

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
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# F10

**Prepared July 30, 2020 (for August 14, 2020 Hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Dan Carl, Central Coast District Director

**Subject: Central Coast District Director's Report for August 2020**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, immaterial CDP extensions, and emergency CDPs for the Central Coast District are being reported to the Commission on August 14, 2020. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's Central Coast District Office in Santa Cruz. Staff is asking for the Commission's concurrence on the items in the Central Coast District Director's Report and will report any objections received and any other relevant information on these items to the Commission when it considers the Report on August 14th during the virtual online hearing.

With respect to the August 14th 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 August 14, 2020 (see attached)**

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**CDP Amendments**

- 3-13-012-A7, Caltrans' Piedras Blancas Highway 1 Realignment deadline extension (Northern San Luis Obispo County)

**CDP Extensions**

- A-3-SCO-09-001-E4, Frank SFD (Aptos)
- A-3-SCO-09-002-E4, Frank SFD (Aptos)
- A-3-SLO-15-0001-E3, Loperena SFD (Cayucos)

**Emergency CDPs**

- G-3-20-0033, Embarcadero COVID-19 Measures (Morro Bay)

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## NOTICE OF PROPOSED PERMIT AMENDMENT

**Date:** July 31, 2020  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Sean Drake, Transportation Program Analyst  
**Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-13-012**  
Applicant: Caltrans

### Original CDP Approval

CDP 3-13-012 was approved by the Coastal Commission on July 11, 2014 and provided for the realignment of 2.8 miles of Highway 1 up to 475 feet inland (including removal of the existing Highway 1 in this area), development of an off-road California Coastal Trail (CCT) west of the Highway, and resource restoration and enhancement (along the alignment and at Arroyo de la Cruz) in the Piedras Blancas area of northern San Luis Obispo County.

### Proposed CDP Amendment

CDP 3-13-012 would be amended to (1) change the deadlines for Special Conditions 9, 10, and 11 to give Caltrans an additional two years to complete these requirements; and (2) change the deadline for Special Condition 5(a) to allow State Parks an additional two years (i.e., until August 20, 2023) to complete the CCT in this area. The Commission's reference number for this proposed amendment is **3-13-012-A7**. See **Exhibit A** for the proposed changes to these conditions.

### 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 Piedras Blancas Highway 1 realignment project is an important adaptation project for the State of California in its attempts to adapt to sea level rise and mitigate coastal hazards. Special Conditions 9, 10, and 11 pertain to several formerly privately-owned properties that have been the subject of eminent domain and condemnation proceedings since before the project began construction. Due to ongoing lawsuits and related issues regarding these properties, it has been difficult for Caltrans to finalize all of the conditions that pertain to them. Because of this, the original CDP has been amended five times to allow additional time to fulfill these conditions (amendments A1, A2, A4, A5, and A6). Since the litigation was resolved in mid-2019, Caltrans has not had sufficient time to complete the associated CDP requirements, and is requesting that the

relevant deadlines be extended by two years due to the complexity of the issues, combined with several unexpected circumstances including COVID-19. The deadline adjustment will provide Caltrans the time necessary to complete the CDP requirements, and the delay should not result in any significant adverse coastal resource impacts in the interim.

With respect to the CCT, the proposed amendment would also modify the deadline for State Parks to complete construction of the CCT component of the project by providing an additional two years (i.e., until August 30, 2023). This modification is necessary to provide sufficient time for State Parks to complete permitting requirements related to the CCT, including on lands that Caltrans will transfer to State Parks pursuant to Special Condition 9.

The deadline extensions are appropriate in this case to address unforeseen project delays and issues, and all parties remain committed to bringing the whole of the project to completion and fruition as soon as possible.

In sum, the proposed amendment modifies certain timing requirements, but it does not change the underlying permit requirements nor does it affect the project's consistency with the Commission's original CDP approval. The amended CDP remains consistent with the Coastal Act and the certified San Luis Obispo County Local Coastal Program.

