CALIFORNIA COASTAL COMMISSION

Central Coast District Office 725 Front Street, Suite 300 Santa Cruz, California 95060-4508 (831) 427-4863 FAX (831) 427-4877



W7

CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the April, 2014 Meeting of the California Coastal Commission

MEMORANDUM Date: April 09, 2014

TO: Commissioners and Interested Parties

FROM: Dan Carl, Central Coast District Deputy Director

SUBJECT: Deputy Director's Report

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the April 9,2014 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Central Coast District.

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

Applicant	Project Description	Project Location
3-14-0221-W San Luis Obispo County Department of Public Works	Construct a new storm drain to alleviate flooding problems on Highway 1 at 13th Street in Oceano. The project will move stormwater from Highway 1 through an underground drainage system to a sedimentation basin, which will assist in the removal of debris and sediment before discharged into the adjacent willow riparian area and Arroyo Grande Creek. The majority of the project components are located in the County's jurisdiction and the County approved those project components on June 4, 2013. A small portion of the proposed project (approximately 0.78 acres) is located in the Commission's original permitting jurisdiction and includes a portion of the sedimentation basin and willow riparian area directly adjacent to the sedimentation basin.	Highway 1 @ 13 St., Oceano, San Luis Obispo County

REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property, or to maintain public services.

Applicant	Project Description	Project Location
G-3-14-0011 Caltrans	Authorizes the installation of roughly 160 linear feet of rockfall netting along the State Highway One right-of-way at post mile 28 and 28.6 just north of Big Creek Bridge in Big Sur. The emergency rockfall netting consists of the installation of roughly 8 steel I-beams (20 feet on center) driven into the hillside with steel mesh netting strung between them to catch falling rock. The steel beams and mesh netting will be colored to match the existing netting and blend into the hillside as best as possible (all as more specifically described in the Commission's ECDP file).	Big Sur, Monterey County
G-3-14-0007 California Dept. of Parks and Recreation	Oceano Dunes SVRA Emergency Dust Control Project ECDP authorizes temporary emergency monitoring and dust control measures within the Oceano Dunes State Vehicle Recreation Area (ODSVRA). The dust control measures include wind fencing and straw bales, which are intended to reduce sand transport and dust emissions. The monitoring equipment will assess environmental conditions and determine the effectiveness of the deployed wind fencing and straw bales (all more specifically described in the Commission's ECDP file).	Oceano Dunes SVRA (primarily in the open riding and camping area and the Phillips 66 buffer area). Cross streets include park entrances on Grand Avenue in Grover Beach, Pier Avenue in Oceano, and Oso Flaco Road in unincorporated San Luis Obispo County.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE 725 FRONT STREET, SUITE 300 SANTA CRUZ, CA 95060 PHONE: (831) 427-4863 FAX: (831) 427-4877 WEB: WWW.COASTAL.CA.GOV



NOTICE OF PROPOSED PERMIT WAIVER

Date:

March 27, 2014

To:

All Interested Parties

From:

Madeline Cavalieri, Central Coast District Manager \ \ \ \ \ \ \ \

Justin Buhr, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-14-0221-W

Applicant: San Luis Obispo County Department of Public Works

Proposed Development

San Luis Obispo County Public Works Department is proposing to construct a new storm drain to alleviate flooding problems on Highway 1 at 13th Street in Oceano, within the unincorporated San Luis Obispo County. The project will move stormwater from Highway 1 through an underground drainage system to a sedimentation basin, which will assist in the removal of debris and sediment before discharge into the adjacent willow riparian area and Arroyo Grande Creek. The majority of the project components are located in the County's jurisdiction and the County approved those project components on June 4, 2013. A small portion of the proposed project (approximately 0.78 acres) is located in the Commission's original permitting jurisdiction and includes a portion of the sedimentation basin and willow riparian area directly adjacent to the sedimentation basin.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The willow riparian area directly adjacent to the proposed sedimentation basin currently functions as a bio-filter for storm flows before they are released into Arroyo Grande Creek. As proposed, the new sedimentation basin will continue to convey drainage into the willow riparian area before release into Arroyo Grande Creek, but the new sedimentation basin will collect debris and sediment before it is discharged into the willow riparian area. Once the project is constructed, the stormwater that ultimately makes its way into Arroyo Grande Creek will therefore contain less trash, less sediment, and fewer contaminants than it would if the project is not constructed. The sedimentation basin will not be placed within ESHA and the proposed project includes appropriate mitigation measures, including requirements for preconstruction biological surveys, biological monitoring during construction, and construction timing to avoid the rainy season when the presence of sensitive species is most likely. Finally, the proposed project is located nearly one mile from the shoreline. For all of the above reasons, the proposed project will not have any significant adverse impacts on coastal resources, including public access to the shoreline.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-14-0221-W (Oceano Drainage Improvement)
Page 2

proposed to be reported to the Commission on Wednesday, April 9, 2014, in Santa Barbara. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Justin Buhr in the Central Coast District office.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

