

CALIFORNIA COASTAL COMMISSION

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

Filed: January 8, 2001
49th Day: February 26, 2001
180th Day: July 7, 2001
Staff: KFS-LB
Staff Report: January 25, 2001
Hearing Date: February 13-16, 2001
Commission Action:

**RECORD PACKET COPY****Tu15f****STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-00-371**APPLICANTS:** Tennis Estates Homeowners Association**AGENTS:** Cash & Associates, Randy Mason**PROJECT LOCATION:** 16417 Wimbledon Lane, City of Huntington Beach, Orange County

PROJECT DESCRIPTION: Removal and replacement of a 63 boat slip floating dock system in the same as existing configuration. No changes to the slip sizes are proposed, no existing guide piles will be removed or replaced and no new guide piles are proposed. In addition, add a water line to the dock facility for fire safety purposes.

SUMMARY OF STAFF RECOMMENDATION:

The proposed project is a boating related facility which will have impacts upon water quality. Staff recommends **APPROVAL** of the proposed development with three special conditions including: 1) conformance with construction responsibilities and best management practices; 2) identification of a construction debris disposal site; and 3) implementation of a water quality management plan to minimize impacts upon water quality from the operation of a boating facility.

LOCAL APPROVALS RECEIVED: Approval in Concept, City of Huntington Beach, September 7, 2000.

OTHER AGENCY APPROVALS RECEIVED: 1) Regional Water Quality Control Board review, January 3, 2001; 2) Letter from the California Department of Fish and Game concurring with issuance of a coastal development permit dated January 2, 2001; 3) U.S. Army Corps of Engineers Draft LOP 200000912-VAW.

I. STAFF RECOMMENDATION, MOTION AND RESOLUTION OF APPROVAL

The staff recommends that the Commission **APPROVE** the permit application subject to special conditions.

MOTION:

I move that the Commission approve Coastal Development Permit No. 5-00-371 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION:

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 construction 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 construction has not commenced, the permit will expire two years from the date on which the Commission voted on the application, or in the case of administrative permits, the date on which the permit is reported to the Commission. Construction shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. CONSTRUCTION RESPONSIBILITIES AND DEBRIS REMOVAL

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

- (a) No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to wave/wind erosion and dispersion.
- (b) Any and all debris resulting from construction activities shall be removed from the site within 10 days of completion of construction.
- (c) No machinery or construction materials not essential for project improvements shall be allowed at any time in the intertidal zone;
- (d) Sand from the beach, cobbles, or shoreline rocks shall not be used for construction material.
- (e) If turbid conditions are generated during construction; a silt curtain shall be utilized to control turbidity;
- (f) Measures shall be taken to ensure that barges do not ground and impact eelgrass sites.
- (g) Floating booms shall be used to contain debris discharged into coastal waters and any debris discharged shall be removed as soon as possible but no later than the end of each day.
- (h) Divers shall recover non-buoyant debris discharged into coastal waters as soon as possible after loss.

2. 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 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.

3. WATER QUALITY MANAGEMENT/BOAT OWNER MAINTENANCE PLAN

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, a final Water Quality Management/Boat Owner Maintenance Plan to ensure the control of adverse impacts to water quality related to long term water-borne berthing of boats at the dock. The applicant or successors in interest shall be responsible for complying with the provisions of the final Water Quality Management/Boat Owner Maintenance Plan described herein and approved by the Executive Director.

1. The Plan shall demonstrate that long-term water-borne berthing of boats at this dock shall be managed in a manner which protects water quality and that persons using the dock are made aware of the rules related to boat maintenance and use.
2. The Plan shall substantially conform with *Tennis Estates Homeowners Association Marina Regulations and Environmental Policies* dated February 15, 1990 and revised December 2000 and include, at a minimum, the following components or measures:
 - (a) Boat Cleaning Management Measures:
 1. Boats shall be removed from the water and cleaned such that debris is captured and properly disposed. In-water boat hull washing shall be prohibited, unless done by hand.
 2. In-the-water hull scraping or any process that occurs under water that results in the removal of paint from boat hulls is prohibited.
 3. Boat owners shall utilize only detergents and cleaning components for washing boats that are phosphate-free and biodegradable, and that amounts used shall be minimized.
 4. The use of detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye is prohibited for the purpose of cleaning the exterior of boats.
 - (b) Boat owners/operators using the dock shall:
 1. Properly dispose of all waste discharge from sewage holding tanks at a public facility accessible to boaters that can handle waste disposal;
 2. Properly dispose of all contaminated bilge water at a designated facility with appropriate equipment to dispose of such materials.
 - (c) The applicant shall provide information about all of the measures in the Plan through a combination of signage, tenant bill inserts and distribution of the Plan to new tenants and each year to repeat tenants. In addition, the Plan shall be attached to all slip rental and/or lease agreements. Also, the applicant shall place signage, in a conspicuous manner near the dock platform that lists the above water quality management and boat maintenance requirements. The signage shall identify accessible pump-out facilities for the disposal of contaminated bilge water and sewage waste. The signage shall be written and placed in an area where users of the boat dock can clearly read and understand the management and maintenance requirements.
 - (d) The plan shall require that all vessel owners and operators shall comply with the final Water Quality Management/Boat Owner Maintenance Plan approved by the Executive Director of the Coastal Commission and shall include the following change to Sections II.B. and II.C. of *Tennis Estates*

Homeowners Association Marina Regulations and Environmental Policies
dated February 15, 1990 and revised December 2000 (deletions shown
in ~~line-out~~, additions in **bold**):

- i. Section II.B. shall be modified as follows:

...New or substantial exterior work encompassing more than 25 percent of the hull's surface must be reviewed by the Tennis Estates Manager and may require the Boat Owner to have this Work done at a local marina shipyard. **Meanwhile, any work undertaken shall be consistent with the requirements outlined in Section II.C. below.**

- ii. Section II.C. shall be modified as follows:

~~Tennis Estates Management encourages all vessel owners and users shall to~~ adhere to the following Best Management Practices:

- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection (a) of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The existing and proposed marina is located within the private, gated Tennis Estates residential community in Huntington Harbour, City of Huntington Beach, Orange County (Exhibit 1). This facility is between the first public road and the sea and is in Huntington Harbour. The facility is located near the corner of Saybrook Lane and Humboldt Drive and is across the harbor channel from Humboldt Island.

The existing and proposed facility is located on tidally influenced land that is held in title by the Tennis Estates Homeowners Association pursuant to a Grant Deed dated February 20, 1973. The existing facility is privately operated and used by the homeowners within the Tennis Estates community and is not open to the general public.

The applicant is proposing to remove an existing 63 boat slip marina and replace it with a new 63 boat slip marina (Exhibit 2). Demolition will include the complete removal of all dock floats

and gangways. However, none of the existing 14 inch diameter round concrete dock float guidepiles will be removed. Once the old marina is removed, the applicant will install new docks floats and gangways in the same as existing configuration. The new marina will have 63 boat slips (the same as the existing marina) and will not require any new dock float guidepiles. In addition, the applicant is proposing to install a new water line throughout the dock system to meet present fire department requirements. Finally, no dredging is proposed. According to an eelgrass survey prepared by the applicant no eelgrass exists in the vicinity of the proposed project, therefore, there will be no impacts upon eelgrass habitat.

B. Marine Resources

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

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.

1. Water Quality and Construction Impacts

The proposed project is the construction of a 63 slip boating marina in a private residential community. This development will occur in Huntington Harbour (Exhibit 1).

In order to assess impacts upon water quality, the proposed project was submitted to the California Regional Water Quality Control Board (RWQCB). The RWQCB determined that if standard dock construction methods and materials are utilized, the project should not adversely impact water quality (Exhibit 4).