#### **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 Friday, August 14, 2020 during 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 Sean Drake in the Commission's Sacramento office at [Sean.Drake@coastal.ca.gov](mailto:Sean.Drake@coastal.ca.gov).**

## Exhibit A

### Proposed Amendments to Special Conditions 5(a), 9, 10, and 11 (CDP Amendment 3-13-012-A7)

**5. California Coastal Trail.** WITHIN 16 MONTHS OF THE COMMENCEMENT OF CONSTRUCTION OF THE REALIGNED HIGHWAY APPROVED PURSUANT TO THIS CDP, the Permittee shall submit written documentation that demonstrates that the Permittee and State Parks have entered into a Cooperative Agreement that is consistent with the requirements of this CDP and its terms and conditions. Prior to State Parks and the Permittee executing this Cooperative Agreement, it shall be submitted for review and approval by the Executive Director. The roles and responsibilities of State Parks and Caltrans under the Cooperative Agreement shall be clearly identified.

Within four months of the Executive Director's approval of the Cooperative Agreement, the Permittee shall submit to the Executive Director evidence that a nonrefundable public access mitigation fee of \$1.4 million has been transferred to State Parks and deposited into a separate, interest-bearing account created solely to implement the Cooperative Agreement described herein. The sole purpose of the funds shall be to construct a segment of the California Coastal Trail (CCT) and directly related public access improvements over the length of the project limits (as described in subsection (a) below). After Caltrans has transferred the \$1.4 million mitigation fee to State Parks, constructed the northern and southern trailhead parking areas and entered into the Executive Director-approved Cooperative Agreement, their obligation toward all aspects of trail construction is finalized except to the extent that the Cooperative Agreement identifies some continuing obligation. Caltrans will not be held responsible thereafter for any aspect of the development, construction, maintenance, environmental compliance (including NEPA/CEQA review, permitting, and mitigation) and any other components toward the completion of the CCT except to the extent that the Cooperative Agreement identifies some continuing obligation. The Cooperative Agreement between Caltrans and State Parks shall comply with the following minimum provisions, which are a requirement of this CDP:

- a. CCT Scope.** The Cooperative Agreement shall cover all aspects of ensuring that a continuous CCT (an off-highway public trail) and associated public parking is built and opened as soon as possible, but in no case more than 4 6 years after the realigned Highway 1 is opened (i.e., by August 30, ~~2024~~ 2023). The CCT shall extend from the public parking area nearest the point where the paved surface of the realigned highway segment departs from the existing paved highway surface, to the corresponding point at which it rejoins the existing highway... *(remainder of condition unchanged)*

## Exhibit A

### CDP 3-13-012-A7 (Piedras Blancas Highway 1 Realignment Timing Changes)

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**9. CCT Access Dedication.** WITHIN ~~60~~ 84 MONTHS OF COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit to the Executive Director for review and approval evidence that a dedication to State Parks of a fee interest or easement(s) for lateral public access has been executed and recorded against Sani Parcels 1 and 2 (APNs 011-231-013 and 011-231-014) and the Welsh Parcel (APN 011-231-017) that provide a direct public access route from the CCT connections to the north and south, along the alignment approved pursuant to Special Condition 5... ***(remainder of condition unchanged)***

