

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



W14

Prepared July 7, 2017 (for July 12, 2017 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for July 2017

The following coastal development permit (CDP) waivers, immaterial CDP amendments, immaterial CDP extensions, and emergency CDPs for the Central Coast District Office are being reported to the Commission on July 12, 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 Central Coast District Office in Santa Cruz. Staff is asking for the Commission's concurrence on the items in the 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 July 12, 2017 at the California State University at Monterey Bay in Seaside.

With respect to the July 12th hearing, interested persons may sign up to address the Commission on items contained in this Report prior to the Commission's consideration of the Report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on July 12, 2017 (see attached)

Waivers

- 3-16-1136-W, Pismo Pier Repairs and Improvements (Pismo Beach)
- 3-17-0483-W, Central Coast Maritime Museum (Morro Bay)
- 3-17- 0491-W, Caltrans Roadside Safety Project (City of Monterey)
- 3-17-0559-W, City of Santa Cruz Main Beach Berm (Santa Cruz)

Immaterial Amendments

- 3-87-222-A1, Burney Deck Replacement (Pacific Grove)
- A-3-MAR-96-094-A2, Sanctuary Resort Restaurant Improvements (Marina)

Emergency CDPs

- G-3-17-0037, Wharf Piling Replacement (Capitola)

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 27, 2017
To: All Interested Parties
From: Dan Carl, Central Coast District Director
Susan Craig, Central Coast District Manager
Subject: Coastal Development Permit (CDP) Waiver 3-16-1136-W
Applicant: City of Pismo Beach

Proposed Development

The proposed project consists of extensive repairs and improvements to the existing Pismo Beach City Pier, including: 1) replacement of 183 damaged piles with new steel piles; 2) replacement of all pier stringers, decking and railings; 3) relocation of the bait shack from the pier to the nearby public beach promenade, and; 4) the addition of a 12-foot by 12-foot deck for a PG&E transformer that will support existing utilities on the pier. The work will be done in four phases and is scheduled to be complete in June 2019. The pier is located near the terminus of Hinds Avenue in the City of Pismo Beach, and extends some 1,370 feet out over the beach and Pacific Ocean.

Executive Director's Waiver Determination

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

The Pismo Beach City Pier is an important and extremely popular public access amenity that is used by the public for a variety of public recreational access activities, including fishing and general ocean viewing. Based on field investigations, including visual and physical inspections, the pier has suffered significant damage over the years, and piles, stringers, decking and railings all require replacement. Overall, the project represents a fairly complete pier refurbishment that will serve to ensure this important public access resource is available to the public for many years to come. The project will also serve to remove some 183 creosote pilings from the marine environment where they are not appropriate. All work will be done using the Commission's standard construction best management practices for pier development over coastal waters (including providing for debris collection, spill prevention, and general good housekeeping) as outlined in the Applicant's construction documents and supplement to the project description. To address potential noise impacts to marine mammals during pile installation activities, the City will employ a qualified marine wildlife biological monitor who will be present during all pile-driving activities, and such pile-driving activities will only occur if marine mammals are located outside an established safe distance (i.e., a 500-meter radius) of the work area. The phased work will begin at the base of the pier, during which time the entire pier will be closed for an approximately three-month period. When phase one is complete, the base of the pier will reopen for public access. The work will then progress seaward, and the entire pier will reopen to the public in June 2019. In short, this is an

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-16-1136-W (Pismo Beach Pier Repairs and Improvements)

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important public recreational access project that will allow continued pier use for many years to come, and can be found consistent with the Coastal Act for that reason.