Due to the proposed project's location on the water, the proposed work may have adverse impacts upon water quality and the marine environment. Storage or placement of construction materials, debris, or waste in a location subject to wave erosion and dispersion 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. The

applicant's project description submitted with this coastal development permit application did not list the standard dock construction methods and materials and association best management practices, referenced by the RWQCB, which would have no adverse impact upon water quality. The Commission finds that, since construction of the proposed project requires the use of best management practices to minimize impacts upon water quality, the Commission imposes Special Condition 1 that requires the applicant to utilize best management practices. Such practices include: no local sand, cobbles, or shoreline rocks may be used for construction material; all construction materials and equipment shall be stored landward of the bulkhead, on impervious surfaces only; all construction materials or waste shall be stored in a manner which prevents their movement via runoff, or any other means, into coastal waters; floating booms shall be used to contain debris discharged into coastal waters; non-buoyant debris discharged into coastal waters shall be recovered by divers as soon as possible after loss; no machinery not essential to project construction may be placed in the intertidal zone at any time, and that any and all construction equipment, materials and debris are removed from upland areas at the conclusion of construction. Since the applicant has not identified a disposal site and in order to prevent impacts to coastal waters, the Commission imposes Special Condition 2, which requires that all construction debris be disposed of at a legal site approved by the Executive Director. Choice of a site within the coastal zone shall require an amendment to this permit or a new coastal development permit.

The Commission finds it necessary to identify the permittee's responsibilities regarding construction and the utilization of best management practices and has conditioned the project accordingly. Therefore, only as conditioned does the Commission find that the proposed project conforms with Sections 30230 and 30231 of the Coastal Act.

2. Marine Habitat

The proposed development is occurring in the waters of Huntington Harbour. The applicant has prepared a biological survey titled *Marine Biological Survey Results* dated December 18, 2000, prepared by Coastal Resources Management of Corona del Mar, California. The seafloor at the project site consists of fine silty sediments and existing rip rap. Several species of plants and invertebrates were identified including hydroid, barnacles, bay mussels, limpets, oysters, moss animals, and tunicates. Common plants include green algae and brown seaweed. Eelgrass, a sensitive marine plant which provides valuable, high quality habitat for a variety of sensitive species, was not present at the project site or within the vicinity of the site. In addition, the invasive algae, *Caulerpa taxifolia*, was not present in the project area, according to the applicant's December 8, 2000 survey.

The proposed project will only involve the construction of dock floats on the surface of the water. No existing pilings will be removed and no new pilings will be installed. In addition, there is no proposed dredging. Furthermore, the California Department of Fish and Game (CDFG) has reviewed the proposed development. In a letter dated January 2, 2001, CDFG states that the proposed project would not have a significant adverse effect on existing marine resources and habitats in the area and that they concur with the issuance of a coastal development permit (Exhibit 5).

Therefore, the Commission finds that the proposed project will not have any adverse impact upon sensitive biological resources, therefore, the Commission finds the proposed project consistent with Section 30230 of the Coastal Act.

3. Water Quality Management/Boat Owner Maintenance Plan

The proposed project will allow for 63 boat slips. The berthing of boats by the boat dock users could cause adverse impacts to the marine environment. Cleaning and scraping of boats, improper discharges of contaminated bilge water and sewage waste, and the use of caustic detergents and solvents, among other things, are a major contributor to the degradation of water quality within boating facilities.

The applicant has submitted a Water Quality Management/Boat Owner Maintenance Plan titled *Tennis Estates Homeowners Association Marina Regulations and Environmental Policies* dated February 15, 1990 and revised December 2000 (Exhibit 3). The applicants plan includes rules such as: the prohibition of the storage of unseaworthy vessels in the marina; prohibition of any major repair or reconstruction of vessels at any marina slip; prohibition of maintenance work which results in the discharge of any material into the air or water; prohibition of the use of toilet facilities on vessels unless the vessel has an approved holding tank. The applicants plan also encourages vessel owners to adhere to boat cleaning procedures including removal of boats from the water for proper cleaning and disposal of debris, no in-water boat cleaning that is not done by hand, no in-water boat scraping that results in removal of paint from boat hulls, utilizing phosphate-free and bio-degradable detergents and cleaning measures, no detergents or solvents that contain ammonia, sodium hypochloride, chlorinated solvents, petroleum distillates, or lye, and proper disposal of contaminated bilge water and sewage waste. The plan also includes measures regarding engine and bilge fluids, painting and varnishing, sewage disposal, solid waste disposal, and chemical storage.

The Commission finds that the proposed Water Quality Management/Boat Owner Maintenance Plan contained in *Tennis Estates Homeowners Association Marina Regulations and Environmental Policies* dated February 15, 1990 and revised December 2000 (Exhibit 3) is necessary to mitigate any impacts the proposed boating facility will have upon water quality. However, as noted above, the applicant's proposed plan includes a statement that boat owners are "encouraged" to adhere to the best management practices outlined in the water quality management plan. The Commission has found that the water quality plan is necessary to protect water quality. Therefore, adherence to the water quality plan is not voluntary but mandatory. Therefore, the Commission imposes Special Condition 3 which requires the applicant to submit a final Water Quality Management/Boat Owner Maintenance Plan which modifies the statements regarding voluntary compliance and specifies that compliance is mandatory. More specifically, the Commission requires that the following statement in Section II.C of the *Tennis Estates Homeowners Association Marina Regulations and Environmental Policies* (Exhibit 3) be modified as follows (deletions shown in ~~line out~~, additions in **bold**):

~~Tennis Estates Management encourages~~ **All vessel owners and users shall to** adhere to the following Best Management Practices:-

In addition, Section II.B. of the *Tennis Estates Homeowners Association Marina Regulations and Environmental Policies* contains a policy that requires any exterior work encompassing more than 25 percent of the hull surface must be reviewed by the Tennis Estates Manager and may require the work to be done at a marine shipyard. This policy may not be consistent with the best management practices contained in Section II.C. of the ...*Marina Regulations and Environmental Policies*. In order to clarify that any maintenance must be consistent with Section II.C., the Commission requires that Section II.B. of the ...*Marina Regulations and Environmental Policies* be modified to add the following statement:

...New or substantial exterior work encompassing more than 25 percent of the hull's surface must be reviewed by the Tennis Estates Manager and may require the Boat Owner to have this Work done at a local marina shipyard. **Meanwhile, any work undertaken shall be consistent with the requirements outlined in Section II.C. below.**

The applicant is also required to install signage, posted in a conspicuous location near the dock platform, that includes the above water quality and boat maintenance measures contained in the final *Tennis Estates Homeowners Association Marina Regulations and Environmental Policies* approved by the Executive Director. In addition, the applicant is required to provide information about all of the measures in the plan to new tenants and repeat tenants of the marina by distribution of inserts in tenant bills and distribution of the plan to new tenants and repeat tenants. In addition, the plan shall be attached to all slip lease agreements when the Association sub-leases the individual slips.

Also, in order to assure that any existing and future owners are aware of the requirements of the water quality management and boat owner maintenance plan, the Commission requires the applicant to execute and record a deed restriction which contains the requirements of Special Condition 3.

Thus, as conditioned, the Commission finds that the proposed project would eliminate significant adverse impacts to water quality. Therefore, the Commission finds that, as conditioned, the proposed project is consistent with Sections 30230 and 30231 of the Coastal Act.

C. Public Access and Recreation

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.

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 project is located seaward of the first public road within coastal waters. The subject site contains an existing boat marina that is owned by the applicant.

Public access exists nearby along the Humboldt Drive bridge which connects Humboldt Island to the mainland. Therefore, public access to the waterfront is available and the proposed project would not impede such access. Therefore, the Commission finds the proposed project is consistent with the public access policies of Chapter 3 of the Coastal Act.

