CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceangate, Suite 1000
ng Beach, CA 90802-4302
62) 590-5071

Filed:	12/5/02
49th Day:	1/23/03
180th Day:	6/3/03 (waived)
270th Day:	9/1/03
Staff:	MV-LB
Staff Report:	5/22/03
Hearing Date:	6/10-13/03
Commission Action:	

W 9 C

STAFF REPORT: REGULAR CALENDAR

RECORD PACKET COPY

APPLICATION NUMBER: 5-02-174

APPLICANT: Erik Anderson

AGENT: Charlie Williams, MSA

PROJECT LOCATION: 2204 and 2210 Channel, Newport Beach, Orange County

PROJECT DESCRIPTION: Demolition of two existing single family residences and construction of a new, two story, 6,881 square foot, 29 foot high at maximum point, single family residence with an attached four car, 887 square foot garage and a 391 square foot basement. In order to accommodate the proposed basement, 148 cubic yards of grading is proposed. Also proposed is a parcel map to combine the multiple existing lots on which the development described above will occur, into a single legal lot. In addition, replacement of the seawall directly in front of the subject property and extending approximately 30 feet onto the adjacent City owned property, is proposed.

Lot Area:	9,262 square feet
Building Coverage:	4,186 square feet
Pavement Coverage:	3,205 square feet
Landscape Coverage:	1,871 square feet
Parking Spaces:	4
Zoning:	R-1
Ht above final grade	29 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval of the proposed project subject to ten special conditions which are necessary to assure that the project conforms with Sections 30230 and 30231 of the Coastal Act regarding water quality, and Section 30253 of the Coastal Act regarding hazard. Special condition No. 1 that the bulkhead be redesigned such that it does not extend channelward beyond the property line (except for the minimum length necessary to tie into the existing neighboring bulkhead); Special 2 requires that the basement be designed and constructed consistent with the geotechnical consultant's recommendations. Special condition No. 3 requires that the applicant assume the risk of constructing below groundwater level on a waterfront lot; Special condition No. 4 requires conformance with the geotechnical recommendations. Special condition No. 5 requires pre- and post-construction eel grass surveys; Special 6 requires that the applicant carry out the eelgrass mitigation plan as proposed; Special Condition No. 7 requires a pre-construction Caulerpa Taxifolia survey; Special Condition No. 8 imposes construction responsibilities measures; Special Condition No. 9 notifies the applicant that if the location of the disposal site for the excess cut material and other construction debris is within the coastal zone, a coastal development permit or an amendment to this permit are required before disposal can take place. Special condition No. 10 requires the applicant to record a deed restriction against the property, referencing all of the special conditions contained in this staff report.

LOCAL APPROVALS RECEIVED: City of Newport Beach, Approval in Concept No. 0314-2002; City of Newport Beach Harbor Permit No. 108-2210.

SUBSTANTIVE FILE DOCUMENTS: Geotechnical Investigation for Foundation Design, prepared by Geofirm, dated March 12, 2002; Engineer's Assessment of Bulkhead Replacement at 2204 and 2210 Channel Road, prepared by AEC Associates, dated April 8, 2003; Marine Resources Impact Assessment, prepared by Coastal Resources Management, dated March 24, 2003; City of Newport Beach certified Land Use Plan.

STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the permit application as conditioned.

MOTION:

I move that the Commission approve CDP #5-02-174 pursuant to the staff recommendation.

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

The staff recommends that the Commission adopt the following resolution:

I. APPROVAL WITH CONDITIONS

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the 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. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.

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. Bulkhead Redesign

A. The bulkhead shall be constructed no further channelward than the property line at 2204 and 2210 Channel Road, with the exception that minimum length necessary at the southern end may curve channelward as necessary to tie into the neighboring bulkhead. The portion of the bulkhead that extends beyond the property line shall not exceed ten (10) feet in length.

B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, revised plans reflecting the requirements of section A above.

C. 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 unless the Executive Director determines that no amendment is required.

2. Basement Design and Construction

A. Final design and construction plans for the basement shall be consistent with the geotechnical recommendation which requires that the basement will be designed to resist hydrostatic loading, to accommodate hydraulic uplift forces and to incorporate fail proof waterproofing. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriately licensed professional has reviewed and approved all final design and construction plans for the basement and certified that each of those final plans is consistent with the requirement identified above.

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 unless the Executive Director determines that no amendment is required.

3. **Assumption of Risk, Waiver of Liability and Indemnity**

By acceptance of this permit, the applicant acknowledge and agrees (i) that the site may be subject to hazards due to excavation below ground water level on a water front site; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

4. **Conformance of Design and Construction Plans to Geotechnical Information**

A. All final design and construction plans, including grading, foundations, site plans, elevation plans, and drainage plans, shall be consistent with all recommendations contained in the Geotechnical Investigation prepared by Geofirm, dated March 12, 2002. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that the geotechnical consultant has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic 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 unless the Executive Director determines that no amendment is required

5. **Pre- & Post-Construction Eelgrass Surveys**

A. Pre Construction Eelgrass Survey. A valid pre-construction eelgrass (Zostera marina) survey shall be completed during the period of active growth of eelgrass (typically March through October). The pre-construction survey shall be completed prior to the beginning of construction and shall be valid until the next period of active growth. The survey shall be prepared in full compliance with the "Southern California Eelgrass Mitigation Policy" Revision 8 (except as modified by this special condition) adopted by the National Marine Fisheries Service and shall be prepared in consultation with the California Department of Fish and Game. The applicant shall submit the eelgrass survey for the review and approval of the Executive Director within five (5) business days of completion of each eelgrass survey and in any

event no later than fifteen (15) business days prior to commencement of any development. If the eelgrass survey identifies any additional eelgrass beyond that identified in the Pre Construction Eel grass Survey prepared by Coastal Resources Management, dated March 24, 2003 within the project area which would be impacted by the proposed project, the development shall require an amendment to this permit from the Coastal Commission or a new coastal development permit.

B. Post Construction Eelgrass Survey. Within one month after the conclusion of construction, the applicants shall survey the project site to determine the extent of eelgrass that was adversely impacted. The survey shall be prepared in full compliance with the "Southern California Eelgrass Mitigation Policy" Revision 8 adopted by the National Marine Fisheries Service and shall be prepared in consultation with the California Department of Fish and Game. The applicants shall submit the post-construction eelgrass survey for the review and approval of the Executive Director within thirty (30) days after completion of the survey. If additional impacts, beyond the anticipated 43 square feet, are identified, the applicant shall submit, for the review and approval of the executive director, a mitigation plan addressing the additional impacts. The mitigation plan shall reflect that the applicants shall replace all impacted eelgrass at a minimum 1.2:1 ratio on-site, or at another location, in accordance with the Southern California Eelgrass Mitigation Policy. The exceptions to the required 1.2:1 mitigation ratio found within SCEMP shall not apply.

6. Proposed Eelgrass Mitigation Plan

Consistent with the applicant's proposal, the applicant shall undertake the proposed Eelgrass Mitigation Plan, described in the Marine Resources Impact Assessment, prepared by Coastal Resources Management, dated March 24, 2003. Any proposed changes to the approved mitigation plan shall be reported to the Executive Director. No changes to the approved mitigation plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

7. 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 applicants 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 applicants 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 applicants shall not proceed with the project until 1) the applicants provide evidence to the Executive Director that all *C. taxifolia* discovered within the project area and all C. taxifolia discovered within the buffer area have 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 applicants have 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.

8. <u>CONSTRUCTION RESPONSIBILITIES AND DEBRIS REMOVAL</u>

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

(a) No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to tidal and wave erosion and dispersion.
(b) Any and all debris resulting from construction activities shall be removed from the site within 10 days of completion of construction.
(c) Machinery or construction materials not essential for project improvements shall not be allowed at any time in the intertidal zone.
(d) Sand from the beach, cobbles, or shoreline rocks shall not be used for construction material.
(e) If turbid conditions are generated during construction a silt curtain shall be utilized to control turbidity.
(f) Measures shall be taken to ensure that barges do not ground and impact eelgrass sites.
(g) Floating booms shall be used to contain debris discharged into coastal waters and any debris discharged shall be removed as soon as possible but no later than the end of each day.
(h) Non-buoyant debris discharged into coastal waters shall be recovered by divers as soon as possible after loss.
(i) Reasonable and prudent measures shall be taken to prevent all discharge of fuel or oily waste from heavy machinery, pile drivers, or construction equipment or power tools into coastal waters. The applicant and applicant's

contractors shall have adequate equipment available to contain any such spill immediately.

(j) 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.

(k) All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day.

(l) The applicant shall use the least damaging alternative for the construction of pilings and any other activity that will disturb benthic sediments. The applicant shall limit, to the greatest extent practicable, the suspension of benthic sediments into the water column.

9. Location of Debris Disposal Site

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

10. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowner has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to demolish two existing single family residences and construct a new, two story, 6,881 square foot, 29 foot high at maximum point, single family residence with an attached four car, 887 square foot garage and a 391 square foot basement. In order to accommodate the proposed basement, 148 cubic yards of grading is proposed. Also proposed is a parcel map to combine the multiple existing lots, on which development described above will occur, into a single legal lot.

In addition, replacement of the bulkhead directly in front of the subject property (2210 Channel Road) and extending approximately 30 feet onto the adjacent City owned property (2204 Channel Road), is proposed (see exhibit F). The bulkhead adjacent to the residential lot (2210 Channel Road) is approximately 103 feet in length. The existing bulkhead at 2210 Channel Road is located approximately 3 ½ feet channelward of the property line. It is proposed to be reconstructed in the same location. The existing bulkhead at 2204 Channel Road is located a maximum of approximately 2 feet beyond the property line. That bulkhead is proposed to be relocated landward, back to the property line with the exception of the four feet closest to the bulkhead at 2210 Channel Road. These last four feet curve channelward to join the adjacent bulkhead at 2210 Channel Road.

The existing bulkheads are proposed to be completely removed and replaced with a new bulkhead. The proposed bulkhead will be constructed with 12 inch thick concrete sheet piles. It will have a 1' 10" wide, 2' 6" high cap beam and will be supported at the top by tie-backs connected to a deadman. The top of the new cap beam will be at 8.20' Mean Sea Level (MSL).

Pre-construction Eelgrass and Caulerpa taxifolia Surveys were conducted at the subject site by Coastal Resources Management on March 24, 2003. Eelgrass was found at the subject site (976.5 square feet total), and 43 square feet is expected to be adversely impacted by the proposed project (see exhibit J). The applicant proposes to mitigate the loss, by transplanting eelgrass on-site. No Caulerpa was found at the project site.

The applicant indicates that the location of the disposal site for the excess cut material is "a certified County disposal site." A special condition is imposed that notifies the applicant that if the disposal site is located within the coastal zone, an amendment to this permit or a new coastal development permit is required.

The subject site fronts on Newport Harbor and is between the first public road and the sea. The nearest public access in the project vicinity is located approximately 100 feet north of the subject site at a small public sandy beach. Public access is also available approximately 2 blocks south of the subject site at the wide sandy public beach that runs the length of the Balboa Peninsula and the Jetty View Park.

B. Protective Structures

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…*

The existing bulkhead (seawall) was built in the 1950's. It is deteriorating and does not meet current City standards. An Engineering Assessment was prepared for the bulkhead replacement portion of the proposed project by AEC Associates, dated April 8, 2003 (see exhibit G). The Engineering Assessment finds:

> *1. The height of the existing seawall is 13.5 feet and the pile penetration in to the soil is only 7.8 feet. The pile penetration to the wall height ratio is unusually low. Our calculations indicated that the safety factor (i.e. capacity/demand) for overturning, which is supposed to be over 1.75, is less than 1.0. The existing seawall is not safe as it is.*
>
> *2. The wall thickness is only 9 inches and the concrete does not appear to be in good condition. When the 9 inch thickness of the existing wall is compared with the required thickness of 12 inches for the new wall, the existing walls inadequacy becomes apparent.*

The existing bulkhead does not comply with current City codes regarding the strength and height requirements of the City of Newport Beach. Due to age, poor quality concrete, inadequate steel reinforcement, and/or deficient tieback systems, aging bulkheads in Newport Beach, such as the one at the subject site, are commonly replaced when redevelopment occurs on bayfront lots.

A bulkhead is required at the subject site to protect the structural integrity of the lots from tidal activity. In addition, the bulkhead is necessary to protect the adjacent residence from tidal activity. If the bulkhead were removed and not replaced, tidal activity would erode the project site and eventually the adjacent lots, destabilizing existing development at those sites which includes a single family residence. Therefore, the proposed bulkhead replacement is necessary to protect existing structures. Because the proposed bulkhead replacement will be similar in design and location, it will have no adverse impacts on shoreline sand supply. Thus, construction of a functional bulkhead is not only allowable under the Coastal Act, but Section 30235 requires the Commission to approve it. However, that does not resolve the question of the location of the bulkhead.

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 existing bulkhead, on both the City's lot and on the applicant's lot, is located channelward of the property line. The proposed bulkhead replacement would relocate the bulkhead at the City's lot back to the property line with the exception of the approximately four southernmost feet, where it connects to the bulkhead at the applicant's lot. At that point the bulkhead is proposed to curve channelward to join with the bulkhead at the applicant's lot. The bulkhead at the applicant's lot is proposed to be reconstructed in the same location, except that the northernmost approximately 10 feet will curve landward to tie into the bulkhead proposed at the City lot.

Although the proposed bulkhead alignment would result in slightly less encroachment beyond the property lines than the existing alignment, there is no basis to maintain the channelward encroachment of the bulkhead at all. The bulkhead is proposed to be removed entirely and reconstructed. Thus, there is nothing to prevent it from being reconstructed along the property line. The only exception is the point at which the bulkhead ties in to the existing bulkhead at the southern side of the property. At that point, the proposed bulkhead would need to exceed the property line to tie in smoothly to the

existing bulkhead at the southern end of the property. To accomplish this, a shift in the location of the proposed curve of the bulkhead from the northern property line (where the applicant's property abuts the City's property) to the southern property line (where the applicant's property abuts the neighboring residential property) is necessary. It appears from the proposed plan that this channelward curve can be accommodated in a length of approximately 10 feet.

Section 30230 of the Coastal Act requires that, where feasible, marine resources be restored. It also requires that use of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters. In addition, Section 30231 of the Coastal Act requires that the biological productivity and the quality of coastal waters appropriate to maintain optimum populations of marine organisms be maintained and, where feasible, restored. The proposed bulkhead replacement presents an opportunity to restore marine resources and the biological productivity of coastal waters at the project site.

Relocatation the bulkhead back to the property line would restore a minimum of approximately 300 square feet of marine resources in the form of intertidal/subtidal habitat. Intertidal areas support such habitats as barnacles, littorine snails, limpets, and bay mussels. Subtidal areas support octopus, sand stars, walleye surfperch, and other types of fishes. In addition, water-oriented birds may use the area for foraging. These habitat types have been lost to development through the years, through major development as well as in incremental losses. In order to maximize the provision of tidal habitats, the Coastal Act requires that they be restored where feasible.

The length of the bulkhead at the applicant's site is approximately 103 feet. The existing and proposed bulkhead location encroaches a minimum of 1 foot beyond the property line (the Engineering Assessment identifies the encroachment as "about three feet six inches east of the property line, outside the property."). A conservative calculation for the area of encroachment is 100 square feet, and it is likely much closer to 300 square feet. Replacing the bulkhead back to the property line would restore 300 square feet of intertidal habitat area. The restoration is feasible in that the applicant would not be relinquishing any property that he owns. In addition, the bulkhead must be entirely replaced due to its existing unsafe condition. The bulkhead can be redesigned to be reconstructed primarily on the property line, with only the southernmost ten feet of the bulkhead curving channelward as necessary to tie into the existing neighboring bulkhead to the south.

Allowing the curve in the bulkhead to exceed the property line is necessary to avoid a sharp angle at the junction of the proposed bulkhead with the existing bulkhead to the south. A sharp angle in the alignment of the bulkhead would create a pocket where debris may collect and water stagnation may occur. Thus, while the majority of the bulkhead can be feasibly replaced at the property line, a small portion (approximately 10 feet) must curve channelward. Therefore, the Commission imposes special condition no. 1, which requires that the bulkhead be redesigned so that it does not exceed the property line, with the exception of the southernmost 10 feet.

Sections 30230 and 30231 of the Coastal Act require that adverse effects from the proposed de-watering on coastal waters and the marine environment be minimized. In order to assure that these adverse effects are minimized, best management practices (BMPs) must be incorporated into the project. BMPs are used for many reasons including to reduce the magnitude of pollutants introduced into coastal waters.

The proposed de-watering during construction will involve the following measures. The groundwater is proposed to be pumped from screened well points into a desilting tank where suspended solids will be allowed to settle out. From that point the water will gravity flow into an adjacent water storage tank, allowing further settling to occur. Water samples will be taken at that point. Clean water will be pumped either into the storm drain (which ultimately flows into Newport Harbor) or will be pumped directly into the harbor.

In addition, the proposed de-watering project has received approval from the California Regional Water Quality Control Board (RWQCB), Santa Ana Region (see exhibit D). Under the terms of Order No. 98-67, the de-watering project is required to be consistent with Monitoring and Reporting Program No. 98-67-144, which specifies the frequency of sampling and the constituents to be monitored.

The Geotechnical investigation prepared for the proposed project states:

> "Groundwater is anticipated above the required construction excavations and the future basement level at all times. Thus dewatering of the site should be anticipated for basement construction and fail proof waterproofing of subgrade construction will be required. Retaining walls must be designed to resist partial hydrostatic loading and the foundation/basement slab will need to be designed to accommodate hydraulic uplift forces. A possible rise in ground water to elevation 8 feet, 6.5+/- feet above the anticipated basement floor elevation, should be considered in hydraulic uplift forces and hydrostatic loading on retaining walls."

If the proposed basement level is designed to resist hydrostatic loading and to accommodate hydraulic uplift forces and fail proof waterproofing is incorporated into the design, as recommended in the Geotechnical Investigation, the likelihood that de-watering may be needed after construction is substantially decreased. If de-watering does not need to occur after construction, the ground water will remain in place, eliminating the need for it to be pumped to the storm drain and ultimately to the ocean. Pumping ground water introduces the possibility of contact with contaminants during the pumping and discharge process. Such contaminants, along with any that may already exist in the ground water, are then discharged into coastal waters. Thus, if pumping is avoided, adverse impacts to coastal waters are minimized.

It appears to be the applicant's intent to construct the basement level as recommended by the geotechnical consultant. However, it is not explicitly stated in the application. Therefore, in order to assure that the basement level is constructed in a manner that will minimize the need for extended de-watering, and thus minimize adverse impacts to coastal waters, a special condition is imposed which requires that the basement level be designed and constructed to resist hydrostatic loading, to accommodate hydraulic uplift forces, and to incorporate fail proof waterproofing, per the geotechnical recommendations. The applicant shall, as a condition of approval, submit evidence that the proposed project has been reviewed and approved by an appropriate licensed professional, indicating that the basement is designed to resist hydrostatic loading, to accommodate hydraulic uplift forces and to incorporate fail proof waterproofing.

