

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



W16c

Prepared November 13, 2023 for November 15, 2023 Hearing

To: Commissioners and Interested Persons

From: Kevin Kahn, Central Coast District Manager
Breylen Ammen, Coastal Planner

**Subject: Additional hearing materials for W16c
CDP Number A-3-PGR-23-0038 (Pacific Grove Public Works Wastewater
Collection System Repairs)**

This package includes additional materials related to the above-referenced hearing item as follows:

Additional correspondence received in the time since the staff report was distributed.

RECEIVED

From: Tony Ciani <aciani@cianiarchitecture.com>
Sent: Friday, October 27, 2023 3:48 PM
To: Ammen, Breylen@Coastal
Subject: Re: Hearing Date for Pacific Grove Appeal

OCT 27 2023

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Breylen,

I am writing to emphasize a key point of my appeal - the existing overflow line HAS NOT BEEN PLUGGED, AS THE STAFF REPORT STATES. IF IT HAD BEEN PREVIOUSLY PLUGGED AND ABANDONED , THEN THE ENGINEERING PLANS WOULD NOT NOW SPECIFY TO "**PLUG AND ABANDON [THE] OVERFLOW LINE**" AS PART OF THE SCOPE OF WORK.

Sincerely,

Tony Ciani

On Fri, Oct 27, 2023 at 3:03 PM Tony Ciani <aciani@cianiarchitecture.com> wrote:

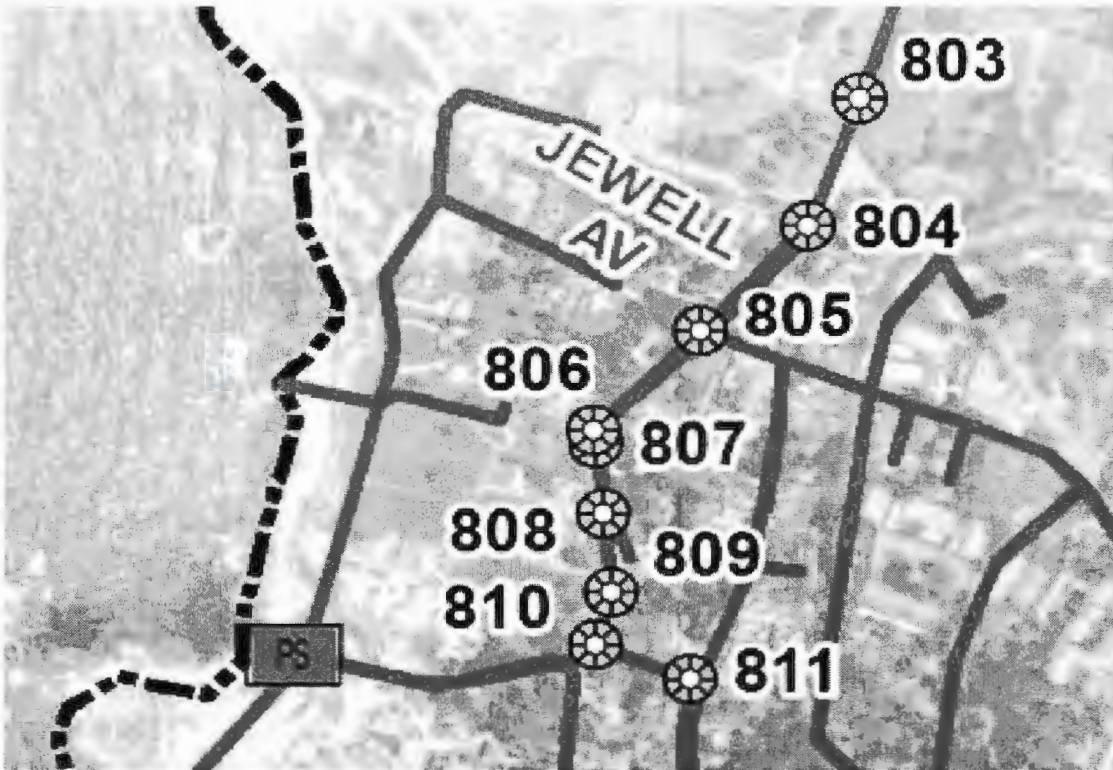
Dear Breylen,

REGARDING THE STAFF REPORT FOR, **Appeal No. A-3-PGR-23-0038**
(WastewaterCollection System Repairs, Pacific Grove):

I agree with the Coastal Commission staff desire to help the City address its broken infrastructure in the short-term, however, the Public Works Director testified that the structural life of the project is "100 years." Moreover, the Public works Director and City Planning staff wrote, and when asked directly at hearings about the location of the project relative to SLR, testified erroneously, that it is not located in an area subject to sea level rise or wave runoff forces or inundation.

