

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260 FAX (415) 904-5400

F16

NORTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

June Meeting of the California Coastal Commission

MEMORANDUM

Date: June 15, 2012

TO: Commissioners and Interested Parties
FROM: Dan Carl, North 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 North Central Coast District Office for the June 15, 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 North Central Coast District.

DE MINIMIS WAIVERS

1. 2-12-007-W North Marin Water District (Point Reyes Station, Marin County)

IMMATERIAL AMENDMENTS

1. A-2-SMC-07-026-A1 Barry & Wendela Schiffman; (Pescadero, San Mateo County)

TOTAL OF 2 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>
2-12-007-W North Marin Water District	Proposal to replace a failing water well (well No. 3) at its Point Reyes Well Site. The project includes drilling a new well adjacent to the existing Well No. 3	off end of Commodore webster Dr., Point Reyes Station (Marin 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>
A-2-SMC-07-026-A1 Barry & Wendela Schiffman	A single family residence	10721 Cabrillo Highway, Pescadero (San Mateo County)

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5460
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



NOTICE OF PROPOSED PERMIT WAIVER

Date: June 1, 2012
To: All Interested Parties
From: Madeline Cavalieri, North Central Coast District Manager *M. Cavalieri*
Susan Craig, Supervising Planner
Subject: Coastal Development Permit (CDP) Waiver 2-12-007-W
Applicant: North Marin Water District

Proposed Development

Drill new water well (Well No. 3) to replace failed water well at the North Marin Water District's well site on U.S. Coast Guard property at Point Reyes Station in Marin 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 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 well will replace failed Well No. 3 (which failed because its 12-inch steel casing had rusted away, causing the well to collapse) and will ensure continued potable water service for the community of Point Reyes Station. The proposed well will be located in the immediate vicinity (about 20 feet west) of failed Well No. 3 and will draw water from the same source, at a rate of approximately 300 gallons per minute, which is the same as Well No. 3's draw rate before it failed. The well will be 60 feet in depth, comparable to the depths of failed Well No. 3 and the one remaining operating well (Well No. 2) at the site. The proposed well will be installed in an existing cleared location and will be setback appropriately from the nearby riparian area. The project includes construction best management practices (BMPs) designed to contain soil and prevent sediment from entering the waters of nearby Lagunitas Creek. These BMPs include installation and maintenance of a silt fence along the downhill side of the construction area, removing earth materials that result from the well boring activities to an offsite location, reseeding any disturbed areas upon completion of construction, etc. For all these reasons, the proposed project is 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 Friday, June 15, 2012 in Huntington Beach. 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.



CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
46 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5460
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV

**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: June 1, 2012
To: All Interested Parties
From: Madeline Cavalieri, North Central Coast District Manager 
Nicholas Dreher, Coastal Planner 
Subject: Proposed Amendment to Coastal Development Permit (CDP) A-2-SMC-07-026-A1
Applicants: Barry and Wendela Schiffman

Original CDP Approval

CDP A-2-SMC-07-026 was approved by the Coastal Commission on June 10, 2009, and provided for the construction of a single-family residence on a bluff top lot west of Highway 1 near Pescadero within unincorporated San Mateo County.

Proposed CDP Amendment

CDP A-2-SMC-07-026 would be amended to reduce the height, bulk and materials of the proposed single-family residence in the same footprint. The Commission's reference number for this proposed amendment is A-2-SMC-07-026-A1.

Executive Director's Immateriality Determination

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

The proposed LEED-certified single family residence reduces the height and bulk of the residence originally approved by the Commission. Additionally, the applicant has proposed 1) porous gravel improvements rather than previously approved paving, 2) no chimneys, 3) clear stain cedar rather than the previously approved stucco treatment and 4) an effective landscaping plan that reduces invasive plant species, uses native plant species and increases tree screening consistent with the original approval. The increased tree screening will further reduce visibility from Highway 1 to the north and east. In sum, the proposed amendment will enhance the visual resources by better blending the house with the natural surroundings, increase tree plantings and reduce energy and water impacts generated by typical single family residences, consistent with the Commission's original coastal development permit approval, as well as consistent with the Coastal Act and the certified San Mateo County Local Coastal Program.

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the North 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 at a subsequent hearing. 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.



