

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

www.coastal.ca.gov

W10

CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

For the

January Meeting of the California Coastal Commission

MEMORANDUM

Date: January 11, 2006

TO: Commissioners and Interested Parties
FROM: Charles Lester, Central Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the January 11, 2006 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

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

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

DE MINIMIS WAIVERS

3-05-068-W Gregory B. & Marian H. Salsbury (Oceano, San Luis Obispo County)

IMMATERIAL AMENDMENTS

3-01-016-A2 Moss Landing Harbor District, Attn: Linda McIntyre, General Manager (Moss Landing, Monterey County)

TOTAL OF 2 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-05-068-W Gregory B. & Marian H. Salsbury	Construct a single family residence.	345 Utah Avenue (corner of Utah & Laguna), Oceano (San Luis Obispo County)

REPORT OF IMMATERIAL AMENDMENTS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-01-016-A2 Moss Landing Harbor District, Attn: Linda McIntyre, General Manager	Install temporary rip-rap revetment between boat lanch and tidal steps instead of a vertical bulkhead, as allowed under 3-01-016 Condition 1a to address financial constraints associated with bulkhead construction. The temporary revetment is designed to be the minimum amount of rip rap necessary to provide adequate shoreline protection (i.e., will be limited to the area between 9.5 feet and 2 feet above mean low water and constructed at a 2:1 slope), will be covered with clean sand generated by dredging operations associated with the project, and shall be replaced with a vertical bulkhead or removed within 5 years from the date on which this amendment becomes effective. The Harbor District will annually monitor the temporary revetment and sand cover, and pursue an amendment to its long-term maintenance dredging permit to allow for subsequent sand placement if necessary to maintain a sand covering throughout the five year life of the revetment. Engineered fill will be used to maintain the slope on top of the revetment, which will be planted with native vegetation. The amendment also eliminates the previously approved northern guest dock and reduces the size of the permitted wharf from 15,000 square feet to approximately 10,000 square feet, with a commensurate reduction in pilings (from 175 to approximately 89 pilings), and removal of northern guest dock.	Hwy. 1 (near Jetty Road), Moss Landing (Monterey County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: December 29, 2005
TO: Gregory B. & Marian H. Salsbury
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 3-05-068-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Gregory B. & Marian H. Salsbury

LOCATION: 345 Utah Avenue (corner of Utah & Laguna), Oceano (San Luis Obispo County)
(APN(s) 061-071-034)

DESCRIPTION: Construct a single family residence.

RATIONALE: The project is single-family residential infill development. The project is designed to avoid significant impacts to coastal resources and public access to the shoreline. Biological studies show the project site does not contain sensitive habitat areas and coastal water quality is protected through the implementation of construction best management practices. The project will not inhibit the public's ability to access the shoreline and nearby recreation areas.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, January 11, 2006, in San Pedro. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: STEVE MONOWITZ
District Manager

CALIFORNIA COASTAL COMMISSION

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

**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director *by PM 12/27/05*
DATE: December 27, 2005
SUBJECT: **Permit Amendment Application No: 3-01-016-A2**
Granted to: Moss Landing Harbor District, Attn: Linda McIntyre, General Manager

ORIGINAL PROJECT DESCRIPTION:

Redevelopment of North Harbor area, including demolition of existing Maloney's Harbor Inn restaurant and other abandoned waterfront structures; installation of shoreline protection measures and new public access improvements including boat ramp, public automobile and boat trailer parking, public wharf, transient boat docks (with necessary dredging), tidal steps, shoreline access trail and bike trail across North Harbor area.

