

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

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

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 14, 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 April 14, 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.

DE MINIMIS WAIVERS

1. 3-10-065-W City of Pacific Grove (Pacific Grove, Monterey County)
2. 3-11-004-W Pacific Gas & Electric Company, Attn: Ernie Ralston (Big Sur, Monterey County)
3. 3-11-012-W Caltrans, Attn: Cathy Stettler, Environmental Coordinator (Big Sur, Monterey County)

EMERGENCY PERMITS

1. 3-11-016-G The Cannery Row Company, Attn: Mr. John Narigi; The Cannery Row Company, Attn: Mr. Frank Donangelo (Monterey, Monterey County)
2. 3-11-018-G Opal Cliffs Recreation District, Attn: David King (Live Oak, Santa Cruz County)
3. 3-11-022-G City Of Morro Bay (Morro Bay, San Luis Obispo County)
4. 3-11-023-G Morro Bay Public Services Department, Attn: Rob Livick (Morro Bay, San Luis Obispo County)

IMMATERIAL AMENDMENTS

1. 3-01-039-A3 Valerie Seymour (Morro Bay, San Luis Obispo County)
2. 3-98-095-A2 Department Of General Services, San Luis Obispo County Parks, Attn: Shaun Cooper (Los Osos, San Luis Obispo County)

TOTAL OF 9 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> |
|--|--|--|
| 3-10-065-W City Of Pacific Grove | Restoration and rehabilitation of the historic Point Pinos Lighthouse and lighthouse grounds including foundation repair at the south corner of the lighthouse structure, restoration of the turn-of-the century oval fencing, and restoration of the surrounding grounds with native landscaping at the Point Pinos Lighthouse. | Asilomar Avenue (between Lighthouse Avenue and Del Monte Blvd.), Pacific Grove (Monterey County) |
| 3-11-004-W Pacific Gas & Electric Company, Attn: Ernie Ralston | Underground an existing 2.5-mile long 12-kilovolt power distribution line from Highway 1 to Anderson Peak, through Julia Pfeiffer-Burns State Park and the Ventana Wilderness | Highway 1 (unincorporated area of county), Big Sur (Monterey County) |
| 3-11-012-W Caltrans, Attn: Cathy Stettler, Environmental Coordinator | Abandon an existing 24-inch diameter culvert and construct new drainage facility that will originate at the existing culvert inlet and extend 388 feet northward along the inland side of the highway and tie into an existing 24-inch diameter down drain. | Highway 1 (Post Mile 18.01, unincorporated area of county), Big Sur (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> |
|---|--|---|
| 3-11-016-G The Cannery Row Company, Attn: Mr. John Narigi The Cannery Row Company, Attn: Mr. Frank Donangelo | Authorize emergency development consisting of the dismantling, demolition and disposal of the roof and rear wall structural elements at the old cannery building | 270 Cannery Row, Monterey (Monterey County) |
| 3-11-018-G Opal Cliffs Recreation District, Attn: David King | Authorize the Opal Cliffs Recreation District to underpin and expand the foundation of the existing pier that supports the stairway which provides access from the bluff-top to the beach at 4520 Opal Cliff Drive | 4250 Opal Cliffs Drive (on the beach), Live Oak (Santa Cruz County) |
| 3-11-022-G City Of Morro Bay | Emergency development to repair damaged to the City's boat slips caused by the tsunami of March 11, 2011. The emergency development includes removing a damaged creosote pile at City slip finger #5/6 and replacing it with a steel pipe; and replacing the damaged concrete pile and slip finger a City slip finger #19/20, in kind. | Embarcadero Area (adjacent to the public launch ramp, at the southern end of the Embarcadero), Morro Bay (San Luis Obispo County) |
| 3-11-023-G Morro Bay Public Services Department, Attn: Rob Livick | Emergency CDP request to relocate approximately 150 cubic yards of beach sand in order to redirect Morro Creek away from the WWTP outfall, and rebury an exposed 100-foot segment of outfall pipeline located seaward of the western terminus of Atascadero Road. | Atascadero Road (Morro Creek Estuary at west end of Atascadero Road), Morro Bay (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> |
|--|--|---|
| 3-01-039-A3 Valerie Seymour | CDP 3-01-039 would be amended to convert the existing, ground-floor retail space into an additional hotel guest room. No residential use of the space is proposed, and the unit would be restricted to transient use, subject to the overnight room requirements established in Special Condition 2 of CDP 3-01-039-A2 (i.e., the room would be open and available to the general public; rooms would not be rented to any individual, family or group for more than 29 days per year or for more than 14 days between Memorial Day and Labor Day; and the unit would not be converted to limited-use overnight accommodations such as timeshares or condohotels, or to any other residential or quasi-residential use). In addition, the amendment would include a provision allowing the Executive Director to review and approve future changes from hotel use back to retail use and vice versa, including necessary interior modifications, as long as such changes or modifications do not adversely impact coastal resources. | 1140 Front Street (Unit B), Morro Bay (San Luis Obispo County) |
| 3-98-095-A2 Department Of General Services, San Luis Obispo County Parks, Attn: Shaun Cooper | Minor repairs to the existing boardwalk and provide for installation of a small bulletin board and handrails for the stairs at 13th, 14th, 15th and 17th Streets. | Elfin Forest (northern portion of Los Osos, at the northern end of 11th St. through 17th Street), Los Osos (San Luis Obispo County) |

