

CALIFORNIA COASTAL COMMISSION

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

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 11, 2013

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 April 11, 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 Central Coast District.

REGULAR WAIVERS

1. 3-12-024-W Monterey Plaza Hotel L.P., Attn: John V. Nargi, Vice-President & General Manager (Monterey, Monterey County)
2. 3-12-054-W Monterey City Harbor Department, Attn: Steve Scheiblaue, Harbormaster (Monterey, Monterey County)
3. 3-12-060-W City of Morro Bay - Harbor Department (Morro Bay, San Luis Obispo County)
4. 3-13-005-W Santa Cruz Port District (Santa Cruz, Santa Cruz County)

DE MINIMIS WAIVERS

1. 3-13-009-W City Of Pacific Grove (Pacific Grove, Monterey County)
2. 3-13-010-W City Of Pacific Grove (Pacific Grove, Monterey County)
3. 3-13-011-W City Of Monterey, Attn: Andreas Baer (Monterey, Monterey County)

TOTAL OF 7 ITEMS

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>
<p>3-12-024-W Monterey Plaza Hotel L.P., Attn: John V. Nargi, Vice- President & General Manager</p>	<p>Dismantle and dispose the roof and side wall structural elements as well as structural repairs to the existing foundation, including reinforcing and anchoring of three concrete column footings into underlying bedrock beneath the former cannery building at 270 Cannery Row, Monterey, as described in the permit application file.</p>	<p>270 Cannery Row, Monterey (Monterey County)</p>
<p>3-12-054-W Monterey City Harbor Department, Attn: Steve Scheiblaue, Harbormaster</p>	<p>Five year (i.e., until April 11, 2018) repair and maintenance program for City-owned harbor and waterfront structures including: east moorings, the commercial wharf (Wharf 2), and City owned buildings on Wharf #2, the City Marina and its support structures, the marina launch ramp, Fisherman's Wharf (Wharf #1) and city owned buildings on Wharf #1, the outer harbor mooring, the landfill launch ramp and ADA boarding dock, harbor-area navigational aids, and the portions of the Navy and Coast Guard pier that come under the control of the City of Monterey. Specifically, the five-year repair and maintenance program allows repair and replacement in-kind of: 1) 100 fender and 20 guide piles; 2) up to 800 linear feet of caps, 2,000 linear feet of stringers, and 30,000 square feet of decking and asphalt; 3) up to 2,500 linear feet of bull rail and safety railing; 4) the wharves' sprinkler systems; 5) the marina's electrical system; 6) wooden elements of the marina; 7) components of the waterfront's two launch ramps; 8) new pile wraps around wooden piles; and 9) the City's mooring equipment</p>	<p>Monterey Waterfront, Monterey (Monterey County)</p>
<p>3-12-060-W City Of Morro Bay - Harbor Department</p>	<p>Project consists of repairing the City's North T-Pier by replacing up to 101 structural piles (which are rated by the Applicant to be in severe, major, or moderate damage) and up to 66 fender piles in various locations at the North T-Pier in Morro Bay. The proposed project also includes in-kind replacement of various pile caps, beams, cross bracing, corroded hardware, and electric and water service components. All work will be conducted using materials and best management practices as outlined in the proposed North T-Pier Repair Plan</p>	<p>1275 Embarcadero (North T-Pier adjacent to 1275 Embarcadero), Morro Bay (San Luis Obispo County)</p>
<p>3-13-005-W Santa Cruz Port District</p>	<p>Maintenance project to remove, repair, replace or sleeve approximately 220 existing aged, worn and damaged piles, pile guides and appurtenant hardware using new spun concrete piles and/or steel sleeve piles to be carried out over the next 5 years in the Santa Cruz Harbor</p>	<p>135 5th Avenue, Santa Cruz (Santa Cruz County)</p>