LOCATION: West of Hwy. 1 (near Jetty Road), Moss Landing (Monterey County)

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

Installation of temporary rip-rap instead of a vertical bulkhead between boat launch and tidal steps. The temporary revetment is the minimum amount of rip rap necessary to provide adequate shoreline protection (i.e., will be limited to the area between 9.5 feet and 2 feet above mean low water and constructed at a 2:1 slope), will be covered with clean sand generated by dredging operations associated with the project, and shall be replaced with a vertical bulkhead or removed within 5 years from the date on which this amendment becomes effective. The Harbor District will annually monitor the temporary revetment and sand cover, and pursue an amendment to its long-term dredging permit to allow for subsequent sand placement if necessary to maintain the sand cover throughout the life of the revetment. Engineered fill will be used to maintain the slope on top of the revetment, which will be planted with native vegetation. The amendment also eliminates the previously approved northern guest dock and reduces the size of the permitted wharf from 15,000 square feet to approximately 10,000 square feet, with a commensurate reduction in pilings (from 175 to approximately 89 pilings).

FINDING: Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

CDP 3-01-016 allows installation of a temporary revetment, via an amendment to the permit, while the Harbor District tries to secure funding for the permanent bulkhead approved by the permit. The area where the temporary revetment will be constructed does not contain environmentally sensitive habitat, but does include a sandy beach area used for access and recreation at low tides. The amendment minimizes access and recreation impacts to an insignificant level by limiting beach coverage through the use of the minimum amount of rip-rap necessary; covering the revetment with clean sand generated by permitted dredging operations; maintaining the sand cover over the life of the revetment; and removing the revetment within 5 years. Eliminating the north guest dock and reducing the size of the wharf will not diminish the overall access and recreation benefits associated with the project, which includes continuous lateral access along the shoreline.

If you have any questions about the proposal or wish to register an objection, please contact staff analyst Kelly Cuffe at the Central Coast District Office (831-427-4863).

CALIFORNIA COASTAL COMMISSION

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**Memorandum****January 10, 2006**

To: Commissioners and Interested Parties

From: Charles Lester, Deputy Director, Central Coast District

Re: **Additional Information for Commission Meeting Wednesday, January 11, 2006**

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
W13a, 3-04-77	Pismo Coast Village	Staff Report Addendum Correspondence	1 11
W13b, 3-05-59	Pletz	Correspondence	13
W13c, 3-05-60	Reinstedt	Correspondence	14

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

W13a

Prepared January 9, 2006 (for January 11, 2006 hearing)

To: Coastal Commissioners and Interested Persons

From: Steve Monowitz, District Manager *JM 1/10/05*
Jonathan Bishop, Coastal Program Analyst

Subject: STAFF REPORT ADDENDUM for W13a
Coastal Development Permit 3-04-077 (Pismo Coast Village RV Storage Facility)

As described in the December 22, 2005 staff report, Pismo Coast Village, Inc. proposes to construct a recreational vehicle storage facility consisting of approximately 3.8 acres of gravel surfacing and associated landscaping and perimeter fencing on a 4.7 acre property. Except for a narrow strip of land immediately adjacent to Fountain Avenue (ranging 10 to 40 feet wide and totaling approximately 0.5 acres), the entire 4.7-acre parcel is a wetland as defined by the Coastal Act.

Since the staff report was completed, the Applicant has had the opportunity to review the recommendation of denial and has offered a revised project that reduces the project footprint to 2.26 acres and includes 2.44 acres of wetland restoration (see attached). While Commission staff appreciates the Applicant's effort to respond to issues raised in the staff report, the revised project still includes development within wetlands inconsistent with Coastal Act Section 30233(a). Alternative uses are available that would significantly minimize wetland impacts in comparison to the revised project and accommodate a reasonable use of the site (see pgs. 9 through 11 of the staff report for a detailed discussion on project alternatives). Accordingly, staff continues to recommend that the Commission deny Coastal Development Permit application number 3-04-077.

Attachments:

- 1) Revised project description and site plan.
- 2) Wetland Habitat Quality Assessment, Revised Development Plan, and Conceptual Restoration Plan (Rincon Consultants, 12/29/05).



California Coastal Commission
January 2006 Meeting in Los Angeles

Staff: J. Bishop Approved by: *JM 1/10/05*
3-04-077 (Pismo Coast Village RV Storage) addendum 1.9.2006.doc

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W13a



PISMO COAST VILLAGE, INC.

