

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
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W4

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

For the

July Meeting of the California Coastal Commission

MEMORANDUM

Date: July 13, 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 July 13, 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. 3-11-040-W Carl Alasko (Pacific Grove, Monterey County)

DE MINIMIS WAIVERS

1. 3-11-024-W California Fish & Game Department, Attn: Jeffrey S. Single, Regional Manager (Moss Landing, Monterey County)
2. 3-11-038-W California Polytechnic State University (Cal Poly), Attn: Greg Lampman (San Luis Obispo, San Luis Obispo County)

EXTENSION - IMMATERIAL

1. 3-08-025-E1 Harbor Hut, Attn: George Leage; Great American Fish Company, Attn: Jim Leage; Sea One Solutions, Inc. (Virg's), Attn: Darby Neil (Morro Bay, San Luis Obispo County)

TOTAL OF 4 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>
3-11-040-W Carl Alasko	Conversion of an existing commercial retail space into a 78-seat restaurant with full kitchen, ADA-accessible restrooms, new entryway, and ADA-accessible rear entrance ramp.	110 Central Avenue, 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>
3-11-024-W California Fish & Game Department, Attn: Jeffrey S. Single, Regional Manager	Modify the topography and vegetation within managed ponds at the west end of Elkhorn Slough to improve tidal flow, promote ponding within wetland habitat, and enhance breeding and rearing habitat for Western snowy plover. Proposed project also includes adding new public viewing platforms and monitoring blinds, modification of existing public viewing platform to comply with ADA accessibility requirements, clean/repair the existing water distribution system and repair the main water control structure in the eastern levee, construction of new pedestrian and maintenance vehicle crossing from parking lot to eastern levee, add layer of gravel to the top of the eastern levee to provide all weather access for site managers and public, and improve existing gravel access road and parking lot at the Moss Landing Wildlife Area near the mouth of Elkhorn Slough	Elkhorn Slough (north of Elkhorn Slough, east of Highway 1), Moss Landing (Monterey County)
3-11-038-W California Polytechnic State University (Cal Poly), Attn: Greg Lampman	Construct a new two-lane steel railcar type freespan bridge to replace an existing two-lane 4-span timber bridge crossing over Walters Creek.	Gilardi Road (east of Highway One on Cal Poly State University property), San Luis Obispo (San Luis Obispo County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
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<p>3-08-025-E1 Harbor Hut, Attn: George Leage Great American Fish Company, Attn: Jim Leage</p>	<p>Renovation and redevelopment of three existing commercial business and related boating facilities spanning 22 lease sites.</p>	<p>1185 - 1215 Embarcadero Road (along the Morro Bay Embarcadero, lease sites 110-113, 122-128, 110W-113W, 115W, 122W-128W), Morro Bay (San Luis Obispo County)</p>
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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 28, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-11-040-W**
Applicant: Carl Alasko

Proposed Development

Conversion of an existing commercial retail space into a 78-seat restaurant with full kitchen, ADA-accessible restrooms, new entryway, and ADA-accessible rear entrance ramp at 110 Central Avenue in the City of Pacific Grove.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13253 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 conversion involves mainly interior changes to an existing commercial retail structure and does not include any expansion of the footprint or increase in height of the existing building. The proposed restaurant use will operate solely during the evening (after 5pm) when adjacent businesses are closed. The project site is located approximately 3 blocks away from the shoreline at Cannery Row and there are 36 dedicated parking spaces in the parking lot immediately adjacent to the restaurant reserved for restaurant patrons. There is also adequate on-street parking in the vicinity to support the variety of commercial retail and visitor serving uses in the surrounding neighborhood. The proposed restaurant use will not have any effect on public views or otherwise adversely impact coastal resource or 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 Wednesday, July 13, 2011, in San Rafael. 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: June 28, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-11-024-W**
Applicants: California Department of Fish & Game