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 30, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager 
Mike Watson, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-10-065-W
Applicants: City of Pacific Grove

Proposed Development

Restoration and rehabilitation of the historic Point Pinos Lighthouse and lighthouse grounds including foundation repair at the south corner of the lighthouse structure, restoration of the turn-of-the-century oval fencing, and restoration of the surrounding grounds with native landscaping at the Point Pinos Lighthouse between Lighthouse Avenue and Del Monte Boulevard (APN 007-011-006) in the City of Pacific Grove.

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 foundation repair work is fairly minor in scope and is necessary to ensure the stability of the existing circa 1855 historic lighthouse structure. Restoration of the oval fencing around the perimeter of the lighthouse grounds is an integral part of the historic replication and will not otherwise interfere with sand/seed-bank transport or the movement of area wildlife. Native landscaping, including two tree species appropriate to the Asilomar Dunes forest front, is proposed for the lighthouse grounds immediately surrounding the lighthouse structure. The proposed project further includes appropriate construction best management practices to protect water quality and public access during construction, and will result in enhanced public recreational opportunities overall at the Point Pinos Lighthouse. In sum, the proposed project will protect and restore a historic landmark and simultaneously enhance public recreational access opportunities and native habitats consistent with the requirements 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, April 14, 2011, in Santa Barbara. 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: March 30, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager *DCarl*
Katie Butler, Coastal Planner *KB*
Subject: Coastal Development Permit (CDP) Waiver 3-11-004-W
Applicant: Pacific Gas and Electric Company

Proposed Development

Underground an existing 2.5-mile long 12-kilovolt power distribution line from Highway 1 to Anderson Peak, through Julia Pfeiffer-Burns State Park and the Ventana Wilderness, in the Big Sur area of unincorporated Monterey County.

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 undergrounding project is intended to eliminate California condor and other avian mortalities that have occurred as a result of collisions with the existing overhead power line. Construction operations and staging areas have been carefully designed to minimize vegetation removal and impacts to sensitive species, including through the use of helicopters instead of a new access road and daily monitoring of known condor nest sites and other sensitive species. Vegetation removal will be minimized during construction with the use of specialized equipment and the alignment will be allowed to revegetate naturally, consistent with the Forest Service's protocol for the Ventana Wilderness area. The revegetation will be monitored and additional measures will be implemented if the project area is not in as good or better condition in two years time. In sum, the proposed project will protect and enhance California condor habitat, as well as protect other known sensitive species during construction; will enhance visual resources in the Big Sur critical viewshed; and will have no impact on public access, consistent with the Coastal Act and the certified Monterey County Local Coastal Program.

