

CALIFORNIA COASTAL COMMISSION

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W13a


3-18-1092 (PERRY MANUFACTURED HOMES)

JUNE 10, 2020 HEARING

EXHIBITS

- Exhibit 1 – Project Location Map
- Exhibit 2 – Project Site Photos
- Exhibit 3 – Project Site Plans
- Exhibit 4 – Development Envelope and ESHA Setback Map
- Exhibit 5 – Notice of Violation Letter dated September 27, 2018

Project Location

An aerial photograph of the Pismo Beach coastline in California. The ocean is a deep blue, and the coastline is marked with three white arrows pointing to specific locations. The land is a mix of brown and green, indicating a mix of developed areas and natural vegetation. The text 'Project Location' is at the top center. The labels 'Avila Beach', 'Pismo Pier', and 'Oceano' are positioned near their respective arrows. The text 'Exhibit 1', '3-18-1092 (Perry Manufactured Homes, Oceano)', and '1 of 3' is at the bottom right.

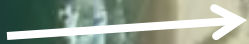
Avila Beach

Pismo Pier

Oceano

Project Location

Oceano Dunes SVRA
Pier Avenue Entrance



Oceano Airport



Subject Property



Arroyo Grande
Creek



Project Location

Subject Property



Site Photos

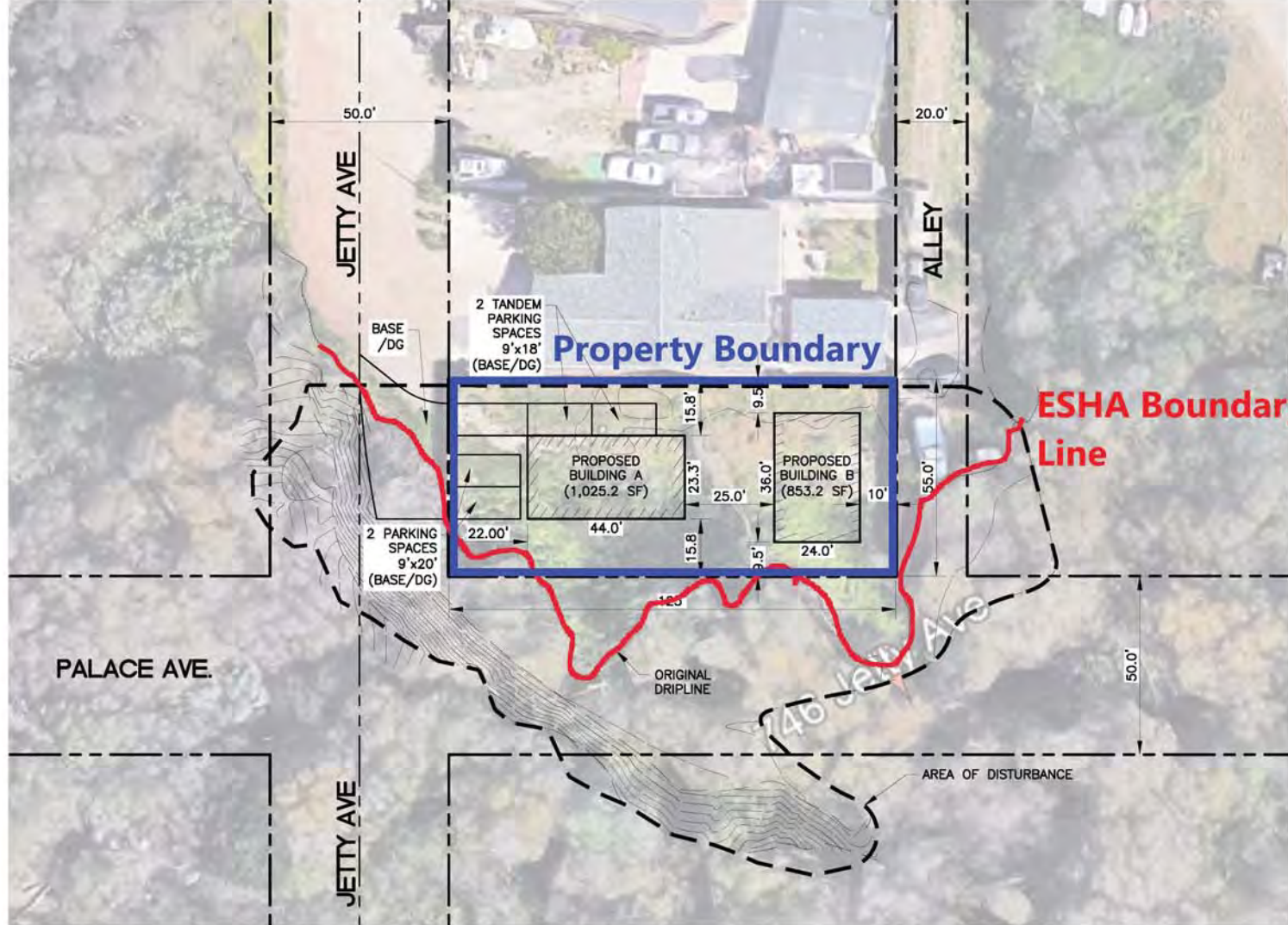


Subject Property, Prior to Grading

Site Photos



Subject Property, After Grading



VICINITY MAP



LEGEND

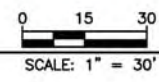
PROPERTY LINE - - - - -

PROPERTY INFORMATION

LOT SIZE: 6875 SQ. FT. (APPROX)
 APN: 061-046-012

*NOTE: PROPERTY LINES AND DIMENSIONS ARE APPROXIMATE.

PRELIMINARY SITE PLAN



SHEET TITLE:	PRELIMINARY SITE PLAN
PROJECT:	746 JETTY AVE.

JOB NO. 18-729
DRAWN BY: KJ
DATE: 2018/10/15
SCALE: 1" = 30'