Proposed Development

Modify the topography and vegetation within managed ponds at the west end of Elkhorn Slough to improve tidal flow, promote ponding within wetland habitat, and enhance breeding and rearing habitat for Western snowy plover. Proposed project also includes adding new public viewing platforms and monitoring blinds, modification of existing public viewing platform to comply with ADA accessibility requirements, clean/repair the existing water distribution system and repair the main water control structure in the eastern levee, construction of new pedestrian and maintenance vehicle crossing from parking lot to eastern levee, add layer of gravel to the top of the eastern levee to provide all weather access for site managers and public, and improve existing gravel access road and parking lot at the Moss Landing Wildlife Area near the mouth of Elkhorn Slough in Moss Landing, 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 project is a restoration / enhancement project designed to increase the value and function of the habitats present in the Moss Landing Wildlife Area, including more than 30 acres of Western snowy plover habitat. Additionally discarded tires, fencing, debris, and an old water control structure will be removed from the restoration area enhancing habitat values, and restoring tidal exchange and wetland functions/values to salt marsh and tidal wetlands directly in the debris footprint. Removal of trash and debris further improves/enhances the visual aesthetic of the slough and wetland area, which together with the proposed levee and viewing platform improvements, will benefit scientific research and enhance public recreational access opportunities for a broader segment of the public.

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 Wednesday, July 13, 2011, in San Rafael. 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: June 28, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager
Jonathan Bishop, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-11-038-W**
Applicant: California Polytechnic State University (Cal Poly)

Proposed Development

Construct a new two-lane steel railcar type freespan bridge to replace an existing two-lane 4-span timber bridge crossing over Walters Creek. The project is located east of Highway One on Cal Poly State University property in San Luis Obispo 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:

This project is an alternative to the bridge replacement project previously approved by the Coastal Commission via a CDP waiver in 2010 (3-09-005-W). The current alternative is a lesser project in terms of overall size and scale, and includes all of the same resource protection measures and construction practices as the previous approval. The currently proposed project involves the replacement of a damaged existing timber bridge, with a new steel railcar freespan bridge. The condition of the existing bridge has deteriorated and is no longer structurally secure. Construction measures are included in the project description to avoid disturbances to Walters Creek. The existing wooden support piers will be removed from the streambed channel to improve creek flows. The project includes biological monitoring during construction and no vegetation removal will occur. Agricultural soils that may be impacted around the bridge approaches will be stockpiled and replaced on the top layer of the new approach slopes and revegetated with an appropriate native grass seed mix to avoid the loss of these soils. The new bridge will appropriately integrate with the agricultural character of the area, including by reducing the bridge's scale relative to the existing bridge. In sum, the project will allow for safe passage of traffic across Walters Creek, will improve stream function in the longer term, and has no potential for adverse effects on coastal resources, including public access. Thus, the proposed project can be found consistent with 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 Wednesday, July 13th, 2011, in San Rafael. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.



NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-11-038-W (Gilardi Road Bridge Replacement)
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If you have any questions about the proposal or wish to register an objection, please contact Jonathan Bishop in the Central Coast District office.



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NOTICE OF PROPOSED PERMIT EXTENSION

Date: June 28, 2011
To: All Interested Parties
From: Dan Carl, Central Coast District Manager
Madeline Cavalieri, Coastal Planner
Subject: **Proposed Extension to Coastal Development Permit (CDP) 3-08-025**
Applicants: Harbor Hut, Great American Fish Company and Sea One Solutions

Original CDP Approval

CDP 3-08-025 was approved by the Coastal Commission on June 10, 2009, and provided for renovation and redevelopment of three existing commercial business and related boating facilities spanning 22 lease sites, along the Morro Bay Embarcadero (lease sites 110-113, 122-128, 110W-113W, 115W, 122W-128W) at 1185-1215 Embarcadero Road (APN 066-351-012, 013, 014, 015, 016, 018, 019, 020, 028, 029, 039) adjacent to and over Morro Bay in the City of Morro Bay, San Luis Obispo County.

Proposed CDP Extension

The expiration date of CDP 3-08-025 would be extended by one year to June 10, 2012. The Commission's reference number for this proposed extension is 3-08-025-E1.

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the Chapter 3 policies of the Coastal Act or the certified Morro Bay Local Coastal Program.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on Wednesday, July 13, 2011, in San Rafael. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

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

