

## CALIFORNIA COASTAL COMMISSION

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## RECORD PACKET COPY

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Staff Report: May 23, 2002  
Hearing Date: June 10-14, 2002  
Commission Action:



## TU 13d

STAFF REPORT: PERMIT AMENDMENT

**APPLICATION NUMBER:** 5-01-230-A1

**APPLICANT:** Orange County Council, Boy Scouts Association, Attn: Craig Reide

**AGENT:** Culbertson, Adams & Associates  
Attn: Andi Culbertson, Ellis Delameter, Ed Hsu and David B. Neish

**PROJECT LOCATION:** 1931 W. Pacific Coast Highway  
City of Newport Beach, Orange County

**PROJECT DESCRIPTION:** Demolition of an existing single story manager's unit and single story storage building. Construction of an approximately 31 foot high, two-story 8,215 square foot classroom and office building and an approximately 31 foot high two-story 6,400 square foot manager's unit, storage and classroom. Remodel an existing two-story classroom, storage and office building. Landscaping and hardscape improvements, construction of a new driveway and parking lot. Repairs to the existing bulkhead and remodel of a portion of an existing dock system will take place. Grading will consist of 3,536 cubic yards of cut, 432 cubic yards of fill and 3,100 cubic yards of export. The debris will be disposed of outside of the coastal zone.

SUMMARY OF STAFF RECOMMENDATION:

The proposed project is an expansion of a public recreational facility adjacent to Newport Bay that provides boating related education and coastal recreational opportunities. The expansion of the facility will partially obstruct coastal public views of Newport Bay from West Pacific Coast Highway due to the intensity of the proposed development, which would result in a significant adverse cumulative visual impact. The primary issue before the Commission is the importance of preserving scenic resources and avoiding adverse impacts to lower cost visitor and recreational facilities.

Additional concerns with the proposed project relate to the effect of the proposed development on marine resources, water quality and the marine environment. Staff recommends that the Commission take one vote adopting a two-part resolution, which would approve portions of the amendment development and deny other portions of the amendment development.

Staff recommends that the Commission **DENY** the demolition and construction of two new buildings, the remodel of an existing building, associated landscape and hardscape improvements, a new parking lot and driveway and construction of a new storm drain line and outlet pipe that drains into Newport Bay.

Staff recommends that the Commission **APPROVE** repairs to the existing bulkhead consisting of: new cap beams, new deadmen, improving the existing tie-back anchor rods and extending the height of the bulkhead to meet the present City of Newport Beach engineering standard, relocation of an existing boat hoist from the southwest end of the site to the southeast end of the site and dock work consisting of reconfiguring and extending an existing dock, relocating and modifying another existing dock and constructing a new 8' x 28' gangway and landing with two new pilings. To assure that water quality and the marine environment are protected, staff recommends the imposition of **seven (7) special conditions**. **Special Condition No. 1** requires submittal of final plans that show conformance with the bulkhead repair and modification letter/report. **Special Condition No. 2** requires that the applicant dispose of all demolition and construction debris at an appropriate location. **Special Condition No. 3** requires that the applicant identify the location of the disposal site of the demolition and construction debris resulting from the proposed bulkhead and dock work. If the applicant proposes a disposal site located in the coastal zone a coastal development permit or an amendment to this permit shall be required before disposal can take place. **Special Condition No. 4** requires the applicant to follow Best Management Practices to ensure the continued protection of water quality and marine resources. **Special Condition No. 5** requires that a pre-construction survey for *Caulerpa taxifolia* be done and if its presence is discovered, the applicant shall not proceed with the project until 1) the applicant provides evidence to the Executive Director that all *Caulerpa taxifolia* within the project and/or buffer area has been eliminated or 2) the applicant has revised the project to avoid any contact with *Caulerpa taxifolia*. **Special Condition No. 6** requires the applicant to provide written evidence of RWQCB approval for the bulkhead repair and dewatering. **Special Condition No. 7** requires the applicant to provide written evidence of RWQCB approval for the dock work.

Though the proposed development, as submitted, would increase recreational opportunities, the proposed project is primarily inconsistent with Section 30251 of the Coastal Act and the City of Newport Beach Land Use Plan (LUP) regarding coastal views. In this vicinity of Newport Beach stretching from the Santa Ana River Jetty, which is the entrance to Newport Beach, to Dover Drive along West Pacific Coast Highway (approximately 7 miles), there are only minimal opportunities to enjoy the view of Newport Bay. As a consequence of intensive development on the seaward side of West Pacific Coast Highway, there are only three locations along this 7-mile stretch of West Pacific Coast Highway where views of the Newport Bay are available. These three sites are located at: 1) the intersection of Newport Boulevard and West Pacific Coast Highway, which is located three miles north of the project site, 2) the project site (Boy Scout Sea Base) and 3) the Orange Coast College Rowing and Sailing Center, which is located to the east adjacent to the project site. The proposed project would significantly reduce the scenic coastal view of the bay currently provided besides contributing to a cumulative adverse visual impact. Therefore, the proposed project, as proposed, is inconsistent with Sections 30251 of the Coastal Act and the City of Newport Beach Land Use Plan (LUP) since the proposed development will have adverse impacts on coastal views.

There are feasible alternatives or mitigation measures available, such as remodeling of the existing buildings or reducing the square footage of the proposed project in such a manner that it would not significantly adversely impact public views of the bay that currently exist. Some of these alternatives would also have the potential to increase public recreational opportunities. Another alternative is that the project site could be left as is, which would preserve the existing coastal view and would not adversely affect existing coastal recreational opportunities. Such alternatives would

preserve scenic coastal views and prevent the cumulative impact of reduced views to the bay resulting from the proposed project.

**LOCAL APPROVALS RECEIVED:** Approval-in-Concept (#129-1931) from the City of Newport Beach Harbor Resources Division dated November 28, 2001, Use Permit No. 3681 from the City of Newport Beach Planning Commission dated June 27, 2001, City of Newport Beach Approval-in-Concept #1544-2001 dated June 27, 2001, City of Newport Beach Harbor Resources Division Approval-in-Concept (No. 129-1931) dated November 21, 2001, Draft Initial Study and Mitigated Negative Declaration SCH #2001031101 for the Orange County Council Boy Scouts of America Sea Base Expansion Project dated March 20, 2001.

**OTHER AGENCY APPROVALS RECEIVED:** Letter from the California Regional Water Quality Control Board (RWQCB), Santa Ana Region dated November 2, 2001 and letter from the California Department of Fish and game dated August 17, 2001.

**SUBSTANTIVE FILE DOCUMENTS:** Coastal development permit P-11-5-75-6524 (Boy Scouts of America, Orange County Council); P-3-24-78-3021 (Boy Scouts of America, Orange County Council), Amendment P-79-4919 (Boy Scouts of America, Orange County Council); 5-87-702 (Orange County Harbors, Beaches & Parks); 5-98-342 (Boy Scouts of America, Orange County Council), *Report of Geotechnical Investigation for the Proposed Boy Scouts Sea Base Expansion Project Located at 1931 West Pacific Coast Highway, City of Newport Beach, California (Project No. 010008-01)* prepared by Leighton and Associates dated March 22, 2000, Memorandum from Matt Rumbaugh (Hill Partnership Inc.) dated June 18, 2001, Letter/Report (GLA File No. 16979) from Gerald D. Lehmer (Gerald Lehmer Associates) dated June 12, 2001, Traffic Impact Analysis prepared by Pirzadeh and Associates dated February 12, 2001, *Construction Traffic Control Plan for Orange County Council Boy Scouts of America Sea Base Expansion Project* prepared by Katz, Okitsu and Associates dated June 11, 2001, Letter from the Robert E. Hamilton, County of Orange Public Facilities and Resources Department, dated October 6, 2000, Letter from Matt Rumbaugh (Hill Partnership Inc.) dated August 9, 2001, Letter from James Campbell (City of Newport Beach) dated August 1, 2001, Memorandum from Matt Rumbaugh (Hill Partnership Inc.) dated August 1, 2001, *Hydrology and Hydraulic Analysis for the Boy Scouts of America Sea Base City of Newport Beach* prepared by Hunsaker and Associates dated June 19, 2001, Letter from Letrice Sherillo (Hill Partnership Inc.) dated October 1, 2001, Boy Scouts Sea Base Parking Management Plan, Memorandum from Craig Reide, Orange County Council, Boy Scouts of America, dated September 7, 2001, Memorandum from Bill Mountford, Orange County Council, Boy Scouts of America, dated September 7, 2001, Memorandum from Craig Reide, Orange County Council, Boy Scouts of America, dated September 7, 2001, Facsimile from Greg Sanders, Project Manager Snyder Langston, dated September 18, 2001, *Water Quality Management Plan* prepared by Hunsaker and Associates dated September 27, 2001, *Water Pollution Control Plan Driveway access on Pacific Coast Highway Between Tustin Avenue and Dover Drive* prepared by Hunsaker and Associates dated May 23, 2001, Encroachment Permit (1201-6RC-0373) from the California Department of Transportation dated October 31, 2001, Letter/Report (GLA File No. 16979) from Gerald D. Lehmer (Gerald Lehmer Associates) dated September 14, 2001, Letter/Report (GLA File No. 16979) from Gerald D. Lehmer (Gerald Lehmer Associates) dated September 14, 2001 (revised December 13, 2001, City of Newport Beach *Mariner's Mile Strategic Vision and Design Framework*, Letter from Ellis Delameter (Culbertson, Adams, & Associates) dated April 5, 2002, Letter from Ellis

Delameter (Culbertson, Adams, & Associates) dated April 10, 2002, *Caulerpa Survey* by Rick Ware (Coastal Resources Management) dated April 23, 2002 and Letter from Ellis Delameter (Culbertson, Adams & Associates) dated April 30, 2002.

**PROCEDURAL NOTE:**

**Coastal Development Permit Amendments**

Section 13166 of Title 14 of the California Code of Regulations provides for the referral of permit amendment requests to the Commission if:

- 1) *The Executive Director determines that the proposed amendment is a material change,*
- 2) *Objection is made to the Executive Director's determination of immateriality, or*
- 3) *The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.*

The Executive Director has determined that the proposed amendment is a material change that adversely impacts coastal public views due to the intensity of the proposed development. In addition, the project would result in a cumulative adverse visual impact that substantially reduces public views toward Newport Bay from West Pacific Coast Highway. Therefore, pursuant to Section 13166 of Title 14 of the California Code of Regulations, the Executive Director is referring this application to the Commission. If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material.

**LIST OF EXHIBITS:**

1. Location Map
2. Location Map
3. Building Project Plans
4. Approval-in-Concept/Bulkhead Plans
5. Approval-in-Concept/Dock Plans
6. Approval from the California Department of Fish & Game dated August 17, 2001
7. Existing Site Plan/Existing View
8. Proposed Site Plan/Proposed View
9. Alternative Site Plan
10. Boy Scout Sea Base Usage by Outside Groups
11. Letter from California State Lands Commission dated February 13, 2002
12. Letters of Support

**STAFF RECOMMENDATION:**

**I. Staff Recommendation of Approval in Part and Denial in Part**

Staff recommends that the Commission adopt the following two-part resolution. The motion passes only by affirmative vote of a majority of the Commissioners present

A. **Motion**

*"I move that the Commission adopt the staff recommendation to approve in part and deny in part the proposed amendment to Coastal Development Permit No. P-3-24-78-3021, as previously amended (renumbered to 5-01-230), by adopting the two part resolution set forth in the staff report."*

B. **Resolution**

**Part 1 Approval with Conditions of a Portion of the Development**

The Commission hereby **APPROVES**, as conditioned, a coastal development permit amendment for the portion of the proposed development regarding repairs to the existing bulkhead, which will consist of: new cap beams, new deadmen, improving the existing tie-back anchor rods and extending the height of the bulkhead to meet the present City of Newport Beach engineering standard, relocation of an existing boat hoist from the southwest end of the site to the southeast end of the site and dock work consisting of reconfiguring and extending an existing dock, relocating and modifying another existing dock and constructing a new 8' x 28' gangway and landing with two new pilings, and adopts the findings set forth below on grounds that the development as amended and subject to conditions will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

**Part 2 Denial of the Remainder of the Development**

The Commission hereby **DENIES** the portion of the proposed amendment to the coastal development permit consisting of: demolition of an existing single story manager's unit and a single story storage building and construction of two new buildings, the remodel of the existing two-story classroom, storage and office building, landscape and hardscape improvements, construction of a continuous planter area across the frontage of the property containing a continuous hedge and palm trees, construction of a new driveway and reconstruction of an existing driveway, increase parking on site from 34 spaces to 40 spaces, and construction of a new storm drain line and outlet pipe that drains into Newport Bay, and adopts the findings set forth below, on the grounds that the development, as so amended, would not conform with the policies of Chapter 3 of the Coastal Act and would 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. Approval of this portion of the amendment would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the amended development on the environment.

II. **Standard Conditions:**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent,

acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### III. Special Conditions

#### 1. CONFORMANCE OF BULKHEAD REPAIR AND MODIFICATION DESIGN AND CONSTRUCTION PLANS TO BULKHEAD LETTER/REPORT

- A. All final bulkhead repair and modification design and construction plans shall be consistent with all recommendations contained in the Letter/Report (GLA File No. 16979) from Gerald D. Lehmer (Gerald Lehmer Associates) dated September 14, 2001 (as revised December 13, 2001). **PRIOR TO ISSUANCE OF THE AMENDMENT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final bulkhead repair and modification design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced bulkhead repair and modification evaluation approved by the California Coastal Commission for the project site.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit amendment unless the Executive Director determines that no amendment is required.

#### 2. CONSTRUCTION RESPONSIBILITIES

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

- (a) No construction materials, equipment, debris, oil, liquid chemicals, or waste shall be placed or stored where it may be subject to wave erosion and dispersion, stormwater, or where it may contribute to or come into contact with nuisance flow;

- (b) Any and all debris resulting from construction activities shall be removed from the site within 1 day of completion of construction;
- (c) No machinery or construction materials not essential for project improvements shall be allowed at any time in any intertidal zone or in the harbor;
- (d) Sand from the beach or harbor, cobbles, or shoreline rocks shall not be used for construction material;
- (e) In order to control turbidity a geotextile fabric shall be installed in the area where the toe stone will be placed prior to placement of the toe stone;
- (f) Toe stone shall be placed, not dumped, using means to minimize disturbance to bay sediments and to minimize turbidity;
- (g) If turbid conditions are generated during construction a silt curtain shall be utilized to minimize and control turbidity to the maximum extent practicable.
- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- (i) A protective barrier shall be utilized to prevent concrete and other large debris from falling into the harbor;
- (j) All debris and trash shall be deposited of in the proper trash and recycling receptacles at the end of each construction day;
- (k) The discharge of any hazardous materials into the harbor or any receiving waters shall be prohibited.

3. **LOCATION OF DEBRIS AND DISPOSAL SITE**

**PRIOR TO ISSUANCE OF THE AMENDMENT**, 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 bulkhead and dock work. 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. **BEST MANAGEMENT PRACTICES PROGRAM**

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

(a) Boat Cleaning and Maintenance Measures:

- i. In-water top-side and bottom-side boat cleaning shall minimize the discharge of soaps, paints, and debris.
- ii. In-the-water hull scraping or any process that occurs under water that results in the removal of paint from boat hulls shall be prohibited. Only detergents and cleaning components that are designated by the manufacturer as phosphate-free and biodegradable shall be used, and the amounts used minimized.

- iii. The applicant shall minimize the use of detergents and boat cleaning and maintenance products containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye.

(b) Solid and Liquid Waste Management Measures:

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

(c) Petroleum Control Management Measures:

- i. Oil absorbent materials shall be examined at least once a year and replaced as necessary. The applicant will recycle the materials, if possible, or dispose of them in accordance with hazardous waste disposal regulations. The boaters will regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. Boaters will use preventive engine maintenance, oil absorbents, bilge pump-out services, or steam cleaning services as much as possible to clean oily bilge areas. Bilges shall be cleaned and maintained. Detergents will not be used for cleaning. The use of soaps that can be discharged by bilge pumps is prohibited.

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

- A. Not earlier than 90 days nor later than 30 days prior to commencement or re-commencement of any development authorized under this coastal development permit (the "project"), the applicant shall undertake a survey of the project area and a buffer area at least 10 meters beyond the project area to determine the presence of the invasive alga *Caulerpa taxifolia*. The survey shall include a visual examination of the substrate.
- B. The survey protocol shall be prepared in consultation with the Regional Water Quality Control Board, the California Department of Fish and Game, and the National Marine Fisheries Service.
- C. Within five (5) business days of completion of the survey, the applicant shall submit the survey:
  - i. for the review and approval of the Executive Director; and
  - ii. to the Surveillance Subcommittee of the Southern California Caulerpa Action Team (SCCAT). The SCCAT Surveillance Subcommittee may be contacted through William Paznokas, California Department of Fish & Game (858/467-4218) or Robert Hoffman, National Marine Fisheries Service (562/980-4043).
- D. If *Caulerpa taxifolia* is found within the project or buffer areas, the applicant shall not proceed with the project until 1) the applicant provides evidence to the



Executive Director that all *C. taxifolia* discovered within the project and buffer area has been eliminated in a manner that complies with all applicable governmental approval requirements, including but not limited to those of the California Coastal Act, or 2) the applicant has revised the project to avoid any contact with *C. taxifolia*. No revisions to the project shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. **REGIONAL WATER QUALITY CONTROL BOARD (RWQCB) APPROVAL**

- A. **PRIOR TO ISSUANCE OF THE AMENDMENT**, the applicant shall provide to the Executive Director a copy of a permit issued by the Regional Water Quality Control Board regarding the bulkhead repair and dewatering, or a letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director of any changes to the project required by the Regional Water Quality Control Board. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit amendment, unless the Executive Director determines that no amendment is required.

7. **REGIONAL WATER QUALITY CONTROL BOARD (RWQCB) APPROVAL**

- A. **PRIOR TO ISSUANCE OF THE AMENDMENT**, the applicant shall provide to the Executive Director a copy of a permit issued by the Regional Water Quality Control Board regarding the dock construction, or a letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director of any changes to the project required by the Regional Water Quality Control Board. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit amendment, unless the Executive Director determines that no amendment is required.

IV. **FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

A. **PROJECT DESCRIPTION AND LOCATION**

The existing and proposed project is a low-cost, visitor serving marine recreational facility located at 1931 West Pacific Coast Highway, City of Newport Beach, Orange County (Exhibits #1-2). The facility is operated and used by the Boy Scouts of America and is located between the first public road and the sea and is a bayfront lot. The Boy Scouts offer youth and adult education classes to the general public. The site is completely open and the parking lot is available for use by both the Boy Scouts and the public to enjoy the bay. Additionally, public and pedestrian access is provided from the street to the bulkhead and a continuous walkway is provided along the length of the bulkhead for use by the Boy Scouts or public. Also, there is a grassy area with picnic tables that is provided for use by both the Boy Scouts and the public to enjoy the bay. This project is being proposed as the Boy Scouts seek to expand their facility to provide greater opportunities for boating education and recreation.

The project site is located along Pacific Coast Highway (referenced as West Pacific Coast Highway in the project vicinity), which is a regional artery; a wide, high speed boulevard providing a convenient route for regional traffic in an area that is known as "Mariner's Mile" in the City of Newport Beach. Pacific Coast Highway is also the "main street" of Newport Beach providing access to many neighborhoods and business districts. This area along Pacific Coast Highway provides access to local businesses and the waterfront as well as ingress/egress to adjacent bluff-top neighborhoods. Historically, Mariner's Mile has always been a focus for marine activities. Yacht brokers, shipbuilding, boat services and haul-out facilities, warehouses, slips and sportfishing docks shared the flat, sandy strip facing the Lido Channel at the foot of the Newport Heights, accessing both the water and the Pacific Coast Highway. The recently City approved Mariner's Mile Strategic Vision and Design Framework plan goes on to say that in the past decade negative changes have occurred along Mariner's Mile, such as: 1) public access to and views of the waterfront have been limited, 2) automobile activity, and auto oriented businesses have predominated and 3) the district has become pedestrian unfriendly, walking is unpleasant and crossing West Pacific Coast Highway is difficult. Not all the recent changes have been negative however. For example, traditional marine oriented businesses have maintained a visible presence and the Orange Coast College Sailing Center has expanded and added a new Nautical Library. Much has changed since Pacific Coast Highway was completed through the City in 1928, but certain basic influences still hold true; then, as now, Mariner's Mile depends on its access to both the waterfront and the highway.

To the north of the site, is West Pacific Coast Highway, to the east is the Orange Coast College Rowing and Sailing Center, to the south is Lower Newport Bay, and to the west is a boat sales facility. The facility is located on upland property owned by the County of Orange and on tidelands initially granted to the County of Orange by a State of California Tidelands Grant dated May 25, 1919. The subject property was leased in 1979 to the Orange County Council Boy Scouts of America, Inc. for thirty years. On September 26, 2000, the Orange County Board of Supervisors approved a 30-year extension of the Boy Scout's lease<sup>1</sup> (Exhibit #11).

Onsite, there is currently an existing two-story classroom, storage and office building (7,670 square feet) near the western property line with an attached single story storage building (490 square feet). There is also an existing single story manager's unit (1,785 square feet) located on the eastern side of the property. The existing total building area is 9,945 square feet.

The applicant is proposing demolition of an existing 1,785 square foot single story manager's unit and a 490 square foot single story storage building. Construction of two new buildings will take place (Exhibit #3). The first building will be a new two-story 8,215 square foot classroom and office building approximately 31 feet in height (called the "Sailing Building") located on the southern side of the property near the bulkhead. This building will be connected to the existing two-story building that will be remodeled as part of the proposed project, by an open deck. The second building will be a two-story 6,400 square foot manager's unit, storage and classroom building approximately 31 feet in height (called the "Rowing Building") located on the eastern side of the property. The first floor will be used for storage of rowing shells, sails and related equipment. The second floor will include an onsite manager's unit and a classroom. Total square footage of the buildings onsite will increase from 9,945 square feet to 22,435 square feet.

The project will also consist of: a remodel of the existing two-story classroom, storage and office building, landscape and hardscape improvements, a continuous planter area across the frontage

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<sup>1</sup> State Lands has reviewed the proposed project and the new lease and found it consistent with the Tidelands Grant.

of the property containing a continuous hedge and palm trees, new decks, construction of a new driveway and reconstruction of an existing driveway, increase parking on site from 34 spaces to 40 spaces and construction of a new storm drain line and outlet pipe that drains into Newport Bay (Exhibit #3).

Grading for the proposed project will consist of 3,536 cubic yards of cut, 432 cubic yards of fill and 3,100 cubic yards of export. The debris will be disposed of outside of the coastal zone. A pile foundation will support the proposed structure.

Repairs and modifications of the existing seawall/bulkhead will also take place with the proposed project (Exhibit #4). Presently, there is a 392 foot long concrete seawall/bulkhead, on the bayfront side of the subject property. The existing seawall consists of two generations. The older portion of the seawall consists 282 feet and is located on the east side. The work that will take place within this older section of the seawall will consist of: 1) a slot cut sequence to expose two (2) tie-backs at a time, 2) after step No.1 is completed for each slot, the cap beam will be removed and the tops of the existing pre-cast wall panels will be inspected for thickness and reinforcement, 3) a new cap beam will be installed to the height required by the City of Newport Beach. The new cap beam will provide for a completely imbedded anchor pocket at each of the existing tie back anchors, 4) the existing tie back anchor rods with DSI double corrosion protection will then be installed in the new cap beam and 5) two of the existing tie-back anchor rods at the westerly end of the older sea wall will be modified by pouring new deadman and removing the existing deadman. The newer portion of the seawall consists of 110 feet and is located on the west side. The work that will take place within this newer section of the bulkhead will consist of: 1) the ends of all of the tie-back anchor rods will be excavated and a 6 inch slot cut will be made in the PVC sleeve surrounding each of the tie-back rods for inspection, 2) fill the annular space around the rod with a grout to meet current standards for corrosion protection. Patch and seal PVC pipe at inspection openings, 3) add a new poured concrete extension on top of the existing cap beam to the height required by the City of New port Beach and 4) the existing boat hoist will be removed from its present southwest location and reinstalled at the southeast end of the site on a new pile cap and four piles. The City of Newport Beach engineering standards require that repaired, new or replacement seawalls/bulkheads be raised to a minimum of +9 feet above Mean Low Lower Water (+6.27 above Mean Sea Level) and the maximum height of seawalls/bulkheads is the existing height established for the area. The seawall post construction would be raised +9 feet above Mean Low Lower Water (+6.27 above Mean Sea Level) and would thus comply with the City of Newport Beach engineering standards. No seaward encroachment of the seawall/bulkhead will occur as a result of these proposed developments.

In addition, dock work (Exhibit #5) will take place with the proposed project: 1) the southerly finger of the most southwesterly dock will be reconfigured to be attached perpendicular to the end of the northerly finger, parallel to the bulkhead and will be extended by 12.5 feet and 2) the middle floating dock of the most southwesterly dock will be relocated approximately 17 feet southerly of the described above dock and a new 8 foot x 28 foot gangway and landing with two new pilings attached to the new relocated dock.

