

CALIFORNIA COASTAL COMMISSION

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Filed:	September 3, 1999
49 th day:	October 22, 1999
180 th day:	March 1, 2000
Staff:	R.Brooke-Santa Cruz
Staff report:	October 14, 1999
Hearing date:	November 5, 1999
Commission action:	

COASTAL DEVELOPMENT PERMIT AMENDMENT

Application number 1-97-022-A1, Thomas Revetment Repair and Expansion & Stairway Construction

Applicant William Thomas

Agent Joseph R. Bennie

Project location 2 Mirada Road, Half Moon Bay (San Mateo County)

Description of current amendment request (1-97-022-A1)

Repair and expand an existing rip-rap revetment along the westerly side of the existing 3-story apartment and construct vertical public access stairs on adjacent State Park property. The new rock will be transported by truck (10± loads of rock at 20 ton± per load) from the nearest available quarry. Rip-rap to be placed by one excavator and one loader from the westerly beach side at low tide. The rocks will be unloaded onto the beach from the apartment parking lot.

Description of emergency permit (1-97-069-G)

Repair and expand a 20-year old rip-rap shore protective works, by placing approximately 200 tons of imported rock rip-rap and approximately 10 concrete blocks already on site.

Description of project originally approved (3-83-351)

Subdivide a 2.15 acre parcel into ±1 acre, and 10 townhouse lots with one common lot (totaling ±1.15 acres), and construct a 10-unit, 2-story townhouse in 4 building clusters at the end of Mirada Road in northern Half Moon Bay.

Approvals Received..... Coastal Commission: Subdivision and townhouse construction (1/26/84, CDP 3-83-351)
Coastal Commission: Rip-rap repair and expansion (11/4/97, Emergency Permit 1-97-069-G)
State Parks Department: Stairway construction on State Lands (6/99)

File documents Coastal development permit file 1-97-022(-A1); Coastal Commission staff report (Re: CDP 3-83-351); Emergency Permit 1-97-069-G; *Proposed Riprap Repair* (Bay Area Geotechnical Group, June 21, 1996); *Repair of Existing Riprap Shore Protection* (Bay Area Geotechnical Group, October 14, 1997); City of Half Moon Bay LCP Land Use Plan.

Staff recommendation... Approval with Conditions

1. Executive Summary

The Applicant proposes to repair and add additional rip-rap to an existing revetment located near 2 Mirada Road, Half Moon Bay, in order to halt erosion to protect an existing (pre-Coastal Act) 3-story apartment building atop the bluff. The revetment was originally constructed pursuant to an emergency coastal development permit issued in 1977. On December 1, 1983, the applicant requested and received City permission for additional emergency work to the revetment, which extended rip-rap north of the existing apartment building to the bridge at Arroyo de En Medio. In January 1984, the applicant was granted a coastal development permit to subdivide the 2.15 acre parcel into approximately 1 acre and 10 townhouse lots, and 1 common lot (± 1.15 acres), and construct a 10-unit, 2-story townhouse in four building clusters at the end of Mirada Road.

On November 4, 1997, the applicant received an emergency coastal development to repair and expand the 20-year old rip-rap revetment by placing approximately 10 concrete blocks (approximately 2 ft. by 2 ft. by 4 ft. and described as being in "fairly good condition" by Bay Area Geotechnical Group) already on site and approximately 200 tons of new rock, on the revetment. This emergency permit was granted based on information received from the applicant and a site inspection which revealed that erosion and collapse of the existing rock revetment and the anticipated seasonal high tides threatened the foundation of the 3-story apartment structure partially located on the beach. The emergency permit required the applicant to apply for a regular coastal development permit, which is the subject of this staff report.

Alternatives to repairing and adding to the existing revetment were considered as a part of this staff report; however, none were found to be feasible, given that the apartment building extends out over a retreating bluff, and that the existing revetment is located directly in front of (and in some places, under) the building foundation. The project, as conditioned, includes a repair and maintenance schedule for the rip-rap, requirements on the size and shape of additional rip-rap, and does not allow the footprint of the revetment to encroach further seaward than that originally built in 1977, with the 1983 extension of the northern portion of the revetment.

In addition, Coastal Act violations have occurred at the site. The coastal development permit granted in January 1984 conditioned the applicant to provide vertical public access from his property, or nearby, to the beach. In June 1999, the California Conservation Corps, in agreement with the California State Parks Department and the applicant, constructed stairs in the mutually

agreed location; approximately 200 feet south of the 3-story apartment building, on State Parks property. Although this work was authorized by the State Parks Department, it was undertaken without benefit of a coastal development permit.

As conditioned, the proposed project is consistent with the policies of the California Coastal Act and staff is recommending approval.

2. Staff Recommendation on Coastal Development Permit

The staff recommends that the Commission, after public hearing, **approve** the proposed amendment subject to the standard and special conditions below. Staff recommends a **YES** vote on the motion below. A yes vote would result in approval of the amendment as modified by the conditions below. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: I move that the Commission approve Coastal Development Permit Amendment Number 1-97-022-A1 subject to the conditions below and that the Commission adopt the following resolution:

Approval with Conditions. The Commission hereby grants, subject to the conditions below, an amendment to the permit for the proposed development on the grounds that the development and the proposed amendment, as conditioned, is consistent with the requirements of Chapter 3 of the California Coastal Act of 1976 (Coastal Act), is located between the sea and the first public road nearest the shoreline, is in conformance with the public access and recreation policies of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act (CEQA).

3. Conditions of Approval

A. Standard Conditions

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

B. Special Conditions

1. **Previous Conditions.** Unless specifically altered by this amendment, all previous conditions of approval attached to the previously approved permit (Coastal Development Permit 3-83-351) and subsequent emergency permit (Emergency Permit 1-97-069-G) remain in effect.
2. **Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit to the Executive Director for review and approval, final plans for replacement and build up of the rip-rap revetment. Said plans shall be prepared by a licensed engineer, shall be in substantial conformance with the plans dated August 1995 (Exhibit 4), previously authorized through emergency permit 1-97-069-G, and shall allow the additional rip-rap to encroach no further seaward than the original footprint of the existing revetment. The original footprint shall be shown on the final plans. All recommendations contained in the *Proposed Riprap Repair* report (June 21, 1996) and *Repair of Existing Riprap Shore Protection* report (October 14, 1997) prepared by Bay Area Geotechnical Group (BAGG) shall be incorporated into the design and construction plans addressing the slope of revetment, size and shape of additional rip-rap, and spacing of buried wooden pilings.

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, written certification by the licensed engineer that all recommendations as described above are incorporated into the revised design and construction plans.

3. **Monitoring and Maintenance Plan.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit to the Executive Director for review and approval a monitoring and maintenance plan prepared by a registered geologist or civil engineer that provides for:

- (a) Evaluation by a registered geologist or civil engineer of the condition and performance of the rip-rap revetment previously constructed on Assessor Parcel Number 048-051-090. Such evaluation shall at a minimum address whether any significant weathering or damage has occurred that would adversely impact its future performance, and identify any structural damage requiring repair to maintain the rip-rap revetment.
- (b) Provision for the submittal of a report to the Executive Director of the Coastal Commission on May 1 of each year (beginning the first year after repair and build up of revetment is completed) for the first three years, and on May 1 of every third year after that for the life of the project. In addition, reports shall be submitted within two months of any major storm event. Each report shall be prepared by a registered geologist or civil engineer and shall cover the evaluation described in subsection (a) above. Each report shall contain recommendations, if any, for necessary maintenance, repair, changes or modifications to the project.
- (c) An agreement that the Permittee shall apply for a coastal development permit or permit amendment within three months of submission of the report required in subsection (b) above (i.e., by August 1) for any necessary maintenance, repair, changes, or modifications to the project recommended by the report for which the Executive Director of the Coastal Commission has determined that a coastal development permit or permit amendment is necessary.

It is the Permittee's responsibility to maintain the rip-rap revetment in a structurally sound manner and its approved state. The Permittee shall undertake monitoring in accordance with the approved plans. Any change in the design of the project or future additions/reinforcement of the revetment beyond minor repairs or other exempt maintenance as defined in Section 13252 of the California Code of Regulations to restore the retaining walls to their original condition as approved herein, will require a coastal development permit. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description and site plan of the Permittee's entire property. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

- 4. **Construction Responsibilities and Debris Removal.** The Permittee shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion. In addition, no machinery shall be placed, stored, or otherwise located in the intertidal zone at any time. Within 5 days of completion of the repair of the

rip-rap revetment, Permittee shall remove from the bluff face and beach area any and all debris that results from construction of the approved development. The Permittee shall also be responsible for the removal of all debris resulting from failure or damage of any portion of the protective device in the future.

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description and site plan of the Permittee's entire property. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

5. **As-Built Project Plans.** Within 60 days of completion of the project, the Permittee shall submit to the Executive Director, for review and approval, as-built plans of the approved revetment repair project which include one or more permanent surveyed benchmarks on the blufftop site for use in future monitoring efforts. The benchmark elevation shall be described in relation to National Geodetic Vertical Datum (NGVD). The as-built plans shall indicate vertical and horizontal reference distances from the surveyed benchmark to at least 5 survey points at the top of the revetment. The survey points shall be identified through permanent markers, benchmarks, survey position, written description, et cetera to allow measurements to be taken at the same location in order to compare information between years. Any future response to shoreline erosion requiring the placement of any type of protective structure, including, but not limited to, modifications to the approved structure, shall be constructed inland (to the east) of the revetment footprint as shown on the as-built plans.

The as-built plans shall be submitted with certification by a registered civil engineer, acceptable to the Executive Director, verifying the rip-rap revetment has been constructed in conformance with the approved final plans for the project.

Within 30 days of approval of the as-built plans by the Executive Director, the Permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description and site plan of the Permittee's entire property. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

6. **Assumption of Risk, Waiver of Liability and Indemnity Agreement.** By acceptance of this permit amendment, the Permittee acknowledges and agrees: (a) that the site is subject to hazards from episodic and long-term bluff retreat, waves, flooding, liquefaction and erosion; (b) to assume the risks to the Permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (c) to

unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; (d) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; and (e) that any adverse effects to property caused by the permitted project shall be fully the responsibility of the landowner.

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description and site plan of the Permittee's entire property. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

C. Recommended Findings and Declarations

The Commission finds and declares as follows:

1. Project Description & Background

1.1 Project Location

The project is located at 2 Mirada Road, in the northern portion of Half Moon Bay (San Mateo County). The site is located on an elevated wave-cut terrace approximately 27 feet in height. An existing 3-story apartment building exists on site. Surrounding development includes a 10-unit townhouse development to the east, Half Moon Bay State Beach to the south, and a duplex and single family dwellings to the north.

1.2 Project Description/Background

The proposed project includes two distinct components: (1) repair and expansion of an existing rip-rap revetment, and (2) construction of a wood/cable stairway on adjacent State Parks property.

Revetment

The existing 3-story apartment building and parking area were constructed on site prior to 1972. The building is protected by a driven pier and rock rip-rap revetment approved as an emergency coastal development permit in 1977. On December 1, 1983, the applicant requested and received City permission for additional emergency work to the revetment, which extended rip-rap north of the existing apartment building to the bridge at Arroyo de En Medio (Exhibit 2, Photo 3). In

January 1984, the applicant was granted a coastal development permit (3-83-531) to subdivide the 2.15 acre parcel into approximately 1 acre, and 10 townhouse lots with 1 common lot (totaling ± 1.15 acres), and construct a 10-unit, 2-story townhouse in four building clusters at the end of Mirada Road (Exhibit 3).

On November 4, 1997, the applicant received an emergency coastal development permit (Emergency Permit 1-97-069-G, see Exhibit 6) to repair and expand the 20-year old rip-rap revetment by placing approximately 10 concrete blocks already on site and adding approximately 200 tons of imported rock, on the revetment. In the report dated October 14, 1997, BAGG describes the concrete as appearing:

to have been dumped, or placed, in their present location, as they are in a concave portion of the beach bluff, a short distance from the repair area. The concrete consists of ten regularly-shaped blocks approximately 2 ft. by 2 ft. by 4 ft. long.... As this concrete is still in fairly good shape, will not present an unacceptably large ratio of flat surface area to mass (such as broken up floor slabs), and will compose a relatively small percentage of the total riprap required, it is our opinion these blocks of concrete can be used as part of the riprap repair.

This emergency permit was granted based on information received from the applicant and a site inspection which revealed that erosion and collapse of the existing rock revetment and the anticipated seasonal high tides threatened the foundation of the 3-story apartment structure partially located on the beach. The emergency permit required the applicant to apply for a regular coastal development permit that is the subject of this staff report.

Stairway

As described in a preceding paragraph, the project also includes the construction of a wood/cable stairway for beach access. The requirement for this stairway stems from the coastal development permit granted in January 1984 that was conditioned to require vertical and lateral access improvements. The submitted tentative map for the project identifies a vertical public access easement at the northwestern portion of the site as well as a 10 foot wide lateral access from Mirada Road, across the property, to Half Moon Bay State Beach. Since then, the lateral access easement has been dedicated and a pathway constructed. The vertical access was originally proposed to be located at the northwestern portion of the site; however after consulting with California State Parks, the stairway was constructed without benefit of a coastal development permit, approximately 200 feet south of the existing 3-story apartment structure.

1.3 Enforcement

In June 1999, the California Conservation Corps, in agreement with the California State Parks Department and the applicant, constructed stairs in the mutually agreed location, approximately 200 feet south of the 3-story apartment structure, on State Parks property (see Exhibit 8). Although this work was authorized by the State Parks Department, it was undertaken without benefit of a coastal development permit.