165 South Dolliver • Pismo Beach, California 93449
805-773-5649 • FAX 805-773-1507

December 28, 2005

RECEIVED

DEC 29 2005

Mr. Jonathan Bishop
Coastal Program Analyst
Central Coast District
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Subject: Coastal Development Permit Application No.3-04-077 (Pismo Coast Village)

Dear Mr. Bishop:

In response to our phone conversation on December 22, 2005, I am submitting this letter and attachments as a project addendum to the above referenced Permit Application. I understand this document will be included in the Deputy Director's Report and received by the Commission before the hearing on January 11, 2006.

In an effort to reach a reasonable compromise with the requirements of the Coastal Act, Pismo Coast Village has adjusted the project boundary to allow substantial property to be restored to a natural wetland condition. The original project proposal planned for a thirty foot set back from the drainage ditch along the north side of the property. The amended project would plan for up to two hundred feet of setback allowing for 2.44 acres of wetland restoration area. This would reduce the project footprint to 2.26 acres of the 4.7 acre property. Please refer to the report submitted by Biologist Kevin Merk of Rincon Consultants of San Luis Obispo, California as it addresses the concerns in the Coastal Commission Staff Report.

We have discussed at length staff's concern regarding the use of this property as RV storage. Considering the historical use of the subject property, the neighboring development, and the beneficial value and quality of the current habitat, I feel our amended proposal offers the opportunity to enhance the overall drainage area and greatly improve the quality of the wetland habitat. I am requesting the Commission review and approve the amended project proposal.

Respectfully Submitted,

Jay N. Jamison
General Manager



W13a

Rincon Consultants, Inc.

1530 Monterey Street, Suite D
San Luis Obispo, California 93401

805 547 0900
FAX 547 0901

info@rinconconsultants.com
www.rinconconsultants.com

December 29, 2005
Rincon Project #05-90210

Mr. Jay Jamison
Pismo Coast Village, Inc.
165 South Dolliver Street
Pismo Beach, California 93449

Subject: Wetland Habitat Quality Assessment, Revised Development Plan Review, and Conceptual Restoration Plan for the Fountain Avenue Property (APN 061-131-001, 005, 012, 013), Oceano, California

Dear Mr. Jamison:

Rincon Consultants, Inc. has prepared this wetland habitat quality assessment for the subject property to assist with the California Coastal Commission's review of your project (Coastal Development Permit (Application Number 3-04-077)). As you are aware, Rincon Consultants has studied this property over the last several months, and in November 2005 submitted to you a report titled *Delineation of Waters of the U.S. and State of California for the Fountain Avenue Property* (11/15/05). The purpose of the report was to determine the extent of federal and state jurisdictional wetlands onsite. As we understand, based on the information provided in this report and recent discussions with California Coastal Commission (CCC) staff, you have revised the proposed development area to minimize impacts to onsite wetland habitat while providing an economically feasible development proposal for the site. Following is our wetland habitat quality assessment, as well as a biological resources impact discussion based on our review of the revised development plan (12/28/05), and a conceptual mitigation plan to reduce project impacts to onsite resources to a less than significant level.

Project Background

The approximately 4.7 acre property is located in the community of Oceano, San Luis Obispo County, California, within the historic Arroyo Grande Creek floodplain. The site is a relatively flat to gently sloping agricultural field that is disked approximately three times each year. A drainage ditch that conveys surface runoff from surrounding roads and the Oceano Ice Company traverses the northern property line. This ditch and associated wetland habitat is hydrologically connected to the Oceano Lagoon system of Meadow Creek further to the northwest of the site.

