CALIFORNIA COASTAL COMMISSION
South Coast Area Office
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November 7, 2007

W 16a

ADDENDUM

To: Commissioners & Interested Persons

From: South Coast District Staff

Re: Commission Meeting of Wednesday November 14, 2007, Item W 16a, Huntington Beach LCP Amendment 1-06 (Parkside), Huntington Beach, Orange County.

A. Exhibit BBBB

Exhibit BBBB "Public Access in the Parkside Vicinity" was not attached to the staff report. It is attached to this addendum.

B. Additional Documents

1. Water Availability Estimates for the EPA Area at the Shea Homes Property, prepared at the request of Shea Homes by Doug Hamilton, Exponent, dated October 5, 2007.
2. Neighbors for Wintersburg Wetlands Restoration, Vegetation Survey of the WP area prepared by Mark Bixby, letter dated 7/8/07

C. Correspondence Received

1. Bolsa Chica Land Trust, letter dated 7/30/07 to the City of Huntington Beach regarding scheduling of a new local public hearing.
2. City of Huntington Beach, letter dated 8/14/07 responding to the Bolsa Chica Land Trust letter referenced above.
3. Bolsa Chica Land Trust, letter dated 6/25/07, regarding unpermitted fill at the subject site.
4. Bolsa Chica Land Trust, letter dated 11/7/07 opposing LCPA 1-06 as submitted and supporting the staff recommendation.
5. Amigos de Bolsa Chica, letter dated 11/6/07 opposing LCPA 1-06 as submitted and supporting the staff recommendation.
6. Jerome Mandich, Email received 11/7/07 supporting the LCPA as submitted

Letters received since the staff report was mailed through 11/7/07, all opposed to LCPA as submitted.

Commission staff also received one phone call from Stephen Ferry supporting the Bolsa Chica and supporting adoption of the staff recommendation at the November 2007 hearing.

Public Access in Parkside Vicinity

Future Levee Trail

Approved Brightwater Trails

Bolsa Chica Ecological Reserve Interpretive Points and Public Parking

Existing Informal Trail

EXHIBIT BBBB
Page 1 of 1
Application Number:
HNB LCPA 1-06
California Coastal Commission

Exponent
Failure Analysis Associates®

Technical Memorandum

Water Availability Estimates for the EPA Area at the Shea Homes Property

Prepared for

Mr. Ron Metzler
Shea Homes
603 South Valencia Avenue
Brea, CA 92823

Prepared by

Doug Hamilton
Exponent
320 Goddard, Suite 200
Irvine, CA 92618

October 5, 2007

REGISTERED PROFESSIONAL ENGINEER
DOUGLAS HAMILTON
C 42210
EXP 03/31/09
CIVIL
STATE OF CALIFORNIA

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Doc No. NB10244.006 A0T0 0907 TTC1

Executive Summary

The analysis presented herein is a water balance created to calculate the maximum amount of water that is available on an annual basis to an approximately 8-acre area at the northwest corner of the Shea Homes property, formerly delineated by the EPA as a wetland. The objective of this water balance is to use available data (e.g., rainfall records, soils and land use information, and water demand of wetland plants) for the 8-acre area to create an accounting system that tracks the rainfall, infiltration losses, and contributing runoff to quantify the maximum amount of water that is available to wetland plants. If the long-term maximum amount of available water based on rainfall, infiltration losses, and runoff is less than the amount of water necessary for wetland plants to survive, then the area does not have sufficient water to support a wetland. More complex analyses that consider factors such as estimates for evaporation (over ponded locations), and transpiration (release of water vapor from vegetation) are excluded. This makes the water availability calculations presented in this report conservative over-estimates of the actual amount of water available for assessment of wetland viability.

Financial Accounting Analogy to Hydrologic Water Balance

The hydrologic water balance presented in this memorandum can be compared to a financial accounting system, similar to a standard checking account. Income or deposits to an account are similar to the inflow of rain and runoff over a watershed area. Expenses or withdrawals from an account are similar to the infiltration losses (absorption of water by soil) and other watershed losses experienced on the natural landscape. When one balances an account, determining the difference between deposits and withdrawals, the total remaining in the account is analogous to the maximum water availability in the watershed. Periods of high income and/or low expenses correspond to high savings; whereas periods of low income and/or high expenses correspond to lower savings. Similarly, periods of high amounts of rainfall generally correspond to periods when the water availability is greatest in a watershed, and periods of low rainfall correspond to periods when the water availability is lower. To be fiscally conservative, one would want to

keep expenses both realistic and proportional to one's income in order to maximize one's savings. As such, in this water balance, conservatively low infiltration loss rates are selected based on published values, and losses are taken to be proportional to the rainfall totals recorded to estimate the maximum possible water availability.

Summary of Results of Water Balance

The results from all drainage area conditions indicate that while there are occasional years when the water availability estimates exceed the threshold value of 24.6 inches (the minimum water demand for wetland plants), in the majority of years this is not the case. The percentage of years when the water availability estimates are less than 24.6 inches ranges from a low of 72.3 percent to a high of 91.5 percent for the various drainage area conditions. Table 1 provides a summary of the results.

Table 1. Summary of water availability estimates.

