

**CALIFORNIA COASTAL COMMISSION**

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



# W10

## **CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT**

*For the  
October Meeting of the California Coastal Commission*

### **MEMORANDUM**

Date: October 7, 2015

**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 October 2015 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 REGULAR WAIVERS***

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<b>3-15-0784-W</b> Old Bath House Bar & Grill, LLC	Construction of an 816-square-foot delicatessen, kitchen, and retail sales area within the 1,156-square foot lower floor of the existing City-owned Bath House building at Lover's Point, including a new external exhaust fan, public parking sign improvements, and the addition of four public outdoor tables on the seaward side of the building.	620 Ocean View Boulevard, Pacific Grove, Monterey County

***REPORT OF IMMATERIAL AMENDMENTS***

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<p><b>A-3-SLO-01-122-A7</b> Cambria Pines Lodge, Attn: Dirk Winter</p>	<p>CDP A-3-SLO-01-022 would be amended to allow a temporary Christmas Market to occur five evenings per week from 5 p.m. to 9 p.m. starting on Friday, November 27, 2015 and ending the evening of Wednesday, December 23, 2015. The Christmas Market will take place primarily within the interior area of the project site (defined as the area inside of the Lodge's primary vehicle ingress/egress roadway). Twenty-six temporary commercial and food booths would be constructed for the event, and would be dismantled and removed to an off-site location at the conclusion of the event. Temporary fencing, parking, pathway and greenhouse/garden area lighting, a shuttle/bus service to and from the event, and a pedestrian and traffic safety parking plan are also included. The Commission approved nearly identical Christmas Markets in 2013 and 2014 in the same configuration (A-3-SLO-01-122-A4 and A-3-SLO-01-122-A5).</p>	<p>2905 - Burton Dr., Cambria San Luis Obispo County</p>

***REPORT OF EXTENSION - IMMATERIAL***

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<b>3-11-063-E1</b> Moss Landing Harbor District	Extend CDP 3-11-063 which provided for the repair of damaged revetments at two locations within the north Moss Landing Harbor and construction of a new revetment in the south harbor. The expiration date of CDP 3-11-063 would be extended by one year to October 10, 2016.	7881 - Sandholdt Rd., Moss Landing, Monterey County.
<b>A-3-SCO-06-006-E6</b> Laurie & Mark Woodward	Extend CDP A-3-SCO-06-066 which provided for the demolition of an existing one-story single family residence and construction of a new two-story residence atop the bluff at Black's Point, at 100 Geoffroy Drive, Santa Cruz to October 15, 2016.	Black's Point @ 100 Geoffroy Drive, in the unincorporated Live Oak Beach area of Santa Cruz 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.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<b>G-3-15-0024</b> Monterey County Resources Management Agency & California State Parks	Emergency coastal development (ECDP) authorizes Monterey County, acting as contractor and agent for California State Parks, to manage the sandbar at Carmel River State Beach during the 2015-2016 rainy season, including by cutting and managing a channel between the lagoon and Carmel Bay to reduce the water level in the lagoon so as to avoid/minimize flooding of existing residences and State Park facilities upstream of the lagoon fronting Carmel River State Beach.	Carmel State Beach, Monterey 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:** September 23, 2015  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Brian O'Neill, Coastal Planner  
**Subject:** **Coastal Development Permit (CDP) Waiver 3-15-0784-W**  
Applicant: Old Bath House Bar and Grill, LLC.

### Proposed Development

Construction of an 816-square-foot delicatessen, kitchen, and retail sales area within the 1,156-square-foot lower floor of the existing City-owned Bath House building at Lovers Point, including a new external exhaust fan, public parking sign improvements, and the addition of four public outdoor tables on the seaward side of the building at 620 Ocean View Boulevard, Pacific Grove, Monterey County (APN 006-155-099-000).

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13253 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 proposed project is located within the City-owned Bath House building located atop the bluff above Lovers Point Beach and Park in the City of Pacific Grove. Lovers Point is a very popular visitor-serving recreational access area and destination, and it includes the beach, grassy park areas, a volleyball court, and related amenities, along with the very popular Pacific Grove segment of the California Coastal Trail (CCT) that meanders through the area, including fronting the Bath House building. The proposed project includes interior renovations of the lower floor of the existing Bath House building, but does not expand upon the existing building envelope. The new external exhaust fan will not extend above the existing roofline into the public viewshed and will match the building exterior. The proposed use will include sales of coffee and beverages, breakfast and lunch to-go items, and recreational retail and sundry items. The hours of operation will be limited from 9 a.m. to 5 p.m. seven days a week. The proposed project will serve recreational users of Lovers Point Beach and Park and the CCT, as well as support public recreation uses in the area. The proposed use is compatible with existing land uses in the vicinity, which include the existing Beach House restaurant on the top floor of the building, the nearby Grill on Lovers Point, and Adventures By the Sea, which rents beach recreational and trail-related equipment. Public coastal access parking signage will be installed at an existing lot across the street from the project to inform the public that the lot is reserved for general public use, thereby increasing public access to the coast (the current signage makes it appear that the lot is for private use by a nearby senior living community, but that location is accessed by another downcoast driveway and has a separate parking area). Four new outdoor tables with signs reserving the tables exclusively for general public use (i.e.,