The staff report is correct that the focus of the appeal is the element of the project to "**PLUG AND ABANDON OVERFLOW LINE**" which is depicted on the plans with an arrow directed west to the sea. **The City's current Sewer System Management Plan and other current sewer maps all indicate the overflow line and its length to be 238 feet long with an outfall in the intertidal zone.** "Plug" is construction work to actively dig up and uncover the overflow line, and fill or install materials to "plug" the line. "Abandon" is the action that will be taken in the present tense, to leave the 238 foot long overflow line in the bluff formation with a large exposed manhole, and exposed pipe on the beach and extending into the State Marine Reserve.

Moreover, the staff report incorrectly states on page 3, 3rd sentence: "*the pipe has been plugged and abandoned for decades.*" IN FACT, the specific subject overflow line is (as mentioned above) currently listed and mapped on ALL of the maps in city's Sewer System Asset Management Plan and Pacific Grove Sewer System Collection Plan.



SEWER OVERFLOW IS DEPICTED ON THIS MAP SOUTH OF JEWELL AV. (WEST OF MH 806) EXTENDING FROM SUNSET DRIVE TO THE SEA AND THE MHTL.

Source: "FIGURE 6-4: CROCKER & ASILOMAR MANHOLE REPLACEMENT"

(City of Pacific Grove Capital Improvement Project Information Sheet, Sewer System Collection Master Plan)

As a Special Condition of Approval, the Commission should require the overflow pipe and surface manhole to be removed from bluff face, beach and intertidal areas. The page 2 of the staff report argues: ***"the project is urgently needed to eliminate the immediate risk of effluent leaks into the surrounding environment and the potential for associated impacts to coastal resources such as groundwater, sensitive habitats, and coastal water quality."***

I argue, removal of an broken, leaking sewer overflow line and degrade manhole is also an immediate risk of effluent leaks into the surrounding environment and the potential for associated impacts to coastal resources such as groundwater, sensitive habitats, and coastal water quality. And, because it is literally on the surface of the beach and tidal area, the degraded pipes present a present danger to visitors to those areas who may suffer from lacerations to their feet or stumble and break limbs, etc.

Therefore, the Commission should and could hold a focussed hearing to consider the facts and modify the CDP with revised findings and special conditions to allow the City to complete their project, and SAFELY REMOVE THE OVERFLOW LINE.

A WIN for the City - a WIN for the environment - a WIN for the people at a popular visitor destination point, - and a WIN for the Coastal Commission.

Sincerely,

Tony Ciani

On Fri, Oct 27, 2023 at 12:24 PM Tony Ciani <aciani@cianiarchitecture.com> wrote:

Dear Breylen,

Thank you for promptly addressing this matter. I disagree with your conclusions, which I will outline in a subsequent writing.

Sincerely,

Tony Ciani

On Fri, Oct 27, 2023 at 12:11 PM Ammen, Breylen@Coastal <breylen.ammen@coastal.ca.gov> wrote:

Dear Tony

You will be receiving formal notice of this via mail, but I wanted to let you know that your appeal of the City's approval of repairs to wastewater collection infrastructure will be going to hearing on Wednesday 11/15. The staff report has been posted [here](#) (item 16c); Commission staff are recommending NSI.

Best,



Breylen Ammen

Coastal Planner | Monterey County

CALIFORNIA COASTAL COMMISSION

725 Front Street, Suite 300

Santa Cruz, CA 95060

(831) 427-4863

November 1, 2023

RECEIVED

W16c

NOV - 2 2023

California Coastal Commission
Santa Cruz District Office
725 Front Street, Suite 300
Santa Cruz, California 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Attention: Breylen Ammen, Coastal Planner, breylen.ammen@coastal.ca.gov

RE: APPELLANT'S REASONS SUPPORTING APPEAL No. A-3-PGR-23-0038

Dear Chair, Brownsey, and Members of the Coastal Commission:

The following reasons support findings for Substantial Issues based on the facts and precedent of the Commissions past actions:

- 1) **STAFF REPORT:** Regarding Pacific Grove LCP land use plan public access policies and implementing ordinances, and/or conformity to Coastal Commission's and Coastal Act's public access policies - the Staff Report "conclusion" advises the Commission that it must make adequate access and recreation findings that are required by law. However, the report fails to provide the required analysis or findings for public access and recreation.

The STAFF REPORT states:

"3. Conclusion.

When considering a project on appeal, the Commission must first determine whether the project raises a substantial issue of LCP conformity and/or Coastal Act public access conformity, such that the Commission should assert jurisdiction over the CDP application for such development. At this stage, the Commission has the discretion to find that the project does or does not raise a substantial issue of Coastal Act public access and/or LCP conformance.

APPELLANT RESPONSE:

The staff report failed to analyze the public access and public recreation policies of the Pacific Grove LCP or PRC 30604 (c.) including Coastal Act Chapter 3 commencing with Section 30200.

