

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
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Prepared March 1, 2021 (for March 12, 2021 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report for March 2021

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 March 12, 2021. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review from staff 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 March 12th during the virtual online hearing.

With respect to the March 12th 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 March 12, 2021 (see attached)

CDP Waivers

- None

CDP Amendments

- A-3-MAR-96-094-A3, Saltwood Restaurant Patio Improvements (Marina)
- 3-08-025-A4, Morro Bay Landing Kayak Sheds (Morro Bay)

CDP Extensions

- A-3-SLO-07-041-E11, Richissin SFD (Los Osos)

Emergency CDPs

- G-3-21-0004, Caltrans' Highway 1 Dolan Fire Emergency Work (Big Sur)
- G-3-21-0006, State Parks' Aptos Creek Diversion – Phase I (Rio del Mar)
- G-3-21-0007, State Parks' Aptos Creek Diversion – Phase II (Rio del Mar)
- G-3-21-0010, City of Santa Cruz San Lorenzo River Breaching (Santa Cruz)

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: February 26, 2021
To: All Interested Parties
From: Susan Craig, Central Coast District Manager
Alexandra McCoy, Coastal Planner
Subject: Proposed Amendment to Coastal Development Permit (CDP) A-3-MAR-96-094
Applicant: HHLP Sanctuary Associates, LLC.

Original CDP Approval

CDP A-3-MAR-96-094 was approved by the Coastal Commission on December 12, 1996 and was amended on March 8, 2017 and June 27, 2017. CDP A-3-MAR-96-094, as amended, provided for the construction of a 183-unit hotel/resort development with a restaurant, conference center, office and retail space, charging stations for electric golf carts, pool, spa, and a recreation building, all in the sand dunes west of Highway 1 at 3295 Dunes Drive in the City of Marina, Monterey County.

Proposed CDP Amendment

CDP A-3-MAR-96-094 would be amended to provide for replacement of 152 feet of existing stainless steel deck railings with new glass windscreens and the installation of 14 heat lamps beneath the existing roof coverings at the Marina Dunes Resort Saltwood Restaurant. Anti-bird-strike decals that are invisible to human eye but visible to birds would be affixed to the glass windscreens. The Commission's reference number for this proposed amendment is **3-17-0335-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 windscreen would help provide protection from the wind for those seated at the outdoor dining patio tables. The framing and supports for the windscreen would be minimal and understated and the windscreen would have minimal visual impacts overall in this area. Anti-bird-strike decals would be placed on the glass to decrease the potential for bird strikes into the clear glass (these decals contain a component that brilliantly reflects ultraviolet sunlight; ultraviolet light is invisible to humans but glows like a stoplight for birds). The decals would be used on all of the glass windscreens in a sufficient quantity to prevent bird strikes, and would be maintained for the life of the project (i.e. as decals become worn and less effective, these worn-out decals would be replaced with new decals).

CDP Amendment A-3-MAR-96-094-A3 (Saltwood Restaurant Patio Improvements)

All piping for gas heaters will be attached to the underside of the existing deck without the need for ground disturbance or decking removal/replacement given the ample crawlspace under the exiting deck. All proposed development is within the existing footprint of the restaurant's rear deck area and no development will occur in adjacent sand dune habitat areas. The proposed amenities are compatible with the design and style of existing development and will not be viewable from the frontage road (Dunes Drive) or Highway 1.

In sum, the proposed amendment will enhance public enjoyment of the outdoor dining patio while minimizing visual impacts and adequately preventing bird strikes, and thus is consistent with the Commission's original CDP approval, as amended, as well as consistent with the City of Marina's 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, March 12, 2021 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 Alexandra McCoy in the Central Coast District office at Alexandra.McCoy@coastal.ca.gov.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: February 26, 2021

To: All Interested Parties

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

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-08-025
Applicant: Bob Fowler (Morro Bay Landing, formerly Virg's Tackle Shop)

