

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



Th11

Prepared June 4, 2019 (for June 13, 2019 Hearing)

To: Coastal Commissioners and Interested Persons
From: Dan Carl, Central Coast District Director
Subject: **Central Coast District Director's Report for June 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 June 13, 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 June 13th in San Diego.

With respect to the June 13th 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 13, 2019 (see attached)

CDP Waivers

- 3-18-1218-W, Caltrans 'Cap-M' Highway 1 Paving Project (Big Sur)
- 3-18-1246-W, Moss Landing Harbor Retaining Wall (Moss Landing)
- 3-19-0349-W, McCreary Short-Term Rental (Oceano)
- 3-19-0409-W, Shepard Test Pits (Santa Cruz County)

CDP Amendments

- None

CDP Extensions

- None

Emergency CDPs

- G-3-19-0022, Boatyard Embarcadero Riprap (Morro Bay)
- G-3-19-0023, Caltrans Mud Creek Highway 1 Riprap (Big Sur)

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



NOTICE OF PROPOSED PERMIT WAIVER

Date: May 30, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Program Analyst
Sean Drake, Coastal Program Analyst
Subject: **Coastal Development Permit (CDP) Waiver 3-18-1218-W**
Applicant: California Department of Transportation (Caltrans)

Proposed Development

Preventative maintenance of State Route 1 in the Big Sur area of Monterey County between postmiles 39.8 and 74.6, a distance of almost 35 miles. This work includes overlaying the existing roadway with 0.15 feet of rubberized hot-mixed asphalt. Existing areas of pavement failure will be restored with asphalt before being repaved. Bridges with asphalt roadway surfaces will be ground down and repaved to match the roadway surface. Bridge decks with concrete roadway surfaces will not be ground down or repaved. Eight existing paved pullouts within the project area will also be repaved. Existing drainage inlets along the roadway will be raised to match the new roadway grade as necessary. Shoulder backing constructed of compacted recycled asphalt will be placed on both sides of the roadway where feasible to extend the service life of the pavement and to reduce roadway drop-off (i.e., to provide a smooth transition to the unpaved roadway shoulders). Shoulder backing will extend up to two feet from the roadway and will involve a minimal amount of ruderal vegetation clearing and removal/relocation of up to 75 Seacliff buckwheat plants. Any shoulder backing placed within 100 feet of a culvert, watercourse, or bridge will be constructed of crushed gravel and will not contain asphalt. All construction staging and material storage will be located within the highway right-of-way, including within existing pullout areas. The project also includes the restoration of all highway rights-of-way and unpaved pullouts used for staging and storage to pre-construction conditions or better. Caltrans and Coastal Commission staff will conduct site visits before (and after) construction to verify the condition of all paved pullouts to be repaved and unpaved pullouts to be restored. The project will require one-way lane closures with traffic management and estimated delays of no more than ten minutes. Planned construction timing is designed to occur outside normal weekday commute hours, and will not take place on weekend days or holidays. The proposed construction will be sequenced to minimize disruptions to public access trailheads and coastal accessways within the project area. The projected construction duration is up to 320 working days.

The project further includes raising existing guardrails to a height of 29 inches to increase roadway safety. Existing guardrails that cannot be raised to that height will be replaced with new guardrails that are visually similar to guardrails used along this stretch of coast. The project does not involve installation of new guardrails where there is currently no guardrail in place. The ground beneath the upgraded guardrails will not be paved. No modifications will be made to historic stone railings or structures. Additional project elements include installation of centerline rumble strips where appropriate to increase roadway safety, replacement of existing roadway signs with upgraded retroreflective sheeting,

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-18-1218-W (Big Sur Capital Preventative Maintenance)

and installation of two ramps for wheelchair access on the pedestrian island at the northwest corner of Ocean Avenue in Carmel-by-the-Sea at postmile 73.8.

