

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV
EMAIL: NORTHCENTRALCOAST@COASTAL.CA.GOV



F10

Prepared March 30, 2023 for April 14, 2023 Hearing

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: North Central Coast District Director's Report for April 2023

The following coastal development permit (CDP) waivers, immaterial CDP amendments, immaterial CDP extensions, emergency CDPs (ECDPs), and LCP certification reviews for the North Central Coast District Office are being reported to the Commission on April 14, 2023 via public hearing. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review from the Commission's North Central Coast District Office in San Francisco. ECDPs and LCP certification reviews are being reported for informational purposes and don't require Commission concurrence, but staff is asking for the Commission's concurrence on the other reported items and will report any objections received and any other relevant information on these items when the Report is considered on April 14th. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual items attached for specific requirements).

Items being reported on April 14, 2023 (see attached)

CDP Waivers

- 2-23-0158-W, Meredith Pier Sculpture (Bodega Bay)

Emergency CDPs

- G-2-23-0034, Pacific View Villas Drainage (Pacifica)
- G-2-23-0037, Culvert Repair Highway 1 Post Mile 40.3 (Marshall)

CDP Amendments, CDP Extensions and LCP Certification Reviews

- None

How to provide testimony at this hearing

This Coastal Commission meeting will occur virtually through video and teleconference. Please see the Coastal Commission's Virtual Hearing Procedures posted on the Coastal Commission's webpage at www.coastal.ca.gov for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Virtual Hearing Procedures, please email NorthCentralCoast@coastal.ca.gov or call 415-904-5202.

How to provide written comments for this hearing

To submit written materials for review by the Commission, either email (via NorthCentralCoast@coastal.ca.gov) or submit such materials to Commission staff no later than 5pm on the Friday before the hearing (and staff will then distribute your materials to the Commission). Note that such materials received after this time will not be distributed to the Commission. Alternatively, you may also submit such materials directly to the Commissioners (a current list of Commissioner names and email addresses is available from Commission staff or from the Commission's website) as long as such materials are submitted to all Commissioners, all alternates for Commissioners, the three non-voting members of the Commission, and Commission staff. You are requested to summarize the reasons for your position in no more than two or three pages, if possible.

Questions?

Questions regarding this agenda item and/or this hearing should be directed to the Commission's North Central Coast District office at 455 Market Street, Suite 300, San Francisco, CA 94105, 415-730-8592.

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



NOTICE OF PROPOSED PERMIT WAIVER

Date: March 30, 2023
To: All Interested Parties
From: Stephanie Rexing, North Central Coast District Manager
Subject: **Coastal Development Permit (CDP) Waiver 2-23-0158-W**
Applicant: County of Sonoma General Services

Proposed Development

Placement of artwork measuring 9' long, 3' deep, and 2.5' wide of a salmon (metal sculpture), as well as a 4' by 6' placard with the artist's name, the title and description of the piece, and a few sentences providing context for the site to commemorate the fishing history of Meredith Pier, which was recently demolished. The artwork will be placed on a pre-existing concrete slab at the entrance to the former Meredith Pier, at 915 Hwy 1 in Bodega Bay, Sonoma 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 provides a commemorative sculpture and interpretive signage at the landing fronting a former pier site in Bodega Bay. The proposed development will not change the current use of the land, expand the existing development onsite, or otherwise intensify the use of the property, and provides for fairly minor development in a way that shouldn't adversely affect public views. All construction activities will occur within the existing footprint of the pier landing area, include appropriate BMPs, and should not adversely affect Bay habitats. Accordingly, there is no potential for adverse impacts to coastal resources, including coastal access, consistent with Coastal Act Chapter 3 and the certified Sonoma County 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, April 14, 2023. 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 questions about the proposal or wish to register an objection, please contact Stephanie Rexing in the North Central Coast District office.

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5200
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV

**EMERGENCY COASTAL DEVELOPMENT PERMIT**

Emergency CDP G-2-23-0034 (Pacific View Villas)

Issue Date: April 3, 2023


Permittee: Pacific View Villas Homeowners Association**Emergency Location:** 200-224 Palmetto Ave, Pacifica, San Mateo County, APN 115-220-010**Emergency Description:** Storms caused ponding of water on the blufftop west of the Pacific View Villas condos, resulting in soil infiltration and subsequent bluff failure on the southern portion of the property. This failure is threatening a public access trail and the condos and has exposed defunct stormwater pipes.**Emergency Development:** Grading of approximately 1 cubic yard of soil surrounding the catchment structure to lower the meadow around it and facilitate drainage; cover the meadow area with 4,200 square feet of impermeable Visqueen material, anchored by wrapping the ends around buried 2x4's; install 30-inch diameter sump pump approximately at the center of the meadow area, at a 5-foot depth to pump and direct water from the soil surface to the existing catchment structure; fence off the terminus of the driveway adjacent to the public path; and install danger/warning signage.**Executive Director's Determination**

