

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



Th5c

Staff: Z. Rehm – LB
Date: September 15, 2016

ADMINISTRATIVE PERMIT

Application No. 5-16-0630

Applicants: CDGF III Pacific Catalina Landing, Long Beach, LLC and Catalina Channel Express, Inc.

Agent: Watermark Development, Inc.

Project Location: State Tidelands adjacent to Catalina Landing, 310 Golden Shore, City of Long Beach, Los Angeles County (APN 7278-001-908).

Project Description: After-the-fact request to remove two 120-foot by 33-foot dock floats and seven piles and install two 120-foot by 24-foot dock floats and seven piles in approximately the same location.

EXECUTIVE DIRECTOR'S DETERMINATION

The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

October 6, 2016, 9:00 a.m.
Ukiah Valley Conference Center
200 South School Street
Ukiah, CA 95482

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

JOHN AINSWORTH
Acting Executive Director

by: Zach Rehm
Coastal Program Analyst

STANDARD CONDITIONS:

This permit is granted subject to the following 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 permittees 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 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 term or 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 permittees to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS: See pages six through seven.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. PROJECT LOCATION & DESCRIPTION

The co-applicants request a permit after-the-fact to remove two 120-foot by 33-foot dock floats and seven piles and install two 120-foot by 24-foot dock floats and seven piles in approximately the same location over State Tidelands at Catalina Landing in Queensway Bay in southwest Long Beach (**Exhibits 1 and 2**). Catalina Landing is a small protected harbor surrounded by a public esplanade and four five-story office buildings. The Catalina Landing office building occupants include the terminal for Catalina Express (ferry service), administrative offices for the Catalina Island Conservancy, and the Aquarium of the Pacific. Catalina Landing was constructed in 1982 under Coastal Development Permit 5-81-379 (Catalina Landing Assoc.).

The pre-existing dock floats severely deteriorated in 2015 and began sinking into the bay, which damaged the pre-existing concrete and steel piles (**Exhibit 3**). The previous leaseholder (The Abbey Co.) removed the northernmost dock float and piles in April 2015 and the current leaseholder (CDGF III Pacific Catalina Landing, Long Beach, LLC) removed the southernmost dock float and piles in December 2015. The demolitions took place without the benefit of a coastal development permit. The applicants state that no pre-existing materials sunk to the bottom of the bay and the pre-existing dock floats were deconstructed and disposed of in San Pedro.

Following removal of the deteriorated materials, the leaseholders installed new piles in the same locations as the pre-existing piles and the current tenant and ferry operator (Catalina Channel Express, Inc.) installed two dock floats in approximately the same location as the pre-existing dock floats (**Exhibit 2**). These installations also took place without the benefit of a coastal development permit. Each of the two dock floats are made up of two 60-foot by 24-foot sections constructed of wood and fiberglass composite material. The seven new piles are the same size and the same concrete encased steel material as the seven pre-existing piles. The new dock floats are accessed from the same entry gates as the previous dock floats. The new dock floats connect to the same fire water, potable water, electricity, and diesel lines as the pre-existing dock floats.

The proposed docks serve the Catalina Express ferry service, which transports supplies and members of the public from Long Beach to Catalina Island (Los Angeles County) during regularly scheduled trips, multiple times daily. Docks to facilitate ferry service are a marine related coastal-dependent use and therefore the fill associated with the new piles is consistent with Coastal Act Section 30233. In order to ensure that the proposed development is consistent with Coastal Act policies regarding marine

related visitor serving uses and fill of coastal waters, **Special Condition 1** states that boating related uses are the only uses permitted by the approved development. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions. The permittees shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

The applicants indicate that the majority of construction of the new docks took place off-site and construction best management practices were employed during installation of the on-site dock components. In order to preserve and enhance water quality and biological productivity during operation of the ferry service associated with the proposed development, **Special Condition 2** requires the applicants to implement operational best management practices to avoid polluting coastal waters with debris or chemical runoff.

Neither eelgrass (*Zostera marina*) nor invasive algae (*Caulerpa taxifolia*) have been observed in the area of Catalina during previous surveys or dredging activities [see Coastal Development Permit 5-09-236 (AC – Catalina Landing, LLC)]. The new dock floats represent a net decrease in water coverage of 2,160 square feet compared to the pre-existing dock floats, and are located in approximately the same location as the larger, pre-existing docks, so no new adverse impacts to marine habitat are anticipated. Therefore, as proposed and conditioned herein, the development will not have any significant adverse effects on marine resources.