Best management practices have been incorporated into the proposed project's de-watering component. These include directing the groundwater to settling tanks prior to discharge, and conformance with the sampling and monitoring requirements of the RWQCB. In addition to these measures, the project has been conditioned to assure that the basement level will be designed to resist hydrostatic loading, to accommodate hydraulic uplift forces, and to incorporate fail proof waterproofing. This special condition is necessary to minimize the likelihood of future de-watering and associated adverse water quality impacts. Therefore, the Commission finds, that as conditioned, the proposed development is consistent with Sections 30230 and 30231 which require that coastal water quality be maintained and enhanced.

c. Temporary Construction Related Impacts due to Bulkhead Replacement

The proposed project includes replacement of an existing bulkhead which will take place in the coastal waters and marine environment of Newport Harbor. The storage or placement of construction material, debris, or waste in a location where it could be discharged into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction related impacts on water quality, the Commission imposes a special condition requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters. In order to avoid adverse construction-related impacts upon marine resources, Special Condition No. 8 outlines construction-related requirements to provide for appropriate construction methods as well as the safe storage of construction materials and the safe disposal of construction debris. The Commission imposes Special Condition No. 8 to reduce the potential for construction related impacts to water quality. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

2. Eelgrass and other Sensitive Species Impacts

a) Eelgrass

Eelgrass is considered worthy of protection because it functions as important habitat 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).

The applicant has submitted a Marine Resources Impact Assessment (Assessment), prepared by Coastal Resources Management, dated March 24, 2003, which includes an eelgrass survey. The eelgrass survey identifies the presence of 976.5 square feet of eelgrass in the project vicinity (see exhibit J). The Assessment found that the proposed project would result in the loss of 43 square feet of eelgrass vegetation. The loss is unavoidable because the 43 square feet of eelgrass is located immediately adjacent to the bulkhead. The remaining eelgrass is located further channelward and so not expected to be impacted by the project.

The proposed bulkhead replacement will be conducted from both the land and water sides of the project. Vessels are proposed to be used during construction, but the applicant's

contractor has stated that anchoring will not be required. In addition, the existing bulkhead is proposed to be removed using a land-based crane. Thus with the exception of the loss of eelgrass immediately adjacent to the bulkhead, construction methods are not expected to adversely impact the remaining eelgrass.

To mitigate the loss of 43 square feet of eelgrass, the applicant has proposed an eelgrass mitigation plan that follows the guidelines contained in the Southern California Eelgrass Mitigation Policy (SCEMP) Guidelines by the National Marine Fisheries Service. Under the guidelines, for every one square meter of disturbance, 1.2 square meters of new suitable habitat vegetated with eelgrass must be created. In this case, the proposed mitigation will include: collecting donor material from the eelgrass patches that would have been destroyed during construction of the bulkhead; replanting of the donor eelgrass by divers within a 1 meter wide by 5 meter long area. The eelgrass is proposed to be replanted at the subject site approximately 35 feet channelward of the bulkhead project. The transplant total will consist of eighteen, 0.3 square meter eelgrass plugs, planted in five rows consisting of 3 plugs on 0.3 square meter centers. In all, a total of 51.6 (43 x 1.2 = 51.6) square feet of eelgrass is proposed to be transplanted. The Assessment expects the replanted eelgrass to do well, and states: "This site currently supports eelgrass, and the chances for eelgrass survival are high." Finally, the mitigation is proposed to include monitoring surveys at intervals of 3 months, 6 months, 12 months, 24 months, 36 months, 48 months, and 60 months following the completion of transplant. The monitoring program will assess eelgrass aeral cover, percent cover and shoot density. If yearly criteria are not met, a replant will be conducted. In order to assure that the eelgrass mitigation plan is carried out, special condition 6 is imposed which requires the applicant to conduct the mitigation plan as proposed.

The eelgrass survey in the proposed mitigation plan was conducted on March 24, 2003. Due to the ephemeral nature of eelgrass, however, an eelgrass certification is only valid for 120 days. A coastal development permit does not expire for two years and may be extended. Thus between the date of the eelgrass survey included in the Assessment, and commencement of construction, the amount of eelgrass present at the subject site could increase. In addition, even though the eelgrass inspection indicates that 933 square feet of on-site eelgrass will not be impacted by the proposed project, there is the potential that construction activity may result in greater impacts to eelgrass than anticipated. If additional, unanticipated impacts to eelgrass result from the proposed project, these additional adverse impacts would need to be mitigated. Therefore, measures to avoid or minimize potential unanticipated impacts must be in place in order for the project to be found consistent with Section 30230 of the Coastal Act. Therefore, the Commission imposes Special Condition No. 5 which requires that a current pre-construction eelgrass survey be conducted during the period of active growth of eelgrass (typically March through October). The pre-construction survey shall be completed within 120 days prior to the beginning of construction and shall be valid until the next period of active growth. The pre-construction survey will identify whether any additional eelgrass has established since the time of the last survey. If the eelgrass survey identifies new eelgrass within the project area which could be impacted by the proposed project, the development shall require an amendment to this permit from the Coastal Commission or a new coastal development

permit. An amendment or new permit is required in order to address any eelgrass impacts beyond the 43 square feet currently identified.

The survey shall be prepared in full compliance with the SCEMP adopted by the Marine Fisheries Service. This pre-construction survey will document the presence of any eelgrass in the project area. The applicant shall submit the updated eelgrass survey for the review and written approval of the Executive Director within five (5) working days of completion of the updated survey and no later than ten (10) working days prior to commencement of construction

b) Caulerpa taxifolia

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). Huntington Harbor provides similar habitat to that found in Newport Harbor.

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[1].

---

[1] References

Meinesz, A. (Translated by D. Simberloff) 1999. Killer Algae. University of Chicago Press

Chisholm, J.R.M., M. Marchioretti, and J.M. Jaubert. Effect of low water temperature on metabolism and growth of a subtropical strain of Caulerpa taxifolia (Chlorophyta). Marine Ecology Progress Series 201:189-198

Ceccherelli, G. and F. Cinelli. 1999. The role of vegetative fragmentation in dispersal of the invasive alga Caulerpa taxifolia in the Mediterranean. Marine Ecology Progress Series 182:299-303

Smith C.M. and L.J. Walters. 1999. Fragmentation as a strategy for Caulerpa species: Fates of fragments and implications for management of an invasive weed. Marine Ecology 20:307-319.

Jousson, O., J. Pawlowski, L. Zaninetti, A. Meinesz, and C.F. Boudouresque. 1998. Molecular evidence for the aquarium origin of the green alga Caulerpa taxifolia introduced to the Mediterranean Sea. Marine Ecology Progress Series 172:275-280.

Komatsu, T. A. Meinesz, and D. Buckles. 1997. Temperature and light responses of the alga Caulerpa taxifolia introduced into the Mediterranean Sea. Marine Ecology Progress Series 146:145-153.

Gacia, E. C. Rodriquez-Prieto, O. Delgado, and E. Ballesteros. 1996. Seasonal light and temperature responses of Caulerpa taxifolia from the northwestern Mediterranean. Aquatic Botany 53:215-225.

Belsher, T. and A. Meinesz. 1995. Deep-water dispersal of the tropical alga Caulerpa taxifolia introduced into the Mediterranean. Aquatic Botany 51:163-169.

In addition, the Commission imposes a special condition which makes the applicant and any future owners aware of the inherent risk involved with excavation below ground water level on waterfront lots.

The Commission finds that only as conditioned as described above, can the proposed development be found to be consistent with Section 30253 of the Coastal Act. As conditioned, the Commission finds the proposed development is consistent with Section 30253 of the Coastal Act which requires that risks be minimized and geologic stability be assured.

E. Parcel Map

The proposed project includes lot consolidation and recordation of a new parcel map. The new parcel map is to be recorded to combine two existing lots (23 and 24), a third lot known as the northern half of Lot 22[2], and two other lots created out of lettered lot "M,"[3] all into a single legal lot. All of the lots underlie the proposed residential and associated development. Proposed development within the portion of Lot M to be consolidated includes hardscape, planters, and a portion of the pool. The lot consolidation is a routine requirement of the City when development crosses lot lines.

The City's certified Land Use Plan (LUP) maps indicate that Lot M, which is adjacent to the harbor, is designated Recreational and Environmental Open Space (REOS). Commission staff brought this to the attention of the applicant and questioned whether including Lot M in the lot consolidation and constructing residential and associated development on it was appropriate. The applicant responded by providing the history of the lots dating back to the 1920s. In addition, City staff provided information as to why they believe their land use map was altered such that the REOS designation was inadvertently and unintentionally shown as applying to Lot M.

---

[2] Lot 22 was divided into two separate lots when the northern half of the lot was sold off along with Lot 23, in 1925. However, the two portions were never renumbered. For convenience, this report continues the tradition of referring to the entire area that was originally created as Lot 22 (as part of a 1923 subdivision) as "Lot 22." The portion of Lot 22 subject to this permit is the same portion that was sold with Lot 23 in 1925, and which has technically continued to exist as a separate parcel ever since. Thus, it is its own, separate legal lot, but it is nevertheless referred to herein as the "northern half of Lot 22."

[3] Much in the same way that Lot 22 was divided in two in 1925 (see prior note), it is also true that the area referred to as "Lot M" throughout this report actually comprises multiple, separate lots. Originally, the entire "Lot M area" was created as a single lot, as part of the subdivision of a large parcel of land in the Newport Peninsula area in 1923. However, also as part of that subdivision, 24 separate lots were created adjacent to (and west of) Lot M, along Channel Road (numbered as Lots 2-25 in Block P of Tract 518 – see Exhibit E). As at least some of those lots within Block P were sold off, Lot M was divided up, and "that portion of Lot M" lying directly adjacent to any given numbered lot was sold off *with* the numbered lot. Consequently, the area of Lot M adjacent to Lot 24, for example, has been a separate lot since it was sold off in 1928. The City, however, continues to refer to the entire area that made up Lot M, as it was created in 1923, as "Lot M," and, for convenience, this report does the same.

In 1989 the Commission approved LUP amendment (LUPA) 1-89 to the City's certified LUP. LUPA 1-89 was a comprehensive update to the LUP, which was originally certified in 1982. As part of the comprehensive update, the amendment replaced the existing black and white LUP maps with new, larger scale, colored maps. The previously certified (prior to the 1989 LUP amendment) LUP maps do not identify Lot M as REOS. In the originally certified maps, there is no land use designation distinction between Lot M and the adjacent residential lots. City staff has indicated that the apparent change in land use designation for Lot M was a mistake caused by the City's new (in 1989) GIS system. Apparently, a small portion of Lot M that is technically a separate legal lot falls within Jetty View Park. The portion in Lot M that falls within the park was and is designated REOS. Perhaps because Lot M was not shown as the separate legal lots that it really is, in preparing the new colored maps, the GIS system did not differentiate between the portion of Lot M that was designated REOS because it was part of the park, and the remainder of Lot M, which was designated Low Density Residential. Instead, the GIS system simply showed the REOS designation as applying to the entire Lot M.

In addition to the background information provided by the City, the applicant has submitted a history of the subject lots dating back to the 1920s. As is explained in detail in footnote 2, the portion of Lot M that abuts residential lots (including the subject lots) was segmented and joined to the adjacent residential lots in approximately 1923. The Lot M segments have been in separate, private ownership since at least that time.

The staff report prepared for LUP Amendment 1-89 acknowledges that the LUP maps are being changed from black and white to larger scale, color maps. LUPA 1-89 did include land use designation changes that are specified in the City's submittal and discussed in the Commission staff report. However, a land use designation change for Lot M is not identified or discussed.

Further, all the evidence appears to indicate that there is no history of public use along Lot M. Long time, existing development within the Lot M vicinity precludes public use. Such development includes bulkheads and private boat docks and ramps. Thus, there is no history of public use in the project vicinity.

Lot M was not identified in LUPA 1-89 as one of the sites subject to a land use designation change. In addition, prior to the 1989 LUP amendment, Lot M was certified as low density residential. Both of these facts support the argument that the change was made in error. As well, there is no history of public use at the site. For these reasons the Commission finds that the proposed lot consolidation of (among others), and residential development on, Lot M, is acceptable.

F. Public Access & Recreation

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the nearest public road and the sea include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3.

The subject site fronts on Newport Harbor and is between the first public road and the sea. The nearest public access in the project vicinity is located approximately 100 feet north of the subject site at a small public sandy beach. Public access is also available approximately 2 blocks south of the subject site at the wide sandy public beach that runs the length of the Balboa Peninsula, and at Jetty View Park. The proposed development, as conditioned, will not result in any significant adverse impacts to existing public access or recreation in the area. Therefore the Commission finds that the project is consistent with the public access and recreations policies of the Coastal Act.

G. Deed Restriction

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

H. Local Coastal Program

Section 30604(a) 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. 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.

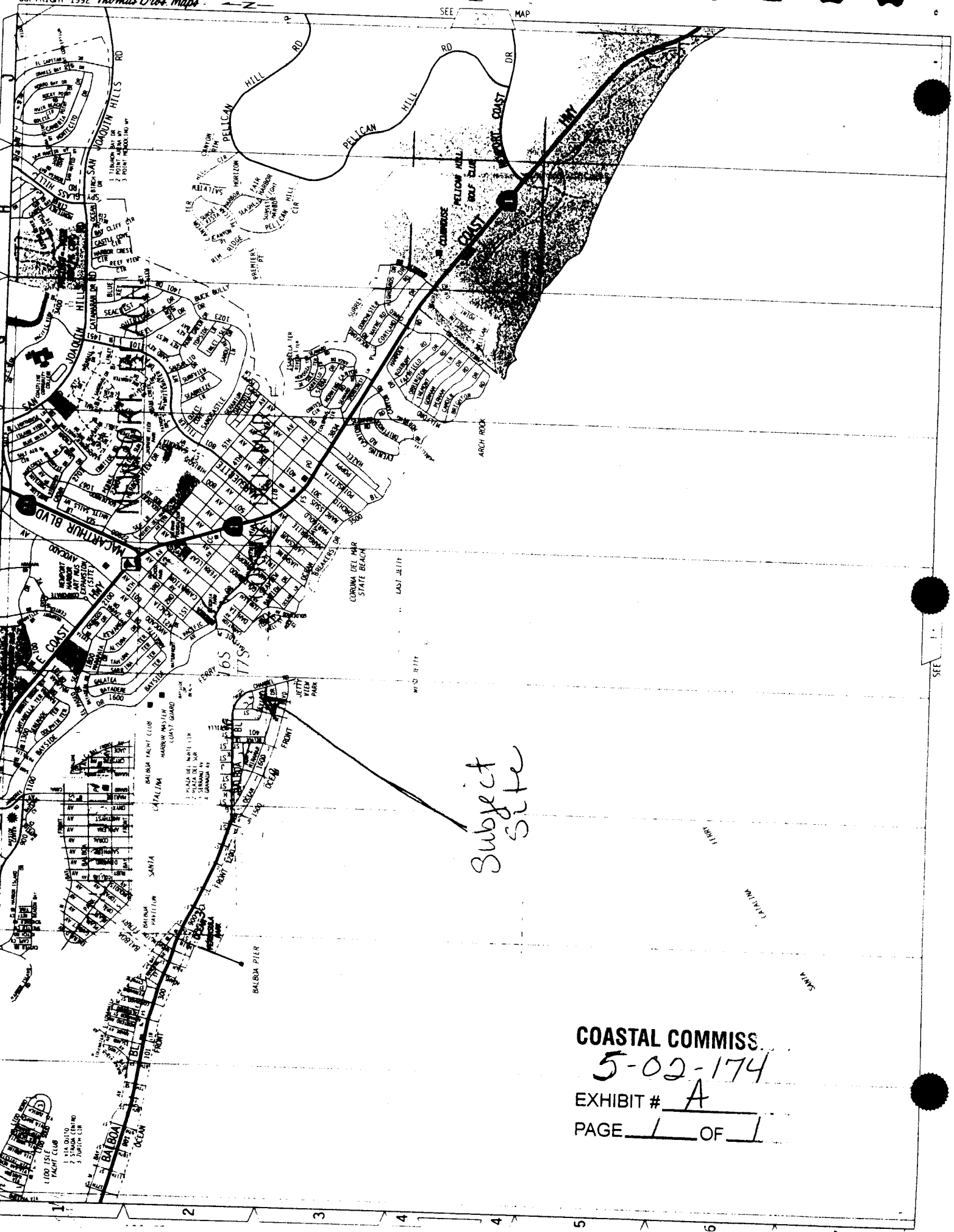
As conditioned the proposed development is consistent with Chapter 3 policies of the Coastal Act and with the LUP. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program (Implementation Plan) for Newport Beach that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

I. California Environmental Quality Act

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable

requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project as conditioned has been found consistent with the water quality, public access, and hazard policies of the Coastal Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.



COASTAL COMMISS.

5-02-174

EXHIBIT # A

PAGE 1 OF 1

CITY OF NEWPORT BEACH

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92658
(949) 644-3200; FAX (949) 644-3229

AUG 19 2002

July 31, 2002

California Coastal Commission
South Coast Area Office
200 Oceangate, 10th Floor, Suite 1000
Long Beach, California 90802
ATTN. Meg Vaughn

Re: Application CDP 5-00-179 for Parcel Map No. NP2002-005
2210 Channel Road

The City of Newport Beach has approved in concept the plans for the project listed above. This project is in full compliance with the Zoning Code (Districting Map 12, Exhibit A), the Land Use Element of the General Plan (Exhibit B) and the Land Use Plan of the Local Coastal Program (see discussion below). This includes the approval of the lot line adjustment to combine existing lots that include Lot M of Tract 518.

Public Works Department has researched Lot M and found that the City has not established Lot M for any future easement or public right-of-way. As far as can be determined, there are no proposals to establish that lot for any City use and the City has no intention of acquiring any portion of Lot M for public use. Additionally, there are no deed restrictions or reservations for future dedication placed on any portion of Lot M to that effect.

Marina Marrelli of our office researched Metroscan (our interface w/Orange County Assessor) and it shows that portions of Lot M have all been included with the adjacent residential lots along Channel Road.

The Land Use Element of the City of Newport Beach General Plan and Title 20 of the Municipal Code (Zoning Code) show that the residential lots with attached portions of Lot M are all zoned and designated R-1 (Exhibit A). I have enclosed an aerial photo (Exhibit C) showing 2210 Channel.

It appears that the Local Coastal Program (LCP) Map Page I 10 and J-10 (Exhibits D and E) that you refer to is erroneous since it shows Lot M as Recreational and Environmental Open Space (REOS) and extends down the peninsula along the front of the residential lots at the water side. This is not consistent with the R-1 District designation on Districting Map 12 (Excerpt from the 1943 edition of the Zoning Ordinance, Map 12 Exhibit F) or the Land Use Element designation of single-family detached land use (Exhibit B).

The LCP Map Book was produced by our –at that time– fledgling GIS (Geographic Information Systems) Department. The information in the database that generated the maps was transcribed from hand colored Land Use Maps pages G-13 and H-12 (Exhibits G and H). These hand colored maps were the root of the LCP Maps.