1.4 Standard of Review

The project is located within the City of Half Moon Bay. The City has a certified LCP; however, this is an amendment to a coastal development permit issued by the Coastal Commission. Accordingly, the standard of review for the proposed development is the Coastal Act; however, the certified Half Moon Bay LCP Land Use Plan can also be referred to for guidance.

2. Geologic Conditions & Hazards

Coastal Act Section 30235 addresses the use of shoreline protective devices:

Section 30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Coastal Act Section 30253 addresses the need to ensure long-term structural integrity, minimize future risk, and avoid additional, more substantial protective measures in the future. Section 30253 provides, in applicable part:

Section 30253. New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Coastal Act Section 30235 acknowledges that seawalls, revetments, cliff retaining walls, groins and other such structural or "hard" solutions alter natural shoreline processes. Accordingly, with the exception of new coastal-dependent uses, Section 30235 limits the construction of shoreline protective works to those required to protect existing structures or public beaches in danger from erosion. The Coastal Act does not require the Commission to approve shoreline altering devices to protect vacant land or in connection with construction of new development. The Coastal Act provides these limitations because shoreline structures have a variety of negative impacts on coastal resources including adverse affects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach.

In addition, the Commission has generally interpreted Section 30235 to require the Commission

to approve shoreline protection only for existing *principal* structures. The Commission must always consider the specifics of each individual project, but has found that accessory structures (such as patios, decks, gazebos, stairways, etc.) can be protected from erosion by relocation or other means that do not involve shoreline armoring. The Commission has historically permitted minor structures (fences, walkways, etc.) within the geologic setback area recognizing they are expendable and capable of being removed rather than requiring a protective device that alters natural landforms along bluffs and cliffs.

Under Coastal Act Section 30235, a shoreline structure may be approved if: (1) there is an existing principal structure in imminent danger from erosion; (2) shoreline altering construction is required to protect the existing threatened structure; and (3) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply. The first and most important analytical test of this policy is to determine whether or not there is an existing principal structure in danger from erosion.

2.1 Existing Principal Structure at the Site

For the purposes of shoreline protective structures, the Coastal Act distinguishes between coastal zone development which is allowed shoreline armoring, and that which is not. Under Coastal Act Section 30253, new development is to be designed, sited, and built so that it will not require the construction of a future shoreline protective device that would substantially alter natural land forms along bluffs and cliffs. In other words, coastal zone development approved and constructed since the Coastal Act has been in effect should not ordinarily require shoreline protection in order to "assure stability and structural integrity."

In contrast, coastal zone development constructed prior to the effective date of the Coastal Act was not subject to Section 30253 requirements. Although any number of local hazard policies were in effect prior to the Coastal Act, these pre-Coastal Act structures have not necessarily been built in such a way as to avoid the future need for shoreline protection. Accordingly, Coastal Act 30235 allows for shoreline protection in certain circumstances for these "existing" structures.

In the proposed project, the revetment repairs are proposed to protect the 3-story apartment structure poised atop the coastal bluff. The structure was constructed prior to the passage of the Coastal Act, thereby qualifying for construction and maintenance of necessary shoreline protective devices. Because it is also a principal structure (3 housing units), it qualifies as an existing structure for the purposes of Section 30235.

2.2 Danger from Erosion

The applicant has submitted a geotechnical report that documents the geologic structure and estimated erosion rate of the bluffs in the project area (*Proposed Riprap Repair*, Bay Area Geotechnical Group, June 21, 1996). The report indicates that:

The site area is underlain by marine terrace deposits that predominately consist of sand with some silt, clay, and gravel.... The San Mateo County Geotechnical Hazards Map (1976) indicates the site is located near the boundary between areas with low cliff stability

and area with moderate cliff stability.... Without the benefit of specific data regarding historic cliff locations in the immediate vicinity of the project site, it appears the present configuration of the adjacent sea bluff with respect to the riprap at the base of the subject apartment building, is generally consistent with a retreat on the order of 1 foot per year in unprotected areas.

The report continues to state that:

At present, the beach at the base of the cliff and in front of the apartment building has been built up with summer sand to elevations on the order of 8 feet, with slopes of 10 to 13 percent. At a distance of about 75 to 100 feet from the existing riprap, the beach appears to flatten to roughly 4 or 5 percent. During the winter, much of the sand is eroded from the beach area, which lowers the beach elevations at least 3 to 4 feet below present elevations, and exposes the base of the existing riprap and a line of wood pilings that confine the toe of the riprap slope.... The base of the apartment building is surrounded with riprap. The riprap extends about 30 feet along the bluff to the south and about 150 feet to the north, to an old bridge abutment at Arroyo de En Medio Creek. The riprap contains several areas where the rock has been depleted, but is generally at gradients of 1¼:1 (horizontal to vertical) to about 1¾:1.

To conclusively show that the residential structure is in danger from erosion, there must be an imminent threat to this structure. While each case is evaluated based upon its own merits, the Commission has generally interpreted "imminent" to mean that a structure would be imperiled in the next two or three storm cycles (generally, the next few years).

In this case, because of the proximity of the existing pre-Coastal Act residence to the beach and eroding bluffs, and the lack of a stable foundation for the building, it is likely that a portion of the apartment building would continue to be undermined (and likely lost) if the proposed project did not occur (see Exhibit 2, Photo 1). Thus, substantial evidence has been provided to document the erosion danger at the subject location and the Commission finds that existing principal blufftop structure at this location is in danger from erosion for the purposes of Section 30235.

This project, therefore, meets the first test of Section 30235 of the Coastal Act.

2.3 Feasible Protection Alternatives to a Shoreline Structure

The second test of Section 30235 of the Coastal Act that must be met is that the proposal to alter the shoreline (with the repair of the rip-rap revetment) must be *required* to protect the existing structure. In other words, under the policies of the Coastal Act, the project must be the least environmentally damaging feasible alternative. Section 21080.5(d)(2)(A) of CEQA likewise prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. Any action the Coastal Commission may be required to take to protect the structure at this location must be consistent with this section of CEQA as well as the Coastal Act. Other alternatives typically considered include: the "no

project" alternative; abandonment of threatened structures; relocation of the threatened structures; upper bluff retaining walls alone; sand replenishment program; and other drainage and maintenance programs on the blufftop itself. In this case, any effective alternative to the proposed revetment repair would need to likewise address the bluff instability at the subject site.

In this case, the "no project" alternative is not viable because the existing principal residence would likely be lost to erosion within one major storm event. As discussed, this is not consistent with protecting the pre-Coastal Act structure in danger from erosion as provided for by the Act.

Relocation of the threatened structure inland on the subject lot is another alternative typically considered. However, in this case, the threatened structure is very large and the amount of space available inland on the subject property is minimal (see Exhibit 2, Photos 5 & 10 and Exhibit 3). In addition, even if the residence were moved inland on the property, it would not eliminate or likely substantially delay the need for a revetment due to the unconsolidated fill materials that make up the subject property.

Other options include restoring the failed bluff section, upper bluff retaining walls alone and/or other drainage and maintenance programs on the blufftop itself, and revegetation of the slope to its previous configuration. These types of measures can be very effective when the lower bluff is stable; however, the lower bluff has been almost completely eliminated and, consequently, filled in by the existing riprap revetment.

According to the project geotechnical report:

Based on our site reconnaissance, observations of other coastal protection measures in the general vicinity, and evaluation of general requirements for this site, it is our opinion that the proposed repair/maintenance project that will replenish and add to the existing rock will adequately protect the apartment building. If our recommendations are followed and the riprap is placed as shown on Plate 1, Generalized Riprap Cross Section (Exhibit 4), it would be reasonable to expect the riprap to last another 20 years or more before needing improvement again.

Due to the lack of bluff material in front of the apartments, and the presence of an existing rip-rap revetment, the Commission finds that there are no less-environmentally damaging feasible alternatives to the proposed project and that a shoreline altering device must be approved to protect the residence pursuant to Section 30235.

The project, therefore, meets the second test of Section 30235 of the Coastal Act.

2.4 Long Term Structural Stability

Coastal Act Section 30253 (previously cited) requires the project to assure long-term stability and structural integrity, minimize future risk, and avoid additional, more substantial protective measures in the future. There are two main issues of concern: (1) long-term monitoring and maintenance; and (2) the Applicant's assumption of risk.

2.4.1 Monitoring and Maintenance

If the revetment was damaged in the future (e.g. as a result of flooding, landsliding, wave action, storms, etc.) it could threaten the stability of the site, which could lead to need for more bluff alteration. In addition, damage to the revetment could adversely affect the beach by resulting in debris on the beach and/or creating a hazard to the public using the beach. Therefore, in order to find the rip-rap revetment repairs consistent with the Coastal Act, the Commission finds that the condition of the rip-rap in its approved state must be maintained for the life of the revetment. Further, in order to ensure that the Permittee and the Commission know when repairs or maintenance are required, the Permittee must monitor the condition of the revetment annually for three years and at three year intervals after that, unless a major storm event occurs. The monitoring will ensure that the Permittee and the Commission are aware of any damage to or weathering of the revetment and can determine whether repairs or other actions are necessary to maintain the revetment in its approved state. In addition, the maintenance schedule proposed in the geotechnical report (*Repair of Existing Riprap Shore*, October 14, 1997) shall also be applied as follows:

The [Permittee] should anticipate performing a more moderate level of maintenance and repairs (compared to that required at this time) at intervals on the order of every 10 years or so. Obviously, very large storms (or the lack thereof) could completely overrule this anticipated "average" maintenance frequency.... Such work is expected to consist mostly of repositioning individual rocks that become dislodged, but may also include some riprap replenishment as some of the rocks become buried deeper in the beach sand and others weather and erode away.

Therefore, Special Condition 3 of this approval requires the Applicant to submit a monitoring report that evaluates the condition and performance of the revetment and overall site stability, and submit an annual report with recommendations, if any, for necessary maintenance, repair, changes or modifications to the project. Special Condition 3 likewise notifies the Applicant that they are responsible for maintenance of the herein approved bluff protection; such maintenance includes removal of any debris deposited on the beach during and after construction of the structures (Special Condition 4). Special Condition 3 also indicates that, should it be determined that maintenance of the revetment is required in the future, the Applicant shall contact the Commission office to determine if permits are required.

To ensure that the revetment repairs are consistent with the approved plans and the project geotechnical report, Special Condition 5 requires that, within 60 days of completion of the project, as built-plans and certification by a registered civil engineer be submitted. As described by the geotechnical report, such plans shall provide vertical and horizontal reference distances from a surveyed benchmark to selected points on the revetment for use in future monitoring efforts.

2.5.3 Assumption of Risk

The experience of the Commission in evaluating the consistency of proposed developments with

Coastal Act policies regarding development in areas subject to problems associated with geologic instability, flood, wave, or erosion hazard, has been that development has continued to occur despite periodic episodes of heavy storm damage, landslides, or other such occurrences. Oceanfront development is susceptible to bluff retreat and erosion damage due to storm waves and storm surge conditions. As a means of allowing continued development in areas subject to these hazards while avoiding placing the economic burden on the people of the state for damages, the Commission has regularly required that Applicants acknowledge site geologic risks and agree to waive any claims of liability on the part of the Commission for allowing the development to proceed.

The risks of the proposed development include that the rip-rap revetment will not protect against damage to the apartments from storm waves, bluff failure and erosion. In addition, the structure itself may cause damage either to the Applicant's residence or to neighboring properties by increasing erosion at the sides of the structure. Such damage may also result from wave action that damages the revetment. Although the Commission has sought to minimize these risks, the risks cannot be eliminated entirely. Given that the Applicant has chosen to construct the revetment despite these risks, the Applicant must assume these risks. Accordingly, this approval is conditioned for the Applicant to assume all risks for developing at this precarious blufftop location (see Special Condition 6). Specifically, Special Condition 6 requires the Applicant to record a deed restriction that evidences their acknowledgment of the risks and that indemnifies the Commission against claims for damages that may be brought by third parties against the Commission as a result of its approval of this permit.

In summary, the Applicant has documented that the existing bluff top principal structure is in danger from erosion and subsequent bluff failure, and that repairs to the existing revetment are required to protect the threatened residence. There are no other less damaging alternatives available to reduce the risk from bluff erosion. Therefore, as conditioned, the proposed project can be found consistent with Coastal Act Sections 30235 and 30253.

3. Public Access and Recreation

Coastal Act Section 30604(c) requires that every coastal development permit issued for any development between the nearest public road and the sea includes a specific finding that the development is in conformance with the public access and recreation policies of Chapter 3 of the Coastal Act. The proposed project is located seaward of the first through public road (Mirada Road). Coastal Act Sections 30210 through 30214 and 30220 through 30224 specifically protect public access and recreation. In particular:

30210: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

30211: Development shall not interfere with the public's right of access to the sea where

acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

30212(a): Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*
- (2) adequate access exists nearby, or,*
- (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

30213: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

30214(a): The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- (1) Topographic and geologic site characteristics.*
- (2) The capacity of the site to sustain use and at what level of intensity.*
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*
- (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

Half Moon Bay State Beach is owned and maintained by the State Parks Department, and represents a major recreational resource to the community and visitors to the area. The subject site is located at the easternmost edge of the beach and the existing rip-rap extends approximately 30 feet from the building foundation to the beach, creating somewhat of an obstacle to lateral access during high tides. However, the existing revetment and its encroachment on beach access is not before the Commission, because it was approved in 1977. The additional rip-rap will be utilized to extend the revetment vertically, rather than seaward, and therefore, will not encroach further upon lateral access. Therefore, repairs to, and additional rip-rap placed on the existing revetment shall not result in a footprint larger than that approved by the 1977 emergency permit.