In this case, the project proposes to construct a new manhole with a new sewer main under and across Sunset Drive which is a scenic route parallel to the coast for touring motorist and cyclists The new work is predicated on excavating and removing another manhole, including plugging, and abandoning the 289-foot-long sewer overflow pipe connected to it. The overflow pipe rests above ground on the beach and rocky intertidal zone. Thus, the overflow pipe is in the Coastal Commission's jurisdiction pertaining to public access and recreation, and protection of the coastal natural and marine resources.

November 1, 2023
California Coastal Commission
RE: Appeal No. A-3-PGR-23-0038
Page 2

Sunset Drive provides travel and parking access to the Asilomar State Park shoreline. The construction and staging will certainly temporarily close the road, eliminate parking and close state park gateway access to the beach. The City's CDP requires a "Temporary Traffic Handling Plan", but it did not address the temporary loss of pedestrian public access and recreational uses. Nor did the Coastal Commission's Staff Report prepare an access study for visitors to the State Park lands and Marine Reserve where the overflow pipe is located and is scheduled to be abandoned on the bluffs, beach, and intertidal zone.

SUBSTANTIAL ISSUE – ACCESS

- A. The Coastal Commission must assess the location, number and duration of vertical access points that will be closed from the nearest public road (Sunset Drive) to the State Park Coastal Trail and Shoreline.**
- B. The Coastal Commission must consider reasonable alternatives and/or special permit conditions to mitigate adverse impacts to the safe public access and recreational uses the project may cause.**
- C. The Coastal Commission must make findings pursuant to:**

PRC CA Section 30604 (c) Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

- D. The Coastal Commission must make findings pursuant to the coastal access policies and ordinances in the Pacific Grove LCP and require a "public access management plan" including pedestrian access to the shoreline trail and beach (not just a "traffic handling plan."**
 - Pacific Grove LCP LUP Policy **PRA-1**. *The City will strive to provide safe and adequate access to and along the City's shoreline and other points of public interest.*
 - **PARKING**. *"Most of the parking occurs on the roadway shoulder on the ocean side of Sunset Drive." (LCP LAND USE PLAN, Page 97)*

November 1, 2023
California Coastal Commission
RE: Appeal No. A-3-PGR-23-0038
Page 3

- Pacific Grove LCP IP MC Ordinance 23.90.220 Parks, Recreation and Public Access (2) *Temporary Public Access Impacts. Development that has the potential to temporarily impact coastal access, including construction impacts or the temporary placement of any sign that could reduce public coastal access, shall require a CDP and development of a public access management plan.*"

The City's CDP failed to require a public access management plan for the necessary closure of public access points to vertical and lateral access trails and the beach from Sunset Drive which is a popular scenic drive and provides parking for recreational visitors at the specific area of work.

Therefore, on appeal the Commission must provide adequate conditions of approval to conform to the LCP and Coastal Act PRC Sections 30604 (a) & (c) and Sections 30210, 30211, 30212, 30212.5 30214, & 30223.

- 2) STAFF REPORT: Mistakenly states: the existing sewer overflow ***"pipe has been plugged and abandoned for decades."*** (Staff Report, Line 3, page 3).

APPELLANT'S REPOSE:

If the sewer overflow pipe was already plugged and abandoned for decades, why do the Engineering Plans specify in the present tense, to **"PLUG AND ABANDON OVERFLOW LINE"**?

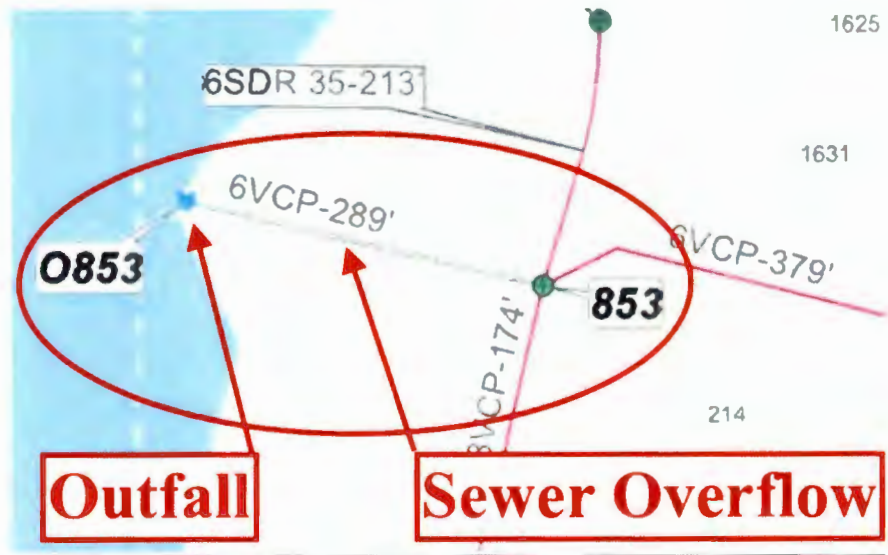
FACT No 1: The existing 6-inch diameter Sewer Overflow line to be 289 linear feet long extending to Sewer Outfall No. 0853 located in the Asilomar Marine Reserve, is described and graphically mapped in both, the approved "Pacific Grove Sewer Collection System Master Plan" and "Pacific Grove Sewer System Asset Management Plan".