NOTICE OF PROPOSED PERMIT AMENDMENT

CDP A-2-SMC-07-026 (10721 Cabrillo Highway)

Proposed Amendment A-2-SMC-07-026-A1

Page 2

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



California Coastal Commission

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT ST, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5260
FAX (415) 904-5400
TDD (415) 597-5885

**Memorandum****June 12, 2012**

To: Commissioners and Interested Parties

FROM: Dan Carl, North Central Coast District Deputy Director
North Central Coast District

Re: *Additional Information for Commission Meeting
Friday June 15, 2012*

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
F20a	2-10-039 Land's End Associates, LLC	Correspondence, Bart Willoughby	1-3

BART WILLOUGHBY

F20a

June 11, 2012

First Class Mail and Facsimile to (415) 904.5400

Charles Lester
Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

RECEIVED

JUN 11 2012

CALIFORNIA
COASTAL COMMISSION
NORTH CENTRAL COAST**Re: Lands End 2-10-039 Report F20a**

Dear Executive Director Charles Lester:

When the Coastal Commission ("Coastal") authorized the emergency permit to build the seawall at Lands End, I took a sabbatical from my regular job and spent the entire summer of 2011 and into the fall observing the construction of the seawall. Charles, I cannot remember a period (even during media coverage of Esplanade 2009-2010) when I observed Coastal staff at the Lands End site on a regular basis. Clearly, Coastal had their fingers on this project and provided substantial oversight during the construction phase of the project.

To Lands End credit, they are clearly a "community player" here in Pacifica. The reports generated by Lands End engineering staff (RJR Engineering) have supplemented the Collins and Sitar reports and have benefited all of Esplanade Beach properties (Dollaradio, Pacifica View Villas, Tong, Samsami, Thomas and Aimco) with analysis to assist in future mitigation plans.

Two properties have benefited directly from Lands End community attitude in that Dollaradio (a Pacifica Historical Landmark) received 3000 tons of excess rock riprap to help support the lower bluff at Dollar. Without the generous gift of riprap from Lands End, Dollaradio would have to be abandon and torn down. Dollar now a non-profit would like to eventually open up and become a coastal day use area.

- 2 -

June 11, 2012

Pacific View Villas ("PVV")¹ has benefited directly from Lands End community attitude. Lands End provided additional rock to help shore up (to the required height) the revetment built under a waiver permit after the collapse of 2010. What staff at Coastal fails to realize or understand is that the revetment at PVV is holding back a former landfill area and keeping hazardous materials from entering the Esplanade Beach. Given the complete lack of over-sight by the Commission on this hazardous issue to the Esplanade Beach is extremely perplexing.

The F20a staff report for the Lands End project is disproportional to several projects approved by Coastal here in Pacifica (Beach Blvd and Shoreview Drive). The comparison of the Aimco staff report to the current Lands End report is revealing just how arbitrary these staff report have become, in treating one applicant against another, when it comes to sand mitigation fees or fees in lieu of. The bizarre difference, between the two reports is reflected in the fact Aimco has a horribly built revetment in front of their wall. Lands End does not have a revetment built at all and has buried rock at the base of the wall to help protect the wall from accelerating waves that may scour the lower portion of the wall. However, when that time comes I will probably be some spirit that roams the Esplanade Beach.

What I get from the comparison of the Aimco and Land End report is a complete pass by Coastal to Aimco and the reverse for Lands End. The Lands End report lacks the requisite alternative analysis for the findings by staff and this letter would be at least ten pages if I were to pick apart all the arbitrary findings that I could quote in the 119 pages that comprise F20a. Separately, I will provide your office with the numerous errors, unfounded assumptions and the erroneous analysis located in the F20a Lands End staff report.

Since 2007, the North Central Coast has employed six different analyst (Zhang, Jespersen, Madeline, Tauber, Anada & Geisler) that equates to one analyst changing and leaving their respective position between 2007-2012. Hardly enough time to become a seasoned analyst and become familiar with any given project, especially the complexity of the Lands End project. The soil nail wall at 330 was an example of Coastal staff not understanding the complexity of the project and missed several details. As a result, the soil nail wall collapsed and is now in litigation.

