

CALIFORNIA COASTAL COMMISSION

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F13a

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COASTAL DEVELOPMENT PERMIT AMENDMENT APPLICATION

Application number3-97-039-A2, CalTrans- Highway One Rock Slope Protection

Applicant.....California Department of Transportation
c/o Cathy Stettler

Project location.....Shoreline adjacent to Highway 1 between post miles 63.9 and 65.9, near Piedras Blancas, San Luis Obispo County.

Project descriptionInterim placement of 769 linear feet (17,132 cubic yards) of rock revetment, varying between 12 and 20 feet in height, comprised of 4-8 ton boulders on face of eroding bluff and shoulder reconstruction with soil backfill at three locations within the project limits as authorized by Emergency Permits number 3-00-154-G and 3-01-004-G for up to ten-year period pending completion of permanent highway realignment. Requested authorization to place a total of 1,325 feet (13,636 cubic yards) of additional interim rock slope protection, varying between 10 and 24 feet in height, at areas adjacent locations pending completion of highway realignment.

Related approvals.....Army Corps permit number 200100299-TW; Monterey Bay National Marine Sanctuary Authorizations MBNMS-2000-051 and MBNMS-2001-006; RWQCB CWA Section 401 certification.

File documents.....CCC Coastal Development Permit Application files 3-97-039, 3-97-039-A1; San Luis Obispo County Permit D000321P

Staff recommendation ...Approval with Conditions

Staff Note: This proposed amendment does not involve any new placement of rock slope protection (RSP) along any portion of Highway One. This permit amendment is a timing requirement, conditioned through CDP 3-97-039-A1, authorizing interim use of RSP for one (1) additional five-year term. This amendment is the first of two allowable requests for extension under the previously issued permit CDP 3-97-039-A1.

Summary: California Department of Transportation (CalTrans) is requesting amendment of coastal development permit 3-97-039-A1. Coastal development permit 3-97-039-A1 authorized the interim placement of rock at certain locations along Highway 1 at Piedras Blancas for a five-year term, and



California Coastal Commission

July, 2002 Meeting in Huntington Beach

Staff: J. Bishop Approved by: *C.J.Z. 6/20/02*

applied to only that portion of the project seaward of San Luis Obispo County's coastal permit jurisdiction. The permit required CalTrans to remove all rock by August 15, 2002, but provided that CalTrans could seek permit extension for two (2) five-year terms pending completion of permanent highway realignment. This rock revetment was a temporary measure intended to protect Highway 1 pending completion of a planned permanent realignment; CalTrans is required to remove all rock slope protection at the latest by the end of August 15, 2012.

CDP 3-97-039-A2 is the first amendment request by the Applicant, allowing rock slope protection located below the mean high tide line to remain in place for an additional 5-year term. Denying the proposed amendment will require CalTrans to remove approximately 920 linear feet (20,000 cubic yards) of rock slope protection by August 15, of this year. Staff recommends approval of the proposed amendment subject to the same special conditions contained in the original permit, with the exception of Special Condition 4. Special Condition 4 has been modified to authorize the continued use of RSP for a maximum of one (1) additional, five-year term. In particular, staff recommends approval be conditioned to require removal of the rip rap by August 15, 2007 unless another extension is approved.

Staff recommends that the Commission approve the Coastal Development Permit Amendment, **subject to revised Special Condition 4**, and find that the project is in conformance with the Coastal Act.

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I. Staff Recommendation on CDP Application

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 following motion:

Motion. I move that the Commission approve the proposed amendment to Coastal Development Permit Number 3-97-039-A2 pursuant to the staff recommendation.

Staff Recommendation of Approval. Staff recommends a YES vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Approve a Coastal Development Permit Amendment. The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit amendment complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment; or (2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse effects of the amended development on the environment.

II. 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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **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.



5. **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

All conditions of coastal permit 3-97-039-A1 remain in effect, except for Special Condition 4. For clarity, Special Condition 4 of Permit 3-97-039-A1 is included, with revisions established by this amendment shown in underlined text.

Revised Special Conditions for Amended Permit 3-97-039-A2:

Permit Amendment to Authorize Continued Use of Rock Slope Protection. This permit as amended may be amended no more than ~~twice~~ once to authorize the continued use of the rock slope protection for a maximum of ~~two~~ one, five-year ~~terms~~ term beyond the expiration date of this permit (5/15/07). If the Permittee chooses to do this, then the Permittee shall submit a completed amendment application form with all the necessary supporting material no later than May 15 of the year in which the then current five-year term will expire, ~~i.e. May 15, 2002,~~ and May 15, 2007. Supporting material shall include the following: 1) an alternatives analysis. The alternatives analysis shall include all feasible measures to protect the highway while avoiding or minimizing encroachment onto the beach and tidal areas. Alternatives shall include, but not be limited to: realigning the roadway, maintaining the rock slope protection, removing rock slope protection, use of other shoreline protection methods; an avoidance alternative must be considered; 2) cumulative impact discussion for the area in the general vicinity (approximately one-half mile up and down coast of the current project area) where similar conditions exist or could reasonably be expected to occur. A new permit shall be required for any permanent protection.