The sewer overflow is shown as part of the city's sewer collection system and is NOT shown to already be plugged and abandoned.

FACT NO. 2: The Scope of Work in the Engineer's Construction Drawings specifies in the present tense, the contractor to:

- to plug up the 6-inch diameter sewer overflow pipe which is depicted on the plans with a long arrow pointing west to the shoreline; and**
- to abandon the sewer overflow system, which is depicted in the City's Sewer Collection System, and can be seen above ground on the bluff face, beach, and in the rock formations in the intertidal zone of the Marine Protected Area.**

November 1, 2023
California Coastal Commission
RE: Appeal No. A-3-PGR-23-0038
Page 4



ENLARGED IMAGE Showing 289' long Overflow/Outfall

The Sewer Overflow Pipe and Sewer Outfall No.0853 shown above is also on the "Collection System Map" The map states:

*"The City of Pacific Grove maintains up-to-date electronic collection system maps created and maintained by Contract Staff, Cary Stiebel, using Geographic Information System (GIS)."*¹



Figure 4-3 GIS System Atlas

¹ WALLACE GROUP, INC. ENGINEERING, Figure 4-3 GIS System Atlas, City of Pacific Grove Sewer System Management Plan, Revision 02, Element 4, Operation and Maintenance Program, August 31, 2018, Page 4-7 of 4-17

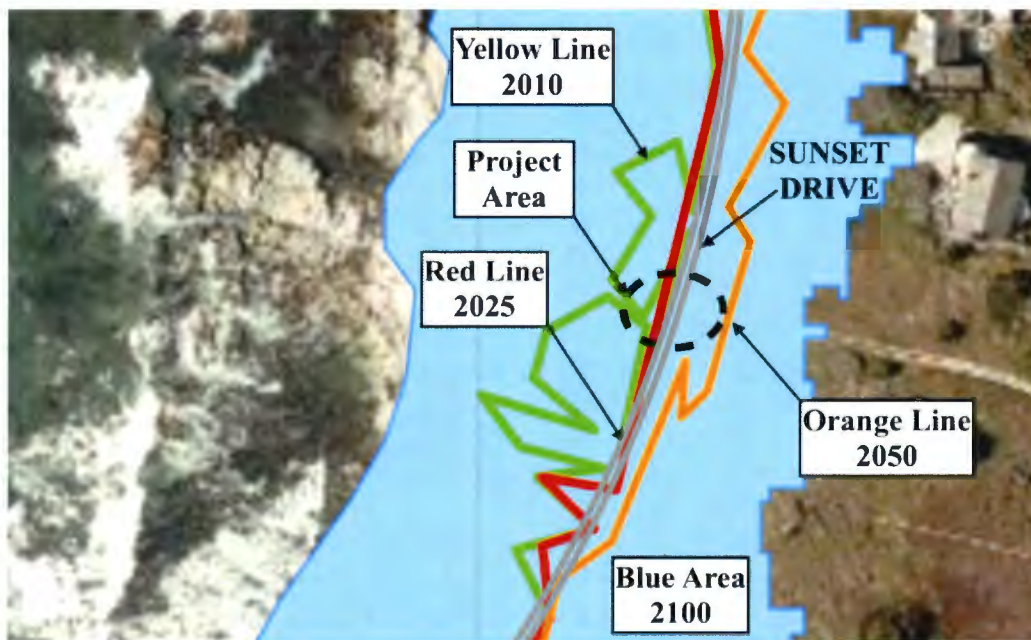
November 1, 2023
California Coastal Commission
RE: Appeal No. A-3-PGR-23-0038
Page 5

3) STAFF REPORT: Incorrectly states:

- “...the Appellant contends that the city inadequately analyzed the potential impacts of sea level rise and associated coastal hazards.”
- “Indeed, the city’s flood hazard mapping shows that by 2100, much of the road may be subject to coastal floods hazards. The existing manhole proposed for removal is within this potentially hazardous area, and the replacement manhole and new section of sewer line are also in this area.”

APPELLANT’S RESPONSE:

The appeal contends the city DID NOT DO ANY ANALYSIS whatsoever, of potential coastal hazards, and as shown on the enlarged image below, the project site is between the 2025 and 2050.



Sunset Drive on Asilomar coast between Arena and Jewel streets.

