

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
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F14

Prepared October 28, 2025 for November 7, 2025 Hearing

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Central Coast District Director

Subject: Central Coast District Director's Report November 2025

The California Coastal Commission's Central Coast District is reporting the following coastal development permit (CDP) waivers, immaterial CDP amendments, immaterial CDP extensions, emergency CDPs (ECDPs), and LCP certification reviews to the Commission on **November 7, 2025** 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 Central Coast District Office in Santa Cruz (see location/contact information above). ECDPs and LCP certification reviews are being reported for informational purposes only, 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 such items are considered on **November 7**. 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 November 7, 2025 (see attached)

CDP Amendments

- 3-99-027-A3, Henke Residence (Carmel Highlands)
- 3-20-0127-A1, Monterey Wharves Maintenance (City of Monterey)

CDP Waivers

- 3-25-0724-W, Port San Luis Harbor District Tank Replacement (Avila Beach)
- 3-25-0741-W, State Parks' Moss Landing and Zmudowski State Beaches Dune Restoration (Moss Landing)

CDP Extensions

- 3-19-1287-E1, Pebble Beach Company Fanshell Beach Armoring (Del Monte Forest)

Emergency CDPs

- G-3-25-0032, Mariner Park Dock (City of Morro Bay)

LCP Certification Reviews

- None

Central Coast District Director's Report

How to provide testimony at this hearing

To provide verbal testimony to the Commission, interested parties must sign up to speak on this item before the Commission's Chairperson opens the hearing on it on **November 7th**, where such parties can sign up to speak either on-line or in-person, and where such parties can choose to testify either virtually or in-person. More detail on how to do so can be found in the Coastal Commission's "Public Participation Procedures", where such procedures are available on the Coastal Commission's website (www.coastal.ca.gov) under the "Meetings" and "Rules and Procedures" tab, or from Commission staff at any Commission office or at the meeting itself. In any case, the hearing will take place at the **Holiday Inn Downtown Sacramento, 300 J Street, Sacramento, CA 95814**.

How to provide written comments for this hearing

To submit written materials for Commission review, interested parties may email (to CentralCoast@coastal.ca.gov), mail (to 725 Front Street, Suite 300, Santa Cruz, CA 95060), or directly submit such materials to Commission staff. **If such materials are received by Commission staff by 5pm on the Friday before the hearing, staff will distribute your materials to the Commission. However, materials received after this time will not be distributed to the Commission.** Alternatively, including where the above deadline is missed, interested parties 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 and their alternates, and to Commission staff. Please succinctly summarize the reasons for your position – and avoid lengthy submittals – as much as possible.

Questions?

Questions regarding this agenda item and/or this hearing should be directed to the Commission's Central Coast District office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, 831-427-4863; or at CentralCoast@coastal.ca.gov.

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

Date: October 24, 2025

To: All Interested Parties

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

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-99-027
Applicant: Artur Henke

Original CDP Approval

CDP 3-99-027 was approved by the Coastal Commission on June 8, 1999, and provided for the demolition of a 2,800 square-foot residence and construction of a 6,190 square-foot residence and associated site development including a detached garage, new septic system, and tennis court, on Spindrift Road in the Yankee Point area of the unincorporated Carmel Highlands area of Monterey County. CDP amendment 3-99-027-A1 was approved by the Commission on September 8, 2004 and amended the base permit to allow for the addition of a two-story 1,966 square-foot attached garage and storage unit, relocated driveway, revised drainage system, and removal of the tennis courts from the project description. CDP amendment 3-99-027-A2 allowed for the addition of a 1,070 square-foot deck and was approved by the Commission on November 7, 2003.¹ The subject parcel is located in an area of deferred LCP certification where the Commission retains CDP jurisdiction.

