

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



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Prepared June 29, 2020 (for July 9, 2020 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for July 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 July 9, 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 July 9, 2020 meeting tab of 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 July 9th.

With respect to the July 9th 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. Instructions for signing up to address the Commission are available on the Commission's website under the July 2020 meeting agenda tab. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on July 9, 2020 (see attached)

CDP Waivers

- 3-19-1292-W, Mira SFD Redevelopment (Carmel Highlands)
- 3-20-0137-W, Monterey Bay Aquarium Foundation Repairs (Monterey)
- 3-20-0288-W, AT&T Communications Tower (Big Sur)

CDP Amendments

- 3-14-1013-A3, Monte Foundation Fireworks (Capitola)
- 3-15-0144-A3, San Lorenzo River Lagoon Management (Santa Cruz)
- 3-17-0581-A1, Rose's Landing Pilings (Morro Bay)

CDP Extensions

- A-3-MCO-04-012-E4, Wang SFD (Big Sur)
- 3-14-1613-E2, State Parks' Fort Ord Campground (Monterey County)

Emergency CDPs

- None

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 25, 2020

To: All Interested Parties

From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-19-1292-W
Applicant: Ali Mira

Proposed Development

Demolition of an existing 2,672-square-foot single-family residence and construction of a 3,033-square-foot single-family residence with a 682-square-foot garage, landscaping, and public access signing at 112A Yankee Point Drive in the unincorporated Yankee Point area (Carmel Highlands) in Monterey County (APN 243-161-017).

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 residence would be compatible with the size, scale, and aesthetics of the residential neighborhood in which it is located. It would be sited generally within the footprint of the existing residence and will not exceed the height of the existing structure. The exterior will consist of natural stone materials, stucco, and muted earth tone colors to blend into the surroundings and preserve scenic views from Highway One. The project has been reviewed by the Carmel Highlands Land Use Advisory Committee and has been issued a Local Agency Approval by the Monterey County Resource Management Agency. The project includes Best Management Practices to protect water quality during construction and a drainage plan to reduce the amount of post-construction storm water runoff leaving the site and entering the Point Lobos State Marine Reserve. The project further includes the removal of non-native plant species and re-establishment of native species in the rear yard and along the public access path on the north property line. Additionally, public access signing is proposed identifying the location and presence of the Old Coast Road Trail that extends from Yankee Point Drive through to Malpas Creek Beach. Finally, a "Notice of Geologic Hazards" has been recorded on the property title acknowledging the risks to the property owner of developing along the shoreline, assuming and accepting said risks, and waiving all rights to future shoreline armoring that may exist under the Coastal Act or the Monterey County LCP. The project will not adversely impact coastal resources, including public

access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, July 9, 2020 at the virtual hearing. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Mike Watson (Michael.Watson@coastal.ca.gov) in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: June 25, 2020
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-20-0137-W
Applicant: Monterey Bay Aquarium

Proposed Development

Repairs to the existing concrete foundation/seawall of the Monterey Bay Aquarium that has degraded due to exposure to wave action, and follow-up authorization for other similar work completed under Emergency Coastal Development Permit (ECDP) G-3-19-0051, at the Monterey Bay Aquarium, 886 Cannery Row, 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 Monterey Bay Aquarium is built on the original Hovden Cannery's concrete foundation, which was constructed around 1916. The existing concrete foundation, which also acts a seawall, is directly exposed to wave action that has, over time, broken off surface pieces of concrete and exposed the underlying rebar. The proposed development includes repairs to damaged, exterior concrete areas including at the stairs leading down to the Great Tide Pool, the walkable exterior deck, and the northeast-facing under-deck foundation at the Ocean's Edge wing of the Monterey Bay Aquarium. Concrete will be chipped away from affected areas in order to facilitate the appropriate adhesion of the replacement concrete solution. Specifically, proposed repair methods include injection of concrete admixtures into existing cracks in the foundation. Additional specific methods of repair include targeted chipping of areas of eroded concrete, which will then be backfilled with the concrete admixture and sealed with a topcoat. Carbon fiber fabric will be used for enhanced durability for high traffic areas, such as stairs and decks. The proposed project is necessary to prevent the incidental release of eroded concrete into the marine environment. The proposed development also serves as follow-up authorization for work done under ECDP G-3-19-0051, which included similar methods to repair other cracks in the face of the foundation (and which prompted further inspection of the foundation, resulting in the discovery of additional

CDP Waiver 3-20-0137-W (Monterey Bay Aquarium Concrete Foundation Repairs)

deteriorated areas that are now proposed for repairs).