## **NOTICE OF PROPOSED PERMIT WAIVER**

CDP Waiver 3-15-0784-W (Old Bath House Deli)

Page 2

users do not have to purchase anything to use the tables) will be installed on the existing patio in front of the building, which will provide 24 additional seats for general public recreation and viewing. Disruptions to public access during construction will be limited, and will be minimized by maintaining access to Lovers Point Beach and Park and the public restrooms, with access restricted only in the area of construction immediately adjacent to the building. The proposed project will not create any new impervious surfaces or impact existing drainage patterns at the site and thus the project does not have the potential to impact water quality. The proposed renovations were reviewed and received discretionary approval by the City of Pacific Grove's Planning Commission. The project has no potential for adverse effects on coastal resources, including public access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

### **Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on October 7, 2015 in Long Beach. If three 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 Brian O'Neill in the Central Coast District office.**



3-15-0784-W



**CITY OF PACIFIC GROVE**  
Community and Economic Development Department  
300 Forest Avenue, Pacific Grove, CA 93950  
T : 831.648.3183 • F : 831.648.3184 • [www.cityofpacificgrove.org](http://www.cityofpacificgrove.org)

February 2, 2015

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060  
Via Email: [Brian.O'Neill@coastal.ca.gov](mailto:Brian.O'Neill@coastal.ca.gov)

**RECEIVED**

OCT 01 2015

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST DISTRICT

Re: CDP Waiver 3-15-0784-W

Dear Commission:

This letter is in response to Mr. Anthony A. Ciani's letter to the Commission dated October 1, 2015 in reference to CDP Waiver 3-15-0784-W (Old Bath House Deli).

The City is covered under the General Permit for the Discharge of Storm Water from Small MS4s (WQ Order No. 2013-0001-DWQ) which restricts discharges into the storm sewer system to those composed solely of storm water quality that does not alter natural ocean water quality. Both Section E.11 and Attachment C (Special Conditions for Traditional and Non-Traditional Small MS4 ASBS Discharges) of the Permit require annual inspections of the Beach House Restaurant as a City property within the ASBS watershed. The inspections evaluate potential storm water impacts and BMPs.

The most recent inspection of the Beach House occurred on 6/25/2015. No outdoor cleaning area exists on this property. Grease handling and disposal equipment and methods were found to be in compliance. During this inspection the trash enclosure drain was dye tested and confirmed connected to the grease interceptor (which is connected to sanitary sewer). BMP educational material was distributed.

The inspection did find that trash bags had been leaking while being transported from the upstairs kitchen to the trash enclosure. The leakage had resulted in staining and greasy residues on the sidewalk and enclosure area. A correction notice was issued after the inspection. Prior to the re-inspection, the City Code Compliance Officer issued a notice to the Beach House to address the greasy residue, citing violation of Pacific Grove Municipal Code Section 9.30.090. This notice was sent in response to a public complaint, independent of the annual inspection. A re-inspection occurred on 7/16/2015. While some permanent staining on the concrete does remain, all grease residuals were removed. Beach House staff is now instructed to transport trash bags in a container.

Respectfully,

Mark Brodeur  
Community and Economic Development Director

3-15-0784-W

WEDNESDAY

OCTOBER 7

2015

9:00 A.M

CDP Waiver 3-15-0784-W

**RECEIVED**

OCT 01 2015

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST DISTRICT

Anthony A. Ciani  
220 Walnut Street  
Pacific Grove, CA 93950

October 1, 2015

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060  
Via Email: Brian.O'Neill@coastal.ca.gov

Dear Commission:

Mr. O'Neill has answered all my questions about the procedures but one, and I remain concerned about runoff (discharge) onto the beach sand/organisms and into the Bay - designated ASBS. The Trash Bins for the existing restaurant sit outside on a concrete slab with no enclosure. On the concrete around those bins is grease and unknown residues. My understanding is that restaurant grease traps and trash enclosures are routinely power washed and scrubbed usually with some cleanser. I suspect the existing conditions may result in uncontrolled runoff without enforced BMP's resulting in damage to coastal resources and the public's aquatic recreational uses.

I visited Lover's Point yesterday to swim. I observed that the stairs leading to the South cove beach were blocked by an A-frame sign posting high levels of bacteria and to avoid contact with the ocean/bay waters. There had not been rain, high waves to wash bluffs or to my knowledge sewage overflows...leading me to wonder what the source of bacteria was.

The relatively new exterior concrete patio located directly adjacent and east of the proposed grill, has a well-defined slope pattern leading to exterior area drains. I do not know where the drains lead. Those concrete areas will over time need to be cleaned and I am concerned what if any BMP's will be employed over the years of operation.

Procedurally, I remain concerned how the Commission will regulate the conditions of Waiver to provide adequate protection of coastal resources.

Respectfully,  
Anthony A. Ciani

**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 AMENDMENT

**Date:** September 23, 2015  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Daniel Robinson, Coastal Planner  
**Subject:** **Proposed Amendment to Coastal Development Permit (CDP) A-3-SLO-01-122**  
Applicant: Pacific Cambria Inc., Dirk Winter, President.

### Original CDP Approval

CDP A-3-SLO-01-122 was originally approved by the Coastal Commission on August 6, 2003 and authorized the expansion of the Cambria Pines Lodge, including 35 new guest rooms in nine buildings, a theatre, a retail shop, a tennis court, additional parking spaces, access improvements, related grading and comprehensive drainage improvements at 2905 Burton Drive in the unincorporated coastal community of Cambria in San Luis Obispo County.

### Proposed CDP Amendment

CDP A-3-SLO-01-122 would be amended to allow a temporary Christmas Market to occur five evenings per week from 5 p.m. to 9 p.m. starting on Friday, November 27, 2015 and ending the evening of Wednesday, December 23, 2015. The Christmas Market will take place primarily within the interior area of the project site (defined as the area inside of the Lodge's primary vehicle ingress/egress roadway). Twenty-six temporary commercial and food booths would be constructed for the event, and would be dismantled and removed to an off-site location at the conclusion of the event. Temporary fencing, parking, pathway and greenhouse/garden area lighting, a shuttle/bus service to and from the event, and a pedestrian and traffic safety parking plan are also included. The Commission approved nearly identical Christmas Markets in 2013 and in 2014 in the same configuration (A-3-SLO-01-122-A4 and A-3-SLO-01-122-A5). The Commission's reference number for this proposed amendment is **A-3-SLO-01-122-A7**.

### Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The temporary Christmas Market would be located in an existing developed area within the Lodge's interior, with Santa Claus being located within an existing greenhouse and garden area adjacent to the interior of the Lodge. All twenty-six booth structures and associated Christmas lighting would be set up directly before the event and removed directly after the event and placed in storage.

On-site parking will be exclusively reserved for resort guests, handicapped attendees, resort employees and Christmas Market vendors. All other attendees will be required to use the off-site parking program, via the Applicant's proposed Off-site Parking and Shuttle Access Plan. Two nine-passenger shuttle vans

## **NOTICE OF PROPOSED PERMIT AMENDMENT**

CDP A-3-SLO-01-122 (Cambria Pines Lodge Christmas Market)

Proposed Amendment A-3-SLO-01-122-A7

Page 2

(with accessibility for persons with disabilities) and four 60-passenger school buses will transport Christmas Market attendees from and to the parking areas in the eastern Cambria community, including Coast Union High School (206 spaces), the former Brambles Restaurant parking lot (70 spaces), Cambria Hardware store (60 spaces), Cambria Nursery (50 spaces), the local Presbyterian Church (94 spaces) and the Coast Unified School District administration facility (82 spaces). In addition to these 562 off-site parking spaces reserved for the Market, more than 600 public parking spaces in the West and East Village also will be available along the shuttle route. In addition to reducing traffic congestion by providing a shuttle service to the event, traffic safety also will be maintained by greatly reducing the number of pedestrians that would otherwise be walking along Burton Drive from their car to and from the Christmas Market. This will reduce the amount of parking needed on site and avoid any potential parking and overcrowding concerns in the adjacent residential neighborhood.

Portable fire extinguishers, parking restrictions along Burton Drive, parking and access attendants, pedestrian and traffic safety, and other life safety requirements will be met pursuant to Cambria Fire's approval of August 27, 2015. All temporary Christmas lighting will be limited in scope and location as delineated in the Applicant's proposed Lighting Plan, and be promptly turned off at the conclusion of the Market each evening, to minimize impacts to the surrounding environmentally sensitive habitat area (ESHA), consistent with the Commission's staff ecologist's recommendations. Portable restroom facilities will be located within the Market area, and will include hand washing sinks that will drain into a portable waste barrel for disposal. The water supply will be store-bought and imported to the site for use during the Market. All materials, fencing, booths and related materials will be removed from the site and stored off site following the close of the Market event on December 23, 2015.

In short, the proposed temporary event is consistent with the Commission's intent in the original CDP in terms of avoiding coastal resource impacts, and will not lead to additional impacts beyond those originally understood and approved by the Commission in August 2003. Therefore, the proposed amendment is consistent with the Commission's original CDP approval and the certified San Luis Obispo County LCP.