Proposed CDP Amendment

The proposed amendment would modify the CDP to allow for several changes at the site, including after-the-fact authorization for the installation of 146 linear feet of redwood fence, 1,676 square feet of new paved driveway, a 120 square-foot shed, landscape walls, and replacement of an aging septic tank with an improved on-site wastewater system. The amendment request also proposes the installation of 1,347 square feet of pervious pavers on existing paths, the in-kind replacement of 969 square feet of existing pervious pavers, 360 square feet of new pervious paver paths, the replacement of 2,453 square feet of landscaping, and the installation of 139 linear feet of grape stake fence. In order to fully resolve the violations associated with the after-the-fact development described above, including monetary penalty liabilities under the Coastal Act, the Applicant has also proposed an offer to dedicate a public access easement that would allow the public to use a beach access path (providing access from the public road to Yankee Point Beach) along the Applicant's westerly property line if, in the future, public access rights are acknowledged on the other portions of the path

¹ The filing process for 3-99-027-A1 took several years, during which time the previous owner applied for a second amendment that was processed separately as 3-99-027-A2 and approved before 3-99-027-A1.

CDP Amendment 3-99-027-A3 (Henke)

on other properties (e.g., through public access easements). The revised conditions that would apply to the CDP, as amended following this action, are shown in Exhibit 1. The Commission's reference number for this proposed amendment is **3-99-027-A3**.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The after-the-fact and proposed development is located on a residential lot in a fairly low-density residential neighborhood. Much of the project site is already developed and landscaped pursuant to 3-99-027 as amended, and much of the surrounding areas are similarly developed with single-family homes and extensive landscaping. The project includes various changes and additions to landscaping, patios, and walkway features, and the replacement of a septic tank. This development did not and is not expected to adversely impact sensitive habitats or other coastal resources.

As noted earlier, some of the proposed work seeks after-the-fact recognition of previously undertaken development. Thus, violations of the Coastal Act exist on the subject property and the proposed amendment seeks to resolve the violations as described herein. These violations include the installation of 146 linear feet of redwood fence, 1,676 square feet of paved driveway, a 120 square-foot shed, landscape walls, and the replacement of a septic tank, all of which will be authorized by this amendment. While the above-described work was undertaken without a CDP, it does not appear to have had adverse impacts to coastal resources, and in the case of the septic tank, the unpermitted development likely has some coastal resource benefit. The Carmel Highlands is known to have problematic septic systems, with many residences in need of replacements to prevent effluent from entering coastal waters. As such, the replacement of septic tanks, such as was done here, reduces risks to coastal water quality. To fully resolve the violation, including the Commission's claims for monetary penalties, the Applicant has proposed to offer to dedicate a public access easement on a beach access path that runs over their property. The path is one of two accessways to Yankee Point Beach, and the path is currently only available to members of the local homeowner's association through a locked gate at Spindrift Road. The easement would require the path to open for public use if, within 21 years, public access rights are acknowledged on the other portions of the path on other properties (e.g., through public access easements).² This project element may serve to enhance public access and recreation in the future and is formalized in **Special Condition 9**. Issuance of the permit amendment, and the subsequent performance of the work authorized by the permit in compliance with all of the terms and conditions of the permit, will result in full resolution of the violations described above.

In sum, the proposed project will not impact sensitive coastal resources and may play a role in opening a beach accessway to public use. The proposed amendment can thus

² Note that this is the same approach that was taken in CDP 3-18-0650 (Harbaugh). As such, with this amendment two of the six properties would now be subject to this public access provision, and four more would need to be so encumbered in the future to allow public use.

CDP Amendment 3-99-027-A3 (Henke)

be found consistent with the Coastal Act.³

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment.

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

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

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Friday November 7, 2025 at the Commission's hybrid virtual and in-person hearing at the Holiday Inn in Downtown Sacramento. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application will be processed as a material CDP amendment.

If you have any questions about the proposal or wish to register an objection, please contact the Central Coast District office at CentralCoast@coastal.ca.gov.