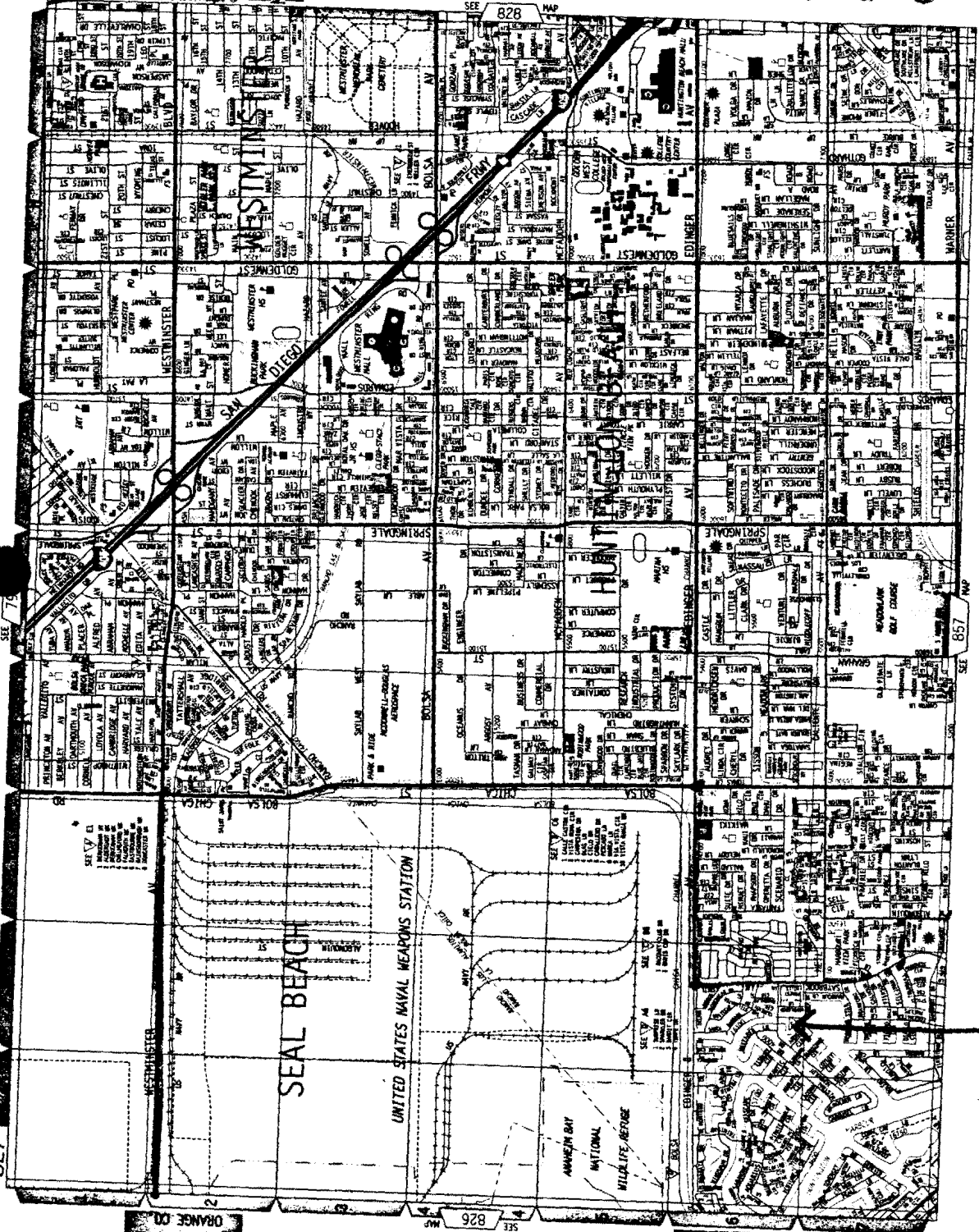
D. Local Coastal Program

The City of Huntington Beach local coastal program ("LCP") is effectively certified. However, the proposed project is located seaward of the mean high tide line and thus is within the Coastal Commission's original permit jurisdiction area. Therefore, pursuant to Section 30519 of the Coastal Act, the LCP does not apply to the proposed project. However, the certified LCP may be used for guidance in evaluating the proposed project for consistency with the Chapter 3 policies of the Coastal Act.

E. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). 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.

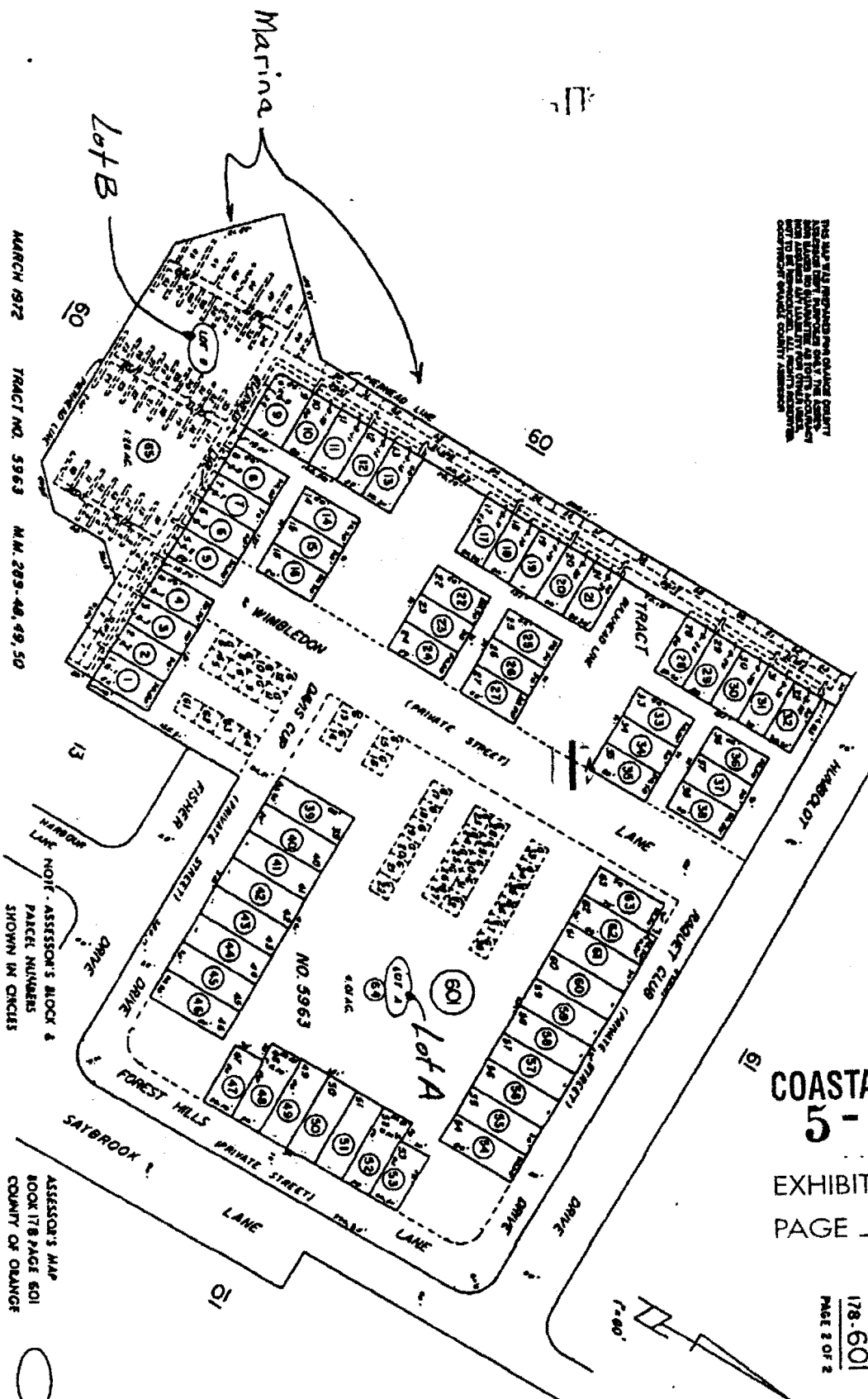
The project is located in an existing harbor in an urbanized area. Development already exists on the subject site. The project site does not contain any known sensitive marine resources; therefore, the impacts arising from the proposed project will be minimal. In addition, the proposed development has been conditioned to assure the proposed project is consistent with the resource protection policies of the Coastal Act. The conditions also serve to mitigate significant adverse impacts under CEQA. The conditions are: to restrict the placement of construction materials and use of on-site resources as construction material in order to prevent impacts to soft bottom habitat; to require the identification of the proposed debris disposal site to prevent the disposal of materials in a location which would have adverse impacts on the marine environment such as the displacement of soft bottom habitat and turbidity in the water column from siltation and debris; and to implement best management practices to avoid adverse impacts upon water quality. As conditioned, no feasible alternatives or feasible mitigation measures are known, beyond those required, which would substantially lessen any identified significant effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, will have no significant adverse effect on the environment and is consistent with CEQA .