¹ FVV original revetment was built under an amendment to the CDP and authorized 33K tons across the property. The main reason for the revetment was to help stabilize the bluff that was filled-in the early 1970's and where the Pacifica LUP references the property was a landfill area. There was a complete lack of oversight by the Commission on this property in how the revetment was built and no "as built" plans submitted after the project was completed and no 33K tons placed there. The Commission erroneously believed the revetment at PVV was never authorized and issued Coastal Act Violation to PVV.

- 3 -

June 11, 2012

Lands End and I have had our differences as amply demonstrated in the report Th10A September 14, 2006. Lands End is not compensating me and I am not employed by Lands End in any fashion, as it relates to my writing to you regarding my concerns over staff reports for Esplanade Beach. However, I believe that Coastal has an obligation to treat Lands End as equally as Coastal treated Aimco, Beach Blvd and Shoreview here in Pacifica. Moreover, Coastal should recognize and take into consideration the community effort Lands End has given both directly and indirectly to the Esplanade Beach that includes the fabulous beach access.

Very truly yours,

Signature on File

~~Bart~~ Willoughby

CC: Assemblyman Jerry Hill, Assembly Pro Tem Fiona Ma, Mark Matthews KGO Channel 7 Political Reporter, Steve Rhodes City Manager Pacifica, Kathryn Farbstein Asst. Planner, Pacifica.

RECEIVED

MAY 31 2012

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

QuickTime™ and a
decompressor
are needed to see this picture.

*F16 North Central
waiver 2-12-007-W*

May 31, 2012

Charles Lester, Executive Director
California Coastal Commission
Via email: charles.lester@coastal.ca.gov

Re: Support for North Marin Water District's Application For Well Replacement

Dear Charles,

The Environmental Action Committee of West Marin (EAC) would like to express its support for the North Marin Water District's application to replace its Well No. 3 in Point Reyes Station. As you may know, Well No. 3 has been failing for a number of years, and the Water District proposes to replace it with a well located in close proximity to the existing well. Once the replacement well is online, Well No. 3 would be properly abandoned.

EAC has met with representatives of the Water District and understands that there will be very minimal, if any, impact to coastal resources from the proposed well replacement. EAC supports the efforts of the Water District to provide a safe and reliable drinking water supply to its West Marin customers.

Thank you for your consideration of our comments.

Sincerely yours,



Amy Trainer, Executive Director
Environmental Action Committee of West Marin

Cc: Dennis Rodoni, North Marin Water District



RECEIVED

JUN 13 2012

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Sacred Sites Protection Committee
6400 Redwood Drive, Suite 300
Rohnert Park, CA 94928
707-566-2288

*F16 North Central
waiver 2-12-007-U*

June 8, 2012
(Amended June 13)

Susan Craig
California Coastal Commission
Central Coast District Office

RE: Coastal Development Permit Waiver 2-12-007-W
Applicant: North Marin Water District

Dear Susan:

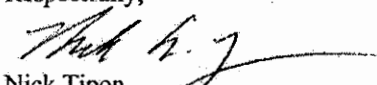
The Federated Indians of Graton Rancheria, a federally recognized Tribe and sovereign government, provides the following comments for the Coastal Development Permit Waiver 2-12-007-W for a new well on U.S. Coast Guard property in Point Reyes Station, CA. Section 106 of the National Historic Preservation Act of 1966 (NHPA) require federal projects and projects on federal lands meet the requirements of 36 CFR 800 for "government to government" consultation with federally recognized Tribes.

The well site is located in a culturally sensitive area and the project may adversely impact currently unknown cultural resources located below the surface. Previous 'surface surveys' do not always reveal sub surface resources. Federal law requires avoidance of cultural resources always be the first option for protection. Therefore we request the Federal Agency conduct a subsurface cultural resources survey to determine if such buried resources exist. The survey should be located in the planned areas of soil disturbance and to the depth of planned disturbance; specifically where holding ponds or silt collection areas are to be placed.

Once we have received and reviewed the survey results we will enter into "government to government" consultation with the Coast Guard and for this project. If the new survey does not indicate that cultural resources are present, we will have no concerns for the project proceeding and final approval being granted by your agency. The Tribe is not opposed to the California Coastal Commission approving North Marin Water District's CDP Waiver currently scheduled for consideration at the June 15 2012 meeting since the agencies have agreed to complete the "government to government" consultation.

Please contact me if you have further questions.

Respectfully,



Nick Tipon

Sacred Sites Protection Committee

1 707 321-4792
ntipon@comcast.net