The Executive Director of the California Coastal Commission hereby finds that: (a) a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services exists (i.e., an "emergency" (see Title 14 California Code of Regulations Section 13009 and California Coastal Act (Public Resources Code) Section 30624); (b) the emergency requires action more quickly than allowed by the procedures for regular CDPs; (c) the emergency development can and will be completed within 30 days unless otherwise specified by the terms of this ECDP; (d) the emergency development carried out under this ECDP is considered temporary work done in an emergency situation to abate an emergency and is undertaken at Permittee risk; (e) a regular CDP must be obtained for the emergency development to become more than temporary emergency abatement and/or if the Permittee wishes to expand the scope of work beyond that authorized by this ECDP; (f) absent obtaining a regular CDP, the emergency development shall be removed, and the affected area restored; and (g) Commission staff will review public comment on the proposed emergency development as time allows.

The emergency development is hereby approved, subject to the conditions listed below.

Enclosure: ECDP Acceptance Form

cc: (via email): Christian Murdock (Pacifica Planning Director)

DocuSigned by:

035096250A8E49E...

Stephanie Rexing, North Central Coast District Manager, for Kate Huckelbridge, Executive Director

Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee and returned to the California Coastal Commission's North Central Coast District Office within 15 days of the date of this ECDP (i.e., by April 18, 2023). This ECDP is not valid unless and until the acceptance form has been received in the North Central Coast District Office.
2. All emergency development shall be limited in scale and scope to that specifically identified in the Emergency Permit Application Form dated received in the Commission's North Central Coast District Office on March 22, 2023. Only that emergency development specifically described in this ECDP and for the specific location listed above is authorized. Any other development requires separate authorization from the Executive Director or the Commission, as applicable.
3. The emergency development authorized on a temporary basis by this ECDP must be completed within 30 days of ECDP issuance (i.e., by May 3, 2023).
4. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., City of Pacifica, California State Lands Commission, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, etc.). The Permittee shall submit copies of all such authorizations and/or permits upon their issuance to the Executive Director.
5. By exercising this ECDP, Permittee acknowledges and agrees that: (a) the emergency development is temporary, is designed to temporarily abate the emergency, and shall be removed unless and until a regular CDP authorizing the work is approved, and provided the Permittee adheres to such regular CDP's terms and conditions; and (b) a regular CDP is subject to all of the provisions of the California Coastal Act (as codified in Sections 30000 to 30900 of the Public Resources Code) and any applicable Local Coastal Program (LCP) policies and may be conditioned accordingly to avoid and/or to offset coastal resource impacts consistent with the Coastal Act (and LCP as applicable), including but not limited to requirements for public access provisions (such as offers to dedicate, easements, in-lieu fees, etc.), assumption/disclosure of risks (including deed restrictions), triggers for relocation/removal, offsetting mitigations, etc.. The Permittee acknowledges that review of the CDP application to determine consistency with the Coastal Act (and LCP as applicable) will be based on the legally permitted condition the property was in prior to initiation of the temporary emergency development that is the subject of this ECDP.

6. By exercising this ECDP, the Permittee acknowledges and agrees in relation to this ECDP and the emergency development that it authorizes: (a) to assume all risks (including all coastal hazard risks, that include but are not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, tidal scour, storms, tsunamis, coastal flooding, landslide, earth movement, and the interaction of all of these, many of which will worsen with future sea level rise); (b) to unconditionally waive any claim of damage and/or liability against the Commission and/or its officers, employees, agents, successors and/or assigns; (c) to indemnify and hold harmless the Commission and its officers, employees, agents, successors and/or assigns against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement, including as it relates to any damages to public and/or private properties and/or personal injury; (d) that any adverse effects to property or people caused by the emergency development shall be fully the responsibility of the Permittee.
7. The Permittee shall reimburse the Commission in full for all Commission costs and attorneys' fees (including but not limited to such costs/fees that are: (a) charged by the Office of the Attorney General; and/or (b) required by a court) that the Commission incurs in connection with the defense of any action brought by a party other than the Permittee against the Commission, its officers, employees, agents, successors and/or assigns challenging the approval or issuance of this ECDP, the interpretation and/or enforcement of ECDP terms and conditions, or any other matter related to this ECDP. The Permittee shall reimburse the Commission within 60 days of being informed by the Executive Director of the amount of such costs/fees. The Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission, its officers, employees, agents, successors and/or assigns.
8. Within 30 days of ECDP issuance (i.e., by May 3, 2023), the Permittee shall either: (a) remove all of the materials placed or installed in connection with the emergency development, and restore all affected areas to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP); or (b) modify the currently pending regular Coastal Development Permit application (CDP-2-22-0700) for this site to authorize this emergency work, or any related other long-term project, within the scope of the proposed work (i.e., satisfying the requirements of Title 14 California Code of Regulations Section 13056) to authorize the emergency development (or for a different project designed to address the emergency development), including submitting all information and materials requested, and as directed, by the Executive Director if/when the Executive Director determines that such application is incomplete. Such required information shall include an analysis of a range of alternative projects for the site as a whole, that would allow for connection to the City's stormwater system in order to manage onsite

