

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CALIFORNIA 93001-2801
(805) 585-1800 FAX (805) 641-1732
WWW.COASTAL.CA.GOV



Revised Copy Th7

Prepared February 11, 2020 (for the February 13, 2020 Hearing)

To: Commissioners and Interested Parties
From: Steve Hudson, South Central Coast District Deputy Director
Subject: South Central Coast District Deputy Director's Report for February 2020

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the South Central Coast District Office are being reported to the Commission on February 13, 2020. 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 South Central Coast District Office in Ventura. Staff is asking for the Commission's concurrence on the items in the South Central Coast District Deputy 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 February 13th.

With respect to the February 13th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this 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 February 13, 2020 (see attached)

Immaterial Extensions

- 4-07-066-E10, Halbreich (Malibu)
- 5-90-314-E28, Rubinroit (Malibu)

Emergency Permits

- G-4-19-0059, Mark Magidson (Malibu)
- G-4-20-0004, City of Ventura (Ventura)

Miscellaneous Item

- Emergency Permit Waiver 30611 – City of Ventura

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

February 4, 2020

Notice is hereby given that SC Planners David Halbreich has applied for a one year extension of 4-07-066 granted by the California Coastal Commission on December 11, 2008.

for: Construct a two story, 29 1/2 foot high, 6,841 sq. ft. single family residence, attached 598 sq. ft., 3-car garage, 985 sq. ft. covered decks, pool, hot tub, driveway improvements, shared access road improvements, water tank, solar panel system, septic system, retaining walls, fencing with entrance gate, temporary construction trailer, restore approximately 150 lineal feet of existing roadway, and 3,224 cubic yards of cut grading and 1,569 cubic yards of fill grading, export 1705 cubic yards to disposal site located outside the coastal zone. **AMENDED TO:** Revision of size and location of building pad, and height and square footage of approved home, resulting in the following revised project description: Construction of a two story, 34 ft. high, 4,998 sq. ft. single family residence, detached 604 sq. ft. 3-car garage, 338 sq. ft. of covered decks, pool and hot tub driveway improvements, shared access road improvements including underground utility extensions within roadway, septic system, retaining walls fencing with entrance gate, temporary construction trailer, restore approximately 150 lineal feet of existing roadway, and 3,100 cubic yards of cut grading and 1,500 cubic yards of fill grading, export 1,600 cubic yards to disposal site located outside the coastal zone. **AMENDED TO:** Construction of a shared access road and driveway consisting of two retaining walls along the upslope side of the shared access road, including one 300 ft. long retaining wall with maximum height of 8.5 ft. and one retaining wall that is 70 ft. long with a maximum height of 7 ft., a 70 ft. long subterranean interconnected 8 pile retaining wall on the downslope side of the road, and grading quantities totaling 1,000 cubic yards of cut and 400 cubic yards of fill for the shared access road, and 1,100 cubic yards of cut and 500 cubic yards of fill for the driveway.

at: 3030 Vista Mar Dr, Malibu (Los Angeles County) (APN(s): 4457023009)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

February 4, 2020

Notice is hereby given that Terry & Howard Rubinroit has applied for a one year extension of 5-90-314 granted by the California Coastal Commission on March 14, 1991

for: Adjust lot line and construct 4,665 sq.ft. 27-ft-high single-family home with 1,012 sq.ft. garage, water well, water tank, septic system, swimming pool, pool house and 1,355 cu.yds. Of grading

at: 25195 Piuma Rd, Malibu (Los Angeles County) (APN(s): 4456037004)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

Julie Reveles
Staff Services Analyst

cc: Commissioners/File

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**EMERGENCY PERMIT**

Date: January 6, 2020
Permit No.: G-4-19-0059
Applicant: Mark Magidson Trust
Agent: Mark Levinson
Project Location: 30822 Broad Beach, Malibu, Los Angeles County (APN 4470-013-003)

