
CALIFORNIA COASTAL COMMISSION

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

For the

January 2017 Meeting of the California Coastal Commission

January 12, 2017

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 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 Central Coast District.

DE MINIMIS WAIVERS

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

Applicant	Project Description	Project Location
<p>3-16-0155-W San Luis Obispo County Department of Public Works</p>	<p>Replacement of an existing 77-foot-long by 21-foot-wide primarily wooden bridge with an 83-foot-long by 40-foot-wide primarily concrete bridge over Meadow Creek Lagoon on Air Park Drive in the community of Oceano in San Luis Obispo County. The bridge would include two 10-foot-wide lanes each with a three-foot-wide shoulder, raised six-foot-wide sidewalks on both sides of the roadway (separating vehicular from pedestrian traffic), aesthetic concrete barriers, two new concrete abutments on both sides of the bridge, and four new concrete support piles located underneath the middle portion of the bridge. Construction activities will include clearing and grubbing of adjacent vegetation, establishment of staging and storing areas, dewatering, bridge demolition and removal of creosote-treated timber piles, excavation for the new cast-in-drilled-hole pile abutments, rebar placement, concrete pouring, and new bridge construction. Finally, the project will involve restoration activities in the upper portion of the Meadow Creek Lagoon as mitigation for temporary and permanent project impacts.</p>	<p>Air Park Dr., Oceano, San Luis Obispo County</p>
<p>3-16-0897-W California Department of Parks and Recreation</p>	<p>State Parks proposes to construct improvements to eliminate barriers to disabled persons' accessibility at various "Comfort Stations," the Group Picnic Area, the Visitor Center's sales counter, and the existing beach access ramp, all at Seacliff State Beach. The proposed improvements are designed to improve and enhance public access at the State Beach, particularly for persons with disabilities</p>	<p>201 State Park Dr., Seacliff State Beach, Aptos, Santa Cruz County</p>

CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>3-16-0924 Santa Cruz Port District</p>	<p>Follow-up application for a Coastal Development Permit for tsunami disaster recovery projects. Projects are varied and include emergency response, dock demolition and reconstruction; and electrical service replacement. Follow up to 3-11-045-G</p>	<p>135 5th Ave, Santa Cruz, Santa Cruz County</p>
<p>3-16-0978-W South Bay Wild</p>	<p>The Applicant is seeking to modify an existing single-story building to accommodate retail use, and to add an awning to the exterior of the building. The current structure is used solely for fish storage, processing, and as a wholesale fish market for local restaurants and food markets. The project will convert part of the interior of the structure for retail fish sales, adding a small office, retail counter and tables, a sink and a small refrigerated glass display case. The remainder of the building will be retained for the above-described existing uses. The project will also add an awning (9'11" by 10'6" by 21'6") on the seaward side of the structure. Finally, the project will incorporate coastal viewing signs attached to the building to direct the public to the platform area on the seaward side of the building, which provides views of Morro Bay. This platform area will be open to the public except when activities related to the operations of the business, such as the unloading of fish from the company's commercial fishing vessel, are taking place. As soon as those activities are completed, the platform will be reopened to the public. The project is located at 1217 Embarcadero, in Morro Bay, San Luis Obispo County</p>	<p>1217 Embarcadero Rd, Morro Bay, San Luis Obispo County</p>
<p>3-16-1073-W G & Brenda Venkatesh</p>	<p>Construction of a new driveway entrance and entrance gate, and replacement of existing grape stake fencing.</p>	<p>173 Spindrift Rd, Carmel area, Monterey County</p>
<p>3-16-1091-W AT&T</p>	<p>Replacement of an existing microwave passive reflector / communication device and mounting infrastructure near Manuel Peak in the Ventana Wilderness area of Big Sur, Monterey County.</p>	<p>Manuel Peak, on US Forest Service land 36 16 09.98 N, 121 46 17.66 W, Big Sur, Monterey County</p>

