

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
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W12

Prepared February 22, 2019 (for March 6, 2019 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for March 6, 2019

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 March 6, 2019. 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 March 6, 2019 at the California African American Museum in Los Angeles. With respect to the March 6th 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 March 6, 2019 (see attached)

CDP Waivers

- 3-18-1197-W, City of Pacific Grove Lovers Point Stormwater Diversion (Pacific Grove)
- 3-19-0120-W, Black Vacation Rental (Oceano)
- 3-19-0125-W, Shapiro Vacation Rental (Oceano)
- 3-19-0136-W, Dutchman's Seafood House Piling Replacement (Morro Bay)

CDP Amendments

- 3-84-266-A2, Pebble Beach Company Spanish Bay Resort Expansion (Del Monte Forest)
- 3-3-00-164-A3, Chambers Revetment and Deck (Live Oak)

Emergency CDPs

- G-3-19-0003 Moss Landing North Harbor Bank Protection (Moss Landing)

CDP Extensions

None

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NOTICE OF PROPOSED PERMIT WAIVER

Date: February 20, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Brian O'Neill, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-18-1197-W
Applicant: City of Pacific Grove

Proposed Development

Installation of approximately 1,600 feet of new underground stormwater piping, replacement of approximately 1,600 feet of existing underground clay stormwater piping with new polyvinyl chloride piping, and installation of new valve vaults, all within the City right-of-way along Ocean View Boulevard, Caledonia Avenue, Jewell Avenue, and Del Monte Boulevard within the Lovers Point and Sea Palm watersheds in the City of Pacific Grove, 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 Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project is part of a larger stormwater infrastructure improvement project that is partially located within the coastal zone. The purpose of the project is to divert stormwater and dry weather flows within two separate watersheds for treatment and reuse. The project would divert flows into two underground storage tanks, which would both be located outside of the coastal zone. The stored water would then be metered out and transferred into the coastal zone (via a combination of proposed new and proposed replacement piping) to two existing lift stations, both located seaward of Ocean View Boulevard. This water would then be pumped to the regional wastewater treatment plant for treatment and reuse. The proposed project would reduce runoff to and improve water quality in the adjacent Lovers Point State Marine Reserve, as well as provide additional water to the region for beneficial reuse. Access along the Recreational Trail will remain open during all phases of construction. The project includes Best Management practices to protect water quality, including erosion and sediment controls, spill prevention measures, and good housekeeping practices. In sum, the proposed project will improve water quality 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 March 6, 2019, in Los Angeles. 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.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: February 20, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Brian O'Neill, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-19-0120-W**
Applicants: Kelle and Glenn Black

Proposed Development

Use of an existing single-family residence as a short-term vacation rental, located at 340 Juanita Avenue in the community of Oceano, San Luis Obispo County (APN 061-022-008).

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 Applicants regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed vacation rental is located in an area of San Luis Obispo County where the Commission retains coastal permitting authority. For proposed vacation rentals in areas where the County retains CDP authority, the County typically applies the operational and enforcement standards for vacation rentals¹ found within Coastal Zone Land Use Ordinance (CZLUO) Section 23.08.165, including a maximum number of rental tenancies allowed per month, the maximum number of occupants allowed in the unit, parking and vehicle-trip requirements, noise limits, and designation of a 24-hour property manager or contact person. These standards are designed to minimize and avoid impacts to surrounding property owners, while still providing a Coastal Act and LCP priority visitor-serving use within residential areas. In this case, the Applicants have incorporated the CZLUO Section 23.08.165 requirements into the project description for the proposed vacation rental. Based on the above project components, the use of this residence as a vacation rental will enhance visitor-serving amenities at this location and will not have any significant adverse impacts on coastal resources, including public access.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on March 6, 2019, in Los Angeles. 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.

¹ In May 2003, the Commission approved the vacation rental ordinance as part of the County's Implementation Plan in LCP amendment SLO-MAJ-1-01 Part A.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: February 20, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Brian O'Neill, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-19-0125-W**
Applicants: Melany and Jonathan Shapiro

Proposed Development

Use of an existing single-family residence as a short-term vacation rental, located at 632 Mendel Drive in the community of Oceano, San Luis Obispo County (APN 061-041-001).