However, the colored map H-12 was erroneous since it did not completely show Lot M as Zoned R-1, as established by Districting Map No. 12 (Excerpt of 1998 edition of the

COASTAL COMMISSION
5-02-174
EXHIBIT # B
1 of 3

Zoning Code, Exhibit A). LCP Map G-13 shows the Lot M areas adjacent to R-1 lots as R-1 (colored yellow), consistent with Districting Map 12. However, LCP Map H-12, the adjacent map page (where 2210 Channel Road is located), does not show any color on the extension of Lot M and is not consistent with Districting Map 12. It should have been yellow to be consistent with Districting Map 12. It is obvious to me that the intent was to continue the yellow up to Peninsula Point Park that is zoned R-1 on Districting Map 12 and designated Open Space on the Land Use Element of the General Plan and the LCP Map J-10.

A small portion of Lot M is within the Peninsula Point Park, but the entire Lot M was somehow depicted as one lot. Therefore since the GIS system could not shade just a portion of a polygon, the entire polygon (Lot M) was shaded green instead of yellow adjacent to the R-1 lots south of Peninsula Point Park. In the preparation of the LCP Map Book adopted on October 24, 1988 containing 78 pages, that discrepancy was not caught. It is possible that there may be other sites that have the same problem but have not come to light.

It is the City's intent to rectify the discrepancy with the upcoming LCP certification. However, in the interest of preserving the intent of the Land Use Element and recognizing that the description on the LCP map is erroneous because it is not consistent with Districting Map 12, we ask that the Coastal Commission take this information into consideration in its review of the parcel map referenced above.

Sincerely,

Patricia L. Temple

Patricia Temple
Planning Director

Enclosures: Exhibit A, Current Districting Map-1998 Zoning Ordinance
Exhibit B, Land Use Element of the General Plan
Exhibit C, 2210 Channel Road aerial photo
Exhibit D, LCP Map Page No. I10
Exhibit E, LCP Map Page No. J10
Exhibit F, Districting Map 12-1943 Zoning Ordinance
Exhibit G, Land Use Map Page No. G-13
Exhibit H, Land Use Map Page No. H-12

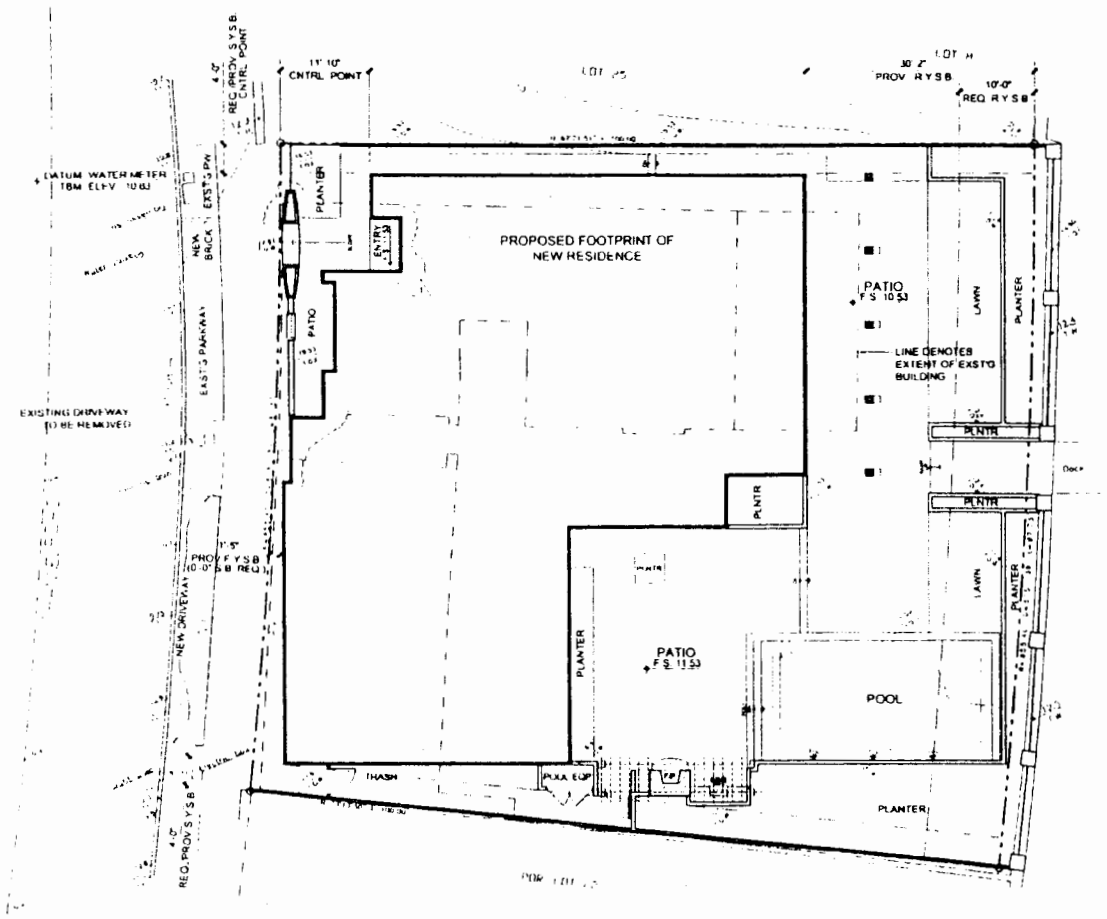
cc: Charlie Williams
Morris Skendarian & Associates
2094 South Coast Highway, #3
Laguna Beach, CA 92651

F:\USERS\PLN\Shared\2LETTERS\2210 Channel-CCC.doc

without enclosures
B2

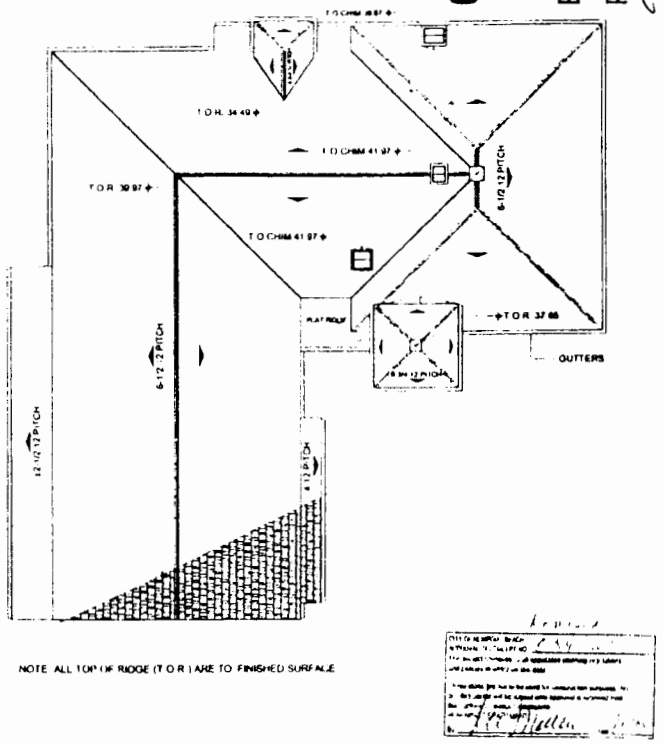
Project Plans

COASTAL COMMISSION
5-02-174
EXHIBIT # C
PAGE 1 OF 8
Site Plan



SITE PLAN

SCALE 1/8"=1'



NOTE: ALL TOP OF RIDGE (T.O.R.) ARE TO FINISHED SURFACE

ROOF PLAN

SCALE 1/8"=1'

AREA LEGEND:

EXISTING FOOTPRINT

PROPOSED FOOTPRINT

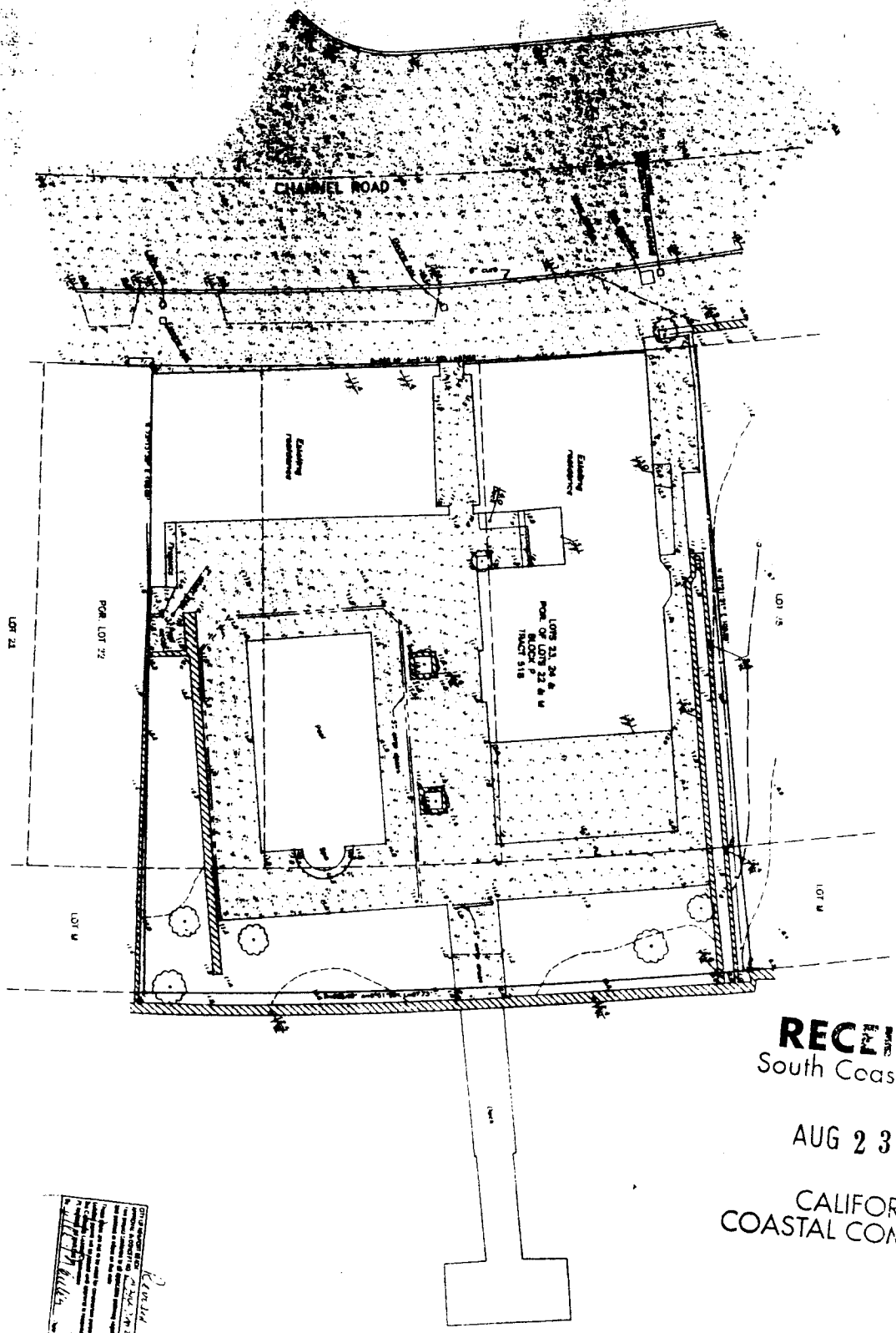
REVISIONS	

ANDERSON RESIDENCE
2210 CHANNEL ROAD
NEWPORT BEACH, CA

DRAWN CW
CHECKED
DATE 2/14/02
SCALE SCALE 1/8"=1'
JOB NO. 0123
SHEET

SP-1

OF 1 SHEETS

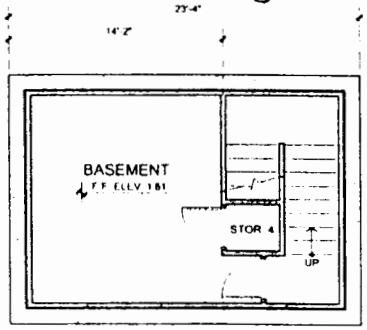


Exisitiney to be Demolished

C2

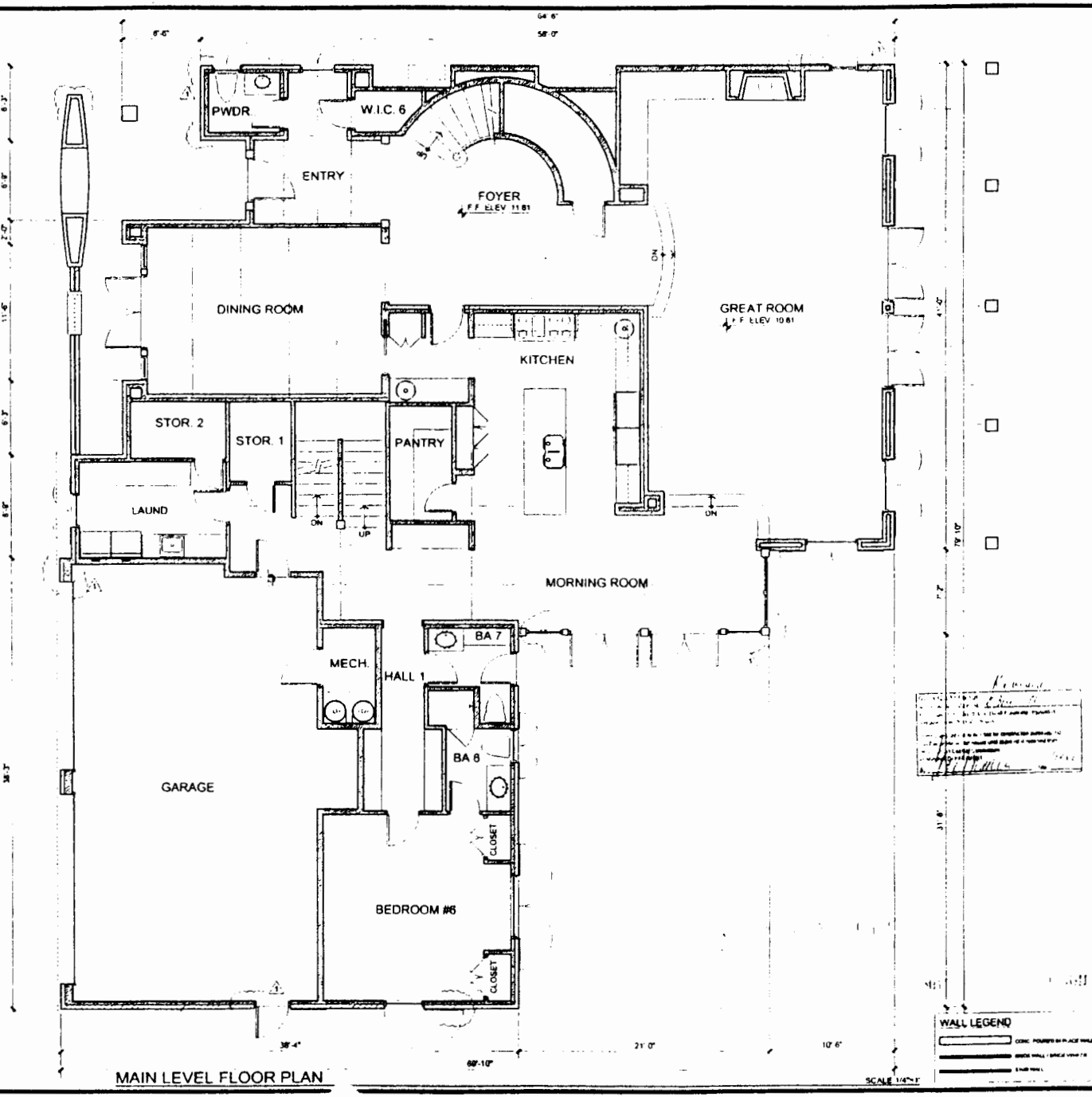
TOAL ENGINEERING, INC.

TOPOGRAPHIC SURVEY
N. 1/2 OF LOT 22, LOTS 23 & 24, AND PORT. LOT 16, BLOCK P
TRACT 518, NEWPORT BEACH, CALIFORNIA



BASEMENT LEVEL FLOOR PLAN

SCALE 1/4"=1'



MAIN LEVEL FLOOR PLAN

SCALE 1/4"=1'

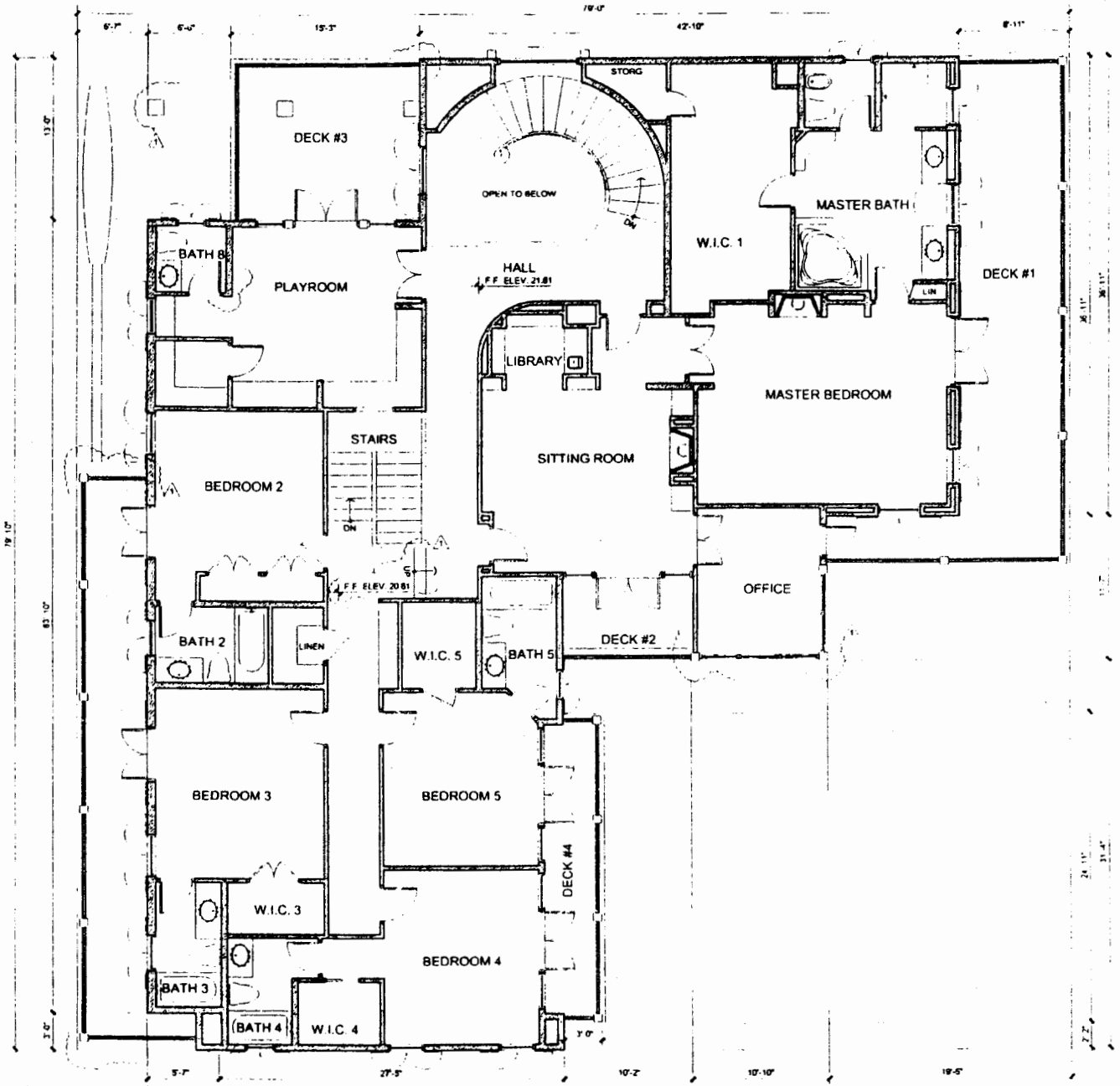
REVISIONS	BY
CLIENT REVISIONS 5/2/02	CW

MSA

ANDERSON RESIDENCE
2210 CHANNEL ROAD
NEWPORT BEACH, CA

DRAWN CW
CHKD
DATE 2/14/02
SCALE SCALE 1/4"=1'
JOB NO. U123
SHEET

A-1



UPPER LEVEL FLOOR PLAN

SCALE 1/4"=1'

