

**CALIFORNIA COASTAL COMMISSION**

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**W 4b**

Filed: March 22, 2010  
49th Day: May 10, 2010  
180th Day: September 18, 2010  
Staff: Fernie Sy-LB  
Staff Report: May 19, 2010  
Hearing Date: June 9-11, 2010  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-09-250

**APPLICANTS** California Department of Fish & Game (CDF&G), Attn: Theresa Stewart

**PROJECT LOCATION:** 600 Shellmaker Island, City of Newport Beach, County of Orange

**PROJECT DESCRIPTION:** Removal of an existing floating dock, gangway, and bulkhead and construction of a new U-shaped 33-foot by 65-foot dock, a 30-foot by 4-foot gangway and a new bulkhead (to be located behind and landward of the existing bulkhead to be removed).

**LOCAL APPROVALS RECEIVED:** City of Newport Beach Harbor Resources Approval-In-Concept dated April 1, 2010.

**SUMMARY OF STAFF RECOMMENDATION:**

The applicant is proposing removal of an existing floating dock, gangway, and bulkhead and construction of a new dock and bulkhead. The primary issues addressed in this staff report are the conformance of the proposed development with the marine resources and water quality policies of the Coastal Act.

Staff is recommending **APPROVAL** of the proposed project with **FIVE (5) SPECIAL CONDITIONS** regarding: **1)** construction responsibilities and debris removal; **2)** best management practices; **3)** pre and post-construction eelgrass surveys and if eelgrass is discovered within the project vicinity, that impacts be avoided and, if unavoidable, mitigated pursuant to the *Southern California Eelgrass Mitigation Policy*; **4)** a pre-construction survey for *Caulerpa taxifolia* be done and if its presence is discovered, the applicant shall not proceed with the project until 1) the applicant provides evidence to the Executive Director that all *Caulerpa taxifolia* within the project and buffer areas have been eliminated or 2) the applicant has revised the project to avoid any contact with *Caulerpa taxifolia*; and **5)** submittal of a construction staging plan.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program. The City of Newport Beach only has a certified Land Use Plan and has not exercised the options provided in 30600(b) or 30600.5 to issue its own permits. Furthermore, most of the project is located in the water which is an area of the Commission's retained jurisdiction. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. The certified Land Use Plan may be used for guidance.

**SUBSTANTIVE FILE DOCUMENTS:** CDP No. 5-03-451-[CDF&G]; Regional Water Quality Control Board (RWQCB) Section 401 Certification dated March 29, 2010; Letter from Commission staff to

California Department of Fish & Game (CDF&G) dated January 21, 2010; Letter from CDF&G to Commission staff dated March 22, 2010; and Letter from CDF&G to Commission staff dated April 5, 2010.

**LIST OF EXHIBITS**

1. Vicinity Maps
2. Site Plan Aerial
3. Site Plan
4. Dock Plan
5. Bulkhead Plan
6. American with Disabilities Act (ADA) Parking Sign Plan

**STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

**MOTION:**

*I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION:**

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## II. 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 this permit is reported to the Commission. 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.

## III. SPECIAL CONDITIONS

### 1. CONSTRUCTION RESPONSIBILITIES AND DEBRIS REMOVAL

The permittee shall comply with the following construction-related requirements:

- A. No demolition or construction materials, equipment, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain or tidal erosion and dispersion.
- B. Any and all debris resulting from demolition or construction activities, and any remaining construction material, shall be removed from the project site within 24 hours of completion of the project.
- C. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- D. Machinery or construction materials not essential for project improvements will not be allowed at any time in the intertidal zone.
- E. If turbid conditions are generated during construction a silt curtain will be utilized to control turbidity.
- F. Floating booms will be used to contain debris discharged into coastal waters and any debris discharged will be removed as soon as possible but no later than the end of each day.

- G.** Non buoyant debris discharged into coastal waters will be recovered by divers as soon as possible after loss.
- H.** All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- I.** The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- J.** Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the Coastal Zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- K.** All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- L.** Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- M.** The discharge of any hazardous materials into any receiving waters shall be prohibited.
- N.** Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- O.** Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
- P.** All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

**2. BEST MANAGEMENT PRACTICES (BMP'S)**

By acceptance of this permit the applicant agrees that the long-term water-borne berthing of boat(s) in the approved dock and/or boat slip will be managed in a manner that protects water quality pursuant to the implementation of the following BMP's.

**A. Boat Cleaning and Maintenance Measures:**

- (1) In-water top-side and bottom-side boat cleaning shall minimize the discharge of soaps, paints, and debris.
- (2) In-the-water hull scraping or any process that occurs under water that results in the removal of paint from boat hulls shall be prohibited. Only detergents and cleaning components that are designated by the manufacturer as phosphate-free and biodegradable shall be used, and the amounts used minimized.
- (3) The applicant shall minimize the use of detergents and boat cleaning and maintenance products containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye.

**B. Solid and Liquid Waste Management Measures:**

- (1) All trash, recyclables, and hazardous wastes or potential water contaminants, including old gasoline or gasoline with water, absorbent materials, oily rags, lead acid batteries, anti-freeze, waste diesel, kerosene and mineral spirits shall be disposed of in a proper manner and shall not at any time be disposed of in the water or gutter.

**C. Petroleum Control Management Measures:**

- (1) Boaters will practice preventive engine maintenance and will use oil absorbents in the bilge and under the engine to prevent oil and fuel discharges. Oil absorbent materials shall be examined at least once a year and replaced as necessary. Used oil absorbents are hazardous waste in California. Used oil absorbents must therefore be disposed in accordance with hazardous waste disposal regulations. The boaters will regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. The use of soaps that can be discharged by bilge pumps is prohibited.
- (2) If the bilge needs more extensive cleaning (e.g., due to spills of engine fuels, lubricants or other liquid materials), the boaters will use a bilge pump-out facility or steam cleaning services that recover and properly dispose or recycle all contaminated liquids.
- (3) Bilge cleaners which contain detergents or emulsifiers will not be used for bilge cleaning since they may be discharged to surface waters by the bilge pumps.

