

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260 FAX (415) 904-5400

W23

NORTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

June Meeting of the California Coastal Commission

MEMORANDUM

Date: June 9, 2010

TO: Commissioners and Interested Parties
FROM: Charles Lester, North 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 North Central Coast District Office for the June 9, 2010 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 North Central Coast District.

EMERGENCY PERMITS

1. 2-10-018-G City Of Daly City / Dept Of Water And Wastewater, Attn: Patrick Sweetland (San Francisco, San Francisco County)

IMMATERIAL AMENDMENTS

1. 2-01-033-A1 Sonoma County Water Agency (Jenner, Sonoma County)

TOTAL OF 2 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF EMERGENCY PERMITS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
2-10-018-G City Of Daly City / Dept Of Water And Wastewater, Attn: Patrick Sweetland	Repair damaged section of the existing 33-inch diameter sub-marine sewer outfall line located on the beach west of Fort Funston, in San Francisco. Emergency work entails inserting a new interior liner inside the existing pipe. Redwood wedges will be inserted in the cracks and holes in the interim until the liner can be installed during a low-low tide cycle.	on the beach at Fort Funston. The nearest address is 500 Skyline Blvd., San Francisco (San Francisco 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>
2-01-033-A1 Sonoma County Water Agency	Construction of a lagoon outlet channel with a ranging depth of .5 - 2 ft, a width of 25 - 100 ft, and length of 100 - 400 ft to create freshwater lagoon habitat for juvenile steelhead. The dimensions vary based upon the height and width of the sandbar. The dimensions are typical of natural river mouth conditions and are within the normal range of the natural open river mouth at the Russian River.	Mouth Of The Russian River, Jenner (Sonoma County)

EMERGENCY PERMITS

1. 2-10-018-G City Of Daly City / Dept Of Water And Wastewater, Attn: Patrick Sweetland (San Francisco, San Francisco County)

IMMATERIAL AMENDMENTS

1. 2-01-033-A1 Sonoma County Water Agency (Jenner, Sonoma County)

TOTAL OF 2 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF EMERGENCY PERMITS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
2-10-018-G City Of Daly City / Dept Of Water And Wastewater, Attn: Patrick Sweetland	Repair damaged section of the existing 33-inch diameter sub-marine sewer outfall line located on the beach west of Fort Funston, in San Francisco. Emergency work entails inserting a new interior liner inside the existing pipe. Redwood wedges will be inserted in the cracks and holes in the interim until the liner can be installed during a low-low tide cycle.	on the beach at Fort Funston. The nearest address is 500 Skyline Blvd., San Francisco (San Francisco 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>
2-01-033-A1 Sonoma County Water Agency	Construction of a lagoon outlet channel with a ranging depth of .5 - 2 ft, a width of 25 - 100 ft, and length of 100 - 400 ft to create freshwater lagoon habitat for juvenile steelhead. The dimensions vary based upon the height and width of the sandbar. The dimensions are typical of natural river mouth conditions and are within the normal range of the natural open river mouth at the Russian River.	Mouth Of The Russian River, Jenner (Sonoma County)

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5260
FAX (415) 904- 5400



EMERGENCY PERMIT

Patrick Sweetland, Director
Department of Water and Wastewater
City of Daly City
153 Lake Merced Blvd.
Daly City, California 94015

Date: May 11, 2010
Emergency Permit No: 2-10-018-G

LOCATION OF EMERGENCY

Vista Grande Outfall on the beach at Fort Funston, near 500 Skyline Boulevard, San Francisco, CA 94101

EMERGENCY WORK

Repair damaged section of the existing 33-inch diameter sub-marine sewer outfall line located on the beach west of Fort Funston, in San Francisco. Emergency work entails inserting a new interior liner inside the existing pipe. Redwood wedges will be inserted in the cracks and holes in the interim until the liner can be installed during a low-low tide cycle.

