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STAFF REPORT: CDP HEARING

Application Number: 3-04-070

Applicant: Caltrans and California Department of Parks and Recreation (State Parks)

Project Location: Along the seaward side of the beach access parking lot at Waddell Beach in Big Basin Redwoods State Park near the San Mateo County Line, North Coast, Santa Cruz County.

Project Description: Authorize retention of a 600-foot-long revetment fronting the beach access parking lot and Highway 1 previously installed under Emergency Coastal Development Permit 3-03-008-G. Repair of 20 cubic yards of parking lot.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The Applicants (Caltrans and State Parks) propose to retain an existing rock revetment approved under an emergency coastal development permit. The revetment extends along the entire seaward side of the Waddell Beach parking lot in north Santa Cruz County. Waddell Beach is a popular destination that supports public access and an array of recreational uses. Waddell Beach is one of the premiere spots on the west coast for both watching and participating in windsurfing and kite boarding. Waddell Beach is also a popular destination for hikers, nature photographers, and bird watchers. It is also fairly remote, and is typically accessed by vehicles.

The revetment protects the public parking lot as well as a number of public access amenities, including an informational kiosk, a bus stop, restrooms, and public access trails to the beach. The revetment also ultimately protects Highway 1, which runs along the inland edge of the parking lot. Although some of Waddell's recreational users arrive by foot, bicycle, or bus, the bulk of visitors arrive via automobile. The lot provides parking for about 86 vehicles; meanwhile a small

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pull-out on the opposite side of the highway provides parking for about 22 motor vehicles. However, the parking lot is the preferred parking area by beachgoers because it is on the seaward side of the highway and thus provides safer and easier access to Waddell Beach, especially for those carrying surfboards or kite boarding or windsurfing equipment. The proposed project (retention of the existing revetment and repair of 20 cubic yards of the parking lot) would provide the Waddell Beach parking lot and other access amenities with necessary protection in order to facilitate continued public access and recreation at Waddell Beach.

Staff believes the proposed revetment is necessary to protect the parking lot and its associated public access amenities from danger due to erosion, including from wave action and wave run-up. Alternative structural and non-structural protective devices were considered, but were dismissed mainly due to infeasibility. The impacts to public access from the revetment are offset and appropriately mitigated by the associated Caltrans talus disposal project (that nourishes the beach and hides the revetment at this location), by the Applicants' proposed bench overlook access improvements, and by the public parking lot itself that will help to ensure continued public access to this beach and related area. Retention of the revetment and the parking lot will be revisited when the adjacent Waddell Creek Bridge redevelopment is considered in the future.

Therefore, as conditioned, the project can be found consistent with the Coastal Act, and staff recommends **approval** of the CDP. The motion to act on this recommendation is found on page 4 below.

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EXHIBITS

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Exhibit 2 – Project Site Photos

Exhibit 3 – Emergency Coastal Development Permit (3-03-008-G)

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Exhibit 5 – Emergency Highway Repair (Interagency Notification)

Exhibit 6 – Caltrans letter dated August 25, 2005

Exhibit 7 – Permit Verification (Applicant Correspondence)

I. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, **approve** a coastal development permit for the proposed development. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in approval of the CDP as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission **approve** Coastal Development Permit Number 3-04-070 pursuant to the staff recommendation, and I recommend a **yes** vote.*

Resolution to Approve CDP: *The Commission hereby approves Coastal Development Permit Number 3-04-070 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.*

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This coastal development permit (CDP) is granted subject to the following special conditions:

1. **Approved Project.** This CDP authorizes development substantially in conformance with the revetment and parking lot as shown on the plans provided to the Coastal Commission (Site Plans dated November 18, 2004).
2. **Photo Documentation of As-Built Revetment.** WITHIN 90 DAYS OF THE DATE OF THIS APPROVAL (i.e. by May 12, 2016), or within such additional time as the Executive Director may grant for good cause, the Permittees shall submit color photographs (in hard copy and jpg format) that clearly show the as-built project, and that are accompanied by a site plan that notes the location of each photographic viewpoint and the date and time of each photograph. At a minimum, the photographs shall be from a sufficient number of upcoast, downcoast, inland and seaward viewpoints as to provide complete photographic coverage of the permitted project at this location.
3. **Monitoring and Reporting.** The Permittees shall ensure that the condition and performance of the approved as-built revetment and associated development are regularly monitored. Such monitoring evaluation shall address, at a minimum, whether any significant weathering or damage has occurred that would adversely impact future revetment performance, and shall identify any structural damage requiring repair to maintain the as-built revetment and associated development in its approved and/or required state. These monitoring and reporting activities shall be coordinated with the monitoring and reporting requirements for the Caltrans Waddell bluffs talus disposal project (CDP 3-00-125, as amended), including that the required monitoring reports shall be submitted to the Executive Director for review and approval at five year intervals by December 31st of each fifth year (with the first report due December 31, 2020, and subsequent reports due December 31, 2025, December 31, 2030, and every five years after that, for as long as the approved project exists at this location and continues to be authorized consistent with the requirements of **Special Condition 6**). The reports shall identify the existing configuration and condition of the revetment and all other approved project components (e.g. the bench(es) required in **Special Condition 8**), shall recommend actions necessary to maintain the revetment and all other approved project components in their approved and/or required state, and shall include photographs taken from the same locations as were done to meet the requirements of **Special Condition 2**, with the date and time of the photographs and the location of each photographic viewpoint noted on a site plan.
4. **Future Monitoring and Maintenance.** This CDP requires ongoing monitoring of the permitted revetment and other approved project components at this location and authorizes future maintenance to maintain the revetment in its approved state as described in this special condition.
 - a. **Maintenance.** “Maintenance,” as it is understood in this condition, means development that would otherwise require a CDP whose purpose is to maintain the permitted revetment and other approved project components in their approved and/or required state, including retrieval of any riprap that may become displaced over time.

- b. Other Agency Approvals.** The Permittees acknowledge that these maintenance stipulations do not obviate the need to obtain permits and/or authorizations from other agencies for any future maintenance and/or repair episodes.
- c. Maintenance Notification.** Prior to commencing any maintenance event, the Permittees shall notify planning staff of the Coastal Commission's Central Coast District Office, in writing, regarding the proposed maintenance. Except for necessary emergency interventions, such notice shall be given by first-class mail at least 30 days in advance of commencement of work. The notification shall include a detailed description of the maintenance event proposed, and shall include any plans (including the Construction Plan required by **Special Condition 5**), engineering and/or geology reports, proposed changes to the maintenance parameters, other agency authorizations, and other supporting documentation describing the maintenance event. The maintenance event shall not commence until the Permittees have been informed by planning staff of the Coastal Commission's Central Coast District Office that the maintenance event complies with this CDP. If the Permittees have not received a response within 30 days of receipt of the notification by the Coastal Commission's Central Coast District Office, the maintenance event shall be authorized as if Commission planning staff affirmatively indicated that the event complies with this CDP. The notification shall clearly indicate that the maintenance event is proposed pursuant to this CDP, and that the lack of a response to the notification within 30 days of its receipt constitutes approval of it as specified in the permit. Absence of such description in the notification shall negate the automatic approval provisions of this condition. In the event of an emergency requiring immediate maintenance, the notification of such emergency episode shall be made as soon as possible, and shall (in addition to the foregoing information) clearly describe the nature of the emergency.
- d. Non-compliance Proviso.** If the Permittees are not in compliance with the terms and conditions of this CDP at the time that a maintenance event is proposed, then the maintenance event that might otherwise be allowed by the terms of this future maintenance condition may not be allowed by this condition, subject to determination by the Executive Director.
- e. Emergency.** Nothing in this condition shall serve to waive any Permittees' rights that may exist in cases of emergency pursuant to Coastal Act Section 30611, Coastal Act Section 30624, and Subchapter 4 of Chapter 5 of Title 14, Division 5.5, of the California Code of Regulations (Permits for Approval of Emergency Work).
- f. Duration and Scope of Covered Maintenance.** Future maintenance under this CDP is allowed subject to the above terms throughout the length of the armoring approval (see **Special Condition 6**) subject to Executive Director review and approval every five years to verify that there are not changed circumstances associated with such maintenance that necessitate re-review. It is the Permittees' responsibility to request such Executive Director approval prior to the end of each five-year maintenance period (i.e., with the first period running through December 31, 2020). Maintenance can be carried out beyond December 31, 2020 (and beyond subsequent five-year periods) if the Permittees request an extension prior to the end of each five-year maintenance period and if the Executive Director extends the maintenance term in writing. The intent of this CDP is to allow for

five-year extensions of the maintenance term for as long as the revetment and related approved development remains authorized pursuant to **Special Condition 6**, unless there are changed circumstances that may affect the consistency of this maintenance authorization with the policies of Chapter 3 of the Coastal Act and thus warrant a re-review of this maintenance condition. The Permittees shall maintain the permitted revetment and related approved development in its approved state. No expansion or enlargement of the permitted revetment is allowed.

5. Construction Plan. PRIOR TO CONSTRUCTION ASSOCIATED WITH ANY MAINTENANCE EVENT, the Permittees shall submit two sets of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:

- a. Construction Areas.** The Construction Plan shall identify the specific location of all construction areas, all staging areas, all storage areas, all construction access corridors (to the construction site and staging areas), and all public pedestrian access corridors. All such areas within which construction activities and/or staging are to take place shall be minimized in order to minimize construction encroachment on all publicly available pathways, park areas, beach and beach access points, to have the least impact on public access and other coastal resources overall.
- b. Construction Methods and Timing.** The Construction Plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from public recreational use areas (including using the space available on the inland portions of the project area for staging, storage, and construction activities to the maximum extent feasible provided it does not significantly adversely affect public access, and including using unobtrusive fencing (or equivalent measures) to delineate construction areas), and including all methods to be used to protect the beach and ocean offshore including the Monterey Bay National Marine Sanctuary. All erosion control/water quality best management practices to be implemented during construction and their location shall be noted.
- c. Construction Requirements.** The Construction Plan shall include the following construction requirements specified by written notes on the Construction Plan. Minor adjustments to the following construction requirements may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.
 - Public access to the beach shall be maintained at all times.
 - All work shall take place during daylight hours, and lighting of the beach and ocean area is prohibited.
 - Grading of intertidal areas is prohibited, except removal of existing concrete, rubble, etc., is allowed in these areas.
 - Only rubber-tired construction vehicles are allowed on the beach, except track vehicles may be used if the Executive Director determines that they are required to

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safely carry out construction. When transiting on the beach, all such vehicles shall remain as close to the bluff edge as possible and avoid contact with ocean waters.

- All construction materials and equipment placed seaward of the revetment 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 these areas by sunset each day that work occurs, except for erosion and sediment controls and/or construction area boundary fencing where such controls and/or fencing are placed as close to the toe of the coastal protection as possible, and are minimized in their extent.
- 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.
- No work shall occur during weekends and/or the summer peak months (i.e., from the Saturday of Memorial Day weekend through Labor Day, inclusive) unless, due to extenuating circumstances (such as tidal issues or other environmental concerns), the Executive Director authorizes such work.
- Equipment washing, servicing, and refueling shall not take place on the beach, and shall only be allowed at a designated inland location as noted on the Plan. Appropriate best management practices shall be used to ensure that no spills of petroleum products or other chemicals take place during these activities.
- The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials 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.).
- All erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each workday. At a minimum, silt fences, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from entering onto the beach, Waddell Creek or lagoon, or the Pacific Ocean.
- All public recreational use areas and all beach access points impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any native materials impacted shall be filtered as necessary to remove all construction debris.
- The Permittees shall notify planning staff of the Coastal Commission's Central Coast District Office at least three working days in advance of commencement of construction or maintenance activities, and immediately upon completion of construction or maintenance activities.