**3. EELGRASS SURVEY**

- A. Pre Construction Eelgrass Survey.** A valid pre-construction eelgrass (*Zostera marina*) survey shall be completed during the period of active growth of eelgrass (typically March through October). The pre-construction survey shall be completed prior to the beginning of construction and shall be valid until the next period of active growth. The survey shall be prepared in full compliance with the “Southern California Eelgrass Mitigation Policy” Revision 8 (except as modified by this special condition) adopted by the National Marine Fisheries Service and shall be prepared in consultation with the California Department of Fish and Game. The applicant shall submit the eelgrass survey for the review and approval of the Executive Director within five (5) business days of completion of each eelgrass survey and in any event no later than fifteen (15) business days prior to commencement of any development. If the eelgrass survey identifies any eelgrass within the project area, which would be impacted by the proposed project, the development shall require an amendment to this permit from the Coastal Commission or a new coastal development permit.
- B. Post Construction Eelgrass Survey.** If any eelgrass is identified in the project area by the survey required in subsection A of this condition above, within one month after the conclusion of construction, the applicant shall survey the project site to determine if any eelgrass was adversely impacted. The survey shall be prepared in full compliance with the “Southern California Eelgrass Mitigation Policy” Revision 8 (except as modified by this special condition) adopted by the National Marine Fisheries Service and shall be prepared in consultation with the California Department of Fish and Game. The applicant shall submit the post-construction eelgrass survey for the review and approval of the Executive Director within thirty (30) days after completion of the survey. If any eelgrass has been impacted, the applicant shall replace the impacted eelgrass at a minimum 1.2:1 ratio on-site, or at another location, in accordance with the Southern California Eelgrass Mitigation Policy. All impacts to eelgrass habitat shall be mitigated at a minimum ratio of 1.2:1 (mitigation:impact). The exceptions to the required 1.2:1 mitigation ratio found within SCEMP shall not apply. Implementation of mitigation shall require an amendment to this permit or a new coastal development permit unless the Executive Director determines that no amendment or new permit is required.

**4. PRE-CONSTRUCTION CAULERPA TAXIFOLIA SURVEY**

- A.** Not earlier than 90 days nor later than 30 days prior to commencement or re-commencement of any development authorized under this coastal development permit (the “project”), the applicant shall undertake a survey of the project area and a buffer area at least 10 meters beyond the project area to determine the presence of the invasive alga *Caulerpa taxifolia*. The survey shall include a visual examination of the substrate.
- B.** The survey protocol shall be prepared in consultation with the Regional Water Quality Control Board, the California Department of Fish and Game, and the National Marine Fisheries Service.
- C.** Within five (5) business days of completion of the survey, the applicant shall submit the survey:

- (1) for the review and approval of the Executive Director; and
  - (2) to the Surveillance Subcommittee of the Southern California Caulerpa Action Team (SCCAT). The SCCAT Surveillance Subcommittee may be contacted through William Paznokas, California Department of Fish & Game (858/467-4218) or Robert Hoffman, National Marine Fisheries Service (562/980-4043), or their successors.
- D.** If *Caulerpa taxifolia* is found within the project or buffer areas, the applicant shall not proceed with the project until 1) the applicant provide evidence to the Executive Director that all *C. taxifolia* discovered within the project area and all *C. taxifolia* discovered within the buffer area have been eliminated in a manner that complies with all applicable governmental approval requirements, including but not limited to those of the California Coastal Act, or 2) the applicant has revised the project to avoid any contact with *C. taxifolia*. No revisions to the project shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

## **5. STAGING AREA FOR CONSTRUCTION**

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit two (2) full size copies of a construction staging plan for the review and approval of the Executive Director which indicates that the construction staging area(s) and construction corridor(s) will minimize public access impacts to the Upper Newport Bay Ecological Reserve (UNBER).
- (1) The plan shall demonstrate that:
    - (a) Construction equipment, materials or activity shall not occur outside the staging area and construction corridor identified on the site plan required by this condition.
    - (b) Construction equipment, materials, or activity shall not be placed on the sandy beach outside of the immediate construction zone or grass area.
    - (c) The construction staging area will gradually be reduced as less materials and equipment are necessary.
    - (d) The construction access route will only be intermittently closed for transport of equipment and materials. When not in use for transportation of equipment and materials, it will be made available for uninterrupted public access.
  - (2) The plan shall include, at a minimum, the following components:
    - (a) A site plan that depicts:
      1. limits of the staging area(s);
      2. construction corridor(s);

3. construction site;
4. location of construction fencing and temporary job trailers with respect to the existing parking lot, day use area and the sandy beach.

**B.** The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

## **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

### **A. PROJECT LOCATION AND DESCRIPTION**

The project takes place in the Upper Newport Bay Ecological Reserve (UNBER), which was created in 1975 to conserve and enhance 752 acres of saltwater marsh ecosystem in the upper reaches of Newport Bay, commonly referred to as the Back Bay (Exhibits #1-3). More specifically, the project takes place on Lower Shellmaker Island place near the recently constructed Back Bay Science Center. Shellmaker Island is located at the southern one-third of the UNBER immediately north of the Dunes Marina Boat Launch facilities at the southern boundary of the UNBER and has been under the stewardship of the California Department of Fish & Game (CDF&G) since it was acquired from the County of Orange and the Irvine Company in 1974. A tidal channel separates Lower and Upper Shellmaker Island.

The proposed project consists of the following (Exhibits #3-6):

- 1) Removal of an existing floating dock, gangway, and bulkhead.
- 2) Removal and re-attachment of a light pole, water tank basin, pump and water and electrical lines.
- 3) Removal of a portion of an existing wood rail surrounding the floating dock.
- 4) Construction of a new U-shaped 33-foot by 65-foot dock in the same footprint utilizing the existing four (4) dock piles and with no expansion of use. The dock and gangway will be composed of aluminum and wood polymer composite.
- 5) Construction of a new 30-foot by 4-foot gangway, which will be slightly wider than the current gangway to ensure American with Disabilities Act (ADA) compliance.
- 6) Construction of a new bulkhead (to be located behind and landward of the existing bulkhead to be removed). The material between the old and new bulkhead will be allowed to erode naturally into the bay. A new 3'-6" metal guardrail will be placed on top of the new bulkhead. The new bulkhead will be composed of steel or high strength composite material.
- 7) Construction of a new concrete ramp starting at the end of the existing adjacent boardwalk and ending at the new bulkhead leading to the new gangway.



- 8) Installation of a new American with Disabilities Act (ADA) tow away sign at the entrance road (Shellmaker Road).
- 9) The existing ADA parking stall signs adjacent to the Back bay Science Center will have a sign added to them stating "\$250 towing fee" for those that use these stalls and are not handicap.

The applicant had also applied to dredge approximately 990 cubic yards of fine sediment and mud within 10-feet of the dock perimeter in all directions and not to exceed more than -7-feet in elevation. The dredged material was proposed to be placed at the Environmental Protection Agency's (EPA) LA-3 offshore disposal site. However, that proposed dredging is covered under CDP No. 5-06-117/Consistency Cert. CC-031-06 granted to the City of Newport Beach, which allows dredging (up to a maximum of 1,000 cubic yards) in specific areas of Newport Beach. The CDF&G is currently working with the City to gain coverage of the dredging aspect of the project under those existing approvals.

Section 30233 of the Coastal Act limits the fill of open coastal water to certain specified uses and also requires that any project which results in fill of open coastal waters provide adequate mitigation. The proposed project will not result in the fill of open coastal waters. The new bulkhead will be installed landward of the existing bulkhead, the existing bulkhead will be removed and the material between the old and new bulkhead will be allowed to erode naturally into the bay. Thus, the project will result in removal of fill of open coastal waters and will provide an additional area for habitat that was not available before due to the existing bulkhead. In addition, the project involves removal of an existing dock, replacement with a new dock in the same footprint that utilizes the existing piles, which is the minimum number of piles to support the new dock. Therefore, no fill results from the dock aspect, as well as, the new bulkhead portion of the proposed project.