Based on the findings of our November 2005 study, approximately 1.19 acres of the site would fall under the U.S. Army Corps of Engineers (Corps) jurisdiction, and 4.24 acres of the site would meet the State of California's definition of a wetland and would be classified as Waters of the State. Because the site occurs within the Coastal Zone, the onsite wetland habitat is subject to CCC provisions under the California Coastal Act. Corps jurisdictional area was identified based on the presence of all three wetland



parameters, 1) a predominance of hydrophytic (i.e.: water loving) vegetation in and adjacent to the ditch; 2) positive indicators of wetland hydrology (i.e., the drainage ditch); and 3) hydric soil indicators that were observed in the top 18 inches of the soil profile. The hydrologic connection to the Oceano Lagoon of Meadow Creek established the onsite wetland habitat as Waters of the U.S. subject to Corps jurisdiction pursuant to the Clean Water Act.

As previously stated, 4.24 acres of the 4.7-acre site were identified as Waters of the State. Three of the 4.24 acres did not support wetland habitat, but met the State's definition of a wetland based on the presence of one wetland parameter, hydric soils. A small narrow strip of ruderal habitat along Fountain Avenue did not contain wetland vegetation, positive indicators of wetland hydrology or hydric soil indicators, and therefore was found to not fall within either the Corps or State's jurisdiction.

Review of aerial photographs dated 1994, 1999, and 2002 showed recent disking on the site. The 2002 color aerial also showed disking on a neighboring rectangular property to the northwest. The regular disturbance cycle experienced onsite has affected the distribution of terrestrial vegetation. Even though disking has occurred on the properties for a number of years, wetland habitat persists on this offsite parcel, as well as in and adjacent to the ditch located in the northern portion of the site. Furthermore, the clear distinction in soil coloration of upland and wetland habitat observed in the 2002 color aerial was consistent with the extent of Corps jurisdictional waters of the U.S. identified during our field investigation, as shown on the Wetland Delineation Map included as Appendix D of our November 2005 report. Wetland habitat occurs in the northern portion of the property on dark low-chroma soils at a slightly lower topographic contour than the ruderal, upland habitat occurring on lighter colored sandy soils through the remainder of the site.

Wetland Habitat Quality Assessment

A modified Hydrogeomorphic (HGM) Approach was used to evaluate the onsite wetland habitat as shown on Appendix D of the *Delineation of Waters of the U.S. and State of California for the Fountain Avenue Property*. This method is based on a classification system (Brinson, 1993) that categorized the nation's wetlands and other waters of the U.S. into seven classes based on fundamental differences in hydrology, hydrodynamics, and geomorphology. Regional differences, however, require that these classes be modified to reflect the conditions occurring in the region of interest. Functions are defined as processes that are necessary for the maintenance of an ecosystem, such as primary production, nutrient cycling, decomposition, etc. The term "values" is associated with society's perception of ecosystem function. While a detailed HGM assessment of the property was not conducted, the general principles of HGM were employed to approximate the capacity of wetlands onsite to perform specific functions relative to similar types of "waters" in the region. It is important to note that this assessment focuses primarily on the existing wetland habitat functions and only briefly discusses the societal values associated with the onsite wetland habitat.



As previously discussed, the site is dominated by weedy upland habitat. Wetland habitat was observed only in the northern portion of the site in and adjacent to a narrow drainage ditch. The presence of hydric soil indicators throughout the remainder of the site with the exception of a narrow strip along Fountain Avenue was sufficient to meet the State of California's wetland definition. The entire site is highly degraded from years of disking and associated agricultural activities. While the property occurs within the historic floodplain of Arroyo Grande Creek, it has been hydrologically isolated from this natural drainage feature by levees and development. Water flowing has not been observed onsite during the course of our investigation. Surface water channeled into the onsite ditch drains in a northwesterly direction through neighboring parcels, eventually connecting via culvert(s) under Airport Drive to the Oceano Lagoon of Meadow Creek.

