

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 800 Oceangate, Suite 1000  
 Beach, CA 90802-4302  
 (714) 590-5071



Filed: October 13, 1999  
 49th Day: December 1, 1999  
 180th Day: April 10, 2000  
 Staff: KFS-LB  
 Staff Report: November 18, 1999  
 Hearing Date: December 7-10, 1999  
 Commission Action:

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NUMBER:** 5-99-288

**APPLICANT:** City of Newport Beach

**AGENT:** Steve Luy, City of Newport Beach Public Works Department

**PROJECT LOCATION:** In the public right-of-way within 32<sup>nd</sup> Street, between Balboa Boulevard and Newport Boulevard; in the public right-of-way within Newport Boulevard, between 32<sup>nd</sup> Street and 30<sup>th</sup> Street, and in the public right-of-way within 30<sup>th</sup> Street between Newport Boulevard and the Rhine Channel in Newport Harbor.

**PROJECT DESCRIPTION:** Replacement of an existing deteriorated storm drain with a new 36 inch storm drain on Newport Boulevard between 30<sup>th</sup> Street and 31<sup>st</sup> Street. Installation of a new 36 inch diameter storm drain on 30<sup>th</sup> Street between Newport Boulevard and the Rhine Channel in Newport Harbor. Installation of a new storm drain outlet into Newport Harbor at the terminus of 30<sup>th</sup> Street at the Rhine Channel.

**SUMMARY OF STAFF RECOMMENDATION:**

The major issues of this staff report are water quality and public access. Staff recommends **APPROVAL** of the proposed development subject to five special conditions which 1) require use of construction BMPs; 2) notify the applicant of Coastal Development Permit requirements for future development; 3) require identification of a debris disposal site; 4) require implementation of structural best management practices; and 5) limit construction to the non-peak beach use season.

**LOCAL APPROVALS RECEIVED:** City of Newport Beach approval-in-concept no. 5284-99.

**SUBSTANTIVE FILE DOCUMENTS:** City of Newport Beach certified Land Use Plan; Coastal development permits 5-98-012 (City of Newport Beach); 5-96-162 (City of Newport Beach); 5-96-026 (City of Newport Beach); 5-95-013 (City of Newport Beach); Letter from the California Regional Water Quality Control Board to the City of Newport Beach dated October 6, 1999 titled *Mitigated Negative Declaration for the 32<sup>nd</sup> Street/Newport Blvd. Street Rehabilitation and 30<sup>th</sup> Street/Newport Blvd. Storm Drain Improvements Project*; Letter from the California Regional Water Quality Control Board to the City of Newport Beach dated August 23, 1999 titled *Mitigated Negative Declaration for the 32<sup>nd</sup> Street/Newport Blvd. Street Rehabilitation and 30<sup>th</sup> Street/Newport Blvd. Storm Drain Improvements Project*; Mitigated Negative

Declaration (SCH#: 99061097) prepared by the City of Newport Beach and adopted by the Newport Beach City Council on July 26, 1999.

## **STAFF RECOMMENDATION:**

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

## **MOTION**

*I move that the Commission approve CDP #5-99-288 pursuant to the staff recommendation.*

Staff recommends a YES vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

## **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, is located between the nearest public road and the sea and is in conformity with the public access and public recreation policies of the Coastal Act, 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, and will not have any significant adverse effects 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.

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. STORAGE OF CONSTRUCTION MATERIALS, MECHANIZED EQUIPMENT AND REMOVAL OF CONSTRUCTION DEBRIS

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

- (a) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave erosion and dispersion;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
- (c) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control sedimentation impacts to sensitive habitat areas, during construction, to include the following, at minimum: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Newport Bay; a pre-construction meeting to review procedural and BMP guidelines;
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged to coastal waters. Debris shall be disposed at the debris disposal site identified pursuant to Special Condition 3.

#### 2. FUTURE DEVELOPMENT

This Coastal Development Permit 5-99-288 is only for the development, located in the public right-of-way within 32<sup>nd</sup> Street, between Balboa Boulevard and Newport Boulevard; in the public right-of-way within Newport Boulevard, between 32<sup>nd</sup> Street and 30<sup>th</sup> Street, and in the public right-of-way within 30<sup>th</sup> Street between Newport Boulevard and the Rhine Channel in Newport Harbor, in the City of Newport Beach,

County of Orange, as expressly described and conditioned herein. The permittee shall undertake development in accordance with the approved coastal development permit. Any proposed changes to the development, including any dewatering, shall be reported to the Executive Director. No changes to the approved development shall occur without a Commission amendment to this coastal development permit or a new coastal development permit unless the Executive Director determines that no amendment or new permit is required.

**3. LOCATION OF DEBRIS DISPOSAL SITE**

**PRIOR TO ISSUANCE OF A COASTAL DEVELOPMENT PERMIT**, the applicant shall identify in writing, for the review and approval of the Executive Director, the location of the disposal site of the demolition and construction debris resulting from the proposed project. Disposal shall occur at the approved disposal site. 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.

**4. STRUCTURAL BEST MANAGEMENT PRACTICES**

The applicant shall install structural Best Management Practices (BMP's) such as grease/oil separators, inlet trash racks, and low flow sewer diversion connection equipment, on the existing and proposed catch basins which would drain into the pipes approved by this permit. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, a plan indicating the type(s) of BMPs to be installed, and the locations where the BMPs would be installed.

**5. TIMING OF CONSTRUCTION**

To avoid adverse impacts on public beach access, construction shall not occur between the Memorial Day holiday weekend through the Labor Day holiday weekend, inclusive.

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. PROJECT DESCRIPTION AND LOCATION**

The City of Newport Beach is proposing to rehabilitate and upgrade the storm drain system in the Cannery Village area of the City on portions of 32<sup>nd</sup> Street, Newport Boulevard, and 30<sup>th</sup> Street in the City of Newport Beach, Orange County (Exhibits 1 and 2). Specifically, the proposed project includes the following elements: replacement of an existing deteriorated corrugated metal storm drain with a new 36 inch reinforced concrete pipe (RCP) storm drain on Newport Boulevard between 30<sup>th</sup> Street and 31<sup>st</sup> Street; installation of a new 36 inch diameter RCP storm drain on 30<sup>th</sup> Street between Newport Boulevard and the Rhine Channel in Newport Harbor; and installation of a new storm drain outlet into Newport Harbor at the

terminus of 30<sup>th</sup> Street at the Rhine Channel. The applicant will also resurface portions of 32<sup>nd</sup> Street, Newport Boulevard, and 30<sup>th</sup> Street. However, the resurfacing, in this case, is a repair and maintenance activity that is exempt from coastal development permit requirements under Section 30610(d) of the Coastal Act.

The proposed replacement storm drains and new storm drains will be outfitted with the attachments necessary to connect the storm drain system to a low flow sewer diversion. While there are no present proposals to install a low flow sewer diversion in this area, the City is installing the equipment so that future upgrades to allow low flow sewer diversion can be more easily accomplished.

The proposed new storm drain outlet into Newport Harbor at the terminus of 30<sup>th</sup> Street will be cut through the existing bulkhead. The outlet will include an electronically operated sluice gate that will open and close in response to tidal action to prevent high tide waters from backing up through the storm drain system and onto the street. The sluice gate may be hand cranked in the event of a power failure. Erosion protection will not be required at the base of the discharge point because discharges will normally occur at water level. This storm drain outlet is similar to the design of other storm drain outlets throughout Newport Harbor.