Taos

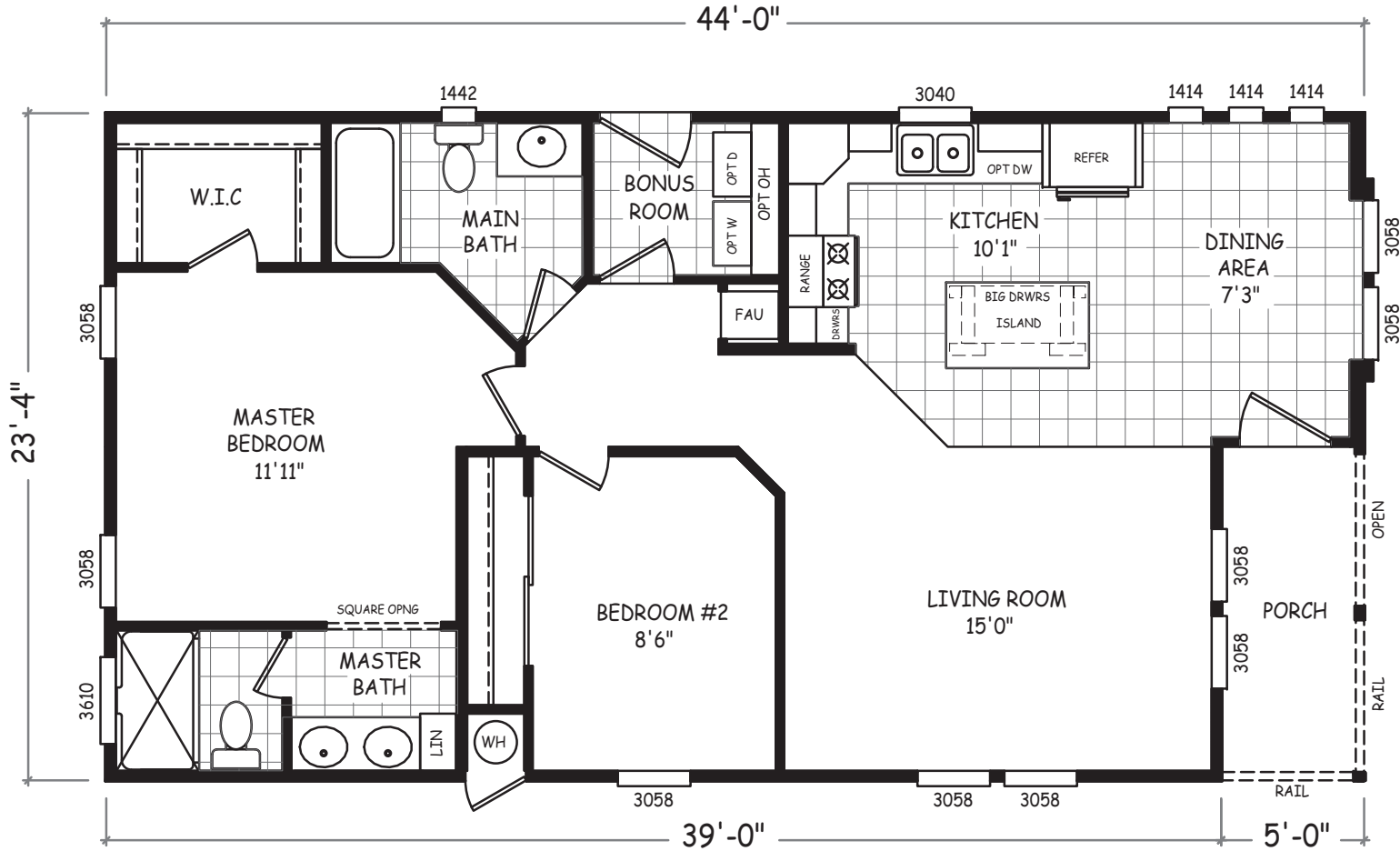
Westview Series



FactorySelectHomes

3 Bedroom, 2 Bath
Approx. 1,027 Sq. Ft.

Last Updated: 8-5-16



• Flagstaff

FactorySelectHomes
Mesa

Factory Select Homes
8610 E. Main Street
Mesa, Arizona 85207

I authorize Factory Select Homes to build my house, per this plan.

X _____
Customer Signature/Date

1-800-670-1464 www.FactorySelectMobileHomes.com 1-800-670-1464 www.FactorySelectMobileHomes.com

Important: Due to our policy of constant improvement, all information in our brochures may vary from actual home. The right is reserved to make changes at any time, without notice or obligation, in colors, materials, specifications, processes, and models. All dimensions and square footage calculations are nominal and approximate figures. Please check with your sales person for specific details.

Exhibit 3

Ocean

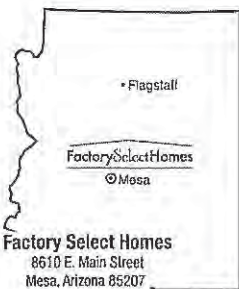
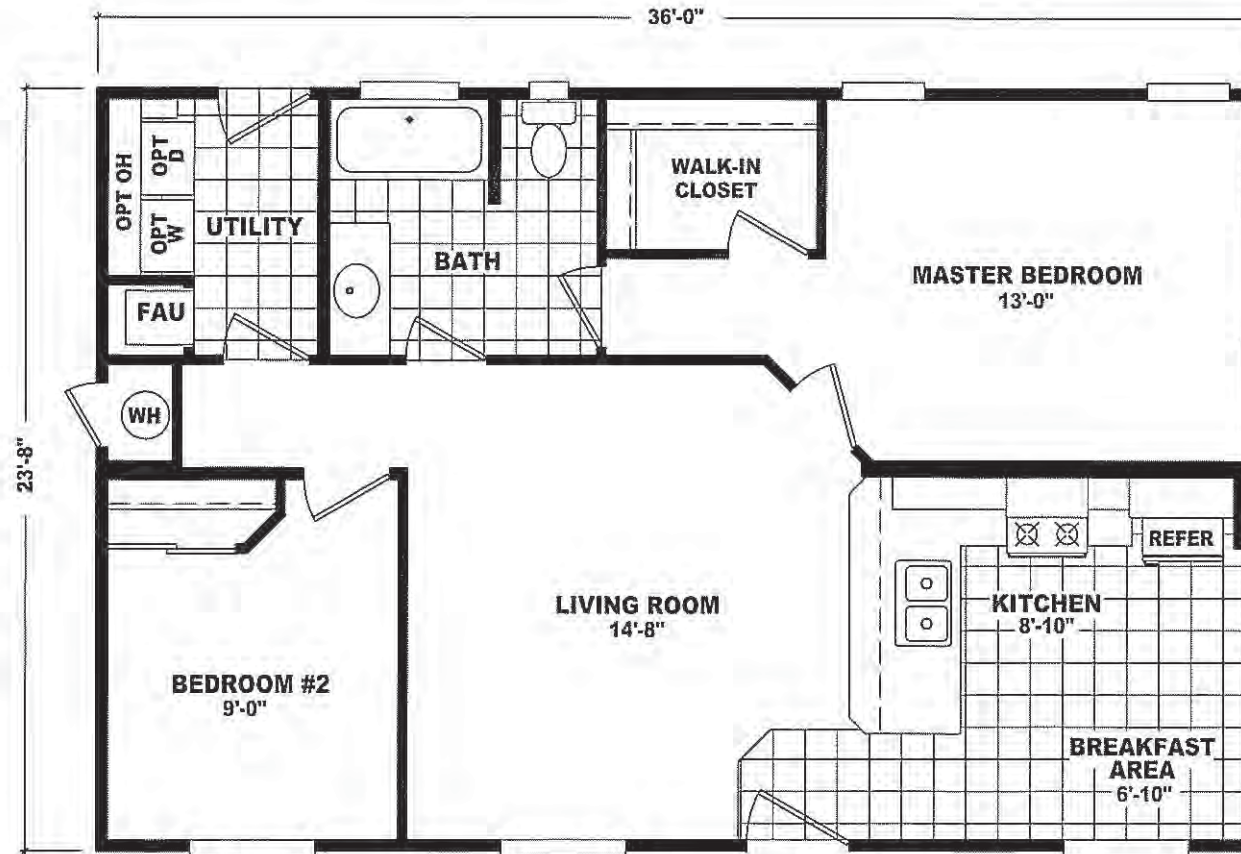
Emelita

Factory Advantage Series **CAVCO HOMES**

FactorySelectHomes

2 Bedroom, 1 Bath
Approx. 852 Sq. Ft.

Last Updated: 7-30-18

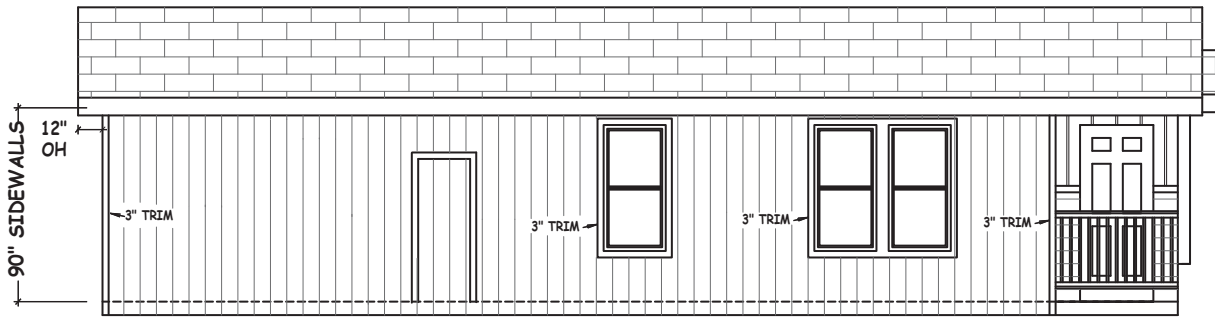


I authorize Factory Select Homes to build my house, per this plan.
X _____
Customer Signature/Date

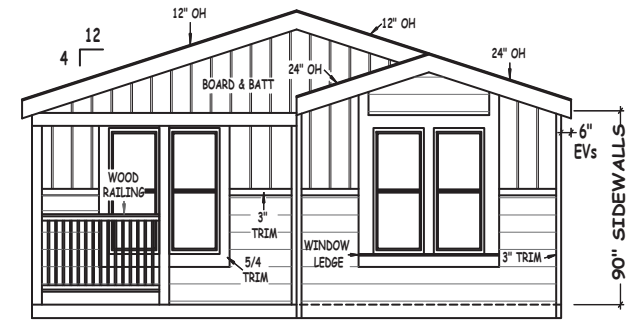
1-800-670-1464 www.FactorySelectMobileHomes.com 1-800-670-1464 www.FactorySelectMobileHomes.com