Currently, hydrologic input to the site has been greatly reduced as compared to historic conditions. Surface water enters the onsite ditch as runoff from surrounding roadways and as discharge from the neighboring Oceano Ice Company. Water is conveyed around the northern property line to the northwest where the ditch terminates and water spreads overland to the north. Onsite wetland habitat functions such as surface water storage, nutrient cycling, and retention of particles have been substantially reduced from their historic condition due to the site's isolation from Arroyo Grande Creek, the narrow trapezoidal nature of the ditch, as well as the continued alteration of the onsite vegetation. Because the site is relatively flat and is approximately 10 feet above mean sea level, the potential for flooding exists, but levees and other flood control measures are in place to reduce the likelihood of water inundating the site. The onsite wetland habitat ranks low in its ability to help retain and cleanse surface water during a flooding event.

Given the site's gentle topographic setting, erosion is not currently an issue. The amount of bare soil, however, created by regular disking activities could become an issue should a large flood event occur. Bare soils resulting from agricultural activities compared to intact wetland habitat do little in the form of nutrient cycling, water purification, sediment trapping, and chemical and organic waste processing, all important functions of wetland habitat. Furthermore, the regular disturbance regime experienced onsite will continue to suppress wetland habitat from becoming established, and degrade the existing habitat limiting the potential for the site to support wildlife. Overall, the site ranks very low in wetland habitat function due to the ongoing disking activities. As a result, there is little to no wetland value currently associated with the site.

Revised Development Plan Review

The project footprint of the revised development plan dated December 28, 2005 has been reduced to occur on approximately 2.3 acres of the site, providing approximately 2.4 acres of permanent open space. Furthermore, as we have discussed and as detailed below, a wetland and riparian habitat restoration plan will be implemented to mitigate project impacts to biological resources onsite. Based on preliminary acreage calculations



using the Wetland Delineation Map overlaid with the revised development plan, about 0.09 acre of Corps jurisdictional wetlands and about 1.7 acres of CCC jurisdictional wetlands would be impacted onsite. The overall Corps mitigation ratio of habitat restored to habitat impacted would be over 26:1. Given the extent of hydric soils on the site, the mitigation ratio for CCC jurisdictional wetlands, however, would be much less at approximately 1.4:1.

The revised project minimizes impacts to biological resources and occurs almost entirely in weedy upland areas of the site. The majority of the existing wetland habitat on the property would be protected in permanent open space, and an active restoration plan implemented to increase native habitat cover and create a link, or corridor, to similar habitat offsite. Therefore, the revised development plan is the preferred alternative from a biological resources perspective, ultimately providing a net gain in wetland and riparian habitat function and value.

Conceptual Restoration Program

A restoration/mitigation plan will be prepared pursuant to the Corps' Mitigation Guidelines and Monitoring Requirements (2004). The proposed program will restore and enhance native riparian and wetland habitat throughout the protected open space area. The proposed open space has been delineated to minimize impacts from site development, and create a distinct corridor linking onsite restored and enhanced areas to existing wetland and riparian habitat to the northwest of the site. Given the current distribution of wetland habitat onsite, the hydrologic regime of the area, the property's direct connection to established wetland and riparian habitat in the vicinity, onsite soils and proximity to groundwater, the proposed restoration program is expected to meet strict final success criteria at the end of an approved monitoring period.

The proposed restoration program would realign the existing drainage ditch away from the edge of the property into the center of the open space to maximize surface hydrology and the establishment of a large wetland. Herbaceous wetland plant species characteristic of Coastal and Valley Freshwater Marsh and Vernal Marsh habitat types as described by Holland (1986) will be a major component of the planting plan. An additional goal of the mitigation program is to recreate a riparian corridor along the new channel through the center of the protected open space, and restore adjacent wetland habitat. In the new channel area, this mitigation program will create intact riparian and wetland habitat consisting of elements of Central Coast Arroyo Willow Riparian Forest, Coastal Freshwater Marsh and Vernal Marsh habitat types.