Pursuant to conditions of approval and subsequent findings of coastal development permit 3-83-351, vertical access from the bluff to the beach was to be constructed on or near the applicant's

property and dedicated for public use. Until recently, the nearest point of public access to the shoreline was approximately 250 yards south of the project site, at the westerly edge of Alcatraz Avenue. However, a wooden/cable stairway was constructed in June 1999 on State Parks Property at the location indicated in Exhibit 8. The stairs were constructed at this location for two reasons: (1) this area was already being used as an informal beach access, and (2) the additional rock put in place adjacent to, and in conjunction with, the stairs was intended to curtail a growing erosion problem (see Exhibit 2, Photos 7-9).

As stated in a letter from Ron P. Schafer, District Superintendent of Department of Parks and Recreation, Bay Area District, dated September 1, 1999:

California State Parks' Bay Area District will assume the responsibility to maintain [the stairs]. The maintenance plans will involve regular inspections as well as backfilling behind the individual steps. This maintenance plan will also include repair of damaged components of these stairs as needed.

The construction of the stairway satisfies the requirements of Coastal Act Sections 30210 through 30213, 30221 and 30223 by providing maximum access from the bluff top to the beach and enhancing public access to recreational opportunities. The chosen location of the stairway satisfies the requirements of Coastal Act Section 30214(a) as it made improvements, in terms of geological stability and safety, to an area already being used for beach access.

As conditioned, the Commission finds that the proposed project would preserve public access and recreational opportunities and, as such, is consistent with Coastal Act Sections 30210 through 30214 and 30220 through 30224.

4. Visual Resources

Coastal Act Section 30251 requires that:

Section 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

In response to the requirements of Coastal Act Section 30251, the proposed placement of additional rip-rap on the revetment is deemed to have a negligible effect on the scenic and visual qualities of the area, due to the presence of existing rip-rap in the surrounding area. The addition of approximately 200 tons of rock (± 40 boulders of the same general size and shape as those seen in Exhibit 2, Photos 1-4) will not significantly alter the natural landform and is compatible

with the character of the surrounding areas. The ten concrete blocks, if positioned in accordance with the geotechnical engineer's recommendations, will also have a negligible effect on the visual quality of the area because they will compose a relatively small percentage of the total rip-rap. In addition, as seen in Exhibit 2, Photos 5-6, existing rip-rap can not be seen in views from the bluff top to the beach.

The wooden/cable stairway providing vertical access from the bluff top to the beach is located approximately 200 feet south of the apartment building, near the terminus of the public lateral pathway. As stated previously, the stairway was constructed at this location because it was already being used as a vertical access. The stairway is located below grade, does not protrude beyond the toe of the bluff, and protects the views to and along the ocean (see Exhibit 2, Photos 6-7).

Given the existing revetment on site and the fact that the additional rip-rap and construction of a stairway would not significantly alter scenic public views because of their physical relationship to the bluff top, the Commission can find that, as conditioned, that this project is consistent with Section 30251 of the Coastal Act.

5. Coastal Act Violation

Pursuant to conditions of approval and subsequent findings of coastal development permit 3-83-351, vertical access from the bluff to the beach was to be constructed on or near the applicant's property and dedicated for public use. A public stairway was constructed by the California Conservation Corps in June 1999, in agreement with the California State Parks Department and the Applicant, without benefit of a coastal development permit. Development activity performed without a coastal development permit constitutes a violation of the Coastal Act's permitting requirements.

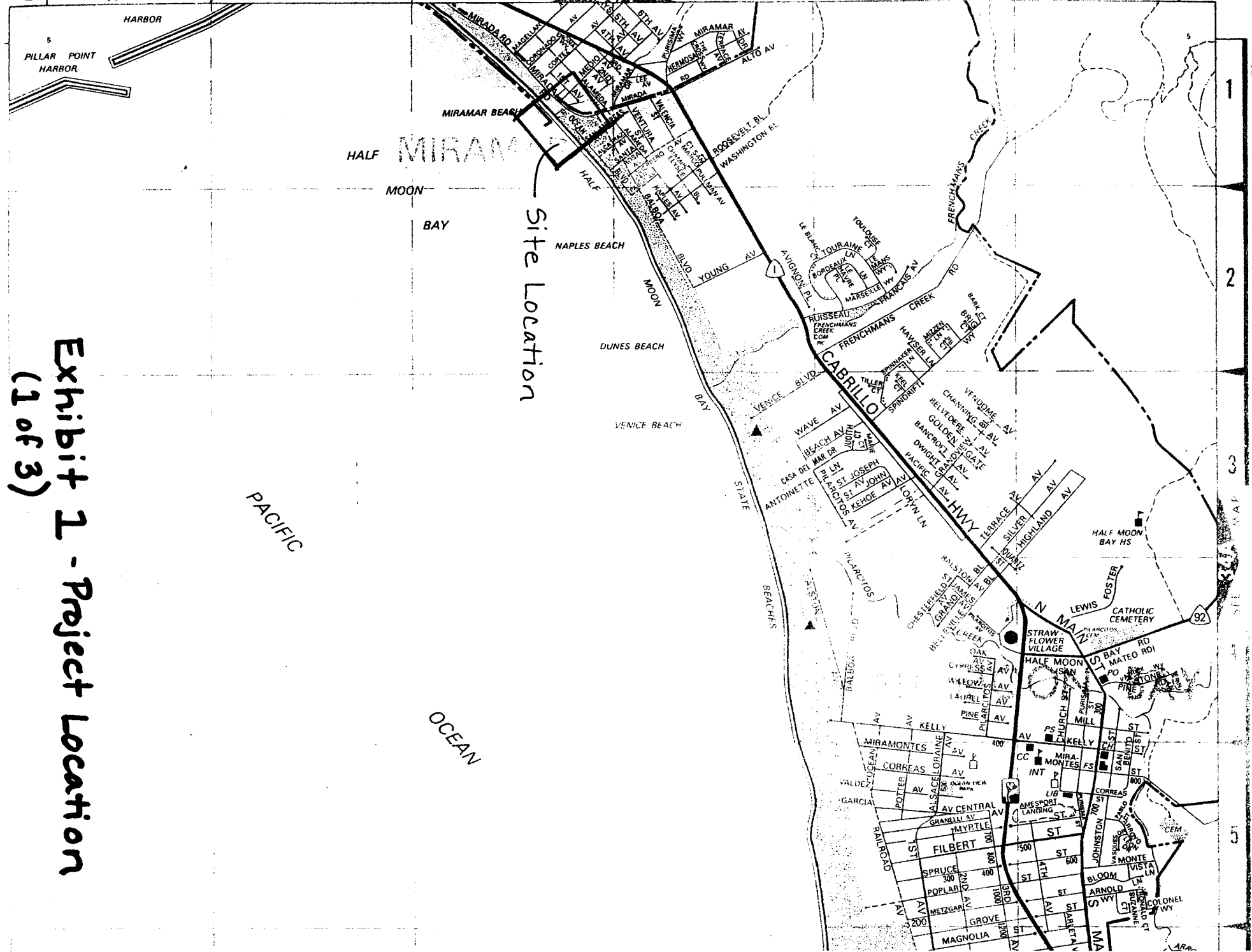
The stairway component of this coastal development permit application represents an after-the-fact request to construct a stairway. Although this development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the policies contained in Chapter 3 of the Coastal Act. Approval of this permit application does not constitute a waiver of any legal action with regard to this violation of the Coastal Act that may have occurred, and shall be without prejudice to the California Coastal Commission's ability to pursue any legal remedy available under Chapter 9 of the Coastal Act.

6. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse

effect which the activity may have on the environment.

When the Commission originally issued coastal development permit 3-83-351, staff found the proposed subdivision and townhouse construction to be consistent with the requirements of CEQA. The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. The proposed project's coastal resource issues have been discussed in this staff report and appropriate mitigations have been developed. Accordingly, the project is being approved subject to conditions which implement the mitigating actions required of the Applicant by the Commission (see Special Conditions of Approval). As such, the Commission finds that only as modified and conditioned by this permit will the proposed project not have any significant adverse effects on the environment within the meaning of CEQA.



Site Location

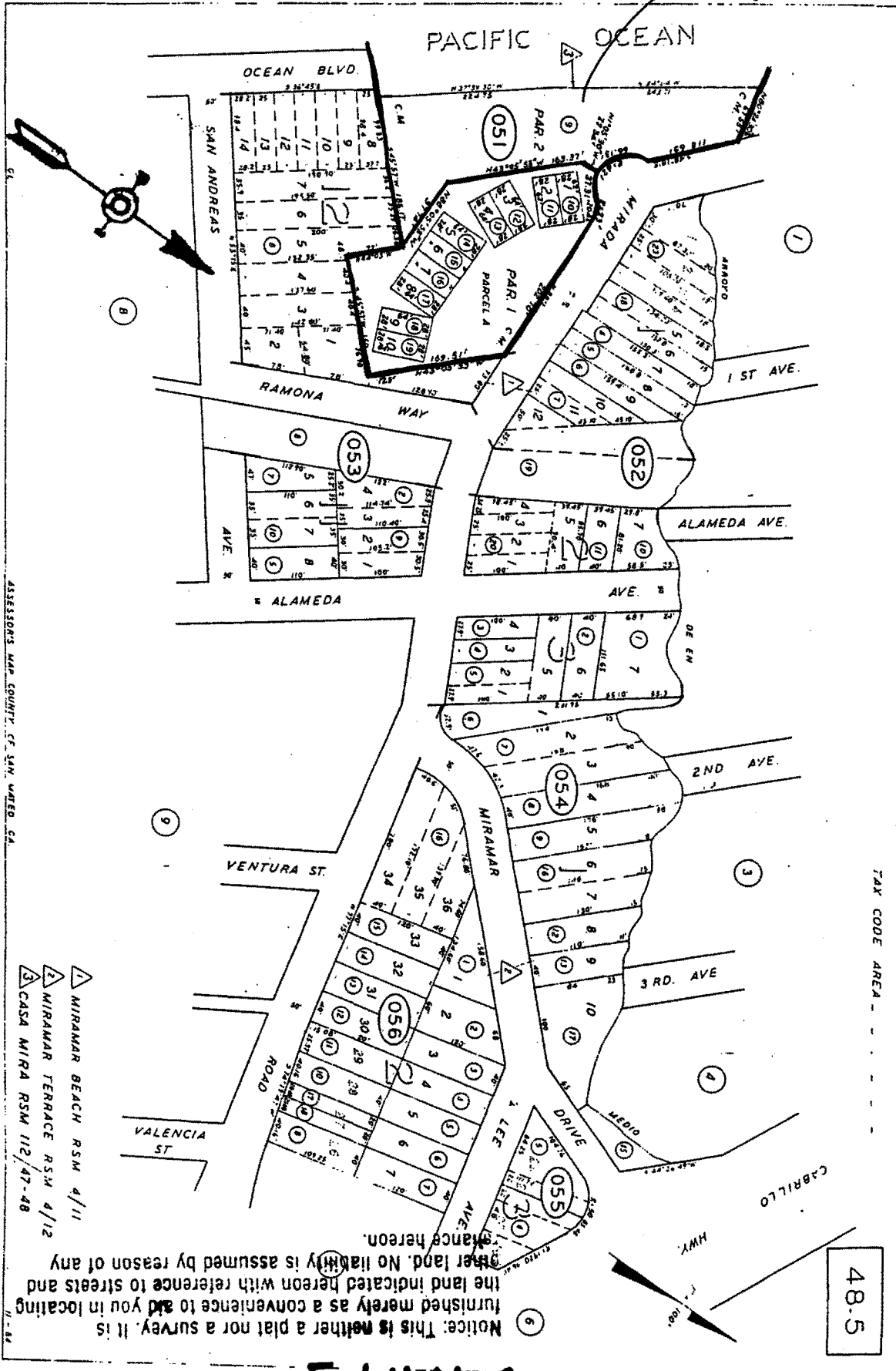
Exhibit 1 - Project Location
(1 of 3)

UNLAWFUL TO REPRODUCE

DETAIL

Notice: This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon.