ECDP G-3-14-0011 (Caltrans PM 1-MON-28/28.6 Cow Cliffs Rockfall Net)

Issue Date: April 1, 2014
Page 1 of 3

This emergency coastal development permit (ECDP) authorizes the installation of roughly 160 linear feet of rockfall netting along the State Highway Route One right-of-way at post mile 28 and 28.6 just north of Big Creek Bridge in Big Sur, Monterey County. The emergency rockfall netting consists of the installation of roughly 8 steel I-beams (20 feet on center) driven into the hillside with steel mesh netting strung between them to catch falling rock. The steel beams and mesh netting will be colored to match the existing netting and to blend into the hillside as best as possible (all as more specifically described in the Commission's ECDP file).

The proposed emergency development is located in an extremely active rockfall and slide area immediately above and adjacent to Highway 1. Gravity and erosion from recent rains are causing rock and sediment to fall onto the roadway and to strike vehicles stopped at the traffic signal, which was installed under emergency permit G-3-13-0227 to address erosion of the cliff face beneath the seaward side of the Highway 1 right-of-way. The rock and debris flow is also creating a safety hazard for Caltrans roadway repair crews.

Based on the materials presented by the Permittee (Caltrans), this emergency response is an interim measure while the Department pursues a restoration project that will ensure public safety, prevent long term closure, and maintain essential public services for residents and visitors to the area. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development will be completed consistent with the terms of this ECDP; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

The emergency development is hereby approved, subject to the conditions listed on the attached pages.

Madeline Cavalieri, Central Coastal District Manager for Charles Lester, Executive Director

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form; (2) Regular Permit Application Form

ECDP G-3-14-0011 (Caltrans PM 1-MON-28/28.6 Cow Cliffs Rockfall Net)

Issue Date: April 1, 2014 Page 2 of 3

Conditions of Approval

- 1. The enclosed ECDP acceptance form must be signed by the applicant and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by April 16, 2014). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
- 2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
- 3. The emergency development authorized by this ECDP must be completed (installed) within 30 days of the date of this permit (i.e., by May 1, 2014) unless extended for good cause by the Executive Director.
- 4. The emergency development authorized by this ECDP is only temporary, and shall be removed if it is not authorized by a regular CDP. Within 180 days of the date of this permit (i.e., by September 28, 2014), the Permittee shall submit a complete application for a regular CDP to retain the emergency development. The application shall include photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete. Otherwise, the emergency development shall be removed in its entirety within 270 days of the date of this permit (i.e., by December 27, 2014) and all areas affected by it restored to their original pre-emergency development condition unless before that time the California Coastal Commission has issued a regular CDP for the development authorized by this ECDP. The deadlines in this condition may be extended for good cause by the Executive Director.
- 5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
- 6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from the property owner or other agencies (e.g., University of California, Monterey Bay National Marine Sanctuary, California State Lands Commission, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
- 7. All emergency development shall be limited in scale and scope to that specifically identified in the email transmissions from Caltrans to Coastal Commission staff on March 27, 2014 (dated received in the Coastal Commission's Central Coast District Office on same day).
- 8. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
- 9. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.



ECDP G-3-14-0011 (Caltrans PM 1-MON-28/28.6 Cow Cliffs Rockfall Net) Issue Date: April 1, 2014 Page 3 of 3

10. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Condition 4 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If Caltrans wishes to retain the emergency development, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-14-0007 (ODSVRA Dust Control Program)

Issue Date: March 11, 2014
Page 1 of 6

This emergency coastal development permit (ECDP) authorizes temporary emergency monitoring and dust control measures within the Oceano Dunes State Vehicle Recreation Area (ODSVRA). The dust control measures include wind fencing and straw bales, which are intended to reduce sand transport and dust emissions. The monitoring equipment will assess environmental conditions and determine the effectiveness of the deployed wind fencing and straw bales (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (California Department of Parks and Recreation (CDPR), Off-Highway Motor Vehicles Recreation Division (OHMVRD)), the temporary emergency dust control and monitoring is needed to obtain critical information during the 2014 windy season to inform development and implementation of a Particulate Matter Reduction Plan (PMRP) designed to help address public health effects from degraded air quality in the area. The PMRP is being developed in order to address dust associated with the ODSVRA, including, to reduce the number of days that exceed the U.S. EPA's 24-hour average PM₁₀ National Ambient Air Quality Standard (NAAQS) at the San Luis Obispo County (SLO) Air Pollution Control District's (APCD) CDF ambient air monitoring station. As a serious public health issue, this has been identified as a priority action for Spring 2014 by CDPR, APCD and the California Air Resources Control Board (CARB). The PMRP will also assist CDPR to come into compliance with SLO County APCD's Rule 1001 (Coastal Dunes Dust Control Requirements) that in part requires CDPR to develop and implement a dust control and monitoring program that will inform the PMRP. Without this critical data, CDPR will not be able to timely develop and implement appropriate PMRP measures to improve air quality to meet the NAAQS, as well as deadlines as set by Rule 1001. Without immediate implementation, the ability to reduce unhealthy PM₁₀ levels could be put off for a significant amount of time, perhaps as much as a year. Furthermore, it is anticipated that the severity of this public health hazard will be amplified by the current drought conditions. Therefore, the proposed emergency temporary dust control measures and monitoring is necessary to gather essential data during the 2014 windy season to protect public health. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this ECDP; and
- (b) Public comment on the proposed emergency development will be reviewed if time allows.

