

**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



# W18

**Prepared May 22, 2018 (for June 6, 2018 Hearing)**

**To:** Coastal Commissioners and Interested Persons

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

**Subject: Central Coast District Director's Report for June 6, 2018**

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 June 6, 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 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 June 6, 2018 at the Chula Vista City Council Chambers in Chula Vista.

With respect to the June 6, 2018 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 June 6, 2018 (see attached)**

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### **Waivers**

- 3-17-1003-W, California State Parks Guiton Trail Improvements (Oceano)
- 3-18-0231-W, Monterey Harbor Waterfront Facilities Maintenance Program (Monterey)
- 3-18-0259-W, Pacific Grove Golf Links 18th Hole Improvements (Pacific Grove)

### **Emergency CDPs**

- G-3-18-0010, Oceano Lagoon Waterline Replacement (Oceano)

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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** May 22, 2018  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Daniel Robinson, Coastal Planner  
**Subject:** **Coastal Development Permit (CDP) Waiver 3-17-1003-W**  
Applicant: California Department of Parks and Recreation (State Parks)

### Proposed Development

Accessibility improvements to the western portion of the existing Guiton Trail, including new ADA-compliant picnic tables, benches, interpretive and informational signage, as well as two new overlooks/fishing piers and a new spur trail loop. Improvements to the existing trail include changes in the trail surface from packed dirt and asphalt to concrete, aggregate, and boardwalk. The project is located at the Pismo State Beach campground in unincorporated Oceano, San Luis Obispo County (APN 001-567-012-000).

### 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 existing Guiton trail traverses the western portion of Oceano Lagoon from the existing visitor center near Pier Avenue north through Pismo State Beach Campground. Trail resurfacing, including through the addition of new wooden boardwalk sections, will provide increased protection to the adjacent lagoon and wetland habitat and improved accessibility by the public. ADA and other improvements, including new benches, picnic tables, and signage will provide an enhanced user experience for the public, including by campers and school children.

The project also includes Best Management Practices to protect water quality during construction, including erosion and sediment controls, spill prevention measures, and good housekeeping practices. Construction will take place outside of peak summer months and will be phased to limit impacts to parking availability and public access. In sum, the proposed project will not significantly adversely impact coastal resources, and is expected to improve public access to this significant visitor destination, 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 June 6, 2018 in Chula Vista. 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 Daniel Robinson in the Central Coast District office.**

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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** May 22, 2018  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Brian O'Neill, Coastal Planner  
**Subject:** Coastal Development Permit (CDP) Waiver 3-18-0231-W  
Applicant: City of Monterey

### Proposed Development

Five-year (i.e., until June 6, 2023) repair and maintenance program for City-owned harbor and waterfront structures including: east moorings, the commercial wharf (Wharf #2), and City-owned buildings on Wharf #2, the City Marina and its support structures, the marina launch ramp, Fisherman's Wharf (Wharf #1) and City-owned buildings on Wharf #1, the outer harbor mooring, the landfill launch ramp and ADA boarding dock, harbor-area navigational aids, and the portions of the Navy and Coast Guard pier that come under the control of the City of Monterey. Specifically, the five-year repair and maintenance program allows repair and replacement in-kind of: 1) sleeving with steel pipe of up to 100 fender piles and up to 20 guide piles; 2) up to 800 linear feet of caps, 2,000 linear feet of stringers, and 30,000 square feet of decking and asphalt; 3) up to 2,500 linear feet of bull rail and safety railing; 4) the wharves' sprinkler systems; 5) the marina's electrical system; 6) wooden elements of the marina; 7) components of the waterfront's two launch ramps; 8) new pile wraps around wooden piles; and 9) the City's mooring equipment.

### 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 five-year program applies to existing permitted coastal-dependent development in the harbor and waterfront areas in order to facilitate ongoing necessary and routine repairs for which such a program is appropriate and does not include additions or the enlargement of any existing facilities. Additionally, the repair and maintenance program does not apply to the replacement of piles or any development that raises questions as to whether significant upgrades/alternatives are more appropriate (e.g., riprap, bulkheads, seawalls, parking lots, drainage facilities, pathways, landscaping, etc.). The program includes explicit construction best management practices to avoid construction-related coastal resource impacts, including requirements with respect to over-water work (e.g., cutting and pre-fabricating sections off site, use of tarps and booms, spill prevention measures, etc.). All repairs shall utilize inert materials in locations subject to contact with the water, including through tidal or wave action. In sum, the repair and maintenance program will protect and maintain the public access and recreation, commercial fishing and boating, and public safety components of the City's harbor and waterfront areas, and the program's

## **NOTICE OF PROPOSED PERMIT WAIVER**

CDP Waiver 3-18-0231-W (Waterfront Facilities Repair and Maintenance Program)

Page 2

potential for adverse impacts on coastal resources otherwise will not be significant.