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, April 14, 2011 in Santa Barbara. 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 Katie Butler in the Central Coast District office.



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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 30, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager *DCM*
Katie Butler, Coastal Planner *KB*
Subject: Coastal Development Permit (CDP) Waiver 3-11-012-W
Applicant: Caltrans District 5

Proposed Development

Abandon an existing 24-inch diameter culvert and construct new drainage facility that will originate at the existing culvert inlet and extend 388 feet northward along the inland side of the highway and tie into an existing 24-inch diameter down drain, at Highway 1 post mile 18.01 in the Big Sur area of unincorporated Monterey County.

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 involves replacement of a failing existing culvert system that transports runoff under Highway 1 in Big Sur, and is necessary to ensure that Highway 1 remains open and safe for vehicles and pedestrians. Aboveground elements of the proposed project will not be visible from the Highway 1 corridor, and the project includes measures to protect sensitive habitat and public access during construction, including: temporary flagger(s) that will allow one through lane to remain open at all times; avoidance flagging and fencing of sensitive habitat; and erosion and pollution control measures. In sum, the proposed project will protect public access, habitat, and visual resources consistent with the Coastal Act and the certified Monterey County Local Coastal Program.

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, April 14, 2011 in Santa Barbara. 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 Katie Butler in the Central Coast District office.





California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP 3-11-016-G (270 Cannery Row Building)

Issue Date: March 9, 2011

Page 1 of 4

This emergency coastal development permit (ECDP) authorizes emergency development consisting of the dismantling, demolition and disposal of the roof and rear wall structural elements at the old cannery building located at 270 Cannery Row in the City of Monterey (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (Cannery Row Company), it appears that recent storms during late February 2011 caused the roof and roof materials to collapse onto the rear wall along the Monterey Bay side of the old cannery at this location. Specifically, high winds and rains combined to cave in the roof, and elements of the failed roof then damaged the rear wall of the cannery building causing it to lean outward over the Bay. As a result, the entire roof and rear wall of the structure threaten to collapse and fall into the Monterey Bay. The proposed emergency development is necessary to abate the eventual collapse of the outer (rear) wall of the cannery building and ultimate release of wood, concrete, steel and debris from entering the Bay. 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.

DAN CARL 3/9/2011

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

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form;

cc: Kimberly Cole, City of Monterey - Planning Department
John Narigi, The Cannery Row Company
Frank Donangelo, The Cannery Row Company

Emergency CDP 3-11-016-G (270 Cannery Row Building)

Issue Date: March 9, 2011

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Conditions of Approval

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 24, 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 be completed within 30 days of the date of this permit (i.e., by April 8, 2011) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary, and shall not constitute an authorized activity if it is not authorized by a regular CDP, unless the Executive Director determines that no follow up CDP is required. If the Executive Director determines that a follow up CDP is required, then within 60 days of the date of this permit (i.e., by May 8, 2011), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. 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 project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., City of Monterey, California State Lands Commission, Monterey Bay National Marine Sanctuary, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's Central Coast District Office on March 7, 2011, except as revised in the following manner:
 - a. All wood, concrete, steel, and other debris shall be removed entirely from the site and disposed of at a suitable off-site location outside the coastal zone.
 - b. Mitigation measures shall be implemented to ensure that all wood, concrete, steel, and other debris are appropriately contained and not allowed to be released into Monterey Bay waters.
8. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to abate the emergency.