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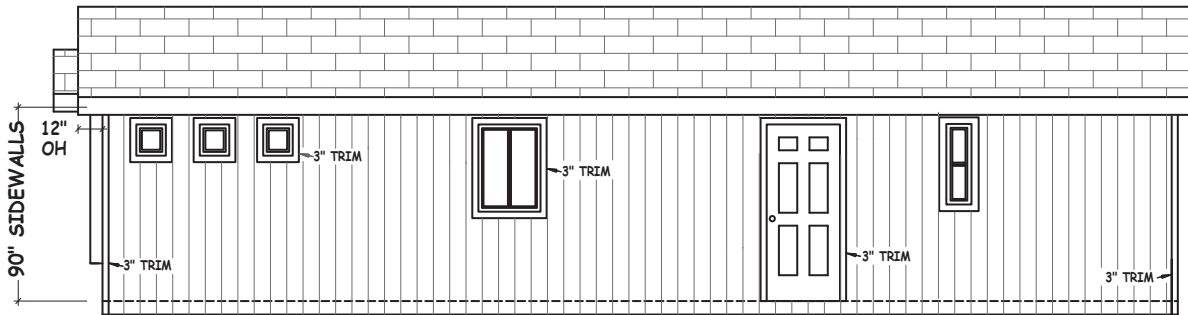
3-18-1092 (Perry Manufactured Homes, Oceano)



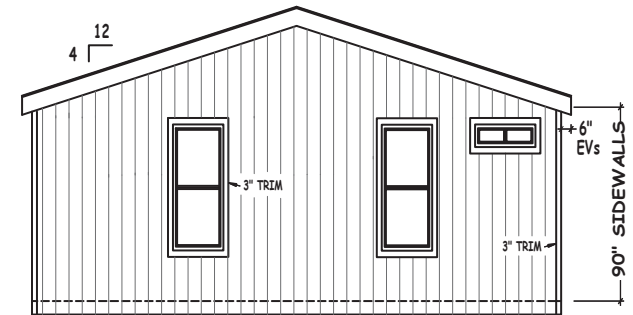
'A-HALF' ELEVATION



HITCH-END ELEVATION



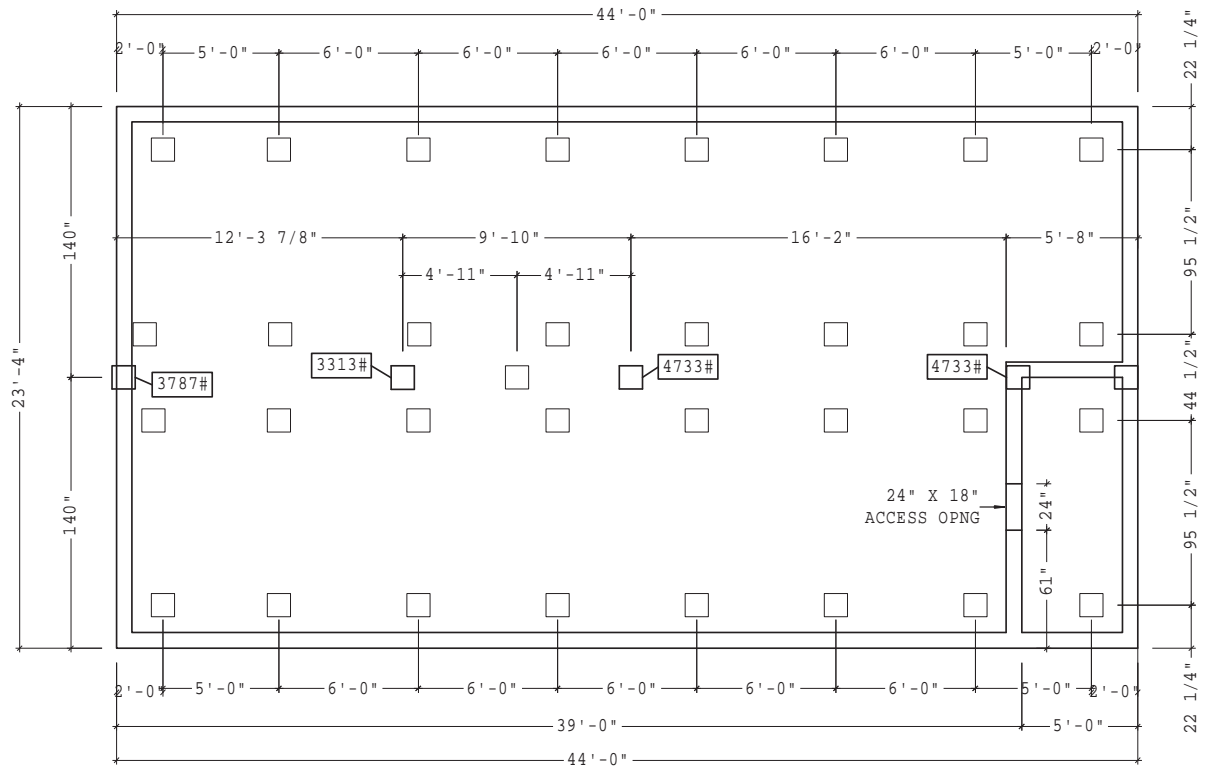
'B-HALF' ELEVATION




NON HITCH-END ELEVATION

MODEL: SR-2442A

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CUSTOMER: BOOP
 SERIAL #: N/A
 30# ROOF LOAD
 2x4 EXT WALLS

 Caveo INDUSTRIES INC. COPYRIGHT © 2016 ALL RIGHTS RESERVED	MODEL: SR24442A-90 2x6	
	DESC: FOUNDATION PRINT	
	DATE: 10/4/16 SCALE: N.T.S	
	PLANT: 16 SPEC: LS ROOF LL:30	
	DRAWN: ENG.	
	REVISIONS	DATE

746 Jetty Avenue

APN 061-046-012

San Luis Obispo County, California

RESTORATION PLAN

Prepared for:

Joseph Perry
4855 Sanchez Drive
Guadalupe, CA, 93434

Prepared by:



September 2018

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Appendix A . Photo Documentation

1.0 INTRODUCTION

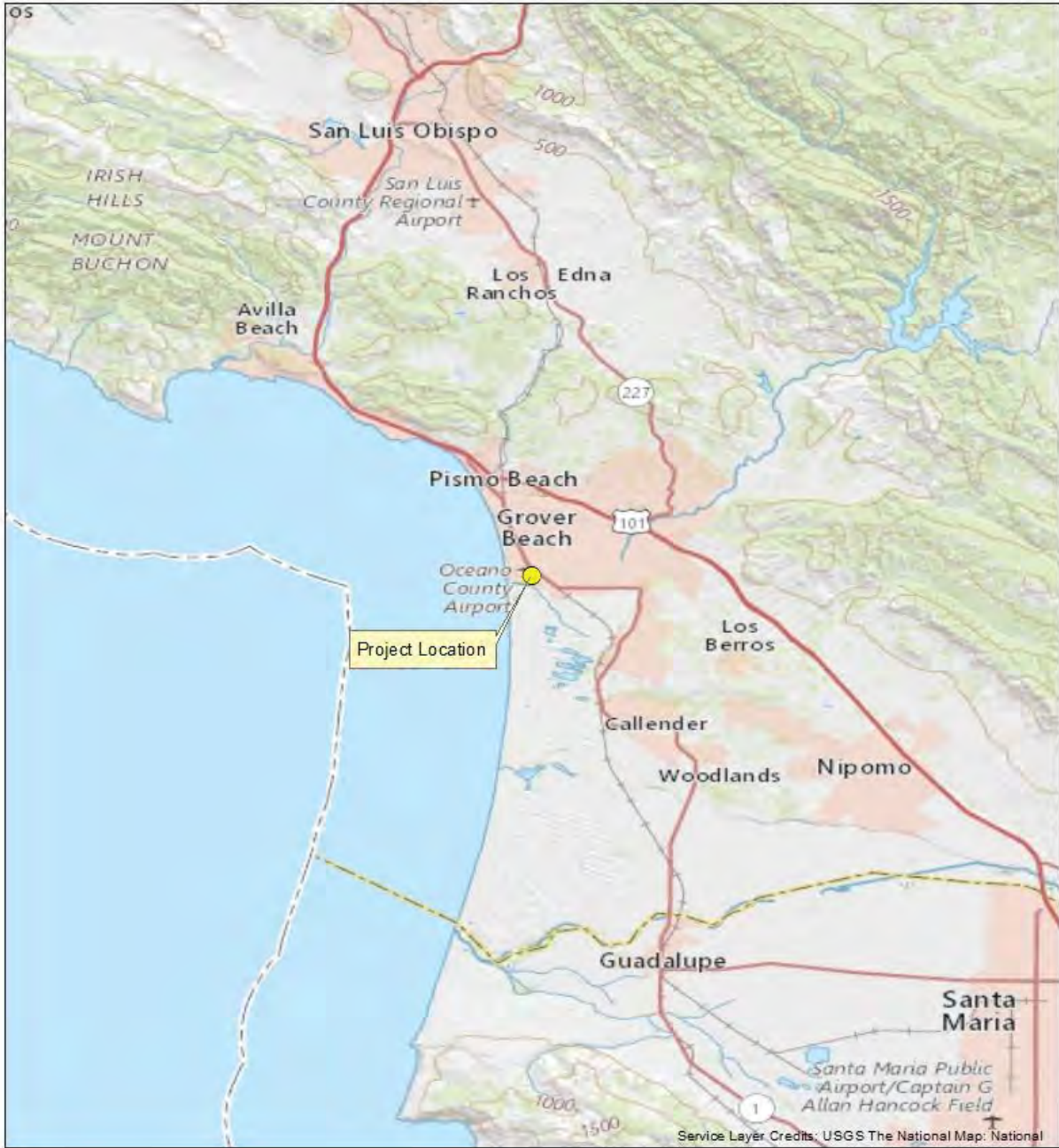
Unpermitted grading and vegetation removal occurred on 746 Jetty Avenue (Property), affecting an approximately 0.45-acre area adjacent to and within an unnamed tributary to Arroyo Grande Creek. The work was conducted by the landowner with the intent of creating better access to the property. The landowner received a Notice of Violation from the California Department of Fish and Wildlife's (CDFW) on June 16, 2018, (Violation File No. 1600-2018-0830-R4) and a Notice of Violation from the San Luis Obispo County Department of Planning and Building (County) on June 5, 2018. Pursuant to the CDFW and County notices, the unpermitted grading and vegetation removal activities was in violation of the Fish and Game Code (section 1602) and County Code (SLOCC 22.52.0560). To resolve this violation, the County has posted a stop work order and requested that an as-built grading permit be obtained prior to any work on the parcel. CDFW also requested that all ground disturbing activities are stopped and that the landowner (project applicant) apply for a Notification of Lake or Streambed Alteration (Notification) package that includes a plan/proposal for how the violation will be remediated and the site returned to pre-existing conditions and/or revegetated.