Watershed Condition	Median Water Availability in	Years with Available Water Greater Than or Equal to 24.6 inches	Years with Available Water Less Than 24.6 inches	Maximum Water Available for this Watershed Condition in	Minimum Water Available for this Watershed Condition in
1970	13.86	14.9%	85.1%	35.09	4.10
1980	14.23	17.0%	83.0%	36.02	4.20
1980a	18.80	27.7%	72.3%	47.60	5.56
1997	11.60	8.5%	91.5%	29.37	3.43
2005	14.07	17.0%	83.0%	35.62	4.16

Water Availability Estimates for the EPA Area at the Shea Homes Property

Introduction

Exponent was requested to revisit the October 2006 studies of the annual availability of water to potential ponding areas located at the Shea Homes property. The objectives of the current work include using daily precipitation data for a 47-year period of record, as opposed to a 29-year subset, evaluating the relevancy of incorporating evapotranspiration losses in the calculation of water availability, considering the 8-acre EPA area paired with four different corresponding contributing watershed areas, and analyzing one scenario with the 8-acre EPA area paired with watershed areas with different loss rates. Ultimately, the goal of this work is to determine the median water availability estimates at the 8-acre potential ponding area for each of the five drainage area scenarios.

Previous Work

In October 2006, Exponent presented annual water availability estimates for three conditions at the Shea Homes site: WP Post-2005[1], WP Pre-2005[2], and CP Pre-2005[3]. Each condition had a unique pairing of direct and contributing watershed areas, summarized in Table 2. A schematic illustrating the types of areas and values included in the annual water availability estimates is presented in Figure 1.

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[1] "Water Availability Estimate for WP Post-2005 Area", Exponent Technical Memorandum, D. Hamilton, October 31, 2006.

[2] "Water Availability Estimate for WP Pre-2005 Area", Exponent Technical Memorandum, D. Hamilton, October 31, 2006.

[3] "Water Availability Estimate for CP Pre-2005 Area", Exponent Technical Memorandum, D. Hamilton, October 31, 2006.

Table 2. Summary of direct and contributing watershed areas.

Condition	Direct Area Acres	Contributing Watershed Area acres
WP Post-2005	0.97	1.57
WP Pre-2005	0.97	2.67
CP Pre-2005	1.00	8.23

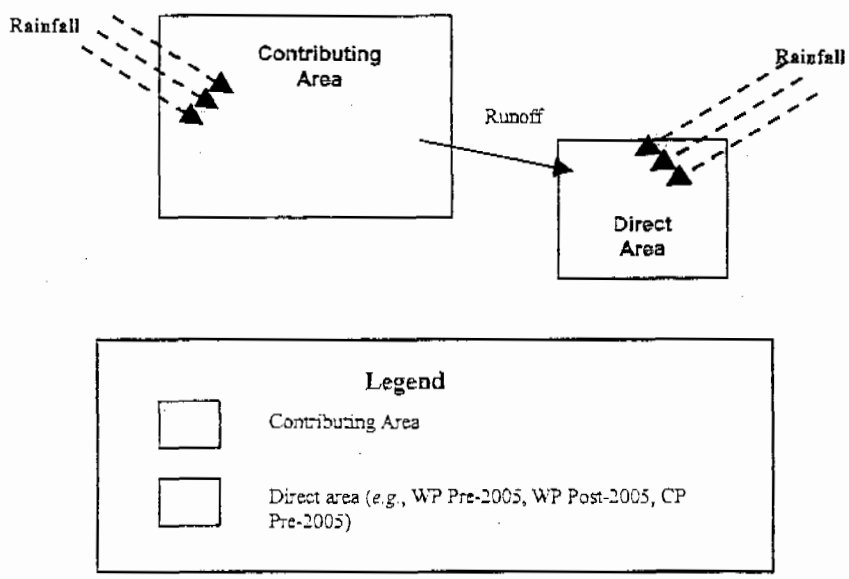

Figure 1. Schematic of areas and input included in October 2006 Exponent water availability estimates.

Hourly rainfall data from the Long Beach Daugherty Gage from 1977 to 2005 (29-year period of record) and a loss rate of 0.2 inches/hour (conservatively selected for Soil Group D) published in the Orange County Hydrology Manual were used to calculate the water availability for these conditions. Figure 2 shows the annual rainfall depths recorded at the Daugherty Gage.