Coastal Flood Hazards

- 2010
- 2025
- 2050
- 2100

November 1, 2023
California Coastal Commission
RE: Appeal No. A-3-PGR-23-0038
Page 6

4) STAFF REPORT: States,

(a) *“the project is urgently needed to eliminate the immediate risk of effluent leaks into the surrounding environment and the potential for associated impacts to coastal resources such as groundwater, sensitive habitats, and coastal water quality.”*

(b) **Without factual evidence, the Staff Report** concludes, *“The project will not result in any adverse coastal resource impacts”*

APPELLANT’S RESPONSE:

Protecting the natural beach habitat, marine resources, and the public’s safe access to enjoy the recreational uses of those areas is also urgently needed for the project to safely plug and abandon the 289-foot-long sewer overflow line now, ***“to eliminate the immediate risk of effluent leaks into the surrounding environment and the potential for associated impacts to coastal resources such as groundwater, sensitive habitats, and coastal water quality.”***

(a) The sewer overflow includes approximately 150-linear feet of sewer pipes that are above the beach and rock formations, and an above ground manhole on the bluff which are clearly as unsafe to public access and the marine resources.

(b) Abandonment of the sewer overflow has and will result in significant impacts to coastal resources such as groundwater, sensitive habitats, and coastal water quality.

SUBSTANTIAL ISSUE – PRECEDENT

The Coastal Commission has established a precedent to find substantial issue and require special conditions where structures extending into the ocean must be adequately addressed to mitigate adverse impacts to significant coastal resources and public access.²

There is clear nexus between the proposed work to excavate and remove Manhole No. 853A and the sewer main under the street and construct a new Manhole in the coastal hazardous area subject to inundation mapped to be as early as 2125, and the construction work to plug and abandon the sewer over flow line.

(a) The city’s failure to study the potential hazards and impacts to costal resources is a Substantial Issue.

² Decommissioning and Remediation of the Carpinteria Oil and Gas Processing Facilities, October 2021
CDP 3-19-0463 (Morro Bay Water Reclamation Facility) July 2019
Cambria, LCP Consistency Analysis, Land Use and LCP Compliance , August 2016

November 1, 2023
California Coastal Commission
RE: Appeal No. A-3-PGR-23-0038
Page 7

- (b) Potential inundation of the sewer pipe and a manhole in the near-term is a Substantial Issue.
- (c) Clear observable hazards due to the deterioration of the sewer overflow pipes, manhole, and sewer outfall to be plugged and abandoned, that must be addressed as an integral part of the CDP now, not later, is a Substantial Issue.

SUBSTANTIAL ISSUE – Protection and Restoration of a Sensitive Environmental Area (beach and bluff) and Marine Resources is a Substantial Issue.

Although a portion of the site is inland of the bluff, it is still subject to coastal hazard threats, including from flooding associated with sea level rise and potentially, wave runoff. These issues will only be exacerbated by rising sea levels and those hazards will only get worse.

The Staff Report correctly cites the importance of the Pacific Grove Shoreline Management Plan and need to remove construction debris from past projects. This project is an extraordinary opportunity to make that happen now, in an ESHA and Marine Protected Area in compliance with the LCP and Coastal Act.

It is a fact, that portions of the sewer overflow, manhole and outfall regardless of the date they were constructed are directly connected to sewer collection system. They extend into the Asilomar Marine Reserve and in the Coastal Commission's jurisdiction as well as, California Fish and Wildlife, State Lands and Public Trust. The Coastal Commission must take responsibility to coordinate with its state partners to ensure environmental justice for the beach and marine protected areas.

This project raises regional and statewide issues regarding the treatment of decommissioned infrastructure on state lands and in state waters and the inherent liability and risk of potential injuries to recreational visitors at Asilomar State Park shoreline.

I request the Coastal Commission to modify the CDP to address these issues and require special conditions to mitigate the impacts to coastal resources and public access.

Respectfully,
Anthony A. Ciani
Anthony A. Ciani, Appellant

Public Comment on November 2023 Agenda Item Wednesday 16c - Appeal No. A-3-PGR-23-0038 (Wastewater Collection System Repairs, Pacific Grove)

Janet Cohen <janetcohen333@comcast.net>

Fri 11/3/2023 11:46 PM

To: CentralCoast@Coastal <CentralCoast@coastal.ca.gov>; citycouncil@cityofpacificgrove.org <citycouncil@cityofpacificgrove.org>; planningcommission@cityofpacificgrove.org <planningcommission@cityofpacificgrove.org>

Cc: Tony Ciani <aciani@cianiarchitecture.com>; Lisa Ciani <lisa.ciani@gmail.com>

Dear Coastal Staff and Commissioners,

RECEIVED

NOV - 6 2023

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I understand the rationale behind Coastal Staff's recommendation that there is no substantial issue, but find it short sighted in protecting important coastal resources and public access.

Instead, I agree with Tony Ciani's request to "the Coastal Commission to modify the CDP to address these issues and require special conditions to mitigate the impacts to coastal resources and public access."

