

**CALIFORNIA COASTAL COMMISSION**

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




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

*For the  
January 2017 Meeting of the California Coastal Commission*

January 06, 2017

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

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Central Coast District Office for the January 2017 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

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

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

**DE MINIMIS WAIVERS**

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

<b>Applicant</b>	<b>Project Description</b>	<b>Project Location</b>
<b>2-16-0187-W</b> Jackson Square Properties, Attn: Tom and Linda Coates	Construction of a new 1,900-square-foot, single-family residence and related site improvements	253 Seadrift Rd, Stinson Beach, Marin County 94970 (APN(s): 195-340-87)
<b>2-16-0738-W</b> Attn: Victoria Thorp and Jim Migdal	Construction of a new 2,061-square-foot, single-family residence and related site improvements	217 Seadrift Rd, Stinson Beach, Marin County 94970 (APN(s): 195-331-37)
<b>2-16-0756-W</b> Attn: Amy & Gordon Ritter	Construction of a new 3,203-square-foot, single-family residence and related site improvements	263 -265 Seadrift Rd, in the Seadrift area of Stinson Beach, Marin County (APN(s): 195-340-28)
<b>2-16-0900-W</b> Caltrans, Attn: Wajahat Nyaz	Construction of a buried 655 foot-long soldier-pile retaining wall and an improved surface drainage system, as well as shoulder widening for improved bicycle safety	on State Route 1 at PM 7.7 in Marin County (APN(s): 199-150-30)

**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.

<b>Applicant</b>	<b>Project Description</b>	<b>Project Location</b>
<p><b>G-2-16-0053</b> Jason West</p>	<p>Removal of existing unsupported deck and basement, followed by construction of a tied-back wall, approximately 160' x 30' x 2', to control future erosion of the sea cliff, including installation of steel anchors and reinforcement and application of structural shotcrete. The shotcrete walls will be textured and colored to blend into the natural coastal bluffs, and the surface will be shaped to conform to the natural geologic structure. The quantity of structure excavation for the tied-back wall will be limited to only that necessary for excavation of the wall keyway and for the placement of reinforcing steel, and shotcrete. In addition, installation of surface riprap at the upcoast and downcoast ends of the seawall to reduce outflanking, measuring 15 feet in length at a maximum 1.5:1 slope.</p>	<p>1112 Palmetto Ave, Pacifica, Ca 94044 (APN(s): 009291040)</p>
<p><b>G-2-16-0075</b> City of Daly City</p>	<p>(1) Repair and restoration of the north and south ends of the existing seaward revetment, consisting of placing approximately 11,000 total tons of imported 4-ton Cal Trans Class Armor Stone (rip rap) and smaller backing stone along identified portions of the revetment. Rip rap placed to repair the revetment will not extend beyond the existing revetment footprint. (2) Extend five outfall pipes along the seawall that have been buried and/or damaged, to allow unimpeded flow. (3) Clean, repair and/or replace sections of the site's storm water drainage channels to allow surface water to flow freely downslope</p>	<p>MUSSEL ROCK LANDFILL, DALY CITY (SAN MATEO COUNTY) APN(s): 008-460-010 (APN(s): 008460010)</p>

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** December 16, 2016  
**To:** All Interested Parties  
**From:** Nancy Cave, North Central Coast District Manager  
Jeannine Manna, North Central Coast District Supervisor *nm*  
**Subject:** **Coastal Development Permit (CDP) Waiver 2-16-0187-W**  
Applicants: Tom and Linda Coates

**Proposed Development**

Construction of a new 1,900-square-foot, single-family residence and related site improvements at 253 Seadrift Road in the Seadrift area of Stinson Beach, Marin 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 applicants regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

As proposed, the project will not have any significant adverse impacts on coastal resources, including public views, water quality and marine resources, and as proposed, accounts for potential coastal hazard risks, including future sea level rise. The project's siting, design, and scale is similar and consistent with that of surrounding development. The project represents infill residential development, and can be found consistent with both the Coastal Act and the Marin County LCP.