- d. **Construction Site Documents.** Copies of the signed CDP and the approved Construction Plan shall be maintained in a conspicuous location at the construction job site at all times during construction, 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 the CDP and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.
- e. **Construction Coordinator.** A construction coordinator shall be designated to be contacted during construction for questions by the public. Contact information, including phone number, e-mail address, and street address, shall be conspicuously posted at the job site and readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction. The construction coordinator shall record the name and contact information (i.e., address, phone number, e-mail address, as applicable) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 72 hours of receipt of the complaint or inquiry.

Minor adjustments to the above construction requirements may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources. All requirements above and all requirements of the approved Construction Plan shall be enforceable components of this CDP. The Permittees shall undertake development in accordance with this condition and the approved Construction Plan.

- 6. **Duration of Armoring Approval.** This CDP authorizes the approved revetment until the time when the Waddell Creek Bridge is replaced, and for the duration of time that the existing parking lot remains present in its current configuration. As part of the project development and application process for the future Waddell Creek Bridge Replacement, the Permittees shall evaluate whether a lesser environmentally damaging alternative exists for providing equivalent or better parking amenities and beach access at either a modified or relocated State Parks' Waddell Creek beach access parking lot. That determination will be factored into the alternatives analysis by Caltrans for the overall Waddell Creek Bridge Replacement. If the environmentally preferred alternative includes measures that involve the removal or modification of the parking lot and approved revetment, consistent with the parameters of the overall bridge replacement project, then the Permittees (Caltrans and State Parks) shall be responsible to prepare and implement a removal and restoration plan for the affected revetment and associated development areas. This removal and restoration plan shall be submitted as part of the application for the Waddell Bridge Replacement project.
- 7. **Status Updates.** The Permittees shall submit updates regarding the status of the Waddell Creek Bridge Replacement planning effort to the Executive Director for review and approval at five-year intervals concurrently with the five-year monitoring reports required in **Special Condition 3**, with the first status report due December 31, 2020. These status updates shall also include a brief analysis of the effects of ongoing sea-level rise in the vicinity, including any impacts to the Waddell Beach parking lot revetment and to the existing Waddell Creek Bridge.

- 8. Public Access Improvements.** WITHIN 90 DAYS OF THE DATE OF THIS APPROVAL (i.e. by May 12, 2016), or within such additional time as the Executive Director may grant for good cause, the Permittees shall submit two copies of a Bench Plan, including the type, location, and estimated date of bench installation, for Executive Director review and approval. The Plan shall provide for the installation of one or two benches along the seaward side of the parking lot (or in an area near the parking lot that provides similar public utility) in an area or areas designed to best emphasize views of the ocean and their utility to the public overall, while accounting for public safety. The Permittees shall maintain the bench(es) in a manner designed to facilitate continued public use, including replacing the bench(es) if damaged or destroyed.
- 9. Other Agency Approvals.** WITHIN 6 MONTHS OF PERMIT APPROVAL, or within such additional time as the Executive Director may grant for good cause, the Permittees shall submit to the Executive Director for review a copy of permits and/or authorizations, or evidence that none are necessary, for the approved project from the California State Lands Commission (SLC) and the Monterey Bay National Marine Sanctuary (MBNMS). Any changes to the approved project required by the SLC and/or the MBNMS shall be reported to the Executive Director. No changes to the approved project shall occur without a Commission amendment to this CDP unless the Executive Director determines that no amendment is legally required.
- 10. Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this CDP, the Permittees acknowledge and agree: (i) that the site is subject to hazards from episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, coastal flooding, and the interaction of same; (ii) to assume the risks to the Permittees and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims due to such hazards), expenses, and amounts paid in settlement arising from any injury or damage.
- 11. Talus Disposal.** This permit recognizes ongoing CDP No. 3-00-125 (A1-A8), which allows talus disposal activities to take place at designated locations throughout the Waddell Bluffs area, including deposition of talus materials directly atop the subject of this permit, i.e. the Waddell Parking Lot riprap revetment. CDP 3-00-125 authorizes the annual collection and movement of up to 30,000 cubic yards of landslide talus material per year from the toe of Waddell Bluffs to the opposite side of Highway 1. For the purpose of this permit and as feasible, talus materials from the adjacent bluffs will be placed over the revetment to screen it from view and to provide additional stabilization and protection from wave action between October 15th and December 31st of each year for as long as both CDP 3-00-125 and CDP 3-04-070 are authorized.

IV. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION AND DESCRIPTION

Project Location

The proposed project is located at the toe of the parking lot at Waddell Beach¹ in the North Coast of Santa Cruz County. The proposed project would authorize retention of an existing 600-foot long rock revetment that spans the length of the seaward side of the Waddell Beach parking lot from the north to the south. The project site is located seaward of Highway 1 and slightly north of the entrance into the Rancho Del Oso portion of Big Basin Redwoods State Park, and is just south of the Santa Cruz County/San Mateo County line. An informational kiosk, bus stop, restrooms, and pathways to the beach are located adjacent to the parking lot.

Waddell Beach is a popular destination that supports public access and an array of recreational uses. Waddell Beach is said to be one of the premiere spots on the West Coast for windsurfing and kite boarding. It is also popular with hikers, nature photographers, and bird watchers. Although some of Waddell's recreational users arrive by foot, bicycle, or bus, the bulk of visitors arrive via automobile due to its isolated location along Highway 1. Based upon observations by State Parks staff, aerial photos, and random-interval ground-level counts from 2007 through 2010, the Waddell Beach parking lot supports roughly 86 vehicles (the parking lot does not have striped defined parking spaces); meanwhile, a small pull-out on the opposite side of the highway provides parking for about 22 additional motor vehicles. However, the Waddell Beach parking lot is the preferred parking area for most beachgoers because it is on the seaward side of the highway, providing safer and easier access to Waddell Beach.

The surrounding area contains considerable visible rock slope protection protecting Highway 1, which runs immediately adjacent to the ocean at the base of Waddell Bluffs, limiting coastal access to the paths directly adjacent to the parking lot. Rock slope protection (RSP) can be found consistently from the north end of Waddell Creek and continuing north just beyond the talus collection area (an estimated .9 miles away – see below). The RSP was installed incrementally throughout the area with multiple riprap installations at the north and south Waddell Creek bridge abutments.² Immediately upcoast of the project site, on the inland side of Highway 1, is a talus collection area where Caltrans has erected a long fence on the inland side of the Highway to collect eroding materials from the adjacent Waddell bluffs to prevent these materials from entering the highway). Caltrans collects the eroded talus material, and the collected material is then disposed on the seaward side of the highway throughout this area from October 15th-December 31st of each year, where the sandy talus materials can be reached by ocean wave action (allowed pursuant to CDP 3-00-125). During this time period, Caltrans collects and disposes up to 30,000 cubic yards of talus material annually on portions of the RSP in this area (including directly on top of the Waddell Beach parking lot revetment that is the subject of this

¹ Waddell Creek Beach is a part of Big Basin Redwoods State Park.

² Relevant ECDP and CDP application numbers include 3-03-011 and 3-02-116-G. CDP 3-03-011 allowed the placement of rock riprap at the north and south bridge abutments and at a location 100 feet north of the creek. ECDP 3-02-116-G allowed for the replacement of a previously existing riprap revetment at the north bridge abutment, and the installation of 720 cubic yards of riprap over an 1,800 square feet area located 1,000 feet north of the bridge.

report), covering the RSP, providing additional stabilization, and minimizing the adverse visual impacts of the RSP.³

See **Exhibit 1** for a location map and **Exhibit 2** for project site photos.

Project Description

The proposed project is to authorize the retention of an existing low-level rock revetment initially installed under Emergency Coastal Development Permit (ECDP) 3-03-008-G. ECDP 3-03-008-G was issued following severe storms in December of 2002. The storms severely damaged and threatened the parking lot, resulting in the loss of more than 20 feet from the western perimeter of the parking lot. Associated public access facilities, including a bus stop, restrooms, beach accessways, and an informational kiosk, were also threatened as a result of the severe winter storms (see Exhibit 5). In Caltrans' ECDP 3-03-008-G application,⁴ Caltrans articulated that without additional protection, a single additional storm could threaten the entire parking lot and its associated public access amenities (see Exhibit 6).

ECDP 3-03-008-G authorized the emergency placement of approximately 1,575 cubic yards of riprap to form a 600-foot-long (with an approximately 8,400-square-foot footprint) rock revetment to protect the parking lot and associated public access features and development (including the bus stop, restrooms, informational kiosk, and beach access paths), and ultimately Highway 1 itself, from erosion caused by ocean waves and associated wave run-up. The revetment is relatively low-level (it ranges up to 8 feet in total height), compared to other more substantial rock slope protection found upcoast and downcoast in the Waddell Beach area that reaches the height of the highway, an estimated 15 to 20 feet higher than the beach below. The revetment's width ranges from 10 feet wide at the south end to 20 feet wide at the north end. The proposed project also includes authorization of the placement of approximately 20 cubic yards of decomposed granite directly in the parking lot to facilitate repairs to the parking lot made necessary by winter storms in late 2002.

See **Exhibit 3** for ECDP 3-03-008-G, **Exhibit 4** for the proposed site plan, and **Exhibit 5** for Caltrans' Emergency Highway Repair Notice.

B. STANDARD OF REVIEW

Although the Commission has previously certified a Local Coastal Program for Santa Cruz County (for which the Local Coastal Program would normally provide the standard of review for proposed projects), this project is proposed within an area where the Commission has retained jurisdiction over the issuance of (CDPs), i.e. the proposed project is located on tidelands and/or Public Trust Lands. Thus, the standard of review is the Chapter 3 policies of the Coastal Act.

³ CDP 3-00-125 has been amended eight times. The most recent amendment is 3-00-125-A8, which allows Caltrans to continue talus collection and disposal activities from January 1, 2016 through December 31, 2020.

⁴ Although the parking lot is located on State Parks Property on the seaward side of the highway, the revetment was constructed by Caltrans, and Caltrans remains the primary contact for this CDP application.

C. GEOLOGIC CONDITIONS/HAZARDS

Coastal Act Sections 30235 and 30253 address coastal hazards and the use of shoreline protective devices:

***Section 30235.** Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

***Section 30253.** New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. 41 (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development. (d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

Consistency Analysis

Coastal Act Sections 30235 and 30253 acknowledge that seawalls, revetments, cliff retaining walls, groins and other such structural or “hard” methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Section 30235 addresses when shoreline protective devices must be approved, meanwhile Section 30253 subsection (b) establishes standards for ensuring new development is structurally stable, does not contribute to erosion and does not require shoreline protective devices that substantially alter natural landforms. (More generally, Section 30253 requires minimization of adverse impacts of new development.) Section 30235 articulates that shoreline protective devices shall be approved if required to serve coastal-dependent uses or to protect existing structures or beaches in danger of erosion. The Coastal Act regulates shoreline armoring because shoreline protective structures can have a variety of negative impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beaches.