This habitat restoration program will also enhance wildlife habitat throughout the area. In all areas of the protected open space, the resulting biodiversity and habitat types to be created will be more diverse and of higher functional capacity than the ruderal or disturbed habitat type impacted onsite from the proposed development project. The proposed habitat types will be interspersed in a mosaic pattern and will provide increased cover of native wetland and riparian plant species where none previously occurred, and will further lessen the impacts associated with project development. The riparian and herbaceous wetland plantings will be interspersed in appropriate locations



throughout the protected open space to emulate similar riparian and wetland habitat in the vicinity, and to further aid in protecting the on and offsite biological resources.

Implementation of the restoration program will ensure that wetland habitat functions within the onsite drainage ditch and adjacent wetland areas are minimally impacted from project development, and protected in the future from additional impacts associated with human presence onsite and in the region. Additionally, this program will also create new hydrologic, biogeochemical, botanical and faunal functions that did not occur onsite prior to construction activities. Following are additional functions expected to develop overtime within the onsite protected open space:

- Interspersion and connectivity of habitats associated with the protected open space will allow semi-aquatic and terrestrial organisms to enter and leave the created habitat via the contiguous vegetation communities;
- Increased energy dissipation from more channel roughness around the onsite drainage ditch will result from channel realignment, widening, and planting native vegetation;
- Vegetated buffers will protect the open waters of Oceano Lagoon and Meadow Creek in terms of removing non-point source water pollution and increasing the overall habitat values associated with the drainage and adjacent wetlands from shading or providing hiding places for small animals during periods of high water;
- Increased sediment mobilization and storage will result from the changes in the drainage ditch's channel morphology and the increased native vegetation in these areas; and
- Spatial structure of habitats will increase.

New values will also be created once the new habitat types become established. The enhancement of the existing wetland habitat will provide increased structure for wildlife as well as an increase in aesthetic value and human connectivity to biological resources and special-status plant communities. Water quality will be improved from the riparian and wetland plant species planted within the new channel and adjacent wetland habitat by trapping sediment and removing various chemical compounds onsite once development is complete. Prevention of soil erosion and sediment transport will also occur as a component of this plan, ultimately enhancing water quality of Meadow Creek, which provides habitat for a number of special-status species.

Conclusion

Although the site contains 1.19 acres of federal jurisdictional wetlands and 4.24 acres of state jurisdictional wetlands, the subject property is highly degraded in its present state from years of regular disking and agricultural activities. Existing onsite wetland habitat provides very little function or value because it is regularly affected by disking. The revised project is the biologically preferred alternative, as it provides approximately 2.4 acres of open space that will be restored to create an intact wetland and riparian



vegetation community contiguous with existing wetland and riparian habitat offsite to the northwest. By reducing the project footprint as shown on the December 28, 2005 Development Plan, impacts to biological resources have been reduced substantially from the original development proposal, thereby minimizing impacts to onsite wetlands while still providing an opportunity for development of the site.

Thank you for the opportunity to continue providing biological services for this project. If you have any questions regarding our analysis or would like to discuss the findings in further detail, please feel free to call me directly.

Sincerely,

RINCON CONSULTANTS, INC.

Kevin Merk
Senior Biologist
Manager, Biological Resources Group

W13a

January 12, 2005

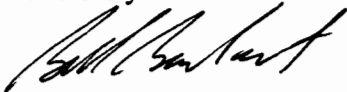
California Coastal Commission
Central Coast District Office
725 Front St. Suite 300
Santa Cruz, Ca, 95060-4508

Dear Coastal Commission attention Jonathan Bishop

Re: Pismo Coast Village, Inc. Posted Notice 12/20/04 Location Ocean/Fountain St.
Oceano Ca, 93445. Requesting this property be turned into RV storage, for their Pismo
Beach RV Park.

I feel this is a poor use of this central coast property and will have an impact on the future
of Oceano and the California Coastal Commission if this project is allowed, a better use
of this property would be Recreation as it falsely shows in the Oceano Specific plan p.8
or residential Multi Family as located next to this property! This scenic property is seen
by thousands of residents and tourists yearly who travel hwy 1.