## **B. PREVIOUS COMMISSION ACTION ON SITE**

### Coastal Development Permit P-11-5-75-6524

On February 18, 1976 the Commission approved the demolition of existing structures including buildings, boat docks, piers and pilings. The new proposed development included a new concrete

bulkhead, dredging seaward of the bulkhead, and fill behind the bulkhead with the dredged material, resulting in the cover of an existing intertidal area. In addition, new concrete pilings, piers, docks, a 2-story recreational, educational and storage facility, a swimming pool, and 34 parking spaces were proposed.

The staff report explored issues related to dredging and filling and the elimination of a small beach and intertidal area, public accessibility to boat slips, public views; pedestrian access, and approval of the project by other agencies. Concerns were raised regarding dredging, filling and public access and resulted in the following prior to permit issuance special conditions: 1) applicant was to agree to include a condition in the lease providing for non-discriminatory public access across the property; 2) applicant was to submit a signed and notarized statement agreeing to either use a solar heating system only, for the swimming pool or to have an unheated swimming pool; and 3) the permit was not to be issued until the County of Orange had signed a 30 year lease.

#### Coastal Development Permit P-3-24-78-3021

On May 26, 1977 permit P-11-5-75-6524 expired. The applicant reapplied for a permit, which was approved and became effective April 17, 1978. The proposed project was identical to P-11-5-75-6524 except for the elimination of the proposed swimming pool from the project description. In order to preserve public benefits gained through the proposed development the following special condition was implemented: "Prior to issuance of permit, applicant shall submit a 30-year lease for the project site, executed by the County of Orange which contains a condition which provides for nondiscriminatory public access across the property for the duration of the lease."

#### Coastal Development Permit Amendment P-79-4919

April 10, 1979 the Commission approved a coastal development permit amendment to P-3-24-78-3021. The applicant amended the proposed project to change the previously approved dock configuration to the configuration now present. The special condition implemented under permit P-3-24-78-3021 was restated as a condition of this permit amendment. No additional special conditions were added. The facility is presently operating under this permit.

#### Coastal Development Permit De Minimis Waiver 5-87-702

The applicant proposed the addition of a 1,372 sq. ft. one-story boathouse and a 300 foot long retaining wall with benches to the existing development. This waiver was approved October 16, 1987.

#### Coastal Development Permit 5-98-342

On November 6, 1998, the Commission approved the demolition and replacement in the same configuration of an existing approximately 218-foot long by 82-foot wide, 7 slip marina with auxiliary mooring space. This development included the removal and replacement of a gangway, pilings, and dock floats. The gangway would be relocated and replaced with a smaller plank. Thirteen concrete guide piles would be removed and replaced by 16 new guide piles. The existing dock floats would be demolished and replaced in the present configuration. Concerns regarding water quality were addressed through conformance with the following special conditions: 1) construction responsibilities and debris removal and 2) location of debris disposal site.

C. **APPROVAL FINDINGS AND DECLARATIONS**

1. **Protective Structures and Hazards**

Section 30235 of the Coastal Act states:

*Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Section 30253 of the Coastal Act states in part:

*New development shall:*

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area...*

Site conditions include an existing, aging concrete seawall/bulkhead (Exhibit #4). An evaluation conducted by Gerald Lehmer Associates discovered that the existing seawall/bulkhead is showing major signs of structural distress and requires additional reinforcement. The sea wall cap on the older portion of the wall is cracked and deteriorating and also the end of the rods, nuts and bearing plates that are exposed on the bay side of the cap beam of the older wall are corroded and need to be repaired. However, the seawall cap beam of the newer portion of the wall is in good condition with the-back anchor plate embedded in the beam and completely covered by concrete. Nonetheless, this newer section would be inspected and also raised in height like the older section to meet present City of Newport Beach engineering standards. In their analysis, Gerald Lehmer Associates stated that the repairs and modifications to the seawall at the Boy Scouts Sea Base will provide a uniform appearance and will eliminate the exposed nuts and washers on the bay side of the older seawall. Due to age, poor quality concrete, inadequate steel reinforcement, and deficient tieback systems, aging concrete seawalls/bulkheads in Newport Beach, such as the one at the subject site, are commonly replaced when redevelopment occurs on bayfront lots. The proposed development will only repair and modify the existing seawall/bulkhead and not demolish and replace the existing seawall/bulkhead. The proposed repaired seawall/bulkhead will remain in the same location. In order to ensure that repairs and modifications of the existing seawall do not adversely affect adjacent properties, that they minimize risks to life and property, and to assure stability and structural integrity, the Commission imposes **Special Condition No. 1**, which requires the applicant to submit, prior to issuance of the permit, bulkhead repair and modification final design and construction plans for review and approval of the Executive Director, with evidence that such plans have been reviewed by an appropriately licensed

professional and found to be in conformity with the Letter/Report from Gerald D. Lehmer (Gerald Lehmer Associates) dated September 14, 2001 (Revised December 13, 2001).

The seawall/bulkhead is required at the subject site to protect the structural integrity of the lot from tidal activity. In addition, the seawall/bulkhead is necessary to protect the adjacent structures from tidal activity. If the seawall/bulkhead were removed and not replaced, tidal activity would erode and destabilize the adjacent lots (the Orange Coast College Rowing and Sailing Center to the east and the boat sales facility to the west). Therefore, the proposed repair of the seawall/bulkhead is necessary to protect existing structures. In addition, the existing seawall/bulkhead will not be moved seaward, which would result in fill of coastal waters. The proposed seawall/bulkhead repair would not result in new fill of coastal waters or changes to shoreline sand supply/erosion at the site.

The existing seawall/bulkhead does not meet present engineering standards and poses a risk to life and property because lot stability may be threatened by failure of the aging, poorly designed and constructed existing seawall/bulkhead. The proposed development will protect lot stability and reduce risks to life and property with a structurally superior seawall/bulkhead system. **Special Condition No. 1** requires incorporation of the recommendations in the bulkhead evaluation. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Section 30235 and 30253 of the Coastal Act.

## 2. Marine Resources

The proposed project is located in and over the coastal waters of Lower Newport Bay (Exhibits #1-2). Newport Harbor (Lower Newport Bay) is included 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 the beneficial uses for which the water body has been designated – in this case secondary contact 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 the Upper Newport Bay, for increased scrutiny as a higher priority watershed under its Watershed Management Initiative. Consequently, projects which could have an adverse impact on water resources should be examined to assure that potential impacts are minimized. The standard of review for development proposed in coastal waters are the Chapter 3 policies of the Coastal Act, including the following marine resource policy. Section 30233 of the Coastal Act limits the fill of open coastal waters.

Section 30233 of the Coastal Act states:

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

*(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*

The Coastal Act limits the fill of open coastal water and also requires that any project which results in fill of open coastal waters provide adequate mitigation. Section 30233 of the Coastal Act allows fill of open coastal waters, such as Lower Newport Bay, for recreational boating purposes. Part of the proposed project requires the installation of two (2) new 12" piles (Exhibit #5). The installation of these two (2) new piles will displace habitat bottom. The fill required by the project is for a recreational boating facility, an allowable purpose under 30233 (4) of the Coastal Act. The project can be found consistent with Section 30233, only if it is the least environmentally damaging feasible alternative and feasible mitigation measures have been provided to minimize environmental effects. One way to minimize environmental damage is to limit fill. In order to anchor the relocated dock and new gangway and landing the installation of two (2) new piles is necessary. This is the minimum number of piles necessary to adequately support and anchor the new dock, gangway and landing. The proposed project will use the minimum number of piles thereby minimizing the amount of fill needed to support the allowable use. Thus, the project as proposed is the least environmentally damaging alternative. Section 30233 also requires that any project which results in fill of open coastal waters also provide adequate mitigation. The proposed project meets this requirement because the pilings are self mitigating by providing vertical habitat for marine organisms.

Therefore, for the reasons listed above, the Commission finds that the proposed project is consistent with Section 30233 of the Coastal Act.

### **3. Water Quality and the Marine Environment**

The proposed project is located in and over the coastal waters of Lower Newport Bay (Exhibits #1-2). Newport Harbor (Lower Newport Bay) is included 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 the beneficial uses for which the water body has been designated – in this case secondary contact 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 the Upper Newport Bay, for increased scrutiny as a higher priority watershed under its Watershed Management Initiative. Consequently, projects which could have an adverse impact on water quality should be examined to assure that potential impacts are minimized. The standard of review for development proposed in coastal waters is the Chapter 3 policies of the Coastal Act, including the following water quality policies. Sections 30230 and 30231 of the Coastal Act require the protection of biological productivity and water quality.

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.*

The construction will occur over and in the water. Construction of any kind adjacent to or in coastal waters has the potential to impact marine environment. The Bay provides an opportunity for water oriented recreational activities and also serves as a home for marine habitat. Because of the coastal recreational activities and the sensitivity of the Bay habitat, water quality issues are essential in review of this project

a. **Construction Impacts to Water Quality**

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain, surf, or wind 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 into coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, **Special Condition No. 2** outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. This condition requires the applicant to incorporate silt curtains and/or floating booms when necessary to control turbidity and debris discharge. Divers shall remove any non-floatable debris not contained in such structures that sink to the ocean bottom as soon as possible. In order to prevent impacts to coastal waters, **Special Condition No. 3** requires that all demolition and cut material 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.

b. **Best Management Practices**

The proposed dock project will allow for the long term berthing of boat(s) by the applicant. Some maintenance activities if not properly regulated could cause adverse impacts to the marine environment. Certain maintenance activities like cleaning and scraping of boats, improper discharges of contaminated bilge water



and sewage waste, and the use of caustic detergents and solvents, among other things, are major contributors to the degradation of water quality within boating facilities. As mentioned above, Lower Newport Bay provides a home for marine habitat and also provides opportunity for recreational activities. The Bay eventually drains into the Pacific Ocean through tidal flushing.

To minimize the potential that maintenance activities would adversely affect water quality, the Commission imposes **Special Condition No. 4** that requires the applicant to follow Best Management Practices to ensure the continued protection of water quality and marine resources. Such practices that the applicant shall follow include proper boat cleaning and maintenance, management of solid and liquid waste, and management of petroleum products, all of which associated with the long term berthing of the boat(s) (more thoroughly explained in **Special condition No. 2** of this permit).

c. **Eelgrass**

Eelgrass (*Zostera marina*) is an aquatic plant consisting of tough cellulose leaves which grows in dense beds in shallow, subtidal or intertidal unconsolidated sediments. Eelgrass is considered worthy of protection because it functions as important habitat and foraging area for a variety of fish and other wildlife, according to the Southern California Eelgrass Mitigation Policy (SCEMP) adopted by the National Marine Fisheries Service (NMFS), the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Game (CDFG). For instance, eelgrass beds provide areas for fish egg laying, juvenile fish rearing, and water fowl foraging. Sensitive species, such as the California least tern, a federally listed endangered species, utilize eelgrass beds as foraging grounds.

An eelgrass inspection has been performed by the City of Newport Beach, which found that no eelgrass is in the vicinity of the project site regarding the seawall/bulkhead repair and dock aspects of the proposed project. The proposed development will only repair and modify the existing seawall/bulkhead and not demolish and replace the existing seawall/bulkhead. The proposed repaired seawall/bulkhead will remain in the same location. Therefore, the seawall/bulkhead repair will affect no substantial marine life.

d. **Caulerpa taxifolia**

Also, as noted above, eelgrass is a sensitive aquatic plant species which provides important habitat for marine life. Eelgrass grows in shallow sandy aquatic environments which provide plenty of sunlight. Recently, a non-native and invasive aquatic plant species, *Caulerpa taxifolia* (herein *C. taxifolia*), has been discovered in parts of Huntington Harbor (Emergency Coastal Development Permits 5-00-403-G and 5-00-463-G) which occupies similar habitat. *C. taxifolia* is a tropical green marine alga that is popular in the aquarium trade because of its attractive appearance and hardy nature. In 1984, this seaweed was introduced into the northern Mediterranean. From an initial infestation of about 1 square yard it grew to cover about 2 acres by 1989, and by 1997 blanketed about 10,000 acres along the coasts of France and Italy. Genetic studies demonstrated that those populations

were from the same clone, possibly originating from a single introduction. This seaweed spreads asexually from fragments and creates a dense monoculture displacing native plant and animal species. In the Mediterranean, it grows on sand, mud and rock surfaces from the very shallow subtidal to about 250 ft depth. Because of toxins in its tissues, *C. taxifolia* is not eaten by herbivores in areas where it has invaded. The infestation in the Mediterranean has had serious negative economic and social consequences because of impacts to tourism, recreational diving, and commercial fishing<sup>2</sup>.

Because of the grave risk to native habitats, in 1999 *C. taxifolia* was designated a prohibited species in the United States under the Federal Noxious Weed Act. In addition, in September 2001 the Governor signed into law AB 1334 which made it illegal in California for any person to sell, possess, import, transport, transfer, release alive in the state, or give away without consideration various *Caulerpa* species including *C. taxifolia*.

In June 2000, *C. taxifolia* was discovered in Aqua Hedionda Lagoon in San Diego County, and in August of that year an infestation was discovered in Huntington Harbor in Orange County. Genetic studies show that this is the same clone as that released in the Mediterranean. Other infestations are likely. Although a tropical species, *C. taxifolia* has been shown to tolerate water temperatures down to at least 50°F. Although warmer southern California habitats are most vulnerable, until better information is available, it must be assumed that the whole California coast is at risk. All shallow marine habitats could be impacted.

In response to the threat that *C. taxifolia* poses to California's marine environment, the Southern California *Caulerpa* Action Team, SCCAT, was established to respond quickly and effectively to the discovery of *C. taxifolia* infestations in Southern California. The group consists of representatives from several state, federal, local

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<sup>2</sup> References

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and private entities. The goal of SCCAT is to completely eradicate all *C. taxifolia* infestations.

If *C. taxifolia* is present, any project that disturbs the bottom could cause its spread by dispersing viable tissue fragments. A *Caulerpa* Survey by Rick Ware (*Coastal Resources Management*) dated April 23, 2002 was conducted to evaluate if any *C. taxifolia* was located within the project vicinity. The survey determined that no *C. taxifolia* was located in the project area. However, this survey was conducted approximately one month ago. Therefore, in order to assure that the proposed project does not cause the dispersal of *C. taxifolia*, the Commission imposes **Special Condition No. 5. Special Condition No. 5** requires the applicant, prior to commencement of development, to survey the project area for the presence of *C. taxifolia*. If *C. taxifolia* is present in the project area, no work may commence and the applicant shall seek an amendment or a new permit to address impacts related to the presence of the *C. taxifolia*, unless the Executive Director determines that no amendment or new permit is required.

e. **Regional Water Quality Control Board**

The RWCQB states that should work be needed on any of the bulkheads associated with this project, the project applicant should contact the RWQCB to initiate a 404/401 Water Quality Standards Certification process. The proposed project does include work to the existing bulkhead, however, no approval from the RWQCB regarding the bulkhead work has been received. Also, the proposed project may require dewatering, however, no evidence of review of RWQCB review and approval has been submitted. Therefore, evidence of RWQCB review and approval is required for the repair and modification work on the bulkhead and dewatering of the site. **Special Condition No. 6** requires that the applicant provide written evidence of RWQCB review and approval of the bulkhead repair and dewatering prior to issuance of a coastal development permit amendment. If the RWQCB approval results in changes to the currently proposed project, the applicant may be required to obtain an amendment to the current coastal development permit amendment.

In addition, the proposed project also involves dock work which requires approval from the RWQCB. However, no approval from the RWQCB regarding the dock work has been received. Therefore, evidence of RWQCB review and approval is required for the dock work. **Special Condition No. 7** requires that the applicant provide written evidence of RWQCB review and approval of the dock work prior to issuance of a coastal development permit amendment. If the RWQCB approval results in changes to the currently proposed project, the applicant may be required to obtain an amendment to the current coastal development permit amendment.

f. **California Department of Fish and Game**

The California Department of Fish & Game (DF&G) oversees impacts upon marine resources and habitat in the region. Since the proposed project has the potential to affect marine resources and habitat, the development requires review by the DF&G. The DF&G has reviewed the project and have determined that since the proposed

project does not involve placement of new material seaward of the existing seawall, the proposed activity would not have significant adverse effect on existing marine resources and habitats within the area (Exhibit #6).

g. **Conclusion**

To minimize the adverse impacts upon the marine environment; six (6) Special Conditions have been imposed. **Special Condition No. 2** requires that the applicant dispose of all demolition and construction debris at an appropriate location. **Special Condition No. 3** requires that the applicant identify the location of the disposal site of the demolition and construction debris resulting from the proposed bulkhead and dock work. 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. **Special Condition No. 4** requires the applicant to follow Best Management Practices to ensure the continued protection of water quality and marine resources. **Special Condition No. 5** requires that a pre-construction survey for *Caulerpa taxifolia* be done and if its presence is discovered, the applicants shall not proceed with the project until 1) the applicant provide evidence to the Executive Director that all *Caulerpa taxifolia* within the project and/or buffer area has been eliminated or 2) the applicant has revised the project to avoid any contact with *Caulerpa taxifolia*. **Special Condition No. 6**, which requires the applicant to provide written evidence of RWQCB approval for the bulkhead repair and dewatering. **Special Condition No. 7**, which requires the applicant to provide written evidence of RWQCB approval for the dock work. Only as conditioned does the Commission finds that the proposed project is consistent with Section 30230 and 30231 of the Coastal Act.

4. **Coastal Access and Recreation**

Section 30212 of the Coastal Act states in 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 development occurs between the first public road and the sea, and is a public access facility. The facility provides water oriented and related land activities, which introduce youth to the aquatic environment as well as provide additional education and recreation opportunities to the public. Besides providing such opportunities to youth, unprogrammed public use of the site currently occurs on a daily basis. Under the current proposal, the site will remain completely open and the parking lot will remain available for use by both the Boy Scouts and the public to enjoy the bay. Additionally, public and pedestrian access is provided from the street to the bulkhead and a continuous walkway is and would continue to be provided along the length of the bulkhead for use by the Boy Scouts or public. Therefore, the Commission finds that the project is consistent with the public access and recreation policies of the Coastal Act.

5. **Land Use Plan**

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. Pursuant to Section 30604(a) the permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

The Newport Beach Land Use Plan was effectively certified on May 19, 1982. The City currently has no certified implementation plan. Therefore, the Commission issues CDP's within the City based on the development's conformance with the Chapter 3 policies of the Coastal Act. The LUP policies may be used for guidance in evaluating a development's consistency with Chapter 3. The City's LUP states that the City seeks to insure the highest quality of water in the bay and along their beaches. As conditioned, the proposed project is not expected to create additional adverse impacts to marine resources, water quality and the marine environment and therefore attempts to insure the highest quality of water in the Bay and along the beaches.

The portion of the proposed project including repairs to the existing bulkhead will consist of: new cap beams, new deadmen, improving the existing tie-back anchor rods and extending the height of the bulkhead to meet the present City of Newport Beach engineering standard, as conditioned, is consistent with the policies in the City's certified LUP and the Chapter 3 policies of the Coastal Act. 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).

6. **California Environmental Quality Act (CEQA)**

Section 13096(a) of Title 14 of the California Code of 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 further 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 urbanized area. Development already exists on the subject site. The proposed development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. The conditions also serve to mitigate significant adverse impacts under CEQA. Conditions imposed are: 1) submittal of final plans that show conformance with the bulkhead repair and modification letter/report; 2) that the applicant identify the location of the disposal site of the demolition and construction debris resulting from the proposed bulkhead and dock work. 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) that all demolition and cut material debris be disposed of at a legal site approved by the Executive Director; 4) that the applicant follows Best Management Practices to ensure the continued protection of water quality and marine resources; 5) a

pre-construction survey for *Caulerpa taxifolia* be done and if its presence is discovered, the applicant shall not proceed with the project until 1) the applicant provides evidence to the Executive Director that all *Caulerpa taxifolia* within the project and/or buffer area has been eliminated or 2) the applicant has revised the project to avoid any contact with *Caulerpa taxifolia*; 6) written evidence of RWQCB approval for the bulkhead repair and dewatering and 7) written evidence of RWQCB approval for the dock work.

As conditioned, no feasible alternatives or further 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, is the least environmentally damaging alternative and is consistent with CEQA and the policies of the Coastal Act.

**D. DENIAL FINDINGS AND DECLARATIONS**

**1. Visual Impacts**

The expansion of the existing site to intensify recreational uses is what leads to the proposed project adversely impacting scenic coastal views. In this vicinity of Newport Beach stretching from the Santa Ana River Jetty, which is the entrance to Newport Beach to Dover Drive along West Pacific Coast Highway (approximately 7 miles), there are minimal opportunities to enjoy the view of Newport Bay due to the intensity of development on the seaward side of West Pacific Coast Highway. The proposed project would reduce the already minimal opportunities to enjoy views of the bay by reducing coastal views of the bay on site by approximately 29 percent and would result in a significant cumulative adverse impact. As stated in the Mariner's Mile Strategic Vision and Design Framework to be discussed later, views of the waterfront are limited along West Pacific Coast Highway and the proposed project would result in further adverse impacts to the scenic coastal view. Pacific Coast Highway is a major public thoroughfare for facilitating public access along the coastline. In many areas of California, Pacific Coast Highway is considered a scenic corridor. Even though the site is not listed as one of the specific coastal view areas listed in the City's LUP, reducing the view of Newport Bay on site would result in further reduction of the minimal opportunities to enjoy the view of Newport Bay on the seaward side of West Pacific Coast Highway.

Though the project proposes to expand water oriented and related activities, which introduce youth to the aquatic environment as well as provide additional education and recreation opportunities to the public in accordance with of the Coastal Act, it is inconsistent with Section 30251 of the Coastal Act which mandates that the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. Additionally the City's certified LUP requires that coastal views be protected.

Section 30251 of the Coastal Act states:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New*

*development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The City of Newport Beach Land Use Plan (LUP) was certified on May 19, 1982. Since the City only has an LUP, as opposed to a full Local Coastal Program, the policies of the LUP are used only as guidance. The Newport Beach LUP includes the following policy that relates to development at the subject site:

Coastal Views, Policy 1 states,

*Where coastal views from existing roadways exist, any development on private<sup>3</sup> property within the sight lines from the roadway shall be sited and designed to maximize protection of the coastal view. This policy is not intended to prohibit development on any site.*

Coastal Views, Policy 2 states,

*The City shall preserve beaches, surf action, and coastal shoreline in a manner that will maintain their aesthetic and natural value.*

Additionally the Land Use Element of the City's General Plan, which is not part of the City's certified LUP, states in Policy D of the Development Policies chapter that,

*The siting of new buildings and structures shall be controlled and regulated to insure, to the extent practical, the preservation of public views, the preservation of unique natural resources, and to minimize the alteration of natural land forms along bluffs and cliffs.*

Though the proposed development will increase educational and recreational opportunities, Section 30251 mandates that public views will be protected as a resource of public importance. This facility is between the first public road and the sea and is a bayfront lot. In this vicinity of Newport Beach stretching from the Santa Ana River Jetty, which is the entrance to Newport Beach, to Dover Drive along West Pacific Coast Highway (approximately 7 miles), there are only minimal opportunities to enjoy the view of Newport Bay. Because of the consequence of intensive development on the seaward side of West Pacific Coast Highway, there are only three locations along this 7 mile stretch of West Pacific Coast Highway where views of the Newport Bay are available. The three sites where coastal views are available are located at: 1) the intersection of Newport Boulevard and West Pacific Coast Highway, which is located three miles north of the project site, 2) the project site (Boy Scout Sea Base) and 3) the Orange Coast College Rowing and Sailing Center, which is located to the east adjacent to the project site. The project site contains a view corridor, when observed from West Pacific Coast Highway, of approximately 207 feet (Exhibit #7). The proposed development will result in a view corridor of 147 feet, which is a 29 percent reduction in the public view corridor.

The proposed "Sailing Building" located parallel to the bulkhead, would decrease the project site's existing view corridor from West Pacific Coast Highway. However, the applicant does not believe the adverse visual impact of the Sailing Building would be that

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Though the County of Orange manages the property, it is being operated as a private facility through a long-term lease by the Boy Scouts of America, which is a private organization.

significant. The applicant states that the proposed project, when completed would contain a view corridor consisting of two parts. The main view corridor along West Pacific Coast Highway will be an approximately 147 foot long section with a minor view corridor of approximately 27 feet (Exhibit #8). The total proposed view corridor of the bay according to the applicant would consist of approximately 174 feet (Exhibit #8). Based on the applicant's calculations the view corridor would only be reduced by 16 percent. However, the Commission does not consider the proposed 27 foot long minor view corridor as an appropriate view corridor for the following reason. Typically, the Commission does not allow any structures that are 42 inches (3.5 feet) in height to be permitted in a view corridor. The proposed project includes a second floor deck approximately 13 feet high from grade located in the proposed 27 foot wide minor view corridor. As these structures obstruct public views of the Bay from West Pacific Coast Highway, the Commission does not consider this alleged second view corridor as a usable view corridor. The Commission has determined that the proposed project results in a 29 percent reduction in view  $((207-147)/207 = 60/207 = 0.290; 0.290 \times 100 = 29\%)$ . The applicant has stated that the reduction in view is only 16 percent  $((207-174)/207 = 33/207 = 0.160; 0.160 \times 100 = 16\%)$ . The applicant has included the 27 foot wide minor view corridor into the calculation, while the Commission does not include this in its calculation because it does not regard it as an appropriate view corridor. In addition, the applicant has stated that there is an area of existing vegetation and an electrical vault along the landward side (West Pacific Coast Highway) of the site that obscures the view corridor, therefore reducing the existing view corridor. However, the Commission does not consider the vegetation and electrical vault major obstruction to the public views because they are minor structures that can be easily removed or modified.

