

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060-4508
VOICE (831) 427-4863
FAX (831) 427-4877



W18

Prepared March 4, 2020 (for March 11, 2020 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for March 11, 2020

The following coastal development permit (CDP) waivers, immaterial CDP amendments, immaterial CDP extensions, and emergency CDPs for the Central Coast District Office are being reported to the Commission on March 11, 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 Central Coast District Office in Santa Cruz. Staff is asking for the Commission's concurrence on the items in the Central Coast District Director's Report, and will report any objections received and any other relevant information on these items to the Commission when it considers the Report on March 11th at the Hilton Scotts Valley.

With respect to the March 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 March 11, 2020 (see attached)

CDP Waivers

- 3-19-1091-W, City of Monterey materials recovery building (City of Monterey)

CDP Amendments

- A-4-MRB-91-044-A2, Cloisters subdivision modifications (Morro Bay)

CDP Extensions

- None

Emergency CDPs

- G-3-19-0041, Santa Cruz Wharf piling replacement and ledge repairs (Santa Cruz)
- G-3-20-0012, Casitas Del Mar Townhouses armoring changes (Live Oak)

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NOTICE OF PROPOSED PERMIT WAIVER

Date: February 26, 2020
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-19-1091-W
Applicant: City of Monterey

Proposed Development

Construction of an approximately 1,332-square-foot reinforced masonry building with three roll-up doors, installation of three 15-cubic-foot trash compactors within the masonry building, and installation of associated utilities to serve the building, all located in the Fisherman's Wharf public parking lot in the City of Monterey, Monterey County (APN 001-567-012-000).

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 Fisherman's Wharf public parking lot is located adjacent to the Monterey Harbor's docks and Fisherman's Wharf #1 in the City of Monterey. An existing trash compactor that serves the commercial business is located near the end of Wharf #1. The need for large garbage trucks to traverse the wharf to reach the compactor, as well as vibrations from the compactor itself, has resulted in significant wear and tear to the wooden wharf structure. The proposed project would decommission the existing trash compactor and construct an improved waste management facility in the south-west corner of the Fisherman's Wharf #1 public parking lot. Although the proposed project will result in six fewer public parking spaces, it will reduce incidental damages to a heavily used public wharf and modernize the existing waste management system. Trenching required for installation of the proposed utility connections will require closure of the recreational trail adjacent to the building for approximately one week. During that time, pedestrians and cyclists will be redirected onto the existing concrete pathway that traverses the Wharf #1 parking lot, approximately 150 feet northeast of the construction site. Construction will take place outside of peak summer months to limit impacts to parking availability and public access. The proposed project received discretionary architectural review approval by the City of Monterey to ensure conformance with the requirements of the City's Municipal Code and the City's certified Harbor Land Use Plan. The project also includes Best Management Practices to protect water quality during construction,

including erosion and sediment controls, spill prevention measures, and good housekeeping practices. In sum, the proposed project will not significantly adversely impact coastal resources, including public access at this significant visitor destination, and thus can be found consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on March 11, 2020 at the Hilton Scotts Valley. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: February 26, 2020
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Colin Bowser, Coastal Planner
Subject: Proposed Amendment to Coastal Development Permit (CDP) A-4-MRB-91-044
Applicant: Morro Bay Ventures LLC

Original CDP Approval

CDP A-4-MRB-91-044 was approved by the Coastal Commission on July 9, 1992 and provided for the subdivision of an 84.4-acre parcel into 120 residential lots, three open space lots, one 0.99-acre lot intended at the time for future development of a fire station, and internal roads and other infrastructure, all located west of Coral Avenue and adjacent to Morro Strand State Beach in the City of Morro Bay. The subdivision approved under CDP A-4-MRB-91-044 is known as the "Cloisters."¹

Proposed CDP Amendment

CDP A-4-MRB-91-044 would be amended to allow the subdivision of the vacant 0.99-acre lot into as many as five residential lots. The proposed amendment would also allow construction of infrastructure, specifically a common driveway, guest parking and associated fencing, curb cuts, a sidewalk, the installation of storm drainage and utility infrastructure to serve up to five future homes, and site preparation work, including removal of eucalyptus trees. The lot is located at 2783 Coral Avenue within the Cloisters subdivision in the City of Morro Bay. The Commission's reference number for this proposed amendment is **A-4-MRB-91-044-A2**.