#### **10. Evidence of CDP Amendments.**

- a. **Sani Parcels 1, 2 and 3:** PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ON SANI PARCELS 1, 2 AND 3 AND THE WELSH PARCEL OUTSIDE THE DEVELOPMENT AREA DEPICTED IN EXHIBIT 1 AND WITHIN ~~60~~ 84 MONTHS OF THE COMMENCEMENT OF CONSTRUCTION OF THE REALIGNED HIGHWAY APPROVED PURSUANT TO THIS CDP, the Permittee shall provide evidence that San Luis Obispo County has amended CDP COAL 90-137, as reconsidered and amended in D010029P and MUP D020333P to: allow for the highway to be constructed in the new alignment approved by this CDP; prohibit development on Sani Parcels 1 and 2 (APNs 011-231-013 and 011-231-014) other than demolition, restoration, well access, public access and recreation improvements, and CCT development approved by this CDP; reflect screening requirements of Special Condition 3; and retain all other development limitations included in existing deed restrictions/scenic easements/mitigation agreements as they currently pertain to the undeveloped areas outside of the existing development envelope, but modify the area to which they apply to be all areas on the properties outside of the new highway right-of-way. Any amendment approval shall be based on the future conditions of the site after the rock slope protection is removed, as required by CDPs 3-97-039 and 3-07-030, including future erosion rates associated with the unprotected shoreline.
- b. **Welsh Parcel:** PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ON SANI PARCELS 1, 2 AND 3 AND THE WELSH PARCEL OUTSIDE THE DEVELOPMENT AREA DEPICTED IN EXHIBIT 1 AND WITHIN ~~60~~ 84 MONTHS OF THE COMMENCEMENT OF CONSTRUCTION OF THE REALIGNED HIGHWAY APPROVED PURSUANT TO THIS CDP, the Permittee shall provide evidence that the Coastal Commission has amended CDP A-3-SLO-00-119 to allow for the highway to be constructed in the new alignment approved by this CDP; to prohibit development on that portion of the parcel seaward of the realigned Highway other than restoration, well access, and CCT development approved by this CDP; reflect screening requirements of Special Condition 3; and retain all other development limitations included in the existing scenic easement as it currently pertains to the undeveloped areas outside of the existing development envelope and extend these limitations to the remainder of the

portion of the property seaward of the new highway right-of-way. The amendment approval shall be based on the future conditions of the site after the rock slope protection is removed, as required by CDPs 3-97-039 and 3-07-030, including future erosion rates associated with the unprotected shoreline.

- 11. Evidence of Amendments to Recorded Documents.** PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ON SANI PARCELS 1, 2 AND 3 AND THE WELSH PARCEL OUTSIDE THE DEVELOPMENT AREA DEPICTED IN EXHIBIT 1, AND WITHIN ~~60~~ 84 MONTHS OF THE COMMENCEMENT OF CONSTRUCTION OF THE REALIGNED HIGHWAY APPROVED PURSUANT TO THIS CDP, the Permittee shall submit evidence that that the landowner(s) has executed and recorded deed restrictions against Sani Parcels 1 and 2 (APNs 011-231-013 and 011-231-014, or as may be renumbered), and the Welsh Parcel (APN 011-231-017, including any roadway that reverts to the property, and as may be renumbered), in a form and content acceptable to the Executive Director, prohibiting all development, as defined in Section 30106 of the Coastal Act, outside of the new Highway 1 alignment right-of-way, as shown on the Revised Final Plans...  
***(remainder of condition unchanged)***

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## NOTICE OF PROPOSED PERMIT EXTENSION

**Date:** July 31, 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-SCO-09-001**  
Applicant: Neil Frank

### Original CDP Approval

CDP A-3-SCO-09-001 was approved by the Coastal Commission on June 12, 2015 and provided for the construction of a two-story single-family residence and associated improvements. The project is located on an undeveloped vacant blufftop above Hidden Beach where it slopes down toward a coastal arroyo adjacent to Hidden Beach County Park just downcoast from Bayview Drive in the unincorporated Aptos area of south Santa Cruz County.