### **Coastal Commission Review Procedure**

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday, October 7, 2015 in Long Beach. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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

**RECEIVED**

SEP 28 2015

A-3-SLO-01-122-A7

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**SHERI BALDWIN**

2918 BURTON DRIVE  
CAMBRIA, CALIFORNIA 93428  
FAX: (805) 924-1603/ TELE: (805) 924-1605

copy of  
letter  
sent last  
year

SEPTEMBER 2014

**RE: PROPOSED PERMIT AMENDMENT CDP A-3-SLO-01-122**

**ATTN: DANIEL ROBINSON, CENTRAL COAST DISTRICT OFFICE / FAX:(831) 427-4877**

I am a resident located on Burton directly across the street from the Cambria Pines Lodge, 2905 Burton Drive (the site for the Temporary Christmas Market). I have endured up to three outdoor weddings during most summer weekends, loud music from the bar, large events with parking flowing out onto Burton. The many events hosted at the Lodge bring noise, traffic and safety hazards. I have NEVER voiced a complaint and I have raised my family and lived at the current residence for 14 years.

Having the Christmas Market for 5 days per week was intolerable and unsafe last year. I did not complain because I understood this was the "last year". Now that I see signs that it is happening again 5 days per week, I am frustrated and feel this is a bad idea.

I am one small voice, I understand. Last year people parked on the opposite side of the street where the Lodge is located. They ran across the street in many places that were not assisted in addition to the two areas that have crossing assistance and lighting (that are NOT marked crosswalks). Parking on both sides of the street disables emergency vehicles and disallows residents to entertain any visitors during the busy holiday time that may need to park on the street. There were areas near a drainage ditch that were cordoned off for approximately 50-60 feet.

I recommend that the Christmas Market be reduced to weekends only. I would like my drive from work on the normally poorly lit Burton drive to not include; two controlled pedestrian crossings, and multiple uncontrolled pedestrian crossings in addition to the normal hazards, slow-lost-tourists and animals. There was a Trolley offered last year, but there was copious traffic and parked cars in and surrounding my driveway making me question it's use. I don't know how this year will be any different.

I challenge you, Daniel and others on the board to visit this area. To observe that the Lodge is located in a residential area. There are no sidewalks for foot traffic to walk safely, there is a dirt and gravel easement off of the paved street (Burton). Burton is a thorough way to the schools, downtown and for the residents on Wood Drive and other streets off of Burton. It is well traveled, has poor surface for foot traffic and it is poorly lit at night.

**How about a compromise for us patient and tolerant neighbors of the Cambria Pines Lodge; Christmas Market Friday through Sunday ? No parking on Burton.**

THANK YOU for your attention to my concerns.

Best,

Sheri Baldwin,  
Cambria Business Owner, Neighbor of Cambria Pines Lodge

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AUG 31 2015

CALIFORNIA  
COASTAL COMMISSION

P.O. Box 533

Cambria, CA 93428

(805) 924-1930

[www.northcoastadvisorycouncil.org](http://www.northcoastadvisorycouncil.org)

August 19, 2015

Daniel Robinson,  
Coastal Planner,  
California Coastal Commission,  
725 Front Street, Suite 300,  
Santa Cruz, CA 95060

**RE: Traffic Committee concerns regarding Christmas Market**

The North Coast Advisory Council on August 21, 2015 addressed a concern that was discussed by the Traffic Committee regarding the Christmas Market in Cambria. It was understood that the plans had not been finalized with the Coastal Commission but it was agreed that the parking plan we had been provided seemed to be totally inadequate. Although the plan called for a shuttle service to be provided by four school busses, the location of many of the pickup sites appeared to be too remote from the actual market location. It was believed that the visitors will not voluntarily seek these out but instead will first drive to the market and attempt to find parking on residential streets thus heavily impacting the neighborhood. This will also lead to visitors, especially those with children, walking on unlit streets presenting a real danger, both to themselves and other motorists. The time taken for the shuttles to run the proposed route when combined with the time it takes to load and unload passengers, we believe, will deter shuttle use. We are also concerned that approval may not have been firmly established with all the proposed shuttle stop locations. A possible solution suggested was that discounted advance tickets sales with parking vouchers be issued to force visitors to shuttle locations. Another solution might be that parking at the Lodge only be allowed to hotel guests, market vendors handicapped denoted vehicles thus forcing most people to use the shuttle locations. These shuttle sites might also be the only places to get event vouchers and then visitors would proceed to the Lodge to pay the entrance fee. If it is seen that the Lodge parking would be underused maybe VIP parking could be offered at that location at an inflated price discouraging its use.

Respectfully,

Ted Siegler  
NCAC Vice Chairman

TS/cl



A-3-SLO-01-622-A7

California Coastal Commission  
Attn: Daniel Robertson  
Central Coast Office  
725 Front Street, #300  
Santa Cruz, CA 95060  
July 15, 2015

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JUL 21 2015

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

RE; Cambria Pines Lodge Hearing – August 2015 - PMT2013-01268

Dear Staff and Coastal Commissioners,

It is my understanding that the Commission will hear the issue of the Cambria Pines Lodge compliance with the Local Coastal Plan and other lingering code enforcement problems.

