

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
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W24

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

For the

May Meeting of the California Coastal Commission

MEMORANDUM

Date: May 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 May 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. 3-11-067-W Caltrans, District 5 (Big Sur, Monterey County)

EMERGENCY PERMITS

1. 3-12-016-G Santa Cruz Port District (, Santa Cruz County)

IMMATERIAL AMENDMENTS

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

TOTAL OF 3 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>
3-11-067-W Caltrans, District 5	Regular follow-up authorization for temporary emergency development (pursuant to emergency CDP 3-11-032-G) involving excavation and disposal of over 50,000 cubic yards of rock and debris associated with the 2011 Alder Creek landslide that covered Highway 1 at Alder Creek, about 3 miles south of Gorda, on the Big Sur coast. The emergency work included the use of excavators to push the unconsolidated materials down the mountain and onto the highway where it was staged and off-hauled to three receiver sites north and south of the landslide for re-use and disposal. The face of the slide was covered with a wire mesh drape to prevent remaining unstable rock and debris from falling onto and impacting use of the highway. As part of this follow-up authorization request, Caltrans intends to study and document the impacts of the slide on the near-shore environment as a means to help better respond to future events.	Highway 1 (Alder Creek, post mile 7.75, state highway right-of-way and US Forest Service property), 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>
3-12-016-G Santa Cruz Port District	Emergency authorization to allow entrance channel dredging and disposal operations to continue through May 11, 2012 (CDP 3-05-065 requires that such dredging and disposal operations cease on April 30th) (all as more specifically described in the Commission's ECDP file).	Santa Cruz Yacht Harbor, Santa Cruz 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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NOTICE OF PROPOSED PERMIT WAIVER

Date: April 25, 2012

To: All Interested Parties

From: Madeline Cavalieri, District Manager
Mike Watson, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-11-067-W
Applicant: California Department of Transportation (Caltrans)

Proposed Development

Regular follow-up authorization for temporary emergency development (pursuant to emergency CDP 3-11-032-G) involving excavation and disposal of over 50,000 cubic yards of rock and debris associated with the 2011 Alder Creek landslide that covered Highway 1 at Alder Creek, about 3 miles south of Gorda, on the Big Sur coast. The emergency work included the use of excavators to push the unconsolidated materials down the mountain and onto the highway where it was staged and mostly off-hauled to three receiver sites north and south of the landslide for re-use and disposal. Up to 26,000 cubic yards of material was pushed beyond the Highway 1 right of way onto the debris cone (i.e., toe of the slide), including 1,000 cubic yards of which ended up below the mean high tide line, for dispersal via natural ocean processes. A wire mesh drape was placed on the face of the slide to prevent unstable rock and debris from falling onto the highway and to provide additional safety for motorists. As part of this follow-up authorization and at the request of the Monterey Bay National Marine Sanctuary (MBNMS), Caltrans intends to study and document the impacts of the slide on the near-shore environment as a means to help better respond to future events.

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 April 2011 a large landslide occurred on the steep slopes above Highway 1 at Alder Creek. The landslide consisted of an estimated 100,000 cubic yards of material that covered the highway and produced a debris cone 600 feet long (top to bottom) and 400 feet wide (along Highway 1), forcing a months-long closure of the roadway. Emergency CDP 3-11-032-G allowed for movement of the material, including removal of the displaced slide material from on top of the highway, in order to restore Highway 1 access. The material above the highway was transported to three nearby off-site receiver sites along Highway 1 (Willow Creek, Arroyo de la Cruz, and Grey Slip). Caltrans also installed protective mesh netting to prevent displaced rock and debris from falling onto passing motor vehicles. The emergency CDP requires a regular authorization to appropriately recognize such work under the Coastal Act's normal CDP requirements. Consistent with normal CDP requirements, appropriate best management practices and mitigation measures were employed through the emergency CDP to protect coastal resources. Prior to pushing material onto the debris cone, a baseline intertidal and



NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-11-067-W (Alder Creek Landslide)

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sub-tidal survey of the area was conducted by MBNMS staff (at Caltrans' request) to document the nature of the affected shoreline area for use in future analysis of slide impacts. Helicopters were used to place mechanical equipment at the apex of the slide to avoid having to cut an access road into the unaffected mountain slopes. Most of the slide materials were hauled away to limit shoreline disposal in order to better protect shoreline areas at the slide site. These hauled materials were taken to three designated disposal sites (specifically identified based on their ability to limit the potential for coastal resource impacts), where three sites were used to avoid exceeding the capacity of the sites, to distribute truck hauls along Highway 1, to minimize visual intrusion associated with material placement, and to ensure that views to and along scenic Highway 1 were best preserved. Caltrans worked from both ends of the slide to expedite the removal and off-haul of excess material and to restore a vital transportation and commerce link to Big Sur as well as an essential public access route along Highway 1 and the Big Sur coast. Caltrans committed to prepare a comprehensive analysis of potential impacts associated with landslide materials along the shoreline (at MBNMS' request), including to help better inform future management decisions.