Two types of coastal views occur at the project site. The first is the public view from West Pacific Coast Highway across the project site to the bay, and it is this view that will be principally affected by the proposed development. There is an elevation difference between West Pacific Coast Highway and the Sea Base bulkhead. West Pacific Coast Highway is between seven and eight feet higher than the bulkhead. This elevation difference allows the public utilizing either West Pacific Coast Highway or the sidewalk on the seaward side of the Highway to view the bay with minimal obstruction. The proposed development will result in the placement of an approximately 31 foot high by 120 foot long building which will partially obstruct views of the bay. The proposed development will result in the loss of 60 feet or a 29 percent reduction in scenic public view area on site.

The second type of coastal view is from the seaward side of the project site. The Sea Base is open to public use, therefore the public has the opportunity to park and visit the site. Though the proposed "Sailing Building" would significantly impact scenic coastal views from West Pacific Coast Highway, the public would still be able to continue to go on site to the bulkhead and experience scenic coastal views and would also be able to travel on foot behind (bayward) this proposed building that would adversely impact views of the bay from West Pacific Coast Highway and continue to enjoy the coastal view. Additionally, the applicant has opened up areas of the site used for boat storage for public use and provided viewing decks (Exhibit #3). Thus the proposed development would have a minimal adverse visual impact for users of the site who are actually physically present on-site.



a. **City's Land Use Plan**

The City considers the protection of public views to be critical to preserving the City's charm and character, as well as the value of residential and commercial development. Given the value of ocean and bayfront property, there is constant pressure to fully develop these properties. Consequently, there is a need to regulate development to minimize its adverse impacts on coastal resources. The City's LUP policy regarding coastal views, stated previously, asserts that where coastal views from existing roadways exist, any development on private property within sight lines from the roadway shall be sited to maximize protection of the coastal view (*Policy 1*) and that the City shall preserve beaches, surf action, and coastal shoreline in a manner that will maintain their aesthetic and natural value (*Policy 2*). In this vicinity of Newport Beach stretching from the Santa Ana River Jetty, which is the entrance to Newport Beach, to Dover Drive along West Pacific Coast Highway (approximately 7 miles), there are minimal opportunities to enjoy the view of Newport Bay due to the intensity of existing development on the seaward side of West Pacific Coast Highway. As previously reviewed, there are only three locations along West Pacific Coast Highway where views of the Newport Bay are available. Existing sites with views consequently must be protected.

These three sites are located at: 1) the intersection of Newport Boulevard and West Pacific Coast Highway, which is located three miles north of the project site, 2) the project site (Boy Scout Sea Base) and 3) the Orange Coast College Rowing and Sailing Center, which is located to the east adjacent to the project site. There are minimal opportunities to scenic coastal views in this area and the proposed project would significantly reduce the scenic coastal view of the bay currently provided on site as well as contribute to the existing cumulative adverse visual impact toward Newport Bay from West Pacific Coast Highway from the entrance of Newport Beach to Dover Drive.

In regards to *Policy 1*, the site is not listed as one of the specific coastal view areas listed with this policy, nevertheless the policy still provides guidance that coastal views from existing roadways be protected by siting and designing development to minimize impacts to coastal views. The project site is located on public trust land that was granted to the County, as trustee, in 1919, and that is being leased to the Boy Scouts, which is a private entity. Though the Boy Scouts is a private entity, through its programs, the project site provides a lower cost visitor recreational opportunity for the public and the project site is open for public access to enjoy the view of the bay. Coastal views must be protected, however, the proposed project, as submitted for the construction of the sailing building, fails to adequately protect scenic coastal views.

In regards to *Policy 2*, allowing the proposed project consisting of new buildings would significantly adversely impact coastal views and degrade the aesthetic value of the coastal shoreline. Allowing this proposed project, which consists of a large structure approximately 31 feet high and approximately 120 feet long blocking public views from West Pacific Coast Highway would adversely impact the aesthetic value of the coastal shoreline by impeding scenic public views of the bay. Though the proposed project arguably includes some improvements in terms of its promotion of public recreational opportunities, it comes at the expense of protecting

coastal views. Additionally, the proposed project in conjunction with existing projects along the seaward side of West Pacific Coast Highway would result in a significant cumulative adverse impact that would substantially reduce the remaining public views toward the bay. Specifically, the continued intensification of development along the seaward side of West Pacific Coast Highway has created a "wall" effect, which has over time blocked public views of Newport Bay from West Pacific Coast Highway. Therefore, the proposed project would cause significant adverse impacts to coastal scenic views of the area thus not conforming to the City's LUP policy on coastal views.

**b. Mariner's Mile Specific Area Plan**

The impact of the proposed development on coastal views is further complicated by the City's recent approval of the Mariner's Mile Specific Area Plan. On October 24, 2001, an Ordinance (No. 200-20) was passed by the City of Newport Beach City Council which amended the Mariner's Mile Specific Area Plan and created the Mariner's Mile Overlay to implement the Mariner's Mile Strategic Vision and Design Framework. The Boy Scout Sea Base is located in the Mariner's Mile Overlay District and is subject to the Design Framework regulations and guidelines. Mariner's Mile Development Regulations relating to landscaping utilities, vehicular access, parking and signs are discussed. One of the regulations requires that the project site provide a continuous planter area across the frontage of the property containing a continuous hedge and palm trees. The hedges based on the City's requirements are to consist of *Lingustrum j. "Texanum"* (Texas Privet) planted a minimum of 30 inches on center and are to be a minimum 30 inches in height. Palm trees shall be *Washingtonia robusta* (Mexican Fan Palm) with a minimum of 8 foot trunk height. The proposed project incorporates these requirements. The effect of this requirement on visual resources is that it would block views from West Pacific Coast Highway towards Newport Bay, which would lead to additional adverse impacts to scenic coastal views. The landscaping is required by the City through the recently approved ordinance, however it is not part of the City's certified land use plan nor has it been reviewed by the Commission.

**c. Alternatives Analysis**

Due to the project's adverse impacts on coastal views, possible alternatives were requested from the applicant in order to find a project that would limit adverse impacts on coastal views. The applicant has discussed three alternatives for the proposed project. Alternative one consists of orienting the new "Sailing Building" parallel to the existing classroom facility (Exhibit #9). This alternative orientation marginally increases views to the bay, however, significantly impacts the availability of on site open space (grassy area) suited for recreation and educational use by youth and the public if equivalent parking is to be provided on site. Further, this alternative configuration negatively impacts the ability to provide safe access, egress, flow through circulation and drop off because the separation between curb cuts on West Pacific Coast Highway is reduced. In addition, siting the "Sailing Building" would require a 20 foot setback separation between the "Sailing Building" and the existing building to the west of the site, which would significantly impact parking, circulation and recreational area for the Boy Scouts and public to use.

Specifically, the applicant states that the significant impacts would result in: 1) pushing the parking area closer to the bulkhead and thus adversely impacting open recreational space and 2) negatively impacting the ability to provide safe access, egress, flow through circulation and drop off because the separation between curb cuts on West Pacific Coast Highway would be reduced.

The second alternative was the construction of an addition to the existing building located on the western portion of the site, which would increase the bulk of the building. The applicant states that this design is not cost effective and would negatively impact: usability of space, recreational area for use by youth and the public, safe access, egress, flow through circulation and drop off, operation of the existing site during construction. Also, an addition to the existing building would exceed the height limit allowed by the City. There is a grade difference on site with the grade descending towards the bay. This grade difference impacts the allowable height of buildings on site because the height is measured from natural grade and since the grade on site descends towards the bay, adding a floor to the existing building and making it uniform in height with the existing building would exceed the height limit allowed by the City.

The third alternative was connecting the existing classroom facility to the new "Sailing Building" in an "L" configuration. The applicant has stated that this would be problematic due to different pad elevations as discussed on the previous page. The pad elevation of the new "Sailing Building" is 28" below that of the existing building. If the new "Sailing Building" pad were constructed to be the same height as the existing building's pad height, the new building as designed would exceed the height allowance of 31 feet. In addition, the applicant states that keeping the building separate reduces disruption of the existing facilities. The applicant states that the opening between the existing classroom and the new "Sailing Building" provides the following: 1) ease of access to the new classrooms and bay front; 2) reduces the potential for disruption of activities occurring in the lawn area; 3) physical access to the bay front from the ground floor storage area and upper floor classrooms of the existing building; 4) visual access/orientation to the bay from the existing second floor classrooms and 5) "breakout" spaces in support of the adjacent classrooms and other program spaces.

The applicant believes that the current project is the best choice and the least environmentally damaging feasible alternative. The applicant states that the proposed development effectively balances the need for maintaining view corridors to the bay from West Pacific Coast Highway while providing additional facilities and significant usable open space for bay oriented access education and recreational opportunities to youth and the general public.

d. **Conclusion**

The Commission finds that the proposed project, as currently proposed, is not sited and designed to protect or enhance scenic and visual qualities of coastal areas as a source of public importance. In addition, the requirement by the City to provide a continuous planter area across the frontage of the property containing a continuous hedge and palm trees also would impact scenic coastal views from West Pacific Coast Highway. In addition, the applicants have not demonstrated that they could

not obtain a variance from the City to address the height (increased height) and hedge (removal) issues nor have they evaluated less intensive development. Denial of the proposed project would preserve existing scenic resources in area where scenic areas are at a minimum. Furthermore, denial will preserve one of the few remaining points where coastal views can be obtained along this stretch of West Pacific Coast Highway.

Additionally, although the Commission recognizes that that the proposed development would have been a beneficial development for purposes of promoting public recreational opportunities in accordance with the Coastal Act, denial of this proposal will not have an adverse effect on existing public recreational opportunities, as the Sea Base will be able to continue to operate and provide the public with coastal recreational opportunities. Denial of the proposed development has been based on its adverse visual impacts.

Therefore, the Commission finds that the proposed project is inconsistent with Section 30251 of the Coastal Act and with the City's LUP policies regarding coastal shorelines and therefore must be denied.

**2. Coastal Access and Lower Cost Visitor Recreational Facilities**

Section 30213 of the Coastal Act states:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Section 30220 of the Coastal Act states:

*Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221 of the Coastal Act states:

*Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30224 of the Coastal Act states:

*Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

One of the strongest legislative mandates of the Coastal Act is the preservation of coastal access. The Boy Scouts Sea Base currently does, and will continue to, with or without the

proposed project, offer education classes to the general public as well as keep the site completely open for the general public. Therefore, with or without the project, the area will be protected for recreational use consistent with Sections 30220 and 30221 of the Coastal Act. A portion of the proposed project consisting of remodeling of a portion of an existing dock system promotes increased boating use and this portion of the proposed project is being approved. Therefore, the denial portion of the proposed project, demolition and construction of two new buildings, does not adversely impact increased recreational boating use, and would not be inconsistent with Section 30224 of the Coastal Act. Though the project proposes to expand water oriented and related activities, which introduce youth to the aquatic environment as well as provide additional education and recreation opportunities to the public in accordance with Sections 30220, 30221 and 30224 of the Coastal Act, it is inconsistent with Section 30251 of the Coastal Act which mandates that the scenic and visual qualities of coastal areas be considered and protected as a resources of public importance.

Although the project would increase the applicant's ability to provide lower cost visitor and recreational facilities pursuant to Section 30213, the provision of such additional capacity is inconsistent with Section 30251 of the Coastal Act due to adverse visual impacts resulting from the portion of the project regarding demolition and construction of two new buildings. Thus, the denial of the proposed development based on Section 30251 of the Coastal Act would not be inconsistent with Section 30213 of the Coastal Act.

a. **Public Use**

The applicant states that the goal of the project is to enhance the capabilities and the capacity of the Sea Base to provide water oriented and related land activities, which introduce youth to the aquatic environment as well as provide additional education and recreation opportunities to the public (Exhibit #10). They further state that the Boy Scouts programs and activities are directed towards increasing knowledge and usage of the bay by those individuals who may not otherwise have the opportunity. The Boy Scouts currently provide programs with other educational facilities and anticipate expanding these types of programs. For example, the Boy Scouts currently have a water quality science program with the Huntington Beach School District Workability Program and also have a sailing program with Polytechnic and University High Schools. Some programs offered by the Boy Scouts Sea Base also include busing children from schools or other institutions to the Sea Base from all areas of Orange County to provide recreational and educational opportunities to children (at risk or otherwise) who may not get such an opportunity. The public learns of these opportunities through such advertisements found in the Los Angeles Times, Kidsguide magazine, Irvine Apartment Communities Center, Orange County Council Boy Scouts of America website and State Department of Fish and Game Website. In addition, the Newport Chamber of Commerce informs the public about these opportunities and advertisements are located at the Orange County Fair.

Besides providing such opportunities to youth, unprogrammed public use of the site currently occurs on a daily basis. The Boy Scouts intend to encourage such public usage in the future. The site is completely open and the parking lot is available for use by both the Boy Scouts and the public to enjoy the bay. Additionally, public and pedestrian access is provided from the street to the bulkhead and a continuous

walkway is and would continue to be provided along the length of the bulkhead for use by the Boy Scouts or public. In addition, there is a grassy area with picnic tables that is provided for use by both the Boy Scouts and the public to enjoy the bay (Exhibit #3). The applicant has stated that the six existing picnic tables for the public would be relocated on site with an additional six picnic tables for the public to be provided on site, however, no site plan showing the location of these picnic tables has been submitted. Also, an amphitheater area with seating provided in this grassy area is part of the proposed project. The existing grassy area is approximately 3,634 square feet, however the grassy area would have been reduced to 3,190 square feet in the original project proposal. After discussions with the applicant, the proposal was modified to enlarge the grassy area by 326 square feet for a total of 3,516 square feet. The applicant has stated that the existing usable outdoor open areas (i.e., turf, paved areas, boardwalk) have been calculated at approximately 13,022 square feet. Furthermore, the applicant states that the project improves and actually increases the usable outdoor open areas and provides approximately 14,330 square feet of usable outdoor space.

**b. Conclusion**

Though the project proposes to expand water oriented and related activities, which introduce youth to the aquatic environment as well as provide additional education and recreation opportunities to the public in accordance with Sections 30220, 30221 and 30224 of the Coastal Act, it is inconsistent with Section 30251 of the Coastal Act which mandates that the scenic and visual qualities of coastal areas be considered and protected as a resources of public importance. A denial based on Section 30251 of the Coastal Act would not be inconsistent with Section 30213 of the Coastal Act. Additionally, the City's certified LUP requires that coastal views be protected. Denial of the proposed project would not impact public access resources already available on site. Therefore, the Commission has found that this site is one of the few remaining view corridors resulting from the effect of cumulative development. Thus, it is critical that this view be protected.

**3. Alternatives**

Denial of the proposed project will neither eliminate all economically beneficial or productive use of the applicant's property, nor unreasonably limit the owner's reasonable investment backed expectations of the subject property. The applicant already possesses a substantial development of significant economic value of the property. In addition, several alternatives to the proposed development exist. Among those alternative developments are the following (though this list is not intended to be, nor is it, comprehensive of the possible alternatives):

**a. No Project**

No changes to the existing site conditions would result from the "no project" alternative. The Boy Scouts would continue to use the existing development. There would be no adverse impacts to the coastal public views since the existing development would remain. This alternative would result in the public view remaining as it is and also would not have any adverse effect on the value of the

property. Though this alternative would not increase the Boy Scouts ability to increase public recreational programs on site, the site would continue to be used for public coastal recreational uses at the same level of service.

**b. Remodeling of the Existing Buildings**

An alternative to the proposed project would be remodeling of the existing buildings on site with a more efficient layout, which would allow for an increase in usage, and also minimize the adverse impact to public views of the bay that currently exist on site or maintain the existing view of the bay. For example, the existing manager's unit on site could be remodeled into a new classroom, thus providing an area to increase usage on site as well as maintain the existing public view on site. This alternative would result in a minimal amount of adverse effects to the public view and also would not have any adverse effect on the value of the property. This alternative would allow the Boy Scouts to increase public recreational programs on site.

**c. Reducing the Square Footage of the Proposed Project**

Another alternative to the proposed project would be reducing the square footage of the proposed project, which would minimize the adverse impact to public views of the bay that currently exist on site. The project could be redesigned to reduce square footage, such as reducing the amount of proposed classrooms, or removal of the proposed manager's unit. Originally, an exercise room was proposed to be housed in the proposed "Rowing Building" located on the eastern side of the property, however, the applicant has stated that the exercise room has been changed into a classroom. Therefore, it is conceivable that proposed square footages can be reduced by reducing or removing certain aspects of the project. This alternative would result in a minimal amount of adverse effects to the public view if done properly and also would not have any adverse effect on the value of the property. This alternative would allow the Boy Scouts to increase public recreational programs on site.

**d. Combining the Existing Two Story Building with the New "Sailing Building"**

An additional alternative to the proposed project would be combining the existing two story building with the new "Sailing Building." The pad elevation of the new "Sailing Building" is 28' below that of the existing building. If the new "Sailing Building" pad were constructed to be the same as the existing building's pad height, the new building as designed would exceed the height allowance of 31 feet. A variance from the City of Newport Beach could be applied for in order exceed the height limit. Combining these two buildings would minimize the adverse impact to public views of the bay that currently exist on site. This alternative would result in a minimal amount of adverse effects to the public view if done properly and also would not have any adverse effect on the value of the property. This alternative would allow the Boy Scouts to increase public recreational programs on site.

4. **Land Use Plan**

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. Pursuant to Section 30604(a) the permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

The Newport Beach Land Use Plan was effectively certified on May 19, 1982. The City currently has no certified implementation plan. Therefore, the Commission issues CDP's within the City based on the development's conformance with the Chapter 3 policies of the Coastal Act. The LUP policies may be used for guidance in evaluating a development's consistency with Chapter 3. The Newport Beach LUP includes the following policies that relate to development at the subject site:

Coastal Views, Policy 1 states,

*Where coastal views from existing roadways exist, any development on private property within the sight lines from the roadway shall be sited and designed to maximize protection of the coastal view. This policy is not intended to prohibit development on any site.*

Coastal Views, Policy 2 states,

*The City shall preserve beaches, surf action, and coastal shoreline in a manner that will maintain their aesthetic and natural value.*

The portion of the proposed project including demolition and construction of two new buildings, which is an intensive use of the site, is inconsistent with the policies in the City's certified LUP and as well as Chapter 3 policies of the Coastal Act discussed previously, specifically Section 30251 of the Coastal Act. Development on the project site would adversely impact coastal views and would have a significant adverse cumulative impact by contributing to the elimination of public views towards Newport Bay from West Pacific Coast Highway, therefore it is inconsistent with Section 30251 of the Coastal Act. Section 30251 of the Coastal Act states that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to be visually compatible with the character of surrounding areas and where feasible restore and enhance visual quality in visually degraded areas. Therefore, this portion of the proposed project is found inconsistent with the policies in the City's certified LUP and the Chapter 3 policies of the Coastal Act, and approval of this project would be inconsistent with Section 30604(a) and therefore must be denied.

5. **California Environmental Quality Act (CEQA)**

Section 13096(a) of Title 14 of the California Code of 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 further feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

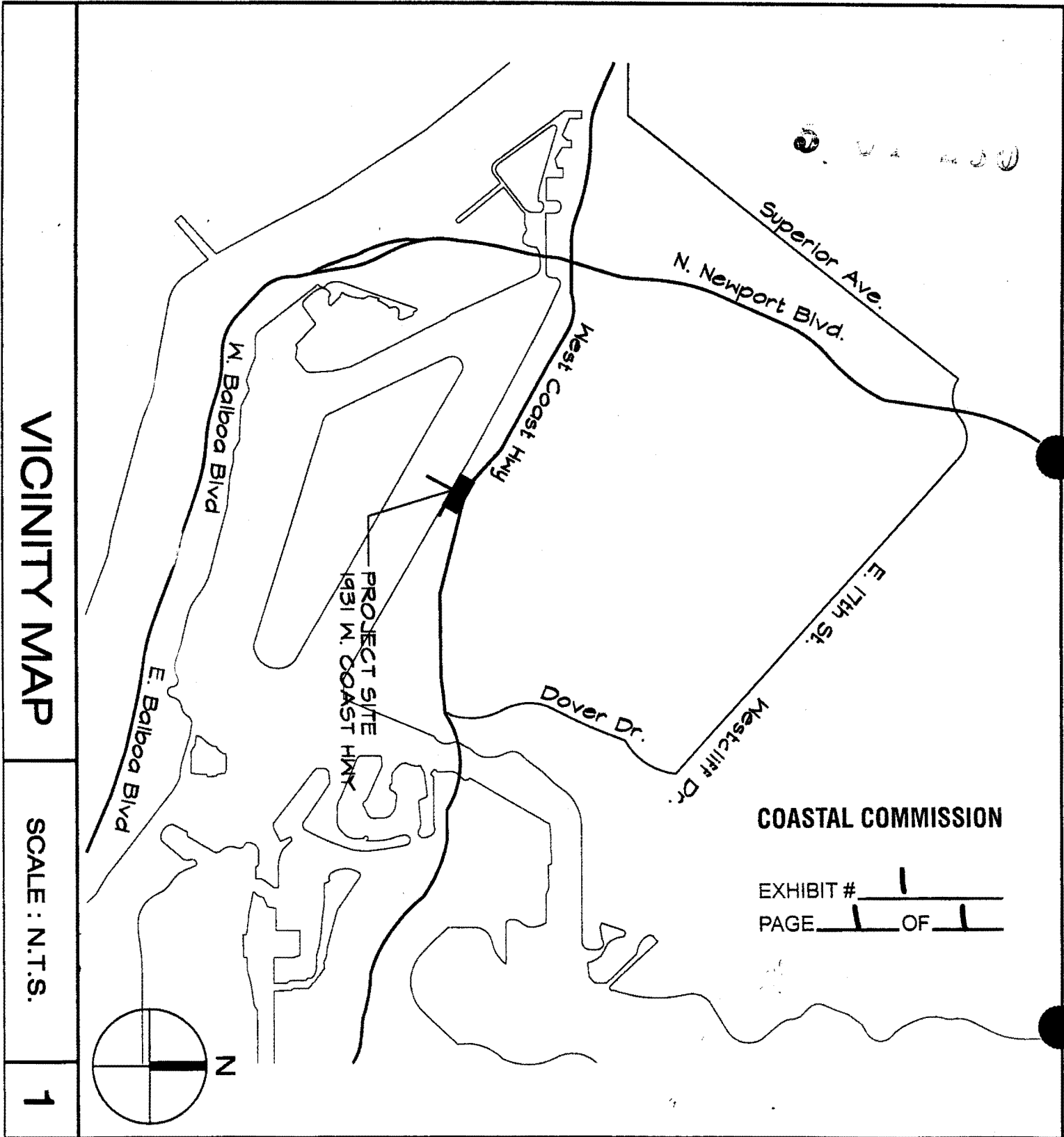
The portion of the proposed project including demolition and construction of two new buildings would have significant adverse environmental impacts, as discussed above. There are feasible alternatives or mitigation measures available, such as remodeling of the existing buildings on site with a more compatible less intense design that would not adversely impact public views of the bay that currently exist on site. Therefore, the proposed project is not consistent with CEQA or the policies of the Coastal Act because there are feasible alternatives and mitigation measures, which would lessen significant adverse impacts, which the activity would have on the environment. Therefore, this portion of the proposed project must be denied.