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 maintenance is necessary to maintain the public's safety and experience while traveling this iconic stretch of State Route 1, which is a California State Scenic Highway and a federally-designated All-American Road. The proposed maintenance techniques are designed to avoid coastal impacts, including with respect to public access, scenic resources, biological resources, and water quality. Repaving the roadway, adding shoulder backing, raising existing guardrails, upgrading existing roadway signs, and adding centerline rumble strips where appropriate will increase motorist, bicyclist, and pedestrian safety, in addition to preserving the roadway shoulders and extending the longevity of the highway.

Repaving eight paved pullouts, restoring all staging and storage locations, and adding ramps to the pedestrian island at Ocean Avenue will enhance public access and mitigate for impacts caused by temporary construction traffic delays, use of public parking/viewing areas for construction staging, and short-term impediments to public access and recreation lands. All primary pullouts and popular secondary locations will be inventoried and evaluated for removal of any visual and access impediments. Replacement guardrail and posts will be colored and/or darkened to blend with the surrounding landscape, to reduce reflectivity, and to create a rustic look. The locations of signs, reflectors, and guardrails will be carefully considered to ensure the overall visual aesthetic is protected and public access is maximized.

To avoid and/or minimize biological impacts, the project restricts clearing of ruderal vegetation to within two feet of the paved roadway. No trees are proposed to be removed, and shoulder backing installed around trees will not contain asphalt. With regard to the removal of Seacliff buckwheat, which is the host plant for the federally endangered Smith's blue butterfly, Caltrans has consulted with the U.S. Fish and Wildlife Service (USFWS). The USFWS has determined that the project is consistent and appropriate for inclusion under the USFWS 2008 Programmatic Biological Opinion (PBO) for protection of Smith's blue butterfly. USFWS is requiring Caltrans to comply with the terms of the PBO by including avoidance and minimization measures necessary to protect Smith's blue butterfly in its various life stages, to help ensure the long-term viability of the population within the project area.

Finally, a water pollution control plan with appropriate best management practices will be implemented to control runoff during and after construction and to ensure that coastal waters are protected. In sum, the proposed project will improve the safety and overall experience of traveling State Route 1 through Big Sur, an iconic stretch of California's coastline. The project will not otherwise adversely impact coastal resources or public access to the shoreline, and thus 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

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-18-1218-W (Big Sur Capital Preventative Maintenance)

proposed to be reported to the Commission on Thursday, June 13, 2019, in San Diego. 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 Sean Drake at the Sacramento Office of the Coastal Commission at 1121 L Street, Suite 503, Sacramento, CA 95814, (916) 445-6033.

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



NOTICE OF PROPOSED PERMIT WAIVER

Date: May 30, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-18-1246-W
Applicant: Moss Landing Harbor District

Proposed Development

Follow-up authorization for emergency repair work done under Emergency Coastal Development Permits (ECDPs) G-3-17-0050 and G-3-18-0013 at the maintenance dock and A-dock in the South Moss Landing Harbor. The construction activities included installation of 78 linear feet of riprap revetment along the harbor waterfront and the replacement of three failed or damaged pilings, at 7881 Sandholdt Road in the unincorporated community of Moss Landing, Monterey County.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The shoreline immediately adjacent to the south harbor maintenance dock experienced significant erosion in January 2017. ECDP G-3-17-0050 authorized the installation of 78 linear feet of riprap (roughly 149 cubic yards) to stabilize the slope extending from either side of the maintenance dock, to prevent future erosion. During grading activities prior to installing the riprap, Harbor staff observed that two existing timber dock pilings located on the inshore end of the maintenance dock had failed. Additionally, a vessel collided with a guide piling at the A-dock, causing the guide piling to list at a 45 degree angle and creating a navigation hazard. ECDP G-3-18-0013 authorized replacement of the two damaged timber pilings with two fiberglass reinforced-polymer-plastic composite pilings, and replacement of the guide piling with one pre-cast pre-stressed concrete piling. The three new pilings were installed in the same location as the damaged pilings and did not result in additional coastal fill. Additionally, the project included construction best management practices (BMPs), such as piling installation measures to minimize disturbance of birds, marine mammals, bottom sediments, eelgrass, and benthic organisms. The Permittee incorporated the Commission's standard BMPs that protect the marine environment, including collection and containment of construction debris, spill prevention, and general good housekeeping. The work was done at extreme low tides to avoid contact with the intertidal area and included marine protection measures, such as use of materials that are non-reactive and non-soluble with seawater, and no operation of heavy machinery below the mean high tide line. To mitigate for impacts to public access due to the riprap (i.e. sand supply loss), the Applicant will install approximately 100 linear feet of new decomposed granite pathway along the Harbor in the vicinity of the project site, and