Commission staff reviewed your emergency permit application, and provided verbal approval on April 28, 2010. We understand that two portions of the existing onshore side of Daly City's final effluent submarine outfall main failed without warning. The two failures occurred between 40 and 80 feet west of the outfall beach structure and holes and splinter cracks have appeared in the outfall line. Treated effluent and storm water are being improperly disposed of by not going through diffuser. The effluent now is entering into the intertidal zone. The emergency repair is needed immediately to prevent risks to human health. The unexpected occurrence of the pipeline failure requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to Title 14 California Code of Regulations Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

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

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

Sincerely,

for PETER M. DOUGLAS
Executive Director

cc: Delvin Washington, Planning Department, City of San Francisco
Tom Birmingham, Brown and Caldwell

Enclosure: Acceptance Form

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 from the date of this permit.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Work is further limited to that which is described in your emergency permit application submitted on April 27, 2010, and finalized on May 5, 2010, which includes a copy of the State Lands Commission letter (dated 3/8/2010) confirming that the maintenance and repair work is within the existing Right-of-way Easement Permit PRC 1364, and a copy of the National Park Service Special Use Permit to conduct emergency sewer outfall protection. The emergency work is restricted to the portion of the structure as shown in Figures 2 - 4 of the permit application. Any additional work requires separate authorization from the Executive Director.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
4. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
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, including but not limited to the California Department of Fish & Game, U.S. Fish & Wildlife, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the California State Lands Commission.
7. Public access to and along the shoreline in the project area shall be permitted and provided to the maximum extent feasible, consistent with public safety.

Construction Responsibilities:

8. Permittee shall monitor the interim, temporary repair daily, as conditions allow, ensuring that the redwood wedges continue to reduce or eliminate the flow of treated effluent from the damaged portion of the pipeline; until installation of the new interior liner.
9. No expansion or enlargement of the existing outfall sewer line is permitted under this Emergency Permit.
10. Access shall be restricted to the existing Avalon Canyon Road located 2.25 miles south of the project site.
11. A qualified biologist shall identify the beach access route and escort the contractor and crew to the construction site in order to avoid potential impacts to any wildlife.
12. No more than four pieces of construction equipment (e.g., two backhoes, one excavator, and one bulldozer) shall be allowed on-site during construction.
13. No pumping of effluent and storm water may be conducted during construction repair work.
14. Work shall be conducted during non-rain events.
15. Equipment shall be clean and free of leaks that may deposit fluids onto the beach. Vehicles shall be checked for leaking oil, fuel, and other associated vehicle fluids, and maintained prior to entering the tide zone. Stationary equipment shall be positioned over drip pans.
16. Equipment and material shall be staged immediately adjacent to the work site on the south side of the effluent pipe, as site conditions will allow.
17. All areas used for construction staging and access purposes shall be kept free from any trash or debris not needed for construction purposes. Daily trash and debris haul shall be implemented.

18. No construction equipment, materials, or debris may be placed where they may be subject to ocean waters or dispersion. Contractors shall take available precautions to ensure that construction materials are protected from wind and wave run-up. No construction equipment or materials may be staged or stored on the beach. All excess material shall be removed from the site and the adjacent area after completing the repair work
19. All construction material, equipment, and any debris from the pipeline emergency repair site shall be removed from behind the beach and adjacent areas as part of the work required. No construction debris or project materials or equipment may be left on the beach. All debris shall be disposed off-site.
20. If, at any time while the work authorized by this Emergency Permit is occurring, any marine mammals are located on or seaward of the subject property, work must immediately stop and the Permittee must immediately call the Marine Mammal Center in Sausalito, CA or the National Marine Fisheries Service to report that a marine mammal is located on the beach. Work must not commence until either the animal is removed by the Marine Mammal Center or the National Marine Fisheries Service, or until the animal returns to the ocean on its own without any harassment.
21. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach and/or the adjacent marine environment are prohibited. The Permittee shall avoid impacts outside of the repair area to the maximum extent possible. Contractors shall monitor the beach and project area regularly during construction to ensure no construction materials and or debris is left on the beach. The Permittee shall collect, contain, and properly dispose of all construction leaks, drips, by-products, and any similar contaminants through the use of containment structures or equivalent as necessary or feasible (including through the use of collection devices and absorbent materials placed below any above-ground work where such contaminants are possible and/or expected). Equipment washing, refueling, and/or servicing shall not take place on the beach.
22. A copy of the signed Emergency Permit shall be maintained in a conspicuous location at the staging area site at all times, and such copy shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the Emergency Permit, including all of its terms and conditions, prior to commencement of construction.
23. Construction Contractors shall use Best Management Practices (BMPs) to ensure that no debris or contaminants are discharged to the ocean. Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, garbage, chemicals, etc.) from