California Coastal Commission

Emergency CDP 3-11-016-G (270 Cannery Row Building)

Issue Date: March 9, 2011

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9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access, habitat areas, and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
- a. All work shall take place during daylight hours. Lighting of the beach or intertidal area is prohibited.
 - b. All demolition spoils shall be immediately disposed. All demolition areas shall be minimized and designed to protect public safety to the maximum extent feasible. Demolition (including but not limited to demolition activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
 - c. The demolition site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of debris and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all demolition debris from bay waters; etc.).
 - d. All demolition activities that result in discharge of materials, polluted runoff, or wastes to the beach or the marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place at the demolition site. Any debris and sediment controls used shall be in place prior to the commencement of demolition as well as at the end of each work day.
 - e. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
 - f. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
11. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and their contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions



Emergency CDP 3-11-016-G (270 Cannery Row Building)

Issue Date: March 9, 2011

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regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

12. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections clearly identifying all development completed under this emergency authorization (comparing any previously permitted condition to both the emergency condition and to the post-work condition), and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization. Photos showing the project site before the emergency (if available), during emergency project demolition activities, and after the work authorized by this ECDP is complete, shall be provided with the site plans and cross sections.
13. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property.
14. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
15. 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.

The emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. For the development to be authorized under the Coastal Act and/or if the property owner wishes to expand the scope of work, 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

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP 3-11-018-G (Opal Cliffs Recreation District Stairway Foundation Repair)

Issue Date: March 18, 2011

Page 1 of 3

This emergency coastal development permit (ECDP) authorizes the Opal Cliffs Recreation District to underpin and expand the foundation of the existing pier that supports the stairway which provides access from the bluff-top to the beach at 4520 Opal Cliff Drive (as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee's representatives, David King and John Kasunich, it appears that the foundation of the pier that supports the stairway to the beach is being undermined by erosion of the bedrock that surrounds the base of the pier. Thus, an emergency situation (representing a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property) has been identified at the site, and that the proposed emergency development is necessary to prevent the imminent collapse of the stairway to the beach at this location. 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.

 3/18/2011

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

Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Opal Cliffs Recreation District's designated representative and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by April 2, 2011). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form; (2) Regular Permit Application Form

cc: Deirdre Whalen, Monterey Bay National Marine Sanctuary

Emergency CDP 3-11-018-G (Opal Cliffs Recreation District Stairway Foundation Pier Underpinning)

Issue Date: March 18, 2011

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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 be completed by April 29, 2011 unless extended for good cause by the Executive Director.
4. 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 project.
5. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Santa Cruz County, Monterey Bay National Marine Sanctuary, California State Lands Commission, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
6. The emergency stairway foundation pier underpinning shall be limited in scale and scope to that described on the project plans entitled "*Emergency Stairway Foundation Repair, Opal Cliffs Recreation District Beach Access, County of Santa Cruz, California*" by Haro, Kasunich and Associates, Inc. dated March 7, 2011 and dated received in the Coastal Commission's Central Coast District Office on March 16, 2011.
7. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to abate the emergency.
8. All emergency construction activities shall limit impacts to beach recreational access and to the Monterey Bay to the maximum extent feasible including by, at a minimum, adhering to the construction requirements described on page 7 of the project plans described in #6 above.
9. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of the foundation repair project.
10. A copy of this ECDP shall be maintained in a conspicuous location at the project site at all times, and such copy shall be available for public review on request. All persons involved with the foundation repair project shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it.
11. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and his/her contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The



California Coastal Commission

**Emergency CDP 3-11-018-G (Opal Cliffs Recreation District
Stairway Foundation Pier Underpinning)**

Issue Date: March 18, 2011

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construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

12. The emergency development authorized by this ECDP is only temporary, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by May 17, 2011), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. The emergency development shall be removed in its entirety within 150 days of the date of this permit (i.e., by August 15, 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.
13. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.

