

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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Prepared June 28, 2019 (for July 11, 2019 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for July 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 July 11, 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 July 11th in San Luis Obispo.

With respect to the July 11th 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 July 11, 2019 (see attached)

CDP Waivers

- 3-19-0167-W, Monterey Peninsula Water Management District Weir System (Carmel River)
- 3-19-0301-W, Carmel Area Wastewater District Pipelines (Carmel)
- 3-19-0377-W, City of Monterey Wharf Restroom Replacement (Monterey)
- 3-19-0423-W, State Parks Seacliff State Beach Culvert Repairs (Aptos)

CDP Amendments

- None

CDP Extensions

- A-3-MCO-04-012-E3, Wang Single-Family Residence (Big Sur)
- A-3-SCO-09-001-E3, Frank Single-Family Residence (Aptos)
- A-3-SCO-09-002-E3, Frank Single-Family Residence (Aptos)
- A-3-SLO-15-0001-E2, Loperena Single-Family Residence (Cayucos)

Emergency CDPs

- None

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-19-0167-W**
Applicant: Monterey Peninsula Water Management District

Proposed Development

Five-year permit to install a seasonal resistance-board fish weir system within the Carmel River channel just downstream from the Carmel Area Wastewater District's (CAWD's) footbridge on the main stem of the Carmel River in Monterey County. The project is comprised of substrate rail, resistance weir panels, rigid weir panels, a bulkhead, and live-box traps. The weir elements will span the entire width of the nearly 75-foot-wide river channel at the proposed location. A substrate rail attached to the river substrate will provide anchoring for the rigid- and resistance-weir panels. The live-box traps include a removable top that is lockable to allow access to the trap while also preventing poaching and/or vandalism. The weir will be placed into the river channel in December and removed in May of each year to coincide with steelhead spawning runs. A single vehicle-width gravel path will be installed from an existing dirt road to the top of the bank to allow for regular fish counts as well as the annual installation and removal of the weir.

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 project facilitates data collection needed to comply with National Oceanographic and Atmospheric Administration (NOAA) requirements to estimate the annual run size of South-Central Coast Steelhead in support of a NOAA permit to continue an ongoing fish rescue and rearing program and inform management of the species. Results of the monitoring will be presented as monthly qualitative summaries and an annual mitigation program report available to species managers and the public. Installation and removal of the fish weir will be completed manually from the shoreline on the north bank of the Carmel River. Weir panels will be hand carried into the channel and staked into place manually. Clean gravel will be installed along an existing dirt road with removal of invasive grasses, ivy, and non-herbaceous ground cover adjacent to the existing CAWD footbridge as necessary to provide vehicular access to the river. No trees, brush, or native vegetation will be removed. Project biologists will survey the access route and installation site for the presence of any sensitive wildlife prior to accessing the site for yearly installation and removal of the weir. The fish traps will be installed in only one direction such that only fish swimming upstream will be trapped and counted. Weir design and trap location allows juvenile fish, frogs, turtles and other riverine/estuarine species travelling downstream to either go through the gaps in the weir or be able to move over the floating panels. No

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-19-0167-W (Carmel River Fish Weir)

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part of the fish weir panels, traps, or access road will be visible from Highway 1 or other public locations. The Commission's biologist has reviewed the proposed project and consulted with NMFS staff. Public access is not currently allowed in the area, including on the CAWD footbridge, and thus access to river or lagoon downstream will not be adversely impacted by the project. Other nearby accesses to the river will not be affected by the project. In sum, the proposed project will provide important information about the size and health of South-Central Coast Steelhead on the Carmel River and will not adversely impact coastal resources or 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 Thursday, July 11, 2019, in San Luis Obispo. 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 Mike Watson in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Kevin Kahn, Central Coast District Supervisor
Subject: **Coastal Development Permit (CDP) Waiver 3-19-0301-W**
Applicant: Carmel Area Wastewater District

Proposed Development

Authorization of emergency pipeline repairs to the Carmel Area Wastewater District's raw sewage and treated effluent pipelines over Carmel River lagoon pursuant to emergency CDP G-19-0004. One pipeline, which is 24 inches in diameter and is constructed of concrete and steel, is an outfall that carries secondary-treated effluent from the treatment plant to the ocean; the second pipeline, which is 6 inches in diameter and is constructed of high density polyethylene, carries raw sewage to the plant for treatment. These pipes are suspended above lagoon waters via five 10-inch steel and concrete pile bents connected with steel crossbeams. Repairs were needed to fix structural deficiencies in the steel crossbeams, three of the pile bents, and the 24-inch concrete outfall pipeline in order to ensure their structural soundness and prevent discharge of raw sewage and secondary-treated wastewater into the lagoon. Specifically, the work consisted of installing a four-inch-square steel tube to buttress the crossbeams; adding additional steel, fiber wrap, and cross bracing for the three pile bents; and installing a structural fiber wrap around the 24-inch secondary effluent outfall pipeline to repair a crack in the concrete. The project site is located on the western end of the Carmel River lagoon adjacent to the Carmel Meadows residential area off Calle La Cruz in the unincorporated Carmel area of Monterey County (APN 243-021-007).