1.1 RESTORATION PLAN PURPOSE

BRC has prepared this Restoration Plan (Plan) to document how the violation will be remediated and to describe the project-specific pre-construction wildlife avoidance measures (i.e., wildlife surveys), site preparation, and installation, maintenance, and monitoring of the restoration site. The Plan identifies and includes seed mixes, cuttings, and container plants appropriate to the existing site conditions, including the Arroyo Willow Thicket habitat found in association with the unnamed tributary to Arroyo Grande Creek (Sawyer et al. 2009). Pre-construction surveys/avoidance measures and eradication techniques for the management and control of non-native invasive plant species are also addressed. In addition, the Plan addresses the biological functions and values of the restored and enhanced habitats. The suggested performance-monitoring aspect of the Plan incorporates qualitative and quantitative monitoring, performance criteria, as well as monthly and yearly reporting.

1.2 PROJECT LOCATION

The Project is located at 746 Jetty Avenue (APN: 061-046-012) in the community of Oceano, San Luis Obispo County, California. The site is located approximately 500 feet southwest of Highway 1 and 300 feet northeast of the Oceano Airport. The unnamed tributary to Arroyo Grande Creek is located to the west, south, and east of the property, and single-family residences and Palace Avenue are located to the north (Figures 1 and 2). The restoration site would be within and immediately adjacent to the unnamed tributary to Arroyo Grande Creek (0.45-acre) and is generally on the perimeter of the property (refer to Appendix A).




● Project Location



Figure 1. Project Vicinity.



 Project Location

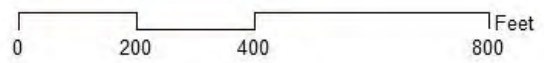


Figure 2. Project Location.

1.3 PROJECT APPLICANT

Joseph Perry
4855 Sanchez Drive
Guadalupe, CA, 93434

2.0 PROJECT GOALS AND OBJECTIVES

The goal of the Project is to restore/enhance the Arroyo Willow Thicket habitat located along the western, southern, and eastern perimeter of the property and where sand was staged within the unnamed tributary to Arroyo Grande Creek (Appendix A). The objective would be to offset the impacts resulting from the unpermitted grading (0.45-acre) at a 1:1 ratio (Figure 3).

Approximately 13 willow trees (*Salix* spp.) had been removed during grading activities. To restore the Arroyo Willow Thicket, BRC recommends that the 13 willows be replaced at a 5:1 ratio, which would restore/enhance previously disturbed areas on the site (i.e., the area where the slope was graded, where excavated sand was staged within the riparian area, and along the south boundary of the property; Appendix A, Photos 1-4). We also recommend that the graded slopes and the riparian area (i.e., around the perimeter of the property) be stabilized/protected using Best Management Practices (BMPs) and that exposed soil be revegetated with native plant species.

To achieve this goal and objective, the Plan provides the guidelines for specific tasks, including pre-construction wildlife surveys, site preparation, implementation, maintenance, and biological monitoring to be undertaken within the restoration site.

3.0 IMPLEMENTING THE RESTORATION PLAN

3.1 IMPLEMENTATION SUCCESS

Implementation success is expected if proper planning is initiated to prepare the restoration area. The successful application of restoration measures identified in this Plan will result in the conversion of the impacted graded area back to Arroyo Willow Thicket (Figure 3).

Implementing the planting plan and the maintenance and monitoring plan, both proposed in this Plan, will ensure the success of the Project.

3.2 RESPONSIBLE PARTIES

3.2.1 Project Applicant

This Plan for the restoration area is being funded by the project applicant. The project applicant is responsible for hiring a restoration biologist to oversee the Project and direct the installation contractor during that time.

3.2.2 Restoration Biologists

BRC has been retained by the project applicant to provide a qualified restoration biologist for the Project. A BRC biologist will coordinate the restoration installation and maintenance activities.

BRC will supervise these activities and provide quality assurance and control, including confirming that the site is properly prepared and that seeding and planting specifications follow those outlined in this Plan. BRC will also oversee restoration measures during the five-year monitoring and maintenance period.

3.2.3 Restoration Contractor

An experienced native habitat restoration contractor should be retained to perform the restoration installation under the direction of the restoration biologists. The restoration contractor should be experienced in performing native habitat restoration on the Central Coast of California. The restoration contractor will be responsible for the following:

- Removing all exotic species and prepping the restoration site for restoration/enhancement.
- Ordering specified plant material and seed from appropriate vendors based on the specifications of the Plan. In order to ensure the availability of the appropriate plant materials and to acquire them at minimum cost, sufficient lead time should be allocated (e.g., three to six months, depending on species rarity and/or availability).
- Installing plantings, cuttings and seeding per the specifications of the Plan.
- Implementing remediation under the direction of the restoration biologist(s).

3.3 SCHEDULE

The restoration site will be prepared and seeded/planted during the fall and winter months (approximately October to December 2019) to take advantage of winter rains and maximize the length of the growing season (Table 1). The project completion target date is anticipated to be December of 2024.

Table 1. Estimated Mitigation and Monitoring Schedule.

IMPLEMENTATION TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Pre-construction wildlife surveys										X		
Prepare planting areas										X		
Apply seed, install plantings										X	X	X
Construction completion report												X
FIRST YEAR TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Watering (as necessary)	X	X	X	X	X	X	X	X	X	X		
Weed control and debris removal			X			X			X			
General site monitoring			X			X			X			
Biological monitoring data collection												X
Annual report												X

Table 1. Estimated Mitigation and Monitoring Schedule, cont.

