

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
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NORTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

February Meeting of the California Coastal Commission

MEMORANDUM

Date: February 6, 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 February 6, 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.

EMERGENCY PERMITS

1. 2-13-002-G Sonoma County Parks, Attn: Mark Cleveland (Bodega Bay, Sonoma County)

TOTAL OF 1 ITEM

DETAIL OF ATTACHED MATERIALS

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>
2-13-002-G Sonoma County Parks, Attn: Mark Cleveland	Restacking rip rap and the addition of approximately 165 tons of riprap to the existing riprap located at Doran Regional Park. This additional riprap will be used to fill voids in the existing riprap and replace riprap that has been pulled into the bay or sunk beneath the mudflat level, but will not increase the seaward extent or height of the existing riprap revetment.	The project site is located approximately 200 feet to the southwest of the existing boat launch at Doran Regional Park, Bodega Bay (Sonoma County)



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP 2-13-002-G (Doran Regional Park Riprap)

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This emergency coastal development permit (ECDP) authorizes restacking rip rap and the addition of approximately 165 tons of riprap to the existing riprap located at Doran Regional Park. This additional riprap will be used to fill voids in the existing riprap and replace riprap that has been pulled into the bay or sunk beneath the mudflat level, but will not increase the seaward extent or height of the existing riprap revetment. The project site is located approximately 200 feet to the southwest of the existing boat launch at Doran Regional Park in Bodega Bay, Sonoma County, APN# 100-130-006 (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee it appears that 300 linear feet of existing riprap has failed due to tidal action and increased erosion causing the slumping and sinking of individual riprap stones out into the mudflat. A series of recent storms with wave action and high tides, in addition to heavy boat traffic and subsequent wave action has acutely increased erosion to the site resulting in risks to the public access roadway. Thus, the Permittee wishes to add riprap to the voids in the revetment to provide adequate protection for the road from wave run-up and further erosion. Given the existing voids, the upcoming storm season, and heavy boat traffic, a continued threat to the road (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 the road. 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.

A handwritten signature in black ink, appearing to read "Madeline Cavalieri".

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

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Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee where the emergency development authorized by this ECDP is located 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 February 2, 2013). 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 within 30 days of the date of this permit (i.e., by February 17, 2013) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by March 19, 2013), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. The Permittee is encouraged to submit an application that also requests regular CDP authorization to provide for future maintenance of any authorized shoreline protection. The emergency development shall be removed in its entirety within 180 days of the date of this permit (i.e., by July 17, 2013) unless before that time the California Coastal Commission has issued a regular CDP for the development authorized by this ECDP. The deadlines in this condition may be extended for good cause by the Executive Director.
5. 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.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California State Lands Commission, U.S. Army Corps of Engineers, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. The emergency development shall be limited in scale and scope to the addition of 165 tons of riprap as identified in the submittal documents dated received in the Coastal Commission's North Coast District Office on January 7, 2013.
8. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to beach recreational access 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



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necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):

- a. All work shall take place during daylight hours. Lighting of the beach area is prohibited.
- b. 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.
- c. Grading of intertidal areas is prohibited.
- d. 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.
- e. All 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. The only exceptions shall be for: (1) erosion and sediment controls (e.g., a silt fence at the base of the construction area) as necessary to contain rock and/or sediments in the construction area, where such controls are placed as close to the toe of the bluff area as possible, and are minimized in their extent; and (2) storage of larger materials (i.e., soil nails, large forms, etc.) beyond the reach of tidal waters for which moving the materials each day would be extremely difficult. Any larger materials intended to be left on the beach area overnight must be approved in advance by the Executive Director, and shall be subject to a contingency plan for moving said materials in the event of tidal/wave surge reaching them.
- f. All construction areas shall be minimized and demarked by temporary fencing designed 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.
- g. No work shall occur on the beach during the summer peak months (Saturday of the Memorial Day weekend through Labor Day inclusive).
- h. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes 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.).
- i. 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.
- j. All beach areas and all shoreline access points 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



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- necessary to remove all construction debris.
- k. All exposed slopes and soil surfaces in and/or adjacent to the construction area shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best management practices (for example, those identified in the California Storm Water Best Management Practice Handbooks (March, 1993). The use of non-native invasive species (such as ice-plant) is prohibited.
 - l. All contractors shall insure 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.
 - m. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required beach-area restoration activities. If planning staff should identify additional reasonable measures necessary to restore the beach and beach access points, such measures shall be implemented immediately.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
 11. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and his/her 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 construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
 12. Within 30 days of completion of the construction authorized by this ECDP (i.e., by February 17, 2013), the Permittee shall submit site plans and cross sections prepared by a licensed civil engineer with experience in coastal structures and processes clearly identifying all development completed under this emergency authorization (comparing any previously permitted condition to both the emergency condition and to the post-work condition), and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization.
 13. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The Permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property.



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14. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
15. 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.

As noted in Conditions 4 and 5 above, 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 property owner wishes to have the emergency development become a permanent development, a regular CDP must be obtained. 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 the Commission's North Coast District Office at 45 Fremont Street, Suite 2000, San Francisco, CA 94105, (415) 904-5260.



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**Memorandum****January 30, 2013**

To: Commissioners and Interested Parties

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

Re: *Additional Information for Commission Meeting
Wednesday, February 6, 2013*

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
		Ocean Beach Emergency Revetment Email, Jonathan Nowak	1

From: Jonathan Nowak [<mailto:surfsup621@hotmail.com>]
Sent: Monday, January 21, 2013 9:29 PM
To: Lester, Charles@Coastal
Subject: Concerns re: Permit Application for Ocean Beach Emergency Revetment

Dear Commissioners,

I am extremely concerned about any expansion of coastal armoring at Ocean Beach south of Sloat Blvd. Last year, the San Francisco Department of Public Works declared an emergency and placed a large boulder revetment in the area. Now, the agency appears to be interested in expanding armoring beyond that required to respond to the emergency condition.

In the coming months, SPUR (San Francisco Planning and Urban Research) is set to begin a series of government/community stakeholder workshops aimed at finding a consensus long-term solution to the erosion problem in the area. An expansion of armoring at this juncture would undermine the integrity of the SPUR process.

I realize that some additional work may be required to complete the City's response to last winter's emergency, but I believe any new armoring should be confined to the emergency scope. Additionally, as mitigation, the Commission should require the Department of Public Works to remove the City's concrete rubble that currently litters the beach.

Thank you for your consideration.

Jonathan Nowak
40 O'Connell St.
Albany, NY 12209