The storm drain replacement and new storm drain will require trenching, excavation and disposal of 5000 cubic yards of soil. The applicant has not identified the location of soil disposal. Once the RCP storm drain is placed in the trench, the trench will be backfilled with engineered material and resurfaced with asphalt.

Presently, storm water runoff in the vicinity of 30<sup>th</sup> and 32<sup>nd</sup> Streets discharge to Newport Bay west of Newport Boulevard at the Rivo Alto Channel. The proposed new storm drain and outlet on 30<sup>th</sup> Street will cause the runoff from 30<sup>th</sup> and 32<sup>nd</sup> Streets which formerly discharged into the Rivo Alto Channel to be discharged into the Rhine Channel. There will be no change to the quantity of storm water discharges. Also, the proposed storm drain improvements are not designed to accommodate additional development or development density in the service area. The area is already fully developed. Instead, the proposed storm drain improvements are necessary both to replace deteriorating and undersized storm drain facilities as well as to upgrade the capacity of the storm drain system in order to accommodate a 10-year frequency storm event. The increase in capacity of the existing storm drain and the diversion of discharges from 30<sup>th</sup> and 32<sup>nd</sup> Streets from the Rivo Alto Channel to the Rhine Channel through the addition of a storm drain on 30<sup>th</sup> Street will relieve storm-related flooding of the streets which occurs under present conditions.

The proposed work is expected to take approximately 50 working days to construct and will be completed prior to the spring season. Construction will begin at the terminus of 30<sup>th</sup> Street and proceed incrementally from 30<sup>th</sup> Street to Newport Boulevard. Work will occur during non-peak hours and will not occur on Saturdays or Sundays. During work hours, approximately 10 parking spaces will be inaccessible at any one time. No permanent loss of parking spaces will occur. In addition, pedestrian and vehicular traffic access will be maintained during construction.

## **B. 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.*

Newport Harbor (Lower Newport Bay) is a critical coastal water body on the federal Clean Water Act 303(d) list of "impaired" water bodies. The designation as "impaired" means the quality of the water body cannot support beneficial recreation and aquatic uses. The listing is made by the California Regional Water Quality Control Board, Santa Ana Region (RWQCB), and the State Water Resources Control Board (SWRCB), and confirmed by the U.S. Environmental Protection Agency. Further, the RWQCB has targeted the Newport Bay watershed, which would include Newport Harbor, for increased scrutiny as a higher priority watershed under its Watershed Initiative.

### **1. Construction Impacts to Water Quality**

The Negative Declaration states that construction-related impacts upon water quality will be mitigated through the implementation of National Pollution Discharge Elimination System (NPDES) Best Management Practices. However, the RWQCB commented that no NPDES stormwater permit would be required if the project involved less than 5 acres (Exhibit 3). The applicant has stated that the project involves less than 5 acres and therefore the City would not be pursuing a storm water permit.

The applicant has proposed the following best management practices during construction: street and alley sweeping and placing sandbags around storm drain inlets. In addition, the applicant has proposed to pump any dewatering discharges through a sedimentation tank to filter the discharges prior to release. Since the water table is approximately 10 feet below the surface, dewatering may be required during installation of the proposed new storm drain outlet at the terminus of 30<sup>th</sup> Street as well as during installation of the new storm drain lines. However, the applicant has not performed the investigation necessary to determine definitively if dewatering will be necessary. In the event that dewatering is necessary, the RWQCB has indicated that an approval from the RWQCB will be required (Exhibit 4).

Storage or placement of construction materials, debris, or waste in a location subject to wave erosion and dispersion or which may be discharged into coastal water via rain would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of machinery in coastal waters not designed for such use may result in the release of lubricants or oils that are toxic to marine life. Sediment discharged to coastal waters may cause turbidity which can shade and reduce the productivity of eelgrass beds and foraging avian and marine species ability to see food in the

water column. Discharges of sediment laden water from dewatering activities can also cause turbidity. In order to avoid adverse construction-related impacts upon marine resources, Special Condition 1 outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. In addition, since the applicant has not definitively stated that dewatering will be necessary, Special Condition 2 informs the applicant of the need to obtain an amendment to this coastal development permit or a new coastal development permit if dewatering is required. Finally, since the applicant is unable to identify the location of the debris disposal site at this time, Special Condition 3 requires the applicant to identify a debris disposal site prior to issuance of the coastal development permit and informs the applicants that use of a disposal site within the coastal zone will require an amendment or new coastal development permit.

Only as conditioned for appropriate storage of construction materials and equipment, identification of a debris disposal site, and notification that dewatering requires an amendment or new coastal development permit does the Commission find that the proposed development is consistent with Section 30230 of the Coastal Act.

## 2. Runoff Discharged into the Proposed Project

The proposed development would increase the capacity of the existing storm water system. Pollutants such as sediment or toxic substances such as grease, motor oil, heavy metals, and pesticides contained within the runoff discharged into the harbor would have significant adverse impacts on the harbor's water quality.

The Negative Declaration states that the proposed development would not result in a net increase in the quantity of storm water discharged to coastal waters. The storm waters that will be discharged through the new storm drain and outlet to the Rhine Channel are of the same type and quantity as that presently discharged into the Rivo Alto Channel. Therefore, while the capacity of the storm drain system is increasing, the area drained is not increasing. Rather, the proposed storm drain improvements and additions would redistribute existing storm water within the existing system in order to allow City streets to clear of storm water more rapidly after storm events. The Commission finds that the proposed development would not result in additional pollutants entering the harbor, since the amount of runoff would not be increased by the proposed storm drain improvements and additions.

While the proposed pipe would only redistribute existing runoff and not increase it, pollutants carried in the existing runoff affect the water quality of Newport Harbor. Although the harbor is considered an "impaired" water body, and much of the pollutants entering the harbor come from inland developed area outside the coastal zone, or from other sources within the coastal zone besides the proposed or existing pipes, such as from boats in the harbor, the Commission finds that it is necessary to minimize to the extent feasible within its jurisdiction the cumulative adverse impacts on water quality resulting from continued entry of existing pollutants into the harbor. Reductions in the amount of pollutants in the existing runoff would be one step to begin to reduce cumulative adverse impacts to coastal water quality.

Installation of structural BMP's would reduce pollutants, such as trash, motor oil, and grease that are normally carried into coastal waters via storm drains. By catching the pollutants before they enter the storm drains, structural BMP's would reduce pollutant levels in runoff entering Newport Harbor through the proposed pipe, thus minimizing to the extent feasible

cumulative adverse impacts upon water quality of Newport Harbor. In addition, low flow discharges tend to have a high concentration of pollutants because such flows tend to originate from non-storm-related discharges, such as landscape watering. Diverting low flows to the sewer system for sewer treatment would reduce the impact such low flows have upon water quality in Newport Bay. The applicant is proposing to install trash racks in the catch basins that are proposed. In addition, the applicant is proposing to install the equipment necessary to allow future upgrades of the storm water discharge system so that low flows can be diverted for sewer treatment. Low flow sewer treatment is not proposed at this time, however, the applicant is proposing low flow diversion elsewhere in the City. Expansion of low flow diversion is anticipated in the future. Therefore, storm drain improvements, such as that being proposed, are being installed with the equipment to make low flow diversion more readily accessible in the future. The implementation of such BMP's is necessary to reduce the cumulative adverse impact existing polluted runoff has upon Newport Bay. Therefore, the Commission finds that it is necessary to require as a condition of approval (Special Condition 4) the installation of structural best management practices including trash grates and low flow diversion attachments. Only as conditioned does the Commission find the proposed development is consistent with Section 30231 of the Coastal Act.