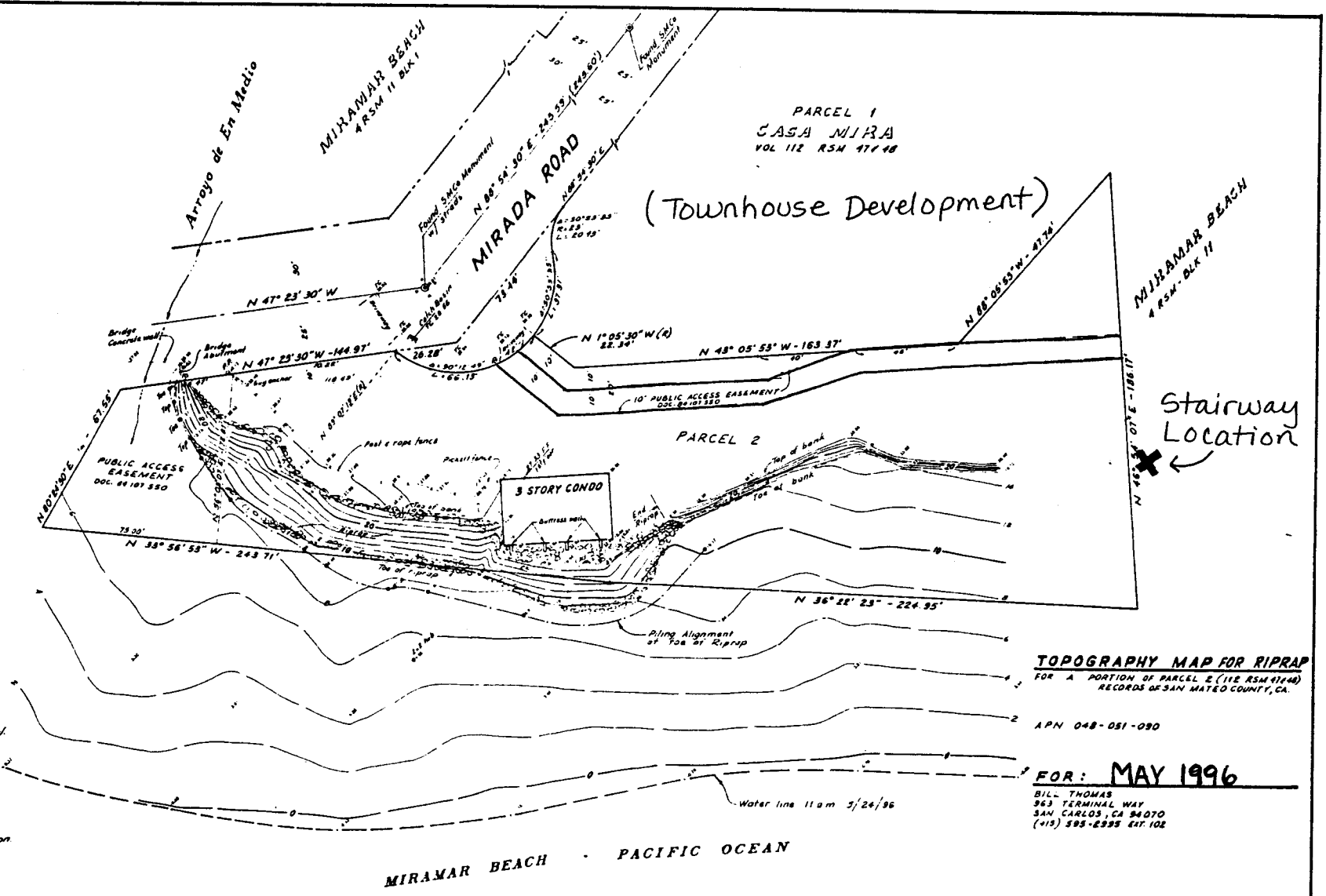
Site location (revetment)



Notice: This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon.

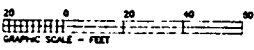
Exhibit 1
(2 of 3)

Exhibit 1
(3 of 3)



TES:

1. Topographic features accurate to ± two feet.
2. Contours accurate to one-half contour interval.
3. o - Piles at Top of Riprap
Some now covered with sunner sand fill.
4. BENCH MARK:
Top of Fire Hydrant at the southeasterly
corner of Medio & Mirada Road
Elevation 2779 M.S.L.
See S.M. Co. P.B. 756-7 pg 25
5. () Indicates record information



JOSEPH R. BENNIE
LICENSED LAND SURVEYOR
210 SAN MATEO RD. STE 202
HALEWOOD BAY, CA 94019
PH: (415) 726-9727
MAY 1996 P.O. 18-96
THOMAS/THOMAS



Photo 1: Apartment Building (looking north)



Photo 2: Apartment Building (looking east) with townhouses behind

**Exhibit 2 - Photos
(1 of 5)**



Photo 3: Northern portion of revetment (apartment building on right)



Photo 4: Northern portion of revetment (near river outlet)

**Exhibit 2
(2 of 5)**



Photo 5: View of apartment building (looking northwest)

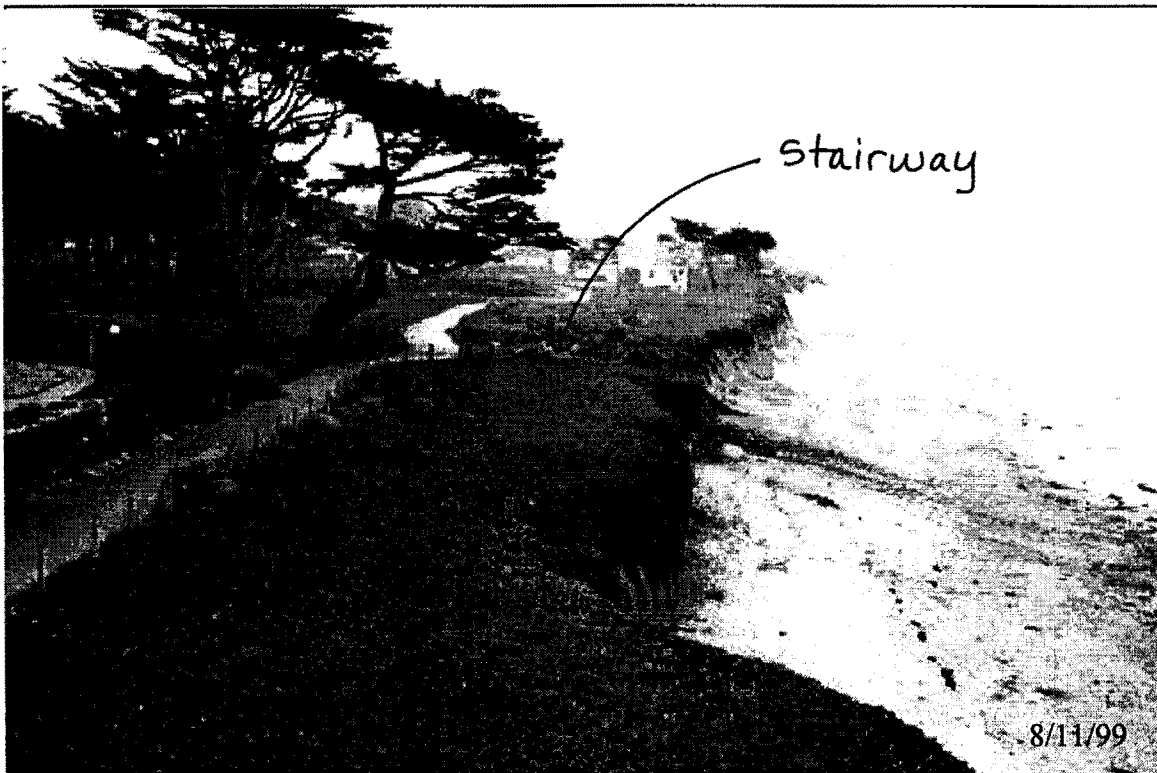


Photo 6: View of stairway (looking south)



Photo 7: Stairway (from lateral pathway)



Photo 8: Stairway

**Exhibit 2
(4 of 5)**



Photo 9: Stairway

Townhouse



wooden
pilings

Photo 10: Northern portion of revetment (prior to emergency work)

**Exhibit 2
(5 of 5)**

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT
701 OCEAN STREET, ROOM 310
SANTA CRUZ, CA 95060
(408) 426-7390 ATSS: 8-529-2304

F. D.: 12/23/83
49th/180th DAY: 2/10/84 / 6/22/84
STAFF REPORT: 1/12/84
HEARING DATE: 1/25-26/84
STAFF: SM/crm

ADOPTED

STAFF REPORT: CONSENT CALENDAR

PROJECT DESCRIPTION

APPLICANT: Casa Mira Partnership

PERMIT NO: 3-83-351

PROJECT LOCATION: 2 Mirada Road, Half Moon Bay

PROJECT DESCRIPTION: Subdivide a 2.15 acre parcel into ±1 acre and 10 townhouse lots and 2 common lot (±1.15 acres) and construct a 10-unit 2-story, townhouse in 4 building clusters.

LOT AREA: 2.15 acres ZONING: Planned Unit Development

BLDG. COVERAGE: 9642 sq. ft. PLAN DESIGNATION: Planned Development
LUP Approved 7/14/83

PAVEMENT COVERAGE: 15,860 sq. ft. PROJECT DENSITY: 7 du/acres

LANDSCAPE COVERAGE: 17,304 sq. ft. HEIGHT ABV. FIN. GRADE: 34½'

LOCAL APPROVALS RECEIVED: Architectural Review, Tentative Map,
Negative Declaration, Planning Commission, City Council, 11/29/83.

PTI: #1-5

Exhibit 3 - CDP 3-83-351
(1 of 13) Coast 32: 7/29/81

I. STAFF RECOMMENDATION:

The Staff recommends that the Commission adopt the following Resolution:

Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. RECOMMENDED CONDITIONS:

A. Special Conditions

1. PRIOR TO TRANSMITTAL OF PERMIT, the permittee shall a) execute and record a document, in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or non-profit public agency easements for public access and recreation to and along the shoreline. Such easement shall be laterally from the toe of the rip-rap and toe of the bluff to the mean high tide, along the width of the property. A vertical access from Mirada Road generally along the course of Mirada Road to the beach and a 10' public access easement from Mirada Road to Half Moon Bay State Beaches as shown in Exhibit C shall also be offered. Such easements shall be free of prior liens or encumbrances except for tax liens.

The offer shall run with the land in favor of the people of the State of California, binding successors and assigns of the applicant or landowner. The offer of dedication shall be irrevocable for a period of 21 years, such period running from the date of recording.

b) Submit plans for the improvement and signing of the vertical and lateral access trail.

Standards for access size and improvements shall at a minimum be consistent with the criteria developed by State Parks and Recreation and those contained in final engineering plans for the shoreline structures. Both the Offer of Dedication and the plan for vertical and lateral access improvements shall be submitted to the Executive Director for his review and approval.

Exhibit 3
(2 of 13)

A. Special Conditions (continued)

2. The final seawall shall be designed and constructed to minimize obstruction of the sandy beach and to provide access to the beach. Plans indicating final design and siting of the structure shall be submitted to the Executive Director for his review and approval prior to the transmittal of this permit.

3. PRIOR TO TRANSMITTAL OF PERMIT, permittee shall submit to the Executive Director a written determination from the State Lands Commission that:

- a) No State Lands are involved in the development; or
- b) State Lands are involved in the development and all permits required by the State Lands Commission have been obtained; or
- c) State Lands may be involved in the development, but pending a final determination an agreement has been made with the State Lands Commission for the project to proceed without prejudice to that determination.

4. PRIOR TO TRANSMITTAL OF PERMIT, permittee shall submit written evidence of U.S. Army Corps of Engineers approval, to the Executive Director for his review and approval.

5. PRIOR TO TRANSMITTAL OF PERMIT, permittee shall submit to the Executive Director a deed restriction for all applicable properties for recording, free of prior liens except for tax liens, that binds the permittee and any successors in interest. The form and content of the deed restriction shall be subject to the review and approval of the Executive Director. The deed restriction shall provide: (a) that the permittees understand that the site is subject to extraordinary hazard from waves during storms and from erosion and the permittees assume the liability for those hazards; (b) the permittees unconditionally waive any claim of liability on the part of the Commission or any regulatory agency for any damage from such hazards; and (c) the permittees understand that construction in the face of these known hazards may make them ineligible for public disaster funds or loans for repair, replacement, or rehabilitation of the property in the event of storms and/or landslides.

6. PRIOR TO TRANSMITTAL OF PERMIT, the permittee shall submit for Executive Director review and approval a final grading and landscaping plan.

7. PRIOR TO TRANSMITTAL OF PERMIT, the permittee shall submit for Executive Director review and approval final drainage plans. Such plans shall include specific methods for energy dissipation for all outfalls to reduce potential erosion.

Exhibit 3
(3 of 13)

B. Standard Conditions

(see Exhibit A)

III. FINDINGS & DECLARATIONS:

The Commission finds and declares as follows:

PROJECT
DESCRIPTION

1. The proposed project is to subdivide a 2.15 acre parcel into \pm 1 acre and 10 townhouse lots and 1 common lot (\pm 1.15 acres) and construct a 10-unit 2-story, townhouse in 4 building clusters (see site plan) at the end of Mirada Road in Northern Half Moon Bay. Mirada Road terminates at the northern property line at Arroyo De En Medio Creek. Remnants of a former vehicular bridge over Arroyo De En Medio, partially destroyed in the mid-70's, now provides pedestrian access along Mirada Road to the north. An existing 5-unit, 2-story apartment building with parking (pre-Commission) exists on-site. The existing building is protected by a driven pier and rock rip-rap seawall (M-77-1) approved as an emergency permit in 1977. The applicant requested and received on December 1, 1983 City permission for additional emergency work to the north of the existing apartment building. The site is located on an elevated wave-cut terrace varying in height above the beach from \pm 20 feet in the north to \pm 10 feet at the south. Surrounding development includes a duplex and single family dwellings to the north and Half Moon Bay State Beach to the East and South.

2. The LUP for the City of Half Moon Bay was approved by the Commission in July, 1983 containing a development component with special development conditions for the subject site which include:

- a) A specific plan shall be prepared for the entire area which incorporates all of the conditions listed below and conforms to all other policies of the Land Use Plan. The specific plan shall show the locations of roads and structures, and indicate the amount and location of open space, public recreation, and commercial recreation. The specific plan shall be subject to environmental review under City CEQA guidelines.

The specific plan and accompanying environmental documents shall be submitted to the Planning Commission, who may recommend additional conditions for development of the site. The Planning Commission may reduce the allowable density if it is determined that Highway 1 and access routes to the beach are inadequate to accommodate the amount of proposed residential development in addition to public and commercial recreation.

