

**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



# Th17

**Prepared June 23, 2021 (for July 8, 2021 Hearing)**

**To:** Coastal Commissioners and Interested Persons

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

**Subject: Central Coast District Director's Report for July 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 July 8, 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 June 8th during the virtual online hearing.

With respect to the July 8th 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 July 8, 2021 (see attached)**

---

**CDP Waivers**

- 3-20-0396-W, Salinas River State Beach dune restoration (Moss Landing)
- 3-21-0262-W, PG&E vegetation management (City of Monterey)
- 3-21-0407-W, UCSC wetland enhancement (UCSC Coastal Science Campus)

**CDP Amendments**

- None

**CDP Extensions**

- None

**Emergency CDPs**

- G-3-21-0023, Grossman sea cave fill (Pismo Beach)

**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



## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** June 23, 2021  
**To:** All Interested Parties  
**From:** Susan Craig, Central Coast District Manager  
Mike Watson, Coastal Planner  
**Subject: Coastal Development Permit (CDP) Waiver 3-20-0396-W**  
Applicant: Central Coast Wetlands Group

### Proposed Development

Ten-year authorization of dune restoration and management plan for the Salinas River State Beach (SRSB). The primary goals of the plan are to eradicate non-native/invasive plant species, increase native dune plant cover and diversity, and increase foredune resiliency to sea level rise and storm-driven erosion. The project also includes trail system improvements through the dunes. Restoration work will occur over a 10-year period and includes removal of non-native plant species, revegetation with native plants, maintenance, monitoring, annual reporting, trail improvements, and installation of interpretive signing at Salinas River State Beach near Moss Landing, Monterey County.

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The project involves dune habitat restoration and stabilization activities at SRSB located generally between Sandholdt Road in Moss Landing and the Salinas River to the south. Exotic plant removal and dune revegetation efforts will be conducted by trained botanists. Seed collection will occur from within the SRSB dunes complex to ensure local genetic diversity is supported. Opportunistic reuse of driftwood collected from within SRSB will be utilized where needed to enhance dune contours and increase the structural integrity of the foredune. Standards for herbicide use and special considerations for sensitive plant and animal species have been developed to protect special-status plants and animals. The plan also includes a 5-year maintenance and monitoring plan to achieve stated goals and to ensure the ongoing success of the restoration and habitat improvements over time. Annual reports will be provided to partner organizations and agencies, including the Commission, to share data and the results of the restoration which will help to inform future dune restoration efforts in the southern Monterey Bay. Finally, trail system improvements, such as installing post and cable fencing to delineate public access corridors and to dissuade informal trail creation, along with interpretive signing, will be employed to both enhance the dune restoration

efforts and to improve the public access experience at the park. As a result, the proposed project will result in significant dune habitat enhancement and improve a widely used and popular coastal recreation area, and will not otherwise adversely impact coastal resources, and thus is consistent with the Coastal Act.

### **California Environmental Quality Act (CEQA)**

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. 14 C.C.R. § 15251(c). The CDP waiver findings above discuss the relevant coastal resource issues with the proposal, including how the project has been designed to avoid and/or lessen any potential for adverse impacts to said resources, and will in fact enhance the ecological productivity of the site. Given the finding that the project will not negatively impact coastal resources (and will in fact improve them due to the dune habitat restoration that will take place), there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of waiver would have on the environment within the meaning of CEQA. Thus, as proposed, the project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A). Further, the project qualifies as a Small Habitat Restoration Project within the meaning of CEQA Guidelines Section 15333 and is independently exempt from the requirements under CEQA on that basis as well.

### **Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, July 8, 2021, during the virtual Coastal Commission meeting. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

**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



## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** June 23, 2021

**To:** All Interested Parties

**From:** Susan Craig, Central Coast District Manager  
Alexandra McCoy, Coastal Planner

**Subject: Coastal Development Permit (CDP) Waiver 3-21-0262-W**  
Applicant: Pacific Gas and Electric (PG&E)

### Proposed Development

Vegetation management and fuel reduction activities along approximately 0.4 mile of PG&E's "Viejo 2202" 22-kilovolt distribution power lines' corridor to create an approximately 30-foot-wide fire defense zone underneath the primary powerlines located between the Community Hospital of Monterey and a residential neighborhood, approximately 300 feet from Highway 1, in the City of Monterey, Monterey County. Specifically, the proposed vegetation management activities include trimming of 24 trees, removal of 168 trees, and brush removal as needed.