Under Coastal Act Section 30235, a shoreline structure must be approved if: (1) there is an existing structure; (2) the existing structure is in danger from erosion; (3) shoreline-altering construction is required to protect the existing endangered structure; and (4) the required protection is designed to eliminate or mitigate its adverse impacts on shoreline sand supply. The first three questions relate to whether the proposed armoring is necessary, while the fourth question applies to mitigating some of the impacts from the inherent sand supply loss.

Existing Structure to be Protected

Section 30235 allows hard armoring devices when required to “serve coastal-dependent uses or

to protect *existing* structures or public beaches in danger from erosion” (emphasis added). The parking lot was created in the early 1970’s from talus material taken from the adjacent Waddell Bluffs (see Exhibit 6), and Highway 1 has been in this location for many decades prior to that. The parking lot and Highway 1 all pre-date CDP requirements,⁵ and thus constitute “existing structures” for the purposes of Section 30235.

Danger from Erosion

The next Section 30235 test is whether the existing structures are in danger from erosion. In this case, the Waddell Beach parking lot and associated coastal access amenities (the informational kiosk, bus stop, restrooms, and public access trail) are threatened and in danger from erosion. According to Caltrans’ Emergency Highway Repair document (see Exhibit 5), storms in December of 2002 “eliminated more than 20 feet of the western perimeter of the existing Waddell Creek Vista Point, [thereby] threaten[ing] remaining coastal visitor services including beach access, restrooms, and [the] informational kiosk” (see page 7 of Exhibit 2 for photos).

The danger from erosion at the project site, particularly due to storm impacts, is high and, absent the existing revetment, a single event of a magnitude similar to the 2002 storms could lead to loss of the parking lot and associated public access amenities, and then the highway⁶. Therefore, the existing structures are in danger of erosion for purposes of Section 30235.

Feasible Protection Alternatives to a Shoreline Structure

The third Section 30235 test that must be fulfilled is that the proposed armoring must be “required” to protect the existing threatened structure. In other words, shoreline armoring must be permitted if it is the only feasible alternative capable of protecting the structure.⁷ When read in tandem with other applicable Coastal Act policies, this Coastal Act Section 30235 evaluation is often conceptualized as a search for the least environmentally damaging feasible alternative that can serve to protect existing endangered structures. Other alternatives typically considered for purposes of Section 30235 include: the “no project” alternative; abandonment of threatened structures; relocation of threatened structures; and sand replenishment programs.

Caltrans prepared an alternatives analysis for the proposed project; these alternatives are discussed briefly below.

No Project Alternative: No Project Alternative: Following the severe winter storms of 2002-2003, Caltrans concluded that a “no project” alternative was not a viable option because the parking lot is continually in danger and threatened from wave action and run-up absent some form of hard armoring structure. Caltrans further concluded that Highway 1 (which is located

⁵ That is, they pre-date CDP requirements associated with the 1972 Proposition 20 and the 1976 Coastal Act.

⁶ Caltrans originally articulated the need for the emergency placement of a riprap revetment immediately seaward of the parking lot based upon an assertion that a single storm may result in the loss of the parking, its associated public access amenities, and the highway. This assertion may be found in Exhibit 6 (Emergency Highway Repair [Interagency Notification]).

⁷ Coastal Act Section 30108 defines feasibility as follows: “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

just inland of the parking lot) was similarly in danger as a result of the 2002-2003 winter storms. Without the revetment, it is possible that the parking lot would have fully eroded by the end of the 2002-2003 storm season,⁸ thereby eliminating important public access infrastructure, including a public parking lot that serves the area's recreational amenities. Furthermore, the parking lot is so critical to public access that without the parking lot, public access and recreation opportunities at Waddell Beach would be severely limited. The infeasibility of a "no project" alternative is evident through the 2002-2003 winter storm season, during which Waddell Beach lost more than 20 feet from the western perimeter of the parking lot before the revetment was installed (see Exhibits 2, 3 and 5). Furthermore, since the Coastal Act generally prioritizes public access and recreation, a "no project" alternative would have resulted in public access impacts, potentially inconsistent with Coastal Act Sections 30210, 30220, and 30223, which require that coastal areas suitable for recreation shall be protected and that maximum public access and recreation shall be maintained. Thus, the Commission concurs with Caltrans' assertion that the "no project" alternative is not a viable option.

Relocation: Caltrans concluded that relocation of the existing public access infrastructure, including the public parking lot, was also not feasible at this time. There is currently no space for additional parking on the inland side of Highway 1 in proximity of Waddell Beach, including because the highway is located within a constrained area in between the ocean and large coastal bluffs, as well as between Waddell Creek and sensitive State Parks' land, including wetlands. There is also no space for a parking lot up or downcoast of the current parking lot because the distance between the toe of the talus collection area and the bluff's edge is relatively narrow; providing just enough space for the single-lane highway and the occasional highway pull-out. Furthermore, many individuals who use Waddell Beach for recreation have large recreation equipment (e.g., kiteboards and windsurfing equipment), making it difficult and dangerous to safely cross the highway while carrying such equipment. While relocation of the parking lot inland could be reevaluated in the future, including when the future Caltrans' Waddell Bridge Replacement⁹ project enters into the planning phase, at this time, the Commission concurs that it is not feasible to relocate the parking lot inland away from coastal hazards.

Soil and Vegetation: Finally, Caltrans analyzed whether vegetation cover, talus material, and other non-structural techniques could be employed to abate the hazardous situation and protect the public access infrastructure. However, the analysis concluded that, due to site conditions, the use of soil and vegetation to help stabilize the bluffs would be inadequate, including because soil and vegetation would provide minimal protection from wave impact and overtopping resulting

⁸ In Gary Ruggerone's (Caltrans' Senior Environmental Planner in 2005) letter to the Commission dated August 25, 2005 he wrote, "if the parking lot had not been protected by the placement of the rock revetment in the winter of 2003, it is very possible that the parking lot would be unsafe or unavailable for use today" (pp. 2, Exhibit 6).

⁹ The Waddell Creek Bridge Replacement is a future planned project to replace the existing weathered bridge. The aging bridge will be replaced primarily to ensure continued safety and stability for those traversing the bridge. It is anticipated that any approvable design will also function to restore a more natural connection of Waddell Creek to the beach and ocean and accommodate State Parks operations. Caltrans' 2004 Preliminary Environmental Analysis Report for the Waddell Creek Bridge, and the nearby Scott Creek Bridge, found that both bridges were over 50 years old and experiencing severe bank erosion as well as longitudinal cracks along the bottom of the bridge girders as well as deterioration of the concrete decks. Caltrans made interim repairs to the bridges recently to continue their current use and, while they are both slated for future replacement, the Waddell Creek Bridge has no projected construction date as of February 2016.

from storm events, high water, and ENSO (El Niño Southern Oscillation) events. Although there is a possibility that the parking lot could be protected by talus materials alone, the analysis concluded that “there is great uncertainty with this approach as it is entirely possible that in some years there [may] not be enough talus generated to meet [the] need, and in other years it might be that no matter how much [is] placed, the winter storms [will] erode all [talus material]” (see Exhibit 6), exposing the parking lot to considerable threat and erosion. Indeed, in 2013, Caltrans’ annual talus disposal from the adjacent upcoast talus disposal site along Waddell Bluffs did not take place since there was not enough talus material at the toe of the bluff to warrant disposal activities. Given the unpredictable nature of talus collection, it appears that relying on talus material alone to protect the parking lot and associated coastal access amenities would not be adequate. Based on the evidence and analysis presented by Caltrans, the Commission therefore concurs with Caltrans’ conclusion that talus disposal, vegetation, and other non-structural techniques are inadequate coastal protection strategies at this time.

Although not evaluated by Caltrans, another alternative to retention of the revetment would be a vertical seawall structure. Although such a structure might have a lesser footprint on the beach, it would be difficult to tie it into any hard substrate, and it would be more difficult to remove in the event the parking lot is relocated in the future as part of a future Waddell Creek Bridge replacement project. Thus, a vertical seawall would not be an environmentally superior alternative in this case.

In conclusion, at this time, there are no better feasible alternatives to the existing revetment. Given the lack of viable alternatives, the revetment is required to protect the existing structures in danger from erosion per Section 30235 of the Coastal Act.

Sand Supply Impacts

The fourth test of Section 30235 that must be fulfilled in order to allow Commission approval is that shoreline structures must be designed to eliminate or mitigate adverse impacts to local shoreline sand supply.

Fixing the Back Beach

Bluff retreat and erosion are natural shoreline processes that serve as a primary source of beach sand. When the back of a beach is “fixed” (via a hard armoring structure such as a rock revetment along the seaward side of the beach), the bluff’s natural retreat and erosion processes are disrupted, inhibiting natural sand supply and littoral cell transport and also inhibiting the erosion that would have normally taken place that would create new beach area. The proposed project consists of authorizing and retaining an existing 600-foot long, 8,400-square-foot rock revetment, thereby fixing the back of the beach and inhibiting the beach from migrating inland. In this case, it is unclear how much new beach area would have formed without the existing revetment in place. Caltrans estimates that without the revetment, the entire parking lot may have eroded away and been converted into beach area. The Coastal Commission’s methodology calculates the beach area loss due to fixing the back beach based upon the length of the shore protection, the time that the shore protection will be in place and the average annual long-term erosion rate. The revetment has prevented the creation of approximately 6,000 sq. ft. of new beach over the roughly 13 years it has been in place, and will do so for the next 13 years if it

remains in place¹⁰ Thus, it is clear that the revetment also has secondary public access impacts in the form of lost beach area¹¹. However, these sand supply (and secondary public access) impacts are tempered by the fact that the revetment protects a public access amenity that provides public parking in a fairly remote area that is typically accessed by car; and there is a dearth of parking opportunities. In addition, it occupies a fairly small area in relation to the beach resource at this location itself.¹² In other words, the revetment supports continued public access and recreation by providing a means for the public to actually *access* Waddell Beach. If the revetment had not been installed, or if it were removed, the result would likely be a larger beach area, but the parking lot would be significantly smaller or it would cease to exist altogether. Since the parking lot helps the public to access Waddell Beach, and the revetment protects such parking access, it partially serves to mitigate for its own public access impacts in terms of loss of beach by helping to ensure continued public access to the beach area. In addition, if the parking lot was not in place, it is likely that the Highway would be protected (with RSP) at this location, similar to the upcoast highway. Furthermore, if RSP did protect the highway at this location, the same public access and recreation impacts would occur, without the benefit of providing a public parking lot.

In addition, although the revetment has certain impacts, Caltrans' annual talus disposal project deposits talus material collected from the adjacent upcoast bluffs and deposits it on top of revetments fronting Highway 1 from the Santa Cruz County/San Mateo County Line and continuing down and including the south end of the parking lot/rock revetment¹³. The addition of talus material (including via placement of talus directly on top of the revetment that protects the parking lot) is in essence a form of beach nourishment that acts as a proxy for natural erosion and bluff retreat processes. Caltrans' talus project attempts to mimic natural shoreline processes (as much as possible in this type of controlled environment) by providing a source of new sand to the beach and littoral cell. Thus, the associated talus disposal project also helps to partially mitigate the revetment's impacts to local shoreline sand supply.

While the revetment adversely impacts sand supply, therefore reducing beach area available for public recreation, it also serves an important role by helping to protect easily accessible public access to Waddell Beach (vis a vis the parking lot). The public access benefits provided by the revetment, in combination with Caltrans' talus disposal project help to at least partially mitigate for the revetment's impacts to local shoreline sand supply and its attendant public access impacts.