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 Applicants regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed vacation rental is located in an area of San Luis Obispo County where the Commission retains coastal permitting authority. For proposed vacation rentals in areas where the County retains CDP authority, the County typically applies the operational and enforcement standards for vacation rentals¹ found within Coastal Zone Land Use Ordinance (CZLUO) Section 23.08.165, including a maximum number of rental tenancies allowed per month, the maximum number of occupants allowed in the unit, parking and vehicle-trip requirements, noise limits, and designation of a 24-hour property manager or contact person. These standards are designed to minimize and avoid impacts to surrounding property owners, while still providing a Coastal Act and LCP priority visitor-serving use within residential areas. In this case, the Applicants have incorporated the CZLUO Section 23.08.165 requirements into the project description for the proposed vacation rental. Based on the above project components, the use of this residence as a vacation rental will enhance visitor-serving amenities at this location and will not have any significant adverse impacts on coastal resources, including public access.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on March 6, 2019, in Los Angeles. 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.

¹ In May 2003, the Commission approved the vacation rental ordinance as part of the County's Implementation Plan in LCP amendment SLO-MAJ-1-01 Part A.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: February 20, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-19-0136-W**
Applicant: Leon Van Beurden on behalf of Van Beurden Investments

Proposed Development

Installation of one steel pile wrapped in a marine-grade epoxy/polyurethane coating beneath an existing cross-beam that supports the Dutchman Seafood House's Harborwalk and outdoor patio area, at 701 Embarcadero (Lease Sites 78-82 and 78W-82W) in Morro Bay, San Luis Obispo County.

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 proposed development would install one new pile to replace the function of an existing, damaged pile that supports a large cross-beam for the Harborwalk and an outdoor patio area. The fiber-reinforced polymer jacket of the existing wood pile is compromised by a severe crack approximately two feet down from the top of the piling, which places the Harborwalk and outdoor patio area at risk and requires immediate action for safety purposes. The project will include installation of a steel pile immediately adjacent to and on the offshore side of the existing, compromised wooden pile in order to support the deck. The steel pile's exterior surface will be coated with a marine-grade epoxy/polyurethane coating, which is an acceptable coating per the Commission's water quality staff. The existing and proposed piling are located within the footprint of existing riprap where neither eelgrass nor eelgrass habitat is present. The Applicant has incorporated the Commission's standard Best Management Practices (BMPs) for overwater structures and pile driving into the project description and plans. These BMPs protect the marine environment by ensuring collection and containment of construction debris, spill prevention, and general good housekeeping of the site at all times. The work is expected to last up to 30 days and the Harborwalk will be closed to the public during that period, but, as noted above, the work and associated closure are necessary to maintain safe public access at the site. Public access at the site will be restored after the work is completed. Accordingly, the project will not have any significant adverse impacts on coastal resources, including public access to the shoreline.

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 March 6, 2019, in Los Angeles. If three or more Commissioners

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-19-0136-W (Dutchman's Seafood House Piling Installation)

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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 Alexandra McCoy in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: February 20, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Katie Butler, Coastal Planner
Subject: **Proposed Amendment to Coastal Development Permit (CDP) 3-84-226**
Applicant: Pebble Beach Company (PBC)

Original CDP Approval

CDP 3-84-226 was approved by the Coastal Commission on March 28, 1985 and provided for the construction of the Spanish Bay resort, condominiums, and golf course (now collectively known as the Inn at Spanish Bay) in the Del Monte Forest area of unincorporated Monterey County.