Issue Date: March 11, 2014 Page 2 of 6

The emergency development is hereby approved, subject to the conditions listed on the attached pages.

Madeline Cavalieri, Central Coastal District Manager for Charles Lester, Executive Director

Conditions of Approval

- 1. The enclosed ECDP acceptance form must be signed by the ECDP Permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by March 26, 2014). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
- Only the temporary emergency monitoring equipment, wind fencing, and straw bales specifically
 described in this ECDP are authorized. Any additional and/or different emergency and/or other
 development requires separate authorization from the Executive Director and/or the Coastal
 Commission.
- 3. Monitoring Equipment Removal. The temporary emergency monitoring equipment installed as authorized by this ECDP is only temporary, and shall be removed in its entirety and all areas affected by it restored to their original pre-emergency condition or better by July 31, 2014 (conditions for the removal and restoration of the areas containing wind fencing and straw bales delineated in conditions 4 and 5 below). The deadlines in this condition may be extended for good cause by the Executive Director.
- 4. Wind Fencing Removal. Temporary emergency wind fencing installed as authorized by this ECDP is only temporary, and shall be removed in its entirety and all areas restored to their pre-emergency condition, or better, by July 31, 2014, except if such removal would directly impact California least terns or western snowy plovers, as described below. Perimeter fencing in Region 1 shall be "animal friendly" to allow for the natural movement of animals in and out of the area. A biological monitor shall perform a pre-removal survey for California least terns and western snowy plovers. If California least terns or western snowy plovers have moved into the area, the Permittee must leave all fencing in place until all California least terns or western snowy plovers have left the area. The deadlines in this condition may be extended for good cause by the Executive Director.
- 5. **Straw Bale Removal.** Within two weeks of the end of the temporary emergency monitoring and dust control project (i.e., no later than July 15, 2014), and prior to removal of any straw bales, a biological monitor shall survey the straw bale deployment area and submit a Restoration Plan to the Executive Director for review and approval. The Restoration Plan shall detail the condition of the straw bales, sand buildup in the area, and the condition of the dune habitat. The objective of the Restoration Plan shall be to protect dune and related habitat resources to the greatest extent feasible, and it shall provide for the removal, retention, or some combination of removal and retention of the straw bales, to achieve the greatest protection of the dune and related habitat resources that are present. The deadlines in this condition may be extended for good cause by the Executive Director.
- 6. This ECDP is authorized based on the representations of the CDPR that such temporary emergency

Issue Date: March 11, 2014
Page 3 of 6

monitoring, wind fencing, and straw bales are required as a limited, interim, and temporary step during the 2014 windy season, and that it is required to timely develop and implement a Particulate Matter Reduction Plan (PMRP) to improve air quality, including to meet NAAQS, protect and enhance coastal resources and improve public health at and near the ODSVRA. CDPR has applied for a regular CDP for this purpose as well (CDP Application 3-12-050) and shall amend their CDP application to include the temporary dust control measures and monitoring authorized by this ECDP. This ECDP is being granted based on the representation of CDPR that completion of CDP Application 3-12-050 will be diligently pursued with the intent of avoiding similar emergency situations in the future. This ECDP may be revoked by the Executive Director if information, understanding, and/or circumstances associated with its issuance change in such a way as to no longer support temporary emergency authorization. If for any reason or under any circumstances CDPR abandons or withdrawals CDP Application 3-12-050, CDPR will be required to file a follow-up CDP application for authorization of the emergency development conducted pursuant to this ECDP. Applications for a future ECDP under similar circumstances without deliberate pursuit of a CDP to permanently alleviate the identified public health hazards may be denied.