**C. PUBLIC ACCESS**

1. Maximum Access

Section 30210 of the Coastal Act requires that maximum public access and recreation opportunities be provided. Section 30210 states as follows:

*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.*

The proposed work is expected to take approximately 50 working days to construct and will be completed prior to the spring season. Construction will begin at the terminus of 30<sup>th</sup> Street and proceed incrementally from 30<sup>th</sup> Street to Newport Boulevard. Work will occur during non-peak hours and will not occur on Saturdays or Sundays. Pedestrian and vehicular traffic access will be maintained during construction. Specifically, the applicant is proposing that all traffic lanes remain open on Newport Boulevard and 32<sup>nd</sup> Street prior to 9 a.m. and after 3:30 p.m. on weekdays. In addition, at least one traffic lane will be provided in each direction of traffic on 32<sup>nd</sup> Street and Newport Boulevard between 9 a.m. and 3:30 p.m. during weekdays. Finally, traffic on 30<sup>th</sup> Street will be restricted to one flagger controlled traffic lane between 9 a.m. and 3:30 p.m. during weekdays. No work will occur on weekends. During work hours, approximately 10 parking spaces will be inaccessible at any one time. No permanent loss of parking spaces will occur.

The proposed project would result in the temporary closure of portions of 32<sup>nd</sup> Street, Newport Boulevard, and 30<sup>th</sup> Street. While the affected portions of 32<sup>nd</sup> Street and 30<sup>th</sup> Streets are not heavily utilized for coastal access, Newport Boulevard is a primary accessway to coastal beach areas in the vicinity of the site as well as along the Balboa Peninsula. Closure of Newport Boulevard, including single lane closure, during peak summer season



would result in adverse impacts upon public access. Therefore, the Commission finds it is necessary to impose Special Condition 5 requiring that the portion of the proposed project involving the closure of one lane of Newport Boulevard shall not occur during the peak summer season from the Memorial Day weekend through the Labor Day weekend, inclusive. Only as conditioned does the Commission find the proposed development is consistent with Section 30210 of the Coastal Act.

2. First Public Road

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the first public road and the sea include a specific finding regarding the conformity of the proposed development with the public access and recreation policies of Chapter 3 of the Coastal Act. A portion of the proposed development, the storm drain outlet, is located between the first public road and the sea.

Section 30212 of the Coastal Act states, in relevant part:

*(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

*(2) adequate access exists nearby.*

The proposed storm drain outlet will be installed within an existing bulkhead flanking the Rhine Channel at the terminus of 30<sup>th</sup> Street. Gangways and dock floats are seaward of the bulkhead. The pipe feeding the outlet will be below grade. The vault which houses the sluice gate lift controls will extend 6 inches above grade, flush against the backside of the bulkhead. This above grade extension will not intrude upon any walkway areas. The proposed development will not interfere with existing access conditions, and adequate access exists on site. Therefore, the Commission finds the proposed development is consistent with Section 30212 of the Coastal Act.

3. Growth Inducement

Section 30254 of the Coastal Act states, in relevant part:

*New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division...*

The Negative Declaration states that the proposed storm drain improvements will not increase the development potential of the area served by the proposed improvements. In addition, the City of Newport Beach certified Land Use Plan designates the areas serviced by the proposed development for *Two Family Residential, Retail and Service Commercial, Retail and Service Commercial/Industrial, Recreational and Marine Commercial, and Government, Educational, and Institutional Facilities*. These Commission-certified designations are already intense uses with a tendency for a high percentage of impermeable surfaces. Increasing the capacity of the storm water system would not be pivotal to increasing development density in this area. Alternatively, other public works improvements, such as increased sewer capacity and roadway capacity would tend to be growth-inducing in this area. However, no such increase

in sewer or roadway capacity is proposed. Furthermore, the service area is urbanized and hardscape, such as roads, parking areas, and structures is prevalent. Therefore, the Commission finds the proposed development will not be growth-inducing and is consistent with Section 30254 of the Coastal Act.

**E. LOCAL COASTAL PROGRAM**

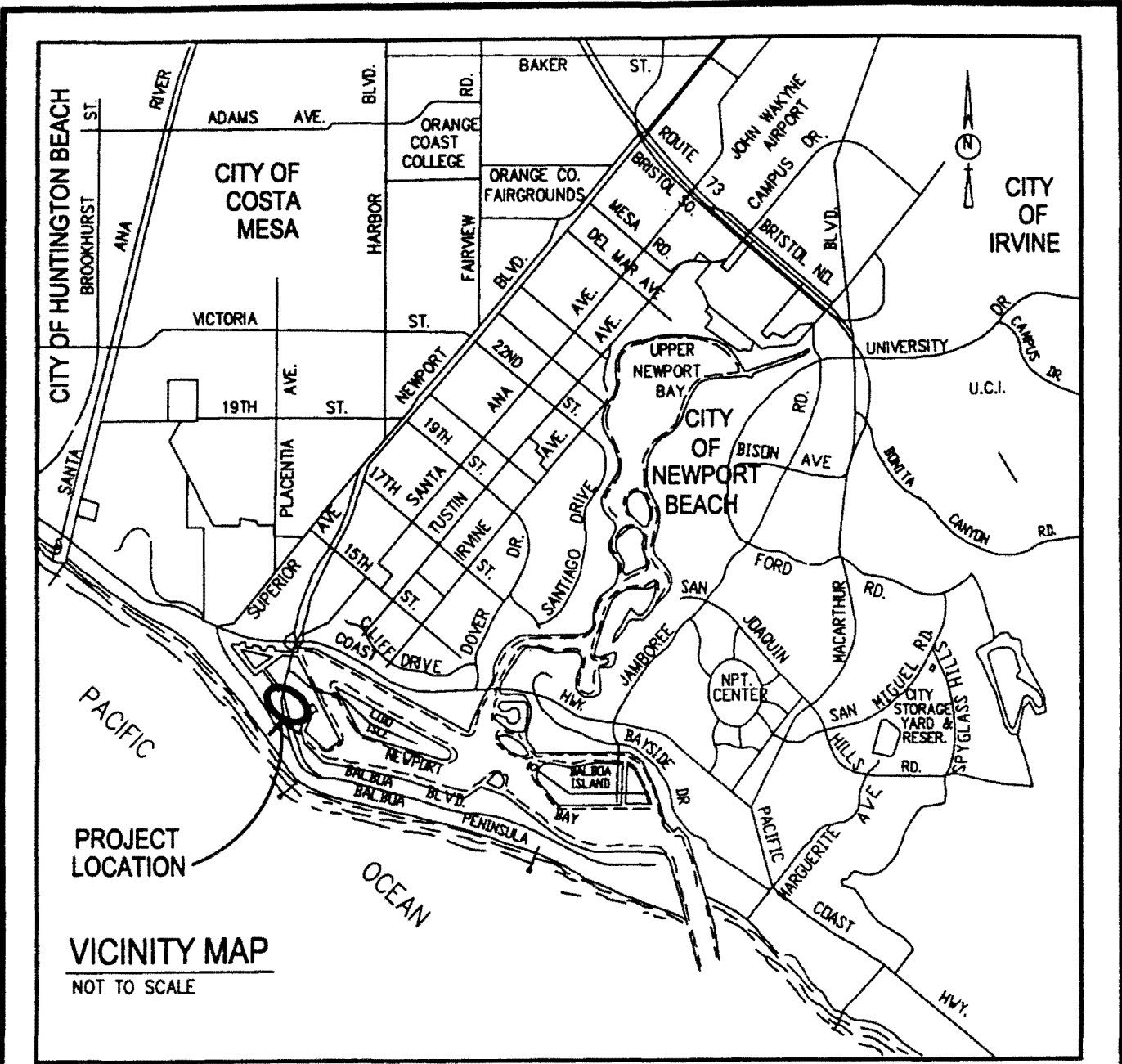
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act.