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Site

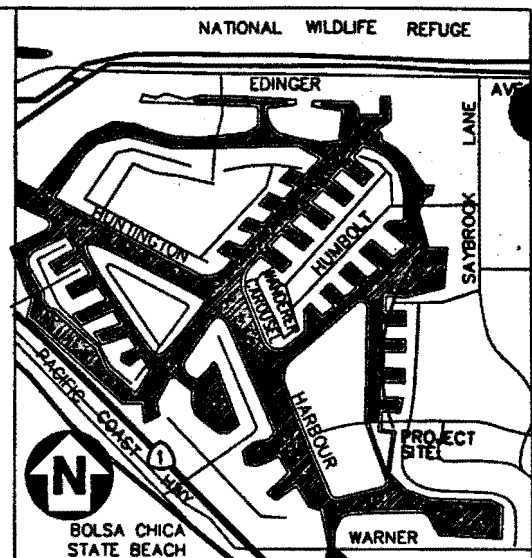
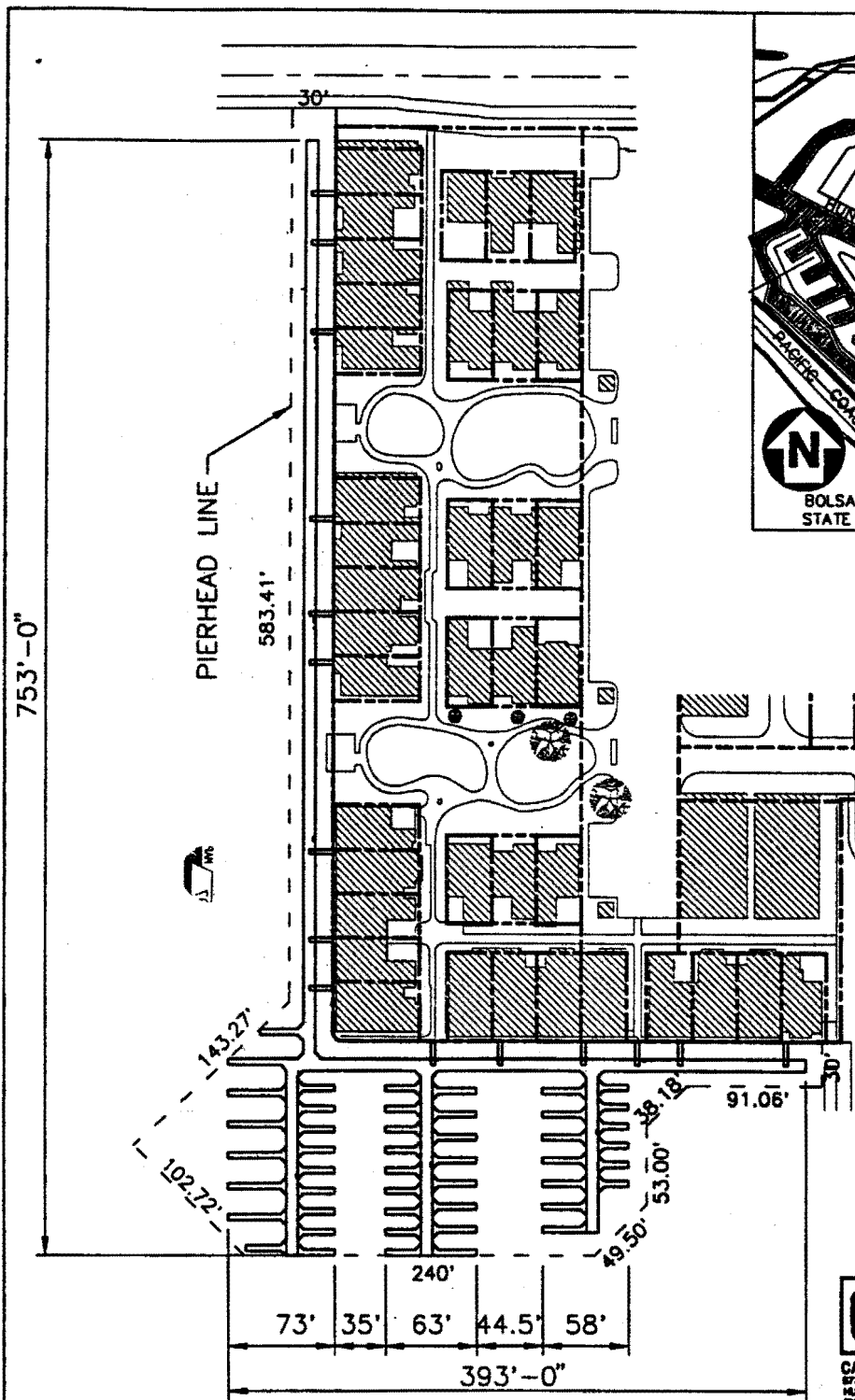




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VICINITY MAP

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EXHIBIT # 2

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CASH & ASSOCIATES ENGINEERING AND ARCHITECTURE
8775 BOLSA AVENUE, SUITE 100
HUNTINGTON BEACH, CA 92646
(714) 835-0144
(714) 835-0172

PURPOSE: Replacement of existing dock system.
In-like and kind

Datum: MLLW = 0

Adj. Property Owners:

1. See Attached List
- 2.
- 3.

PLAN VIEW
Scale: 1"=120'

Owner: Tennis Estates Homeowners Association

Address: 16417 Winbledon Ln
Huntington Beach, CA 92649

Proposed Replacement of existing dock system. In-like and kind. No new piles or dredging required.

