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**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: 10-13-98  
49<sup>th</sup> Day: 12-01-98  
180<sup>th</sup> Day: 04-11-99  
Staff: RMR/LB RMR  
Staff Report: 11-13-98  
Hearing Date: Dec. 8-11, 1998  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER: 5-98-418****APPLICANT: County of Orange****AGENT: Concept Marine****PROJECT LOCATION: Aliso Beach Fishing Pier, Laguna Beach, County of Orange**

**PROJECT DESCRIPTION:** Demolition and removal of the Aliso Beach Fishing Pier. Closure of the Aliso Beach County Parking Lot for staging and construction. Restoration of the beach and parking lot following construction.

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**STAFF NOTE:**

The Executive Director issued an Emergency Permit (5-98-148-G) to the County of Orange on October 20, 1998 for the demolition of Aliso Beach Fishing Pier. The County Board of Supervisors passed a resolution on 9/15/98 declaring the condition of the Aliso Beach Fishing Pier an emergency requiring immediate demolition for public safety purposes. The Pier will be dismantled by traditional construction methodology and no explosives will be required.

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**LOCAL APPROVALS RECEIVED: Approval in Concept from the County of Orange**

**SUBSTANTIVE FILE DOCUMENTS:** Emergency Permit 5-98-418-G (County of Orange), Orange County Board of Supervisors' Declaration of Emergency, Letter of Review by the State Lands Commission dated October 20, 1998, Letter of Review from the Wildlife Conservation Board, Review by the Regional Water Quality Control Board,

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**SUMMARY OF STAFF RECOMMENDATION:**

The Staff recommends the Commission approve the proposed development with special conditions regarding public access, removal of debris, parking signage, restoration of the beach, protection of water quality and restoration of the parking lot.

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

**I. Approval with Conditions**

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, is located between the sea and the first public road nearest the shoreline and in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

**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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.

7. 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. Restoration of Public Parking Lot

The applicant shall restore the public parking lot at the Aliso Beach County Park to its condition prior to its use as a construction staging area. All construction debris, equipment, and construction materials shall be removed entirely from the parking lot. The public parking lot shall be restored and open to the public within seven days of the conclusion of demolition of the pier. The applicant shall notify the Executive Director in writing at the time it re-opens.

2. Restoration of Public Beach

The applicant shall restore any disturbed areas of the beach at the base of the existing pier to the condition and contour of the surrounding beach profile. The sheetpile wall and area of the beach which is built up for truck access to the pier shall be dismantled and the beach restored. All construction debris, equipment, and construction materials shall be removed entirely from the public beach. The public beach shall be restored and open to the public within seven days of the conclusion of demolition of the pier. The applicant shall notify the Executive Director in writing of the opening of the beach around the base of the pier at the time it is re-opened.

3. Parking Signage

Signage shall be placed on both sides of Pacific Coast Highway during the entire time of construction informing the public that the beach parking lot on the seaward side of PCH will be closed during construction except for pedestrian drop-off and turn-around. The signage shall also direct vehicular traffic to the County parking lot on the landward side of PCH near the entry to Aliso Beach County Park.

4. Public Access

The applicant will ensure that lateral access from the northern portion of the public beach through the construction area to the southern portion of the beach is open for beach-going pedestrians during construction. The pedestrian access route shall be implemented consistent with the plans approved by the Commission.

5. Water Quality

Prior to the issuance of the coastal development permit the applicant shall submit, for the review and approval of the Executive Director, a plan regarding the removal of debris which falls into the ocean. The plan shall indicate the size of debris to be retrieved, the type of debris to be retrieved and the method of retrieval. The debris recovery plan shall be implemented as approved by the

Executive Director and within two weeks of the removal of the pier, or as soon as possible, depending upon the weather. Upon conclusion of the retrieval plan the applicant shall submit, for the review and approval of the Executive Director, the post-project clearance verification required by the State Lands Commission.

Prior to the issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, a copy of the contractor's approved oil spill contingency plan for the review and approval of the Executive Director. In addition, the applicant shall notify the Executive Director immediately of any oil spills or other pollutant spills resulting from the demolition. The development shall be implemented consistent with the oil spill contingency plan approved by the State Lands Commission.

IV. Findings and Declarations:

The Commission hereby finds and declares:

A. Project Description

The applicant is proposing to demolish the Aliso Beach Fishing Pier, which is located in the City of Laguna Beach at a County owned and operated beach park. Aliso Creek beach is a County of Orange public beach facility located where Aliso Creek enters the Pacific Ocean. Directly to the south of the mouth of Aliso Creek is a rip-rap revetment and a public parking lot. The Aliso Pier is located several hundred feet south of the mouth of the creek. There is a food concession building and other amenities located at the base of the pier, which will remain. To the north of the mouth of the creek are single-family residences on the beach. The County Beach facilities include two parking lots, one on either side of Pacific Coast Highway.

The Aliso Beach Fishing Pier was constructed in 1970 of precast concrete piles and deck units, and precast concrete pile caps. In 1989 some of the pier pilings and caps were reinforced because concrete was falling off and rebar was exposed to corrosion. However, the deterioration of the structural stability of the concrete pilings continued and the County closed the pier in March 1998, following reports that the pier was evidencing signs of instability, i.e., swaying. The consulting engineers hired by the County (Moffatt and Nichol) examined the Pier and made a finding that the Pier could collapse during a seismic event or a severe storm.

The 1989 repairs to the pier were partially funded by grants from the California Wildlife Conservation Board. Exhibit 7 is a letter from the California Wildlife Conservation Board concurring with the demolition of the pier. The County has a 25 year operating agreement from the Department of Fish and Game to maintain and operate the pier. The 25 year lease agreement was signed in 1988. The County has submitted approvals from both of these agencies. The County does not have any plans to rebuild the Pier at this location.

The contractors will install a parallel row of 11 pilings on the southern side of the Pier in order to mount a demolition crane on a moveable platform. The pier will be disassembled from the most seaward diamond shaped portion of the pier back to the beach. Another 0-20 pilings will be placed underneath the pier to support the movement of dump trucks. The pier will be cut in sections, lifted

by the crane and placed in the truck beds for removal to an inland concrete recycling facility. A sheet pile wall will be constructed seaward of the southern base of the pier in order to facilitate truck access from the parking lot to the pier. The parking lot will be fenced and utilized as a construction staging area except for the northern portion of the entrance which will be kept open for pedestrian drop off and turnaround. Long term parking will be available at the parking lot across PCH. The landward parking lot is connected to the seaward parking lot by a pedestrian walkway under the bridge over Aliso Creek.

In a letter dated October 28, 1998 the applicant's contractor (Concept Marine) indicated that all of the pier pilings will be completely extracted and removed off-site to an inland concrete recycling facility or landfill.