drainage, and all information required to support the assertion that such a solution would require a 10,000 gallon backup storage tank at the bluff edge. Such an analysis should evaluate, at a minimum: ways to separate the required associated infrastructure to create a more dispersed drainage system (e.g. multiple pumps and pipes for runoff to be pumped to the City's infrastructure); rationale for why the backup storage tank would need to be as large as indicated, and whether the tank could be smaller, dispersed and/or stored onsite, and in a different location; and should provide quantities of, and rationale behind, stormwater flow rates; a project-specific, in-depth slope stability analysis for staff to accurately analyze the hazards at the site; and a current analysis of what portion of the development is in danger and over what estimated timeframe at the project site in the absence of the shoreline protection device.

If such regular follow-up CDP application is withdrawn by the Permittee, or is denied by the Commission, or if it remains incomplete for a period of 120 days after the Executive Director informs the Permittee that the application is incomplete, then all of the materials placed and/or installed in connection with the emergency development shall be removed, and all affected areas shall be restored to their prior condition or better, all subject to Executive Director review and approval (and, in some cases, if directed by the Executive Director, subject to a regular CDP).

9. The impermeable material covering the meadow area that is authorized through this ECDP shall be removed by May 31, 2023. The Applicant shall submit documentation to the North Central Coast District Office to demonstrate the removal of impermeable material.
10. Failure to meet any of the applicable requirements of Condition 8 above shall constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Executive Director and/or the Commission. Such formal action may include the following: recordation of a Notice of Violation on the Permittee's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties of up to \$11,250 per day per violation; a civil lawsuit (that may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day); and/or other applicable penalties and relief pursuant to Coastal Act Chapter 9. In addition, failure to follow and meet all terms and conditions of this ECDP shall also constitute a knowing and intentional Coastal Act violation to which the same actions above may be applied.
11. All emergency development shall be limited to the least amount necessary to temporarily abate the emergency and shall be undertaken in a time and manner that avoids any and all coastal resource impacts as much as possible, including avoiding impacts to public access. The Permittee shall keep the Executive Director informed regarding emergency development progress, including in terms of any issues encountered that may require

adjustment.

12. 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 temporarily abate the emergency consistent with the terms and conditions of this ECDP.
13. 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:
 - a. Construction activities shall be limited to no more than a total of 7 days and shall take place on non-holiday weekdays to the maximum extent feasible.
 - b. All construction activities shall take place during daylight hours (i.e., from one-hour before sunrise to one-hour after sunset). Lighting of the beach and/or intertidal area is prohibited.
 - c. Construction work and equipment operations: shall avoid areas seaward of the tidal extent as much as possible; shall be prohibited in ocean waters and/or wetted sand (i.e., areas either wet and/or with a noticeable sheen from tidal and/or wave action); and shall avoid beachgoers and beach recreational areas as much as possible.
 - d. All construction areas shall be minimized and demarcated by temporary fencing designed to allow public access and protect public safety to the maximum extent feasible, where such areas shall be limited in their spatial extent as much as possible. 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.
 - e. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
 - f. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment shall be 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.

- g. All areas impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand that is impacted by construction shall be filtered as necessary to remove any construction debris.
- h. 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.
- i. The Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office immediately upon completion of construction. If planning staff should identify reasonable restoration measures, such measures shall be implemented immediately.
- j. 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.
- k. 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 the legal pre-emergency development condition to both the emergency condition and to the post-emergency development condition), and a narrative description of all emergency development activities undertaken pursuant to this ECDP. Photos showing the project site before the emergency (if available), during emergency development construction activities, and after the work authorized by this ECDP is complete shall be provided with the site plans and cross sections.
- l. 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 the construction coordinator's contact information (i.e., address, email, phone numbers, etc.) including, at a minimum, an email address and a telephone number (with voice mail capabilities) 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. The Permittee shall submit the record of complaints/inquiries and actions taken in response to the Executive Director on a weekly basis, and upon completion of construction activities.