Original CDP Approval

CDP 3-08-025 was approved by the Coastal Commission on June 10, 2009 and provided for the renovation and redevelopment of three existing commercial businesses and related boating facilities spanning 22 lease sites. Specifically, CDP 3-08-025 allowed for: 1) demolition of finger slips and floating docks at eight lease sites; 2) demolition of the Thai Boat restaurant, Virg's Tackle Shop, a shed, and ancillary structures; 3) construction of a new two-story, visitor-serving, mixed-use commercial structure (Virg's) and new commercial boating finger slips (Virg's and The Harbor Hut); 4) installation of new marine fuel tanks, and new restaurant and fish market expansion (Great American Fish Company or GAFCO); 5) installation of side-tie dock and bait receiver bins (Virg's); 6) construction/installation of ancillary structures (e.g., pilings, framing, stairs, gangways, etc.) to provide for the above-listed improvements; and 7) public access improvements including an eight-foot-wide public floating dock, gangways, an ADA-compatible lift, a rooftop deck, and an outdoor seating area, all located along the Morro Bay Embarcadero at 1185-1215 Embarcadero, adjacent to and over Morro Bay in the City of Morro Bay, in San Luis Obispo County.

The CDP has been amended three times. Amendment A1 in 2012 modified the lease restriction requirements to incorporate the permit conditions into the City's lease agreements for the properties. Amendment A2 in 2015 authorized the required eelgrass monitoring reports to be submitted each October instead of each April during the CDP's required three-year period of eelgrass monitoring. Amendment A3 in 2017 slightly modified the approved configuration of the floating dock system and waterside improvements by relocating the eight-foot-wide public lateral access floating dock slightly landward in order to better avoid eelgrass habitat, and also added one finger slip and reduced the number of associated replacement pier pilings from six to four.

Proposed CDP Amendment

CDP 3-08-025 would be amended again to allow for after-the-fact removal of the bait receivers and after-the-fact installation of two floating kayak storage sheds in their place along one of the docks at the Morro Bay Landing site. The floating storage sheds provide support for an existing kayak rental business at the site. The Commission's

3-08-025-A4 (Morro Bay Landing Kayak Sheds)

reference number for this proposed amendment is **3-08-025-A4**.

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 project would maintain a marine-oriented business on Morro Bay's working waterfront and provide a low-impact, visitor-serving opportunity for more people to experience Morro Bay's coastal environment from the water via kayak rental. Removing the larger floating bait receiver platform and replacing it with two smaller floating kayak sheds with a smaller net surface area increases the amount of sunlight that reaches the shallow sea floor below because, in addition to occupying less area over the water than the bait receiver platform did, the two floating sheds have an open design with no continuous walls and floors with open areas through which sunlight can pass. The Commission's staff ecologist, Dr. Laurie Koteen, agrees that the increased sunlight will benefit benthic organisms, including eelgrass beds, at the site.

Staff believes that the proposed amendment is consistent with the intent of the Commission's original 2008 CDP approval, which sought to create a variety of uses for the waterfront site, and in fact furthers the base CDP's coastal resource protection capacity, and is thus 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 March 12, 2021 at the Coastal Commission's virtual online meeting. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application will 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: February 26, 2021
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-07-041
Applicant: Brent Richissin

Original CDP Approval

CDP A-3-SLO-07-041 was approved by the Coastal Commission on October 15, 2008 and provided for the construction of a single-family residence located at 2737 Austin Court, in the unincorporated coastal community of Los Osos, San Luis Obispo County.

Proposed CDP Extension

The expiration date of CDP A-3-SLO-07-041 has been extended by the Commission ten times previously (to October 15, 2011, October 15, 2012, October 15, 2013, October 15, 2014, October 15, 2015, October 15, 2016, October 15, 2017, October 15, 2018, October 15, 2019, and October 15, 2020, respectively), and would be extended in this case by one year to October 15, 2021. The Commission's reference number for this proposed extension is **A-3-SLO-07-041-E11**.

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 March 12, 2021 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 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 Brian.O'Neill@coastal.ca.gov.

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EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-21-0004 (Dolan Fire Highway 1 Drainages Maintenance #3)

Issue Date: February 5, 2021

This emergency coastal development permit (ECDP) authorizes the California Department of Transportation (Caltrans) to perform emergency development consisting of drainage system repair and enhancement at two drainage systems along Highway 1 through the Big Sur region of Monterey County at postmile (PM) 16.36 and PM 28.78. Proposed emergency work includes installation of a manifold system to the existing riser at PM 16.36, and installation of a redundant inlet with a grate at PM 28.78. These drainage features are necessary to withstand increased debris flows during the rainy season.