The proposed development has received an approval in concept from the City of Long Beach Marine Bureau (7/13/16) and the City of Long Beach Department of Planning and Building (7/1/16). To ensure that the applicants carry out the development consistent with the Commission's approval in addition to all requirements, requests and mitigation measures from the California Department of Fish and Wildlife, the Regional Water Quality Control Board, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service, **Special Condition 3** requires the applicants to comply with the requirements of the resource agencies with respect to preservation and protection of water quality and the marine environment. As conditioned, the project is consistent with the Chapter 3 policies of the Coastal Act.

B. PUBLIC RECREATION/MARINE RESOURCES

The proposed recreational boat dock development and its associated structures are an allowable and encouraged marine related use. There will be no net increase in number of piles or fill of coastal waters. The proposed development has been conditioned to minimize any significant adverse effect the project may have on the environment by avoiding or mitigating impacts upon sensitive marine resources, such as eelgrass. 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 with Sections 30224 and 30233 of the Coastal Act.

C. 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.

D. WATER QUALITY

The proposed dock work will be occurring on or within coastal waters. The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates best management practices (BMPs) to minimize the effect of construction and post-construction activities on the marine environment. These BMPs include, but are not limited to, the appropriate management of equipment and construction materials and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. UNPERMITTED DEVELOPMENT

Unpermitted development has occurred at the project site subject to this coastal development permit application. The unpermitted development includes the removal of the pre-existing dock floats and piles and the i of the new dock floats and piles without a valid coastal development permit issued by the Coastal Commission. Any non-exempt development activity conducted in the Coastal Zone without a valid coastal development permit, or which does not substantially conform to a previously issued permit, constitutes a violation of the Coastal Act. The applicants are proposing after-the-fact approval of the unpermitted development noted above and described in more detail in the project description. Although the development has taken place prior to submittal of this application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Commission review and action on this permit will resolve the violations identified in this section once the permit has been fully executed and the terms and conditions of the permit complied with by the applicants.

F. LOCAL COASTAL PROGRAM

A coastal development permit is required from the Commission for the proposed development because it is located within the Commission's area of original jurisdiction. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance. The Commission certified the City of Long Beach LCP on July 22, 1980. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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 proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

SPECIAL CONDITIONS:

This permit is granted subject to the following special conditions:

- 1. Permit Compliance.** Boating related uses are the only uses permitted by the approved development. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions. The permittees shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

- 2. Best Management Practices (BMP) Program.** By acceptance of this permit, the permittees agree 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 BMPs:
 - a. Boat Cleaning and Maintenance Measures:
 - In-water top-side and bottom-side boat cleaning shall minimize the discharge of soaps, paints and debris.
 - In-the-water hull scraping or any process that occurs under water that results in the removal of paint from boat hulls is prohibited. Only detergents and cleaning components that are designated by the manufacturer as phosphate-free and biodegradable shall be used, and only minimal amounts shall be used.
 - The applicants 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:
 - 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:
 - Oil absorbent materials should be examined at least once a year and replaced as necessary. The applicants shall recycle the materials, if possible, or dispose of them in accordance with hazardous waste disposal regulations. The boaters are encouraged to regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. Boaters are also encouraged to use preventive engine maintenance, oil absorbents, bilge pump-out services, or steam cleaning services to clean oily bilge areas. Clean and maintain bilges. Do not use detergents while cleaning. The use of soaps that can be discharged by bilge pumps is discouraged.

- 3. Resource Agencies.** The permittees shall comply with all requirements, requests and mitigation measures from the California Department of Fish and Wildlife, the Regional Water Quality Control Board, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment.

