

With conditions

Wineries

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Beauregard vineyard approved

By JOAN RAYMOND

Sentinel Staff Writer

SAN FRANCISCO — The state Coastal Commission voted 10-1 today to deny a request by the Sierra Club to revoke a vineyard permit in Bonny Doon for grower Jim Beauregard.

Sierra Club spokesman Dave Bockman maintained Beauregard had earlier intentionally withheld in-

formation from the commission about a "champion" Santa Cruz Cypress tree at the site of the 300 acre vineyard.

It was that cypress tree that was felled by a chainsaw recently.

That led to Bockman's complaint to the Coastal Commission asking the permit be revoked.

Today, Bockman asked commissioners "how do you not see a 75-foot tall tree?"

He passed out photographs of the tree and one commissioner laid his glasses on the table and napped during the hearing.

Referring to Beauregard's botanist, Bill Davilla, Bockman said Davilla "knew all along about the tree and so did his employer, Mr. Beauregard."

"And, what else does he know

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about that he is not telling the Coastal Commission? How do you not see a 75-foot tall tree?"

But, Alexander Henson, Beauregard's lawyer, rebutted, "How do you hide a 75-foot tall tree?"

Henson called the Sierra Club's request "an extremely flimsy attempt . . . to take away the permit after so much time and effort has gone into the original permit."

At the center of the controversy was a listing in the National Registry of Trees showing that the cypress tree was the largest of its kind. It had been discovered in 1977 by a biologist.

Coastal Commission Executive Director Michael Fischer had recommended the commission deny the Sierra Club request.

Fischer said the Coastal Commission staff will work to assure the national resources on the property are protected.

Fischer said his staff is working closely with the Department of Fish and Game to monitor the protection of rare and endangered plants on the site.

It's been more than three years now that Beauregard has been trying to plant grape vines.

Staff said final maps for the project have yet to be approved and indicated boundary lines around the sensitive plants habitat can be changed if necessary to protect the area that

nurtures the cypress tree.

Commissioner Robert Franco cast the only vote supporting the Sierra Club. He said he believed "there was perhaps a desire" by Beauregard to hide the knowledge of the big tree, but added, "I feel our staff should have found out and tried to protect it."

Franco said he wanted to know from the Coastal Commission lawyer what constitutes "clear and convincing evidence" in such a case.

"Lots of luck," Commission Chairman Melvin Nutter told Franco.

The hearing took place in the linoleum, concrete and stucco habitat of the State Building in San Francisco. After the hearing, local Sierra Club lawyer Reed Flocks told The Sentinel, "We're happy to hear the commission is saying it can still save the habitat by redrawing the boundaries . . . in a sense, that's a victory if they go ahead and do that."

Marilyn Hummel, a neighbor of the vineyard site and opponent of the project, said even though the commission voted for the project, the conditions set show that commissioners are really concerned about the environment of the property.

Hummel is a former regional coastal commissioner.

Flocks said the commission and Hensen emphasized the cypress tree too much. The point is, said Flocks, is that an entire habitat of cypress trees had not been disclosed.