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

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP 3-11-022-G (Morro Bay Boat Slip Repairs)

Issue Date: March 30, 2011

Page 1 of 5

This emergency coastal development permit (ECDP) authorizes emergency development to repair damage to the City of Morro Bay boat slips caused by the tsunami of March 11, 2011. The damaged boat slips are located adjacent to the public launch ramp, at the southern terminus of the Embarcadero, in the City of Morro Bay. The emergency development includes removing a damaged creosote pile at City slip finger #5/6 and replacing it with a steel pile; and replacing the damaged concrete pile and slip finger at City slip finger #19/20, in kind (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee, the City of Morro Bay Harbor Department, the City's boat slip facilities suffered damage due to the March 11, 2011 tsunami (representing a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property), and the damaged facilities pose a continuing threat to themselves and to adjoining facilities. 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.

DAN CARL 3/30/2011

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

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form; (2) Regular Permit Application Form

cc: Kathleen Wold, City of Morro Bay Planning Department

Emergency CDP 3-11-022-G (Morro Bay Boat Slip Repairs)

Issue Date: March 30, 2011

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Conditions of Approval

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 April 14, 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 be completed within 30 days of the date of this permit (i.e., by April 29, 2011) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by May 29, 2011), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. The application shall include photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete. The emergency development shall be removed in its entirety within 150 days of the date of this permit (i.e., by August 27, 2011) and all areas affected by it restored to their original pre-emergency development condition 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 project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., City of Morro Bay, U.S. Army Corps of Engineers, California State Lands Commission, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's Central Coast District Office on March 29, 2011.
8. All emergency development shall be limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access, habitat areas, and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):



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- a. All work shall take place during daylight hours. Lighting of the slip area is prohibited.
- b. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
- c. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
- d. All construction activities that result in discharge of materials, polluted runoff, or wastes to the marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each work day.
- e. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
- f. All exposed slopes and soil surfaces in and/or adjacent to the construction area shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best management practices (for example, those identified in the California Storm Water Best Management Practice Handbooks (March, 1993)). The use of non-native invasive species (such as ice-plant) is prohibited.
- g. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
- h. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
- i. Particular care shall be exercised to prevent foreign materials (e.g. construction scraps, wood preservatives, other chemicals, etc.) from entering harbor or other state waters. Where additional wood preservatives must be applied to cut-wood surfaces, the materials, whenever feasible, shall be treated at an onshore location to preclude the possibility of spills into harbor or other state waters. A containment boom shall be placed around all active portions of a construction site where wood scraps or other floatable debris could enter the water. For any work on or beneath fixed decks, heavy-duty mesh containment netting shall be maintained below all work areas where construction discards or other materials could fall into the water. The containment boom



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and net shall be cleared daily or as often as necessary to prevent accumulation of debris. Contractors shall insure 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 cleaning up improperly contained foreign materials.

- j. Piling installation shall be performed in accordance with Department of Fish & Game recommendations. Generally, the new pilings shall be installed according to the method that results in the least disturbance of bottom sediments. Disturbed sediments shall be contained with a flexible skirt surrounding the driven pile(s).
- k. If pile installation or any other portion of the proposed project requires the pouring of concrete in, adjacent to, or over the water, one of the following methods shall be employed to prevent uncured concrete from entering harbor or other state waters:
 - (i) Complete dewatering of the pour site, within a caisson or other barrier; the site is to remain dewatered until the concrete is sufficiently cured to prevent any significant increase in the pH of adjacent waters; or
 - (ii) The tremie method, which involves placement of the form in water, inserting a plastic pipe down to the bottom of the form and pumping concrete into the form so that the water is displaced towards the top of the form. If this method is selected, the displaced waters shall be pumped off and collected in a holding tank. The collected waters shall then be tested for pH, in accordance with Fish & Game regulations. If the pH is greater than 8.5, the water will be neutralized with sulfuric acid until the pH is between 8.5 and 6.5. This pH-balanced water can then be returned to the sea. However, any solids that settle out during the pH balancing process shall not be discharged to the marine environment.