### Proposed CDP Extension

As indicated above, the CDP was originally approved by the Coastal Commission on June 12, 2015 and included a two-year term with an expiration date of June 12, 2017. The Applicant previously filed for three extensions to extend this deadline (ultimately to June 12, 2020), which were granted by the Commission (A-3-SCO-09-001-E1, A-3-SCO-09-001-E2, and A-3-SCO-09-001-E3). Thus, under this proposed extension, the expiration date of CDP A-3-SCO-09-001 would be extended one additional year until June 12, 2021. The Commission's reference number for this proposed extension is **A-3-SCO-09-001-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 Santa Cruz 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 August 14, 2020, at the Commission's 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

**A-3-SCO-09-001-E4 (Frank SFD)**

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 at [Ryan.Moroney@coastal.ca.gov](mailto:Ryan.Moroney@coastal.ca.gov).**



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**Date:** July 31, 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-SCO-09-002**  
Applicant: Neil Frank

### Original CDP Approval

CDP A-3-SCO-09-002 was approved by the Coastal Commission on June 12, 2015 and provided for the construction of a two-story single-family residence and associated improvements. The project is located on an undeveloped vacant blufftop above Hidden Beach where it slopes down toward a coastal arroyo adjacent to Hidden Beach County Park just downcoast from Bayview Drive in the unincorporated Aptos area of south Santa Cruz County.

### Proposed CDP Extension

As indicated above, the CDP was originally approved by the Coastal Commission on June 12, 2015 and included a two-year term with an expiration date of June 12, 2017. The Applicant previously filed for extensions to extend this deadline (ultimately to June 12, 2020), which were granted by the Commission (A-3-SCO-09-002-E1, A-3-SCO-09-002-E2, and A-3-SCO-09-002-E3). Thus, under this proposed extension, the expiration date of CDP A-3-SCO-09-002 would be extended one additional year until June 12, 2021. The Commission's reference number for this proposed extension is **A-3-SCO-09-002-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 Santa Cruz 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 August 14, 2020, at the Commission's 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

**A-3-SCO-09-002-E4 (Frank SFD)**

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 at [Ryan.Moroney@coastal.ca.gov](mailto:Ryan.Moroney@coastal.ca.gov).**

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## NOTICE OF PROPOSED PERMIT EXTENSION

**Date:** July 31, 2020  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Brian O'Neill, Coastal Planner  
**Subject: Proposed Extension to Coastal Development Permit (CDP) A-3-SLO-15-0001**  
Applicant: Jack Loperena

### Original CDP Approval

CDP A-3-SLO-15-0001 was approved by the California Coastal Commission on August 10, 2016 and allows for the construction of an approximately 1,100-square-foot, three-story single-family residence with an elevated driveway platform connecting to Studio Drive, located seaward of Studio Drive at its northern end (approximately 250 feet southwest of the intersection of Studio Drive and Highway 1) and fronting Morro Strand State Beach, in the unincorporated community of Cayucos, San Luis Obispo County (APN 064-253-007).

### Proposed CDP Extension

As indicated above, the CDP was originally approved by the Coastal Commission on August 10, 2016 and included a two-year term with an expiration date of August 10, 2018. The Applicant previously filed for extensions extending this deadline to August 10, 2019 and August 10, 2020, which were granted by the Commission (A-3-SLO-15-0001-E1 and A-3-SLO-15-0001-E2, respectively). Thus, under the proposed extension, the expiration date of CDP A-3-SLO-15-0001 would be extended one additional year until August 10, 2021. The Commission's reference number for the proposed extension is **A-3-SLO-15-0001-E3**.

### 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 San Luis Obispo 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 Friday, August 14, 2020 at the virtual online hearing. If three or more Commissioners object to the Executive Director's changed circumstances

**CDP Extension A-3-SLO-15-0001-E3 (Loperena SFD)**

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 Brian O'Neill (Brian.O'Neill@coastal.ca.gov) in the Central Coast District office.**

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# **EMERGENCY COASTAL DEVELOPMENT PERMIT**