**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 January 12, in San Luis Obispo. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** December 16, 2016  
**To:** All Interested Parties  
**From:** Nancy Cave, North Central Coast District Manager  
Melis Okter, California Sea Grant State Fellow  
**Subject:** Coastal Development Permit (CDP) Waiver 2-16-0738-W  
Applicants: Victoria Thorp & Jim Migdal

### Proposed Development

Construction of a new 2,061-square-foot, single-family residence and related site improvements at 217 Seadrift Road in the Seadrift area of Stinson Beach, Marin 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 applicants regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

As proposed, the project will not have any significant adverse impacts on coastal resources, including public views, water quality and marine resources, and as proposed, accounts for potential coastal hazard risks, including future sea level rise. The project's siting, design, and scale is similar and consistent with that of surrounding development. The project represents infill residential development, and can be found consistent with both the Coastal Act and the Marin County LCP.

### 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 January 12, in San Luis Obispo. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** December 16, 2016  
**To:** All Interested Parties  
**From:** Nancy Cave, North Central Coast District Manager  
Melis Okter, California Sea Grant State Fellow  
**Subject:** Coastal Development Permit (CDP) Waiver 2-16-0756-W  
Applicants: Amy & Gordon Ritter

**Proposed Development**

Construction of a new 3,203-square-foot, single-family residence and related site improvements at 263-265 Seadrift Road in the Seadrift area of Stinson Beach, Marin 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 applicants regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

As proposed, the project will not have any significant adverse impacts on coastal resources, including public views, water quality and marine resources, and as proposed, accounts for potential coastal hazard risks, including future sea level rise. The project's siting, design, and scale is similar and consistent with that of surrounding development. The project represents infill residential development, and can be found consistent with both the Coastal Act and the Marin County LCP.

**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 January 12, in San Luis Obispo. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** December 23, 2016

**To:** All Interested Parties

**From:** Nancy Cave, North Central Coast District Manager  
Sara Pfeifer, North Central Coast Coastal Planner *ML*

**Subject:** **Coastal Development Permit (CDP) Waiver 2-16-0900-W**  
**Applicant:** California Department of Transportation (Caltrans)

### Proposed Development

Construction of a buried 655 foot-long soldier-pile retaining wall and an improved surface drainage system, as well as shoulder widening for improved bicycle safety on State Route 1 at PM 7.7 in Marin County.

### Executive Director's Waiver Determination

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

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

**Coastal Commission Review Procedure**

Because this project is bisected by the Commission's retained jurisdiction and the certified Marin County LCP jurisdiction boundary, the Applicant, Marin County, and the Commission have agreed to consolidate this permit action pursuant to Coastal Act Section 30601.3(a)(2). This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on January 12, 2017, in San Luis Obispo. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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



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**EMERGENCY PERMIT**

Issue Date: December 20, 2016  
Emergency Permit No. G-2-16-0053

**APPLICANT(S):**

Jason West  
2180 Lockhart Gulch Rd.  
Scotts Valley, CA 95066

**LOCATION OF EMERGENCY:**

1112 PALMETTO AVE, PACIFICA (SAN MATEO COUNTY)  
APN(s): 009-291-040

**EMERGENCY WORK:**

Removal of existing unsupported deck and basement, followed by construction of a tied-back wall, approximately 160' x 30' x 2', to control future erosion of the sea cliff, including installation of steel anchors and reinforcement and application of structural shotcrete. The shotcrete walls will be textured and colored to blend into the natural coastal bluffs, and the surface will be shaped to conform to the natural geologic structure. The quantity of structure excavation for the tied-back wall will be limited to only that necessary for excavation of the wall keyway and for the placement of reinforcing steel, and shotcrete. In addition, installation of surface riprap at the upcoast and downcoast ends of the seawall to reduce outflanking, measuring 15 feet in length at a maximum 1.5:1 slope.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of severe erosion, resulting from abnormally high tides and wave action due to increased storms and an El Nino year requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 60 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

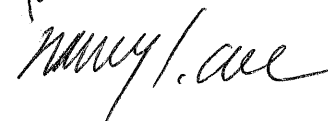
The emergency work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,