¹⁰ This is based on the provided 600-foot-length of the revetment, and an estimated the local erosion as 1.5 feet per year (from USGS's 2007 National Assessment of Shoreline Change: Part 4: Historical Coastal Cliff Retreat along the California Coast).

¹² Waddell Beach spans approximately 1.5 miles with accessible beach both up and downcoast of the parking lot (see Exhibit 2). Thus Waddell Beach is an extensive beach and the parking lot occupies a relatively small portion of potential beach area.

¹³ The precise quantity of talus material disposed of on the seaward side of the highway (including atop the Waddell parking lot revetment) varies each year. Recent amendments to CDP 3-00-125 have allowed up to 30,000 cubic yards of talus material to be deposited each year, with the actual amount deposited ranging from 0 to 30,000 cubic yards. However, with the exception of 2013 when no talus material was deposited due to a limited supply of talus, nearly 30,000 cubic yards of talus material is deposited on the seaward side of Highway 1 in a typical year.

Encroachment on the Beach

Shoreline protective devices are all physical structures that occupy space. When a shoreline protective device is placed on a beach area, the underlying beach area can no longer be used as beach. This generally results in a loss of public access as well as a loss of sand and/or areas from which sand generating materials can be derived. The area where the structure is placed is altered from the time the protective device is constructed. The beach area located beneath a shoreline protective device, referred to as the encroachment area, is the area of the structure's footprint. In this case, the existing revetment encroaches on approximately 8,400 square feet of beach area as seen in photos on pages 1 through 4 of Exhibit 2. Waddell Beach is a large beach that extends downcoast for over 1.5 miles from the parking lot; thus, the parking lot occupies a relatively small portion of the total beach. Similar to the discussion above regarding sand supply impacts the parking lot also tempers these encroachment impacts by providing the public a means of parking, thus serving as an anchor for people to actually access and recreate on the beach, as well as in the surrounding Waddell area.

Retention of sand generating materials

Armoring projects tend to retain bluff materials that serve to help replenish sand on the beach and in the littoral cell. In this case, the revetment is holding in fill materials rather than stopping bluff materials from making their way into the system per se. In fact, finding a way for these bluff materials in this area to make it to the beach is a primary objective of the associated talus disposal project. Because the configuration of the parking lot in relation to the Highway and the bluffs inland of it, the materials being 'held back' are really inland of the parking lot/revetment. Still, the revetment does its part to make it so those bluffs are not allowed to erode naturally, and contribute to the sand supply system. That impact, though, as discussed previously is significantly tempered at this location by upwards of 30,000 cubic yards of such materials that are typically directed into the sand supply system annually from Caltrans' talus project here.

Beach and Sand Supply Impacts Conclusion

Most shoreline armoring structures negatively impact local sand supply and public access to some degree. In this case, because retention of the existing revetment will help facilitate continued public access and recreation to the surrounding beach, State Park lands, and other recreational opportunities, and because the associated talus disposal project serves as a form of beach nourishment to help offset the revetment's impacts on sand supply, the typical sand supply and public access and recreation impacts traditionally associated with hard armoring structures are significantly mitigated. To address remaining mitigation, the Applicant intends to enhance public recreational beach access at this location through public access improvements. The Commission implements those improvements through **Special Condition 8**, which provides for the creation of a bench overlook area or areas to enhance public access opportunities, especially with respect to ocean views at this location. As previously discussed, due to the important function that the revetment provides by protecting public access to Waddell Beach, the adverse sand supply loss and public access impacts of the revetment are in some ways mitigated due to the nature of the project. **Special Condition 8** will further mitigate for the secondary public access impacts caused by loss of new beach that would be created if not for the continued placement of the revetment. Because there is currently no developed seating in the overlook area, the bench(es) will help to provide public access improvements at Waddell Beach, appropriately

providing additional mitigation to ensure the above described impacts are appropriately addressed pursuant to Coastal Act requirements.

Thus, in this case, the Commission finds that the proposed project will have secondary adverse impacts to public access and recreation through the loss of beach and local sand supply due to the revetment. In essence, the project presents a trade-off of sorts, where the parking lot exists in this area by virtue of the revetment, whereas it would likely be beach area otherwise. However, these impacts are tempered by the fact that the proposed revetment will serve to protect important public access infrastructure, and the continued talus disposal will also continue to serve as a form of beach nourishment that will help mitigate for the revetment's encroachment onto the beach and its fixing of the back beach. The Applicants also intend to improve and enhance beach overlook access to help offset the secondary public access impacts resulting from loss of beach and local sand supply. These project components serve as adequate mitigation for the project's sand supply impacts in this case, consistent with Section 30235.

Long-Term Stability, Maintenance, and Risk

Coastal Act Section 30253 requires the project to assure long-term stability and structural integrity, minimize future risk, and to avoid additional, more substantial land-altering protective measures in the future. Given the dynamic shoreline environment and the history of significant episodic erosion events at this site, ensuring long-term stability and minimizing risk are imperative to the project's continued success. In order to ensure long-term stability, a formal long-term monitoring and maintenance program is typically required to accompany any armoring structure. If the revetment is damaged in the future (e.g. as a result of flooding, land sliding, wave action, storms, etc.), it would jeopardize public access and recreation at Waddell Beach. However, it is important to note that the riprap revetment has remained stable since its installation in 2003; it has not required any maintenance to date, and it has been effective at achieving its intended purpose, i.e. to protect the parking lot and adjacent public access amenities, such as restrooms and the bus stop, from erosion.

Despite the riprap revetment's stability and integrity to date, in order to find the proposed project consistent with Coastal Act Section 30253, the proposed project must be maintained in its approved state. Further, in order to ensure that the Applicants and the Commission know when repairs or maintenance are required, the Applicants must regularly monitor the condition of the subject armoring, particularly after major storm events. Such monitoring will ensure that the Applicants and the Commission are aware of any damage to or weathering of the armoring, and can determine whether repairs or other actions are necessary to maintain the rock revetment in its approved state before such repairs or actions are undertaken.

To ensure that the proposed project is properly maintained to ensure its long-term structural stability, **Special Condition 3** requires monitoring and reporting programs. These programs shall provide for evaluation of the condition and performance of the proposed project and its overall stability, and shall recommend actions necessary to maintain the revetment in its approved state. **Special Condition 4** allows the Applicants to maintain the project in its approved state, subject to the terms and conditions identified by the special conditions.

In terms of recognizing and assuming the hazard risks for shoreline development, the Commission's experience in evaluating proposed developments in areas subject to hazards has

been that development has continued to occur despite periodic episodes of heavy storm damage and other such occurrences. Development in such dynamic environments is susceptible to damage due to long-term and episodic processes. Applicants are regularly required to acknowledge site hazards and agree to waive any claims of liability on the part of the Commission for allowing the development to proceed. Accordingly, this approval is conditioned for the Applicants to assume all risks for developing at this location (**see Special Condition 10**).

Duration of Authorization

One reason to limit the duration of a shoreline protective device's development authorization is to ensure that the armoring being authorized by Section 30235 is only being authorized as long as it is required to protect a legally authorized existing structure. If an applicant must seek reauthorization of the armoring prior to demolition or redevelopment of the structure that it was constructed to protect, then Section 30235 instructs the Commission to approve the shoreline protective device if it is still required to protect an existing structure in danger of erosion. However, once the existing structure that the armoring is required to protect is demolished or redeveloped, the armoring is no longer authorized by the override provisions contained in Section 30235 of the Coastal Act. Accordingly, if there is no existing structure in danger from erosion, then the Commission cannot approve an otherwise consistent shoreline protective device relying on the provisions of Section 30235 of the Coastal Act. In this case, the proposed revetment protects a parking lot that provides important beach access, and also protects other access amenities, including restrooms, an informational kiosk, and a bus stop. However, future redevelopment of the Waddell Creek Bridge may result in the parking lot (and the other associated amenities) being reconfigured or relocated.

Therefore, the Commission hereby authorizes the proposed armoring in this case coincident with the existing structures it is authorized to protect, and requires removal of the armoring when the structure it was authorized to protect is redeveloped, no longer present, or no longer requires armoring (**see Special Condition 6**). Furthermore, **Special Condition 6** requires the Applicants to submit a complete permit amendment application to remove the armoring when the existing parking lot, is redeveloped, no longer present, or no longer requires armoring. In order to ensure that Commission is made aware of any changed circumstances, period status updates, as required by **Special Condition 7**, will notify the Commission of any future changed circumstances (including when the parking lot and/or inland areas are redeveloped and/or the Waddell Creek Bridge is replaced). In this manner, new development will not be able to rely on armoring that no longer meets the override provisions of Section 30235 of the Coastal Act.

Conclusion

For the reasons discussed above, the proposed project as modified is consistent with Sections 30235 and 30253 of the Coastal Act.

D. PUBLIC ACCESS AND RECREATION

Coastal Act Section 30604(c) requires that every coastal development permit issued for any development between the nearest public road and the sea "shall include a specific finding that the development is in conformity with the public access and public recreation policies of [Coastal Act] Chapter 3." Since the proposed project is located seaward of the first through public road (Highway 1), the following policies are applicable:

Section 30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212. *(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Section 30213. *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.*

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

As previously stated, the riprap revetment was initially installed under an emergency permit (3-03-008-G) in order to protect the parking lot, associated public access facilities, and Highway 1 (albeit less directly) from erosion. Highway 1, the parking lot and the associated coastal access facilities (the bus stop, informational kiosk, restrooms, and public access paths) are critical to continued public access and recreation at Waddell Beach and northern Santa Cruz County. Waddell Beach is a popular destination for a wide range of recreational opportunities including: kiteboarding, windsurfing, surfing, and bird watching. Furthermore, Waddell Beach is considered a world-class kiteboarding/windsurfing destination, attracting tourists and local residents alike; it has been featured in both Windsurfing Magazine and Kitesurfing Magazine, highlighting its first-rate status. In addition to a plethora of recreational opportunities, Waddell

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Beach also attracts a large number of beachgoers with its expansive beach area. An existing Vista Point on the bluff above Waddell Beach provides an excellent lookout point for northern Santa Cruz County, and also provides an area for hang gliders to launch from. Thus, the parking lot helps to facilitate a wide variety of public access and recreational opportunities at Waddell Beach.

Waddell Beach also marks the end of the Big Basin Redwoods State Parks' Skyline-to-the-Sea Trail, making it a popular destination for hikers and backpackers. Since the trail is considered a one-way trail as opposed to a loop, hikers and backpackers typically leave a car at either end of the trail (at Waddell Beach or at the inland Big Basin trailhead) or take the bus from Waddell Beach back to Santa Cruz. The parking lot and bus stop are essential components to the Skyline-to-the-Sea trail, further illustrating the value and importance of protecting the highway, the parking lot and associated coastal facilities.

The severe nature of the erosion, coupled with the parking lot's pivotal role in facilitating public access and recreation, shaped the initial decision to approve ECDP 3-03-008-G. The proposed project would authorize retention of the revetment on a long-term basis, thereby sustaining public access and recreation at Waddell Beach.