EMERGENCY PERMITS

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

Applicant	Project Description	Project Location
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

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NOTICE OF PROPOSED PERMIT WAIVER

Date: December 28, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Daniel Robinson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-16-0155-W**
Applicant: San Luis Obispo County Department of Public Works

Proposed Development

Replacement of an existing 77-foot-long by 21-foot-wide primarily wooden bridge with an 83-foot-long by 40-foot-wide primarily concrete bridge over Meadow Creek Lagoon on Air Park Drive in the community of Oceano in San Luis Obispo County. The bridge would include two 10-foot-wide lanes each with a three-foot-wide shoulder, raised six-foot-wide sidewalks on both sides of the roadway (separating vehicular from pedestrian traffic), aesthetic concrete barriers, two new concrete abutments on both sides of the bridge, and four new concrete support piles located underneath the middle portion of the bridge. Construction activities will include clearing and grubbing of adjacent vegetation, establishment of staging and storing areas, dewatering, bridge demolition and removal of creosote-treated timber piles, excavation for the new cast-in-drilled-hole pile abutments, rebar placement, concrete pouring, and new bridge construction. Finally, the project will involve restoration activities in the upper portion of the Meadow Creek Lagoon as mitigation for temporary and permanent project impacts.

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 waives the requirement for a CDP for the following reasons:

The existing bridge, originally built in 1940, has four spans, timber stringers, and a timber plank deck supported by timber pile caps over timber piles. According to Caltrans, the existing bridge is classified as structurally deficient due to its deteriorating wooden components. Given that the existing bridge is deficient, the entire bridge must be replaced to meet American Association of State Highway and Transportation Officials Bridge Design Specifications, which all state- and federally-funded bridge projects must adhere to.

The proposed demolition involves removal of creosote-treated timber piles and installation of concrete abutments and piles. Installing these new abutments and piles will require full containment and isolation from the lagoon; therefore dewatering operations will be necessary. However, project activities will be completely isolated from Meadow Creek Lagoon with a containment system utilizing sheet piles, sandbags, and/or water-filled bladder dams with pipes. The diversion will be in place from June 1st to October 31st. Any temporary fill associated with dewatering will be removed at the end of the construction, returning the lagoon to its original condition. Once the area under the bridge is isolated, the

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-16-0155-W (Air Park Drive Bridge, Oceano)
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creosote-treated timber piles and the soil around them, as well as any groundwater encountered during these activities, will be removed and disposed of off-site. Following this, a cast-in-place concrete slab bridge will be constructed with the continued use of the best management practices listed above to protect the lagoon during this phase.

The project will remove approximately 130 square feet of fill from the lagoon channel and creek banks, including creosote-treated piles and abutments, and will add approximately 390 square feet of abutments and piles, for a net total addition of 260 square feet of fill. Significant discussion was undertaken with County staff regarding alternative bridge designs, including a single-span or free-span option, which would avoid the need for piles to be placed in the lagoon channel. However, based on significant engineering discussions between Commission staff (including the Commission's Senior Engineer) and County staff (including the County's contracted bridge engineer), Commission staff has determined that the least environmentally damaging alternative, as required by Coastal Act Section 30213, is the County's proposed double-span option, which includes four piles in the lagoon channel and two abutments on the creek banks. A single-span bridge option (which would avoid abutments in the lagoon channel and creek banks) was evaluated. However, because a single-span bridge would not have a middle support, it would necessarily need to have more thickness than a double-span bridge of this same length (approximately 83 feet). Because the bottom of such a single-span bridge (i.e. the soffit) could not be lowered in elevation in this case (because such lowering would result in a higher incidence of bridge flooding currently and into the future, especially given sea level rise), the top of a single-span bridge (which would include the roadway) would necessarily be higher in elevation than the existing bridge and the proposed double-span bridge. Thus, in order to connect the adjacent roadway to the higher single-span bridge elevation, the roadway approaches on each end of the bridge would need to be raised for a length of about 75-100 feet, which in turn would create significant impacts to land, driveways, and other associated infrastructure nearby. Specifically, a single-span option would impact adjacent park and recreational lands (due to the loss of public parking along the roadway and increased grading and cut/fill), create visual resource impacts (due to the bridge being higher in elevation), cause the ingress/egress and circulation impacts previously mentioned, and result in significant increases to the overall cost of the project. Therefore, based on the above, the appropriate option in this case is the double-span bridge that includes abutments in the lagoon channel and on the creek banks.