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 July 12, 2017 at California State University Monterey Bay in Seaside. If three 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 Susan Craig in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 27, 2017
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Yair Chaver, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-17-0483-W (Maritime Museum and Interpretive Center)**
Applicant: Central Coast Maritime Museum Association

Proposed Development

The proposed project is the construction of a 400-square-foot maritime museum/interpretive center and associated landscaping on 0.29 acres of an approximately 2.28-acre parcel owned by the City of Morro Bay. Three existing marine vessels, i.e., a submarine, a Coast Guard boat, and a tugboat, which are currently on display in the nearby Front Street parking lot, will be relocated to areas directly adjacent to the proposed museum/interpretive center. The project site is located east of the Embarcadero, south of the former Dynegy power plant, and between the Front Street parking lot and the “triangle” parking lot in the City of Morro Bay (on a portion of APN 066-331-041).

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 Commission hereby waives the requirement for a CDP for the following reasons:

The proposed museum/interpretive center will house exhibits and historical artifacts related to maritime uses, and will be a visitor-serving addition to Morro Bay’s working waterfront. The building will be 17 feet high and will be constructed using clapboard siding and asphalt shingle roofing materials, which will evoke the working waterfront aesthetic of Morro Bay. Given its low profile and 150-foot distance from the waterfront, the proposed project will not impact important coastal views. In addition, the project includes a native-plant garden and a picnic table and benches. The proposed project will not require any grading. The museum/interpretive center will be open every weekend of the year and some weekdays during peak visitor times. The museum will also be available on weekdays for school tours. Best management practices will be employed during construction, including the immediate collection of any debris, prevention of spills, and general good housekeeping at the site at all times. In sum, the proposed project will not adversely impact coastal resources, and thus is consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday July 12, 2017 at California State University Monterey Bay in Seaside. 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 Yair Chaver in the Central Coast District office.**

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 27, 2017
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-17-0491-W**
Applicant: California Department of Transportation (Caltrans)

Proposed Development

Installation of colored asphalt paving (1) in the area between the southbound Highway 1 travel lane and the Highway 68 off-ramp extending some 285 feet and (2) in the area between the southbound Highway 1 travel lane and the Del Monte Avenue off-ramp extending some 295 feet, and replacement of an existing guardrail and application of erosion control and revegetation measures at the second location, both of which are located in the City of Monterey in 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 surface treatment, guardrail, and erosion control measures are necessary to reduce ongoing maintenance activities and maintenance worker exposure to high speed traffic at two locations along this stretch of Highway 1. The surface treatment will be colored to enhance the visibility of the area for motorists and to improve the aesthetics of the paving. The amount of paving has been minimized at both locations as much as possible while still providing adequate safety for Caltrans' maintenance workers. Existing vegetation at the Highway 68 off-ramp will be retained to further soften the visual impact of the additional hard surface treatment, and native seed will be broadcast at the Del Monte Avenue off-ramp to provide erosion control and visual softening in the areas that remain unpaved. In sum, the proposed project will enhance highway maintenance worker safety and will not otherwise adversely impact coastal resources. Accordingly, the project is consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, July 12, 2017 at California State University Monterey Bay in Seaside. 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 Mike Watson in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 27, 2017
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Ryan Moroney, Supervising Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-17-0559-W
(Main Beach Containment Berm)
Applicant: City of Santa Cruz

Proposed Development

Installation of a temporary “containment” sand berm to fill a low point on the beach and prevent the San Lorenzo River from flooding the beach, on Main Beach and directly adjacent to the Santa Cruz Beach Boardwalk in the City of Santa Cruz.

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 berm will allow the San Lorenzo River to continue to discharge at its current location along San Lorenzo Point, even when the River temporarily forms a lagoon in the summer that typically lasts well into the fall months. The purpose of the berm is to prevent the formation of a riverine outlet channel that cuts through a low point along Main Beach, which can result in the elimination of public and emergency access both from underneath the trestle bridge and from the Boardwalk's eastern access stairs. Additionally, the berm will prevent the creation of a lateral "island" berm, which can form when the River runs laterally across Main Beach. This “island” berm limits access to a large section of the beach and can create a dangerous condition if the River's outlet channel is breached (because beachgoers who may be on the island must be evacuated through the swiftly dewatering lagoon.)