December 20, 2016

Emergency Permit No.: G-2-16-0053

John Ainsworth  
Acting Executive Director



By: Nancy Cave, District Manager

cc: Local Planning Department

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

**CONDITIONS OF APPROVAL:**

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANTS and returned to our office within 15 days of the date of this permit (by January 4, 2017).
2. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
3. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and their contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, a telephone number and email address that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.
4. Only that work specifically described in this permit and as more specifically described in the Commission's file for the Emergency CDP for the specific property listed above is authorized. The work permitted under this permit is the minimum necessary to address the emergency situation at hand and therefore, minimizing the extent of rock placed is strongly encouraged. Any additional work or maintenance to the rock rip rap placed pursuant to this permit requires separate authorization from the Executive Director. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's North Central Coast District Office on November 11, 2016, except as revised in the following manner:
  - a. All wood, concrete, steel, and other debris shall be removed entirely from the site and disposed of at a suitable off-site location outside the coastal zone.
  - b. Mitigation measures shall be implemented to ensure that all wood, concrete, steel, and other debris are appropriately contained and not allowed to be released into coastal waters.
5. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.

Construction materials, equipment or debris shall not be stored where it will or could potentially be subject to wave erosion and dispersion. Construction shall be conducted pursuant to typical best management practices such as:

- a. Construction times shall be isolated to weekdays and duration of construction constrained, to the maximum extent feasible, so as to minimize impacts to periods of high use public access.
- b. All construction areas shall be minimized and allow public recreational access along the beach and shall protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
- c. 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.
- d. Grading of intertidal areas is prohibited.
- e. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
- f. 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.
- 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. 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.
- h. The construction site shall maintain good construction site housekeeping controls and procedure (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
- 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. Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required

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

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

modification/extension is also necessary to temporarily abate the identified emergency; such modification/extension is sited and designed in such a way as to protect coastal resources as much as possible, including through imposition of additional ECDP conditions if necessary; and such modification/extension is subject to all of the terms and conditions of this ECDP, including any additional ECDP conditions added by the Executive Director in modifying/extending the authorization.

13. Within ninety (90) days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the Permittees shall either: (a) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal; or (b) submit a complete follow-up Coastal Development Permit (CDP) that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the Permittees shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the Permittees or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 30 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.
14. Failure to a) submit a complete follow-up CDP Application that complies with Condition 13 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit<sup>1</sup>, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP<sup>2</sup> will constitute a knowing and intentional violation of the Coastal Act<sup>3</sup> and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the Permittees' property; the issuance of a Cease and

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<sup>1</sup> In some instances, a permit may also be required for removal.

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

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

December 20, 2016

Emergency Permit No.: G-2-16-0053

Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

As noted in Conditions 7 and 8 above, 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. If the Permittees wish to have the emergency development become permanent development or to propose a different development project to protect property, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's North Central Coast District Office at 45 Fremont Street, Suite 2000, San Francisco, CA 94105, (415) 904-526

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## EMERGENCY PERMIT ACCEPTANCE FORM

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

RE: Emergency Permit No. G-2-16-0053

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

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

I also understand that the emergency work is TEMPORARY and that a regular Coastal Development Permit is necessary for any permanent installation. I agree to complete the regular Coastal Development Permit application within 90 days of the date of the emergency permit or I will remove the emergency work in its entirety within 90 days of the date of the emergency permit (i.e., by March 20, 2016). Finally, I understand that my failure either to:

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

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

\_\_\_\_\_  
Signature of Property Owner or  
Authorized Representative

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date of Signing



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**EMERGENCY PERMIT**

Issue Date: December 20, 2016  
Emergency Permit No. G-2-16-0075

**APPLICANT(S):**

City of Daly City  
John Fuller (representative)  
333 90<sup>th</sup> Street  
Daly City, CA 94015

**LOCATION OF EMERGENCY:**

MUSSEL ROCK LANDFILL, DALY CITY (SAN MATEO COUNTY)  
APN(s): 008-460-010

**EMERGENCY WORK:**

(1) Repair and restoration of the north and south ends of the existing seaward revetment, consisting of placing approximately 11,000 total tons of imported 4-ton Cal Trans Class Armor Stone (rip rap) and smaller backing stone along identified portions of the revetment. Rip rap placed to repair the revetment will not extend beyond the existing revetment footprint. (2) Extend five outfall pipes along the seawall that have been buried and/or damaged, to allow unimpeded flow. (3) Clean, repair and/or replace sections of the site's storm water drainage channels to allow surface water to flow freely downslope.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of severe rip rap displacement and erosion, resulting from abnormally high tides and wave action due to increased storms and an El Nino year requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 60 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

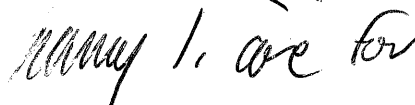
The emergency work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,

December 20, 2016

Emergency Permit No.: G-2-16-0075

John Ainsworth  
Acting Executive Director

A handwritten signature in cursive script that reads "Nancy Cave for".