III. Recommended Findings and Declarations

The Commission finds and declares as follows:

A. Project Background and History

Project Area

The project is located on the seaward side of Highway 1 near Piedras Blancas in northern San Luis Obispo County at three locations where severe erosion of the bluff threatens the highway. The three locations, known as "Rocks 1" (post mile 65.9), "Rocks 2" (post mile 65.4), and "Rocks 3" (postmile 63.9), are spread along a roughly three mile stretch of coastline. "Rocks 2" has been divided into four



Shoreline Erosion at Piedras Blancas

Erosion of the sandstone bedrock and marine terrace formations at this location in northern San Luis Obispo County is causing the steady retreat of shoreline within the project area. Comparisons of aerial photographs taken in 1957 and 1998 show a retreat of shoreline of as much as 150 feet in some areas over this period. Analysis of photographic evidence from 1957 to the present yields an average of 3.7 feet per year of bluff erosion. However, the rate of bluff erosion ranges widely from year to year. Also, the erosion rate varies widely at different points along the bluff due to a variety of external variables including angle to the surf, offshore and surf zone rock formations, and relative distance from the shore break. These variables make prediction of where, when, and to what extent bluff erosion will occur an inexact science. At several places within the project area, the shoreline has eroded to within less than five feet of Highway 1.

Previous Shoreline Protection Projects at Piedras Blancas

Following winter storms in December 1996, CalTrans placed some rock as an emergency measure at the base of the bluff at the location known as "Rocks 1" at postmile 65.9 to prevent closure of Highway 1. In January 1997, CalTrans obtained a permit from San Luis Obispo County (SLO CDP D960151P) authorizing the placement of the existing and additional rock. Subsequent evaluation determined that some rock had been placed seaward of the mean high tide line, within Coastal Commission original jurisdiction, and that additional rock protection would be required. CalTrans accordingly sought and obtained Coastal Commission permit authorization under Permit No. CDP 3-97-039 in August 1997 for the placement of existing and additional rock slope protection along a 150-foot stretch of shoreline at "Rocks 1."

Additional interim placement of a 769 linear foot rock revetment, comprised of 4-8 ton boulders, was placed under emergency permits (3-00-154-G and 3-01-004-G) during the winter season of 2000/2001 as a subsequent amendment to the original permit (CDP 3-97-039).

This area continues to erode. In October of 2001, CalTrans staff attended a meeting with Commission staff to discuss further RSP placement at specific areas that are rapidly encroaching on Highway One. Although the Commission approved these sights, CalTrans has elected only to place the rock if the State Highway and/or the traveling public are immediately threatened. To date, no further rock has been placed. This is due to the relatively mild winter season of 2001/2002.

B. Project Description

Emergency Rock Slope Protection In Place

As discussed, this amendment does not entail any additional placement of rock slope protection along Highway One. This amendment would simply allow the emergency rock slope protection to remain in place for an additional 5-year term, while CalTrans pursues a long-term solution to inevitable erosion problems in this region. If granted, the amendment will be subject to all of the same terms and



conditions of the permit 3-97-039-A1, including that the rock be removed by August 15, 2007, unless extension is sought and granted by the Commission.¹

Without the rock slope protection there is a substantial likelihood, given the proximity of the bluff edge and the historic rates of erosion, Highway 1 will be damaged in the near future, and certainly before the temporary detours and permanent realignment can be completed (see Alternatives discussion). The rock slope protection placed under emergency permits in 1997 and last winter was installed during storm events with ocean waves and spray hitting the Highway 1 road surface, with the bluff top less than five feet from the road bed. The rock slope protection is necessary to avoid the imminent danger of collapse and closure of Highway 1. As discussed in greater detail below, the rock slope protection represents the least damaging and only practical alternative until the temporary detours and permanent realignment is complete. As conditioned, the rock slope protection under this permit amendment is a temporary measure needed only until the long-term solution of the permanent realignment has been completed. The applicant must remove all rock by the expiration of the permit.

Temporary Detours

In two areas, temporary detours have been proposed as a way to avoid additional placement of rock slope protection in the future. According to information submitted by the applicant, the Initial Study for the proposed temporary detours, known as Rocks I and III, was completed and circulated on February 11, 2002. The public comment period ended on March 11, 2002. CalTrans anticipates that the CEQA document and the NEPA Categorical Exclusion will be finalized during the summer of 2002. Construction is expected to begin in late July-early August 2002. Construction is expected to take 90-days to complete.

At the area known as "Rocks 2," however, where much of the existing and proposed rockwork is located, a temporary detour is not feasible because of potential impacts to nearby Arroyo Del Oso and cultural resources in the immediate vicinity. Arroyo Del Oso is a seasonally wet area, which provides potential red-legged frog habitat. In addition, a site known to contain archaeological resources lies immediately inland of Highway 1 at Arroyo Del Oso. A temporary detour inland of the present alignment of Highway 1 would difficult to construct without disturbing these sensitive resources. As a result, because a temporary detour is not practically feasible at this location, rock placed at "Rocks 2" will in effect have to be left in place until completion of the permanent realignment.