Coastal Act Section 30210 states that maximum access and recreation shall be provided for all people. Waddell Beach is relatively remote, and it is almost exclusively accessed via car or bus. The parking lot and bus stop are therefore inextricably linked to continued public access and recreation at Waddell Beach. Thus, the proposed revetment will maintain and provide maximum access and recreation opportunities to Waddell Beach by ensuring protection of the parking lot and bus stop. Thus, the proposed revetment is consistent with Coastal Act Section 30210.

The riprap revetment is similarly consistent with 30211, which states that development shall not interfere with the public's right to access the beach. In this case, the riprap revetment does not interfere with public access to the beach; rather it facilitates continued public access by providing parking and bus access to this important beach resource. Section 30212 provides that all new development projects between the nearest public roadway and the shoreline must include public access to the shoreline. The riprap revetment serves as the "new development," and provides access to the shoreline via protection of the public parking lot and the adjacent beach accessways.

Section 30213 articulates that lower cost visitor and recreational facilities shall be protected, encouraged, and provided. The riprap revetment fulfills 30213 since its placement and continued existence protects access to a low-cost visitor-serving site and its facilities (e.g.: restrooms, Vista Point, informational kiosk, bus stop, and the parking lot). Waddell Beach is one of the few state beaches in the area that does not charge for parking, highlighting the riprap revetment's protection of a low-cost visitor serving site. In addition, Waddell Beach supports an array of recreational opportunities including a "World Class" windsurfing and kitesurfing break as well as a renowned surf break. Windsurfing, kitesurfing, and surfing all require substantial equipment, thereby necessitating a vehicle, parking, and beach access. The parking lot is on the seaward side of the highway, which allows surfers, windsurfers, kite surfers to safely access the beach and ocean waters without having to cross Highway 1 while carrying their equipment. It is important to note that Waddell beach is also a popular destination for families and birdwatchers, both of which benefit from a parking lot located on the seaward side of the highway that avoids the need

to cross the highway. Because the riprap revetment supports a parking lot that provides substantial beach access, the project is consistent with Coastal Act Section 30213.

Section 30220 calls for the protection of coastal areas that are host to water-oriented recreation; specifically when inland waters cannot serve as substitute sites. In this case, surfing, windsurfing, and kitesurfing are all water sports that cannot take place at inland waters. Since the riprap revetment supports the parking lot and access to Waddell Beach, which are necessary components to windsurfing, kitesurfing, and surfing, the riprap revetment is consistent with Section 30220. Similar to Section 30220, Section 30221 establishes that oceanfront land suitable for recreational uses shall be protected. As previously stated, due to the relatively remote nature of Waddell Beach, it must be accessed via car or bus. The riprap revetment protects and maintains vehicular access to Waddell Beach, therefore protecting “oceanfront land suitable for recreation,” consistent with Section 30221.

Lastly, Section 30233 articulates that the upland areas necessary to support coastal recreational uses shall be preserved. In this case, the parking lot is the upland area, and as previously demonstrated, the parking lot is vital to the protection of Waddell Beach’s recreational uses (including but not limited to: surfing, wind surfing, kite surfing, and beach-going). Because the revetment supports continued public access, including public access to the beach and adjacent State Parks lands, the proposed project is consistent with the Coastal Act’s public access and recreation policies. Specifically, the parking lot revetment ensures continued public access to the beach, supports continued coastal recreation, and protects the necessary upland areas, including the parking lot itself, the bus stop, and the stretch of Highway 1 that facilitates public access and recreation to this beach. Thus, the proposed project is consistent with Coastal Act Section 30233.

However, as described in the preceding Geologic Hazards findings, the proposed project will have some impacts on public access and recreation. The primary impact to public access and recreation is the loss of approximately 8,400 square feet of beach currently occupied by the riprap revetment. Additionally, the riprap revetment results in the loss of natural sand supply by fixing the back beach. In this case, however, the Commission finds that though the proposed project will have adverse impacts to public access and recreation through the loss of beach and local sand supply, these adverse impacts are largely mitigated through the nature and purpose of the riprap revetment, i.e. to protect continued public access, public access facilities, parking, and transportation to the site. Furthermore, as discussed above, the deposition of talus on top of the revetment will provide sand to the littoral system and help mitigate the project’s sand supply impacts. Finally, to mitigate for the project’s impact to public access, the project is conditioned to provide for the installation of at least one bench at the site, which will further facilitate public access and enjoyment of the viewshed by providing seating in a location that provides a view of the ocean where there is currently no seating. The preservation of continued public access at Waddell Beach, coupled with the required public access improvement, serve as adequate mitigation for the project’s adverse public access and recreation impacts due to sand supply loss.

E. VISUAL RESOURCES

The Coastal Act recognizes the significance of protecting coastal views via prioritizing their protection. Coastal Act Section 30251 states:

***Section 30251.** The scenic and visual qualities of coastal areas shall be considered and*

protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Although the revetment does have some visual and scenic impacts, these impacts are mostly mitigated due to the ongoing talus disposal at the site. As discussed above, Caltrans covers the revetment with talus on an annual basis pursuant to CDP 3-00-125, as amended. Thus, the revetment is typically only minimally visible or not visible at all (see Exhibit 2). Talus disposal operations take place each year between October 15th and December 31st. During this time, up to 30,000 cubic yards of talus material is disposed of directly on top of the subject revetment and atop other revetments in the area. Because the Waddell Beach parking lot revetment is relatively low-level, i.e. it does not exceed 8 feet in height, the revetment is entirely covered by talus immediately following talus disposal activities. Although some erosion of the talus material takes place between January 1st and October 14th each year, typically only a portion of the talus material is eroded away. Photos from September and early October of 2008, 2009, 2010, and 2013 (see Exhibit 2) suggest that while some of the talus material erodes, enough talus material generally stays intact to largely shield the revetment from view. Although the amount of remaining talus material varies depending upon swell size, swell frequency, high water, and El Niño Southern Oscillation events, the revetment is still typically and largely covered by talus material throughout the year. **Special Condition 11** recognizes the talus material disposal activities that are allowed pursuant to CDP 3-00-125, as amended, and acknowledges that, as feasible, Caltrans will continue to place talus materials over the revetment to screen it from view. Thus, as conditioned, the revetment will continue to be generally screened from view by the talus, and the talus placed on the revetment will further ensure that the revetment blends in with the character of the surrounding bluffs, as required by Coastal Act Section 30251.

The revetment also provides protection for a critical visual access point, the Waddell Beach Vista Point, which is located on a low bluff area above the Waddell Beach parking lot. Although some people prefer to appreciate the visual and scenic qualities of Waddell from the beach or water, others prefer to enjoy the scenery from this Vista Point. Without the protection from erosion that the revetment provides, over time the parking lot, and thusly Vista Point would no longer be available and this important scenic lookout point would cease to exist. Therefore, the revetment is consistent with Coastal Act Section 30251 because, in addition to protecting the parking lot and Highway 1, the revetment also protects this important Vista Point, which provides views to and along the ocean and adjacent scenic areas.

Given the relatively low-level height of the revetment protecting the parking lot, and given that this riprap revetment is generally covered by talus materials throughout most of the year; the revetment is consistent with the Coastal Act Section 30251 requirement that development be “visually compatible with the character of surrounding areas.” Furthermore, the revetment protects an important Vista Point at the site. For this reason, the proposed revetment is consistent with the Section 30251 requirement to “protect views to and along the ocean.” Thus, as

conditioned, the Commission finds the project consistent with Coastal Act Section 30251 regarding the protection of the public viewshed.

F. MARINE RESOURCES/WATER QUALITY

The Coastal Act protects the marine resources and habitat offshore of this site. Coastal Act Sections 30230 and 30231 provide:

***Section 30230.** Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

***Section 30231.** The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Analysis

The construction of the revetment under ECDP 3-03-008-G required the movement of large equipment on the beach during periods of lower tides to gain access to the site, and the ECDP was conditioned to protect water quality during those construction activities. To protect marine resources and offshore habitat during any revetment maintenance activities allowed by **Special Condition 4**, **Special Condition 5** of this permit regulates future construction related to potential maintenance events. Specifically, this condition requires that a detailed Construction Plan be submitted for Executive Director review and approval prior to the start of any such maintenance construction activities. The required construction plan includes construction methods typically required by the Commission to protect water quality and marine resources during construction of shoreline armoring, including maintaining good construction site housekeeping controls and procedures, the use of appropriate erosion and sediment controls, a prohibition on equipment washing, refueling, or servicing on the beach, etc. To further protect marine resources and offshore habitat, **Special Condition 5** also requires construction documents to be kept at the site for inspection, and requires a construction coordinator to be available to respond to any inquiries that arise during maintenance construction activities. **Special Condition 2** requires photographs of the as-built revetment to provide a baseline configuration of the installed revetment (in addition to the plans described in **Special Condition 1**). These photographs and plans will be reviewed to ensure that any future maintenance event maintains the approved revetment configuration. The project is also conditioned to require review and approval from the Monterey Bay National Marine Sanctuary and the State Lands Commission (**Special Condition 9**). Thus, as conditioned, the project is consistent with Coastal Act Sections 30230 and 30231 regarding protection of marine resources and offshore habitats.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Caltrans, acting as the CEQA lead agency, approved the proposed project as an “emergency project” statutorily exempt from CEQA. Specifically, Caltrans relied on the exemption found at Section 15269(b) of the CEQA Guidelines, which exempts from CEQA requirements “emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare.” (14 CCR § 15269(b).)

Section 13096(a) of the Commission’s regulations requires that a specific finding be made in conjunction with Commission decisions on coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA (codified at Public Resources Code section 21000 *et seq.*).

In turn, Section 21080.5 of CEQA provides that a “certified regulatory program” of a state agency is exempt from the requirements of preparing CEQA documents (*e.g.*, EIRs, negative declarations, initial studies), though a certified regulatory program is still subject to other provisions of CEQA, such as the policy of avoiding significant adverse effects on the environment where feasible. (*See* Pub. Res. Code § 21080.5(a); 14 CCR § 15250.) The CEQA Guidelines expressly identify the regulatory program of the California Coastal Commission dealing with consideration and granting of CDPs as a certified regulatory program. (14 CCR § 15251(c).) In other words, the Coastal Commission’s review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA.

