

CALIFORNIA COASTAL COMMISSION

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

For the

February Meeting of the California Coastal Commission

MEMORANDUM

Date: February 9, 2012

TO: Commissioners and Interested Parties
FROM: Dan Carl, 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 February 9, 2012 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. 3-11-057-W Rolfe Trust (Live Oak, Santa Cruz County)
2. 3-12-003-W Santa Cruz Seaside Company (Santa Cruz, Santa Cruz County)

DE MINIMIS WAIVERS

1. 3-12-001-W N.H.C.-C.A.3 L.P. (Pacific Dunes R.V. Resort), Attn: Scott Brown Development Manager (, San Luis Obispo County)

IMMATERIAL AMENDMENTS

1. 3-82-171-A4 Ventana Investors V, L.L.C. (Big Sur, Monterey County)

EXTENSION - IMMATERIAL

1. A-3-SLO-00-040-E3 Dennis C. Schneider (, San Luis Obispo County)

<i>TOTAL OF 5 ITEMS</i>

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>
3-11-057-W Rolfe Trust	Authorization of development completed pursuant to emergency CDP (3-11-059-G) that allowed for restacking of about a dozen rocks in voids that developed in a riprap revetment on the seaward side of property.	2900 East Cliff Drive (seaward side of 2900 East Cliff Drive fronting Twin Lakes State Beach), Live Oak (Santa Cruz County)
3-12-003-W Santa Cruz Seaside Company	Construction of a new cantilevered section of deck (totaling 144 square feet) and a new seating deck at the Santa Cruz Beach Boardwalk (Boardwalk). The cantilevered deck section would extend about four feet out from the existing edge of the Boardwalk over the beach and would be 36 feet wide, and would be located seaward of the Giant Dipper roller coaster. The deck would be constructed from 2' x 6' decking materials with a cement finish and would include 42" high railing panels painted to match the existing Boardwalk railing panels. An existing portable food stand would be relocated to this cantilevered deck area to provide more walkway access along the Boardwalk proper.	400 Beach Street, Santa Cruz (Santa Cruz 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>
3-12-001-W N.H.C.-C.A.3 L.P. (Pacific Dunes R.V. Resort), Attn: Scott Brown Development Manager	Replace an existing water tank with a slightly smaller tank, and remove the existing water tank at a 215 space recreational vehicle (RV) park (Pacific Dunes RV Resort). Once the new water tank is on line and the existing water tank removed, the old tank location will be restored (including removal of the hard substrate and planting of native plants consistent with the surrounding area).	1205 Silver Spur Place (south of the community of Oceano), San Luis Obispo County

REPORT OF IMMATERIAL AMENDMENTS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
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3-82-171-A4 Ventana Investors V, L.L.C.	Allow for installation of a new tertiary-treated wastewater dispersal system to serve the existing facilities at the Ventana Inn and Spa, including the campground and employee housing units, as necessary to comply with RWQCB Cleanup and Abatement Order No. R3-2007-0091.	Highway One (Ventana Inn, approximately 3.5 miles south of Big Sur Village), Big Sur (Monterey County)
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REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
A-3-SLO-00-040-E3 Dennis C. Schneider	Construction of a 10,000 square foot single family residence, a 2,500 square foot barn, and 1.25 mile access road improvements on a 40.6 acre parcel zoned for agriculture.	West Side Highway 1 (on the marine terrace approximately one-half mile south of China Harbor and one mile north of Villa Creek Road along the Harmony Coast), San Luis Obispo County

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NOTICE OF PROPOSED PERMIT WAIVER

Date: January 27, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Susan Craig, Supervising Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-11-057-W
Applicant: Rolfe Trust

Proposed Development

Authorization of development completed pursuant to an emergency CDP (3-11-059-G) that allowed for restacking of about a dozen rocks in voids that developed in a riprap revetment on the seaward side of 2-900 East Cliff Drive fronting Twin Lakes State Beach.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13252 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

In August 2011 voids formed in an existing rock revetment, threatening its stability and the safety of beachgoers at Twin Lakes State Beach. To prevent the revetment from collapsing and harming the public at Twin Lakes State Beach, the Applicant was granted emergency CDP 3-11-059-G, which allowed for retrieving about a dozen rocks from the beach and restacking these rocks in the voids that had developed in the existing riprap revetment. The emergency CDP requires a regular authorization to appropriately recognize such work under the Coastal Act's normal CDP requirements. The project was fairly minor, involving only restacking existing rock that had fallen and migrated away from the revetment and onto the larger State beach area. No new rock was imported to fill the voids, and the rock was restacked within the footprint and profile of the existing revetment as was originally authorized by CDP A-80-038. Appropriate best management practices were employed during the restacking to protect coastal resources, and construction activities were minimized to allow through public access and protect public safety to the maximum extent feasible. In short, the completed rock restacking episode was fairly minor in scope, addressed safety concerns at Twin Lakes State Beach, maintained the existing permitted revetment footprint/profile, and the temporary impacts did not significantly adversely affect coastal resources, including public access. Overall, the restacking was consistent with the Commission's original authorization of the revetment 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, February 9, 2012 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 Susan Craig in the Central Coast District office.



