

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8TH STREET, SUITE 130
ARCATA, CALIFORNIA 95521-5967
(707) 826-8950 FAX (707) 826-8960
www.coastal.ca.gov



W12

Prepared February 1, 2018 (for the February 07, 2018 Hearing)

To: Commissioners and Interested Parties
From: Alison Dettmer, North Coast District Deputy Director
Subject: North Coast District Deputy Director's Report for February 2018

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the North Coast District Office are being reported to the Commission on February 07, 2018. 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 Coast District Office in Arcata. Staff is asking for the Commission's concurrence on the items in the North Coast District Deputy 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 February 7th.

With respect to the February 7th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this 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 February 07, 2018 (see attached)

Waivers

- 1-18-0061-W, Caltrans - Dune Restoration (Albion River Bridge, On State Route 1, Albion, Mendocino County)

Immaterial Amendments

- 1-17-0631-A1, Del Norte County - Pacific Shores Temporary Watchman's Station (Pacific Shores Subdivision, Adjacent To Lake Earle, Del Norte County)
- 1-82-264-A1, Conaway – After-The-Fact Second Dwelling Unit (Mckinleyville, Humboldt County)

Immaterial Extensions

- A-1-DNC-06-037-E7, Bay Meadows Project LLC - Bay Meadows Subdivision - Extension (North Of Crescent City, Del Norte County)
- A-1-MEN-01-051-A1-E5, Tan - Single Family Residence - Extension (South Of Fort Bragg, Mendocino County)

Emergency Permits

- G-1-18-0003, Del Norte County – Breaching Of Sandbar Between Lakes Earl/Tolowa And Ocean (Del Norte County)
- G-1-18-0001, Trinidad Civic Club – Relocation Of Trinidad Memorial Lighthouse (Trinidad, Humboldt County)

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January 26, 2018

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 1-18-0061-W

Applicant: California Department of Transportation (Caltrans), District 1, Attn.: Frank Demling

Location: 33800 Albion Ridge Rd, between PM (post marker) 43.3 and PM 44.2 at Albion River Bridge (Bridge #10-0136), Albion (APN(s): 123-040-07 and 123-170-01)

Proposed Development: Use hand tools to re-contour the sand in an area previously-excavated without benefit of a coastal development permit, located adjacent and west of the base of the Albion River Bridge. The re-contouring will occur within an approximately 1,250-square-foot area along a portion of a dune/berm feature to restore a more uniform surface on the top of the dune feature. Plantings (iceplant) that were previously removed from the site will be placed atop the re-contoured surface and allowed to re-establish. The work does not include approval of any phase of the proposed future bridge rehabilitation/replacement project.

Rationale: The re-contouring will occur in an area where preliminary excavation of material was initiated in association with proposed archaeological investigation activities but in advance of obtaining the necessary coastal development permit. The proposed re-contouring work will utilize hand tools (e.g., rakes and shovels) to restore the dune topography to a more uniform surface. Work will be conducted without the use of any mechanical equipment, by up to nine people at a time, and is expected to be completed within 1 day.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California

Coastal Development Permit De Minimis Waiver

1-18-0061-W

Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in black ink, appearing to be 'TG' or similar initials, written in a cursive style.

Tamara Gedik
Coastal Program Analyst

cc: File

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **1-17-0631-A1**

January 24, 2018

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit Amendment No. **1-17-0631-A1** requested by **Del Norte County**, amending the original permit to develop a temporary watchman's station at the entrance to the Pacific Shores Subdivision to deter illegal dumping and camping that authorized (1) placing approximately 60 cubic yards of gravel to create a 960-square-foot development pad and a 30-foot-long by 12-foot-wide driveway; (2) stationing an RV and associated 500-square-foot carport on the pad; and (3) installing a 120-square-foot pre-fabricated utility building, informational signage, and a wooden privacy fence.