SECOND YEAR TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Watering (as necessary)				X	X	X	X	X	X	X		
Weed control and debris removal			X			X			X			
General site monitoring			X			X			X			
Biological monitoring data collection												X
Annual report												X
THIRD YEAR TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Watering (as necessary)				X	X	X	X	X	X	X		
Weed control and debris removal			X			X			X			
General site monitoring			X			X			X			
Biological monitoring data collection												X
Annual report												X
FOURTH YEAR TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Weed control and debris removal			X			X			X			
General site monitoring			X			X			X			
Biological monitoring data collection												X
Annual report												X
FIFTH YEAR TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Weed control and debris removal			X			X			X			
General site monitoring			X			X			X			
Biological monitoring data collection												X
Mitigation completion report												X

3.4 PLANTING PLAN

3.4.1 Seeding and Erosion Control

During the fall of 2019, and prior to container planting, BMPs will be implemented at the restoration site, which will be seeded with a native seed mix that is regionally appropriate to the area (see below) and to existing habitats on-site. This mix is a blend of grasses, flowers and shrubs whose purpose is to revegetate soils and slopes with plant species common to the riparian areas of the Central Coast (i.e., Arroyo Willow Thicket). The mix contains a quick-start grass to protect the soil and allow slower-growing perennials to develop and mature. This mix is designed as a non-irrigated mix. The seeding rate is 48 pounds of mix per acre. The following are the species included in the mix:

- mugwort (*Artemisia douglasiana*)
- California rose (*Rosa californica*)

- California brome (*Bromus carinatus*)
- California blackberry (*Rubus ursinus*)
- deerweed (*Acemison glabra*)
- tomcat clover (*Trifolium willdenovii*)
- creeping wild-rye (*Elymus triticoides*)
- small fescue (*Festuca microstachys*)

The mix will be obtained from S & S Seeds in Carpinteria, California. The seeding of this mix will help establish native species within the area and help prevent potential erosion. Seeds may need to be ordered in advance depending on availability. In addition, BMPs such as the use of straw wattles (refer to Appendix B) and jute netting will be also implemented to reduce the potential for runoff and erosion/sedimentation concerns and to stabilize slopes that were graded.

3.4.2 Plant Stock

Planting stock can be obtained in various forms, including purchases of one-gallon containers of stock at regional nurseries and propagating cuttings of local onsite tree species (i.e., arroyo willow [*Salix lasiolepis*]). Cuttings can likely be collected onsite and shortly before restoration activities are initiated. One-gallon container stock may need to be ordered ahead time depending on availability.

Cuttings and container stock will be planted within the restoration site and spaced apart from each other by approximately 5 to 8 feet. To coincide with optimal growing conditions, restoration planting will occur from October through December of 2019 to take advantage of the rainy season.

3.4.3 Installation Specifications

This section addresses all efforts relating to the installation of the restoration site, including source material, substitutions, plant inspections, planting practices, seeding specifications, cutting specifications and irrigation. These conditions shall be adhered to during the implementation of the Project. The installation of the plants will be reviewed and approved by the restoration biologists and the restoration contractor.

Source Material

It is preferred that the source of all seed and container plants used at the Project restoration site originate from the vicinity of the Project site. If sufficient time does not exist to collect and propagate site-specific plant materials, a native plant nursery should be used to supply the restoration contractor with native plants.

The restoration biologists will work closely with the restoration contractor and the suppliers to approve all sources of plant materials. The restoration contractor will provide the restoration biologists with information on the sources of all plant and seed materials grown, collected, or acquired for the Project for final approval. If necessary, BRC's restoration biologists will help the contractor locate local sources of plant materials.

Plant Inspections

All plants will be inspected by BRC biologists and the restoration contractor and will be approved only if they are healthy, disease free, and of proper size prior to planting. In addition, BRC's biologists will approve the final layout of all plant materials in the field with the restoration contractor prior to planting to ensure their correct centering.

Container Planting Practices

Container plants, as shown in Table 2, will be planted using standard restoration practices, using a hole at least twice the diameter of the root ball and leaving the crown 1 to 2 inches above-grade after planting. All plants will be watered in their pots before planting and the soil in all planting holes will be thoroughly wetted before planting. Staking of container plants will only be implemented if considered necessary by the restoration contractor. If needed, all staking will be with two 2-inch-diameter by 8-foot-long lodgepole stakes on either side of the plant. Staking will be removed when the plant can support itself.

Willow Cutting Specification

Willow cuttings will be installed by hand and are subject to the following conditions:

- Prior to planting willow cuttings, an area 2 feet in diameter at each proposed plant site will be manually cleared of any weed growth.
- Cuttings will be planted within 14 days after harvesting, and will be soaked in water for a minimum of 8 hours before planting.
- Willow cuttings will be placed in deep narrow holes made with a digging bar. At least 50% of the cutting will be buried in the ground.
- Each planting hole will be filled with water and covered with soil following cutting placement.

Seeding Specifications

The mitigation sites will be hand-seeded with the mix shown in Table 1. This approach will be used to mimic the natural distribution of these species. Hand-broadcasted seed will be raked to ensure good soil-to-seed contact. Seeding activities will proceed only after the restoration biologist certifies that the site preparation has been completed. Seed quality will be best-obtained in the year of application for both purity and germination. The amount of seed purchased, germination rates, and seed purity will be provided in writing to the restoration biologists by the contractor for all seed used.

Table 2. Planting palette for each of the proposed restoration areas.

Restoration Area	Species		Container Size	Number of Plantings/Cuttings
	Common Name	Scientific Name		
Graded Slope Area (i.e., along west perimeter of the property)	Arroyo willow	<i>Salix lasiolepis</i>	cuttings	30
	California blackberry	<i>Rubus ursinus</i>	1 gallon	10
	Mugwort	<i>Artemisia douglasiana</i>	1 gallon	10
	Coyote brush	<i>Baccharis pilularis</i>	1 gallon	10
Stockpiled Soil Area (i.e., within the unnamed tributary to Arroyo Grande Creek)	Arroyo willow	<i>Salix lasiolepis</i>	cuttings	30
	California blackberry	<i>Rubus ursinus</i>	1 gallon	10
	Mugwort	<i>Artemisia douglasiana</i>	1 gallon	10
	Coyote brush	<i>Baccharis pilularis</i>	1 gallon	5
Enhancement Area (i.e., within the unnamed tributary to Arroyo Grande Creek)	Arroyo willow	<i>Salix lasiolepis</i>	cuttings	10
	Mugwort	<i>Artemisia douglasiana</i>	1 gallon	5
	California blackberry	<i>Rubus ursinus</i>	1 gallon	5
	Coyote brush	<i>Baccharis pilularis</i>	1 gallon	3



- Project Location
- Arroyo Willow Cutting
- * California Blackberry Planting
- ▲ Mugwort Planting
- Coyote Brush Planting

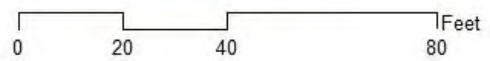


Figure 3. Planting Plan for Each Restoration Area

3.5 IRRIGATION PLAN

Irrigation is not initially planned as seeding and planting will be conducted to coincide with optimal growing conditions, in the winter months (November to March) of 2019/2020. The need for irrigation will be established at a later date within the five-year monitoring period or if sufficient rains do not occur. The frequency of irrigation will be determined at the time of installation and will depend on the existing and potential hydrologic conditions and the conditions of the plantings.

4.0 MAINTENANCE PROGRAM

The purpose of the five-year maintenance program is to ensure the success of the restoration planting and to allow native plants to establish and become self-sustaining. Maintenance activities expected to be necessary during the maintenance program include irrigation system management, trash removal, and access control. The restoration biologists will oversee all aspects of the restoration program.

4.1 RESPONSIBLE PARTIES

Overall supervision of the restoration project will be the responsibility of the BRC restoration biologists. The restoration biologists will work with the restoration contractor to ensure that contract documents are properly completed and that proper restoration site maintenance conditions are followed. The restoration biologists will meet with the restoration contractor prior to the start of work to ensure that the contractor understands the maintenance provisions of the Plan, as well as the recommendations for current maintenance procedures. The maintenance personnel will be fully informed regarding the restoration program so they understand the goals of the program. The contractor will be given a copy of this Plan.

4.2 MAINTENANCE SCHEDULE

The five-year maintenance program begins when the installation has been certified as complete by the restoration biologists (Table 1). Restoration site maintenance shall be performed quarterly for the full five years as necessary.

4.3 MAINTENANCE ACTIVITIES

Weed Control

Control of weeds/non-native invasive species requires constant vigilance by the restoration contractor. The first year of the Project establishment is the crucial period for weed control. The restoration biologists will specify which species are to be controlled. Weed removal will be done by hand and herbicides will not be used. The individual plants will be removed including the roots. The weeds will be put in closed containers and transported to the nearest landfill. The weed removal schedule will coincide with the overall maintenance schedule. During all maintenance activities, equipment will be cleaned prior to entering the site to avoid introduction of non-native invasive plant propagules. The non-native plants that should be targeted during

maintenance visits include German ivy (*Delawarea odorata*), veldt grass *Ehrharta calycina*), cheeseweed (*Malva parviflora*), poison hemlock (*Conium maculatum*), lamb's quarters (*Chenopodium album*), radish (*Rhapanus sativa*), narrow-leaved iceplant (*Conicosia pugioniformis*), giant reed (*Arundo donax*), crabgrass (*Digitaria sanguinalis*), black mustard (*Brassica nigra*), and sweet clover (*Melilotus indica*).

