

CALIFORNIA COASTAL COMMISSION

North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219
(415) 904-5260 or (415) 904-5200 FAX (415) 904-5400

**F5****NORTH CENTRAL COAST DISTRICT
DEPUTY DIRECTOR'S REPORT**

*For the
August Meeting of the California Coastal Commission*

MEMORANDUM

Date: August 12, 2015

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 August 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 North Central Coast District.

DETAIL OF ATTACHED MATERIALS

REPORT OF EMERGENCY PERMITS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
G-2-15-0019 San Mateo County Harbor District, Attn: Scott Grindy	Repair and placement of existing storm water conveyance culverts located below the West Trail, construction of a new manhole, and construction of an in-water soldier pile wall and rip rap apron to protect the trail and culvert from erosion.	Along the West Trail at Pillar Point Harbor in San Mateo County 06081-047313030



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-2-15-0019 (West Trail, Pillar Point Harbor, San Mateo County)

Issue Date: July 28, 2015


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This emergency coastal development permit (ECDP) authorizes emergency development consisting of removal and replacement of a storm water culvert and outflow along the West Trail at Pillar Point Harbor in San Mateo County. Proposed work will include removal and disposal of the existing, damaged 18-inch reinforced concrete pipe (RCP) and 12-inch corrugated metal pipe (CMP) that are exposed on the west side of the trail and buried under the trail. 3 linear feet of CMP and a 90 degree CMP elbow will be attached to the existing pipe running down the hillside, and will feed into a newly installed 60-inch manhole with 36-inch diameter grated lid. 47 linear feet of 36-inch RCP will be installed to run from the manhole along the route of the existing pipe (to be removed). Eroded portions of the trail will be backfilled with gravel and further protected along the harbor side with sandbags.

Based on the materials presented by the Permittee (San Mateo County Harbor District), the existing stormwater pipes have deteriorated over time resulting in water leaking out of the pipes under the trail. Weakening of the soil around the pipe caused by these leaks, combined with ongoing tidal and wave action has resulted in significant erosion of the West Trail in this location. Although efforts are underway to identify a long term solution to erosion problems along the entirety of the trail, public safety on this heavily used trail is in danger. The proposed emergency development is necessary to abate the risk of ongoing erosion that would constitute a public safety hazard, particularly as it relates to the ability of emergency vehicles to use this accessway. The submitted application materials include the Commission's typical best management practices to protect water quality during construction along coastal waters. 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.

 
Nancy Cave, North Central Coastal District Manager, for Charles Lester, Executive Director

Emergency CDP G-2-15-0019 (West Trail, Pillar Point Harbor)

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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 North Central Coast District Office within 15 days of the date of this permit (i.e., by August 18, 2015). 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 must be completed within 6 months of the date of this permit (i.e., by January 28, 2016) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency, and shall be removed if it is not authorized by a regular CDP. Within 1 year of the date of this permit (i.e. by July 28, 2016) the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. The application shall include a hydrologic analysis of the area to assess the need for the stormwater conveyance that is currently existing and/or approved within this ECDP. The Permittee agrees that if it is determined that the stormwater conveyance is unnecessary, the portions approved in this ECDP will be removed and the trail will be backfilled with sediment. The deadlines in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agree 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., U.S. Army Corps of Engineers, State Lands Commission, 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 plans submitted to the Coastal Commission on February 24, 2015.
8. All emergency development is limited to the least amount necessary to abate the emergency and to prevent further harm while a long-term solution is identified.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access, habitat areas, and Pillar Point Harbor) 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. All areas within which construction activities and/or staging are to take place shall be minimized to the maximum extent feasible in order to minimize construction encroachment on the shoreline

Emergency CDP G-2-15-0019 (West Trail, Pillar Point Harbor)

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and to have the least impact on public access and the marine environment. Construction activities, materials, and/or equipment storage are prohibited outside of the defined construction, staging, and storage areas.

- b. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
 - c. The Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
11. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
12. 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 and/or if the property lessees wish to expand the scope of work, 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 45 Fremont Street, Suite 2000, San Francisco, CA 94105 (415)-904-5200.

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 103
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**EMERGENCY PERMIT ACCEPTANCE FORM**

TO: CALIFORNIA COASTAL COMMISSION
North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, California 94105

RE: Emergency Permit No. G-2-15-0019

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the North Central Coast District Office within 15 working days from the permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that the emergency work is TEMPORARY and that a regular Coastal Permit is necessary to make it a permanent installation. I agree to apply for a regular Coastal Permit within 1 year of the date of the emergency permit (i.e., by July 28, 2016), OR I will remove the emergency work authorized by such permit in its entirety. I understand that the deadlines contained herein may be extended for good cause by the Executive Director.