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



NOTICE OF PROPOSED PERMIT WAIVER

Date: May 31, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Brian O'Neill, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-19-0349-W
Applicant: Gordana and Kevin McCreary

Proposed Development

Proposed construction of a 2,207-square-foot two-story single-family dwelling (SFD) with a 559-square-foot attached garage and other site improvements, to be utilized as a vacation rental, all located within the Commission's retained jurisdiction at 344 Juanita Avenue in the unincorporated area of Oceano, San Luis Obispo County (APN 061-022-057).

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 SFD would be located in a developed neighborhood that is 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. The proposed project is generally devoid of vegetation due to the prior residential development on the site and includes an approximately 60-foot rear setback from riparian vegetation, which is appropriate for this site.

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

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.

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-19-0033-W (McCreary SFD)

Page 2

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 construction and 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 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 June 13, 2019 in San Diego. 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.

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



NOTICE OF PROPOSED PERMIT WAIVER

Date: May 30, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-19-0409-W
Applicants: Jay and Pam Shepard

Proposed Development

Dig three to four exploratory trenches approximately five feet in length, four-to-five feet in width, and eight feet in depth to expose the toe of the existing riprap at the site, which will then be mapped by the Applicants' geotechnical engineer and surveyor. After the mapping is complete, the trenches will immediately be backfilled with the excavated material and the site restored to its preexisting condition. The project is located seaward of 2900 East Cliff Drive in the Live Oak area of unincorporated Santa Cruz County (APN 028-132-29).

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 project will be accomplished through the use of an excavator. Work will be done at a very low tide to avoid heavy equipment entering ocean waters. The project incorporates the Commission's standard best management practices to protect the marine environment, including spill prevention and general good housekeeping. The project will be completed in a few hours on a weekday, which will limit impacts to public access at the site. To access the site, the excavator will need to cross State Parks' property (i.e., a portion of Twin Lakes State Beach), and State Parks' staff has granted a right-of-entry permit to do so. In sum, the proposed project will be completed in a timely fashion and in a manner that 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 Thursday, June 13, 2019 in San Diego. 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 Rainey Graeven in the Central Coast District office.



California Coastal Commission
EMERGENCY COASTAL DEVELOPMENT PERMIT
Emergency CDP G-3-19-0022 (845 Embarcadero, Morro Bay)

Issue Date: May 28, 2019

Page 1 of 5

This emergency coastal development permit (ECDP) authorizes installation of approximately 75 cubic yards (an estimated 165 tons¹) of riprap, floating docks, and a 10-foot-wide Harborwalk along the shoreline of 885 and 845 Embarcadero in the City of Morro Bay (all as more specifically described in the Commission's ECDP file).