I have lived on Asilomar Avenue in the block between Arena Avenue and Jewell Avenue landward of Asilomar Avenue since 1975.

As a disclosure, we also own parcels of land impacted by a sewer system desperately in need of repair on the seaward side of Asilomar Avenue at Arena Avenue and 214 Asilomar Avenue. 214 Asilomar runs street to street between Asilomar Avenue and Sunset Drive.

The sewer system needs all of the help it can get as it has had many failures, so I am absolutely for the immediate repairs.

But, not considering this block's sewer pipes down to the shoreline seaward of Sunset Drive between Arena Avenue and Jewell Avenue makes no sense.

Could it not be a two phase project? Phase 1 - the immediate proposed repair. Phase 2- dealing with removal of unused, sometimes dangerous, always ugly exposed pipes?

Is there any State funding or grants available to the City to do phase 2 to help preserve coastal resources and public access by removing the pipes seaward of Sunset Drive? Or should that be only the State's responsibility?

I have walked this block since I was 26 years old, almost daily, before there was a coastal trail, trampling all over middens not knowing what they were with my unleashed German shepherd, before there was a leash law.

Slowly, changes came that protected the coast from new residents like I was at that time and visitors who may love its intense and wild beauty, but unknowingly do the wrong thing, bringing harm.

So much has been spared with implementing the intent of the Coastal Act, with the heavily used coastal trail letting thousands of people enjoy that exact place and the now mature beautiful dunes restoration, safely off of the road.

How wonderful is that not having to worry about being hit by a car and instead get to experience the ocean, rocks, sea lions, sea otters, the sky, clouds, and feel the beat of this place meeting the coast?

One does have to worry more about waves crashing closer and closer though through large storms, more ugly, unused pipes marring the view and one's experience.

Negative stresses and impacts have obviously come with global climate change and seal level rise. Parts of the bluffs are sliding off, the coastal trail floods at Arena Avenue Cove and other points towards Jewell Avenue.

The remaining elderly sewer pipes need to be dealt with in that block. The problems will only get worse as more pipes are exposed seaward of Sunset between Arena Avenue and Jewell Avenue with land sloughing off.

It makes the most sense to deal with that entire section. I understand funding, hopefully from the State, will likely need to be found for phase two seaward of Sunset. But, please act now. There will be more and more work needed as the coastal trail will have to retreat. Start the work in sections, block by block.

It will only get worse.

Help protect this precious coastal natural resource and save public access to this particularly beautiful stretch of coastal land seaward of Sunset Drive between Arena Avenue and Jewell Avenue.

Thank you,
Janet Cohen
Pacific Grove



RECEIVED

NOV 09 2023

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

November 8, 2023

To: Donne Brownsey, Chair, California Coastal Commission

Cc: Breylen Ammen, Coastal Permit Analyst, California Coastal Commission

Re: Item W16c, Pacific Grove Wastewater Repairs

Dear Chair Brownsey and Commissioners,

The Surfrider Foundation Monterey Chapter agrees with the Appellant that Substantial Issue should be found with the City of Pacific Grove's wastewater repairs project. Surfrider Monterey's mission is to protect the ocean, waves, and beaches of all 99 miles of Monterey County for everyone to enjoy. The chapter was engaged with the City's Local Coastal Program update in 2018 and aims to uphold the goals of proactive sea level rise planning, including relocating infrastructure out of harm's way.

The City of Pacific Grove (City) granted a Coastal Development Permit (CDP) to replace 964 linear feet of sewer pipeline and install 35 linear feet of new sewer pipeline, along with construction, reconstruction, and removal of several manholes. The appeal is focused on the Asilomar Dunes portion of the sewage upgrades, which have the potential to impact the coast. Surfrider Monterey rejects the staff's notion that plan to replace nearly 1,000 feet of sewage line and add 35 feet of new line in a hazardous location is "very minor." This project will be costly and intensive and represents a substantial investment into the status quo.

Surfrider Monterey understands the importance of sewage upgrades. Water quality is one of our organization's core focus areas and we support its strong protection. The chapter holds monthly beach cleanups and represents a diverse array of recreational ocean users who benefit from a clean and healthy coast.

One of the Coastal Commission's most important roles is to oversee proactive sea level rise planning and ensure local governments adhere to their local coastal programs. It is in these moments where the Commission can fulfill that role. By failing to find Substantial Issue with this permit, the Commission is missing a significant opportunity to enforce those planning commitments. As a state, our sea level rise guidance calls for relocating vital infrastructure out of harm's way. This permit should come with a commitment for sewage infrastructure relocation before sea level rise threatens it; otherwise, we are only kicking the can down the road for a potential sewage leak into one of the state's most pristine, biodiverse, and important protected areas, which lies adjacent to the Pacific Grove Area of Special Biological Significance, California State Marine Reserves and State Marine Conservation Areas, the Monterey Bay National Marine Sanctuary, and the California Coastal National Monument.