Permanent Realignment

A long-term plan of permanent realignment is planned by CalTrans for the area from PM 63.0 to 66.8, and is presently in the preliminary study phase. CalTrans approved a Project Study Report (PSR) on August 16, 2001, which identified permanent realignment as the ultimate preferred alternative to protect the highway and allow for the removal of the existing rock from beach and tidal areas. The project is

¹ Notwithstanding Standard Condition #2 of the CDP 3-97-039-A1, maintaining Rock Slope Protection authorized by the permit amendment is subject to the original five year term and extension requirements for CDP 3-97-039-A1, which has been exercised.



awaiting funding allocation at which time preliminary engineering and environmental studies can begin. This can be seen as a clear demonstration that a permanent solution through highway realignment is being pursued by the Applicant. CalTrans does not yet have a schedule for completion, but it is unlikely that construction will begin before 2010.

C. Coastal Development Permit Determination

1. Shoreline Structures

Section 30235 of the California Coastal Act governs proposed shoreline structures in the coastal zone. It states, in relevant part:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required . . . 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.

Under this section, the Commission may approve a shoreline structure, such as the revetments which are the subject of the extension, when (1) it is necessary to protect an existing structure threatened by erosion and (2) it is designed to eliminate or mitigate adverse impacts on shoreline sand supply.

In this case, these criteria must be viewed in terms of maintaining the RSP that already exists, rather than evaluating the direct impacts of new rock being placed in the area.

Cumulative Impacts Discussion

The shoreline in this area continues to erode at a rapid rate. Historical data shows that this stretch of coastline was eroding long before any rock was placed. As mentioned in the permit application, "the RSP is nothing more than a brief hesitation in a coastal transgression that is occurring along several miles of coastal bluffs in the area". Over-time it is expected that the existing RSP would be "outflanked" and left behind as the bluffs continued to retreat landward towards Highway One.

Maintaining the existing RSP in place for an additional five-year term will have adverse impacts to this shoreline area over time. A slightly increased rate of erosion of the bluffs at either terminus of the revetment will occur. This would be true of any type of "hard" structure placed on the bluff face. To avoid these impacts, the revetment will need to be expanded until a competent terminus point that will not erode quickly is found, or until the revetment can be constructed far enough away from the eroding wave action that beach sand buffers the adjacent shoreline from heightened scouring and erosion. Due to the lack of a competent terminus point in the area for such a structure, neither of these actions appears likely. Geologic studies show that the landward migration of the bluffs will continue far beyond the present revetment location. Thus, the cumulative impact will be the ongoing expansion of the existing RSP through additional rock placement until a permanent realignment of the highway is complete.



Existing Structure at Risk

Roads such as Highway One are typically considered to be "structures" for purposes of section 30235. Erosion of the sandstone bedrock and marine terrace formations at this location in northern San Luis Obispo County is causing the steady retreat of shoreline within the project area. Comparisons of aerial photographs taken in 1957 and 1998 show a retreat of shoreline of as much as 150 feet in some areas over this period. Analysis of photographic evidence from 1957 to the present yields an average of 3.7 feet per year of bluff erosion. However, the rate of bluff erosion ranges widely from year to year. In recent years, large sections of bluff have eroded away in single storm events, underscoring the episodic and uncertain erosion along this section of coast. Also, the erosion rate varies widely at different points along the bluff due to a variety of external variables including angle to the surf, offshore and surf zone rock formations, and relative distance from the shore break. These variables make prediction of where, when, and to what extent bluff erosion will occur an inexact science. At several places within the project area, the shoreline has eroded to less than five feet of Highway 1, imminently threatening the integrity of the roadbed.

The project, which is the subject of this amendment, involves the retention of rock revetments intended to protect Highway 1 from damage due to erosion. As discussed, leaving the RSP in place will create heightened erosion at either end of the revetment. As a result, highway areas to the north and the south of the existing rock revetment may soon be imminently threatened by wave action. There is little question that sections of Highway One in this area where the RSP is located will continue to erode at a rapid rate if no RSP were in place. Sections of the highway in this area will clearly be at risk within the next 3-5 storm cycles, meeting the test of section 30235.

Feasible Alternatives

Under section 30235, the proposed revetment may be approved (or in this case remain in place) as the appropriate response to the erosion risk if "required" to protect an existing structure, i.e., when there is no feasible alternative. Contained in the most recent application for amendment, a number of alternatives exist which require discussion: (1) no revetment; (2) other "hard" shoreline protective measures; (3) maintaining existing RSP; and (4) highway realignment.

The "no revetment" or status quo alternative leaves unchecked the natural erosive processes which in time will inevitably undermine the present roadbed of Highway 1 within the project area. The only question is how long, within the near future, it will take for erosion to reach the highway. As discussed, although an average annual erosion rate in excess of three feet has been calculated for the Piedras Blancas shoreline, the erosion rate at particular locations varies widely. If no measures are taken, portions of Highway 1 could be lost during the next major storm event. The experience with emergency permitting of rock revetments in this area over the last few years indicates that erosion can occur very rapidly. The bluff top within the project area is close enough to the highway, and the rate of erosion variable enough, that imminent risk of damage to the highway exists in each of the locations identified by CalTrans. The staff geologist concurs that the areas in question are at risk for purposes of section 30235. As a result, the "no revetment" option is not a practical, feasible alternative.