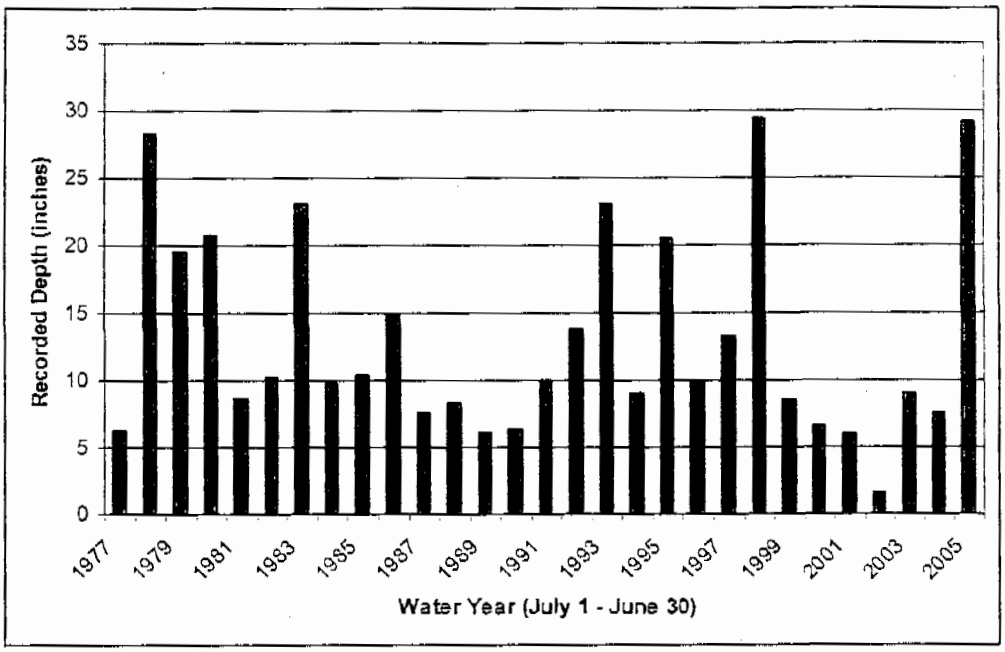

Figure 2. Total annual rainfall at Long Beach Daugherty Gage.

The total amount of water available to the direct area was determined by adding the volume of rainfall that fell on the direct area to the volume of water that flowed as runoff from the contributing watershed area to the direct area. The annual available water was calculated using the growing season definition of a water year beginning July 1 of the previous year and ending June 30 of the designated year. For example, the 2005 water year begins July 1, 2004 and ends June 30, 2005.

A summary of the results of this study can be found in Table 3. These results illustrated the variability in water availability based on the measurements for the direct and contributing watershed areas. Overall, the median annual available water estimates ranged from 11.53 inches to 20.81 inches. Importantly, the average rainfall loss incurred over the period of record was approximately 87 percent. This loss varied from about 80 percent to about 97 percent for 28 out of 29 years. The exception was 63.9 percent in 1978. The spread of the loss is fairly narrow, and the mean (86.8 percent) and median (87.2 percent) are very close together. Because

the variability across years is very small, the use of a single average value is appropriate. This observation was applied to the current analysis, assuming that for most years, the average rainfall loss values would be close to 87 percent.

Table 3. Summary of results from October 2006 Exponent Water Availability Estimates.

Condition	Median	Maximum	Year of Maximum	Minimum	Year of Minimum
	In	in		in	
WP Post-2005	11.53	44.81	1978	1.89	2002
WP Pre-2005	13.25	56.40	1978	2.12	2002
CP Pre-2005	20.81	112.38	1978	3.22	2002

Using the wetland plant water needs in the Glenn Lukos Associates October 2006 memorandum[4] to Coastal Commission staff, the minimum available water required of wetland vegetation was 24.6 inches per year, based on the annual wetland plant species with the lowest water demands. Perennial wetland species require about twice as much water, or more, per year. These results indicated that wetland species would not be supported based on the surface water availability estimates, in the majority of years.

Current Analysis

As in the October 2006 analysis, the total amount of water available to the potential wetland area (analogous to the direct area in the previous study) is calculated by adding the volume of rainfall over the potential ponding area to the volume of water that flows as runoff from the contributing watershed area to the potential ponding area. The important differences between the previous and current studies relate to the precipitation and loss data available and the defined potential ponding area and contributing watershed areas.

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[4] "Water Balance/Budget for WP and CP and Evaluation of Vegetation in WP and AP using Prevalence Index", Glen Lukos Associates memorandum to Dr. J. Dixon, and M. Vaughn, T. Bomkamp, October 31, 2006.

Precipitation Data

In the current analysis, a key objective is to expand the climatic period of record considered in order to obtain a broader understanding of the conditions at the potential ponding site over a longer time period. In doing so, daily rainfall data from the Orange County Los Alamitos Gage record for 1959 to 2005 is used. Figure 3 shows the annual rainfall depths recorded at the Los Alamitos Gage.