The proposed development will occur over and in the water. Construction of any kind adjacent to or in coastal waters has the potential to impact marine resources. The harbor provides an opportunity for water oriented recreational activities and also serves as a home for marine habitat. Because of the coastal recreational activities and the sensitivity of the harbor habitat, potential water quality issues must be examined as part of the review of this project. In order to avoid adverse construction-related impacts upon marine resources, **SPECIAL CONDITION NO. 1** outlines construction-related requirements to provide for appropriate construction methods as well as the safe storage of construction materials and the safe disposal of construction debris.

The proposed dock project will allow for the potential long term berthing of boat(s) by the applicant. Some maintenance activities if not properly regulated could cause adverse impacts to the marine environment. Certain maintenance activities like cleaning and scraping of boats, improper discharges of contaminated bilge water and sewage waste, and the use of caustic detergents and solvents, among other things, are major contributors to the degradation of water quality within boating facilities.

To minimize the potential that maintenance activities would adversely affect water quality, the Commission imposes **SPECIAL CONDITION NO. 2** that requires the applicant to follow Best Management Practices to ensure the continued protection of water quality and marine resources. Such practices that the applicant shall follow include proper boat cleaning and maintenance, management of solid and liquid waste, and management of petroleum products, all of which

associated with the long term berthing of the boat(s) (more thoroughly explained in **SPECIAL CONDITION NO. 2** of this permit).

The site has been surveyed by the City of Newport Beach Harbor Resources Division for eelgrass and no eelgrass was discovered within 15-feet of the project area. The eelgrass survey took place on May 31, 2009 as required by the City of Newport Beach Harbor Resources Division and eelgrass surveys completed during the active growth phase of eelgrass (typically March through October) are valid for 60-days with the exception of surveys completed in August-October. A survey completed in August - October shall be valid until the resumption of active growth (i.e., March 1). The project is agendized for the June 2010 Coastal Commission Hearing and by this time the eelgrass survey would not continue to be valid since it is now during the period of eelgrass active growth. Thus, an up-to-date eelgrass survey must be conducted. In addition, a pre-construction *Caulerpa taxifolia* survey was completed on May 31, 2009 by the City of Newport Beach Harbor Resources Division. *Caulerpa taxifolia* surveys are valid for 90 days. The project is agendized for the June 2010 Coastal Commission Hearing and by this time the *Caulerpa taxifolia* survey would not continue to be valid since 90-days have passed since the survey was completed. Thus, an up-to-date *Caulerpa taxifolia* survey must be conducted prior to commencement of the project. Therefore, the Commission imposes **SPECIAL CONDITION NO. 3** and **4**, which identifies the procedures necessary to be completed prior to beginning any construction. Also, if any *Caulerpa taxifolia* is found on the project site, **SPECIAL CONDITION NO. 4** also identifies the procedures necessary to be completed prior to beginning any construction.

Public access is available on Shellmaker Island, the ecological reserve along Back bay Drive, and along trails surrounding the bay. Additionally, the California Department of Fish & Game provides public interactive walks and other functions available to the public. The proposed development will not interfere with the existing long term public access available on site; however, during construction there may be temporary impacts. Thus, in order to make sure that public access is available on-site during construction, the Commission imposes **SPECIAL CONDITION NO. 5**, which the applicant to submit a construction staging plan

The proposed project has received an approval in concept from the City of Newport Beach Harbor Resources Division. The Regional Water Quality Control Board (RWQCB) has issued a Section 401 Certification for the project. The applicant has applied for a permit from the U.S. Army Corps of Engineers.

## **B. MARINE RESOURCES**

The proposed recreational boat dock development and its associated structures are an allowable and encouraged marine related use. The project design includes the minimum sized pilings and the minimum number of pilings necessary for structural stability. There are no feasible less environmentally damaging alternatives available. As conditioned, the project will not significantly adversely impact eelgrass beds and will not contribute to the dispersal of the invasive aquatic algae, *Caulerpa taxifolia*. Further, as proposed and conditioned, the project, which is to be used solely for recreational boating purposes, conforms to Sections 30224 and 30233 of the Coastal Act.

## **C. WATER QUALITY**

The proposed work will be occurring on, within, or adjacent to coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be discharged into

coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters. To reduce the potential for post-construction impacts to water quality the Commission requires the continued use and maintenance of post construction BMPs. As conditioned, the Commission finds that the development conforms to Sections 30230 and 30231 of the Coastal Act.