The shore bottom below the pier consists of sandy substrate. The Army Corps and diver reports indicate that there are no sensitive resources, such as kelp beds, other sensitive vegetation or rocky intertidal habitat, at the site which will be impacted by the demolition. No explosives will be required in the demolition. The contractors have indicated that removal of the pilings and pier will not adversely impact the Aliso Creek outfall pipe which is located approximately 200 feet north of the pier

B. Public Access

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. (emphasis added)

Public piers serve an important recreational function for sightseers and for people who fish. In the County of Orange there are seven piers: Seal Beach Pier, Huntington Beach Pier, Newport Beach Pier, Balboa Pier, Aliso Beach Pier, Dana Cove Pier, and the San Clemente Municipal Pier.

The Aliso Beach Pier is listed in both the Coastal Commission's California Coastal Access Guide and the Coastal Conservancy's pocket guide to California's Public Piers. The Aliso Beach Fishing Pier is a 620 foot long concrete pier which has a parking lot, concession building, restrooms, disabled access and recreational fishing facilities. The concession building and restrooms will remain. The Seal Beach Pier, Huntington Beach Pier, Newport Beach Pier, Balboa Pier, and San Clemente Pier all have identical amenities. The closest piers to Aliso Beach are the Newport piers and the Dana Cove Pier. However, the Dana Cove Pier does not allow recreational fishing. The Coastal Conservancy guide notes that recreational piers are the only areas in California where you can fish without a license.

The Aliso Beach Fishing Pier has been operating since 1970. It was constructed of precast and prestressed concrete piles, deck units and pile caps. In 1986 an engineering company issued a report with recommendations for repairing elements of the pier. There was major corrosion

damage observed in the piles, pile caps and deck. Repairs in 1989 consisted of removing unsound concrete, cleaning of the concrete surface, replacement of lost reinforcement, epoxy injection of cracks and placement of a reinforced concrete shell around seven of the piles. Another engineering report was issued in 1990 and 1993 with recommendations that the pier be reconstructed within 15 years.

Early in 1998 the County commissioned another engineering study because of noticeable pier swaying during the winter storms and the County subsequently closed the pier to the public. Moffatt & Nichol examined the pier and issued a report in March 1998. The 1998 engineering report reported that piles were evidencing signs of spalling, corrosion of exposed steel reinforcement, cracking, and rust stains indicating major corrosion of reinforcing steel. The report also noted that some pile caps lost chunks of concrete and showed signs of major cracking.

The report concluded that the 1989 repairs were not effective in halting deterioration of the pier and that falling concrete posed a threat to beachgoers. Corrosion and spalling resulted in a loss of structural strength of the support pilings. In addition, there are no cross-supports, just the vertical support of the pilings. The loss of structural strength means that in the event of a seismic occurrence or a major storm, some of the pilings could buckle, leading to collapse of sections of the pier.

Section 30210 of the Coastal Act states that recreational opportunities shall be provided consistent with public safety needs. The County of Orange Board of Supervisors passed a resolution declaring the demolition of the pier an emergency situation and a threat to public safety. The pier has been closed to the public since March 1998. There are several reasons why the County wants to demolish the pier as soon as possible. First, the threat to public safety from falling concrete and the public liability from such an occurrence. Second, repairs to the pier in 1989 were not successful and the continued deterioration of structural elements of the pier means that the pier would, in effect, have to be replaced. Third, even if the pier were partially reinforced and pilings replaced, the same situation would recur because all elements of the pier are deteriorating, the pilings, the caps, and the deck. Fourth, if the pier did collapse it would be more expensive and dangerous to demolish the remaining pier and remove debris from the ocean.

For all these reasons the County concluded that the Pier cannot feasibly be repaired and that leaving the structure in place could result in greater expense and danger later on if the pier was to fail. Therefore, the Commission concludes that although the Aliso Pier represents a beneficial low-cost recreational facility, demolishing it is consistent with the public safety provision of Section 30210 of the Coastal Act.

The applicant is proposing to close most of the seaward parking lot to be used as a construction staging area and to close off portions of the beach adjacent to the pier. The plans submitted by the applicant do show that public access to the concession building and restrooms will be kept open, as well as access to the northern portion of the beach. In addition, the contractors indicated that all of the pier support pilings will be removed entirely as opposed to being cut off five feet below grade. Therefore, piling remnants will not pose an obstacle to pedestrian beach-goers in the future.

However, in order to ensure that public access to the beach and parking lot remains open, the Commission requires that the County conform with several special conditions. Special Condition 1 requires that the seaward parking lot be restored to its pre-construction condition within seven days of the conclusion of construction and that all construction materials and equipment be removed. Special Condition 2 requires that the beach be restored to the condition of the adjacent beach profile within seven days of conclusion of the construction and that all construction materials and equipment be removed. Special condition 3 requires that signage be provided along PCH to inform motorists of the development and direct beach-goers to the landward parking lot. Special condition 4 requires that lateral access and connectivity between the north and south portions of the beach be provided kept open for public use. Therefore, as conditioned, the Commission finds that the proposed development conforms with Section 30210 of the Coastal Act.

C. Fill of Open Coastal Waters

1. Coastal Act Policy

Section 30233 of the Coastal Act states:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.
- (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- (5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

## 2. Project Description

The applicant is proposing to demolish the pier. The contractors will install a parallel row of 11 pilings on the southern side of the Pier in order to mount a demolition crane on a moveable platform. The pier will be disassembled from the most seaward diamond shaped portion of the pier back to the beach. Another 0-20 pilings will be placed underneath the pier to support the movement of dump trucks along the pier. The new support pilings are temporary. The pilings for the moveable crane platform will be removed as the crane retreats landward. The pilings necessary to support the pier for truck movement will also be removed as the pier is demolished landward.

The pilings will be installed with a vibrating hammer and a driver hammer. Air or water will be injected into the sandy substrate to loosen it and allow the vibrating hammer to vibrate the pilings into the substrate. When the pilings are deep enough in place, they will be tapped into the substrate using the driver hammer. The removal process is similar. Water or air will be injected around the pilings to loosen the substrate and allow the crane, which is gripping the pilings, to ease them upwards. Among the original alternatives considered was to cut the Aliso Pier pilings off five feet below grade. The applicant is now proposing to remove them entirely.

The pier will be cut in sections, lifted by the crane and placed in the truck beds for removal to an inland concrete recycling facility. A sheet pile wall will be constructed seaward of the southern base of the pier in order to facilitate truck access from the parking lot to the pier. The sheetpile wall and fill are temporary and will be removed upon conclusion of the pier demolition.