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JUN 18 2001

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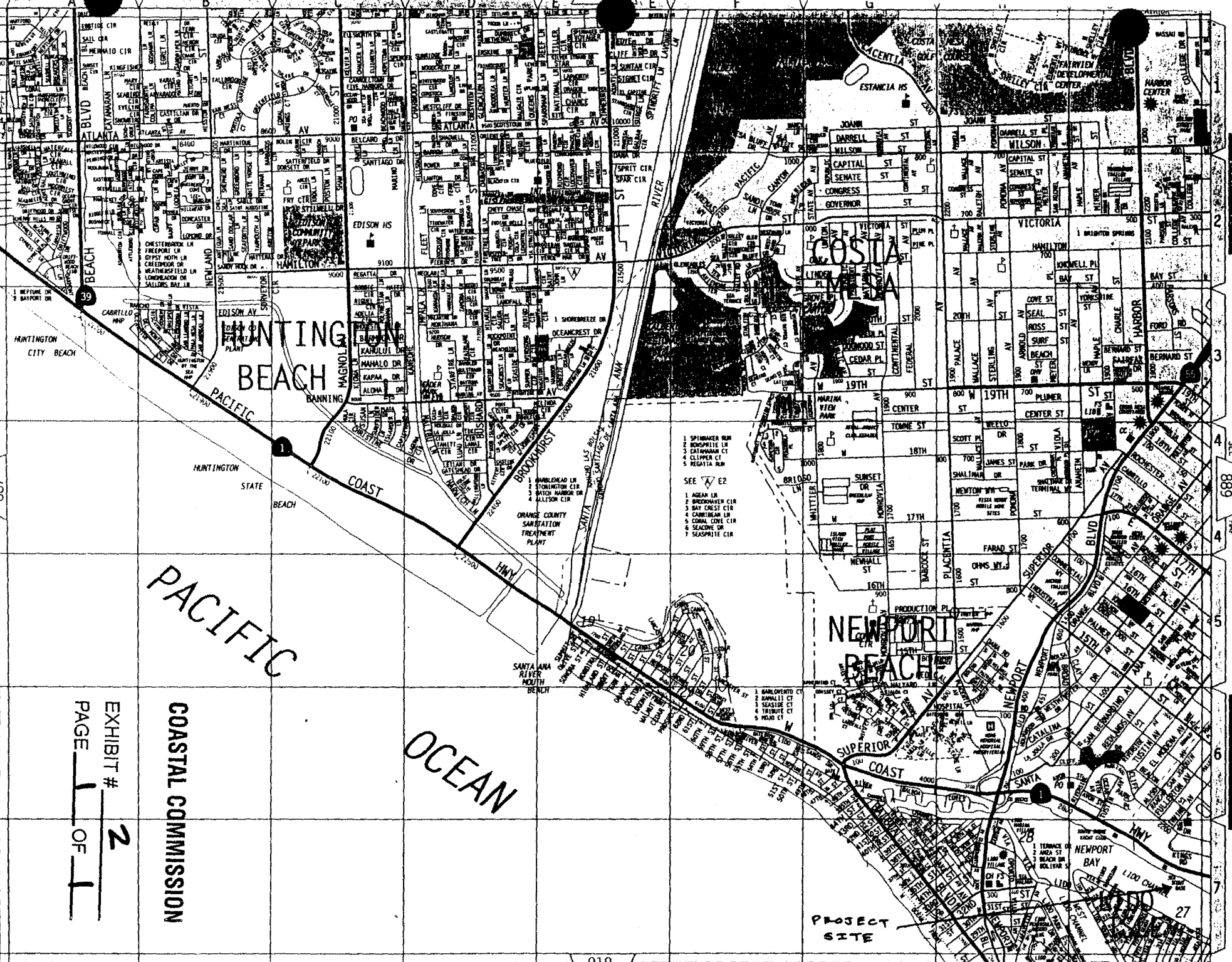
VICINITY MAP

SCALE : N.T.S.

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COASTAL COMMISSION

EXHIBIT # 1  
PAGE 1 OF 1



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
OCEAN

COASTAL COMMISSION

- 1 SPINAKER RUN
  - 2 ROCKWELL LN
  - 3 CATAPHAN CT
  - 4 CLIPPER CT
  - 5 NIGHTA RUN
- SEE E2
- 1 AEGAN LN
  - 2 BARDONWAY CIR
  - 3 BAY CREST CIR
  - 4 CONSUMERS LN
  - 5 CORAL COVE CIR
  - 6 SEASIDE DR
  - 7 SEASIDE CT

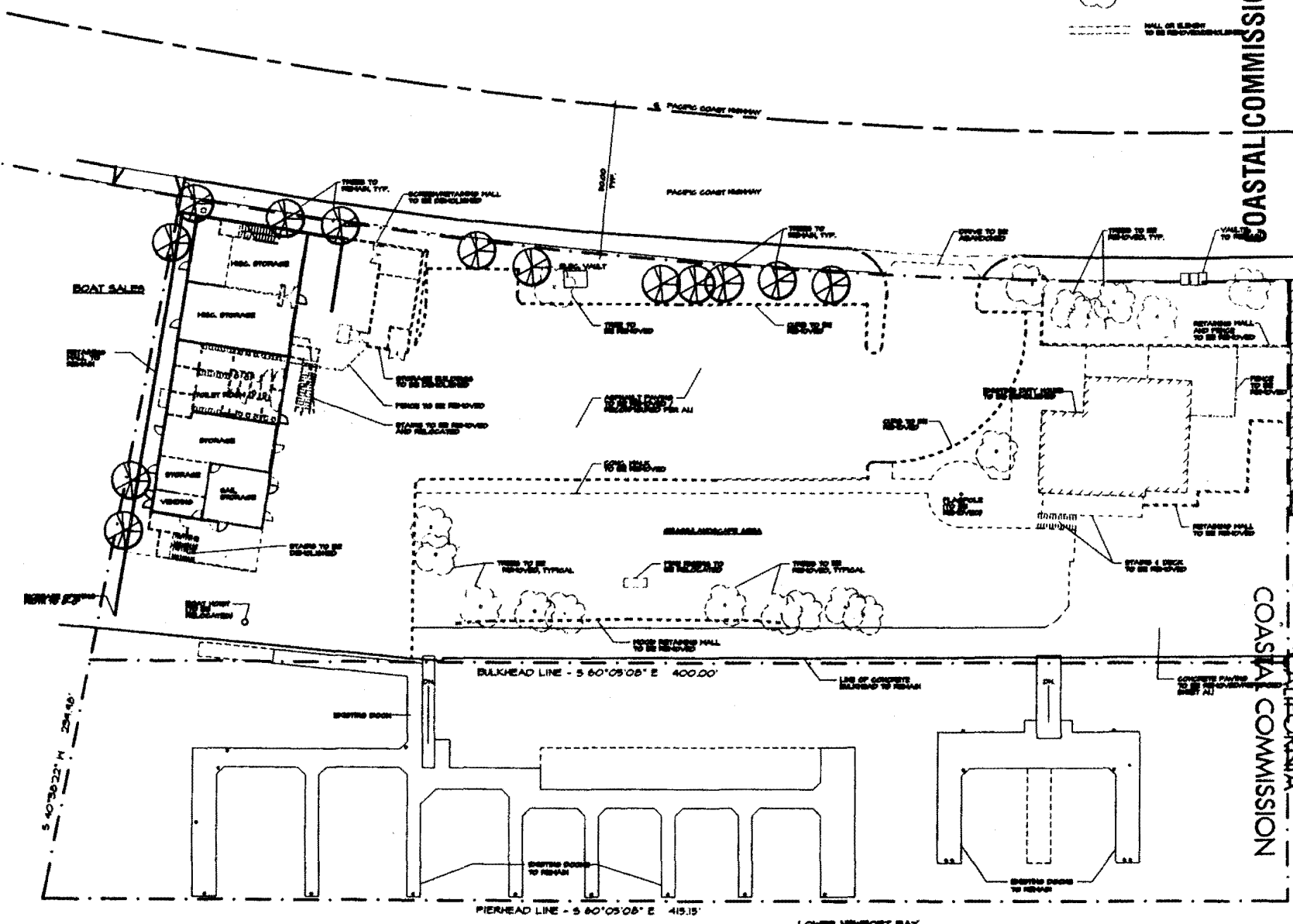
PROJECT SITE

**LEGEND**

-  WIRE TO REMOVE
-  TREE TO BE REMOVED
-  WALL OR FENCE TO BE RECONSTRUCTED

**COASTAL COMMISSION**

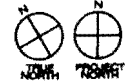
EXHIBIT # **3**  
 PAGE **1** OF **7**



CALIFORNIA  
 AUG 10 2001

**COASTAL COMMISSION**

South Coast Region



**SITE PLAN**

SCALE: 1/8"=1'-0" 1

**BOY SCOUT SEA**  
 1281 WEST COAST HIGHWAY  
 NEWPORT BEACH, CALIFORNIA

MASTER PLAN, NEW DEVELOP  
 AND REMODEL

**BOY SCOUTS OF AM**  
 ORANGE COUNTY COUNCIL  
 3880 HARBOR GATEWAY NORTH  
 COSTA MESA, CA 92626-1428  
 T: 714-848-4990  
 F: 714-848-0415

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EXISTING / DEMO  
 SITE PLAN

**A1.0**

PLANNING COMMISS  
 JUNE 13, 2001

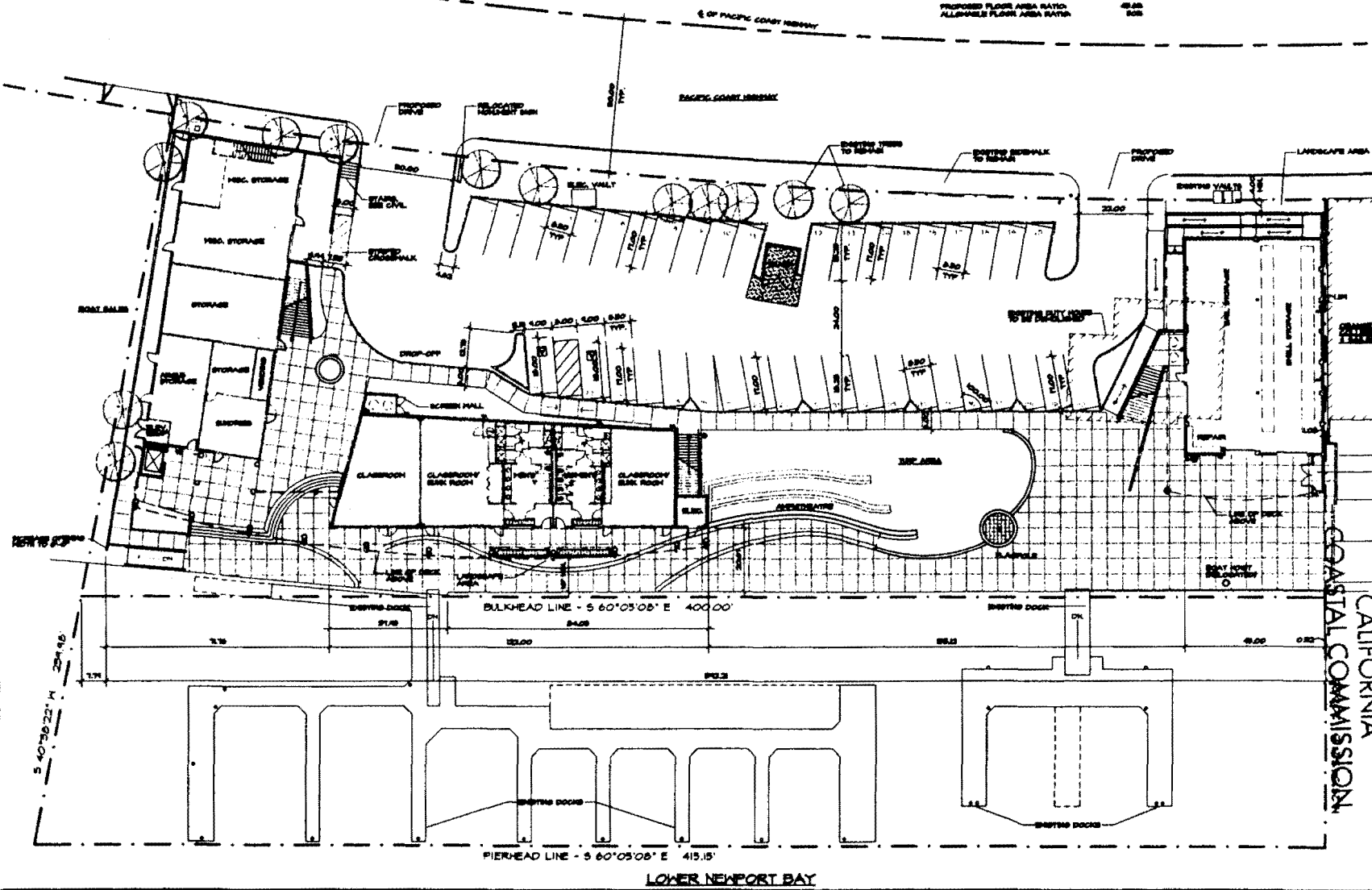
NOT FOR CONSTRUCT

**PROJECT SUMMARY**

TOTAL SITE AREA	9,432 S.F.
TOTAL BUILDING NECESSARY GROSS FLOOR AREA USED TO ESTABLISH THE "F.A.R." AND DO NOT INCLUDE OCCUPANCY WITHIN OR OUTSIDE THE APPROVED WITH NEWPORT BEACH ZONING CODE	
EXISTING OFFICE/CLASSROOM/STORAGE	1,770 S.F.
EXISTING STORAGE	450 S.F.
EXISTING OFFICE	172 S.F.
EXISTING FLOOR AREA RATIO	1.8%
LESS AREA TO BE DELETED STORAGE	110 S.F.
TOTAL BLDG. TO BE BUILT	2,112 S.F.
PROPOSED ADDITIONAL CLASSROOM / STORAGE	830 S.F.
EXISTING BUILDING WITH ELEVATOR	50 S.F.
TOTAL BLDG. TO BE BUILT	2,992 S.F.
TOTAL BUILDING AREA	23,490 S.F.
PROPOSED FLOOR AREA RATIO	2.5%
ALLOWABLE FLOOR AREA RATIO	50%

**CODE SUMMARY**

CONSTRUCTION TYPE	V I HDR
BASE ALLOWABLE (R OCCUPANCY)	14,000 S.F.
BASE ALLOWABLE (S-1 OCCUPANCY)	10,000 S.F.
BASE ALLOWABLE (R-1 OCCUPANCY)	5,000 S.F.
SPINULE INCREASE BY 50% TYP.	100%
TOTAL ALLOWABLE (R OCCUPANCY)	14,000 S.F.
TOTAL ALLOWABLE (S-1 OCCUPANCY)	10,000 S.F.
TOTAL ALLOWABLE (R-1 OCCUPANCY)	5,000 S.F.
OCCUPANCY CLASSIFICATION	
CLASSROOM / STORAGE	
LARGE CLASSROOMS / MEETING ROOMS	
STORAGE / OFFICE	
PARTIAL STORAGE	
CLASSROOM	
SINGLE FAMILY RESIDENCE	



COASTAL COMMISSION

CALIFORNIA COASTAL COMMISSION

EXHIBIT # 3

PAGE 2

**hpi**  
ARCHITECTURE  
PLANNING  
INTERIOR DESIGN  
181 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA  
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FAX: 949 / 878-8444

**BOY SCOUT SEA**  
181 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA

MASTER PLAN, NEW DEVELOPMENT AND REMODEL

**BOY SCOUTS OF AME**  
ORANGE COUNTY COUNCIL  
3880 HARBOR GATEWAY NORTH  
COSTA MESA, CA 92626-1129  
T 714 846 4080  
F 714 846 0416

South Coast Region  
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THE PLAN / 1ST FLOOR PLAN

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PLANNING COMMISSION  
JUNE 13, 2001  
NOT FOR CONSTRUCTION



SCALE / APPROVAL

PRELIMINARY TITLE

BOY SCOUT SEA BASE  
1831 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA

MASTER PLAN, NEW DEVELOPMENT  
AND RENOVATION

BOY SCOUTS OF AMERICA  
ORANGE COUNTY COUNCIL  
3850 HARBOR GATEWAY NORTH  
COSTA MESA, CA 92626-1488  
T: 714 - 848 - 6890  
F: 714 - 848 - 0418

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

SCALE BY: \_\_\_\_\_

NOTED BY: \_\_\_\_\_  
ALL dimensions and measurements are in feet and inches.  
Any notes on the drawings take precedence over the text of this drawing.  
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EXISTING BUILDING  
ELEVATIONS - DEMO

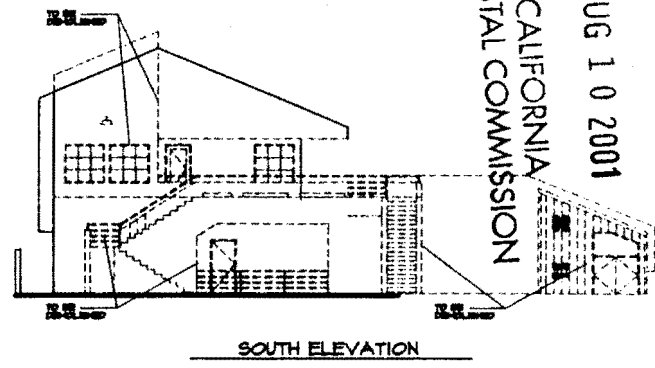
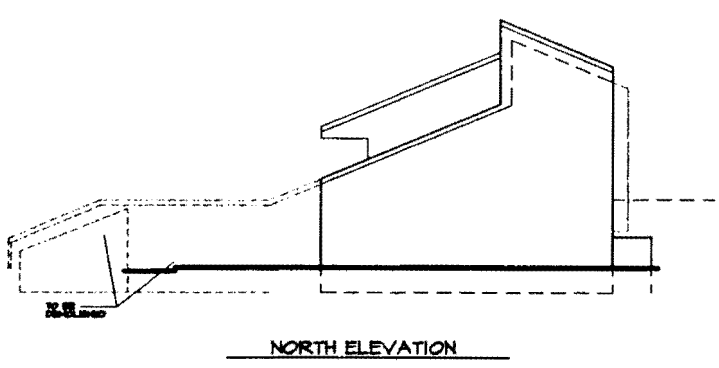
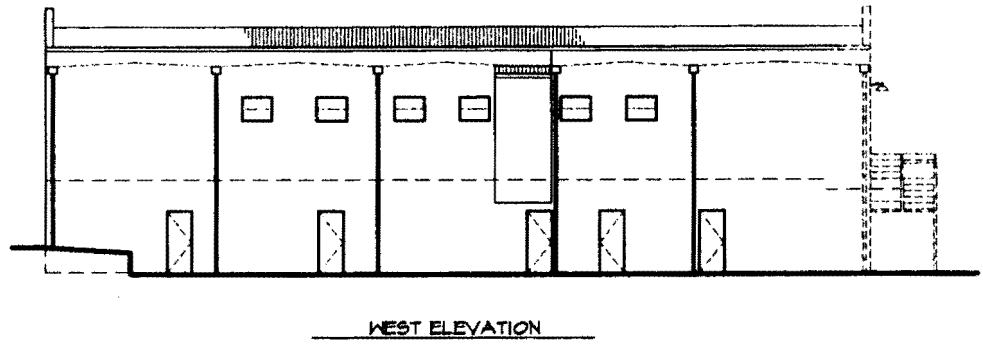
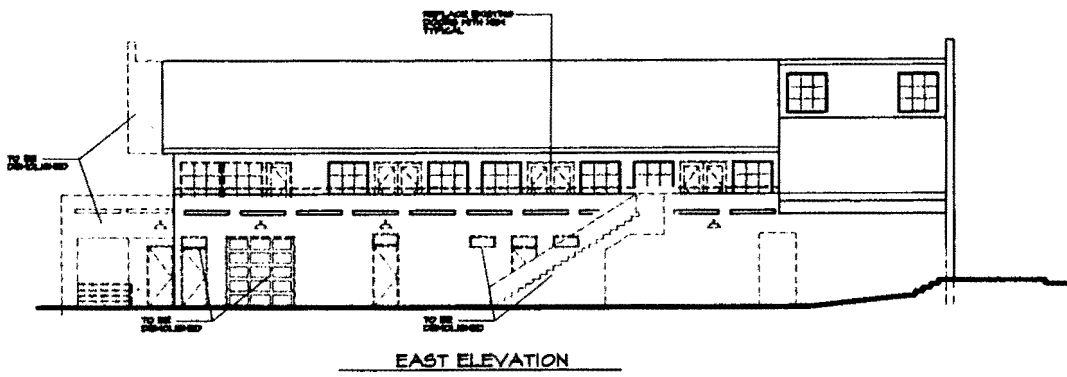
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PLANNING COMMISSION S  
JUNE 13, 2001

NOT FOR CONSTRUCTION

COASTAL COMMISSION

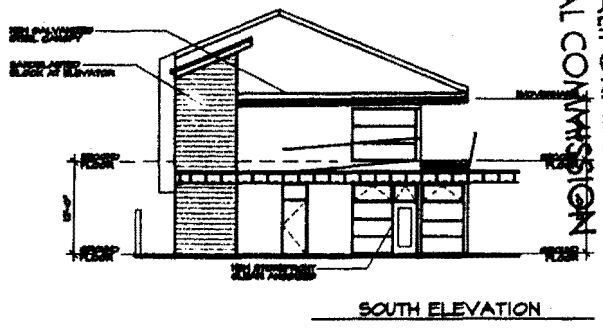
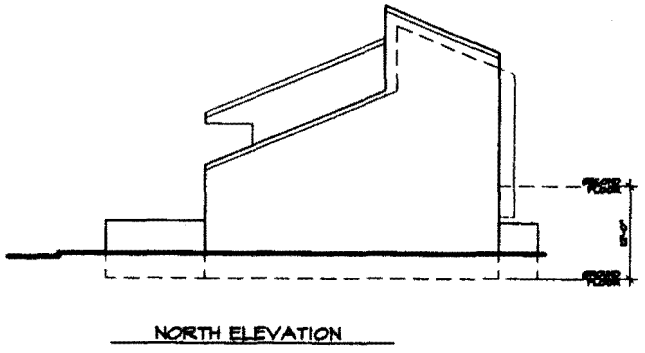
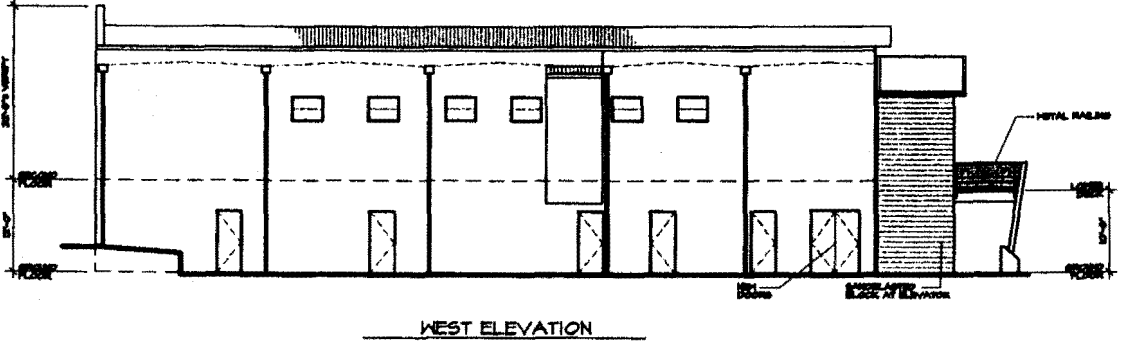
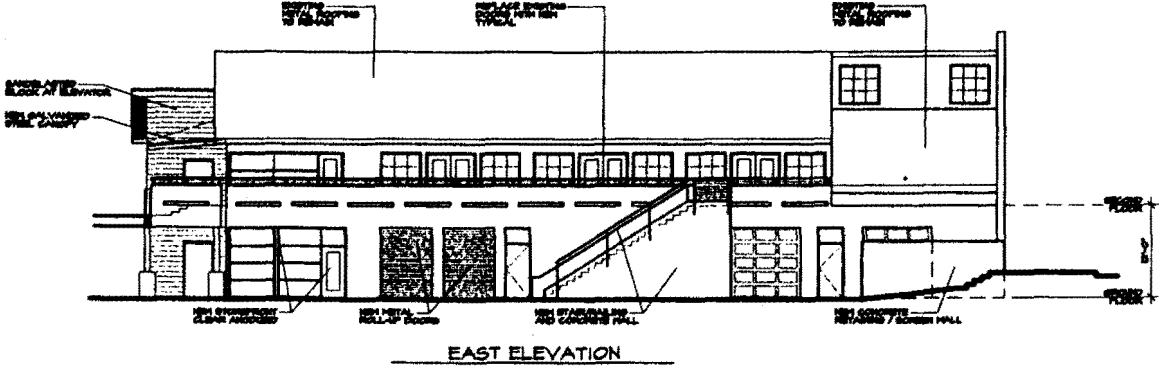
EXHIBIT # 3  
PAGE 4 OF 7



