

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



W12

Prepared June 1, 2020 (for June 10, 2020 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for June 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 June 10, 2020. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review on the Commission's website (at www.coastal.ca.gov), or interested parties can request copies from staff (by emailing centralcoast@coastal.ca.gov or calling 831-427-4863). 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 10th.

With respect to the June 10th hearing, interested persons may sign up to address the Commission on items contained in this Report prior to the Commission's consideration of the Report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on June 10, 2020 (see attached)

CDP Waivers

- 3-20-0298-W, City of Monterey Trash Screening Device (Monterey)

CDP Amendments

- None

CDP Extensions

- A-3-STC-16-0016-E1, 1307 West Cliff Holdings LLC Remodel (City of Santa Cruz)
- 3-16-0345-E1, 1307 West Cliff Holdings LLC Armoring (City of Santa Cruz)

Emergency CDPs

- G-3-20-029, Old Salinas River Culvert Repair/Replacement (North Monterey County)

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NOTICE OF PROPOSED PERMIT WAIVER

Date: May 29, 2020
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-20-0298-W
Applicant: City of Monterey

Proposed Development

Installation of a 6-foot x 12-foot trash screening device within the existing road right-of-way and beneath the road surface at the existing underground storm drain system at two locations (Roberts Ave./Highway 218 and North Fremont/Casanova) 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 project will improve coastal water quality by intercepting trash and other debris that enters stormwater infrastructure prior to release into the marine environment. The proposed trash screening device captures trash, organic matter, and sediment while also storing organic materials to prevent nutrients and contaminants from leaching into surface water runoff between storm events. The model proposed at both locations meets the State Water Resources Control Board's definition of a Full Capture System¹. Installation will require demolition of an approximately 12-foot-long section of stormwater infrastructure under the roadway and minor excavation to accommodate the proposed device. The City has proposed archaeological monitoring during all excavation activities, as well as 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 protect water quality and will not adversely impact coastal resources, and thus is consistent with the Coastal Act.

¹ Full Capture System is a treatment control, or series of treatment controls, including but not limited to, a multi-benefit project or a low-impact development control that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either: a) of not less than the peak flow rate, Q, resulting from a one-year, one-hour storm in the subdrainage area, or b) appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.

CDP Waiver 3-20-0298-W (City of Monterey Stormwater Trash Screening Device)

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, June 10, 2020, during the virtual meeting. 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 (Alexandra.mccoy@coastal.ca.gov) in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT EXTENSION

Date: May 27, 2020
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-STC-16-0016**
Applicant: 1307 West Cliff Holding LLC

Original CDP Approval

CDP A-3-STC-16-0016 was approved by the Coastal Commission on July 18, 2018 and allows for the redevelopment of the existing blufftop house and a remodel of the existing blufftop guest cottage, both located on the seaward side of West Cliff Drive in the City of Santa Cruz (APN 003-284-05).

Proposed CDP Extension

As indicated above, the CDP was approved by the Coastal Commission on July 18, 2018 and included a two-year term with an expiration date of July 18, 2020. The expiration date of CDP A-3-STC-16-0016 would be extended by one year to July 18, 2021. The Commission's reference number for this proposed extension is **A-3-STC-16-0016-E1**.

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 City of Santa Cruz 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 Wednesday, June 10, 2020 during the virtual hearing. 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: May 27, 2020
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) 3-16-0345
Applicant: 1307 West Cliff Holding LLC

Original CDP Approval

CDP 3-16-0345 was approved by the Coastal Commission on July 18, 2018, and allows for the reconfiguration and retention of some of the existing shoreline armoring (consisting of riprap and gabion baskets) within a reduced footprint on the beach and bluff, and removal of the remaining armoring that is not approved for retention, all located on the beach and bluff seaward of 1307 West Cliff Drive of the City Santa Cruz (APN 003-284-05).

Proposed CDP Extension

As indicated above, the CDP was approved by the Coastal Commission on July 18, 2018 and included a two-year term with an expiration date of July 18, 2020. The expiration date of CDP 3-16-0345 would be extended by one year to July 18, 2021. The Commission's reference number for this proposed extension is **3-16-0345-E1**.