The Commission certified the Land Use Plan for the City of Newport Beach on May 19, 1982. As conditioned, the proposed development is consistent with the policies contained in the certified Land Use Plan and with the Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for Newport Beach that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

**F. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Section 13096 of the Commission's 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). 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 for consistency with the marine resource protection policies of Section 30230 of the Coastal Act. Mitigation measures, in the form of special conditions require 1) use of construction BMPs; 2) notification of coastal development permit requirements for future development; 3) identification of a debris disposal site; 4) implementation of structural best management practices; and 5) construction timing will minimize all adverse effects. The proposed development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.

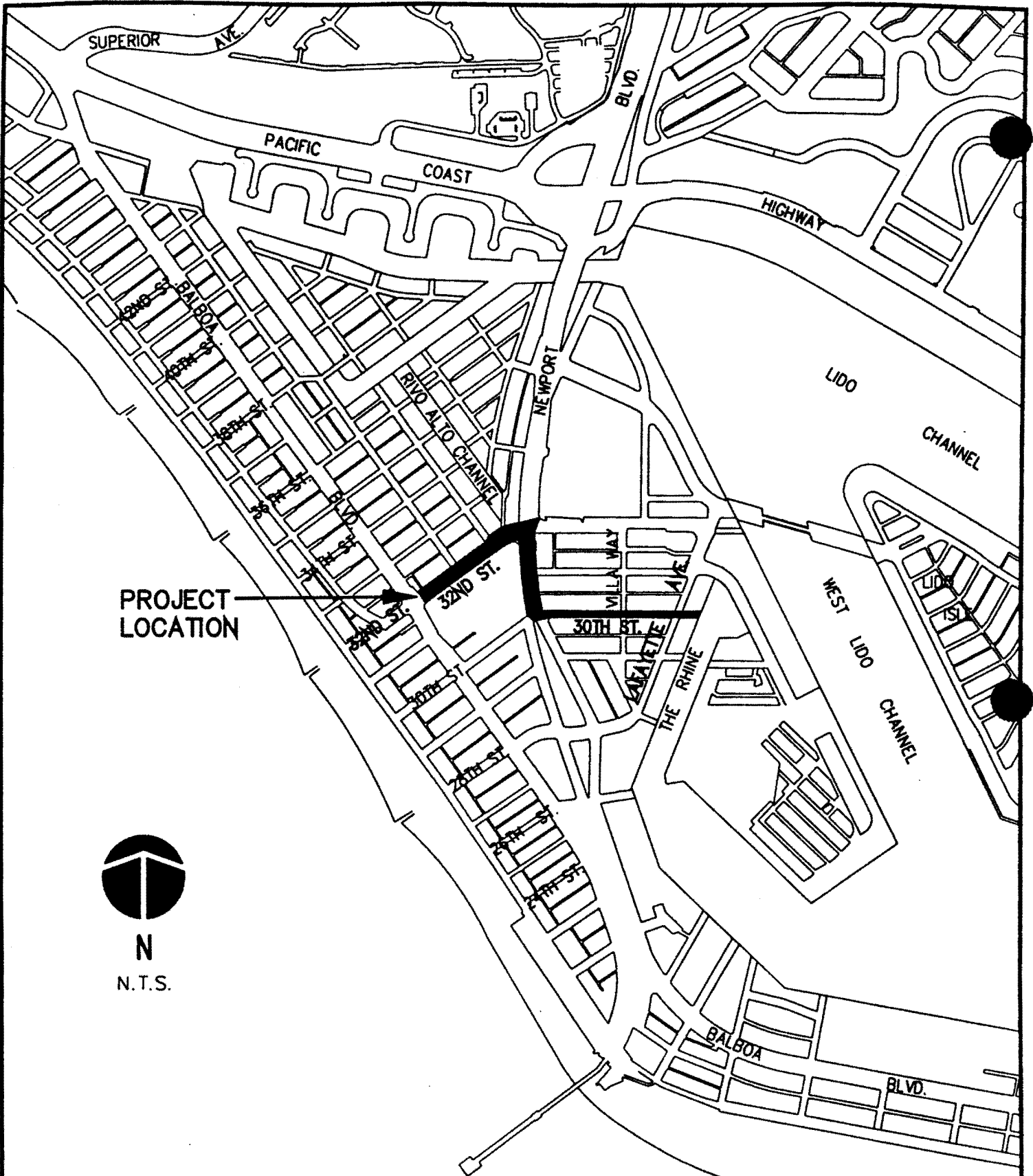


**VICINITY MAP**  
NOT TO SCALE

**32ND ST./NEWPORT BLVD. STREET REHABILITATION AND  
30TH ST./NEWPORT BLVD. STORM DRAIN IMPROVEMENTS**

**COASTAL COMMISSION**

EXHIBIT # 1  
PAGE 1 OF 2



PROJECT  
LOCATION



N  
N.T.S.