**D. PUBLIC ACCESS**

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

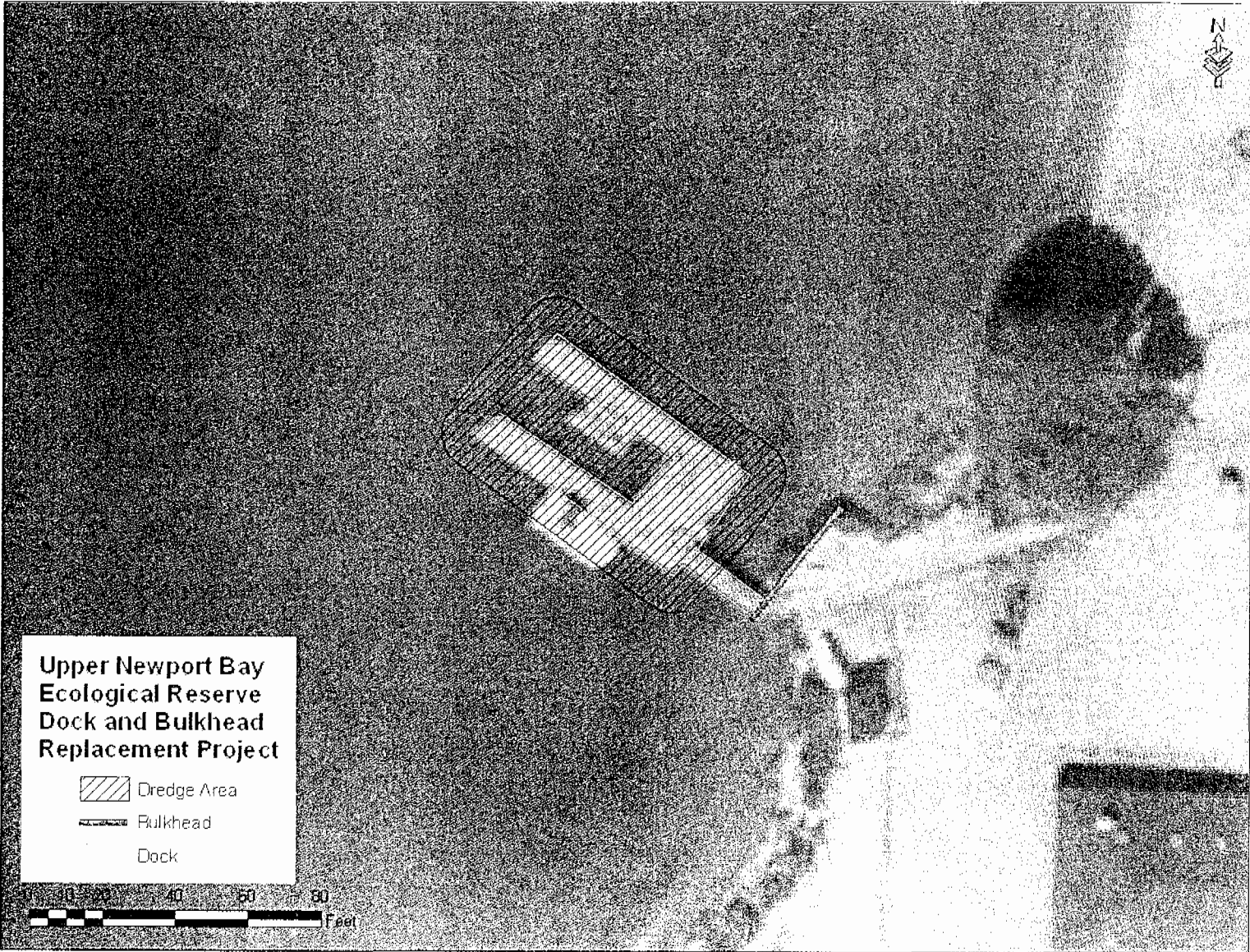
**E. LOCAL COASTAL PROGRAM (LCP)**

The LUP for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on October 8, 2009. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

**F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The City of Newport Beach is the lead agency responsible for certifying that the proposed project is in conformance with the California Environmentally Quality Act (CEQA). The City determined that in accordance with CEQA, the project is Categorically Exempt from Provisions of CEQA under Guidelines Section 15303 for the construction. Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA).

Although the proposed development is categorically exempt from CEQA, the Commission has imposed conditions to ensure conformity with Coastal Act requirements. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and consistent with the requirements of the Coastal Act and CEQA.



**Upper Newport Bay  
Ecological Reserve  
Dock and Bulkhead  
Replacement Project**

-  Dredge Area
-  Bulkhead
-  Dock



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Upper Newport Bay Region

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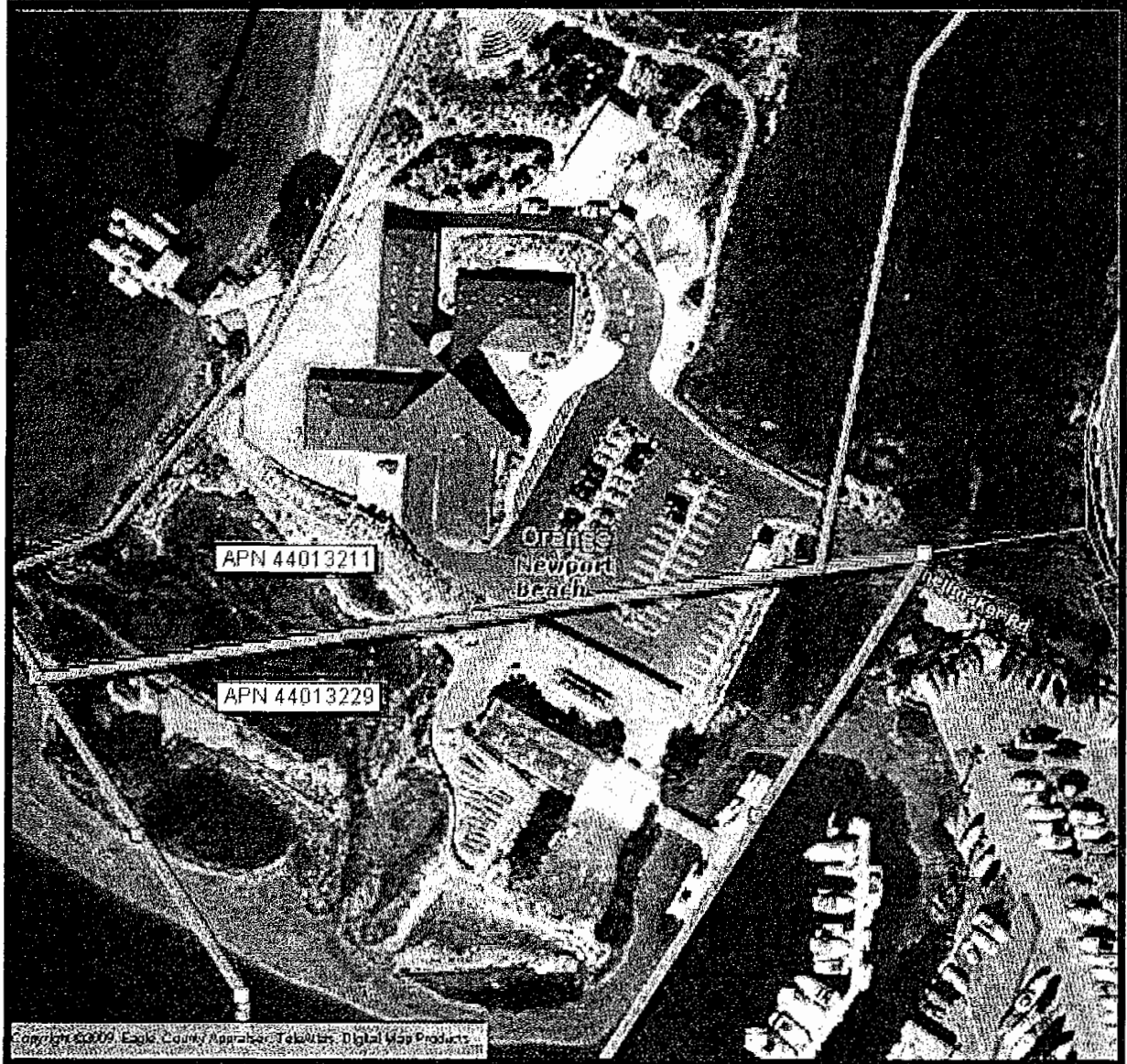
COASTAL COMMISSION