Exhibit 3
(4 of 13)

- b) A maximum of 15 residential units may be developed (including existing units).
- c) No development shall be permitted until a demonstration is made that new development complies with other policies of the Plan, and until an opportunity has been given to the State Department of Parks and Recreation to acquire the property and it has indicated no intent to acquire.
- d) An accessway to the beach from the property shall be constructed and dedicated for public use, in accordance with designs approved by the Planning Commission, sufficient to assure safe and adequate access to the beach at times of high tides.
- e) A lateral accessway across the property providing a connection with access on the State Beach property shall be dedicated to assure unimpeded access from Mirada Road to the State Beach property for pedestrians.
- f) Structures shall be set back from the shoreline to the maximum extent feasible (no closer than 100 feet) and shall be clustered to preserve views from Mirada Road to the ocean and to preserve the existing stand of cypress trees.

The proposed project is consistent with the density established in #b of 15 total units. The applicant has submitted correspondence indicating State Parks and Recreation have no interest in acquiring the property (see Exhibits D & E) consistent with Condition # c. The project has been so conditioned to assure consistency with access policies #d & e. For both lateral and vertical access (see Access Finding #3). Lastly, a geology report has been prepared consistent with Special Hazard Component Policies and its recommendations are included as conditions of approval of this permit (see Finding #4). The proposed project is consistent with those approved development policies found consistent with Section 30250 of the Coastal Act by the Commission in approving the Half Moon Bay LUP.

3. Specific Development policies d & e in the approved LUP provide for both vertical and lateral access to the beach immediately west of the site and to Half Moon Bay State Beach to the South. The submitted tentative map for the project identifies a vertical public access easement at the northwestern portion of the site as well as a 10' wide lateral access from a half improved new cul-de-sac of Mirada Road (City condition of permit approval) across the property southerly to Half Moon Bay State Beaches. However, the location of the 10' path should be moved landward to assure longevity from shoreline erosion. A condition of this permit would require dedication of the beach west of the toe of the bluff and seaward to the mean high tide line for consistency with access policies. Also, the emergency permit issued by the City for rock rip-rap previously described is located within that area identified for a vertical public access easement at the northwesterly portion of the property; therefore, it would be appropriate to require construction of an access stairway at this location

Exhibit 3
(5 of 13)

in conjunction with a finalized rip-rap protection plan. Therefore, as conditioned to provide vertical access, lateral access to the State Beach through the project and lateral beach access, the project is consistent with the approved LUP development and access policies and Coastal Act access policies.

BIOLOGY

4. The proposed project is located on an elevated wave cut terrace composed of recent deposits (clays, sand, silt and gravel) and is subject to erosion. Shoreline erosion on this portion of the San Mateo coast is from 1 to 2 feet per year. A geologic report for the subject site indicates erosion rates of 1 foot per year south of Arroyo De En Medio and concludes if erosion rates remain average the proposed project would not be impacted by shoreline retreat during its economic life as the nearest building site is some 75 feet from the shoreline. The Geologic Report and its recommendations have been included as conditions of approval of this permit and are consistent with the approved LUP and Coastal Act policies.

Policy 4-5

In the absence of a determination supported by a site-specific survey by a qualified geologist and biologist to the contrary, within 100 feet from the bluff or foredune edge, drought-tolerant coastal vegetation capable of enhancing bluff and dune stability shall be installed and maintained as a part of any new development. Grading as may be required to establish proper drainage, to install minor improvement (e.g. trails) and to restore eroded areas and to provide permitted accessways shall direct water runoff away from the edge of the bluff or be handled in a manner so as to prevent damage to the bluff by surface and percolating water.

Policy 4-7

Applications for grading and building permits and applications for subdivisions shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami run-up, landslides, flooding, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, as indicated on the Geologic Hazards Map, a geologic report shall be required. Mitigation measures shall be required where necessary.

Exhibit 3
(6 of 13)

The existing 5-unit apartment structure is presently located in the bluff face and has been protected from possible destruction by a pier and rock rip-rap seawall 100' to 150' along the shoreline since 1977. Additional emergency rock rip-rap from Arroyo De En Medio to the apartment building was put into place in December of 1983 under an emergency permit from the City of Half Moon Bay. Applicant has indicated that additional geotechnical and engineering plans will be submitted and a permit will be applied for to cover the emergency work authorized by the City of Half Moon Bay. This permit has been conditioned to be consistent with Sections 30235 and 30253 of the Coastal Act.

5. The 2-story, 4-building complex will be located west of Mirada Road which until the mid-70's had been the first through public road inland of the ocean (Mirada Road now terminates at the northerly property line of the proposed project). The project will be in addition to the existing two-story, 5-unit apartment located westerly and within the bluff. Development along Mirada Road to Highway 1 ($\pm 1000'$ to the east) is built out and consists of one and two story residences. There presently exists numerous large (30" - 72" circumference) Monterey pines along the project property line at Mirada Road and the eastern and southerly property lines. Additional plantings of Monterey cypress and interior landscaping along with existing vegetation will reduce visual impacts in this developed area and be consistent with approved LUP Policies and Section 30251 of the Coastal Act.

Policy 7-2

Blufftop structures shall be set-back from the bluff edge sufficiently far to ensure that the structure does not infringe on views from the beach and along the blufftop parallel to the bluff edge except in areas where existing structures on both sides of the proposed structure already impact public views from the beach or along the blufftop. In such case, new structures shall be located no closer to the bluff edge than adjacent structures.

Policy 7-9

New development shall be sited and designed so as to avoid or minimize destruction or significant alteration of significant existing plant communities identified in the General Plan (which include riparian vegetation along stream banks, and notable tree stands).

6. The proposed project is consistent with CEQA. The project is also consistent with the approved LUP and will not prejudice the City of Half Moon Bay in developing and Implementation Plan consistent with the LUP.

Exhibit 3
(7 of 13)

EXHIBIT-A

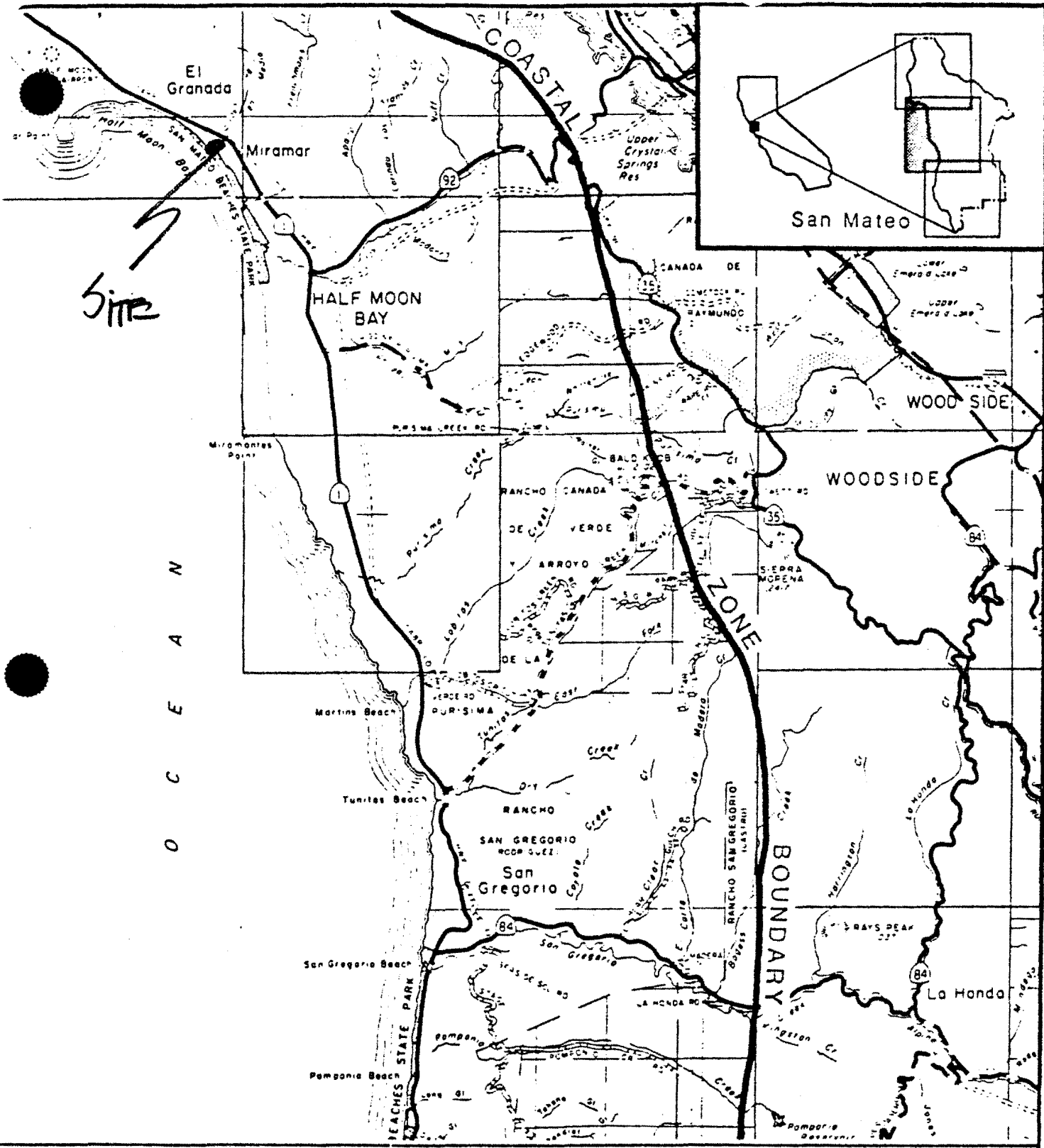
RECOMMENDED CONDITIONS

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

Exhibit 3
(8 of 13)

EXHIBIT NO. A
APPLICATION NO. 3-83-357
CASA MIPA PACIFIC SIA Standard Conditions



Site

O
C
C
E
A
N

LOCATION MAP



California Coastal Commission

County of San Mateo

3-83-351
CASA MIRA
PARTNERSHIP

Sheet 2 of 3

Exhibit 3
(9 of 13)

Jan. 1988

PLANET SCHEDULE

- 1. General Notes
- 2. Site Plan
- 3. Floor Plans
- 4. Sectional Views
- 5. Details
- 6. Appendix

CASA MIRA TOWNHOUSES

WILFRED BAY

NEAL LINDSTROM AIA ARCHITECT

LAND USE PLAN

EXHIBIT NO. B
APPLICATION NO. 3-83-351
CASA MIRA PARTNERSHIP
Site Plan California Coastal Commission

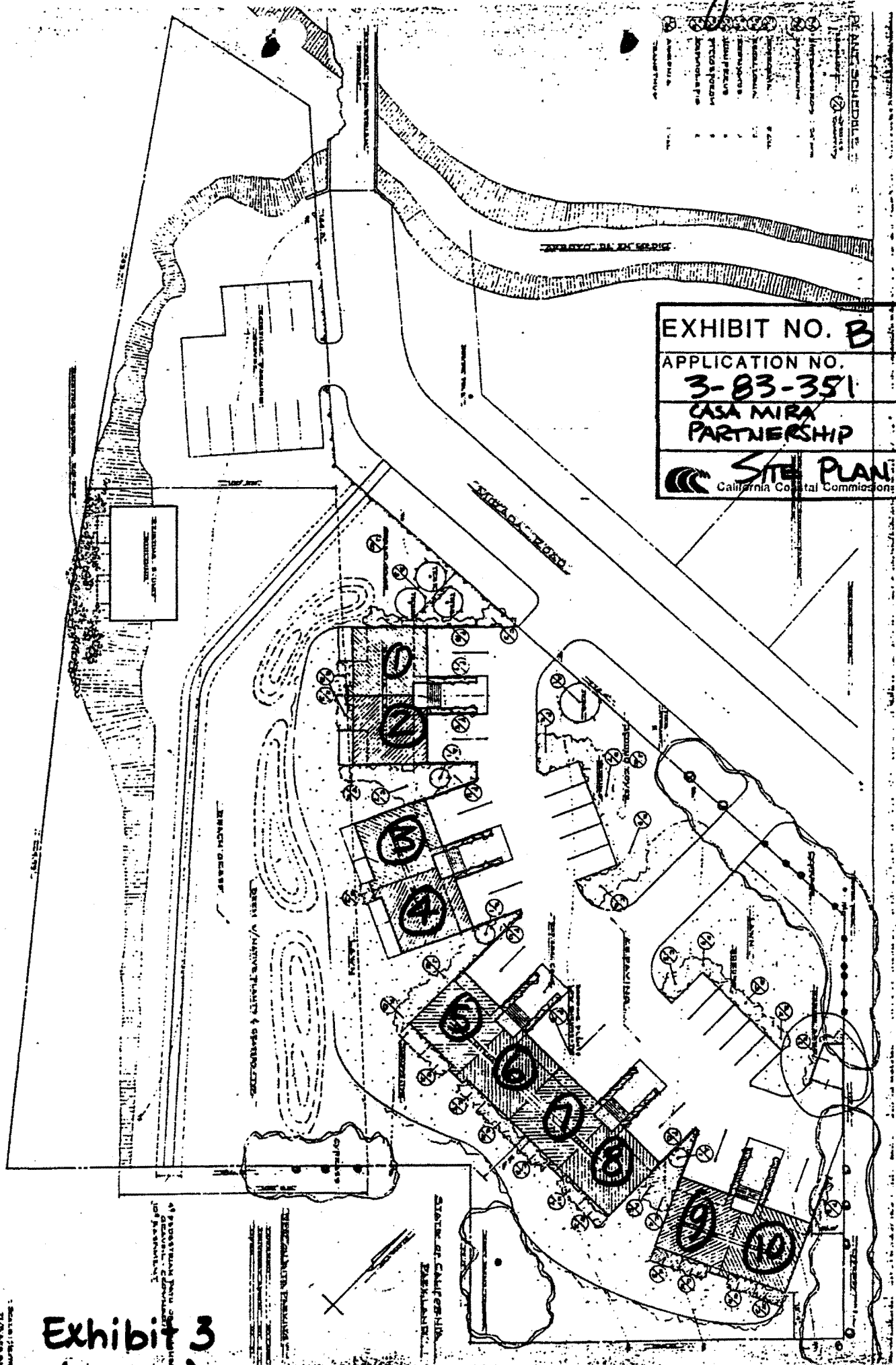



Exhibit 3
(10 of 13)