Executive Director's Immateriality Determination

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

The City of Morro Bay no longer intends to construct a fire station on the 0.99-acre lot because the City determined that adequate fire service already exists nearby. Thus, the proposed project would allow the subdivision of this vacant, 0.99-acre lot into as many as five residential parcels within the existing residential Cloisters neighborhood. The lot is located near Highway 1 and about a quarter mile inland from the beach where the

¹ The homes in the Cloisters were subsequently approved under separate CDPs issued by the City of Morro Bay

subdivision will have no significant impact on public access. The lot is relatively flat, is located slightly below Highway 1 elevation, contains no sensitive species, is bounded on three sides by residential development and by Highway 1 on the fourth side, and neither the subdivision (including the shared driveway and infrastructure) associated with this amendment nor potential future LCP-consistent residential development (subject to future CDP processes)² is expected to lead to any significant coastal resource impacts. The lot is zoned in the LCP as Coastal Resource Residential/Golf Course/Planned Development, a designation that allows for such residential subdivision and use, and each of the lots meet the LCP's minimum lot size requirements. In sum, the proposed amendment will allow up to five additional residential lots within an existing developed residential area. It is consistent with the Commission's original CDP approval, as well as consistent with the Coastal Act and the certified Morro Bay LCP³.

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday, March 11, 2020 at the Hilton Scotts Valley. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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

² This amendment is for the proposed subdivision of the 0.99-acre lot into a maximum of five residential lots and related infrastructure to serve these lots. Any proposed future residential development on these lots would require a CDP from the City of Morro Bay, and such a project would be reviewed for consistency with the City's LCP.

³ The Commission approved LCP Amendment No. LCP-3-MRB-19-0140-1 (Cloisters Subdivision) on October 18, 2019, which increased the development's maximum number of residential units from 120 to 125 to account for the maximum number of additional lots that would be created by subdividing the existing 0.99-acre lot.

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EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-19-0041 (Pile Replacement and Ledger Repairs, Santa Cruz Municipal Wharf)

Issue Date: February 25, 2020

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This emergency coastal development permit (ECDP) authorizes emergency development consisting of replacement pilings and ledger (horizontal bracing) repairs at various locations along the Santa Cruz Municipal Wharf. Based on the materials presented by the Permittee (City of Santa Cruz), storms during the 2018-2019 winter season critically damaged numerous pilings and ledgers that support the wharf. Specifically, the City intends to replace seven pilings (including caps, joists, and related decking) and repair six ledgers at various locations along the outermost portion of the wharf structure. The City's structural engineers have determined that the structural integrity of this portion of the wharf is compromised and requires this immediate maintenance as soon as possible to protect the structure and public safety. Thus, the proposed emergency repair is necessary to maintain essential public services and public safety, and is the minimum work necessary to prevent further damage to marine infrastructure and private property. The project is conditioned to require appropriate best management practices (BMPs) for protecting water quality during construction. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

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

The emergency development is hereby approved, subject to the conditions listed on the attached pages.


Susan Craig, Central Coast District Manager, for John Ainsworth, Executive Director

Enclosure: Emergency Coastal Development Permit Acceptance Form

cc (via email): Mark Dettle, City of Santa Cruz Public Works Director

**Emergency CDP G-3-19-0041 (Piling Replacement and Ledger Repair,
Santa Cruz Municipal Wharf)**

Issue Date: February 25, 2020

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 March 11, 2020). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 90 days of the date of this permit (i.e., by May 25, 2020) 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 120 days of the date of this permit (i.e. by June 24, 2020), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. (The CDP application may be found at: <http://www.coastal.ca.gov/cdp/cdp-forms.html>). The application shall include photos showing the project site before the emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete. The deadline in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., City of Santa Cruz, U.S. Army Corps of Engineers, Regional Water Quality Control Board, 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 August 30, 2019.¹
8. All emergency development is limited to the least amount necessary to abate the emergency.

¹ The City originally applied for the ECDP in August 2019, but needed to obtain Army Corps of Engineers approval, which was just recently granted. The City remains very concerned about the compromised nature of these pilings and their associated structural components in terms of public safety, and requests an ECDP so that replacement work may commence in the next week.

