

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863 FAX (831) 427-4877  
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# CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

*For the*

*August Meeting of the California Coastal Commission*

**MEMORANDUM**

Date: August 15, 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 August 15, 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.

***DE MINIMIS WAIVERS***

1. 3-12-056-W California Department Of Parks & Recreation (Los Osos, San Luis Obispo County)
2. 3-13-0331-W Coastal San Luis Obispo Resource Conservation Distirct; San Luis Obispo County Public Works Department (Oceano & Arroyo Grande, San Luis Obispo County)
3. 3-13-0475-W Stanford University-Hopkins Marine Station (Pacific Grove, Monterey County)

***IMMATERIAL AMENDMENTS***

1. 3-08-005-A1 Port San Luis Harbor District, Attn: Steve McGrath, Harbor Manager (Avila Beach, San Luis Obispo County)

***EMERGENCY PERMITS***

1. G-3-13-0209 California Department of Parks & Recreation (Cayucos, San Luis Obispo County)

## 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>
<b>3-12-056-W</b> California Department Of Parks & Recreation	American with Disabilities Act (ADA) compliant improvements to the parking area of Montana de Oro State Park, including construction of new ADA parking spaces, demolition and reconstruction of a vault restroom facility, installation of a concrete walkway and viewing area, picnic table, and storage building, and seasonal installation of a "mobi-mat" walkway, to comply with the ADA and to meet the requirements in the California State Park Accessibility Guidelines.	Montana De Oro State Park (at the end of Pencho Valley Road), Los Osos (San Luis Obispo County)
<b>3-13-0331-W</b> Coastal San Luis Obispo Resource Conservation District San Luis Obispo County	Vegetation management within Arroyo Grande Creek and the surrounding levee consisting of minor hand trimming of willow root sprouts to encourage canopy growth, minor thinning of lower branches of woody vegetation, removal of invasive plant species and vegetation along the levee tops for access and maintenance purposes, and trash and debris removal..	Arroyo Grande Creek, Oceano & Arroyo Grande (San Luis Obispo County)
<b>3-13-0475-W</b> Stanford University-Hopkins Marine Station	Improvements to the Hopkins Marine Station storm water drainage and seawater outfall system to allow for water quality monitoring as required by the State Water Board.	120 Ocean View Boulevard, Pacific Grove (Monterey County)

### REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>3-08-005-A1</b> Port San Luis Harbor District, Attn: Steve McGrath, Harbor Manager	CDP 3-08-005 would be amended to allow implementation of the previously approved operations and management program for an additional 5 years, ending on September 11, 2018.	Port San Luis Harbor, Avila Beach (San Luis Obispo County)

**REPORT OF EMERGENCY PERMITS**

***Applicant***

**G-3-13-0209**  
California Dept. of  
Parks & Recreation

***Project Description***

Authorizes emergency development to place a temporary fence to restrict pedestrian access to the seaward portion of the Cayucos pier in the community of Cayucos, San Luis Obispo County. The fence is located approximately halfway down the Cayucos Pier. Public access will be temporarily restricted until the pier's structural support elements and pilings can be renovated or replaced and the safety of the public ensured.

***Project Location***

Cayucos Pier, Cayucos,  
San Luis Obispo County

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** August 1, 2013

**To:** All Interested Parties

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

**Subject:** Coastal Development Permit (CDP) Waiver 3-12-056-W  
Applicants: California Department of Parks and Recreation

**Proposed Development**

Americans with Disabilities Act (ADA) compliant improvements to the parking area of Montana de Oro State Park, including construction of two new ADA parking spaces, demolition and reconstruction of a vault restroom facility, installation of a concrete walkway and viewing area, picnic table, and storage building, and seasonal installation of a "mobi-mat" walkway, to comply with the ADA and to meet the requirements in the California State Parks Accessibility Guidelines.

**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 enhance public access at the existing parking area by providing ADA-compliant facilities. In addition, the project has been designed to avoid adverse impacts to coastal resources, including by utilizing the existing development footprint (parking lot), except for the temporary placement of the mobi-mat walkway. Further, the project components have been placed out of the main public viewshed, while still affording unimpeded views of the beach and ocean to those who will be using the parking spaces and picnic table.