COASTAL COMMISSION

EXHIBIT # 1

PAGE 1 OF 1

PROJECT  
SITE



126 ft  
LandVision

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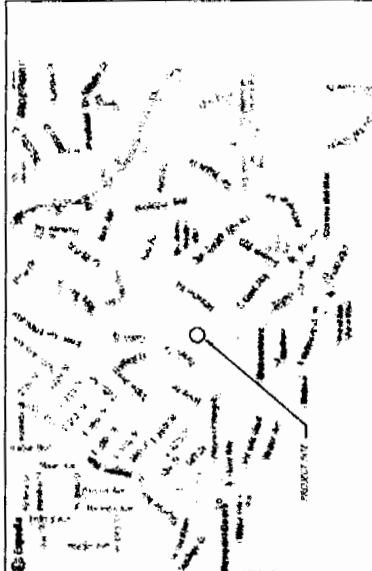
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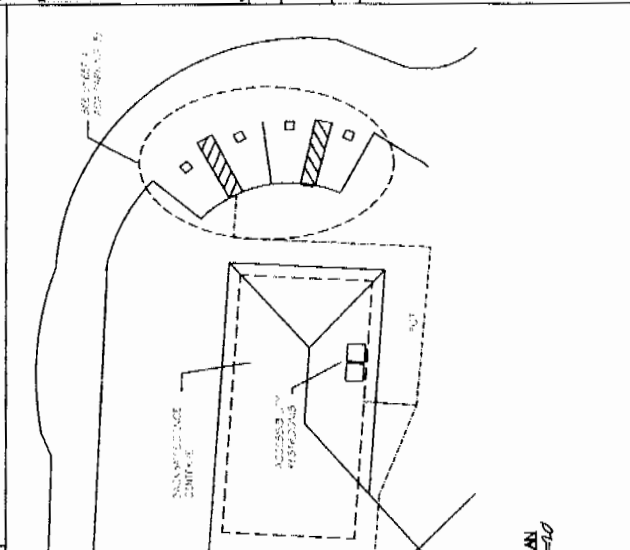
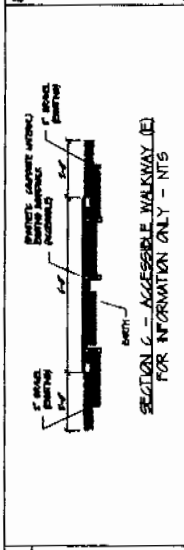
EXHIBIT # 2  
PAGE 1 OF 1



**PROJECT DESCRIPTION**  
 THIS PROJECT CONSISTS OF THE REPLACEMENT OF DOCK, GANGWAY, AND BUILDING.  
 THIS PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CALIFORNIA STATE AND LOCAL ORDINANCES AND REGULATIONS APPLICABLE TO THIS PROJECT.

**NOTES**

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- THESE PLANS ARE FOR THE GENERAL CONSTRUCTION PURPOSES ONLY. THEY ARE NOT FULLY ENGINEERED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SELECT, VERIFY, REMEASURE, AND INSTALL ALL MATERIALS AND EQUIPMENT WITH COMPLIANCE TO LOCAL AND/OR ORDINANCES.
- CONTRACTOR IS RESPONSIBLE FOR ANY CONSTRUCTION WHICH IS IN VIOLATION FROM THESE PLANS.
- ANY OF THE WORK SHALL BE DONE WITHIN THE CITY OF CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NEWPORT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NEWPORT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NEWPORT.
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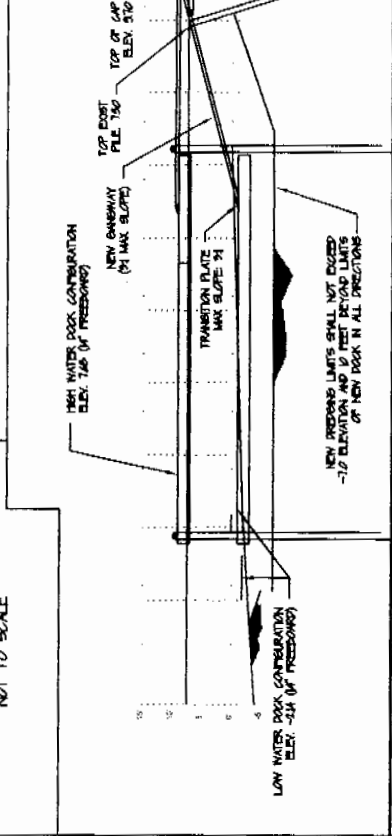
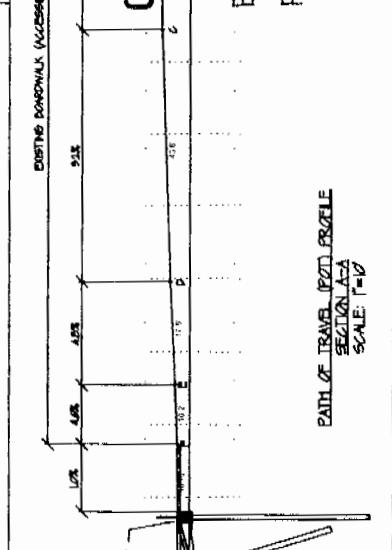
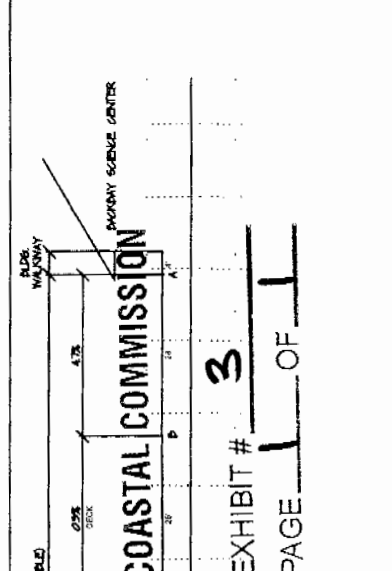
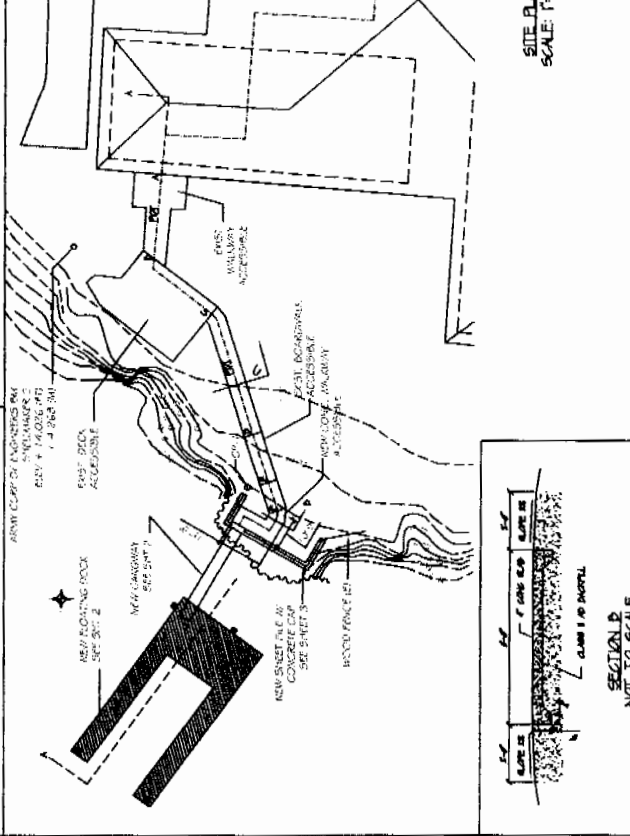
**DOCK DESIGN PARAMETERS**

LIVE LOAD: 80 PSF  
 DEAD LOAD: 10 PSF  
 WIND LOAD: 15 PSF

**GANGWAY DESIGN PARAMETERS**

LIVE LOAD: 100 PSF  
 DEAD LOAD: 10 PSF  
 WIND LOAD: 15 PSF

OPENINGS IN RAILING SHALL NOT PERMIT THE PASSAGE OF A 4 INCH DIAMETER SPHERE.