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The Viejo 2202 powerline infrastructure was constructed in the 1950's. Since that time, PG&E has performed regular maintenance in the vicinity of the powerlines, including maintaining vegetation clearance from the powerlines as required by utility regulators. PG&E is enhancing and expanding its Community Wildfire Safety Program to further reduce wildfire risks. The Viejo 2202 powerline was determined to be in a high threat fire district and the proposed project includes more extensive work than typical maintenance to reduce fire risks in the area.

The Coastal Commission supports vegetation treatment activities and associated environmental protections to reduce the risk of loss of life and property due to fire, reduce fire suppression costs, restore ecosystems, and protect natural resources and other assets at risk from wildfires. The Commission specifically understands that vegetation treatment may also benefit the long-term viability of habitat in the face of wildfire threats. PG&E's proposed vegetation management and fuel reduction activities will reduce the fire risk to the surrounding community while also improving ecosystem health by reducing the amount of dead plant fuel in areas affected by plant diseases, removing any present stands of invasive weeds, and removing overly dense vegetation

to improve ecological health and reduce competition with native plants that suppresses healthy native plant growth.

The proposed work activities include removal and trimming of trees and removal of brush but does not include clear-cutting all vegetation at the project site. The proposed project is designed to create a fire defense zone underneath the primary powerlines, within 15 feet on either side of the powerlines, for a total fire defense zone width of 30 feet. Additionally, a number of tall trees located over 15 feet from the powerlines will be removed. These trees have been identified as hazardous due to age or disease and their removal will eliminate the potential for these trees to fall and strike the powerlines. Specifically, the proposed vegetation management includes removal of 168 trees (3 buckeyes, 107 coast live oaks, 2 coast redwoods, 55 Monterey pines, and one "other"), trimming of 24 trees (3 coast redwoods and 21 Monterey pines), and removal of brush as needed.

There is the potential for thirteen special-status plant species, five special-status wildlife species, nesting birds, and roosting bats to be present on or adjacent to the project site. Proposed activities were analyzed for their potential impact to biological and cultural resources on and adjacent to the project site and the project includes a robust set of best management practices (BMPs) and avoidance and mitigation measures in accordance with PG&E's Multiple-Region Operations and Maintenance Habitat Conservation Plan (MRHCP) and the Coastal Commission's standard BMP's to minimize impacts from vegetation management intended to reduce fire risk.

For example, a forester and a biological monitor will be on-site at all times facilitating and supporting the tree crews to avoid impacts to non-target vegetation. Pre-construction biological surveys will be implemented for nesting birds, bats, and other sensitive species. No-activity work buffers of 50-feet for non-raptor species and a 300-foot buffer for raptor species will be implemented. Trees with active bat nests will be avoided when feasible, and minimization measures will be implemented to limit impacts to nesting bats if the subject tree is required for removal. Additional measures are proposed if California tiger salamander, Monterey Shrew habitat, or Smith's blue butterfly host plants are present. Further, all vernal ponds will have a work buffer of 50 feet; heavy equipment will have defined access points to minimize disturbance to non-targeted vegetation; trees will be directionally felled away from any sensitive areas; and trees and vegetation intended to be retained will be flagged by the forester prior to commencement of proposed activities. Further, the project site is located within the coverage area for the PG&E MRHCP, which provides PG&E with federal incidental take authorization for four species that may be encountered during this project: California red-legged frog, California tiger salamander, Smith's blue butterfly, and Yadon's piperia.

Upon completion of vegetation removal activities, PG&E's biologist will evaluate whether the project resulted in temporary and/or permanent habitat disturbance or take of special status species. If it is determined that any of the aforementioned impacts have occurred, PG&E will mitigate for such impacts by preserving lands with high-quality habitat for the identified special status plant and animal species or of high conservation value otherwise to protect large, contiguous areas of habitat in perpetuity.