The project includes a Habitat Mitigation and Monitoring Plan (HMMP), including reseeded and restoration of the lagoon banks, as well as habitat restoration of an island within Meadow Creek Lagoon as mitigation for the project's temporary and permanent impacts. The HMMP includes the removal of invasive species, the planting of native plant species, a restoration schedule, and success criteria.

Finally, all equipment and materials will be staged within the Oceano County Airport parking lot located immediately to the southeast of the bridge, or, if additional space is necessary, within the vacant lot located immediately to the north of the airport parking lot. In addition, the work will not impact any public accessways, even though vehicular access will be temporarily impacted during construction. As this area is located well inland of the ocean, and other bridges are located nearby, no impacts to vehicular or other public access are foreseen. For all of the above reasons, the project will not have any significant adverse impacts on coastal resources, including public access to the shoreline, and thus is consistent with the Coastal Act.

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-16-0155-W (Air Park Drive Bridge, Oceano)
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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 Thursday January 12, 2017 in San Luis Obispo. 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: December 28, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager *SC*
Rainey Graeven, Coastal Planner *RG*
Subject: Coastal Development Permit (CDP) Waiver 3-16-0897-W
Applicant: California Department of Parks and Recreation (State Parks)

Proposed Development

State Parks proposes to construct improvements to eliminate barriers to disabled persons' accessibility at various "Comfort Stations," the Group Picnic Area, the Visitor Center's sales counter, and the existing beach access ramp, all at Seacliff State Beach. The proposed improvements are designed to improve and enhance public access at the State Beach, particularly for persons with disabilities.

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 proposed project will enhance various visitor-serving facilities at Seacliff State Beach. Improvements to the Comfort Stations (i.e. restrooms/ shower/ changing facilities) will primarily consist of interior renovations to walls, floors, bathroom fixtures and counters. The project also includes the construction of a 720-square-foot accessible path that will connect the accessible parking stalls to Comfort Station #5, and the construction of an approximately 250-square-foot accessible path connecting the picnic table area and shower area. In addition, an existing drinking fountain will be replaced with a free-standing Hi-Low accessible drinking fountain, and existing exterior showers will be demolished and replaced. The plans also include the construction of a bioswale for collection and treatment of surface water/ runoff. Improvements to the Visitor Center include demolishing and reconstructing the cabinetry at the sales desk to improve accessibility. Finally, the project also includes demolition and reconstruction of an existing Beach Access Ramp in an effort to improve accessibility, consistent with ADA standards. Construction of the access ramp will include driving six new 18" precast concrete piles; casting-in-place five concrete beams 12" deep; installing 24" Fiber Reinforced Polymer girders; resurfacing the area above the retaining wall; and installing a new, more accessible fiber grate ramp surface.

The project plans include implementation of Best Management Practices (BMPs), as well as a Storm Water Pollution Prevention Plan. Relevant BMPs include ensuring that all heavy equipment parking, refueling, and service is conducted outside of the 100-year floodplain of Aptos Creek to avoid water contamination; tarping any stockpiled materials or soils; and use of

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-16-0897-W (Seacliff State Beach Accessibility Improvements)

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silt fences, straw bale barriers, and fiber rolls, and other structural containment measures to reduce or eliminate the discharge of soil, surface water runoff, and pollutants during all excavation, grading, trenching, repaving, and any other ground-disturbing activities. No construction equipment will be stored on the beach. In addition, the project will comply with all applicable water quality standards as specified in the Central Coast Regional Water Quality Control Board (CCRWQCB) Basin Plan, and all construction activity will be suspended during heavy precipitation events (i.e.: at least ½-inch of precipitation in a 24-hour period) or when heavy rains are forecasted. Finally, because the project is expected to commence in August of 2017 and be completed by March of 2018, the contractor will properly winterize the site by covering (tarping) any stockpiled materials as described above (i.e.: silt fences, straw bale barriers, fiber rolls, etc.).

