

CALIFORNIA COASTAL COMMISSION

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

For the

July Meeting of the California Coastal Commission

MEMORANDUM

Date: July 13, 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 July 13, 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. 3-12-012-W The Bubba Gump Shrimp Company (Monterey, Monterey County)
2. 3-12-021-W Coastal San Luis Resource Conservation District (C.S.L.R.C.D.); San Luis Obispo County Public Works Dept. (Oceano & Arroyo Grande, San Luis Obispo County)

DE MINIMIS WAIVERS

1. 3-12-014-W Morro Bay Yacht Club (Morro Bay, San Luis Obispo County)
2. 3-12-015-W City Of Pacific Grove (Pacific Grove, Monterey County)
3. 3-12-017-W City Of Pacific Grove; Enea Properties Company, L.L.C., Attn: Robert Enea, Managing Member (Pacific Grove, Monterey County)

EXTENSION - IMMATERIAL

1. 3-08-025-E2 Harbor Hut, Attn: George Leage; Great American Fish Company, Attn: Troy Leage; Sea One Solutions, L.L.C. (Virg's), Attn: Darby & Jana Neil (Morro Bay, San Luis Obispo County)
2. A-3-SLO-07-024-E3 SLO Land Corporation, Attn: Steve Miller (Cayucos, San Luis Obispo County)

<i>TOTAL OF 7 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>
3-12-012-W The Bubba Gump Shrimp Company	Structural repairs to existing foundation including in-kind replacement of twelve 6"x8" longitudinal cross braces, install one missing floor joist, reinforce/anchor seven concrete block columns into underlying bedrock, and replace associated stainless steel gussets and hardware below the Bubba Gump Shrimp Company Restaurant.	720 Cannery Row, Monterey (Monterey County)
3-12-021-W Coastal San Luis Resource Conservation District (C.S.L.R.C.D.) San Luis Obispo County	Minor hand trimming of willow root sprouts to encourage canopy growth; minor thinning of lower branches of woody vegetation (primarily willows) located between the levee and the active flow meander of Arroyo Grande Creek in order to increase channel capacity for flood control purposes; removal of invasive plant species; and trash and debris removal	Arroyo Grande Creek (From The South San Luis Sanitation Plant Ustream to approx. 1000' North of confluence with Los Berros Creek; Los Berros Creek from Confluence east to Century Lane.), Oceano & Arroyo Grande (San Luis Obispo 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>
3-12-014-W Morro Bay Yacht Club	Remove an existing gangway and stairs that connect the Yacht Club's floating dock to the shore and replace them with a new, longer gangway.	541 Embarcadero (lease site 57-61/57w-61w), Morro Bay (San Luis Obispo County)
3-12-015-W City Of Pacific Grove	Installation of a one-inch water supply line to serve the Point Pinos Lighthouse building and to provide separate water service to the City and U.S. Coast Guard properties previously served by the same water connection. Project includes 400 linear feet of piping, and a new water meter split at the Point Pinos Lighthouse property.	80 Asilomar Avenue, Pacific Grove (Monterey County)
3-12-017-W City Of Pacific Grove Enea Properties Company, L.L.C., Attn: Robert Enea, Managing Member	Modifications to newly remodeled Pacific Grove Bathhouse building located at Lover's Point Park to include modification of the exterior public restroom entry doors, improving the trash enclosure, deleting the glass dormer above the restaurant bathrooms, ADA improvements, a glass enclosure and retractable canvass awning for the restaurant outdoor seating deck.	620 Ocean View Boulevard, Pacific Grove (Monterey County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
3-08-025-E2 Harbor Hut, Attn: George Leage Great American Fish Company, Attn: Troy Leage	Extension request for previously approved CDP for the renovation and redevelopment of three existing commercial business and related boating facilities spanning 22 lease sites including demolition of floating docks, the "Thai Boat" restaurant, "Virg's Tackle Shop", shed, and ancillary structures; and construction of a two-story commercial visitor-serving mixed use structure (Virg's), new commercial boating finger slips (Virg's and Harbor Hut), new marine fuel tanks, new restaurant/fish market expansion (GAFCO), side-tie deck and live bait receiver bins (Virg's), ancillary structures (e.g., pilings, framing, stairs, gangways, etc.), public access improvements, including 8' wide public floating dock, gangways, ADA compatible lift, rooftop deck, and outdoor seating area.	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)
A-3-SLO-07-024-E3 SLO Land Corporation, Attn: Steve Miller	Construction of three two-story single family residences on three undeveloped lots.	E Street & Little Cayucos Creek (undeveloped roughly 31,300 square foot site consisting of three lots between), Cayucos (San Luis Obispo County)

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 29, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-12-012-W**
Applicant: Bubba Gump Shrimp Company

Proposed Development

Structural repairs to existing foundation including in-kind replacement of twelve 6"x 8" longitudinal cross braces, install one missing floor joist, reinforce/anchor seven concrete block columns into underlying bedrock, and replace associated stainless steel gussets and hardware below the Bubba Gump Shrimp Company Restaurant, 720 Cannery Row, Monterey.