Exhibit 1: Updated CDP Special Conditions

³ Note that when a CDP amendment is deemed immaterial, such as in this case, that determination is based on an evaluation of proposed amendment parameters, and only those proposed parameters as described are authorized via the immaterial amendment. As a result, if the project is ultimately undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the immaterial amendment, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP immaterial amendment authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

Exhibit 1: Revised Special Conditions

(Added condition shown in underline)

1. Phasing of Permit

This coastal development permit shall be issued in two parts: (1) for the septic system and (2) for the house. Prior to issuance of the permit for the septic system, the applicant shall provide evidence of a valid County Environmental Health Department permit for a septic system conforming to the one shown on the grading plans (or on revised plans submitted for Executive Director review and approval). Prior to issuance of the permit for house construction, the applicant shall provide for Executive Director review and approval 1) evidence of a functioning system for the size of proposed house; 2) indication from the Environmental Health Department that the house plans meet septic setbacks and other requirements, 3) final site and landscaping plans, and 4) if necessary revised house plans conforming to the above. Any changes in plans require approval of the Executive Director.

2. Removal of Existing Dwelling

Within one week of the date of issuance of an occupancy permit for the new dwelling, the existing dwelling's utilities shall be disconnected. Within one month of said date, the existing dwelling shall be demolished.

3. Protection of Public Access

No construction work and no development shall occur within the pedestrian easement area. The Coastal Commission's approval of this permit shall not constitute a waiver of any public rights that may exist on the property. The permittee shall not use this permit as evidence of a waiver of any public rights that may exist on the property.

4. Archaeological Resources

If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologist). The Coastal Commission and a qualified archaeologist shall be immediately contacted. The qualified archaeologist shall inspect the project site to determine the nature and significance of the archaeological materials and develop appropriate mitigation measures using standards of the State Historic Preservation Office. This mitigation plan shall then be approved by the State Historic Preservation Office and the Executive Director and fully implemented by the property owner. In addition the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director which states that for purposes of protecting archaeological resources, development can only be undertaken according to the provision of the approved archaeological mitigation plan. The plan must be recorded concurrently with the deed restriction as an exhibit. The deed restriction shall include a legal description of the applicants' parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may

affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission approved amendment to this permit.

5. Geotechnical

The applicant shall follow all recommendations of the *Geotechnical/ Investigation* (Haro, Kasunich & Associates, October 1995), or of a revised report, submitted for Executive Director review and approval.

6. Water Conservation:

The applicant shall comply with Ordinance No. 3539 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:

- All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
- Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices.

7. Grading

Prior to issuance of the permit, the applicant shall provide evidence of a valid Grading Permit issued by Monterey County Building and Inspection Department. Failure to comply with the County Grading Permit will be considered a violation of this coastal permit as well.

8. Future Additions:

Any future additions, including but not limited to decks, antennas, satellite dishes, towers, utility poles or fencing within view of Highway 1 or other public viewpoint shall require a separate permit, or amendment to this permit, unless waived by the Executive Director or preempted by Federal law.

9. Public Access Easement Offer to Dedicate. PRIOR TO ISSUANCE OF THE CDP, the Permittee shall provide evidence that it has recorded a document, in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private entity (which agency or entity shall assume all liability, other than that specified in Civil Code section 846(d), for maintenance, repair, and security for public use of the easement) approved by the Executive Director a public access easement (Easement), consistent with all of the following:

- a. **Easement Area.** The Easement area shall apply to a 5-foot wide area on the Permittee's property extending some 300 feet from Spindrift Road along the property's western, and a portion of the southern, property line,

and shall be coterminous with the existing portion of the 5-foot pedestrian easement that is located in the same area (as shown in the Record of Survey map, recorded in Monterey County on December 22, 1958, in Volume X-1 of Official Records, Page 231) as generally depicted in Exhibit 2 (Recorded Record of Survey) ("Easement Area"). The recorded document shall include a legal description and corresponding graphic depiction of the legal parcel(s) subject to this CDP, and a metes and bounds legal description and corresponding graphic depiction of the perimeter of the Easement area, prepared by a licensed surveyor, drawn to scale and based on an on-site inspection of the parcel(s) on which the Easement Area is located. Nothing in this offer to dedicate or Easement shall require Permittee to remove the fence on Permittee's property running parallel to the Easement Area. Nothing in this dedication shall require Permittee to remove the Spindrift gate which Permittee does not own or control.