A second set of alternatives includes a variety of "hard" structures. These include, concrete seawalls, crib walls, interlocking block or jacks, and concrete gabions. Many of these alternative shoreline protective measures are not feasible alternatives because they entail a host of regulatory constraints, and more importantly would be ineffective solutions due to the aggressive nature of shoreline erosion in the region. Crib walls are not effective in this type of setting because there is too much possibility of the inner fill for the cribs to be lost through wave hydraulics. Gabions were considered but rejected because it is doubtful that the baskets could withstand the intense wave impact and abrasion. There was also concern that sharp wire ends on gabion baskets might injure marine animals and birds. The inflexible nature of concrete structures, the probability of actually accelerating erosion on either side of the structure, and the difficulty of removing such "hard" structures from the beach make all of the shoreline protection methods offered poor alternatives.

Maintaining the existing revetment is a third alternative. Rock Slope Protection (RSP) is flexible, can be supplemented or rearranged, absorbs a great amount of force, and can be placed by crane, eliminating the need to encroach onto sensitive beach and intertidal areas. RSP contains no organic or inorganic pollutants, can be constructed in harsh conditions, and does provide some shelter between the rocks. Most importantly, it can be removed leaving virtually no trace of it having been there.² As an interim measure, maintaining the existing RSP in place remains a satisfactory Highway protection measure.

Finally, highway realignment inland, represents the only acceptable long-term alternative. CalTrans is already in the early planning stage for permanent highway realignment from PM 63.0 to PM 66.8. When completed, this alternative will obviate the need for rock revetments in this area to protect the highway. However, because of the numerous legal, environmental and engineering issues presented by realignment, the planning process will take as many as ten years to complete. As a result, it is critical that CalTrans remain diligent in their pursuit of a permanent realignment of Highway One. In the interim, CalTrans is also planning a temporary detour, or minor realignment inland, of Highway One at the locations known as "Rocks 1" and "Rocks 3." Due to the significant impacts to wetlands and archaeological sites, no interim detour is proposed at "Rocks 2," adjacent to Arroyo Del Oso. With respect to at least "Rocks 2," therefore, the present alignment of Highway 1 must remain functional until the permanent realignment is complete. Given the uncertain length of time required to complete both the detours and the realignment, the "realignment" alternative is not adequate at this time to protect Highway One and insure continued public access along this stretch of coastline.

Mitigation of Impacts to Sand Supply

Under Section 30235, any proposed shoreline structure must be designed to eliminate or mitigate adverse impacts to shoreline sand supply. Shoreline armoring measures, including rock revetments, lead to adverse impacts to local sand supply by preventing sand replenishment from bluff erosion and accelerating erosion of sand beaches. Rock revetments can also trap sand in voids between rocks and block littoral drift. The project as proposed includes a number of conditions to lessen these impacts.

² This is evidenced in a recent Commission action that required the removal of rock rip-rap in Shell Beach, also in SLO County. The removal of rocks at this location left no visible traces of impacts to the bluff and beach area.



First and foremost, the rock revetments are temporary. The amended permit would be subject to the same terms and conditions as the existing permit, under which CalTrans is required to remove all rock at the expiration of the permit. The amendment, if approved, will expire on August 15, 2007, unless an extension is sought and granted by the Commission. The amendment allows for a maximum of one (1) additional five-year extension. Thus any adverse impacts will be limited to the time that the rock is in place. Second, Special Condition 1 requires that rock revetments be built at a maximum 1.5:1 horizontal to vertical slope. As a result, wave action against the revetment, which results in erosion of beach sand and impacts on littoral drift, is also minimized. CalTrans surveys also showed that all rock placed in fact had a slope less (steeper) than 1.5:1. Finally, rock slope protection tends to absorb more energy than alternative structures such as seawalls, thereby decreasing erosion relatively where water does come in contact with the revetments.

The Commission finds that retaining the existing rock slope protection is required to protect an existing structure, Highway 1, pending the completion of the permanent realignment of the highway at this location and that no feasible alternative exists at this time. The Commission further finds that the project is designed to mitigate adverse impacts to sand supply in conformance with the requirements of Section 30235 of the Coastal Act, and that allowing the temporary RSP to remain in place for an additional five years will not result in significant environmental impacts.

2. Public Access and Recreation

Coastal Act Section 30210 states:

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.

Coastal Act Section 30211 states:

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.

Coastal Act Section 30214 states in relevant part:

(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.

Public access in the project area is somewhat difficult due to the natural topography of the area. For the length of the project area, a steep, sandstone bluff averaging approximately 20 feet in height limits easy vertical access to the beach from Highway 1. Informal access to the beach exists at the mouth Arroyo de la Cruz north of "Rocks #1," but no stairways exist leading from bluff top to beach. In addition, a fence runs along the shoulder of Highway 1 for much of the length of the project area, limiting access to the bluff top. Narrow gravel and sand beaches run sporadically for most of the length of the project area below the bluffs. Although the ocean reaches the bluffs at many points at high tide, rendering the beaches impassable at these times, there is lateral access along the rocky shoreline at lower tides. The land seaward of Highway 1 in the project area is part of Hearst Ranch belonging to the Hearst Corporation. The nearest formal access point is approximately three miles south of the project area.