If the Commission determines that there is 'No Substantial Issue' with this project, it essentially sends a message that the practice of delaying planning and leaving infrastructure repairs to the last minute, without addressing sea level rise, is deemed acceptable. This CDP is one step away from an emergency permit. Cities should not rush through important infrastructure projects without proper review of coastal hazards.

The City's permit, as conditioned, does not go far enough. It does not require future coastal hazard planning, waive the right to shoreline armoring, or adequately address traffic impacts from construction.

We ask that the Commission find Substantial Issue with the permit and impose conditions that properly address coastal hazards:

1. Limit the duration of this permit to 20 years.
2. Require that the City submit a plan for relocation of the infrastructure by 2043 prior to issuing the permit.
3. Require the City to submit a shoreline management plan within two years for this portion of the coast and coordinate with relevant local, state, regional, and transportation agencies to plan for the effects of rising seas. The plan should identify adaptation strategies that could be used to address the specific vulnerabilities of public parkland and associated infrastructure along the shoreline, protect coastal resources, and maximize public access as sea level rises. The plan should also include options for relocating or protecting circulation facilities at risk, including trails, streets, and bicycle lanes.
4. Require the applicant to acknowledge that the development is proposed for a site subject to coastal hazards and that they must assume the risks of development.
5. Require the applicant to waive any right to construct a future shoreline protective device.

Further, we feel the City's CDP does not adequately address public access concerns related to construction impacts. To be consistent with regional and state precedent for coastal adjacent roadways, the project should be subject to the following additional conditions:

1. Keep one traffic lane open during project construction to maintain public access through the work area.
2. Prohibit development activity during the busy summer months between Memorial Day weekend and Labor Day to remove the potential for development activity that will impede coastal access.
3. Prohibit the staging and storage of project material in public parking spaces and public parks.



4. Require the City of Pacific Grove to submit a written agreement that acknowledges and accepts the construction timing limitations.

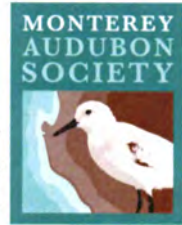
Surfrider cautiously supports the City's goals for "phased adaptation," but progress toward those goals needs to begin now. Phased adaptation is not something to pursue in the future; it must be set in motion today. The Commission has a responsibility to guide and direct local governments toward protecting public trust resources under state law.

We recommend that the Commission find Substantial Issue and compel improvements to the City's permit.

Sincerely,

Antony Tersol
Monterey Chapter
Surfrider Foundation

Mandy Sackett
Senior California Policy Coordinator
Surfrider Foundation



Monterey Audubon Society
PO Box 5656
Carmel, CA 93921

November 10, 2023

To: Donne Brownsey, Chair, California Coastal Commission
Cc: Breylen Ammen, Coastal Permit Analyst, California Coastal Commission

Re: Item W16c, Pacific Grove Wastewater Collection System Repairs

Dear Chair Brownsey and Commissioners,

The Monterey Audubon Society is grateful for the opportunity to provide comment on the Item W16c on your November 15 Agenda. We agree with the Appellant that Substantial Issue should be found with the City of Pacific Grove's wastewater repairs project. These comments are based on discussion with our standing Conservation Committee.

Conserving bird habitat and maintaining a safe and accessible coastline that is resilient to sea level rise is a critical goal for our organization. We were involved with the development of the Pacific Grove Local Coastal Plan and are regular attendees to council and commission meeting that involve issues related to the coastline. The Pacific Grove coastline is home to over 30 different shorebird species, with at least two using this habitat for nesting during the summer months. We have two key conservation projects that conduct field work in this area: the Central Coast Black Oystercatcher Monitoring Project and the Point Pinos Seawatch.

The City of Pacific Grove (City) granted a Coastal Development Permit (CDP) to perform sewer line and sewer infrastructure upgrades along the coastline in Pacific Grove. These upgrades are of course important, but the Commission should also require that the City remove all remnant infrastructure that is the responsibility of the City. The CDP should require that the City remove the overflow pipes, manhole and outfall pipes on the Asilomar State Beach coastline and within the Asilomar State Marine Reserve Marine Protected Area. Decommissioned infrastructure is now trash that is being abandoned in our sensitive, natural beach habitat and its removal should be a requirement of this CDP.

We recommend that the Commission find Substantial Issue and request improvements to the City's permit.

Thank you for all of your work and dedication.

Amanda Preece, M.S.
Environmental Advocate
Monterey Audubon Society

RECEIVED

NOV 13 2023

**CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA**

www.montereyaudubon.org

November 10, 2023

California Coastal Commission
Central Coast District
745 Front Street, Suite 300
Santa Cruz, CA 95060

RECEIVED

NOV 13 2023

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Re: Item W16c, Pacific Grove Wastewater Repairs

Dear Chair Brownsey and Commissioners,

Pacific Grove's coast is globally recognized as an area of extraordinary biodiversity and scenic beauty. I'm writing in support of the appeal of the **Asilomar Dunes segment of the sewer system project** in question (Wastewater Collection System Phase 9).