entering Pacific Ocean waters. Methods may include, as applicable or feasible, placing hay bales, fiber roles, sand bags, and or silt fencing. Contractors shall ensure that work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieving or clean up of foreign materials not properly contained.

24. The construction site and staging area(s) shall be maintained with good construction housekeeping measures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; and remove all construction debris from the beach.

Post-Construction Responsibilities:

25. Within seven days of completion of the work authorized by the Emergency Permit, the permittee shall submit photographic evidence of compliance with the Emergency Permit.
26. Within 30 days of completion of the construction authorized by this Emergency Permit, Permittee shall submit as-built plans of the work completed under this Emergency Permit. The permittee shall submit site plans and cross sections prepared by a certified civil engineer or engineering geologist, clearly detailing the work completed under the emergency authorization and a narrative description of all emergency construction activities undertaken pursuant to this Emergency Permit.
27. Within 60 days of the date of this permit, the Permittee shall apply for a regular submit a Coastal Development Permit application to have the emergency work considered permanent. Such application shall include an analysis of alternatives for fixing the pipe permanently. The follow-up application shall include, but not be limited to information describing:
 - a. What caused the failure (holes and cracks) in the effluent sewer line;
 - b. A proposal for fixing the pipe permanently;
 - c. Risk and likelihood of similar damage to the existing structure re-occurring; and
 - d. Estimated amount of effluent that has not been properly disposed of through the diffuser.
28. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2 219
VOICE AND TDD (415) 904-5 260
FAX (4 15) 904-5 400



EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSION
NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260 FAX (415) 904-5400

RE: **Emergency Permit No. 2-10-018-G** (City of Daly City, Vista Grande Outfall
Emergency Repair)

INSTRUCTIONS: After reading the Emergency Permit, please sign this form and return to the North Central Coast District Office within 15 working days from the permit's date (i.e., by May 26, 2010).

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that the emergency work is TEMPORARY and that a regular Coastal Permit is necessary for any permanent installation. I agree to apply for a regular Coastal Permit within 60 days of the date of the emergency permit (i.e., by July 10, 2010).

Signature of Permittee

Name

Address

Date of Signing

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260 FAX (415) 904-5400
www.coastal.ca.gov

**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director
DATE: May 27, 2010
SUBJECT: **Permit No: 2-01-033-A1**
Granted to: Sonoma County Water Agency

GM

Original Description:

for **Periodically breach the sand bar at the mouth of the Russian River for flood control purposes.**
at **Mouth Of The Russian River, Jenner (Sonoma 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:

Construction of a lagoon outlet channel with a ranging depth of .5 - 2 ft, a width of 25 - 100 ft, and length of 100 - 400 ft to create freshwater lagoon habitat for juvenile steelhead. The dimensions vary based upon the height and width of the sandbar. The dimensions are typical of natural river mouth conditions and are within the normal range of the natural open river mouth at the Russian River.

FINDINGS

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):

Requested amendment is not a material change to the permit.

If you have any questions about the proposal or wish to register an objection, please contact Grace Ma at the North Central Coast District office.

cc: Local Planning Dept.

Randy D. Poole

W25a

June 2, 2010
420 1st Avenue
Half Moon Bay, CA 94019

Bonnie Neely, Chair, and Members
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Re: San Mateo County LCP Amendment No. SMC-MAJ-1-07
Please Deny the Requested Time Extension

CALIFORNIA COASTAL COMMISSION
Received 6/3/10

Dear Chair Neely and Members of the Commission:

I was on the Midcoast Community Council over 10 years ago when this process started. It should be obvious to anyone involved that the San Mateo County Supervisors have no intention of ever approving this document. You staff has done outstanding work in defining the laws and processes that will protect our Coastside for all citizens of the world. Our local citizens have compromised on every point of this document and still the Supervisors and their backers want more freedom to overbuild the Coast.