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 City of Santa Cruz 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 Wednesday, June 10, 2020 during the virtual hearing. 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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EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-20-0029 (Old Salinas River Culvert Repair/Replacement, Monterey Dunes Way)

Issue Date: May 18, 2020

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This emergency coastal development permit (ECDP) authorizes emergency development consisting of replacement of one failed culvert and repair of one damaged culvert that convey tidally influenced water through the Old Salinas River channel, under Monterey Dunes Way, in North Monterey County. Based on materials presented by the Permittee (Monterey County Resource Management Agency), the 48-inch-diameter culvert has collapsed and is no longer functioning and has caused a partial roadway failure. The adjacent 66-inch-diameter culvert is visibly corroded and is in imminent danger of collapse and does not have the capacity to handle flows from the adjacent collapsed culvert. The Permittee intends to remove the collapsed 48-inch-diameter culvert and replace it with a new 60- to 66-inch-diameter HDPE pipe, using a temporary sheetpile cofferdam to block water flow and stabilize the roadway. Water flow will be maintained through the 66-inch-diameter pipe during the replacement. Next, the 66-inch-diameter pipe will be retrofitted with a solid wall HDPE sleeve that will have an inner diameter of 48 to 54 inches. Ultimately the same approximate flow capacity as existing will be maintained. The County has declared repair of both culverts an emergency due to the potential threat to life, health, and property. Monterey Dunes Way is the sole means of access to the Monterey Dunes Colony (a residential community of approximately 120 homes) and the sole means of access to Salinas River State Beach. In addition, failure of the culverts would result in flooding of adjacent agricultural land. The Permittee has determined that the project was designed with the smallest footprint possible while still providing adequate capacity for flows. One lane of Monterey Dunes Way will remain open during the entirety of the construction work. Thus, the proposed emergency repair/replacement are necessary to maintain essential public services, public safety, and public access and are the minimum work necessary to prevent roadway failure and damage to agricultural land. The project is conditioned to require appropriate best management practices (BMPs) to protect 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

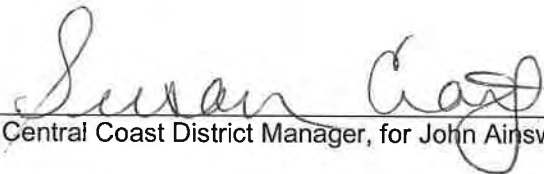
**Emergency CDP G-3-20-0029 (Old Salinas River Channel Culvert
Repairs, Monterey Dunes Way)**

Issue Date: May 18, 2020

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 2, 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 August 16, 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 September 15, 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

**Emergency CDP G-3-20-0029 (Old Salinas River Channel Culvert
Repairs, Monterey Dunes Way)**

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permits from other agencies (e.g., 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 May 14, 2020.
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 at Salinas River State Beach) 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 river channel is prohibited.
 - b. Any construction materials and equipment utilized in the river channel during daylight construction hours shall be stored beyond the reach of river waters. All construction materials and equipment shall be removed in their entirety from the river channel by sunset each day that work occurs. The only exceptions will be for: (1) erosion and sediment controls (e.g., a silt fencing) as necessary to contain sediments in the construction area, and are minimized in their extent; (2) storage of larger materials beyond the reach of river channel waters for which moving the materials each day would be extremely difficult. Any larger materials intended to be left in the water overnight must be approved in advance by the Executive Director.
 - c. 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.
 - 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; etc.).

**Emergency CDP G-3-20-0029 (Old Salinas River Channel Culvert
Repairs, Monterey Dunes Way)**

Issue Date: May 18, 2020

- e. All construction activities that result in discharge of materials, polluted runoff, or wastes to the adjacent water and marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place immediately adjacent to or within river waters. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each workday.
 - 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 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.

**Emergency CDP G-3-20-0029 (Old Salinas River Channel Culvert
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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 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.