Project Site: 100 Prigmore Street, between Kellogg Road, Tell Blvd. and Prigmore St. within the unincorporated Pacific Shores Subdivision, Del Norte County (APN 107-021-008)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

- (1) Amend the design and orientation of the authorized utility building to accommodate roof-mounted solar panels to power the temporary watchman's station rather than connecting the station to nearby electrical utility lines; and**
- (2) extend the privacy fencing an additional 26 feet along the perimeter of the approved development footprint of 960 square feet to shield the reoriented building from public view.**

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b), this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within 10 working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

Notice of Proposed Immaterial Permit Amendment

1-17-0631-A1

All proposed changes will be confined to the approved development footprint (approximately 30 feet by 32 feet), with no proposed expansion. Although the shed will be 5 feet longer (up to 15 feet) and 1 foot taller (up to 13 feet) than the approved shed design (approved at 10 feet long and 12 feet tall), the structure will remain shielded from public view by privacy fencing, which, due to the proposed reorientation of the structure, will be extended an additional 26 feet around the approved development footprint perimeter (the permit currently allows for a total of 34 linear feet of privacy fencing, which will be extended to a combined total of 60 feet). There will be no changes to the type of fencing (7-foot-tall wooden) or protocols requiring agency decals and surveillance cameras to be affixed to fencing and other structures. The shed will be built using standard vertical siding rather than pre-fabricated, and it will be placed on skids to ensure the building is temporary and can be easily removed. The roof will be angled rather than pitched as originally approved, and the building will be oriented at an angle to provide maximum solar benefit within the approved development footprint. Special Condition 1 will continue to apply to the project, requiring in part that (a) all development shall be confined to the approved development footprint, (b) surveillance cameras and agency decals shall be affixed to the shed and other authorized development, and (c) no permanent utilities shall be constructed or installed, but the condition will be revised as shown in Attachment A to reference the updated site plan submitted with this permit amendment application. All other conditions of the permit will remain in full force and effect. Therefore, the proposed changes to the development will not have a potential for adverse impacts, either individually or cumulatively, on coastal resources or public access.

If you have any questions about the proposal or wish to register an objection, please contact Melissa Kraemer at the phone number provided above.

cc: Commissioners/File

Attachment A

AMENDMENTS TO SPECIAL CONDITIONS OF CDP 1-17-0631 (CDP Amendment 1-17-0631-A1)

