

CALIFORNIA COASTAL COMMISSION

North Central Coast District Office
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**W7****NORTH CENTRAL COAST DISTRICT
DEPUTY DIRECTOR'S REPORT**

*For the
November Meeting of the California Coastal Commission*

MEMORANDUM

Date: November 12, 2013

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 November 2013 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.

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>
2-13-0861-W City of Pacifica, Attn: Van Ocampo / Lee Panza	Structural repairs at the Pacifica Municipal Fishing Pier, including repairs to spalling concrete piles at eleven locations, spalling soffits on the underside of the pier at four locations, spalling concrete barrier railings at twenty-five locations and repair/replacement of concrete deck panel covers at three locations.	Pacifica Municipal Pier at the terminus of Santa Rosa Avenue in the City of Pacifica, San Mateo 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>
G-2-13-0221 Sonoma County Water Agency, Attn: Grant Davis	to prevent flooding of low-lying structures along the Russian River estuary and in Jenner, Sonoma County.	9600 GOAT ROCK RD 06097-099-040-002

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**NOTICE OF PROPOSED PERMIT WAIVER**

Date: October 30, 2013

To: All Interested Parties

From: Madeline Cavaliere, North Central Coast District Manager
Stephanie Rexing, Coastal Planner *SRR*

Subject: **Coastal Development Permit (CDP) Waiver 2-13-0861-W**
Applicant: City of Pacifica

PROPOSED DEVELOPMENT

Structural repairs at the Pacifica Municipal Fishing Pier, including repairs to spalling concrete piles at eleven locations, spalling soffits on the underside of the pier at four locations, spalling concrete barrier railings at twenty-five locations and repair/replacement of concrete deck panel covers at three locations. The project is located at the Pacifica Municipal Pier at the terminus of Santa Rosa Avenue in the City of Pacifica, San Mateo County.

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:

The project is fairly minor in scope. The project will repair spalling concrete at various locations on piles, soffits, deck covers and railings, all located out of the water, throughout the Municipal Pier structure. Repair of the spalling locations will ensure continued structural integrity of the Municipal Pier, which serves an important public access and recreational purpose to the City of Pacifica. The Pier will remain open to the public except when construction activities require temporary closures for safety measures. The beach on both the north and south sides of the pier will remain open for the duration of the repairs. All repair work will take place out of the water, staging of all necessary equipment will take place landward of the pier at the City property located at 2212 Beach Boulevard and best management practices are proposed to prevent pollution, spills and or debris from being released into the water. 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.

2-13-0861-W (Pacifica Pier Waiver)

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 November 13, 2013 in Newport 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 questions about the proposal or wish to register an objection, please contact Stephanie Rexing in the North Central Coast District office.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT
Emergency CDP G-2-13-0221
(Russian River Lagoon Sandbar Breaching)

Issue Date: October 15, 2013

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This emergency coastal development permit (ECDP) authorizes the Sonoma County Water Agency (SCWA) to breach the sandbar at the mouth of the Russian River at Goat Rock State Beach, including by excavating a cut in the closed sandbar approximately 100 feet long by 25 feet wide by 6 feet deep to open a pilot channel between the Lagoon and the Ocean to reduce the water level in the Lagoon so as to avoid/minimize flooding of existing structures, including the Sonoma Coast State Park Visitor Center upstream of the Lagoon (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (SCWA), a sandbar and resultant lagoon formation caused the closure of the Russian River mouth on September 24, 2013. As a result, the Russian River is currently just below flood elevation (~7.3 feet). Without heavy rain flows to breach the sandbar naturally, approximately 9 structures located upriver and along the banks of the Lagoon are at risk of flooding, including the State Park's Visitor Center. It is estimated that on October 15, 2013 the water level of the lagoon will reach an elevation of approximately 7.8 feet, with water levels rising by approximately 0.1 to 0.5 feet per day. With continued conditions predicted to keep a significant sandbar in place and the river mouth closed, the proposed emergency development is necessary to avoid flooding damage. 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.

DAN CARL 10/15/2013

Dan Carl, North Central Coastal District Director, for Charles Lester, Executive Director

Enclosure: (1) Emergency Coastal Development Permit Acceptance Form

cc: Ninette Lee, State Lands Commission
David Hardy, Sonoma County Permit and Resource Management Department
Brenden O'Neill, California Department of Parks and Recreation