Today I looked at the San Luis Obispo County permit website and noticed an array of items not in compliance with their permit and remediation requirements. See attachment. I also looked at the North Coast Advisory Council (NCAC) Land Use Committee minutes of 2013 that read:

*November 2013*

*Committee Discussion-The Lodge Christmas Market—Input to CCC November Meeting*  
*NCAC Area 5 representative Roland Soucie and NCAC Chairwoman Claudia Harmon- Worthen reported on location visits to the Lodge. They contrasted an August 7 LUC Site Visit with an October 29th inspection. They reported that 2012 problems had not been mitigated and that last year's fines had not been paid. In addition they observed that a stop work order had not been enforced and that work had continued. They provided photographic documentation of many instances of continued and questionable work. They raised the concern of fire danger documenting the wiring of trees in a heavily wooded area. They reported on inconsistencies of statements made about parking availability and the lack of verification of such claims. They discussed pedestrian safety concerns. Land Use Committee public member Mary Webb the Nov. 13th California Coastal Commission hearing will consider the limited one-year event permit application. Code enforcement violations for unpermitted building and construction in ESHA, and remediation and mitigation for the damage that has already occurred in the forested areas at that site are ongoing according to Daniel Robinson, CA Coastal Commission staff. The committee discussed options with regards to the Market. LAND USE COMMITTEE RECOMMENDED DIRECT MAIL COMMUNICATION WITH COMMISSIONERS, AND POSSIBLE ATTENDANCE AT THE NOVEMBER CCC MEETING*

*Submitted by Laurel Stewart, Chair, LUC*

**CONNIE GANNON**  
EXECUTIVE DIRECTOR

PO Box 1505  
Cambria, CA 93428  
805.927.2866 [v]  
805.927.2866 [f]  
rick@greenspacecambria.org  
www.greenspacecambria.org

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I wonder if the issues that the NCAC brought forth have been addressed completely. Legally, the project can not be approved until all the issues have been satisfied and in compliance with the LCP.

Two items that are not addressed concern Greenspace. One is the issue of public access. We understand that there is a dedicated public open space easement at the corner of Burton Drive and Eton Road that the Cambria Pines Lodge dedicated in order to build on other portions of their resort. There exist a substantial gate at the entry of this pathway that clearly suggests the space is not public. We want the gate removed and available to the community. The last issue is the subject of lighting during a commercial Christmas Market event. The number of lights, extension cords and receptacles that laminate this event is massive to say the least. While it looks festive and attracts thousands of people (and traffic), the number of lights are simply not safe and it is a visual blight on the night sky. The number of dead and dying trees in the Monterey pine forest is quite massive – perhaps as much as 50% in some areas and tens of thousands of lights hanging from trees and plants (even in winter) is reckless and poses a fire threat to our forest and the people who visit the resort. Actually, if a fire did break out it would be a stampede of people trying to disperse to an already overtax road system. Can you please define the appropriate number of lights to make the event safe without making the resort look like New York City and reduce the fire danger to a tolerable level?

Thank you for your consideration.

Best wishes,

A handwritten signature in black ink, appearing to read "Richard Hawley", written in a cursive style.

Richard Hawley  
Project Director



SIERRA  
CLUB  
FOUNDED 1892

A-3-510-01-12-A7

Santa Lucia Chapter  
P.O. Box 15755  
San Luis Obispo, CA 93406  
(805) 543-8717  
[www.santalucia.sierraclub.org](http://www.santalucia.sierraclub.org)

July 15, 2015

Daniel Robinson  
California Coastal Commission  
725 Front St., #300  
Santa Cruz, CA 95060

RECEIVED

JUL 20 2015

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

RE: Cambria Pines Lodge violations

Dear Mr. Robinson,

I am writing on behalf of the Sierra Club's members in San Luis Obispo County to urge the Coastal Commission to cure the public access and coastal resource violations at Cambria Pines Lodge as soon as possible.

The holiday lighting that was supposed to be confined to the lower branches of the trees on the property and do no more than light the pathway for visitors had long exceeded that minimal prescription. It is instead a light show, on the order of Santa Claus Lane, with lighting wrapped around the trunks and strung through the branches of virtually every tree on the property, from ground level to crown, with light mats covering the shrubbery. The disruptions caused to coastal wildlife and habitat are obvious.

The gate installed by the Lodge should be removed along with the other unpermitted structures, as it is a clear hindrance to public coastal access, at odds with your mandate to ensure that access. The physical presence of the gate would lead the reasonable person to conclude that the Lodge owns the access to the primary public pathway connecting Lodge Hill and Cambria's East Village. We do not – and the Coastal Commission should not – appreciate the visual implication that this public pathway belongs to the Cambria Pines Lodge and is for the exclusive or primary use of the guests of the Lodge, with public access to be granted at the whim of the landowner.