All concrete will be placed outside of the existing parking lot area and will be stained and colored to match the surrounding area. The mobi-mat walkway will also be sand-colored to blend with the surroundings. Finally, the new restroom facility, storage building, and concrete walkways are all designed to be removable, and State Parks is proposing to remove all manmade structures should the site be threatened by shoreline hazards in the future.

In summary, this ADA improvement appropriately minimizes adverse impacts on coastal resources or public access to the shoreline and is therefore consistent with the Chapter 3 policies 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, August 15, 2013, in Santa

**NOTICE OF PROPOSED PERMIT WAIVER  
CDP Waiver 3-12-056-W (Montana de Oro ADA Improvements)**

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Cruz. 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 Daniel Robinson in the Central Coast District office.**

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** August 1, 2013

**To:** All Interested Parties

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

**Subject: Coastal Development Permit (CDP) Waiver 3-13-0331-W**  
Applicants: Coastal San Luis Obispo Resource Conservation District (RCD)/San Luis Obispo County Public Works Department

**Proposed Development**

Vegetation management within Arroyo Grande Creek and the surrounding levee consisting of minor hand trimming of willow root sprouts to encourage canopy growth, minor thinning of lower branches of woody vegetation, removal of invasive plant species and vegetation along the levee tops for access and maintenance purposes, and trash and debris removal, located in Oceano and Arroyo Grande, 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(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 continue efforts to enhance habitat within the creek and riparian corridor while providing for increased channel capacity for water flows and flood control purposes. The project 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. In addition, the project is designed to maintain shade for improved water quality and sensitive species habitat within the managed channel. Large woody material within the creek channel will be cut or notched and left in the channel to provide woody habitat, only fallen and low overhanging willow branches will be cut and all root balls will be left intact. No heavy machinery will be used within the creek channel and no herbicides will be used. Crews will remove invasive exotic species, particularly castor bean, trees of heaven, and poison hemlock, to improve riparian habitat. Biological monitors will be in place for the duration of the project to ensure project activities do not disrupt any habitat areas.

**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, August 15, 2013, in Santa Cruz. 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 3-13-0331-W (Arroyo Grande Creek Vegetation Management)**  
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**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:** August 1, 2013  
**To:** All Interested Parties  
**From:** Madeline Cavalieri, Central Coast District Manager *MC*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-13-0475-W  
Applicant: Stanford University-Hopkins Marine Station

**Proposed Development**

Improvements to the Hopkins Marine Station storm water drainage and seawater outfall system to allow for water quality monitoring as required by the State Water Board at 120 Ocean View Boulevard (APN 006-741-006) in the City of Pacific Grove.

**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 project includes installation of new facilities that would separate seawater and storm-water flows in order to comply with State Water Board requirements for monitoring all discharges into the Lover's Point State Marine Reserve -an Area of Special Biological Significance (ASBS). Both sources of discharge will undergo a chemical analysis and evaluation of the quality of the two forms of discharge. Storm-water discharges will be conveyed via an existing storm-water outfall. The seawater currently flowing through this outfall will be redirected to an existing seawater discharge line. The change in the plumbing system will not affect the total amount of water (seawater and storm-water) being discharged. Construction, staging of materials and waste receptacles will occur within the interior of the site. Construction best management practices are proposed to ensure that sediment and waste materials are appropriately contained and disposed, and to ensure that the site remains clean and debris does not migrate onto nearby shoreline areas. The proposed development will not otherwise adversely affect 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, August 15, 2013 in Santa Cruz. 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 AMENDMENT****Date:** August 1, 2013**To:** All Interested Parties**From:** Madeline Cavalieri, Central Coast District Manager  
Daniel Robinson, Coastal Program Analyst

A handwritten signature in black ink, appearing to read "M. Cavalieri", written over the printed name of Madeline Cavalieri.

**Subject:** **Proposed Amendment to Coastal Development Permit (CDP) 3-08-005**  
Applicant: Port San Luis Harbor District**Original CDP Approval**

CDP 3-08-005 was approved by the Coastal Commission on September 11, 2008 for development consisting of a five-year operations and management program including repair and maintenance associated with: channel markers, regulatory buoys, moorings, floating docks, seawalls/revetments, decking, stringers, caps, ladders, stairs, hoists, parking lot, recreational equipment, trails, public restrooms, trails, storm drains, docks and gangways. General locations where limited repair and maintenance can occur include the Port's boundaries in San Luis Bay, Harford Pier, Harford Land Area, Mobile Hoist Pier, Avila Pier, Sport Launch Basin, Fisherman/Olde Port Beach, and Avila Beach.