14. Minor adjustments to the requirements above, including deadline adjustments, may be allowed by the Executive Director if the Executive Director determines that such adjustments: (a) are deemed reasonable and necessary to help to temporarily abate the identified emergency, including as emergency conditions may change; (b) are designed to avoid coastal resource impacts (and limit those that are unavoidable) as much as possible; and (c) in the case of deadline extension adjustments, are appropriate in light of circumstances, including that the Permittee has shown diligence in pursuing the emergency development and meeting all ECDP terms and conditions.
15. By exercising this ECDP, Permittee acknowledges and agrees that this ECDP shall not constitute evidence against and/or a waiver of any public rights which may exist on the property.
16. The Permittee shall disclose this ECDP, including all of its terms and conditions, to any prospective buyer of the affected property during the period of time that any development that is the subject of this ECDP remains on such property.
17. Failure to comply with the terms and conditions of this ECDP may result in enforcement action under the provisions of Coastal Act Chapter 9. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the property without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Coastal Act Chapter 9.
18. 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; northcentralcoast@coastal.ca.gov; and/or (415) 904-5260.

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CALIFORNIA 94105-2421
PH (415) 904-5260 OR (415) 904-5200 FAX (415) 904-5400
WWW.COASTAL.CA.GOV

**EMERGENCY PERMIT**

Issue Date: March 29, 2023
Emergency Permit Number: G-2-23-0037

APPLICANT:

California Department of Transportation, District 4
111 Grand Avenue, Oakland, CA 94612

LOCATION OF EMERGENCY: Highway 1 in Marin County, south of Clark Road, Post Mile 40.3.

EMERGENCY WORK:

Removal and replacement of a 50-foot, 60-inch diameter damaged culvert in kind; installation of temporary rock slope protections at the culvert inlet east of the northbound lane; and repair of the damaged roadbed, which includes backfilling and compacting new road fill adjacent to the failing roadbed to replace materials lost due to erosion. RSP will be placed on the embankment west of the southbound lane along the rebuilt roadbed on each side of the new culvert outfall to prevent further erosion and dissipate wave action. Where possible RSP will be backfilled with soil and hydroseeded with native species. Highway 1 will also be repaved, and the travel lanes restriped.

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 the damaged culvert, failing roadbed, and shoulder erosion occurring along Highway 1 present a safety threat to the travelling public along Highway 1 in the above listed site and would affect access to emergency services, which requires immediate action 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 30 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.

Emergency Permit Number:
G-2-23-0037

Sincerely,

Kate Huckelbridge, PhD
Executive Director

DocuSigned by:
Stephanie Rexing
035096250A8E49E...

Original on File signed by:
Stephanie Rexing, District Manager

cc: Commissioners/Local Planning Department

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

Emergency Permit Number:
G-2-23-0037

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Coastal Development Permit (ECDP) Acceptance form must be signed by the Permittee (i.e., Caltrans) and returned to the Coastal Commission's North Central Coast District Office within 15 days of the issue date of this permit (by April 13, 2023). 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.

Emergency Permit Number:
G-2-23-0037

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 shall be conducted pursuant to rigorous best management practices designed to avoid coastal resource impacts, including at a minimum:
- i. All trees to be removed shall be surveyed within 72 hours prior to removal by a licensed biologist for the presence of nesting birds, monarch butterflies, sensitive bat species, and any other federally listed or threatened species;
 - ii. 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;
 - iii. 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;
 - iv. The Permittee shall clean public roadway surfaces adjacent to the project site, the off-load site, and staging areas;
 - v. 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;
 - vi. 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;
 - vii. All access ways impacted by construction activities shall be restored to their preconstruction condition or better within three days of completion of construction.
 - viii. 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.
 - ix. The Permittee shall conduct work during daylight hours.

Emergency Permit Number:
G-2-23-0037

- x. 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 June 21, 2023), and this ECDP shall become null and void at that time, unless that expiration date is extended by the Executive Director for good cause.
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. A regular CDP will be subject to all of the provisions of the California Coastal Act and would be conditioned accordingly. In exercising this permit, the applicant 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.
8. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit documentation 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.
9. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The Permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on the property.
10. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Marin County, U.S. Army Corps of Engineers, Regional Water Quality Control Board, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.

Emergency Permit Number:
G-2-23-0037

11. 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.
12. Within 60 days of issuance of this ECDP (i.e., by June 21, 2023), 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.
13. 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.
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.

Emergency Permit Number:
G-2-23-0037

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 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 marlene.alvarado@coastal.ca.gov, or the Commission's North Central Coast District Office at 455 Market Street, Suite 300, San Francisco, CA 94105, (415) 904-5260.