STATE OF CALIFORNIA  
 THE RESOURCES AGENCY  
 Department of Fish and Game  
 ENGINEERING SECTION

UPPER NEWPORT BAY ECOLOGICAL RESERVE  
 ORANGE COUNTY

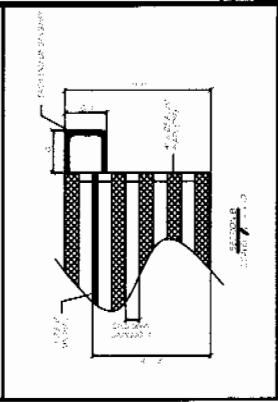
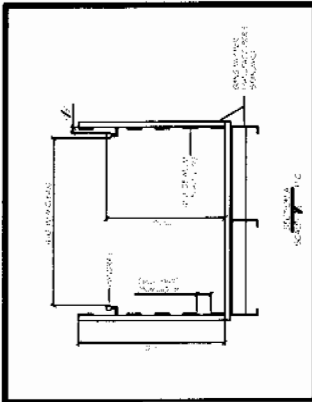
DOCK AND GANGWAY REPLACEMENT  
 SOUTH COAST REGION

PROJECT NO. E01-2009-001

DESIGNED BY: STEWART W. WINE  
 CHECKED BY: ROBERT C. STANLEY, P.E.  
 APPROVED BY: ROBERT C. STANLEY, P.E.  
 PROJECT NO. E01-2009-001

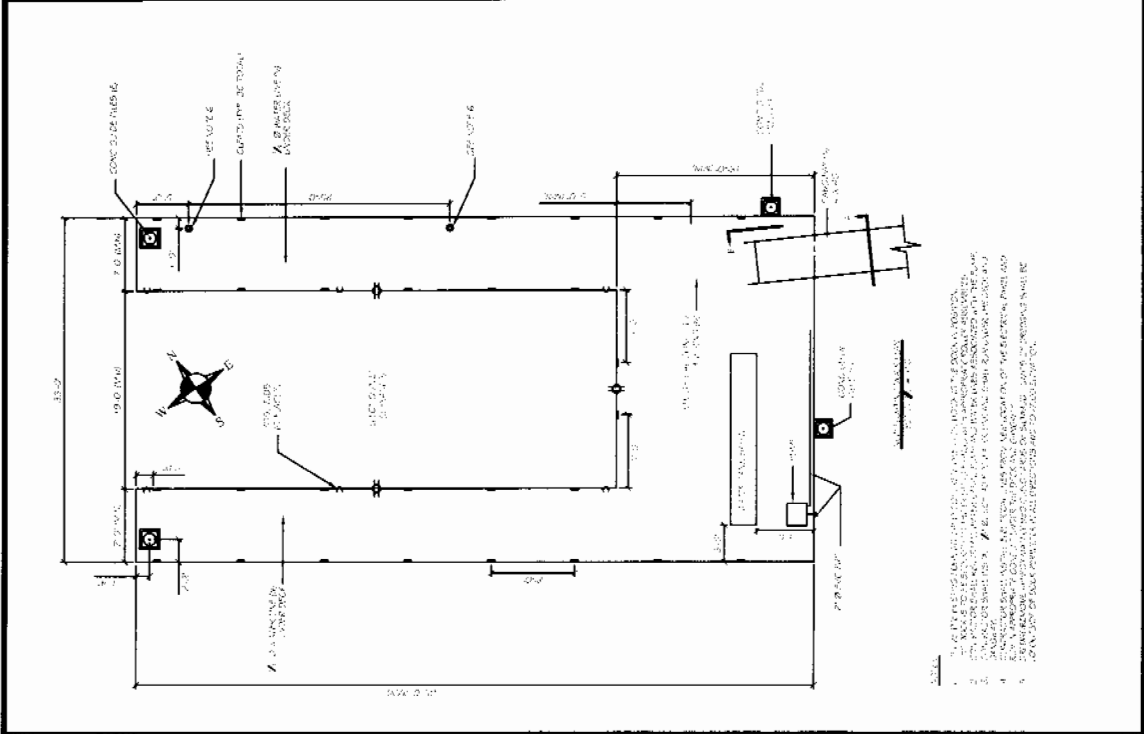
PROJECT NO. E01-2009-001  
 SHEET NO. OF 01  
 DRAWING NUMBER: E01-2009-001