STATE OF CALIFORNIA
DEPARTMENT OF LAND AND NATURAL RESOURCES
CALIFORNIA COASTAL COMMISSION

ESS
EXEMPT

ARROYO DE EN MEDIO

EXHIBIT NO. C
APPLICATION NO. 3-83-351
CASA MIRA PARTNERSHIP
 California Coastal Commission

ACCESS TRAILS

EXIST. 5 UNIT
APARTMENT
(75-510)

10' PEDESTRIAN
ACCESS

20' PRIVATE
DRIVEWAY

PARCEL
"B"

MIRADA ROAD
NEW PAVEMENT

PARCEL

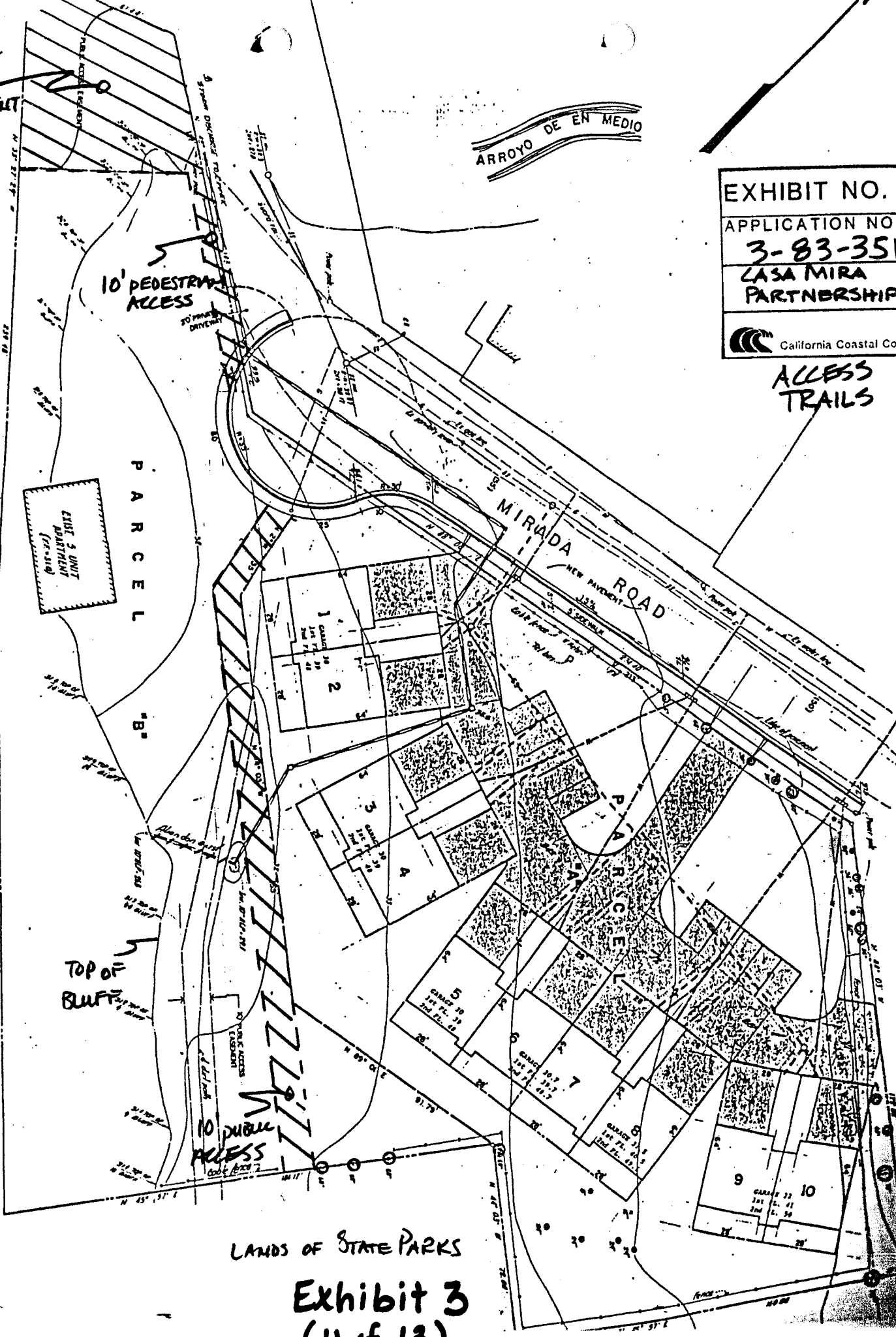
TOP OF
BLUFF

10' PUBLIC
ACCESS



LANDS OF STATE PARKS

Exhibit 3
(11 of 13)



DEPARTMENT OF PARKS AND RECREATION

P.O. BOX 2390
SACRAMENTO 95811

(916) 445-2358

FEB 28 1980

Honorable Marx Garcia
Member of the Senate
State Capitol, Room 5057
Sacramento, CA 95814

Dear Senator Garcia:

We have completed our evaluation of Mrs. Lois Loftus' proposal to exchange a 100-foot strip of the former Miramar Hotel property owned by her partnership for a portion of the former Ocean Shore Railroad property now owned by the State. After careful consideration, we have determined that such an exchange would not be in the public interest.

The 100-foot strip would be of little appreciable benefit to the public. The beach in front of the strip is already in public ownership and passable on foot. The proposed coastal trail alignment inland of the Loftus et al property, as delineated in the approved general plan for Half Moon Bay State Beach, has many advantages.

We are especially concerned that the property offered by Mrs. Loftus and her partners is eroding at a fast rate. Therefore, the State would be acquiring a dwindling asset as well as assuming a greater obligation to protect the remaining Loftus et al property from coastal erosion. The cost involved in relocating the apartment house now situated on the 100-foot strip would further reduce the cost effectiveness of this exchange proposal from the State's standpoint.

We are also opposed to relinquishing the railroad rights of way behind the Loftus et al property. To do so would eliminate the option for a future entrance to the State Beach from Miranda Road.

As we have stated before, Half Moon Bay State Beach can be developed and operated very efficiently without State acquisition of any portion of the Loftus et al property.

If you have any questions regarding our position on this matter, please contact me or Lon Spharler, Manager, State Park System Planning Section, at (916) 322-7384.

Sincerely yours,

Russell W. Cahill

Russell W. Cahill
Director

EXHIBIT NO. D
APPLICATION NO. 3-83-351
CASA MIRA PARTNER
<small>State Coastal Commission</small>

Exhibit 3
(12 of 13)

DEPARTMENT OF PARKS AND RECREATION

P.O. BOX 2390
SACRAMENTO 95811

(916) 322-7384

DEC 9 - 1982

Mr. James V. Power
Casa Mira Partnership
6160 Sierra View Lane
Foresthill, CA 95631


Dear Mr. Power:

This is in reply to your letter of November 25, 1982, regarding the old Miramar Hotel site adjacent to Half Moon Bay State Beach in San Mateo County.

The old Miramar Hotel Site is not on the funded acquisition list, is not in the 1983-84 budget request, is not listed in the multi-year (five year) acquisition program, nor is it on the longer range parklands acquisition candidate (priority) list.

If you have any additional questions regarding this property, please contact DeRoy Jensen of our Planning Division at the above address or telephone number.

Sincerely,

for 
Pete Dangermond, Jr.
Director

cc: Honorable Marz Garcia
Member of the Senate
State Capitol
Sacramento, CA 95814

Exhibit 3
(13 of 13)

EXHIBIT NO. E
APPLICATION NO. 3-83-351
MIRA PARTNERSHIP



BAY AREA GEOTECHNICAL GROUP

Consulting Geotechnical Engineers and Engineering Geologists

June 21, 1996
BAGG Job No. 523-A

Bill Thomas
P.O. Box 2282
Redwood City, CA 94064

Geotechnical Consultation
Proposed Riprap Repair
2 Mirada Road
Half Moon Bay, California

This report presents the results of our consultation regarding the repair and replacement of the existing riprap shore protection at the base of the condominium building at 2 Mirada Road, Half Moon Bay, California (APN 048-051-090). Our services have been provided in accordance with our Proposal No. 96-046, dated May 15, 1996.

The area in question is immediately below a three-unit condominium building built at the top of the sea bluff. Within the vicinity of the building, the bluff is protected by large riprap boulders, which we understand were placed about 20 years ago, and have been depleted over the years. We also understand, however, that the majority of the damage to the riprap occurred during one or two storms two years ago. It is now desired to improve the existing shore protection by replenishing the riprap boulders.

PURPOSE AND SCOPE OF SERVICES

Our purpose has been to evaluate the effectiveness of the existing riprap shore protection and provide geotechnical guidance for its improvement.

Toward this end, our report presents conclusions, opinions, and recommendations regarding:

- effectiveness of the existing shore protection scheme
- placement procedures to verify the stability of the foundation for the riprap to be added
- minimum rock sizes that should be added to the existing riprap
- minimum elevation for the top of the completed shore protection

In order to accomplish the above purposes, our scope of services consisted of the following specific tasks:

1. Reconnaissance of the site and vicinity to observe existing conditions and geologic materials exposed in the area.
2. Review available construction plans, drawings, soils report, etc. for the existing condominium building.
3. Contact the contractor that did original construction of the existing shore protection to discover general procedures followed, conditions found, etc.
4. Based on the above tasks, perform engineering evaluations oriented toward the above-stated purposes of our services.
5. Present the results of our services in a short letter report, which would include our conclusions, opinions, and recommendations.

SITE CONDITIONS

Geology

The site area is underlain by marine terrace deposits that predominantly consist of sand with some silt, clay, and gravel (Brabb, Pampeyan, 1972). Published information indicates the maximum thickness of the terrace deposits is about 30 feet; however, its thickness in the immediate site vicinity is not known. Our reconnaissance of the site indicates the sea bluff is composed of an orange to rusty brown, silty to clayey sand or very sandy clay/silt. The material exposed in the bluff had a very low plasticity and was very stiff to hard (indented with thumb nail). No signs of seepage were noted within the bluff in the vicinity of the site, and no signs of any instabilities, other than slumping of small blocks from the face of the bluff, could be seen on or above the bluff.

Exhibit 4
(2 of 8)



The San Mateo County Geotechnical Hazards Map (1976), indicates the site is located near the boundary between areas with low coastal cliff stability and areas with moderate cliff stability, suggesting it is near the southern end of the zone of increased cliff erosion resulting from the construction of the breakwater at Pillar Point Harbor. The map indicates areas with low coastal cliff stability have historic rates of cliff retreat greater than 1 foot per year and as much as 6 feet per year immediately south of the breakwater, and less than 1 foot per year within areas of moderate stability. Without the benefit of specific data regarding historic cliff locations in the immediate vicinity of the project site, it appears the present configuration of the adjacent sea bluff with respect to the riprap at the base of the subject condominium building, is generally consistent with a retreat on the order of 1 foot per year in unprotected areas.

At present, the beach at the base of the sea cliff and in front of the condominium building has been built up with summer sand to elevations on the order of 8 feet, with slopes of 10 to 13 percent. At a distance of about 75 to 100 feet from the existing riprap, the beach appears to flatten to roughly 4 or 5 percent. During the winter, the much of the sand is eroded from the beach area, which lowers the beach elevations at least 3 to 4 feet below present elevations, and exposes the base of the existing riprap and a line of wood pilings that confine the toe of the riprap slope.

Existing Riprap

The base of the condominium building is surrounded with riprap. The riprap extends about 30 feet along the bluff to the south and about 150 feet to the north, to an old bridge abutment at Arroyo de En Medio Creek. The top of the riprap in front of the building and to the south is at elevations on the order of 18½ to 19½ feet. On the north side of the building, the top of the riprap increases in elevation up to about 26 to 28 feet in the vicinity of the parking lot.

The riprap contains several areas where the rock has been depleted, but is generally at gradients of about 1¼:1 (horizontal to vertical) to about 1¾:1. The rock is of varying sizes, with a maximum size on the order of 5 feet in diameter. Observations at other areas just to the north of this site, as well

Exhibit 4
(3 of 8)

BAGE

as several areas in the City of Pacifica, indicate rock of this size has been frequently used for coastal protection in the general area.

Based on a conversation with the contractor that performed the original rock placement, the base of the riprap was placed directly on the underlying terrace deposits, in a keyway dug through the beach sand. The base of the riprap is laterally confined by a single row of pilings spaced at about 3 to 4 feet on centers. Some of these pilings are presently visible on the beach; however, the top of many of the pilings are presently buried below current beach level. We also understand the pilings were driven several feet into the underlying terrace deposits; however, the exact depth is not known.

CONCLUSIONS AND RECOMMENDATIONS

Based on our site reconnaissance, observations of other coastal protection measures in the general vicinity, and evaluation of general requirements for this site, it is our opinion that the proposed repair/maintenance project that will replenish and add to the existing rock will adequately protect the condominium building. If our recommendations are followed and the riprap is placed as shown on Plate 1, Generalized Riprap Cross Section, it would be reasonable to expect the riprap to last another 20 years or more before needing improvement again.