The proposed emergency development is located within the burn area of the Dolan Fire. On August 18, 2020, the Dolan Fire ignited along Highway 1 north of Limekiln State Park near PM 32, approximately 10 miles south of Big Sur Station. The burn area subsequently expanded to over 128,000 acres, encompassing a large swath of the Big Sur coast, including portions of Highway 1 from approximately PM 14 to PM 36.

The Big Sur area has a history of fire events which, combined with large, high-intensity winter storms, may result in debris flows that can overwhelm the drainage systems and lead to debris flowing over Highway 1. Upon investigation of the burn area within the highway corridor, Caltrans identified 17 drainage systems within the Commission's original permitting jurisdiction which were susceptible to debris flows due to the loss of vegetation in the watershed above. In 2020, the Commission issued ECDPs G-3-20-0044 and G-3-20-0050 to authorize emergency development at those 17 drainage systems. Since that time, Caltrans assessed more of the burn area and identified two additional drainage systems within the Commission's original permitting jurisdiction similarly in need of an emergency response before continuance of the winter rains. Caltrans has determined that the proposed emergency development at these locations is necessary to maintain proper drainage in the event of a debris flow and to reduce the risk of impacts to the highway and the traveling public from debris flows that may occur during winter rainstorm events. Thus, the proposed emergency work is necessary to maintain essential public services and public safety and is the minimum work necessary

Enclosure: Emergency Coastal Development Permit Acceptance Form

Cc: (via email): Joseph Sidor (Monterey County RMA), Sarah Firestone (U.S. Army Corps of Engineers), Kim Sanders (Central Coast Regional Water Quality Control Board), Steven Hulbert (California Department of Fish & Wildlife)

to prevent further damage to the highway corridor. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary CDPs, and that the development can and will be completed within 90 days as 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

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 February 20, 2021). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 90 days of the date of this permit (i.e., by May 6, 2021) 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 nine months of the date of this permit (i.e. by November 5, 2021), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the sites. (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, 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., Monterey 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 Central Coast District Office on December 22, 2020.
8. All emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to coastal resources (including public parking, recreational access, and public views) 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 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.
 - Debris and vegetation cleared from the drainage sites shall be placed in a manner that does not block public access (i.e., public parking and/or public access trails), or public views of the ocean as seen from Highway 1 and from any public trails in the vicinity of the placement sites.
 - 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 beaches or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on any 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 Central Coast District Office immediately upon completion of construction activities.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
 11. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and his/her contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, a telephone number and email address that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the contact information (e.g., name, address, email, phone number, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit the record (of complaints/inquiries and actions taken in response) to the Executive Director.
 12. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The Permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property.
 13. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
 14. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Conditions 4 and 5 above, the emergency development carried out under this ECDP is considered 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 Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

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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-3-21-0004**

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.e., by February 20, 2021).

I hereby understand all of the conditions of the ECDP being issued to the California Department of Transportation (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 apply for a regular CDP within nine months of the date of issuance of this ECDP (i.e., by **November 5, 2021**) unless this deadline is extended by the Executive Director.



Signature of Caltrans Representative

Berkeley Lindt

Name (Print)

50 Higuera Drive San Luis Obispo, CA 93401

Address

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EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-21-0006 (Rio Del Mar State Beach)

Issue Date: January 28, 2021

This emergency coastal development permit (ECDP) authorizes the emergency development completed on the morning of January 28, 2021, which consisted of the construction of an approximately 10-foot-long by 3.5-foot-wide cut (approximately three cubic yards of sand) in a natural sand berm to provide a secondary (and more direct) outlet for Aptos Creek waters to enter the ocean, at Rio del Mar State Beach (which is a unit of Seacliff State Beach) in the unincorporated Aptos area of Santa Cruz County (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (the California Department of Parks and Recreation (State Parks)), the portion of Aptos Creek that crosses Rio del Mar State Beach gradually widened with sustained heavy rainfall, heavy surf, and the high tide on the morning of January 28, 2021, resulting in Aptos Creek flowing within one foot of the Rio del Mar restrooms and within 60 yards of the retaining wall of the nearest Beach Drive homes. At approximately 10:45am on January 28, 2021, State Parks' maintenance staff proceeded to dig a secondary outlet for Aptos Creek to redirect the creek's flow away from the restrooms and the homes that are located directly adjacent to the beach. The proposed emergency development was necessary to protect the restrooms and the homes. All work was completed by 10:54am on January 28, 2021. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

(a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary CDPs, and that the development can and 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.