### **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 June 6, 2018 in Chula Vista. 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 Brian O'Neill in the Central Coast District office.**

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Brian O'Neill, Coastal Planner  
**Subject:** Coastal Development Permit (CDP) Waiver 3-18-0231-W  
Applicant: City of Monterey

### Proposed Development

Five-year (i.e., until June 6, 2023) repair and maintenance program for City-owned harbor and waterfront structures including: east moorings, the commercial wharf (Wharf #2), and City-owned buildings on Wharf #2, the City Marina and its support structures, the marina launch ramp, Fisherman's Wharf (Wharf #1) and City-owned buildings on Wharf #1, the outer harbor mooring, the landfill launch ramp and ADA boarding dock, harbor-area navigational aids, and the portions of the Navy and Coast Guard pier that come under the control of the City of Monterey. Specifically, the five-year repair and maintenance program allows repair and replacement in-kind of: 1) sleeving with steel pipe of up to 100 fender piles and up to 20 guide piles; 2) up to 800 linear feet of caps, 2,000 linear feet of stringers, and 30,000 square feet of decking and asphalt; 3) up to 2,500 linear feet of bull rail and safety railing; 4) the wharves' sprinkler systems; 5) the marina's electrical system; 6) wooden elements of the marina; 7) components of the waterfront's two launch ramps; 8) new pile wraps around wooden piles; and 9) the City's mooring equipment.

### 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 five-year program applies to existing permitted coastal-dependent development in the harbor and waterfront areas in order to facilitate ongoing necessary and routine repairs for which such a program is appropriate and does not include additions or the enlargement of any existing facilities. Additionally, the repair and maintenance program does not apply to the replacement of piles or any development that raises questions as to whether significant upgrades/alternatives are more appropriate (e.g., riprap, bulkheads, seawalls, parking lots, drainage facilities, pathways, landscaping, etc.). The program includes explicit construction best management practices to avoid construction-related coastal resource impacts, including requirements with respect to over-water work (e.g., cutting and pre-fabricating sections off site, use of tarps and booms, spill prevention measures, etc.). All repairs shall utilize inert materials in locations subject to contact with the water, including through tidal or wave action. In sum, the repair and maintenance program will protect and maintain the public access and recreation, commercial fishing and boating, and public safety components of the City's harbor and waterfront areas, and the program's

## **NOTICE OF PROPOSED PERMIT WAIVER**

CDP Waiver 3-18-0231-W (Waterfront Facilities Repair and Maintenance Program)

Page 2

potential for adverse impacts on coastal resources otherwise will not be significant.

### **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 June 6, 2018 in Chula Vista. 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 Brian O'Neill in the Central Coast District office.**

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**Date:** May 22, 2018  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Brian O'Neill, Coastal Planner  
**Subject:** Coastal Development Permit (CDP) Waiver 3-18-0259-W  
Applicant: City of Pacific Grove

### Proposed Development

Construction of an 835-foot-long pedestrian path, realignment of an existing golf cart path, 226 cubic yards of grading, and placement of approximately 54,365 cubic yards of sod on the 18th hole of the Pacific Grove Golf Links at the Point Pinos Lighthouse Reservation in Pacific Grove, Monterey County (APN 007-011-006-000).

### 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 development is located entirely within a small portion of a developed golf course located inland of Ocean View Boulevard in Pacific Grove (see attached project location map). The Pacific Grove Municipal Golf Links is a very popular public golf course that is almost 100 years old, and it runs in and around the historic Point Pinos Lighthouse, the oldest remaining lighthouse on the west coast. Much of the area used for the golf course was historically dune, and the course reflects this prior landform by weaving in and out of dunes, including around restoration areas and also around Crespi Pond, which is a freshwater wetland located on the portion of the golf course nearest the ocean. The golf course is thus in a natural setting with certain habitat considerations, but is also subject to active recreational pursuits, including some 60,000 rounds of golf per year. The project in this case would take place within existing turf areas at the 18th hole, which is framed by Ocean View Boulevard and Asilomar Avenue to the north and east and the 17th hole and driving range to the west. The proposed new pedestrian pathway would extend along the edge of Asilomar Avenue (from near Ocean View Boulevard) up to a parking area near the 18th green, and would provide improved public access and connectivity between existing parking areas along Asilomar Avenue and the California Coastal Trail (located along the bluff directly adjacent to the ocean). The project also includes realignment of the existing 18th hole golf cart path to move the cart path from the line of sight of the 18th hole tee some 60 feet to the west, as well as grading along the 18th hole fairway to level the fairway where it slopes down to the south with a few small hills, and ultimately the placement of new sod over the former cart path area and the levelled-out fairway. See location map in **Exhibit 1**, site area photos in **Exhibit 2**, and project site plans in **Exhibit 3**.