RECEIVED
South Coast Region
AUG 2 3 2002
CALIFORNIA
COASTAL COMMISSION

NOT FOR CONSTRUCTION

WALL LEGEND

REVISIONS	BY
1 NEW REVISIONS 5/2/02	CW

MSA

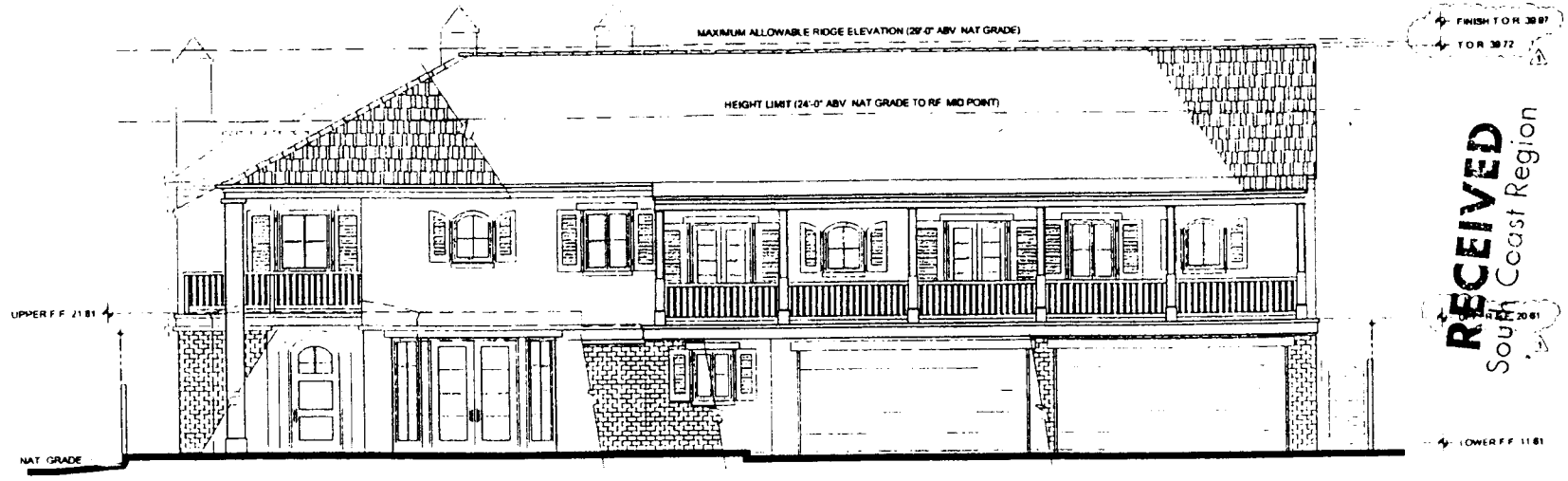
ANDERSON RESIDENCE
2210 CHANNEL ROAD
NEWPORT BEACH, CA

DRAWN CW
CHECKED
DATE 2/4/02
SCALE 1/4"=1'
JOB NO. 01-21
SHEET

A-2

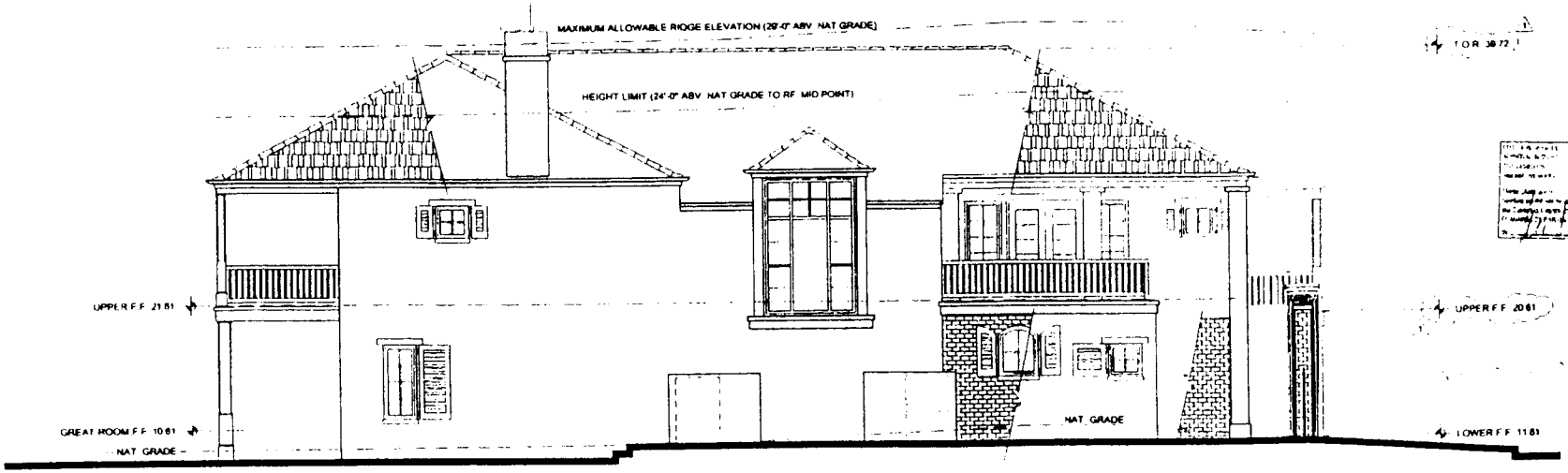
OF 4 SHEETS

C5



NORTH ELEVATION (FRONT)

SCALE 1/4"=1'



EAST ELEVATION (LEFT SIDE)

SCALE 1/4"=1'

RECEIVED
South Coast Region
AUG 2 3 2002
CALIFORNIA
COASTAL COMMISSION

DIVISIONS	BY
1 CITY REVISIONS 5/2/02	CW

MSA

ANDERSON RESIDENCE
2210 CHANNEL ROAD
NEWPORT BEACH, CA

DRAWN CW
CHECKED
DATE 2/4/02
SCALE 1/4"=1'
JOB NO 01.23
SHEET

A-3

OF 4 SHEETS

SOUTH ELEVATION (REAR)

SCALE 1/4"=1'

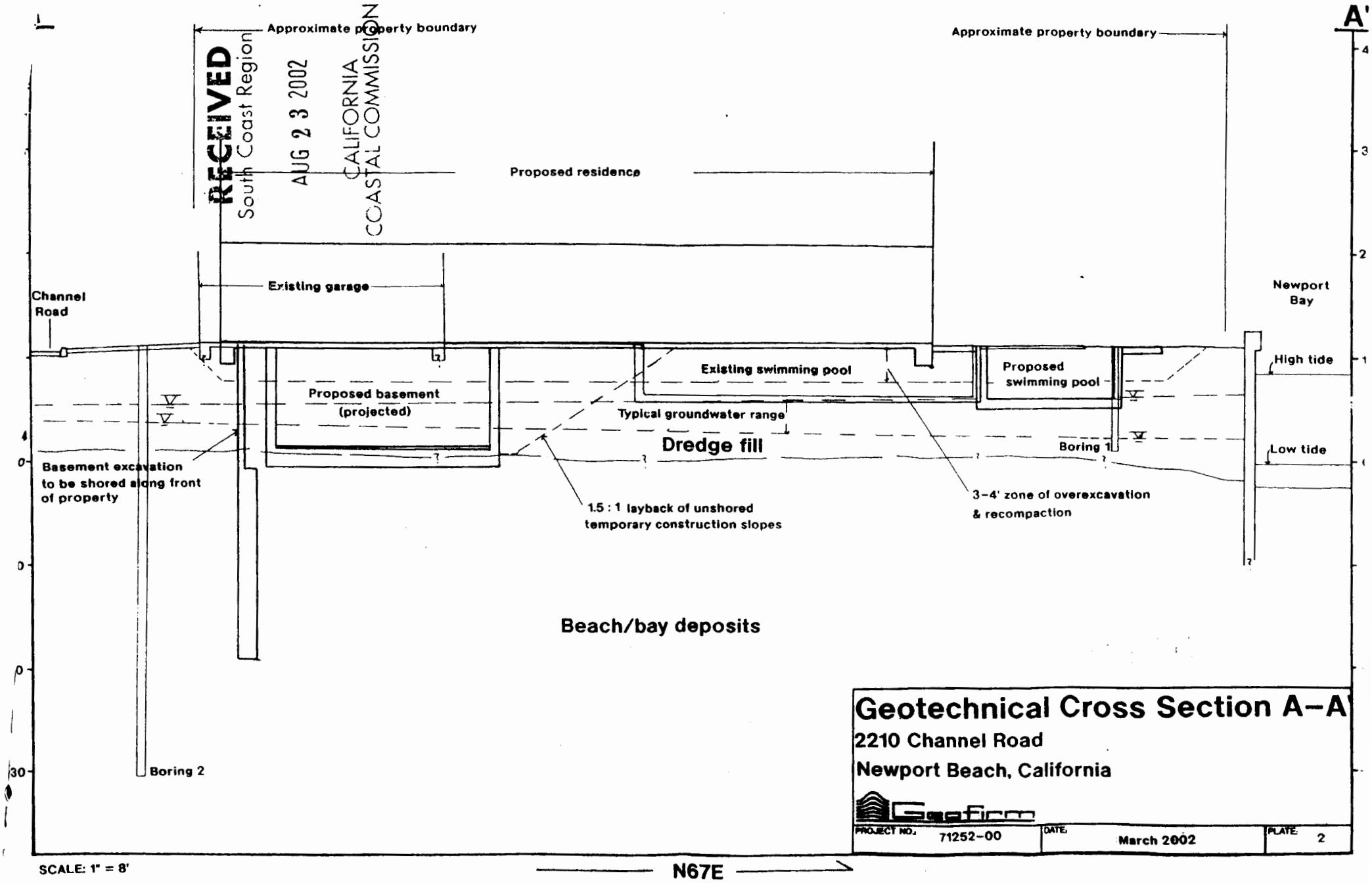
WEST ELEVATION (RIGHT SIDE)

SCALE 1/4"=1'

RECEIVED
South Coast Region
AUG 23 2002
CALIFORNIA COASTAL COMMISSION

ANDERSON RESIDENCE
2210 CHANNEL ROAD
NEWPORT BEACH, CA

A-4



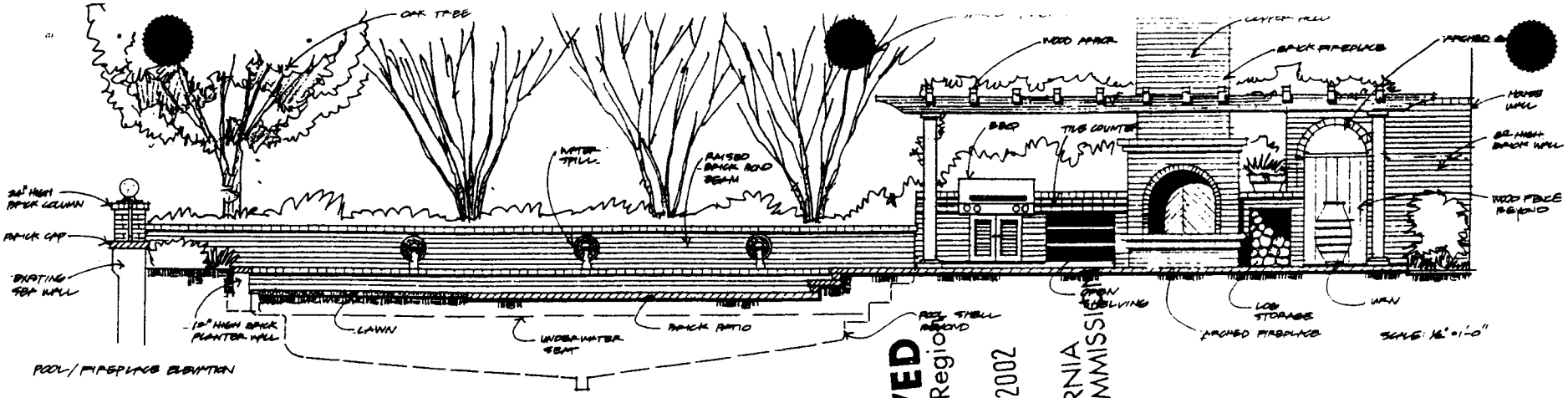
Geotechnical Cross Section A–A'

2210 Channel Road

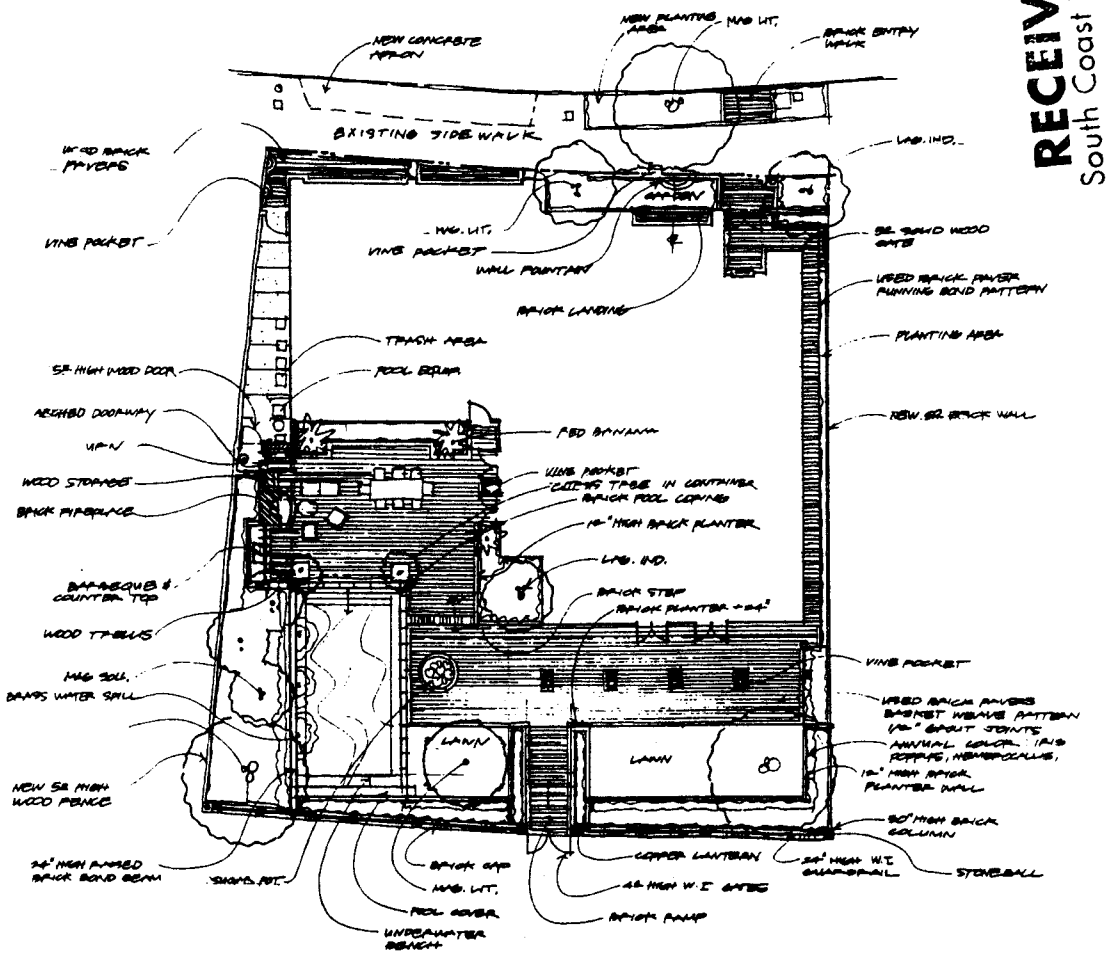
Newport Beach, California

Geofirm

PROJECT NO.	DATE	PLATE
71252-00	March 2002	2



POOL/FIREPLACE ELEVATION



RECEIVED
South Coast Region
AUG 23 2002
CALIFORNIA COASTAL COMMISSION

PLANTING LEGEND

TREES		
LAG IND	Lagerstroemia indica 'Muskogee'	Crape Myrtle
MAG LIT	Magnolia grandiflora 'Little Gem'	Little Gem Magnolia
MAG SOL	Magnolia Soulangiana	Saucer Magnolia
QUE SUB	Quercus lex	Holly Oak
GROUNDCOVERS AND PERENNIALS		
BER CRA	Bergenia crassifolia	Winter Blooming Bergenia
CAM POS	Campanula poscharskyana	Serbian Bell Flower
HED VAR	Hedera helix 'Variegata'	Variegated Ivy
HEL HYB	Hemerocallis hybrids 'Pink & White'	Coral Bells
IMP WAL	Impatiens walleriana	Busy Lizzie
IRI SIB	Iris siberica	Siberian Iris
MAR II	Marathon II	Turf
PEN GLO	Pennisetum glaucocoides 'Midnight'	Dwarf Fountain
SOL SOL	Soleirolia soleirolii	Baby's Tears
TRA JAS	Trachelospermum jasminoides	Star Jasmine
ZAN ARE	Zantedeschia aethiopica 'Hercules'	Calla Lilly
SHRUBS		
AZA ALA	Azalea 'Alaska'	Azalea
AZA FOR	Azalea 'Formosa'	Azalea
BRU FLO	Brunfelsia floribunda	Yesterday-Today-Tomorrow
CAM JAP	Camellia japonica	Camellia
CYR FAL	Cyrtomium falcatum	Holly Fern
DIO PUL	Dietes pulchra	Fan Beauty of Hawaii
GAR JAS	Gardenia jasminoides 'Veitchii'	M.C.N.
HYD MAC	Hydrangea macrophylla	Big Leaf Hydrangea
LIR GIG	Liriope gigantea	Big Blue Lilly Turf
LOE CHI	Loropetalum Chinensis 'Rubrum'	Fringe Flower
VINES AND ESPALLIERS		
CAM SAS	Camellia sasanqua 'White Doves'	M.C.N.
DIS REV	Distictis lilacina	Royal Trumpet Vine
LON JAP	Lonicera japonica	Japanese Honeysuckle
SOL JAS	Solanum jasminoides	Potato Vine
WIS FLO	Wisteria floribunda 'Plena'	Japanese Wisteria

ANDERSON RESIDENCE
2210 CHANNEL ROAD
NEWPORT BEACH, CA.