The emergency rock placed during the winter season of 2001/2002 extends onto the beach between 14.8 and 24.7 feet. Because of this variation, exact area of beach coverage is difficult to calculate. As summarized, the total area of beach covered by rock revetment is significant – approximately 1 acre of shoreline. Because of the area of beach covered, the revetments inevitably impact lateral access along the beach. As noted, the steep bluff top along the length of the project area obstructs access to the beach from Highway 1. The rock revetment will not affect access along the bluff top.

Maintaining RSP for an Additional 5-year Term

In terms of the amendments' impacts to public access, approximately 1 acre of sandy, cobbly beach would be covered by rock slope protection for five additional years. This amendment will create an additional five-year period for which access impacts are not entirely mitigated. The primary problem with the placement of rocks on the beach is not the blockage of lateral access (except at higher tides), rather, the rock would cover approximately 1 acre of existing usable beach, which could be increased should the rocks be displaced by wave action, or if more rock is permitted to be placed in the area. CalTrans has reported "hotspots" in the vicinity that may warrant additional rock to be placed. However, as mentioned previously, the rock revetments are an interim solution to protect Highway 1 pending the completion of the permanent realignment.

As is the case throughout the state, Highway 1 represents the main route for public access to and along the coast in northern San Luis Obispo County from Morro Bay to the gateway to Big Sur. Impacts to lateral access along the beach north of Piedras Blancas as the result of retaining the rock slope protection must be weighed against significant loss of coastal access as a result of damage to and closure of Highway 1. Experience over the last four storm seasons has shown that in the absence of adequate shore



armoring measures at key points in this area where bluff retreat is greatest, damage to Highway 1 during large storm events is virtually certain to occur. Maintaining the rock revetments installed by CalTrans represent the best alternative for the protection of Highway 1 in the near term for which no viable alternative exists.

It is also important to note that the beach area beyond the seaward toe of the revetment has stabilized some distance in front of the RSP, maintaining a wide beach profile through the summer/ autumn months and a steady presence through this past winter's storm cycle. Thus, the cumulative impacts of maintaining the existing RSP for an additional five years may not be as severe as originally perceived. This of course depends on the frequency and intensity of storms, the coincidence of high rainfall events, and high tide cycles occurring at the same time as intense storm events.

Overall, within the context of the paramount importance of Highway One for coastal access, the temporary impacts to lateral access along the beach from maintaining rock revetments, to protect Highway One, meet the critical objectives of Coastal Act section 30210.

Permit conditions require that all rock must be removed at the expiration of the permit term, and the permit can be extended for a maximum of one (1), five-year term. For this reason, any impacts to access from the presence of the rock are temporary, limited to the time that the rock remains in place. The Commission finds that the proposed time extension, as conditioned, will protect public access in conformance with the requirements of Section 30210 of the Coastal Act and that any impacts to beach access from maintaining the revetments are outweighed by need to protect public access along Highway 1. In addition, the Commission finds that any impacts to coastal access from maintaining the revetments in-place are temporary.