## **Emergency CDP G-3-20-0033 (COVID-19 Measures for Morro Bay Waterfront)**

**Issue Date: July 8, 2020**

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This emergency coastal development permit (ECDP) authorizes three emergency development measures during the COVID-19 pandemic that apply to local businesses along the waterfront area of Morro Bay, including the Embarcadero. These three temporary measures are: 1) authorizing service-oriented businesses located along the Embarcadero to expand outdoor seating into limited areas of lateral and vertical accessways that provide access to the Harborwalk, in a manner that continues to provide for access, 2) establishing RV and tent campsites at six City-owned lots around Morro Bay, and 3) closing one lane and both ends of the two-lane Embarcadero street to car traffic and using the space for pedestrian access and outdoor seating, all as more specifically described in the city's ECDP application dated June 18, 2020 and received in the Commission's office on June 19, 2020. The City proposes these three measures to help local businesses along the Embarcadero survive the economic crisis brought about by the COVID-19 pandemic, and to help maintain functioning City revenues, and to comply with County health orders regarding social distancing.

Based on the materials presented by the Permittee (City of Morro Bay), the economic effects of necessary social distancing orders mandated by County and State health authorities during the COVID-19 outbreak have seriously jeopardized Morro Bay's essential business community, which is sustained by seasonal tourism, and have thus seriously reduced the waterfront's ability to support visitor-serving businesses and local community function. Thus, the proposed emergency measures are necessary to maintain the community's viable economic functioning and the prospects for future recovery after social distancing orders are lifted. These measures are the minimum necessary to prevent further erosion of the waterfront community's basic economic functioning. The project has been narrowly tailored to ensure these measures are temporary and to avoid impacts to coastal resources as much as possible, including to require adequate increased trash and recycling receptacles in affected areas and provide new temporary restrooms and sanitation facilities at the proposed campsites, and to require proper social distancing space in all affected areas of outdoor seating. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

**Emergency CDP G-3-20-0033 (COVID-19 Measures for Morro Bay  
Waterfront)**

**Issue Date: July 8, 2020**

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

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

DocuSigned by:

*Susan Craig*

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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 July 23, 2020). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 30 days of the date of this permit (i.e., by August 7, 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 while the COVID-19 social distancing requirements remain in place 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 November 5, 2020), the Permittee shall submit a complete application for a regular CDP to authorize the temporary emergency development. (The CDP application may be found at: <http://www.coastal.ca.gov/cdp/cdp-forms.html>). The application shall include photos showing the project sites before the emergency 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

**Emergency CDP G-3-20-0033 (COVID-19 Measures for Morro Bay  
Waterfront)**

**Issue Date: July 8, 2020**

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or personal injury that may result from the project.

6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., San Luis Obispo County Public Health Agency, 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 June 19, 2020.
8. All emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency activities shall limit impacts to coastal resources (including public recreational access to and along Morro Bay and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following development 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):
  - All of the development measures included in this ECDP, and any subsequent modifications made to these measures, are temporary and will be completely removed by November 5, 2020 (and the sites restored to their previous condition or better than their previous condition) unless a regular CDP application to retain the development has been submitted by that date.
  - If a local, county, state, or federal health or public safety directive requires public health and safety measures more stringent or greater than those currently in effect such that the conditions of this ECDP cannot be safely met, the applicable COVID-19 measures authorized by this ECDP will become void and the development will be immediately removed.
  - Outdoor seating areas will be open to the general public at all times as well as to paying customers of private business. No distinction will be made between seating offered to paying customers of nearby businesses and seating offered to the general, non-paying public.
  - Outdoor seating will minimize intrusion into accessways, but at all times will maintain at least six feet of distance between a seating area and the edge of an accessway or the edge of another seating area. The proposed seating shall minimize intrusion into public accessways, and seating arrangements will minimize restaurant staffs' need to traverse through accessways. No restaurant staff support tables, hostess tables, bars, or other such ancillary restaurant tables or stands will be established in public accessways at any time.

