

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CALIFORNIA 94105-2219
(415) 904-5260 OR (415) 904-5200 FAX (415) 904-5400

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NORTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

March 2016 Meeting of the California Coastal Commission

March 08, 2016

To: Commissioners and Interested Parties
From: Dan Carl, North Central Coast District Deputy Director

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Central Coast District Office for the March 2016 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the North Central Coast District.

DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

Applicant	Project Description	Project Location
<p>2-15-2012-W Caltrans</p>	<p>Construction of a 387 foot-long buried soldier-pile retaining wall and a new surface drainage system at Post Mile 8.1 on Highway 1 near Slide Ranch, in Marin County.</p>	<p>Post Mile 8.1 on Highway 1 near Slide Ranch, in Marin County</p>

IMMATERIAL AMENDMENTS

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

Applicant	Project Description	Project Location
<p>3-83-172-A8 CRP/PSE Seaside Pacifica Owner, LLC</p>	<p>CDP 3-83-172 has been amended seven times, the last time through amendment 3-83-172-A7 which was approved on May 7, 2009. This amendment would provide for a five year extension of the authorization of repair and maintenance activities associated with the shoreline revetment. Per special conditions of the amended CDP, the Applicant was required to request this extension no later than 30 days before the end of the initial 5-year period, and the repair and maintenance authorization was not to exceed 10 total years from the date that 3-83-172-A7 was approved (i.e., May 7, 2009). The applicant failed to request an extension within the authorized time period. Accordingly, this belated amendment request would only extend already CDP-approved repair and maintenance activities through May 7, 2019. The Commission's reference number for this proposed amendment is 3-83-172-A8.</p>	<p>500 - 0 Esplanade, Pacifica (APN(s): 009161015, 009291020)</p>

EMERGENCY PERMITS

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

Applicant	Project Description	Project Location
<p>G-2-16-0025 Paul C Heule</p>	<p>Applicant will place 3 signs, 1 at each trail head to the area, warning the public of dangerous conditions in existence on the trail. The signs will be 18x24 inches with 2 inch high black lettering on a yellow background, printed on corrugated plastic with wire stakes. The signs will be hammered in and secured in the soil, positioned to show a clear association with the trail without creating visual or physical obstructions, and placed approximately 3 feet up-slope or to the side of the trail.</p>	<p>PACIFICA QUARRY, PACIFICA (SAN MATEO COUNTY) (APN(s): 018-150-040, 018-150-050, 018-150-070, and 018-051-050)</p>
<p>G-2-16-0022 City of Pacifica, Attn: Van Ocampo</p>	<p>As needed, mine existing rocks from where they have migrated on the beach and stack them in front of the damaged section of sea wall to be repaired, to serve as physical support for the form board necessary for the repairs to the seawall.</p>	<p>The seaward area along the City of Pacifica Public Pomenade at the intersection of Beach Boulevard and Santa Maria Avenue, Pacifica</p>
<p>G-2-16-0026 City of Pacifica</p>	<p>Applicant will install approximately 11 warning signs at various locations and erect a temporary barrier in order to inform the public of hazards related to the bluff-top demolition of a condemned building, and to prohibit beach access while bluff-top demolition is ongoing, for a period not to exceed 10 days. The signs will be affixed to existing vertical structures where possible, but may require temporary erection of 4x4 or 6x6 posts in sandy areas.</p>	<p>320 Esplanade Ave, Pacifica, Ca 94044 (APN(s): 009413020)</p>

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**NOTICE OF PROPOSED PERMIT WAIVER**

Date: February 19, 2016

To: All Interested Parties

From: Nancy Cave, North Central Coast District Manager *Nancy Cave*
Shannon Fiala, North Central Coast Coastal Planner

Subject: **Coastal Development Permit (CDP) Waiver 2-15-2012-W**
Applicant: California Department of Transportation (Caltrans)

Proposed Development

Construction of a 387 foot-long buried soldier-pile retaining wall and a new surface drainage system at Post Mile 8.1 on Highway 1 near Slide Ranch, in Marin County.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans, proposed limitations on development, and other application materials submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed development is necessary to stabilize a landslide, prevent collapse of the roadway, and maintain access along Highway 1. The proposed stabilization techniques are adequately sited and designed to avoid coastal resource impacts, including with respect to public access, water quality, biological resources, and visual resources. To avoid impacts to public access, construction will be phased to avoid complete closure of the roadway. The project also includes widening the shoulders from 2 feet to 4 feet to improve the safety for bicyclists and pedestrians. The project includes an erosion control plan and water pollution control plan, with appropriate best management practices to control runoff during and after construction. Further, surface and subsurface drainage will be improved as a result of the project, thereby reducing erosion and the likelihood of subsequent landslides. All excavated areas will be restored with on-site native top soil and revegetated with locally appropriate species representative of the northern coastal scrub community. The project design would be compatible with the existing Highway 1 corridor, and the visual quality of the area would not be diminished. For the reasons above, the proposed project is consistent with Chapter 3 of the Coastal Act and the certified Marin County Local Coastal Program (LCP).