Diseased plants

Insect plant pests, vertebrate pests, and plant diseases will be monitored. Plants that are severely diseased will be removed if directed by the restoration biologists. Species substitutions may be required for plants infected with soil-borne pathogens as the replacement plant is likely to become infected as well. Keeping the plants in the restoration site healthy during the establishment period will be the primary method of avoiding most serious insect and disease problems.

Dead Plant Replacement

Dead and diseased plants will be flagged in the field by the restoration biologists and a list of those individuals will be provided to the restoration contractor for replacement. If plants fail to meet performance milestones at the end of any given year, plant replacement may be one of the remedial measures recommended by the restoration biologists.

Pest and Herbivores

Pest and herbivory of new plantings can be a problem at restoration sites. Various mammalian species, particularly rodents and deer, may be responsible for damage to newly established plants. During the five-year monitoring period, the site will be monitored for signs of herbivory. Wire cages, enclosure fences, or other plant sheltering devices will be used on an as-need basis.

Site Access

No vehicles will be allowed in the restoration site at any time. Maintenance access to the restoration site will be limited foot traffic as necessary for weed and trash removal.

5.0 RESTORATION MONITORING PROGRAM

The restoration biologists will be responsible for monitoring the restoration site throughout the five-year maintenance period. The restoration biologists will qualitatively and quantitatively evaluate the Project's success in relation to the Project's performance criteria and will submit reports documenting its progress.

5.1 PERFORMANCE CRITERIA

This section defines a set of performance standards for evaluating Project progress within the restoration site. These standards will be used to monitor site development and to decide when to implement measures to correct any problems that may arise. These standards are based on previous project experience and normal regulatory requirements and/or recommendations.

Table 3. Mean percent cover by species.

Planting Area	Species		Mean Percent Cover
	Common Name	Scientific Name	
Graded Slope Area (i.e., along west perimeter of the property)	arroyo willow	<i>Salix lasiolepis</i>	70
	California blackberry	<i>Rubus ursinus</i>	10
	mugwort	<i>Artemisia douglasiana</i>	10
	coyote brush	<i>Baccharis pilularis</i>	10
Stockpiled Soil Area (i.e., within the unnamed tributary to Arroyo Grande Creek)	arroyo willow	<i>Salix lasiolepis</i>	70
	California blackberry	<i>Rubus ursinus</i>	10
	mugwort	<i>Artemisia douglasiana</i>	10
	coyote brush	<i>Baccharis pilularis</i>	10
Enhancement Area (i.e., within the unnamed tributary to Arroyo Grande Creek)	arroyo willow	<i>Salix lasiolepis</i>	70
	California blackberry	<i>Rubus ursinus</i>	10
	mugwort	<i>Artemisia douglasiana</i>	10
	coyote brush	<i>Baccharis pilularis</i>	10

Notes: If a species' mean percent cover is less than 1%, then the species not included.

The following are the performance criteria for the restoration site. Recommended remedial measures are intended to be relatively flexible in order for the restoration biologists and restoration contractor to respond to a variety of conditions.

Year 1

- Minimum 50 percent survival per species.
- No woody invasive species.
- Herbaceous invasive species not exceeding 5 percent cover.

Year 2

- 80 percent survival per species.
- Percent cover per species per community at least 50 percent of final success criteria percent cover.
- No woody invasive species.
- Herbaceous invasive species not exceeding 5 percent cover.

Year 3

- Percent cover per species per community at least 50 percent or greater of final success criteria percent cover.
- No woody invasive species.
- Herbaceous invasive species not exceeding 5 percent cover.

Year 4

- Percent cover per species per community at success criteria percent cover.
- No woody invasive species.
- Herbaceous invasive species not exceeding 5 percent cover.

Year 5

- Percent cover per species per community at success criteria percent cover.
- No woody invasive species.
- Herbaceous invasive species not exceeding 5 percent cover.

5.2 MONITORING METHODS AND WILDLIFE AVOIDANCE MEASURES

BRC's restoration biologists have the appropriate credentials and experience for native habitat restoration, knowledge of avian biology, and knowledge of applicable laws and regulations for the protection of sensitive biological resources that will be impacted will conduct the monitoring. Sensitive biological resources known to occur within the USGS quadrangle for Oceano (CNDDDB 2018) and with potential to occur near the restoration site include California red-legged frog (*Rana draytonii*), western pond turtle (*Emys marmorata*), coast horned lizard (*Phrynosoma blainvillii*), legless lizard (*Anniella pulchra*), and nesting birds during the active nesting bird season (March-September). No nesting birds, suitable aquatic habitat or habitat conditions were observed during surveys of the site in August 2018 for these species; however, a pre-construction survey and initial disturbance monitoring should be conducted to ensure that these species are not affected or present prior to the start of restoration activities.

This monitoring program is intended to provide continued oversight of the restoration site after installation is completed. The restoration site will be monitored through a combination of horticultural and botanical means. Horticultural monitoring provides proactive direction and oversight of the landscape maintenance program, and botanical monitoring measures overall habitat development. This oversight will provide feedback for the restoration contractor as well as provide information to evaluate Project progress so that recommendations can be made to help the Project meet performance conditions.

5.2.1 Vegetation Monitoring

Vegetation monitoring includes the quantitative measurements of the growth and establishment of plants and assessment of the invasion of the exotic species. BRC will conduct vegetation monitoring quarterly per year and sampling times shall be consistent from year to year. The monitoring data shall be included in the annual reports.

A walking survey will be conducted to observe and count all planted species to determine their survival or mortality and to note occurrences and locations of invasive species (woody and herbaceous). At each photographic station (see Section 5.2.2), the surveyor will visually estimate overall percent cover of vegetation, percent cover of native and non-native species, and percent cover of individual species.

5.2.2 Photo Documentation

The restoration effort will be qualitatively documented using photographic monitoring and general observations. Several permanent photo stations for photo-documentation will be established in the planting area and restoration biologists will use GPS to ensure that photos are taken from the same locations consistently throughout the five-year monitoring period. Photos will be taken during each monitoring period from the same vantage point and in the same direction and shall reflect information discussed in the monitoring report. These photos will be included in each annual report.

5.3 ANNUAL REPORTS

Annual monitoring reports will be submitted to CDFW, the County, and/or other regulatory agencies (i.e., the California Coastal Commission) as necessary for the duration of the maintenance period beginning approximately one year after installation. Monitoring and maintenance of the site will be completed to ensure successful establishment of vegetation within the restoration site. However, if successful criteria are met through percent cover of vegetation prior to the time specified, BRC's restoration biologists will contact the CDFW and the County to request cessation of monitoring and maintenance activities.

Reports filed at the end of each year will include a summary and analysis of the monitoring data collected and an evaluation of progress.

These reports will include the following information:

- A list of names, titles, and companies of all persons who prepared the content of the annual report and participated in monitoring activities for that year.
- An analysis of all qualitative and quantitative monitoring data.
- A report of number of acres of exotic vegetation removed, treated, and retreated.
- Monitoring photographs.
- Maps identifying monitoring and planting areas.

Annual reports will be prepared that include all data, including maps and photographs taken during the monitoring period. These reports will include maps of vegetation types within the restoration site. The reports will also include recommended steps that ensure that the success standards will be achieved within the restoration site by the end of the fifth year following Project implementation. These reports will be submitted to the CDFW and the County.

6.0 REFERENCES

Baldwin, B.G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. *The Jepson Manual: Vascular Plants of California*. 2nd ed. University of California Press, Berkeley, California.

California Natural Diversity Data Base (CNDDB). 2018. Rarefind data output for the Burro Mountain 7.5-minute quadrangle and within 5-mile radius. Accessed: August 2018.

The Jepson Flora Project. 2012. Jepson Interchange List of Currently Accepted Names of Native and Naturalized Plants of California. University and Jepson Herbaria of the University of California at Berkeley and Regents of the University of California. http://ucjeps.berkeley.edu/jepson_flora_project.html. Accessed August 2018.

Sawyer, J., T. Keeler-Wolf, and J. Evens. 2009. *A Manual of California Vegetation*, Second Edition. California Native Plant Society. Sacramento, California.

Appendix A
Photo Documentation



Photo 1. View of the slope that was graded along the west boundary of the site and where restoration is proposed (i.e., native seeding and planting, jute netting and straw wattles).