32ND ST./NEWPORT BLVD.  
STREET REHABILITATION  
AND  
30TH ST./NEWPORT BLVD.  
STORM DRAIN IMPROVEMENTS

COASTAL COMMISSION

5-99-285

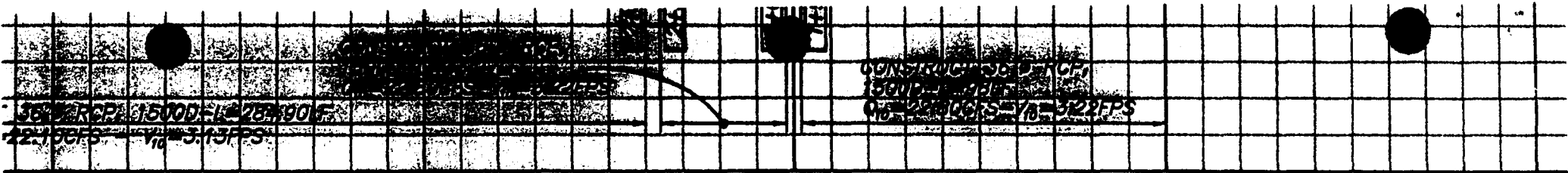
EXHIBIT # 1

PAGE 2 OF 2

**RECEIVED**  
South Coast Region

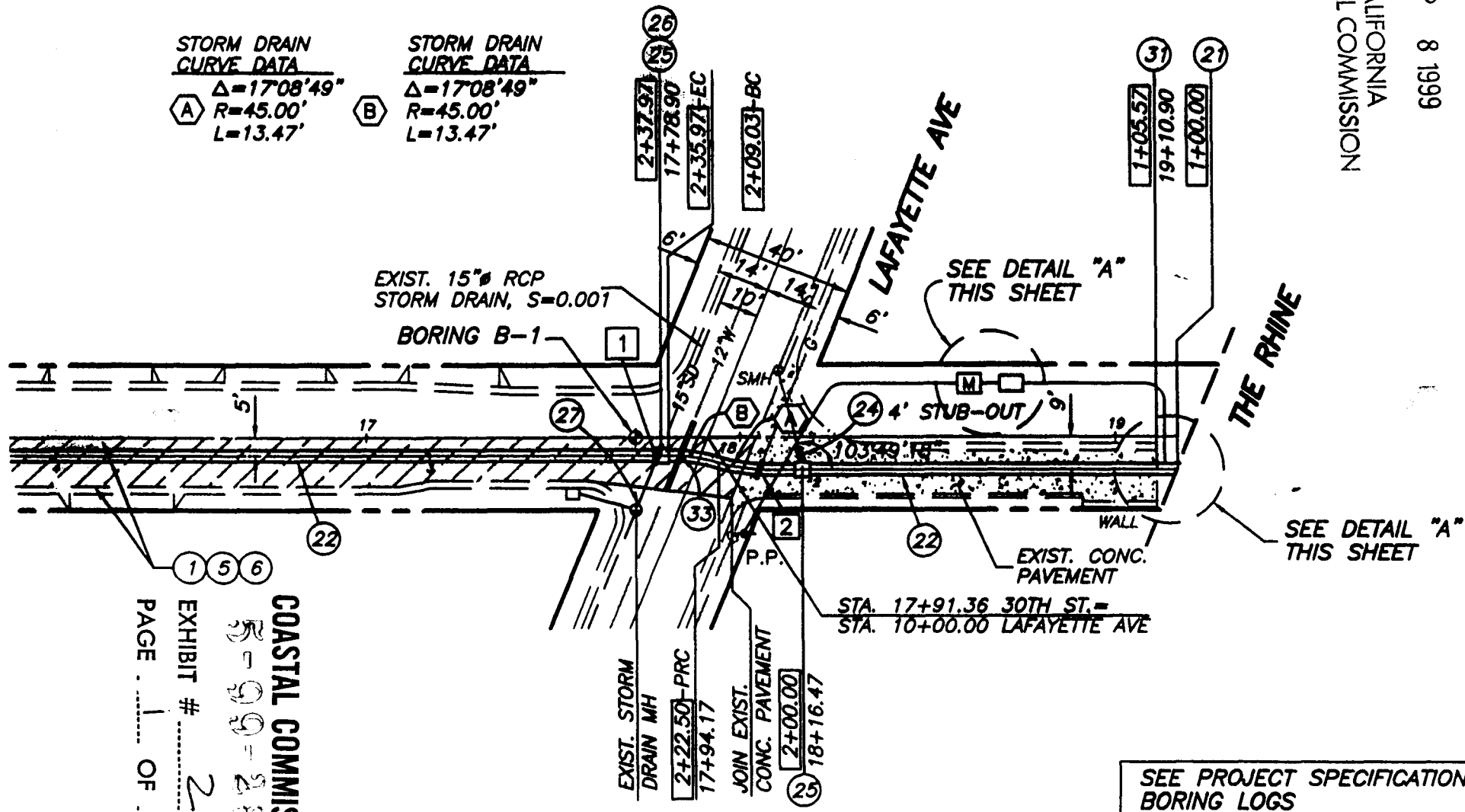
SEP 8 1999

CALIFORNIA  
COASTAL COMMISSION



**STORM DRAIN  
CURVE DATA**  
A  $\Delta=17'08'49''$   
 $R=45.00'$   
 $L=13.47'$

**STORM DRAIN  
CURVE DATA**  
B  $\Delta=17'08'49''$   
 $R=45.00'$   
 $L=13.47'$



SEE DETAIL "A"  
THIS SHEET

SEE DETAIL "A"  
THIS SHEET

SEE PROJECT SPECIFICATIONS FOR  
BORING LOGS

COASTAL COMMISSION

R-99-288

EXHIBIT # 2

PAGE 1 OF 6

SCALE:  
 HORIZ. 1"=40'  
 VERT. 1"= 4'

36" RCP, 1500D-L=4' 7.91LF  
 0.80GFS -  $V_d=1.53$ FPS

CONSTRUCT 36" RCP, 1500D-L  
 $G_o=22.10$ GFS -  $V_d=3.15$

7+00

6+00

5+00

4+00

STOR  
 CURV  
 A R L

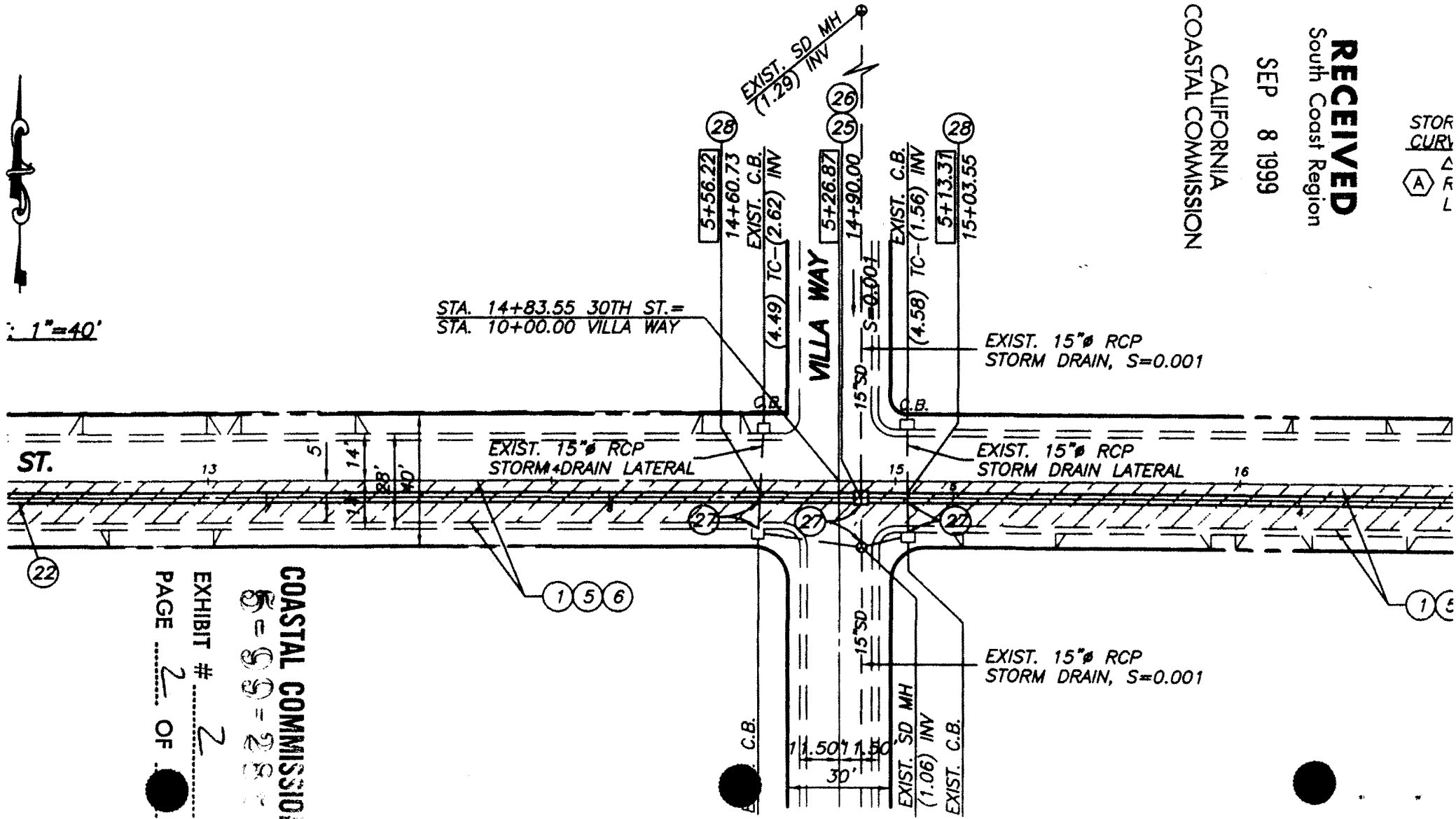
**RECEIVED**  
 South Coast Region  
 SEP 8 1999