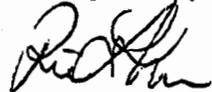
I proposed to the Supervisors that the local residents be allowed to vote on their own package. My request was denied. It's obvious that their interests do not coincide with those of the local citizens.

It's clear that the county is merely in permanent stall mode in the hopes that budget cuts or future elections will change the structure of the Coastal Commission in their favor. They and their backers hope and hope that a different CCC can be bent to their wishes.

Surveys have shown that the majority of the community is backing you and your staff on your excellent work. A Peninsula-side minority that elects our Supervisors through our antiquated county-wide elections is blocking the enactment of this law. How many more years can this go on without permanent damage to our Coastside?

The Supervisors will not move on this process unless they are threatened with a moratorium on all construction. Possibly you could give them the option of approval of the LCP or a moratorium on all construction until they approve it.

Thank you for your outstanding work and your support of the majority of people on the Coast.



Ric Lohman
President
Granada Sanitary District (writing today as an individual)

W25a

Fran Pollard
 PO Box 832
 El Granada, CA 94018
LFP@comcast.net

Leni Schultz
 PO Box 85
 El Granada, CA 94018
Leni@sanmateo.org

CALIFORNIA COASTAL COMMISSION
Received 6/3/10

June 9, 2010

Bonnie Neely, Chair, and Members
 California Coastal Commission
 45 Fremont Street, Suite 2000
 San Francisco, CA 94105-2219

**Re: San Mateo County LCP Amendment No. SMC-MAJ-1-07
 (Midcoast LCP Update). Time Extension**

Dear Chair Neely and Members of the Commission,

Though we normally agree with your staff, this time we disagree with giving San Mateo County another year to settle their disagreement with your policies. This is either the 10th or 12th year of the SMCo. LCP Update, which is already way over due. We suggest you grant them no more than 6 months extra, so it should be resolved by Dec. 2010. This should be plenty of time to complete this long drawn out update. We believe SMCo. is taking advantage of your great staff.

Further, we've been told that you cannot certify the policies of the LCP that you and the County agree with and just continue the parts you disagree with. We don't understand why not. That would be the logical thing to do. If there is a law against doing that, then we suggest you change the law if you can or get it changed. Otherwise, the County continues business as usual, meaning they always try to accommodate every kind of development possible even if it's against all the Coastal Act Laws, as has been the case these last several years.

The majority of Coastsiders support the CCC policies, as has been proven in several surveys done on the Coast. Community parks, open space and trails win every time over more housing, and other developments. Infact, in the last SMCo. Survey done in 2002, people chose parks, open space and trails 79% to 89% and yet the County continued to try to push development on land that had been designated open space for 100 years and was approved again 32 years ago, by a previous Board of Supervisors.

Infact, the 2 current Board Members who sit on LAFCo have made it impossible for our local district to add park services to the existing district so the Community could have the parks we need and desire. Instead, we have had to continue to fight for the few open spaces that are left in our Communities before the Board and again before your Commission.

We are tired of the continual struggle and meetings year after year to get what we citizens need and deserve and are in agreement with CCC policies.

That is why we ask, once again, to deny another year extension and grant 6 months at most, and certify the policies of the LCP that are in agreement and continue the parts that are still not resolved, but place a moratorium on any further planning and permits of those parts until they are resolved. Otherwise, they will continue to defy you and allow inappropriate development for as long as your Commission extends the time.

Thank you for your consideration,

**Fran Pollard, Midcoast Park Lands Director, Burnham Strip Committee member,
Former Granada Sanitary District Director, Former Midcoast Chair
of "Save the Coast"/ Prop 20, 1972 which created the CCC, and
Former Community member with S.M.Co. Planners that created
the Montara, Moss Beach, El Granada Community Plan which
became the Local Coastal Plan (LCP).**

**Leni Schultz, Midcoast Park Lands Director, Burnham Strip Committee Co-Chair
Former Granada Sanitary District Director**