The City analyzed the potential impacts of the proposed project as part of an initial study and mitigated

**NOTICE OF PROPOSED PERMIT WAIVER**  
CDP Waiver 3-18-0259-W (Pacific Grove Golf Links Improvements)

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negative declaration that was adopted by the City on May 2, 2018.<sup>1</sup> The City found that the project will not cause any significant effects to the environment or coastal resources. Although grading will not occur directly under the canopy of the stand of planted Cypress trees that run between the 17th and 18th holes, in an abundance of caution the City required an arborist to supervise all grading activities that occur near these trees, and to require construction changes if needed to protect the trees from significant impacts. The project also includes protections for nesting birds, including a requirement for a qualified biologist to conduct a preconstruction survey three days prior to the commencement of construction and to implement a 500-foot construction buffer around any identified active raptor nests and a 300-foot construction buffer around any other identified active nests. The project also includes other construction best management practices (BMPs) to prevent erosion and protect water quality during grading activities, including through the use of silt fences and other sediment controls, stockpile management, and storm drain inlet protections. The project would also be constructed in June outside of the rainy season and when rain would be unusual. These BMPs should adequately protect coastal resources, including protecting against any impacts to Crespi Pond, not only through the required BMPs but also because the pond is located some 180 feet away from the project area. The project also includes several mitigation measures to protect potential cultural resources, including the use of an Ohlone/Costanoan-Esselen Nation (OCEN) certified monitor and project archeologist during all earth-disturbing activities. A representative of OCEN will conduct an educational meeting with construction personnel prior to commencement of construction to explain the purpose of the monitoring and to provide instructions on actions to take in the event cultural resources are encountered.

In short, the proposed project is a public access improvement project that will not only improve the public golf course but also coastal trail connectivity, it has been designed in such a way (including through construction measures and BMPs) to avoid any significant impacts to coastal resources, and it 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 June 6, 2018 in Chula Vista. 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 Brian O'Neill in the Central Coast District office.**

**Exhibits**

**Exhibit 1:** Project Location Map

**Exhibit 2:** Project Area Photos

**Exhibit 3:** Project Plans

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<sup>1</sup> The City's initial study and mitigated negative declaration analyzed this proposed project in conjunction with a proposed annual auto auction event to be held at the golf links. Although the City separately approved the three-day auto auction event to be held each August for a period of five years, the auto auction event is not the subject of this application before the Commission or this waiver and the City is required to submit a separate Coastal Development Permit application for the auto auction event. The auction event would include two tents that would be placed in the vicinity of the 18th hole and a public parking area that would be located in the vicinity of the 16th hole. All event activities would be located a minimum of 250 feet from Crespi Pond and 50 feet from natural dune areas, and the event would use temporary fencing and biological monitors to ensure that required buffers are respected by event staff and patrons.