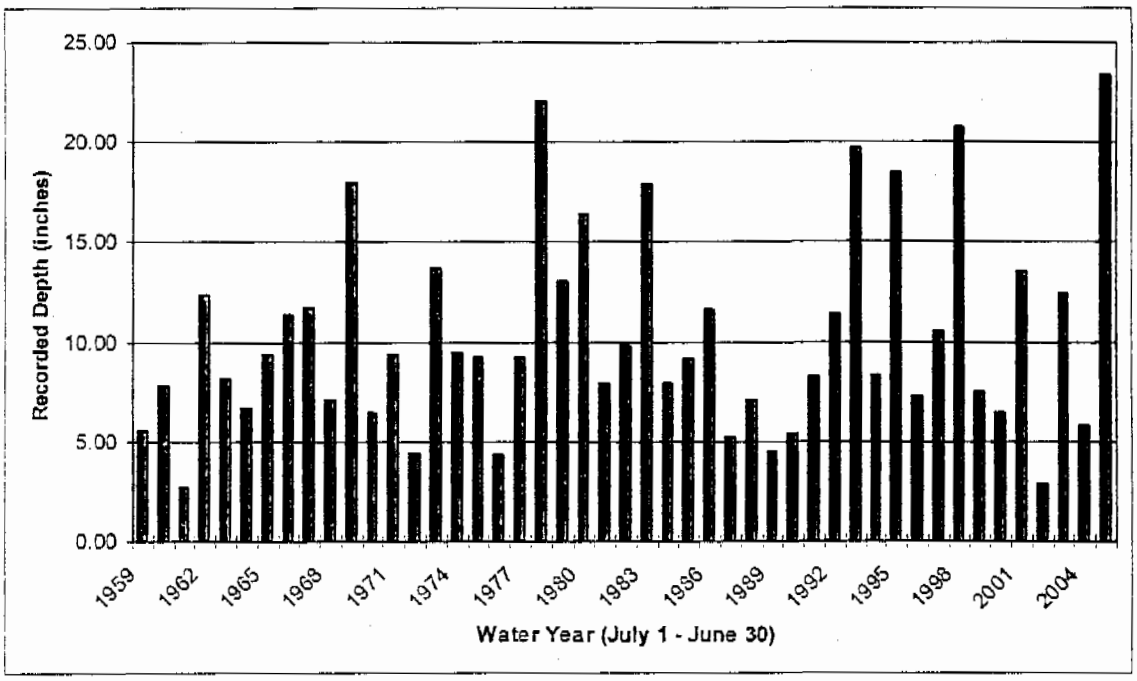

Figure 3. Total annual rainfall at Orange County Los Alamitos Gage.

Comparing the time period when the Long Beach (hourly, summed to daily) and Orange County (daily) precipitation gage records overlap, the recorded depths at the Long Beach gage are generally slightly higher than those at the Orange County gage. The Long Beach gage recorded depth is less than that recorded at the Orange County gage for only four of the years when the gage records overlap. In general, however, the magnitudes of the recorded values are similar. Figure 4 presents a comparison of the annual precipitation totals at each of the gages.

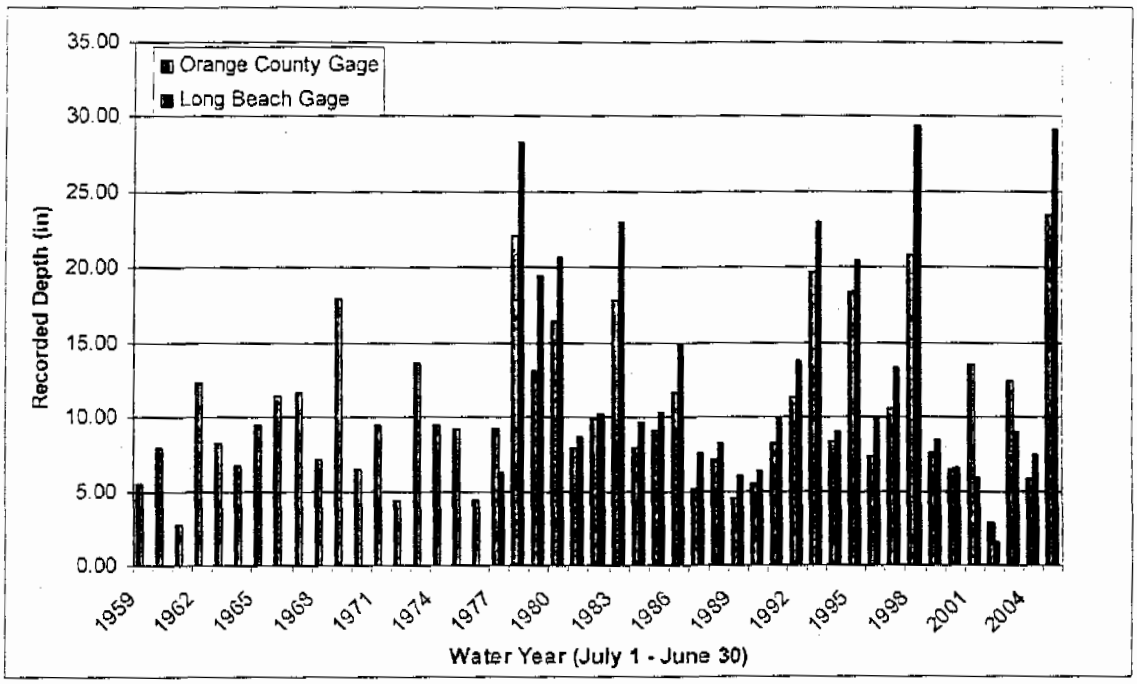

Figure 4. Comparison of recorded precipitation depths at Long Beach Daugherty and Orange County Los Alamitos gages.

Infiltration Losses

To account for infiltration losses, it was not possible to directly incorporate the hourly loss rate published in the Orange County Hydrology Manual since the available data from the Los Alamitos Gage is recorded daily. Therefore, the results from the previous work with hourly rainfall data from Long Beach were consulted. The calculations from the October 2006 study indicate that over the 29-year period of record, approximately 87 percent of rainfall is lost as infiltration.

Since the climatic conditions at both gages are not decidedly different, as evidenced by the similarity in the magnitudes of the recorded precipitation values and the geographic proximity of the gages, it is expected that the intensities of the storm events would generally be similar at both locales. The intensity of a given storm event contributes to the amount of infiltration losses. To maintain consistency with the Long Beach work and to objectively apply losses to

the daily data, an 87 percent average rainfall loss was applied to calculate the excess water available for runoff from all of the contributing watershed areas for the 1970, 1980, 1997, and 2005 drainage area conditions.