Signature of property owner or
Authorized representative

Name

Address

Date of Signing

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT ST, SUITE 2000
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**Memorandum****August 12, 2015**

To: Commissioners and Interested Parties

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

Re: ***Additional Information for Commission Meeting
Wednesday August 14, 2015***

<u>Agenda</u> <u>Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
F7a	A-2-HMB-15-0040 Jack Hamilton	Email, James Benjamin	1
		Correspondence, Lennie Roberts/Michael J Ferreira	2-3
		Correspondence, Jack Hamilton	4

From: [Jimmy Benjamin](#)
To: [Rexing, Stephanie@Coastal](#)
Cc: ["Mike Ferreira"](#); ["Lennie Roberts"](#); [Cave, Nancy@Coastal](#); [Carl, Dan@Coastal](#)
Subject: Appeal A-2-HMB-15-0040 -- supporting the recommendation of Commission staff
Date: Thursday, August 06, 2015 3:09:51 PM

Item F7a

Support CCC Staff Recommendation

Dear Chair Kinsey and Commissioners:

I cannot attend the Commission's Chula Vista meeting next week to speak on Appeal A-2-HMB-15-0040, and so I write to support your staff's recommendation for a finding of substantial issue and approval of subdivision with the added conditions presented in the 30 July 2015 Commission staff report.

If the coastal development permit includes the recommended special conditions, then this subdivision would protect coastal access (including the public's historical trail usage in the northern parcel), and would neither harm coastal resources nor adversely impact the farming on nearby prime agricultural soils, as required by policies in chapters 2, 3 and 8 of Half Moon Bay's Local Coastal Program and corresponding sections of the City's LCP Implementation Plan.

I urge the Commission to accept the recommendations of its staff, whom I thank for a thorough analysis of issues associated with this subdivision.

Respectfully,

James Benjamin, Appellant
400 Pilarcitos Avenue
Half Moon Bay, CA 94019



COMMITTEE FOR
GREEN FOOTHILLS



F7a

August 6, 2015

Chair Steve Kinsey and Commissioners
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Item F7a
Support Staff Recommendation

Re: Item F7a: A-2-HMB-15-0040; Appeal of City of Half Moon Bay approval of Subdivision of one parcel into two parcels located in the R-1, U-R and OS-A Zoning Districts, 135 Kelly Avenue, Half Moon Bay; APN 056-048-020

Dear Chair Kinsey and Commissioners,

On behalf of Committee for Green Foothills and Loma Prieta Chapter, Sierra Club, Appellants of this project, we write in strong support of the staff recommendation for Finding that Substantial Issue Exists, and Approval with Conditions.

The proposed project is a subdivision of a portion of the historic Ocean Shore Railroad Right of Way. The northern portion of the property (proposed Parcel B) is zoned Urban Reserve (U-R) and Open Space-Active (OS-A). A large portion of Proposed Parcel B is currently used (and has been used historically) as an equestrian and pedestrian trail. The trail is clearly evident on aerial views, and was raised as an issue by Planning Commissioner Rick Hernandez at the May 26, 2015 Planning Commission meeting.

Absent conditions protecting this historic and current public recreational use, the proposed subdivision would not be in conformity with the HMB LCP Section 18.40 and Coastal Act Chapter 3 public access and recreation policies.

We support Special Condition 2 that applies to the portion of Parcel B zoned Urban Reserve; development is restricted to facilities associated with agricultural use and allows limited recreational uses including trails, sufficiently buffered from agricultural operations to avoid adverse impacts to agriculture. Condition 2 is essential to ensure that the project is consistent with the Urban Reserve zoning.

We also support Special Condition 3 that applies to the portion of Parcel B zoned Open Space-Active; allowable uses include public trails, interpretive display, ancillary parking lots, rest rooms, benches, and other ancillary uses that are in conformance with the resource conservation standards of the HMB LCP. This condition is also essential to ensure that the project is consistent with the Open Space-Active zoning and that historic and current recreational uses are protected.

Approval of these Conditions will also ensure that the cumulative impacts of this land division, in conjunction with other divisions of land in Half Moon Bay and the urban Midcoast area, do not

exceed the capacity of Highways 1 and 92 to accommodate visitors during peak recreational periods. Already approved land divisions in the City (including Pacific Ridge, Carnoustie, and Gibraltar Capital) have required traffic mitigation. As conditioned, this project will not increase the potential for new residential development beyond the one currently allowable single-family residence, therefore no traffic mitigation would be required.

We commend the staff for its thorough review of this Appeal. Unfortunately, we are unable to attend your August meeting in person as Chula Vista is not a convenient or affordable meeting venue for hearing on items in the North Central District.

In conclusion, we urge your finding of Substantial Issue and approval with conditions per staff.

Sincerely,

Signature on file

Lennie Roberts, Legislative Advocate

Signature on file

Michael J. Ferreira, Conservation Chair
Loma Prieta Chapter, Sierra Club

August 10, 2015

Stephanie R. Rexing

Coastal Planner

California Coastal Commission

Re: **135 Kelly Avenue**
Half Moon Bay, California

Dear Ms. Rexing:

This letter is in regards to the staff recommendation for Finding that Substantial Issue exists and Approval with Conditions. As the applicant for the subdivision, I agree to the conditions stated in the staff recommendation.

Sincerely,

Jack Hamilton

Signature on file