**Emergency CDP G-3-19-0041 (Piling Replacement and Ledger Repair,
Santa Cruz Municipal Wharf
Issue Date: February 25, 2020**

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. Responsibilities for Use of Preservative-Treated Wood for Piles and Over-Water Structures. The Permittee shall comply with the following best management practices for the use of preservative-treated wood ("treated wood") in over-water structures:

- The wood preservative selected for use shall minimize the impact on coastal water quality and the aquatic environment.
- ACZA preservative-treated Douglas fir piles shall only be used for repair and replacement, or to visibly blend, and/or structurally integrate with, existing over-water structures.
- Decking and ledgers shall consist of wood-alternative materials or ACZA-preserved lumber wrapped in a poly-urea coating. Alternatives to preserved woods, such as concrete, steel, fiberglass, or naturally decay resistant wood species, shall be prioritized over the use of chemically-treated wood.
- All treated wood piles, and, where feasible, treated wood structural members, shall be wrapped in, or coated with, water-tight, UV resistant material to prevent leaching of wood-preservative chemicals into the water column, and to prolong the life of the piles and structural timbers. For piles, protection shall extend two feet below the mudline and two feet above ordinary high water, at a minimum, and wrappings shall be secured with corrosive resistant banding or self-tapping screws. Coatings and/or sealants used shall be products that are inert after they have cured and dried. No coal-tar sealants or coal tar-treated wood shall be used unless coated or wrapped with an inert material or product to isolate it from the marine environment.
- Design features, such as a protective wearing surfaces or bumpers, shall be installed on fender piles and floating dock pilings, where appropriate, to resist abrasion and preserve the pile-wrap or coating.
- The amount of preservative used for treating piles shall be the minimum specified by the American Wood Protection Associate to effectively protect the piles. Wood treated to the standards for a higher Use Category (i.e., with a higher preservative retention level) than is necessary for that component shall not be used.
- Treated wood and treated wood debris shall be stored a minimum of 50 feet from coastal waters, drainage courses, and storm drain inlets. The treated

**Emergency CDP G-3-19-0041 (Piling Replacement and Ledger Repair,
Santa Cruz Municipal Wharf)**

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wood and treated wood debris shall be stored on impervious pavement or an impervious tarp, and covered during rain events.

- If treated wood is sanded or saw cut during demolition, installation, or maintenance, all sawdust and debris generated shall be contained and removed.
- Pile installations shall be driven using impact hammered methods in order to minimize water quality impacts and shall use a soft-start/ramping up BMP with hammer strikes that begin at approximately 40 to 60 percent energy levels with no less than a one-minute interval between each strike for a five-minute period.

B. Removal of existing piles shall observe the following conditions, where applicable:

- Work shall occur during favorable tidal, ocean, and weather conditions that will enhance the ability to remove, to the maximum extent feasible, the full length of the pile and any associated debris generated during demolition.
- Piles and debris shall be placed directly into a vessel/container suitable for transport off-site.
- Degraded pile sections that cannot be recovered from the substrate shall be cut at the deepest feasible elevation to maximize partial-retrieval.
- All used piles and debris shall be removed to an offsite, authorized disposal site. Sediment adhered to the removed pile shall be removed from coastal waters.
- Piles shall be removed slowly and handled carefully to minimize turbidity. Vibratory extraction shall be prioritized over direct-pull methods, where feasible, in order to limit disturbance.

C. General Construction BMPs. All construction materials and equipment shall be stored beyond the reach of tidal waters:

- All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and to protect public safety to the maximum extent feasible. Construction (including, but not limited to, construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
- 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

**Emergency CDP G-3-19-0041 (Piling Replacement and Ledger Repair,
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receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).