3. California Environmental Quality Act (CEQA)

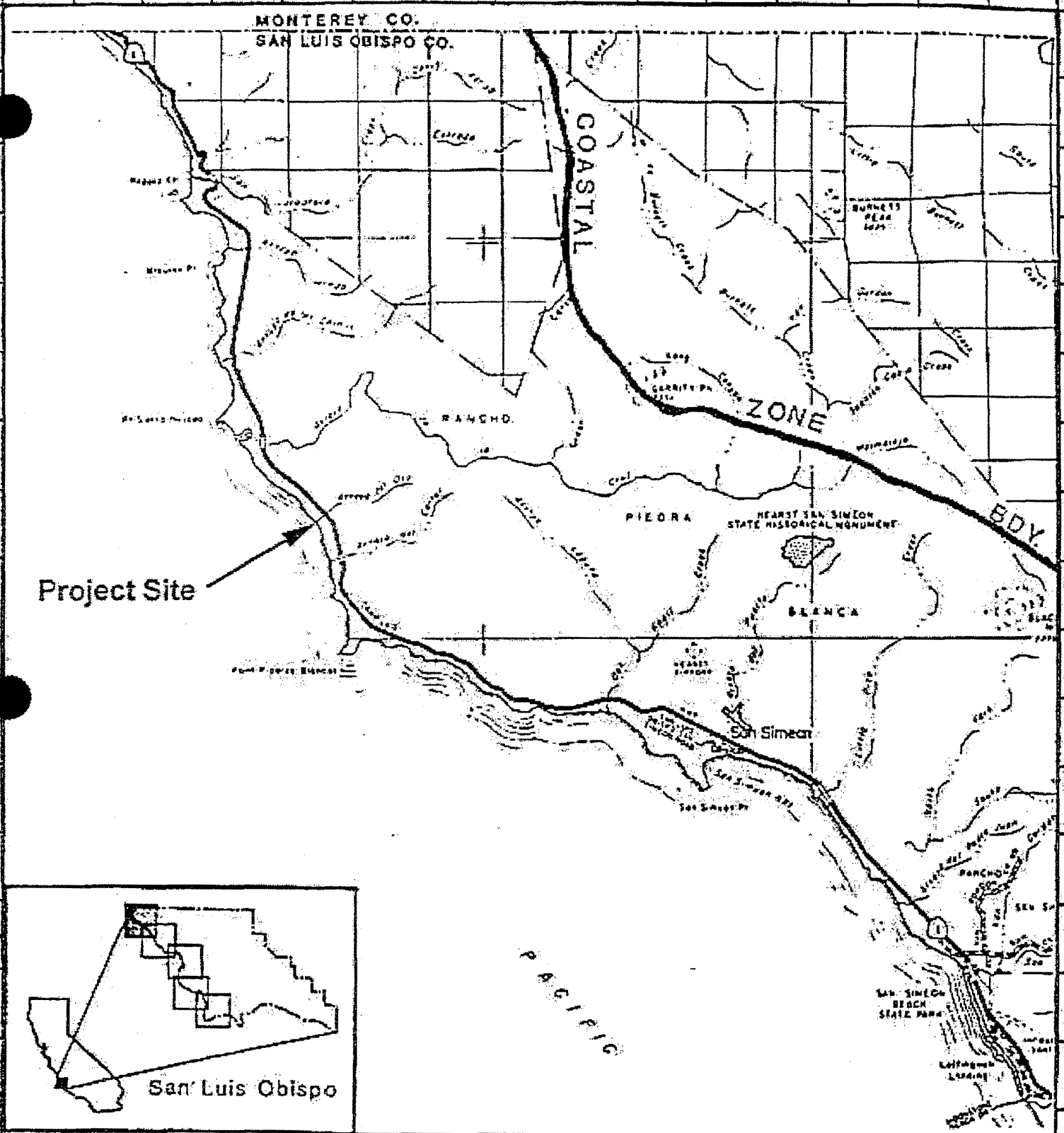
Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development 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.

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. This staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate mitigations to address adverse impacts to said resources. Accordingly, the project is being approved subject to conditions, which implement the mitigating actions required of the Applicant (see Special Conditions). 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; that there are no feasible alternatives that would significantly reduce any potential adverse effects; and, accordingly, the proposal, as conditioned, is in conformance with CEQA requirements.

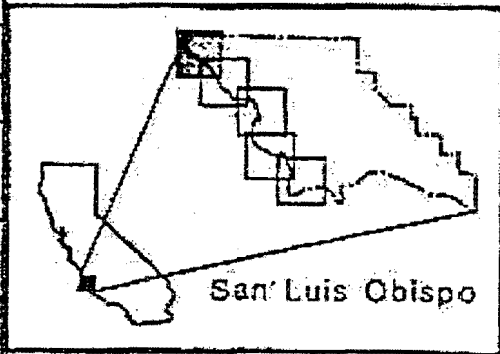


A B C D E F G H I J K L M N O

MONTEREY CO.
SAN LUIS OBISPO CO.