**Proposed CDP Amendment**

CDP 3-08-005 would be amended to allow implementation of the previously approved operations and management program for an additional 5 years, ending on September 11, 2018. The Commission's reference number for this proposed amendment is **3-08-005-A1**.

**Executive Director's Immateriality Determination**

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

All work has been done as required by CDP 3-08-005, and almost identical to the work allowed under CDP 3-02-071 (previous 5-year O&M permit approved in 2002), with no issues arising in that time. Two additional activities are proposed to be undertaken under 3-08-005-A1: operations and maintenance to the Olde Port Beach Restrooms and the Avila Beach Parking Lot; both of which will be undertaken under the same conditions as required by 3-08-005. The project has been designed to avoid adverse impacts on marine resources and minimizes potential project impacts on the biological productivity of coastal waters consistent with the Coastal Act.

The project includes water quality protection measures such as containment of foreign and hazardous materials, pier pile material and installation requirements, and typical Coastal Commission best management practices. Further, the project is designed to not increase the volume, capacity, or result in additional expanded development potential. All allowed activities, including those needed for routine repair and maintenance and emergency repairs, are prohibited from expanding the existing development past its permitted configuration and specifications. Any additional harbor improvements or activities,

**NOTICE OF PROPOSED PERMIT AMENDMENT**  
**CDP 3-08-005 (Port San Luis Operations and Maintenance)**  
**Proposed Amendment 3-08-005-A1**  
**Page 3**

beyond those identified in the project description, require a separate coastal development permit authorization.

The proposed amendment will extend the permit length for an additional 5 years (from September 11, 2013 to September 11, 2018) for a project that appropriately minimizes adverse impacts on coastal resources or public access to the shoreline and is therefore consistent with the Chapter 3 policies of the Coastal Act.

**Coastal Commission Review Procedure**

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on August 15, 2013, in Santa Cruz. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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



California Coastal Commission

# **EMERGENCY COASTAL DEVELOPMENT PERMIT**

## **Emergency CDP G-3-13-0209 (Cayucos Pier)**

Issue Date: August 9, 2013

Page 1 of 3

This emergency coastal development permit (ECDP) authorizes emergency development to place a temporary fence to restrict pedestrian access to the seaward portion of the Cayucos pier in the community of Cayucos, San Luis Obispo County. The fence is located approximately halfway down the Cayucos Pier. Public access will be temporarily restricted until the pier's structural support elements and pilings can be renovated or replaced and the safety of the public ensured. The project is more specifically described in the Commission's ECDP file.

Based on the materials presented by the Permittee, the County of San Luis Obispo, the structural elements located on the most seaward portion of the pier have deteriorated to the point where they need major refurbishing or replacement, meaning that this portion of the pier is no longer safe for the public to access. Two of the four piling supports for this deteriorated section are missing and one is detached from the deck and the end cap is missing. There is an 18-inch to 2-foot gap between these pilings and the pier deck, and thus the pier is not being properly supported. Therefore, the pier's deterioration constitutes a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property. 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 "Mad C", written over a horizontal line.

Madeline Cavaleri, Central Coastal District Manager for Charles Lester, Executive Director

Enclosure: Emergency Coastal Development Permit Acceptance Form

## **Emergency CDP G-3-13-0209 (Cayucos Pier)**

**Issue Date: August 9, 2013**

**Page 2 of 3**

### **Conditions of Approval**

1. The enclosed ECDP acceptance form must be signed by the permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by August 24, 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 September 8, 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 October 8, 2013), the Permittee shall submit a complete application for a regular CDP to retain the emergency development until the pier can be repaired. The application shall include photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete. The emergency development shall be removed in its entirety within 180 days of the date of this permit (i.e., by February 5, 2014) and all areas affected by it restored to their original pre-emergency development condition 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, San Luis Obispo County, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's Central Coast District Office on July 10, 2013.
8. All emergency development shall be limited to the least amount necessary to abate the emergency.
9. 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.
10. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.



**California Coastal Commission**

## **Emergency CDP G-3-13-0209 (Cayucos Pier)**

**Issue Date: August 9, 2013**

**Page 3 of 3**

11. 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 Condition 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 permittee 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 Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



**California Coastal Commission**