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



W20

Prepared March 29, 2019 (for April 10, 2019 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for April 10, 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 April 10, 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 April 10, 2019 at the Monterey County Board of Supervisors Chambers in Salinas.

With respect to the April 10th 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 April 10, 2019 (see attached)

CDP Waivers

- 3-18-1245-W, Arroyo Grande Creek Maintenance (Oceano)
- 3-19-0144-W, Berry Residence (Oceano)
- 3-19-0177-W, Moss Landing Marine Lab Aquaculture Center (Moss Landing)
- 3-19-0255-W, Otter Rock Cafe Renovation (Morro Bay)

CDP Amendments

3-15-0144-A2, San Lorenzo River Integrated Management Plan (Santa Cruz)

Emergency CDPs

- G-3-19-0010, Port San Luis Harbor District Dredging (Avila Beach)
- G-3-19-0015, The Boatyard Riprap (Morro Bay)
- G-3-19-0116, Seacliff State Beach Culvert Repair (Seacliff State Beach)

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 27, 2019

To: All Interested Parties

From: Susan Craig, Central Coast District Manager

Brian O'Neill, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-18-1245-W

Applicant: San Luis Obispo County Public Works Department

Proposed Development

Proposed 16-year creek management program that includes sediment testing and sediment removal, installation and maintenance of five log structures to provide habitat for listed species, annual vegetation maintenance activities, habitat restoration, and annual mitigation and monitoring reports, within the Commission's retained jurisdiction along the lower portion of Arroyo Grande Creek in Oceano, San Luis Obispo County (APNs 161-161-008; -010; -025; 061-093-038; -039; -044; 061-091-020).

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 project is part of a larger maintenance program that includes similar activities along three miles of the leveed Arroyo Grande Creek and Los Berros Creek diversion channels. The project evaluated here includes only the project areas located within the Commission's retained jurisdiction (the County has granted a CDP for the portions within its permitting jurisdiction). The purpose of the project is to enhance water quality, restore native habitat, and reduce flood risk to various residential, industrial, and commercial developments within the Oceano community. The project includes a sediment removal program in order to improve geomorphic function, enhance sediment transport, and provide secondary channels to handle water overflow during large storm events. All sediment will be tested prior to removal and will either be utilized in other levee projects if the material is determined to be "clean," or will be disposed of at an off-site waste disposal facility if the sediment is determined to be contaminated. All sediment removal will occur above the Ordinary High Water Mark to ensure that existing bank depth is not impacted.

The project will also include vegetation management within three distinct zones. Vegetation management activities within the "buffer zone," defined as a minimum of ten feet on both sides of the primary channel, will be limited to invasive species removal and native plant restoration. Vegetation management activities within the "transition zone," defined as the area between the buffer zone and the farthest extent of woody vegetation overstory where the sediment removal will take place, will include limited removal of the woody overstory, removal of woody coyote brush understory, and replacement with native riparian vegetation and woody overstory. The woody overstory removal will be limited to stressed and/or damaged willows that do not provide any shade benefit to the creek. Woody overstory

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-18-1245-W (Arroyo Grande Creek Watershed Management)
Page 2

will be replaced on a 2:1 basis in areas of the transition zone where there are gaps in canopy coverage and will include sycamores, alders, box elders, and cottonwoods to increase species diversity. Vegetation management activities within the "riparian scrub enhancement area," defined as the area between the transition zone and the top of the levee, will include removal of woody understory vegetation and replacement with non-woody riparian vegetation.

Other project components include construction of log structures to provide habitat for California red-legged frogs and steelhead trout, as well as annual trash removal to clean up the creek. Each year a sediment and vegetation management work plan will be submitted for Executive Director approval prior to the commencement of any work. Additionally, to ensure the success of the program, the Applicant will prepare annual monitoring reports, which will also be submitted to the Executive Director. The project includes various measures to protect biological resources during the project, including preconstruction surveys, biological monitors, use of hand equipment in sensitive areas, and avoidance of management activities during bird nesting season. The project also incorporates various construction Best Management Practices to prevent spills, manage equipment storage and material stockpiles, protect archeological resources, and maintain good housekeeping measures. Thus the project adequately protects biological resources and water quality, and will enhance coastal resources. Thus the project is consistent with Chapter 3 of 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 April 10, 2019 in Salinas. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Brian O'Neill in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 26, 2019

To: All Interested Parties

From: Susan Craig, Central Coast District Manager

Brian O'Neill, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-19-0144-W

Applicant: Scott Berry

Proposed Development

Proposed construction of a 2,043-square-foot two-story single-family dwelling (SFD) with a 506-square-foot attached garage, and other site improvements all located within the Commission's retained jurisdiction at 344 Juanita Avenue in the unincorporated area of Oceano, San Luis Obispo County (APN 061-022-056).