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(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 and framing repair is needed to ensure the stability of the existing building infrastructure below the Bubba Gump Shrimp Company restaurant where it extends out over the Monterey Bay along Cannery Row in Monterey. The project includes appropriate construction and material containment BMPs to prevent foreign materials from entering bay waters and to protect public access during construction. As proposed with the submitted mitigation measures, the project will not have any significant adverse impacts on coastal resources, including the Monterey Bay and 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 Friday, July 13, 2012, in Chula Vista. 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, 2012

To: All Interested Parties

From: Madeline Cavalieri, Central Coast District Manager
Daniel Robinson, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-12-021-W
Applicants: Coastal San Luis Obispo Resource Conservation District/San Luis Obispo County Public Works Department

Proposed Development

Minor hand trimming of willow root sprouts to encourage canopy growth; minor thinning of lower branches of woody vegetation (primarily willows) located between the levee and the active flow meander of Arroyo Grande Creek in order to increase channel capacity for flood control purposes; removal of invasive plant species; and trash and debris removal.

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(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, like the preceding seven projects previously authorized by the Commission, has been designed to avoid adverse impacts to coastal resources by limiting the extent of trimming and vegetation thinning, and limiting such activities to crews using hand tools only. Like the previous seven, large woody material within the creek channel will be cut or notched and left in the channel to provide woody habitat and only fallen and low overhanging willow branches will be cut and all root balls will be left intact. The crews will also remove invasive exotic species, particularly arundo and castor bean, to improve habitat. No heavy machinery will be allowed to enter the creek channel and the use of herbicides is prohibited. The project includes biological surveys prior to hand thinning and trimming activities. Biological monitors will be in place for the duration of the project to ensure these activities do not disrupt any occupied habitat areas.

The County/RCD is in the beginning stages of addressing the larger resource management issues surrounding the Arroyo Grande Creek waterway through the context of a long-range management plan. This project, like those previous authorized by the Commission, is best understood as an interim measure that can be applied to address limited vegetation management needs until the long-term plan has been fully completed and implemented. An application has been submitted on the longer-term approach, and Commission staff has requested additional information in order to fully analyze the project. Because flood control action is critical this summer, and because the larger approach will likely not be set for a hearing until late fall/early

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-12-021-W (Arroyo Grande Creek Vegetation Management)
Page 2

winter, this project provides an appropriate interim vehicle to address ongoing vegetation management issues within Arroyo Grande Creek and can be found Coastal Act consistent.

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, July 13, 2012, in Chula Vista. 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 Daniel Robinson in the Central Coast District office.

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**NOTICE OF PROPOSED PERMIT WAIVER**

Date: July 3, 2012

To: All Interested Parties

From: Madeline Cavalieri, Central Coast District Manager
Stephanie Rexing, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-12-014-W
Applicant: Morro Bay Yacht Club

PROPOSED DEVELOPMENT

Remove an existing gangway and stairs that connect the Yacht Club's floating dock to the shore and replace them with a new, longer gangway. The project is located at 541 Embarcadero in the City of Morro Bay, 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 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 fairly minor in scope. The project will provide a contiguous ramp without stairs, enhancing the utility of the Yacht Club by making it safer and easier to launch from the Yacht Club dock, and bringing access to the Morro Bay Yacht Club dock up to current ADA standards. No construction activities will take place in the water, and the proposed project includes appropriate best management practices to protect water quality during construction, including placing a straw wattle at the toe of the construction area to prevent concrete debris from entering coastal waters during the removal of the existing stairs. In sum, the proposed project will not have any significant adverse impacts on coastal resources, including public access, and can be found 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 Friday July 13, 2012 in Chula Vista. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 29, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-12-015-W**
Applicant: City of Pacific Grove