Coastal Commission Review Procedure

Because this project is bisected by the Commission's retained jurisdiction and the certified Marin County LCP jurisdiction boundary, the Applicant, Marin County, and the Commission have

agreed to consolidate this permit action pursuant to Coastal Act Section 30601.3(a)(2). This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on March 10, 2016, in Santa Monica. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Shannon Fiala in the North Central Coast District office.

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: March 3, 2016

To: All Interested Parties

From: Nancy Cave, North Central Coast District Manager
Patrick Foster, Coastal Planner

A handwritten signature in cursive, appearing to read "Nancy Cave".

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-83-172
Applicants: CRP/PSE Seaside Pacifica Owner, LLC

Original CDP Approval

The original permit (CDP No. 3-83-172, City of Pacifica/Pacific Skies Estates) was approved by the Coastal Commission in 1984 as part of a master plan to provide shoreline protection along a designated portion of the Pacifica coastline, allowing for the construction of an 800-foot-long seawall comprised of drilled piers and riprap in order to protect the Pacific Skies Estates mobile home park. The project site is located along the bluff fronting Pacific Skies Mobile Estates, an approximately 90-lot mobile home park located west of Palmetto Avenue in the City of Pacifica. The subject property is 9.15 acres and extends approximately 800 feet in a north-south direction.

Proposed CDP Amendment

CDP 3-83-172 has been amended seven times, the last time through amendment 3-83-172-A7 which was approved on May 7, 2009. This amendment would provide for a five year extension of the authorization of repair and maintenance activities associated with the shoreline revetment. Per special conditions of the amended CDP, the Applicant was required to request this extension no later than 30 days before the end of the initial 5-year period, and the repair and maintenance authorization was not to exceed 10 total years from the date that 3-83-172-A7 was approved (i.e., May 7, 2009). The applicant failed to request an extension within the authorized time period. Accordingly, this belated amendment request would only extend already CDP-approved repair and maintenance activities through May 7, 2019. The Commission's reference number for this proposed amendment is **3-83-172-A8**.

Executive Director's Immateriality Determination

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

All repair and maintenance work on the shoreline revetment that would occur under the proposed amendment will only serve to protect the existing legally permitted revetment in place at the time 3-83-172-A7 was approved (i.e., May 7, 2009), and will be limited to removal, repositioning, or replacement of rock within the footprint of the existing approved structure. No expansion or enlargement of the existing revetment is permitted. Therefore, consistent with the Coastal Act, the proposed amendment does not have the potential for adverse impacts, either individually or cumulatively, on coastal resources or public access to and along the shoreline.

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-83-172

Proposed Amendment CDP 3-83-172-A8

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Coastal Commission Review Procedure

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

If you have any questions about the proposal or wish to register an objection, please contact Patrick Foster in the North Central Coast District office.

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**EMERGENCY PERMIT**

Issue Date: March 4, 2016
Emergency Permit No. G-2-16-0025

APPLICANT:

Paul C Heule
231 W. Fulton, Grand Rapids, MI 49053

LOCATION OF EMERGENCY:

PACIFICA QUARRY, PACIFICA (SAN MATEO COUNTY)
(APN(s): 018-150-040, 018-150-050, 018-150-070; and 018-051-050)

EMERGENCY WORK:

Applicant will place 3 signs, 1 at each trail head to the area, warning the public of dangerous conditions in existence on the trail. The signs will be 18x24 inches with 2 inch high black lettering on a yellow background, printed on corrugated plastic with wire stakes. The signs will be hammered in and secured in the soil, positioned to show a clear association with the trail without creating visual or physical obstructions, and placed approximately 3 feet up-slope or to the side of the trail.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence of recent storms and large swell events has eroded and undercut the slope adjacent to the property's southern public trail, bringing the drop off to the ocean within a foot of the trail in several areas and posing a threat to continued public use of said trail located at the PACIFICA QUARRY, requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Senior Deputy Director of the California Coastal Commission hereby finds that:

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

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

Sincerely,

John Ainsworth
Senior Deputy Director

March 4, 2016

Emergency Permit No.: G-2-16-0025



By: Nancy Cave, District Manager

cc: Local Planning Department

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

March 4, 2016

Emergency Permit No.: G-2-16-0025

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PROPERTY OWNER and returned to our office within 15 days of the date of this permit (by March 19, 2016).
2. Only that work specifically described in this permit and as more specifically described in the Commission's file for the Emergency CDP for the specific property listed above is authorized. Any additional work requires separate authorization from the Senior Deputy Director.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access. Construction materials, equipment or debris shall not be stored where it will or could potentially be subject to wave erosion and dispersion. Construction shall be conducted pursuant to typical best management practices such as:
 - a. All construction areas shall be minimized and allow public recreational access along the beach and shall protect public safety to the maximum extent feasible. 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.
 - b. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
 - c. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
 - d. Any construction materials and equipment placed on the beach 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 the beach area by sunset each day that work occurs.
 - e. The construction site shall maintain good construction site housekeeping controls and procedure (e.g., clean up all leaks, drips, and other spills immediately; keep equipment 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.).
 - f. All accessways impacted by construction activities shall be restored to their preconstruction condition or better within three days of completion of construction.

March 4, 2016

Emergency Permit No.: G-2-16-0025

Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.

- g. Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
4. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Senior Deputy Director for good cause.
5. The applicant recognizes that the emergency work is considered temporary and subject to removal unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves. In addition, any follow-up permit would account for and analyze the impacts of long-term sea level rise.
6. In exercising this permit, the applicant 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.
7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
8. Within 90 days of issuance of this Emergency Permit, or as extended by the Senior Deputy Director through correspondence, for good cause, the applicant shall either: (a) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal; or (b) submit a complete follow-up Coastal Development Permit (CDP) that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Senior Deputy Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Senior Deputy Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120

March 4, 2016

Emergency Permit No.: G-2-16-0025

days after the Senior Deputy Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 90 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.

9. Failure to a) submit a complete follow-up CDP Application that complies with Condition 8 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit¹, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP² will constitute a knowing and intentional violation of the Coastal Act³ and may result in formal enforcement action by the Commission or the Senior Deputy Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

As noted in Condition 5 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If the Permittee wishes to have the emergency development become permanent development, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's North Central Coast District Office at 45 Fremont Street, Suite 2000, San Francisco, CA 94105, (415) 904-5260.

¹ In some instances, a permit may also be required for removal.

² As noted above, in some instances, a permit may also be required for removal.

³ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

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EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSISON
North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

RE: Emergency Permit No. G-2-16-0025

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

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

I also understand that the emergency work is TEMPORARY and that a regular Coastal Development Permit is necessary for any permanent installation. I agree to complete the regular Coastal Development Permit application within 90 days of the date of the emergency permit or I will remove the emergency work in its entirety within 90 days of the date of the emergency permit (i.e., by June 4, 2016). Finally, I understand that my failure either to:

- a) submit a complete follow-up Coastal Development Permit (CDP) Application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations by the date specified in this Emergency Permit, which date may be extended by the Executive Director for good cause, or
- b) Remove the emergency development and restore all affected areas to their prior condition after consultation with Coastal Commission staff as you identified consistent with the Coastal Act, will constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Commission or the Executive Director.

In some instances, a permit may be required for removal (if required by this Emergency Permit) by the date specified in this Emergency Permit. This formal action could include a recordation of a Notice of Violation on my property; the issuance of a Cease and Desist Order and/or Restoration Order; imposition of administrative penalties for violations involving public access, and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

Signature of Property Owner or
Authorized Representative

Address: _____

Print Name

Date of Signing

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**EMERGENCY PERMIT**

Issue Date: February 17, 2016
Emergency Permit No. G-2-16-0022

APPLICANT:

City of Pacifica, Van Dominic Ocampo
170 Santa Maria Avenue , Pacifica, CA 94044

LOCATION OF EMERGENCY:

The seaward area along the City of Pacifica Public Promenade at the intersection of Beach Boulevard and Santa Maria Avenue

EMERGENCY WORK:

As needed, mine existing rocks from where they have migrated on the beach and stack them in front of the damaged section of sea wall to be repaired, to serve as physical support for the form board necessary for the repairs to the seawall. .

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of exceptionally high tides, combined with high swells and powerful waves which crashed into and over the seawall caused a breach of the seawall, posing a threat to the City's infrastructure which includes the public promenade, the street and all utility main lines that are present along Beach Blvd requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

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

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

Sincerely,

John Ainsworth
Senior Deputy Director

A handwritten signature in cursive script, appearing to read "Nancy Cave".

By: Nancy Cave, District Manager

February 17, 2016

Emergency Permit No.: G-2-16-0022

cc: Local Planning Department

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT and returned to our office within 15 days (by March 3, 2016).
2. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
3. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and their contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, a telephone number and email address that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.
4. Only that work specifically described in this permit and as more specifically described in the Commission's file for the Emergency CDP for the specific property listed above is authorized. The work permitted under this permit is the minimum necessary to address the emergency situation at hand and therefore, minimizing the extent of rock placed is strongly encouraged. Any additional work or maintenance to the structures installed pursuant to this permit requires separate authorization from the Executive Director. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's North Central Coast District Office on February 11, 2016, except as revised in the following manner:
 - a. All existing wood, concrete, steel, rebar and other debris shall be removed entirely from the site and disposed of at a suitable off-site location outside the coastal zone.
 - b. Mitigation measures shall be implemented to ensure that all remaining wood, concrete, steel, rebar and other debris are appropriately contained landward of the beach and not allowed to be released into coastal waters.

5. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access. Construction materials, equipment or debris shall not be stored where it will or could potentially be subject to wave erosion and dispersion. Construction shall be conducted pursuant to typical best management practices such as:
- a. All construction areas shall be minimized and allow public recreational access along the beach and shall protect public safety to the maximum extent feasible. 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.
 - b. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
 - c. Grading of intertidal areas is prohibited.
 - d. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
 - e. Any construction materials and equipment placed on the beach 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 the beach area by sunset each day that work occurs.
 - f. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or 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.
 - g. The construction site shall maintain good construction site housekeeping controls and procedure (e.g., clean up all leaks, drips, and other spills immediately; keep equipment 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.).
 - h. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.
 - i. Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required

February 17, 2016

Emergency Permit No.: G-2-16-0022

restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.

6. The work authorized by this permit must be completed within 60 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
7. The applicant recognizes that the emergency work is considered temporary and subject to removal unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act, would be conditioned accordingly, and may not allow for the mined rocks to remain at the site after repairs are completed and may not allow any further armoring or a different configuration of the revetment. These conditions may also include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.), camouflaging the soil nail wall installed, and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves. In addition, any follow-up permit would account for and analyze the impacts of long-term sea level rise.
8. In exercising this permit, the applicant 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.
9. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans clearly identifying all development completed under this emergency authorization (comparing any previously permitted condition to both the emergency condition and to the post-work condition), and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization. Photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete, shall be provided with the site plans and cross sections.
10. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property
11. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.

12. Within 90 days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall either: (a) remove all of the rock and other construction materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal; or (b) submit a complete follow-up Coastal Development Permit (CDP) that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 30 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.
13. Failure to a) submit a complete follow-up CDP Application that complies with Condition 12 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit¹, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP² will constitute a knowing and intentional violation of the Coastal Act³ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

¹ In some instances, a permit may also be required for removal.

² As noted above, in some instances, a permit may also be required for removal.

³ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

February 17, 2016

Emergency Permit No.: G-2-16-0022

As noted in Conditions 7 and 8 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If the Permittee wishes to have the emergency development become permanent development, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's North Central Coast District Office at 45 Fremont Street, Suite 2000, San Francisco, CA 94105, (415) 904-5260.

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CALIFORNIA 94105-2219
PH (415) 904-5260 OR (415) 904-5200 FAX (415) 904-5400
WWW.COASTAL.CA.GOV

**EMERGENCY PERMIT**

Issue Date: March 4, 2016
Emergency Permit No. G-2-16-0026

APPLICANT:

City of Pacifica
170 Santa Maria Avenue, Pacifica, CA 94044

LOCATION OF EMERGENCY:

SEAWARD BEACH AREAS FRONTING 320 ESPLANADE AVE, PACIFICA, (SAN MATEO COUNTY) (APN: 009-413-020)

EMERGENCY WORK:

Applicant will install approximately 11 warning signs at various locations and erect a temporary barrier in order to inform the public of hazards related to the bluff-top demolition of a condemned building, and to prohibit beach access while bluff-top demolition is ongoing, for a period not to exceed 10 days. The signs will be affixed to existing vertical structures where possible, but may require temporary erection of 4'x4' or 6'x6' posts in sandy areas.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of rapid coastal bluff erosion poses a threat to the structure at 320 ESPLANADE AVE, PACIFICA (SAN MATEO COUNTY), requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Senior Deputy Director of the California Coastal Commission hereby finds that:

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

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

Sincerely,

John Ainsworth

March 4, 2016

Emergency Permit No.: G-2-16-0026

Senior Deputy Director

A handwritten signature in cursive script, appearing to read "Nancy Cave", written in black ink.

By: Nancy Cave, District Manager

cc: Local Planning Department

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT and returned to our office within 15 days of the date of this permit (by March 19, 2016).
2. Only that work specifically described in this permit and as more specifically described in the Commission's file for the Emergency CDP for the specific property listed above is authorized. Any additional work requires separate authorization from the Senior Deputy Director. All signage, barriers, and fencing installed pursuant to this Emergency CDP must be removed, along with any debris that has fallen to the beach as a result of the bluff-top demolition activities, and public beach access must be restored, immediately upon conclusion of the demolition and related clean-up activities planned at the subject location.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, including public coastal access and intertidal species, and to minimize impacts to public access. Construction materials, equipment or debris shall not be stored where it will or could potentially be subject to wave erosion and dispersion. Construction shall be conducted pursuant to typical best management practices such as:
 - a. All construction areas shall be minimized and allow public recreational access along the unaffected areas of the beach adjacent to the site and shall protect public safety to the maximum extent feasible. 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.
 - b. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
 - c. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
 - d. Any construction materials and equipment placed on the beach 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 the beach area by sunset each day that work occurs.
 - e. The construction site shall maintain good construction site housekeeping controls and procedure (e.g., clean up all leaks, drips, and other spills immediately; keep equipment 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.).
- f. All accessways impacted by construction activities shall be restored to their preconstruction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.
 - g. Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
4. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Senior Deputy Director for good cause.
 5. The applicant recognizes that the emergency work is considered temporary and will be subject to regular coastal development permit requirements unless and until removal of the temporary development has been completed. While the grant of a CDP to permanently authorize this development is unlikely as it is enacting a temporary beach closing due to potentially unsafe conditions, if required, a regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
 6. In exercising this permit, the applicant 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.
 7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
 8. Within 90 days of issuance of this Emergency Permit, or as extended by the Senior Deputy Director through correspondence, for good cause, the applicant shall remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal, therefore it may be required that the applicant submit a complete follow-up Coastal Development Permit (CDP) that satisfies the requirements of

March 4, 2016

Emergency Permit No.: G-2-16-0026

Section 13056 of Title 14 of the California Code of Regulations. If the Senior Deputy Director determines that any necessary follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Senior Deputy Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Senior Deputy Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 90 days, subject to any regulatory approvals necessary for such removal.

9. Failure to a) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit¹, b) submit any necessary, complete follow-up CDP Application that complies with Condition 8 above, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP² will constitute a knowing and intentional violation of the Coastal Act³ and may result in formal enforcement action by the Commission or the Senior Deputy Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

As noted in Condition 5 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If the Permittee wishes to have the emergency development become permanent development, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

¹ In some instances, a permit may also be required for removal.

² As noted above, in some instances, a permit may also be required for removal.

³ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

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March 4, 2016

Emergency Permit No.: G-2-16-0026

If you have any questions about the provisions of this ECDP, please contact the Commission's North Central Coast District Office at 45 Fremont Street, Suite 2000, San Francisco, CA 94105, (415) 904-5260.

CALIFORNIA COASTAL COMMISSION

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EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSISON
North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

RE: Emergency Permit No. G-2-16-0026

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

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

I also understand that the emergency work is TEMPORARY and that a regular Coastal Development Permit is necessary for any permanent installation. I agree to complete the regular Coastal Development Permit application within 90 days of the date of the emergency permit or I will remove the emergency work in its entirety within 90 days of the date of the emergency permit (i.e., by June 4, 2016). Finally, I understand that my failure either to:

- a) submit a complete follow-up Coastal Development Permit (CDP) Application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations by the date specified in this Emergency Permit, which date may be extended by the Executive Director for good cause, or
- b) Remove the emergency development and restore all affected areas to their prior condition after consultation with Coastal Commission staff as you identified consistent with the Coastal Act, will constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Commission or the Executive Director.

In some instances, a permit may be required for removal (if required by this Emergency Permit) by the date specified in this Emergency Permit. This formal action could include a recordation of a Notice of Violation on my property; the issuance of a Cease and Desist Order and/or Restoration Order; imposition of administrative penalties for violations involving public access, and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

Signature of Property Owner or
Authorized Representative

Address: _____

Print Name

Date of Signing