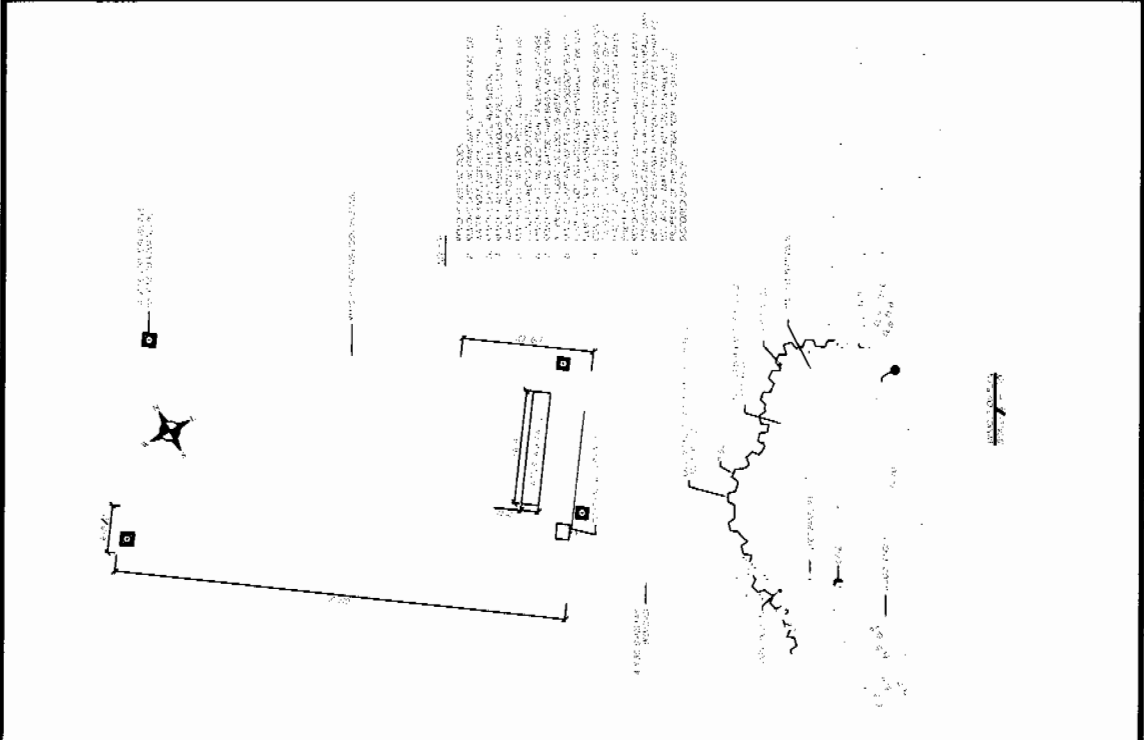


COASTAL COMMISSION

EXHIBIT # **4**  
PAGE **1** OF **1**

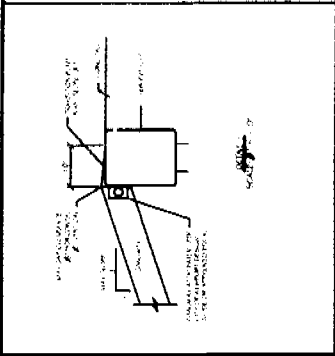
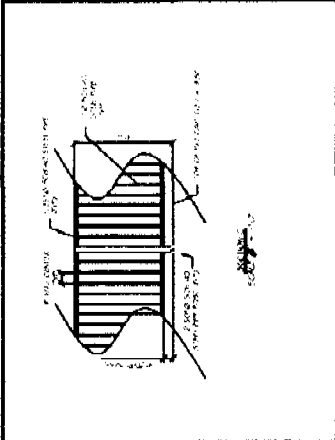
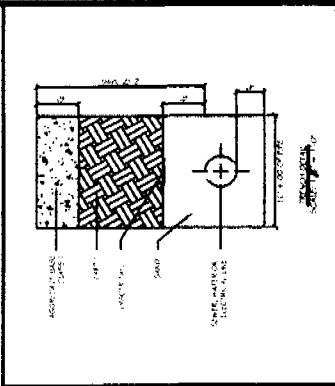
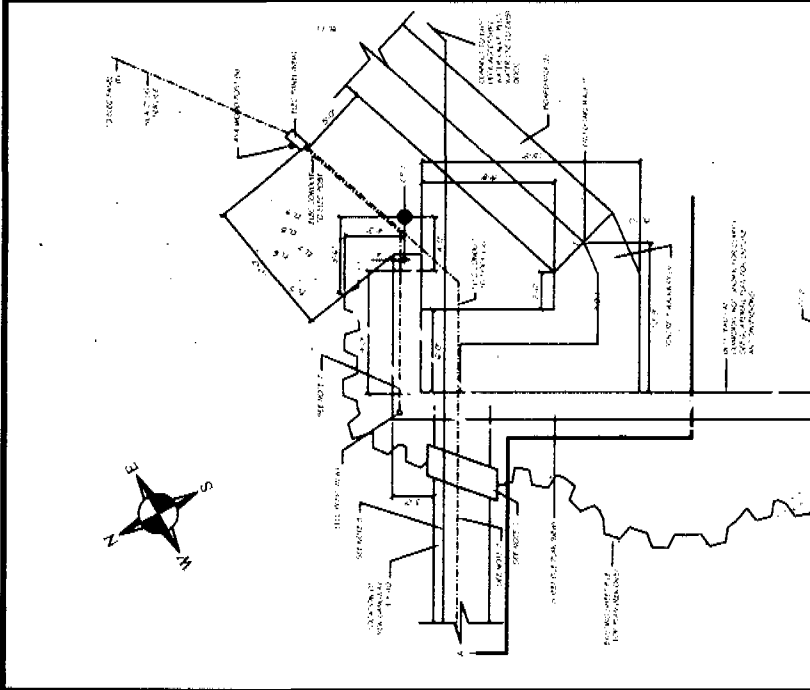
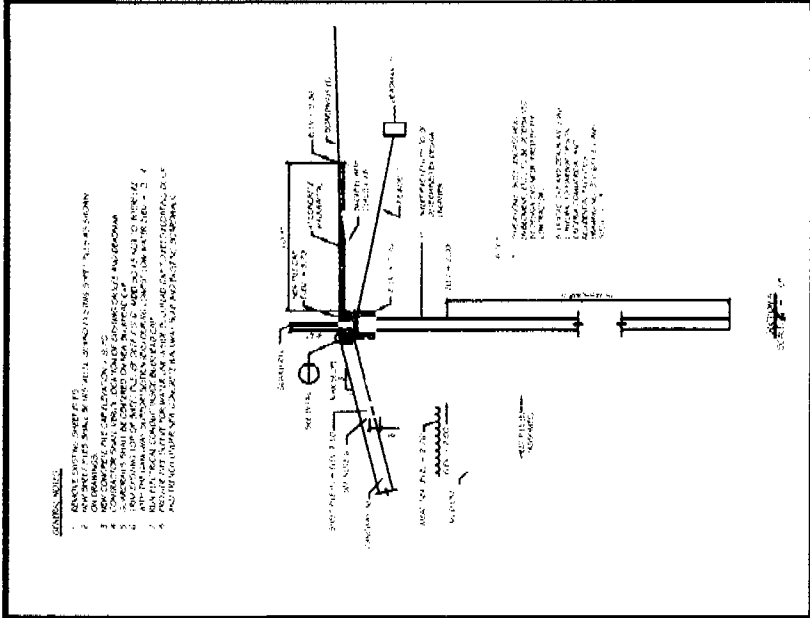
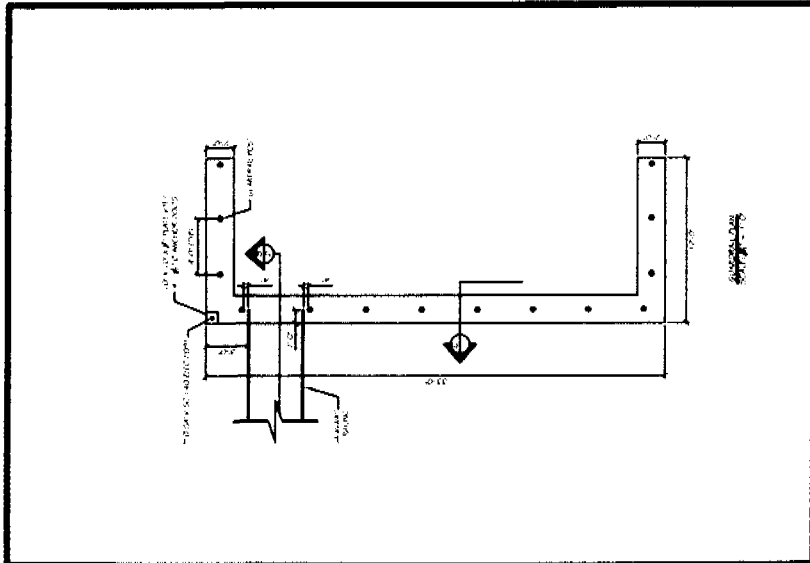


