

CALIFORNIA COASTAL COMMISSION

Central Coast District Office
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W10

CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the
February Meeting of the California Coastal Commission*

MEMORANDUM

Date: February 09, 2015

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 February 2015 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.

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>
3-14-1813-W The Cannery Row Company L.P.	Add new concrete to fill in cracks in the concrete footings of five pilings, replace rusted metal plates and bolts of three pilings, replace diagonal braces of two pilings, scrub various rusted surfaces and coat with marine primer and finish with marine paint, construct two temporary wooden hanging scaffolds from existing floor joists for closer inspection of deteriorated wood framing, all below the Fish Hopper restaurant at 700 Cannery Row, City of Monterey.	700 Cannery Row, Monterey, CA
3-14-1899-W City of Monterey Public Works Department	Replace seven wood bearing piles with new polymer-coated ACZA-treated wood piles, undertake below-the-waterline repairs to concrete and steel rebar bases, and repair various concrete and wood structural elements of Wharf II; add a concrete surface to the Wharf II parking lot turnaround area to reduce fire risk; grout fifty spaces that have developed between existing concrete sheet piles, and; modify a berth in the Monterey Marina by removing a finger float to accommodate an extra-wide fishing vessel. Improvements will be done over a five-year period, all in the City of Monterey waterfront area.	Off of 200 Figuera St., Monterey, CA

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>
3-90-111-A3 City of Santa Cruz	Allow for after-the-fact maintenance, repairs and restoration of the vertical access stairway (i.e., the "Indicator's" stairway) that leads to the beach and ocean.	Located near the intersection of Pelton Avenue and W. Cliff Drive, Santa Cruz

REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property, or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
G-3-15-0001 Caltrans	Emergency CDP authorizing the installation of rockfall netting along the State Highway Route One right-of-way at post mile 7.75 just south of the location of the 2011 Alder Creek slide in southern Big Sur, Monterey County. The emergency rockfall protection consists of the installation of new anchor and top support cable with steel mesh netting centered over two hillside chutes to catch falling rock. The support cable and mesh netting will be colored to match the existing netting and to blend into the hillside as best possible.	Highway 1, Big Sur, Monterey County

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NOTICE OF PROPOSED PERMIT WAIVER

Date: January 29, 2015
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Brian O'Neill, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-14-1813-W
Applicant: The Cannery Row Company

Proposed Development

Add new concrete to fill in cracks in the concrete footings of five pilings, replace rusted metal plates and bolts of three pilings, replace diagonal braces of two pilings, scrub various rusted surfaces and coat with marine primer and finish with marine paint, construct two temporary wooden hanging scaffolds from existing floor joists for closer inspection of deteriorated wood framing, all below the Fish Hopper restaurant at 700 Cannery Row in the City of Monterey.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13252 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project involves repairs to existing pilings and replaces deteriorating structural elements with new elements of identical dimensions. The work will not expand the existing development footprint and is necessary to ensure the structural integrity of the pilings and safety of the public. The proposed project incorporates measures to protect the marine environment such as the use of netting or plastic membranes in all areas of construction to prevent debris from falling to the coast, limiting construction to times when the tidal waters have receded from the work area, and the use of silt fences to prevent construction related runoff. Other Best Management Practices (BMPs) will be employed throughout the project, including the immediate collection of any debris, prevention of spills, and general good housekeeping of the site at all times. 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 February 11, 2015 in Pismo Beach. 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 Brian O'Neill in the Central Coast District office.

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-14-1899-W (Monterey waterfront repairs)

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CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Brian O'Neill in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: January 28, 2015
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Karen Geisler, Coastal Planner
Subject: **Proposed Amendment to Coastal Development Permit (CDP) 3-90-111**
Applicant: City of Santa Cruz

Original CDP Approval

CDP 3-90-111 was approved by the Coastal Commission on December 12, 1990 and provided for the construction of engineered rock revetments placed adjacent to the Pacific Ocean to prevent further erosion of the shoreline bluffs, the recreational bicycle and pedestrian pathway, parking area and the existing road at ten locations seaward of West Cliff Drive in the City of Santa Cruz, Santa Cruz County. **CDP 3-90-111-A** was approved on November 13, 1991 and provided for the construction of five additional revetments placed seaward of West Cliff Drive between De La Costa Avenue and Pelton Avenue, and the construction of a new vertical access stairway to the beach near the intersection of Pelton Avenue and West Cliff Drive (known as the "Indicator's" stairway). **CDP 3-90-111-A2** was approved on June 8, 1998 and provided for the construction of two additional revetments seaward of West Cliff Drive at its intersection with Columbia Street, reconstruction of a portion of the recreational pathway and two parking bays, and the installation of a 150-foot-long concrete-faced soil nail retaining wall seaward of West Cliff Drive and 600 feet west of Columbia Street.