We can attest to the fact that this gate has been closed and locked on many occasions. The promise of the owner to leave it open presents the problem of constant monitoring to ensure that this is the case. Unless the Commission is prepared to assign a full-time staff member to that duty, we point out that the removal of the gate is the simple solution to the problem.

Thank you for your attention to these issues,

Sue Harvey, Conservation Chair  
Santa Lucia Chapter

**Robinson, Daniel@Coastal**

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**From:** Bob Sfarzo <bob@sfarzo.com>  
**Sent:** Tuesday, August 11, 2015 7:03 AM  
**To:** Robinson, Daniel@Coastal  
**Subject:** The Cambria Pines Lodge event: German Christmas Market

From:  
Bob Sfarzo  
5978 Moonstone Beach Drive  
Cambria California  
805-927-3615

To: Daniel Robinson

Re.  
The Cambria Pines Lodge event: German Christmas Market

Ethos: a Greek word meaning "character" that is used to describe the guiding beliefs or ideals that characterize a community, nation, or ideology.

Cambria is a small artist colony,  
so welcoming and true,  
that we encourage all skill levels  
to express their feelings through  
any type of art or media or craft,  
even Christmas Lights.

As diverse as Noah's Ark,  
Cambria has many neighborhoods,  
without borders and interleaved,  
each with a character resembling  
the places of our origins, or dreams.

Wood Drive is a mini-suburbia.  
Lawns, little fences, children in the street.  
Akin to Vine Street in Paso Robles.  
Wood Drive residents light up their  
homes with an abundance of holiday lights, Christmas and Halloween.  
So beautiful and creative.

December is a quiet time in Cambria.  
Many of Cambria's residents love  
the respite from summer traffic,  
and tourists visit to share in that quiet time.  
One of my best friends, a Los Angeles resident, only visits in winter, for the past 30 years.

On the quiet December evenings,

as the sun sets early, as the drizzle sets in, what a joy it was to drive Wood Drive.  
Never more than six other vehicles.  
Lots of waving, smiling to each other,  
among friends and strangers.  
What a special place it was.

The Cambria Pines Lodge event: German Christmas Market has capitalized on this quiet time, with this ever-expanding commercial event that spills into the neighboring street Wood Drive, and beyond, creating traffic congestion, both pedestrian and automobile.  
Burton Drive is one of Cambria's most principal access roads.  
During the German Market, this street is bottle-necked around the Lodge. Wood Drive resembles a big-city highway on-ramp during rush hour.  
Crowd control is out of control, whether due to amateur orange flashlight wavers, or understaffed Law Enforcement, or intrusive shuttle bus routes.

The German Market is not a community event.  
It is not Pinederado.  
It is a hotel event, set in a residential neighborhood, trying to make extra money in the quiet season, for a month.  
Not very neighborly,  
certainly coal in the stocking for Cambria, and absolutely NOT in keeping with the Christmas Spirit, or the Ethos of Cambria.

With the utmost sincerity,  
and tears in my eyes,

Yours Truly,  
Bob Sfarzo

**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 EXTENSION

**Date:** September 23, 2015  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Mike Watson, Coastal Planner  
**Subject:** **Proposed Extension to Coastal Development Permit (CDP) 3-11-063**  
Applicant: Moss Landing Harbor District

### **Original CDP Approval**

CDP 3-11-063 was approved by the Coastal Commission on October 10, 2013 and provided for the repair of damaged revetments at two locations within the north Moss Landing Harbor and construction of a new revetment in the south harbor, in the unincorporated area of Moss Landing in Monterey County.

### **Proposed CDP Extension**

The expiration date of CDP 3-11-063 would be extended by one year to October 10, 2016. The Commission's reference number for this proposed extension is **3-11-063-E1**.

### **Executive Director's Changed Circumstances Determination**

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with Chapter 3 of the Coastal Act.

### **Coastal Commission Review Procedure**

The Executive Director's determination and any written objections to it will be reported to the Commission on Wednesday, October 7, 2015, in Long Beach. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

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

**CALIFORNIA COASTAL COMMISSION**

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## NOTICE OF PROPOSED PERMIT EXTENSION

**Date:** September 23, 2015  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Ryan Moroney, Coastal Planner  
**Subject:** **Proposed Extension to Coastal Development Permit (CDP) A-3-SCO-06-006**  
Applicants: Laurie and Mark Woodward

### **Original CDP Approval**

CDP A-3-SCO-06-006 was approved by the Coastal Commission on October 15, 2008, and provides for the demolition of an existing one-story single family residence and construction of a new two-story residence atop the bluff at Black's Point, at 100 Geoffroy Drive in the unincorporated Live Oak Beach area of Santa Cruz County (all as more specifically described in the Commission's CDP file).