Sincerely



Bill Bookout
A concerned Citizen

C/C
San Luis Obispo County. Department of Planning and building. Victor Holanda, AICP

RECEIVED
JAN 18 2005
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CENTRAL COAST AREA

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W136

Kelly Cuffe

From: mcelroy [mcelroy@sbcglobal.net]
Sent: Thursday, January 05, 2006 4:10 PM
To: Kelly Cuffe
Cc: stan pletz; Steve Monowitz
Subject: Re: pletz residence, coastal permit application 3-05-059

Thank you, Kelly, for your guidance.

This is to request that the subject application be moved to the consent agenda of the January 11 meeting of the Coastal Commission. However, in the event an objection is raised against such a move, we request that the consideration of the application be postponed to the next meeting in accordance with Commission regulations.

Thank you for your cooperation.

Dennis McElroy

----- Original Message -----

From: Kelly Cuffe
To: 'mcelroy'
Cc: stan pletz ; Steve Monowitz
Sent: Thursday, January 05, 2006 1:22 PM
Subject: RE: pletz residence, coastal permit application 3-05-059

Hi Dennis -

Thanks for getting back to me regarding the Pletz permit application. We will recommend moving the permit application onto the consent calendar. Commission regulations allow the potential for postponing an item once, so your written request to move the items to consent should indicate that if there is an objection to placing the items on the consent calendar, the applicants would like to use their right to a postponement as provided by our regulations

-----Original Message-----

From: mcelroy [mailto:mcelroy@sbcglobal.net]
Sent: Wednesday, January 04, 2006 2:49 PM
To: kelly cuffe
Cc: stan pletz
Subject: pletz residence, coastal permit application 3-05-059

Hello Kelly,

Mr. Pletz has stated his agreement with the terms of the application and would like for it to be moved, if possible, to the appropriate consent portion of the Coastal Commission meeting agenda.

Neither he nor I will be able to attend the meeting and to represent the interests of the application, should such a need arise. In the event any opposition to the project is expressed or questions arise from the Commissioners which would need our response, would it be possible to have discussion of the application deferred to the next scheduled meeting?

Thank you for your continued assistance with our application.

Dennis McElroy

W13C

Kelly Cuffe

From: mcelroy [mcelroy@sbcglobal.net]
Sent: Thursday, January 05, 2006 4:10 PM
To: Kelly Cuffe
Subject: Re: Reinstedt Residence, Coastal Permit Application 3-05-060

Thank you, Kelly, for your guidance.

This is to request that the subject application be moved to the consent agenda of the January 11 meeting of the Coastal Commission. However, in the event an objection is raised against such a move, we request that the consideration of the application be postponed to the next meeting in accordance with Commission regulations.

Thank you for your cooperation.

Dennis McElroy

----- Original Message -----

From: Kelly Cuffe
To: 'mcelroy'
Cc: Steve Monowitz
Sent: Thursday, January 05, 2006 1:15 PM
Subject: RE: Reinstedt Residence, Coastal Permit Application 3-05-060

Hi Dennis -

Thanks for getting back to me regarding the Reinstedt permit application. We will recommend moving the permit application onto the consent calendar. Commission regulations allow the potential for postponing an item once, so your written request to move the items to consent should indicate that if there is an objection to placing the items on the consent calendar, the applicants would like to use their right to a postponement as provided by our regulations. This would be necessary for the Pletz project as well, so I will send you the same email regarding that project, which you can respond to similarly.

-----Original Message-----

From: mcelroy [mailto:mcelroy@sbcglobal.net]
Sent: Thursday, January 05, 2006 9:23 AM
To: kelly cuffe
Subject: Reinstedt Residence, Coastal Permit Application 3-05-060

Hello Kelly,

Mr. & Mrs. Reinstedt have stated their agreement with the terms of the application and would like for it to be moved, if possible, to the appropriate consent portion of the Coastal Commission meeting agenda.

Neither the Reinstedts nor I will be able to attend the meeting and represent the interests of the application, should such a need arise. In the event any opposition to the project is expressed or questions arise from the Commissioners which would need our response, would it be possible to have discussion of the application deferred to the next scheduled meeting?