The 1980 drainage area condition is of particular interest because the extent of potential wetlands were based on the 1980 topography, in conjunction with two aerial photographs from March 1982, analyzed by Thomas Bilhorn[5]. An alternate evaluation of the runoff conditions is considered for the 1980 drainage areas and is referred to as the 1980a scenario. In this case, because of the possibility that runoff from the 22-acre Cabo del Mar area could have been higher due to the modifications in soil conditions resulting from construction occurring at the site, two different loss rates are applied to the contributing watershed areas. An 87 percent average loss, based on a 0.2 inch/hour loss rate, is applied to the tributary area, and a 69 percent average loss is applied to the Cabo del Mar diversion. This new loss rate is determined by conservatively assuming a 0.1 inch/hour loss rate for storm events recorded at the Long Beach precipitation gage. (This assumes a loss rate that is 50 percent lower than estimated for Soil Group D in the Orange County Hydrology Manual.) Over the period of record at the Long Beach gage, the average loss is approximately 69 percent.

Potential Evaporation

It should be noted that incorporating potential evapotranspiration losses in this water balance was also considered; however, it was not included in this analysis. Evapotranspiration is a process by which water (in liquid or solid phase) stored on the land surface – in open bodies of water, plant leaves, exposed soil, *etc.* is converted to water vapor. It is a complicated value to estimate, dependent on many factors including wind, vapor pressure, relative humidity, solar radiation, air temperature, and water availability. Thus, it is difficult to accurately account for and incorporate such losses in a simple water balance model with readily available data. In any

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[5] "Agricultural Area Delineation, Bolsa Chica, Orange County, California", Prepared for the Signal Bolsa Corporation, T. W. Bilhorn, 1987.

case, including evapotranspiration losses would serve to further reduce the water available to the potential ponding area. Therefore, the water availability estimates presented here are conservative estimates of the annual maximum water availability.

Analysis

Once the annual water availability estimates were calculated for each drainage area scenario, the median water availability was determined. The median value corresponds to the 50th percentile of water availability estimates. At the median of a population of values, one half of the values are greater than the median value and the second half of the values are less than the median.

Wetland delineation authorities, including the California Coastal Commission, have stated that any wetland criterion must be exhibited in an area in the majority of years. For the particular criterion of water availability, the test is water availability of 24.6 inches or more in a majority of years for the most drought tolerant annual wetland indicator species with an indicator status of Facultative (FAC) or wetter. In this study, this criterion is evaluated with the median water availability, defined to be the value such that half of the years considered would have a water availability estimate greater than the median, and half of the years considered would have a water availability estimate less than the median. If the median value is greater than 24.6 inches, more than half of the years would have a water availability of 24.6 inches or more; conversely, if the median is less than 24.6 inches, less than half of the years would have a water availability of 24.6 inches or more. Thus the median water availability measures whether favorable conditions would exist for the most drought tolerant wetland indicator species to be sustained in a majority of years. To meet the threshold water availability value required for wetland vegetation to grow in a majority of years, the median water availability must be greater than 24.6 inches.

Water Availability Estimates

In this analysis, five different drainage scenarios are considered. Four of the scenarios (for 1970, 1980, 1997, and 2005) are evaluated based on drainage area maps prepared by Hunsaker

and Associates for the Shea Homes property, delineating various drainages at the site based on land use conditions from those years. In these scenarios an 87 percent average rainfall loss is applied to all of the contributing drainage areas. A fifth scenario, labeled as 1980a, assumes different average rainfall losses for two different soil conditions at the tributary and off-site drainage areas, as previously described. In all five scenarios, an 8-acre potential ponding area coupled with different contributing watershed areas are studied. The drainage area maps are shown as Figures 5 through 9. Using the areas shown on these plans and a nominal 8-acre potential ponding area, the watershed area contributing runoff to the potential ponding area for each map is calculated. Also included in the calculations, but not shown on the maps of the contributing watershed areas for 1970, 1980, 1997, and 2005, are the temporary contributions of runoff diverted from the Harbor Bluffs alone (5 acres) and the Harbor Bluffs plus Cabo del Mar (22 acres) off-site areas. These temporary diversions were 5 acres under the 1970 drainage area condition and 22 acres under the 1980 drainage area condition. The latter scenario is investigated as 1980a. A general schematic illustrating the relationships among the areas used in the calculation of the water availability estimates is shown in Figure 10.

Additionally, for each of the five scenarios, an estimated tributary watershed area was calculated that would generate a median water availability of 24.6 inches of rainfall based on the total areas determined from the Hunsaker and Associates drainage area maps. A summary of the areas used for each scenario is shown in Table 4.

Table 4. Area summaries for four scenarios evaluated using Los Alamitos Gage data.