Enclosure: Emergency Coastal Development Permit Acceptance Form

Cc: (via email):

Kathy Molloy, Santa Cruz County
Sophie De Beukelaer, Monterey Bay National Marine Sanctuary
George Asimakopoulos, State Lands Commission
Greg Brown, U.S. Army Corps of Engineers
Monica Oey, California Department of Fish and Wildlife
Kim Sanders, Regional Water Quality Control Board
Joel Casagrande, National Marine Fisheries Service
Chad Mitchum, United States Fish and Wildlife Service

Emergency CDP G-3-21-0006 (Rio Del Mar State Beach)

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 February 12, 2021). 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 is limited to the development that took place on January 28, 2021.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency. Within 60 days of the date of this permit (i.e. by March 29, 2021), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. (The CDP application may be found at: <http://www.coastal.ca.gov/cdp/cdp-forms.html>). The application shall include photos showing the project site before the emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete. The deadline in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Santa Cruz County, Army Corps of Engineers, USFWS, CDFW, NMFS, MBNMS, SLC, RWQCB, 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 communication with Commission staff on January 28, 2021 and in the Emergency Permit Application Form received in the Coastal Commission's Central Coast District Office subsequently.

Emergency CDP G-3-21-0006 (Rio Del Mar State Beach)

8. All emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access 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):
 - a. All work shall take place during daylight hours. Lighting of the beach or intertidal area is prohibited.
 - b. Construction work and equipment operations shall not be conducted seaward of the mean high-water line unless tidal waters have receded from the authorized work areas.
 - c. Grading of intertidal waters is prohibited.
 - d. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
 - e. 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.
10. 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.
11. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
12. 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

Emergency CDP G-3-21-0006 (Rio Del Mar State Beach)

of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

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EMERGENCY COASTAL DEVELOPMENT PERMIT ACCEPTANCE FORM

RECEIVED

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

FEB 04 2021

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RE: **Emergency Coastal Development Permit (ECDP) No. G-3-21-0006**

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 State Parks 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 60 days of the date of issuance of this ECDP (i.e., by **March 29, 2021**) unless this deadline is extended by the Executive Director.

Linda Hitchcock

Signature of State Parks Authorized Representative

LINDA HITCHCOCK

Name (Print)

303 N. BIG TREES PARK RD.

Address

Felton CA 95018

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



EMERGENCY COASTAL DEVELOPMENT PERMIT

Emergency CDP G-3-21-0007 (Rio Del Mar State Beach)

Issue Date: February 5, 2021

This emergency coastal development permit (ECDP) authorizes the emergency development completed midday on January 29, 2021, which consisted of the placement of approximately 34 tons of riprap on the creekbank fronting the restrooms and the construction of sand berms to prevent continued scouring of the creek channel immediately adjacent to the restrooms at Rio del Mar State Beach (which is a unit of Seacliff State Beach) in the unincorporated Aptos area of Santa Cruz County (all more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (the California Department of Parks and Recreation (State Parks)), the portion of Aptos Creek that crosses Rio del Mar State Beach continued to widen with sustained heavy rainfall, heavy surf, and the high tide on the morning of January 29, 2021, resulting in Aptos Creek beginning to undermine the Rio del Mar restrooms. Between 12:10 and 12:30 on January 29, 2021, State Parks' maintenance staff placed two truckloads of imported riprap along the creekbank where the creek had begun undermining the restrooms. Following the placement of riprap, maintenance staff constructed additional sand berms to prevent the creek from continuing to migrate toward the restrooms (i.e., to ensure that the outlet channel constructed the previous day pursuant to ECDP G-3-21-0006 would remain the creek's primary outflow point). The proposed emergency development was necessary to protect the restrooms. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

(a) An emergency existed that required 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.