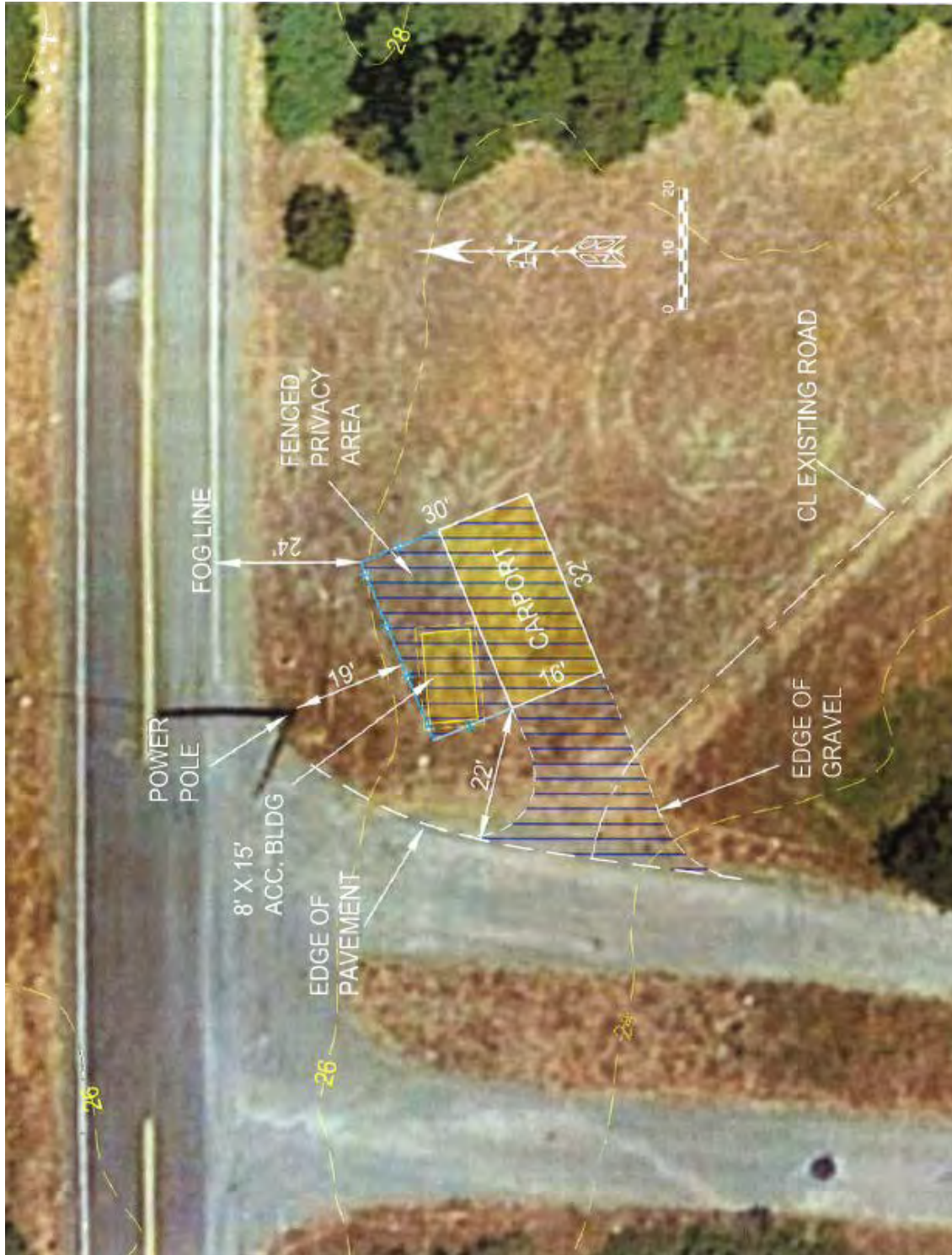
Text to be deleted is shown in ~~striketrough~~, and text to be added appears in **bold double-underline**. Only relevant portions of special conditions to be changed are shown.

1. **Development Restrictions.** The authorized watchman's station shall be developed and maintained consistent with all the following:
 - A. The watchman's station shall be used only as a temporary public facility to deter illegal dumping and other illegal activities within the Pacific Shores Subdivision.
 - B. The Permittee shall implement and construct the project consistent the special conditions of Coastal Development Permit (CDP) 1-17-0631, with the revised site plan ~~dated September 19, 2017~~ **submitted on January 9, 2018 (Attachment B to CDP Amendment 1-17-0631-A1)**, and with the grading and signage plans submitted with the CDP application ~~(Exhibit 3)~~.
 - C. At no time shall the host (watchman) interfere with the public's right of access to the ocean or surrounding park and recreation areas.
 - D. The watchman's station and any associated accessory structures and development (e.g., outdoor seating areas, outdoor potted plants, etc.) shall be confined to the approved project footprint as depicted on the revised site plan ~~dated September 19, 2017 (Exhibit 3)~~ **submitted on January 9, 2018 (Attachment B to CDP Amendment 1-17-0631-A1)**.
 - E. The authorized shelter structure shall be anchored to the ground as proposed and pursuant to applicable engineering specifications.
 - F. No landscaping shall be planted on the subject property.
 - G. To protect adjacent environmentally sensitive areas and park and recreation areas, no rodenticides containing any anticoagulant compounds, including but not limited to, Bromadiolone, Brodifacoum, or Diphacinone, shall be used on the property.
 - H. At all times, the authorized development shall be equipped with surveillance cameras and County and CDFW decals visible to the public from vantage points along both Kellogg Road and Tell Blvd. and affixed to the utility shed, RV, shelter structure, and fencing. The decals shall clearly represent the development as an official public facility.
 - I. The proposed signage at the entrance to Pacific Shores (proposed Sign #1, Exhibit 3) and at the base of the approved driveway (proposed Sign #2, Exhibit 3) shall be maintained in place at all times and shall be clearly visible from public vantage points along Tell Blvd.
 - J. No permanent utilities shall be constructed or installed to support the authorized development.
 - K. Del Norte County in cooperation with CDFW as applicable shall be responsible for the timely collection and off-site disposal of wastewater and solid waste on a routine basis for the life of approved development. No wastewater or solid waste shall be discharged at the site.
 - ~~L. Electricity to the authorized development shall be disconnected upon termination of the use of the site for watchman's station purposes.~~