Proposed Development

Installation of a one-inch water supply line to serve the Point Pinos Lighthouse building and to provide separate water service to the City and U.S. Coast Guard properties previously served by the same water connection. Project includes 400 linear feet of piping, and a new water meter split at the Point Pinos Lighthouse property, 80 Asilomar Drive, Pacific Grove, 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 will provide for separate monitoring of water use at the City of Pacific Grove Lighthouse and U.S. Coast Guard properties which were previously served by the same water connection. Installation of the new water line will follow the driveway right-of-way and footpath leading to the Point Pinos lighthouse and avoid sensitive habitat areas. Additionally, the surrounding area will be restored back to its original condition. The project includes construction BMPs designed to prevent soil, sediment, and debris from entering the adjacent sand dune environment during construction. Disruptions to public access during construction will be minimized by maintaining access along the driveway and path and restricting access only in the immediate area of construction. Accordingly, the project will not have any significant adverse impacts on coastal resources, including 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 Friday, June 13, 2012, in Chula Vista. 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 29, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-12-017-W
Applicant: City of Pacific Grove

Proposed Development

Modifications to newly remodeled Pacific Grove Bathhouse building located at Lover's Point Park, 620 Ocean View Boulevard in the City of Pacific Grove. Development includes modifying the exterior public restroom entry doors, improving the trash enclosure, deleting the glass dormer above the restaurant bathrooms, ADA improvements, a glass enclosure and retractable canvass awning for the restaurant outdoor 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(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 modifications will be constructed within the footprint of the existing structure, and will maintain the existing and traditional uses of the site including for low-cost recreational, visitor serving, and commercial uses. The proposed outdoor deck modifications will allow use of the outdoor seating during windy and/or foggy conditions. Restaurant use would continue to be restricted solely to evening service, avoiding competition for area parking between park and restaurant users during prime daylight hours. Other related improvements include improving ADA accessibility at the Bathhouse building, improving and enclosing the trash enclosure, and exterior architectural improvements. The project further includes construction BMPs designed to protect the marine environment during construction. Disruptions to public access during construction will be minimized by maintaining access to Lover's Point beach and park, and restricting access only in the immediate area of construction. Accordingly, the project will not have any significant adverse impacts on coastal resources, including 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 Friday, July 13, 2012, in Chula Vista. 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 EXTENSION

Date: June 29, 2012
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Stephanie Rexing, Coastal Planner
Subject: Proposed Extension to Coastal Development Permit (CDP) 3-08-025
Applicants: Harbor Hut, Attn: George Leage, Great American Fish Company, Attn: Jim Leage, Virg's, Attn: Darby Neil

Original CDP Approval

CDP 3-08-025 was approved with conditions by the Coastal Commission on June 10, 2009. The CDP provided for the renovation and redevelopment of three existing commercial business and related boating facilities spanning 22 lease sites including demolition of floating docks, the "Thai Boat" restaurant, "Virg's Tackle Shop," shed, and ancillary structures, and construction of a two-story commercial visitor-serving, mixed-use structure (Virg's), new commercial boating finger slips (Virg's and Harbor Hut), new marine fuel tanks, new restaurant/fish market expansion (GAFCO), side-tie dock and live bait receiver bins (Virg's), ancillary structures (e.g., pilings, framing, stairs, gangways, etc.), and public access improvements, including an 8' wide public floating dock, gangways, ADA compatible lift, rooftop deck, and outdoor seating area. An extension, 3-08-025-E1, was approved by the Commission on July 11, 2011.

Proposed CDP Extension

The expiration date of CDP 3-08-025 would be extended by one year to June 10, 2013. The Commission's reference number for this proposed extension is **3-08-025-E2**.

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 City of Morro Bay 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 Friday July 13, 2012 in Chula Vista. 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 Stephanie Rexing in the Central Coast District office.

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**CORRECTED NOTICE OF PROPOSED PERMIT EXTENSION**

Date: July 3, 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-07-024**
Applicant: SLO Land Corporation, ATTN: Steve Miller

Original CDP Approval

CDP A-3-SLO-07-024 was approved by the Coastal Commission on June 13, 2008, and provided for the construction of three two-story single family residences ranging from approximately 3,200 to 3,600 square feet (including garages), and related road access and utility improvements (including construction on adjacent properties) in Cayucos, San Luis Obispo County.

Proposed CDP Extension

The expiration date of CDP A-3-SLO-07-024 would be extended by one year to June 13, 2013. The Commission's reference number for this proposed extension is A-3-SLO-07-024-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 Friday, July 13, 2012, in Chula Vista. 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.

Correction: The Notice of Proposed Permit Extension (A-3-SLO-07-024-E3) contained a typo by referring to the certified Santa Cruz County LCP instead of the certified San Luis Obispo LCP. This has been corrected here.

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