All work will occur at night as to not interfere with any daytime activities and Aquarium visitors. Lighting of the marine environment will be minimized by the use of small, battery powered operated lights and headlamps. When necessary to access a seaward facing wall, a temporary platform will be installed above the low tide water line. All work will occur during low tides; no work will occur within coastal waters. All equipment used during construction will be equipped with vacuum dust collection capacity. Larger pieces of concrete that are chipped away from the existing surface will be collected on the worker scaffold and/or temporary platform and then removed by hand by a member of the construction crew for disposal offsite. In addition, a tarpaulin¹ that wraps around the scaffold and platform will be utilized as part of the containment system to minimize concrete debris escape. All tarpaulins will be removed at the end of each shift and appropriately disposed of, along with the associated collected concrete debris.

The project incorporates the Commission's standard best management practices to protect the marine environment, including spill prevention and general good housekeeping. In sum, the proposed project will improve the safety and overall experience of Monterey Bay Aquarium visitors. The project will not otherwise adversely impact coastal resources or public access to the shoreline, and thus it is consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, July 9, 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 in the Central Coast District office at Alexandra.McCoy@coastal.ca.gov.

¹ Tarpaulins will be mounted in a manner that will provide additional containment for chunks of concrete debris too large for the vacuum-assist components to retrieve but small enough to be wind-driven into nearby waters.

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**NOTICE OF PROPOSED PERMIT WAIVER**

Date: June 25, 2020
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: Coastal Development Permit (CDP) Waiver 3-20-0288-W
Applicant: AT&T

Proposed Development

Installation of a new telecommunications tower with two antennas, equipment/storage cabinet, and mounting infrastructure near Manuel Peak in the Ventana Wilderness area of Big Sur, 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 35-foot-tall tower is part of a phased plan to expand and enhance cellular communication services, including 911 emergency services, within the northern Big Sur area. Existing cellular facilities are underperforming, resulting in large "dead zones" along Highway One and frequent service disruptions. The new tower and related development will be installed adjacent to the existing 26-foot-tall passive repeater near the top of Manuel Peak in the Ventana Wilderness, roughly 2.5 miles inland from and roughly 3,000 feet above Highway One. Given the topography, elevation, and vegetation in the area, the communication facilities will not be visible from Highway One or from other areas within the Big Sur critical viewshed. Installation of the communication facilities will be performed by helicopter and will not adversely affect public access use of the Manuel Peak trail. All foundation work will be performed by hand. Construction best management practices will be employed to ensure that the construction area is kept tidy and that all construction materials are contained to prevent debris from littering the forest. No grading or vegetation/tree removal is proposed at the site. The project will not adversely impact coastal resources or public access to the shoreline, and thus is consistent with the Coastal Act.

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, July 9, 2020 at

the virtual hearing. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

If you have any questions about the proposal or wish to register an objection, please contact Mike Watson (Michael.Watson@coastal.ca.gov) in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: June 25, 2020

To: All Interested Parties

From: Susan Craig, Central Coast District Manager
Rainey Graeven, Coastal Planner

**Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-14-1013
(Monte Foundation Fireworks)**

Original CDP Approval

CDP 3-14-1013 was approved by the Coastal Commission on August 15, 2014, and provided for the construction of a fireworks staging area and safety zone to launch a 30-minute fireworks display for a one-time free public event on October 12, 2014, at the end of the City-owned Capitola Municipal Wharf in the City of Capitola, Santa Cruz County. CDP 3-14-1013 was amended twice including to reschedule the previously approved fireworks display for the 2014 event from Sunday, October 12, 2014 to Saturday, October 11, 2014 (CDP Amendment 3-14-1013-A1) and to extend the permit approval for a single annual fireworks event each October from 2015 through 2019 (CDP Amendment 3-14-1013-A2).

Proposed CDP Amendment

The Commission's reference number for this proposed amendment is **3-14-1013-A3**.