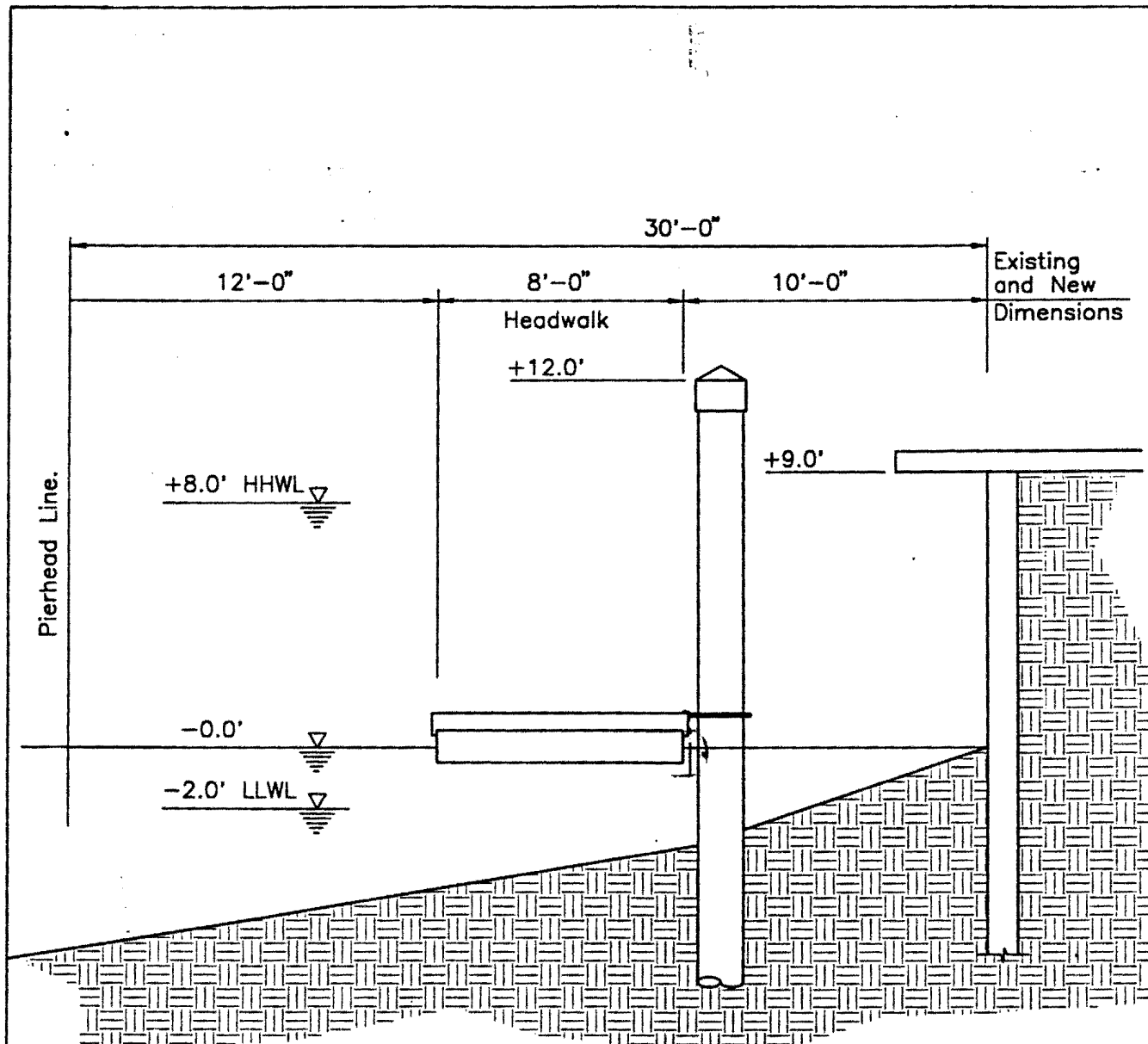
IN: Huntington Harbor

AT: Huntington Beach

County of O.C. State: CA.

Application By: Cash & Associates

Sheet 1 of 2 Date: 8/1/00



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EXHIBIT # 2
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CASH & ASSOCIATES ENGINEERING AND ARCHITECTURE
8775 BOLINA AVENUE, SUITE 100
HUNTINGTON BEACH, CA 92648
(714) 498-0145

PURPOSE: Replacement of existing dock system. In-like and kind

Datum: MLLW = 0

Adj. Property Owners:

1. See Attached List
- 2.
- 3.

Section
Scale: 3/16" = 1'-0"

Owner: Tennis Estates Homeowners Association
Address: 16417 Winbledon Ln
Huntington Beach, CA 92649

Proposed Replacement of existing dock system. In-like and kind. No new piles or dredging required.

IN: Huntington Harbor

AT: Huntington Beach

County of O.C. State: CA.

Application By: Cash & Associates

Sheet 2 of 2 Date: 8/1/00

KEY NOTES

1. REPLACE FLOATING DOCKS IN-LAKE-KIND. MAINTAIN ALL EXISTING DIMENSIONS AND SIZES OF SLIPS, INCLUDING SLIP WIDTHS.

2. DESIGN/BUILDER SHALL MAINTAIN EXISTING NAVIGABLE FAIRWAYS AND CHANNELS TO BOATERS REQUIRING ACCESS TO ADJACENT FACILITIES. IF CONSTRUCTION EQUIPMENT WILL BLOCK OR RESTRICT NAVIGATIONAL ACCESS FOR ANY PERIODS OF TIME, DESIGN/BUILDER MUST NOTIFY THE CITY OF HUNTINGTON BEACH AND ADJACENT FACILITIES AND MUST RECEIVE APPROVAL FROM ALL THOSE IMPACTED, PRIOR TO COMMENCING WORK.

3. PHASING: THIS DOCK SYSTEM IS TO BE REPLACED IN 3 DOCK SEGMENTS. DESIGN/BUILDER TO PROVIDE PERMANENT AND TEMPORARY UTILITIES TO ALL BOATS STILL MOORED IN THE MARINA, WHILE OTHER PHASES OF WORK ARE IN PROGRESS. PRIOR TO OCCUPANCY OF A COMPLETED PHASE, DESIGN/BUILDER MUST PROVIDE PROOF THAT ALL UTILITIES ARE OPERATIONAL TO EACH SLIP. WORK SHALL PROCEED IN THE FOLLOWING BASIC SEQUENCE:

- 3a. INSTALL NEW & TEMPORARY POWER DISTRIBUTION SYSTEM, PRIOR TO DOCK FULFILLMENT.
- 3b. FIRST PHASE OF DOCKWORK (WEST SIDINGS) 625'-0" LONG
- 3c. SECOND PHASE OF DOCKWORK (12 SLIPS)
- 3d. THIRD PHASE OF DOCKWORK (EAST SIDINGS & 20 SLIPS)

4. ALL EXISTING GUIDEPILES TO REMAIN (20 EA). DESIGN/BUILDER TO OBTAIN A HORIZONTAL CONTROL SURVEY OF ALL PILE LOCATIONS PRIOR TO STARTING WORK. FABRICATE NEW PILE GUIDE ASSEMBLIES AND INSTALL AROUND EXISTING PILES. DESIGN/BUILDER SHALL MAINTAIN THE REQUIRED CLEARANCE NOTED BETWEEN GUIDEPILES AND UNDER RIB BLOCKS AS SHOWN IN THE DETAILS. IF REQUIRED CLEARANCES ARE NOT OBTAINED, ADJUSTMENT OF THESE CLEARANCES BETWEEN RIB BLOCK ASSEMBLIES AND GUIDEPILES WILL BE REQUIRED AT THE DESIGN/BUILDER'S COST, AND WILL BE AT THE SOLE DISCRETION OF THE OWNER.

5. DESIGN/BUILDER SHALL MAKE PROVISIONS IN THE DOCK FRAMING FOR THE FUTURE INSTALLATION OF GUIDEPILES IN THE LOCATIONS NOTED (5 PLS).

6. PROVIDE NEW ELECTRICAL DISTRIBUTION SYSTEM AND SWITCHGEAR ON A NEW CONCRETE PAD AS NOTED ON ELECTRICAL DRAWINGS.

7. PROVIDE ONE NEW EMERGENCY TELEPHONE SYSTEM WITH POST, LIGHT AND TELEPHONE AND ASSOCIATED SUPPORT AND COMMUNICATION CONNECTION TO 911 EMERGENCY SERVICES.

