



California Coastal Commission

COASTAL DEVELOPMENT PERMIT

CDP 3-22-0826

South Bay Boulevard Bridge Replacement

Permittee: San Luis Obispo County Public Works Department

Issue Date: July 17, 2023

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Coastal development permit (CDP) number 3-22-0826 was approved by the California Coastal Commission on July 12, 2023. CDP 3-22-0826 allows for the replacement of the existing 189-foot-long, 37-foot-wide, three-span South Bay Boulevard Bridge with a new 300-foot-long, 50-foot-wide, two-span concrete bridge located immediately east of the existing bridge; on-site bicycle and pedestrian enhancements; off-site public trail connections; habitat restoration, and related improvements. CDP 3-22-0826 is subject to certain terms and conditions, including the standard and special conditions beginning on page 2 of this CDP.

By my signature below, the CDP is issued on behalf of the California Coastal Commission:

DocuSigned by:

Kevin Kahn

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

Acknowledgement

The undersigned Permittees acknowledge receipt of this CDP and agree to abide by all terms and conditions thereof. The undersigned Permittees acknowledge that Government Code Section 818.4 (that states in pertinent part that "a public entity is not liable for injury caused by the issuance of any permit") applies to the issuance of this CDP.

[Signature]
San Luis Obispo County Public Works Dept.

7/17/23
Date

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Standard Conditions

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

Special Conditions

This permit is granted subject to the following special conditions:

- 1. Final Plans. PRIOR TO COMMENCEMENT OF CONSTRUCTION,** the Permittee shall submit two full-size sets of Revised Final Plans to the Executive Director for review and written approval. The Revised Final Plans shall be prepared by a licensed professional or professionals (i.e., architect, surveyor, geotechnical engineer, etc.), shall be based on current professionally surveyed and certified topographic elevations for the entire site, and shall include a graphic scale. The Revised Final Plans shall be in substantial conformance with the proposed 65% design plans (titled "South Bay Bridge Replacement") and dated received in the Coastal Commission's Central Coast District office on September 14, 2022, and shall show all on- and off-bridge project components, including CCT trail connections.
- 2. As-Built Plans. WITHIN THREE MONTHS OF COMPLETION OF CONSTRUCTION,** the Permittee shall submit two copies of As-Built Plans for Executive Director review and approval showing all development authorized by this coastal development permit; all property lines; and all project elements. The As-Built Plans shall be substantially consistent with the approved Final Plans per Special Condition 1. The As-Built Plans shall include color photographs (in hard copy and jpg format) that clearly show the as-built project, and that are accompanied by a site plan that notes the location of each photographic viewpoint and the date and time of each photograph. At a minimum, the photographs shall provide

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complete photographic coverage of the permitted bridge and related structures and project elements at this location (e.g., the new bike lane, sidewalks, off-site CCT trails, and associated development).

- 3. Final Mitigation and Monitoring Report. PRIOR TO COMMENCEMENT OF CONSTRUCTION**, the Permittee shall submit a final South Bay Boulevard Bridge Replacement Project Habitat Mitigation and Monitoring Plan consistent with the Draft Report dated February 2023.
- 4. Protection of Archeological Resources.** The Permittee shall comply with all the Cultural Resources Mitigation Measures identified in the "South Bay Boulevard Bridge Replacement Project ED20-217; 30455 Mitigated Negative Declaration dated April 2019" and included as Exhibit 3 as enforceable requirements of this CDP. With respect to Cultural Resource Mitigation Measure CR-1; local Native American Tribes shall be included, at their discretion, in the pre-construction archeological briefing. Moreover, with respect to Cultural Resource Mitigation Measure CR-3; local Native American Tribes known to be ethnographically and geographically affiliated with the project area shall specifically include Northern Chumash Tribal Council, yak tityu tityu yak tithini Northern Chumash Tribe, and the Salinan Tribe of Monterey and San Luis Obispo Counties, and the Permittee shall allow each tribe to be equally represented in all tribal cultural monitoring pursuant to said condition. In addition, "initial ground disturbance activities" shall be understood to mean native soil disturbance, including during the mitigation and revegetation of the project site.
- 5. Minor Modifications.** All requirements of the terms and conditions of this CDP, including related to any Executive Director-approved plans, shall be enforceable components of the CDP. Minor adjustments to the terms and conditions of this CDP, including to any special conditions and/or required plans, may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; (2) do not adversely impact coastal resources; and (3) do not legally require a CDP amendment or new CDP.
- 6. Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this CDP, the Permittee acknowledges and agrees, on behalf of itself and all successors and assigns: (i) that the site is subject to hazards from episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, coastal and riverine flooding, and the interaction of same; (ii) to assume the risks to the Permittee and the property that is the subject of this CDP of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims due to such hazards), expenses, and amounts paid in settlement arising from any injury or damage.