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Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the ECDP Permittee and returned to the California Coastal Commission's North Central Coast District Office within 15 days of the date of this permit (i.e., by October 30, 2013). This ECDP is not valid unless and until the acceptance form has been received in the North 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 is for one breaching event of the Russian River Lagoon sandbar only, unless extended to other necessary events for good cause by the Executive Director for the duration of the winter season (i.e. until April 15, 2014).
4. The emergency development authorized by this ECDP is only temporary, and may no longer be authorized if it is not followed-up by a regular CDP. Therefore, within 60 days of the date of this permit (i.e., by December 14, 2013), the Permittee may be required to submit a complete application for a regular CDP to have the emergency development authorized through the regular permit process. The deadline in this condition may be extended for good cause by the Executive Director.
5. 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, California Department of Fish and Wildlife, California State Lands Commission, United States Army Corps of Engineers, National Marine Fisheries Service, United States Fish and Wildlife Service, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
6. All emergency development shall be limited in scale and scope to that specifically identified in the materials submitted by the Permittee (dated received in the Coastal Commission's North Central Coast District Office on October 10, 2013).
7. A qualified biologist shall be present during all emergency development activities, and shall monitor the Lagoon and sandbar on a daily basis for as long as the emergency development activities authorized under this ECDP persist. The biological monitor shall ensure that all emergency development is limited to the least amount necessary to abate the emergency, and that it avoid impacts to adjacent marine and lagoon resources as much as possible, including through adaptive management measures to respond to changing conditions and/or understandings relative to flood risk and habitat impacts.
8. To the maximum extent feasible, all work shall avoid the seal haul-out area. In addition, all work shall be conducted consistent with the NMFS and NOAA-approved seal haul-out plan described in the Incidental Harassment Authorization (April 2013) (IHA) and any updates to this IHA. Project activities shall comply with all mitigation, monitoring and reporting requirements contained in the IHA.



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9. All sensitive dune plant species shall be avoided during construction, including through locating the defined construction away from such species.
10. Prior to any mechanical breaching of the sandbar, the Permittee shall have ensured that all other possible flood protection measures (e.g., sand bags, rubber dams, etc.) have been applied to protect surrounding flood water threatened homes, infrastructure, and other development to the maximum extent feasible.
11. Except under conditions requiring immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services, the sand bar breaching activities authorized by the CDP shall not be initiated on or within 36 hours prior to any weekend or State holiday.
12. Following the sandbar breach and after the Lagoon has lowered in depth, the Lagoon shall be allowed to naturally close, and it shall not be mechanically or otherwise artificially maintained with an open outlet channel flowing over the beach, or be manipulated artificially in any manner, unless artificial breaching is required again (see Condition 3).
13. All emergency development activities shall limit impacts to coastal resources (including public recreational access, Russian River and Lagoon, and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
- a. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
 - b. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
 - c. Any construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by sunset each day that work occurs.
 - d. All construction areas shall be minimized and demarked to allow through public access and protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
 - e. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes



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properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).

f. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each work day.

g. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.

h. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean-up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.

i. The Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.

14. Copies of this ECDP shall be maintained in a conspicuous location at the emergency development area at all times for as long as emergency development activities authorized under this ECDP persist and such copies shall be available for public review on request. All persons involved with the emergency development activities shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.

15. The Permittee shall designate a coordinator to be contacted during all emergency development activities and for as long as the emergency development activities authorized under this ECDP persist should questions arise regarding these activities (in case of both regular inquiries and emergencies). The coordinator's contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of emergency development activities, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The coordinator shall record the name, phone number, and nature of all complaints received regarding the time that emergency development activities authorized under this ECDP persist, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.



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16. Once the emergency activity is completed, the Permittee shall submit a report by December 14, 2013 to the Executive Director for review and approval. The report shall document all emergency development activities (including through narrative as well as site plans and cross sections accompanied by photographs, maps, and /or graphics); and shall include a section prepared by the biological monitor providing his/her monitoring observations, including in terms of potential impacts to habitat resources (including identification of any fish mortality and/or harm or harassment (e.g., fish entrainment in the outlet channel during breaching)) and recommendations for project changes to avoid such impacts in future breaching events. The report shall clearly identify all areas affected by emergency development activities, and include the location and extent of grading, sand borrow, and fill areas; pre-existing and resulting alignments of the river; elevations showing finished slopes; and, estimated quantity of sand moved. The report shall also include color photographs (in hard copy and jpg format) that clearly, depict all emergency development activities, that are accompanied by a site plan that notes the location of each photographic viewpoint and the date and time of each photograph, and that are accompanied by a description of what is shown in each photograph. At a minimum, the photographs shall be from enough upcoast, seaward, and downcoast viewpoints as to provide complete photographic coverage of the emergency development activities authorized under this ECDP at a scale that allows comparisons to be made with the naked eye between photographs taken at different times from the same vantage points.

17. 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.

18. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.

19. 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.

The emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If the SCWA wishes to have the emergency development through the regular permit process, a regular CDP may be required. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact Laurel Kellner at Laurel.Kellner@coastal.ca.gov or at (415) 904-5260.



CALIFORNIA COASTAL COMMISSION

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EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSION
NORTH CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

RE: **Emergency Permit No. G-2-13-0221**

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the North Central Coast District Office within 15 working days from the permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that the emergency work is TEMPORARY and that a regular Coastal Permit may be necessary.

Signature of Authorized Representative

Name

Address

Date of Signing