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 SFD would be located in a developed neighborhood that is located in an area of San Luis Obispo County where the Commission retains coastal permitting jurisdiction. Thus, the Coastal Act is the standard of review for the project, with the certified San Luis Obispo County Local Coastal Program (LCP) providing guidance. This lot was previously developed with an SFD that was demolished in 2016 due to earthquake damage. The proposed SFD is consistent with the LCP's guidance with respect to residential site development standards for floor area, height, lot coverage, and lot setbacks. The proposed SFD is also located within the LCP's Flood Hazard combining designation. The finished floor elevation of the project is fourteen feet six inches, which is one foot above the FEMA-identified flood plain elevation of the site. Thus the project is consistent with the LCP's Flood Hazard standards, and is consistent with the flood hazards prescriptions employed for other adjacent residences. Finally, the proposed project is generally devoid of vegetation due to the prior residential development on the site and includes a 65-foot rear setback from riparian vegetation, which Commission's Staff Ecologist Dr. Laurie Koteen believes is appropriate for this site. Thus, in summary, the proposed SFD has no potential for adverse effects on coastal resources and is consistent with Chapter 3 of the Coastal Act.

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 April 10, 2019 in Salinas. 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:

March 26, 2019

To:

All Interested Parties

From:

Susan Craig, Central Coast District Manager

Katie Butler, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-19-0177-W

Applicant: Moss Landing Marine Laboratories

Proposed Development

Installation of a temporary 560-square-foot tent and a temporary 160-square-foot office trailer adjacent to the existing Moss Landing Marine Laboratories Aquaculture Center buildings at 7722 Sandholdt Road in Moss Landing, Monterey County (APN 133-232-006).

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 requested temporary structures will house ocean acidification research equipment and an office, which will both be used by San Jose State University researchers and students. The temporary structures would be located on an existing gravel lot and thus have no potential to disturb existing habitat. The temporary structures will be located in a fenced-in lot immediately adjacent to existing buildings and therefore will not impact any existing public views. Installation of the structures requires no ground disturbance or other construction methods that have the potential to impact water quality. The structures are authorized to remain on the site for six years from approval of this CDP waiver, at which time a long-term plan for the site is expected to be in place. In sum, the proposed project will not adversely impact coastal resources and is consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, April 10, 2019, in Salinas. 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 Katie Butler in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: March 29, 2019

To: All Interested Parties

From: Susan Craig, Central Coast District Manager

Alexandra McCoy, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-19-0255-W

Applicant: Cliff Branch

Proposed Development

The proposed project includes improvements the Otter Rock Café located along the Embarcadero (885 Embarcadero; Lease Sites 90 and 90W) in the City of Morro Bay. This work was previously authorized by CDP waiver 3-18-0297-W, but that waiver, which also authorized development on an adjoining lease site, is no longer effective due to the change in project scope resulting from construction issues on the adjoining lease site.

The proposed project includes improvements to the customer service area, restrooms, and entranceway, and enclosure of an existing outdoor dining area; repair of existing piers, beams, and concrete supports under the existing deck; shortening by 18 feet and relocating the existing floating dock 23 feet to the west, which includes the removal of two wooden piles and installation of one new steel pile.

No floating dock relocation or water lease boundary line adjustments are included in this waiver. These components will be evaluated in a subsequent application.

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 includes improvements to the Otter Rock Café lease site along the Morro Bay Embarcadero that currently supports water-oriented visitor-serving commercial uses, including waterfront dining, shops, and public coastal access along the Harborwalk, which is a pedestrian walkway fronting Morro Bay. Proposed work includes improvements to the interior customer service area, restrooms, and entranceway, and enclosure of 157 square feet of an existing patio area. Additionally, the piers, beams, and concrete supports of both the interior dining areas of the café and the existing 10-foot-wide public Harborwalk will receive necessary repairs.