1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.
2. THE PROJECT IS SUBJECT TO THE CALIFORNIA COASTAL COMMISSION'S REVIEW AND APPROVAL.
3. THE PROJECT IS SUBJECT TO THE CALIFORNIA COASTAL COMMISSION'S REVIEW AND APPROVAL.
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PROJECT NO. _____ SHEET NO. OF _____ DRAWING NUMBER: <b>E01-2009-001</b>	UPPER NEWPORT BAY ECOLOGICAL RESERVE ORANGE COUNTY	DOCK AND GANGWAY REPLACEMENT	SOUTH COAST REGION
DESIGNER: _____ CHECKED: _____ DRAWN: _____ DATE: _____	PROJECT NO. _____ SHEET NO. OF _____ DRAWING NUMBER: _____	PROJECT NO. _____ SHEET NO. OF _____ DRAWING NUMBER: _____	PROJECT NO. _____ SHEET NO. OF _____ DRAWING NUMBER: _____



COASTAL COMMISSION

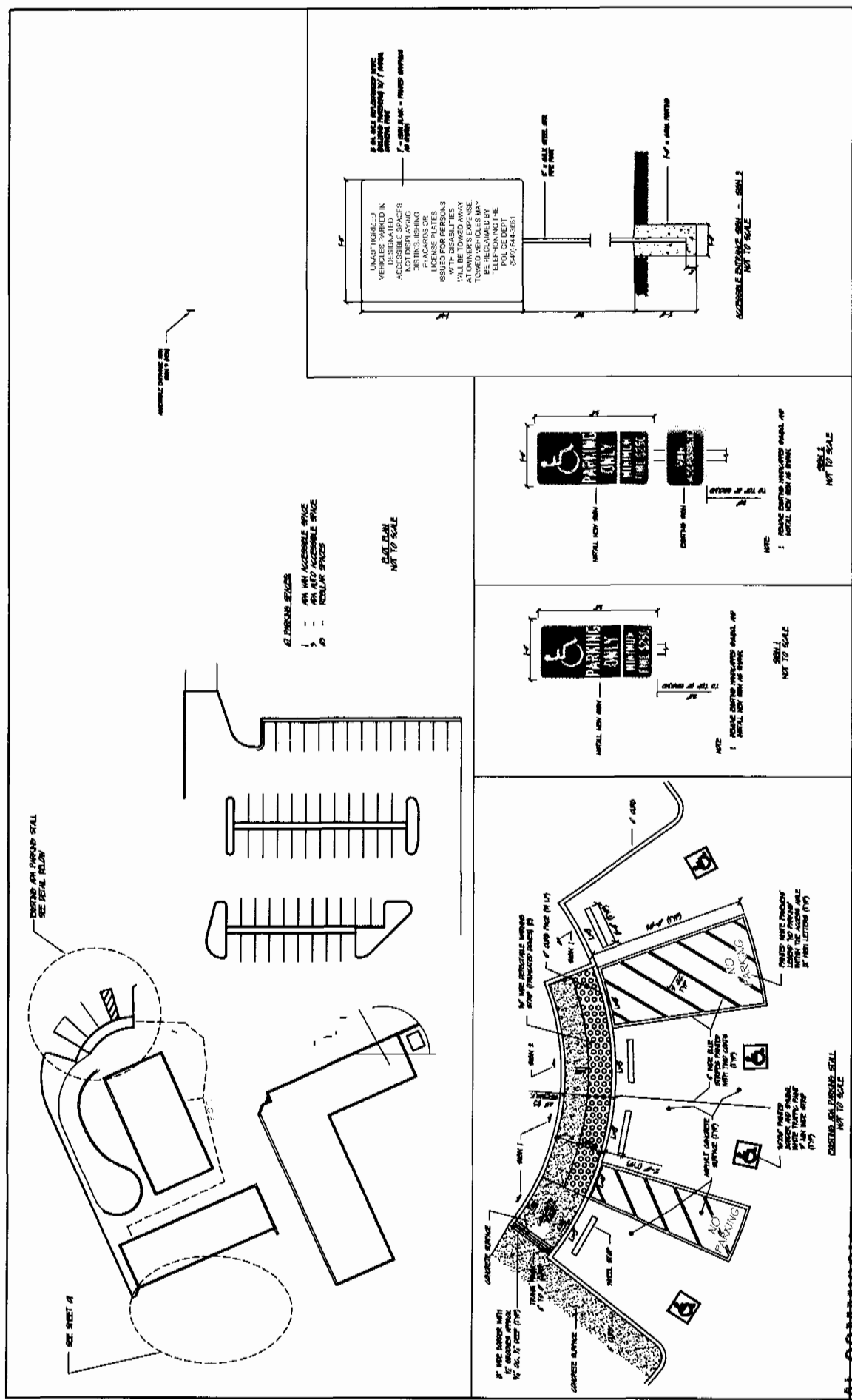
EXHIBIT # S OF 1  
PAGE 1 OF 1

STATE OF CALIFORNIA THE RESOURCES AGENCY Department of Fish and Game ENGINEERING SECTION	UPPER NEWPORT BAY ECOLOGICAL RESERVE ORANGE COUNTY <b>DOCK AND GANGWAY REPLACEMENT</b> SOUTH COAST REGION	SHEET NO. OF 04 DRAWING NUMBER <b>E01-2009-401</b>
		DATE: 3/11/10 DRAWN BY: Robert G. Benson CHECKED BY: Robert G. Benson PROJECT:



X

X



<b>COASTAL COMMISSION</b> COUNTY OF CALIFORNIA DEPARTMENT OF FISH AND GAME ENGINEER IN CHARGE	PROJECT NO. E01-2009-001 SHEET NO. 6 OF 24 DRAWING NUMBER	PROJECT TITLE <b>DOCK AND GANGWAY REPLACEMENT</b> SOUTH COAST REGION	CLIENT UPPER NEPTUNE BAY ECOLOGICAL RESERVE ORANGE COUNTY	DATE 2/23/10 3-1/2" x 5-1/2"	SHEET NO. 006-04
	COUNTY OF CALIFORNIA DEPARTMENT OF FISH AND GAME ENGINEER IN CHARGE	PROJECT NO. E01-2009-001 SHEET NO. 6 OF 24 DRAWING NUMBER	PROJECT TITLE <b>DOCK AND GANGWAY REPLACEMENT</b> SOUTH COAST REGION	CLIENT UPPER NEPTUNE BAY ECOLOGICAL RESERVE ORANGE COUNTY	DATE 2/23/10 3-1/2" x 5-1/2"

EXHIBIT # 6

PAGE 1 OF 1