8. EXISTING WATER DISTRIBUTION SYSTEM AND BACKFLOW PREVENTER. EXISTING ENTRANCE GATE WITH SPECIAL FIRE DEPARTMENT ACCESS KEY BOX. DESIGN/BUILDER TO REPLACE THE SHUT-OFF WATER DOMESTIC WATER HOSE WITH ALL NEW FITTINGS.

9. NEW FIRE WATER DISTRIBUTION SYSTEM INCLUDING THICKENING, LANDSCAPING & HARDSCAPING, BACKFLOW PREVENTER AND P.D. SEE PLUMBING DRAWINGS.

10. DESIGN/BUILDER TO DESIGN THE HEADWALKS, AS LOCATED, TO RESIST WIND AND BERTHING LOADS ON CANTILEVERED END SECTIONS OF THE DOCK, BEYOND THE LAST GUIDEPILES (2 PLS). IT IS RECOMMENDED THAT PLY BOTTOM PLYWOOD SHEATHING OCCUR AT THESE CANTILEVERED AREAS. LENGTH OF SHEATHING TO BE 1.5 X L.A. ALSO, SPECIAL CARE TO BE GIVEN TO WALKER SPLICES AT THESE LOCATIONS.

11. ALL GANGWAYS TO BE REMOVED AND REPLACED WITH NEW GANGWAYS TO MATCH EXISTING SUPPORT HINGE. GANGWAYS TO BE PROVIDED WITH 1 1/2" FIBERGLASS, NON-SKID WALKING SURFACE AS MANUFACTURED BY HAWK MARINE. DIMENSIONS, 12 EA-26' HIGH, 2 EA-4' WIDE. ALL ATTACHMENT HOLES SHALL BE PROVIDED AND COUNTERSUNK. DECK PANELS SHALL BE SUPPLIED WITH FULL-DEPTH FIBERGLASS (1 1/2") AT THE LOCATION OF ALL ATTACHMENT HOLES. ATTACHMENT HOLES SHALL BE SPACED AT 12" ON CENTER. ALL EDGES WILL HAVE FACTORY-APPLIED FIBERGLASS.

12. PROVIDE STAINLESS STEEL RIB STRIPS FOR EACH WHEEL (2 PER GANGWAY). RIB STRIPS SHALL BE BEVELLED AT ALL EDGES TO ALLOW FOR A SMOOTH WALKING TRANSITION FOR CROSS TRAFFIC, AS WELL AS BE PROVIDED WITH COUNTERSUNK HOLES TO ACCEPT STAINLESS STEEL WOOD SCREWS FOR ATTACHMENT TO DECKING. RIB STRIP THICKNESS TO BE 3/16" INCH, A 304 MATERIAL. RIB STRIP LENGTH TO ACCOMMODATE THE FULL TIDAL RANGE. WIDTH TO BE OVER-SIZED (10 INCHES) TO ACCOMMODATE LATERAL MOVEMENT OF GANGWAYS. GANGWAY WHEELS SHALL BE CENTERED ON RIB STRIPS. PERIODIC ADJUSTMENTS OF THE WHEEL-TO-RIBSTRIP INTERFACE MAY BE REQUIRED.

13. PROVIDE NEW 21 INCH TALL TRIANGULAR FIBERGLASS DOCK BOXES WITH PREFABRICATED RECESSES FOR SUPPORT DOCKMATE POWER CENTERS FOR ALL STANDARD SLIPS (DOCKMATES). ONE POWER CENTER SERVES TWO BOATS, TYPICALLY, 22 EA.

14. NEW 21 INCH TALL TRIANGULAR FIBERGLASS DOCK BOXES FOR STORAGE, WHERE SPECIFICALLY SHOWN, 22EA.

15. PROVIDE WHEELY DOCKMATE POWER CENTERS LOCATED IN FIBERGLASS POWER PEDESTALS ON ALL HEADWALK, SLIP END LOCATIONS. DESIGN/BUILDER MUST INSTALL THESE FIXTURES IN THE APPROXIMATE SAME LOCATION AS CURRENTLY EXISTS. DESIGN/BUILDER TO FIELD MEASURE PRIOR TO INSTALLATION TO ASSURE INSTALLATION IN THE SAME LOCATIONS. 22 EA.

16. PROVIDE NEW FIREHOSE CABINETS (7 EA) AND GWT STANDPIPE ASSEMBLIES AS SHOWN (2 EA).

17. ALL BOATS WILL BE RELOCATED BY THE OWNER PRIOR TO THE DESIGN/BUILDER BEGINNING ANY GIVEN PHASE.

18. ALL HEADWALK HOSE BIRDS TO BE OF THE DUPLEX TYPE, SERVING TWO BOATS. DESIGN/BUILDER MUST INSTALL THESE FIXTURES IN THE APPROXIMATE SAME LOCATION AS CURRENTLY EXISTS.

19. DESIGN/BUILDER TO FIELD MEASURE PRIOR TO INSTALLATION TO ASSURE INSTALLATION IN THE SAME LOCATIONS. HOSE BIRDS FOR FINGERS WILL BE INSTALLED IN DOCK BOXES. HOSE BIRDS ON HEADWALKS SHALL BE MOUNTED WITH THE POWER CENTERS IN THE FIBERGLASS PEDESTALS: TWO (2) HOSE BIRDS PER PEDESTAL.

20. ALL EXISTING DOCK BOXES CURRENTLY LOCATED ON HEADWALKS SHALL BE REMOVED AND REPLACED IN THE APPROXIMATE SAME LOCATIONS. NEW 25 INCH TALL RECTANGULAR FIBERGLASS BOXES SHALL BE SUPPLIED BY THE DESIGN/BUILDER, 12 EA.

21. PROVIDE NEW CLEATS FOR FINGERS AS SHOWN ON THE DRAWINGS.

22. PROVIDE NEW CLEATS FOR HEADWALK AS NOTED ON THE DRAWINGS. (7EA) FOR SPECIFIC CLEAT LOCATIONS, SEE ENGINEER.

23. PROVIDE CLEATS FOR SLIPS, AS SHOWN.

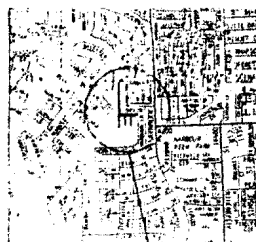
24. PROVIDE NEW HEADWALK LIGHT FIXTURES BETWEEN POWER CENTERS & NOTED ON THE ELECTRICAL DWGS.

25. PROVIDE NEW 2 INCH PVC DOMESTIC WATER DISTRIBUTION SYSTEM WITH SHUT-OFF VALVES AS NOTED (5 EA). UTILIZE EXISTING BACKFLOW PREVENTER. REPLACE SHUT-OFF VALVE HERE.

26. NO CLEATS ALONG THE END OF FINGERS.

LEGEND

- GUIDE PILE
- ▲ DOCK BOX W/ POWER CENTER
- △ DOCK BOX, ONLY (TRIANGULAR)
- CLEAT LOCATION
- DOCK BOX, ONLY (RECTANGULAR)
- + DUPLEX HOSE BIRD (SINGLE @ FINGER)
- POWER CENTER: FREE STANDING
- DOCK LIGHT, ONLY
- FIRE CABINET & EXTINGUISHER
- RESIDENTIAL GANGWAY SERVING 2 LOTS (13 EA)
- COMMON GANGWAY SERVING SITE (2) (2 EA)

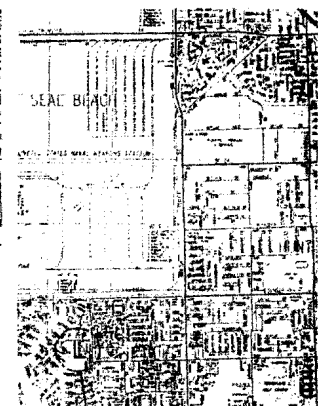


PROJECT SITE

ENLARGED VICINITY MAP

EXHIBIT #
PAGE 3 OF 4

COASTAL COMMISSION
5-00-3711



OVERALL VICINITY MAP

ADDITIONAL NOTES

A. SEE GENERAL NOTES AND BOUND SPECIFICATION FOR ADDITIONAL NOTES AND PROJECT REQUIREMENTS

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JAN 8 2001

South Coast Reg.