The Applicant has incorporated the Commission's standard best management practices (BMPs) for construction and repair of overwater structures into the project description and plans. These BMPs protect coastal water quality by ensuring collection and containment of construction debris, prevention of spills, and general good housekeeping of the site at all times.

The floating dock and Harborwalk located on the lease site will be closed during construction; however

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-19-0255-W (Otter Rock Renovation)
Page 2

existing 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 the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on April 10, 2019 in Salinas. 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 Alexandra McCoy- in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date:

March 26, 2019

To:

All Interested Parties

From:

Susan Craig, Central Coast District Manager

Ryan Moroney, Central Coast District Supervisor

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-15-0144

Applicant: City of Santa Cruz

Original CDP Approval

CDP 3-15-0144 was approved by the Coastal Commission on July 8, 2015 and provided a three-year pilot program allowing two management activities to prevent localized flooding caused by seasonal lagoon formation at mouth of the San Lorenzo River: (1) periodic mechanical breaching in 2015 and 2016; (2) and seasonal culvert installation and removal in 2016 and/or 2017 to avoid the need for breaching. On May 10, 2018, the Commission approved CDP Amendment 3-15-0144-A1 to authorize the use of various sand management activities (e.g. mechanized breaching, use of sand sills, construction of sand berms, etc.) as appropriate to prevent flooding (and subject to strict regulatory oversight) to take place in 2018 only.

Proposed CDP Amendment

CDP 3-15-0144 would be amended to authorize the use of the above-described various sand management activities (e.g. mechanized breaching, use of sand sills, construction of sand berms, etc.) as appropriate (and subject to strict regulatory oversight), as well as temporary outlet pipe installation, in 2019, pending installation of a permanent culvert in 2020 that will prevent localized flooding over the long term. The Commission's reference number for this proposed amendment is 3-15-0144-A2.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The proposed amendment would allow the City of Santa Cruz to continue undertaking management activities to control the water elevation of the San Lorenzo River's lagoon to prevent localized flooding to public and private properties and infrastructure. Over the last four years, several breaching outletchannel configurations and temporary management actions have been undertaken using varying approaches based on varying conditions. The purpose of this amendment is to authorize a suite of tools that the City of Santa Cruz can utilize in 2019 that takes into account different River/Lagoon conditions, while also balancing the complex and competing needs of the San Lorenzo River Lagoon, including with respect to endangered species, human health and safety, water quality, historic cultural resource preservation, and community flooding. These tools have been utilized successfully under the base CDP (and first amendment) over the last four years and have proven to be more protective of coastal

NOTICE OF PROPOSED PERMIT AMENDMENT

CDP 3-15-0144 (San Lorenzo River Lagoon Management)
Proposed Amendment 3-15-0144-A2
Page 2

resources than mechanized breaching alone. Under the proposed amendment, the City is required notify all the involved natural resource agencies (i.e. the Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service, the Regional Water Quality Control Board, and California Department of Fish and Wildlife) to discuss the preferred management activity and to obtain written authorization to proceed with that activity. In addition, all such activities require the use of construction best management practices, and extensive biological and water quality monitoring requirements. In sum, the proposed amendment is protective of coastal resources, is consistent with the Commission's original CDP approval, and is also consistent with the Coastal Act and the certified Santa Cruz County Local Coastal Program.

Note: The City is continuing work on the design of a *permanent* (as opposed to seasonal) culvert project, which the City had hoped to implement this summer, but was delayed due to design changes and funding limitations. However, the City recently received confirmation that the permanent culvert project will be recommended for funding from the Wildlife Conservation Board. That project will eliminate the need for breaching and/or the construction of sand berms to prevent flooding. Commission Staff advocated for a permanent culvert solution throughout the original CDP application review process, and believes that the permanent culvert solution would be, on the whole, more protective of coastal resources in the long run than a temporary culvert or continued breaching and berming activities. The City will submit a separate application for a CDP amendment to authorize installation of the permanent culvert once the design of the culvert is finalized.