Proposed CDP Amendment

CDP 3-84-226 would be amended to allow for an additional 40 visitor-serving units at the Inn at Spanish Bay. Specifically, Special Condition 1a of CDP 3-84-226, which allows for a total of 270 visitor-serving units at the Inn at Spanish Bay, would be amended to allow for a total of 310 visitor-serving units. The Commission's reference number for this proposed amendment is **3-84-226-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:

On May 9, 2012, the Commission approved LCP amendment 1-12 Part 1 (Del Monte Forest LCP update and Pebble Beach Company (PBC) Concept Plan) which allowed for, among other things, up to 80 new visitor-serving units at the Inn at Spanish Bay, up to 60 new units at the Lodge at Pebble Beach, and a new 100-room resort hotel, subject to policies protecting coastal resources, including lower-cost accommodations, environmentally sensitive habitat areas (ESHA), and public coastal access. Monterey County approved the development envisioned and authorized by the LCP amendment, including 40 of the additional 80 units at the Inn at Spanish Bay, on June 19, 2012 (CDP PLN100138, Board of Supervisors Resolution No. 12-149). However, because the Inn at Spanish Bay was originally authorized by the Commission's 1985 CDP, that CDP must also be amended to specifically include the additional units. In other words, the purpose of this amendment is to modify the original Inn at Spanish Bay CDP 3-84-226 to reflect and be consistent with the 2012 LCP amendment and the 2012 County CDP approval.¹

¹ If PBC wanted to pursue development of the 40 additional visitor-serving units allowed by the LCP (for a total of 80), CDP 3-84-226 would require an additional amendment, and the County's 2012 CDP (PLN100138) would require an amendment as well.

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-84-226 (Inn at Spanish Bay)

Proposed Amendment 3-84-226-A2

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With respect to lower-cost accommodations, in its approval of the LCP amendment, the Commission found that all of the envisioned hotel rooms would be higher priced, but that the amendment was consistent with Coastal Act Section 30213 (which requires the protection, encouragement, and provision of lower-cost visitor facilities) because it included a policy that required PBC to pay a fee to provide for lower-cost visitor-serving accommodations in the Coastal Zone upon approval of any CDP that approved the construction of any of the above-described new overnight accommodations. That CDP included the lower-cost overnight accommodations fee payment as required by the LCP, and PBC has begun to make payments accordingly. In addition, the proposed new visitor-serving units are otherwise consistent with all other applicable Coastal Act and LCP requirements, including related to public services, environmentally sensitive habitat, public access, and visual resources.

In sum, the proposed amendment will allow for the additional 40 units at the Inn at Spanish Bay, consistent with the certified Monterey County LCP.

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 March 6, 2019, in Los Angeles. 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 Katie Butler in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: February 20, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner
Subject: **Proposed Amendment to Coastal Development Permit (CDP) 3-00-164**
Applicant: Kevin Chambers

Original CDP Approval

CDP 3-00-164 was approved by the Coastal Commission on April 14, 2004 and provided for the reconstruction of an existing deck and an existing revetment located seaward of an existing single-family residence at 101 26th Avenue, immediately adjacent to the 26th Avenue Beach public coastal access overlook and stairway, in the unincorporated Live Oak region of Santa Cruz County. CDP 3-00-164 was previously amended twice, including on September 6, 2007 to modify the approved project to replace the wood deck boards with colorized/textured concrete; to replace the rock under the deck with colorized sculpted concrete; to replace the planter box landscaping system with tree wells; and to add Brewer's saltbush to the list of non-native invasive native plant species to be used for screening (see CDP 3-00-164-A1). CDP 3-00-164 was again amended on December 11, 2009 to replace the previously approved stainless-steel cable deck railing with a clear, non-reflective glass railing (see CDP 3-00-164-A2).

Proposed CDP Amendment

CDP 3-00-164 would be amended to: 1) reinstate the revetment maintenance agreement (which expired on April 15, 2009) to provide for ongoing revetment maintenance through April 15, 2024; 2) reconfigure the revetment slope to a 1.5H:1V gradient and retrieve and restack any fugitive rock in a configuration consistent with the base CDP; 3) modify the vegetative screening atop the revetment and under the deck, including the removal of small rocks to expose the underlying topsoil and the installation of new cypress tree plantings to provide enhanced vegetative screening as intended under the base CDP, as amended; and 4) install horizontal wire fencing beneath the deck at six-inch intervals. The Commission's reference number for this proposed amendment is **3-00-164-A3**.