CALIFORNIA  
 COASTAL COMMISSION



1"=40'

STA. 14+83.55 30TH ST.=  
 STA. 10+00.00 VILLA WAY



ST.

22

COASTAL COMMISSION  
 6-99-28  
 EXHIBIT # 2  
 PAGE 2 OF 2

1 5 6

1 5

C.B.

EXIST. SD MH  
 (1.06) INV

EXIST. C.B.

EXIST. 15" RCP  
 STORM DRAIN, S=0.001

EXIST. 15" RCP  
 STORM DRAIN, S=0.001

EXIST. 15" RCP  
 STORM DRAIN LATERAL

EXIST. 15" RCP  
 STORM DRAIN LATERAL

VILLA WAY

EXIST. SD MH  
 (7.29) INV

5+56.22  
 14+60.73  
 EXIST. C.B.  
 (4.49) TC-(2.62) INV

5+26.87  
 14+90.00

EXIST. C.B.  
 (4.58) TC-(1.56) INV

5+13.37  
 15+03.55

11.50  
 30'

**RECEIVED**  
South Coast Region

SEP 8 1999

CALIFORNIA  
COASTAL COMMISSION

SCALE: 1"=40'

CONSTRUCT 36" RCP, 1500D-L  
G<sub>10</sub>=10.80GFS V<sub>10</sub>=1.53'

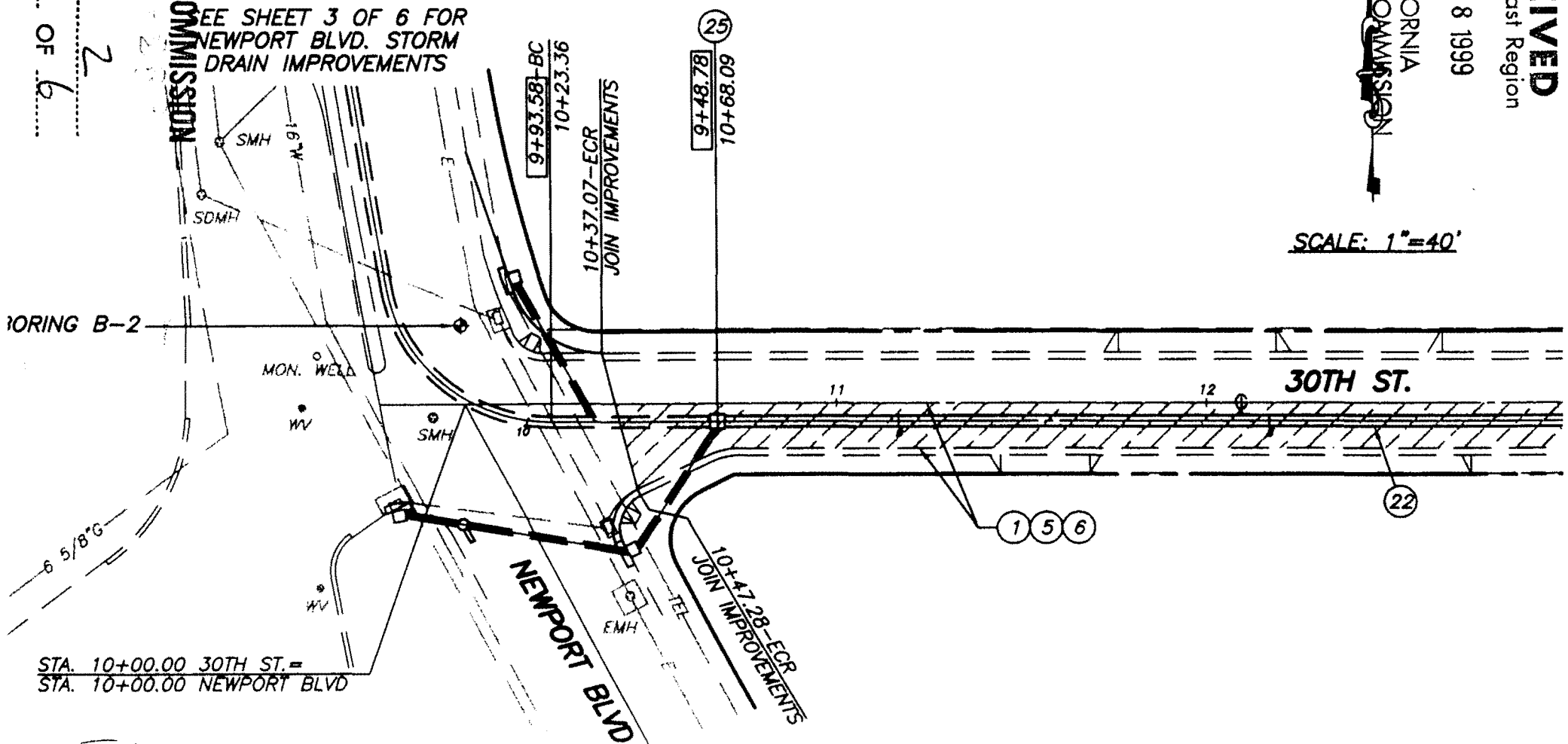
11+00 10+00 9+00 8+00

9+50.78  
9+46.78

COASTAL COMMISSION

SEE SHEET 3 OF 6 FOR  
NEWPORT BLVD. STORM  
DRAIN IMPROVEMENTS

EXHIBIT # 2  
PAGE 3 OF 6



STA. 10+00.00 30TH ST. =  
STA. 10+00.00 NEWPORT BLVD

RECEIVED  
 South Coast Region  
 SEP 8 1999  
 CALIFORNIA  
 COASTAL COMMISSION

NEWPORT BLVD

STA. 10+00.00 31ST ST.

STA. 10+00.00 NEWPORT BLVD=  
 STA. 9+76.95 30TH ST.