Any change in the approved project that may be required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

Applicant's Signature

Date of Signing

Vicinity Map: Catalina Landing, Long Beach

Exhibit 1

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Exhibit 1

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Catalina Landing

MARCH 2015
SATELLITE VIEW OF PRE-EXISTING
FLOATS AND PILINGS

Google earth

1994

Imagery Date: 3/23/2015 33°45'45.95" N 118°11'56.42" W elev 13 ft eye alt 1195 ft

Exhibit 1

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MAY 2016
SATELLITE VIEW OF CURRENT FLOATS
AND PILINGS

Google earth

CATALINA EXPRESS

CATALINA EXPRESS
CORPORATE OFFICES
400 OCEAN GATE
SUITE 300
LONG BEACH, CA 90802

CONSULTANT INDEX

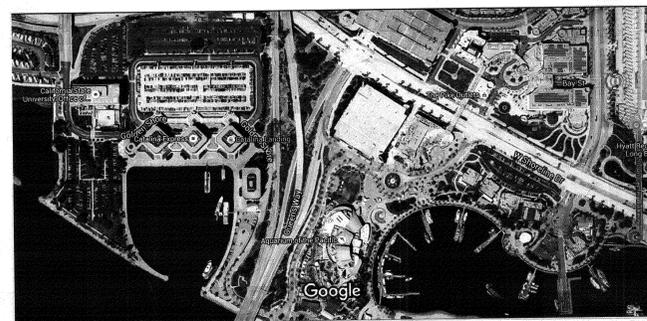
CONSTRUCTION MANAGEMENT :
WATERMARK DEVELOPMENT INC
1838 N. VALENCIA AVENUE
PLACENTIA, CA 92870
STATE LIC NO: B-741507
[714] 879-3569
CONTACT : MARK QUENTAL 310-261-1243

CIVIL & STRUCTURAL ENGINEERING :
GROUP DESIGN ENGINEERING
28545 OLD TOWN FRONT STREET
SUITE #205
TEMECULA, CA 92590
[951] 250-0608

FUEL DISPENSING REVISION PLANS BY :
ENERGY FUELING SYSTEMS WEST
28472 CONSTELLATION ROAD
VALENCIA, CA 91355
[661] 705-8264

