

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT OFFICE  
45 FREMONT STREET, SUITE 2000  
SAN FRANCISCO, CA 94105  
PHONE: (415) 904-5260  
FAX: (415) 904-5400  
WEB: WWW.COASTAL.CA.GOV

**W9**

**Prepared March 3, 2017 (for March 8, 2017 Hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Dan Carl, Central Coast District Director

**Subject:** North Central Coast District Director's Report for March 2017 *dk*

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the North Central Coast District Office are being reported to the Commission on March 8, 2017. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's North Central Coast District Office in San Francisco. Staff is asking for the Commission's concurrence on the items in the North Central Coast District Director's Report, and will report any objections received and any other relevant information on these items to the Commission when it considers the Report on March 8th.

With respect to the March 8th hearing, interested parties can sign-up to address the Commission on each individual item prior to the Commission's consideration of this report in its agenda slot, and the Commission can overturn staff's noticed determinations (i.e., other than for emergency CDPs) subject to certain criteria in each case (see individual notices for specific requirements).

**Items being reported on March 8, 2017 (see attached)**

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- Bolinas temporary drilling of exploratory geotechnical borings CDP waiver (Marin County)
- Seadrift SFR CDP waiver (Marin County)
- Great Highway placement of sandbags CDP Emergency Permit (San Francisco City and County)

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** February 22, 2017  
**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 2-16-0965-W  
**Applicant:** Anne Boswell Bertrand, Bosber, LLC

**Proposed Development**

Construction of a new 2,219-square-foot, single-family residence and related site improvements at 287 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 applicant 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 Local Coastal Program.

**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 March 8, 2017, in Ventura. 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:** February 17, 2017

**To:** All Interested Parties

**From:** Nancy Cave, North Central Coast District Manager  
Jeannine Manna, North Central Coast District Supervisor

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

**Subject:** Coastal Development Permit (CDP) Waiver Number 2-16-1029-W  
Applicant: Marin County Parks and Open Space District

**Proposed Development**

Temporary drilling of eight exploratory geotechnical borings within roadside pullouts located at the north end of Bolinas Lagoon at the intersection of Highway 1, Fairfax Bolinas Road and Olema Bolinas Road in Bolinas, 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 Applicant regarding the proposed development, the Acting Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The purpose of the proposed project is to assess the underlying rock at the north end of Bolinas Lagoon to develop a cost estimate for the proposed Bolinas Lagoon North End Wetland Enhancement and Sea Level Rise Adaptation Project. The proposed geotechnical investigation is adequately sited and designed to avoid potential impacts to coastal resources. Best management practices have been incorporated including preconstruction surveys and contingency measures for sensitive species, traffic controls, and containment of all hazardous materials to a designated staging area, to ensure there will be no adverse effect on public access, biological resources and water quality. The project has received all necessary approvals from Marin County Department of Public Works and Environmental Health Services and Caltrans. For the reasons listed above, the proposed project is consistent with Chapter 3 of the Coastal Act and the certified Marin County Local Coastal Program.

**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 March 8, 2017, in Ventura. 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 Jeannine Manna in the North Central Coast District office.**

**CALIFORNIA COASTAL COMMISSION**

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**EMERGENCY PERMIT**

Issue Date: February 14, 2017  
Emergency Permit No. G-2-17-0010

**APPLICANT:**

City of San Francisco, Department of Public Works  
Attn: Boris Deunert  
30 Van Ness Ave. 5<sup>th</sup> Floor  
San Francisco, CA 94102

**LOCATION OF EMERGENCY:**

ADJACENT TO OCEAN BEACH SEAWARD OF THE GREAT HIGHWAY AT  
NORIEGA STREET, 80 FEET SOUTH OF THE END OF NORIEGA STEET.

**EMERGENCY WORK:**

Placement of sandbags in an area approximately 70 feet long and 20 feet wide and k-rail adjacent to Ocean Beach just seaward of the Great Highway, 80 feet south of the end of Noriega Street, to control erosion and undermining of the existing paved walkway and road which provides access to the Noriega Seawall promenade.


This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of rapid coastal bluff erosion poses a threat to structures ADJACENT TO OCEAN BEACH SEAWARD OF THE GREAT HIGHWAY AT NORIEGA STREET, 80 FEET SOUTH OF THE END OF NORIEGA STEET, requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

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

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

Sincerely,

John Ainsworth  
Executive Director

  
By: Nancy Cave, District Manager

February 14, 2017

Emergency Permit No.: G-2-17-0010

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

**CONDITIONS OF APPROVAL:**

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT and returned to our office within 15 working days of the date of this permit (by March 7, 2017).
2. Only that work specifically described in this permit and as more specifically described in the Commission's file for the Emergency Coastal Development Permit (ECDP) for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director. All signage, barriers, and fencing installed pursuant to this ECDP must be removed, along with any debris that has fallen to the beach as a result of the construction activities, and public beach access must be restored, immediately upon conclusion of the construction and related clean-up activities planned at the subject location.
3. All work shall take place in a limited time and manner in order to minimize any potential damage to resources, including beach habitat and intertidal species, and to minimize impacts to public coastal 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 including the following:
  - a. All construction areas shall be minimized and allow public recreational access along the unaffected areas of the beach adjacent to the site and shall protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
  - b. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
  - c. Any construction materials and equipment delivered to the beach area shall be delivered by rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
  - d. Any construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by sunset each day that work occurs.
  - e. The construction site shall maintain good construction site housekeeping controls and procedure (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).

- f. All access ways affected/damaged by construction activities shall be restored to their preconstruction condition or better within three days of completion of construction. Impacts to any beach sand in the area resulting from construction shall be filtered as necessary to remove any construction debris.
  - g. Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
4. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
  5. The applicant recognizes that the emergency work is considered temporary and will be subject to regular coastal development permit (CDP) requirements unless and until removal of the temporary development has been completed. A regular CDP would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include mitigation for impacts to sensitive habitat, sand supply, and public access and recreation.
  6. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
  7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
  8. Within 90 days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall either: (a) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act. In some instances, a permit may be needed for removal; or (b) submit a complete follow-up CDP that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs

February 14, 2017

Emergency Permit No.: G-2-17-0010

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

9. Failure to a) submit a complete follow-up CDP Application that complies with Condition 8 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency 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 applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

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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.



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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-2-17-0010

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 May 15, 2017). 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