

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863 FAX (831) 427-4877  
[www.coastal.ca.gov](http://www.coastal.ca.gov)

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

*For the*

## *March Meeting of the California Coastal Commission*

MEMORANDUM

Date: March 10, 2011

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 March 10, 2011 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.

***REGULAR WAIVERS***

1. 3-11-008-W David & Ellen De Simone (Pacific Grove, Monterey County)

***DE MINIMIS WAIVERS***

1. 3-11-005-W Monterey Regional Water Pollution Control Agency (Pacific Grove, Monterey County)
2. 3-11-006-W Monterey Regional Water Pollution Control Agency (Monterey, Monterey County)

***EMERGENCY PERMITS***

1. 3-11-014-G Port San Luis Harbor District, Attn: Mr. Steve McGrath (Avila Beach, San Luis Obispo County)

***IMMATERIAL AMENDMENTS***

1. 3-03-096-A1 Monterey City Public Works Department, Attn: Norm Green (Monterey, Monterey County)
2. 3-07-022-A1 ZHG, Inc. (Monterey, Monterey County)
3. A-3-STC-07-057-A1 Santa Cruz City Public Works Department, Attn: Marlin Granlund, Parking Program Manager (Santa Cruz, Santa Cruz County)

**TOTAL OF 7 ITEMS**

## DETAIL OF ATTACHED MATERIALS

### REPORT OF REGULAR WAIVERS

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

| <i>Applicant</i>                             | <i>Project Description</i>   | <i>Project Location</i>                               |
|--|--|---|
| <b>3-11-008-W</b><br>David & Ellen De Simone | Remodel and addition to an existing historic single family residence including 122 square foot first floor addition connecting the house and garage; 570 square foot second floor addition; 100 square foot of paving removal; replace damaged shiplap siding; new double-hung wood windows, new composition shingle roof; and bio-swale drainage infrastructure | 707 Ocean View Blvd., Pacific Grove (Monterey County) |

### 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>  |
|---|--|--|
| <b>3-11-005-W</b><br>Monterey Regional Water Pollution Control Agency | Removal and disposal of a 1,000 gallon underground diesel fuel tank and related infrastructure (i.e., piping, concrete slab, gravel, and material) located immediately adjacent to the existing MRWPCA pump station seaward of Ocean View Boulevard at 15th street. Project further includes backfilling the void with native soils and replacing the concrete slab in kind. | 15th Street & Oceanview Blvd., Pacific Grove (Monterey County) |
| <b>3-11-006-W</b><br>Monterey Regional Water Pollution Control Agency | Replace/upgrade electrical controls via installation of a new 4' x 5' electric service panel including associated conduit, wiring, and trenching located immediately adjacent to the existing MRWPCA pump station and public restroom seaward of Cannery Row.  | Reeside Avenue & Cannery Row, Monterey (Monterey County)       |

### REPORT OF EMERGENCY PERMITS

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

| <i>Applicant</i>   | <i>Project Description</i>          | <i>Project Location</i>                                    |
|--|-------------------------------------|--|
| <b>3-11-014-G</b><br>Port San Luis Harbor District,<br>Attn: Mr. Steve McGrath | Restrict Access to the Harford Pier | Port San Luis Harbor, Avila Beach (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>  |
|---|---|--|
| <b>3-03-096-A1</b><br>Monterey City Public Works Department, Attn: Norm Green                                       | Amend CDP 3-03-096 to authorize an additional 3" of abandonment at the down-coast edge of the Monterey Beach Hotel site (an area of about 16 square feet total) to recognize the as-built location of the sheet pile seawall (see CDP Amendment 3-07-022-A1).   | 2600 Sand Dunes Drive, Monterey (Monterey County)  |
| <b>3-07-022-A1</b><br>Z H G, Inc.   | The sheet pile wall was constructed about one-foot further seaward than was approved by the Commission, and thus the proposed amendment to CDP 3-07-022 is to authorize after-the-fact, the actual location of the now existing sheet pile seawall.   | 2600 Sand Dunes Drive, Monterey (Monterey County)  |
| <b>A-3-STC-07-057-A1</b><br>Santa Cruz City Public Works Department, Attn: Marlin Granlund, Parking Program Manager | Amend CDP A-3-STC-07-057 to allow the City of Santa Cruz to post parking restrictions on the section of Pelton Avenue that is located between West Cliff Drive and Eucalyptus Avenue (see Exhibit A for an aerial photograph of this section of Pelton Avenue). The proposed parking restrictions would be consistent with those on West Cliff Drive, i.e., no parking would be allowed between midnight and 5 a.m. | West Cliff Drive (between Santa Cruz Street and Chico St.), Santa Cruz (Santa Cruz County) |