STUDIO

PRELIMINARY LANDSCAPE PLAN

L-1

C8

California Regional Water Quality Control Board
Santa Ana Region

Winston H. Hickox
Secretary for Environmental Protection

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

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.

September 18, 2002

Dale Scheffler, President
D. J. Scheffler, Inc.
2500 W. Pomona Blvd.
Pomona, CA 91768-3218

REVISED WASTE DISCHARGE REQUIREMENTS, ORDER NO. 98-67, NPDES NO. CAG998001 (DE MINIMUS DISCHARGES), DEWATERING AT VARIOUS LOCATIONS

Dear Mr. Scheffler:

On January 15, 2002, you were authorized to discharge wastewater from a construction site in Newport Beach under the terms and conditions of the Regional Board's general permit, Order No. 98-67. On September 16, 2002, you submitted a Notice of Intent to broaden this authorization to include discharges of construction dewatering wastes from various sites throughout the Region.

Effective immediately, you are authorized to discharge wastewater under the terms and conditions of Order No. 98-67. Enclosed is revised Monitoring and Reporting Program No. 98-67-144, which specifies the frequency of sampling and the constituents to be monitored. Please note that modifications to the sampling frequency and required constituents can be considered on a case-by-case basis.

Compliance with the terms of Order No. 98-67 does not relieve you of the responsibility to comply with local agency (county, city) requirements. To assure that you are aware of any County requirements for discharges in Orange County, you must contact Doug Witherspoon at (714) 834-2366 in advance of any discharges. For Riverside County projects, please call Mark Wills at (909) 955-1273, and for San Bernardino County projects, please call Naresh Varma at (909)387-7995. Furthermore, you must also make advance contact with the stormwater discharge coordinator(s) for the city(-ies) in which the discharge(s) are to occur.

Order No. 98-67 will expire on July 1, 2003. If you wish to terminate coverage under this general permit prior to that time, please notify us as soon as possible so that we can rescind this authorization and avoid billing you the annual fee.

COASTAL COMMISSION
5-02-174
EXHIBIT # D
PAGE 1 OF 2

RECEIVED SEP 1 8 2002

If you have any questions regarding the permit or the monitoring and reporting program, please contact Bill Norton at (909) 782-4381.

Sincerely,

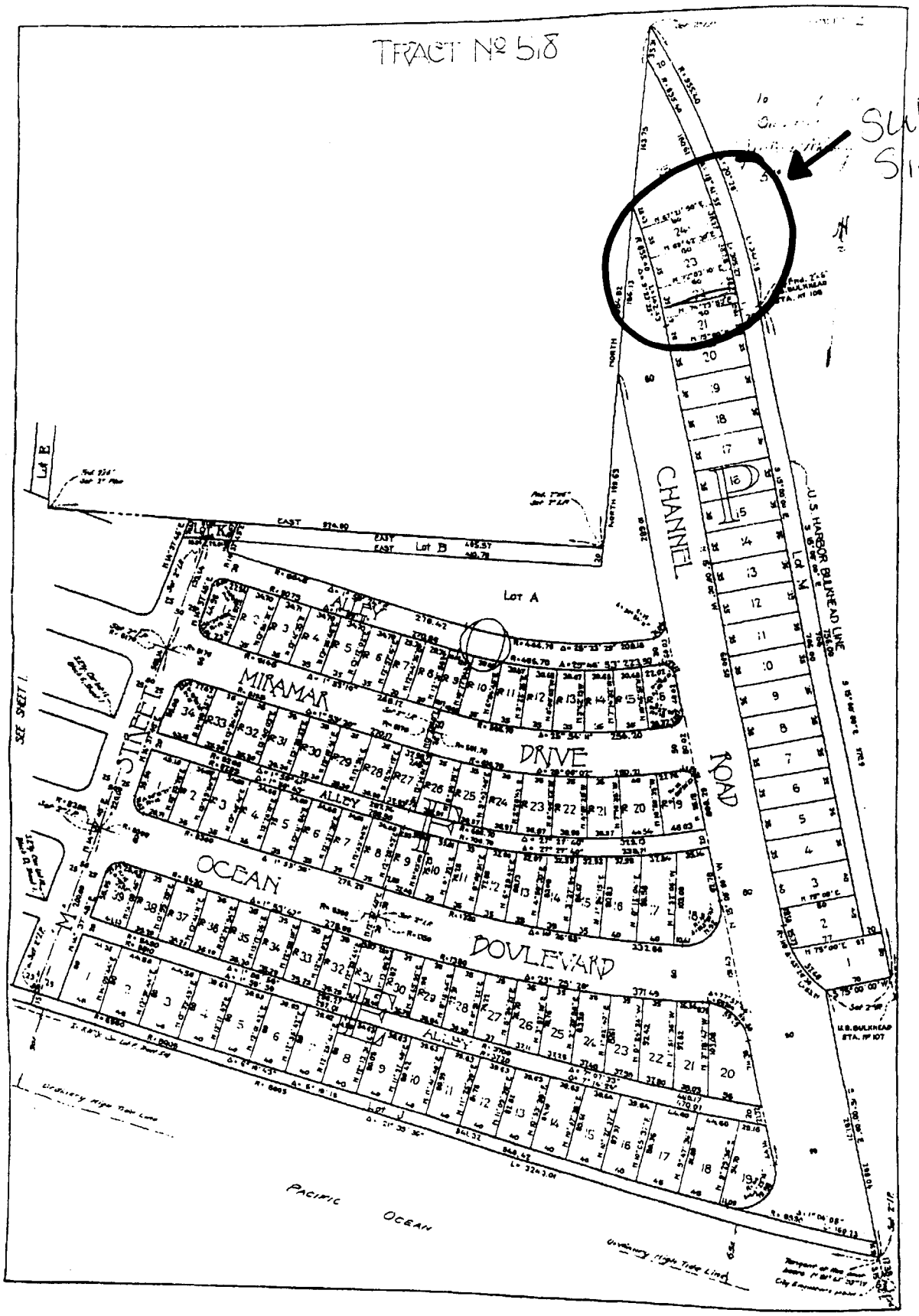
Gerard J. Thibeault
Executive Officer

Enclosure: Revised Monitoring and Reporting Program No. 98-67-144

cc w/o enclosure: USEPA Permits Issuance Section (WTR-5) - Terry Oda
State Water Resources Control Board, Division of Water Quality – Jim Maughan
Orange Co. Facilities and Resources Dept., Flood Control – Herb Nakasone
Riverside Co. Flood Control Dept.– Mark Wills
San Bernardino Co. Dept. of Public Works, Flood Control Operations – Naresh Varma

GSR/SchefflerBeckerResuthVariousSites.ltr

D2



THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

COASTAL COMMISSION

5-02-174

EXHIBIT # E

PAGE 1 OF 1

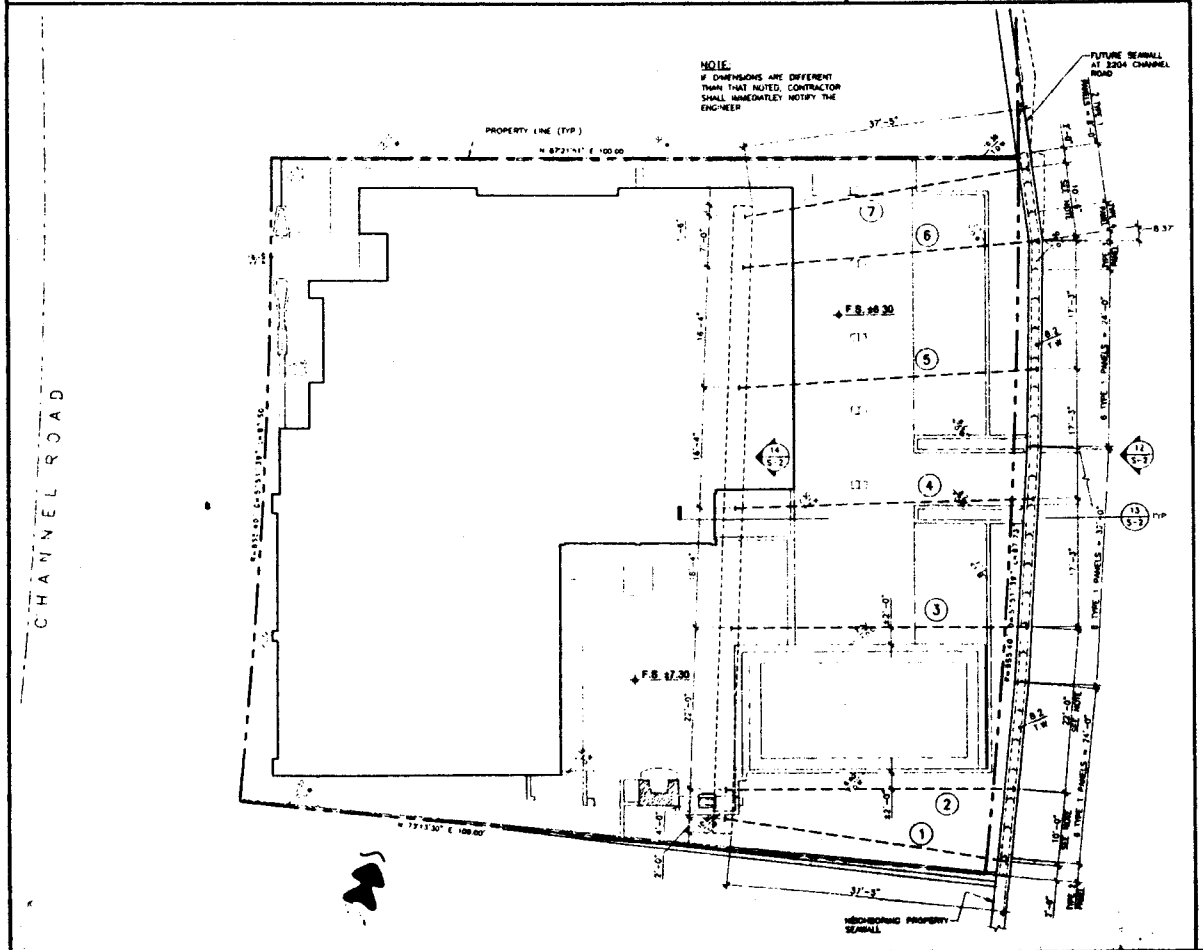
Description: Orange,CA Tract Map 17.34 Page: 1 of 1
Order: paul w Comment:

3310 Channel Road
Newport Beach

COASTAL COMMISSION
5-02-174
EXHIBIT # E-4
PAGE 1 OF 4

RECEIVED
South Coast Region
CALIFORNIA COASTAL COMMISSION

LOCATION MAP



C. REINFORCED CONCRETE (cont)

9. READY-MIXED CONCRETE SHALL CONFORM TO ASTM C-94

10. CONCRETE SLUMP SHALL NOT EXCEED 4 INCHES WHEN CONCRETE TEMPERATURE IS 80 DEGREES FAHRENHEIT OR LESS AND SHALL NOT EXCEED 3 1/2 INCHES WHEN CONCRETE TEMPERATURE IS BETWEEN 80 AND 90 DEGREES FAHRENHEIT. CONCRETE SHALL NOT BE PLACED IF TEMPERATURE EXCEEDS 95 DEGREES FAHRENHEIT

11. CLEAR COVERAGE ON CONCRETE SHALL BE AS SHOWN ON THE DRAWINGS

12. HORIZONTAL REINFORCEMENT IN DEADMAN AND CAP BEAM SHALL BE CONTACT LAP SPLICED IN 48 INCH LAP LENGTHS, AND ADJACENT LAP LENGTHS SHALL BE STAGGERED A MINIMUM OF 4'-0"

13. ALL REINFORCING BARS, ANCHOR BOLTS AND OTHER CONCRETE INSERTS SHALL BE WELL SECURED IN POSITION PRIOR TO PLACEMENT OF CONCRETE

D. STRUCTURAL STEEL

1. ALL WORK SHALL CONFORM TO AISC "MANUAL OF STEEL CONSTRUCTION NINTH EDITION".

2. ALL STRUCTURAL STEEL PLATES AND SHAPES SHALL CONFORM TO ASTM A36. THEY SHALL BE HOT DIP GALVANIZED

E. TIE-RODS

1. TIE-RODS SHALL BE ONE INCH NOMINAL DIAMETER ASTM A722 BARS MARKETED TOGETHER WITH THEIR NUTS AND PLATES BY DYWIDAG-SYSTEMS INTERNATIONAL, INC. UNDER "THREADBAR" NAME. ANY OTHER PRODUCT PROPOSED BY THE CONTRACTOR SHALL BE SUBJECT TO THE ENGINEER'S REVIEW AND APPROVAL

2. TIE-RODS AND THEIR ACCESSORIES SHALL BE HOT DIP GALVANIZED

3. TIE-ROD DETAILS SHOWN ON THESE DRAWINGS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR CAN USE DIFFERENT DETAILS PROVIDING THAT THE SHOP DRAWINGS OF THOSE DETAILS ARE REVIEWED AND APPROVED BY THE ENGINEER PRIOR TO THE COMMENCEMENT OF THE CONSTRUCTION

F. FILTER FABRIC

1. FILTER FABRIC SHALL BE "MIRAFI 700X" MANUFACTURED BY MIRAFI CORPORATION. ANY OTHER PRODUCT PROPOSED BY THE CONTRACTOR SHALL BE SUBJECT TO THE ENGINEER'S REVIEW AND APPROVAL. FILTER FABRIC SHALL BE INSTALLED AS SHOWN ON THE DRAWINGS AND AS RECOMMENDED BY THE MANUFACTURER. END LAPS OF THE FABRIC SHALL BE A MINIMUM OF 6 INCHES AND SHALL BE A MINIMUM OF 12 INCHES AWAY FROM PANEL JOINTS

G. CONSTRUCTION SEQUENCE

THE CONSTRUCTION OF THE SEAWALL SHALL BE IN THE FOLLOWING SEQUENCE

1. CONSTRUCTION OF DEADMAN WITH EMBEDDED TIE-ROD ANCHORS

2. JETTING DOWN SHEET PILING AND CONSTRUCTION OF CAP BEAM

3. INSTALLATION OF FILTER CLOTH

4. BACKFILLING AND INSTALLATION OF TIE-RODS

A. COMPLETION OF BACKFILL TO THE TIE-ROD LEVEL (A MINIMUM OF 7 DAYS AFTER THE PLACEMENT OF CONCRETE IN DEADMAN)

B. INSTALLATION OF TIE-RODS

C. COMPLETION OF THE BACKFILL TO THE TOP OF DEADMAN

D. TENSIONING TIE RODS TO 1,000 LB (A MINIMUM OF 14 DAYS AFTER THE PLACEMENT OF CONCRETE IN DEADMAN AND CAP BEAM)

E. COMPLETION OF BACKFILL

G. TENSIONING TIE RODS TO 4,000 LB A MINIMUM OF 21 DAYS AFTER THE PLACEMENT OF CONCRETE IN DEADMAN AND CAP BEAM. IN NO CASE TIE-RODS SHALL BE STRESSED OVER 4,000 LB.

H. GROUTING THE SPACE BETWEEN THE TIE-ROD AND PVC PIPE (THE GROUT SHALL BE PREPARED BY USING "INTERPLAST-N" MANUFACTURED BY SIKA CORPORATION.)

H. TESTING AND INSPECTION

1. TESTING AND INSPECTION SHALL BE PER CBC CHAPTER 17

A. GENERAL

1. ALL WORK SHALL COMPLY WITH THE MINIMUM STANDARDS OF THE CALIFORNIA BUILDING CODE (CBC) 2001 EDITION AND ALL REQUIREMENTS OF THE CITY OF NEWPORT BEACH

2. ALL WORK SHALL BE DONE BY A LICENSED CONTRACTOR EXPERIENCED IN THE CONSTRUCTION OF SEAWALLS

3. THE CONTRACTOR SHALL VERIFY ALL CONTRACT DOCUMENTS (INCLUDING DRAWINGS), CITY AND CODE REQUIREMENTS, SITE DIMENSIONS, ELEVATIONS, GRADES AND CONDITIONS PRIOR TO STARTING THE WORK AND NOTIFY THE ENGINEER OF ANY DISCREPANCY OR INCONSISTENCY.

4. DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THE DRAWINGS.

5. NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS

6. THESE STRUCTURAL DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL MEASURES NECESSARY TO DEMOLISH, EXCAVATE, BUILD, MANUFACTURE, ERECT, AND PROTECT THE STRUCTURE, ITS COMPONENTS, EMPLOYEES AND PUBLIC DURING CONSTRUCTION. SUCH MEASURES SHALL INCLUDE, BUT NOT BE LIMITED TO BRACING, SHORING FOR LOADS DUE TO DEMOLITION, EXCAVATION, CONSTRUCTION, EQUIPMENT, ETC. OBSERVATION VISITS TO THE SITE BY THE ENGINEER SHALL NOT INCLUDE INSPECTION OF THE ABOVE ITEMS.

7. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFETY IN THE PERFORMANCE OF HIS OWN WORK.

8. ALL MANUFACTURED PRODUCTS SHALL BE INSTALLED, APPLIED OR USED STRICTLY IN COMPLIANCE WITH THE SPECIFICATIONS OF THE PRODUCT MANUFACTURER.