- 7. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Fish and Wildlife, United States Fish and Wildlife Service, San Luis Obispo County, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
- 8. All emergency temporary monitoring, wind fencing, and straw bales shall be limited in scale and scope to that specifically identified in the materials submitted by the Permittee (dated received in the Coastal Commission's Central Coast District Office on February 26, 2014).
- 9. The Permittee shall employ a project biologist/environmental monitor approved by the Executive Director to ensure compliance with all ECDP requirements during installation and removal of temporary monitoring equipment, wind fencing, and straw bales, and restoration of the affected areas. The biological monitor shall ensure that all emergency monitoring equipment, wind fencing, and straw bales avoid impacts to adjacent habitat and resources as much as possible. Evidence of compliance shall be submitted by the project monitor to the Executive Director both upon completion of installation and upon completion of restoration activities.
- 10. The Permittee shall employ a Native American monitor and an archaeologist approved by the Executive Director to ensure compliance with all ECDP requirements during installation and removal of temporary monitoring equipment, wind fencing, and straw bales, and restoration of the affected areas. Evidence of compliance shall be submitted by the project monitor to the Executive Director both upon completion of installation and upon completion of restoration activities.
- 11. All emergency monitoring equipment, wind fencing, and straw bales shall limit impacts to coastal resources (including public recreational access and dunes) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
 - a. All monitoring equipment, fencing, and straw bale sites shall be sited to have the least impact on

Issue Date: March 11, 2014 Page 4 of 6

dune habitats and public recreational access, and shall be sited to protect public safety to the maximum extent feasible. Installation of monitoring equipment, fencing, and straw bales (including but not limited to activities, materials and/or equipment storage) is prohibited outside of the defined dust control regions and monitoring site areas as defined by CDPR in this ECDP application.

- b. Temporary monitoring equipment, fencing, straw bales, and equipment operations shall not be placed and/or conducted seaward of the mean high water line.
- c. All straw bales must be certified weed, seed and pest free.
- d. Access shall be limited to bare sand areas. Vehicles shall remain out of all vegetated dunes, unless absolutely required to install and/or remove the temporary monitoring equipment, fencing, and straw bales.
- e. To the extent feasible, straw bale placement shall be done by hand. One pathway shall be used for ingress and egress from Region 2 for the placement of straw bales in order to limit the impacts on dune resources and related habitat in the area.
- f. All monitoring equipment, wind fencing, and straw bale site areas shall be minimized in scale and scope as much as possible to protect dune resources and related habitats and public safety to the maximum extent feasible. Monitoring equipment, wind fencing, and straw bales (including but not limited to activities, materials and/or equipment storage) are prohibited outside of the allowed monitoring, wind fencing, and straw bale site areas.
- g. All development activities associated with this ECDP shall maintain good site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach, dunes, or the adjacent marine environment; etc.).
- h. All monitoring, installation, and removal activities that result in discharge of materials, polluted runoff, or wastes to the beach, dunes, or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place in the dunes or on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of activities as well as at the end of each work day.
- i. All areas impacted by monitoring equipment, wind fencing, and straw bale installation and removal activities shall be restored to their pre-construction condition or better, as conditioned above. Any dune or beach sand in the area that is impacted by monitoring, wind fencing, and straw bale installation and removal activities shall be filtered as necessary to remove any debris.
- j. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitivity of the work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of

Issue Date: March 11, 2014
Page 5 of 6

retrieval/clean-up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.

- k. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of monitoring and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
- 12. Copies of this ECDP shall be maintained in a conspicuous location at the temporary monitoring sites at all times, and such copies shall be available for public review on request. All persons involved with the temporary monitoring shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
- 13. A monitoring coordinator shall be designated to be contacted during installation, operation and removal activities should questions arise regarding the temporary monitoring (in case of both regular inquiries and emergencies), and their contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the monitoring sites where such contact information is readily visible from public viewing areas, along with indication that the monitoring coordinator should be contacted in the case of questions regarding the monitoring (in case of both regular inquiries and emergencies). The monitoring coordinator shall record the name, phone number, and nature of all complaints received regarding the monitoring, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- 14. Within 30 days of completion of removal and restoration activities associated with this ECDP, the Permittee shall submit site plans, materials, and a narrative description identifying and describing all temporary dust control measures and monitoring sites installed and removed, and all restoration activities completed, pursuant to this emergency authorization.
- 15. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
- 16. The Permittee shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorney's fees (including but not limited to such costs/fees that are: (1) charged by the Office of the Attorney General; and (2) required by a court) that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this ECDP. The Permittee shall reimburse the Coastal Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.
- 17. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.

Issue Date: March 11, 2014
Page 6 of 6

18. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted above, the temporary emergency development activities carried out under this ECDP are at the Permittee's risk and are considered to be temporary work done in an emergency situation to abate an emergency. All such development must also be authorized by a regular CDP. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.