Available information indicates the riprap at this site has been placed in a keyway dug down to firm material consisting of the underlying terrace deposits, and has been laterally confined or stabilized with wooden pilings driven several feet below the anticipated beach scour. As the pilings have apparently remained intact since installed, it appears they have been successful. It is our opinion that the performance of the riprap over the last 20 years, as evidenced by its present condition, has generally been satisfactory. For these reasons, it is our opinion that the proposed replenishment of the existing riprap will fulfill its intended purpose, provided it is confirmed during the work that all the pilings are still in place at the base of the riprap, and there are no gaps large enough for the boulders to pass through.

Exhibit 4
(4 of 8)



Before any rocks are placed, the base of the existing riprap and the stabilizing pilings should be exposed. It should then be confirmed that each wood piling is in good condition, and that no piles are missing. Missing or deteriorated piles should be replaced, or a base keyway to support the riprap will have to be created or improved. Generally, such a keyway would have to be at least one stone size (4 to 5 feet in this case) lower than the lowest anticipated winter beach erosion, or to firm bedrock (not the terrace deposits), whichever is shallower. If only isolated piles are missing or bad, it may be possible to fill the gap by stringing cables from the adjacent pilings.

If the rocks are to be randomly dumped on the riprap pile, then uniformly sized rocks about 5 feet in diameter should be used to replenish the riprap. If, on the other hand, the rocks are carefully placed in an orderly manner to obtain good wedging or interlocking action between individual units, then a graded and slightly smaller (on average) riprap armor stone can be used. The average rock size (50 percent being greater) should be at least 4 feet in diameter, with a minimum rock size of at least 2½ feet, and a maximum size of about 6 feet in diameter. In either case, the riprap should consist of rough, angular, and durable rocks¹ having a unit weight of about 165 pounds per cubic foot or more. The first few rocks should be carefully placed on the existing riprap to fill all voids and low areas. In addition, the base of the riprap should fully engage the confining pilings at the base. In other words, the bottom of the riprap pile should not be able to spread out or shift before being stopped by the piling.

The top of the added riprap should be brought up to a minimum elevation of 20 feet, as shown on Plate 1, Generalized Riprap Cross Section, or up to the top of the existing sea bluff where the bluff is lower than 20 feet in elevation. The final surface of the riprap should form a uniform slope from the base at the pilings up to the required height against the building or the existing sea bluff. The

¹ A conglomerate-type of rock, consisting of light brown granite in a light gray crystalline matrix (or vice versa), was observed near the top of the existing riprap, just to the north of the condominium and adjacent to the fenced trash enclosure. This rock had weathered considerably in the marine environment, and has almost completely disintegrated and fallen apart. A couple additional rocks, apparently from the same source, are nearby and have disintegrated to a degree that is roughly proportional to the granite content of the rock.

Exhibit 4
(5 of 8)

The logo for BAGG, consisting of the letters B, A, G, and G in a stylized, bold, italicized font.

final slope should not be steeper than 1¼:1 in any area. In addition, no rock should be placed so that it extends an appreciable distance above the average level of the final riprap slope.

It should be remembered that the adjacent, unprotected sea bluff to the south will most likely continue to retreat at an average rate of nearly one foot per year. For this reason, we recommend the base of the riprap embankment at the southern end should be extended past the last piling and curved only slightly to meet the existing sea bluff at a relatively small angle (not at a right angle). This will provide some protection from undermining the end of the riprap and minimize concentrated wave erosion of the sea bluff just beyond the end of the riprap.

CLOSURE

The recommendations contained in this report are based on our understanding of the proposed improvement project as described herein, in accordance with current geotechnical standards of practice. No other warranty, expressed or implied, is intended, nor should be inferred from the conclusions, opinions, or recommendations contained in this report.

The recommendations contained in this report are also based upon soil conditions interpreted from a review of published geology literature and maps and from visual observations at the site. It is not uncommon for unanticipated or varying soil conditions to be encountered during construction. The recommendations presented in this report are therefore contingent upon Bay Area Geotechnical Group being retained to perform geotechnical observation of pertinent aspects of construction, including excavation and exposure of the existing pilings and base of the existing riprap, and placement of new riprap. These services would confirm that construction is performed in accordance with our recommendations, and that conditions encountered during construction are as anticipated. If unanticipated conditions are encountered, our presence on the site would allow prompt revisions to our recommendations to be made if warranted.

Exhibit 4
(6 of 8)



Soil conditions and standards of practice change with time; therefore, we should be consulted to update this report if construction does not commence within 18 months of the date of this report. In addition, the recommendations contained in this report are intended for only the project as described herein. Our recommendations should not be used for any other purpose, nor for the same purpose on any other site, unless they are reviewed and approved in writing by this office.

We appreciate the opportunity to provide geotechnical engineering services during this phase of the project, and look forward to being of continued service during the proposed remediation project. Please do not hesitate to contact our office if you have any questions regarding this report.

Plate 1, Generalized Riprap Cross Section, is attached and completes this report.



Very truly yours,

BAY AREA GEOTECHNICAL GROUP

Jason Van Zwol
JASON VAN ZWOL
Geotechnical Engineer

JVZ/

cc: Joe Bennie, L.L.S.

References:

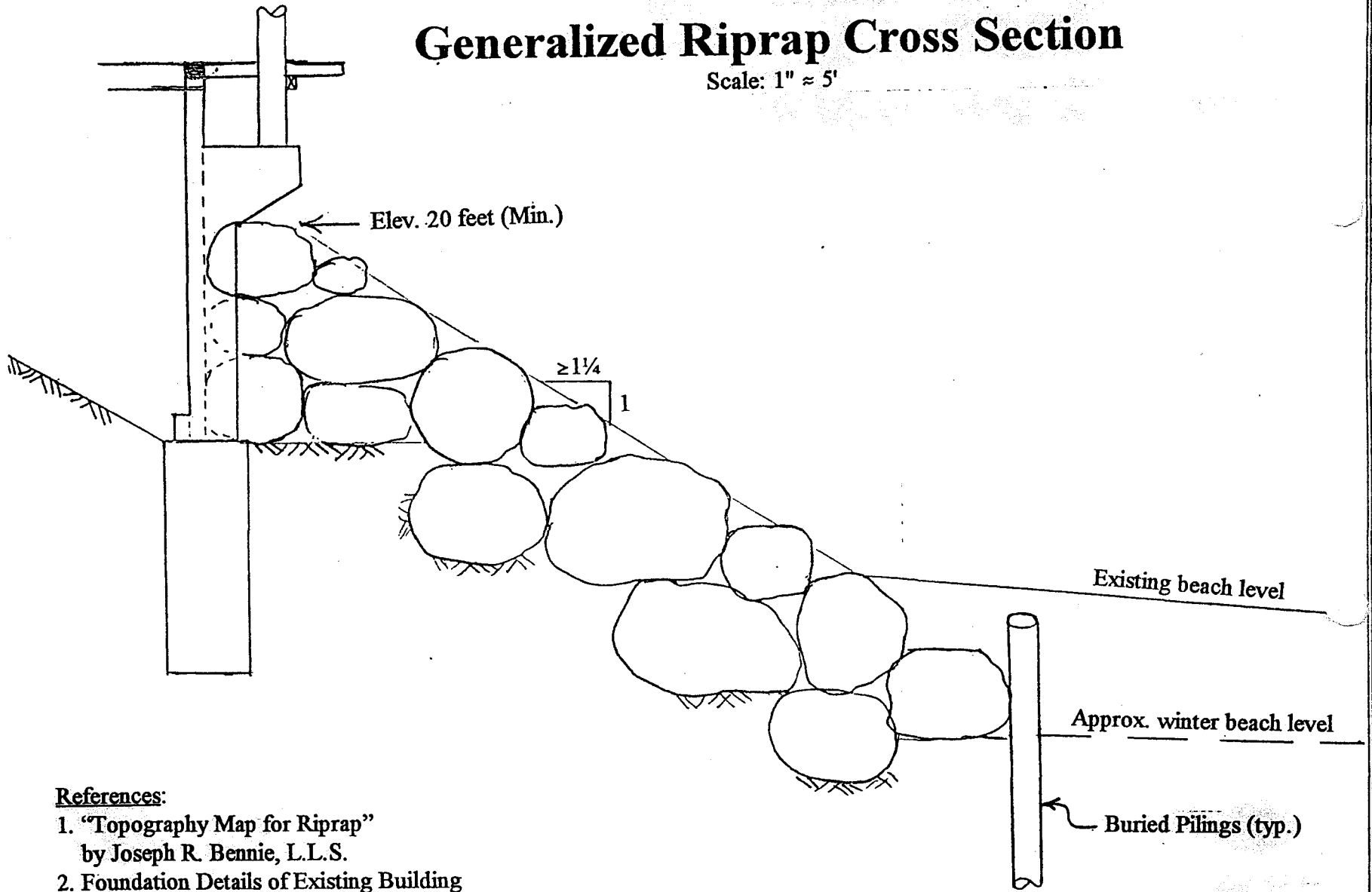
1. "Topography Map for Riprap, For a Portion of Parcel 2 (112 RSM 47 & 48), Records of San Mateo County, CA, APN 048-051-090" by Joseph R. Bennie, May 1996, W.O. 18-96
2. "Preliminary Geologic Map of San Mateo County" by E.E. Brabb and E.H. Pampeyan, 1972.
3. "San Mateo County Geotechnical Hazard Synthesis Map" by Leighton & Associates, 1976.

Exhibit 4
(7 of 8)



Generalized Riprap Cross Section

Scale: 1" = 5'



References:

1. "Topography Map for Riprap"
by Joseph R. Bennie, L.L.S.
2. Foundation Details of Existing Building
provided by Client

(8/95)

Revetment Construction Plan

Exhibit 4

(8 of 8)





BAY AREA GEOTECHNICAL GROUP

Consulting Geotechnical Engineers and Engineering Geologists

October 14, 1997
BAGG Job No. 523-A

Joseph R. Bennie
PO Box 383
Half Moon Bay, CA 94019

Re: Repair of Existing Riprap Shore Protection
At 2 Mirada Road, Half Moon Bay

Dear Joe:

We have received a copy of the letter, dated May 7, 1997, from the California Coastal Commission outlining additional information they will require before filing your permit application (CDP 1-97-022-A1). This letter provides a response to two of the items, Nos. 5 and 6, in that letter.

5. Use of Existing Broken Concrete

On Thursday, October 9, 1997, we went to the site to observe the type of concrete "rubble" in question, and ascertain its general condition. The pieces of concrete in question appear to have been dumped, or placed, in their present location, as they are in a concave portion of the beach bluff, a short distance south of the repair area. The concrete consists of ten regularly-shaped blocks approximately 2 ft. by 2 ft. by 4 ft. long, with exposed steel loops for lifting and interlockable keys for stacking, and appear to have originally been cast as deadmen or counterbalance weights. The blocks of concrete are in fairly good condition with minor to moderate rounding of the cast corners.

As this concrete is still in fairly good shape, will not present an unacceptably large ratio of flat surface area to mass (such as broken up floor slabs), and will compose a relatively small percentage of the total riprap required, it is our opinion these blocks of concrete can be used as part of the riprap repair. Our recommendations for use of "rough, angular, and durable rocks having a unit weight of 165 pounds per cubic foot or more" was intended as a general guide for the quality of material to be imported to the site. To compensate for the lower specific gravity (150 pcf as opposed to 165 pcf) the concrete blocks could be buried at the base of the riprap, immediately in front of the keyway pilings. Our observations at the site indicate this has already been successfully implemented immediately adjacent to the bridge over Arroyo de En Medio to the north of the condominium building.

6. Proposed Maintenance Over Time of Riprap

We understand the existing riprap was originally placed in January of 1977, and in 1988 the riprap was extended northward from the condominium building to the bridge at Arroyo de En Medio. Thus, the existing riprap in front of the building has been untouched since originally placed some 20 years ago. Based on this history, it is reasonable to assume that a more frequent maintenance schedule, such as half that time span, would have the added benefit of maintaining a higher level of continual protection, and would result in more "repositioning" and less "replenishment" of the revetment rocks. It is therefore our opinion that the owners should anticipate performing a more moderate level of maintenance and repairs (compared to that required at this time) at intervals on the order of every 10 years or so. Obviously, very large storms (or the lack thereof) could completely overrule this anticipated "average" maintenance frequency. As suggested in the Coastal Commission's letter, such work is expected to consist mostly of repositioning individual rocks that become dislodged, but may also include some riprap replenishment as some of the rocks become buried deeper in the beach sand and others weather and erode away.

We trust this letter provides the information you require at this time. Please do not hesitate to contact our office if you have any questions regarding this matter, or if we can be of any further assistance.

Sincerely,

BAY AREA GEOTECHNICAL GROUP



Jason Van Zwol
Jason Van Zwol,
Geotechnical Engineer

2 copies submitted.
cc: Bill Thomas

Exhibit 5
(2 of 2)



CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260



EMERGENCY PERMIT

William Thomas
963 Terminal Way
San Carlos, CA 94070

Date: November 4, 1997
Emergency Permit No. 1-97-069-G

LOCATION OF EMERGENCY WORK:

2 Mirada Rd, Half Moon Bay (San Mateo County)

WORK PROPOSED:

Repair a 20-year old riprap shore protective works, by placing approximately 200 tons of imported rock riprap and approximately 10 concrete blocks already on site.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information and our site inspection that an unexpected occurrence in the form of the erosion and collapse of portions of the existing rock revetment in combination with anticipated seasonal high tides threatening the foundation of a 3-story condominium structure partially located on a beach, requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director of the Coastal Commission hereby finds that:

- a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit;
- b) Public comment on the proposed emergency action has been reviewed if time allows;
- c) As conditioned, the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the conditions listed on the attached page.