The proposed initial work to create the berm would occur under existing environmental and public safety best management practices (BMPs) established by the City’s Beach Management Plan (CDP # 3-11-027-A1), including controlled access, fueling of equipment offsite, leak inspection, completion of the City’s beach driving course, etc. Approximately 350 cubic yards of sand would be moved by one T6 bulldozer over a period not to exceed two days. Work would occur on two successive weekdays between the hours of 7:30 AM and 4:30 PM, and safety restrictions would be put in place, including the presence of a safety monitor to direct people around the work area and the presence of lifeguards. Orange plastic safety netting (aka “snow netting”) would be temporarily installed to designate the work area. The majority of Main Beach will remain available for public access when the work to form the berm is taking place. Finally, no work will take place within River or ocean waters, and the City will maintain a minimum 100-foot buffer between the work area and the edge of the lagoon (with the possible minor exception where it connects at the Boardwalk seawall so that the berm is placed on the eastern side of

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-17-0559-W (Main Beach Containment Berm)
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the Boardwalk stairway to maintain this public accessway), and a minimum 50-foot buffer from ocean waters, in order to prevent impacts to coastal and marine resources. After initial construction of the berm, the project includes up to four days of additional re-contouring/reforming of the berm until November 30, 2017, during which time the same BMPs will be used to protect water quality and public safety. In sum, the proposed project will ensure beach access and safety on this heavily visited beach, and will not adversely impact coastal resources, and thus is consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, July 12, 2017 at California State University Monterey Bay in Seaside. 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 Ryan Moroney in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: June 27, 2017
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Brian O'Neill, Coastal Planner
Subject: **Proposed Amendment to Coastal Development Permit (CDP) 3-87-222**
Applicant: Trudi Burney

Original CDP Approval

CDP 3-87-222 was approved by the Coastal Commission on October 15, 1987 and provided for the widening of a driveway, construction of a garage, placement of fencing, and native dune restoration at the site of an existing residence approved under CDP P-10-75-1564 at 1313 Pico Avenue in the Asilomar Dunes area of the City of Pacific Grove (APN 007-072-019-000).

Proposed CDP Amendment

CDP 3-87-222 would be amended to allow for the replacement of an existing deck in the same configuration, removal of portions of fencing, and removal of invasive plant species and replanting with native plants. The Commission's reference number for this proposed amendment is **3-87-222-A1**.

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 project replaces the existing deck in the same configuration and with similar materials and does not increase site coverage. Removal of fencing will reduce coverage and eliminate barriers to the movement of sand and seeds through the project site. Removal of invasive plants and replanting with native plants will bring the project site back into conformance with the requirements of the previously approved restoration plan and will enhance dune habitat values on site. The proposed project has incorporated mitigation measures to protect adjacent dune habitat areas during construction, including the use of exclusionary fencing and a biological monitor. In sum, the proposed amendment will enhance dune habitat as required by the Commission's original CDP approval, and is thus consistent with the Coastal Act.

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 July 12, 2017 at California State University Monterey Bay in Seaside. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-87-222 (Burney SFD)
Proposed Amendment 3-87-222-A1
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If you have any questions about the proposal or wish to register an objection, please contact Brian O'Neill in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: June 27, 2017
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Proposed Amendment to Coastal Development Permit (CDP) A-3-MAR-96-094**
Applicant: Hersha Hospitality TR.

Original CDP Approval

CDP A-3-MAR-96-094 was approved by the Coastal Commission on December 12, 1996 and was amended on March 8, 2017. CDP A-3-MAR-96-094, as amended, provided for the construction of a 183-unit hotel/resort development with a restaurant, conference center, office and retail space, charging stations for electric golf carts, pool, spa, and a recreation building, all in the sand dunes west of Highway 1 at 3295 Dunes Drive in the City of Marina, Monterey County.