RECEIVED  
South Coast Region  
AUG 10 2001  
CALIFORNIA  
COASTAL COMMISSION

**COASTAL COMMISSION**

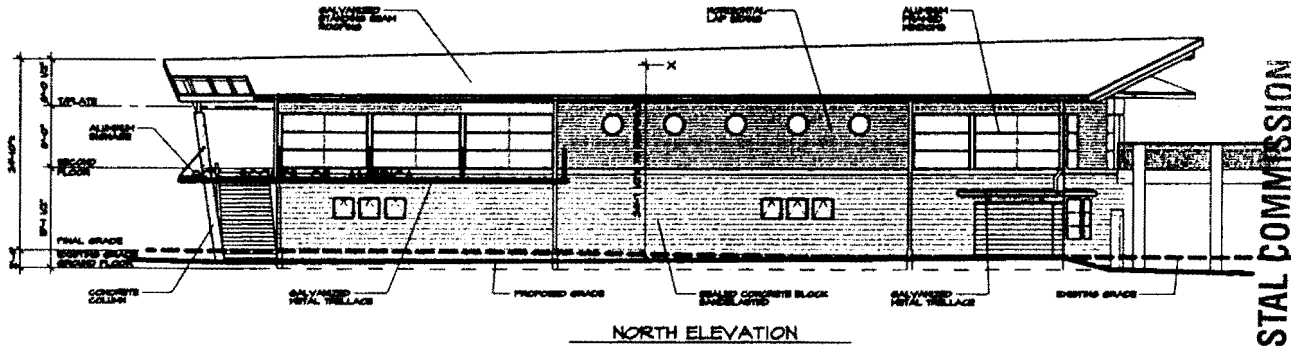
EXHIBIT # 3 OF 7  
PAGE 5



CALIFORNIA  
**COASTAL COMMISSION**

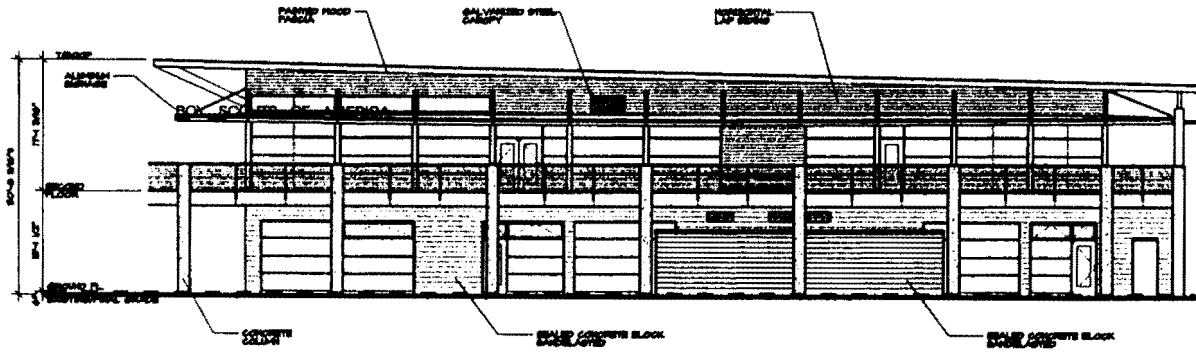
**RECEIVED**  
South Coast Region  
AUG 1 0 2001



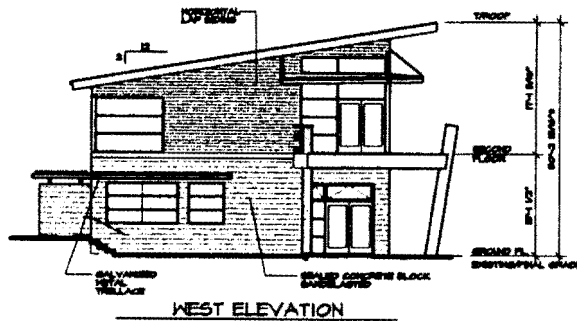


NORTH ELEVATION

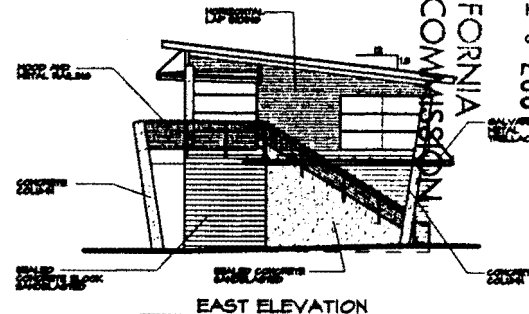
COASTAL COMMISSION



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION

COASTAL CALIFORNIA COMMISSION

AUG 1 0 2001

RECEIVED  
South Coast Region

EXHIBIT # 6 OF 7  
PAGE 6 OF 7



ARCHITECTURE  
PLANNING  
INTERIOR DESIGN

118 TWENTY-SECOND STREET  
NEWPORT BEACH, CALIFORNIA  
TELEPHONE: 949 / 878-8443  
FAX: 949 / 878-8448

CONSULTANTS

SCALE / APPROVALS

PREPARED BY

BOY SCOUT SEA B  
181 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA

MASTER PLAN, NEW DEVELOPMENT  
AND RE-USE

BOY SCOUTS OF AMERICA  
ORANGE COUNTY COUNCIL  
3900 HARBOR GATEWAY NORTH  
COSTA MESA, CA 92626-1428  
T: 714 - 848 - 4800 F: 714 - 848 - 0418

REVISIONS

DATE REVISION

BY

SCALE

DESIGNED BY  
THE HILL PARTNERSHIP INC. 20  
118 TWENTY-SECOND STREET  
NEWPORT BEACH, CALIFORNIA 92658

SAILING BUILDING  
ELEVATIONS

DATE REVISION

A4.1

PLANNING COMMISSION  
JUNE 13, 2001

NOT FOR CONSTRUCTION

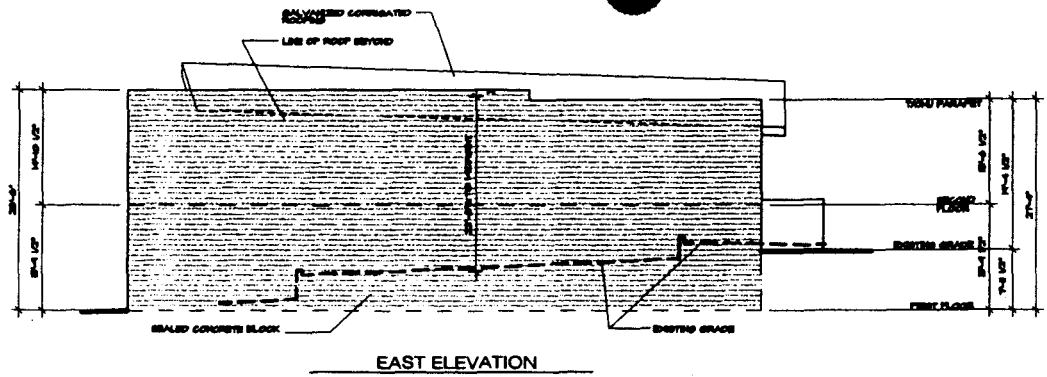
ELEVATIONS

SCALE: 1/8"=1'-0"

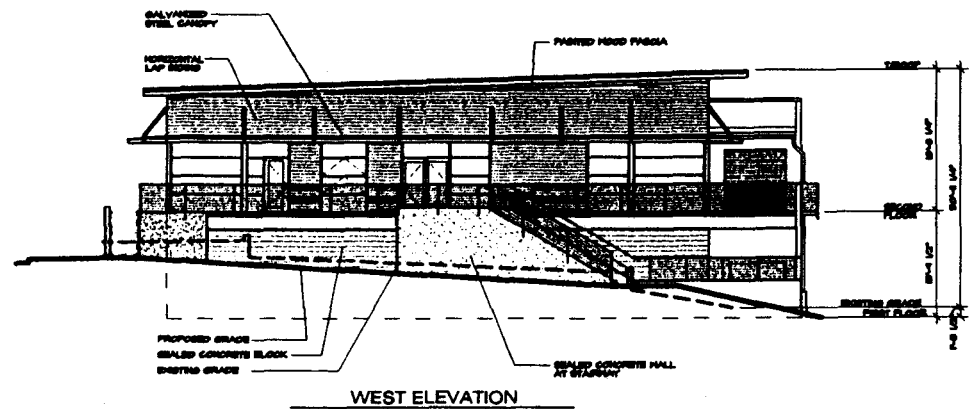
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COASTAL COMMISSION

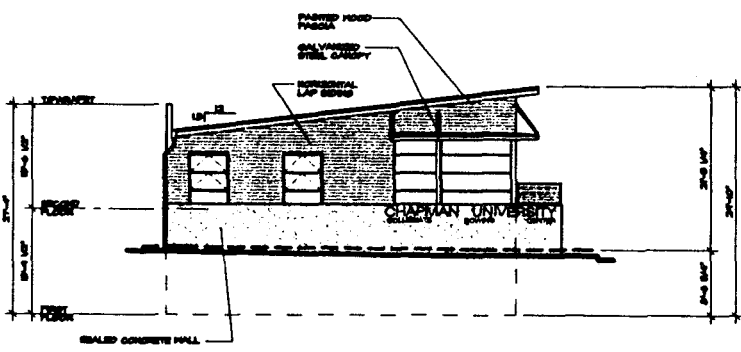
EXHIBIT # 7 OF 7  
PAGE 7 OF 7



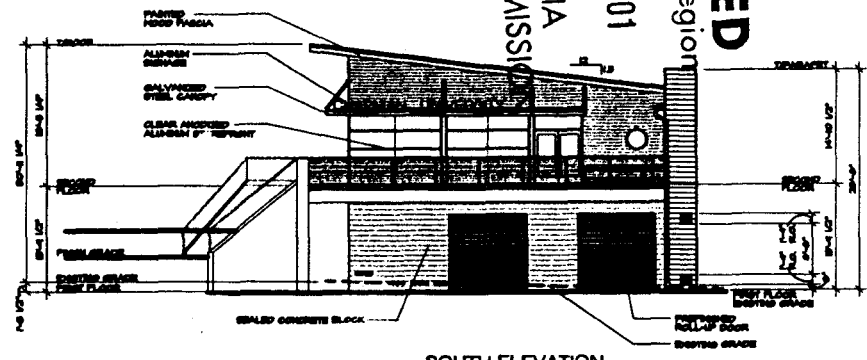
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

RECEIVED  
 South Coast Region  
 AUG 10 2001  
 CALIFORNIA  
 COASTAL COMMISSION

SCALE / APPROVALS

PROJECT TITLE

BOY SCOUT SEA I  
181 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA

MASTER PLAN, NEW DEVELOPMENT  
AND REMODEL

BOY SCOUTS OF AMERICA  
ORANGE COUNTY COUNCIL  
3880 HARBOR GATEWAY NORTH  
COSTA MESA, CA 92626-1438  
T: 714-948-4890  
F: 714-948-0415

REVISIONS

DESIGN ARCHITECT

DATE

SCALE

DESIGNED BY

CHECKED BY: \_\_\_\_\_  
 THE HILL PARTNERSHIP, INC.  
 1011 1/2

ROWING BUILDING  
ELEVATIONS

DATE

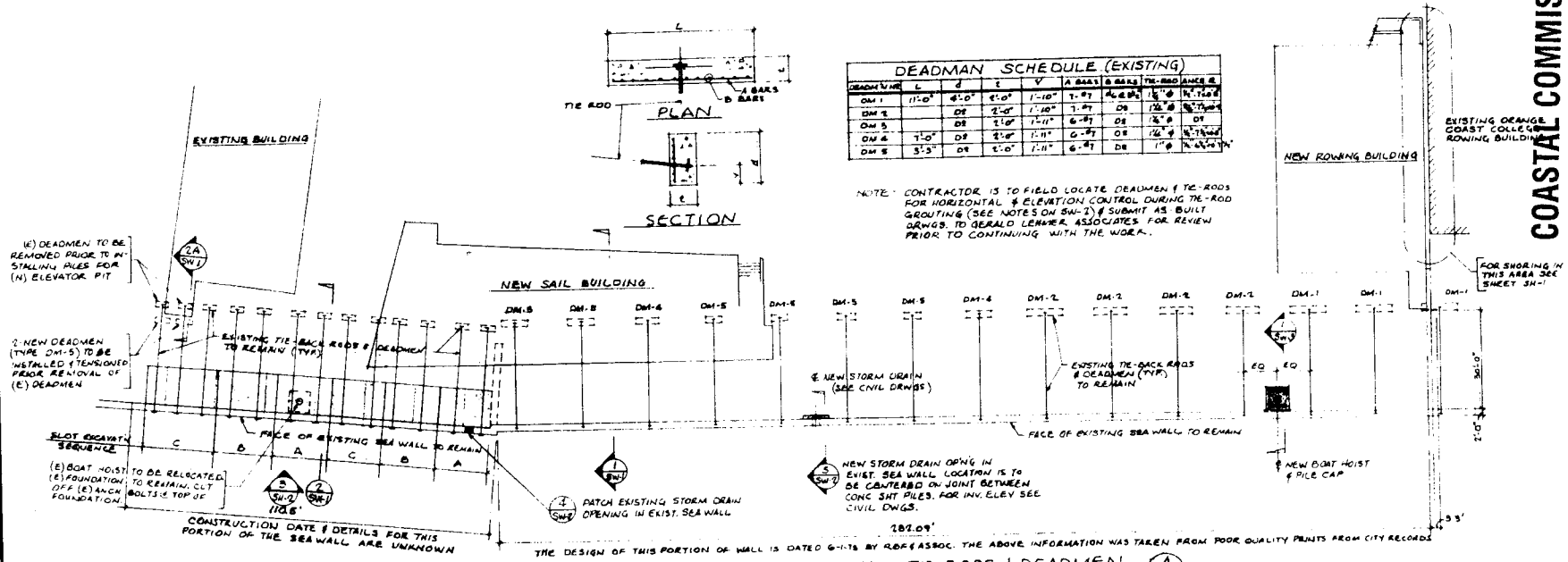
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PLANNING COMMISSION  
JUNE 13, 2001

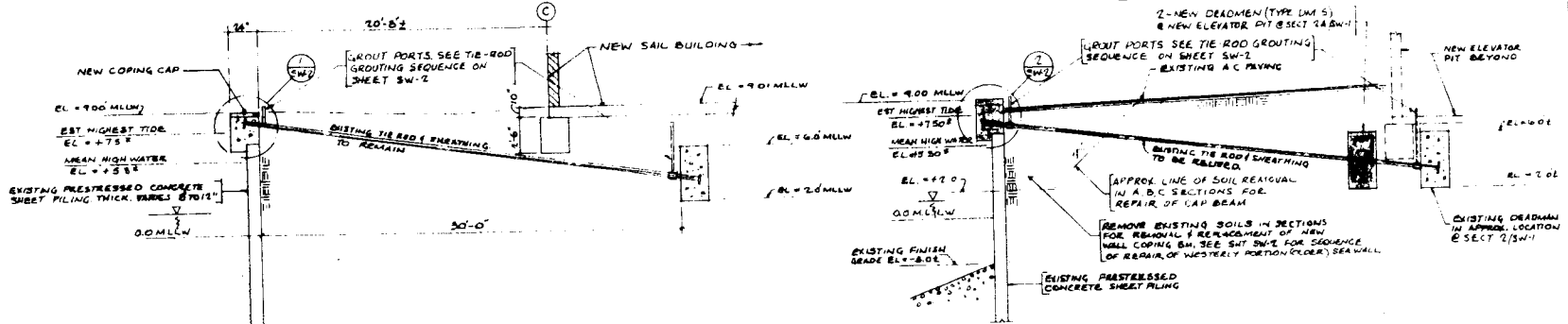
NOT FOR CONSTRUCTION

DEADMAN SCHEDULE (EXISTING)									
DEADMAN NO.	L	V	A BARS	B BARS	TE-ROD SPACING	E	V	A BARS	B BARS
DM-1	11'-0"	4'-0"	1-10"	1-10"	7'-0"	DM-1	11'-0"	4'-0"	1-10"
DM-2	11'-0"	4'-0"	1-10"	1-10"	7'-0"	DM-2	11'-0"	4'-0"	1-10"
DM-3	11'-0"	4'-0"	1-10"	1-10"	7'-0"	DM-3	11'-0"	4'-0"	1-10"
DM-4	11'-0"	4'-0"	1-10"	1-10"	7'-0"	DM-4	11'-0"	4'-0"	1-10"
DM-5	11'-0"	4'-0"	1-10"	1-10"	7'-0"	DM-5	11'-0"	4'-0"	1-10"

NOTE: CONTRACTOR IS TO FIELD LOCATE DEADMEN & TE-RODS FOR HORIZONTAL & ELEVATION CONTROL DURING TE-ROD GROUTING (SEE NOTES ON SHEET 2) & SUBMIT AS BUILT DRAWING TO GERALD LENNER ASSOCIATES FOR REVIEW PRIOR TO CONTINUING WITH THE WORK.



PLAN OF EXISTING SEA WALL TIE RODS & DEADMEN (A SW-1)



EEL GRASS INSPECTION  
 NO EEL GRASS WITHIN 15' OF PROJECT  
 EEL GRASS IN THE PROJECT AREA

*Tom Miller*  
 SIGNATURE

129-1913 PERMIT #      11/21/01 DATE

SECTION 2 (A) SW-1 SW-1  
 HARBOR RESOURCES DIV.  
 CITY OF NEWPORT BEACH  
*Tom Miller*  
 11/21/01

LENNER ASSOCIATES  
 CONSULTING STRUCTURAL ENGINEERS  
 1000 E. WALNUT STREET  
 SUITE 234  
 PORTLAND, OR 97108  
 503/780-3217  
 FAX 503/780-8512

PROJECT TITLE  
 BOY SCOUT SEA BASE  
 1831 WEST COAST HIGHWAY  
 NEWPORT BEACH, CALIFORNIA

MASTER PLAN, NEW DEVELOPMENT AND REMODEL

BOY SCOUTS OF AMERICA  
 ORANGE COUNTY COUNCIL  
 3600 HARBOR DRIVE (WALNUT HIGHWAY)  
 COSTA MESA, CA 92626-1428  
 T 714 548 4900  
 F 714 548 0415

PROJECT IDENTIFICATION NO. 16979

DATE 9-14-01

DRAWN BY GOL

CHECKED BY JDL

THIS DRAWING AND SPECIFICATIONS ARE THE PROPERTY OF LENNER ASSOCIATES AND SHALL NOT BE USED ON ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF LENNER ASSOCIATES.

SEA WALL MODIFICATION PLAN & SECTIONS

SW-1

GERALD LEEMER ASSOCIATES  
CONSULTING STRUCTURAL ENGINEERS  
1001 F STREET  
SUITE 200  
FARMERSVILLE, CA 95620  
TEL: 530 721-1111  
FAX: 530 721-1112

SCALE / APPROVAL

PROJECT TITLE  
**BOY SCOUT SEA BASE**  
1931 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA

MASTER PLAN, NEW DEVELOPMENT  
AND REPAIRS

BOY SCOUTS OF AMERICA  
ORANGE COUNTY CHAPTER  
3600 HARBOR GATEWAY NORTH  
COSTA MESA, CA 92626-1424  
P: 714 546-0410  
F: 714 546-0419

REVISED

PROJECT IDENTIFICATION NO. 16979

DATE SEPTEMBER 24, 2004

DESIGNED BY

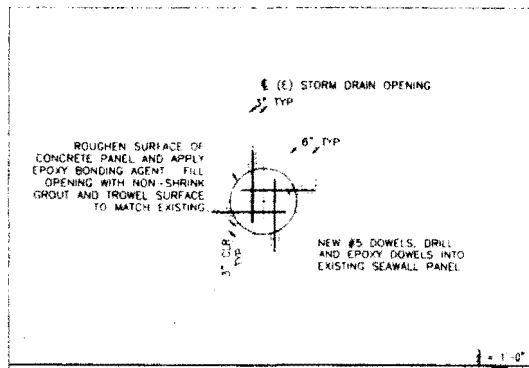
CHECKED BY

SHEET TITLE

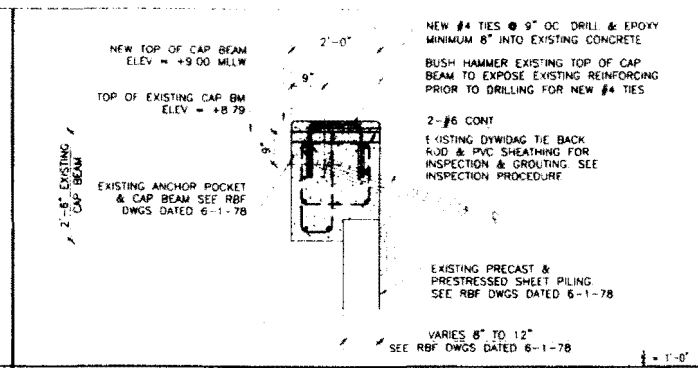
SEAWALL MODIFICATIONS  
GENERAL NOTES AND DETAILS

SCALE / APPROVAL

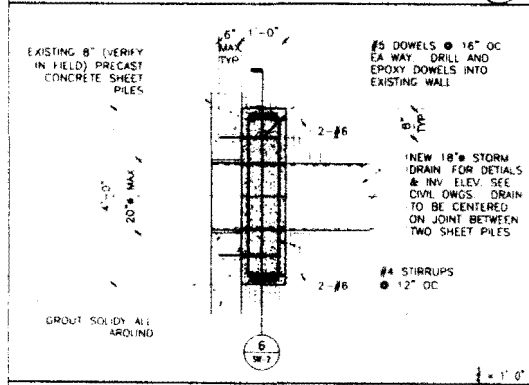
SW-2



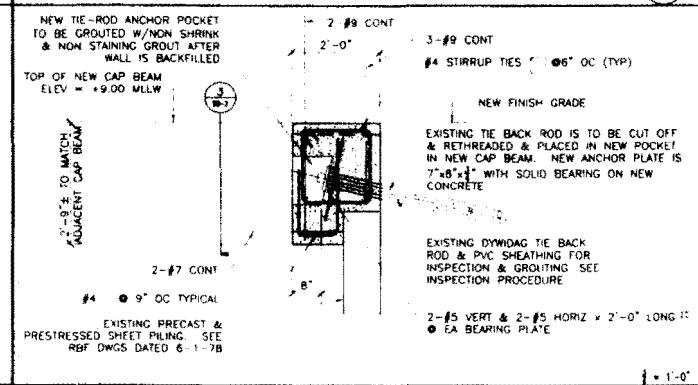
ELEVATION 4 SW-2



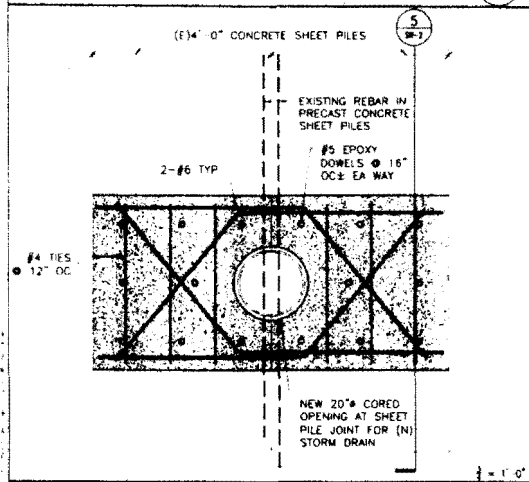
CAP BEAM DETAIL 1 SW-2



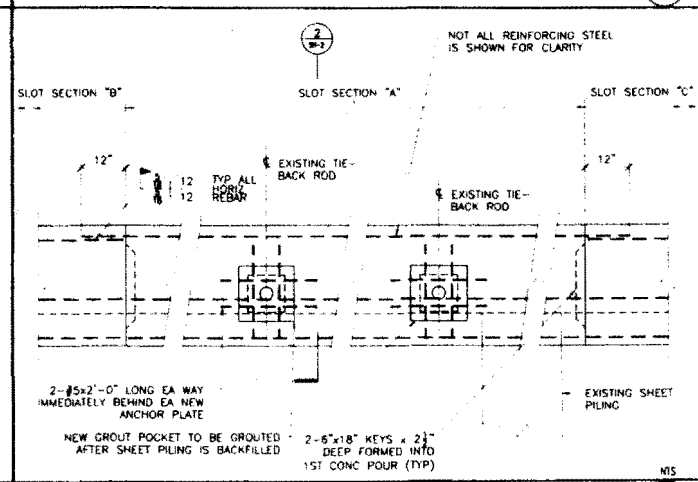
SECTION 5 SW-2



CAP BEAM DETAIL 2 SW-2



DETAIL 6 SW-2



CAP BEAM ELEVATION 9 SW-2

**GENERAL NOTES**

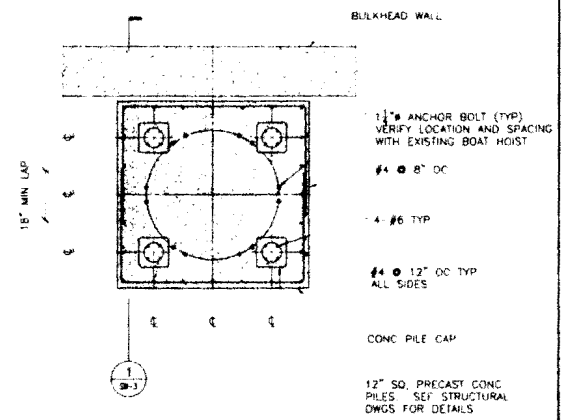
- All construction shall conform to the 1997 Uniform Building Code and all other applicable regulating requirements.
- All work shall be performed in accordance with the latest edition (2001) of the State of California Construction Safety Orders (CAL-CSHA).
- The locations of existing and new underground utilities are not shown. See civil drawing for known utilities. The contractor shall determine the exact location of all existing utilities before commencing. He agrees to be fully responsible for any and all damages which might be caused by his failure to exactly locate, protect and preserve any and all underground utilities.
- Heavy vehicular traffic, such as cranes, concrete trucks or material trucks or material storage loadings, shall be prohibited within 10 feet of the soil side of the shoring bulkhead.
- Dust shall be controlled at all times during construction of the retaining system and the associated shoring installation, excavation, grading and back-filling.
- Provide means to prevent surface water from entering excavation over top of shoring and on slopes.
- Temporary cuts shall not exceed slopes recommended in the geotechnical report(s) nor those shown on these drawings.
- Work these drawings with the Architectural, Structural, Civil and Site Survey drawings. Existing grades and tie-back locations are estimates only and may not reflect the exact field condition.
- Excavation shall be performed under the continuous inspection and approval of the Soils Engineer.
- No trenches or excavations 5 feet or greater in depth into which a person is required to descend shall be constructed before obtaining the necessary permits from the State of California Division of Industrial Safety and prior to the issuance of a building or grading permit.