In sum, staff worked closely with Caltrans staff and MBNMS staff at the time of the emergency and thereafter to develop an appropriate emergency response, including to incorporate appropriate BMPs to limit coastal resource impacts, and the project was completed in that manner. In addition, the near-shore impact analysis being prepared will help to provide real data that can be used to help better respond to future events, which are reasonably expected along the Big Sur coast. The project protected access along Highway 1 while appropriately responding to coastal resource issues, and can be found consistent with the Coastal Act and the certified Monterey County Local Coastal Program.

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, May 9, 2012 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.





California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT
Emergency CDP 3-12-016-G (Santa Cruz Port District Dredging)

Issue Date: May 1, 2012

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This emergency coastal development permit (ECDP) authorizes the Santa Cruz Port District to allow entrance channel dredging and disposal operations to continue through May 11, 2012 (CDP 3-05-065 requires that such dredging and disposal operations cease on April 30th) (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee's representative, Lisa Ekers, it appears that severe storms in mid-March produced intense rainfall and subsequent runoff from the San Lorenzo River, which scoured and eroded the Santa Cruz Main Beach and resulted in much of the scoured sand being deposited downcoast (through littoral drift) into the Santa Cruz Harbor's entrance channel. Additionally, storm events in April produced higher-than-normal rainfall amounts. Taken together, these spring storms coupled with high ocean energy have caused deposition of higher than normal amounts of sandy material into the Harbor's entrance channel late in the dredging season, creating unsafe conditions for boaters who need to traverse the entrance channel waters to both access the Monterey Bay and return safely to the Harbor. 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 subject site, and the proposed emergency development is necessary to prevent the imminent loss of and/or damage to boats using entrance channel waters at the Harbor. 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.

Madeline Cavalieri, Central Coastal District Manager for Charles Lester, Executive Director

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

cc: Kirk Lingenfelter, California Department of Parks and Recreation
Deirdre Whalen, Monterey Bay National Marine Sanctuary
Debra O'Leary, U.S. Army Corps of Engineers
Peter von Langen, California Regional Water Quality Control Board
Melissa Scianni, U.S. Environmental Protection Agency
David Frisbey, Monterey Bay Unified Air Pollution District

Emergency CDP 3-12-016-G (Santa Cruz Harbor Dredging)

Issue Date: May 1, 2012

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Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Santa Cruz Port 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 May 16, 2012). 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 by May 11, 2012 unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is for the 2011/2012 dredging season only.
5. The emergency development authorized by this ECDP is only temporary, and shall be authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by July 1, 2012), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. This requirement may be waived for good cause by the Executive Director.
6. 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.
7. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Parks and Recreation, Monterey Bay National Marine Sanctuary, U.S. Army Corps of Engineers, California Regional Water Quality Control Board, U.S. Environmental Protection Agency, Monterey Bay Unified Air Pollution Control District). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
8. The emergency dredging and disposal shall be limited in scale and scope to entrance channel dredging and disposal as identified in the Santa Cruz Port District's letter dated April 25, 2012 and received in the Coastal Commission's Central Coast District Office via email on April 25, 2012.
9. Except for the dredging season end date, all emergency dredging and disposal operations authorized by this ECDP shall otherwise conform to the requirements of CDP 3-05-065 and CDP 3-05-065-A2.
10. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of dredging and disposal operations.
11. Copies of this ECDP shall be maintained in conspicuous locations at the Santa Cruz Small Craft Harbor at all times, and such copies shall be available for public review on request. All persons involved with the dredging and disposal operations shall be briefed on the content and meaning of



California Coastal Commission

Emergency CDP 3-12-016-G (Santa Cruz Harbor Dredging)

Issue Date: May 1, 2012

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this ECDP, and the public review requirements applicable to it.

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.

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.



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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: April 25, 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 (as detailed in project plans dated January 30, 2012). 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



NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-82-171 (Ventana Inn)

Proposed Amendment 3-82-171-A4

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protection of nearby resources and water quality, includes restoration for areas that would be disturbed 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 Wednesday, May 9, 2012, in San Rafael. 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.

