  - b. Jennifer Barrett noted that Sonoma County has been out to the site and that the roadway may be worse than it appears
- 3. Project Updates**
  - a. Reviewed Caltrans project schedule and process
    - i. Project Approval, Environmental Document (PAED): June 2016

- ii. Plans, Specifications, and Estimates (PS&E- covers right-of-way coordination and permitting): April 2018
    - iii. Ready to List (RTL): June 2018
    - iv. Construction: March 2019
  - b. Caltrans communicated its plans to improve and continue its public outreach for the project.
    - i. Caltrans will hold an April 12 public information meeting at Grange Hall in Bodega Bay to provide an update on the project, EIR/EA.
      - 1. Caltrans clarified that Caltrans will not take public comments on the EIR/EA as the public comment period for this project has passed, however there will be a presentation and a question and answer session
    - ii. Caltrans will also share project updates via a flier that is both mailed and posted to the project website.
      - 1. Caltrans clarified that the mailer will be broadly distributed- using the same or similar area that was used for the DED. This area was clarified to be within a five mile radius of Bodega Bay, to post office boxes and rural routes in Bodega, Bodega Bay, Duncans Mills, Jenner, and Occidental, and post office boxes in Monte Rio
    - iii. PRMD supported this approach and made several recommendations for the meetings and flier
      - 1. Be prepared for a large crowd
      - 2. Provide opportunities for input, even if not to be included in or addressed by the EIR/EA
      - 3. Communicate opportunities that the public will have to weigh-in on the project development process (e.g project schedule milestones, % design complete) and include a project contact.
      - 4. Provide potential options for the bridge aesthetics even if only conceptual so that the public knows that as the end result may differ from the industrial nature of the bridge as currently presented in the visual simulations. Residents are going to be looking for a beautiful structure that blends with its surroundings.
      - 5. Can provide the names of specific groups that they recommend contacting
4. CDP review/LCP consistency
- a. It was clarified that if the County retains primary review authority over the CDP then the project will need an LCP amendment, which will need to be issued by the County but reviewed by the Coastal Commission for Coastal Act consistency. In addition to the county's CDP, the Coastal Commission will also need to issue a permit for its primary jurisdiction. This will be a timely and highly involved process.
  - b. Jennifer Barrett expressed that the County may be willing to consider a consolidated permit by the Coastal Commission as a result of Caltrans commitment to expanding its local engagement for the project and provided that the Coastal Commission hearing can be held locally in Sonoma County.



- i. Caltrans stated it will be submitting its CDP application by June 2017 in order to make its June 2018 RTL date.
- ii. The County communicated that it will be unable to provide a LCP amendment to meet that schedule
- iii. Jennifer Barrett would like to check again with District 5 Supervisor and Board President Efren-Carrillo to see if he would be willing to support the consolidated permit request now that Caltrans is committed to expanding its local engagement for the project.
- iv. Jennifer asked if the Coastal Commission hearings schedule would allow for a local hearing
  - 1. Tami and Nancy communicated their desire to schedule a local hearing. The Commission has not scheduled the 2018 Commission meeting dates yet and while it seems like a reasonable request they will have to coordinate and get back to the team to confirm or provide some additional commitment to scheduling a local (Sonoma County) hearing in 2018.
    - a. Suggested that CCC/County/Caltrans meet more regularly to enable more consistent and effective collaboration on the project.
- v. Jennifer asked to be able review the Draft FEIR (the CCC echoed this request). Melanie Brent stated that while Caltrans does not typically release administrative draft versions of its environmental documents, it could do so if partner agencies are willing to enter into a confidentiality agreement.
  - 1. Caltrans/County/CCC will work on a confidentiality agreement between the agencies-which will be needed before Caltrans shares the Draft FEIR- Will also need to determine how this could be worked into the FEIR schedule.
- vi. Jennifer also recommended that a pedestrian/bicycle access/off-road coastal trail be provided directly over Scotty Creek and that it be included in the EIR/EA to speed up the CDP review. Suggested replacing the current culvert with an alternative culvert that wouldn't be a fish barrier-
  - 1. Stefan stated that Caltrans would look into what could be done at this point, but in all likelihood the opportunity for a dedicated pedestrian bicyclist over Scotty Creek will need to be addressed during the PS&E/permitting stage of the project.
  - 2. Jennifer also asked about alternate water supplies that would be considered for creek restoration.
- vii. Jennifer and Tami both noted that the parcels between the new and old alignment should be evaluated by Caltrans for purchase as they may no longer be usable for grazing and could be valuable mitigation lands.
  - 1. Stefan and Lilian communicated that this evaluation and negotiation will begin in the next phase of the project.
- viii. Tami noted that visual mitigation for the bridge may include removing the development potential (for the existing residences on the bluff). Tami is also

interested in Caltrans exploring its legal requirement to service parcels without development.

**5. Status of LCP Update:**

- a. The Draft LCP Update is still under review and there is no date scheduled for its release.
- b. Tami brought up the potential for a SON 1 Guidelines effort that could be integrated into the LCP Update
  - i. Jennifer expressed interest in starting the process and requested a copy of the MRN 1 Guidelines

**6. Miscellaneous:**

- a. County and CCC staff expressed their support for the current concept of the sidewalk on the bridge
- b. The visual simulation of the bridge from the beach needs to be revised- currently indicates RSP would be installed at the mouth of the creek, which is not what is proposed

**7. Action Items**

- a. Jennifer to check with Sonoma County District 5 Supervisor about the possibility of a consolidated Coastal Development Permit for the project
- b. Tami and Nancy will check on arranging a local hearing for the CCC CDP review
- c. Caltrans/CCC/County to work on a cooperative agreement to review the Draft FEIR
- d. Agencies will set-up more regular meetings to discuss the project and coordinate the permit review
- e. Tami to send Jennifer a copy of the MRN 1 Guidelines