**CONSTRUCTION SEQUENCE FOR REPAIR OF WESTERLY PORTION (OLDER) SEA WALL**

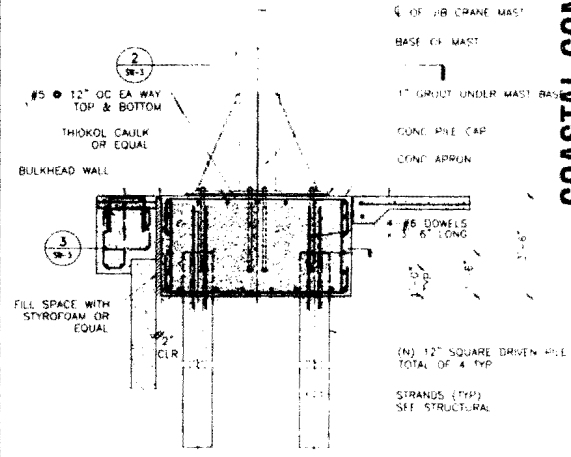
- Excavate soils behind the sea wall designated 'A' as shown on plan A/SW-1 and Section 2/SW-1. Shore sides of excavation as required.
- Remove the existing cap beam as shown in Detail 2/SW-2.
- The Structural Engineer shall observe and verify the condition of the existing concrete sheet piling and anchor rods. If any modifications are required, the engineer shall prepare the appropriate details for city approval.
- The 'A' section of the new cap beam shall be formed.
- Modify ends of tie rods and install tie rod and bearing plate in the new forms per detail 2/SW-2.
- Install cap beam reinforcing as shown in Detail 2/SW-2 providing lap splices and keys as shown for adjacent pour on detail 3/SW-2.
- Fill annular space in PVC sheathing around tie rod solidly with 4000 psi grout.
- Pour new concrete cap beam and allow to cure for a minimum of 14 days or 3000 psi.
- Backfill soils behind sheet piling per soils engineers recommendations.
- Complete Section 'A' steps one thru 9 before starting Section 'B'.
- Complete Section 'B' steps 1 thru 9 before starting Section 'C'.
- Complete Section 'C' steps 1 thru 9.

**EXISTING TIE-ROD GROUTING SEQUENCE** (Every third rod at any one time)

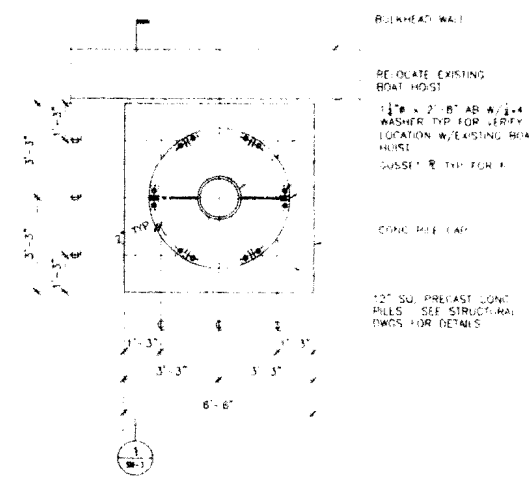
- Excavate behind concrete coping beam at each tie-rod. Inspect PVC sheathing/rod and interface between concrete coping for signs of breakage/corrosion.
- At each rod (30' from back of coping beam): excavate down to location of front side of concrete deckhead. Inspect PVC sheathing/rod interface for breakage/corrosion.
- Install vertical grout ports at each end of rod and fill annular space within PVC sleeve (by gravity) per requirements of DYWIDAG 'Double Corrosion Protection System'.
- Remove grout ports and patch areas of removed PVC sheathing with a petroleum tape such as STACwrap. Ensure that all breaks in tie-rod system are fully wrapped.
- Back-fill all trenches to specified compaction rate.
- Repeat above steps for next 1/3 of rods.
- Repeat above steps for final 1/3 of rods.



JIB CRANE BASE SECTION



JIB CRANE BASE SECTION



JIB CRANE BASE PLAN

CONSULTANTS  
GERALD LEMMER ASSOCIATES  
CONSULTING STRUCTURAL ENGINEERS  
1001 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA 92660  
P. 714.546.4900  
F. 714.546.0415

SEALS / APPROVALS

PROJECT TITLE  
BOY SCOUT SEA BASE  
1931 WEST COAST HIGHWAY  
NEWPORT BEACH, CALIFORNIA

MASTER PLAN REVISIONS  
AND REMARKS

BOY SCOUTS OF AMERICA  
ORGANIZATION OF AMERICA  
3500 HARBOR GATEWAY NORTH  
DUBLIN, CALIFORNIA 94568  
P. 714.546.4900  
F. 714.546.0415

REVISIONS

PROJECT IDENTIFICATION

DATE: SEPTEMBER 24, 2009

DESIGNED BY

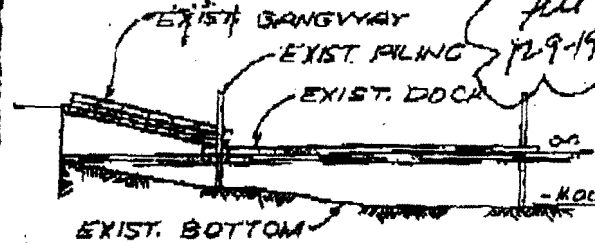
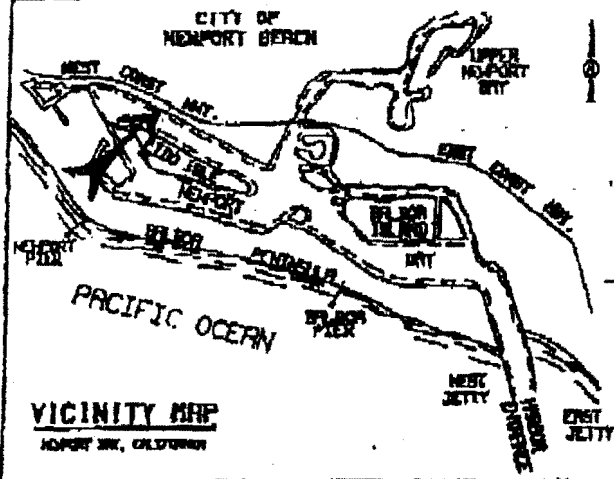
CHECKED BY

PROJECT TITLE

SEAWALL MODIFICATIONS  
SECTIONS AND DETAILS

DATE: 10-20-09

# CITY OF NEWPORT BEACH



*fill*  
12-9-1931

HARBOR RESOURCES DIV.  
CITY OF NEWPORT BEACH

*Tommy Miller*  
11/28/01

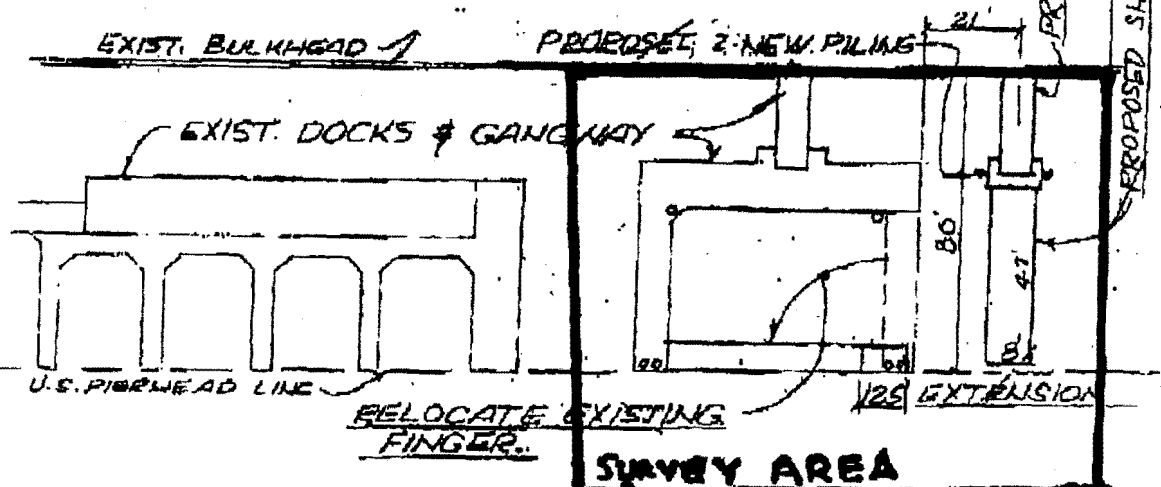
PROFILE 1" = 30'

SOUNDINGS ARE EXPRESSED IN FEET AND DECIMAL ELEVATIONS BASED ON MEAN LOWER LOW WATER.

## W. COAST HIGHWAY

- EEL GRASS INSPECTION
- NO EEL GRASS WITHIN 15' OF PROJECT
  - EEL GRASS IN THE PROJECT AREA

*Tommy Miller*  
SIGNATURE  
12-9-1931  
PERMIT #  
PARKING  
11/28/01  
DATE



## SAVVY AREA

PLAN VIEW 1" = 40'

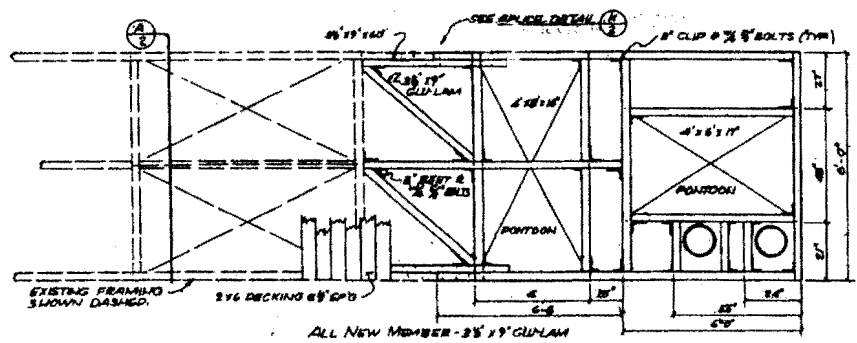
APPLICANT'S NAME SEA SCOUTS, SEA BASE

JOB ADDRESS 1951 W. COAST HWY

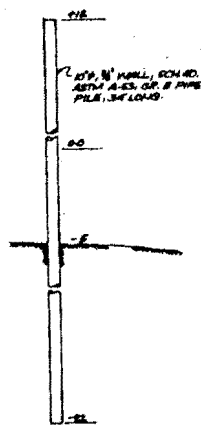
DATE 11-12-01

COASTAL COMMISSION

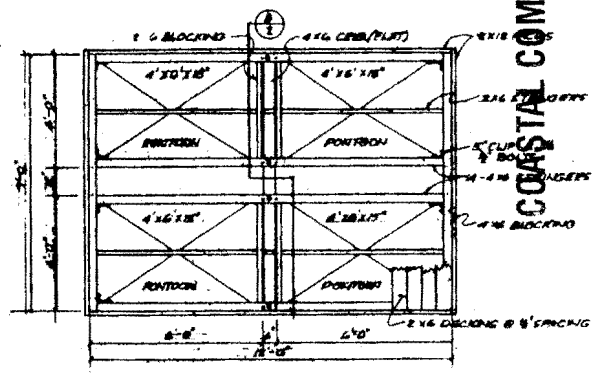
EXHIBIT # 5  
PAGE 1 OF 4



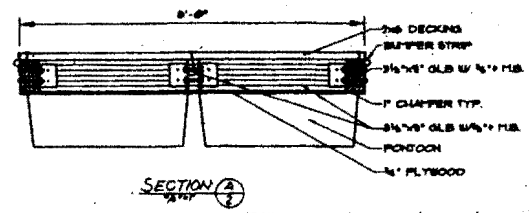
EXTENSION FRAMING PLAN (1)



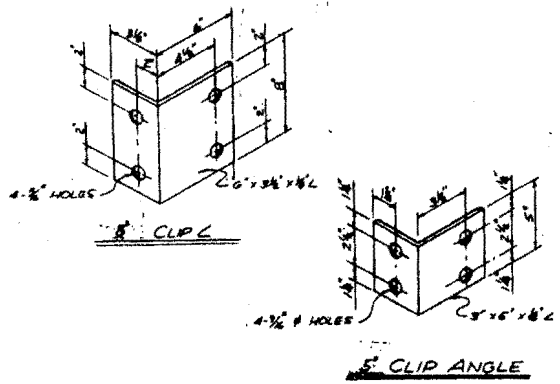
ANCHOR PILE PROFILE (2)



GANTRY LANDING FRAMING (3)

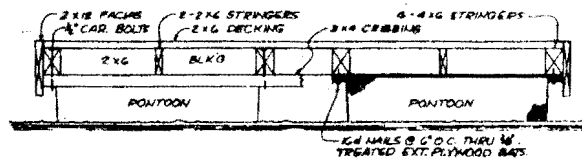


SECTION (4)

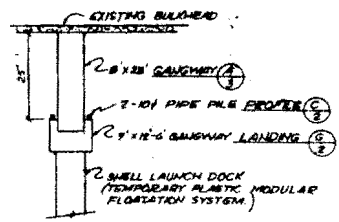


**SPECIFICATIONS**

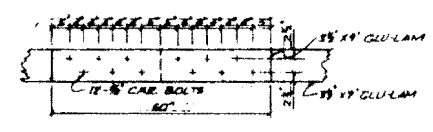
1. ALL LUMBER, EXCEPT GLU-LAM STRINGERS, SHALL BE #1 GRADE DOUGLASS FIR OR BETTER PROVIDED THERE ARE NO LOOK, KNOTS OR OTHER DEFECTS. ALL LUMBER TO BE S4S & EXPOSED MEMBERS TO BE PICKED FOR APPEARANCE. GLU-LAM STROG SHALL BE F, MOD. EXTERIOR 1A.
2. ALL LUMBER SHALL BE PRESSURE TREATED PER ANNO STANDARD C-8 (ACZA), MINIMUM RETENTION 0.60. ALL FIELD CUTS & BORING HOLES TO RECEIVE A BRUSH COAT OF CONCENTRATED PRESERVATIVE.
3. ALL HARDWARE INCLUDING BOLTS, NUTS, CLIP ANGLES, ETC., SHALL BE HOT DIP GALVANIZED AFTER FABRICATION. GALVANIZED HARDWARE SHALL BE USED WITH ALL NUTS & BOLTS BEARING ON WOOD SURFACES. ALL STEEL ANGLE, PLATES & SHAPES SHALL BE PER ASTM SPECIFICATION A-36.
4. PONTONS SHALL BE AS MFR'D BY ATLANTIC MARINE SERVICES OR EQUAL & SHALL HAVE A SOLID POLYSTYRENE FOAM CORE & 1/2" TREATED EXT. PLYWOOD TOP.



SECTION (5)



SITE PLAN (6)



SPICE DETAIL (7)

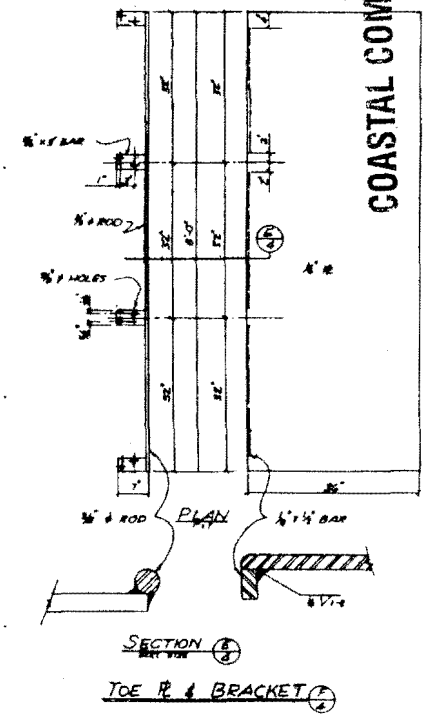
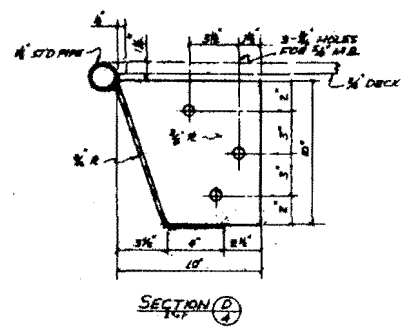
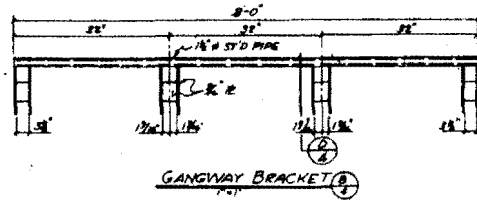
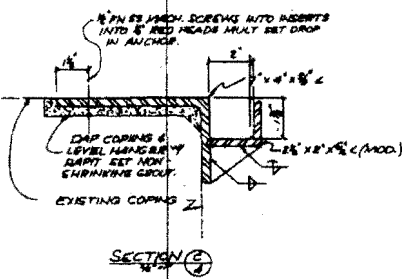
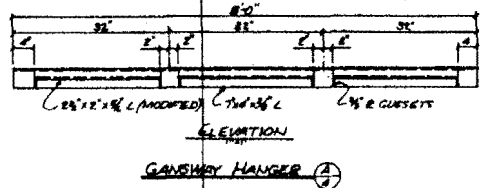
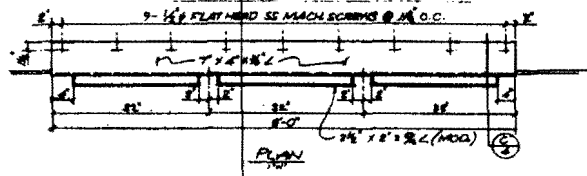


WA 4 581-1

NO. DATE		SEA SCOUT SEA BASE	MARINE CONSULTING & DESIGN	
1931 W. COAST HWY		NEWPORT BEACH, CALIF.		2







WJA # 5781-1

NO.	DATE	REVISION	SEA SCOUT SEA BASE 1931 W. COAST HW'Y NEWPORT BEACH, CALIF.	DESIGNED BY: WJM CHECKED BY: WJM DRAWN BY: WJM DATE: 1/1/00	MARINE CONSULTING & DESIGN 284 E. MOORING AVENUE NEWPORT BEACH, CA 92660 949 642-2208	4

State of California

**Memorandum**

To : Mr. Fernie Sy  
California Coastal Commission  
South Coast Area  
200 Ocean Gate Ave., 10<sup>th</sup> Floor  
Long Beach, California 90802-4325

**RECEIVED**  
South Coast Region

AUG 20 2001

CALIFORNIA  
COASTAL COMMISSION

Date: August 17, 2001

From : Department of Fish and Game

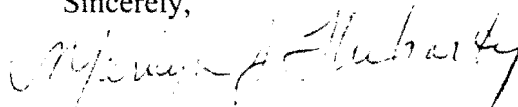
Subject: Boy Scouts of America Sea Base Sea Wall Repairs

The Department of Fish and Game (Department) has reviewed the project description for repairs to the sea wall at the Boy Scouts of America Sea Base. Newport Bay, County of Orange, California. The proposed project will raise the existing sea wall elevation to city code specifications and make various repairs to landside elements including a continuous concrete deadman and new tie-back anchor rods.

It is our understanding that the proposed project does not involve placement of new materials seaward of the existing sea wall. Thus, we believe the proposed activity would not have a significant adverse effect on existing marine resources and habitats within the area and we would concur with the issuance of a Coastal Development Permit for the sea wall repairs.

As always, Department personnel are available to discuss our comments, concerns, and recommendations in greater detail. To arrange for a discussion, please contact me at telephone (858) 467-4231 or e-mail [mfluharty@dfg.ca.gov](mailto:mfluharty@dfg.ca.gov).

Sincerely,



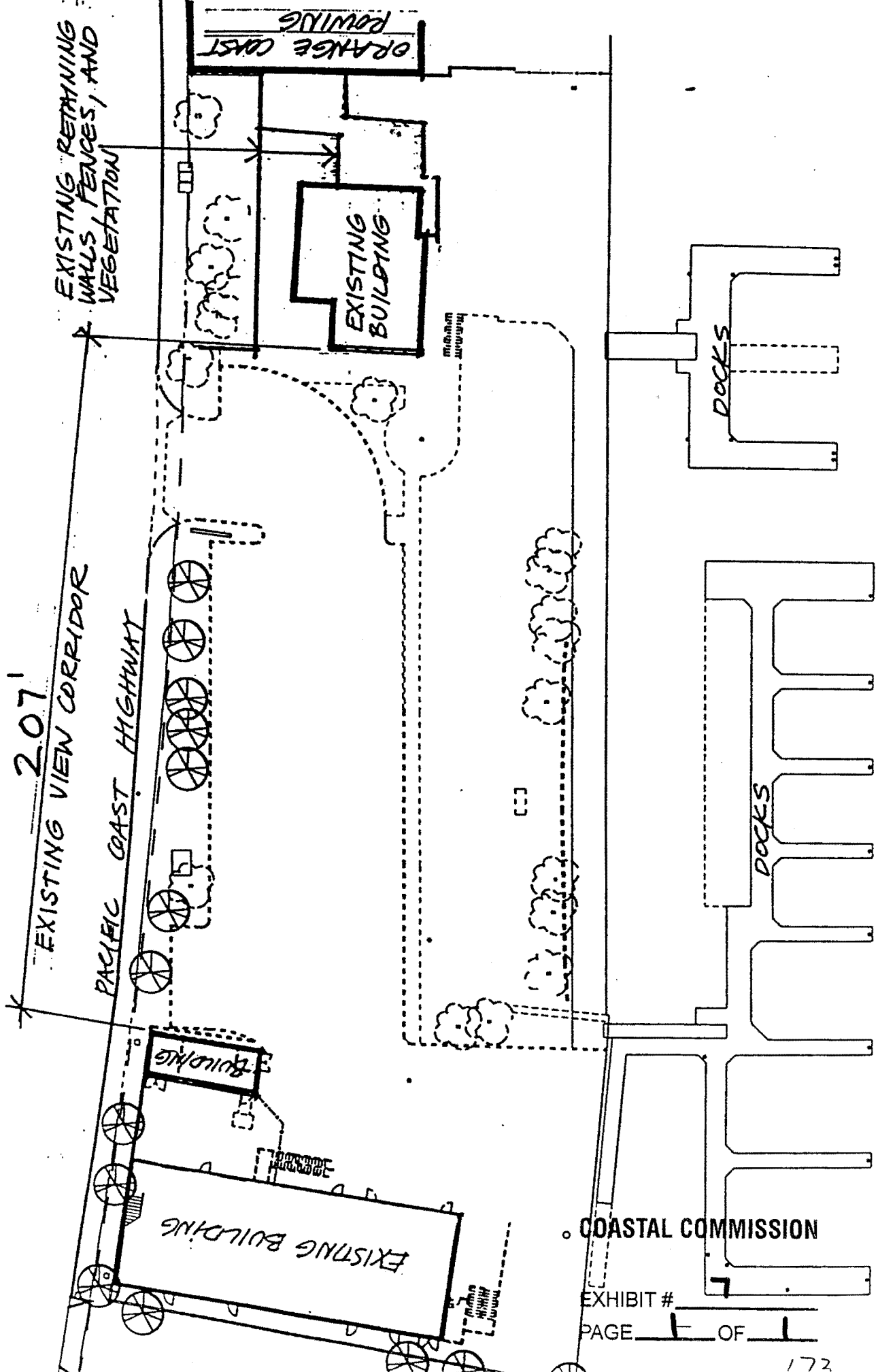
Marilyn Fluharty  
Environmental Specialist  
Marine Region

cc: Mr. Matt Rumbaugh  
Hill Partnership, Inc.  
Faxed to 949-675-4543

**COASTAL COMMISSION**

EXHIBIT # 6  
PAGE 1 OF 1

# EXISTING SITE PLAN



COASTAL COMMISSION

EXHIBIT # \_\_\_\_\_  
PAGE 1 OF 1

# PROPOSED SITE PLAN

COAST

147'

147'

27'

27'

SITE SECTION A-A

SITE SECTION B-B

BULKHEAD LINE - S 80°05'08" E 400.70'

LOWER NEWBERRY BAY

LOWER

BAY

COASTAL COMMISSION

EXHIBIT #           

PAGE 1 OF 1

N 28°54'52" E 208.25'

PIERHEAD LINE - S 80°05'08" E 415.15'