The shore bottom below the pier consists of sandy substrate. The Army Corps and diver reports indicate that there are no sensitive resources, such as kelp beds, other sensitive vegetation or rocky intertidal habitat, at the site which will be impacted by the demolition. No explosives will be required in the demolition. The contractors have indicated that removal of the pilings and pier will not adversely impact the Aliso Creek outfall pipe which is located approximately 200 feet north of the pier

### 3. Conclusion

Section 30233 requires that filling of open coastal waters is permitted if it is an allowable use, if it is the least environmentally damaging alternative, and if feasible mitigation measures have been provided to minimize adverse environmental impacts.

The installation of piles is an allowable use under 30233(a)(4) and 30233(a)(5) which allows the placement of structural pilings for public recreational piers and for incidental public use purposes. Any construction alternative for the pier demolition involves the installation of pilings. The moving platform alternative was chosen because it is the safest working alternative. Mounting a 150 ton crane on an already unstable pier is not a safe option. The installation of the pilings is a relatively benign process, as described above. Once the pilings have been removed sand will be jetted back to fill the holes where the pilings were. In addition, the temporary pilings (construction is estimated at 11 weeks) will be removed as the demolition proceeds landward. Therefore, any adverse impacts would be temporary. There are no permanent impacts.

There are no mitigation measures which would minimize the project impacts. The impacts are only temporary and are correctable through the replacement of sandy substrate. Therefore, the Commission finds that the proposed development conforms with Section 30233 of the Coastal Act.

### D. Water Quality

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed development consists of the demolition and removal of the 620 foot long Aliso Beach Fishing Pier. The applicant has indicated that the pier superstructure will be cut up section by section and removed by truck. Pilings will be removed entirely. No dynamite will be used during the demolition. Demolition of the pier will result in disruption to the marine environment in the form of noise, vibration and installation of pilings to support the crane platform and the existing pier for truck use.

In addition, there is the possibility that oil or gasoline for trucks and de-construction equipment and the staging area might wind up in coastal waters. The applicant is conditioned by the State Lands Commission to file an Oil Spill Contingency Plan to be approved by the State Lands Commission. This Commission is conditioning the applicant to submit the approved Oil Spill Contingency Plan for the review and approval of the Executive Director. The Commission is also requiring the applicant to submit a debris recovery plan for the review and approval of the Executive Director. The contractor has indicated that the crane platform will include a layer of absorbent material to absorb any gas or oil and that the platform edge will include a lip to prevent materials from falling off the crane platform into the water. The deck of the pier already has curbs at the edges and is a continuous concrete slab. Therefore, potential debris from the deck will be contained on the deck. There will be unavoidable dust from sawcutting concrete and inevitably small chunks of concrete will end up in the water. However, the applicant has agreed to retrieve any small to large chunks of concrete from the water, via divers, following the conclusion of de-construction.

The applicant has submitted approval from the Army Corps of Engineers and a waiver from the Regional Water Quality Control Board.

The applicant's contractor states that because the pier superstructure will be removed in sections and the pilings will be removed entirely, there will not be very much rubble which ends up in the ocean. However, there is the possibility that during de-construction concrete or other materials will fall into the water. For this reason the applicant is being conditioned to submit, for the review and approval of the Executive Director, the Oil Spill Contingency Plan and a plan for retrieving debris which falls into the ocean as a result of the pier demolition. Only as conditioned, does the Commission find the project consistent with Section 30231 of the Coastal Act.

**E. Visual and Scenic Resources**

Section 30251 of the Coastal Act contains the policies regarding visual and scenic resources. It states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The Aliso Beach Fishing Pier has been a local landmark in a highly scenic area since its construction in 1970. The pier is a valuable resource because it provides low-cost recreational and scenic opportunities. The Pier is a scenic attraction when viewed from the surrounding area, particularly from Pacific Coast Highway. Until its closure in March 1998, the pier also provided pedestrians the opportunity to walk out into the ocean and view the coastline.

There are three scenarios for maintaining this scenic landmark. First, the pier could be repaired. Second, the pier could be demolished and replaced. Third, the pier could be left as is.

As far as repairing the pier, the County has indicated that it is irreparable. The steel rebar in the concrete piling supports has deteriorated and corroded to the point where the piling supports could break in the event of a seismic event or major storm. Thus, fixing the existing pier is not an option.

The County has not eliminated the possibility of building a new pier at this location, however, because of the wave climate and lack of shadowing by off-shore islands, Aliso Creek is not an ideal location for a pier.

Finally, retaining the pier in its present condition is also not a viable option. The possibility of falling concrete poses a potential safety threat to beach-goers and a liability problem for the County. Portions of the Pier could also collapse in the event of a severe storm or seismic event. If this happened, the pier would then have to be demolished and demolition would be much more expensive and dangerous for workers.

Removal of the pier will also restore the coastline to its natural appearance.

Therefore, the Commission finds that the proposed demolition of the pier is consistent with Section 30251 of the Coastal Act.