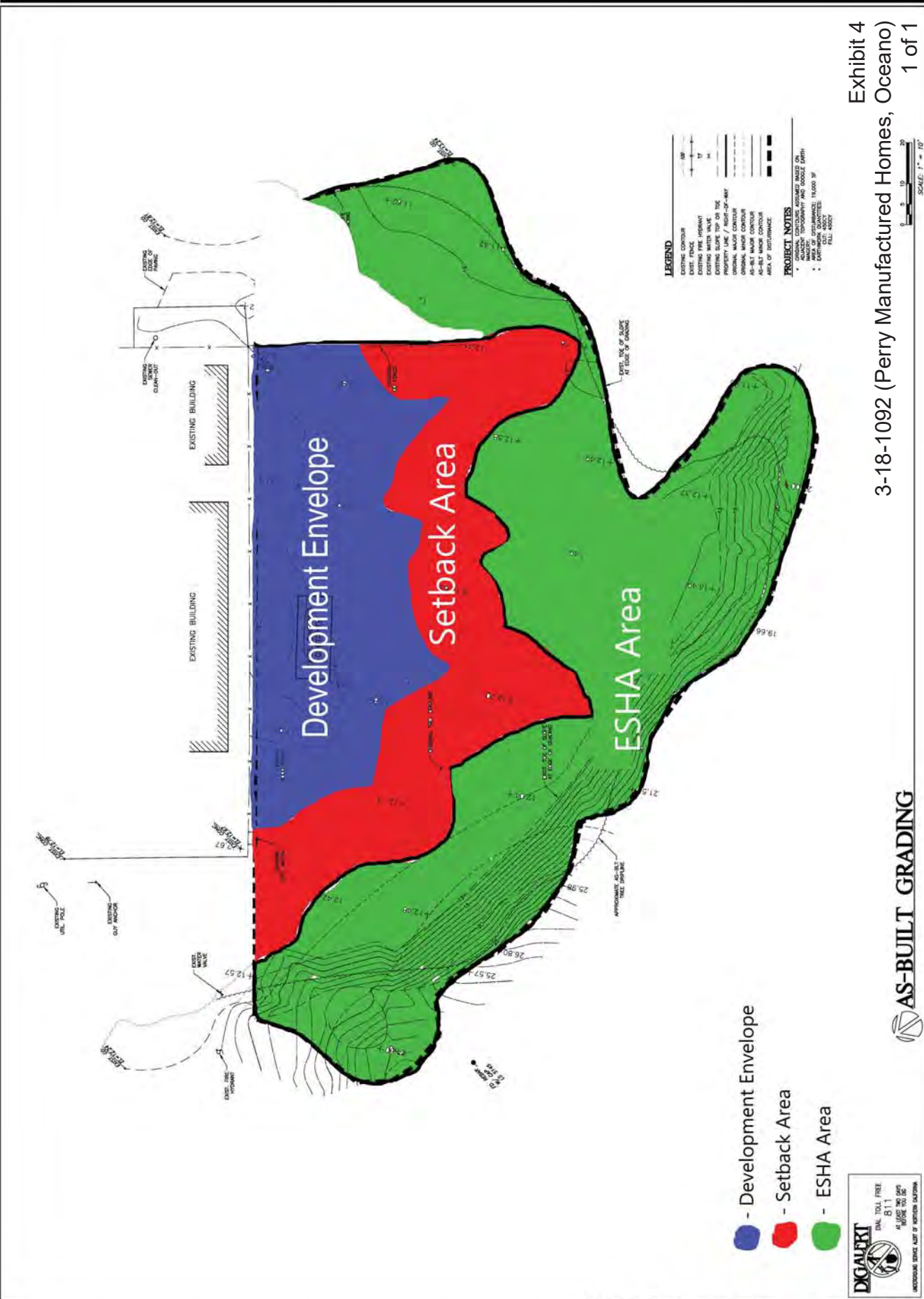
Photo 2. View of the sand that was excavated from the slope shown in Photo 1 and the area within the unnamed tributary to Arroyo Grande Creek proposed for restoration (i.e., native seeding and planting and straw wattles).



Photo 3. View of an existing fire hydrant adjacent to the property that is next to the graded slope shown in Photo 1. Note red willow (refer to red arrow) that was cut down to stump and arroyo willows (refer to yellow arrow) that were pruned during CSD water line repairs.



Photo 4. View of the proposed enhancement area along the south boundary of the property. Note debris (i.e., concrete) and dirt, and open area within the willow canopy proposed for restoration activities.



- - Development Envelope
- - Setback Area
- - ESHA Area

DIGALBERT
 CIVIL ENGINEERS
 141 SOUTH ELM STREET
 ARROYO GRANDE, CA 93420
 (805) 489-1321

AS-BUILT GRADING

Exhibit 4
 3-18-1092 (Perry Manufactured Homes, Oceano)
 1 of 1



GARING TAYLOR & ASSOCIATES, INC.
 CIVIL ENGINEERS, SURVEYORS, PLANNERS
 141 SOUTH ELM STREET
 ARROYO GRANDE, CA 93420
 (805) 489-1321

DATE: _____
 SHEET TITLE: AS-BUILT GRADING
 PROJECT: AS-BUILT GRADING PLAN
 OCEANO, CA 93445
 CLIENT: JOSEPH PERRY
 746 JETTY AVE
 OCEANO, CA 93445

DATE: 7/26/2018 4:08 PM
 PLOT DATE: 7/26/2018 4:08 PM
 PLOT BY: PERRY WORTH
 PLOT DATE: 7/26/2018 4:08 PM

CALIFORNIA COASTAL COMMISSION

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



SENT BY REGULAR AND CERTIFIED MAIL

September 27, 2018

Joseph Perry
 4855 Sanchez Drive
 Guadalupe, CA 93434
 Certified Mail No. 7013 2250 0001 7332 4705

Property Location: 746 Jetty Avenue, Oceano, San Luis Obispo County; Assessor's Parcel Number ("APN") 061-046-012

Violation¹: Unpermitted grading, excavation, and vegetation removal

Violation File No.: V-3-18-0100

Dear Mr. Perry:

The California Coastal Act² was enacted by the State Legislature in 1976 to provide long-term protection of California's 1,100-mile coastline through implementation of a comprehensive planning and regulatory program designed to manage conservation and development of coastal resources. The California Coastal Commission ("Commission") is the state agency created by and charged with administering the Coastal Act of 1976. In making its permit and land use planning decisions, the Commission carries out Coastal Act policies, which amongst other goals, seek to protect and restore sensitive habitats; protect natural landforms; protect scenic landscapes and public views; and provide maximum public access.

Violation

Commission staff has confirmed that unpermitted development, including grading, excavation, and vegetation removal, has occurred on property owned by you located at 746 Jetty Avenue, Oceano (subject property).

Development is broadly defined by Sections 23.03.040 and 23.11.030 of the County of San Luis Obispo's ("County") Local Coastal Program ("LCP") and Section 30106 of the Coastal Act as:

¹ Please note that the description herein of the violation at issue is not necessarily a complete list of all development on the subject property that is in violation of the Coastal Act and/or that may be of concern to the Commission. Accordingly, you should not treat the Commission's silence regarding (or failure to address) other development on the subject property as indicative of Commission acceptance of, or acquiescence in, any such development. Please further note that the word "violation" as used throughout this letter refers to alleged violations of the Coastal Act and/or San Luis Obispo County's LCP, as determined by Commission staff.

² The California Coastal Act of 1976 is codified in Sections 30,000 to 30,900 of the California Public Resources Code. All further section references are to that code unless otherwise indicated.

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). (Emphasis added)

The subject grading, excavation, and removal of vegetation constitutes development as defined by the Coastal Act and the County's LCP.

Pursuant to Section 23.03.040 (c) of the County's LCP and Section 30600 of the Coastal Act, any person wishing to undertake development activities in the Coastal Zone must first obtain a coastal development permit ("CDP"). We have searched our records and have not found a CDP issued by the County or the Commission that authorizes the subject grading, excavation, and vegetation removal. Since no CDP was obtained authorizing the subject grading, excavation, and vegetation removal, the aforementioned activities are unpermitted and constitute a violation of the Coastal Act and the County's LCP.

In addition, it's our understanding that the unpermitted grading, excavation, and vegetation removal was undertaken in preparation for the placement of a mobile home on the site. Please be advised that the placement of a mobile home also requires CDP approval under the County's LCP and the Coastal Act. Therefore, if you want to place a mobile home, or undertake any other development, on the subject property, you must first obtain CDP authorization.