ARCHITECTURE  
PLANNING  
INTERIOR DESIGN

31 WEST 20TH AVENUE  
DENVER, CO 80202  
303.733.1111

BOY SCOUTS OF AMERICA

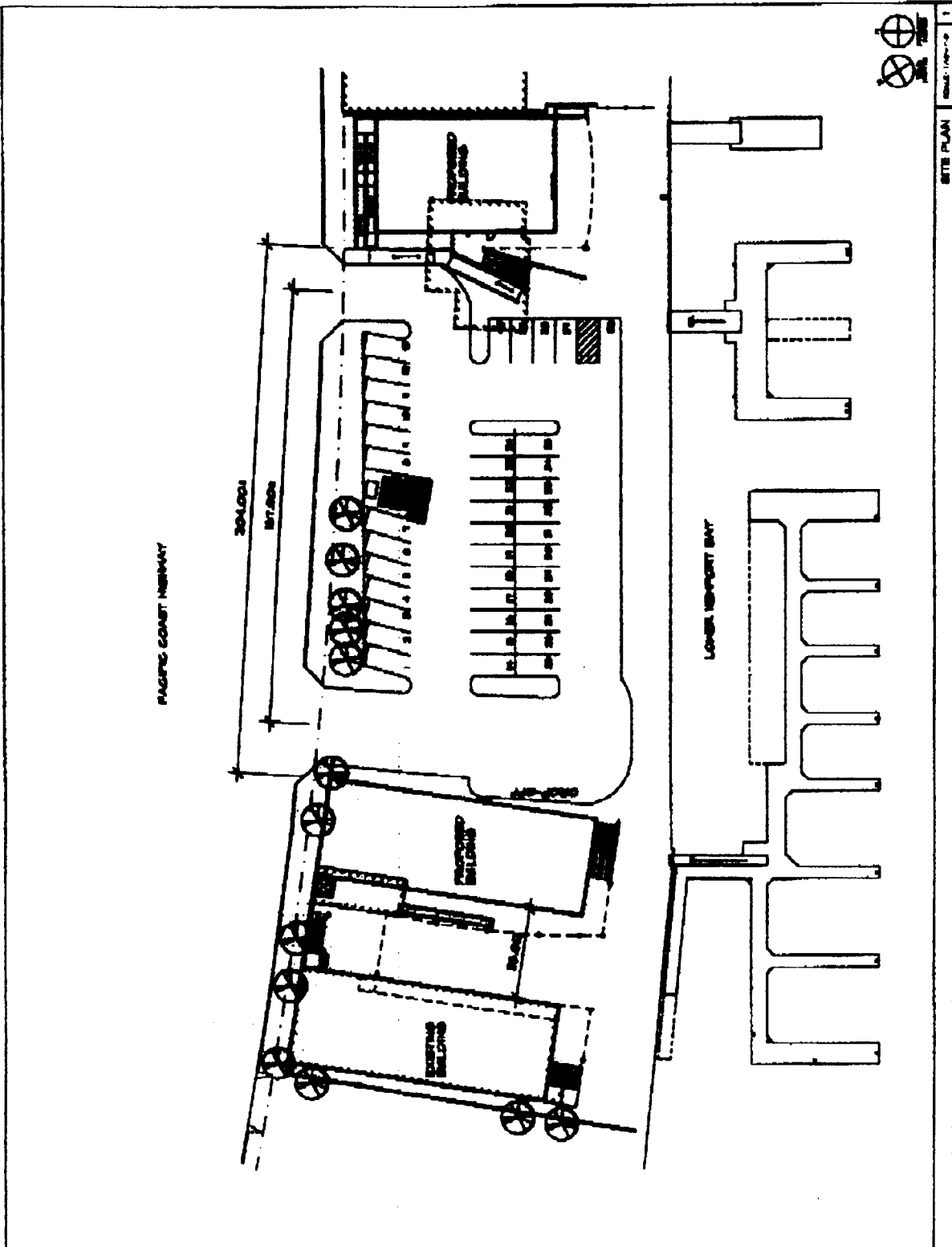
BOY SCOUTS OF AMERICA  
2001 WEST 20TH AVENUE  
DENVER, CO 80202  
303.733.1111

BOY SCOUTS OF AMERICA  
2001 WEST 20TH AVENUE  
DENVER, CO 80202  
303.733.1111

BOY SCOUTS OF AMERICA  
2001 WEST 20TH AVENUE  
DENVER, CO 80202  
303.733.1111

ALT #1

PLANNING PERMITS/SD BYT  
DISPERSED 10.2001



COASTAL COMMISSION

EXHIBIT # 9  
PAGE 1 OF 1

# Boy Scout Sea Base Usage by Outside Groups

1. **El Viento – Huntington Beach**  
Mentor program for underprivileged children from Oak View Elementary School in Huntington Beach.
2. **U.S. Coast Guard Aux. Flot. 15-7**  
Public Boating Safety Classes.
3. **Chapman University**  
Student rowing- water safety- water quality
4. **Learning For Life**  
Santa Ana School District- rowing-water safety- water quality  
Seven to nine years' old- underprivileged areas.
5. **Nova Program**  
Children from housing projects, Riverside, Inland Empire, San Diego, Corona. Water safety orientation- Boating, Canoe and Kayaking
6. **Maritime Institute**  
Captains Licensing Classes for Southern California.
7. **Creekside Church**  
Picnic on the lawn-Scavenger Hunt and trash pick up on the bay.
8. **Pathways To Adventure**  
Introduction to Boating-Water Safety-for underprivileged children.
9. **Local 681 Hotel Employee's**  
Local Restaurant Employees Hotel—provide meeting room for their membership meetings.
10. **Orange Coast College**  
Overflow- Classroom space.
11. **Ocean Institute of Dana Point**  
Programs on Argus- Southern California.
12. **Stanton Community Center**  
Special program over 4<sup>th</sup> of July week for "At Risk Children", sponsored by Orange County Sheriffs Department. and the Boy Scout Sea Base.
13. **Girl Scouts**  
Regular events involving, Kayaking, water safety, etc.
14. **Polytechnic High School**  
High School sailing program.
15. **General Public for Viewing of Christmas Boat Parade**  
Available at all times to the public.
16. **University High School**  
High School sailing program.

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MAR 28 2002

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EXHIBIT # 10  
PAGE 1 OF 2

## Additional Public Usage

1. **Lynx Program**  
Historical educational focus on the War of 1812- and use of privateers to expand the fledging Navy in harassing British merchant shipping.  
  
Water quality, safety, and appreciation for nautical enhancement.  
  
All Orange County schools –grades 4,5 and 6. Estimate 3-4,000 students annually.
2. **Coast Keepers**  
We will provide Coast Keepers facilities to teach environmental issues involving water quality.
3. **High School**  
Competitive sailing for all interested high schools.
4. **U.C.I.**  
Competitive sailing program.
5. **Public Boating**  
Safety, water quality and environmental appreciation classes
6. **Open Class Rooms**  
For any public function.
7. **Clean Harbor Day Programs**
8. **Water Rake Operations**  
Expand our current program of operating vessels that will pick up trash in the harbor.
9. **State Fish and Game**  
In cooperation with the Back Bay Ecological Reserve offer additional educational class on water quality and our environment.
10. **Expand Learning for Life and Sheriffs Department “At Risk Kids”**  
By offering programs on the water front for Inland Children.
11. **In addition-**  
All Boy Scout summer programs will continue to be open to the public.

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EXHIBIT # 10  
PAGE 2 OF 2

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

**PAUL D. THAYER, Executive Officer**  
(916) 574-1800 FAX (916) 574-1810



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South Coast Region  
Call or Text for Service From TDD Phone 1-800-735-2925  
from Voice Phone 1-800-735-2925

MAR 8 2002 **Contact Phone: (916) 574-0234**  
**Contact FAX: (916) 574-1955**

**CALIFORNIA  
COASTAL COMMISSION**

February 13, 2002

File Ref: G09-02

Mr. Fernie Sy  
California Coastal Commission  
200 Oceangate, 10th Floor  
Long Beach, CA 90802

**SUBJECT: Proposed Expansion of the Facilities at the Boy Scouts of America Sea Base, Located at 1931 W. Coast Highway, Newport Beach, Orange County**

Dear Mr. Sy:

Staff of the State Lands Commission (CSLC) have reviewed the subject project, including the project description and the subject lease, dated September 26<sup>th</sup>, 2000.

The facts pertaining to the proposed project, as we understand them are these:

The goal of the project is to enhance the capabilities and capacity of the Sea Base to provide water oriented and related land activities, which introduce youth to the aquatic environment as well as provide additional education and recreation opportunities to the public.

The proposed renovation/ expansion of the facilities include demolition of the 1,785 square foot manager's residence and the 490 square foot storage building attached to the existing two-story multi-use building. New construction includes a two-story classroom and office building of 8,215 square feet that will be connected by a second floor open deck to the remodeled two-story existing building. A second two-story building will be constructed near the east property line adjacent to Orange Coast College Rowing Building and will consist of 6,400 square feet. It will be used for storage of rowing shells, sails and related equipment on the first floor. The second floor includes an onsite manager's residence and exercise room. The total building area will increase from 9,945 square feet to 22,435 square feet.

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable rivers, sloughs, lakes, etc. The CSLC has certain residual and review authority for tide and submerged lands.

**COASTAL COMMISSION**

EXHIBIT # 11  
PAGE 1 OF 2



legislatively granted in trust to local jurisdictions (Public Resources Code §6301 and §6306). All tide and submerged lands, granted or ungranted, as well as navigable rivers, sloughs, etc., are impressed with the Common Law Public Trust.

The State's sovereign lands at the proposed project location have been legislatively granted to the County of Orange pursuant to Chapter 526, Statutes of 1919, as amended, with minerals reserved to the State. These lands were granted for such purposes as a harbor and related facilities for the promotion or accommodation of commerce and navigation.

Based upon the information submitted and considered by staff, the proposed project appears to be the type of use authorized by the Legislature given the marine-orientated public education and recreational market this establishment will cater to, thus promoting and accommodating commerce and navigation.

If you have any questions or concerns please contact me at (916) 574-0234.

Sincerely,

Jennifer Lucchesi  
Public Land Management Specialist

cc: Curtis Fossum  
Alex Helburn, California Coastal Commission

**COASTAL COMMISSION**

EXHIBIT # 11  
PAGE 2 OF 2

SACRAMENTO OFFICE  
STATE CAPITOL  
SACRAMENTO, CA 95814  
(916) 445-4961

DISTRICT OFFICE  
18552 MAC ARTHUR BLVD.,  
SUITE 395  
IRVINE, CA 92612  
(949) 833-0180  
(714) 630-3304  
(800) 221-2225

# California State Senate

SENATOR  
ROSS JOHNSON  
THIRTY-FIFTH SENATORIAL DISTRICT

COMMITTEES:  
APPROPRIATIONS  
GOVERNMENTAL ORGANIZATION  
INSURANCE  
RULES  
JOINT COMMITTEE ON RULES



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MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

May 17, 2002

Commissioner Sara Wan, Chairwoman  
California Coastal Commission  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, California 90802

RE: Application #5-01-230-A1

Dear Commissioner Wan:

I am writing to express my strong support for the Boy Scout Sea Base improvement project located in Newport Beach.

Having participated in activities at the Sea Base as a young man, I am well acquainted with the facility and its significant contributions to the youth of Orange County. Throughout many years, our community has benefited greatly from programs offered at the Sea Base.

After decades of serving young people, it has become necessary to rebuild and expand the outdated facilities. Although the planned expansion may have a slight impact on views of Newport Bay for motorists traveling on Pacific Coast Highway, the project has been carefully designed to preserve most of the existing vista that drivers enjoy.

Based upon the many benefits of this project to California's youth, I encourage your approval of the planned expansion. Thank you for your consideration.

Warm regards,

A handwritten signature in cursive script that reads "Ross Johnson".

ROSS JOHNSON  
Senator, 35th District

cc: California Coastal Commission members  
Peter M. Douglas, Executive Director  
Deborah Lee, Deputy Director

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 1 OF 26

**HEMPHILL'S**  
**RUGS & CARPETS**

230 East 17<sup>th</sup> Street Costa Mesa, CA 92627  
949-722-7224 Fax 949-722-7004

May 14, 2002

Boy Scout Sea Base  
C/O Bill Mountford  
1931 W. Coast Highway  
Newport Beach, CA 92663

Delivered via email attachment

Dear Mr. Mountford:

I am deeply concerned that the new Boy Scout Sea Base is in jeopardy because of the possible ruling by the California Coastal Commission. As you know, I have seen the plans for the new facility that will be a tremendous benefit to our community and the areas surrounding Newport Beach.

I understand that the California Coastal Commission is concerned because the new facility will block the view of motorists traveling on Pacific Coast Highway. This is nonsense. Drivers should be paying attention to the road and not gazing at the bay. Furthermore, I would suggest that the new development at the Balboa Bay Club is going to block more of the view.

The Boy Scout Sea Base is a great avenue for the youth in our region to learn about the water, respect the environment and divert their attention from the negative influences that can become a part of their lives. We need to make sure that the new Boy Scout Sea Base project is completed as planned in order to provide for the needs and development of the youth in our community.

The Boy Scout Sea Base is in dire need of the new facilities. The California Coastal Commission needs to recognize the tremendous benefit that this organization provides and be a supporter of the planned project.

Sincerely,

Brett E. Hemphill

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MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 2 OF 26

4.15.02

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MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

To whom it may concern:

RE: approval of Sea Base expansion

As one who works near the Sea Scout Base I have the unique opportunity to see it in action. The use is on a continuing basis with the participants enjoying a wide range of water oriented activities which will surely be a positive influence throughout their lives.

If you all could see and hear the expressions of enjoyment and pleasure these participants show, you could appreciate the need to expand these facilities to allow a greater number of people this unique and rewarding opportunity.

Would you not have enjoyed this sort of experience when you were young??

COASTAL COMMISSION

EXHIBIT # 12  
PAGE 3 OF 26

John Clark  
2001 W. Coast Hwy  
Newport Beach Ca 92660

**Mike Stewart**

---

**From:** Terry Hardgrave [thardgrave@warmingtonhomes.com]  
**Sent:** Tuesday, May 14, 2002 1:25 PM  
**To:** 'BillM@OCBSA.org'  
**Cc:** Mary Shafonsky; Jim Warmington Sr.  
**Subject:** Boy Scout Sea Base Approval

**RECEIVED**  
South Coast Region

MAY 21 2002

To Whom it may concern;

Since Jim Warmington is out of town, I will take the time to write on his behalf, to express his support for this project. The Warmington family has a long history of supporting the local Boy Scout endeavors, and this project particularly, is close to his heart. The Sea Base is a unique facility that provides an opportunity for countless young people to become acquainted with sailing.

This facility is dated and badly in need of a major re-build, and has been tastefully and thoughtfully re-designed to meet a variety of objectives, including the local environment where it is located.

We would appeal that this type of project has such worthwhile objectives for our youth that every consideration should be given to approving it as it is currently designed. Thank you for your consideration!

Sincerely,

Terry Hardgrave  
1st Vice President  
Warmington Homes

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 4 OF 26



SHERIFF-CORONER DEPARTMENT  
COUNTY OF ORANGE  
CALIFORNIA

MICHAEL S. CARONA  
SHERIFF-CORONER

1901 BAYSIDE DRIVE  
CORONA DEL MAR, CA 92625  
(949) 673-1025

ASSISTANT SHERIFFS  
JOHN FULLER  
DON HAIDL  
JOHN HEWITT  
GEORGE H. JARAMILLO  
TIM SIMON  
DOUG STORM

May 15, 2002

**RECEIVED**  
South Coast Region

MAY 21 2002

California Coastal Commission  
200 Ocean Gate Suite 100  
Long Beach, CA 90802

CALIFORNIA  
COASTAL COMMISSION

Dear Esteemed Commission Member,

The Coastal Commission has my endorsement for the proposed remodeling of the Sea Scout Base, here in Newport Harbor. The Sea Base regularly trains youths and adults in water safety, sailing and kayaking skills, the operation of the tall ship Argus, and much more. Sea Base programs have been successful in developing and training the future boaters of our community including some of our local lifeguards and harbor patrol deputies.

For a number of years, the Orange County Sheriff's Harbor Patrol has worked in partnership with the staff of the Sea Base to deliver boating education and safety programs for the public, with a special emphasis on children. A few examples of these programs include weekly water safety talks and fireboat demonstrations, along with an annual summer camp for inner-city youths. These children spend a week at the Sea Base with mentors from the Harbor Patrol, learning about water safety, and safe boating practices.

This program promotes teamwork and has given a number of at-risk youth a chance to distance themselves from the pressures of street gangs and other negative influences surrounding their communities. If you could see the tears that are shed as the kids board the buses for home on the final day of this camp, you would understand the impact the Sea Base has on youth throughout Orange County.

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 5 OF 26

PROUDLY SERVING THE UNINCORPORATED AREAS OF ORANGE COUNTY AND THE FOLLOWING CITIES AND AGENCIES:

ANALYST • BANA POINT • BARDONA HILLS • BIRD WAIN CURE • BARDONA WOODS • LAKE FOREST • MISSION VILLO  
HARVEST • MOUNTAIN VIEW • SAN JUAN VILLAGE • SAN JUAN VILLAGE STRAND • STANTON • VILLA PARK  
HARBOR • BECHTEL VILLAGE • THE WAYNE ARBORY • DOTA • SUPERIOR COURT

**DRUG USE  
IS  
LIFE ABUSE**

The remodeling of the Sea Scout Base is badly needed. An upgrade of this facility will most certainly enhance all of the existing programs, and present new opportunities for the community's youth and adult boaters. Thank you very much for your consideration of this matter.

Sincerely,

MICHAEL S. CARONA, Sheriff-Coroner



Captain Marty Kasulés  
Harbormaster

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 6 OF 26

**W. D. LONGYEAR**

215 VIA SAN REMO NEWPORT BEACH CA 92663 TEL 949-675-1180 FAX 949-675-1782

**RECEIVED**  
South Coast Region

May 14, 2002

MAY 21 2002

To the Commissioners  
The California Coastal CommissionCALIFORNIA  
COASTAL COMMISSION

Dear Ladies and Gentlemen:

I am writing on behalf of the Boy Scout Sea Base, located at 1931 West Pacific Coast Highway, Newport Beach.

The Sea Base has been only partially developed for many years, waiting for a requirement for additional capacity to develop and the resources with which to provide that capacity to become available.

The requirement now is upon us and, in recognition of that fact, the resources are coming in from throughout the community.

The Scouting summer program already saturates the capacity of the existing facilities. With projected growth of Scouting, coupled with infusion of additional non-scouting youth programs that now are in planning stages, we expect that the capacity of the existing facilities will have to be doubled within the next year or so. The only alternative to expanding capacity would be to turn away the children and young people of our community. With plans now in progress it is anticipated that an increasing number of these will be disadvantaged youth, who would have no other facility like this to turn to.

We are aware of no other enterprise which could afford to not fully utilize a property in this location. We suggest that the fact that the existing view through the property which happens to be there only because this property has not been fully utilized before now, should not be held up as a barrier to proceeding now with reasonable expansion of the facility's capacity coupled, as it has been, with generous conservation of that view.

The fact that the new building planned for this property is positioned crosswise to the view to the bay is mandated by the need to run drop-off traffic in and out of the property through a parking and loading area which is best located in front of it, next to the street. Alternatives would involve increased interference with busy highway traffic and increased hazard to children being dropped off and picked up.

The profile of the new building was constrained in both height and length in order to minimize its impact on views from the street above and from the highway below. It also was moved closer to the existing building than originally planned, in order to further open up the adjacent rather extensive view to the bay that is being maintained for the benefit of the local community and passersby.

A lot of extra effort has been expended, with all factors considered at great lengths, to make this the best possible all around contribution to our community. We humbly suggest that the Commission give credit to all this effort in reaching its determination, which we sincerely hope is in favor of approving this program as it has been presented.

Sincerely,

**COASTAL COMMISSION**EXHIBIT # 12  
PAGE 7 OF 26



Carolyn Nelson Hardy, M. D.

654 Harbor Island Drive  
Newport Beach, California 92660  
Phone (949) 675-9618  
Fax (949) 675-9618

13441 NE North Shore Drive  
Belfair, Washington 98528  
Phone (360) 275-9357  
Fax (360) 275-7311

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South Coast Region

May 16, 2002

MAY 21 2002

California Coastal Commission

CALIFORNIA  
COASTAL COMMISSION

Dear Commissioner:

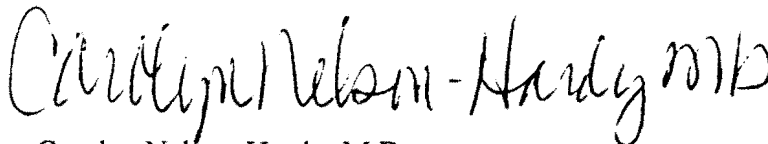
The Orange County Sea Base is planning to remodel and expand its facilities for the use of Orange County youth. This plan has the full support of the Sea Base Executive Committee. This plan has been developed in conjunction with the City of Newport Beach, the Orange County Council of Boy Scouts leadership, and prominent local citizenry who are in favor of this plan of redevelopment. It will allow availability of its facility to teach nautical skills to the youth of Orange County without regard to whether or not they are in scouting or have economic ability to obtain these skills at yacht clubs in our county. In addition, it is open to school groups who have visited and acquired knowledge in the current classrooms of the Sea Base, which are outmoded and over utilized.

It is my opinion that this reconstruction will improve the external appearance of the Sea Base and bring it up to modern day standards. I feel that it will improve the utilization of the docks in front of the Sea Base and better accommodate classes. In addition, I have put my money where my mouth is and have given a good sum amount of money to see this accomplished.

It is my belief that this plan will make traffic less congested and open the facilities for more to use than the Sea Base can now currently accommodate.

I can only express to you my desire for your positive consideration for this plan.

Respectfully Yours,



Carolyn Nelson-Hardy, M.D.

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 8 OF 26

**Mike Stewart**

**From:** Kaaren Keith [rkeith44@adelphia.net]  
**Sent:** Wednesday, May 15, 2002 12:30 PM  
**To:** BillM@OCBSA.org  
**Subject:** Sea Scout Base

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MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Dear Bill,

It has been brought to my attention that our communities efforts to improve and expand the existing Sea Scout Base may be in jeopardy due to the approval of the California Coastal Commission. Our family is in full support of this expansion. The Sea Scout Base has benefited so many people in our community, locally and regionally in addition to the thousands of Boy and Girl Scouts in California. It would be a great disservice to our community and to Scouting if the California Coastal Commission does not approve this expansion.

I want to thank you for your outstanding job and efforts.

Karen Keith

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 9 OF 26

**Mike Stewart**

**From:** Roland & Cecilia Schreyer [schreyer@earthlink.net]  
**Sent:** Wednesday, May 15, 2002 11:33 AM  
**To:** BillM@OCBSA.org  
**Subject:** Sea Base Expansion

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South Coast Region

MAY 21 2002

California Coastal Commission

CALIFORNIA  
COASTAL COMMISSION

Dear Sirs,

I am writing this letter in support of the proposed expansion of the Sea Base. I have six children, ages 23 - 4, and we have benefited from the Sea Base, for the last 15 years, in the following ways:

We have sailed on week-long trips on the Argus four times.

I have taken a kayaking class.

We have been members, which allow us to check out boats at any time.

We have extensively participated in the summer classes.

We have used the canoes and motorboats several times to assist in the Coastal Cleanup.

We are members of BSA Troop 90, which meets at the Sea Base weekly.

We are also members of BSA Troop 90 Venture Crew, which meets at the Sea Base bi-weekly. This offers co-ed high adventure for ages 14-21.

All these activities were possible for our large family because they were reasonably priced. The summer classes are especially nice for their high quality, value, and variety, and because they are open to the public. Not only have three of my sons and my daughter taken them, but also many members of our Girl Scout Troop. They are the best deal around.

The Sea Base is located on PCH, and is somewhat difficult to get in and out of because of the single driveway. The meeting rooms are not large enough, and the bathrooms need upgrading.

I heartily support the proposed expansion of the Sea Base.

Cecilia Schreyer  
276 Villanova Rd  
Costa Mesa CA 92626-6332

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 10 OF 26

Mike Stewart

From: Burns, Melinda [melinda.burns@experian.com]  
Sent: Wednesday, May 15, 2002 8:59 AM  
To: 'billm@ocbsa.org'  
Subject: Boy Scout Sea Base

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South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Dear Bill,

I am writing this letter to let you know that the boy scout sea base mean so much to my family.

My son has been attending functions at the sea base since cub scouts.

He has spent every summer there and loves it. He has earned many of his merit badges there. This year he will be a Counselor in training! Our boy scout troop meets there every Tuesday. We LOVE the sea base.

The facility is tired and needs upgrading, especially the parking lot.

I drive coast highway all the time and don't feel that the remodel will be a bad thing. Again, the seabase is a great place for kids to go.

Melinda Burns  
1547 Santa Ana Ave #A  
Costa Mesa, CA 92627  
949.642.3131

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 11 OF 26

B. Terry Reinhold  
1112 Sandcastle Dr.  
Corona del Mar, CA 92625

May 15, 2002

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South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Boy Scout Sea Base  
C/O Bill Mountford  
1931 W. Coast Highway  
Newport Beach, CA 92663

Dear Mr. Mountford:

I am outraged that the new Boy Scout Sea Base is in jeopardy because of the possible ruling by the California Coastal Commission. The new facility will be a tremendous benefit to our community and the areas surrounding Newport Beach.

I understand that the California Coastal Commission is concerned because the new facility will block the view of motorists traveling on Pacific Coast Highway. This is ridiculous! The new development at the Balboa Bay Club is going to block more of the view. I wonder how they might have found their way around the Coastal Commission? I think we all know the answer.