- b. **Easement Objectives.** The sole purpose of the offer to dedicate and Easement, if accepted, shall be to accommodate public recreational access from Spindrift Road to the beach and ocean at Yankee Point Beach during daylight hours (i.e., from one-hour before sunrise to one-hour after sunset). Because the offer to dedicate and Easement, if accepted, only accommodate a portion of such public access from Spindrift Road, the Easement shall not be required to be open and available for public recreational access unless and until public recreational access rights from both Spindrift Road and Yankee Beach Way to Yankee Point Beach along the entire two pronged Yankee Beach Accessway (as generally depicted in Exhibit 3) are established or confirmed by a final court judgment, with such judgment no longer subject to judicial review. Any restrictions on public use adopted for the Yankee Beach Access Way trail system, or as part of a Local Coastal Program Policy, whichever is more protective of resources and privacy rights, in the future, shall apply to the Easement Area segment over Permittee's property. The Permittee shall not interfere with nor oppose any efforts to establish and/or confirm such public recreational access rights. Nothing in this condition, however, shall limit Permittee's rights to defend any legal or regulatory enforcement action in which Permittee, or their successors or assignees, is a named party.
- c. **Easement Recordation.** The offer to dedicate and the Easement, if accepted, shall run with the land in favor of the People of the State of California, binding successors and assigns of the landowner in perpetuity (subject to the termination provisions in subsection (d) below), and shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed.
- d. **Offer to Dedicate and Easement Duration.** The offer to dedicate and the Easement shall be irrevocable for a period of 21 years from the date of recording the offer to dedicate. Notwithstanding, the offer to dedicate and, if accepted, the Easement, shall provide that if the required public recreational access rights (see subsection (b) above) are not established by December 31, 2060, or if at any time before that date there is a final

court judgment (with such judgment no longer subject to judicial review) that no such public rights exist along any portion of the two pronged Yankee Beach Accessway, then the offer to dedicate and Easement and/or any acceptance thereof shall be extinguished, and the party holding the offer to dedicate and the party who accepted the offer to dedicate and who holds the Easement, shall execute and record a release of the offer to dedicate and a release of its acceptance of the offer and/or any rights it has in the Easement or Easement Area, with an acknowledgement that the offer to dedicate and any acceptance thereof have expired, within 30 days of December 31, 2060, or within 30 days of a final judicial determination that no public rights exist, which ever is earlier. Until such time that public access rights have been established as required in subsection (b) above, acceptance of the offer to dedicate by a third party shall not imply that said third party or any other entity has any public recreational access rights, or any other rights, in the Easement area.



**Henke
Property**

Exhibit 3

CALIFORNIA COASTAL COMMISSION

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: October 24, 2025

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Katie Butler, Central Coast District Supervisor

Subject: Proposed Amendment to Coastal Development Permit (CDP) 3-20-0127
Applicant: City of Monterey

Original CDP Approval

CDP 3-20-0127 was approved by the Coastal Commission on November 6, 2020, and provided for a five-year structural maintenance program for the City of Monterey's two municipal wharves (Wharf 1 and Wharf 2) to address long-term maintenance needs for the City-operated portions of the wharves' structural elements, including the wharves' piles and concrete pedestals, wharf sub-structures, wharf decks, and various platforms, docks, and fender and guide pile systems. Maintenance activities are to occur on three-year cycles, involving generally one year of inspection, one year to develop repair and maintenance plans, and one year of implementation (i.e., construction).