# Project Area Map



Crespi Pond

Ocean View Boulevard

California Coastal Trail

Area of Grading

New Pedestrian Path

~180 Feet

Asilomar Avenue



## 18th hole fairway and stand of adjacent Cypress trees





## Stand of Cypress trees adjacent to the project site





APR 06 2018

Exhibit 3  
vements)  
1 of 2

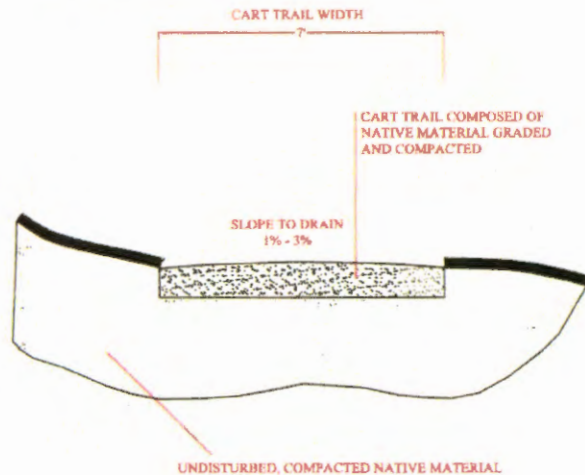
# RECEIVED

APR 06 2018

## CALIFORNIA COASTAL COMMISSION CENTRAL COAST AREA

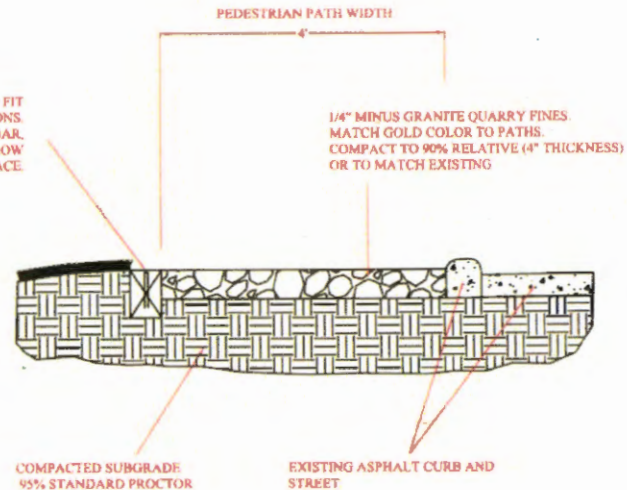
### NOTES

- EQUIPMENT AND MATERIAL STAGING AND STORAGE ARE PERMITTED ONLY WITHIN THE DESIGNATED STAGING AREAS OR THE FOOTPRINT OF THE PEDESTRIAN PATH IMPROVEMENTS. NO PLACEMENT OF AGGREGATE MATERIALS IS PERMITTED OUTSIDE OF THE DESIGNATED WORK AREA OR STAGING AREAS.
- DO NOT DISTURB ANY AREAS OF NATIVE VEGETATION. MAXIMUM WORK AREA WIDTH ALONG THE TRAIL ALIGNMENT IS 5 FEET. STAY OUT OF FENCED SENSITIVE BOTANICAL AREAS.
- CUT AND/OR FILL SLOPES SHALL NOT EXCEED 3:1 (HORIZONTAL:VERTICAL).
- ALL TRAIL FILL MATERIAL SHALL BE COMPACTED IN 2-INCH LIFTS, MAXIMUM.
- OWNER SHALL PROVIDE WATER FOR AGGREGATE TRAIL BASE COMPACTON. COMPACT AGGREGATE BASE MATERIALS AND GOLD GRANITE QUARRY FINES TO 95 PERCENT RELATIVE COMPACTION.
- SAND GENERATED BY CUT SHALL BE PLACED WITHIN THE LIMITS OF THE DISTURBED AREA FOR GRADING SPOILS AND SHALL BE CONTOURED TO MATCH ADJACENT TOPOGRAPHY UNDER DIRECTION OF THE PROJECT DESIGNER. IMPORT AND EXPORT OF SAND FROM THE SITE IS PROHIBITED.
- CART TRAIL AND PEDESTRIAN PATH LAYOUT TO BE CONFIRMED BY OWNER PRIOR TO CONSTRUCTION.
- TRAIL CONSTRUCTION CONTRACTOR SHALL REPAIR ANY EXISTING ASPHALT SURFACES DAMAGED BY TRAIL CONSTRUCTION OR EQUIPMENT/MATERIAL STAGING. CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS GENERATED BY THE PROJECT AT PROJECT COMPLETION.
- CONTRACTOR SHALL PROTECT EXISTING SIGNS AND UTILITY STRUCTURES ALONG TRAIL ALIGNMENT FROM DAMAGE. CONTRACTOR SHALL REPLACE ANY SIGNS DAMAGED DURING CONSTRUCTION AT NO ADDITIONAL COST TO THE OWNER.
- MATERIAL QUANTITIES PROVIDED ARE ESTIMATES ONLY. IT THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE MATERIALS AND LABOR SUFFICIENT TO COMPLETE THE WORK PER THE EXTENTS SHOWN PER PLANS, DETAILS AND SPECIFICATIONS.
- CONTRACTOR TO PROVIDED TRAFFIC CONTROL AS NEEDED.



NATIVE CART TRAIL SECTION

4"x6" PTDF TIMBER, SAW CUT TIMBERS TO FIT  
AT ALL TRAIL CURVES AND JUNCTIONS.  
ANCHOR W/ 3' LENGTHS OF #4 REBAR,  
(3) PER TIMBER, COUNTERSINK 1" BELOW  
TIMBER SURFACE.