MATCH LINE



GENERAL ARRANGEMENT PLAN DOCK SYSTEM REPLACEMENT

JOB SITE: TENNIS ESTATES
10417 WIMBLEDON LANE
HUNTINGTON BEACH, CA. 92649

AS NOTED
PROJECT NUMBER
5123.04

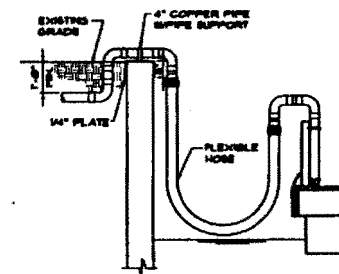
DATE: 1/2/01
C-1

NO.	DATE	REVISIONS
1	1/2/01	ISSUED FOR PERMIT
2	1/2/01	REVISED FOR COMMENTS
3	1/2/01	REVISED FOR COMMENTS
4	1/2/01	REVISED FOR COMMENTS
5	1/2/01	REVISED FOR COMMENTS
6	1/2/01	REVISED FOR COMMENTS
7	1/2/01	REVISED FOR COMMENTS
8	1/2/01	REVISED FOR COMMENTS
9	1/2/01	REVISED FOR COMMENTS
10	1/2/01	REVISED FOR COMMENTS



GENERAL NOTES

- ① CONSTRUCT NEW POC
- ② EXISTING FIRE HYDRANT TO REMAIN, PROTECT-IN-PLACE
- ③ CONSTRUCT NEW 4" COPPER 1" LINE
- ④ POINT OF CONNECTION
- ⑤ CONSTRUCT NEW 4" REDUCED PRESSURE DOUBLE CHECK BACK FLOW PREVENTOR
- ⑥ CONSTRUCT 4" FLEXIBLE WATER HOSE - SEE ①-1
- ⑦ CONSTRUCT NEW SET STAND PIPE, SEE ②-1
- ⑧ CONSTRUCT NEW FIRE HOSE CABINET, SEE ②-1
- ⑨ EXISTING DOMESTIC WATER SYSTEM TO REMAIN, PROTECT-IN-PLACE
- ⑩ CONSTRUCT NEW 4" COPPER 1" IN DOCK, TYP



DETAIL
1/4\"/>

COASTAL COMMISSION
5-00-371
EXHIBIT # 2
PAGE 4 OF 4

SITE PLAN
SCALE: 1\"/>

NO.	DATE	ISSUED FOR AGENCY APPROVAL & BID DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

TENNIS ESTATES
16417 WIMBLEDON LANE
HUNTINGTON BEACH, CA. 92649



CASH & ASSOCIATES
ENGINEERING AND ARCHITECTURE
(714) 865-2072

ENGINEER	WBS
DESIGNER	CTU
CAD OPERATOR	CTU
CHECKER	WBS
PROJECT MANAGER	RM

FIRE WATER SYSTEM

MARINA
DOCK SYSTEM REPLACEMENT

PROJECT NUMBER	912304
DRAWING NUMBER	P-1

**TENNIS ESTATES HOMEOWNERS ASSOCIATION
MARINA REGULATIONS AND ENVIRONMENTAL POLICIES**

February 15, 1990
(Last Revised: December 2000)

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I. GENERAL REGULATIONS

- A. **Unseaworthy Vessels:** Permittees shall, upon request, demonstrate or allow inspection by the Dock Committee of vessels under permit for seaworthiness. Seaworthiness will be determined by, but not limited to the following:

1. Vessel shall operate under its own power.
2. Vessel shall have an operable electrical system.
3. Vessel shall not be in a state of deterioration.
4. Vessel shall be water tight (minimal amount of water in bilge).
5. Vessel shall be navigable.

Any vessel determined to be unseaworthy shall be posted with a notice to repair or remove from the slip space. A copy of said notice shall be mailed to the slip permittee. If the Boat Owner fails or refuses to repair or remove the vessel within 30 days of the posting and mailing of notice to the permittee, the Tennis Estates Manager may move or cause to be removed and impounded such vessel at the Boat Owner's expense.

- B. **Vessel Maintenance:** Major repair or reconstruction work shall not be performed in or at any marina slip. Except for emergency repairs to keep a vessel afloat, no repair or other work on a vessel shall be performed before 8:00 am nor after sunset. Boat Owners shall not place or permit others performing repairs or other work on a vessel to place tools or equipment in a manner so as to obstruct access to fingers or docks. Boat Owners may use portions of the docks or fingers for minor rigging and maintenance for short periods of time; provided, however, such space must be kept in a neat, clean, and orderly condition and a drop cloth and boat bath are used during maintenance periods. No material of any type resulting from maintenance work shall be allowed to become airborne, or enter the waters of Huntington Harbor. (This includes but is not limited to sanding of paint and fiberglass and spray painting).
- C. No Boat Owner shall install in or upon, nail to, modify or make any additions or changes to the dock structures in the Tennis Estates Marina. Any materials or structures attached to or located on the dock will be removed and repairs made all at the permittees sole cost and expense.

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Marina Regulations & Environmental Policies
(Revised December, 2000)

Page 1

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PAGE 1 OF 4

- D. No person aboard a vessel in the Tennis Estates Marina shall use the toilet facilities aboard such vessel, unless the vessel has an approved holding tank. The Tennis Estates Manager may order that Boat Owners post notices and seal the toilet facilities and place dye tablets in holding tanks.
- E. **Pets:** Pets must be kept on leash in all public areas in the marinas. Boat Owners and their guests are required to closely supervise their animals on these premises, and particularly on the ramps, docks and fingers, and pick up the waste in the interests of public safety and sanitation.

II. MARINA ENVIRONMENTAL POLICIES

- A. All self-employed boat workers and independent contractors must register with and receive approval from the Tennis Estates Manager, before beginning Work.
- B. Boat Owners may undertake boat projects as needed to maintain their vessels' safety, for both appearance and utility. New or substantial exterior work encompassing more than 25 percent of the hull's surface must be reviewed by the Tennis Estates Manager and may require the Boat Owner to have this Work done at a local marine shipyard.
- C. Tennis Estates Marina Management encourages all vessel owners to adhere to the following Best Management Practices.

1. Boat Cleaning Procedures: (Latest State of California Requirements)

- a. Boats shall be removed from the water and cleaned such that debris is captured and properly disposed. In-water boat hull washing shall be prohibited, unless done by hand.
- b. In-water hull scraping or any process that occurs under water that results in the removal of paint from boat hulls is prohibited.
- c. Boat owners shall utilize only detergents and cleaning components for washing boats that are phosphate-free and biodegradable. Amounts used shall be minimized.
- d. The use of detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye is prohibited for the purpose of cleaning the exterior of boats.

2. Engines and Bilges

- a. Use absorbent bilge pads to soak up oil and fuel.
- b. Recycle oil and diesel properly and dispose of unused portions at public Huntington Beach facilities.
- c. Fuel all vessels utilizing public Huntington Beach facilities.