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, April 10, 2019, in Salinas. 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 Ryan Moroney in the Central Coast District office.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-19-0010 (Port San Luis Harbor District Dredging)

Issue Date: February 28, 2019 Page 1 of 4

This emergency coastal development permit (ECDP) authorizes the Port San Luis Harbor District (District) to dredge up to 30,000 cubic yards of sandy sediment from the Mobile Hoist Pier and Trailer Boat Launch basins and dispose of the sandy sediment at Fisherman's Beach for beach nourishment purposes (all dredging and disposal activities to take place between March 1st and May 31, 2019 only), at Port San Luis Harbor in the unincorporated community of Avila Beach in San Luis Obispo County (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee's representative (Chris Munson), shoaling of the Port's boat launch facilities following winter storms has made it difficult for boats to maneuver safely in and out of these areas and presents a significant risk to life and property if no action is taken. Without dredging, Port San Luis Harbor would effectively close if boats could not be launched or retrieved, including first responder boats or emergency haul outs. The District proposes to do the dredging and disposal activities as authorized under CDP 3-08-038, and this ECDP incorporates the relevant conditions from CDP 3-08-038 to protect coastal resources during emergency dredging and disposal activities. 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

¹ The Commission has previously granted the District CDPs that authorized dredging and disposal activities, typically for five-year periods (CDPs 3-08-038, 3-02-100, 3-97-078, and 3-93-27). The most recent five-year dredging and disposal CDP (CDP 3-08-038) expired on December 10, 2018, and the District has applied for another five-year dredging and disposal CDP (CDP application 3-19-0106), but that application is not filed as complete.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-19-0015 (845 Embarcadero, Morro Bay)

Issue Date: March 29, 2019 Page 1 of 4

This emergency coastal development permit (ECDP) authorizes installation of approximately 225 cubic yards of riprap revetment along the shoreline of lease sites 89 & 89-W at 845 Embarcadero Road in the City of Morro Bay (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee, unexpected concrete and stone debris was discovered after removing a portion of an existing bulkhead that was failing. This debris prevents the repair of the existing bulkhead as designed and authorized by CDP waiver 3-18-0297-W because the debris cannot be removed without destabilizing an existing revetment that protects existing buildings at the site. Further, this debris also prevents the contractor from installing the support structures necessary to repair the bulkhead. The existing embankment is now in a precarious situation because it is exposed to the sea environment and could erode, which would potentially cause the failure of the foundations of the existing buildings. The proposed riprap will occupy an area of approximately 1,058 square feet with a volume of 225 cubic yards between two existing riprap revetments. The proposed emergency action is necessary to prevent the collapse of the buildings' foundations by stabilizing the shoreline and preventing further erosion in the short term. 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 Amsworth, Executive Director

Enclosure: Emergency Coastal Development Permit Acceptance Form

cc (via email): Scotts Graham, City of Morro Bay

Theresa Stevens, U.S. Army Corps of Engineers

¹ Accordingly, due to the change in project scope, CDP Waiver 3-18-0297-W is no longer valid.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-19-0116 (Seacliff State Beach, Santa Cruz County)

Issue Date: March 27, 2019 Page 1 of 5

This emergency coastal development permit (ECDP) authorizes emergency development consisting of replacement of two culverts located within Seacliff State Beach, including one located under and adjacent to the Beachgate Trail (which inlets at the intersection of Coates Drive and Beachgate Way and outlets onto the beach seaward of Las Olas Drive and the RV campsites), and another that inlets in the upper field (between the parking lot and the private residences on Seacliff Circle) and that outlets on the beach seaward of the picnic tables and barbeque stations in the Day Use area, all at Seacliff State Beach in Aptos, Santa Cruz County (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (the California Department of Parks and Recreation), the heavy rains in the recent months have overwhelmed two existing culverts and two culvert collars located on the bluff, causing severe erosion of the bluff. The damaged culvert located adjacent to the Beachgate Trail has caused erosion of the public access path and, if not repaired immediately, will result in the closure of this coastal accessway. This damaged culvert is also causing water to run down the bluff and could compromise the retaining wall that protects Las Olas Drive, which serves as the only ingress/egress to the RV campsites and the upcoast adjacent residential development, including for emergency services. Finally, both damaged culverts, are causing eroded sediment and other materials to flow down the bluff and potentially discharge onto the beach. Thus, the proposed emergency development is necessary to prevent additional erosion of the Beachgate Trail and to ensure continued ingress/egress to Las Olas Drive. The ECDP is conditioned to require the Commission's typical best management practices to protect water quality during construction adjacent to coastal waters. 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): SCO County