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 project entailed necessary repairs to critical wastewater infrastructure to avoid a potential pipeline rupture and spill of raw sewage into the Carmel River lagoon and Carmel River State Beach. The repairs did not expand the physical footprint of the pipelines, but rather reinforced them with fiber wrapping and steel cable so as to improve their structural integrity. An onsite biological monitor was present during all construction work, and water quality and habitat best management practices were employed. No adverse impacts to any sensitive species were documented, and there was no removal of vegetation or placement of any fill in lagoon waters. In sum, the project involved repairs to critical public infrastructure to protect water quality and marine resources, did not involve any adverse impacts during construction, and thus is consistent with the Coastal Act.

NOTICE OF PROPOSED PERMIT WAIVER

CDP Waiver 3-19-0301-W (CAWD Pipeline Repairs)

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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, July 11, 2019 in San Luis Obispo. If three or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Kevin Kahn in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-19-0377-W
Applicant: City of Monterey

Proposed Development

Replacement of existing boater-only restroom facilities with restroom facilities available for use by boaters and the general public, and other site improvements, all located within the Commission's retained jurisdiction at the midpoint of Municipal Wharf II in the City of Monterey, 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 proposed restroom replacement project involves demolition of the existing restroom facilities (which are only available to boaters) and an adjacent trash enclosure, and installation of prefabricated, modern restroom facilities that will include a restroom for boaters as well as a new restroom for use by the general public. The proposed project also includes a new trash enclosure located adjacent to the proposed restroom building. The proposed project will not impact the coastal viewshed or waterfront access because the proposed restroom structure is similar in height and footprint to the existing structure. Temporary restroom facilities will be available for the duration of construction (approximately two months). Municipal Wharf II supports commercial and recreational fishing activities and also provides public access, parking, restaurants, and a yacht club. The proposed project will enhance visitor-serving uses of the wharf by providing restrooms that will be available to the general public. The proposed project will also improve water quality because the proposed trash enclosure includes a drain that connects to the sewer, which is lacking on the existing trash enclosure. Additionally, the project includes construction best management practices typically required by the Commission, such as an Erosion and Sediment Control Plan and fencing and containment measures to prevent foreign materials from entering Monterey Bay waters. Thus, in summary, the proposed restroom replacement project will not have 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 the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, July 11, 2019, in San Luis Obispo. 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 WAIVER

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner
Subject: **Coastal Development Permit (CDP) Waiver 3-19-0423-W**
Applicant: California Department of Parks and Recreation (State Parks)

Proposed Development

Recognition of the emergency replacement of portions of two culverts at Seacliff State Beach under Emergency CDP G-3-19-0116, including approximately 640 linear feet of pipe beginning at the Beachgate Trailhead at the intersection of Coates Drive and Beachgate Way and continuing down to the State Park Drive, and approximately 160 linear feet of pipe beginning at the Upper Field and continuing down to the Day Use Beach Parking Area at Seacliff State Beach in unincorporated Aptos, Santa Cruz 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 development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

Based on the materials presented by State Parks, the heavy rains during the past winter and spring months 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 caused significant erosion of the public access path and the bluff. Prior to replacement, the damaged culvert caused water to run down the bluff, and began compromising the integrity of 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 caused eroded sediments and other materials to flow down the bluff and discharge onto the beach. The emergency culvert replacement done under Emergency CDP G-3-19-0116 was deemed necessary prevent additional erosion of the Beachgate Trail and to ensure continued ingress/egress to Las Olas Drive. The project was completed using the Commission's typical best management practices to protect water quality during construction adjacent to coastal waters. In sum, the project will prevent future bluff erosion including along the Beachgate Trail, thereby maintaining pedestrian access from the blufftop to the beach area, and further protects ingress and egress to Las Olas Drive. In addition, the project minimizes future sedimentation and drainage build up on the beach. Therefore, the project, as constructed under Emergency CDP G-3-19-0116, did 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, July 11, 2019, in San Luis Obispo. If four or

NOTICE OF PROPOSED PERMIT WAIVER
CDP Waiver 3-19-0423-W (Seacliff State Beach Culvert Repair)
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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.

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NOTICE OF PROPOSED PERMIT EXTENSION

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Katie Butler, Coastal Planner
Subject: **Proposed Extension to Coastal Development Permit (CDP) A-3-MCO-04-012**
Applicant: Brandon Wang

Original CDP Approval

CDP A-3-MCO-04-012 was approved by the Coastal Commission on June 7, 2017, and provided for the construction of a 2,315-square foot single-family residence at 36228 Highway 1, at Kasler Point, in the Big Sur Coast area of unincorporated Monterey County.

Proposed CDP Extension

The expiration date of CDP A-3-MCO-04-012 would be extended by one year to June 7, 2020. The Commission's reference number for this proposed extension is **A-3-MCO-04-012-E3**.¹

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified Monterey County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on Thursday, July 11, 2019, in San Luis Obispo. If three or more Commissioners object to the Executive Director's changed circumstances determination at that time, a full hearing on whether changed circumstances exist will be scheduled pursuant to the Commission's regulations.