34 C.B.-W=3.50', H=3'  
 STA. 10+00.00 NEWPORT BLVD=  
 STA. 10+00.00 30TH ST.  
 25 STORM DRAIN MH  
 A' 6" SUB-OUT  
 EXIST. 8" CMP

LINE "A"  
 NEWPORT BLVD

EXIST. 8" CMP

EXIST. 12" BORING B-2  
 MON. WELL

30 9+49.08  
 C.B.-W=3.50', H=3.51'

STORM DRAIN  
 CURVE DATA

△ = 79°52'11"	△ = 58°21'19"	△ = 71°8'13"
R = 45.00'	R = 11.25'	R = 11.25'
L = 62.73'	L = 11.46'	L = 13.97'

30 9+43.10  
 C.B.-W=3.50', H=3'  
 LINE "A"  
 30TH ST.  
 LINE "B"  
 9+81.70  
 9+93.58-BC  
 10+23.29-30TH ST.  
 30 10+27.96-NEWPORT BLVD.  
 W=3.50', H=3'  
 10+56.31-PCC  
 10+31.23-NEWPORT BL

SEE SHEET 2 OF 6 FOR  
 30th ST. STORM DRAIN IMPROVEMENTS

COASTAL COMMISSION

EXHIBIT # 2  
 PAGE 4 OF 6



12+53.61-EC

31ST ST

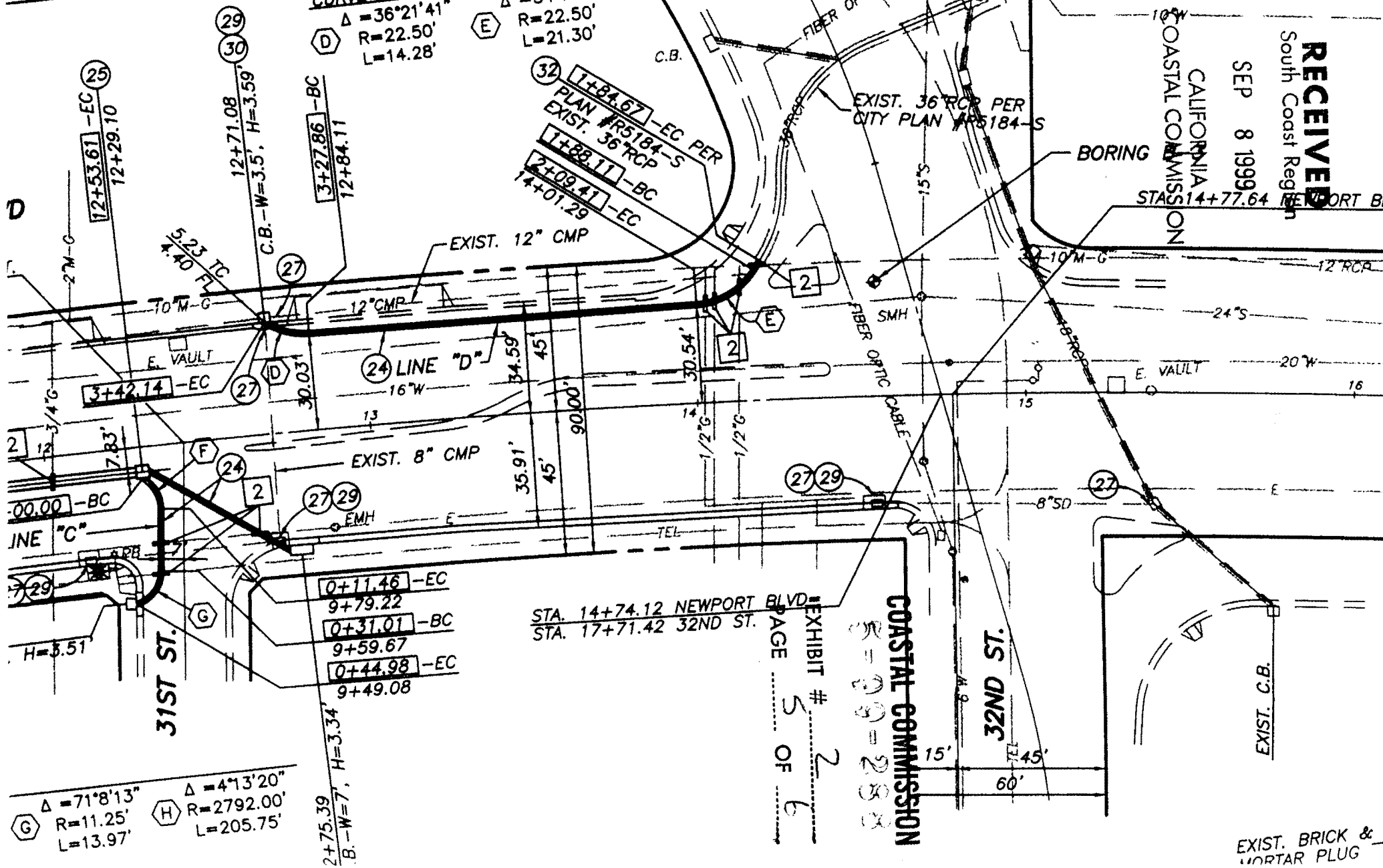


1"=40'

STORM DRAIN CURVE DATA

$\Delta = 36^\circ 21' 41''$   
 $R = 22.50'$   
 $L = 14.28'$

$\Delta = 54^\circ 13' 41''$   
 $R = 22.50'$   
 $L = 21.30'$



**RECEIVED**  
 South Coast Region  
 SEP 8 1999  
 CALIFORNIA  
 COASTAL COMMISSION  
 STA. 14+77.64 NEWPORT BL

STA. 14+74.12 NEWPORT BLVD  
 STA. 17+71.42 32ND ST.

EXHIBIT # 5 OF 6

COASTAL COMMISSION

EXIST. BRICK &  
 PORTAR PLUG

RECEIVED  
AUG 31 1999

CALIFORNIA  
COASTAL COMMISSION

Approx. M.H.T.

36" RCP S.D.  
CONNECTION  
TO BULKHEAD

Approx. Mud Line

BULKHEAD

CARLON FLEXIBLE, NON-METALIC  
CONDUIT AND CONNECTORS  
SEE ALSO SHEET 2 OF 6

GATE LIFT WITH CONTROLS SHALL BE E.I.M.  
MODEL # 2 FLJ-6 (CLEAN AND PAINT WITH COAL TAR  
EPOXY PAINT.)

1/2" RADIUS, TYP.  
(ALL EXPOSED EDGES)

COPING

WALL BRACKET  
(WATERMAN K-38)

2-#5 @ 3" O.C. HORIZ. S.S.R.B.

1-1/2" DIA. "WATERMAN" TYPE 304  
STAINLESS STEEL STEM

18"  
STAINLESS STEEL ANCHOR BOLTS, NUMBER AND  
SIZE PER MANUFACTURER INSTRUCTIONS

2-#5 HORIZ. @ 3" O.C.

ELECTRICAL  
CONDUITS

#5 @ 8" EACH  
WAY CENTERED  
6"

2" CLR.