PEDESTRIAN PATH WITH TIMBER EDGE SECTION

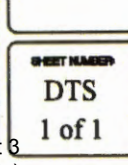
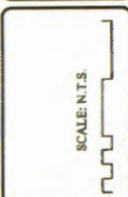


Exhibit 3

3-18-0259-W (Pacific Grove Golf Links Improvements)

2 of 2

DRYING NUMBER  
DTS  
1 of 1



## California Coastal Commission

# EMERGENCY COASTAL DEVELOPMENT PERMIT

**Emergency CDP G-3-18-0010 (Oceano Lagoon Waterline Replacement, Oceano, San Luis Obispo County)**

**Issue Date: May 9, 2018**

**Page 1 of 4**

This emergency coastal development permit (ECDP) authorizes emergency development consisting of replacement of an approximate 400-foot-long section of eight-inch diameter waterline with a new waterline via horizontal directional drilling (HDD) under Oceano Lagoon for the purposes of restoring flow through the broken water line and to ensure essential public services (i.e., potable water and emergency services). The project site is located between the end of Utah Avenue and Maui Circle in the unincorporated community of Oceano in San Luis Obispo County (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (Oceano Community Services District (OCSD)), the emergency was identified on March 24, 2018 when the OCSD received a report of low water pressure at a property on McCarthy Avenue. Upon investigation, it was determined that a waterline under the Oceano Lagoon had failed. The proposed emergency development is necessary to restore water flow to ensure essential public services (i.e., potable water and emergency services). The existing damaged waterline will be abandoned in place. A boring entry pit will be located at the western end of Maui Circle and an exit pit will be located at the southern end of Laguna Drive. The HDD method will ensure that construction activities avoid disturbance of the sensitive habitat of the Oceano Lagoon. No excavation will be performed within the lagoon bed or banks. Some minor trimming of several willow trees will be necessary to allow project personnel safe foot access along the pipeline corridor for the purposes of monitoring HDD operations. The submitted application materials include the Commission's typical best management practices to protect water quality during construction in coastal waters and numerous project avoidance and minimization measures are included to avoid and/or minimize potential effects to sensitive biological resources. 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 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.

Enclosure: Emergency Coastal Development Permit Acceptance Form

cc: (via email): Mark Hutchinson, San Luis Obispo County, Public Works Director

# Emergency CDP G-3-18-0010 (Oceano Lagoon Waterline Replacement)

Issue Date: May 9, 2018

Page 2 of 4



Susan Craig, Central Coast District Manager, for John Ainsworth, Executive Director

## 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 May 24, 2018). 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 June 8, 2018) 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 July 8, 2018), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent. (The CDP application may be found at: <http://www.coastal.ca.gov/cdp/cdp-forms.html>). 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 deadline 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., San Luis Obispo County, California Department of Parks and Recreation, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, etc.). The Permittees 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 April 25, 2018.
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 Oceano Lagoon) 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-3-18-0010 (Oceano Lagoon Waterline Replacement)**

**Issue Date: May 9, 2018**

**Page 3 of 4**

- a. All work shall take place during daylight hours. Lighting of the lagoon is prohibited.
- b. Grading of the lagoon bed and lagoon banks is prohibited.
- c. Any construction vehicles operating in the lagoon bank area shall be rubber-tired construction vehicles.
- d. Any construction materials and equipment placed in the lagoon bank area during daylight construction hours shall be stored beyond the reach of lagoon waters. All construction materials and equipment shall be removed in their entirety from the lagoon area by sunset each day that work occurs. The only exceptions will 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 placed as close to the lagoon as possible, and are minimized in their extent; (2) storage of larger materials beyond the reach of lagoon waters for which moving the materials each day would be extremely difficult. Any larger materials intended to be left on the bed and bank 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 lagoon waters reaching them.
- e. All construction areas shall be minimized and demarked by temporary fencing designed to allow existing 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.
- f. 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.).
- g. All construction activities that result in discharge of materials, polluted runoff, or wastes to the lagoon are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the lagoon bank or within the lagoon. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each work day.
- h. 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.
- i. 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.

10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all



## **Emergency CDP G-3-18-0010 (Oceano Lagoon Waterline Replacement)**

**Issue Date: May 9, 2018**

**Page 4 of 4**

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, email, phone numbers, etc.) including, at a minimum, a telephone number and email address that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.
12. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections to the Executive Director clearly identifying all development completed under this emergency authorization and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization. Photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete shall be provided with the site plans and cross sections.
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 and/or if the permittee wishes to expand the scope of work, 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.