... ..

Attachment B

REVISED SITE PLAN SUBMITTED JANUARY 9, 2018 (CDP Amendment 1-17-0631-A1)



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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **1-82-264-A1**

January 24, 2018

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit Amendment No. **1-82-264-A1** requested by **Lawrence & Carol Conaway**, amending the original permit approved December 3, 1982 that authorized the construction of a 2,704-square-foot single family residence.

Project Site: 2660 Kelly Ave., McKinleyville, Humboldt County (APN: 510-371-060)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Convert, after-the-fact, an existing “hobby room” and portion of 3-car garage (both permitted under the original CDP) to an attached 948-square-foot secondary dwelling unit.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b), this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within 10 working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered “immaterial” for the following reason(s):

The secondary dwelling unit (SDU) is subordinate to the primary residence, which was permitted prior to effective certification of the County’s LCP in 1986. The proposed SDU is consistent with the requirements of Section 313-87.1 of the County’s certified LCP regarding second residential units, including, but not limited to: (1) the total floor area is no more than 60% of the floor area of the principal dwelling; (2) the SDU conforms to the development standards of the single-family residential (RS) zoning district in which it is located, including standards for yard setbacks, height, and lot coverage; (3) design compatibility with the existing neighborhood; and (4) the SDU will be provided with adequate water and sewer services by the McKinleyville Community Services District. In addition, the application includes written confirmation from the property owners that the SDU will remain under the

Notice of Proposed Immaterial Permit Amendment

1-82-264-A1

same ownership as the primary residence, and approval of the SDU shall not constitute a subdivision of the parcel, as required by certified Coastal Zoning Regulations Sec. 313-87.1.3.1. Moreover, the SDU will not obstruct public access to or along the adjacent Hammond Coastal Trail, including to the portion of the trail south of the SDU that was required to be dedicated by Special Condition 1 of the original permit (the dedicated easement was accepted by Humboldt County in 1987). Therefore, the proposed conversion of a portion of an existing residence to the SDU would not have a potential for adverse impacts, either individually or cumulatively, on coastal resources or public access.

If you have any questions about the proposal or wish to register an objection, please contact Melissa Kraemer at the phone number provided above.

cc: Commissioners/File
Humboldt County Planning & Building Dept.

12-20-2017

To Whom It May Concern:

Re: CDP application for AP#570-371-60

This letter is to confirm that the secondary dwelling unit at this property will remain under the same ownership as the primary residence. An approval of the secondary dwelling unit shall not constitute a subdivision of this parcel.

Signed,



Lawrence Conaway, property owner

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CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

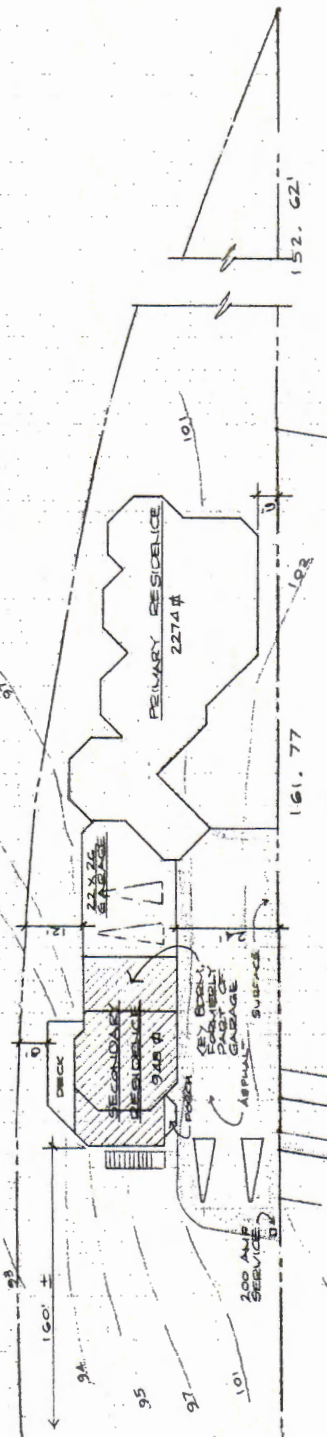


Carol Conaway, property owner

12/21/2017



H A M M O N D T R A I L

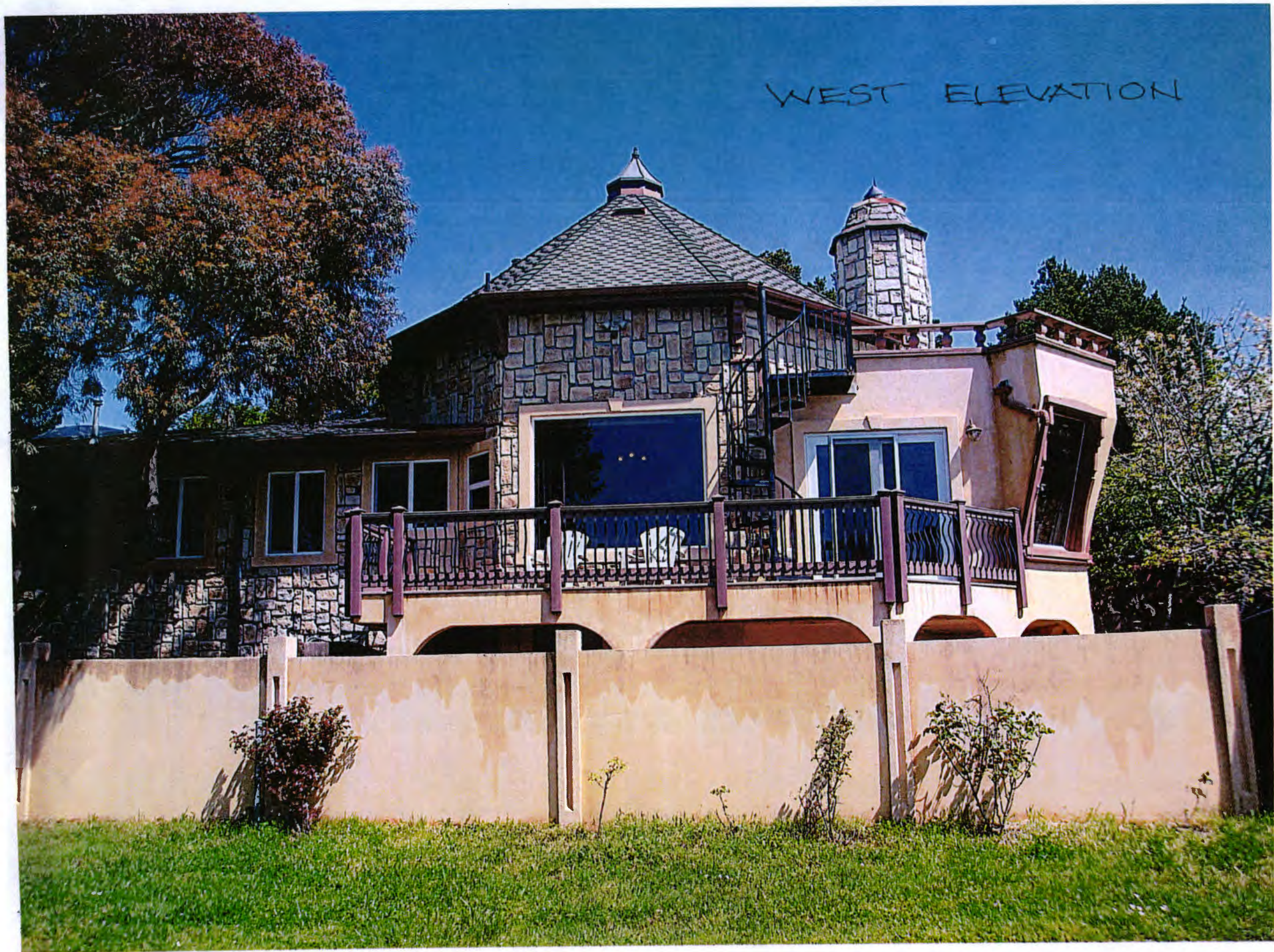


- NOTES
- STRUCTURE IS EXISTING.
 - PUBLIC WATER & SEWER (MUSD).
 - MONUMENTS NOT FOUND.

LOT PLAN
SCALE: 1" = 20.0'
2660 KELLY AVE. AP#570.371.60

SECONDARY DWELLING	
LAWRENCE & CAROL CORNWAY	SHEET
2660 KELLY AVE. 707 273-8318	1
MCKINLEVILLE, CA 95519	OF 2
PLOT PLAN	
DATE: 4/17	DRAWN: CLARE FREEMAN 725-6416
570.371.60	

WEST ELEVATION



SOUTH
ELEVATION



EAST ELEVATION



EAST
ELEVATION





EAST ELEVATION

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

January 24, 2018

Notice is hereby given that Bay Meadows Project LLC has applied for a one year extension of A-1-DNC-06-037 granted by the California Coastal Commission on August 8, 2008.

for: Resubdivision of a 45.5-acre parcel into 94 lots, including 91 residential lots ranging in size from approximately 3,000 square feet to half an acre and 3 open space lots incorporating all wetland habitat areas and associated 100-foot buffers.

at: 2400 Lake Earl Dr., Crescent City (Del Norte County) (APN(s): 110-020-62)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in black ink, appearing to read "Robert Merrill", is written over the printed name.

Robert Merrill
District Manager

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

January 24, 2018

Notice is hereby given that Loke Tan has applied for a one year extension of A-1-MEN-01-051-A1 granted by the California Coastal Commission on November 15, 2006.

for: Construction of a 6,966-square-foot, two-story residence with an 886-square-foot attached garage, driveway, water supply system from existing well, septic system and landscaping.

at: 17230 Ocean Drive, Fort Bragg (Mendocino County) (APN: 017-330-10)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in black ink, appearing to read "TG" or similar initials.

Tamara L. Gedik
Coastal Program Analyst

cc: Commissioners/File

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**EMERGENCY PERMIT**

Issue Date: January 26, 2018
Emergency Permit No. G-1-18-0003

APPLICANTS: The County of Del Norte and California Department of Fish and Wildlife

LOCATION OF EMERGENCY:

Sandbar between the Pacific Ocean and the Lake Earl/ Lake Tolowa lagoon complex (APN: 106-010-34)

EMERGENCY WORK:

Mechanically breach the sandbar between the Lake Earl/ Lake Tolowa lagoon complex and the Pacific Ocean.

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 winter storms has resulted in rising lagoon levels that pose a flooding threat that requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 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: Robert Merrill, North Coast District Manager

cc: Local Planning Department

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

January 21, 2018

Emergency Permit No.: G-1-18-0003

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PROPERTY OWNER and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, and to minimize impacts to public access. The emergency breaching shall be performed in the specific location and manner described in the emergency permit application, including, but not limited to, proposed protocols for flushing Western snowy plovers, brown pelican, and other birds from the breach site; and for surveying disconnected ponds of water remaining below the maximum elevation of the lagoon after the breach for tidewater gobies and anadromous salmonids and returning stranded fish to the main basin of the lagoon.
4. The sandbar shall be breached in the middle of the open sandy area and midway between the existing vegetated areas on either side of the breaching site.
5. 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.
6. The applicant recognizes that the emergency work is considered temporary and subject to removal unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
7. 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.
8. 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.

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**EMERGENCY PERMIT**

Issue Date: January 8, 2018
Emergency Permit No. G-D-18-0001

APPLICANT:

Trinidad Civic Club
P.O. Box 295
Trinidad, CA 95570

LOCATION OF EMERGENCY:

EXISTING LOCATION: Trinidad Memorial Lighthouse, Edwards Street, at the foot of Trinity Street. PROPOSED TEMPORARY RELOCATION: Within Trinidad Harbor Area, between the southern driveway to the parking area and the accessway to Trinidad Head. (APN(s): 042-071-008, 042-091-004)

EMERGENCY WORK:

The Trinidad Memorial Lighthouse ("TML") will be lifted from its current location with an oversized crane and brought to the Harbor location on a lowboy trailer. The same crane will be used to lift the TML off the trailer and place it in the proposed temporary location. Preparation of the site includes excavation of the ice plant and sand (estimated to be approximately 20 to 30 cubic yards of material) using heavy equipment (excavator or back hoe) to create a level area 2 to 3 ft. above the level of the adjacent pavement and large enough to accommodate the TML (approximately 15 ft. x 15 ft.). The sand will be leveled and compacted to the extent possible in order to place the 25-ton structure. The lighthouse will be placed directly on the sand subgrade surface; no concrete foundation is planned at this time. Pre-fabricated concrete blocks ("eco-blocks") will be placed around the northern and northwestern edges of the lighthouse pad to provide additional stabilization and to mitigate erosion potential of the loose dune sand at the site. The bronze fog bell will be placed adjacent to the TML with temporary supports to ensure public safety. The excavated spoils (sand, ice plant) will be hauled offsite to a suitable upland site on Rancheria Trust property. Only the development associated with placing the TML in the Harbor location is within the Coastal Commission's CDP jurisdiction within an Area of Deferred Certification and is the subject of this emergency permit. The development associated with the removal of the TML from the existing location is within the City of Trinidad's CDP jurisdiction and is subject to approval by the City.

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 an encroaching landslide that has reached the edge of the lighthouse memorial slab, posing a threat to structures at APN 042-091-004 (at the corner of Edwards and Trinity Streets) and threatening to damage sensitive cultural resources and environmentally sensitive habitat areas within the adjacent Tsurai Study Area, requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal.

January 8, 2018

Emergency Permit No.: G-D-18-0001

Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

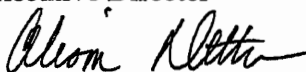
(a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and

(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

A handwritten signature in black ink, appearing to read "Alison Dettmer", is written over the printed name.

By: Alison Dettmer, Deputy Director

cc: Local Planning Department

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

January 8, 2018

Emergency Permit No.: G-D-18-0001

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the Trinidad Civic Club and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Work is further limited to the specifications included in the "Application for Emergency Permit" and supporting documents transmitted by the Trinidad City Planner on behalf of the Trinidad Civic Club via electronic mail on January 8, 2018. Any additional work requires separate authorization from the Executive Director.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
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 subject to removal unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
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 120 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 Coastal Development Permit (CDP) application 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 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 120 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 Permit¹, 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 CDP² will constitute a knowing and intentional violation of the Coastal Act³ 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.

¹ In some instances, a permit may also be required for removal.

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

³ 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.