9. ALL TESTING AND INSPECTION SHALL BE AS REQUIRED IN THE UBC CHAPTER 17

B. FOUNDATIONS AND EARTHWORK

1. ALL FOUNDATION, SEAWALL AND EARTHWORK CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE GEOTECHNICAL INVESTIGATION REPORT PREPARED BY GEOFIRM DATED JULY 30, 2002, NUMBERED 02-6009 AND THEIR LETTERS DATED 2/20/2003

2. ALL BACKFILL SHALL BE COMPACTED UNDER THE SUPERVISION OF THE SOILS ENGINEER TO 90% OF THE MAXIMUM DENSITY, UNLESS OTHERWISE REQUIRED BY THE SOILS ENGINEER. SPECIAL ATTENTION SHALL BE PAID TO THE COMPACTION OF BACKFILL AT THE VICINITY OF DEADMAN AND SEAWALL

3. DURING THE CONSTRUCTION, THE GEOTECHNICAL ENGINEER SHALL PROVIDE FIELD OBSERVATIONS AND TESTING AS RECOMMENDED IN THE GEOTECHNICAL REPORT

C. REINFORCED CONCRETE

1. CONCRETE MIXTURES, CONCRETE TRANSPORTATION AND PLACEMENT SHALL BE IN CONFORMANCE WITH ACI 304 "GUIDE FOR MEASURING, MIXING, TRANSPORTING AND PLACING CONCRETE", ACI-306 "COLD WEATHER CONCRETING" AND ACI-308 "STANDARD PRACTICES FOR CURING CONCRETE"

2. ALL CONCRETE SHALL BE REGULAR WEIGHT (145 LB/CUFT) AND SHALL HAVE AN ULTIMATE COMPRESSIVE STRENGTH IN 28 DAYS AS SCHEDULED BELOW

LOCATION	STRENGTH PSI
DEADMAN AND CAP BEAM	4,000
PRECAST SEAWALL PANELS	5,000

3. CONCRETE MIXES SHALL BE DESIGNED BY A QUALIFIED TESTING LABORATORY'S REGISTERED PROFESSIONAL ENGINEER

4. CEMENT SHALL CONFORM TO ASTM C-150, TYPE II

5. AGGREGATE SHALL CONFORM TO ASTM C-33. MAXIMUM AGGREGATE SIZE SHALL BE 1 1/2 INCH IN DEADMAN AND CAP BEAM

6. ALL CONCRETE SHALL BE DESIGNED FOR SALT WATER EXPOSURE. WATER/CEMENT RATIO OF CONCRETE SHALL NOT EXCEED 0.5 FOR CAP BEAMS AND DEADMAN AND 0.45 FOR PRECAST PANELS.

7. REINFORCING STEEL OF #5 AND LARGER BARS SHALL CONFORM TO ASTM A-615, GRADE 60

8. REINFORCING STEEL OF #4 AND SMALLER BARS SHALL CONFORM TO ASTM A-615, GRADE 40.

AEC Associates

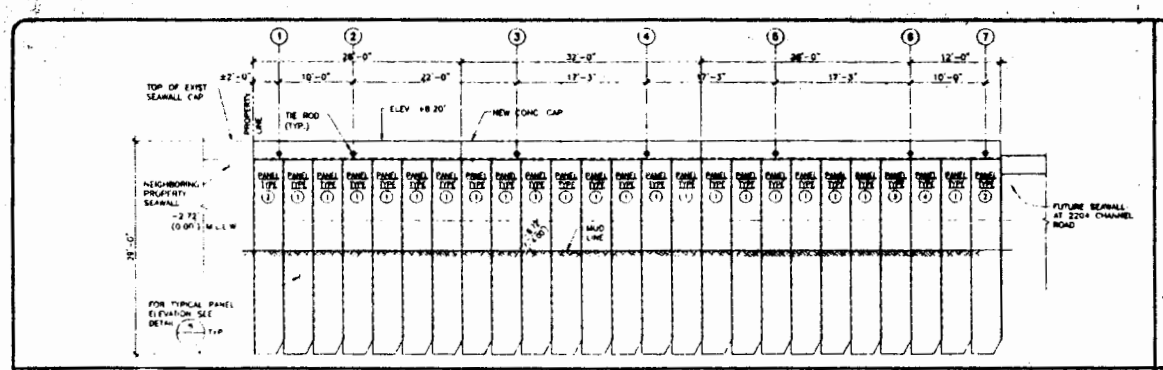
ANDERSON RESIDENCE
SEAWALL CONSTRUCTION
3310 Channel Road
Newport Beach, CA 92663

GENERAL NOTES, & SEAWALL PLAN

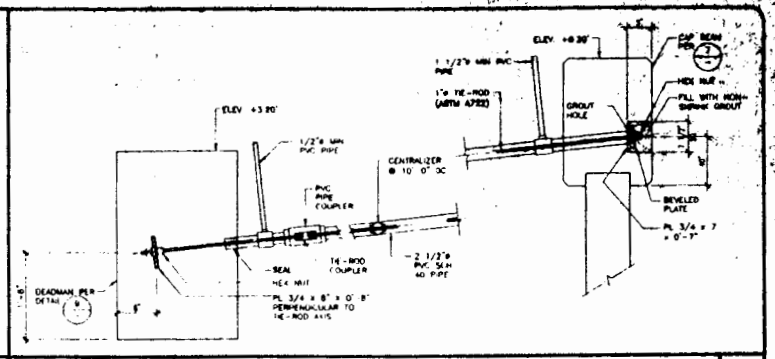
S-1

2210 Channel Road

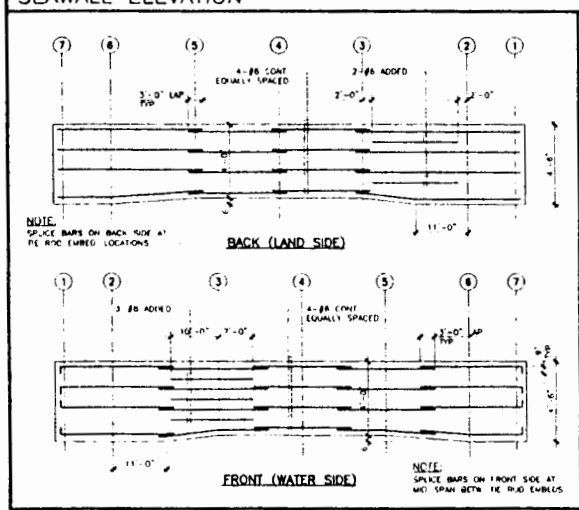
12



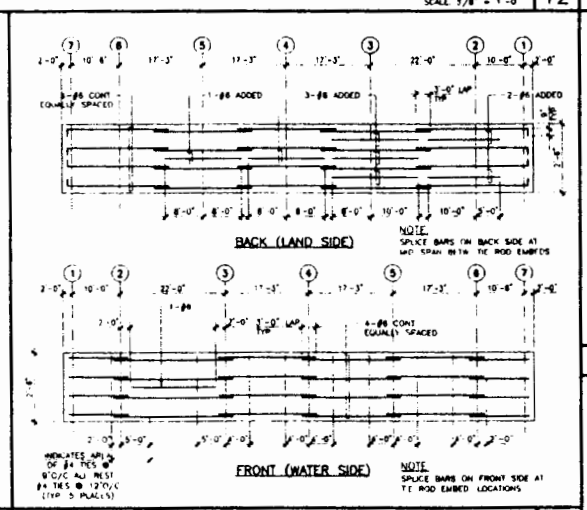
SEAWALL ELEVATION — SCALE 3/8" = 1'-0" — 12



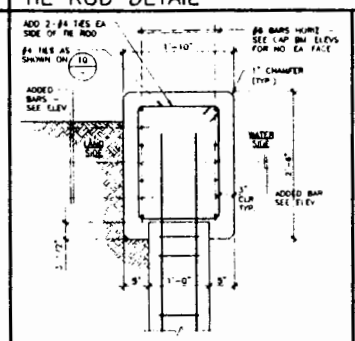
TIE ROD DETAIL — SCALE: NONE — 4



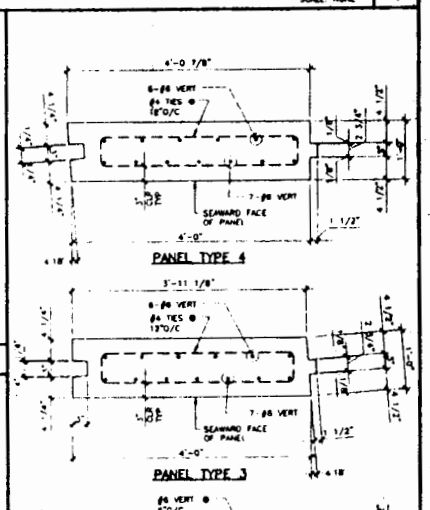
DEADMAN ELEVATIONS — SCALE: NONE — 14



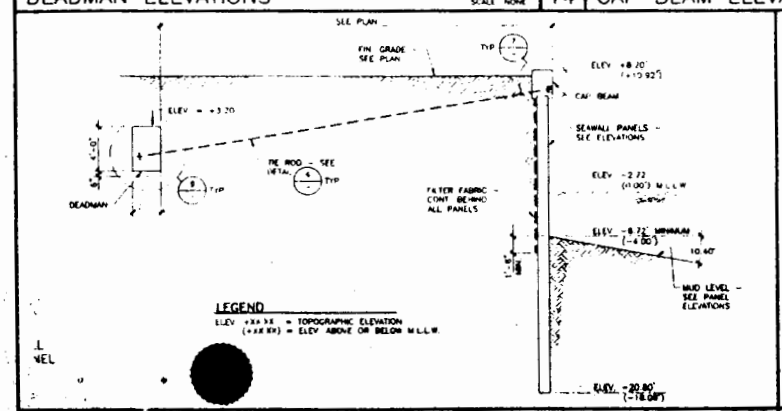
CAP BEAM ELEVATIONS — SCALE: NONE — 10



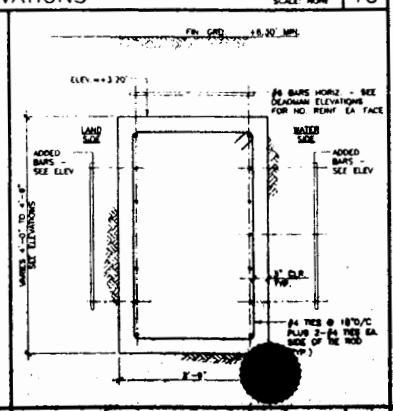
CAP DETAIL — SCALE 1" = 1'-0" — 7



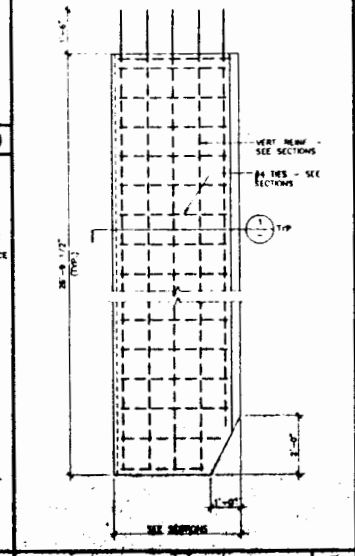
PANEL SECTIONS — 1



TYPICAL CROSS SECTION — 13



DEADMAN SECTION — 9



PANEL ELEV — 5

AEC Associates

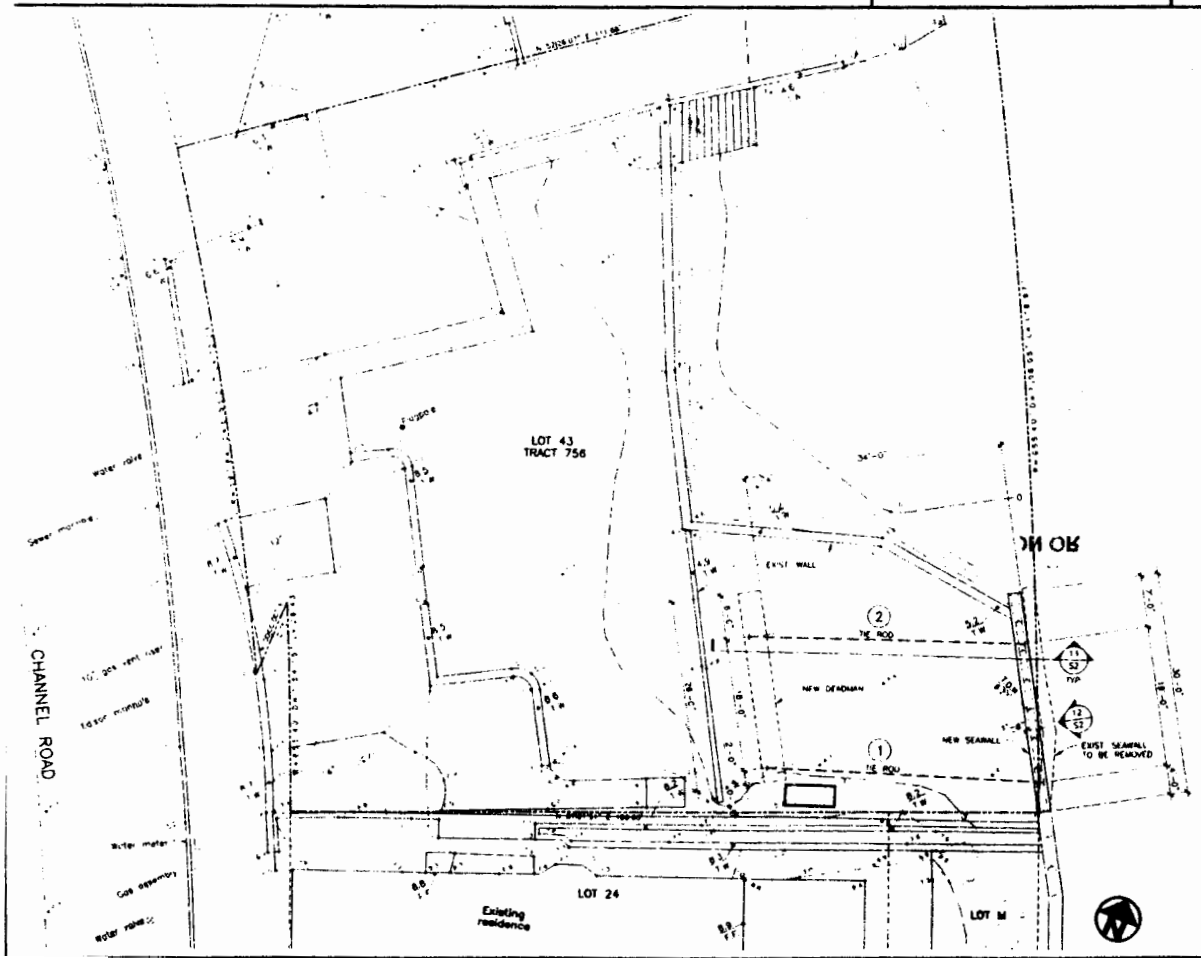
ANDERSON RESIDENCE
SEAWALL CONSTRUCTION
2210 Channel Road
Newport Beach, CA 92663

SECTIONS, DETAILS AND ELEVATIONS

S-2

3304 Channel Rd.
City Lot

LOCATION MAP | 3



C. REINFORCED CONCRETE (cont)

9 READY-MIXED CONCRETE SHALL CONFORM TO ASTM C-94

10 CONCRETE SLUMP SHALL NOT EXCEED 4 INCHES WHEN CONCRETE TEMPERATURE IS 80 DEGREES FAHRENHEIT OR LESS AND SHALL NOT EXCEED 3 1/2 INCHES WHEN CONCRETE TEMPERATURE IS BETWEEN 80 AND 95 DEGREES FAHRENHEIT CONCRETE SHALL NOT BE PLACED IF TEMPERATURE EXCEEDS 95 DEGREES FAHRENHEIT

11 CLEAR COVERAGE ON CONCRETE SHALL BE AS SHOWN ON THE DRAWINGS

12 HORIZONTAL REINFORCEMENT IN DEADMAN AND CAP BEAM SHALL BE CONTACT LAP SPLICED IN 48 INCH LAP LENGTHS, AND ADJACENT LAP LENGTHS SHALL BE STAGGERED A MINIMUM OF 4'-0"

13 ALL REINFORCING BARS, ANCHOR BOLTS AND OTHER CONCRETE INSERTS SHALL BE WELL SECURED IN POSITION PRIOR TO PLACEMENT OF CONCRETE

D. STRUCTURAL STEEL

1 ALL WORK SHALL CONFORM TO AISC "MANUAL OF STEEL CONSTRUCTION NINTH EDITION"

2 ALL STRUCTURAL STEEL PLATES AND SHAPES SHALL CONFORM TO ASTM A36. THEY SHALL BE HOT DIP GALVANIZED

E. TIE-RODS

1 TIE-RODS SHALL BE ONE INCH NOMINAL DIAMETER ASTM A722 BARS MARKETED TOGETHER WITH THEIR NUTS AND PLATES BY DYWIDAG-SYSTEMS INTERNATIONAL INC UNDER "THREADBAR" NAME ANY OTHER PRODUCT PROPOSED BY THE CONTRACTOR SHALL BE SUBJECT TO THE ENGINEER'S REVIEW AND APPROVAL

2 TIE-RODS AND THEIR ACCESSORIES SHALL BE HOT DIP GALVANIZED

3 TIE-ROD DETAILS SHOWN ON THESE DRAWINGS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR CAN USE DIFFERENT DETAILS PROVIDING THAT THE SHOP DRAWINGS OF THOSE DETAILS ARE REVIEWED AND APPROVED BY THE ENGINEER PRIOR TO THE COMMENCEMENT OF THE CONSTRUCTION

F. FILTER FABRIC

1 FILTER FABRIC SHALL BE "MIRAFI 700X" MANUFACTURED BY MIRAFI CORPORATION ANY OTHER PRODUCT PROPOSED BY THE CONTRACTOR SHALL BE SUBJECT TO THE ENGINEER'S REVIEW AND APPROVAL. FILTER FABRIC SHALL BE INSTALLED AS SHOWN ON THE DRAWINGS AND AS RECOMMENDED BY THE MANUFACTURER. END LAPS OF THE FABRIC SHALL BE A MINIMUM OF 6 INCHES AND SHALL BE A MINIMUM OF 12 INCHES AWAY FROM PANEL JOINTS

G. CONSTRUCTION SEQUENCE

THE CONSTRUCTION OF THE SEAWALL SHALL BE IN THE FOLLOWING SEQUENCE

1 CONSTRUCTION OF DEADMAN WITH EMBEDDED TIE-RODS AND HORN

2 JETTING DOWN SHEET PILING AND CONSTRUCTION OF CAP BEAM

3 INSTALLATION OF FILTER CLOTH

4 BACKFILLING AND INSTALLATION OF TIE RODS

A COMPLETION OF BACKFILL TO THE TIE-ROD LEVEL (A MINIMUM OF 7 DAYS AFTER THE PLACEMENT OF CONCRETE IN DEADMAN)

B INSTALLATION OF TIE-RODS

C COMPLETION OF THE BACKFILL TO THE TOP OF DEADMAN

D TENSIONING TIE RODS TO 1,000 LB (A MINIMUM OF 14 DAYS AFTER THE PLACEMENT OF CONCRETE IN DEADMAN AND CAP BEAM)

E COMPLETION OF BACKFILL

G TENSIONING TIE RODS TO 4,000 LB A MINIMUM OF 21 DAYS AFTER THE PLACEMENT OF CONCRETE IN DEADMAN AND CAP BEAM IN NO CASE TIE-RODS SHALL BE STRESSED OVER 4,000 LB

H GROUTING THE SPACE BETWEEN THE TIE-ROD AND PVC PIPE (THE GROUT SHALL BE PREPARED BY USING "INTERPLAST N" MANUFACTURED BY SIKA CORPORATION)

H. TESTING AND INSPECTION

1 TESTING AND INSPECTION SHALL BE PER LBC CHAPTER 17

A. GENERAL

1 ALL WORK SHALL COMPLY WITH THE MINIMUM STANDARDS OF THE CALIFORNIA BUILDING CODE (CBC) 2001 EDITION AND ALL REQUIREMENTS OF THE CITY OF NEWPORT BEACH

