

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
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W6

NORTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

March Meeting of the California Coastal Commission

MEMORANDUM

Date: March 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 March 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.

DE MINIMIS WAIVERS

1. 2-11-030-W City Of Pacifica, Attn: Raymond Donguines (Pacifica, San Mateo County)
2. 2-12-015-W Jamie Foden Howell & David Bernstein (Stinson Beach, Marin County)

EMERGENCY PERMITS

1. 2-13-005-G Sonoma County Water Agency, Attn: Grant Davis (Jenner, Sonoma County)

TOTAL OF 3 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>
2-11-030-W City Of Pacifica, Attn: Raymond Donguines	Storm drain replacement and upgrade project to install 1,300 linear feet of 60-inch storm water pipe underground, to install inline trash separator centrally located within the pipe as a mechanism to treat water before entering the outfalls, to abandon one 48-inch outfall pipe and two 18-inch outfall pipes, to install two new 30-inch outfall pipes, and to install 25 rocks to serve as energy dissipaters at the base of the two replacements outfalls.	548 & 552 Esplanade Ave. (all located between 548 and 552 Esplanade), Pacifica (San Mateo County)
2-12-015-W Jamie Foden Howell & David Bernstein	Construction of a new 1,507-square foot single-family residence and 408-square foot detached garage	257 Seadrift Road, Stinson Beach (Marin 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>
2-13-005-G Sonoma County Water Agency, Attn: Grant Davis	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).	Russian River estuary and in Jenner, Jenner (Sonoma County)

CALIFORNIA COASTAL COMMISSION

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**NOTICE OF PROPOSED PERMIT WAIVER**

Date: February 21, 2013
To: All Interested Parties
From: Madeline Cavalieri, North Central Coast District Manager *DO NOT FOR*
Karen J Geisler, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 2-11-030-W
Applicant: City of Pacifica

Proposed Development

Storm drain replacement and upgrade project to install 1,300 linear feet of 60-inch storm water pipe underground, to install inline trash separator centrally located within the pipe as a mechanism to treat water before entering the outfalls, to abandon one 48-inch outfall pipe and two 18-inch outfall pipes, to install two new 30-inch outfall pipes, and to install 25 rocks to serve as energy dissipaters at the base of the two replacement outfalls, all between 548 and 552 Esplanade in the City of Pacifica.

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 development will consolidate three existing storm water outfalls into two outfalls (sized to handle the volume of storm water created by a 100-year storm event) with a small amount of rock for storm water velocity dissipation. All storm water through the new outfalls will first be filtered and treated via an in-line separator prior to discharge to better protect coastal water quality compared to the existing outfalls. The project also includes construction BMPs, erosion controls and storm water pollution prevention measures designed to minimize erosion and protect water quality, and has been designed to limit construction area so as to protect public access as much as possible during construction. The two replacement outfall pipes will be cut back and camouflaged as the bluff retreats in order to limit their visual impact, and the abandoned outfalls will be cut back, capped, and camouflaged to blend in with the existing bluff face. The project includes monitoring and a commitment to further cut back and modify all such pipes to strictly limit day lighting segments and to otherwise camouflage the outfalls over time, and to appropriately maintain the water quality treatment and filtration measures.. The proposed project will enhance the public viewshed and water quality, and should not otherwise have any significant adverse impacts on coastal resources, consistent with Chapter 3 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 March 6, 2013, in San Diego. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 2-11-030-W (City of Pacifica Storm Water Outfall Consolidation)

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

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**NOTICE OF PROPOSED PERMIT WAIVER**

Date: February 22, 2013

To: All Interested Parties

From: Madeline Cavalieri, Central Coast District Manager
Laurel Kellner, Coastal Planner *LAK*

Subject: Coastal Development Permit (CDP) Waiver 2-12-015-W

Applicant: David Bernstein and Jamie Howell

Proposed Development

Construction of a new 1,507-square foot single-family residence and 408-square foot detached garage at 257 Seadrift Road in the Seadrift area of 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 project is construction of a new 1,507-square foot single-family residence and 408-square foot detached garage within an existing established residential neighborhood area. The project includes site improvements such as a front walkway deck, rear decking, and front yard trash and propane enclosures, and new onsite septic system. The proposed project includes BMPs to avoid impacts to sensitive resources, such as, but not limited to, construction measures to protect water quality and biological monitoring to avoid wildlife disturbance. The proposed project is infill residential development in an area and of a type for which the Commission has historically waived permit requirements. As proposed, the project will not have any significant adverse impacts on coastal resources, including water quality, marine resources, 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 March 6, 2013, in San Diego. 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 Laurel Kellner in the North Central Coast District office.



RECEIVED

FEB 22 2013

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT
Emergency CDP 2-13-005-G (Russian River Lagoon Sandbar Breaching)

Issue Date: February 21, 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), the Russian River Lagoon formed as a result of a sandbar building and closing the mouth of the river on February 19, 2013 and which is currently just below flood elevation (~9 feet). As a result, and without heavy rain flows to breach the sandbar naturally, there is a risk that without artificial breaching flooding of approximately 9 structures including the Visitor Center located upstream and along the bank of the Lagoon will occur. As of February 20, 2013, the water level of the lagoon was at an elevation of approximately 8.2 feet and rising by an estimated 0.5 to 1 foot per day. With continued conditions predicted to keep a significant sandbar, and thus, the Lagoon 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 FOR:**

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

Emergency CDP 2-13-005-G (Russian River Lagoon Sandbar Breaching)

Issue Date: February 21, 2013

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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 March 8, 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, 2013).
4. The emergency development authorized by this ECDP is only temporary, and shall 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 April 22, 2013), the Permittee shall submit materials to modify the existing CDP application for ongoing management of the Russian River Estuary to include authorization of the emergency development carried out under this ECDP as part of the proposed project description. The modification materials shall include the monitoring report required by Condition 13. 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 Game, 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 February 20, 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. 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



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surrounding flood water threatened homes, infrastructure, and other development to the maximum extent feasible.

9. 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, as understood by Condition 3.

10. 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 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



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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.

11. 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.

12. 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.

13. Once the emergency activity is completed, the Permittee shall submit a report by April 22, 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



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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.

14. 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.

15. The Permittee shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys fees (including but not limited to such costs/fees that are: (1) charged by the Office of the Attorney General; and (2) required by a court) that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this ECDP. The Permittee shall reimburse the Coastal Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.

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

17. 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 become 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 Central Coast District Office at 725 Front Street, Suite300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission