

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the
April 2016 Meeting of the California Coastal Commission*

April 13, 2016

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

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the April 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 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
3-16-0148-W San Luis Obispo County, Department of Public Works	Authorization of two emergency sandbar breaching events, one performed on December 23, 2015 and the other on January 8, 2016, located near the mouth of San Luis Obispo Creek.	Avila Beach Dr., Avila Beach, San Luis Obispo County
3-16-0200-W California Department of Parks and Recreation (State Parks)	Reconstruction of a portion of the Pfeiffer Falls Trail that was damaged by the Basin Complex wildfire in 2008. The project includes reconstruction of approximately 520 linear feet of natural surface trail give-feet in width, wooden steps, and rock retaining walls. The proposed project also includes construction of a new observation platform at Pfeiffer Falls that will be constructed of rock with wooden railings and will include an interpretive display and benches. The trail originates in Pfeiffer Big Sur State Park and extends onto U.S. Forest Service lands. The proposed project is located entirely on U.S. Forest Lands in the Los Padres National Forest immediately adjacent to Pfeiffer Big Sur State Park in unincorporated Monterey County. Monterey County has granted a CDP for the portion of the trail reconstruction project located in Pfeiffer Big Sur State Park. Note: Any project located on federal land for which the Applicant is a non-federal entity (such as State Parks in this case) must obtain a CDP (or a CDP waiver) from the Commission; the standard of review for such project is the Coastal Act.	Pfeiffer Falls Trail, Pfeiffer Big Sur State Park, Big Sur in unincorporated Monterey County.

CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

3-16-0269-W Caltrans	Repair and maintenance to the Waddell Creek Bridge, including the removal and replacement of unsound concrete, structural reinforcement to protect the existing structure, and installation of a cathodic protection system and scour monitoring system on the bridge railing. Caltrans proposes that the work would take place from May through October (i.e., during the dry season) in order to protect sensitive fish and wildlife species. However, because the work was completed outside of this time frame, an after-the-fact waiver is necessary to authorize any work completed between October 2015 and early April of 2016, when the repair and maintenance activities will be completed.	Waddell Creek Bridge and Highway 1, Santa Cruz County
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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
G-3-16-0032 Cannery Row Company	Emergency coastal development permit (ECDP) authorizes emergency development consisting of excavation and removal of approximately 10-20 cubic yards of oily sand, rocks, and other debris discovered during excavation activities on the beach.	610 Cannery Row, City of Monterey, Monterey County
G-3-16-0037 Moss Landing Harbor District	Emergency coastal development permit (ECDP) authorizes installation of a retaining wall along a portion of the shoreline adjacent to the Moss Landing North Harbor Wharf Access Platform. El Nino Related.	2420 Highway 1, Moss Landing, Monterey County
G-3-16-0040 Santa Cruz Port District	This emergency coastal development permit (ECDP) authorizes the Santa Cruz Port District to allow: 1) entrance channel dredging and disposal operations to continue on an as-needed basis through May 31, 2016 (CDP 3-10-023 requires that such dredging and disposal operations cease on April 30th); 2) dredging and disposal activities to take place on Saturdays through May 31, 2016 (CDP 3-10-023 allows such activities Monday through Friday only); and 3) dredging with disposal through the offshore pipeline from sunrise to 9 p.m., with no heavy equipment operation on the beach after sunset (CDP 3-10-023 allows such activities during daylight hours only) at the Santa Cruz Harbor and Harbor Beach/Twin Lakes State Beach in the City of Santa Cruz and unincorporated Santa Cruz County.	135 5th Ave, Santa Cruz, Santa Cruz County

CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

G-3-16-0005	Emergency coastal development permit (ECDP) authorizes emergency development consisting of the excavation and construction of an approximately 65-foot-long reinforced concrete cutoff wall along the toe of the existing Rockview Drive seawall (CDP #3-87-195), and retrieval and restacking of the existing fugitive riprap at the upcoast and downcoast ends of the seawall. No place of additional riprap is authorized. The cutoff wall will be approximately 2 feet wide and between 8 and 12 feet deep, as measured from the top of the bedrock platform located immediately seaward of the Rockview Drive seawall.	1 Rockview Dr. in the Pleasure Point area of Santa Cruz County.
G-3-16-0041 CA State Parks, Manresa State Beach	Manresa State Beach Staircase Removal El Nino Related.	Manresa State Beach, La Selva Beach, Santa Cruz County.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 29, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Daniel Robinson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-16-0148-W**
Applicant: San Luis Obispo County Department of Public Works

Proposed Development

Authorization of two emergency sandbar breaching events, one performed on December 23, 2015 and the other on January 8, 2016, located near the mouth of San Luis Obispo Creek, in the community of Avila Beach, San Luis Obispo County.

Executive Director's Waiver Determination

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

The two breaching events, authorized under emergency CDP G-3-15-0047, were necessary to alleviate flooding in the Avila Beach downtown area and to prevent and mitigate loss or damage to property and essential public services. Both actions involved implementing a "pre-breach" whereby the County excavated a channel across a built-up sandbar between the lagoon and the ocean. This pre-breach approach closely mimics natural conditions, allowing subsequent rains to generate enough flow to force water into the excavated channel and slowly drain the lagoon. No equipment entered either the lagoon or the ocean below the mean high tide line in either breaching event.

Prior to initiating emergency work, County public works staff contacted representatives from the U.S. Army Corps of Engineers, NOAA Fisheries, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife (CDFW), the Regional Water Quality Control Board and other County departmental staff, seeking recommendations that would aid in avoiding and/or minimizing impacts to sensitive wildlife and fish species, marine habitats and coastal water quality. These efforts resulted in measures that the County implemented prior to, during, and following both emergency actions, including having staff from CDFW on hand to assist with any necessary fish rescue operations, to undertake post-breaching wildlife monitoring surveys, and to ensure that appropriate best management practices, such as no cleaning or refueling of equipment within 100 feet of aquatic areas, were implemented during both breaching events.

No special status species were identified within the project area during pre-activity surveys, and no stranded wildlife or fish were observed in the project area during or after each breaching event. In addition, the timing of the project occurred outside of the known breeding season for tidewater goby. Post-breaching monitoring concluded that the lagoon, the excavated channel, and the former channel

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-16-0148-W (San Luis Obispo Creek Channel Excavations)

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appeared to be functioning as they would during a typical winter season when the sandbar would be naturally breached by the creek during a major storm event. Furthermore, by facilitating the gradual outflow of water from the lagoon, the project minimized impacts to migrating steelhead and tidewater goby. Finally, each breaching event took less than a day and most of the beach area remained open and unaffected by the breaching events. Accordingly, the project did not have any significant adverse impacts on coastal resources, including public access to the shoreline.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on April 13, 2016 in Santa Rosa. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 29, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-16-0200-W**
Applicant: California Department of Parks and Recreation (State Parks)

Proposed Development

Reconstruction of a portion of the Pfeiffer Falls Trail that was damaged by the Basin Complex wildfire in 2008. The project includes reconstruction of approximately 520 linear feet of natural surface trail five-feet in width, wooden steps, and rock retaining walls. The proposed project also includes construction of a new observation platform at Pfeiffer Falls that will be constructed of rock with wooden railings and will include an interpretive display and benches.

The trail originates in Pfeiffer Big Sur State Park and extends onto U.S. Forest Service Lands. The proposed project is located entirely on U.S. Forest Service Lands in the Los Padres National Forest immediately adjacent to Pfeiffer Big Sur State Park in unincorporated Monterey County. Monterey County has granted a CDP for the portion of the trail reconstruction project located in Pfeiffer Big Sur State Park.

Note: Any project located on federal land for which the Applicant is a non-federal entity (such as State Parks in this case) must obtain a CDP (or a CDP waiver) from the Commission; the standard of review for such projects is the Coastal Act.

Executive Director's Waiver Determination

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

The project will expand and improve public access and recreational opportunities in Big Sur Valley by reestablishing a trail connection between the Pfeiffer Big Sur State Park campground and Pfeiffer Falls, which is a popular hiking destination. Trail improvements include the use of natural materials such as wood, stone, crushed granite, etc. The trail and other amenities will be installed by hand by the California Conservation Corps in accordance with California State Parks' Class 1 trail standards. Neither the trail nor related infrastructure and other improvements (e.g. steps, retaining walls, observation platform, etc.) will be visible from Highway One. Best Management Practices will be employed to ensure that only the minimal amount of brush clearing is performed, that the trail slopes do not contribute to erosion, and that excess material is

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-16-0200-W (Pfeiffer Falls Trail)

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appropriately exported or reused as backfill to ensure that excavated soils and sediment do not enter into adjacent streams or drainages. In sum, the proposed project will improve and expand public access and recreation and will not otherwise adversely impact coastal resources, and thus is consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, April 13, 2016, in Santa Rosa. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 30, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-16-0269-W
Applicant: Caltrans

Proposed Development

CDP Waiver 3-14-1077-W was authorized by the Commission on August 15, 2014. This authorization included repair and maintenance to the Waddell Creek Bridge, including the removal and replacement of unsound concrete, structural reinforcement to protect the existing structure, and installation of a cathodic protection system and scour monitoring system on the bridge railing. Caltrans proposed that the work would take place from May through October (i.e. during the dry season) in order to protect sensitive fish and wildlife species. However, because the work was completed outside of this timeframe, an after-the-fact waiver is necessary to authorize any work completed between October 2015 and early April of 2016, when the repair and maintenance activities will be completed. This after-the-fact waiver allows the work authorized under CDP 3-14-1077-W to be performed between October and May.

Executive Director's Waiver Determination

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

The scope of work included in this waiver entails the repair and maintenance of the Waddell Creek Bridge. The work detailed in this waiver began in late fall of 2015 and will be completed on approximately April 6, 2016. The repair and maintenance of the Waddell Creek Bridge will help maintain safe travel along this section of Highway 1 in the North Coast of Santa Cruz County, and will extend the bridge's service life until it is replaced. The Waddell Bridge is critical to continued public access and recreation, and through access along Highway 1.

To ensure protection of sensitive species for work done between October and May, all repairs were conducted from scaffolding that was constructed, lowered, and secured from bridge decks. In addition, a containment system was employed to prevent any construction materials from entering Waddell Creek. Furthermore, no project activities occurred in the creek, wetlands, or beach areas adjacent to the project site, and no dewatering or creek diversions occurred. Other best management practices, including the collection of any debris, prevention of spills and general good housekeeping of the site at all times, were also employed throughout the project. Prior to the start of construction, workers underwent training specifically guided to protect the following special-status species: Coho Salmon, steelhead, California red-legged frog, and the tidewater goby. The Waddell Beach parking lot remained open during

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-16-0269-W (Waddell Bridge Repairs)

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construction, and no construction materials were stored in the parking lot. Rather, the construction materials were stored within the Highway 1 right-of-way and over 100 feet from Waddell Creek and the associated wetlands, specifically at the pull out on the inland shoulder north of the Waddell Creek Bridge. Accordingly, the project had no significant adverse impacts on coastal resources, including public access to the shoreline.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, April 13, 2016 in Santa Rosa. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-16-0023 (ODSVRA Emergency Dust Control Program)

Issue Date: March 11, 2016

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This emergency coastal development permit (ECDP) authorizes the installation of temporary emergency dust control measures and monitoring equipment within the Oceano Dunes State Vehicular Recreation Area (ODSVRA). The dust control measures include the installation of wind fencing and porous roughness elements (PREs) that are intended to reduce sand transport and dust emissions. The monitoring equipment will provide data to help assess both environmental conditions and the effectiveness of the deployed wind fencing and PREs (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (the California Department of Parks and Recreation (CDPR) Off-Highway Motor Vehicles Recreation Division (OHMVRD)), the temporary emergency dust control and monitoring measures are needed to: 1) reduce dust emissions impacting air quality downwind at Nipomo Mesa; and 2) gather information for a longer-term dust emission reduction program (Program) within ODSVRA to address public health effects from degraded air quality in the area. The Program is being developed to address dust associated with the ODSVRA, including to help reduce the number of days that air quality measurements exceed the U.S. EPA's and California Air Resources Board's (CARB) 24-hour average PM_{10} Ambient Air Quality Standards (AAQS) on the Nipomo Mesa in San Luis Obispo County. Given that this is a serious public health issue, the dust control measures have been identified as a priority action for spring 2016 by CDPR, the San Luis Obispo County Air Pollution Control District (SLOAPCD) and CARB. The Program is intended to bring CDPR into compliance with both U.S. EPA and CARB 24-hour average PM_{10} AAQS, as well as with SLOAPCD's Rule 1001 (Coastal Dunes Dust Control Requirements), which in part require CDPR to immediately develop and implement dust control and monitoring measures to address immediate air quality concerns while concurrently helping to develop data to inform Program development. Without this critical data, CDPR will be hamstrung in its ability to develop and implement appropriate Program measures in a timely manner to improve air quality to meet AAQS and SLOAPCD's Rule 1001 deadlines. Without immediate implementation, the ability to reduce unhealthy PM_{10} levels could be delayed for a significant amount of time, perhaps as much as a year. Furthermore, it is anticipated that the severity of this public health hazard may be amplified by multiple years of drought conditions. Therefore, the proposed temporary emergency dust control and monitoring measures are necessary to gather essential data during the 2016 windy season and to protect public health. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

Emergency CDP G-3-16-0023 (ODSVRA Emergency Dust Control Program)

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

The temporary emergency development is hereby approved, subject to the conditions of approval listed below.


Susan Craig, Central Coast District Manager, for Interim Executive Director John Ainsworth

Conditions of Approval

1. **Acceptance Form.** The enclosed ECDP acceptance form must be signed by the ECDP Permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by March 26, 2016). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. **Approved Temporary Development.** Only the temporary emergency monitoring equipment, the temporary wind fencing, and the temporary PREs are authorized under this ECDP. This ECDP does not authorize any deployment of straw bales, and does not authorize any refreshing and/or reuse of temporarily placed straw bales from previous years' dust mitigation efforts. All temporarily authorized development shall be removed and the affected areas restored to their pre-installation condition or better as directed by Conditions 6 and 7 below. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission. Minor changes to the parameters of this ECDP, including with respect to changes in deadlines, may be authorized by the Executive Director for good cause, provided such changes appropriately protect coastal resources.
3. **Wind Fencing and Porous Roughness Elements (PREs) Installation.** This ECDP authorizes the temporary installation within the riding area of wind fencing and PREs as shown in the ECDP application file, except that the PREs shall be installed at least 500 meters away from the wind fencing in order to ensure that any reduction in sand flux measured at the wind fencing array is not compromised by sand flux reductions due to the PREs. All elements of such wind fencing and PREs shall be colored to blend in with the surrounding dune environment to the maximum degree feasible. All perimeter fencing surrounding wind fencing and PREs shall be "animal friendly" to allow for the natural movement of animals in and out of the area. The PREs shall not include metal mesh wire or plastic siding to the maximum degree feasible. After installation, any proposed reconfiguration and/or expansion of the initial wind fencing and/or PRE locations approved in this ECDP shall be submitted for the review and approval of the Executive Director, along with an analysis explaining the reasons for any proposed reconfiguration and/or expansion, including in terms of the ability to

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monitor the effectiveness of dust abatement.

4. **Monitoring Equipment Installation, Dust Control Monitoring Design Plan, and Reporting.**

Within two weeks of issuance of this ECDP (i.e. by March 25, 2015), the Permittee shall provide, for Executive Director review and approval, an experimental Dust Control Monitoring Design Plan (Plan), showing the locations of monitoring equipment installation (as described in subsection (a) below), and the study parameters to be used to document the effectiveness of the dust control measures in reducing particulate matter and dust emissions (as described in subsection (b) below). Deviations from the Plan requirements below shall only be allowed if: the Executive Director deems that compliance with these requirements is infeasible; the deviations are found to meet the intent and purpose of the requirements below; and that such deviations appropriately protect coastal resources. The Plan shall at a minimum provide for the following:

- a. *Monitoring Equipment Installation.* Monitoring equipment measuring wind speed, wind direction, sand flux, and PM₁₀ shall be located in at least nine locations in sets of three and located perpendicular to the primary wind direction (see ECDP Figure 1). In paired treatment and control configurations, one set of monitors shall be located directly upwind of the wind fencing array and one directly downwind from the wind fencing array. Control monitors shall be located parallel to these monitors at a location at least 1,000 feet north or south of the wind fencing configurations but also downwind of the OSDVRA riding areas and where the fetch is of similar terrain. A third pair of monitors shall be located approximately 500 feet beyond the downwind edge of the wind fencing array, or at an appropriate distance to determine if the mitigation configuration extends beyond its local setting. In addition, the third set of monitoring installations shall be placed downwind of open sand sheets outside of the riding area in an otherwise equivalent setting in the same configuration as the instruments installed to help measure wind fencing and PRE effectiveness. All monitoring equipment shall measure wind speed, wind direction, and sand flux. PM₁₀ monitors will also be placed at the three most seaward locations in line with the monitors upwind of the wind fencing array, and at the most landward locations. All elements of such monitoring equipment shall be colored to blend in with the surrounding dune environment to the maximum degree feasible. After installation, any proposed reconfiguration and/or expansion of the monitoring equipment areas approved in this ECDP shall be submitted for the review and approval of the Executive Director, along with an analysis explaining the reasons for any proposed reconfiguration, including in terms of the ability to monitor the effectiveness of dust abatement.
- b. *Dust Control Monitoring.* The Plan shall provide a dust control monitoring program that shall provide and describe the scientific rationale for the choice of environmental variables to be monitored to assess the efficacy of the temporary emergency wind fencing and PREs implemented under the ECDP. At a minimum, these measurements shall include continuous monitoring of wind speed, wind direction, and sand flux directly upwind and directly downwind from wind fencing, arrayed along the primary wind direction. Monitoring shall also include continuous measurements of PM₁₀ upwind from mitigation configurations, and wind, sand flux and PM₁₀ sensors located downwind from mitigation configurations at an appropriate distance to determine if the efficacy of mitigation measures is meaningfully sustained beyond the local environment of the mitigation configurations. In addition, the Plan shall describe the specific

Emergency CDP G-3-16-0023 (ODSVRA Emergency Dust Control Program)

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environmental sensors to be used in each location, the frequency of data collection, the measures adopted to ensure data quality, any additional steps taken and/or data collected to document the condition of the mitigation measures (e.g., depth of burial of wind fencing), and the methods and rationale of data analysis. The Plan shall also provide for a schedule to report the results of all monitoring activities to the Executive Director as soon as possible after they are complete. Any subsequent application for the deployment of dust emission mitigation in the future shall be supported by scientifically defensible evidence of the mitigation's effectiveness towards achieving dust mitigation, including to a level equivalent to compliance, at the least, with Rule 1001 and the California AAQS for PM₁₀. All reports and data generated from dust monitoring and mitigation efforts under this ECDP shall be provided to Commission staff for review prior to or as part of any application to implement future dust mitigation efforts, whether on an emergency or regular basis.

The Plan shall, at a minimum, measure and compare the efficacy of the temporary emergency wind fencing and PREs, including at a minimum:

- Documenting whether or not the efficacy of dust mitigation measures extends downwind beyond the local environment of mitigation configurations;
- Clearly indicating the protocols and methods followed in carrying out the study, including how frequently monitoring equipment is serviced;
- Measuring the drop-off in efficacy over time due to wind fence/PRE burial and the like with the goal of developing an appropriate refreshment interval (e.g., every five weeks wind fencing needs to be elevated to restore it to its initial height); and
- Compiling the amount of effort in person-hours and dollars to erect and refresh these elements over a season to ensure their efficacy over time.

5. Repair and Maintenance. The Permittee shall regularly monitor the wind fencing, PREs, and monitoring equipment installation areas and the areas downwind of them to ensure that such wind fencing, PREs, and monitoring equipment are maintained in a state of good repair, and that any materials dislodged from the wind fencing, PREs, and/or monitoring equipment are collected and appropriately disposed of. In addition, photographic evidence of the condition of wind fencing, PREs, and monitoring equipment shall be recorded at least weekly during the time period of their deployment, or more frequently during high wind periods. Depth of burial of wind fencing elements and PREs shall also be recorded and the dates of measurements recorded. If wind fencing or PREs are refreshed, the date and time of their refreshment shall be recorded.

6. Wind Fencing, PREs and Monitoring Equipment Removal. The temporary wind fencing, PREs, and monitoring equipment installed under this ECDP are only temporary, and shall be removed in their entirety and all areas affected by them restored to their original pre-emergency condition or better as soon as possible after the windy season and no later than August 31, 2016. A biological monitor shall perform a pre-removal survey for California least terns and western snowy plovers. If California least terns or western snowy plovers have moved into the installation areas, the Permittee shall leave all temporary development in place in that area until all California least terns or western

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snowy plovers have left the area.

7. **Straw Bale Removal.** Within one month of issuance of this ECDP (i.e., no later than April 11, 2016), all straw bales and/or remnants of straw bales that were placed under prior emergency authorization shall be removed in their entirety. Prior to removal of the straw bales, a biological monitor shall survey the straw bale deployment area and submit a Restoration Plan to the Executive Director for review and approval. The Restoration Plan shall detail, including through photographs, the condition of the straw bales, sand buildup in the area, and the condition of the dune habitat. The objective of the Restoration Plan shall be to protect dune and related habitat resources to the greatest extent feasible, and it shall provide for the removal of the straw bales and all remnants of straw bales in a manner designed to achieve the greatest protection of the dune and related habitat resources that are present. After straw bale removal completion, the Permittee shall provide photographic evidence to the Executive Director documenting such removal and compliance with all Restoration Plan requirements.
8. **ECDP and CDPs.** This ECDP is authorized based on the representations of CDPR that such temporary emergency monitoring equipment, wind fencing, and PREs are required as a limited, interim, and temporary measure during the 2016 windy season to help abate the emergency, and that the emergency dust control program is required for timely development and implementation of a Program to improve air quality, including to meet AAQS and Rule 1001 requirements, to protect and enhance coastal resources, and to improve public health at and near the ODSVRA. CDPR has applied for a regular CDP for this purpose as well (CDP Application 3-12-050) and shall amend its CDP application to include the temporary dust control measures and monitoring authorized by this ECDP. This ECDP is being granted based on the representation of CDPR that completion of CDP Application 3-12-050 will be diligently pursued, and that a CDP to implement a comprehensive dust control abatement and dune restoration program, with the intent of avoiding similar emergency situations in the future, is required to be submitted to and approved by the Coastal Commission for Rule 1001 compliance. This ECDP may be revoked by the Executive Director if information, understanding, and/or circumstances associated with its issuance change in such a way as to no longer support temporary emergency authorization. If for any reason or under any circumstances CDPR abandons or withdraws CDP Application 3-12-050, CDPR will be required to file a follow-up CDP application for authorization of the emergency development conducted pursuant to this ECDP. Application for any future ECDP under similar circumstances without deliberate pursuit of a CDP to permanently alleviate the identified public health hazards may be denied.
9. **Other Agency Approval.** This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Fish and Wildlife, United States Fish and Wildlife Service, CARB, San Luis Obispo County, SLOAPCD, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
10. **Project Scope Limited.** All emergency temporary monitoring equipment, wind fencing, and PREs shall be limited in scale and scope to that specifically identified in the materials submitted by the Permittee (dated received in the Coastal Commission's Central Coast District Office on February 22, 2016), as modified by these Conditions.

Emergency CDP G-3-16-0023 (ODSVRA Emergency Dust Control Program)

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- 11. Biological/Environmental Monitor.** The Permittee shall employ a project biologist/environmental monitor approved by the Executive Director to ensure compliance with all ECDP requirements during installation and removal of temporary monitoring equipment, wind fencing, and PREs, and restoration of all affected areas. The biological monitor shall ensure that all emergency monitoring equipment, wind fencing, and PREs avoid impacts to habitat and resources as much as possible. The biological monitor shall also observe monitoring equipment at appropriate intervals to ensure that monitoring equipment remains operational so as to ensure the quality of the collected data. Evidence of compliance shall be submitted by the project monitor to the Executive Director both upon completion of installation and upon completion of restoration activities.
- 12. Native American Monitor/Archaeologist.** The Permittee shall employ a Native American monitor and an archaeologist approved by the Executive Director to ensure compliance with all ECDP requirements during installation and removal of temporary monitoring equipment, wind fencing, and PREs, and restoration of the affected areas. Evidence of compliance shall be submitted by the project monitor to the Executive Director both upon completion of installation and upon completion of restoration activities.
- 13. Construction Requirements.** All emergency monitoring equipment, wind fencing, and PREs shall limit impacts to coastal resources (including to public recreational access and dunes) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):

 - a. All monitoring equipment, fencing, and PREs shall be sited to have the least impact on dune habitats, and shall be sited to protect public health and safety to the maximum extent feasible. Installation of monitoring equipment, fencing, and PREs (including but not limited to activities, materials and/or equipment storage) is prohibited outside of the defined dust control and monitoring site areas authorized by this ECDP.
 - b. Temporary monitoring equipment, fencing, PREs, and equipment shall not be placed seaward of the mean high water line.
 - c. All temporary emergency development shall be limited to bare sand areas. Vehicles shall remain out of all vegetated dunes, unless absolutely required (in the opinion of the Executive Director) to install and/or remove the temporary monitoring equipment, fencing, and PREs. Any dune habitat damaged during installation shall be restored immediately as directed by the Executive Director.
 - d. All development activities associated with this ECDP shall maintain good site housekeeping controls and procedures (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, dunes, or the adjacent marine environment; etc.).
 - e. All monitoring, installation, and removal activities that result in discharge of materials, polluted

Emergency CDP G-3-16-0023 (ODSVRA Emergency Dust Control Program)

Issue Date: March 11, 2016

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runoff, or wastes to the beach, dunes, or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place in the dunes or on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of activities as well as at the end of each work day.

- f. All areas impacted by monitoring equipment, wind fencing, and PRE installation and removal activities shall be restored to their pre-construction condition or better, as conditioned above. Any dune or beach sand in the area that is impacted by monitoring, wind fencing, and PRE installation and removal activities shall be filtered as necessary to remove any debris.
- g. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitivity of the work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean-up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
- h. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of monitoring and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.

14. Public Notice. Copies of this ECDP shall be maintained in a conspicuous location at the temporary emergency development locations at all times, and such copies shall be available for public review on request. All persons involved with the temporary emergency development shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.

15. Project Coordinator. A project coordinator shall be designated to be contacted during installation, operation and removal activities should questions arise regarding the temporary emergency development (in case of both regular inquiries and emergencies), and his/her contact information (i.e., email address, address, phone numbers, email, etc.) including, at a minimum, an email and a telephone number (with an answering machine and/or live operator) that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted in a manner that protects against public viewshed impacts at the emergency development sites where such contact information is readily visible from public viewing areas, along with indication that the project coordinator should be contacted in the case of questions regarding the monitoring (in case of both regular inquiries and emergencies). The project coordinator shall record the name, contact information, and nature of all complaints received regarding the project, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. A log of all complaints received regarding the project and the result of the investigation of the complaints shall be provided to the Executive Director no later than August 31, 2016.

16. Documentation. Within 30 days of completion of removal and restoration activities associated with this ECDP, the Permittee shall submit site plans, materials, photos, and a narrative description identifying and describing all temporary dust control measures and monitoring sites installed and removed, and all restoration activities completed, pursuant to this emergency authorization.

Emergency CDP G-3-16-0023 (ODSVRA Emergency Dust Control Program)

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- 17. Waiver of Liability.** In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
- 18. Indemnification.** The Permittee shall reimburse the Coastal Commission in full for all Coastal Commission costs and attorney's fees (including but not limited to such costs/fees that are: (1) charged by the Office of the Attorney General; and (2) required by a court) that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this ECDP. The Permittee shall reimburse the Coastal Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.
- 19. Enforcement.** Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
- 20. Potential Violations.** The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted above, the temporary emergency development activities carried out under this ECDP are at the Permittee's risk and are considered to be temporary work done in an emergency situation to abate an emergency. All such development must also be authorized by a regular CDP. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

Experimental Side by Side Comparison of PM Mitigation Measures and Controls

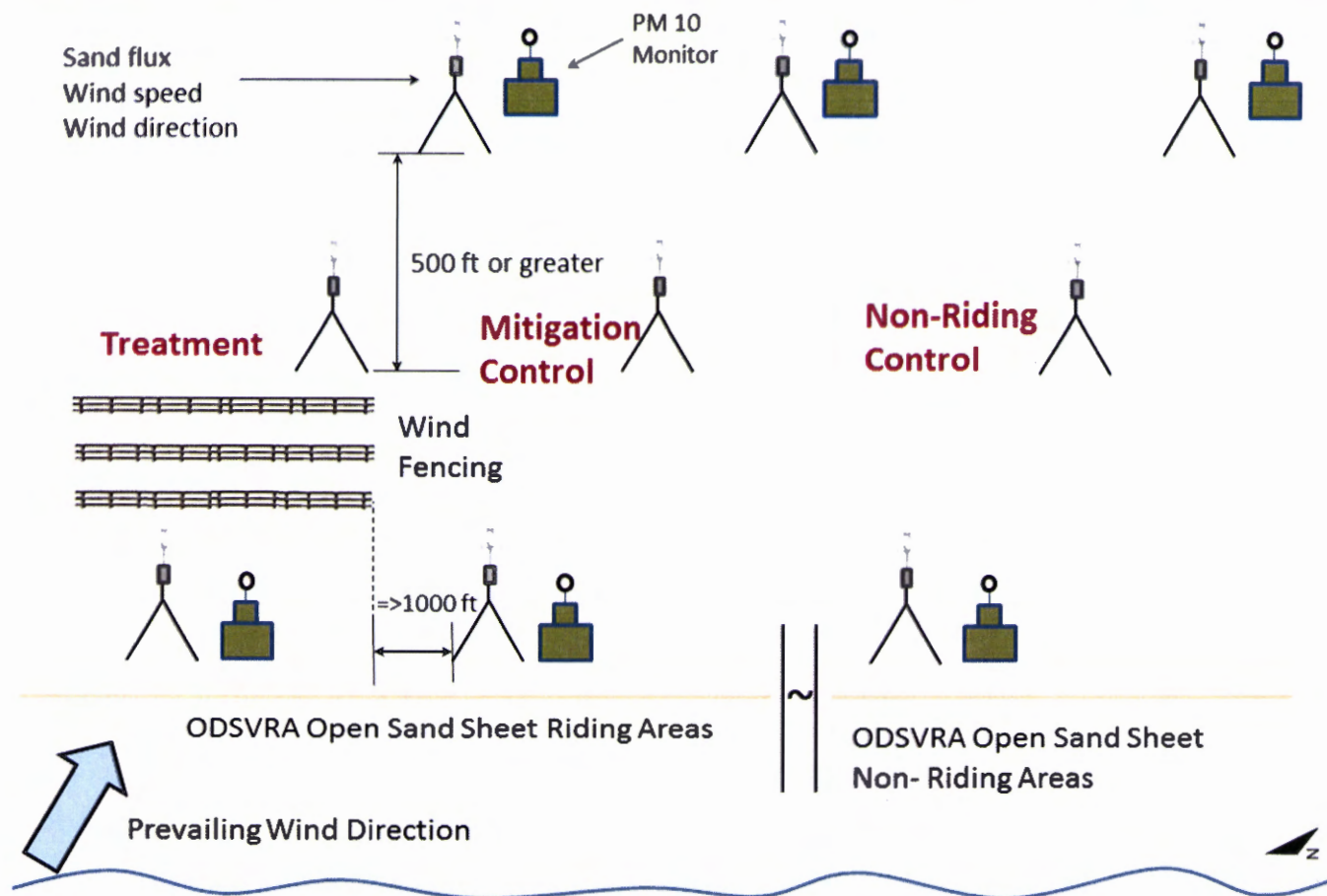


Figure 1: Monitoring Configuration for Dust Mitigation at the ODSVRA



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-16-0032 (610 Cannery Row Oil Spill Cleanup, Monterey)

Issue Date: March 16, 2016


Page 1 of 4

Oil has been emanating onto the beach at 610 Cannery Row from an old concrete tank structure that was likely buried at the site during the early part of the 20th century. This emergency coastal development permit (ECDP) authorizes emergency development consisting of excavation and removal of approximately 10 – 20 cubic yards of oily sand, rocks, and other debris discovered during excavation activities on the beach at 610 Cannery Row in the City of Monterey. Prior to excavation, a secondary containment berm using plastic tarps, sandbags, and oil absorbent booms will be constructed around the site as a precautionary measure. Loose sand will be removed from the surface of the work area using low-impact methods first (e.g., blowers, brooms, and shovels). Excavation with heavy equipment will follow as needed. An excavator will place the oily sand, rocks, and debris into a skid steer bucket, which will then be placed into a receiving bin for transport offsite. Vacuum trucks and/or pumps will be used to capture any raw oil product that is encountered during excavation. The concrete tank will be backfilled with compacted, clean beach quality sand comparable in color, grain size, etc., to the native beach sand. The work will be timed to take place during low tides and periods with low ocean wave run-up conditions, and is expected to be completed in one to two days.

The Executive Director of the California Coastal Commission hereby finds that:

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

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


Susan Craig, Central Coastal District Manager, for John Ainsworth, Acting Executive Director

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

cc: Kim Cole, Managing Principal Planner, City of Monterey Planning Department (via email)
Scott Kathey, Monterey Bay National Marine Sanctuary (via email)
Cory Welch, Monterey County Environmental Health Department (via email)

Emergency CDP G-3-16-0032 (610 Cannery Row Oil Spill Cleanup, Monterey)

Issue Date: March 16, 2016

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Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee (i.e. the Cannery Row Company) and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by March 31, 2016). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only the emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 30 days of the date of this permit (i.e., by April 15, 2016) unless extended for good cause by the Executive Director.
4. The Permittee shall have a qualified Biological Monitor onsite during all emergency response/development activities to minimize impacts to sensitive beach and shoreline areas. The Biological Monitor shall ensure that emergency cleanup personnel are adhering to sensitive habitat protection measures, and will also address any biological issues that may arise on a day-to-day basis at the work site. The Biological Monitor shall document his/her observations in writing, including with respect to any biological issues that arose during the emergency activities, and this document shall be included in the required Final Report that will be submitted to the Executive Director as part of the required regular CDP application (see Condition 7).
5. Once the concrete tank has been emptied of all oil-contaminated material and debris, the concrete tank shall be filled and completely covered with compacted, clean beach-quality sand of similar composition and characteristics (e.g., quantity, grain size, color, etc.) as the native beach sand. The replacement sand shall be approved by the Executive Director prior to placement.
6. For the first two weeks following completion of the emergency activities, the Permittee shall perform daily inspections of the site to ensure that: a) no additional oil is observed leaking onto the beach; b) the replacement sand is reasonably stable within the concrete tank; and; c) the concrete tank is not becoming exposed in a manner that creates a public safety issue. If the results of the daily inspections conform to a), b) and c), the inspections may be reduced to once weekly for six additional weeks. If at any time the results of the daily or weekly inspections do not conform to a), b) and c), the Permittee shall contact Commission staff to discuss any necessary actions to be taken and additional permitting requirements. The results of the daily and weekly inspections shall be included in the Final Report that will be submitted to the Executive Director as part of the required regular CDP application (see Condition 7).
7. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency. Within 60 days of the date of this permit (i.e. by May 15, 2016), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. The application shall include photos showing the project site before the

Emergency CDP G-3-16-0032 (610 Cannery Row Oil Spill Cleanup, Monterey)

Issue Date: March 16, 2016

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emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete. The application shall include a Final Report to the Executive Director clearly identifying all development completed under this emergency authorization. The Final Report shall include a narrative description of all emergency development activities undertaken, and shall compare the emergency condition to the post-work condition. The Final Report shall include a quantification of both the amount of oil and the amount of oily sand and any other materials removed from the site. 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 Final Report. The Final Report shall include the written observations of the Biological Monitor (see Condition 4) and the results of the daily/weekly inspections (see Condition 6). The deadlines in this condition may be extended for good cause by the Executive Director.

8. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
9. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., State Lands Commission, Monterey Bay National Marine Sanctuary, City of Monterey, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
10. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form and supplemental information dated received in the Coastal Commission's Central Coast District Office on March 14, 2016.
11. All emergency development is limited to the least amount necessary to abate the emergency.
12. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
 - a. Construction work and equipment operations shall not be conducted in the surf zone, unless wave run-up and tidal waters have receded from the authorized work area.
 - b. Grading of intertidal waters is prohibited.
 - c. When transiting on the beach, all construction 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 construction hours shall be stored beyond the reach of tidal waters. The only exception will be for secondary containment controls (e.g., plastic tarps, sandbags, and absorbent booms) as necessary to contain contaminated sand and materials in the construction area and avoid wave attack and/or tidal surge into the work area.

Emergency CDP G-3-16-0032 (610 Cannery Row Oil Spill Cleanup, Monterey)

Issue Date: March 16, 2016

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- e. 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.
 - f. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering any exposed piles of oily sand and wastes); dispose of all wastes properly, and cover open receiving bins during wet weather; remove all construction debris from the beach; etc.).
 - g. 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.
 - h. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
 - i. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/cleanup of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
 - j. The Permittee shall notify planning staff of the Coastal Commission's 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.
13. 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.
14. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
15. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

The emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. For the development to be authorized under the Coastal Act, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-16-0037 (Moss Landing N. Harbor Access Platform Repair)

Issue Date: March 25, 2016

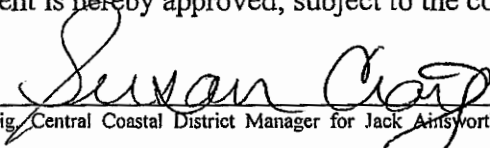
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This emergency coastal development permit (ECDP) authorizes installation of a retaining wall along a portion of the shoreline adjacent to the Moss Landing North Harbor Wharf Access Platform at 7881 Sandholdt Road in Moss Landing Harbor in the unincorporated community of Moss Landing, Monterey County (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee, Sea Engineering, Inc., sudden and severe erosion due to El Niño storms has created a void immediately adjacent to the north harbor wharf access platform that prevents public access at the east end of the wharf. Continued loss of material in this location could permanently inhibit access to the wharf and preclude a future connection with the planned pedestrian bridge across Elkhorn Slough. The proposed emergency action includes construction of a permanent retaining wall adjacent to an existing Caltrans bridge abutment / bulkhead and back-filling the void with soil fill to match the elevation of the wharf access platform. The situation represents a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

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

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


Susan Craig, Central Coastal District Manager for Jack Ainsworth, Acting Executive Director

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

cc (via email): Linda McIntyre, Moss Landing Harbor District
David Mack, Monterey County Planning and Building
Jacqueline Pearson-Meyer, National Marine Fisheries Service
Jacob Martin, U.S. Fish and Wildlife Service
Katerina Galacatos, U.S. Army Corps of Engineers
Linda Connolly, CA Department of Fish & Wildlife

Emergency CDP G-3-16-0037 (Moss Landing N. Harbor Access Platform Repair)

Issue Date: March 25, 2016

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Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by April 9, 2016). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 30 days of the date of this permit (i.e., by April 24, 2016) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by May 24, 2016), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. The emergency development shall be removed in its entirety within 150 days of the date of this permit (i.e., by August 22, 2016) unless before that time the California Coastal Commission has issued a regular CDP for the development authorized by this ECDP. The deadlines in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., U.S. Army Corps of Engineers, Central Coast Regional Water Quality Control Board, U.S. Fish & Wildlife Service, California Department of Fish & Wildlife, NOAA Fisheries, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. The emergency repairs shall be limited in scale and scope to the shoreline in the vicinity of the north harbor wharf public access platform identified in the application form dated received in the Coastal Commission's Central Coast District Office on February 26, 2016.
8. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to public access and to the Moss Landing Harbor to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
 - a. All work shall take place during daylight hours. Lighting of the intertidal area is prohibited.

Emergency CDP G-3-16-0037 (Moss Landing N. Harbor Access Platform Repair)

Issue Date: March 25, 2016

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- 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 intertidal or beach area shall be delivered by rubber-tired construction vehicles. If transiting on any beach area, all such vehicles shall remain as high on the upper beach as possible and avoid contact with harbor waters and intertidal areas.
- e. All construction materials and equipment placed on any beach areas 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 any beach areas by sunset each day that work occurs. The only exceptions shall be for: (1) erosion and sediment controls (e.g., a silt fence at the base of the construction area) as necessary to contain rock and/or sediments in the construction area, where such controls are minimized in their extent; and (2) storage of larger materials beyond the reach of tidal waters for which moving the materials each day would be extremely difficult. Any larger materials intended to be left on any beach areas overnight must be approved in advance by the Executive Director, and shall be subject to a contingency plan for moving said materials in the event of tidal/wave surge reaching them.
- f. 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. 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.
- g. 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.).
- h. 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 any beach area that may form at low tide. 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.
- i. All beach areas and all shoreline access points 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 all construction debris.
- j. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean up of foreign

Emergency CDP G-3-16-0037 (Moss Landing N. Harbor Access Platform Repair)

Issue Date: March 25, 2016

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materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.

- k. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required beach-area restoration activities. If planning staff should identify additional reasonable measures necessary to restore the beach and beach access points, such measures shall be implemented immediately.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
11. 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 his/her contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number 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 name, phone number, 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.
12. Within 30 days of completion of the construction authorized by this ECDP, the Permittee shall submit site plans and cross sections prepared by a licensed civil engineer with experience in coastal structures and processes 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.
13. 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.
14. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
15. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Conditions 4 and 5 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If the Permittee wishes to have the emergency development become a permanent development, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the

Emergency CDP G-3-16-0037 (Moss Landing N. Harbor Access Platform Repair)

Issue Date: March 25, 2016

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California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-16-0040 (Santa Cruz Port District Dredging)

Issue Date: March 30, 2016

Page 1 of 3

This emergency coastal development permit (ECDP) authorizes the Santa Cruz Port District to allow: 1) entrance channel dredging and disposal operations to continue on an as-needed basis through May 31, 2016 (CDP 3-10-023 requires that such dredging and disposal operations cease on April 30th); 2) dredging and disposal activities to take place on Saturdays through May 31, 2016 (CDP 3-10-023 allows such activities Monday through Friday only); 3) dredging with disposal through the offshore pipeline from sunrise to 9 p.m., with no heavy equipment operation on the beach after sunset (CDP 3-10-023 allows such activities during daylight hours only) (all as more specifically described in the Commission's ECDP file); at the Santa Cruz Harbor and Harbor Beach/Twin Lakes State Beach in the City of Santa Cruz and unincorporated Santa Cruz County.

Based on the materials presented by the Permittee's representative, Marian Olin, severe shoaling and shallow entrance conditions have persisted in the Santa Cruz Harbor federal entrance channel since December 11, 2015, due to El Niño storms. The shallow conditions pose a threat to life and property and are disrupting navigability of the federal entrance channel and access to the Harbor, which is a state and federal harbor of refuge. Shoaling has also threatened the fuel pier and K-2 dock, risking damage to Harbor infrastructure and fuel pipelines, rupture of which could cause a spill of gasoline and diesel into Harbor waters and the Monterey Bay. Shallow conditions and breaking waves across the entrance channel have also caused numerous vessels to run aground and/or broach. The dangerous conditions have prevented transit for emergency response vessels, commercial boat towing services, commercial fisherman, charter operators, research and educational vessels, coastal mariners seeking refuge, and recreational boaters. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

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

Enclosure: Emergency Coastal Development Permit Acceptance Form

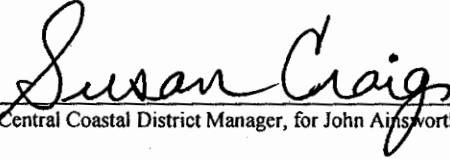
cc: Eddie Rhee-Pizano, California Department of Parks and Recreation (via email)
Sophie De Beukelaer, Monterey Bay National Marine Sanctuary (via email)
Debra O'Leary, U.S. Army Corps of Engineers (via email)
Peter von Langen, California Regional Water Quality Control Board (via email)
Brian Ross, U.S. Environmental Protection Agency (via email)
Sandy Hartunian, Monterey Bay Unified Air Pollution Control District (via email)
Karen Grimmer, National Oceanic and Atmospheric Administration (via email)

Emergency CDP G-3-14-0040 (Santa Cruz Harbor Dredging)

Issue Date: March 30, 2016

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



Susan Craig, Central Coastal District Manager, for John Ainsworth, Acting Executive Director

Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Santa Cruz Port District's designated representative and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by April 14, 2016). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 62 days of the date of this permit (i.e., by May 31, 2016) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency, and shall be authorized by a regular CDP. Within 90 days of the date of this permit (i.e. by June 28, 2016), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. The application shall include photos showing the project site before the emergency, during emergency project dredging and disposal activities, and after the work authorized by this ECDP is complete. The deadline in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Parks and Recreation, Monterey Bay National Marine Sanctuary, U.S. Army Corps of Engineers, California Regional Water Quality Control Board, U.S. Environmental Protection Agency, Monterey Bay Unified Air Pollution Control District, National Oceanic and Atmospheric Administration, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. The emergency activities shall be limited in scale, scope, and timing to entrance channel dredging and disposal activities as specifically identified in the Santa Cruz Port District's Emergency Permit Application Form dated received in the Coastal Commission's Central Coast District Office on March 23, 2016.

Emergency CDP G-3-14-0040 (Santa Cruz Harbor Dredging)

Issue Date: March 30, 2016

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8. Except as identified on page 1 above, all emergency dredging and disposal operations authorized by this ECDP shall otherwise conform to the requirements of CDP 3-10-023.
9. All emergency development is limited to the least amount necessary to abate the emergency.
10. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of dredging and disposal operations.
11. Copies of this ECDP shall be maintained in conspicuous locations at the Santa Cruz Harbor at all times, and such copies shall be available for public review on request. All persons involved with the dredging and disposal operations shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it.
12. 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.
13. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
14. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Conditions 4 and 5 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. For the development to be authorized under the Coastal Act a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-16-0005 (Rockview Drive Cut-Off Wall, Santa Cruz County)

Issue Date: January 15, 2016

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This emergency coastal development permit (ECDP) authorizes emergency development consisting of the excavation and construction of an approximate 65-foot-long reinforced concrete cutoff wall along the toe of the existing Rockview Drive seawall (CDP # 3-87-195), and retrieval and restacking of the existing fugitive riprap at the upcoast and downcoast ends of the seawall. **No placement of additional riprap is authorized.** The cutoff wall will be approximately 2 feet wide and between 8 and 12 feet deep, as measured from the top of the bedrock platform located immediately seaward of the Rockview Drive seawall, in the Pleasure Point area of Santa Cruz County (all more specifically described in the Commission's ECDP file). The emergency work is expected to take approximately 15 actual *working* days, but the project may take up to three months to complete because working days will be dependent on tides and weather.

Based on the materials presented by the Permittees, the central portion of the sandstone bedrock beach platform supporting the existing seawall is rapidly receding and threatens the safety of the public access pathway located adjacent to the top of the seawall. The Applicants' geotechnical consultant has estimated that the seaward edge of the bedrock platform near the middle of the seawall has receded landward on the order of 40 feet in less than eight months. The proposed emergency development is thus necessary to preserve the integrity of the seawall. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

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

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

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

Emergency CDP G-3-16-0005 (Rockview Drive Cut-Off Wall)

Issue Date: January 15, 2016

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Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by all the Permittees (property owners) and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by January 30, 2016). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only the emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 90 days of the date of this permit (i.e., by April 14, 2016) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency, and shall be removed if it is not authorized by a regular CDP. Within 120 days of the date of this permit (i.e. by May 14, 2016), the Permittees shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. The application shall include photos showing the project site before the emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete. Otherwise, the emergency development shall be removed in its entirety within 270 days of the date of this permit (i.e., by October 11, 2016) and all areas affected by it restored to their original pre-emergency development condition unless before that time the California Coastal Commission has issued a regular CDP for the development authorized by this ECDP. The deadlines in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittees agree to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Santa Cruz County, State Lands Commission, Monterey Bay National Marine Sanctuary, etc.). The Permittees shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's Central Coast District Office on January 8, 2016, except that **no placement of additional riprap is authorized.**
8. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances;

Emergency CDP G-3-16-0005 (Rockview Drive Cut-Off Wall)

Issue Date: January 15, 2016

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and (2) will not adversely impact coastal resources):

- a. All work shall take place during daylight hours. Lighting of the beach or intertidal area is prohibited.
- 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 waters is prohibited.
- d. Any construction vehicles operating on the beach area shall be 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. The only exceptions will be for: (1) erosion and sediment controls (e.g., a silt fence at the base of the construction area) as necessary to contain rock and/or sediments in the construction area, where such controls are placed as close to the toe of the bluff as possible, and are minimized in their extent; (2) storage of larger materials beyond the reach of tidal waters for which moving the materials each day would be extremely difficult. Any larger materials intended to be left on the beach overnight must be approved in advance by the Executive Director, and shall be subject to a contingency plan for moving said materials in the event of tidal/wave surge reaching them.
- f. 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. 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.
- g. The construction site shall maintain good construction site housekeeping controls and procedures (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 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.
- i. 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.
- j. All exposed slopes and soil surfaces in and/or adjacent to the construction area shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best

Emergency CDP G-3-16-0005 (Rockview Drive Cut-Off Wall)

Issue Date: January 15, 2016

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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.

- k. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/cleanup of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
 - l. The Permittee shall notify planning staff of the Coastal Commission's 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.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
 11. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
 12. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

The emergency development carried out under this ECDP is at the Permittees' risk and is considered to be temporary work done in an emergency situation to abate an emergency. For the development to be authorized under the Coastal Act, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT
Emergency CDP G-3-16-0041 (Manresa Uplands State Beach Staircase Removal)

Issue Date: April 12, 2016

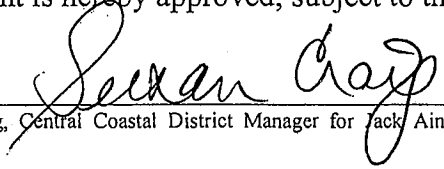
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This emergency coastal development permit (ECDP) authorizes emergency removal of the damaged sections of the staircase located at Manresa Uplands State Beach in Southern Santa Cruz County.

Based on the materials presented by the Permittee, California Department of Parks and Recreation (State Parks), and the Permittee's representative, Sheila Branon, significant damage to the Manresa Uplands Staircase occurred as a result of El Niño winter storms. Specifically, a large portion of the bluff edge fell onto the beach and several pilings that support the lower portion of the staircase were undermined during large ocean swells, causing two sections of the staircase to detach from the pilings. One of the staircase sections fell directly onto the beach and the other section was left hanging precariously from the intact portion of the staircase. The portion of the staircase that fell onto the beach remained intact, but was severely damaged. The Permittee's representative further noted that all damaged sections of the staircase posed a danger to the public, highlighting the need for immediate attention and removal. The proposed work commenced on March 30, 2016 following verbal approval from Coastal Commission staff. At present, all hazardous sections of the staircase have been successfully removed. The emergency repairs described in this permit were necessary to mitigate additional damage to the staircase and danger to public safety. The situation represented a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency existed that required action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs). Furthermore, the development, as required by ECDPs unless otherwise specified by the terms of the ECDP, was completed within 30 days (or in this case on March 30, 2016); and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

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


Susan Craig, Central Coastal District Manager for Jack Ainsworth, Acting Executive Director

Emergency CDP G-3-16-0041 (Manresa Uplands State Beach Staircase Removal)

Issue Date: April 12, 2016

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Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by April 27, 2016). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP is only temporary, and must be authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by June 11 2016), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. The deadlines in this condition may be extended for good cause by the Executive Director. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
4. The emergency repairs shall be limited in scale and scope to the work detailed in the Emergency Permit Application that was completed on March 30, 2016. Specifically, the work entailed the removal of two broken sections of staircase (including the dangling portion and the portion that had fallen onto the beach); the placement of boards at the entrance to the staircase to protect public safety; and the placement of caution tape surrounding the pillars on the beach.
5. State Parks Maintenance Supervisor, Barbi Barry, oversaw all construction activities and ensured that all emergency development was limited to the least amount necessary to abate the emergency.
 - a. All work shall take place during daylight hours. Lighting of the intertidal area is prohibited.
 - 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 intertidal or beach area shall be delivered by rubber-tired construction vehicles. If transiting on any beach area, all such vehicles shall remain as high on the upper beach as possible and avoid contact with harbor waters and intertidal areas.
 - e. All construction materials and equipment placed on any beach areas 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 any beach areas by sunset each day that work occurs. The only exceptions shall be for: (1) erosion and sediment controls (e.g., a silt fence at the base of the construction area) as necessary to contain rock and/or sediments in the construction area, where such controls are minimized in their extent; and (2) storage of larger materials beyond the reach of tidal waters for which moving the materials each day would be extremely difficult. Any larger

Emergency CDP G-3-16-0041 (Manresa Uplands State Beach Staircase Removal)

Issue Date: April 12, 2016

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materials intended to be left on any beach areas overnight must be approved in advance by the Executive Director, and shall be subject to a contingency plan for moving said materials in the event of tidal/wave surge reaching them.

- f. 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. 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.
 - g. 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.).
 - h. 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 any beach area that may form at low tide. 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.
 - i. All beach areas and all shoreline access points 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 all construction debris.
 - j. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required beach-area restoration activities. If planning staff should identify additional reasonable measures necessary to restore the beach and beach access points, such measures shall be implemented immediately.
6. 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.
7. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
8. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Condition 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. The Permittee must obtain a regular CDP to authorize the emergency work. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

Emergency CDP G-3-16-0041 (Manresa Uplands State Beach Staircase Removal)

Issue Date: April 12, 2016

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If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.