

## Court rules Coastal Commission unconstitutional

By DEREK RICE

SACRAMENTO, Calif. — In late December, the Third District Court of Appeals for the state of California declared the 30-year-old California Coastal Commission unconstitutional because it violates the state's separation of powers clause. Eight of the

commission's 12 members are appointed by legislative leaders, and can be removed almost arbitrarily.

According to the Sacramento Bee, if the ruling stands, it could wreak havoc on the process of deciding who gets to build, along with what they build on

California's 840-mile coastline. Unless the state appeals the decision, which triggers an automatic stay of the ruling, landowners will find themselves in a catch-22 of sorts. As written, California law requires approval from the commission before any coastal construction can begin. If the com-

mission is unconstitutional, it can't conduct its business, so no construction can take place.

At issue is the "at-the-pleasure" term of commission members. In its ruling, the court suggested fixed-term appointments, which would, presumably, make commission members less beholden to legislators for their jobs.

Although the decision didn't directly account for whether past

commission decisions could be declared unconstitutional, it did indicate that parties who hadn't protested earlier commission actions at the time may be precluded from any future relief. It throws into question several of the commission's key decisions for 2003, including a \$100 million expansion at Pebble Beach Golf Links, which would add an

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## Arredondo

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management of GCSAA, both in terms of financial operations and programmatic execution," said Mona. "This move provides for continuity in the delivery of programs and services to GCSAA members."

Arredondo's arrival at GCSAA coincided with Mona's selection as its CEO. In his chief financial officer position, Arredondo oversaw GCSAA's corporate marketing and sales efforts, Internet strategy development, The GCSAA Foundation, accounting and management information services, as well as organizational planning and budgeting; he will continue to oversee the majority of these functions as well. He will also continue to report to Mona. ■

## Rossi Award

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mechanics of the construction of golf clubs and, specifically, the putter. Solheim designed and hand-crafted a putter in his garage in Redwood City, Calif., that would one day revolutionize the design of golf clubs. His original putter was easily recognizable because when it struck a golf ball, it would reverberate with a clear "ping." His putters became a success without any advertising or marketing.

When Solheim turned his attention to the manufacture of "heel and toe and perimeter weighted" golf clubs, the PING brand was born. Golfers around the world now use his golf clubs and his Color Code Fitting System bridged the gap for fitting golf clubs to golfers of any height or stature.

In addition to golf club manufacturing, Solheim gave back to the game of golf by sponsoring LPGA tournaments in Oregon, Arizona and Massachusetts. He also founded the Solheim Cup, a biennial team competition played on alternate continents that is staged by the LPGA Tour and the Ladies European Tour.

Solheim's wife, Louise, and his son Allan, who is now the executive vice president of PING Manufacturing, will accept the Rossi Award at the GCBA awards dinner Feb. 14 in Atlanta. ■

## Coastal Commission

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eighth course to the property near Carmel.

Earlier in December, the Hearst Corp. dropped plans to build a 27-hole golf course and golf resort in San Simeon after a lengthy battle with the commission and other environmental groups. Instead, Hearst retained the right to build 27 luxury homes and an inn on the 83,000-acre Hearst Ranch.

Another golf course development that the commission successfully quashed was a planned Ben Crenshaw-designed course to be built in Santa Barbara. The commission voted 10-0 to deny the Dos Pueblos Golf Links proposal based on the discovery of the threatened red-legged frog on the property. That discovery, along with other biological discoveries over the years, caused the commission to reverse the approval it had given in 1994.

Real estate mogul Donald Trump has also clashed with the commission since purchasing Ocean Trails Golf Course near Los Angeles. Trump aims to turn the course, best known for having three holes collapse into the ocean in 1998, into an upscale private course that he said would rival Pebble Beach. However, under a commission ruling, deed restrictions require the course to remain public and any change must be approved by the commission.

In early January, Gov. Gray Davis said he was leaning toward calling a special legislative session to restore the commission as a constitutional agency. At press time, the commission was seeking clarification of the court's ruling before deciding whether to file an appeal.

A spokesman for the commission said it may be possible to avoid an appeal if the legislature can make councilors' terms a fixed length, rather than the current "at will" status. ■

## Hills' fast start

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stormwater management constraints. All non-native plant species were removed, and a new irrigation system was installed to lessen the impact on an already-stressed fresh-water aquifer. TDI International handled renovation of the course.

The firm planned to complete the Florida trifecta on Jan. 22 with the opening of the Bonita Bay Group's Hills-designed Shadow Wood Country Club. Because the course was so carefully routed around existing wetlands, ponds and forests, Hills said, "There was more preservation than clearing at Shadow Wood Preserve."

Golf Forms also undertook the construction of Shadow Wood, which Hills called "moderate in length, fun to play." ■

— Derek Rice

## Sunday River

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were still on target."

DuPlessis said once construction begins, the development will be fast-tracked with a 2004 opening planned.

"Once we get through all the procedural things we need to do with the real estate, it's definitely going to be an aggressive construction schedule," she said.

Having a golf course on its property will allow Sunday River, which is enjoying a successful ski season in the wake of a dismal season last winter, to draw people to its resort year-round. At present, if a guest of the resort wants to play golf, he or she must make the trek to the nearby Bethel Inn and Country Club.

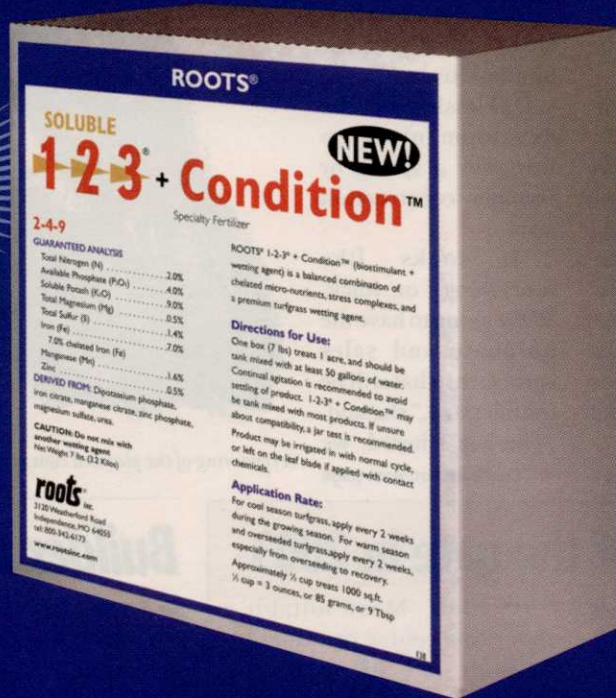
Under the development agreement, the course will be owned and operated by Harris Golf, which owns and operates two other clubs on the coast of Maine, one in Bath and the other in Boothbay Harbor.

The proposed 350-acre site is located near the 286-unit Jordan Grand Resort Hotel and Conference Center. As presently designed, the course will feature panoramic views on more than half of its holes. Development plans also call for a golf school, driving range and clubhouse designed to complement the mountain landscape.

The development is subject to approval by the secured lenders of American Skiing.

Golf Course News will track the construction of the course on a monthly or bi-monthly basis. Watch for installments in future issues. ■

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