In each case involving such concrete pours in or near harbor or other state waters, a separate washout area shall be provided for the concrete trucks and/or tools. The washout area shall be designed and located so that there will be no chance of concrete slurry or contaminated water runoff to the harbor other state waters, nor into storm drains or gutters that empty into such bodies of water.

10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
11. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and their contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction



Emergency CDP 3-11-022-G (Morro Bay Boat Slip Repairs)

Issue Date: March 30, 2011

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coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

12. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
13. 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 emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If the property owner wishes to have the emergency development become 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



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP 3-11-023-G (Morro Bay WWTP Outfall)

Issue Date: April 6, 2011

Page 1 of 4

This emergency coastal development permit (ECDP) authorizes emergency development to relocate approximately 150 cubic yards of beach sand in order to redirect Morro Creek away from the WWTP outfall, and rebury an exposed 100-foot segment of outfall pipeline, located seaward of the western terminus of Atascadero Road, in the City of Morro Bay. No material will be imported and no vegetation will be disturbed. The project is more specifically described in the Commission's ECDP file.

Based on the materials presented by the Permittee, the City of Morro Bay, heavy storm flows exiting Morro Creek, combined with heavy storm surge and wave action, allowed the creek to migrate up-coast, along the beach, approximately 1,500 feet north of its more usual outlet location. These flows exposed a 100-foot section of the outfall pipeline, and the creek continues to flow both over and under the exposed pipeline. Because the outfall pipeline is designed to be buried in the sand, not exposed to flowing water, this exposure presents an immediate threat to the pipeline and could cause the pipeline to be damaged or to rupture. Therefore, the creek's migration constitutes a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property. 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.

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

Enclosure: Emergency Coastal Development Permit Acceptance Form

cc: Kathleen Wold, City of Morro Bay Planning Department

Emergency CDP 3-11-023-G (Morro Bay WWTP Outfall)

Issue Date: April 6, 2011

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Conditions of Approval

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 April 21, 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 be completed within 30 days of the date of this permit (i.e., by May 6, 2011) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by June 5, 2011), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. The application shall include photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete. The emergency development shall be removed in its entirety within 150 days of the date of this permit (i.e., by September 3, 2011) and all areas affected by it restored to their original pre-emergency development condition 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 project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., City of Morro Bay, State Parks, Department of Fish and Game, U.S. Army Corps of Engineers, California State Lands Commission, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's Central Coast District Office on March 30, 2011. Material shall not be imported; vegetation and sensitive habitat areas, including snowy plover habitat, shall not be disturbed.
8. All emergency development shall be limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access, habitat areas, and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):



Emergency CDP 3-11-023-G (Morro Bay WWTP Outfall)

Issue Date: April 6, 2011

Page 3 of 4

- a. All work shall take place during daylight hours. Lighting of the beach area is prohibited.
 - b. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
 - c. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
 - d. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each work day.
 - e. All beach areas and all shoreline access points impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove all construction debris.
 - f. All contractors shall insure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
 - g. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required beach-area restoration activities. If planning staff should identify additional reasonable measures necessary to restore the beach and beach access points, such measures shall be implemented immediately.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
11. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and their contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction



Emergency CDP 3-11-023-G (Morro Bay WWTP Outfall)

Issue Date: April 6, 2011

Page 4 of 4

coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

12. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
13. 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 emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If the property owner wishes to have the emergency development become 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

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

**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: March 30, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager *DCM*
Madeline Cavalieri, Coastal Planner *MC*
Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-01-039
Applicant: Valerie Seymour

Original CDP Approval

CDP 3-01-039 was approved by the Commission on August 7, 2001, and subsequently amended on May 12, 2004 (CDP amendment number 3-01-039-A1) and February 5, 2009 (CDP amendment number 3-01-039-A2). CDP 3-01-039, as amended, provides for the development of a commercial visitor-serving building with shops on the lower floor, a two-unit inn and spa and caretakers quarters on the upper floor, and minor exterior structures (including a hot tub, storage shed, deck, and fence between the rear of the building and the bluff) on a property located at 1140 Front Street near the Morro Bay Embarcadero in the City of Morro Bay, San Luis Obispo County