Enclosure: Emergency Coastal Development Permit Acceptance Form

Cc: (via email):

Kathy Molloy, Santa Cruz County
Sophie De Beukelaer, Monterey Bay National Marine Sanctuary
George Asimakopoulos, State Lands Commission
Greg Brown, U.S. Army Corps of Engineers
Monica Oey, California Department of Fish and Wildlife
Kim Sanders, Regional Water Quality Control Board
Joel Casagrande, National Marine Fisheries Service
Chad Mitcham, United States Fish and Wildlife Service

Emergency CDP G-3-21-0007 (Rio Del Mar State Beach)

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 February 20, 2021). 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 is limited to the development that took place on January 29, 2021.
4. The emergency development authorized by this ECDP is only temporary and is designed to abate the identified emergency. Within 60 days of the date of this permit (i.e. by April 6, 2021), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to repair the site. (The CDP application may be found at: <http://www.coastal.ca.gov/cdp/cdp-forms.html>). The application shall include photos showing the project site before the emergency, during emergency project construction activities, and after the work authorized by this ECDP is complete. The deadline in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Santa Cruz County, Army Corps of Engineers, USFWS, CDFW, NMFS, MBNMS, SLC, RWQCB, 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 communication with Commission staff on January 29, 2021 and in the Emergency Permit Application Form received in the Coastal Commission's Central Coast District Office subsequently.

Emergency CDP G-3-21-0007 (Rio Del Mar State Beach)

8. All emergency development is limited to the least amount necessary to abate the emergency.
9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access 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):
 - a. All work shall take place during daylight hours. Lighting of the beach or intertidal area is prohibited.
 - b. Construction work and equipment operations shall not be conducted seaward of the mean high-water line unless tidal waters have receded from the authorized work areas.
 - c. Grading of intertidal waters is prohibited.
 - d. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
 - e. 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.
10. 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.
11. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
12. 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

Emergency CDP G-3-21-0007 (Rio Del Mar State Beach)

of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

CALIFORNIA COASTAL COMMISSION

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**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-3-21-0007

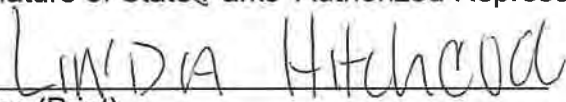
INSTRUCTIONS: After reading the attached ECDP, please sign this form and return it to the Central Coast District Office within 15 days from the permit's date.

I hereby understand all of the conditions of the ECDP being issued to State Parks and agree to abide by them.

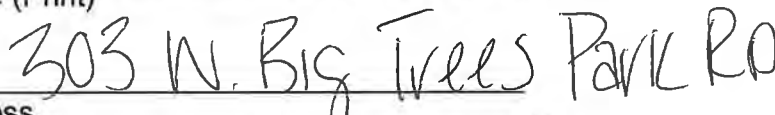
I also understand that the emergency work is TEMPORARY and that a regular CDP is necessary. I agree to apply for a regular CDP within 60 days of the date of issuance of this ECDP (i.e., by **April 6, 2021**) unless this deadline is extended by the Executive Director.




Signature of State Parks' Authorized Representative



Name (Print)



Address


RECEIVED

FEB 17 2021

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

G-3-21-0010 (San Lorenzo River Mouth Breach)

longer in effect. Accordingly, as proposed by the City, the work authorized by this ECDP was conducted using the same construction best management practices (BMPs) to protect water quality (see also conditions below) and for fish monitoring as previous CDP 3-15-0144.

Thus, the proposed emergency development was the minimum work necessary to maintain public access along Main Beach and to protect the historic Boardwalk. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency existed that required 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 March 18, 2021). 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 is only temporary and is designed to abate the identified emergency at the mouth of the San Lorenzo River and along Main Beach.. Within 120 days of the date of this permit (i.e. by July 1, 2021), the Permittee shall submit a complete application for a regular CDP to authorize the 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 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.
4. 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.

G-3-21-0010 (San Lorenzo River Mouth Breach)

5. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., California Department of Fish and Wildlife, U.S. Army Corps of Engineers, National Marine Fisheries Service, 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.
6. 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 February 18, 2021.
7. All emergency development is limited to the least amount necessary to abate the emergency.
8. 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 applicable Special Conditions of CDP No. 3-15-0144 and subsequent amendments thereto established to protect coastal resources including sensitive fish species, water quality, and public access, as well as 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):

General Construction BMPs. All construction materials and equipment shall be stored beyond the reach of tidal waters:

- All work shall take place during daylight hours. Lighting of the beach or intertidal area is prohibited.
- 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 wharf or 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

G-3-21-0010 (San Lorenzo River Mouth Breach)

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 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
9. 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.
 10. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
 11. 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 3 and 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 wish to expand the scope of work, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.