Condition	Total Area	Contributing Watershed Areas		Direct Area
		Tributary Area	Off-Site Area	
	Acres	Acres	acres	acres
1970	38.77	25.77	5.00	8.00
1980	41.23	11.23	22.00	8.00
1997	23.74	15.74	0.00	8.00
2005	40.17	32.17	0.00	8.00

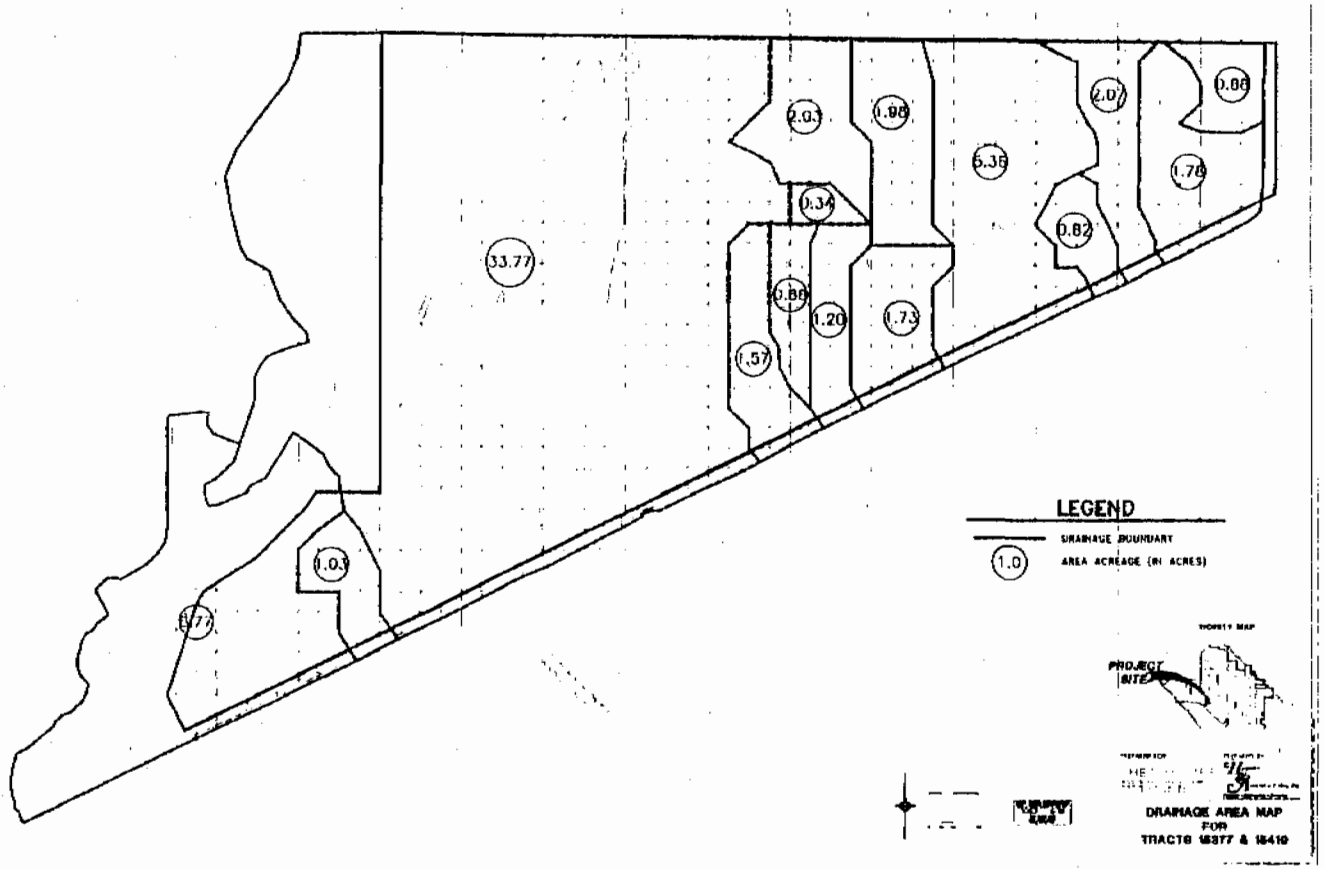


Figure 5. 1970 Hunsaker and Associates drainage area map. Total drainage area: 33.77 acres plus 5-acre diversion from north (not illustrated) = 38.77 acres.