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 includes components that were previously approved by the Commission that have lapsed and/or expired, and other minor modifications that seek to achieve the intent of the base CDP, as amended. Parts of the revetment have slumped over time, and thus the proposed project includes reconfiguring the revetment to the originally approved gradient of 1.5H:1V, and reinstating the revetment maintenance agreement to allow for regular and ongoing revetment maintenance (e.g.,

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-00-164 (Chambers Deck and Revetment)

Proposed Amendment 3-00-164-A3

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restacking of displaced rock). The proposed modifications to the vegetative screening include the addition of horizontal wire fencing at six-inch intervals to prevent non-authorized people from accessing the area below the deck. The cypress trees will screen the area beneath the deck and the upper portion of the revetment, consistent with the requirements of the base CDP, as amended.¹ In sum, the proposed amendment will improve vegetative screening of the revetment and the area beneath the deck, and will open up additional beach area to the public via reconfiguring and restacking the revetment, consistent with the Commission's approval of the base CDP, as well as consistent with the Coastal Act and the certified Santa Cruz County Local Coastal Program.

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday March 6, 2019, in Los Angeles. 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 Rainey Graeven in the Central Coast District office.

¹ The cypress trees are intended to replace the saltbush, which has provided for some screening of the below-deck and upper revetment areas, but has not provided continuous screening as required by the base CDP.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-19-0003 (Moss Landing North Harbor Armoring)

Issue Date: February 5, 2019

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This emergency coastal development permit (ECDP) authorizes installation of a riprap revetment along a portion of the shoreline adjacent to the Moss Landing North Harbor between the old launch ramp and the Elkhorn Yacht Club at 7881 Sandholdt Road in Moss Landing Harbor in the unincorporated community of Moss Landing, Monterey County (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee's consultant, Sea Engineering, Inc., sudden and severe erosion has eroded the shoreline to within six feet of the adjacent north harbor boat parking lot and to within approximately 15 feet of the foundation of the Elkhorn Yacht Club. Continued loss of shoreline material in this location, which could be exacerbated by the current winter storm season, could threaten wharf parking, boat launch activities, and the Elkhorn Yacht Club. The proposed emergency action includes the installation of 70 tons of riprap, extending for roughly 50 feet between the Elkhorn Yacht Club and the old boat launch, to prevent future erosion and undermining of the harbor parking lot and yacht club building. The situation represents a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, and property. Therefore, the Executive Director of the California Coastal Commission hereby finds that: (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary 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

Enclosure: Emergency Coastal Development Permit Acceptance Form

cc (via email): Linda McIntyre, Moss Landing Harbor District
Brandon Swanson, Monterey County Planning and Building
Jacqueline Pearson-Meyer, National Marine Fisheries Service
Jacob Martin, U.S. Fish and Wildlife Service
Katerina Galacatos, U.S. Army Corps of Engineers
Linda Connolly, CA Department of Fish & Wildlife

Emergency CDP G-3-19-0003 (Moss Landing N. Harbor Armoring)

Issue Date: February 5, 2019

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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 February 20, 2019). 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 March 7, 2019) 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 April 6, 2019), 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>). 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., County of Monterey, U.S. Army Corps of Engineers, Central Coast Regional Water Quality Control Board, U.S. Fish & Wildlife Service, California Department of Fish & Wildlife, NOAA Fisheries, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. 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 January 16, 2019.
8. All emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to public access and to the Moss Landing Harbor to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal

Emergency CDP G-3-19-0003 (Moss Landing N. Harbor Armoring)

Issue Date: February 5, 2019

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resources):

- a. All work shall take place between daybreak and 7 p.m. Lighting of the intertidal area is prohibited.
 - b. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
 - c. Grading of intertidal areas shall be limited to that necessary to create the keyway for the revetment.
 - d. Construction of the revetment and delivery of materials shall occur from the parking area above the work site.
 - e. All construction and staging 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.
 - 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 materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
 - g. 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 within 20 feet of the shoreline. 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 shoreline access points impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
 - i. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean-up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
 - j. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required shoreline-area restoration activities.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.

Emergency CDP G-3-19-0003 (Moss Landing N. Harbor Armoring)

Issue Date: February 5, 2019

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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 (comparing any previously permitted condition to both the emergency condition and to the post-work condition), and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization. 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.