

Camille Mouchawar Trust
4501 Glenshyre Court
Reno NV 89519
Tel 775-829-0310

Via electronic Mail

January 22, 2024

Pat Veesar
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060-4508

Re: Pico Avenue Public Coastal Accessway

Dear Mr. Veesar:

Please accept this letter as a follow-up to the letter from Ellie Oliver, Central Coast District Enforcement Officer, California Coastal Commission, dated January 16, 2024 to Bruce Gibson District 2 Supervisor, San Luis Obispo County and Patrick Faverty, Interim General Manager, San Simeon Community Services District and copied to Camille Mouchawar Trust.

The Coastal Commission has established the responsibilities of the San Simeon Community District (District) for the maintenance of the Pico stairway under CDP Nos. No 3-4-80 and -85-180 regardless of ownership status. The Camille Mouchawar Trust hopes that this letter will serve as a basis for putting this matter to rest for all and allow safe and legal public access to the San Simeon beach area.

This situation has lingered for close to two years while the District looked not to address it but to deny its responsibilities. Considering the Coastal Commission comments in the letter, the Trust would like to set forth its position in this matter:

First, Coastal Commission Engagement

The Trust is most appreciative for the offer of assistance from the Coastal Commission in this situation.

Second, Public Safety

Public safety remains the immediate concern. The stairway cannot be left accessible in its current damaged condition. The existing barricades are ineffective to prevent access to the dangerous stairway. The latest storm evidenced such.

Installation of metal fencing on the top and bottom of the stairway is urgently required for public safety. This would also mitigate for all parties involved the potential liabilities that could arise from using the damaged stairway.

Third, Temporary Encroachment Easement

The Trust understands that Coastal Commission emergency authorization must be obtained by the District for the installation of the needed stairway barriers. Further, that additional Coastal Commission permits will be required for the repair work and reopening of the stairway. We hope that these and the related property issues can be addressed expeditiously.

To facilitate resolution, the Trust is willing to grant the District a temporary encroachment easement on the Trust property where the stairway is located. This would be for six months with extension, if needed, for the final stairway repair work.

Considerations are described below that would allow the Mouchawar Trust to issue a permanent easement or dedication of the property involved. Public access would be restored with the issuance of such a permanent easement or dedication agreement.

Fourth, Consideration

The consideration will be that the Trust be treated fairly and in good faith and obtain concurrent with the grant of the permanent easement, the issuance of a Will Serve letter for the EDU's requested by the Trust (35 units motel, an apartment and 2,000 square feet restaurant) and reimbursement of costs related to these matters including survey and legal costs.

Resolution of the other District encroachments of the viewing area and Pico Avenue cul-de-sac would be included in this settlement agreement.

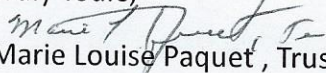
Regrettably, when dedication was previously suggested by the Trust, the District took a position of "Nothing-to-trade" with the Trust. The Trust is simply asking for the same terms and conditions given to Cavalier Inn Corp. and V&H Holdings for the issuance of 145 EDU's where there was no apparent trade. This request is also reasonable based on precedents established by the District for other parties.

Fifth, Access to the beach

The citizens and visitors have been deprived of the use of the Pico stairway for too long. The Trust offers a simple minimal cost resolution to the encroachment.

We are open to further discussion and are confident that an agreement can be reached that prioritizes public safety, restores access to the beach, and resolves property rights issues.

Truly Yours,


Marie Louise Paquet, Trustee

Cc: Bruce Gibson
Patrick Faverty