To qualify as a certified regulatory program, Section 21080.5(d)(2)(A) of CEQA requires, among other things, that the rules and regulations adopted by the Commission for its CDP program prohibit a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The preceding coastal development permit findings discuss the relevant coastal resource issues with the proposal, and the permit conditions identify appropriate modifications to avoid and/or lessen any potential for adverse impacts to said resources. No public comments have been received to date on either this permit or the emergency permit which warrant additional environmental analysis on bases not considered in this staff report.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the proposed project, as conditioned, would have on the environment within the meaning of CEQA, nor are any additional feasible alternatives or mitigation measures necessary to ensure CEQA compliance because, as discussed, the project as modified and conditioned avoids and/or lessens any potential adverse impacts to a less than significant level. Thus, if so conditioned, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

October 4, 2013



September 25, 2010:



September 25, 2009

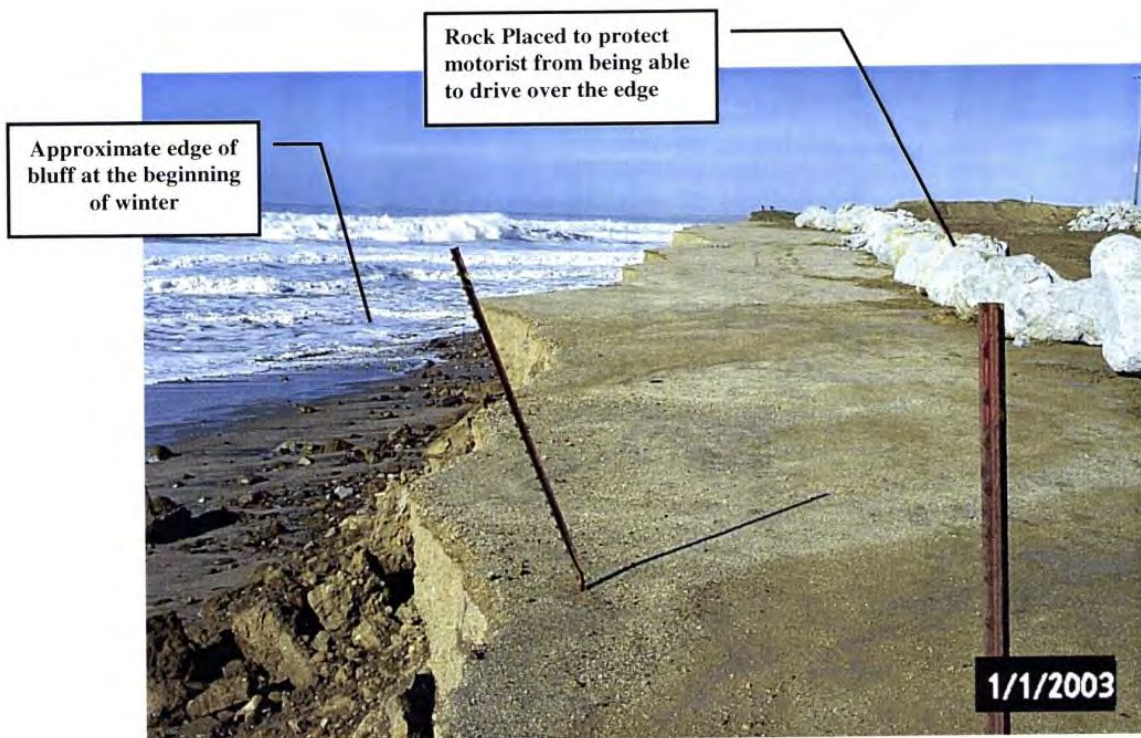


October 1, 2008









Waddell Creek Vista Point SCr-1-36.7

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863



EMERGENCY PERMIT

Issue Date: **January 17, 2003**Emergency Permit No. **3-03-008-G**

Gary Ruggerone
Caltrans
50 Higuera Street
San Luis Obispo, CA 93401

LOCATION OF EMERGENCY

Waddell Creek vista point, Highway 1, Postmile 36.3 (Santa Cruz County)

WORK PROPOSED

Emergency placement of approximately 600' long, low-level rock revetment (~8,400 sq. ft.) to protect beach parking, beach access, restrooms, bus stop, and informational kiosk at Waddell Creek vista point.

This letter constitutes approval of the emergency work that you have requested as described above. I understand from the information that you submitted that an unexpected occurrence in the form of a severe coastal erosion has occurred which represents "a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services." (Definition of "emergency" from § 13009 of the California Administrative Code of Regulations.) Therefore, the Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit; and
- (b) Public comment on the proposed emergency action has been reviewed if time allows.

The work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,

Peter M. Douglas
Executive Director


By: Steve Monowitz
Permit Supervisor

Copies to: Joe Hanna, Santa Cruz County Planning Department
Deirdre Hall, Monterey Bay National Marine Sanctuary
Nanci Smith, California State Lands Commission

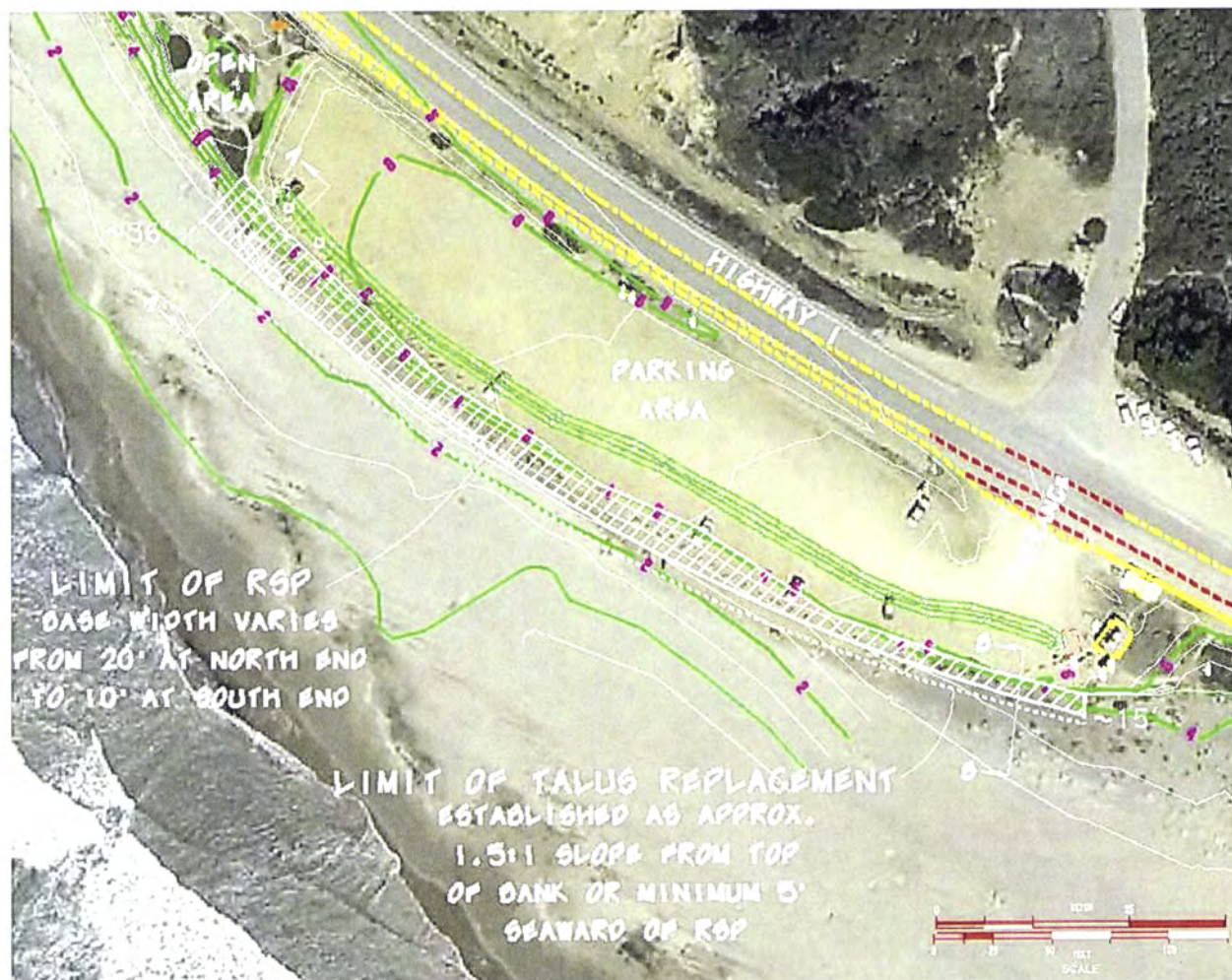
CONDITIONS OF APPROVAL

1. The enclosed emergency permit acceptance form must be signed by the owner(s) of the property where the emergency work authorized in this permit is located and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., **by February 1, 2003**). This emergency permit is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 30 days of the date of this permit (i.e., **by February 16, 2003**) unless extended for good cause by the Executive Director.
4. The measures authorized by this emergency permit are only temporary. Within 60 days of the date of this permit (i.e., **by March 18, 2003**), the permittee shall submit a complete application for a regular coastal development permit to have the emergency work be considered permanent. The emergency work shall be removed in its entirety within 150 days of the date of this permit (i.e., **by June 16, 2003**), unless before that time the California Coastal Commission has issued a regular permit for the development authorized by this emergency permit.
5. In exercising this permit, 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 permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Santa Cruz County, California State Lands Commission, Monterey Bay National Marine Sanctuary, National Marine Fisheries Service, United States Fish and Wildlife Service). Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. A certified civil engineer or engineering geologist shall oversee all construction activities and shall ensure that all rock is appropriately sized and properly placed and contained within the approved dimensions. The permittee shall monitor and maintain the rock slope protection so that it is contained within the approved dimensions for the life of the project.
8. Construction activities and equipment shall avoid Monterey Bay waters and minimize beach disturbance to the maximum extent feasible by project design and implementation including, but not limited to, limiting construction to the lowest possible tides, conducting construction operations from the blufftop, and limiting work areas to the area nearest the revetment when working from the blufftop is not feasible.
9. Grading of intertidal areas is prohibited with one exception as follows: existing rock that has migrated seaward of the revetment, that is naturally exposed, and that can be retrieved without substantial excavation of the surrounding sediments, shall be retrieved and reused or removed to an appropriate disposal site offsite. Any existing rock retrieved in this manner shall be recovered by excavation equipment positioned landward of the waterline (i.e., excavator equipment with mechanical extension arms).

10. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible.
11. Equipment and materials shall not be stored on the beach. All construction materials placed on the beach during construction shall be placed beyond the reach of tidal waters and removed when construction is not ongoing.
12. All construction activities that result in discharge of materials, polluted runoff, or wastes to 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.
13. The construction work area, including but not limited to the beach and beach access ramp, shall be restored to its pre-development condition and all debris removed within 3 days of completion of the emergency work authorized.
14. All exposed slopes and soil surfaces inland of the revetment at the site shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best management practices (for example, those identified in the *California Storm Water Best Management Practice Handbooks* (March, 1993)). The use of non-native invasive species (such as ice-plant) is prohibited.
15. The construction site shall maintain good construction housekeeping (e.g., clean up all leaks, drips, and other spills immediately; keep materials 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).
16. Within 30 days of completion of the construction authorized by this emergency permit, the permittee shall submit site plans and cross sections prepared by a certified civil engineer or engineering geologist clearly identifying the work completed under the emergency authorization (comparing the emergency condition to the post-work condition), and a narrative description of all emergency construction activities undertaken pursuant to this emergency authorization.
17. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
18. The issuance of this emergency permit does not constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit 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 above, the emergency work carried out under this permit is at the applicant's risk and is considered to be **temporary** work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a coastal development permit (or waiver thereof) must be obtained. A regular permit 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 emergency permit, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



EMERGENCY HIGHWAY REPAIR

3-03-008-6

INTERAGENCY NOTIFICATION

Information only ☐Regulatory response
needed ☒**RECEIVED**INITIAL
UPDATE
FINAL☒
☐
☐

JAN 16 2003

Note box #'s:

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

DATE 1/14/03			
LOCATION County SCR Route 1 Postmile 36.3			
LOCATION NAME/DESCRIPTION Waddell Creek Vista Point- Erosion from recent storms has eliminated more than 20 feet from the western perimeter of the existing Waddell Creek Vista Point and threatens remaining coastal visitor services including parking for beach access, restrooms, and an information kiosk.			
TYPE OF FAILURE OR RISK Risk of loosing the remaining beach parking, beach access, restrooms, bus stop, and an information kiosk at the existing Waddell Creek vista point. Parking and visitor services are currently operated by California Department of Parks and Recreation as part of Big Basin State Park.			
PRIMARY CONTACT Gary Ruggerone	Phone Number (805) 549-3182	Fax Number (805) 549-3233	e-mail Gary_Ruggerone@dot.ca.gov