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NOTICE OF PROPOSED PERMIT WAIVER

Date: January 26, 2012
To: All Interested Parties
From: Dan Carl, Deputy Director
Susan Craig, Supervising Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-12-003-W
Applicant: Santa Cruz Seaside Company

Proposed Development

The proposed project includes construction of a new cantilevered section of deck (totaling 144 square feet) and a new seating deck at the Santa Cruz Beach Boardwalk (Boardwalk). The cantilevered deck section would extend about four feet out from the existing edge of the Boardwalk over the beach and would be 36 feet wide, and would be located seaward of the Giant Dipper roller coaster. The deck would be constructed from 2' x 6' decking materials with a cement finish and would include 42" high railing panels painted to match the existing Boardwalk railing panels. An existing portable food stand would be relocated to this cantilevered deck area to provide more walkway access along the Boardwalk proper.

In terms of the new seating deck, this portion of the proposed project would be 177' 6" wide and would extend 16' over the beach (a total of 2,840 square feet of decking). A new 16' wide staircase would lead down to the beach from the center of the seating deck. The new seating deck would be supported by polyurethane polymer coated pilings that would be enclosed by painted wood siding that will extend from the seaward edge of the seating areas to the sandy beach below. The deck of the seating area would be made from 2' x 6' decking materials with a hardwood finish and would include 42" high see-through railings. Tables with umbrellas, park-style benches, and several interpretive signs describing the ecology of the Monterey Bay National Marine Sanctuary will be placed on the seating deck.

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 regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The Boardwalk is a prime visitor attraction in Santa Cruz that is visited by over three million people annually who come from far and wide to enjoy its rides, games, and beachfront atmosphere. The Boardwalk is situated adjacent to the City of Santa Cruz's Main Beach. Access to the Boardwalk (including the proposed deck amenities) is free and open to the general public, who can stroll along the Boardwalk and access the Main Beach without any charge. The proposed cantilevered deck will allow for a food stand to be offset from the main Boardwalk walkway, which will provide more walkway space for Boardwalk visitors that is especially needed during the busy summer season. The proposed seating deck will provide an area located off of the busy Boardwalk walkway for visitors to sit and relax



NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-12-003-W (Boardwalk Decks)

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and enjoy ocean views (the use of see-through railing will allow for virtually unobstructed views from the seating decks). In addition, the new stairway from the larger seating deck will provide additional access to the City's Main Beach. The proposed pilings are sealed in a polyurethane polymer designed to avoid significant impacts (e.g., impacts associated with chemically-treated wood absent such a safeguard). Although the new cantilevered deck and seating deck will extend slightly over the beach, Main Beach is very large and wide and the portions of the beach that will be occupied by these decks are located directly adjacent to the Boardwalk's existing bulkhead and are generally not heavily used, even during the summer months. The new decks will provide an appropriate public recreational enhancement in this back beach/bulkhead area. For all the above reasons, the proposed project has no potential for adverse impacts on coastal resources and will, in fact, enhance public access to the shoreline at this prime visitor-serving location.

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 February 9, 2012 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 Susan Craig in the Central Coast District office.



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NOTICE OF PROPOSED PERMIT WAIVER

Date: January 26, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Daniel Robinson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-12-001-W**
Applicant: Pacific Dunes RV Resort

Proposed Development

Replace an existing water tank with a slightly smaller water tank, and remove the existing water tank at a 215 space recreation vehicle (RV) park (Pacific Dunes RV Resort) south of the community of Oceano in San Luis Obispo County. Once the new water tank is on line and the existing water tank is removed, the old tank location will be restored (including removal of the hard substrate and planting of native plants consistent with the surrounding area).