Proposed CDP Amendment

The proposed amendment would provide for another five-year term for the CDP, resulting in a new expiration date of November 6, 2030. The proposed amendment would also include a new condition that allows for Executive Director approval of future extensions, provided it is accompanied by an assessment of the program's operations and its effects on coastal resources to date. All other terms and conditions of the CDP would remain as is and are not proposed for modification. The Commission's reference number for this proposed amendment is **3-20-0127-A1**.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The City has undertaken multiple maintenance projects on the portions of the two wharves that it controls since CDP 3-20-017 was approved. These maintenance events have involved replacement of wharf deck sections and various pile repairs (e.g., new fiberglass sleeves, bracing replacements, beam fortifications, pile replacements, etc.). The City has followed all of the required protection measures during each event, including as related to hydroacoustic testing, marine wildlife protection, pre-construction biological surveys (including for eelgrass, black abalone, and nesting birds), and other construction and good housekeeping best management practices to protect water quality. The City has also submitted the required annual work plan reports in a diligent

CDP Amendment 3-20-0127-A1 (Monterey Wharves Maintenance)

manner and followed all other requirements (daylight work only, other agency approvals, etc.). In short, the CDP has been working well and the City has followed all required measures with no evidence of adverse coastal resource impacts. As such, an additional five-year term, following the same required coastal resource protections, is appropriate and will ensure continued operation of the wharves in a manner protective of water quality and the natural environment. The Commission acknowledges that, provided the special conditions are adhered to, the CDP could also cover maintenance work on the portions of the wharves that are part of private leaseholds, if in the future the lease arrangements between the City and leaseholders allow for those private entities to utilize this permit.

The proposed amendment also seeks to allow the Executive Director to extend the CDP's duration, thereby providing for operational flexibility. This change is appropriate and should result in a more streamlined process. The ability to extend the validity of this CDP in a quicker manner will save limited Commission and City staff resources. In addition, the Executive Director will only grant such an extension if the City is in compliance with the CDP (as evidenced by a report that would be submitted with an extension request) and so long as the extension(s) would not adversely affect coastal resources. This change also incorporates flexibility to allow for any extension(s) to include any necessary minor improvements to best management practices and mitigation measures as needed for coastal resource protection.

Overall, CDP 3-20-0127 has allowed the City to effectively and efficiently perform needed repairs on its wharves in a timely manner, ensuring the continued structural stability and usability of these two important and heavily visited public coastal-dependent facilities. The amendment will ensure continued and uninterrupted CDP coverage for maintenance work, and would not modify any of the CDP's coastal resource protection requirements. In all, the outcome of these changes will be a streamlined process that allows the City to continue maintenance work on its wharves into the future while retaining (and, as needed, improving) the coastal resource protections of the base CDP. The proposed amendment¹ can thus be found consistent with the Coastal Act.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have

¹ Note that when a CDP amendment is deemed immaterial, such as in this case, that determination is based on an evaluation of proposed amendment parameters, and only those proposed parameters as described are authorized via the immaterial amendment. As a result, if the project is ultimately undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the immaterial amendment, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP immaterial amendment authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CDP Amendment 3-20-0127-A1 (Monterey Wharves Maintenance)

on the environment. The City of Monterey, acting as lead CEQA agency, adopted Mitigated Negative Declaration (MND) for the maintenance work on January 21, 2020.

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

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

Coastal Commission Review Procedure

The CDP will be amended as proposed if no written objections are received in the Central Coast District office within ten working days of the date of this notice. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Friday, November 7, 2025 at the hybrid virtual and in-person meeting at the Holiday Inn in Downtown Sacramento. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application will be processed as a material CDP amendment.

If you have any questions about the proposal or wish to register an objection, please contact the Central Coast District office at CentralCoast@coastal.ca.gov.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: October 28, 2025

To: All Interested Parties

From: Kevin Kahn, Central Coast District Manager
Devon Jackson, Central Coast Coastal Planner

Subject: Coastal Development Permit (CDP) Waiver 3-25-0724-W
Applicant: Port San Luis Harbor District (PSLHD)

Proposed Development

To remove a 12,000-gallon subsurface diesel fuel storage tank and replace it with a 10,000-gallon above-ground diesel fuel storage tank within the District's boat yard at the base of Harford Pier directly upcoast from the town of Avila Beach within unincorporated San Luis Obispo County.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13253 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:

Port San Luis is an important public coastal access and recreational amenity used by the public for boat launching, boat mooring, fishing, and general ocean viewing. PSLHD has been mandated by the State Water Resources Control Board and the San Luis Obispo County Public Health Department to permanently close and remove their existing single-walled underground diesel storage tank and replace it with an above-ground double walled tank by the end of 2025. While no leakage has been detected, both entities are requiring this work as a preventative measure to better protect water quality through leakage detection (i.e., having the tank be more conspicuous above ground) and through strengthening of the tank itself with double walls. The project thus is essentially a water quality enhancement project. During construction, the proposed work will take place within a paved parking lot directly adjacent to the base of Harford Pier with only eleven of the two-hundred and fifty parking spaces slated for temporary closure, thereby limiting impacts to public access. All other parking spaces and public access amenities will remain open during construction and the closure will only be in place for one week. Additionally, there will be several construction and post-construction BMPs in place to ensure there will be no impact on surrounding water quality in the event there is a spill/leak. Lastly, the location of the new above ground tank will be located within an already paved boat storage area landward of the Harford Pier parking lot and will not result in the loss of any parking spaces or significantly adversely impact

(PSLHD Diesel Storage Tank Replacement) 3-25-0724-W

coastal views of the pier or surrounding bay. Accordingly, the project¹ will not have any significant adverse impacts on coastal resources and can be found Coastal Act consistent.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. Port San Luis Harbor District, acting as lead CEQA agency, determined that the proposed project was categorically exempt from CEQA review pursuant to Sections 15301 and 15302, and thus the Port District did not identify any significant adverse environmental effects from the proposed project.

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

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

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Friday, November 7, during the hybrid virtual in-person hearing in Sacramento. If three or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

¹ Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is actually undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
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NOTICE OF PROPOSED PERMIT WAIVER

Date: October 28, 2025

To: All Interested Parties

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

Subject: Coastal Development Permit (CDP) Waiver 3-25-0741-W

Applicants: California Department of Parks and Recreation (State Parks) and
Central Coast Wetlands Group (CCWG)

Proposed Development

Ten-year authorization of restoration of approximately 77 acres of dune habitat, including the removal of invasive vegetation (through hand pulling and herbicide application); installation of natural materials such as jute netting, hay bales, and woody debris; and planting of native dune species. In addition, the proposed project includes public access improvements, including the installation of post and cable fencing and interpretive and regulatory signage, all at Zmudowski and Moss Landing State Beaches in the Moss Landing area of unincorporated Monterey County.

Executive Director's Waiver Determination

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

Zmudowski and Moss Landing State Beaches are popular coastal destinations in North Monterey County, offering free access to an extensive stretch of beach, surf breaks, and undeveloped dunes. Due to their proximity, affordability, and natural beauty, the coastal access opportunities these beaches offer are particularly important for environmental justice communities in North Monterey County. The dune system that backs the beaches is rich in sensitive plant and animal species and provides important nesting habitat for the federally threatened western snowy plover. While these state beaches have extraordinary public access and natural resource value, their sensitive dune habitats are increasingly overtaken by invasive vegetation such as ice plant, and the infrastructure that supports public access is aging, eroding, and/or inadequate. Access trails are sometimes poorly defined, leading to user-created trails that trample dune vegetation; portions of Jetty Road (one of the two roads used to access these beaches) and the parking along it are threatened by erosion along the Moss Landing Harbor shoreline; and wind-blown sand from devegetated and trampled dune areas blows onto access roads and parking areas, reducing their usable areas.