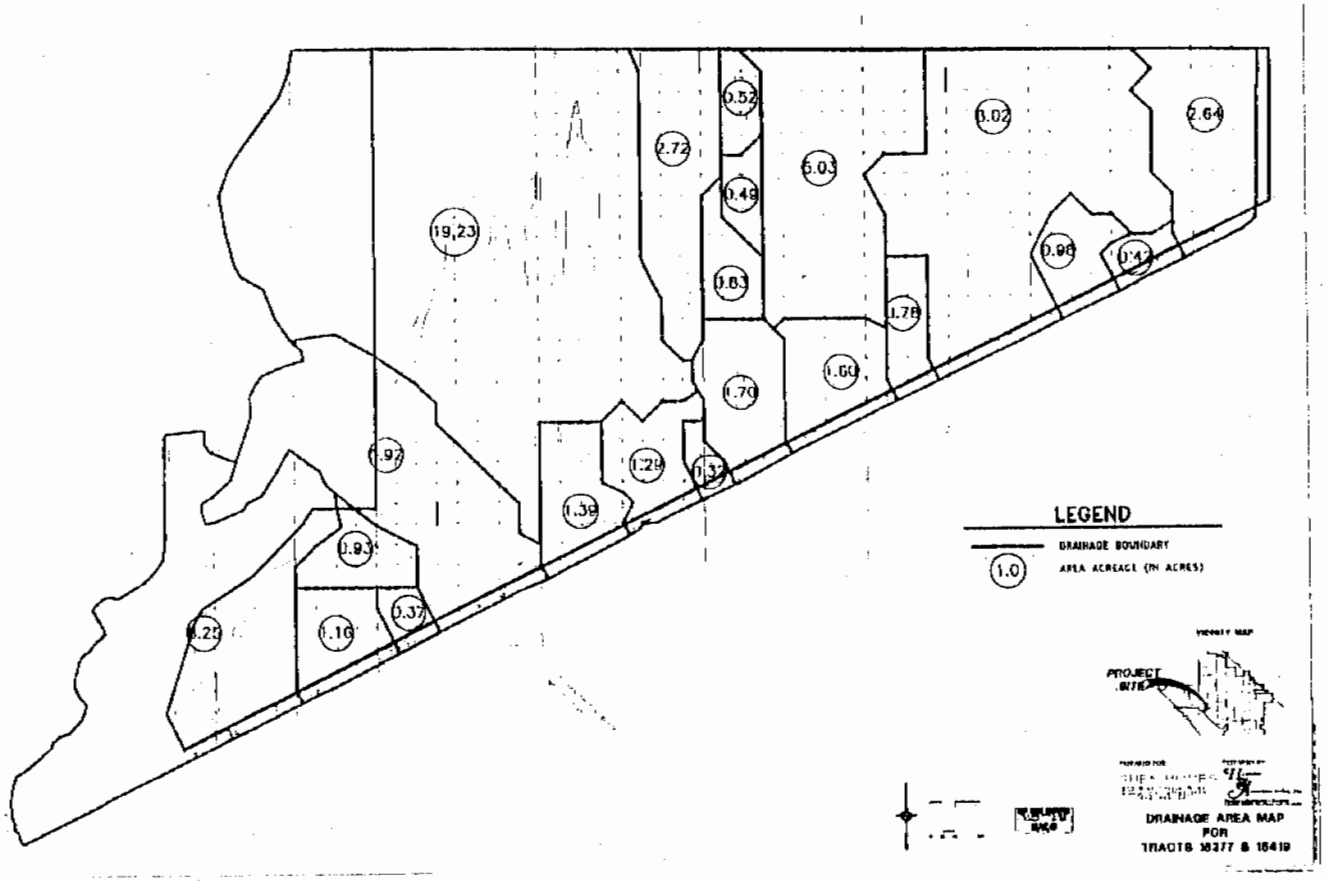


Figure 6. 1980 Hunsaker and Associates drainage area map. Total drainage area: 19.23 acres plus 22-acre diversion from north (not illustrated) = 41.23 acres.