Sincerely,

PETER M. DOUGLAS
Executive Director

Robert S. Merrell
ROBERT S. MERRELL FCR

BILL VAN BECKUM
Coastal Planner

Exhibit 6 - Emergency Permit
(1 of 3) 1-97-069-G

Emergency Permit Number: 1-97-069-G
Date: November 4, 1997
Page 2 of 3

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PROPERTY OWNER and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 60 days of the date of this permit (i.e. by January 4, 1998).
4. Within 60 days of the date of this permit (i.e., by December 29, 1997), the permittee shall complete Coastal Development Permit Amendment Request No. 1-97-22-A1 to have the emergency work be considered permanent. If the application is not completed, the emergency work shall be removed in its entirety within 150 days of the date of this permit, unless this requirement is waived in writing by the Executive Director.
5. In exercising this permit, the applicant 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 permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies (i.e. Dept. of Fish & Game, Dept. of Parks & Recreation, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, State Lands Commission.)
7. Only clean, large rock shall be used. No fill materials or construction spoils shall be used. Applicant shall promptly remove without the aid of heavy machinery any rock that becomes dislodged and deposited on the beach.
8. OTHER

Exhibit 6
(2 of 3)

Emergency Permit Number: 1-97-069-G
Date: November 4, 1997
Page 3 of 3

- A. The rock to be used in the riprap repair/replenishment project shall be of the same kind and appearance as the rock that was used in constructing the existing protective works.
- B. Except for the approximately 10 concrete blocks already on site (+/- cu. ft. each), no other concrete shall be used in the project. These +/- concrete blocks shall be positioned as recommended by the projects geotechnical engineer (letter of Jason Van Zwol, Geotechnical Engineer, Bay Area Geotechnical Group, 10/14/97).
- C. The riprap repair/replenishment project shall be constructed in accordance with the recommendations of the projects geotechnical engineer (letter of Jason Van Zwol, 6/21/96), and shall be located within the project boundaries depicted on the plan sheet entitled "Topographic Map for Riprap", for Bill Thomas (prepare by Joseph R. Bennie, licensed land surveyor, May 1996).
- D. All riprap materials of the existing protective works that have migrated away from its toe shall either be re-incorporated into the repaired protective works from the property, or removed the beach.
- E. In addition to meeting the erosion control objectives of the project, any riprap materials that are incorporated into an engineered toe of the repaired protective works shall be sited and designed to resist movement by storm waves and to allow for continued lateral public access along the beach.

Exhibit 6
(3 of 3)

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260



January 29, 1998

William Thomas
963 Terminal Way
San Carlos, CA 94070

SUBJECT: Coastal Development Permit Amendment Request No. 1-97-022-A1:
Repair of Existing Riprap Shore Protection at 2 Mirada Road,
Half Moon Bay

Dear Mr. Thomas:

The emergency permit that was authorized by the Commission on November 4, 1997, for repairing a 20-year old riprap shore protective works at the above-noted location, included Condition No. 4 that required that the application for Permit Amendment Request No. 1-97-22-A1 be completed by December 29, 1997. The permit amendment, to Coastal Development Permit (CDP) No. 3-83-351 (subdivision and construction of a 10-unit townhouse complex), would authorize the emergency work as permanent. At the end of December you phoned me for clarifications concerning what materials were needed to make the application complete. Although I was able to answer some of your questions over the phone, I have not provided you a written response until now. Because of my delay, we are waiving the December 29, 1997 deadline, as also provided by Condition No. 4, and extending the deadline to March 30, 1998.

To complete the permit amendment application, additional information is needed regarding the beach access stairs that your representative, Mr. Joseph R. Bennie, described in his October 16, 1997 letter to Mr. Robert S. Merrill at this office. In his letter Mr. Bennie indicated that an agreement had been reached between you and Mr. Ron Schafer, State Department of Parks and Recreation, wherein you "would give the Park Dept. the necessary funds and the Park Dept. would construct the stairs in question at a site of their choosing, next year."

Mr. Bennie's letter was a response to our letter of May 7, 1997 which listed the additional materials needed before we could file the permit amendment request, which had been submitted on April 7, 1997 without any reference in the project description to the inclusion of stairs.

As noted in our May 7 letter to Mr. Bennie, Special Condition No. 1 of the original permit (CDP No. 3-83-351, January 1984) required, among other things, the dedication and construction of a vertical public access way from Mirada Road to the beach. Because the vertical access way was never built as originally envisioned, we pointed out in our letter that by incorporating a stairway proposal into the current amendment request, a long-standing problem of non-compliance with the original permit's access condition could be

Exhibit 7
(1 of 2)

William Thomas
January 29, 1998
Page #2

resolved. We have previously discussed the possibility of relocating the vertical access way from the north end of your property, as shown on Exhibit C of the original permit, to some location within the state park property to the south, where it could be provided more safely and feasibly.

Although Mr. Bennie's October 16 letter satisfactorily provided the requested additional information regarding the April 7 application's project description, now that the stairs are part of the application, the additional materials that are needed for filing relate only to the stairway proposal, and are as follows:

1. Evidence of an agreement between you and State Parks wherein you commit to funding the design and construction of vertical access stairs to the State Parks beach property that is adjacent to your property.
2. Design plans for the stairway and a site plan showing its proposed location. The plans must conform to the requirement of the original permit's Special Condition No. 1 that "standards for access size and improvements shall at a minimum be consistent with the criteria developed by State Parks and Recreation."

If you have any questions, please do not hesitate to call me.

Sincerely,



BILL VAN BECKUM
Coastal Planner

cc: Amy French, City of Half Moon Bay
Ronald P. Schafer, CA Dept. of Parks and Recreation
Joseph R. Bennie

9823p

Exhibit 7
(2 of 2)

DEPARTMENT OF PARKS AND RECREATION

Bay Area District
250 Executive Park Blvd. Suite 4900
San Francisco, CA 94134
(415) 330-6300



September 1, 1999

Mr. Bill Van Beckum
California Coastal Commission
North Coast Area
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

RECEIVED
SEP 03 1999

CALIFORNIA
COASTAL COMMISSION

Re: Stairway at Half Moon Bay State Beach.

Dear Mr. Van Beckum,

The California Coastal Commission issued a special condition to Coastal Development Permit (CDP) #3-83-351. This condition required the permittee, Mr. Bill Thomas, to construct a vertical access way from Mirada Road generally along the course of Mirada Road to the beach. An amendment to the original CDP (#1-97-022-A1), restated the requirement to construct vertical access.

The State of California Department of Parks and Recreation (California State Parks) Met with permit applicant Mr. Bill Thomas. As a condition of his Coastal Commission permit, Mr. Thomas was to replace a set of beach access stairs. The permit read that he could work with California State Parks to find a suitable location for these stairs.

California State Parks selected a location on State Park property approximately 200 feet south of the project, Mr. Thomas' home (Please see attached map). This site was selected because it was already being used as a beach access, was a logical beach access, and the rock stairs would help curtail a growing erosion problem. We agreed that Mr. Thomas would pay a lump sum of (\$5,000) and that California State Parks would construct the stairs.

These stairs were constructed to standard specifications, which have been used successfully by California State Parks in other similar circumstances. The design was recommended by State Park Engineer, Thomas Carver. The California Conservation Corps constructed the stairs.

Exhibit 8
(1 of 6)

Mr. Bill Van Beckum

September 1, 1999

Page Two

California State Parks' Bay Area District will assume the responsibility to maintain this facility. The maintenance plan will involve regular inspections as well as back filling behind the individual steps. This maintenance plan will also include repair of damaged components of these stairs as needed.

Mr. Thomas has been very cooperative during this entire process and has fulfilled his obligation under the special condition of to Coastal Development Permit #3-83-351 and amendment CDP #1-97-022-A1, to construct a vertical access way from Mirada Road generally along the course of Mirada Road to the beach.

If you have any questions please feel free to ask me. (415) 330-6303.

Sincerely,



Ron P. Schafer
District Superintendent

Cc: Mr. Bill Thomas

Exhibit 8
(2 of 6)

RANCHO
CORRAL DE
TIERRA
(PALOMARES)

RANCHO

6 MAPS, 80

CORRAL
(VASQUEZ)

STATE

BROPHY'S
BEACH
5 MAPS, 58

Stairway
Location

Arroyo de en Mebio

126 DEEDS 36

3968 O.R. 161

ALAMEDA AVE.
ROSA
GUERRERO
SAN DIEGO
FORMERLY OCEAN BLVD.

MIRAMAR BEACH
B MAPS, 55
4 MAPS, 11

PROSELYT BLVD.
VARIABLE AVE.
WASHINGTON BLVD.
SHORE R.R.

CITY OF NAPLES
5 MAPS, 30

3744 O.R. 582

BOULEVARD AVE.
OCEAN BLVD.
OCEAN WALK

SURF BEACH HALF
6 LLS MAPS, 79
D MAPS, 28

4774
O.R.
551

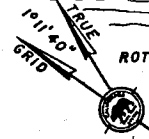
4931
O.R.
714-719

4256
O.R.
47

5346
O.R.
546

LANDS
OF
"DUNES"

MOON



SHEET 2

Pacific

COUNTY ENGINEER'S CERTIFICATE

This Map has been examined for conformance with
the requirements of the Land Surveyors Act this
26TH day of AUGUST, 1971.

INDEX TO SHEETS

Scale: 1" = 500'

BASIS
Rearin

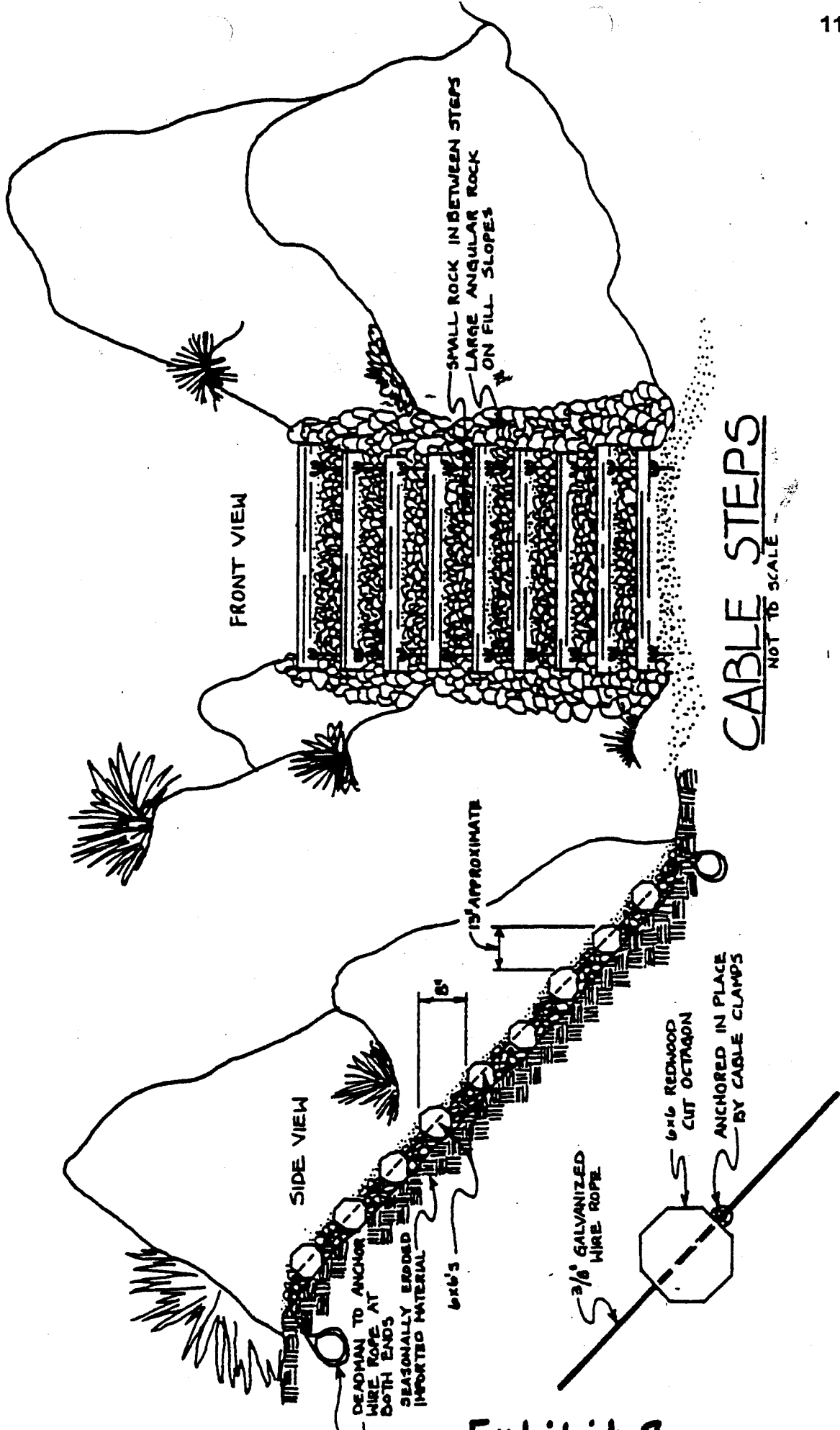
Exhibit 8
(3 of 6)



Photos of stairway Construction
Exhibit 8
(4 of 6)



Exhibit 8
(5 of 6)



CABLE STEPS

NOT TO SCALE

FRONT VIEW

SIDE VIEW

Figure 11.7

Exhibit 8
(b of b)