F. Land Use Plan

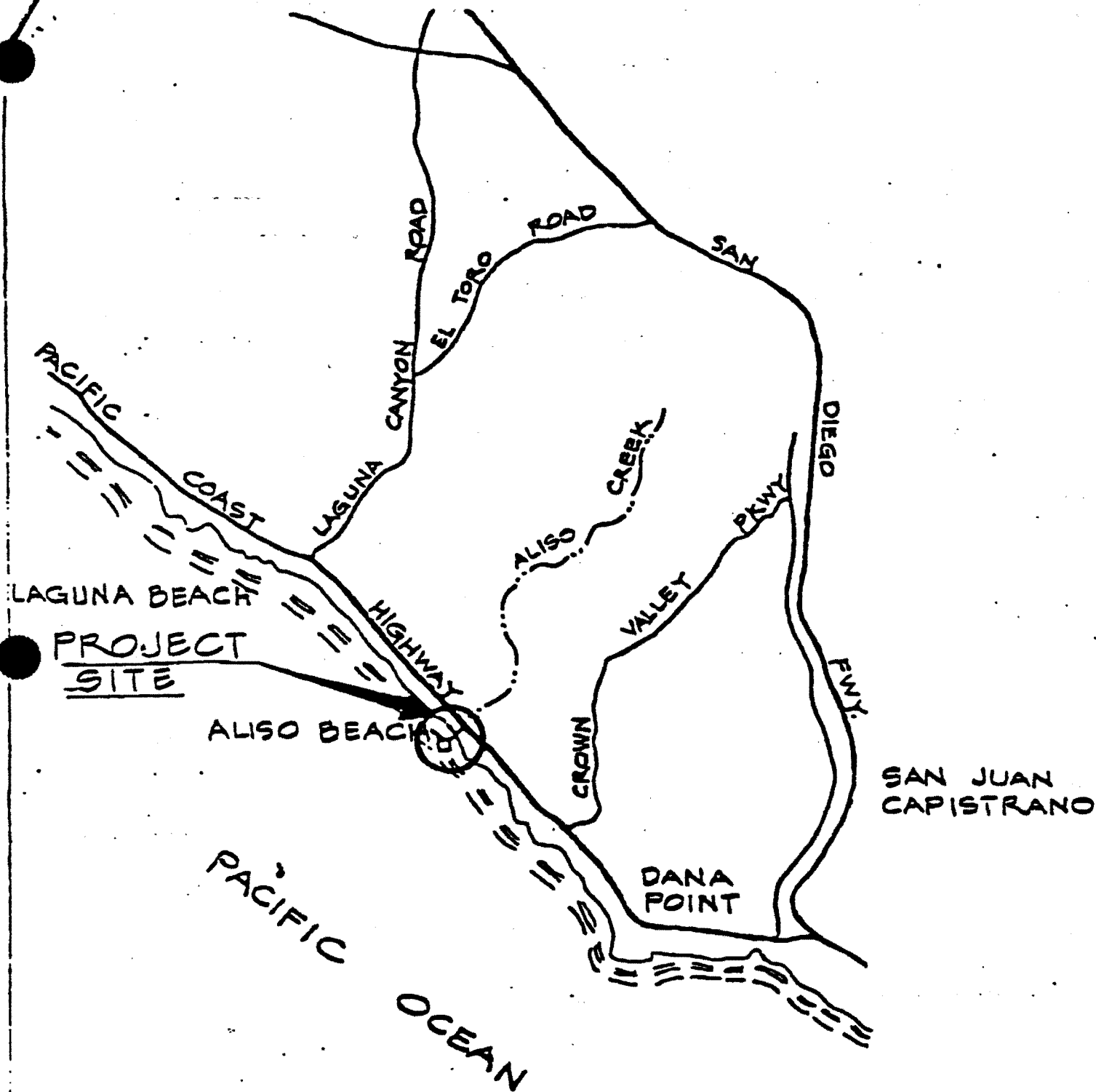
The Aliso Beach Fishing Pier is located in coastal waters in an area of original jurisdiction of the Coastal Commission. Therefore, although the City of Laguna Beach has a certified LCP, the standard of review for development in coastal waters is the Coastal Act.

G. Consistency with the California Environmental Quality Act (CEQA).

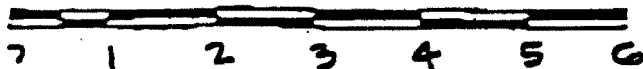
Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the public access, water quality, visual and scenic resource, and filling of open coastal waters policies of the Coastal Act. Mitigation measures; special conditions requiring restoration of the parking lot, restoration of the beach, parking signage, preservation of public access, submittal of an Oil Spill Contingency Plan and a debris recovery plan for the protection of water quality will minimize all adverse effects. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified effects,

is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



SCALE IN MILES



**LOCATION MAP**

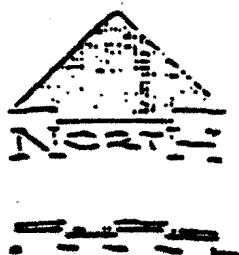
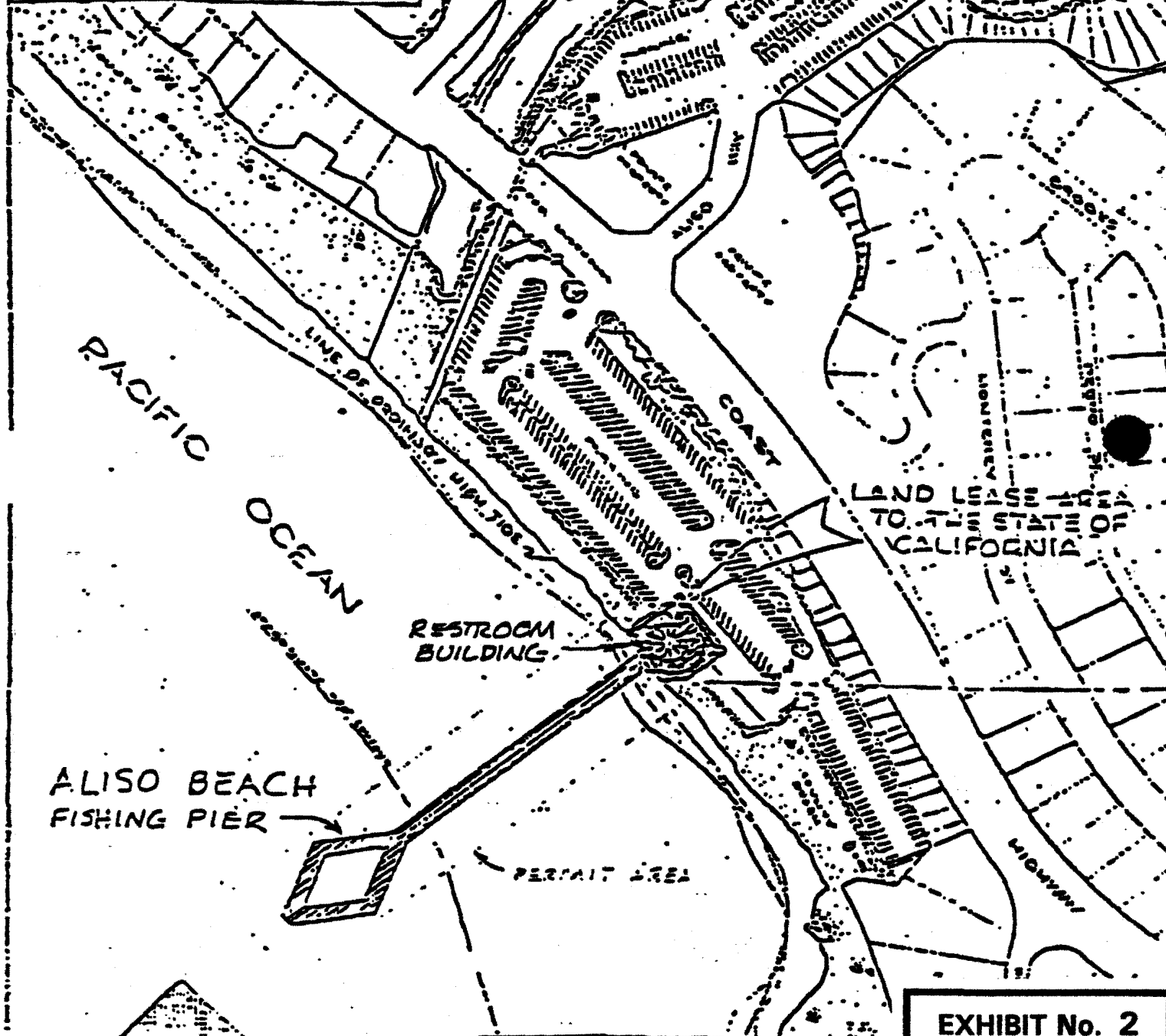
**EXHIBIT No. 1**