**Emergency CDP G-3-20-0033 (COVID-19 Measures for Morro Bay  
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**Issue Date: July 8, 2020**

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- Restroom facilities and covered and designated trash and recycling receptacles sufficient to support full outdoor seating, as well as the anticipated numbers of the public using the modified Embarcadero street plan during peak hours, and the new RV and tent camp sites, will be provided and serviced as needed.
- All precautions will be taken to ensure that litter and refuse will be prevented from entering Morro Bay.
- Signs explaining that all public accessways, coastal viewing areas, and shoreline access routes remain fully open will be prominently displayed near all areas of development in the areas of such public access.
- Signs explaining the nearest location(s) of RV waste tank dump stations will be provided at all new campsites. The City of Morro Bay will monitor the RV camp sites daily for spills and quickly clean up any spills of fuel, oil, waste tank contents, etc.
- All development areas shall be minimized and demarked by temporary minimal cable or similar type fencing designed to allow through public access and to protect public safety to the maximum extent feasible. Development (including, but not limited to, construction activities, and materials and/or equipment storage) is prohibited outside of the defined development areas.
- All development sites shall maintain good site housekeeping controls and procedures (e.g., clean up all leaks, spills, and refuse immediately; dispose of all refuse and recyclables properly, place trash and recycling receptacles on site for that purpose; remove all debris associated with development from the Harborwalk, beach, and shoreline area; etc.).
- All activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment are prohibited.
- All accessways, including the Embarcadero, impacted by development activities shall be restored to their pre-development condition or better within three days after social distancing requirements are lifted.
- The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of development 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 each



**Emergency CDP G-3-20-0033 (COVID-19 Measures for Morro Bay Waterfront)**

**Issue Date: July 8, 2020**

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accessway affected by this ECDP, as well as at each closed end of the Embarcadero and at each of the City-owned lots where campsites will be located, and such copies shall be available for public review on request. All persons involved with the development shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of development.

11. A development coordinator shall be designated to be contacted during the period in which these development measures are taken should questions arise regarding the development (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 the development, shall be conspicuously posted at the sites where such contact information is readily visible from public viewing areas, along with indication that the coordinator should be contacted in the case of questions regarding the development (in case of both regular inquiries and emergencies). The coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the COVID-19 measures, 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 development authorized by this ECDP, the Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.
12. This ECDP shall not constitute a waiver of any public rights which may exist on the properties. The Permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the properties.
13. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
14. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Conditions 4 and 5 above, the emergency development carried out under this ECDP is considered to be temporary work done in an emergency situation to abate an emergency and is undertaken at the Permittee's risk. For the development to be authorized under the Coastal Act and/or if the Permittee wishes to expand the scope of work, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the

**Emergency CDP G-3-20-0033 (COVID-19 Measures for Morro Bay  
Waterfront)**

**Issue Date: July 8, 2020**

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Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz,  
CA 95060, (831) 427-4863.

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060  
 PHONE: (831) 427-4883  
 FAX: (831) 427-4877  
 WEB: WWW.COASTAL.CA.GOV



## EMERGENCY COASTAL DEVELOPMENT PERMIT ACCEPTANCE FORM


TO: CALIFORNIA COASTAL COMMISSION  
 CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060

RE: **Emergency Coastal Development Permit (ECDP) No. G-3-20-0033**

INSTRUCTIONS: After reading the attached ECDP, please sign this form and return it to the Central Coast District Office within 15 days from the permit's date.

I hereby understand all of the conditions of the ECDP being issued to the City of Morro Bay and agree to abide by them.

I also understand that the emergency work is TEMPORARY and that a regular CDP is necessary. I agree to apply for a regular CDP within 120 days of the date of issuance of this ECDP (i.e., by **November 5, 2020**) unless this deadline is extended by the Executive Director.

  
 Signature of City of Morro Bay Authorized Representative

Scott Graham, Community Development Director  
 Name (Print)

955 Shasta Ave.  
 Address

Morro Bay, CA 93442

**RECEIVED**

JUL 28 2020

CALIFORNIA  
 COASTAL COMMISSION  
 CENTRAL COAST AREA