### **Proposed CDP Extension**

The expiration date of CDP A-3-SCO-06-006 has been extended by the Commission five times previously (last extended to October 15, 2015), and would be further extended by one year to October 15, 2016. The Commission's reference number for this proposed extension is **A-3-SCO-06-006-E6**.

### **Executive Director's Changed Circumstances Determination**

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified Santa Cruz County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

### **Coastal Commission Review Procedure**

The Executive Director's determination and any written objections to it will be reported to the Commission on Wednesday, October 7, 2015, in Long Beach. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

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



California Coastal Commission

**EMERGENCY COASTAL DEVELOPMENT PERMIT**  
**Emergency CDP G-3-15-0024 (Carmel River Lagoon Sandbar Management)**

Issue Date: September 23, 2015

Page 1 of 6

This emergency coastal development permit (ECDP) authorizes Monterey County, acting as contractor and agent for the California Department of Parks and Recreation, to manage the sandbar at Carmel River State Beach during the 2015-2016 rainy season, including by cutting and managing a channel between the lagoon and Carmel Bay to reduce the water level in the lagoon so as to avoid/minimize flooding of existing residences and State Park facilities upstream of the lagoon fronting Carmel River State Beach (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (Monterey County), the Carmel River Lagoon is currently below flood elevation; however there is a risk that any significant rainfall could lead to flooding of approximately 12 residential homes, loss of the State Beach parking lot, and undercutting of the State Beach restroom, all located upstream and along the bank of the lagoon. Monterey County has estimated the flood elevation to be 12.77 feet (NGVD88). To avoid exceeding flood elevation, mobilization and mechanical breaching of the sandbar will commence when one or more of the following conditions is met: 1) lagoon water level reaches a surface elevation of 12.77 feet (NGVD88); 2) the rise in lagoon water levels indicates there is less than six hours until the water elevation reaches 12.77 feet (NGVD88) or when Carmel River flows reach or exceed 200 cubic feet per second at the Los Padres Dam and at Esquiline Road Bridge stream gauges; 3) wave over-topping begins to rapidly increase water levels of the lagoon as well as increase the sandbar elevation.

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 has been reviewed if time allows.

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

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Susan Craig, Central Coastal District Manager for Charles Lester, Executive Director

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

cc: Mat Fuze, California Department of Parks and Recreation  
Deirdre Whalen, Monterey Bay National Marine Sanctuary  
Katerina Galacatos, U.S. Army Corps of Engineers  
Chad Mitcham, U.S. Fish and Wildlife Service  
Jacqueline Pearson-Meyer, National Marine Fisheries Service  
Steve Schindler, California Department of Fish and Wildlife  
Laura Lawrence, Monterey County Planning Department  
Rob Mullane, City of Carmel-by-the-Sea

# **Emergency CDP G-3-15-0024 (Carmel River Lagoon Sandbar Management)**

**Issue Date: September 23, 2015**

**Page 2 of 6**

## **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 October 8, 2015). 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 extends through the 2015-2016 rainy season (i.e., until April 15, 2016) only, unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP, which is carried out at the Permittee's risk, is only temporary, and shall no longer be authorized if it is not followed-up by a regular CDP. Therefore, by May 1, 2016 the Permittee shall submit materials to modify the existing CDP application (3-12-025) for ongoing management of the Carmel River Lagoon to include authorization of the emergency development carried out under this ECDP as part of the proposed project description. The modification materials shall include monitoring reports as required by Condition 15. Additionally, the Permittee shall diligently pursue completion of the existing CDP application and within 180 days of the date of this permit (i.e., by March 22, 2016), shall submit a draft Initial Study/Environmental Assessment associated with the long-term comprehensive response to managing the Carmel River Lagoon. Otherwise, the temporary emergency development shall no longer be authorized and all areas affected by it restored to their original pre-emergency development condition. The deadlines in this condition may be extended for good cause by the Executive Director
5. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Parks and Recreation, California Department of Fish and Wildlife, California State Lands Commission, Monterey Bay National Marine Sanctuary, United States Army Corps of Engineers, National Marine Fisheries Service, United States Fish and Wildlife Service, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
6. All emergency development 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 August 31, 2015).
7. A qualified biologist (including with a minimum of three years experience with anadromous salmonids) shall be present during all emergency development activities, and shall monitor the lagoon and sandbar on a daily basis for as long as the emergency development activities authorized under this ECDP persist. The biological monitor shall ensure that all emergency development is limited to the least amount necessary to abate the emergency, and that it avoid impacts to adjacent marine and lagoon resources as much as possible, including through adaptive management measures to respond to changing conditions and/or understandings relative to flood risk and habitat impacts.