By: Nancy Cave, District Manager

cc: Local Planning Department

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

**CONDITIONS OF APPROVAL:**

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANTS and returned to our office within 15 days of the date of this permit (by January 4, 2017).
2. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
3. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and their contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, a telephone number and email address that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.
4. Only that work specifically described in this permit and as more specifically described in the Commission's file for the Emergency CDP for the specific property listed above is authorized. The work permitted under this permit is the minimum necessary to address the emergency situation at hand and therefore, minimizing the extent of rock placed is strongly encouraged. Any additional work or maintenance to the rock rip rap placed pursuant to this permit requires separate authorization from the Executive Director. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's North Central Coast District Office on November 11, 2016, except as revised in the following manner:
  - a. All wood, concrete, steel, and other debris shall be removed entirely from the site and disposed of at a suitable off-site location outside the coastal zone.
  - b. Mitigation measures shall be implemented to ensure that all wood, concrete, steel, and other debris are appropriately contained and not allowed to be released into coastal waters.
5. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.

Construction materials, equipment or debris shall not be stored where it will or could potentially be subject to wave erosion and dispersion. Construction shall be conducted pursuant to typical best management practices such as:

- a. Construction times shall be isolated to weekdays and duration of construction constrained, to the maximum extent feasible, so as to minimize impacts to periods of high use public access.
- b. All construction areas shall be minimized and allow public recreational access along the beach and shall protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
- c. 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.
- d. Grading of intertidal areas is prohibited.
- e. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
- f. 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.
- 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. 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.
- h. The construction site shall maintain good construction site housekeeping controls and procedure (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
- 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. Permittees shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required

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

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

modification/extension is also necessary to temporarily abate the identified emergency; such modification/extension is sited and designed in such a way as to protect coastal resources as much as possible, including through imposition of additional ECDP conditions if necessary; and such modification/extension is subject to all of the terms and conditions of this ECDP, including any additional ECDP conditions added by the Executive Director in modifying/extending the authorization.

13. Within ninety (90) days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the Permittees shall either: (a) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal; or (b) submit a complete follow-up Coastal Development Permit (CDP) that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the Permittees shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the Permittees or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 30 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.
  
14. Failure to a) submit a complete follow-up CDP Application that complies with Condition 13 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit<sup>1</sup>, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP<sup>2</sup> will constitute a knowing and intentional violation of the Coastal Act<sup>3</sup> and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the Permittees' property; the issuance of a Cease and

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<sup>1</sup> In some instances, a permit may also be required for removal.

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

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

December 20, 2016

Emergency Permit No.: G-2-16-0075

Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

As noted in Conditions 7 and 8 above, 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. If the Permittees wish to have the emergency development become permanent development or to propose a different development project to protect property, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's North Central Coast District Office at 45 Fremont Street, Suite 2000, San Francisco, CA 94105, (415) 904-526



**CALIFORNIA COASTAL COMMISSION**

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

**EMERGENCY PERMIT ACCEPTANCE FORM**

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

RE: Emergency Permit No. G-2-16-0075

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

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

I also understand that the emergency work is TEMPORARY and that a regular Coastal Development Permit is necessary for any permanent installation. I agree to complete the regular Coastal Development Permit application within 90 days of the date of the emergency permit or I will remove the emergency work in its entirety within 90 days of the date of the emergency permit (i.e., by March 20, 2016). Finally, I understand that my failure either to:

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

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

Richard Chiu Jr.  
 Signature of Property Owner or  
 Authorized Representative

Richard Chiu Jr.  
 Print Name

Address: 333 - 90th Street  
Daly City, CA 94015

12-21-2016  
 Date of Signing