#5 @ 6" EACH WAY  
2-#5 @ 3" O.C.  
(ALL AROUND OPENING)

#5 @ 12" O.C.  
(BOTH WAYS)

#5 HORIZ. @ 12" O.C.  
(TYP. IN REAR AND SIDE WALLS)

CONST. INLET STEPS  
PER CNB STD-404-L

36"X36" SLUICE GATE  
(WATERMAN SERIES 5000  
NRS) STAINLESS STEEL  
HARDWARE, BRONZE SEAT  
& EPOXY COATED

#5 @ 12" O.C.  
(BOTH WAYS)

90% REL. COMPACTION OR  
SAND-CEMENT SLURRY

EXIST. AC  
PAVEMENT

#5 VERT. @ 12" O.C.  
IN CENTER OF WALL  
(TYP. ALL WALLS)

#4 (TYP. AROUND  
ALL OPENINGS  
MIN. 2" CLR.)

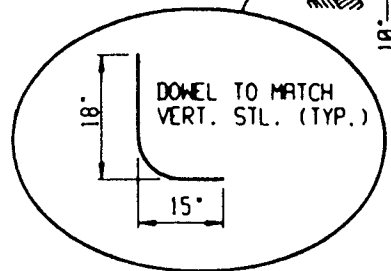
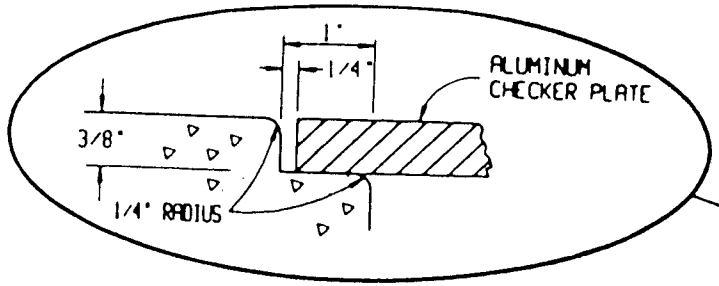
5" EMBEDMENT TYP.

36" RCP S.D.

DOWEL TO MATCH  
VERT. STL. (TYP.)

SECTION A-A

NTS



COASTAL COMMISSION

6-9-88

EXHIBIT # 2

PAGE 6 OF 6



# California Regional Water Quality Control Board Santa Ana Region



Winston H. Hickey  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov>  
3737 Main Street, Suite 500, Riverside, California 92501-3339  
Phone (909) 782-4130 • FAX (909) 781-6288

Gray Davis  
Governor

August 23, 1999

**RECEIVED**  
South Coast Region

SEP 8 1999

CALIFORNIA  
COASTAL COMMISSION

Bill Patapoff  
City of Newport Beach  
Public Works Dept.  
P.O. Box 1768  
Newport Beach, CA 92658-8915

## MITIGATED NEGATIVE DECLARATION FOR THE 32<sup>ND</sup> STREET/NEWPORT BLVD. STREET REHABILITATION AND 30<sup>TH</sup> STREET/NEWPORT BLVD. STORM DRAIN IMPROVEMENTS PROJECT

Dear Mr. Patapoff:

RWQCB personnel have reviewed the Negative Declaration for this project. If the project area is greater than 5 acres, a National Pollutant Discharge Elimination System (NPDES) Stormwater permit will be required from this Regional Board. Please note that the time frame for the issuance of a permit can be as long as 180 days from the time a completed permit application is received at the Regional Board.

### Comments from Storm water personnel:

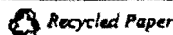
- The discharges from the project site are tributary to a sensitive water body, which is Newport Bay; therefore, it is critical to control the discharge of pollutants from the project site. These pollutants include sediments, non-storm water and other pollutants from construction practises.
- Appropriate best management practises (BMPs) should be developed and implemented to control the discharge of pollutants and to avoid tracking of sediments to the streets.
- Please submit a Storm Water Pollution Prevention Plan (SWPPP) to the Regional Water Board office prior to the start of the project.

If you have any questions, please call me at (909) 782-4991.

Sincerely,

Linda M. Candelaria  
Planning Section

California Environmental Protection Agency



COASTAL COMMISSION

3-95-282  
EXHIBIT # 3  
PAGE 1 OF 2



**CITY OF NEWPORT BEACH  
PUBLIC WORKS DEPARTMENT**

3300 NEWPORT BLVD.  
P.O. BOX 1768, NEWPORT BEACH, CA 92658-8915  
(949) 644-3311

Lloyd

**RECEIVED**  
SEP 08 1999

August 24, 1999

Linda M. Candelaria  
California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3339

**CALIFORNIA  
COASTAL COMMISSION**

Re: 32<sup>nd</sup> Street/Newport Boulevard & 30<sup>th</sup> Street/Newport Boulevard Storm Drain Improvements

Dear Ms. Candelaria,

Thank you for your response to our street rehabilitation and storm drain project on Newport Boulevard, 32<sup>nd</sup> Street and 30<sup>th</sup> Streets. Our construction project is less than 5 acres and is being constructed within the City roadways. We have an approved Negative Declaration (attached per your request) and are requiring Best Management Practices (BMPs) as part of the project. These BMPs will require the contractor to control pollutants from his construction activities and not allow them to enter the storm drain system which drains to the bay.

Also, this project is not part of a development project. We will be installing the drainage system in the paved streets and then re-paving the streets. The drainage from the streets has, and will continue to drain to Newport Harbor.

Furthermore, it is our understanding that since the storm drain project is less than 5 acres and is not part of a larger project/development, that a Storm Water Pollution Prevention Plan (SWPP) is not required.

I hope this clears up any questions you may have. Please contact Lloyd Dalton or me at 949-644-3311 if you require additional details.

Very truly yours,

*Bill Patapoff*  
Bill Patapoff, P.E.  
City Engineer

Attachment: Negative Declaration

cc: Karl Schwing, California Coastal Commission

**COASTAL COMMISSION**

EXHIBIT # 3  
PAGE 2 OF 2



# California Regional Water Quality Control Board Santa Ana Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov>  
3737 Main Street, Suite 500, Riverside, California 92501-3339  
Phone (909) 782-4130 • FAX (909) 781-6288

Gray Davis  
Governor

October 6, 1999

RECEIVED  
OCT 13 1999

Lloyd Dalton  
City of Newport Beach  
Public Works Dept.  
P.O. Box 1768  
Newport Beach, CA 92658-8915

CALIFORNIA  
COASTAL COMMISSION

## MITIGATED NEGATIVE DECLARATION FOR THE 32<sup>ND</sup> STREET/NEWPORT BLVD. STREET REHABILITATION AND 30<sup>TH</sup> STREET/NEWPORT BLVD. STORM DRAIN IMPROVEMENTS PROJECT

Dear Mr. Dalton:

At the request of the Coastal Commission, we contacted you by phone regarding the issue of ground water dewatering for this project. A dewatering permit is required for any intercepted ground water that is discharged to surface waters, regardless of the size of the construction project. If dewatering of ground water is necessary for this project, a dewatering permit will be required from RWQCB. Please note that the time frame for the issuance of a permit can be as long as 180 days from the time a completed permit application is received at the Regional Board.

Thank you for your continued cooperation. If you have any questions, please call me at (909) 782-4991.

Sincerely,

Linda M. Candelaria  
Planning Section

cc: Karl Schwing, California Coastal Commission

COASTAL COMMISSION

EXHIBIT # 4  
PAGE 1 OF 1