## **Emergency CDP G-3-15-0024 (Carmel River Lagoon Sandbar Management)**

**Issue Date: September 23, 2015**

**Page 3 of 6**

8. Prior to any mechanical breaching of the sandbar, the Permittee shall have ensured that all other possible flood protection measures (e.g., sand bags, rubber dams, etc.) have been applied to protect surrounding flood water threatened homes, infrastructure, and other development to the maximum extent feasible.
9. For the initial construction of the channel, the channel shall be cut diagonally from the west end of the lagoon for a distance of approximately 150 feet, and it shall be no more than 25 feet wide.
10. Following any sandbar breach and after high inflows from the river have receded, the lagoon shall either be allowed to naturally close or remain with an open outlet channel flowing over the beach in the alignment described in condition number 9 above (i.e., a long meandering channel that mutes tidal influence and rapid draining of the lagoon), whichever is more protective of resources, including as directed by the biological monitor.
11. If the initial sandbar breach leads to an open lagoon (open to tidal influence), the Permittee shall allow the tidal inlet/sandbar area to naturally fill, unless river flows have receded to below 200 cfs, in which case the Permittee shall modify the tidal inlet/sandbar area to close the lagoon outlet channel. The lagoon level shall be maintained at a minimum 6-foot water surface elevation. Any manipulation of the tidal inlet/sandbar area that involves fill sand shall use in-situ Carmel River State Beach sand that is free of contaminants.
12. All emergency development activities shall limit impacts to coastal resources (including public recreational access, shoreline bluff, Carmel River and the lagoon, and the Pacific Ocean) 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 construction areas shall be minimized, shall allow public recreational access along Carmel River State Beach, and shall protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
  - b. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
  - c. Grading of intertidal areas is prohibited.
  - d. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
  - e. Any construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by sunset each day that work occurs.
  - f. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible. Construction

## **Emergency CDP G-3-15-0024 (Carmel River Lagoon Sandbar Management)**

**Issue Date: September 23, 2015**

**Page 4 of 6**

(including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.

- g. The construction site shall maintain good construction 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; etc.).
  - h. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each work day.
  - i. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.
  - j. All exposed slopes and soil surfaces in and/or adjacent to the construction area shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best management practices (for example, those identified in the California Storm Water Best Management Practice Handbooks (March, 1993)). The use of non-native invasive species (such as ice-plant) is prohibited.
  - k. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
  - l. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
13. Copies of this ECDP shall be maintained in a conspicuous location at the emergency development area at all times for as long as emergency development activities authorized under this ECDP persist, and such copies shall be available for public review on request. All persons involved with the emergency development activities shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
14. The Permittee shall designate a coordinator to be contacted during all emergency development activities and for as long as the emergency development activities authorized under this ECDP persist should questions arise regarding these activities (in case of both regular inquiries and emergencies). The coordinator's 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

## **Emergency CDP G-3-15-0024 (Carmel River Lagoon Sandbar Management)**

**Issue Date: September 23, 2015**

**Page 5 of 6**

emergency development activities, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The coordinator shall record the name, phone number, and nature of all complaints received regarding the time that emergency development activities authorized under this ECDP persist, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

15. The Permittee shall submit monthly reports by the 15th of each month that emergency development activities authorized under this ECDP persist to the Executive Director for review and approval. Each report shall identify all flood protection measures (e.g., sand bags, rubber dams, etc.) that have been applied to protect surrounding flood water threatened homes, infrastructure, and other development to the maximum extent feasible; shall document all emergency development activities (including through narrative as well as site plans and cross sections accompanied by photographs, maps, and /or graphics); and shall include a section prepared by the biological monitor providing his/her monitoring observations, including in terms of potential impacts to habitat resources (including identification of any fish mortality and/or harm or harassment (e.g., fish entrainment in the outlet channel during breaching)) and recommendations for project changes to avoid such impacts. The monthly reports shall clearly identify all areas affected by emergency development activities, and include the location and extent of grading, sand borrow, and fill areas; pre-existing and resulting alignments of the river; elevations showing finished slopes; and, estimated quantity of sand moved. The monthly reports shall also include color photographs (in hard copy and jpg format) that clearly depict all emergency development activities, that are accompanied by a site plan that notes the location of each photographic viewpoint and the date and time of each photograph, and that are accompanied by a description of what is shown in each photograph. At a minimum, the photographs shall be from enough upcoast, seaward, and downcoast viewpoints as to provide complete photographic coverage of the emergency development activities authorized under this ECDP at a scale that allows comparisons to be made with the naked eye between photographs taken at different times from the same vantage points.
16. 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.
17. The Permittee shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys 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.
18. Failure to comply with the conditions of this approval may result in enforcement action under the

**Emergency CDP G-3-15-0024 (Carmel River Lagoon Sandbar Management)**

**Issue Date: September 23, 2015**

**Page 6 of 6**

provisions of Chapter 9 of the Coastal Act.

19. 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 Monterey County wishes to have the emergency development become permanent 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.