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 site is within an existing recreational vehicle park constructed in the early 1990s. The new water tank will be large enough to accommodate the existing service requirements of the campground, yet slightly smaller than the existing tank, and it will be placed adjacent to the existing water tank and due north of the pump house. The new location is in an area of existing development (where a new wastewater system is to be built) with the terrain characterized as disturbed with haphazard walking trails and ruderal species. Restoration of the existing tank location (with a program which includes submitting photos and a brief report to the Executive Director after one year from the date of this permit) will help it integrate back into the surrounding landscape. The project incorporates all of the construction BMPs that the Commission typically requires for work such as this, and has been designed to limit impacts on access near the construction site at all times. In sum, the project has been designed to avoid and minimize coastal resource impacts, including public access, includes a restoration plan for the tank site, 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 February 9, 2012, 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 Daniel Robinson in the Central Coast District office.



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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: January 26, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Katie Butler, Coastal Planner
Subject: **Proposed Amendment to Coastal Development Permit (CDP) 3-82-171**
Applicant: WTCC Ventana Investors V, LLC

Original CDP Approval

CDP 3-82-171 was approved by the Coastal Commission on October 13, 1982 and has been amended three times since (on June 10, 1986, August 11, 2004, and November 11, 2011). CDP 3-82-171, as amended, provided for the construction of 19 inn units, 15 employee housing units, swimming pool, bath house, restaurant, kitchen addition, picnic area, recreation building, conversion of 15 campsites to tent cabins, paving of a portion of Coast Ridge Road, trail, septic system, and parking, all at the Ventana Inn and Spa complex in the Big Sur area of unincorporated Monterey County (APN 419-321-010).

Proposed CDP Amendment

CDP 3-82-171 would be amended to allow for installation of a new tertiary-treated wastewater dispersal system to serve the existing facilities at the Ventana Inn and Spa, including the campground and employee housing units, as necessary to comply with RWQCB Cleanup and Abatement Order No. R3-2007-0091. The Commission's reference number for this proposed amendment is 3-82-171-A4.

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 is the second phase of a replacement and upgrade of Ventana's sewage treatment system that involves installation of treated wastewater dispersal fields at four locations (Sur House Fields, Executive Fields, Walking Trail Fields, and Mule Ridge Fields) on the Ventana property. The first phase of the project involved replacement of the old Ventana septic collection lines with a new more centralized collection system and new pump stations, and replacement of the old activated sludge package treatment plant with a new more efficient and effective package wastewater treatment facility that will produce highly treated effluent (i.e., low biochemical oxygen demand and suspended solids) (as authorized pursuant to CDP amendment 3-82-171-A3). The new dispersal fields would consist of shallow tubing and piping designed to dispose of the water via infiltration and evapotranspiration. The project is the result of a RWQCB enforcement action, and is necessary both to resolve the RWQCB order as well as more broadly to reduce water quality impacts and improve coastal resource values at and around the Ventana site. The project includes construction best management practices to ensure protection of nearby resources and water quality, includes restoration for areas that would be disturbed



NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-82-171 (Ventana Inn)

Proposed Amendment 3-82-171-A4

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by construction, and has been designed to have no effect on the Big Sur critical viewshed. The project will allow for continued operation of an important visitor-serving facility in the Big Sur area at the same time as improving coastal resource health and vitality. In sum, the proposed amendment is consistent with the Commission's original CDP approval, as well as consistent with the Coastal Act and the certified Monterey 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, February 9, 2012, 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 Katie Butler in the Central Coast District office.



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NOTICE OF PROPOSED PERMIT EXTENSION

Date: January 26, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Daniel Robinson, Coastal Planner
Subject: **Proposed Extension to Coastal Development Permit (CDP) A-3-SLO-00-040-E3**
Applicant: Dennis Schneider

Original CDP Approval

CDP A-3-SLO-00-040 was approved by the Coastal Commission on January 10, 2008 and provided for the construction of a 10,000 square foot single-family home, a 2,500 square foot barn, and 1.25 miles of access road improvements on a 40.6 acre parcel zoned for agriculture west of Highway 1 on the marine terrace approximately one-half mile south of China Harbor and 1 mile north of Villa Creek Road along the Harmony Coast in San Luis Obispo County. CDP A-3-SLO-00-040 expiration has been extended twice for one year each, with the last extension (to January 10, 2012) occurring on December 17, 2010 in San Francisco.

Proposed CDP Extension

The expiration date of CDP A-3-SLO-00-040 would be extended by one year to January 10, 2013. The Commission's reference number for this proposed extension is A-3-SLO-00-040-E3.

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 certified San Luis Obispo County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on February 9, 2012, in Santa Cruz. 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 Daniel Robinson in the Central Coast District office.