The Boy Scout Sea Base is of great value to the youth of our region to learn about the water, respect the environment and divert their attention from negative influences. We must make sure that the new Boy Scout Sea Base project is completed as planned in order to provide for the needs and development of the youth in our community.

The Boy Scout Sea Base is in dire need of the new facilities. The California Coastal Commission needs to recognize the tremendous benefit that this organization provides and be a supporter of the planned project.

Sincerely,

B. Terry Reinhold

Phone: 949-760-8006, Fax: 949-760-1917  
e-mail: btreinhold1@cox.net

COASTAL COMMISSION

EXHIBIT # 12  
PAGE 12 OF 26

Duncan & Madelynn Forgey  
Prudential California Realty  
3310 Pacific Coast Hwy  
Corona Del Mar, CA 92626

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South Coast Region

MAY 21 2002

May 14, 2002

CALIFORNIA  
COASTAL COMMISSION

Boy Scout Sea Base  
C/O Bill Mountford  
1931 W. Coast Highway  
Newport Beach, CA 92663

*Delivered via email attachment*

Dear Mr. Mountford:

I am deeply concerned that the new Boy Scout Sea Base is in jeopardy because of the possible ruling by the California Coastal Commission. As you know, I have seen the plans for the new facility that will be a tremendous benefit to our community and the areas surrounding Newport Beach.

I understand that the California Coastal Commission is concerned because the new facility will block the view of motorists traveling on Pacific Coast Highway. This is nonsense. Drivers should be paying attention to the road and not gazing at the bay. Furthermore, I would suggest that the new development at the Balboa Bay Club is going to block more of the view.

The Boy Scout Sea Base is a great avenue for the youth in our region to learn about the water, respect the environment and divert their attention from the negative influences that can become a part of their lives. We need to make sure that the new Boy Scout Sea Base project is completed as planned in order to provide for the needs and development of the youth in our community.

The Boy Scout Sea Base is in dire need of the new facilities. The California Coastal Commission needs to recognize the tremendous benefit that this organization provides and be a supporter of the planned project. As an ex-teacher and adolescent counselor, I feel it necessary that the many youth oriented programs of the Sea Base be given priority over the view of drivers in their speeding cars. Our city has a personal treasure in this operation and I give it my full support.

Sincerely,

Duncan P. Forgey  
Broker Associate

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 13 OF 26

Mike Stewart

**RECEIVED**  
South Coast Region

From: John Burns [JBurns@pbcare.com]  
Sent: Wednesday, May 15, 2002 9:08 AM  
To: 'BillM@OCBSA.org'  
Subject: Sea Base Expansion

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Dear California Coastal Commission:

I am writing in support of the remodel/expansion of the Boy Scout Sea Base at 1931 West Pacific Coast Highway in Newport Beach, CA 92663. I was born in Newport Beach and have enjoyed the many programs offered at the Sea Base over the years. Now, my son is also involved there and will be working as a "counselor in training" this summer. He will teach the younger children how to sail and also various other water safety classes. We are proud members of BSA Troop 90. Our troop meets there at least two times and sometimes three times per week. The remodel/expansion is a much needed project that will benefit many people. This is a "public-use" facility and will serve not only the BSA, but other youth, adults and many other groups as well. As I understand, the funds for this project have already been approved. Please consider the thousands of people that will enjoy the new buildings and modern facility as a whole. Please feel free to contact me if you have any questions regarding this matter. Thank you for your time.

Sincerely,

John E. Burns  
1547 Santa Ana Avenue  
Costa Mesa, CA 92627

949/642-3131 (Home)  
949/261-1234 ext. 215 (Office)

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 14 OF 26

South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

**TFF**

5/15/02

Dear Sirs,

The Sea Base does a great job to the commitment to the young people of Orange County. In the past the Sea Base has served over 10,000 youth and adults through a variety of programs including home schools, adult boating classes, continuation high school, Coast Guard and community classes. Additionally it assists the city of Newport Beach keep the Bay clean with it joining program with the water rate goals.

COASTAL COMMISSION

11002 Huntington Blvd  
Santa Ana Ca  
92705

*[Handwritten signature]*

Best Records 12  
EXHIBIT #  
PAGE 15 OF 26



714 336-9545

9111 S. LA CIENEGA BLVD., SUITE 206 • INGLEWOOD, CA 90301 • PHONE (310) 410-0116 • FAX (310) 670-9207 • WEB SITE: WWW.TFF.COM



# RAKIN' IT IN

*Boy Scouts, city join forces to keep local waters clean with Water Rake*

By Tim Grenda, Daily Pilot

NEWPORT HARBOR — Boy Scouts may be best known for helping little old ladies cross the street. But thanks to a joint venture between the Orange County Council Sea Scout Base and the city of Newport Beach, sea-going Boy Scouts now are making a name for themselves as guardians of Newport Harbor.

Officials at the base, where Boy Scouts and other youths participate in sailing, fishing and other harbor activities, recently joined forces with the city to operate a vessel called the Water Rake.

The vessel — invented by Cannery restaurant owner Bill Hamilton in 1981 to help clean the harbor waters in front of his restaurant — is outfitted with a conveyor belt that scoops up floating debris ranging from Styrofoam cups and paper to floating shipping crates and small oil spills.

The Newport Beach Fire and Marine Department had a Water Rake in its fleet out didn't have enough workers to keep it in the water on a regular basis. Now the city owns another water-cleaning vessel called the Clean Sweep, which it uses in the harbor about 20 hours a week, officials said.

By joining forces with the scouts, the city doubled its litter-fighting power on the water.



MARC MARTIN / DAILY PILOT

The Boy Scouts has joined efforts with the city of Newport Beach in using the Water Rake to clean up the bay. Scouts include, sitting from left, Jeff Harris and Daniel Alsup and, standing from left, Jimmy Urquhart, Eric Hall and Aric Spear.

"It serves a lot of needs," Hamilton said. "One, it cleans the harbor. But it also gets the

city out of having to provide the manpower and shifts it to the scouts."

John Blauer, community relations officer for the Fire and Marine Department, called the partnership a "win-win" situation.

"We were sort of flip-flopping between [the Clean Sweep] and the Water Rake, not really doing either boat justice," Blauer said. "This gives us an opportunity to have both of them out on the water."

The joint venture between the scouts and the city began in April, when the city's Water Rake — donated by residents Reed and Rita Sprinkel — was delivered to the docks behind the Sea Scout Camp. The vessel made its Boy Scout debut during last June's Clean Harbor Day.

Since then, the boat has been at sea, combing the harbor waters particularly near the Cannery and in Beacon Bay, about 20 hours a week, said scout base director Bill Mountford.

The blue and white boat, named the Litter Gitter and outfitted with a Boy Scout banner, has spent the last few months scooping up plenty of trash with adult scouts and older volunteers at the helm. Mountford said young scouts are allowed to ride on the Water Rake with adult supervision.

The city currently owns the boat and pays for its maintenance and gasoline costs. But the scouts hope to raise enough money someday to operate the vessel on their own, without city funding.

Mountford said he already has seen the fruits of the unique partnership in a cleaner Newport Harbor.

"I took it out one Sunday afternoon, and I couldn't find a thing," Mountford said. "It was great."

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COASTAL COMMISSION

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EXHIBIT # 12  
PAGE 16 OF 26

Boy Scout Sea Base  
1931 West Coast Highway  
Newport Beach, Ca 92663  
Attn: Bill Mountford.

May 15, 2002

**RECEIVED**  
South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Dear Bill:

We are writing to tell you how much we are in favor of the proposed changes to the Sea Base. Over the years we have seen the base grow and get better each year. The base has provided an introduction to seamanship to thousands of young people. The new building will make a very great improvement in the quality of the experience for generations of young people. As with OCC next door, it is time for improvements in your facilities. We support you and sincerely wish you well. We urge the area planning authorities to let you go forward with the proposed improvements to the base.

Luz & Vicki Adams

9021 Bermuda Dr.  
Huntington Beach, CA 92646

COASTAL COMMISSION

EXHIBIT # 12  
PAGE 13 OF 26

David & Ondria Kernan

10 Boardwalk  
Newport Beach, CA 92660  
(949) 720-9144

---

May 15, 2002

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South Coast Region

MAY 21 2002

Boy Scout Sea Base  
C/O Bill Mountford  
1931 W. Coast Highway  
Newport Beach, CA 92663

CALIFORNIA  
COASTAL COMMISSION

Dear Mr. Mountford:

I want to take opportunity to confirm our family support of the Sea Base expansion project that is currently under review.

We not only enjoy the benefits of the Base from our Boy Scout affiliation, but support the good work the Base does in our community. One of the attractions of the Base is the central location in Newport Beach right on Pacific Coast Highway. We are looking forward to our son becoming an Eagle Scout with Troop 90 which meets at the Sea Base weekly.

Continue your good works! Our family supports your expansion and continued leadership in our community.

Sincerely,

David and Ondria Kernan

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 14 OF 26

Sally L. Arnold  
1930 Port Ramsgate  
Newport Beach, CA. 92660

RECEIVED  
South Coast Region

May 16, 2002

MAY 21 2002

California Coastal Commission

CALIFORNIA  
COASTAL COMMISSION

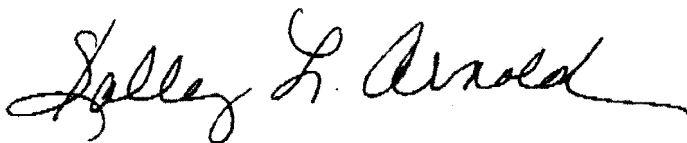
To Whom It May Concern:

RE: Newport Beach Scout Sea Base

I am in favor of the Scout Sea Base expansion and remodel on Pacific Coast Highway in Newport Beach. Over one and a half million dollars has been pledge by the community to support this project. It demonstrates that the community is in support of the plan.

Our youth need more places like the Sea Base to learn about the ocean, boating, safety, and other Scout programs. Scouting does more to build our youth into leaders than any other program.

Sincerely,



Sally L. Arnold

COASTAL COMMISSION

EXHIBIT # 12  
PAGE 15 OF 26



**PRECEPT**  
Human Capital Management

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South Coast Region

May 16, 2002

MAY 21 2002

California Coastal Commission

CALIFORNIA  
COASTAL COMMISSION

To Whom It May Concern.

RE: Newport Beach Scout Sea Base

The Scout Sea Base in Newport Beach has provided excellent programs for thousands of young people from all over Southern California over the years. I support the proposed remodel and expansion.

The remodel and expansion will provide opportunities for more of our youth to grow and learn new things. There is no other facility in Southern California like the Sea Base that offers the opportunity for young people to benefit from the accessibility to the ocean and water activities.

Please allow the Sea Base to proceed with their wonderful plans to remodel and expand the current facilities.

Sincerely,

James B. Arnold  
Senior Vice President

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 16 OF 26

May 16/2002  
1915 Diana  
Newport Beach, CA 92660

**RECEIVED**  
South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

To: California Coastal Commission  
Subject: Renovation of the Boy Scout Sea Base

To whom it may concern,

This letter is to express my observations, concerns, evaluation and requested Commission action as it relates to the subject Sea Base Renovation.

I am a 76 year old retired aerospace engineer and concerned grandparent of fourteen youths, hence this letter.

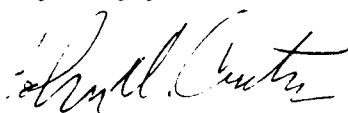
Existing programs and facilities that embody fun filled, educational and character building potential are very few and overtaxed. The unbelievable influx of new families in Orange County has put a proportional strain on existing facilities. The leadership of the Boy Scout Sea Base, recognizing this situation, began planning a course of action several years ago. This resulted in the proposed plan for renovation.

I am familiar with the tremendous level of effort that has gone into the proposed design. It is a blend of functionally and eye appealing architecture which fits well with the maritime theme of the area. It also respects the view from Pacific Coast Highway.

Several alternate configurations were considered. However, they significantly degraded the necessary functionality.

It is with great interest and concern that I respectfully request the Coastal Commission Approve the renovation of the Sea Base as it is presently planned.

Very truly yours,



John U. Crites

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 17 OF 26

*Gene Aalseth*  
21751 Rushford Drive  
Lake Forest, CA 92630

May 17, 2002

Boy Scout Sea Base  
C/O Bill Mountford  
1931 W. Coast Highway  
Newport Beach, CA 92663

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South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Re: Boy Scout Sea Base Expansion

Dear Bill:

As a registered scout leader and a member of the "Capital Development Committee" of the Orange County Council of the Boy Scouts of America I want to voice my support for an expansion and renovation of the Sea Base facility. This facility has served thousands of Boy Scouts through the years. Expanding the facility will allow an even greater number of Orange County youth to be served.

My two sons and I have had the privilege of crewing the tall ship "Argus" that is moored at the Sea Base as well as hone our canoeing skills prior to a trip to the Snake River in Wyoming. Greater numbers of future scouts should be given the right to experience similar aquatic activities. Additionally, my sons attended merit badge classes in the Sea Base buildings where they learned career related skills. Greater numbers of future scouts should be given the right to grow in this way as well.

The Sea Base has served several generations of Orange County's young people. Its expansion will allow it to serve many more generations. Expansion of the facility will enhance its appearance and improve the California coastline. Additionally, unlike private development, it will increase public use and enjoyment of California's coastal resources.

Please convey to the Commissioner of the California Coastal Commission my support for expansion of the Orange County Council Sea Base. It's our duty to give our children, and their children the same opportunities we've enjoyed.

Sincerely



COASTAL COMMISSION

EXHIBIT # 12  
PAGE 10 OF 26

**JOHN & MARY CORROUGH**  
 1004 SOUTH BAYFRONT  
 NEWPORT BEACH, CALIFORNIA 92662

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 South Coast Region

May 16, 2002

MAY 21 2002

California Coastal Commission

CALIFORNIA  
 COASTAL COMMISSION

To The Commissioners:

**We would like to indicate our unqualified support for, and request your support and approval of, the much-needed expansion plans of the Boy Scouts of America Sea Base facility located at 1931 West Pacific Coast Highway in Newport Beach. Our position of support and our request for your support are based on the following points:**

**The Sea Base is a Major Asset of the Local and Regional Coastal Environment:**

As representatives of a family which has resided on, and exercised responsible stewardship of the waterfront in Newport Beach for more than 70 years, we feel that we can credibly state that the Sea Base facility has been one of the most positive waterfront elements on this stretch of coastal California for several decades. Our perspective on this issue is reinforced by our decades of support of public and private coastal sustainability initiatives and groups and through active participation on the City's Harbor Committee, General Plan Advisory Committee and Harbor Commission, and the Harbor & Bay Element of the General Plan. The Sea Base is a significant community, regional and coastal asset. Long before the Coastal Act, and ever since, the Sea Base has always been an integral part of the Newport Beach and Orange County "public access waterfront", along with the adjacent Orange Coast College boating instruction/rowing and sailing center facilities, both of which have served the general public.

**The Sea Base Role and Activities Meet/Exceed Coastal Act Objectives:**

We strongly believe that there is no better successful example of meeting the objectives of the Coastal Commission's mandates for coastal public access, recreation, education, and conservation than the Sea Base. From its small waterfront site and docks, it has provided an extraordinary range of educational and instructional programs about the ocean and coast to thousands of children and hundreds of youth leaders from all over Orange County. For many, this "gateway" to the coast was their first experiential and educational exposure to the ocean and an understanding of coastal resources. As adults, many of them have brought their children back to continue the tradition. Its programs have been recognized throughout the region and the United States for their broad appeal to all types of youth groups (not just Scouts), and are emulated nationally. Three generations of our family have participated in programs at the Sea Base, and have also stood next to folks from all over Southern California watching the Christmas Boat Parade, the Fourth of July Boat Parade, visting Tallships, and many other events for which the Sea Base has always kept its doors open to the public. This is neither an exclusionary, nor an elitist, facility.

COASTAL COMMISSION

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MAY 2 1999

CALIFORNIA  
COASTAL COMMISSION

**The Sea Base Popularity Has Generated a Critical Need for Expansion.**

The Sea Base has been so successful, in fact, that it has had to limit its ability to serve an ever-growing demand because of the limitations of its facilities, last expanded in 1979. Since that time, it has attempted to accommodate, with extended programs, a participation level which has increased by over 200%, with a 50% growth just since 1999. It has now reached the limits of its ability to expand its outreach by programs and intensive scheduling alone, and must expand and modernize its physical facilities to meet the growth of regional demand. As a demonstration of the community and regional support for this facility, the funding program for the proposed Sea Base Expansion Plan has been fully subscribed prior to construction, a rarity for a youth-oriented facility of this type. The Sea Base expansion has the support of the Newport Beach community, City Council & staff, and a host of other groups.

**Sea Base Expansion Plan Issues Achieve a Balance Among Benefits, Impacts:**

We understand that the BSA and its consultants have worked closely with Commission Staff to address a number of issues in the development plan, and that most of these have been resolved through alterations in the proposed plan and in the proposed operations of the facility. We also understand that the potential visual impacts of the proposed expansion of the facility are a continuing concern to the Commission staff, and that the buildings and site features have been reconfigured to address these issues. Our own careful analysis of the plans, view corridor, viewing locations, time of view, value of view, and the Coastal Act intent and objectives suggest that the difference in view is insignificantly quantifiable and qualitatively unchanged. From the perspective of people who pass the site more than twice a day in each direction as motorists, we do not feel that the public's view would be significantly altered in extent or quality by the Sea Base expansion proposal.

Therefore, we feel that the benefits for coastal access and use to be gained from expanded Sea Base facilities and programs for broad public use and an expanded "coastal gateway" role made possible by the facility improvements far outweigh any minor change in view. In fact, we believe the overall character and quality of this view would remain and would be enhanced by the project's landscape modifications, and its "activity interest."

We respectfully request that you take all of these factors into consideration in your balanced review and deliberations on the Sea Base project. Thank you for your efforts in continuing to conserve our coastal environment for sustainable use and habitat.

Sincerely,  
  
John and Mary Corrough

COASTAL COMMISSION

**David & Ondria  
Kernan**

**10 Boardwalk  
Newport Beach, CA 92660  
(949) 720-9144**

May 15, 2002

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South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Boy Scout Sea Base  
C/O Bill Mountford  
1931 W. Coast Highway  
Newport Beach, CA 92663

Dear Mr. Mountford:

I want to take opportunity to confirm our family support of the Sea Base expansion project that is currently under review.

We not only enjoy the benefits of the Base from our Boy Scout affiliation, but support the good work the Base does in our community. One of the attractions of the Base is the central location in Newport Beach right on Pacific Coast Highway. We are looking forward to our son becoming an Eagle Scout with Troop 90 which meets at the Sea Base weekly.

Continue your good works! Our family supports your expansion and continued leadership in our community.

Sincerely,



David and Ondria Kernan

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 21 OF 26

# CONTROLLED KEY SYSTEMS, INC.

May 15, 2002  
California Coastal Commission  
c/o Mr. Bill Mountford  
Director, Boy Scout Sea Base  
1931 W. Pacific Coast Highway  
Newport Beach, CA 92663  
Re: Approval for Boy Scout Sea Base Renovation

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South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

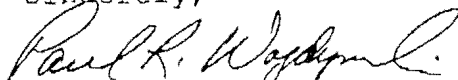
Dear Commissioners,

I am writing to ask you for a positive vote for the Boy Scout Sea Base renovation. Over the years, the Boy Scout Sea Base has served the youth of Southern California with both water related programs, as well as non-water related programs. These programs are open to anyone interested in attending and are not limited to only Scouts. The Sea Base's popularity has increased each year and the existing facility is at maximum capacity.

I understand that the reason the Commission is having difficulty approving the renovation is that it will block the view of the harbor from Pacific Coast Highway. I can't imagine that a two (2) second view of the harbor is more important than the ability to teach a young person to sail, fish, row, or any of the many programs that are part of the Sea Base program. What is the value of taking a young boy or girl on a harbor "adventure" in a Sabot sailboat, or paddling a canoe, or on the high seas aboard the sailing ship "Argus"? Other programs through the Sea Base involve the "Learning for Life" section of Scouting, primarily inner-city and "at risk" youth, who may not be able to enjoy these programs through other organizations. Should we limit those programs so that commuters can have a 35MPH view of two hundred feet (200') of the harbor? If they continue driving just another half mile, they will have a beautiful view of the harbor from the bridge just beyond Dover Street, complete with stationary paddle wheeler.

Our youth deserve places like the Sea Base, and a renovated, enhanced, and expanded Sea Base will allow more youth to be involved in programs that will teach them different skills they can use for the rest of their life. If we had more programs like the Sea Base, perhaps our governments wouldn't have to invest in security cameras to catch "taggers" in the act of vandalizing walls in our cities. Thank you, in advance for your vote in favor of the Sea Base.

Sincerely,

  
Paul R. Wojdynski

COASTAL COMMISSION

EXHIBIT # 12  
PAGE 22 OF 26

17801 Main Street, Suite G, Irvine, CA 92614  
Sales/Service (949) 756-1121 - Fax (949) 756-1143

**SCHMIESING BLIED STODDART & MACKEY, LLP**

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

JAMES A. SCHMIESING\*  
TIMOTHY J. BLIED\*  
RONALD L. STODDART  
JERRY D. MACKEY

19712 MacARTHUR BLVD., SUITE 210  
IRVINE, CALIFORNIA 92612-2407  
TELEPHONE (949) 863-0200  
TELECOPIER (949) 863-0164  
INTERNET ADDRESS: [www.sbsmlaw.com](http://www.sbsmlaw.com)

NORTH ORANGE COUNTY OFFICE  
7260 N. STATE COLLEGE BLVD.  
FULLERTON, CA 92831  
TELEPHONE (714) 990-5100  
TELECOPIER (714) 990-3A26

\* Member, Professional Corporation

E-MAIL: [jschmiesing@sbsmlaw.com](mailto:jschmiesing@sbsmlaw.com)

May 17, 2002

**RECEIVED**  
South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

To: The Members of the California Coastal Commission

RE: Newport Beach Scout Sea Base

Ladies and Gentlemen:

My wife and I have been residents of Newport Beach for over thirty years. We raised our family here and plan to retire here. Needless to say we have seen a lot of development that leaves a lot to be desired but I do want to put a word in for the Scout Sea Base expansion and remodel on Pacific Coast Highway. Scouting has a tremendous amount to offer our young people and the programs offered at the Sea Base are absolutely unique and should be encouraged. If there is any question about community support, consider that the Scouts have raised over \$1,500,000 toward this project from the community.

While I expect that you will review the plans carefully and offer constructive suggestion, I urge you not to vote the project down. Our youth needs scouting and the programs it offers now more than ever.

Very truly yours,

  
JAMES A. SCHMIESING**COASTAL COMMISSION**EXHIBIT # 12  
PAGE 23 OF 26

**Mike Stewart**

**From:** RUTHKEITH3@aol.com  
**Sent:** Sunday, May 19, 2002 3:32 PM  
**To:** billM@OCBSA.org  
**Subject:** Sea Scout Base!

I am in support of the improvements of the Sea Scout Base!

Ruth Keith  
3631 Geranium  
Corona Del Mar, CA92625

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South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

**COASTAL COMMISSION**

EXHIBIT # 12  
PAGE 24 OF 26

**Mike Stewart**

---

**From:** ASCreelman@aol.com  
**Sent:** Saturday, May 18, 2002 2:20 PM  
**To:** rkeith44@adelphia.net  
**Cc:** BillM@ocbsa.org  
**Subject:** Re: Sea Scout Base

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South Coast Region

MAY 21 2002

CALIFORNIA  
COASTAL COMMISSION

Bill,  
My son , Mitchell..currently a member of Troop 606, has used the facility many times. We strongly support any renovation of the facility that is being proposed by the Sea Scout Base.  
Thank you,  
Amy Creelman

**COASTAL COMMISSION**

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PAGE 25 OF 26



## Marine Committee

1470 Jamboree Road  
Newport Beach, CA 92660  
(949) 729-4400

**Marine Committee Contact:**  
**Mike Whitehead, Chairperson**  
(949) 645-8445  
Fax (949) 631-7223  
BoathouseTV@msn.com

March 14, 2002

California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105

RECEIVED  
South Coast Region

MAY 21 2002

REF: Boy Scouts of America Sea Base Expansion Plans

CALIFORNIA  
COASTAL COMMISSION

Dear Commissioners:

It is the understanding of the Marine Committee that Boy Scouts of America's Newport Sea Base has filed an application with the California Coastal Commission requesting approval of the Sea Base's expansion plans at Newport Beach to serve the community.

As members of the community, we are writing to express our strong support of the Sea Base's application requesting a renovation and improvement of their existing facilities. The Sea Base has shown that it is currently operating to primarily serve the youth, boys and girls, with world-renowned programs. We are encouraged by the fact that the Sea Base operates teaching facilities and boats to promote not only good seamanship skills but also water safety and social skills in teamwork.

We urge you to favor the Sea Base's application since it produces great public benefit and a valuable asset to the community at large. The additional facilities at the Sea Base will have a dramatic, positive impact on our citizens and business community.

Thank you for your consideration and support.

Sincerely,

Michael Whitehead  
Chairman, Marine Committee

COASTAL COMMISSION

EXHIBIT # 12  
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