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** February 24, 2011  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager   
Mike Watson, Coastal Planner   
**Subject:** Coastal Development Permit (CDP) Waiver 3-11-008-W  
Applicants: David and Ellen DeSimone

**Proposed Development**

Remodel and addition to an existing historic single family residence including 122 square foot first floor addition connecting the house and garage; 570 square foot second floor addition; 100 square foot of paving removal; replace damaged shiplap siding; new double-hung wood windows, new composition shingle roof; and bio-swale drainage infrastructure located at 707 Ocean View Boulevard (APN 006-073-009) in the City of Pacific Grove.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13250 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed residence would be compatible with the size, scale, and aesthetics of the residential neighborhood in which it is located, and it includes drainage BMPs to reduce storm water runoff and remove contaminants prior to conveyance off-site. The proposed renovations were reviewed and received discretionary approval by the City's Architectural Review Board and Historic Preservation Board to ensure conformance with the requirements of the City's Municipal Code and the certified Land Use Plan. The project has no potential for adverse effects on coastal resources, including public access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, March 10, 2011 in Santa Cruz. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** March 1, 2011  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-11-005-W  
Applicant: Monterey Regional Water Pollution Control Agency

**Proposed Development**

Removal and disposal of a 1,000 gallon underground diesel fuel tank and related infrastructure (i.e., piping, concrete slab, gravel, and material) located immediately adjacent to the existing MRWPCA pump station seaward of Ocean View Boulevard at 15<sup>th</sup> Street in the City of Pacific Grove. Project further includes backfilling the void with native soils and replacing the concrete slab in kind.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

Removal of the underground fuel tank will eliminate the possibility of diesel fuel spilling or leaching at the site and ultimately into Monterey Bay waters. The void will be backfilled with native soils and the approximately 80 square foot area will be compacted and restored to its original condition, thus continuing to provide vehicle access on the driveway overlaying the tank location to an adjacent waste water treatment pump station. The project includes construction BMPs designed to prevent soil, sediment, and debris from entering the marine environment during construction. Disruptions to public access during construction will be minimized by maintaining access along the waterfront and restricting access only in the immediate area of construction. Accordingly, the project will not have any significant adverse impacts on coastal resources, including public access to the shoreline.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday March 10, 2011, in Santa Cruz. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** February 24, 2011

**To:** All Interested Parties

**From:** Dan Carl, Central Coast District Manager *DCM*  
Mike Watson, Coastal Planner *MW*

**Subject:** Coastal Development Permit (CDP) Waiver 3-11-006-W  
Applicant: Monterey Regional Water Pollution Control Agency (MRWPCA)

**Proposed Development**

Replace/upgrade electrical controls via installation of a new 4' x 5' electric service panel including associated conduit, wiring, and trenching located immediately adjacent to the existing MRWPCA pump station and public restroom seaward of Cannery Row in the City of Monterey.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project will improve efficiency and reduce the chance of a wastewater system overflow to Monterey Bay resulting from electrical system failure. The new service panel will be constructed at the rear of the existing public restroom and will be colored in muted tones to match the surrounding landscape and soften the visual impact of the development. Additionally, the surrounding area will be restored back to its original condition with drought tolerant, non-invasive landscaping that will serve to screen the panel from view. The project includes construction BMPs designed to prevent soil, sediment, and debris from entering the marine environment during construction. Disruptions to public access during construction will be minimized by maintaining access along the waterfront and restricting access only in the immediate area of construction. Accordingly, the project will not have any significant adverse impacts on coastal resources, including public access to the shoreline.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday March 10, 2011, in Santa Cruz. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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



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## NOTICE OF PROPOSED PERMIT AMENDMENT

**Date:** February 24, 2011  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCarl*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Proposed Amendment to Coastal Development Permit (CDP) 3-03-096  
Applicant: City of Monterey (Attention: Norm Green)

### Original CDP Approval

CDP 3-03-096 was approved by the Coastal Commission on March 18, 2004 and provided for the abandonment of a three foot strip of Front Street, a "paper" street that was never improved but which is still shown on parcel maps and is entirely occupied by beach sand, immediately seaward of the Monterey Beach Hotel to accommodate construction of a sheet pile seawall (CDP 3-07-022) in the City of Monterey, Monterey County.

### Proposed CDP Amendment

CDP 3-03-096 would be amended to authorize an additional 3" of abandonment at the down-coast edge of the Monterey Beach Hotel site (an area of about 16 square feet total) to recognize the as-built location of the sheet pile seawall (see CDP Amendment 3-07-022-A1). The Commission's reference number for this proposed amendment is 3-03-096-A1.

