

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT  
455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105  
PHONE: (415) 904-5260  
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# F13

**Prepared January 28, 2022 (for February 11, 2022 Hearing)**

**To:** Coastal Commissioners and Interested Persons

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

**Subject: North Central Coast District Director's Report for February 2022**

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 February 11, 2022. 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 February 11th during the virtual online hearing.

With respect to the February 11th 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 February 11, 2022 (see attached)**

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## **CDP Waivers**

- 2-22-0067-W, Rockaway Beach Parking Lot Maintenance (Pacifica)

## **CDP Amendments – None**

## **CDP Extensions – None**

## **Emergency CDPs**

- G-2-21-0059, Anza Pump Station Pump Replacement (Pacifica)

## **LCP Certifications – None**

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2022  
**To:** All Interested Parties  
**From:** Stephanie Rexing, North Central Coast District Manager  
Julia Koppman Norton, North Central Coast District Supervisor  
**Subject:** **Coastal Development Permit (CDP) Waiver 2-22-0067-W**  
Applicant: City of Pacifica

**Proposed Development**

Routine parking lot maintenance including pavement dig-out and coating, re-striping of existing parking spaces, and reconfiguring accessible parking spots to meet current ADA standards, at the Rockaway Beach North parking lot at the western terminus of San Marlo Way, in Pacifica, San Mateo County.

**Executive Director's Waiver Determination**

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

The proposed project involves routine parking lot maintenance in failed sections of the parking lot and updating currently accessible parking spots to current ADA standards through signage and re-striping. This parking lot currently provides free coastal access parking proximate to Rockaway Beach and the Pacifica Quarry (via a pathway adjacent to the beach), and this proposed work will improve the resource for public use after completed, as the number of parking spaces will remain the same (55 standard spots plus 4 ADA spots). The parking lot will be closed at most for 3 days, and signage will be placed to notify the public in advance of the closure. Best Management Practices to ensure the construction does not adversely impact coastal resources are included in the project, such as spill prevention and control measures, avoiding paving during wet weather, and covering storm drain inlets when applying sealant, among others. Accordingly, the potential for adverse impacts to coastal resources, including public access, is minimal consistent with Coastal Act Chapter 3 and the certified Pacifica Local Coastal Program.

**Coastal Commission Review Procedure**

This waiver is not valid until it has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Friday, February 11, 2022. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**2-22-0067-W (Rockaway Parking Maintenance)**

If you have questions about the proposal or wish to register an objection, please contact Julia Koppman Norton in the North Central Coast District office.

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**EMERGENCY PERMIT**

Issue Date: January 5, 2022  
Emergency Permit No. G-2-21-0059

**APPLICANT:**

City of Pacifica, Raymund Donguines  
540 Crespi Drive, Pacifica, CA 94044

**LOCATION OF EMERGENCY:**

The Anza Pump Station at Pacifica State Beach, Pacifica, CA (APN 022-161-120).

**EMERGENCY WORK:**

Removal and replacement of one engine and one pump (out of three existing pumps) within the pump station and associated installation of a new PG&E gas line starting at the pump station, running beneath the State Beach parking lot, and terminating at the western-most edge of Highway 1.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that failure of the current temporary pump system at the Anza Pump Station resulted in flooding in the lower Linda Mar area during recent storm events. Due to fire damage of the engines and pumps in March 2020, and the lack of permanent replacement since that time, a replacement engine and pump is necessary to provide increased stormwater capacity. If left unaddressed, the current condition of the pump station poses a potential risk to life and property in the face of significant storm events. As such, immediate action is required to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. 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 coastal development permits (CDPs), and that the development can and will be completed within 60 days unless otherwise specified by the terms of this Emergency Permit; and

(b) Public comment on the proposed emergency development has been reviewed if time allows.

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

**January 5, 2022**  
**Emergency Permit No.: G-2-21-0059**

DocuSigned by:  
*Stephanie Rexing*  
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Stephanie Rexing, North Central Coast District Manager for John Ainsworth,  
Executive Director

cc: City of Pacifica Planning Department

Enclosures: 1) ECDP Acceptance Form;  
2) Regular Permit Application Form

**January 5, 2022**

**Emergency Permit No.: G-2-21-0059**

**CONDITIONS OF APPROVAL:**

1. The enclosed Emergency Coastal Development Permit (ECDP) Acceptance form must be signed by the Permittee (i.e. City of Pacifica) and returned to the Coastal Commission's North Central Coast District Office within 15 working days of the issue date of this permit (by January 20, 2022). This ECDP is not valid unless and until the ECDP acceptance form has been received in the North Central Coast District Office.
2. 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.
3. 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 their 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.
4. Only that work specifically described in this ECDP and as more specifically described in the Commission's file for the ECDP for the specific property listed above is authorized. The work permitted under this ECDP only allows for the minimum necessary to address the emergency situation at hand. Any additional work or maintenance to the work done pursuant to this ECDP requires separate authorization from the Executive Director. All emergency development shall be limited in scale and scope to that specifically identified in this ECDP.
5. All work shall take place in a time and manner to minimize any potential damages to coastal resources and to minimize impacts to public access. Construction materials, equipment and/or debris shall not be stored where they will or could potentially slide downhill and/or be subject to wave erosion or dispersion. Construction shall be conducted pursuant to rigorous best management practices designed to avoid coastal resource impacts, including at a minimum:

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- i. Construction work and equipment operations shall be conducted as far from coastal waters as feasible;
- ii. Foreign materials (e.g. construction debris, wood preservatives, other chemicals, etc.) shall be prevented from entering coastal waters;
- iii. All best management practices (BMPs) shall be in place prior to the commencement of construction as well as at the end of each work day;
- iv. A containment device shall be placed around all active portions of a construction site where construction materials/scrap or other floatable debris could enter the water. The containment device shall be cleared daily or as often as necessary to prevent accumulation of debris;
- v. All debris discharged into coastal waters shall be removed, immediately (as soon as possible) or by no later than the end of the work day, to the extent feasible;
- vi. The Permittee shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials 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 project area). The Permittee shall inspect the project area at the completion of the work to ensure that no debris, trash, or construction materials are left at the site or in the adjacent coastal waters;
- vii. The Permittee shall clean public roadway surfaces adjacent to the project site, the off-load site, and staging areas;
- viii. All access points adversely affected by development activities shall be restored to their pre-construction condition or better within three days of completion of construction;
- ix. Construction and removal activities (including but not limited to equipment staging and storage and removal of constructed structures) are prohibited outside of the limits of the designated construction, staging, and storage areas;
- x. Equipment washing, in addition to fueling, and or servicing shall not take place on the beach or in an area adjacent to coastal waters. Work vehicles will be maintained and washed in confined areas specifically designed to control runoff and located more than 100 feet away from the mean high tide line;
- xi. All water quality BMPs to be implemented during construction and their location shall be noted on the project plans. Silt fences or equivalent devices, shall be installed at the perimeter of the staging and equipment areas to prevent construction and removal-related runoff and or sediment from entering adjacent coastal waters, to maximum extent feasible.

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- xii. All access ways impacted by construction activities shall be restored to their preconstruction condition or better within three days of completion of construction. Access ways impacted by construction activities shall be clearly marked by signage indicating closure and/or alternate access routes via a map referencing other open and safe public access ways onsite.
  - xiii. The Permittee shall ensure that work crews are briefed on the importance of observing the appropriate precautions and the reporting of any accidental spills. Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieving or cleaning up improperly contained foreign materials.
  - xiv. The Permittee shall conduct work during daylight hours. Additional lighting of the marine area is prohibited.
  - xv. 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.
6. The work authorized by this ECDP must be completed within 60 days of the issue date of this permit (i.e., by March 6, 2022), and this ECDP shall become null and void at that time.
  7. The Permittee recognizes that the emergency development authorized by this ECDP is considered temporary and is no longer authorized if it is not followed-up by a regular CDP submitted to the Commission's North Central Coast District office. A regular CDP will be subject to all of the provisions of the California Coastal Act and would be conditioned accordingly. Any follow-up permit should account for and analyze the impacts of long-term sea level rise, wave run-up, and other coastal hazards and explore alternative siting for the pump station.
  8. 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.
  9. Within 60 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections clearly identifying all development and removal completed under this emergency authorization (comparing any previously permitted condition to both the emergency condition and to the as-built, 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.



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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. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
12. This ECDP only authorizes the temporary emergency development identified herein, although the Executive Director may modify and/or extend the authorization to additional and closely related temporary emergency development for good cause provided that: such modification/extension is also necessary to temporarily abate the identified emergency; such modification/extension is sited and designed in such a way as to protect coastal resources as much as possible, including through imposition of additional ECDP conditions if necessary; and such modification/extension is subject to all of the terms and conditions of this ECDP, including any additional ECDP conditions added by the Executive Director in modifying/extending the authorization.
13. Within 60 days of issuance of this ECDP, or as extended by the Executive Director through correspondence, for good cause, the Permittee shall submit a complete follow-up CDP that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the Permittee shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the Permittee or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency development will no longer be considered authorized.
14. Failure to a) submit a complete follow-up CDP Application that complies with Condition 13 above; or b) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein will constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the Permittee's property; the issuance of a Cease and Desist Order and/or a Restoration Order; the imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this ECDP will constitute a knowing and intentional Coastal Act violation.
15. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.

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16. 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 7 and 8 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. 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 North Central Coast District Office at 455 Market Street, Suite 300, San Francisco, CA 94105, (415) 904-5260.