Proposed CDP Amendment

CDP A-3-MAR-96-094 would be amended to provide for the following at the existing restaurant: 1) a new glass windscreen and a section of patio fencing; 2) a new accessible wheelchair lift and ADA path to the restaurant's upper rear deck; 3) a new stairway adjacent to the new wheelchair lift; 4) a new exterior server support storage area on the restaurant's upper rear deck; 5) replacement of two fire pits with two new fireplaces; 6) a new retractable awning at two locations on the restaurant's upper rear deck; and 7) a new kitchen exhaust vent. The Commission's reference number for this proposed amendment is **CDP A-3-MAR-96-094-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 improvements are needed to address deferred maintenance at the Sanctuary Resort's restaurant and to modernize operational and functional needs including by updating facilities for persons with limited mobility. All proposed development is within the existing footprint of the restaurant and/or the restaurant's rear deck area. No new development will occur in adjacent sand dune habitat areas. The proposed amenities are compatible with the design and style of existing development and the improvements will not otherwise present any visual impacts from public vantages along Highway 1 or Dunes Drive. In sum, the proposed amendment will enhance visitor-serving and recreational opportunities consistent with the Commission's original CDP approval, and consistent with the City of Marina's 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

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP A-3-MAR-96-094 (Hersha Hospitality TR)

Proposed Amendment A-3-MAR-96-094-A2

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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 Wednesday, July 12, 2017 at California State University Monterey Bay in Seaside. If three or more 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 Mike Watson in the Central Coast District office.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-17-0037 (Wharf Piling Replacement, City of Capitola)

Issue Date: July 6, 2017

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This emergency coastal development permit (ECDP) authorizes emergency development consisting of the replacement of two piles (one wooden pile and one steel guide pile) at the Capitola Wharf in the City of Capitola (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (the City of Capitola), the steel pile that holds the Wharf's floating dock in place broke in late April during a high surf event. Without this steel pile, the City's Public Works Department was unable to install the floating dock that supports the rental and operations of the buoys in the marina, forcing the "Capitola Boat and Bait" business to close. In addition to the closure of the commercial business, the floating dock and associated lift is not available to serve as emergency egress for small boats that need to immediately evacuate the water for safety reasons. To complete the replacement of the steel pile, the City will first replace a broken 30-foot-long center wooden piling located toward the landward end of the wharf, which is necessary to adequately stabilize the wharf so that the equipment needed for the steel pile replacement may be brought to the end of the wharf. Because the floating dock and associated lift are unusable for both commercial and emergency purposes, the proposed emergency development is necessary to ensure the continued operation of "Capitola Boat and Bait," the marina, and the emergency egress lift. The submitted application materials include the Commission's typical best management practices to protect water quality during construction over coastal waters. In addition, to further protect water quality, the steel pile will be coated in Carbolite Plasite epoxy, which has been deemed acceptable by the Regional Water Quality Control Board, and the wooden pile will be replaced with Greenheart Timber (untreated wood). 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 Coast District Manager, for John Ainsworth, Executive Director

Emergency CDP G-3-17-0037 (Capitola Wharf, City of Capitola)

Issue Date: July 6, 2017

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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 July 21, 2017). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 30 days of the date of this permit (i.e., by August 5, 2017) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this permit (i.e. by September 4, 2017), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. (The CDP application may be found at: <http://www.coastal.ca.gov/cdp/cdp-forms.html>). Alternatively, the Permittee may submit an application for a regular CDP in conjunction with the proposed permit application for ongoing maintenance of the wharf. In either case, the application shall include photos showing the project site before the emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete. 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, Monterey Bay National Marine Sanctuary, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's Central Coast District Office on June 27, 2017.
8. All emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):

Emergency CDP G-3-17-0037 (Capitola Wharf, City of Capitola)

Issue Date: July 6, 2017

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- a. All work shall take place during daylight hours. Lighting of the intertidal area is prohibited.
 - b. 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.
 - c. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
 - d. 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 the wharf. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
 - e. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/cleanup of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
10. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
 11. 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.
 12. 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, 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

Emergency CDP G-3-17-0037 (Capitola Wharf, City of Capitola)

Issue Date: July 6, 2017

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Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.

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. For the development to be authorized under the Coastal Act, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

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