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 amendment would extend the 5-year authorization for an annual free 30-minute fireworks display (including the construction of a staging area and safety zone) to allow a single event each October from 2020 through 2024. All of the conditions of the Commission's original approval, i.e. conditions to protect water quality and public access, to require an event monitoring report regarding marine mammals, and to require other agency approval, remain in effect.

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 Thursday, July 9, 2020, during the virtual meeting. If

CDP Amendment 3-14-1013-A3 (Monte Fireworks)

three 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 Rainey Graeven (Rainey.Graeven@coastal.ca.gov) in the Central Coast District office.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: June 25, 2020
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Colin Bowser, Coastal Planner
Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-15-0144
Applicant: City of Santa Cruz

Original CDP Approval

CDP 3-15-0144 was approved by the Coastal Commission on July 8, 2015 and provided for a three-year pilot program that allowed two management activities to prevent flooding along the lower San Lorenzo River caused by seasonal lagoon formation at the river's mouth: 1) periodically breaching the lagoon in 2015 and 2016, and 2) seasonal temporary culvert installation and removal in 2016 and 2017 to avoid the need for subsequent breaching. The CDP was amended in 2018 and in 2019 (CDP amendments 3-15-0144-A1 and -A2, respectively) to authorize the use of various sand management activities to shape sand berms that contain the lagoon and prevent flooding, subject to strict regulatory oversight. These authorizations were effective only for seasonal management activities in 2018 and 2019.

Proposed CDP Amendment

CDP 3-15-0144 would be amended to authorize the above-mentioned sand management activities (e.g. mechanical breaching, use of sand sills and berms, etc.) as appropriate and subject to strict regulatory oversight in 2020 pending installation of a permanent culvert system to manage lagoon water level that is planned to be constructed in 2021 (and which will require separate Commission authorization). The Commission's reference number for this proposed amendment is **3-15-0144-A3**.

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 proposed amendment would allow the City of Santa Cruz to continue undertaking management activities to control the water level of the San Lorenzo River's lagoon to prevent localized flooding to public and private properties and infrastructure. Over the last five years, the City has used several configurations to breach the river mouth's sand berm and other temporary management actions to construct sand berms to prevent flooding, using various approaches based on changing river conditions. This

amendment authorizes a suite of tools that the City of Santa Cruz can use in 2020 that takes into account river and lagoon conditions, while also balancing the complex and competing needs of the San Lorenzo River Lagoon, including with respect to endangered species, human health and safety, water quality, historic cultural resource preservation, and neighborhood flooding. These tools have been used successfully under the base CDP (and the two previous amendments) over the last five years and have proven to better protect coastal resources than breaching the river mouth sand berm alone. Under the proposed amendment, the City is required to notify all the involved natural resource agencies (i.e. the Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife) to discuss the preferred management activity and to obtain written authorization to proceed with that activity. In addition, all such activities require the use of construction best management practices, and extensive biological and water quality monitoring requirements. In sum, the proposed amendment protects coastal resources, is consistent with the Commission's original CDP approval, and is also consistent with the Coastal Act and the certified City of Santa Cruz Local Coastal Program.

Note: The City continues to work on the design of a permanent lagoon culvert project. The City had hoped to implement this permanent culvert this summer but was delayed due to design changes and funding limitations. That project will eliminate the need for breaching and/or constructing sand berms to prevent flooding. Commission Staff advocated for a permanent culvert solution throughout the original CDP application review process, and believes that the permanent culvert solution would, on the whole, better protect coastal resources in the long run than a temporary culvert or continued breaching and sand berm management activities. The City will submit a separate application for a CDP amendment to authorize installation of the permanent culvert once the design of the culvert is finalized.

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 Thursday, July 9, 2020 during the virtual hearing. 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 (Colin.Bowser@coastal.ca.gov) in the Central Coast District office.

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: June 25, 2020

To: All Interested Parties

From: Susan Craig, Central Coast District Manager
Colin Bowser, Coastal Planner

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-17-0581
Applicant: Doug Redican

Original CDP Approval

CDP 3-17-0581 was approved by the Coastal Commission on March 8, 2018 and provided for: the conversion of a second-floor restaurant to a 10-unit hotel; a new hotel entry on the ground floor; public access improvements, including to and along the Bayfront lateral accessway; and related development, all at 725 Embarcadero in Morro Bay (Water Lease Sites 82W-85W), San Luis Obispo County.