In sum, the purpose of the project is to improve recreation and public access opportunities at Seacliff State Beach by providing improved accessibility. Although construction activities will result in temporary impacts to public access, these impacts will be minimized through strategically staging the construction activities at the Comfort Stations to avoid the simultaneous closure of two adjacent Comfort Stations. In addition, the main road and walkway that runs parallel to the beach will remain open throughout construction, and the staging area for the projects will be split into two areas in an effort to minimize construction-related traffic and any impacts to normal visitor use. Finally, although the beach ramp will be closed for approximately three months to allow for its demolition and reconstruction, these impacts will be temporary and the completed project will result in a substantial increase in accessibility. The project will also prevent adverse impacts to water quality, consistent with the requirements of the CCRWQCB. Accordingly, the proposed project will not adversely impact coastal resource, 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 Thursday, January 12, 2017 in San Luis Obispo. 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 Rainey Graeven in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: December 28, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-16-0924-W**
Applicant: Santa Cruz Port District

Proposed Development

Recognition of the work completed under Emergency Coastal Development Permit (ECDP) No. 3-11-045-G. The project includes emergency response debris removal, dock shoring, miscellaneous infrastructure and equipment repairs, pile removal and replacement, seawall repairs, utility repairs, embankment stabilization and restoration, dock demolition and reconstruction, and electric service replacement at various locations throughout the Santa Cruz Harbor, adjacent to the City of Santa Cruz's eastern boundary. See **Exhibit 1** for the complete project list.

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:

On March 11, 2011, a tsunami caused widespread damage to the Santa Cruz Harbor's marine infrastructure. The repair efforts were funded by FEMA, CalEMA, and the Santa Cruz Port District. The repair work included replacing several docks "in kind," with only a minor increase in square footage (roughly a 1.3% increase in dock area to ensure ADA-accessibility and to improve and ensure code compliance and compatibility with safety standards). The emergency pile replacement entailed removing and replacing broken, bent, and unstable pilings throughout the harbor with new concrete/steel piles. The repair to the commercial fishing landing dock and other various docks and end-ties entailed removing and replacing broken/damaged structural members, utilities and decking. The bank stabilization project entailed restoration of the shoreline to stabilize the bank and prevent erosion and to protect the roadways and utilities. Repairs to the seawall entailed replacing any missing riprap and backfilling the west side of the seawall. Finally, a fuel line was also damaged and replaced in kind.

The work completed under ECDP 3-11-045-G and proposed to be authorized under 3-16-0924-W is necessary for the continued operation of the Santa Cruz Harbor, which supports a variety of public access opportunities and visitor serving uses including: boating, rowing, stand-up paddling, fishing, educational outreach, and whale watching.

For the various project components, the Port District implemented all applicable Best Management Practices to ensure protection of water quality and marine and coastal resources, including but not limited to: 1) material containment, which entailed preventing foreign materials (e.g. construction scraps, wood preservatives, other chemicals, etc.) from entering harbor or other state waters; 2) treating

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-16-0924-W (Tsunami Disaster Recovery Project)
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wood materials at onshore locations to preclude the possibility of spills into the harbor or other state waters; 3) using a containment boom around the construction sites to prevent materials from entering the water; 4) using heavy-duty mesh containment netting for work beneath fixed decks to prevent construction materials from entering the water; 5) briefing construction crews on appropriate precautions and reporting any accidental spills; 6) dewatering the concrete pour sites and implementing caisson barriers to ensure containment; 7) using silt fences around the perimeter of the construction sites to prevent construction-related runoff and/or sediment from entering the Pacific Ocean to the maximum extent feasible; 8) limiting work to daylight hours; 9) minimizing construction encroachment on the beach to have the least impact on public access; 10) ensuring that equipment washing, refueling, and/or servicing did not take place on the beach or pier; and 11) maintaining good construction and housekeeping controls and procedures.

In sum, this waiver authorizes the emergency response and work completed under ECDP 3-11-045-G, which allowed the Santa Cruz Harbor to continue to operate and serve its critical role in providing public access, recreational, and visitor-serving opportunities. Furthermore, the project incorporated all applicable BMPs to ensure it would not adversely impact coastal resources, including public access, 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 Thursday, January 12, 2017, in San Luis Obispo. 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 Rainey Graeven in the Central Coast District office.

Santa Cruz Port District
March 11, 2011, Tsunami Disaster
Project List

PW #	PROJECT	LOCATION	DESCRIPTION	NOTES
1	U Dock	U-dock	Reconstruct U-dock	
4	Pilings	Throughout Harbor	Emergency pile replacement	
5	V2 Dock	V-2 dock	Reconstruct dock	
6	V1 Dock	V-1 dock	Reconstruct V-dock	
11	West Seawall	Seawall D & F dock	Repair tiebacks and sheetpiles, replace lost structure backfill	
12	E Dock	E-dock	Reconstruct dock	
13	L Dock	L-dock	Reconstruct dock	
14	F Dock	F-Dock	Reconstruct dock	
15	H Dock	H-dock	Reconstruct dock	
16	P Dock	P-dock	Reconstruct dock	
17	S Dock	S-dock	Reconstruct dock	
18	Q Dock	Q-dock	Reconstruct dock	
19	D Dock	D-dock	Reconstruct dock	
20	C Dock	C-dock	Reconstruct dock	
21	O Dock	O-dock	Reconstruct dock	
22	Boatyard Dock	Boatyard	Reconstruct dock	
23	I Dock	I-dock	Reconstruct dock	
24	Rowing Dock	Rowing dock	Reconstruct dock	
25	Dredge Subline Repair	Seabright	Repair dredging pipeline in entrance	
26	K Dock	K-dock	Reconstruct dock	
27	B Dock	B-dock	Reconstruct dock	
28	M Dock	M-dock	Repairs to structural connections, decking, flotation and utilities	
29	Commercial Fishery	Comm'l Fishery	Reconstruct dock	
30	T Dock	T-dock	Reconstruct dock	
31	Embankment/Culverts	I and FF-dock Embankment	Replace failed rip rap, remove sediment deposit at outlet	
32	R Dock	R-dock	Reconstruct R-dock	
33	N Dock	N-dock	Reconstruct dock	
37	Sedimentation Removal	NH and Entrance	Removal of tsunami sedimentation	
40	Aeration	Aeration System	Repair damaged electrical connections and panels, brackets and supports	
45	Debris/Vessel Removal	Throughout Harbor	Debris and vessel removal	
47	AA, FF Dock	AA & FF-dock	Misc. repairs to AA and FF-dock	Project deobligated. Completed as part of emergency repairs
48	Fuel System	Fuel System	Repairs to Fuel Dock and Fuel System	
49	G Dock	G-Dock	Misc. repairs to G-dock	
50	J Dock, X Dock, W Dock	J-Dock	Misc repairs to J Dock (Combine W&X)	
58	Misc. Dock Repairs/Kayak Dock	Misc dock repairs	Miscellaneous Dock Repairs (Kayak Docks)	
59	Abutement, Dredge pipe supports	Railroad abutement	Remove broke abutement from channel, restore bank protection under railroad bridge	
60	Emergency Dock Repairs	Throughout Harbor	Emergency repairs to docks, piers, pilings and utilities	
61	Emergency Response	Throughout Harbor	Emergency response for security, salvage, debris removal and disaster operations	
62	Structural Inspection	Throughout Harbor	Structural inspection of docks, piers, piles and utilities	
68	A Dock	A-dock	Reconstruct dock	
70	SH Electrical	SH Electrical*	Establish electrical service in accordance with codes.	
71	Almar, HBI, Dredge Skiff	Vessel Damage	Almar, HBI and dredge skiff	

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NOTICE OF PROPOSED PERMIT WAIVER

Date: December 28, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Yair Chaver, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-16-0978-W**
Applicant: Tiffany Seitz (South Bay Wild, Inc.)

Proposed Development

The Applicant is seeking to modify an existing single-story building to accommodate retail use, and to add an awning to the exterior of the building. The current structure is used solely for fish storage, processing, and as a wholesale fish market for local restaurants and food markets. The project will convert part of the interior of the structure for retail fish sales, adding a small office, retail counter and tables, a sink and a small refrigerated glass display case. The remainder of the building will be retained for the above-described existing uses. The project will also add an awning (9'11" by 10'6" by 21'6") on the seaward side of the structure. Finally, the project will incorporate coastal viewing signs attached to the building to direct the public to the platform area on the seaward side of the building, which provides views of Morro Bay. This platform area will be open to the public except when activities related to the operations of the business, such as the unloading of fish from the company's commercial fishing vessel, are taking place. As soon as those activities are completed, the platform will be reopened to the public. The project is located at 1217 Embarcadero, in Morro Bay, San Luis Obispo County.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13253 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 proposed project will enhance the existing fish storage, processing, and wholesale business by adding a retail fish sales component to the business, which will serve to support the commercial fishing along the northern portion of the Embarcadero. There will be no increase in the footprint of the building to accommodate the new retail use. Proposed improvements include signs informing passersby of the coastal viewing opportunity adjacent to the building. In addition, the project will include Best Management Practices for debris containment, spill prevention and response, and daily housecleaning to ensure the ocean's water quality is protected during construction. The proposed awning will not impact views of the ocean as seen from the Embarcadero. Accordingly, not only will the project not have any significant adverse impacts on coastal resources, but it will improve coastal viewing opportunities along the Embarcadero, consistent with the Coastal Act.

Coastal Commission Review Procedure

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-16-0978-W (South Bay Wild)

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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 Thursday, January 12, 2017 in San Luis Obispo. 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 Yair Chaver in the Central Coast District office.

3-16-0978-W

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060
Susan Craig & Yair Chaver

RECEIVED

JAN 09 2017

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1/1/17

RE: Wavier 3-16-0978-W

Recently we received a notice regarding the above Coastal Development Permit Wavier. The envelope that contained this notice had a return address for South Bay Wild which was partially covered by a CCC return address adhesive label. Our notice was clearly hand addressed to "Tognazzini's Darkside".....not a mistake, but a clearly and purposefully hand written act that incorrectly spelled "Dockside" as "DARKSIDE." I have enclosed a copy that does not clearly show the South Bay Wild return address but I assure you the original does. This is merely an example of South Bay Wild's owner's disdain and disrespect for one of its proposed closest neighbors.

We would like you to know that we have openly opposed this proposed development for years. This "existing" building never existed prior to 2007 and was only supposed to be a temporary work "shed" for a future adjoining development that included this site as well as plans for a public pocket park directly to the east.

The promise by the original developer was that the shed would be completely removed giving the public an open water view and enhanced experience of the proposed pocket park. Of course it is easy to see that there is little benefit for a public pocket park if the only view it has is a paved parking lot to one side and this "existing building" to the other.

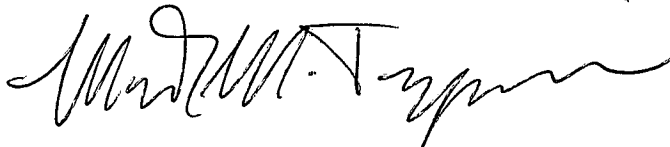
This site along with the remainder of the adjoining lease sites were are connected to a major redevelopment plan that has been twisted and manipulated by local officials over the past few years. The result has been that this "shed" has somehow been allowed to remain, and now possibly be occupied with a new business. It has become painfully obvious how the history of this project and others connected to it have become an agreed upon fable.

Returning to the permit waiver request; we asked it be denied due to the fact that the plans for proposed development have already taken place and the building has already been modified. We have watched them do business out of its rear door for months and months. We have regularly witnessed both retail and wholesale customers come and go. In matter of fact our current city manager had admitted to doing business at this address. So anytime throughout this notice when it states "seeking" ... "convert" ... "adding" ... "proposed" ...etc....it is false and incorrect as these changes have already taken place. These modifications including the awning were completed months ago yet oddly only recently was the awning removed. We also find it ironic that this notice addresses "best management practices," a moot point as the construction has already taken place.

In conclusion we have watched our neighbors already do many of the things that they are proposing in the CCC grant waiver. We believe that this project has become one of those where it is easier to ask for forgiveness than for permission and possibly that the benefits of doing what they wanted have thus far outweighed the risks. Please do not reward them for trying to cheat and beat the process. We respectfully ask that the wavier be denied and a full Coastal Development Permit be required.

Sincerely,

Mark M. Tognazzini

A handwritten signature in black ink, appearing to read 'Mark M. Tognazzini', written in a cursive style.

Tognazzini's Dockside Restaurants

Morro Bay, CA 93442

805-441-1451 cell

805-772-8100 work



SAN JOSE CA 950

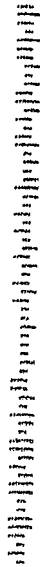
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CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
775 FRONT ST STE 300
SANTA CRUZ CA 95060

Tognazzini's Dark Side
1245 Embarcadero Rd.
Morro Bay, CA

93442

93442-204145



CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
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NOTICE OF PROPOSED PERMIT WAIVER

Date: December 28, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Program Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-16-1073 -W**
Applicants: Gopalakrishnan & Brenda Venkatesh

Proposed Development

Construction of a new driveway entrance and entrance gate, and replacement of existing grape stake fencing at 173 Spindrifft Road, in the unincorporated Carmel Area of Monterey County (APN 241-301-014).

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13250 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:

The proposed driveway realignment, gate, and fencing would be compatible with the size, scale, and aesthetics of the residential neighborhood in which it is located. The project includes construction Best Management Practices to prevent erosion and discharge of pollutants, and to mitigate storm water runoff. The proposed project was reviewed by the Monterey County Resource Management Agency (RMA), which found that the design of the proposed project assures the protection of the public viewshed and is consistent with the neighborhood character. The project represents an improvement to an existing residential property in a residential neighborhood, and therefore has no potential for adverse effects on coastal resources, including public access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, January 12, 2017 in San Luis Obispo. 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 Mike Watson in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: December 28, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-16-1091-W
Applicant: AT&T

Proposed Development

Replacement of an existing microwave passive reflector / communication device and mounting infrastructure near Manuel Peak in the Ventana Wilderness area of Big Sur, Monterey 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 proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed 24' x 20' reflector is a replacement for an existing damaged microwave unit that provides local communication services to the entire Big Sur community, including cell phone, internet, and emergency 911 services. Damage to the existing reflector causes frequent service disruptions. The replacement unit will be installed in approximately the same location near the top of Manuel Peak in the Ventana Wilderness, roughly 2.5 miles inland from State Route 1. The microwave unit is not in the critical viewshed and given the topography and vegetation in the area, the unit will not be visible from Highway 1. Installation of the microwave reflector will be performed by helicopter and will not adversely affect public access and use of the Manuel Peak trail. Construction BMPs will be employed to ensure that the construction area is kept tidy and all materials are contained to prevent debris from littering the forest. The project will not otherwise adversely impact coastal resources or 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 Thursday, January 12, 2017, in San Luis Obispo. 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 AMENDMENT

Date: December 28, 2016
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner
Subject: **Proposed Amendment to Coastal Development Permit (CDP) A-3-SCO-06-006**
Applicants: Mark and Laurie Woodward

Original CDP Approval

CDP A-3-SCO-06-006 was approved by the Coastal Commission on October 15, 2008, and provided for the demolition of an existing 3,345-square-foot single-story home and construction of a new 7,021-square-foot two-story home in the unincorporated Live Oak area of Santa Cruz County. CDP A-3-SCO-06-006 has been amended one time (A-3-SCO-06-006-A1) to allow for the construction of a 184-square-foot guest bedroom on the second story and the construction of a spiral staircase to access the upper deck.

Proposed CDP Amendment

CDP A-3-SCO-06-006 would be amended to modify Special Condition 1(g) (Exterior Materials and Finishes) to allow for a thin layer of plaster (i.e. stucco) to be applied on the exterior of the second story of the residence. Please see **Exhibit 1** for the modified condition language. The Commission's reference number for this proposed amendment is **A-3-SCO-06-006-A2**.

Executive Director's Immateriality Determination

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

The proposed amendment would modify Special Condition 1(g) (Exterior Materials and Finishes) to allow for a thin layer of plaster (i.e. stucco) to be applied on the exterior of the second story of the residence. Condition 1(g) requires the use of natural materials on the exterior of the residence. The Applicants have requested this change because the house is located directly adjacent to the ocean and therefore is highly susceptible to marine elements. The Applicants' contractor explained that wood materials rot rapidly in the marine environment, and therefore the Applicants will use natural stone for the lower floor exterior walls (which is consistent with the requirements of Condition 1(g) regarding use of natural materials). However, using natural stone on the second story as well would be visually "heavy" and the Applicants' contractor states that plaster has become the preferred exterior finish for residences along the coast, as demonstrated by several recent projects in the vicinity. Moreover, the amended condition would continue to require that exterior materials and finishes resemble the natural bluff coloring (i.e.: greens, browns, beiges, etc.). The Applicants have provided a sketch of the proposed amended project, which is attached hereto as **Exhibit 2**. In sum, the proposed amendment is minor in nature, and consistent with the intent of the Commission's original CDP approval, including ensuring

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP A-3-SCO-06-006 (Woodward Residence)

Proposed Amendment A-3-SCO-06-006-A2

Page 2

that the structure will blend in with the natural surrounding environment. Lastly, the amended project remains consistent with the Coastal Act and the certified Santa Cruz County Local Coastal Program.

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Thursday, January 12, 2017 in San Luis Obispo. If three Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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

1. Condition Language with ~~strike through~~ representing language proposed to be removed and underline representing language proposed to be added:

(g) **Exterior Materials and Finishes.** All exterior materials and finishes shall be natural (i.e.: wood or wood-simulated sheathing, shingles, trim, roof, etc.) with the exception of the exterior of the second story, which may be coated in a thin layer of plaster (i.e.: stucco). ~~and~~ In addition, all exterior materials and finishes shall be consistent in color with the natural bluffs (i.e.: greens, browns, beiges, etc.) ~~Stucco exterior is prohibited.~~ A variety of articulations shall be used and a flat façade and roofline (except for the first story deck) shall be avoided.





California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

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

Issue Date: December 9, 2016

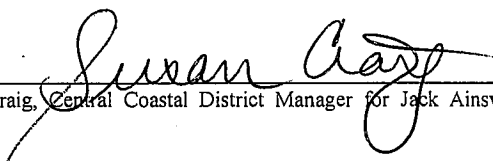
Page 1 of 5

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: December 9, 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 December 24, 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 49 days of the date of this permit (i.e., by January 27, 2017) 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 February 7, 2017), 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 May 8, 2017) 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: December 9, 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: December 9, 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: December 9, 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.