CDP Waiver 3-18-0297-W allowed for construction at two lease sites, i.e. the Otter Rock Café (lease sites 90 and 90-W) and the Boatyard shops and boat slips (lease sites 89 and 89-W?), including repairs to an existing bulkhead, relocation/realignment of floating docks and installation of new pilings, widening of the existing Harborwalk to 10 feet, interior improvements to the Otter Rock Café, and repair of an existing pier. When implementing the project, it was determined that it was not possible to repair the existing bulkhead as designed and authorized by CDP waiver 3-18-0297-W. The Permittee instead demolished the existing bulkhead and then proposed to utilize 225 cubic yards of riprap to stabilize the shoreline. Thus, the project was effectively changed from what was proposed and described in CDP Waiver 3-18-0297-W, and that waiver was no longer effective. Instead, the Permittee applied for an ECDP (ECDP G-3-19-0015) to authorize the installation of approximately 225 cubic yards (an estimated 495 tons) of riprap to stabilize the site and prevent the collapse of the buildings' foundations by stabilizing the shoreline and preventing further erosion in the short term. The Commission subsequently authorized CDP Waiver 3-19-0225-W on April 10, 2019, which allowed for repair of an existing pier and interior construction on the Otter Rock Café site. However, CDP Waiver 3-19-0225-W did **not** allow for construction of the Harborwalk or relocation and reinstallation/realignment of the floating docks because Commission staff was still in discussions with the Permittee regarding the minimum amount of additional riprap necessary to allow for development of those project components.

In order to move forward with construction so that the Harborwalk and businesses at the site may reopen for the summer season, the Permittee stated that additional riprap (i.e. an additional 75 cubic yards (an estimated 165 tons)) is necessary immediately upcoast and downcoast of the 225 cubic yards of riprap installed under ECDP G-3-19-0015. On April 18, 2019, Commission staff provided verbal and written (email) emergency authorization for the Permittee to move forward with these project components (i.e., the additional riprap, relocation/realignment of the floating docks, and completion of the 10-foot-wide Harborwalk) at this location. Commission staff informed the Permittee at that time that, as part of the

¹ The weight of 1 cubic yard of riprap is approximately 2.2 tons
Enclosure: Emergency Coastal Development Permit Acceptance Form

Emergency CDP G-3-19-0022 (845 Embarcadero, Morro Bay)

Issue Date: May 28, 2019

Page 2 of 5

required regular CDP follow-up, the Commission will evaluate the amount and the slope of the riprap placed under both emergency authorizations, and advised that the Permittee consider a 1.5:1 riprap slope as is typical for similar projects in the area, instead of the 1.75:1 slope proposed. Moreover, staff further advised the Permittee that alternatives to riprap will be evaluated as part of the follow up CDP and that some or all of the riprap may need to be removed.

As of May 28, 2019, the Harborwalk and the majority of commercial tenant spaces in the buildings on the project site remain closed until emergency construction activities at the sites are completed, which the Permittee states should be by the third week of June 2019.

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

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 June 12, 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 by June 21, 2019, unless this date is 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 27, 2019), the Permittee shall supplement regular CDP application 3-19-0262 (that was previously submitted in follow-up to ECDP G-3-19-0015) to have all the emergency development completed under ECDP G-3-19-0015 and this ECDP (G-3-19-0022) be considered permanent or for a different project designed to repair the site. The supplemental materials 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

Emergency CDP G-3-19-0022 (845 Embarcadero, Morro Bay)

Issue Date: May 28, 2019

Page 3 of 5

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., City of Morro Bay, U.S. Army Corps of Engineers, 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 May 9, 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 coastal resources (including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
 - a. All work shall take place during daylight hours. Lighting of the intertidal area is prohibited.
 - b. Grading of intertidal areas shall be limited to that necessary to create the keyway for the revetment.
 - c. Construction of the revetment and delivery of materials shall occur from the inland side of the site as much as possible, but may also be from the water side if delivery from the inland side of the site is infeasible.
 - d. 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.).
 - e. 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 50 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.
 - f. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
 - g. 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

Emergency CDP G-3-19-0022 (845 Embarcadero, Morro Bay)

Issue Date: May 28, 2019

Page 4 of 5

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.