### Executive Director's Immateriality Determination

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

The proposed amendment is to recognize that the Monterey Beach Hotel sheet pile wall (authorized by the Commission through CDP 3-07-022) was constructed slightly further onto the paper street than was originally envisioned in order to address technical engineering requirements associated with the sheet pile wall construction (i.e., the wall was constructed approximately one-foot further seaward to achieve proper connection in light of tilting/rotation issues with the concrete base of the hotel pad area). The minor additional abandonment does not alter the basis of the Commission's prior CDP decision, including the mitigation framework that provided for significant public access enhancements across this site as part of the base approval, and that continue to offset sheet pile wall impacts, including with respect to the minor alignment shift proposed to be recognize here. Thus, this amendment is consistent with the permit intent of the Commission's action in approving the project in 2004, and can be found consistent with the Coastal Act.

### Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District



## **NOTICE OF PROPOSED PERMIT AMENDMENT**

**CDP 3-03-096 (Front Street Abandonment)**

**Proposed Amendment 3-03-096-A1**

**Page 2**

office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Thursday March 10, 2011, in Santa Cruz. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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



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# NOTICE OF PROPOSED PERMIT AMENDMENT

**Date:** February 24, 2011  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager   
Mike Watson, Coastal Planner   
**Subject:** Proposed Amendment to Coastal Development Permit (CDP) 3-07-022  
Applicant: ZHG, Inc. (Attention: Paul E. Davis)

## Original CDP Approval

CDP 3-07-022 was approved by the Coastal Commission on November 16, 2007, and provided for the installation of an approximately 600-foot-long, driven sheet-pile metal seawall immediately adjacent and seaward of the concrete pad and seawall that fronts the Monterey Beach Hotel and pre-dates passage of the Coastal Act. The project also included new public stairways and provision of public access from the beach along a new public access pathway just inland of the seawall. The project is located at the up-coast edge of the City of Monterey, Monterey County.

## Proposed CDP Amendment

The sheet pile wall was constructed about one-foot further seaward than was approved by the Commission, and thus the proposed amendment to CDP 3-07-022 is to authorize after-the-fact, the actual location of the now existing sheet pile seawall. The Commission's reference number for this proposed amendment is 3-07-022-A1.

## Executive Director's Immateriality Determination

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

The new sheet pile wall was constructed slightly further seaward than was expected when the Commission approved the seawall. According to the Applicant, it was determined during construction that spacers were required between the old concrete wall and the sheet piles in order to address settlement and tilting in the old wall and to ensure that the new wall was installed plumb. Normally, such minor changes can be addressed through condition compliance, but this CDP did not include any 'minor change' flexibility that is typically included in such CDPs as a means of addressing sometimes inevitable construction and physical setting realities that can crystallize at the construction phase. The minor incursion does not alter the basis of the Commission's prior CDP decision, including the mitigation framework that provided for significant public access enhancements across this site as part of the base approval, and that continue to offset sheet pile wall impacts, including with respect to the minor alignment shift proposed to be recognize here. Thus, this amendment is consistent with the permit intent of the Commission's action in approving the project in 2007, and can be found consistent with the Coastal Act.



# **NOTICE OF PROPOSED PERMIT AMENDMENT**

**CDP 3-07-022 (Monterey Beach Hotel Seawall)**

**Proposed Amendment 3-07-022-A1**

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## **Coastal Commission Review Procedure**

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Thursday, March 10, 2011, in Santa Cruz. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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



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**NOTICE OF PROPOSED PERMIT AMENDMENT**

**Date:** February 24, 2011  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Susan Craig, Coastal Planner  
**Subject:** Proposed Amendment to Coastal Development Permit (CDP) A-3-STC-07-057  
Applicant: City of Santa Cruz

**Original CDP Approval**

CDP A-3-STC-07-057 was originally approved by the Coastal Commission on March 6, 2008. CDP A-3-STC-07-057 limited parking restrictions along West Cliff Drive to between midnight and 5 a.m. and also required that all other parking along streets adjacent to West Cliff Drive (including Pelton Avenue) remain available for public parking with no restrictions.

**Proposed CDP Amendment**

CDP A-3-STC-07-057 would allow the City of Santa Cruz to post parking restrictions on the section of Pelton Avenue that is located between West Cliff Drive and Eucalyptus Avenue (see Exhibit A for an aerial photograph of this section of Pelton Avenue). The proposed parking restrictions would be consistent with those on West Cliff Drive, i.e. no parking would be allowed between midnight and 5 a.m. The Commission's reference number for this proposed amendment is A-3-STC-07-057-A1.

**Executive Director's Immateriality Determination**

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

The proposed parking restrictions would affect a one block area of Pelton Avenue that is located between West Cliff Drive and Eucalyptus Avenue, and is also located directly adjacent to Lighthouse Field State Park. According to the City, residents and pedestrians in this area and on the nearby West Cliff Drive public path have observed numerous incidents of criminal activity and disturbances (e.g., vandalism, shots fired, littering, urinating in public, camping, drug sales and use, etc.) taking place on Pelton Avenue and in the adjacent Lighthouse Field State Park. Police representatives indicate that alcohol and gang-related problems in this area have increased recently. These criminal activities and disturbances are constant problems for both neighbors and pedestrians using the sidewalk along Pelton Avenue or the nearby West Cliff Drive public path. The City has provided police call-data that document the problematic activities occurring in this area of the City.

The proposed amendment will allow for the installation of signage that prohibits parking along this stretch of Pelton Avenue during the hours of midnight to 5 a.m. This restriction responds to the identified problem in such a way as not to penalize general public access users who are legitimately



## **NOTICE OF PROPOSED PERMIT AMENDMENT**

**CDP A-3-STC-07-057 (West Cliff Drive Parking Restrictions)**

**Proposed Amendment A-3-STC-07-057-A1**

**Page 2**

accessing the coast at night during a potentially high use time, but instead putting an appropriate limit on that use that recognizes the attractive nuisance that the subject parking area has historically provided as the night gets later. Thus, the proposed amendment will not result in adverse coastal resource impacts, and has been deemed immaterial.

### **Coastal Commission Review Procedure**

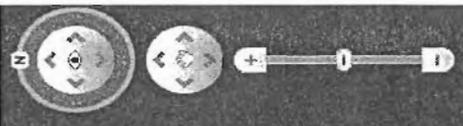
The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on March 11, 2011 in Santa Cruz. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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

### Exhibits

Exhibit A: Aerial Photograph of Pelton Avenue





West Cliff Drive

Pelton Avenue

Eucalyptus Avenue

Lighthouse Field State Park

# Monterey Bay

A-3-STC-07-057-A1  
Exhibit A  
Page 1 of 1



California Coastal Commission

# EMERGENCY COASTAL DEVELOPMENT PERMIT

## Emergency CDP 3-11-014-G (Harford Pier Access Restrictions)

Issue Date: March 7, 2011

Page 1 of 3

This emergency coastal development permit (ECDP) authorizes emergency development to restrict access on the Harford Pier at Port San Luis Harbor in San Luis Obispo County (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee, the Port San Luis Harbor District (PSLHD), there are new safety and stability issues with the Harford Pier and its canopy, including a new determination on acceptable vehicle weight limits and use parameters; (representing a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property), and the proposed vehicle use and access restrictions are necessary to address public safety issues and prevent the imminent loss of and/or damage to the existing pier and pier canopy. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

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

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

 3/7/2011

Dan Carl, Central Coastal District Manager for Peter M. Douglas, Executive Director

### Conditions of Approval

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form

cc: Nancy Orton, San Luis Obispo County Planning Department

# **Emergency CDP 3-11-014-G (Harford Pier Access Restrictions)**

**Issue Date: March 7, 2011**

**Page 2 of 3**

1. The enclosed ECDP acceptance form must be signed by the applicant and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by March 22, 2011). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must commence within 30 days of the date of this permit (i.e., by April 6, 2011) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary and such vehicle use and access restrictions on the Harford Pier shall cease if they are not authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by May 6, 2011), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. The Permittee is encouraged to submit an application that also requests regular CDP authorization to provide for necessary improvements and/or rehabilitation of the pier and pier canopy. All vehicle use and access restrictions authorized by this ECDP shall cease in their entirety within 150 days of the date of this permit (i.e., by August 4, 2011) unless before that time the California Coastal Commission has issued a regular CDP for the development authorized by this ECDP. The deadlines in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the development.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California State Lands Commission, San Luis Obispo County, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. Vehicle use and access restrictions shall be limited to those identified in the PSLHD letter dated March 7, 2011 and dated received in the Coastal Commission's Central Coast District Office on March 7, 2011.
8. PSLHD Staff shall oversee all vehicle use and access restrictions and shall ensure that all such restrictions are limited to the least amount necessary to address the identified emergency situation on the Harford Pier.
9. Copies of this ECDP shall be maintained in a conspicuous location at the Pier at all times, and such copies shall be available for public review on request. All persons involved with vehicle use and access restrictions shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to implementing such restrictions.
10. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The



**California Coastal Commission**

# **Emergency CDP 3-11-014-G (Harford Pier Access Restrictions)**

**Issue Date: March 7, 2011**

**Page 3 of 3**

Permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property.

11. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
12. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Condition 4 above, the access restrictions carried out under this ECDP are at the Permittee's risk and are considered to be temporary provisions implemented in an emergency situation to abate an emergency. If the PSLHD wishes to have the emergency development become a permanent development, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



**California Coastal Commission**