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>
3-13-009-W City Of Pacific Grove	Site preparation and placement of a large boulder with a porcelain enamel plaque commemorating the site of a historic Chinese Fishing Village. Project involves clearing an approximate 6' x 16' area of existing non-native vegetation and importing/installing roughly 4 inches of decomposed granite as base material for the commemorative feature. The site of the interpretive plaque abuts the existing Monterey Bay Recreation Trail and is located between Eardley Avenue and Dewey Avenue generally across from the American Tin Cannery and fronting Hopkins Marine Station.	Recreation trail N.E. of Ocean Blvd., between Eardley and Dewey Avenues about 283 feet west of the circular seating area, near the Hopkins Marine Laboratory, Pacific Grove (Monterey County)
3-13-010-W City Of Pacific Grove	Rehabilitation of the existing Lover's Point Children's Pool and facilities including removal and replacement of existing pool surfacing, concrete decking, heating unit, water fountain, electrical, plumbing, and safety fencing. The project also includes construction of a new outdoor shower on the pool deck. The renovations and repairs will take place entirely within the existing footprint of the pool facilities.	620 Ocean View Boulevard, Pacific Grove (Monterey County)
3-13-011-W City Of Monterey, Attn: Andreas Baer	Storm water and ADA improvements at the Breakwater Parking Lot including removing an existing storm drain inlet and replacing with a storm water treatment solids and oil separator, replacing existing asphalt ADA parking stalls with concrete stalls, new rubber parking stops, ADA improvements to the Men's and Women's restrooms, new ADA accessible path between restrooms and restaurant, and an ADA compliant automatic teller machine on the outside of the bathroom in the Monterey Breakwater Parking Lot.	Foam Street & Breakwater Cove, Monterey (Monterey County)

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 28, 2013
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-12-024-W**
Applicant: Monterey Plaza Hotel LP

Proposed Development

Dismantle and dispose the roof and side wall structural elements as well as structural repairs to the existing foundation, including reinforcing and anchoring of three concrete column footings into underlying bedrock beneath the former cannery building at 270 Cannery Row, Monterey, as described in the permit application file.

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 project is needed to prevent the upper floor of the existing structure from collapsing onto the roadway or out into the bay. The proposed foundation and footing repair is needed to ensure the stability of the existing building infrastructure below the former cannery building where it extends out over the Monterey Bay along Cannery Row in Monterey. All work will be completed during daylight hours. Public access will be re-routed across the street during the above ground portions of the project. Concrete and other debris will be disposed of at a suitable receiver location. Footing repairs will occur during low tide. 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, 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 Thursday, April 11, 2013, in Santa Barbara. 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: March 28, 2013
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-12-054-W**
Applicant: City of Monterey Harbor Office

Proposed Development

Five year (i.e., until April 11, 2018) repair and maintenance program for City-owned harbor and waterfront structures including: east moorings, the commercial wharf (Wharf 2), and City owned buildings on Wharf #2, the City Marina and its support structures, the marina launch ramp, Fisherman's Wharf (Wharf #1) and city owned buildings on Wharf #1, the outer harbor mooring, the landfill launch ramp and ADA boarding dock, harbor-area navigational aids, and the portions of the Navy and Coast Guard pier that come under the control of the City of Monterey. Specifically, the five-year repair and maintenance program allows repair and replacement in-kind of: 1) 100 fender and 20 guide piles; 2) up to 800 linear feet of caps, 2,000 linear feet of stringers, and 30,000 square feet of decking and asphalt; 3) up to 2,500 linear feet of bull rail and safety railing; 4) the wharves' sprinkler systems; 5) the marina's electrical system; 6) wooden elements of the marina; 7) components of the waterfront's two launch ramps; 8) new pile wraps around wooden piles; and 9) the City's mooring equipment.