In sum, the proposed project will reduce the risk of catastrophic loss of life and property due to fire and will benefit the long-term viability of the ecosystem and is thus consistent with the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on July 8, 2021, during the virtual Coastal Commission meeting. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

**California Environmental Quality Act (CEQA)**

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. The City of Monterey, acting as lead CEQA agency, determined that the proposed project was ministerially exempt from CEQA review. Specifically, Public Resources Code Section 21080 (b)(1) pursuant to Council Resolution 09-047C.S., Article III, Sections (e) and (f) and CEQA guidelines Section 15061 (c), authorizing the City's adoption of a list of projects determined to be exempt.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)). Accordingly, in fulfilling that review, this report has discussed the relevant coastal resource issues with the proposal and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate. Thus, the proposed CDP waiver will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

**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



## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** June 23, 2021

**To:** All Interested Parties

**From:** Susan Craig, Central Coast District Manager  
Ryan Moroney, Central Coast District Supervisor

**Subject: Coastal Development Permit (CDP) Waiver 3-21-0407-W**  
Applicant: Resource Conservation District of Santa Cruz County

### Proposed Development

The project entails enhancing an existing wetland to create ponding habitat that will provide aquatic breeding habitat for the California red-legged frog (*Rana draytonii* - CLRF) in the Upper Terrace area at the University of California at Santa Cruz's Coastal Science Campus in the City of Santa Cruz.

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed pond would be constructed within an existing wetland located in the Coastal Science Campus' Upper Terrace. The Upper Terrace consists predominantly of wetlands and wetland buffer areas. The Upper Terrace is bound by the railroad corridor to the north, agricultural fields to the west, and paved roadways to the east and south (Shaffer Road and McAllister Way).

The Upper Terrace is relatively flat with hydrophytic plants and approximately nine acres of California Coastal Commission classified wetlands. Water is conveyed on the west side of the Upper Terrace through a defined channel located at the property boundary. A culvert, which drains runoff under the Union Pacific Railroad tracks, directs flow into the project area. From the northeast corner of the Upper Terrace, runoff acts as surface flow that travels in a southwesterly direction along the gentle contours and eventually drains to Younger Lagoon.

The existing wetland is currently not deep enough to support amphibian breeding. Thus, an approximately 0.5-acre portion of the wetland will be excavated to create better ponding habitat. Specifically, approximately 1200 cubic yards of earthen material will be excavated to a depth of approximately 2.5 feet around the perimeter of the wetland and to a depth of approximately 4 feet in the center of the wetland to maintain adequate ponding. The center, or deepest part of the wetland ponding area, will be approximately 900 square feet in size. In addition, the lowest point of the pond will be lined to ensure

that adequate water for CLRF is retained in the pond during low rainfall years. The excavated material will be placed outside of the wetland area to create an approximately 500-foot-long vegetated earthen berm that will be approximately three feet high with a flat top. Fiber rolls will be installed as a temporary erosion control measure until native vegetation is established on the berm. Once vegetated, the berm will provide foraging area and protective cover, and will also act as an east-west dispersal corridor, for the CRLF.

The Upper Terrace area currently contains nonnative invasive plants. The certified Coastal Long-Range Development Plan (CLRDP) for the Coastal Science Campus requires removal of nonnative plants and restoration of the site with native plants. The project includes installation of a diverse planting palette of native plants to provide an adequate medium for CRLF egg laying, cover for CLRF and other wildlife, and shade to reduce evaporation and to moderate water temperature. In addition, construction of the pond will improve and increase the duration of seasonal aquatic habitat within the wetland to create conditions that could support potential breeding of CRLF. Finally, the project requires extensive performance standards, including compliance operations, and monitoring and maintenance thresholds to ensure success. As such, the proposed project will enhance habitat for CLRF (and other species) and is thus consistent with the Coastal Act.

#### **Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Thursday, July 8, 2021, during the virtual Coastal Commission meeting. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

#### **California Environmental Quality Act (CEQA)**

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. The University of California, acting as lead CEQA agency, determined that the proposed project was categorically exempt from CEQA review pursuant to Section 15333 (as a Small Habitat Restoration Project). In addition, the County of Santa Cruz issued a Negative Declaration and Notice of Determination on April 13, 2005 determining that projects implemented by the Applicant pursuant to the Master Permit (and County Coastal Permit) for small habitat restoration projects (such as this one), will not have a significant effect on the environment.

The Commission's review, analysis, and decision-making process for CDPs and CDP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)). Accordingly, in fulfilling that review, this report has discussed the

relevant coastal resource issues with the proposal and has concluded that approval of the proposed CDP waiver is not expected to result in any significant environmental effects, including as those terms are understood in CEQA.

Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed CDP waiver would necessitate. Thus, the proposed CDP waiver will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

**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-3-21-0023 (Grossman Sea Cave Infill Repair and Extension)

Issue Date: May 25, 2021

This emergency coastal development permit (ECDP) authorizes emergency development consisting of: 1) repairing/replacing former sea cave infill that has eroded away or otherwise been damaged; and 2) extending the infill where necessary in the downcoast area of the site to fill a newly formed sea cave and to support the fractured bluff. The work will be done underneath the Permittee's property at 121 Indio Drive in Pismo Beach (APN 010-205-002).

On April 10, 2020 Commission staff issued ECDP G-3-20-0025 to the Permittee, which provided for the filling of an approximately 70-foot-long, up to 27-foot-deep, and up to three-foot-high sea cave that was compromising the bluff, the existing approved armoring at the site, and the residence on the property. The sea cave fill authorized by ECDP G-3-20-0025 was completed, but since that time the upcoast end of the shotcrete infill has been undercut by wave erosion and the shotcrete infill has been outflanked and a new sea cave has formed along the downcoast portion of the site. The Permittee's geotechnical engineers recommend the placement of additional shotcrete infill in these areas, along with installation of a reinforced cutoff wall. The Coastal Commission's staff engineer and the Coastal Commission's staff geologist reviewed the Permittee's most recent geotechnical report and concurred with the placement of additional shotcrete infill in the sea cave areas to address public safety issues at the site, but determined that the installation of a reinforced cut-off wall does not seem justified at this time. Thus, this ECDP authorizes the proposed emergency shotcrete infill repairs and the extension of shotcrete infill to fill the newly formed sea cave (for a total of about 10 cubic yards of shotcrete), which are necessary actions to mitigate potential loss or damage to private property. This ECDP also authorizes temporary shoring of the fractured and overhanging bluff at the downcoast sea cave during construction activities. **This ECDP, however, does not authorize installation of a reinforced cutoff wall.**

The project is conditioned to require appropriate best management practices (BMPs) for protecting water quality during construction. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

Enclosure: Emergency Coastal Development Permit Acceptance Form

Cc: (via email): Megan Martin, Planning Director, City of Pismo Beach

- (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*  
B6A50166016B47A...

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 (property owner) and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by June 9, 2021). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only the 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 60 days of the date of this permit (i.e., by July 24, 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, which may be denied or approved with conditions that may result in a modified project to the one authorized under this ECDP. Within 90 days of the date of this permit (i.e. by August 23, 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>), or the Permittee may request that the work done under this ECDP be added to the project description for CDP amendment application A-3-PSB-02-016-A3. 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., City of Pismo Beach, State Lands Commission, 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 dated received in the Coastal Commission's Central Coast District Office on May 18, 2021 (and as clarified in an email received on May 25, 2021), except with respect to the proposed installation of a reinforced cutoff wall, which is not authorized by this ECDP.
8. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that 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. No construction materials and equipment shall be placed on the beach. The only exceptions will be for: (1) erosion and sediment controls (e.g., a silt fence at the base of the construction area) as necessary to contain rock and/or sediments in the construction area, where such controls are placed as close to the toe of the bluff as possible, and are minimized in their extent; (2) storage of larger materials beyond the reach of tidal waters for which moving the materials each day would be extremely difficult; (3) temporary placement of shoring of the fractured and overhanging bluff at the downcoast sea cave. Any larger materials intended to be left on the beach overnight must be approved in advance by the Executive Director and shall be subject to a contingency plan for moving said materials in the event of tidal/wave surge reaching them.
  - e. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and 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.

- f. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; ensure that the concrete pumped into the cave is contained and does not extend beyond the cave limits; 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.).
  - g. 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.
  - h. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.
  - i. 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.
  - j. 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.
10. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections to the Executive Director clearly identifying all development completed under this emergency authorization (comparing any previously permitted condition (including work authorized under CDP A-3-PSB-02-016 and all associated maintenance and repair allowed and undertaken pursuant to that CDP), to both the emergency condition and to the post-work condition), and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization. Photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete shall be provided with the site plans and cross sections.
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 an 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 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, 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.