Emergency Declaration:

- ☒ CT Director's Order
☐ Governor Declaration
☐ Presidential Declaration

Urgency:

- ☐ No formal declaration, however, essential services, highway reliability and/or safety at imminent risk
☐ Declaration pending

State Lead Agency: CALTRANS**Federal Lead Agency: FHWA****Event:**

- ☒ Storm
☐ Flood
☐ Landslide
☐ Earthquake
☐ Other

Status of Commencing Work:

- ☐ Has already begun
☐ Is expected to begin within 48 hours
☒ Is expected to begin beyond 48 hours from now

Work is required for:

- ☒ Immediate protection of life/property
☐ Maintain essential service
☒ Prevent an emergency/imminent risk of failure or further damage

Status of Highway Traffic

- ☒ Traffic remains open in two directions
☐ Limited with one-way traffic control
☐ Highway is closed in both directions
☐ Satisfactory detour ☐ is ☐ is not available at this time

Restoration of safe, reliable, two-way travel anticipated to be completed:

- ☐ Single phase- Full Opening
☐ Two phases- Emergency Opening/Full Opening
☒ Not yet determined
☐ Not Applicable

Comments:*****Please acknowledge receipt—sign and return by fax this sheet *****

Name	Title	Organization	Date
			Exhibit 5 3-04-070 (Waddell Revetment) Page 1 of 5

Regulatory Jurisdiction & Application of Emergency Provisions

Coastal Act

☒ CA Coastal Commission

Jurisdiction by

- ☒ Location-original jurisdiction
- ☐ Property ownership – federal land

Type of Authorization

- ☐ Exemption
- ☐ Emergency Authorization only
- ☒ Emergency Authorization w/follow-up CDP
- ☐ Waiver of federal consistency determination

☒ Local Agency Santa Cruz County

- ☐ Exemption
- ☐ Emergency Authorization only
- ☒ Emergency Authorization w/follow-up CDP

Clean Water Act/Rivers & Harbors Act

☒ US Army Corps of Engineers – Sec 404, Sec 10

- ☐ NWP 23 (Categorical Exclusion)
- ☒ Other

☒ Regional Water Quality Control Board – Sec 401

- ☒ Emergency Certification
- ☐ Waiver of Certification

National Marine Sanctuaries Act

☒ Monterey Bay Nat' Marine Sanctuary

- ☐ Waiver/exemption
- ☒ Authorization of CDP

California Fish and Game Code

☒ CA Dept of Fish & Game

- ☒ Waiver
- ☐ Maintenance MOU
- ☐ 1601 Agreement

Special Status Species

Consultation Req'd: ☒ Yes ☐ No

- ☒ US Fish and Wildlife Service
- ☒ National Marine Fisheries Service
- ☐ California Department of Fish and Game

Property Involvement

Work confined within State R/W: ☐ Yes ☒ No

State Lands

- ☒ California State Lands Commission
- ☒ California Dept of Parks & Recreation
- ☐ Other

Federal Lands

- ☐ US Forest Service
- ☐ Other

Private

- ☐ Highway on private easement

PRELIMINARY RESPONSE

CA Coastal Commission – Date:

- ☐ Concur
- ☐ Do not Concur
- ☐ No additional authorization req'd to proceed
- ☐ Further authorization req'd to proceed

Local Agency-Date:

- ☐ Concur
- ☐ Do not Concur
- ☐ No additional authorization req'd to proceed
- ☐ Further authorization req'd to proceed

US Army Corps of Engineers-Date:

- ☐ Concur
- ☐ Do not Concur
- ☐ No additional authorization req'd to proceed
- ☐ Further authorization req'd to proceed

RWQCB-Date:

- ☐ Concur
- ☐ Do not Concur
- ☐ No additional authorization req'd to proceed
- ☐ Further authorization req'd to proceed

MBNMS-Date:

- ☐ Concur
- ☐ Do not Concur
- ☐ No additional authorization req'd to proceed
- ☐ Further authorization req'd to proceed

CA Dept of Fish & Game-Date:

- ☐ Concur
- ☐ Do not Concur
- ☐ No additional authorization req'd to proceed
- ☐ Further authorization req'd to proceed

Property Owner-Date:

- ☐ Concur
- ☐ No additional authorization req'd to proceed
- ☐ Do not Concur
- ☐ Further authorization req'd to proceed

BOX 1 DESCRIPTION OF DAMAGE OR IMMINENT THREAT**To Facility:**

THREAT OF FAILURE TO THE WADDELL CREEK VISTA POINT AND ASSOCIATED VISITOR SERVICES

To Surrounding Area:

Substantial reduction in available parking for access to Waddell Creek Beach; a popular surfing, wind surfing, and kite surfing recreation area.

Available background information, including information on previous damage or repairs, if applicable.

Photos Attached

Attach photographs

BOX 2 GENERAL DESCRIPTION OF SITE CONDITIONS

Describe the existing condition of the site, including wetlands, channels, streams, ponds, seeps and ditches, and other jurisdictional features. Include information on elevations, vegetation, property use, and structures.

WADDELL CREEK VISTA POINT IS AN OFF-HIGHWAY PARKING AREA. IT WAS CONSTRUCTED IN THE 1950'S USING TALUS MATERIAL FROM THE WADDELL BLUFFS, IMMEDIATELY NORTH OF THE SITE. THE VISTA POINT IS CURRENTLY OPERATED BY CALIFORNIA DEPARTMENT OF PARKS AND RECREATION AS A PARKING AREA ASSOCIATED WITH BIG BASIN STATE PARK. THE PARKING AREA SERVES AS THE PRIMARY COASTAL ACCESS FOR WADDELL CREEK BEACH.

THE WADDELL CREEK VISTA POINT IS UNPAVED WITH A ROW OF ROCKS AT THE PERIMETER TO DELINATE THE BOUNDARY OF THE PARKING AREA. BEYOND THE ROW OF ROCKS, THE PARKING AREA DROPS TO THE BEACH BELOW AS AN ERODED BLUFF THAT VARIES IN HEIGHT FROM 2-FEET AT THE SOUTHERN END TO 16-FEET AT THE NORTHERN END OF THE VISTA POINT.

THE BEACH BELOW THE VISTA POINT BLUFF IS A SANDY SUBSTRATE IN THE SUMMER MONTHS, HOWEVER, DURING WINTER MONTHS, STORM SURF REMOVES THE SANDY BEACH AND EXPOSES A ROCK SHELF THROUGH PORTIONS OF THE AREA.

THE WADDELL CREEK VISTA POINT IS UNVEGETATED, HOWEVER, THERE ARE COASTAL VISITOR SERVING AMENITIES SUCH AS RESTROOMS, BUS STOP, AND INFORMATION KIOSK.

THE ENTIRE PROJECT AREA IS ON EXISTING STATE HIGHWAY RIGHT OF WAY AND/OR STATE PARKS RIGHT OF WAY

BOX 3 PROJECT INFORMATION

Date of damage:1/6/03 **Proposed reconstruction starting date:**1/20/03

Estimated duration of activity: ☒ Within the Season (approx 2 wks) ☐ Within the Year ☐ Multi-year

A capital improvement project previously identified (but not yet constructed) at this location: ☐ Yes ☒ No

If yes, indicate phase of review and attach additional information:

☐ Scoping ☐ Project Development ☐ Project Approved ☐ Design ☐ Advertising Contract

BOX 4**PRELIMINARY DESCRIPTION OF ANTICIPATED WORK**

Include preliminary evaluation of whether initial response work will accomplish restoration of 2-lanes of traffic, or if additional work will be necessary to ensure reliability and safety.

The proposed emergency repair project would consist of placing a low-level revetment (RSP) constructed from 1/4 to 4 ton rock at the base of the perimeter Waddell Creek Vista Point bluff. The RSP is intended to protect the existing bluff from further erosion. It is anticipated that once the RSP has been completed, future excess material from the adjacent Waddell Bluffs will be used to finish rebuilding the bluff. This material may need to be supplemented annually and Caltrans proposes to amend existing Coastal Development and 404 Permits for Waddell Bluff talus disposal to allow material to be placed at this site.

The proposed RSP would be approximately 600 feet in length covering an area of approximately 8,400 square feet. The height of the revetment is designed to be approximately half the height of bluff. The height of the RSP would be approximately 8-feet at the north end and tapering to 0-feet at the southern end. The base width of the RSP would vary based on the height of the bluff, with the majority of the revetment having a base width of 15-feet or less. Where the bluff height is the greatest (northern end), the base width of the revetment would be 15-20 feet. The top of the revetment (at half the bluff height) will have a bench width of approximately 10 feet.

If the work is not completed, it is anticipated that the entire parking area will be unsafe for parking within 1 year and will be eroded away completely within a couple of years. Ultimately, the eroded bluff would reach the Highway 1 roadway and a revetment would have to be constructed to protect Highway 1.

Attach figures and maps, if available—

BOX 5**REMOVAL AND DEPOSIT OF MATERIAL**

Material (rock, soil) has or will be deposited below the ordinary high water line for fresh waters?

☐ Yes or ☒ No

If yes, ☐ As a direct result of the event

☐ Related to necessary repair

Material (rock, soil) has or will be deposited below mean high water line for tidal waters?

☒ Yes or ☐ No*

If yes, ☒ As a direct result of the event

☒ Related to necessary repair

Mechanical material removal/excavation required

☐ Yes or ☒ No

If yes, ☐ loose material naturally deposited

☐ into more stable material

Preliminary volume estimate:

Volume of material to be deposited: 1600 cubic yards (rock)

Volume of material to be excavated: cubic yards

Amount of material below the ordinary high water mark or high tide line: TBDcy , TBDacres

Type of material (rock/soil/debris): Rock Material source:

Length of disturbance along roadway (from damage & repair combined): 600 linear feet (approx)

BOX 6**IMPACTS ON TIDAL WATERS, WETLANDS OR MARINE SANCTUARY**

Will the proposed work have temporary or permanent impacts, beyond the damage caused by the event, to wetlands, including seasonal wetlands, or within tidal or submerged lands: (i.e. additional impacts from repair)? ☒ Yes ☐ No

Will the proposed work have temporary or permanent impacts, beyond the damage caused by the event, to resources protected by the National Marine Sanctuary: (i.e. additional impacts from repair)? ☒ Yes ☐ No

If yes, please describe the resource; include one or more photographs of the existing conditions.

RSP will be placed on the beach at the base of the existing bluff. Most of the beach is currently a rock shelf, although portions at the south end remain sandy beach. During summer months, the entire area will be a sandy beach.

BOX 7 IMPACTS TO FRESH WATER DRAINAGES

Will the project or activity involve work in the bed, bank or channel of a river, stream (including seasonal streams), of extent or intensity beyond the damage caused by the event? ☐ Yes ☒ No

If yes, describe existing and proposed conditions.

Preliminary estimate of linear feet along the waterway that are involved -- ft.