Project Site



San Luis Obispo

PACIFIC



LOCATION MAP



● County of San Luis Obispo

EXHIBIT NO. A
APPLICATION NO. 3-97-039-AZ
Location Maps
Lot 2

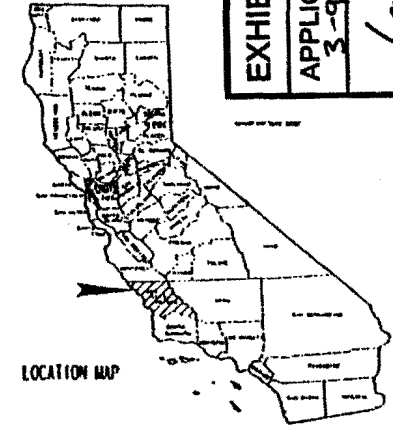
INDEX OF SHEETS

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 PROJECT PLANS FOR CONSTRUCTION ON
 STATE HIGHWAY

IN SAN LUIS OBISPO COUNTY
 NEAR SAN SIMEON AT
 0.8 MILES (0.9 km) NORTH OF ARROYO
 DEL CORRAL BRIDGE NO. 49-56

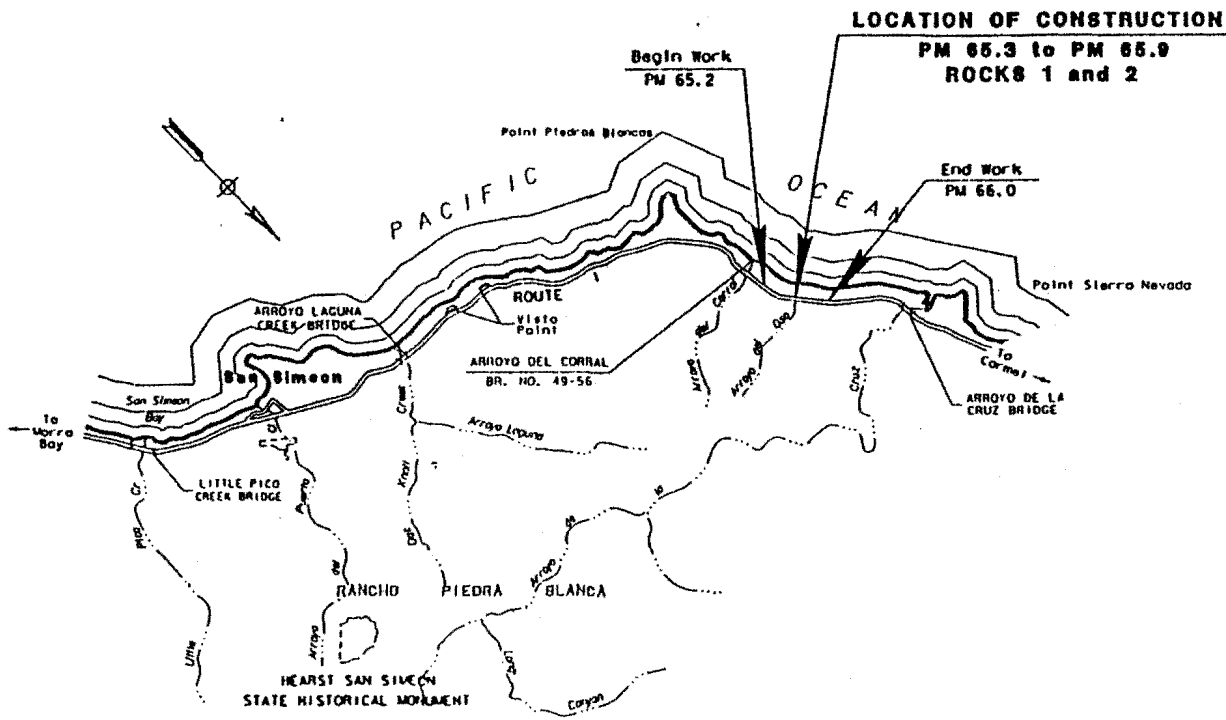
To be supplemented by Standard Plans dated July, 1997

DIST	COUNTY	ROUTE	6
05	SLO	1	6



The State of California or its officers or agents shall not be responsible for the accuracy or completeness of construction details of this plan sheet.

EXHIBIT NO. A
 APPLICATION NO.
 3-97-039-A2
 Location Maps
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NO SCALE

The Contractor shall possess the Class for classes of license as specified in the "Notice to Contractors".

Project Engineer Date
 Registered (P.E.) Engineer



Plans Approval Date

Contract No. 05-469404

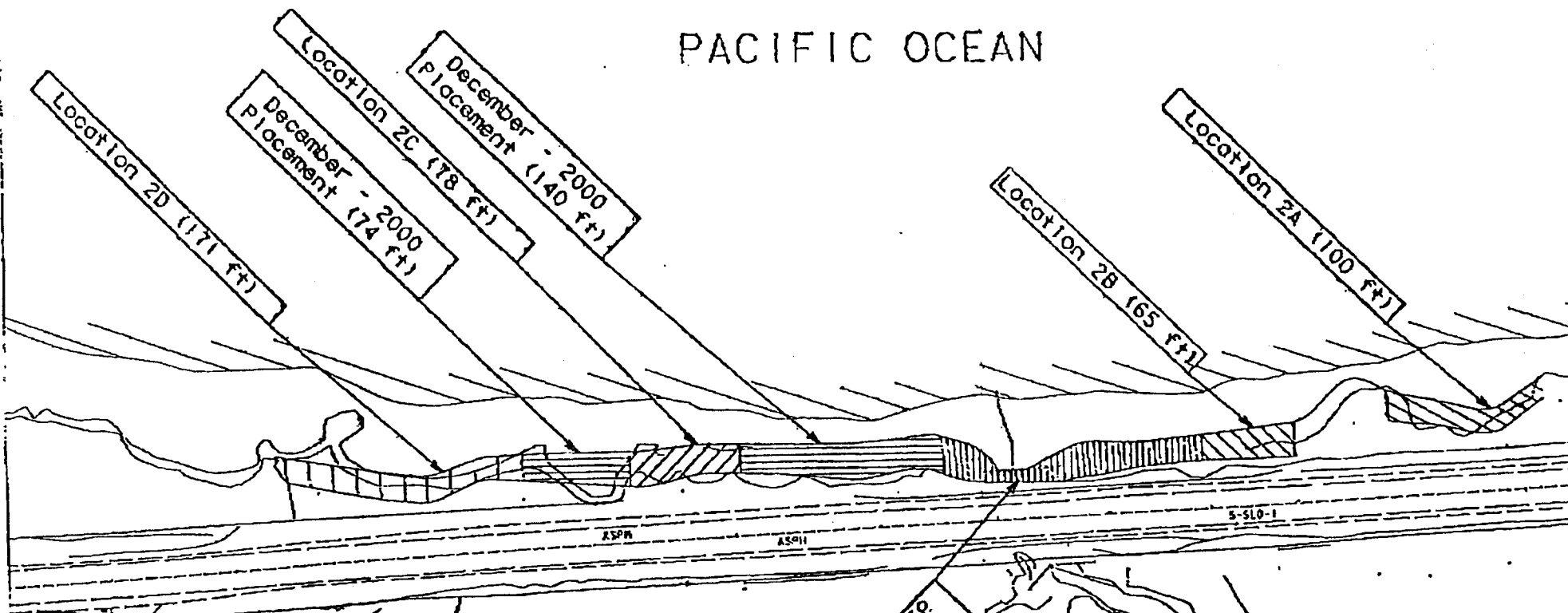
FOR REDUCED PLANS ORIGINAL
 SCALE IS IN MILLIMETERS