Work Proposed: Temporary placement of 126 linear ft. of burlap sand bags on the sandy beach seaward of an existing beachfront residence and septic system at Broad Beach. The sand bags will be stacked approximately 8-10 ft. in height and 3 ft. in width. The sand bags will be placed approximately 15 ft. seaward of the edge of the existing leachfield on-site, which is approximately 20 ft. landward of the existing temporary rock revetment that is located on the neighboring properties immediately upcoast and downcoast of the subject site. An additional approximately 20 linear ft. of burlap sand bags on the west side and approximately 5 linear ft. on the east side of the property will be placed between the revetment and the sand bag wall to minimize erosion behind the existing rock revetment.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that an unexpected occurrence in the form of shoreline erosion due to high wave action is endangering the existing septic system on site. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit; and
- (b) Public comment on the proposed emergency action has been reviewed if time allows.

The work is hereby approved, subject to the conditions listed on the reverse.

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in black ink, appearing to read "Steve Hudson".

By: Steve Hudson
Title: District Director

CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the applicant and returned to our office within fifteen (15) days, though the work may begin in advance of that submittal.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work at the location of the proposed project requires separate authorization from the Executive Director.
3. The work authorized by this emergency permit must be completed within 30 days of the date of this permit. The Executive Director may grant additional time for good cause.
4. In exercising this emergency permit, the applicant agrees to hold the California Coastal Commission (Commission) harmless from any liabilities for damage to public or private properties or personal injury that may result from the project and to indemnify the Commission, which includes its officers, agents, and employees, against any and all liability, related claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any such damage or personal injury.
5. The authorization provided by this emergency permit is for the placement of temporary sand bags only. Authorization for permanent retention of the sand bags would require the issuance of a regular Coastal Development Permit from the Commission. All portions of the sand bag shoreline protection work on the subject site installed pursuant to this emergency permit shall be removed within one year (or within such additional time as the Executive Director may grant for good cause) if no coastal development permit is obtained for their permanent retention.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other local, state and federal agencies including, but not limited to, Army Corp of Engineers, Regional Water Quality Control Board, and the State Lands Commission, as applicable.
7. No overnight storage of equipment or materials shall occur on sandy beach. Construction materials or debris shall not be stored where it will be or could potentially be subject to wave erosion and dispersion. In addition, no machinery shall be placed, stored or otherwise located in the intertidal zone at any time.

IMPORTANT

The emergency work is considered to be temporary work done in an emergency situation. If the applicant wishes to have the emergency work become a permanent development, a coastal permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call Deanna Christensen at the Commission Area office.

Enclosures: 1) Acceptance Form

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**EMERGENCY PERMIT**

Date: January 15, 2020
Permit No.: G-4-20-0004
Applicant: City of Ventura
Project Location: Ventura Promenade, Harbor Boulevard, City of Ventura
(APN 073-0-240-270)

Work Proposed: Repair of a 200 foot long portion of the beachfront promenade damaged by wave action and erosion. This includes the repair of a 175 foot long portion of the promenade foundation through the placement of concrete within voids. Additionally, a 200 foot long portion of the rock revetment located immediately seaward of the promenade will be repaired within the existing footprint, including the addition of up to 650 cubic yards of 1-5 ton ungrouted rock. The revetment will not be expanded seaward.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that an unexpected occurrence in the form of shoreline erosion due to high wave action has damaged the existing revetment and undermined the foundation of the promenade. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

(a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit; and

(b) Public comment on the proposed emergency action has been reviewed if time allows.

The work is hereby approved, subject to the conditions listed on the reverse.

Sincerely,

John Ainsworth
Executive Director

Steve Hudson for:

By: Steve Hudson
Title: District Director

CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the applicant and returned to our office within fifteen (15) days, though the work may begin in advance of that submittal.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work at the location of the proposed project requires separate authorization from the Executive Director.
3. The work authorized by this emergency permit must be completed within 30 days of the date of this permit. The Executive Director may grant additional time for good cause.
4. In exercising this emergency permit, the applicant agrees to hold the California Coastal Commission (Commission) harmless from any liabilities for damage to public or private properties or personal injury that may result from the project and to indemnify the Commission, which includes its officers, agents, and employees, against any and all liability, related claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any such damage or personal injury.
5. The work authorized by this emergency permit is temporary, unless permanent retention of the development is authorized through the issuance of a regular Coastal Development Permit from the California Coastal Commission. Within sixty (60) days of completion of the development, the permittee shall submit a complete application for a regular coastal development permit to have the emergency work be considered permanent. The Executive Director may grant additional time for good cause.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other local, state and federal agencies including, but not limited to, Army Corp of Engineers, Regional Water Quality Control Board, and the State Lands Commission, as applicable.
7. No overnight storage of equipment or materials shall occur on sandy beach or in the intertidal zone. Construction materials or debris shall not be stored where it will be or could potentially be subject to wave erosion and dispersion.

IMPORTANT

The emergency work is considered to be temporary work done in an emergency situation. If the applicant wishes to have the emergency work become a permanent development, a coastal permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call Joy Lester at the Commission Area office.

Enclosures: 1) Acceptance Form

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Deputy Directors Report Memo

January 31, 2020

To: Commissioners and Interested Persons

From: South Central Coast District Staff

Subject: Memo for Item Th7, South Central Deputy Director's Report, 30611 Emergency Permit Waiver (City of Ventura) for the Commission Meeting of February 13, 2020

On January 7, 2020, the City of Ventura (City) notified Commission staff via telephone and email, of an emergency situation involving beach erosion along the public promenade. Specifically, two large void areas were discovered under a 200 foot long portion of the promenade in an area adjacent and to the east of Paseo De Playa, where both a waterline and sewer force main line are also located. The City indicated the need for immediate action to prevent the imminent failure of the promenade, and to protect the waterline and sewer force main line located within the promenade footprint. Wave-action in general, and specifically the King Tides event that was forecasted to take place the weekend after the promenade was undermined, posed an imminent threat to the infrastructure. Therefore, the City determined it was necessary to undertake emergency action located within the Commission's retained Coastal Development Permit jurisdiction. The project description for emergency actions that were undertaken pursuant to Section 30611 of the Coastal Act, which began on January 7, 2020 and continued until January 8, 2020, included the placement of 8 large one-cubic yard gravel bags, and 1,000 standard 14x26 gravel bags, within the two large void areas under the promenade. The City has retained the sand bags on the site to date. The City indicated this work is a temporary solution done in an emergency situation to prevent failure of the promenade.

After detailed discussions with the City about the work proposed to alleviate the emergency situation and the potential for impacts to coastal resources, Commission staff determined that this project qualifies for an Emergency Coastal Development Permit Waiver, as provided under Coastal Act Section 30611, for the following reasons:

1. Immediate action by the City of Ventura, a public agency, was necessary to protect life and public property from imminent danger, and the proposed work is the minimum necessary to alleviate the emergency condition.
2. Commission staff was notified of the emergency situation within three days of the City's discovery of the emergency.
3. The project does not include permanent erection of any structures.

4. The project impacts are temporary in nature and best management practices were employed in the project operations to minimize impacts. The standard size gravel bags were unloaded onto the beach using plywood as a slide, and a crane was used to lower the 8 large gravel bags over the promenade railing onto the beach. The gravel bags were then placed into the two large void areas under the promenade. The public's ability to use the beach was only temporarily impacted during the construction activities and was fully restored upon completion of the work. The gravel bags were proposed to be retained on a temporary basis only until a more permanent repair of the promenade damage could be developed by the City.

Staff would note that on January 10, 2020, the City submitted an Emergency Coastal Development Permit Application (G-4-20-0004) to perform promenade repairs, including injecting concrete into the subject voids and placing 650 cubic yards of 1-5 ton ungrouted rock to repair a 200 foot portion of a damaged rock revetment located immediately seaward of the voids under the promenade. The Executive Director approved G-4-20-0004 on January 15, 2020. The work authorized by the emergency permit was commenced on January 14, 2020. To date, the City has completed the injection of concrete into the voids. The temporary sand bags (that are the subject of this 30611 Emergency Permit Waiver) have been retained to protect the promenade to the present but will be removed once the concrete has completely cured and the ungrouted rock will then be added to the revetment.