Our mapping staff conducted a jurisdictional property boundary analysis and determined that the most of the subject property is located within the Commission's original/retained permitting jurisdiction with a small portion of the property located within the County's permitting jurisdiction (see enclosure). As a result, you have the option of requesting a "consolidated" CDP which would allow the Commission to process a CDP application for all of the development on the subject property including that which has occurred within the Commission's permitting jurisdiction *and* the County's permitting jurisdiction. This consolidated process requires a letter from you and County Planning Department staff agreeing to allow us to process a consolidated CDP application. Absent a consolidated CDP application, you will need to apply to both the

County and the Commission for separate CDPs for development located within the respective jurisdictions.

Your CDP application(s) will require County approval for certain aspects of the proposed project/development, including flood hazard building requirements and potential airport commission review and approval, etc.

Resolution

In order to resolve this violation you must do all of the following:

- 1) Cease from undertaking any further unpermitted development activity on the subject property (as the County has already instructed you to do in their notice of violation letter dated June 6, 2018);
- 2) Please submit complete CDP application(s) for “after-the-fact approval” of development that has already occurred on the subject property by **October 31, 2018**. Your application(s) will need to include a restoration plan, prepared by a qualified restoration consultant, for restoration of those portions of the site/property located within the “drip-line” as shown in the enclosed as-built grading plan; and
- 3) If you plan to place a mobile home or undertake any other development on the subject property, that will also need to be included in your CDP application(s). If you wish to pursue a “consolidated” CDP application, we will need a letter from the both you and the County agreeing that we can take the lead in processing said application. Your CDP application(s) will need to include a drainage plan required pursuant to the County’s flood hazard policies, County airport commission review and approval (or evidence that no approval is necessary) and a CEQA determination by the County Planning staff, etc., which will all require that you meet with and have the County review the proposed project and complete “Appendix B” of the CDP application, by no later than close of business **October 31, 2018**. Please submit your consolidated CDP application to the Central Coast District Office via regular/certified mail at the address listed above in Santa Cruz.

While we are hopeful that we can resolve this matter amicably, please be advised that Chapter 9 of the Coastal Act has a number of potential remedies to address violations of the Coastal Act, including the following:

Section 30809 states that if the Executive Director of the Commission determines that any person has undertaken, or is threatening to undertake, any activity that may require a permit from the Coastal Commission without first securing a permit, the Executive Director may issue an order directing that person to cease and desist. Section 30810 states that the Coastal Commission may also issue a cease and desist order. A cease and desist order may be subject to terms and conditions that are necessary to avoid irreparable injury to the area or to ensure compliance with

the Coastal Act. Section 30811 also provides the Coastal Commission the authority to issue a restoration order to address violations at a site. A violation of a cease and desist order or restoration order can result in civil fines of up to \$6,000 for each day in which each violation persists.

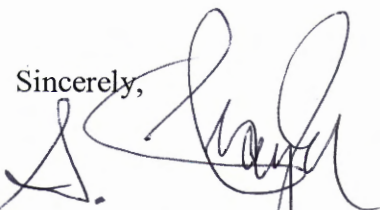
Additionally, Sections 30803 and 30805 authorize the Commission to initiate litigation to seek injunctive relief and an award of civil fines in response to any violation of the Coastal Act. Section 30820(a) (1) provides that any person who undertakes development in violation of the Coastal Act may be subject to a penalty amount that shall not exceed \$30,000 and shall not be less than \$500 per violation. Section 30820(b) states that, in addition to any other penalties, any person who "knowingly and intentionally" performs or undertakes any development in violation of the Coastal Act can be subject to a civil penalty of not less than \$1,000 nor more than \$15,000 per violation for each day in which each violation persists.

In cases involving violation(s) of the public access provisions of the Coastal Act, Section 30821 authorizes the Commission to impose administrative civil penalties in an amount of up to \$11,250 per day for each violation.

Finally, Section 30812 authorizes the Executive Director to record a Notice of Violation against any property determined to have been developed in violation of the Coastal Act. If the Executive Director chooses to pursue that course, you will first be given notice of the Executive Director's intent to record such a notice, and you will have the opportunity to object and to provide evidence to the Commission at a public hearing as to why such a notice of violation should not be recorded. If a notice of violation is ultimately recorded against your property, it will serve as notice of the violation to all successors in interest in that property.

Thank you for your prompt attention to this matter. If you have any questions concerning this letter, please contact me in writing at the above address or by telephone at 831-427-4881.

Sincerely,



Sharif Traylor
Enforcement Officer
Central Coast District

Enclosures: 1) As-built Grading Plan.
2) Jurisdictional Map.

cc:

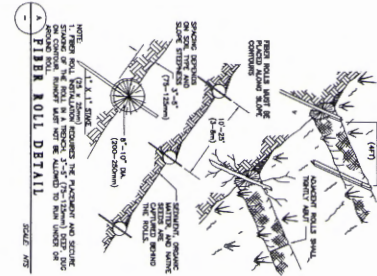
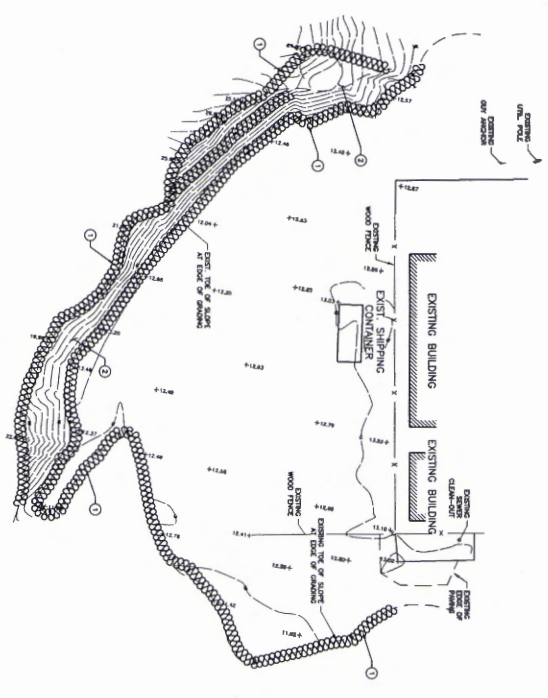
Susan Craig, Central Coast District Manager, CCC

Lisa Haage, Chief of Enforcement, CCC
Patrick Veesart, Enforcement Supervisor, Northern Districts, CCC
Daniel Robinson, Coastal Program Analyst, CCC
Michael Ng, Staff Counsel, CCC
Nick Forester, Planner, San Luis Obispo County
Marie Cullinane, Code Enforcement Officer, San Luis Obispo County
Jenny Emrick, Agent

DCA/ART
 TOLL FREE
 811
 AT LEAST 72 HOURS
 BEFORE START OF EROSION CONTROL

EROSION CONTROL PLAN

- 1. EROSION CONTROL SHALL BE PROVIDED AT THE TOP, SIDE AND INTERSECTIONS, TYPICAL FEET ON ALL.
- 2. ALL EROSION CONTROL SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.



Hydroseeding



- EC-4**
- 1. Hydroseeding is the application of a mixture of seed, fertilizer, and mulch to a prepared soil surface.
 - 2. The mixture is applied to the soil surface by a hydroseeder.
 - 3. The hydroseeder is a machine that mixes the seed, fertilizer, and mulch and sprays the mixture onto the soil surface.
 - 4. The hydroseeder is used to seed slopes, ditches, and other areas that are difficult to seed by other methods.
 - 5. Hydroseeding is a fast and effective method of establishing vegetation on a slope.
 - 6. Hydroseeding is a cost-effective method of establishing vegetation on a slope.
 - 7. Hydroseeding is a method of establishing vegetation on a slope that is suitable for use on a wide variety of soil types.
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DRAWN BY: AS CHECKED BY: MB DATE: 07-13-18 FILE NAME: SCALE: 1" = 10' SHEET:	CLIENT: JOSEPH PERRY 746 JETTY AVE OCEANO, CA 93445	SHEET TITLE: EROSION CONTROL PLAN PROJECT: AS-BUILT GRADING PLAN 746 JETTY AVE OCEANO, CA 93445	GARING, TAYLOR & ASSOCIATES, INC. CIVIL ENGINEERS SURVEYORS PLANNERS 141 SOUTH ELM STREET ARROYO GRANDE, CA 93420 • (805) 489-1321 Exhibit 5 3-18-1092 (Perry Manufactured Homes - Oceano) 8 of 9
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746 Jetty Ave, Oceano