2 ALL WORK SHALL BE DONE BY A LICENSED CONTRACTOR EXPERIENCED IN THE CONSTRUCTION OF SEAWALLS

3 THE CONTRACTOR SHALL VERIFY ALL CONTRACT DOCUMENTS (INCLUDING DRAWING), CITY AND CODE REQUIREMENTS, SITE DIMENSIONS, ELEVATIONS, GRADES AND CONDITIONS PRIOR TO STARTING THE WORK AND NOTIFY THE ENGINEER OF ANY DISCREPANCY OR INCONSISTENCY

4 DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THE DRAWINGS

5 NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS

6 THESE STRUCTURAL DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL MEASURES NECESSARY TO DEMOLISH, EXCAVATE, BUILD, MANUFACTURE, ERECT AND PROTECT THE STRUCTURE ITS COMPONENTS, EMPLOYEES AND PUBLIC DURING CONSTRUCTION. SUCH MEASURES SHALL INCLUDE, BUT NOT BE LIMITED TO BRACING, SHORING FOR LOADS DUE TO DEMOLITION, EXCAVATION, CONSTRUCTION, EQUIPMENT, ETC. OBSERVATION VISITS TO THE SITE BY THE ENGINEER SHALL NOT INCLUDE INSPECTION OF THE ABOVE ITEMS

7 THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFETY IN THE PERFORMANCE OF HIS OWN WORK

8 ALL MANUFACTURED PRODUCTS SHALL BE INSTALLED, APPLIED OR USED STRICTLY IN COMPLIANCE WITH THE SPECIFICATIONS OF THE PRODUCT MANUFACTURER

9 ALL TESTING AND INSPECTION SHALL BE AS REQUIRED IN THE LBC CHAPTER 17

B. FOUNDATIONS AND EARTHWORK

1 ALL FOUNDATION, SEAWALL AND EARTHWORK CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE GEOTECHNICAL INVESTIGATION REPORT PREPARED BY GEOFIRM DATED JULY 30, 2002, NUMBERED 02-9008 AND THEIR LETTERS DATED 2/20/2003

2 ALL BACKFILL SHALL BE COMPACTED UNDER THE SUPERVISION OF THE SOILS ENGINEER TO 90% OF THE MAXIMUM DENSITY. UNLESS OTHERWISE REQUIRED BY THE SOILS ENGINEER SPECIAL ATTENTION SHALL BE PAID TO THE COMPACTION OF BACKFILL AT THE VICINITY OF DEADMAN AND SEAWALL

3 DURING THE CONSTRUCTION, THE GEOTECHNICAL ENGINEER SHALL PROVIDE FIELD OBSERVATIONS AND TESTING AS RECOMMENDED IN THE GEOTECHNICAL REPORT

C. REINFORCED CONCRETE

1 CONCRETE MIXTURES, CONCRETE TRANSPORTATION AND PLACEMENT SHALL BE IN CONFORMANCE WITH ACI 304 "GUIDE FOR MEASURING, MIXING, TRANSPORTING AND PLACING CONCRETE", ACI-305 "HOT WEATHER CONCRETING" AND ACI-308 "STANDARD PRACTICES FOR CURING CONCRETE"

2 ALL CONCRETE SHALL BE REGULAR WEIGHT (145 LB/CUFT) AND SHALL HAVE AN ULTIMATE COMPRESSIVE STRENGTH IN 28 DAYS AS SCHEDULED BELOW

LOCATION	STRENGTH PSI
DEADMAN AND CAP BEAM	4,000
PRECAST SEAWALL PANELS	5,000

3 CONCRETE MIXES SHALL BE DESIGNED BY A QUALIFIED TESTING LABORATORY'S REGISTERED PROFESSIONAL ENGINEER

4 CEMENT SHALL CONFORM TO ASTM C-150, TYPE II.

5 AGGREGATE SHALL CONFORM TO ASTM C-33. MAXIMUM AGGREGATE SIZE SHALL BE 1 1/2 INCH IN DEADMAN AND CAP BEAM

6 ALL CONCRETE SHALL BE DESIGNED FOR SALT WATER EXPOSURE WATER/CEMENT RATIO OF CONCRETE SHALL NOT EXCEED 0.5 FOR CAP BEAMS AND DEADMAN AND 0.45 FOR PRECAST PANELS

7 REINFORCING STEEL OF #5 AND LARGER BARS SHALL CONFORM TO ASTM A-615, GRADE 60

8 REINFORCING STEEL OF #4 AND SMALLER BARS SHALL CONFORM TO ASTM A-615, GRADE 40

GENERAL NOTES | 1

REVISIONS
CITY SUBMITTAL

AEC Associates

CITY OF NEWPORT BEACH
SEAWALL CONSTRUCTION
2304 Channel Road
Newport Beach, CA 92663
Inc. ERIK K. ANDERSON
2010 Channel Road, Newport Beach, CA

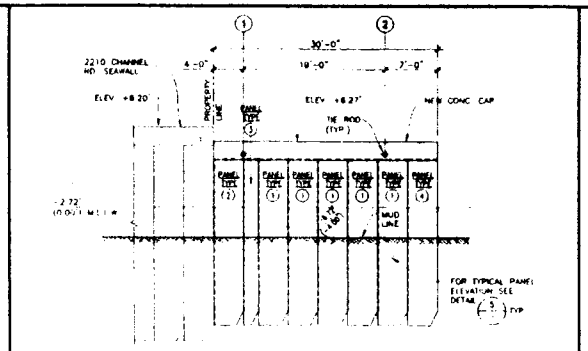
GENERAL NOTES & SEAWALL PLAN

JBN
C.K.
4/03
AB NOTES
7134-03

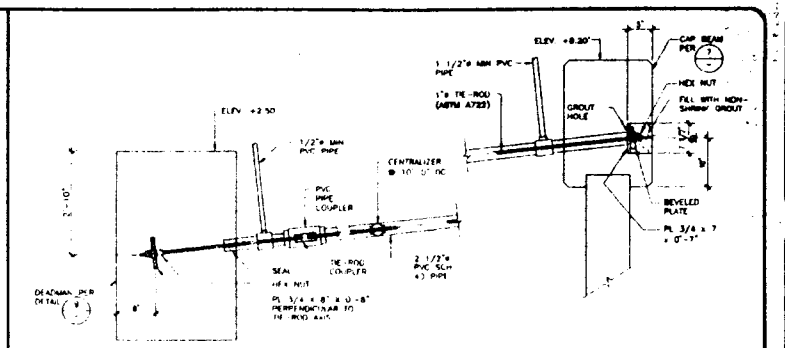
S-1

2204 Channel Rd.

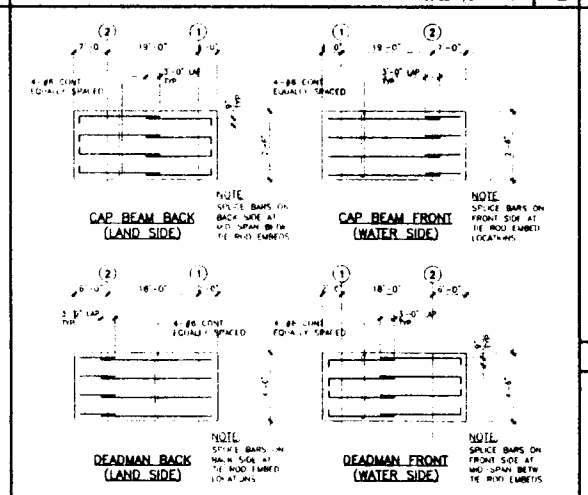
4



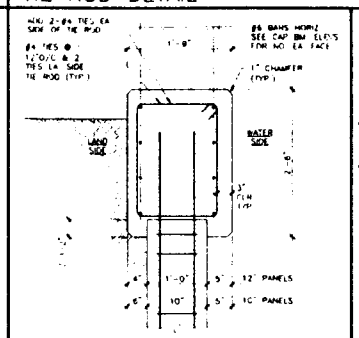
SEAWALL ELEVATION SCALE: 1/8" = 1'-0" 12



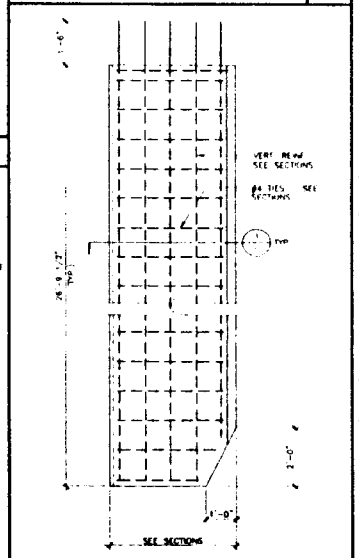
TIE ROD DETAIL SCALE: NONE 4



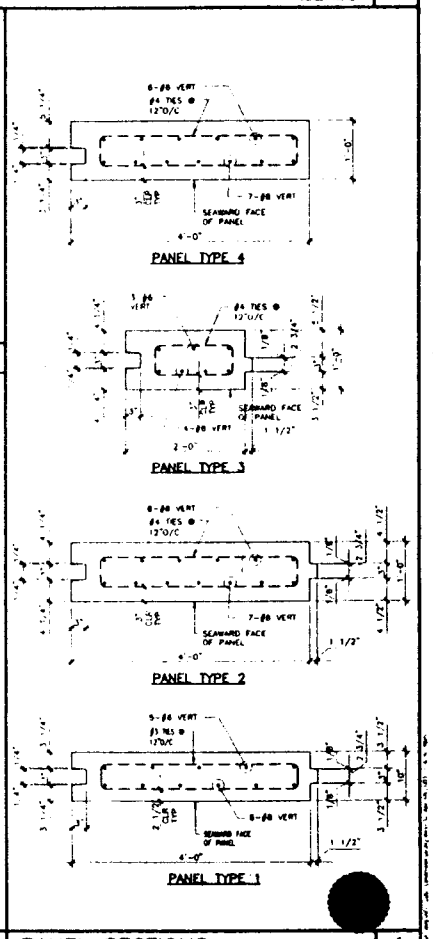
DEADMAN & CAP BEAM ELEVATIONS SCALE: NONE 10



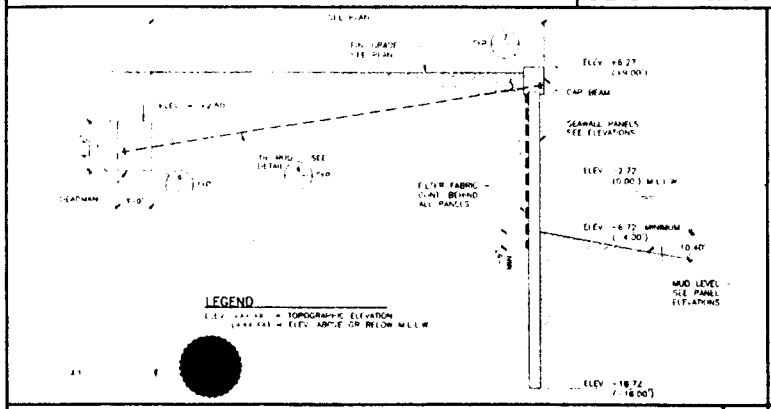
CAP DETAIL SCALE: 1" = 1'-0" 7



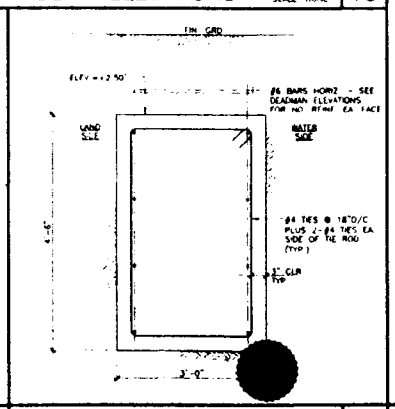
PANEL ELEV SCALE: 1/2" = 1'-0" 5



PANEL SECTIONS SCALE: 1" = 1'-0" 1



TYPICAL CROSS SECTION 13



DEADMAN SECTION 9

CITY OF NEWPORT BEACH
PROJECT: SEAWALL CONSTRUCTION
2204 Channel Road
Newport Beach, CA 92663
DESIGNED FOR: MR. ERIK K. ANDERSON
2219 Channel Road, Newport Beach, CA

DESIGNED: AEC Associates

SHEET TITLE: SECTIONS, DETAILS AND ELEVATIONS

DRAWN: JRM
INSPECTED: E.K.
DATE: 4/03
SCALE: AS NOTED
JOB NO.: 7134-03

S-2

AEC Associates
Architecture Engineering Construction

2691 Richter Avenue, Suite 110, Irvine, CA 92606
E-mail aec-ca@msn.com
Telephone : 949/252 9188
Fax : 949/252 9198

April 8, 2003

California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 9802-4302

Attention: Meg Vaughn

Subject: Seawall Project
2210 Channel Road
Newport Beach, California

Dear Ms. Vaughn:

This report is prepared for submittal to you upon the request of Mr. Erick Anderson, the owner of the subject property. The purpose of the report is to address the concerns of the Coastal Commission. AEC Associates' investigations, findings, conclusions and design will be explained in detail in the sections below with titles relating to the Coastal Commission's various concerns.

Existing Seawall

The existing seawall (bulkhead) is located at the east of the subject property as shown on Attachment I, Seawall Plan. It is about three feet six inches east of the property line, outside the property. The top elevation of the cap beam is at 8.2 feet M.S.L. The south end of the subject wall butts into a similar concrete seawall at the adjacent privately owned property. At the north, the seawall ends at a steel sheet pile seawall of the neighboring City owned property. The face of the steel sheet pile wall is located about 24 inches west of the existing wall at 2210 Channel Road.

AEC Associates investigated the structural safety of the existing wall. We visually inspected the wall, and prepared a detailed testing and inspection program. Following were our observations, evaluations and recommendations.

1. The height of the existing seawall is 13.5 feet and the pile penetration in to the soil is only 7.8 feet. The pile penetration to the wall height ratio is unusually low. Our calculations indicated that the safety factor (i.e. capacity/demand) for overturning, which is supposed to be over 1.75, is less than 1.0. The existing seawall is not safe as it is.

2. The wall thickness is only 9 inches and the concrete does not appear to be in good condition. When the 9 inch thickness of the existing wall is compared with the required thickness of 12 inches for the new wall, the existing walls inadequacy becomes apparent.

Because of the above we determine that the existing wall needs either upgrading or replacement.

Engineering Assessment

Alternatives to Replacement

Upon Mr. Anderson's request various alternatives to replacement of the existing wall were considered and found unworkable because of the factors listed below:

- Placement of new longer wall panels behind the existing was considered. However, after discussing the matter with the pile-driving contractor, it was concluded that such an operation could not be possible without damaging the existing wall.

- Placement of new reinforcement sheet piles, to support the embedded part of the existing piles, in the bay a few feet in front of the wall was considered, but found environmentally unacceptable and probably legally impossible.

New Seawall Construction

The existing seawall will be completely removed and replaced with a new wall as shown on Attachments I and II. The new wall will be exactly at the same location of the existing wall, except for the north, which will extend 30'-0" into the adjacent City property. The north end of the wall is designed to align with the northerly seawall and will be offset approximately one foot towards the land side of the existing wall, as shown on Attachment I.

The new seawall will be constructed with 12 inch thick concrete sheet piles. It will have a 1'-10" wide 2'-6" high cap beam and will be supported at the top by tie-backs connected to a deadman. The top of the new cap beam will be at 8.20' M.S.L. (M.L.L.W 10.98') as the existing wall. All geometrical parameters of the new seawall, except for the depth and thickness of sheet piles, will be the same as for the existing seawall. Despite the proposed changes, the new seawall will be placed in the exact location or inland of the existing wall so not to encroach any further into the bay.

Since the new seawall is similar in design and will be placed in the exact location as the existing, no affect is anticipated on coastal process, including shoreline sand supply.

New Seawall Design

The new seawall design is based on the below listed criteria:

- The water table was assumed to be at the lowest estimated tide level –5.23 M.S.L. (-2.5 M.L.L.W.)

- It was assumed that, when the tide is at its lowest level, the water table behind the wall will be 3.00 ft above this level and there will be a 3.00 foot layer of saturated (not drained) soil above it.

- The final grade of the backfill behind the wall will be the same as the top of the cap beam. The load placed over the finish grade (surcharge load) was assumed to be 100 PSF.

The safety factor for the above design criteria was 1.75 for soil bearing pressure and overturning. An additional ultimate design load safety factor of 1.7 was used for the design of concrete and reinforcement.

If you have any question regarding this report, please call the undersigned.

Very truly yours.

REGISTERED PROFESSIONAL ENGINEER
ERGUN KUNTER
No. 1878
STRUCTURAL
STATE OF CALIFORNIA

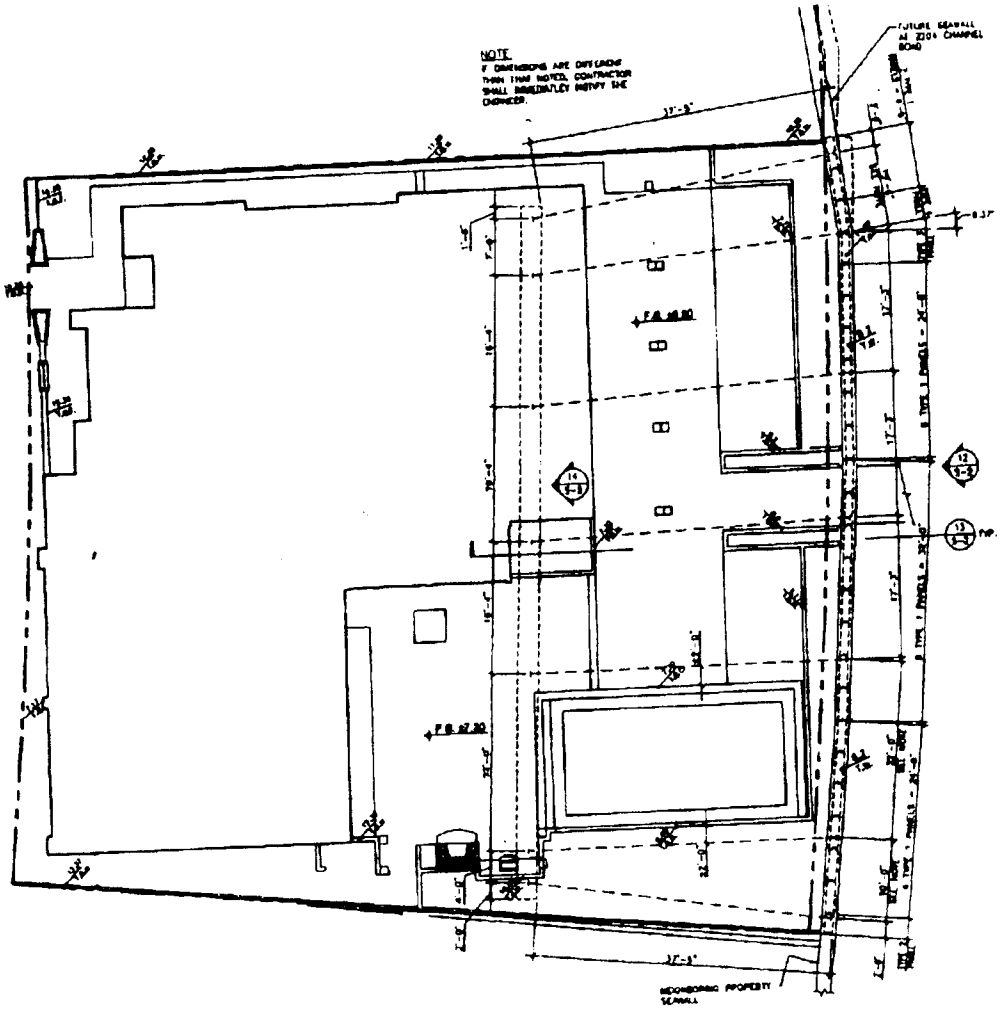
Ergun (Ed) Kunter, S.E.