If you have any questions about the proposal or wish to register an objection, please contact Katie Butler in the Central Coast District office.

¹ CDP extensions -E1 and -E2 were granted in 2006 and 2007, respectively, while the original CDP approval was undergoing litigation. The CDP application was remanded to the Commission by the Court of Appeal, and subsequently approved in June 2017.

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NOTICE OF PROPOSED PERMIT EXTENSION

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Ryan Moroney, Central Coast District Supervisor
Subject: **Proposed Extension to Coastal Development Permit (CDP) A-3-SCO-09-001**
Applicant: Neil Frank

Original CDP Approval

CDP A-3-SCO-09-001 was approved by the Coastal Commission on June 12, 2015, and provided for the construction of a two-story single-family residence and associated improvements. The project is located on an undeveloped vacant blufftop above Hidden Beach where it slopes down toward a coastal arroyo adjacent to Hidden Beach County Park just downcoast from Bayview Drive in the unincorporated Aptos area of south Santa Cruz County.

Proposed CDP Extension

As indicated above, the CDP was originally approved by the Coastal Commission on June 12, 2015, and included a two-year term with an expiration date of June 12, 2017. The Applicant previously filed for extensions extending this deadline to June 12, 2019, which were granted by the Commission (A-3-SCO-09-001-E1 and A-3-SCO-09-001-E2). Thus, under this proposed extension, the expiration date of CDP A-3-SCO-09-001 would be extended one additional year until June 12, 2020. The Commission's reference number for this proposed extension is **A-3-SCO-09-001-E3**.

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified Santa Cruz County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on Thursday, July 11, 2019, in San Luis Obispo. If three or more Commissioners object to the Executive Director's changed circumstances determination at that time, a full hearing on whether changed circumstances exist will be scheduled pursuant to the Commission's regulations.

If you have any questions about the proposal or wish to register an objection, please contact Ryan Moroney in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT EXTENSION

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Ryan Moroney, Central Coast District Supervisor
Subject: **Proposed Extension to Coastal Development Permit (CDP) A-3-SCO-09-002**
Applicant: Neil Frank

Original CDP Approval

CDP A-3-SCO-09-002 was approved by the Coastal Commission on June 12, 2015, and provided for the construction of a two-story single-family residence and associated improvements. The project is located on an undeveloped vacant blufftop above Hidden Beach where it slopes down toward a coastal arroyo adjacent to Hidden Beach County Park just downcoast from Bayview Drive in the unincorporated Aptos area of south Santa Cruz County.

Proposed CDP Extension

As indicated above, the CDP was originally approved by the Coastal Commission on June 12, 2015, and included a two-year term with an expiration date of June 12, 2017. The Applicant previously filed for extensions extending this deadline to June 12, 2019, which were granted by the Commission (A-3-SCO-09-002-E1 and A-3-SCO-09-002-E2). Thus, under this proposed extension, the expiration date of CDP A-3-SCO-09-002 would be extended one additional year until June 12, 2020. The Commission's reference number for this proposed extension is **A-3-SCO-09-002-E3**.

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified Santa Cruz County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on Thursday, July 11, 2019, in San Luis Obispo. If three or more Commissioners object to the Executive Director's changed circumstances determination at that time, a full hearing on whether changed circumstances exist will be scheduled pursuant to the Commission's regulations.

If you have any questions about the proposal or wish to register an objection, please contact Ryan Moroney in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT EXTENSION

Date: June 26, 2019
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: **Proposed Extension to Coastal Development Permit (CDP) A-3-SLO-15-0001**
Applicant: Jack Loperena

Original CDP Approval

CDP A-3-SLO-15-0001 was approved by the California Coastal Commission on August 10, 2016 and allows for the construction of an approximately 1,100-square-foot, three-story single-family residence with an elevated driveway platform connecting to Studio Drive, located seaward of Studio Drive at its northern end (approximately 250 feet southwest of the intersection of Studio Drive and Highway 1) and fronting Morro Strand State Beach, in the unincorporated community of Cayucos, San Luis Obispo County (APN 064-253-007).

Proposed CDP Extension

As indicated above, the CDP was originally approved by the Coastal Commission on August 10, 2016 and included a two-year term with an expiration date of August 10, 2018. The Applicant previously filed for an extension extending this deadline to August 10, 2019, which was granted by the Commission (A-3-SLO-15-0001-E1). Thus, under the proposed extension, the expiration date of CDP A-3-SLO-15-0001 would be extended one additional year until August 10, 2020. The Commission's reference numbers for the proposed extension is **A-3-SLO-15-0001-E2**.

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified San Luis Obispo County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on Thursday, July 11, 2019, in San Luis Obispo. If three or more Commissioners object to the Executive Director's changed circumstances determination at that time, a full hearing on whether changed circumstances exist will be scheduled pursuant to the Commission's regulations.

If you have any questions about the proposal or wish to register an objection, please contact Alexandra McCoy in the Central Coast District office.