Application Number:

**5-98-418**

**Vicinity Map**

California Coastal  
Commission



**PROPOSED DEMO  
ALISO BEACH FIS  
ORANGE COUN  
PUBLIC FACILITIES & RESOUR**

Application Number:

**5-98-418**

## Site Map

**California Coastal  
Commission**

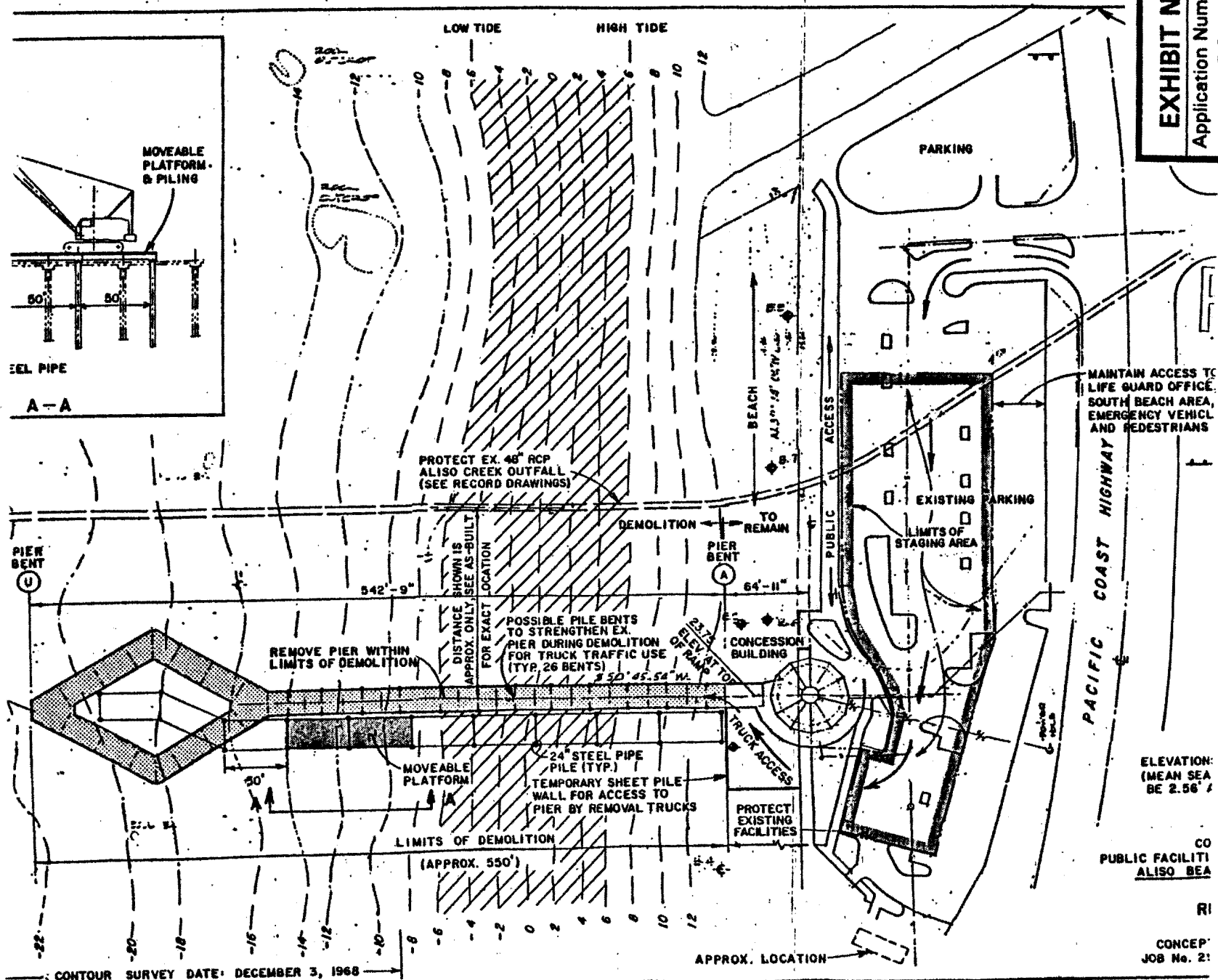
# EXHIBIT No. 3

Application Number:

5-98-418

Site Plan

California Coastal Commission





CONSENT ☐  
DISCUSSION ☒  
PUBLIC HEARING ☐

AGENCY/DEPT. USE

CEO REVIEW

☒ Concur  
☐ Do Not Concur  
☐ Exempt

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CLERK USE ONLY

*Agenda Item #*  
*S 74 B*

TO: BOARD OF SUPERVISORS COUNTY OF ORANGE

FROM: Public Facilities and Resources Dept.  
FILE:

CONTACT FOR INFORMATION  
Michael Costello  
Raphael Cheng

PHONE  
834-5957  
834-6703

SUPV. DIST.  
5

MEETING DATE

9/15/98

SUBJECT Declaration of the Condition of the Aliso Beach  
Fishing Pier as an Emergency, Requiring Immediate Demolition

SUMMARY OF REQUEST (Description for agenda)

Declare the current condition of the Aliso Beach Fishing Pier as an emergency that requires immediate demolition in order to protect the safety and property of the public, and authorize the Director of PFRD to award contracts as needed to accomplish demolition of the pier.

ADDITIONAL DATA:

The Aliso Beach Fishing Pier was constructed in 1970. Corrosion of steel reinforcement has resulted in significant spalling of concrete. A repair project in 1988 proved to be only of short-term benefit. Corrosion has continued and cannot be stopped. During the winter storms in December 1997 and February 1998, for which states of emergency were proclaimed by the Governor, the pier was further damaged and swayed noticeably. In order to protect the public from falling concrete or a sudden collapse of the pier in a seismic event, the pier was closed to the public and fencing was placed on the sand to prevent people from walking beneath the pier. However, the fencing cannot be maintained against wave action. PFRD has posted warning signs and retained security guards to warn people away from the pier during

(continued on page 2)

PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM: None

FUNDING SOURCE(S):

HBP

(See additional data)

CURRENT YEAR COST

\$1,000,000 to  
\$1,500,000

ANNUAL COST

None

BUDGETED? ☐ YES ☒ NO

WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL?

☒ NO

IF YES, STATE NUMBER

PERMANENT

LIMITED TERM

CONSISTENT WITH BOARD POLICY?