Proposed CDP Amendment

CDP 3-17-0581 would be amended to replace 11 damaged wooden pier piles (which support the Rose's Landing restaurant and hotel building, as well as the Bayfront lateral accessway located seaward of the building and a floating dock) with eight steel piles and associated support components. The Commission's reference number for this proposed amendment is **3-17-0581-A1**.

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 11 wooden pier piles have been determined to be worn and damaged beyond repair.¹ The damaged wooden pier piles and structural components would be replaced with eight new steel piles and structural components coated with a marine protective sealant that Commission water quality staff has determined will not have adverse impacts on coastal water quality. The 11 damaged piles will be removed completely from the sea floor if feasible; however, if their condition is too degraded or if they are located too close to the Embarcadero's protective riprap, the piles will be cut off close to the sea floor and the portions below the sea floor will be left in place. The proposed

¹ The Commission previously authorized CDP waiver 3-17-0358, which provided for the repair of up to 10 wooden pilings at the site; however, it was later determined that these pilings were too degraded to repair and thus the work authorized by CDP waiver 3-17-0358 was never carried out.

project will be done using the Commission's typical Best Management Practices for pier work in the marine environment, including ensuring debris collection, spill prevention, and general good housekeeping. The work is expected to last up to four weeks and during this period the public will be directed to existing access along the Embarcadero. Public access at the site will be restored after the work is completed. No construction work will be done within any existing eelgrass beds and a qualified biological monitor shall be present at all times during construction to ensure that there are no impacts to marine mammals. The project will ensure continued public access to the Bayfront lateral accessway and dock and will facilitate continued operation of the visitor-serving hotel and restaurant. Accordingly, the project will not have any significant adverse impacts on coastal resources, including public access to the shoreline, consistent with the Coastal Act.

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 Thursday, July 9, 2020, at the virtual online hearing. 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 at colin.bowser@coastal.ca.gov.

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NOTICE OF PROPOSED PERMIT EXTENSION

Date: June 25, 2020

To: All Interested Parties

From: Susan Craig, Central Coast District Manager
Katie Butler, Coastal Planner

Subject: Proposed Extension to Coastal Development Permit (CDP) A-3-MCO-04-012

Applicant: Brandon Wang

Original CDP Approval

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

Proposed CDP Extension

The expiration date of CDP A-3-MCO-04-012 was previously extended by one year on three different occasions.¹ The expiration date would be extended by another year to June 7, 2021. The Commission's reference number for this proposed extension is **A-3-MCO-04-012-E4**.

Executive Director's Changed Circumstances Determination

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

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on Thursday, July 9, 2020 at 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.

¹ CDP extensions -E1 and -E2 were granted in 2006 and 2007, respectively, while the original CDP approval was undergoing litigation. The CDP application was remanded to the Commission by the Court of Appeal, and subsequently approved in June 2017. CDP extension -E3 was granted in 2019.

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

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**NOTICE OF PROPOSED PERMIT EXTENSION**

Date: June 25, 2020
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Mike Watson, Coastal Planner
Subject: **Proposed Extension to Coastal Development Permit (CDP) 3-14-1613**
Applicant: California Department of Parks and Recreation

Original CDP Approval

CDP 3-14-1613 was approved by the Coastal Commission on July 12, 2017 and allows for the construction and operation a new campground facility including 45 full-hook-up recreational-vehicle sites, 43 tent sites, 10 hike-/bike-in sites, two campground host sites, four restroom buildings, a multi-use building, a campfire center, an entrance station, three operations-and-security modular structures, overflow parking, a storage yard, a maintenance station, a beach access trail, a military storage bunker interpretative walk, relocation of a portion of the Monterey Bay Sanctuary Scenic Trail, on- and off-site utilities, site grading, native dune restoration, and related development on the former Fort Ord property west of Highway One between the cities of Marina and Sand City/Seaside, in Monterey County.

Proposed CDP Extension

The expiration date of CDP 3-14-1613 has been extended by the Commission once previously (to July 12, 2020), and would be extended one additional year to July 12, 2021. The Commission's reference number for this proposed extension is **3-14-1613-E2**.

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with Chapter 3 of the Coastal Act.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on Thursday, July 9, 2020 at 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 Mike Watson (Michael.Watson@coastal.ca.gov) in the Central Coast District office.