

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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Prepared November 30, 2021 (for December 17, 2021 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, North Central Coast District Director

Subject: North Central Coast District Director's Report for December 2021

The following coastal development permit (CDP) waivers, immaterial CDP amendments, immaterial CDP extensions, emergency CDPs, and local government acceptance of modifications for LCP certification for the North Central Coast District Office are being reported to the Commission on December 17, 2021. 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 North Central Coast District Office in San Francisco. Staff is asking for the Commission's concurrence on the items in the North 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 December 17th during the virtual online hearing.

With respect to the December 17th 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 December 17, 2021 (see attached)

CDP Waivers – None

CDP Amendments – None

CDP Extensions – None

Emergency CDPs

- G-2-21-0054, Caltrans Gleason Beach Highway 1 Stabilization (Sonoma County)

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EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-2-21-0054 (Caltrans Gleason Beach Highway 1 Stabilization, Sonoma County)

Issue Date: November 5, 2021

This emergency coastal development permit (ECDP) authorizes emergency development consisting of the placement of a 125 cubic-yard riprap revetment. Based on the materials presented by the Permittee (Caltrans), the large storm that occurred on October 23-24, 2021, which entailed heavy rains and large waves, led to bluff erosion that threatens to undermine Highway 1 immediately south of Scotty Creek at Gleason Beach. In order to address this issue, Caltrans intends to construct a 50-foot-long, 15-foot-wide, 9-foot-tall riprap revetment stacked at a 1.5:1 slope beginning at the southern-most Scotty Creek culvert headwall and continuing south. Without such intervention, Caltrans has determined that Highway 1 is threatened and at risk of being undermined with additional large storms forecasted in the coming week. Preventing additional erosion and undermining of Highway 1 at this location is necessary to preserve through access along Highway 1, as well as to continue to allow the Gleason Beach Highway 1 Realignment project (approved by the Commission through CDP No. 2-20-0282), which is actively under construction, to continue to proceed.

Thus, Caltrans has asserted that the proposed emergency repair is necessary to: maintain essential public services; public safety; through access along Highway 1 for residents, visitors, and businesses; and to facilitate ongoing construction activities, and the Executive Director agrees. Given the extant threat to the highway and with additional large storms forecasted, the project has been deemed the minimum necessary temporary project to abate the emergency with the least amount of coastal resource impacts at this time. However, the project is not without coastal resource impacts, and it is conditioned to require re-evaluation of the temporarily authorized armoring to further minimize adverse coastal resource impacts as much as possible when outside of this acute immediate response window. This evaluation is required to include an alternatives analysis that, at a minimum, analyzes whether all or portions of the temporary riprap revetment can be removed following the conclusion of the 2021-2022 winter/spring storm season, and whether an alternative temporary armoring structure (e.g., sheet piles, sandbags, sand cubes, etc.) could be employed for the summer/fall and/or subsequent winter storm season(s) to minimize adverse impacts to coastal resources. The project is further conditioned to include appropriate best management practices (BMPs) for protecting coastal resources during construction, and other conditions to help allow for processing and evaluation of a follow-up regular CDP should Caltrans seek to authorize it past this temporary ECDP authorization here.

Enclosure: Emergency Coastal Development Permit Acceptance Form

Cc: (via email):

Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary CDPs, and that the temporary 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 temporary emergency development has been reviewed if time allows.

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

Stephanie Rexing, North 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 North Central Coast District Office within 15 days of the date of this permit (i.e., by November 20, 2021). This ECDP is not valid unless and until the acceptance form has been received in the North Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 90 days of the date of this permit (i.e., by February 3, 2022) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency and shall be removed if it is not authorized by a regular CDP. Within 120 days of the date of this permit (i.e., by March 5, 2022), the Permittee shall submit an alternatives analysis that, at a minimum, analyzes whether all or portions of the riprap revetment can be removed following the conclusion of the 2021-2022 winter/spring storm season, and whether an alternative armoring structure (e.g., sheet piles, sandbags, sand cubes, vegetation/netting, etc.) and/or other non-armoring measures could be employed for the summer/fall and/or subsequent winter storm season(s) and better minimize coastal resource impacts as compared to the revetment. Prior to installation of the armoring authorized via CDP 2-20-0282 (Gleason Beach Highway 1 Realignment), the Permittee shall submit a complete application for a regular CDP that identifies a

removal/retention plan consistent with CDP No. 2-20-0282 or for a different project designed to repair the site that minimizes impacts to coastal resources consistent with the terms, conditions, and intent of CDP No. 2-20-0282. (The CDP application may be found at: <http://www.coastal.ca.gov/cdp/cdp-forms.html>). The application shall include photos, a narrative description, site plans, and cross sections demonstrating the project site before the emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete. The deadline in this condition may be extended for good cause by the Executive Director.

5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Sonoma County, U.S. Army Corps of Engineers, Regional Water Quality Control Board, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Coastal Commission's North Central Coast District Office on November 3, 2021.
8. All emergency development is limited to the least amount of temporary development necessary to abate the emergency.
9. The Permittee shall ensure that pedestrian access to the beach is maintained in at least as good as a form as existing prior to the ECDP development.
10. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
 - All construction materials and equipment shall be stored beyond the reach of tidal waters:
 - All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and to protect public safety to the maximum extent feasible. Construction (including, but not limited to, construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
 - The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for

that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).

- All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each workday.
- All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
- All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/cleanup of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
- The Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately

11. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.

12. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and his/her contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, a telephone number and email address that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.

13. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The Permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property.
14. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
15. 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 above, including in Condition 4 above, the emergency development carried out under this ECDP is considered 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 Rainey Graeven (Rainey.Graeven@coastal.ca.gov) in the Commission's North Central Coast District Office at 455 Market Street, Suite 300, San Francisco, CA 94105, (831) 427-4890.

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EMERGENCY COASTAL DEVELOPMENT PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSION
NORTH CENTRAL COAST DISTRICT OFFICE
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105

RE: **Emergency Coastal Development Permit (ECDP) No. G-2-21-0054**

INSTRUCTIONS: After reading the attached ECDP, please sign this form and return it to the North 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 Caltrans 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 submit an alternatives analysis within 120 days of the date of issuance of this ECDP (i.e., by **March 5, 2022**), and to apply for a CDP or CDP amendment to CDP No. 2-20-0282 (Gleason Beach Highway 1 Realignment prior to installation of the armoring authorized via CDP No. 2-20-0282 unless these deadlines are extended by the Executive Director.

Signature of Caltrans Authorized Representative

Name (Print)

Address