CDP Waiver 3-25-0741-W (Zmudowski and Moss Landing State Beaches Restoration)

The proposed project seeks to address some of these issues through several approaches. Invasive vegetation will be removed, and native dune vegetation will be planted to replace it, improving ecological function. Native plantings will also help stabilize some areas of erosion between the Moss Landing Harbor and Jetty Road,¹ and combinations of native plantings and natural materials (wood, jute netting, hay bales, etc.) will be used to better stabilize devegetated areas of dune where wind-blow sand tends to blow off the dunes and pile up on roads and parking areas. Post and cable fencing and directional signage will be installed to guide the public to appropriate trails and reduce the risk of trampling restored dune habitats. Interpretive signage will enhance the visitor experience and help visitors understand the importance and sensitivity of the dune and beach habitats they access. The project includes a suite of best management practices and mitigation measures that will ensure the restoration is conducted in an environmentally responsible manner that meets project objectives. For instance, native seeds will be collected from the area to ensure local genetic diversity is retained, work will occur outside of nesting season, herbicide application will follow best practices to avoid adverse impacts to special status species, and long-term maintenance and monitoring will help ensure the ongoing success of the restoration and habitat improvements over time. Annual monitoring reports will be provided to partner organizations and agencies, and will help inform future restoration projects.

In sum, the proposed project² would improve habitat values and reduce visitor impacts to sensitive dune habitats while improving the visitor experience. As such, it is closely aligned with the core goals of the Coastal Act to enhance sensitive coastal habitats and maximize public access in a manner compatible with such habitats, and is consistent with the Coastal Act.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(a) prohibits a proposed development from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the development may have on the environment. State Parks, acting as lead CEQA agency, determined that the proposed project was categorically exempt from CEQA review pursuant to Sections

¹ Notably, while it is expected that the proposed project will help address erosion in certain locations along Jetty Road, the worst erosion, which currently threatens a public parking area, is likely to require additional action to address. State Parks is in the process of exploring a potential living shoreline project in the area that could more directly address the ongoing erosion issues; such a project will require and be analyzed as part of a separate CDP action in the future.

² Note that CDP waivers, such as this, are issued based on an evaluation of proposed project parameters, and only that project as described is what is subject to the waiver's authorization. What that means is that if the project is actually undertaken differently than it is described (other than minor changes as may be allowed by the Executive Director if such changes (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources), then that altered project is not covered by the CDP waiver, and instead constitutes unpermitted development and a Coastal Act violation. Thus, the Applicant here is on notice as to the limitations of this CDP waiver authorization, where a project that is not consistent with the project as described herein is not allowed, and undertaking such a project would be a knowing and intentional violation of the Coastal Act.

CDP Waiver 3-25-0741-W (Zmudowski and Moss Landing State Beaches Restoration)

15301, 15303 & 15304, and thus State Parks did not identify any significant adverse environmental effects from the proposed project.

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

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

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Friday, November 7, 2025, at the Commission's hybrid virtual and in-person hearing at the Holiday Inn in Downtown Sacramento. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

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

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NOTICE OF PROPOSED PERMIT EXTENSION

Date: October 24, 2025
To: All Interested Parties
From: Kevin Kahn, Central Coast District Manager
Breylen Ammen, Coastal Planner
Subject: **Proposed Extension to Coastal Development Permit (CDP) 3-19-1287**
Applicant: Pebble Beach Company

Original CDP Approval

CDP 3-19-1287 was approved by the Coastal Commission on December 15, 2023 and provided for the construction of roughly a quarter mile of new faux-rock-faced vertical seawall ranging in height from 7 to 27 feet, removal of existing armoring, construction of nearly a mile of coastal trail, reconstruction of an existing beach access stairway, construction of various additional public access amenities, and nearly 9 acres of dune/bluff habitat restoration along 17-Mile Drive at Fanshell Beach in the Del Monte Forest area of unincorporated Monterey County.

Proposed CDP Extension

As indicated above, the CDP was originally approved by the Coastal Commission on December 15, 2023 and included a two-year term with an expiration date of December 15, 2025. Thus, under this proposed extension, the expiration date of CDP 3-19-1287 would be extended one additional year until December 15, 2026. The Commission's reference number for this proposed extension is **3-19-1287-E1**.

Executive Director's Changed Circumstances Determination

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified Monterey County Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.

Coastal Commission Review Procedure

The Executive Director's determination and any written objections to it will be reported to the Commission on November 7, 2025, at the Commission's hybrid virtual and in-person hearing at the Holiday Inn in Downtown Sacramento. If three or more Commissioners object to the Executive Director's changed circumstances determination at that time, a full hearing on whether changed circumstances exist will be scheduled pursuant to the Commission's regulations.

3-19-1287-E1 (17-Mile Drive/Fanshell Beach Armoring)

If you have any questions about the proposal or wish to register an objection, please contact Breylen Ammen in the Central Coast District office at Breylen.Ammen@coastal.ca.gov.

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**EMERGENCY COASTAL DEVELOPMENT PERMIT****Emergency CDP G-3-25-0032 (Mariner Park Dock Repair)****Issue Date: October 8, 2025**

Permittee: City of Morro Bay, Attn: Chris Munson

Emergency Location: Public dock and pilings seaward of Mariner Park in the City of Morro Bay (APN 066-137-001).

Emergency Description: A large vessel collided with the City-owned dock resulting in structural damage that compromised the stability of the dock and created a public safety hazard.

Emergency Development: Two damaged wood pilings will be removed and replaced, and an approximately 300-square-foot floating dock will be replaced and secured to the piles. The gangway will be reused and reinstalled in place.

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.

DocuSigned by:

Kevin Kahn

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Kevin Kahn, Central Coast District Manager, for Kate Huckelbridge, Executive Director

Enclosure: ECDP Acceptance Form

cc: (via email): Airlin Singewald (City of Morro Bay)

Emergency CDP G-3-25-0032 (Mariner Park Dock Repair)

Issue Date: October 8, 2025

Conditions of Approval

1. The enclosed ECDP acceptance form must be signed by the Permittee and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this ECDP (i.e., by October 23, 2025). This ECDP is not valid unless and until the acceptance form has been received in the 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 Central Coast District Office on October 2, 2025. 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 November 7, 2025).
4. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., City of Morro Bay, 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 to the Executive Director copies of all such authorizations and/or permits upon their issuance.
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 conditions the property was legally 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

Emergency CDP G-3-25-0032 (Mariner Park Dock Repair)

Issue Date: October 8, 2025

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 120 days of ECDP issuance (i.e., by February 5, 2025), 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) submit a complete application (i.e., satisfying the requirements of Title 14 California Code of Regulations Section 13056) for a regular CDP 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. 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. 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: 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

Emergency CDP G-3-25-0032 (Mariner Park Dock Repair)

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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.

10. 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.
11. 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.
12. All emergency construction activities shall limit impacts to coastal resources (including public recreational access and Morro Bay waters) 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 minimize impacts to Morro Bay waters as much as possible and shall minimize disruption to coastal-dependent uses and recreational activities (e.g., fishing, boating, kayaking, etc.) as much as possible.
 - d. Any grading of or in intertidal areas shall be prohibited.
 - e. Any construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by one-hour after sunset each day that work occurs.
 - f. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible, 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.
 - g. 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

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- 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.).
- h. All construction activities that result in discharge of materials, polluted runoff, or wastes to the marine environment shall be prohibited. Equipment washing, refueling, and/or servicing shall not take place over Morro Bay waters. 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.
 - i. 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.
 - j. 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.
 - k. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction. If planning staff should identify reasonable restoration measures, such measures shall be implemented immediately.
13. A qualified biologist or environmental resources specialist acceptable to the Executive Director shall monitor all emergency construction activities (including but not limited to, placement and removal of equipment, construction activities over Morro Bay waters, all grading, etc.) to ensure that adverse impacts to sensitive plant and animal species and/or their habitats are avoided and, where avoidance is not possible, are minimized as much as possible and to the satisfaction of both the monitor and the Executive Director. The monitor shall have the authority to stop emergency construction activities if sensitive species and/or their habitats may be threatened in order to consult with the Executive Director on appropriate impact avoidance and minimization measures.
14. 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.
15. 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

Emergency CDP G-3-25-0032 (Mariner Park Dock Repair)

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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.

16. 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.
17. 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.
18. 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.
19. 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.
20. 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.

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