☐ YES

☒ NEW ITEM OR EXCEPTION

RECOMMENDED ACTION

(1) Adopt by 4/5 vote a resolution which will: (a) declare the current condition of Aliso Beach Fishing Pier as an emergency due to the fact that the pier poses a clear and imminent danger to the public; and (b) authorize the Director of PFRD to prepare and award such contracts as are needed to accomplish the demolition of the Aliso Beach Fishing Pier, pursuant to Section 22050 of the Public Contract Code of the State of California, and set a review every 14 days of the continuing need of emergency action.

(2) Find that the proposed demolition is exempt from CEQA per Section 21080 (b) (3) and (b) (4) of the Public Resources Code.

(continued on page 3)

CONCURRENCES (if applicable)

ATTACHMENTS

1. Location Map and Site Plan
2. Draft Resolution

EXHIBIT No. 4

Application Number:

5-98-418

Emergency Res.

California Coastal  
Commission



AGENDA ITEM TRANSMITTAL- Aliso Beach Fishing Pier  
Page 2

Additional Data: (Continued)

peak beach-use hours.

An engineer's report, prepared by an independent engineering firm in March of 1998, concluded that the pier is at risk of sudden collapse in a seismic event. Corrosion and spalling have caused a loss of structural integrity, especially prestressed strength, which is unrecoverable. A large percentage of the piles have had damage, which could result in piles buckling unexpectedly under a seismic event of moderate magnitude. A failure mode of sudden collapse of the pier is likely in a seismic event.

The winter storm season is rapidly approaching. Increase in wave activity is expected to continue to deteriorate the pier's support pilings.

Aliso Beach is a highly popular beach that attracts numerous visitors, swimmers and surfers. PFRD considers the condition to demand immediate demolition of the pier in order to prevent injury and loss of life.

Pier design and construction and the 1988-89 repair work were partially funded (50%) by grants from the State of California Wildlife Conservation Board. Agreements with the State, through the Department of Fish and Game, require the County to operate and maintain the pier for 25 years. The last such agreement was signed for the County on May 19, 1988. This "Lease and Operating Agreement for the Aliso Beach Fishing Pier" is still in effect. It grants a 25-year lease to the State over the property the pier occupies, most of which is in a permit area from the State Lands Commission (permit expires 2-25-2019). The agreement was in anticipation of the 1988 contract to repair the pier. As required by the agreement, PFRD will notify the State of plans to demolish the pier and seek State approval for that alteration.

The cost of pier demolition was preliminarily estimated by an engineering consultant at about \$1,000,000. The cost may be offset by FEMA assistance. FEMA eligibility determination is pending. PFRD has submitted a request to FEMA for reimbursement of costs associated with this emergency project. Any subsequent FEMA reimbursement for this project will be returned to the HBP reserves.

In order to award a contract, it will be necessary to increase appropriations within the Harbors, Beaches and Parks Fund (405). In this year's budget, there are no unallocated appropriations, which could be utilized for this project. Rather, it will be necessary to decrease the HBP reserves. The recommended actions will require a four-fifths vote of your board.

CEQA Compliance:

The proposed demolition is statutorily exempt from the provisions of CEQA per Section 21080 (b) (3) and (b) (4) of the Public Resources Code.

CEQA provides a statutory exemption under Section 21080 (b) (3) for repair or demolition of facilities damaged or destroyed as a result of disaster in a disaster-stricken area in which a state of emergency has

AGENDA ITEM TRANSMITTAL - Allso Beach Fishing Pier  
Page 3

CEQA Compliance (continued):

been proclaimed by the Governor. Such proclamations for storm events affecting Orange County were made on December 10, 1997 (effective 12-6-97) and on February 20, 1998 (effective 2-2-98).

Recommended Action: (Continued)

- (3) By a 4/5 vote, and in accordance with Government Code Section 29130, direct Auditor-Controller, to decrease reserves in Agency 405, Fund 405-9810 by \$1,000,000 and increase Appropriations by \$1,000,000 in Agency 405, Fund 405-P998 for the Allso Pier Demolition.

BNC/DCG/MWC/VJB/KS/KLS/MC:ehs (20-090000)



DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 532711  
LOS ANGELES, CALIFORNIA 90053-2325  
October 19, 1998

RECEIVED  
OCT 26 1998  
REGULATORY BRANCH

REPLY TO  
ATTENTION OF:

Office of the Chief  
Regulatory Branch

OPTIONAL FORM 36 (7-88)

FAX TRANSMITTAL

1 of pages 8

To: Robin Midway Ramo	From: Vicki White
Dept: Calif. Coastal Comm.	Phone: 714/452-3414
Fax: (562) 590-5084	Page: -4196
FORM 7420-01-2017-7388	3800-101

County of Orange Public Facilities & Resources Dept  
Attn: Mr. Michael W. Costello  
300 N. Flower Street, Room 559  
Santa Ana, California 92703

Dear Mr. Costello:

Reference is made to your request of October 13, 1998 (File No. 99-00015-YAW). In accordance with the emergency procedures of 33 CFR Part 325.2(e)(4) and the provisions of Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403), you are hereby authorized to remove the Aliso Beach Fishing Pier in the City of Laguna Beach, Orange County, California, as shown on the enclosed drawings.

The owner or authorized responsible official must sign and date all copies of this Letter of Permission (LOP) indicating that he/she agrees to the work as described and will comply with all conditions. One of the signed copies of this Letter of Permission must be returned to the Corps of Engineers (a pre-addressed envelope is enclosed). In addition, please use the two attached postcards to notify this office as to the dates of commencement and completion of the activity.

Thank you for participating in our regulatory program.

Sincerely,

*Richard J. Schubel*  
Richard J. Schubel  
Chief, Regulatory Branch

*KR Smith*  
PERMITTEE

*10/20/98*  
DATE

EXHIBIT No. 5
Application Number: 5-98-418
Army Corps
California Coastal Commission

-2-

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this LOP will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

---

**TRANSFEEE**

---

**DATE****Enclosure(s)**

## PERMIT CONDITIONS

### General Conditions:

1. The time limit for completing the authorized activity ends on October 19, 1999. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.

Special Conditions: See attached sheet.

**Further Information:**

**1. Congressional Authorities:** You have been authorized to undertake the activity described above pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

**2. Limits of this authorization.**

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

**3. Limits of Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

**4. Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

**5. Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

-3-

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measure ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give you favorable consideration to a request for an extension of this time limit.

**SPECIAL CONDITIONS FOR FILE NO. 99-00015-VAW**

1. The permittee shall restore the sandy substrate to pre-existing contours following the completion of the demolition activities.
2. The permittee shall notify the Army Corps of Engineers of the date of commencement of the operations and the date of completion of operations at least five days prior to such completion.
3. No debris, soil, silt, sand, bark, slash, rubbish, cement or concrete or washings thereof, oil or petroleum products, or other organic or earthen material from the demolition activities shall be allowed to enter into or placed where it may be washed by rainfall or runoff into the Pacific Ocean. Upon completion of the demolition activities, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within the Pacific Ocean.
4. The permittee shall employ all standard Best Management Practices, where applicable, to ensure that toxic materials, silt, debris, or other demolition materials do not enter the Pacific Ocean during the demolition activities.