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 five-year repair and maintenance program applies to existing permitted development in the harbor and waterfront areas for which such a program is appropriate, and does not include repair and maintenance to development that raises questions as to whether significant upgrades/alternatives are more appropriate (e.g., rip-rap, bulkheads, seawalls, parking lots, drainage facilities, pathways, landscaping, etc.). In addition, the program includes explicit construction best management practices to avoid construction-related coastal resource impacts, including requirements with respect to in-water work (e.g., driving pilings into place with the use of a flexible skirt to reduce turbidity, containment measures to prevent foreign materials from entering ocean waters, etc.). In terms of piling work specifically, piling replacement will avoid the use of creosote or ACZA-treated piling, and the same restrictions will apply to any wooden structural materials that come into contact with ocean waters.

In sum, the repair and maintenance program will protect and maintain the public access and recreation, commercial fishing and boating, and public safety components of the City's harbor and waterfront areas, and the program's potential for adverse impacts on coastal resources otherwise will not be significant.

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-12-054-W (5-yr Harbor M&R permit)

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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 Thursday, April 11, 2013, in Santa Barbara. 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.



CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AND NORTH CENTRAL COAST DISTRICT OFFICES

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 29, 2013

To: All Interested Parties

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

Subject: **Coastal Development Permit (CDP) Waiver 3-12-060-W**
Applicant: City of Morro Bay, Harbor Department

Proposed Development

The proposed project consists of repairing the City's North T-Pier by replacing up to 101 structural piles (which are rated by the Applicant to be in severe, major, or moderate damage) and up to 66 fender piles in various locations at the North T-Pier in Morro Bay. The proposed project also includes in-kind replacement of various pile caps, beams, cross bracing, corroded hardware, and electric and water service components. All work will be conducted using materials and best management practices as outlined in the proposed North T-Pier Repair Plan.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13252 of the California Code of Regulations, and based on a project description 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 repairs are needed to replace a variety of damaged (and creosote-treated) structural piles and fender piles, which as a result of the deterioration, have led to load restrictions on the pier itself. All structural piles will be thermo-coated ACZA-treated Douglas fir (a process by which the piles are coated with plastic for better chemical stabilization than plastic-wrapped piles), and all fender piles are proposed to be untreated Greenheart. Installation of the structural piles will occur with measures to minimize disturbance of birds, marine mammals, bottom sediments, eelgrass, and benthic organisms. No other in-water treated wood will be used in the structure. The proposed project includes appropriate best management practices typically applied by the Commission to protect water quality during repair of the pier, including to prevent foreign materials from entering bay waters and to not obstruct public access during construction near the pier. In addition, the project will have no impacts on eelgrass because the depth around the pier is too deep to support eelgrass. As proposed with the submitted mitigation measures, the project will not have any significant adverse impacts on coastal resources, including Morro Bay and public access to the shoreline. For all of the above reasons, the proposed project is 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 Thursday, April 11, 2013, in Santa Barbara. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-12-060-W (City of Morro Bay, Harbor Department)
Page 2

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: March 29, 2013
To: All Interested Parties
From: Madeline Cavaliere, Central Coast District Manager
Karen J Geisler, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-13-005-W
Applicant: Santa Cruz Port District

Proposed Development

Maintenance project to remove, repair, replace or sleeve approximately 220 existing aged, worn and damaged piles, pile guides and appurtenant hardware using new spun concrete piles and/or steel sleeve piles to be carried out over the next 5 years in the Santa Cruz Harbor in the City of Santa Cruz.

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 is necessary to ensure the stability of the existing harbor infrastructure which serves as a gateway to the Monterey Bay National Marine Sanctuary. All piles will be replaced with pre-cast concrete pilings that serve to minimize adverse impacts to water quality and the marine environment by avoiding the need for in-water concrete work and related potential impacts. Piles will be installed by a water jetting method with the exception of the restricted use of a dynamic hammer to complete installation. In addition, the project includes appropriate construction procedures 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 Santa Cruz Harbor, Monterey Bay and public access to the shoreline, consistent with the Coastal Act and certified City of Santa Cruz Local Coastal Program.