COASTAL COMMISSION
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Marina Regulations & Environmental Policies
(Revised December, 2000)
Page 2

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PAGE 2 OF 4

CLause MUST
be changed
To require
vessel owners
compliance

- d. Do not discharge bilge water if there is a trace of oil sheen on it. All waste bilge water shall be disposed at approved public Huntington Beach facilities.
- f. **Do not dispose any fuel or used oil in the harbor waters or marina's dumpsters on premises.**
- g. Contact Tennis Estates Management for the nearest disposal and recycling locations. Sunset Aquatic Park and Marina facilities have all facilities required for maintenance, fueling and disposal of waste products.

2. **Painting and Varnishing**

- a. Painting and varnishing shall be limited to minor touch-up and/or repairs. Major, full-scale painting or varnishing shall be accomplished in a commercial boat maintenance yard. Limit the amount of open solvents or paints on the docks to one gallon.
- b. Always mix paints and epoxy over contained pans or waterproof tarps.
- c. Spray painting is not allowed within the marina.
- d. **Do not dispose of paints or solvents in the harbor waters or marina's dumpsters on premises.**
- e. Contact Tennis Estates Management for nearest recycling locations.

3. **Surface Preparation**

- a. See latest State of California requirement above. Use biodegradable cleaners, only.
- b. Liberally use tarps to capture all debris and drips.
- c. Stretch tarps between side of boat and dock when working over the water.
- d. Vacuum dust and debris every time you move the tarp or every hour.
- e. Reverse the boat in the slip to work on the far side.

4. **Sewage**

- a. Untreated sewage should never be discharged overboard.
- b. Store sewage in holding tanks and dispose at specially designated public pumpout stations.
- c. Contact Tennis Estates Management for the phone numbers of commercial pumpout services, if needed.
- d. Ensure MSD Type 1 systems work properly and discharge only when underway.
- e. **Do not discharge Type 1 while moored in marina.**

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EXHIBIT # 3
PAGE 3 OF 4

5. **Solid Waste Disposal**

- a. Dispose of all garbage in proper shore-side receptacles.
- b. Let empty cans dry thoroughly before disposing in trash.
- c. Recycle green, brown and clear glass, newspapers and aluminum.

6. **Chemical Storage**

- a. Purchase only the amount you need for the minor maintenance work.
- b. Review storage of paints and solvents every six months, and properly dispose of old or unnecessary products at certified disposal sites.

COASTAL COMMISSION
5-00-371

EXHIBIT # 3
PAGE 4 OF 4



California Regional Water Quality Control Board

Santa Ana Region

Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288



Gray Davis
Governor

January 3, 2001

Mr. Randy H. Mason, P.E.
President
Cash & Associates
5772 Bolsa Avenue, Suite 100
Huntington Beach, CA 92649

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CASH & ASSOCIATES

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR THE PROPOSED TENNIS ESTATES HOMEOWNERS ASSOCIATION REPLACEMENT OF FLOATING DOCK SYSTEM, CITY OF HUNTINGTON BEACH, ORANGE COUNTY (NO ACOE REFERENCE NUMBER)

Dear Mr. Mason:

This is in response to the transmittal we received on September 18, 2000, and additional information received on November 28, 2000, requesting a water quality standards certification under Section 401 of the Clean Water Act for the above referenced project.

- | | |
|-----------------------------|---|
| 1. Project Description: | The proposed project will replace the existing floating dock system in-like-and-kind (same dimensions). All existing slip sizes will remain as is, and all existing guidepiles will remain in place. The gangways will be removed and replaced to match existing style and support conditions. Removed dock will be taken to an approved inland disposal site. There will be no disturbance to the Harbour floor. A new fire line will be run and distributed on the dock system meeting current Huntington Beach Fire Department requirements. |
| 2. Receiving water: | Huntington Harbour |
| 3. Fill area: | N/A |
| 4. Dredge volume: | N/A |
| 5. Federal permit: | U. S. Army Corps of Engineers (USACOE), Section 10, Letter of Permission (Rivers and Harbors Act) |
| 6. Compensatory mitigation: | None |

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5-00-371

EXHIBIT # 4

PAGE 1 OF 2

The applicant will implement best management practices during construction to ensure there are no discharges of pollutants or debris into Huntington Harbour. The proposed project is not expected to impact or disturb the sediment. The applicant will complete and submit an Eelgrass Survey Report to the USACOE and the California Coastal Commission (CCC). If eelgrass is present, the applicant will adhere to USACOE and CCC mitigation requirements.

You have submitted an application to the U.S. Army Corps of Engineers for a Letter of Permission in compliance with Section 10 of the Rivers and Harbors Act and have filed for a Coastal Development Permit with the California Coastal Commission. In addition, a Notice of Exemption for the proposed project was received on November 28, 2000.

All permitted activities shall comply with applicable requirements of California's Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.). In particular, an activity shall not create a nuisance or pollution as defined in Section 13050 of the California Water Code. An activity shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Santa Ana Regional Water Quality Control Board (Basin Plan) or the State Water Resources Control Board, as required by the Clean Water Act.


Pursuant to California Water Code, Section 1058, and Pursuant to 23 CCR §3860, the following shall be included as conditions of all water quality certification actions:

- (a) Every certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the Water Code and Article 6 (commencing with Section 3867) of Chapter 28. Certification of 23 CCR.
- (b) Certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to Subsection 3855(b) of Chapter 28 of 23 CCR and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- (c) Certification is conditioned upon total payment of any fee required under Chapter 28 of 23 CCR and owed by the applicant.

If the above stated conditions are changed, any of the criteria or conditions as previously described are not met, or new information becomes available that indicates a water quality problem, we may formulate Waste Discharge Requirements.

Please notify Stephanie M. Gasca with the Santa Ana Regional Board before construction on this project begins. Should there be any questions, please contact Wanda Smith at (909) 782-4468 or Stephanie M. Gasca at (909) 782-3221.

Sincerely,


GERARD J. THIBEAULT
Executive Officer

COASTAL COMMISSION
5-00-371
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PAGE 2 OF 2

cc: Greg Asher - Cash & Associates
Alexis Strauss - U.S. Environmental Protection Agency, Director of Water Division (WTR - 1)
Vicki A. White - U. S. Army Corps of Engineers, Los Angeles District
Karl Schwing - California Coastal Commission, Long Beach Branch
William R. Campbell, Chief - State Water Resources Control Board, Watersheds Project Support Section

DEPARTMENT OF FISH AND GAME

Marine Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4231

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JAN 8 2001

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COASTAL COMMISSION CASH & ASSOCIATES

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JAN 5 2001



Mr. Karl Schwing
California Coastal Commission
200 Oceangate Ave., Suite 1000
Long Beach, California 90802

January 2, 2001

Dear Mr. Schwing:

Department of Fish and Game (Department) personnel have reviewed the Floating Dock Replacement Project for the Tennis Estates Homeowners Association, 16417 Wimbledon Lane, Huntington Harbor, Huntington Beach, California, prepared by Cash & Associates Engineers and Architects. The proposed project will upgrade the existing floating dock system by replacing the existing system with in-like and in-kind materials and dimensions. All existing slip sizes will remain the same and existing guide piles will remain in place. No dredging is proposed. An eelgrass, *Zostera marina*, survey was conducted by Mr. Rick Ware and Mr. Tom Gerlinger of Coastal Resources Management on December 8, 2000. No eelgrass habitat was located within or nearby the project area. Additionally, there was no indication of the invasive algae, *Caulerpa taxifolia*.

The Department believes that the proposed project, as currently described, would not have a significant adverse effect on existing marine resources and habitats within the area. Therefore, the Department concurs with the issuance of a Coastal Development Permit for the proposed project.

Sincerely,

Marilyn J. Fluharty
Environmental Specialist III
Marine Region

cc: Mr. Greg Asher
Cash & Associates Engineers and Architects
5772 Bolsa Avenue, Suite 100
Huntington Beach, CA 92649

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EXHIBIT # 5
PAGE 1 OF 1