- h. 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 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. 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.
13. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
14. 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 considered to be temporary work done in an emergency situation to abate an emergency, and is undertaken at the Permittee's risk. 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.

Emergency CDP G-3-19-0022 (845 Embarcadero, Morro Bay)

Issue Date: May 28, 2019

Page 5 of 5

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.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-19-0023 (Caltrans Mud Creek Landslide Repair)

Issue Date: May 15, 2019

Page 1 of 6

This emergency coastal development permit (ECDP) authorizes emergency development consisting of debris removal and landslide stabilization over a 1,700-linear-foot distance of Highway 1 on the Big Sur coast just south of the town of Gorda (at post mile 8.8). The project includes adding and securing additional armor rock to the existing rock slope protection (RSP) installed under emergency coastal permit CDP G-3-18-0005 to stabilize and protect the engineered embankment beneath the highway travel lanes. Specifically, a series of boulders will be placed along the top of the entire length of the revetment to prevent over-topping of the revetment structure and to protect the upland slope during periods of high tides and storms. This boulder "cap" will increase the height of the revetment by up to 10 feet. The project further includes clearing material from catchment areas above the roadway, from roadside drainages along the northbound lane, and from access roads above and below the roadway. A portion of the southbound roadway and the adjacent embankment will be stabilized and repaired where differential settlement has occurred. Slide material at or above road level will be excavated and disposed of, and the existing cable net rockfall drapery system will be repaired and enhanced. All work will occur above the ordinary high-water line, and there will be no direct ocean disposal of slide material. The project further includes temporary traffic control.

The proposed emergency development is located in a historically active area of slope instability both above and below the Highway 1 roadway elevation. Gravity and erosion from winter rains resulted in a massive landslide on May 20, 2017 involving approximately 5 million cubic yards of rock and sediment. Since the landslide, the Coastal Commission has issued multiple ECDPs to facilitate the re-opening and continued operation of Highway 1 and to protect coastal resources (see ECDPs G-3-17-0027, G-3-17-0040, and G-3-18-0005). However, recent heavy rain, storm surge, and king tides from January 13, 2019 through February 4, 2019 caused damage to the rock revetment and other development constructed pursuant to those ECDPs. The proposed emergency development is necessary to continue to ensure public safety and to prevent further damage to coastal 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.

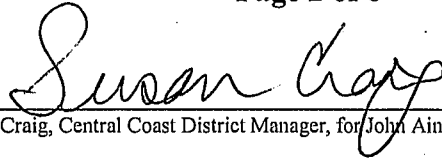
Enclosure: Emergency Coastal Development Permit Acceptance Form

Copies via email: Joe Sidor (Monterey County RMA), Karen Grimmer (Monterey Bay National Marine Sanctuary), Tim Short (U.S. Forest Service), Daniel B. Breen (U.S. Army Corps of Engineers), Kim Sanders (Central Coast Regional Water Quality Control Board)

Emergency CDP G-3-19-0023 (Caltrans Mud Creek Landslide Repair)

Issue Date: May 15, 2019

Page 2 of 6



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 30, 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. The Permittee shall undertake development in conformance with the terms and conditions of this emergency CDP. Any proposed project changes shall require a separate ECDP or, if the Executive Director determines that a separate ECDP is not legally required for such project changes, such changes may be allowed by the Executive Director if such adjustments: 1) are deemed reasonable and necessary; and 2) do not adversely impact coastal resources.
3. The emergency development authorized by this ECDP must be completed by December 31, 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 180 days of completion of the emergency work, the Permittee shall submit a complete application for a regular CDP to have the emergency development constructed pursuant to this ECDP (as well as ECDPs G-3-17-0027, G-3-17-0040, and G-3-18-0005) 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 (and the previously-issued ECDPs) has been completed. In addition, the application shall include all project-related restoration activities to address scenic and biological resource impacts together with a prescription for developing the California Coastal Trail and access-related improvements in the vicinity of the project. 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., U.S. Army Corps of Engineers, Central Coast Regional Water Quality Control Board, NOAA-NMFS, 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 California Department of Transportation (Caltrans) Emergency Notification Form dated February 6,