- 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 servicing shall not take place on the wharf or 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.
 - All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
 - 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.
 - 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

**Emergency CDP G-3-19-0041 (Piling Replacement and Ledger Repair,
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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 wish to expand the scope of work, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



California Coastal Commission

EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-20-0012 (Casitas Del Mar Townhouse Inc. Armoring)

Issue Date: February 11, 2020

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Cavities are forming in an unpermitted¹ grouted riprap revetment that is located on the bluff and the beach fronting the Casitas del Mar townhomes property at 22680 East Cliff Drive in the unincorporated Live Oak area of Santa Cruz County. These cavities have created an attractive nuisance because they appear as "caves" of sorts in the back-beach area with an overhang of grouted riprap, and they present a public safety hazard as they are liable to collapse without warning. This emergency coastal development permit (ECDP) authorizes temporary emergency development consisting of: (1) breaking off the overhanging portions of the grouted riprap and using larger portions (i.e., greater than one-foot wide) of that material to fill/block the cavities via use of heavy equipment located either on the blufftop area inland of the revetment (preferred, and required if feasible) or on the beach; (2) hiring a person or persons to monitor the cavity areas and to prevent the public from entering the cavities 24 hours per day until they have been blocked and the public nuisance/public safety hazard has been abated; and (3) restoration of all public accessways and/or beach areas impacted by construction activities, including removal of all broken off materials that are not used for blocking off the cavities. The temporary emergency development would take place on the beach and bluff area seaward of the Casitas Del Mar townhomes property, located at 22680 East Cliff Drive in the unincorporated Live Oak area of Santa Cruz County.

Based on the materials presented by the Permittee, a public safety hazard exists. Specifically, the two aforementioned cavities, one on either side of a natural headland/point extending out onto the beach, may collapse at any time. According to the Permittee, people have been observed entering the cavities, and thus Commission staff recognizes that there is an imminent threat to life and health that must be addressed immediately. The Permittee's initial ECDP application, which was submitted on January 22, 2020, requested to fill the two cavities with approximately 23 cubic yards of concrete. The Permittee revised the ECDP application request on February 6, 2020 to instead propose concrete "walls" at the mouth of each cavity. However, Commission staff had concerns about the addition of more armoring to the unpermitted riprap structure (for which enforcement has already required removal in terms of resolving the violation, and *not* more armoring); determined (including with review and input from the Commission's Senior Coastal Engineer, Dr. Lesley Ewing, and the Commission's Geologist, Dr. Joe

¹ Commission Violation Case Number V-3-16-0022.

Enclosure: Emergency Coastal Development Permit Acceptance Form

cc: (via email): Mark Massara
John Kasunich
Jessica DeGrassi

Emergency CDP G-3-20-0012 (Casitas Del Mar Townhouse Inc. Armoring)

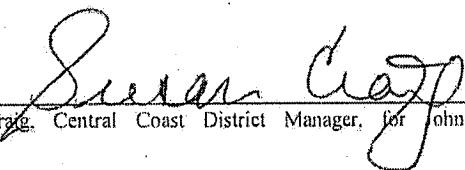
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Street) that there were less intensive and less permanent options with fewer potential coastal resource impacts that could be authorized to temporarily abate the emergency (as required by the Coastal Act and the Commission's regulations); and instead authorized via phone (call from Pat Veasart, the Commission's Northern California Enforcement Supervisor, to the Permittee's Coastal Engineer, John Kasunich) on February 7, 2020 the temporary emergency development authorized by this ECDP as described above. 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 February 26, 2020). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 30 days of the date of this ECDP (i.e., by March 12, 2020) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this ECDP (i.e., by April 11, 2020), the Permittee shall submit a complete application for a regular CDP to remove all temporary emergency development authorized by this ECDP, and to remove the remaining grouted riprap revetment. The application shall include photos showing the project site before the emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete.
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.

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6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Santa Cruz County, Monterey Bay National Marine Sanctuary, State Lands Commission, 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 telephone call between Pat Veersart (Coastal Commission Northern California Enforcement Supervisor) and John Kasunich (Principal Geotechnical Engineer at Haro, Kasunich & Associates, Inc.) on February 6, 2020, and as described above.
8. All emergency development is limited to the minimum 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 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. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
 - g. The construction site shall maintain good construction site housekeeping controls and procedures

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(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.).

- h. 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 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.
 - i. All materials removed from the grouted riprap revetment that are not used for blocking off the cavities shall be removed from the area and properly disposed of.
 - j. 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.
 - k. 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.
 - l. 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 without significantly adversely impacting public views, 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.

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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.

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.