-7-

**LOS ANGELES DISTRICT  
U.S. ARMY CORPS OF ENGINEERS**

**CERTIFICATION OF COMPLIANCE WITH  
DEPARTMENT OF THE ARMY PERMIT**

**Permit Number: 99-00015-VAW**

**Name of Permittee: County of Orange Public Facilities & Resources Department**

**Date of Issuance: October 19, 1998**

Upon completion of the activity authorized by this permit, sign this certification and return it to the following address:

**U.S. Army Corps of Engineers  
Regulatory Branch  
ATTN: CESPL-CO-R-99-00015-VAW  
P.O. Box 532711 Los Angeles, CA 90053-2325**

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this permit you may be subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of said permit.

\_\_\_\_\_  
**Signature of Permittee**

\_\_\_\_\_  
**Date**



CALIFORNIA STATE LANDS COMMISSION  
100 Howe Avenue, Suite 100 South  
Sacramento, CA 95825-8202



ROBERT C. HIGHT, *Executive Officer*  
(916) 574-1800 FAX (916) 574-1810  
*California Relay Service From TDD Phone 1-800-735-2922*  
*from Voice Phone 1-800-735-2929*

Contact Phone: (916) 574-1892  
Contact FAX: (916) 574-1925  
E-Mail Address: smithj@slc.ca.gov

October 20, 1998

File Ref: PRC 4416.9

Ken R. Smith  
Deputy Director-Chief Engineer  
Public Facilities & Resources Department  
County of Orange  
P.O. Box 4048  
Santa Ana, CA 92702-4048

Dear Mr. Smith:

SUBJECT: Removal of Aliso Beach Fishing Pier

Staff of the California State Lands Commission (CSLC) has reviewed the information submitted from your office and Concept Marine Associates, Inc., concerning the proposed removal of the Aliso Beach Fishing Pier. We understand that the County Board of Supervisors adopted a resolution on September 16, 1998, declaring the pier an emergency and that the proposed removal under an emergency action is exempt from the California Environmental Quality Act (CEQA) under Section 21080(b)(3) and (b)(4) of the Public Resources Code. We also understand that the County has received an emergency permit from the California Coastal Commission, a Letter of Permission from the Corps of Engineers, a water quality certification waiver from the Regional Water Quality Control Board, and a letter of non-objection from our lessee, the Wildlife Conservation Board, a copy of which we have already received. Please provide us with copies of the permits/approvals from the other agencies.

Pursuant to verbal discussions with the County's contractors, CLSC staff does not object to the removal of the pier subject to the County's compliance with all other federal, state and local permits, and conditioned on the following:

- o Any spills or leakage of oil or other pollutants originating from this removal operation shall be reported verbally without delay to the Office of Emergency Services and in accordance with the contractor's approved oil spill contingency plan. Thereafter, a written report shall be filed with the CSLC, stating the source, cause, size of spill, and the action taken. The contractor may report any spill to the CSLC directly by calling (562) 590-5201 (24 hour service number.) Please ensure that the CSLC notification

EXHIBIT No. 6

Application Number:

5-98-418

State Lands

California Coastal  
Commission

number is included in the contractor's Spill Prevention and Control Plan.

- o Upon completion of project, the County will provide CSLC staff with a post-construction written narrative report confirming completion of the project with discussion of any significant field changes or other modifications to the approved plan, and providing details of any extraordinary occurrences such as spill incidents, critical operations curtailment and accidents, etc., and a post-project site clearance verification certification from a licensed diver.
- o We acknowledge receipt of the Weather Emergency Shutdown Plan. We understand from CSLC staff's conversation with Tom Traylor, Jr., of Traylor Pacific that prevailing wind, sea and other weather conditions will be considered in assessing the safe working conditions for the personnel and heavy equipment operations in addition to 12-foot swell criteria for weather emergency job shutdown.
- o The State of California (State) shall not be liable and the County of Orange shall indemnify, hold harmless and, at the option of the State, defend State, its officers, agents, and employees against and for any and all liability, claims, damages or injuries of any kind and from any cause, arising out of or connected in any way with the proposed actions.

Please have an authorized representative of the County sign in the space provided below accepting the conditions as set forth in this letter and return a signed original to Jane Smith, Public Land Management Specialist at the above address.

Sincerely,



Robert L. Lynch, Chief  
Division of Land Management

cc: W. John Schmidt, Wildlife Conservation Board  
Ken Johnson, Concept Marine Associates, Inc.  
Greg Scott, CSLC/Long Beach  
Chandra Basavalinganadoddi, CSLC/Long Beach

Accepted by the County of Orange:

---

DEPARTMENT OF FISH AND GAME

**WILDLIFE CONSERVATION BOARD**

301 K STREET, SUITE 806  
SACRAMENTO, CALIFORNIA 95814  
(916) 445-8448  
FAX (916) 323-0280



September 21, 1998

RECEIVED  
SEP 23 1998  
DEPARTMENT OF FISH AND GAME

Mr. Tim Miller, Manager  
Public Facilities & Resources Department  
Harbors, Beaches & Parks  
County of Orange  
P.O. Box 4048  
Santa Ana, California 92702-4048

Dear Mr. Miller

**ALISO BEACH FISHING PIER, ORANGE COUNTY**

We have received notification from Mr. Kenneth R. Smith of your office regarding the County's intent to demolish the Aliso Beach Fishing Pier. From the information Mr. Smith provided, we understand the pier is vulnerable to earthquakes and that the structural integrity of the pier continues to deteriorate. We further understand from the Moffatt & Nichol's March 13, 1998 report that repair of the pier is not recommended. Due to the potential health and safety risk to the public, we concur with the County's decision to remove the pier.

We are sorry the pier cannot be saved. As we have indicated in the past, however, we would be interested in working with the County as a partner in working to replace the pier. We would be happy to meet with the County in the future to discuss this issue. If you should have any further questions, please contact Georgia Lipphardt, Assistant Executive Director at (916) 445-1095.