Proposed CDP Amendment

CDP 3-90-111 would be amended to allow for after-the-fact maintenance, repairs and restoration of the vertical access stairway (i.e. the "Indicator's" stairway) that leads to the beach and ocean, and which is located near the intersection of Pelton Avenue and West Cliff Drive. The Commission's reference number for this proposed amendment is **3-90-111-A3**.

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:

The "Indicator's" stairway is highly used by the public to reach the beach and also provides access to a prime surfing location just offshore. The repairs to the stairway ensure that this important public access amenity will remain available to the public for years to come. The project includes water quality protection measures and best management practices to minimize impacts on marine and coastal resources during construction activities. In sum, the proposed amendment enhances public access and recreational opportunities consistent with the Commission's original coastal development permit approval, as well as remaining consistent with the Coastal Act and the certified City of Santa Cruz Local Coastal Program.

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-90-111-A3 (City of Santa Cruz Public Access Stairway at “Indicator’s”)

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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 February 11, 2015, in Pismo Beach. 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 Karen Geisler in the Central Coast District office.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-15-0001 (Caltrans PM 1-MON-7.75 Alder Creek Rockfall Net)

Issue Date: January 7, 2015

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This emergency coastal development permit (ECDP) authorizes the installation of rockfall netting along the State Highway Route One right-of-way at post mile 7.75 just south of the location of the 2011 Alder Creek slide in southern Big Sur, Monterey County. The emergency rockfall protection consists of the installation of a new anchor and top support cable with steel mesh netting centered over two hillside chutes to catch falling rock. The support cable and mesh netting will be colored to match the existing netting and to blend into the hillside as best as possible (all as more specifically described in the Commission's ECDP file).

The proposed emergency development is located in an extremely active rockfall and slide area immediately above and adjacent to Highway 1. Gravity and erosion from recent rains are causing rock and sediment to fall onto Highway 1, impairing safe use of the highway and Caltrans' ability to keep both lanes of the roadway open and operational. The rock and debris flow is also creating a safety hazard for Caltrans roadway repair crews. The proposed development is adjacent to an existing rockfall drapery system, which was approved by the Commission under Coastal Development Permit 3-11-067-W in response to the large Alder Creek slide.

Based on the materials presented by the Permittee (Caltrans), this emergency response is an interim measure while Caltrans pursues a restoration project that will ensure public safety, prevent long-term closure of Highway 1 in this area, and maintain essential public services for residents and visitors to the Big Sur area. 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.

Susan Craig, Central Coastal District Manager, for Charles Lester, Executive Director

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form; (2) Regular Permit Application Form

cc: Tim Short, District Ranger, U.S. Forest Service

Emergency CDP G-3-15-0001 (Caltrans PM 1-MON-75.5 Alder Creek Rockfall Net)

Issue Date: January 7, 2015

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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 January 22, 2015). 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 6, 2015) 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 180 days of the date of this permit (i.e., by July 7, 2015), the Permittee shall submit a complete application for a regular CDP to retain the emergency development. 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. Otherwise, the emergency development shall be removed in its entirety within 270 days of the date of this permit (i.e., by October 7, 2015) 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., Monterey Bay National Marine Sanctuary, U.S. Forest Service, 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. All emergency development shall be limited in scale and scope to that specifically identified in the Caltrans Emergency Notification Form dated December 29, 2014 and received in the Coastal Commission's Central Coast District Office on December 30, 2015.
8. All emergency development is 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.

Emergency CDP G-3-15-0001 (Caltrans PM 1-MON-75.5 Alder Creek Rockfall Net)

Issue Date: January 7, 2015

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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.

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. For the development to be authorized under the Coastal Act, 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.