The Asilomar Dunes segment of the project involves various locations in the Coastal Zone onshore from the Monterey Bay National Marine Sanctuary and the Asilomar State Marine Reserve (SMR), which is adjacent to the Pacific Grove Area of Special Biological Significance (ASBS) and three other, continuous State Marine Protected Areas. In addition, the offshore waters include numerous rocks and islets of the California Coastal National Monument.

Clearly the sewer system needs to be improved for the Asilomar Dunes neighborhood. However, **two critical LCP issues are being neglected:**

- 1) This portion of the sewer line is in a coastal flood hazards zone threatened by sea level rise, and **planning for relocation of the sewer line** is not being addressed. The LCP Coastal Hazards map (Figure 3) shows that this section of Sunset Drive is expected to be flooded in 2025, 2050, and 2100, where the new sewer pipes are proposed.

LCP Policy HAZ-6 provides:

The City will prepare a Shoreline Management Plan (SMP), consistent with the parameters set forth in HAZ-2, to evaluate potential actions to guide the management of public parklands along the shoreline while considering the effects of sea level rise, best protecting coastal resources, as well as circulation and utility infrastructure.

The City's Shoreline Management Plan, approved in 2020, describes the following:

The Shoreline Management Plan addresses the entire shoreline that is under the jurisdiction of the City of Pacific Grove,... a distance of approximately 3 miles. (South of Lighthouse [Avenue], the shoreline is still within Pacific Grove but falls under the jurisdiction of California State Parks, a state agency.)

The City is responsible for the road, the parking, and the sewer and other utilities infrastructure, including on State Parks land. LCP policy INF-10 calls for planning to address protection of critical services from sea level rise and coastal hazards.

INF-10. The City will consider the relocation of critical water and wastewater infrastructure, as necessary and feasible, to protect those services from the effects of sea level rise and other coastal hazards.

While the current sewer project is necessary, this CDP must be conditioned on a commitment to planning for relocation of the sewer infrastructure out of the coastal hazard zone. If that planning is not provided for as a condition of approval of sewer improvements now, a very bad precedent will be established, and Pacific Grove will not be prepared for continued storm damage such as the coast experienced with this year's winter storms and the expectation of coastal flooding in this project area as early as 2025.

- 2) Plan Sheet 6 has a note specifying, **"PLUG & ABANDON OVERFLOW LINE" with an arrow pointing off the plan sheet to the west of Sunset Drive.** Habitat areas and public access areas west of Sunset Drive extending the length of the pipes to be abandoned, including the manhole, are not being addressed. There are shoreline issues of public safety, aesthetics, pollutants, and water quality as a result of corroding pipes extending down the bluff from the deteriorated manhole, across the sand beach, and through the rock channel into the waters of the Asilomar State Marine Reserve and the Marine Sanctuary.

Abandoned infrastructure including what appears to be rusting cast iron material (not vitreous clay pipe as described by City staff), an unprotected manhole, and remnant sewage in the pipes, constitutes a hazard that needs to be cleaned up and removed as a condition of the CDP for this project. The City's Community Development Department maintains that all materials involved in the project are underground except for the manhole covers, but that is clearly not the case with the abandoned portions.

The Shoreline Management Plan (SMP), which was created with a remarkable amount of community engagement is on the City's website:

https://www.cityofpacificgrove.org/our_city/departments/public_works/programs_initiatives/shoreline_management_plan.php

The SMP describes the following on page 77:

*As stunning as Pacific Grove's shoreline is, it is marred at a number of locations by the presence of construction debris and abandoned structures. There are numerous examples....**Abandoned structures include irrigation, drainage or sewer pipes at various locations. The city should remove these examples of construction debris and abandoned structures along the coast***

The Implementation chapter in the SMP on page 88 states:

This chapter suggests an implementation timeline for the various recommendations included in this plan. The timeline classifies the recommendations under five implementation phases: very near term, near term, medium term, long term and ongoing.... The implementation of proposed strategies and actions will be subject to further deliberations of the City Council....

Very near term...

Identify and remove construction debris and decommissioned structures from bluffs and beaches (p. 77).

Please approve this appeal and require special conditions for near term planning, consistent with LCP policy INF-10, to provide the City with a reasonable period of time to evaluate alternatives and plan and implement an “adaptation plan” to minimize sewer infrastructure in hazardous areas. And please require special conditions for removal of decommissioned structures consistent with the City’s Shoreline Management Plan.

Sincerely,

Lisa Ciani
220 Walnut St
Pacific Grove, CA 93950