Emergency CDP G-3-19-0023 (Caltrans Mud Creek Landslide Repair)

Issue Date: May 15, 2019

Page 3 of 6

2019 and dated received in the Coastal Commission's Central Coast District Office on February 6, 2019, as may be modified by this ECDP and communication with Caltrans Associate Environmental Planner Allison Donatello and Caltrans Acting Senior Maintenance Engineer Berkeley Lindt between February 20 and March 7, 2019.

8. Placement of any landslide materials shall be prohibited in environmentally sensitive habitat areas, in the Pacific Ocean, and where they would significantly impact public access and views. All materials shall be appropriately stabilized with erosion control native seed mix appropriate to the Big Sur coast area.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
 - a. All work near the ocean and beach shall take place during daylight hours. Lighting of the beach or 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 waters is prohibited.
 - d. Any construction vehicles operating on the beach area shall be rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
 - e. Any construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach 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 toe of the bluff as possible, and are minimized in their extent; (2) storage of larger materials beyond the reach of tidal waters for which moving the materials each day would be extremely difficult. Any larger materials intended to be left on the beach 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 tidal/wave surge reaching them.
 - 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 beach or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or

Emergency CDP G-3-19-0023 (Caltrans Mud Creek Landslide Repair)

Issue Date: May 15, 2019

Page 4 of 6

servicing shall not take place on the beach. 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 accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.
 - i. All exposed slopes and soil surfaces in and/or adjacent to the construction area shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best management practices (for example, those identified in the California Storm Water Best Management Practice Handbooks (March, 1993)). The use of non-native invasive species (such as ice-plant) is prohibited.
 - j. 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.
 - k. 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 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. The complete application for a regular CDP (as required by Condition 4) shall include a report for the review and approval of the Executive Director that documents all project activities and associated biological effects. The report shall at a minimum describe and identify the following:

Emergency CDP G-3-19-0023 (Caltrans Mud Creek Landslide Repair)

Issue Date: May 15, 2019

Page 5 of 6

- a. Site plans, cross sections, and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization, including, but not limited to: rock slope protection installation; material placement/deposition; description of equipment and construction mechanisms; rock-fall netting; and any highway, slope, and drainage repairs and/or stabilization. The site plans, cross sections, and narrative description must also provide a comparison of the previous condition to both the emergency condition and to the post-work condition, as much as possible.
 - b. For all landslide material placement seaward of the highway in the vicinity of the landslide, the report must identify in aerial photo and site plan form the location of all materials placement, the area of coverage (in square footage or acreage), and the volume of material.
 - c. Description of all rainfall/weather activity and tidal activity during emergency development work.
 - d. Photo documentation of the material placement sites and downslope areas from set vantage points so as to allow comparison of photos taken at different times.
 - e. Description of the baseline biological conditions as best they were known at the time of the landslide; description of known or potential impacts to sensitive plant and animal species and/or protected habitats due to emergency development and the methods by which those impacts were determined; and, if any, identification of remedial actions to address such impacts where any such remedial actions shall be developed in coordination with the Executive Director and staff from Monterey County, Monterey Bay National Marine Sanctuary, and California Department of Fish and Wildlife.
 - f. Description of all monitoring protocols and the results of all such monitoring.
13. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The Permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property.
14. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
15. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Conditions 4 and 5 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. For the development to be authorized under the Coastal Act a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

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

Emergency CDP G-3-19-0023 (Caltrans Mud Creek Landslide Repair)

Issue Date: May 15, 2019

Page 6 of 6

427-4863; or Sean Drake at the Commission's Sacramento Office at 1121 L Street, Suite 503, Sacramento, CA 95814 (916) 445-6033.