Sincerely,

W. John Schmidt  
Executive Director

cc: Regional Manager, Department of Fish and Game, Region 5  
DeWayne Johnston, Regional Manager, Marine Region

**EXHIBIT No. 7**

Application Number:

**5-98-418****Wildlife Conservation**California Coastal  
Commission

# Concept Marine

Concept Marine Associates, Inc.  
Planning, Design, & Construction Management

October 8, 1998

**EXHIBIT No. 8**

Application Number:  
**5-98-418**

**Submittal Letter**

 California Coastal  
Commission

Chuck Damm, Senior District Director  
California Coastal Commission  
So. Coast Area Office  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4302

Re: Aliso Pier Demolition

Dear Mr. Damm,

As you are aware the County of Orange, Board of Supervisors at their September 13, 1998 made a declaration of the condition of the Aliso Beach Fishing Pier as an emergency, requiring immediate demolition. (Declaration attached) The County found that based on an engineering report by Moffatt & Nichol (attached) and documented descriptions of pier movement under surf and wave action, along with the proximate use of the beach and the ocean, that the pier condition requires demolition in order to protect the safety and property of the public.

As such the county of Orange is requesting a permit from the Coastal Commission for approval of emergency, work under Subchapter 4. Article 1, Section 13137 Immediate action required. The county needs to undertake the work to "Protect life and public property" and "to maintain public service".

The situation revolves around the substandard condition of the Aliso Pier. The Moffatt & Nichol report indicated that:

- Repair is not a prudent option
- The piers are compromised in a unidirectional way creating weakness in the plane most subject to wave, wind and surf forces
- There is risk to the public during a seismic event of moderate magnitude.

The County has taken steps to protect the public by closing the pier to public use and fencing off the area underneath the pier. However the proximate use of the beach and surf zone in unfenced areas and vandalism to the fencing creates a high risk area. As you know, a jogger was injured at Venice Pier and collected substantial damages from the Public Agency due to that happenstance.

Should the pier collapse or begin to have debris falling in the water or onto the beach it becomes a much more difficult and costly operation of clean-up, plus an even more damaged structure will remain, which will be more hazardous and more difficult if not impossible to remove. The County believes it is prudent to remove the pier immediately, prior to any winter storm events, causing large wave action and prior to the next moderate seismic event. The County has hired a contractor who will remove the pier by the end of 1998.

# Concept Marine

Concept Marine Associates, Inc.  
Planning, Design, & Construction Management

1853 Embarcadero  
Oakland, California 94606  
Tel: (510) 533-7600  
Fax: (510) 533-7611

October 28, 1998

To: Robin Maloney Rames  
California Coastal Commission

From: Gil Conn

RE: Aliso Beach Fishing Pier Removal

Pursuant to our telephone conversation of October 27, 1998, I am responding below to the 11 conditions of approval for Emergency Permit No. 5-98-418-G for removal of the Aliso Beach Fishing Pier:

1. The County of Orange has signed and transmitted the "Emergency Permit Acceptance Form" to your office.
- 2./6. Informational and noted.
7. All pier piling will be completely extracted and hauled off-site. The process will consist of jetting around piling to loosen them, and then pulling them free. This vibration-free method will eliminate any potential impacts to the adjacent Aliso Creek storm water drain.
8. Transmitted to your office on October 27, 1998.
9. Posting of signs along Pacific Coast Highway and within the County parking lot will be completed this week.
10. The pier removal plan incorporates an area within the County parking lot for passenger drop-off, turn around and exit.
11. All construction debris will be removed from coastal waters, and the beach and parking lot will be restored to the pre-construction condition by the conclusion of the project.



Oakland, California • Marina del Rey, Ca

**EXHIBIT No. 9**

Application Number:

**5-98-418**

**E.P. Conditions**



California Coastal  
Commission

**CALIFORNIA COASTAL COMMISSION**

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

**EMERGENCY PERMIT**October 20, 1998

Date

5-98-418-G

(Emergency Permit Number)

Aliso Beach Fishing Pier, Aliso County Beach, County of Orange

Location of Emergency Work

The applicant is proposing to demolish the Aliso Pier at the Aliso County Beach and remove the pier, pilings, and restore the beach and parking lot to its prior condition. A detailed project description is attached.

**Project Description**

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information and our site inspection that an unexpected occurrence in the form of storm damage causing major pier instability requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- a. An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 90 days unless otherwise specified by the terms of the permit;
- b. Public comment on the proposed emergency action has been reviewed if time allows; and
- c. As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.


The work is hereby approved, subject to the conditions listed on the reverse.

Very Truly Yours,

Peter M. Douglas  
Executive Director

By: 

Title: District Manager

EXHIBIT No. 10
Application Number: 5-98-418
E.P.
 California Coastal Commission



## CONDITIONS OF APPROVAL:

1. The enclosed form must be signed by the property owner and returned to our office within 15 days.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 90 days of the date of this permit.
4. Within 60 days of the date of this permit, the permittee shall apply for a regular Coastal Permit to have the emergency work be considered permanent. If no such application is received, the emergency work shall be removed in its entirety within 150 days of the date of this permit unless waived by the Director.
5. In exercising this permit the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
7. Prior to the commencement of construction, the applicant shall submit, for the review and approval of the Executive Director, a written project proposal indicating that pilings from the low tide line landward to the base of the pier shall be completely removed and shall also indicate in writing which pilings will be removed five feet below grade.
8. Prior to the commencement of construction the applicant shall submit for the review and approval of the Executive Director, evidence in writing from the Regional Water Quality Control Board, the State Lands Commission, and the Department of Fish and Game approving the demolition of the pier and any conditions imposed. In addition, the applicant shall submit evidence of either an application or an actual permit from the Army Corps of Engineers for the proposed demolition.
9. Two weeks in advance of construction, the applicant shall post signs along Pacific Coast Highway and in the County parking lot, advising beachgoers and vehicular traffic of the upcoming demolition. Beachgoers will be advised to park in the County parking lot on the inland side of PCH.
10. A portion of the parking lot near the entrance shall be set aside for vehicular traffic to drop off passengers and turn around and exit. Safe pedestrian lateral access from the north to the south shall be provided.
11. All construction debris, as stipulated by the RWQCB, shall be removed from coastal waters. At the conclusion of the project the beach and parking lot shall be restored to the pre-construction condition.

Condition #4 indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call the Commission Area office.

Enclosures: 1) Acceptance Form

## **DETAILED PROJECT DESCRIPTION**

There are two parking lots for the Aliso Beach County Park. One parking lot is located on the inland side of PCH and one is located on the seaward side of PCH. The County parking lot on the seaward side of PCH will be fenced off for a construction staging area, except for a drop off and turn around area. A ramp will be constructed leading from the beach to the base of the pier to provide trucks access to the pier. The existing pier will be fortified with a maximum of 24 pilings to allow for safe truck ingress and egress. An additional 18 pilings will be installed on the south side of the pier to allow for the construction of a moveable platform supporting a construction crane. As the pier is demolished the moveable platform will retreat landward, removing the support pilings no longer necessary to support the crane. The applicant shall sawcut and remove blocks of the pier and caps supporting the pilings. Pilings at the seaward extent of the pier shall be cut off five feet below grade. Pilings in the low tide zone and shore shall be removed entirely.