COMPOSITE FLOATS BY :
DIVERSIFIED COMPOSITES
1517 WEST 15TH STREET
LONG BEACH, CA 90813
[562] 366-9698

PROJECT ADDRESS
CATALINA LANDING BASIN
310 GOLDEN SHORE
LONG BEACH, CA. 90802

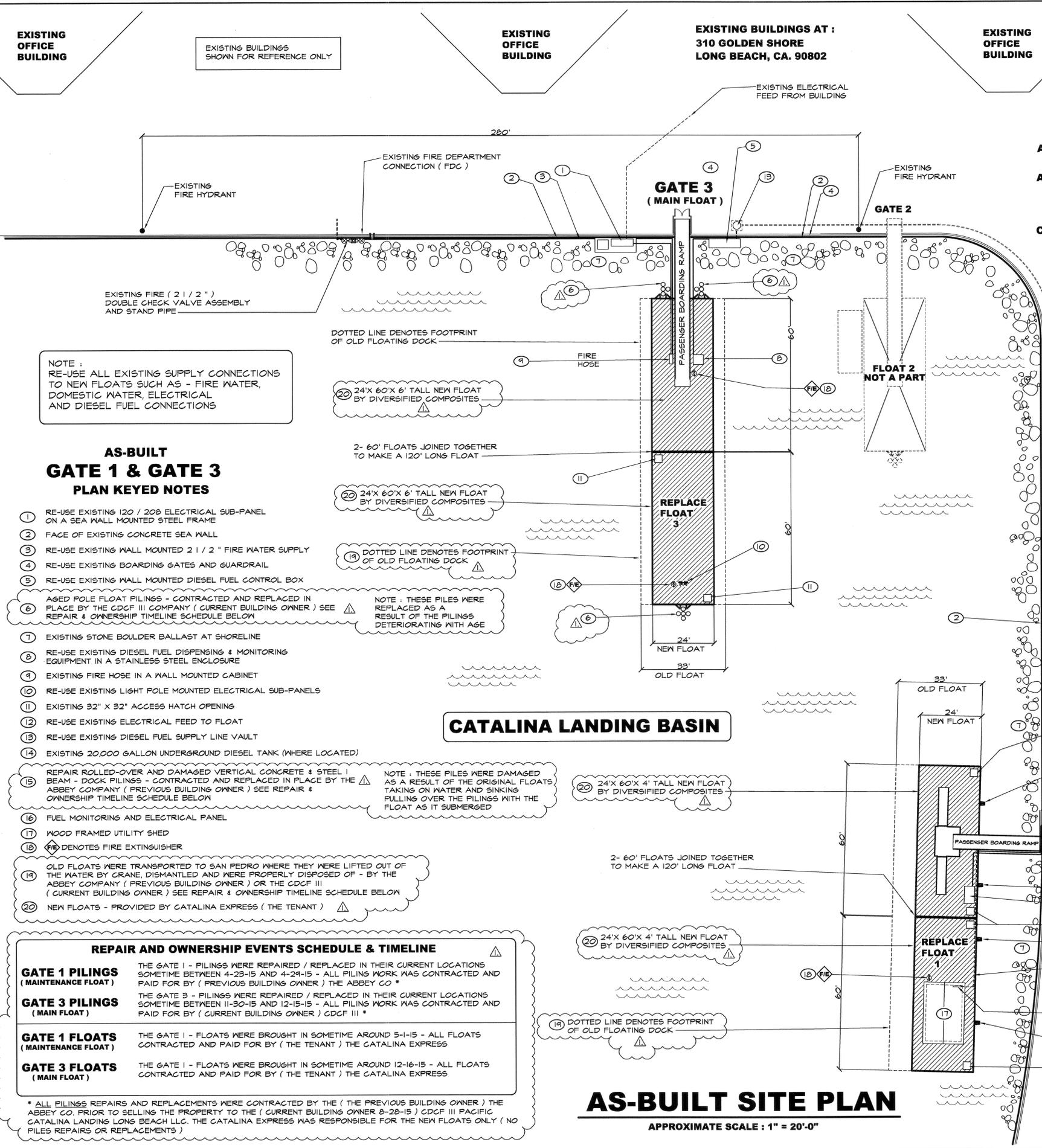


VICINITY MAP
NO SCALE

SCOPE OF WORK :
REMOVE AND REPLACE EXISTING AGE DETERIORATED FLOATING DOCKS WITHIN EXISTING PILINGS

SHEET INDEX

- AS-BUILT SITE PLAN → **A-1.0 AS-BUILT SITE PLAN (SHEET 1 OF 7)**
- APPROVED FIRE PLAN → **T-S DOCK FUEL REVISION PLANS (SHEET 2 OF 7)**
SP FUEL DISPENSING SITE PLAN (SHEET 3 OF 7)
SP2 FUEL DISPENSING DETAILS & SIGNAGE (SHEET 4 OF 7)
- COMPOSITE FLOAT PLANS → **FLOAT TOP AND SIDE VIEW (SHEET 5 OF 7)**
FLOATS FRAMING PLAN (SHEET 6 OF 7)
FLOATS FRAMING INFORMATION (SHEET 7 OF 7)



AS-BUILT SITE PLAN
APPROXIMATE SCALE : 1" = 20'-0"