BOX 8 POTENTIAL FOR IMPACTS TO SENSITIVE SPECIES OR HABITAT

List any state and/or federally listed species and/or associated habitat that occurs or may occur on the project site. If a federal or state listed species is being impacted, please provide a brief description of the habitat:

Snowy Plover, Brown Pelican. All work will be confined to the area at the base of an existing bluff. While Snowy Plover have used Waddell Creek Beach for nesting, all nests have been located in the beach area south of the existing bridge. All work will be completed prior to the SNOWY Plover nesting season. Snowy Plover and Brown Pelican could be found foraging on Waddell Creek Beach. Pre-construction surveys will be completed to ensure that Snowy Plover and Brown Pelican are not in the proposed work area prior to the start of construction.

US Fish and Wildlife Service protocol surveys for the possible listed species have previously been conducted for this area?

☐ Yes, attached ☒ No

National Marine Fisheries Service—consultation on Essential Fish Habitat is required:

☐ Yes ☒ No

BOX 9 POTENTIAL FOR IMPACTS TO CULTURAL RESOURCES

Describe the potential for cultural, historic or prehistoric properties or resources within the project area: The project area has been previously surveyed by Caltrans ISTEa Rural Roadsides Inventory (Mikkelsen et al. 2001) and no cultural resources were identified.

A survey for cultural resources has been conducted: ☒ Yes ☐ No

Consultation is required: SHPO ☐ Yes ☒ No ACHP ☐ Yes ☒ No

BOX 10 NOTIFICATION PREPARED BY

Name: Gary Ruggerone

Position: Senior Environmental Planner Signature:  Date: 1/13/03

Mailing Address

Caltrans District 5
50 Higuera Street
San Luis Obispo, CA 93401

Work Phone
(805) 549-3182

Fax #
(805) 549-3233

E-mail Address
Gary_Ruggerone@dot.ca.gov

Attachments: PHOTOS, PRELIMINARY DESIGN CONCEPT

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111
FAX (805) 549-3329
TDD (805) 549-3259
<http://www.dot.gov/dist05>



*Flex your power!
Be energy efficient!*

August 25, 2005

Steve Monowitz
District Manager
Central Coast District Office
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Subject: Coastal Development Permit Application 3-04-070

Dear Mr. Monowitz:

This letter is being provided in response to a request for additional information from Coastal Commission staff, dated November 19, 2004.

1. Applicant/State Parks. Attached are revised pages 1 and 9 from the CDP application. The California Department of Parks and recreation is now listed as a co-applicant (Attachment A).
2. Project Description. This is a request to make permanent the rock slope protection that was authorized by emergency permit 3-03-008-G. This is not an interim measure. As demonstrated in Appendix B of our October 19, 2004 letter, the rock revetment is the most appropriate long-term solution for protecting the parking lot from ocean-induced erosion. The placement of talus over the rock is a necessary component of the revetment. We have requested an amendment of the talus disposal permit (CDP3-00-125-A4) to allow the placement of material here. The terms of that permit would not be changed with regard to the timing or amount of material to be placed, only the location would be amended.
3. Project Plans. Due to the emergency nature of the project, the attached plan view and cross sections (Attachments B and C) are all that is available in terms of project plans.
 - a. The restrooms and other State Parks facilities are shown on the plan view. The Waddell Creek Bridge, inland, upcoast and downcoast structures are shown in Attachment E. It is not possible to predict an expected beach scour platform, however, the scour seems most severe at the northerly end of the revetment.
 - b. As mentioned in our previous correspondence, the horizontal profile of the parking area was not modified except to fill in some low spots. The drainage will not be collected for treatment or irrigation purposes. It will not be directed back toward the highway. This project seeks merely to protect the existing parking lot functions.
 - c. There are no plans to landscape the parking lot at this time. State Parks may chose to do so in the future when they upgrade the parking lot facilities in accordance with the draft Master Plan for this area.

"Caltrans improves mobility across California"

- d. Site topography can be seen on Attachment B.
- e. See "Waddell Beach Parking Lot Overview" in Attachment E.
- f. See comments regarding the geotechnical and parking analyses below.
- g. Black and white copies of all plans are in Attachment B.

4. Geotechnical Analysis.

a. The configuration of the parking lot and related structures are clearly shown on Attachment B and in several photographs in Attachment E. Historic aerial photos indicate that the parking lot was created in the early 1970's from talus from the adjacent Waddell Bluffs. The age of the restrooms, bus kiosk and other related structures is not known; they are not visible in the 1979 aerial photo. We believe that the Coastal Commission first issued a talus disposal permit to Caltrans District 04 back in the late 1970's. The 2003 emergency permit granted for the rock revetment was the first permit related to the parking lot that we are aware of.

b. The amount of information requested here is beyond the scope of analysis that we are willing to undertake to protect an existing parking lot. The general geology of the Waddell Bluffs area was described in the 2000 report prepared by John Duffy of our geotechnical engineering division. This was provided to Coastal Commission staff in association with past requirements for the talus disposal permit. There has been no study of the annual rate of erosion from the parking lot; however, the historic aerial photos give some clue (see Attachment E). The parking lot appears much larger in the 1979 photo than in the 2002, suggesting that there was some annual erosion occurring. A comparison between the 2002 and 2004 photos indicates just how dramatically and quickly erosion can occur here. If the parking lot had not been protected by the placement of the rock revetment in the winter of 2003, it is very possible that the parking lot would be unsafe or unavailable for use today.

c. The range of armoring options was explored in Appendix B or our letter of 10-19-2004. Due to the nature of the bulky equipment used by many of the beach visitors, we do not feel that any parking alternative that would require crossing the highway on foot is a viable alternative. If State Parks wishes to explore this option in their update of the Big Basin General Plan that will be their decision. Regarding non-armor options to protect the parking lot, it might be possible to preserve the parking lot with only talus. There would be great uncertainty with this approach as it is entirely possible that in some years there would not be enough talus generated to meet this need and in other years in might be that no matter how much was placed, the winter storms would erode it all. Vegetation could not be expected to provide this protection, as we do not expect the low level rock revetment to survive without the talus cover.

d. Modeling the littoral sand transport along this section of coast is beyond the effort Caltrans is willing to expend to protect this existing parking lot. Numerous studies conducted since the 1970's for the talus disposal project, have not identified any negative biological effects from the past talus disposal activities.

5. Parking Analysis. After much discussion in-house regarding this request, we believe that a parking analysis is not warranted with respect to the project. The project involved placement of the minimal amount of rock slope protection necessary to protect the existing parking area.

The western edge of the parking lot has been eroding away steadily over the years as evidenced in the attached aerial photographs. Since this is an area of high use by coastal visitors and recreationists, Caltrans, State Parks, and Coastal Commission staff felt that utilizing rock slope protection along the westernmost boundary of the parking lot was needed in order to reduce continued erosion. We are not asking to make any changes to the existing lot and there will be no change in use. State Parks has numerous draft proposals for improvements at Rancho Del Osos and Waddell Beach. These improvements are not associated with the RSP project.

6. Relationship to Bridge Project. There is no relationship between the proposed bridge replacement and the protection of the parking lot. The bridge project has not been programmed and the scoping studies have not been completed. At this preliminary stage, it does not appear as though the presence of the parking lot will have any affected on the options available for the bridge replacement. This might change when and if State Parks moves to permanently upgrade their facilities at the parking lot.
7. Photos. See Attachment E.
8. MBNMS. The rock revetment was constructed above the mean high tide line and therefore it is out of the MBNMS jurisdiction. Placement of the talus is an activity that may fall within the Sanctuary jurisdiction because the talus is expected to migrate to the ocean.
9. State Lands Commission. The rock revetment was constructed above the mean high tide line and therefore it is out of the SLC jurisdiction. Placement of the talus is an activity that may fall within the SLC jurisdiction.
10. Appendix B and Santa Cruz County. Appendix B has been sent to the County of Santa Cruz with a request to complete Section B of the form and return completed form to Caltrans for submittal to CCC. The proposed project is located on the ocean side of Highway 1 within original jurisdiction, and is therefore not subject to the coastal permit jurisdiction of Santa Cruz County. A copy of the request is enclosed (Attachment F).
11. Location Map. A Location Map is enclosed (Attachment D). The project is located within the Año Nuevo Quadrangle. As requested, this map shows the location of the project with respect to Año Nuevo State Reserve, Big Basin State Park, and Greyhound Rock County Park.
12. Mailing Notification List. Per the instructions for submittal of a CDP application, a mailing notification list, along with stamped, addressed envelopes, are enclosed. If there are additional interested parties that the Commission staff feels should be included, please provide that information and we will provide the additional stamped and addressed envelopes.
13. Appendix D and Posting Notices. We understand that Coastal Commission staff will provide posting notices for our use prior to scheduling the item for a Commission hearing. At the time of noticing, Caltrans will submit a revised Appendix D form once the notices have been posted.

Steve Monowitz, CCC
CDP Application 3-04-070
August 25, 2005
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If you have any additional questions, please contact Chuck Cesena of my staff at (805) 549-3622 or email chuck_cesena@dot.ca.gov.

Sincerely,



Gary Ruggerone
Senior Environmental Planner

Attachments: A-State Parks Applicant Material
 B-Plan View
 C-Cross Section
 D-Location Map
 E-Photographs
 F-Appendix B Correspondence to Santa Cruz County

cc: Dave Vincent, State Parks
 Chuck Cesena, Caltrans
 Cathy Stettler, Caltrans

P:/env/cstettler/Maintenance/Waddell Bluffs/ RSP at Parking Lot/CCC/App 3-04-070/Response to 11 19 04 CCC letter.doc

Graeven, Rainey@Coastal

From: Dallas, Mitch@DOT
Sent: Tuesday, September 01, 2015 3:34 PM
To: Graeven, Rainey@Coastal
Cc: Lavack, Randell S@DOT
Subject: RE: Waddell Talus Disposal
Attachments: email of annual report - Memo Style.pdf; annual report waddell 2014.pdf; photos Waddell Bluffs Talus Disposal 2014.pdf; 15June2001.FinalReport.MLML.pdf; 2002Marbled Murrelet Report.pdf; July1992FinalReport.MLML.pdf; June2000.FinalReport.Henkel.Harvey.pdf

Hi Rainey,

Yes, all the permits are up to date.
US Army Corps- Individual permit #10-00024S expires 12/31/2020
RWQCB- #34410WQ08 expires 12/31/2020
State lands commission Lease #PRC 7034.9 expires 12/31/2036

We did not conduct a water quality study in 2012 that was asked about. We have done studies in the past with the Moss Landing Marine Lab and they should be in the file. Study info is attached. The study concluded that we should no longer study this action because it has no detrimental impacts to the coastal resources.

Talus disposal did not occur in 2013 and the letter reflecting that was sent to the CC office. The 2014 report was also submitted and is attached.

Please let me know if there are any questions.

Thanks, Mitch

From: Graeven, Rainey@Coastal
Sent: Tuesday, September 01, 2015 3:04 PM
To: Dallas, Mitch@DOT
Subject: Waddell Talus Disposal

Hi Mitch,

My supervisor, Susan Craig, has asked me to check to see if all of Caltrans' permits with public agencies are current and when they are expected to expire. Specifically, Corps of Engineers, Regional Water Quality Control Board, and the State Lands Commission. The latter two may have been one-time permits, but my last record of the Corps of Engineers' permit expired December 31st, 2011.

Also, I do not have any talus disposal data for the 2013 and 2014 years. Can you forward it to me, please?

Thanks,
Rainey

Rainey Graeven
Coastal Program Analyst, Central Coast District
California Coastal Commission