Thank you for your continued assistance with our application.

Dennis McElroy

Anthony L. Lombardo
 Jeffrey R. Gilles
 Derrinda L. Messenger
 James W. Sullivan
 Jacqueline M. Zischke
 Steven D. Parrose*
 E. Soren Diaz
 Sheri L. Damon
 Virginia A. Hines
 Patrick S.M. Casey
 Paul W. Monctief
 Bradley W. Sullivan
 Miriam Schakot
 Kelly McCormick Sutherland

RECEIVED
 JAN 10 2006
Lombardo & Gilles
 PROFESSIONAL CORPORATION
 Attorneys At Law

*Wiza **

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CALIFORNIA
 COASTAL COMMISSION
 CENTRAL COAST AREA

File No. 01959.000

January 10, 2006

VIA FACSIMILE

*Certified by the State Bar of California Board of Legal Specialization as a Specialist in Estate Planning, Trust and Probate Law.

The Honorable Meg Caldwell
 Chair, and Members of the
 California Coastal Commission
 45 Fremont Street, Suite 2000
 San Francisco, CA 94105

Re: **San Luis Obispo County Permit No. A-3-SLO-04-056 - Muniz**

Dear Chair Caldwell and Members of the Commission:

Our firm represents the Muniz family which obtained approval from the County of San Luis Obispo for a lot line adjustment which reduces the number of parcels on their land in the Harmony coast of San Luis Obispo from three parcels to two.

The Coastal Commission staff filed an appeal of this application approximately a year and one-half ago and since that time we have been working with them in order to provide them with information they have requested regarding the environmental resources on the site as well as the configuration and legality of the three existing parcels.

Only last week when we received the staff report did we learn that the Commission staff was going to be recommending denial of the lot line adjustment based on what they allege are inconsistencies between the County's approval of the lot line adjustment reducing the number of existing lots and the County's agricultural and environmental protection policies.

This is the first time in over a year of working with the staff on this appeal that they have raised these issues, to which the applicants are not able to respond based on having only received this information upon receipt of the staff report last week.

The staff report concludes that this proposal would diminish the agricultural viability of three small parcels that were separated from a larger ranch a decade and a half ago and that improper design and construction of improvements could have potential environmental impacts. There is no evidence in the record to support these conclusions.

The staff report also ignores the several areas of environmentally sensitive habitat located on the site which would be degraded if not destroyed as a result of intensive animal agricultural use occurring on these small parcels.

Copy of this letter provided to Commission on 1/10/06 along w/ DD's Rpt of 1/11/06.

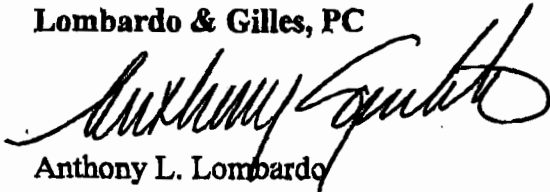
The Honorable Meg Caldwell
Chair, and Members of the
California Coastal Commission
January 10, 2006
Page 2

While the applicants do not believe a substantial issue exists in this case, they find themselves in a position of not being able to present evidence, to rebut the staff's conclusion at this time, nor have they been able to provide the staff with drafts of an ag conservation easement and grazing management plan which are currently being prepared by qualified experts. Once these are considered, we will be able to meet with the staff to discuss the potential for revisions in the design to address staff's concerns.

In order to allow them a fair hearing on the merits of the project, the Muniz family respectfully requests that the Commission take action on the substantial issue question and then continue the matter to the March hearing in Monterey to allow the applicants time to compile the evidence necessary to address staff's concerns.

Respectfully submitted,

Lombardo & Gilles, PC



Anthony L. Lombardo

ALL:ncs

cc: Mr. Rory Muniz
Mr. Joe Muniz
Mr. Steve Babcock
Nora Morrison, Esq.