AS-BUILT GATE 1 & GATE 3 PLAN KEYED NOTES

- ① RE-USE EXISTING 120 / 208 ELECTRICAL SUB-PANEL ON A SEA WALL MOUNTED STEEL FRAME
- ② FACE OF EXISTING CONCRETE SEA WALL
- ③ RE-USE EXISTING WALL MOUNTED 2 1 / 2 " FIRE WATER SUPPLY
- ④ RE-USE EXISTING BOARDING GATES AND GUARDRAIL
- ⑤ RE-USE EXISTING WALL MOUNTED DIESEL FUEL CONTROL BOX
- ⑥ AGED POLE FLOAT PILINGS - CONTRACTED AND REPLACED IN PLACE BY THE CDCF III COMPANY (CURRENT BUILDING OWNER) SEE REPAIR & OWNERSHIP TIMELINE SCHEDULE BELOW
- ⑦ EXISTING STONE BOULDER BALLAST AT SHORELINE
- ⑧ RE-USE EXISTING DIESEL FUEL DISPENSING & MONITORING EQUIPMENT IN A STAINLESS STEEL ENCLOSURE
- ⑨ EXISTING FIRE HOSE IN A WALL MOUNTED CABINET
- ⑩ RE-USE EXISTING LIGHT POLE MOUNTED ELECTRICAL SUB-PANELS
- ⑪ EXISTING 32" X 32" ACCESS HATCH OPENING
- ⑫ RE-USE EXISTING ELECTRICAL FEED TO FLOAT
- ⑬ RE-USE EXISTING DIESEL FUEL SUPPLY LINE VAULT
- ⑭ EXISTING 20,000 GALLON UNDERGROUND DIESEL TANK (WHERE LOCATED)
- ⑮ REPAIR ROLLED-OVER AND DAMAGED VERTICAL CONCRETE & STEEL I BEAM - DOCK PILINGS - CONTRACTED AND REPLACED IN PLACE BY THE ABBEY COMPANY (PREVIOUS BUILDING OWNER) SEE REPAIR & OWNERSHIP TIMELINE SCHEDULE BELOW
- ⑯ FUEL MONITORING AND ELECTRICAL PANEL
- ⑰ WOOD FRAMED UTILITY SHED
- ⑱ FIRE DENOTES FIRE EXTINGUISHER
- ⑲ OLD FLOATS WERE TRANSPORTED TO SAN PEDRO WHERE THEY WERE LIFTED OUT OF THE WATER BY CRANE, DISMANTLED AND WERE PROPERLY DISPOSED OF - BY THE ABBEY COMPANY (PREVIOUS BUILDING OWNER) OR THE CDCF III (CURRENT BUILDING OWNER) SEE REPAIR & OWNERSHIP TIMELINE SCHEDULE BELOW
- ⑳ NEW FLOATS - PROVIDED BY CATALINA EXPRESS (THE TENANT)

NOTE : THESE PILES WERE REPLACED AS A RESULT OF THE PILINGS DETERIORATING WITH AGE

NOTE : THESE PILES WERE DAMAGED AS A RESULT OF THE ORIGINAL FLOATS TAKING ON WATER AND SINKING PULLING OVER THE PILINGS WITH THE FLOAT AS IT SUBMERGED

NOTE : ALL REPAIRED / REPLACED PILINGS ARE AT OR NEAR THEIR PREVIOUS LOCATIONS AND COINCIDE AND TO ALIGN WITH AND IN ACCORDANCE WITH THE EXISTING GATE LOCATIONS WHICH DID NOT CHANGE

REPAIR AND OWNERSHIP EVENTS SCHEDULE & TIMELINE

GATE 1 PILINGS (MAINTENANCE FLOAT)	THE GATE 1 - PILINGS WERE REPAIRED / REPLACED IN THEIR CURRENT LOCATIONS SOMETIME BETWEEN 4-23-15 AND 4-24-15 - ALL PILING WORK WAS CONTRACTED AND PAID FOR BY (PREVIOUS BUILDING OWNER) THE ABBEY CO *
GATE 3 PILINGS (MAIN FLOAT)	THE GATE 3 - PILINGS WERE REPAIRED / REPLACED IN THEIR CURRENT LOCATIONS SOMETIME BETWEEN 11-30-15 AND 12-15-15 - ALL PILING WORK WAS CONTRACTED AND PAID FOR BY (CURRENT BUILDING OWNER) CDCF III *
GATE 1 FLOATS (MAINTENANCE FLOAT)	THE GATE 1 - FLOATS WERE BROUGHT IN SOMETIME AROUND 5-1-15 - ALL FLOATS CONTRACTED AND PAID FOR BY (THE TENANT) THE CATALINA EXPRESS
GATE 3 FLOATS (MAIN FLOAT)	THE GATE 1 - FLOATS WERE BROUGHT IN SOMETIME AROUND 12-16-15 - ALL FLOATS CONTRACTED AND PAID FOR BY (THE TENANT) THE CATALINA EXPRESS

* ALL PILINGS REPAIRS AND REPLACEMENTS WERE CONTRACTED BY THE (THE PREVIOUS BUILDING OWNER) THE ABBEY CO. PRIOR TO SELLING THE PROPERTY TO THE (CURRENT BUILDING OWNER 8-28-15) CDCF III PACIFIC CATALINA LANDING LONG BEACH LLC. THE CATALINA EXPRESS WAS RESPONSIBLE FOR THE NEW FLOATS ONLY (NO PILES REPAIRS OR REPLACEMENTS)



CURRENT PHOTO #3





CURRENT PHOTO #1



Exhibit 3

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California Coastal
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GATE 1
APRIL 2015
FLOAT IS LISTING AND TAKING ON
WATER READY TO SINK