Proposed CDP Amendment

CDP 3-01-039 would be amended to convert the existing, ground-floor retail space into an additional hotel guest room. No residential use of the space is proposed, and the unit would be restricted to transient use, subject to the overnight room requirements established in Special Condition 2 of CDP 3-01-039-A2 (i.e., the room would be open and available to the general public; rooms would not be rented to any individual, family or group for more than 29 days per year or for more than 14 days between Memorial Day and Labor Day; and the unit would not be converted to limited-use overnight accommodations such as timeshares or condohotels, or to any other residential or quasi-residential use). In addition, the amendment would include a provision allowing the Executive Director to review and approve future changes from hotel use back to retail use and vice versa, including necessary interior modifications, as long as such changes or modifications do not adversely impact coastal resources. The Commission's reference number for this proposed amendment is 3-01-039-A3.

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 project would modify the approved use and development to provide a higher priority visitor-serving overnight unit in place of the current commercial retail operation. This change increases visitor-serving overnight opportunities in the Morro Bay Embarcadero area, a prime visitor destination. In addition, the proposed flexibility to change back to the commercial use should market forces dictate, and so long as it doesn't adversely impact coastal resources, makes sense given the relatively small scale



NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-01-039 (Front Street Inn)

Proposed Amendment 3-01-039-A3

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of the inn/spa facility, and it wouldn't change the visitor-serving makeup of the Commission-approved project as it currently exists if that were to occur. The proposal means that at a minimum, higher priority uses are accommodated on the site immediately, and could only be modified in the future in a way that would protect the existing, approved (through and including CDP amendment 3-01-039-A2) inn/spa/commercial makeup of the development. Thus, the project would enhance public access and recreational opportunities consistent with the Commission's original coastal development permit approval, as well as consistent with the Coastal Act and the certified City of Morro Bay Local Coastal Program.

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, April 14, 2011, in Santa Barbara. 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 Madeline Cavalieri in the Central Coast District office.



CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: March 30, 2011

To: All Interested Parties

From: Dan Carl, Central Coast District Manager *DCM*
Jonathan Bishop, Coastal Planner *JB*

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-98-095-A1
Applicants: San Luis Obispo County Parks

Original CDP Approval

CDP 3-98-095-A1 was approved by the Coastal Commission on May 7, 2009, and provided for a 100 linear foot pedestrian boardwalk extension into an area known as Rose's Grove. The extension connected the existing Elfin Forest Boardwalk to Rose's Grove at the northern end of 11th Street through 17th Street, in the community of Los Osos, San Luis Obispo County.

Proposed CDP Amendment

CDP 3-98-095-A1 would be amended to allow for minor repairs to the existing boardwalk and to provide for installation of a small bulletin board and handrails for the stairs at 13th, 14th, 15th, and 17th Streets. The Commission's reference number for this proposed amendment is 3-98-095-A2.

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 project improves access conditions at the Elfin Forest/Rose's Grove pedestrian boardwalk previously approved by the Commission, and has been designed to be as unobtrusive as possible, including through use of recycled wood materials within the existing boardwalk footprint. The new bulletin board will be small in scale and visually unobtrusive, and will be used to post information about the Elfin Forest/Rose's Grove, including information about monthly docent lead walks, educational materials, contact information in the event of an emergency, etc. In sum, the proposed amendment will enhance public access and recreational opportunities consistent with the Commission's original coastal development permit approval, as well as consistent with the Coastal Act and the certified San Luis Obispo County Local Coastal Program.

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, April 14, 2011, in Santa Barbara. 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 Jonathan Bishop in the Central Coast District office.