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 April 11, 2013 in Santa Barbara. 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 Karen Geisler in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 28, 2013
To: All Interested Parties
From: Madeline Cavalieri, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-13-009-W**
Applicant: City of Pacific Grove

Proposed Development

Site preparation and placement of a large boulder with a porcelain enamel plaque commemorating the site of a historic Chinese Fishing Village. Project involves clearing an approximate 6' x 16' area of existing non-native vegetation and importing/installing roughly 4 inches of decomposed granite as base material for the commemorative feature. The site of the interpretive plaque abuts the existing Monterey Bay Recreation Trail and is located between Eardley Avenue and Dewey Avenue generally across from the American Tin Cannery and fronting Hopkins Marine Station in the City of 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 plaque commemorates and interprets the historic past of the City of Pacific Grove and in particular the contributions of Chinese Fishermen to the development of the City. The site of the proposed development is coterminous with the Monterey Bay Recreation Trail and will enhance the public access and recreational experience along the trail. Non-native vegetation will be removed and replaced with a compacted decomposed granite material that is similar to the existing material and surface of the recreation trail. Construction BMPs will be in place to prevent sediment and any foreign material from entering bay waters during construction. A temporary construction and staging area will be fenced off to protect the public during construction. Public access will otherwise be maintained along the recreation trail. 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 along 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 Thursday, April 11, 2013, in Santa Barbara. 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: March 28, 2013
To: All Interested Parties
From: Madeline Cavaliere, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-13-010-W**
Applicant: City of Pacific Grove

Proposed Development

Rehabilitation of the existing Lover's Point Children's Pool and facilities including removal and replacement of existing pool surfacing, concrete decking, heating unit, water fountain, electrical, plumbing, and safety fencing. The project also includes construction of a new outdoor shower on the pool deck. The renovations and repairs will take place entirely within the existing footprint of the pool facilities at 620 Ocean View Boulevard, in the City of 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 Children's Pool renovations are necessary to re-establish use of the facilities at this very popular visitor-serving destination. The pool is decades old and is in disrepair. Construction BMPs will be in place to prevent sediment, concrete, and foreign materials from entering bay waters during construction. All materials demolished and/or removed will be disposed of at an appropriate construction debris receiver site. Similarly, material containment and erosion control measures will be in place during renovations and repair of pool facilities to ensure coastal waters are protected. A temporary construction and staging area will be fenced off to protect the public and shield the development from public view. Public access will otherwise be maintained across the majority of the Lover's Point and Bathhouse site. The City will post appropriate signage informing the public of ongoing activities and confirming that public access is continuing. 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 Thursday, April 11, 2013, in Santa Barbara. 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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Date: March 28, 2013
To: All Interested Parties
From: Madeline Cavaliere, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-13-011-W**
Applicant: City of Monterey Harbor Office

Proposed Development

Storm water and ADA improvements at the Breakwater Parking Lot including removing an existing storm drain inlet and replacing with a storm water treatment solids and oil separator, replacing existing asphalt ADA parking stalls with concrete stalls, new rubber parking stops, ADA improvements to the Men's and Women's restrooms, new ADA accessible path between restrooms and restaurant, and an ADA compliant automatic teller machine on the outside of the bathroom in the Monterey Breakwater Parking Lot at the corner of Foam Street and Breakwater Cove, City of Monterey, 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 modifications will be constructed entirely within the footprint of the existing parking lot, and will maintain the existing uses of the site including for low-cost recreational, visitor serving, and commercial uses. The proposed ADA accessibility improvements at the Breakwater will expand public access and recreational opportunities for a broader segment of the public, more specifically persons with disabilities. The project further includes installation of a storm water treatment filter in the parking lot / boat trailer area to filter and treat runoff before it is conveyed into the ocean. Construction BMPs are proposed to prevent sediment and other construction debris from entering the marine environment during construction. Disruptions to public access during construction will be minimized by maintaining access to the boat launch facilities, 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 Thursday, April 11, 2013, in Santa Barbara. 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.