USERNAME -> 00000000000000000000
 DGN FILE -> 00000000000000000000

CU 05601

EA 469401

PACIFIC OCEAN



Previously Permitted RSP
(114 ft) (177 ft) 8661 ul Dec 01
placced

EXHIBIT NO. B
APPLICATION NO. AZ 3-97-034-AZ
Existing RSP 1071

EMERGENCY PERMIT ROCK SLOPE PROTECTION: Placed pursuant to emergency permits in December, 2000 and January / February, 2001.

from the approved plans must be reviewed and approved by 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.

3.2 Special Conditions

1. **Revised Plans.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, permittee shall submit to the Executive Director for review and approval two copies of revised plans showing that the rock slope protection will have a maximum slope of 1.5:1.
2. **Other Approvals.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, permittee shall submit a letter of approval or other documentation from the State Lands Commission, Army Corps of Engineers and the Monterey Bay National Marine Sanctuary showing that the project has been approved by those agencies, or that no approval is necessary. This permit applies only to that portion of the project seaward of San Luis Obispo County's coastal permit jurisdiction; Caltrans must accordingly seek a separate coastal development permit or amendment from the County of San Luis Obispo for that portion of the project within the County's LCP jurisdiction.
3. **Approved Development.** This permit amendment is for the interim installation of rock slope protection in the manner and form described in the original application materials for 3-97-039 and this amendment, and the findings contained herein. The rock placed pursuant to this permit amendment shall not exceed the total volume and length specified in Caltrans' permit amendment application and Exhibits 2 and 3 hereto, specifically, 150 feet (4,533 cubic yards) at "Rocks 1," 1,544 feet (19,835 cubic yards) at the area known as "Rocks 2," and at two locations in the area known as "Rocks 3" of 200 feet (3,200 cubic yards) each. This permit is valid from the date of issuance through August 15, 2002. Unless extended by amendment as provided in Special Condition 4, this permit shall expire, and permittee shall remove all rock slope protection from the site and return it to pre-construction conditions, by August 15, 2002.
4. **Permit Amendment to Authorize Continued Use of Rock Slope Protection.** This permit may be amended no more than twice to authorize the continued use of the rock slope protection for a maximum of two, five-year terms beyond the initial expiration date of this permit. If the permittee chooses to do this, then the permittee shall submit a completed amendment application form with all the necessary supporting material no later than May 15 of the year in which the then current five-year term will expire, i.e. May 15, 2002, and May 15, 2007. Supporting material shall include the following: 1) an alternatives analysis. The

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Original Conditions
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alternatives analysis shall include all feasible measures to protect the highway while avoiding or minimizing encroachment onto the beach and tidal areas. Alternatives shall include, but not be limited to: realigning the roadway, maintaining the rock slope protection, removing rock slope protection, use of other shoreline protection methods; an avoidance alternative must be considered; 2) cumulative impact discussion for the area in the general vicinity (approximately one-half mile up and down coast of the current project area) where similar conditions exist or could reasonably be expected to occur. A new permit shall be required for any permanent protection.

5. **Incorporation of Local Government Conditions.** The conditions of San Luis Obispo County Coastal Development Permit No. D960151P, attached as Exhibit 4, shall be considered as conditions of this permit as well. Any changes in these conditions shall not be effective until: a) such change is submitted to the Executive Director for a determination of materiality; and b) if found to be material, it is approved in accordance with the requirements of the Commission permit amendment process.
6. **Maintenance.** Maintenance of the permitted shoreline protection device shall be the responsibility of the permittee. If, after inspection, it is apparent that repair or maintenance is necessary, the permittee shall contact the Commission office to determine whether additional permits are necessary.
7. **Excavation.** Keyway excavation and similar work that could potentially impact the marine environment shall be conducted only during the low tide portions of the daily tidal cycle.
8. **Work From Bluff Top.** The work shall be performed from the bluff top; operation of construction vehicles on the beach or intertidal areas is not authorized by this permit.
9. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicant on behalf of (1) themselves, (2) their agents and assignees and (3) any other holder of the possessory interest in the development authorized by this permit, acknowledges and agrees:
 1. that the project and site may be hazardous due to site conditions, including heavy surf;
 2. to waive unconditionally any and all claims of damage or liability against the Commission, its officers, agents, and employees for injury or damage arising from the project or resulting directly or indirectly from such hazards; and 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 fees and costs incurred in defense of such claims), expenses, and amount paid in settlement arising from any injury or damage arising from the project or due to such hazards.
10. **All Original Permit Conditions Applicable.** All work which is the subject of this amendment application is subject to all of the same conditions contained in the original permit number 3-97-039.

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