Enclosures

7134-02\L030408

AEC Associates

Seawall Project
2210 Channel Road
Newport Beach, California
Attachment I



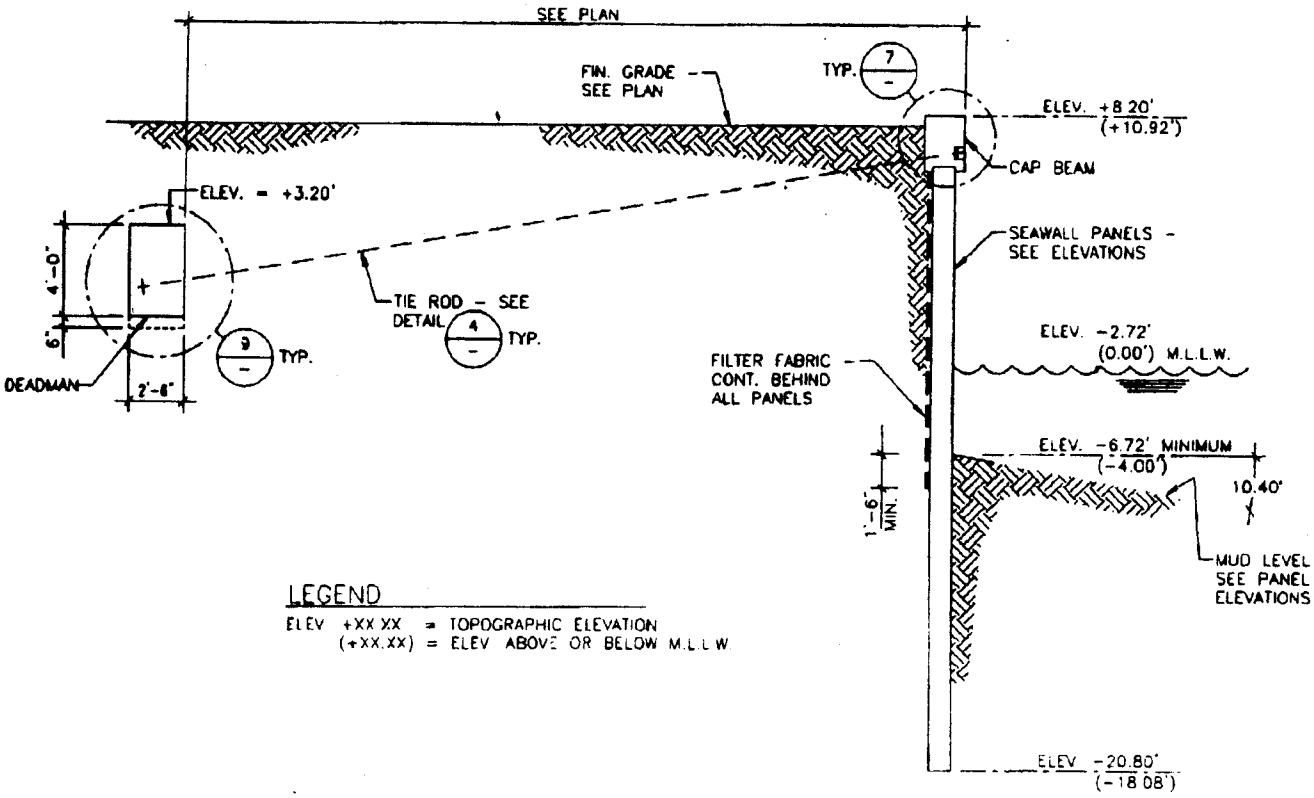
SEAWALL PLAN

NTS

G4

AEC Associates

Seawall Project
2210 Channel Road
Newport Beach, California
Attachment II



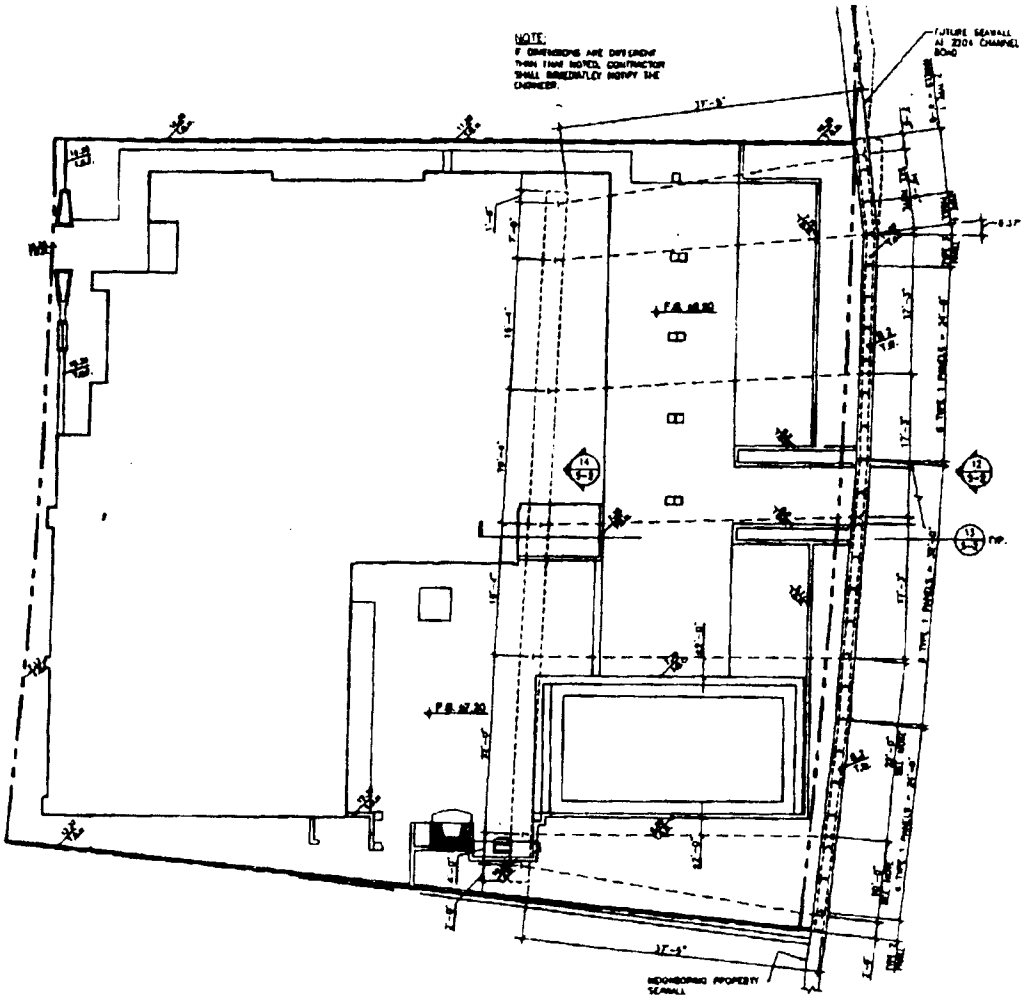
SEAWALL SECTION

NTS

G5

AEC Associates

Seawall Project
2210 Channel Road
Newport Beach, California
Attachment I



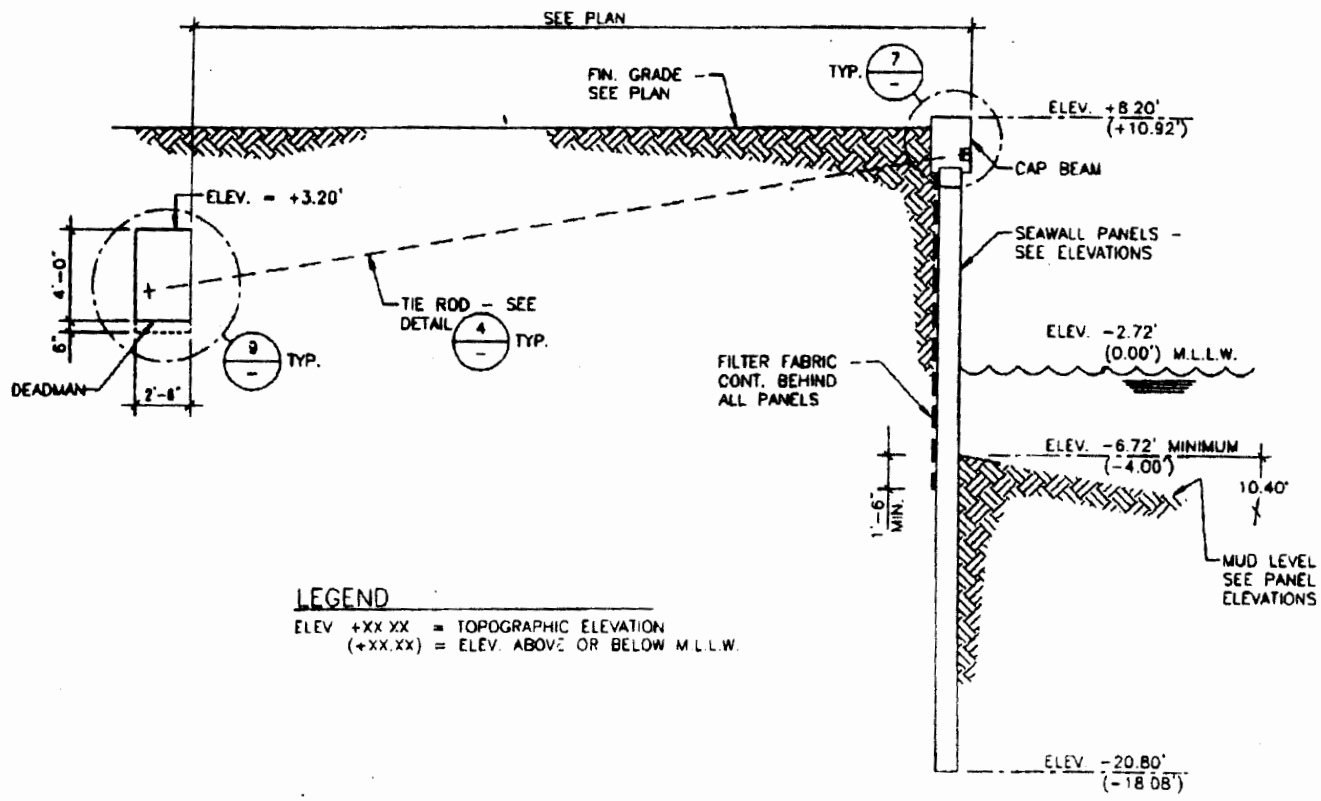
SEAWALL PLAN

NTS

G6

AEC Associates

Seawall Project
2210 Channel Road
Newport Beach, California
Attachment II



SEAWALL SECTION

NTS

G7

Construction Methods

4/9/03

The new seawall will be constructed within the footprint or landward of the existing seawall. Shellmaker, Inc provided the following narrative of construction techniques:

Construction will be conducted from both land and from the waterside of the project area. Vessels and/or barges used during the project will not require anchoring.

Following the demolition of the existing house and structures on the property, the area inshore of the existing seawall will be excavated to the offshore mud line excavation. This excavation will extend approximately 6 feet inshore from the alignment of the existing seawall and slope up to the present elevation of the lot on a 1.5 to 1 slope. All spoil material will be set inshore of the seawall and will not come in contact with bay waters.

The existing seawall will be removed using a land-based crane. The concrete in the existing wall will be sent to a recycler to be crushed for road base and the steel reinforcing recovered will be recycled.

A template will be setup on the alignment of the new wall and the new panels will be jetted into place. After the panels are jetted into place, the tongue and groove interlocking joints will be grouted with concrete to create a seal and the inshore side of the joints will be furthered sealed with filter cloth. The top of the wall is then formed and a concrete coping or bond beam is cast connecting all of the sheet pile panels.

Following the completion of these tasks, an excavation will be made approximately 30 feet inshore of the new seawall to cast a "dead-man" approximately 1.5 feet thick and 3 feet high, nearly the length of the wall. Steel tiebacks, encased in plastic pipe and grouted are then connected from the dead-man to the coping.

Finally, the excavation inshore of the new seawall and the area of the dead-man is backfilled and compacted. During the backfilling and compaction, the tiebacks are tensioned as required.

It is not anticipated that any barges will be used other than small work platforms to either catch debris or to hold equipment. When necessary, a silt curtain will be deployed to contain and turbidity.

-End of Narrative-

CITY OF NEWPORT BEACH

Harbor Resources Division
829 Harbor Island Drive
Newport Beach, CA 92660

RECEIVED
South Coast Region
MAY 9 2003
CALIFORNIA
COASTAL COMMISSION

May 8, 2003
California Coastal Commission
Attn.: Meg Vaughn, Staff Analyst
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

Re.: Coastal Development Permit Application Number 5-02-174
Erik Anderson Residence
2210 Channel Road, Newport Beach, Orange County

Dear Ms. Vaughn,

The City of Newport Beach, Harbor Resources Division requested the City's Harbor Commission to consider a request from the homeowner at 2210 Channel Road to rebuild his bulkhead. After considering several options, the Harbor Commission approved on, February 12, 2003, issuance of an Approval in Concept for the project as presented to the Coastal Commission for further approval.

We recognize that the bulkhead will be built in its present location which is 3 and ½ feet bayward of the bulkhead line and which was previously permitted by the City of Newport Beach in the late 1950's. This position provides for alignment with adjacent bulkheads including a bulkhead on City property which is in poor condition. The homeowner has proposed to rebuild the bulkhead on the adjacent City parcel and the City has concurred with this proposal. The City is in the process of finalizing an Encroachment Agreement that will formalize this concurrence. A draft of the Encroachment Agreement is attached. The City is waiting to execute this agreement pending any special conditions that may be imposed by action of your Commission.

The City of Newport Beach concurs in moving forward with this project and prefers to coordinate the project with the property owner through the terms of the Encroachment Agreement rather than sign the Coastal Development Permit Application as co-applicant.

Thank you for your assistance in processing this Coastal Development Permit. If you have any questions, please call me at (949) 644-3041.

Sincerely,

Tom Rossmiller

Tom Rossmiller
Harbor Resources Manager

Attachment: Final Draft Encroachment Agreement
Cc: Charlie Williams, Morris Skenderian & Associates

COASTAL COMMISSION
5-02-174
EXHIBIT # I
PAGE 1 OF 1

COASTAL COMMISSION
5-02-174
EXHIBIT # J
PAGE 1 OF 1

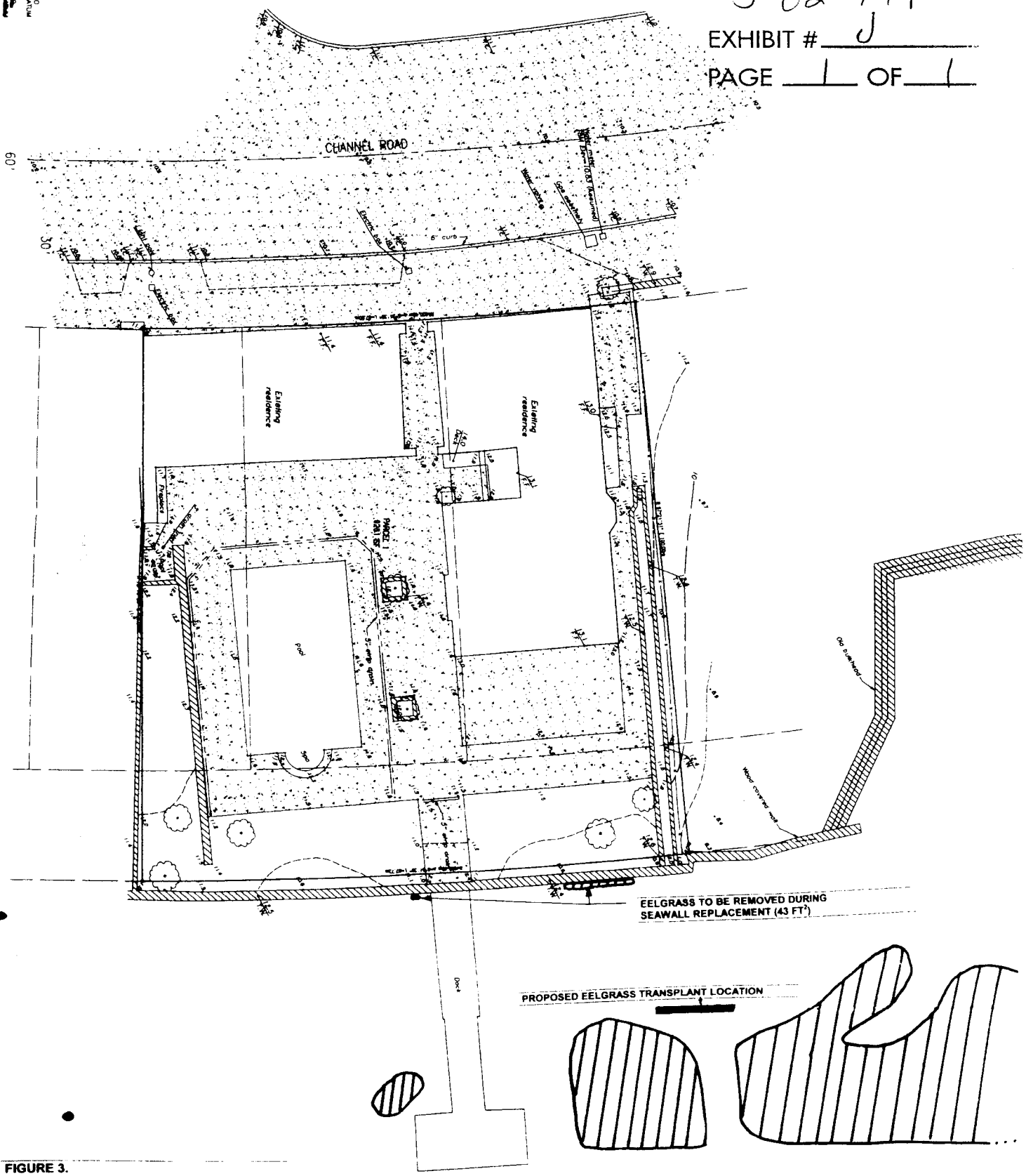


FIGURE 3.
LOCATION OF EELGRASS BEDS
SEAWALL REPLACEMENT PROJECT
2210 CHANNEL DRIVE
NEWPORT BEACH, CA

Map Source: MSA, Inc.

LEGEND:
EELGRASS

SCALE 1/8"=1'
N