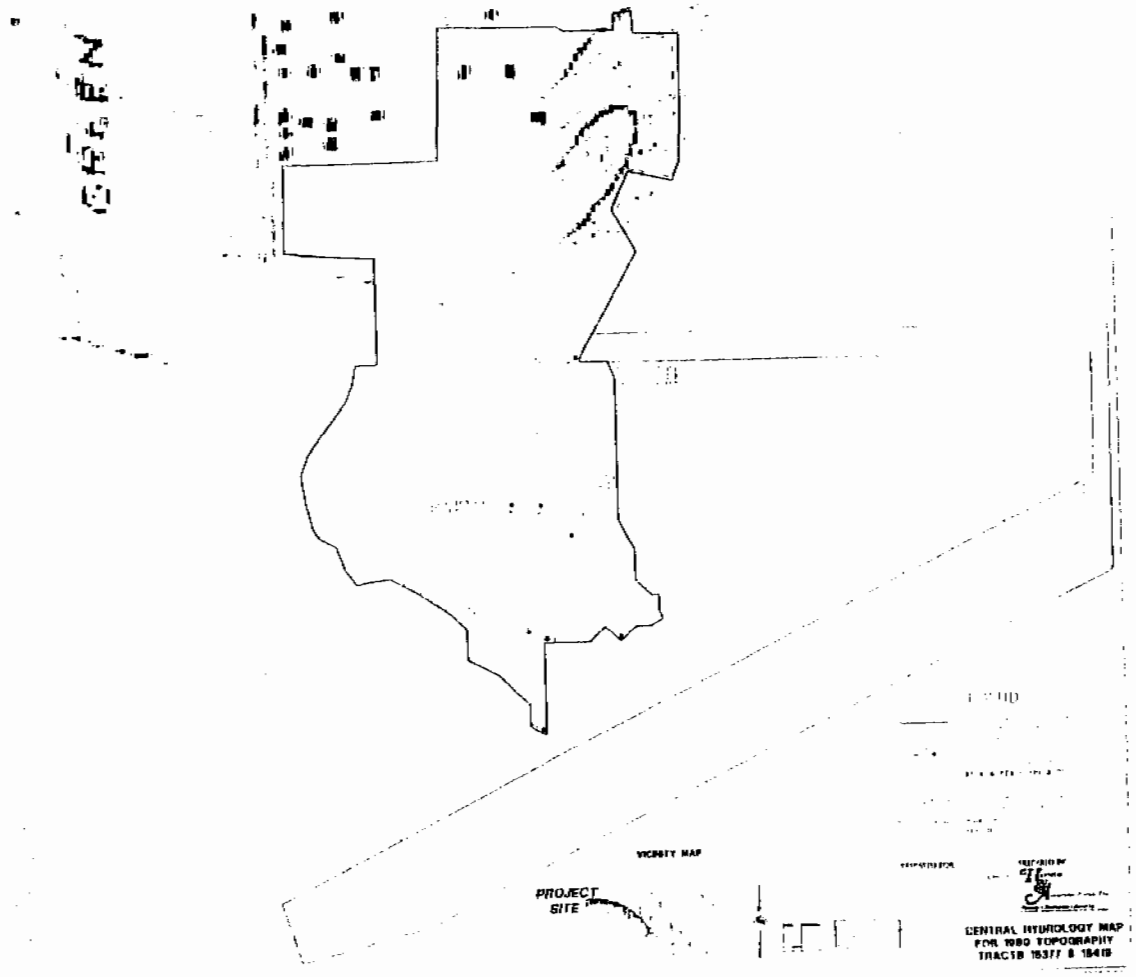


Figure 7. 1980a Hunsaker and Associates drainage area map. Black line delineates total drainage area. Total drainage area: 19.23 acres plus 22-acre diversion from north (illustrated) = 41.23 acres. Infiltration loss of 87% applied to 11.23-acre tributary area, and 69% applied to 22-acre off-site tributary area.

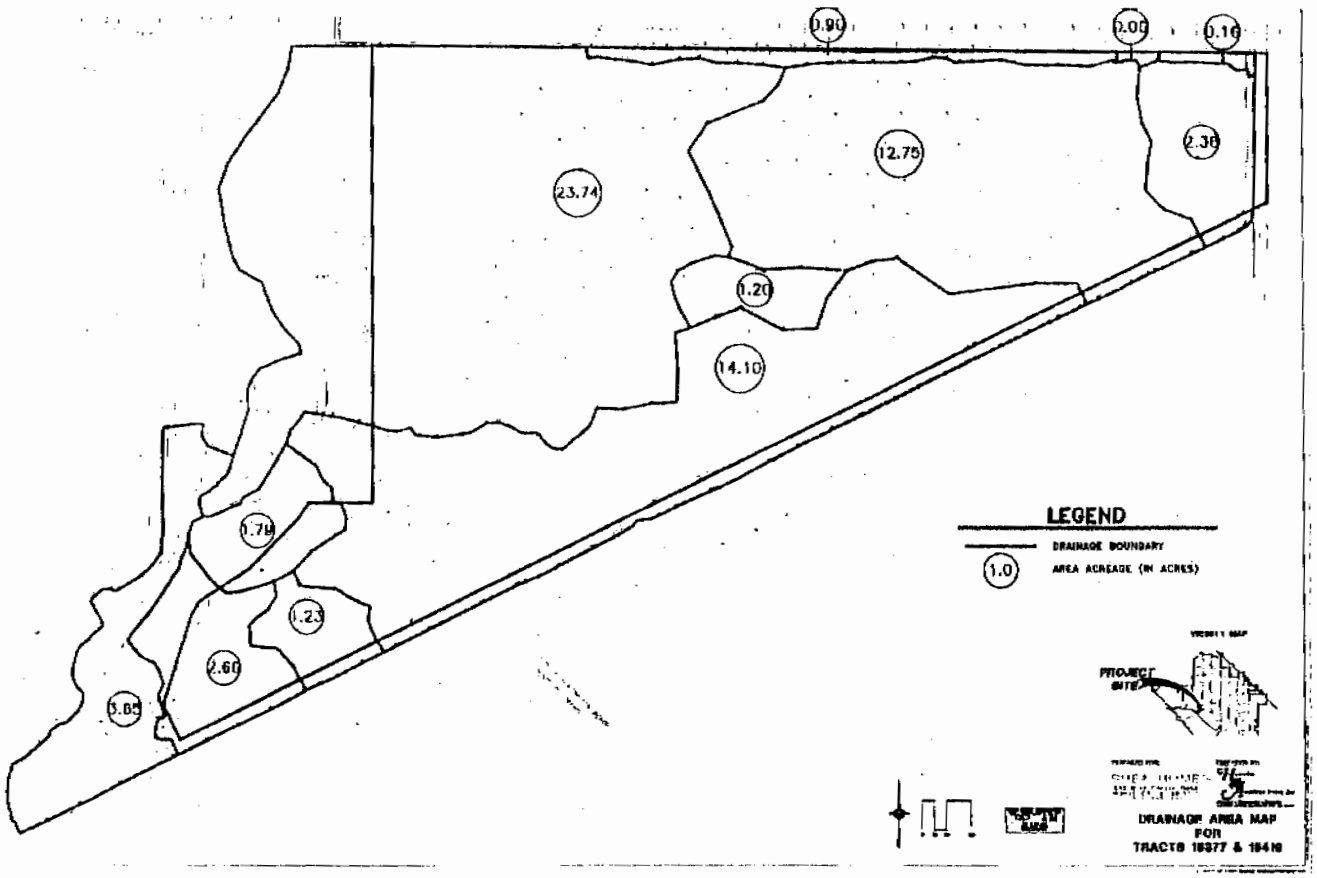


Figure 8. 1997 Hunsaker and Associates drainage area map. Total drainage area: 23.74 acres.

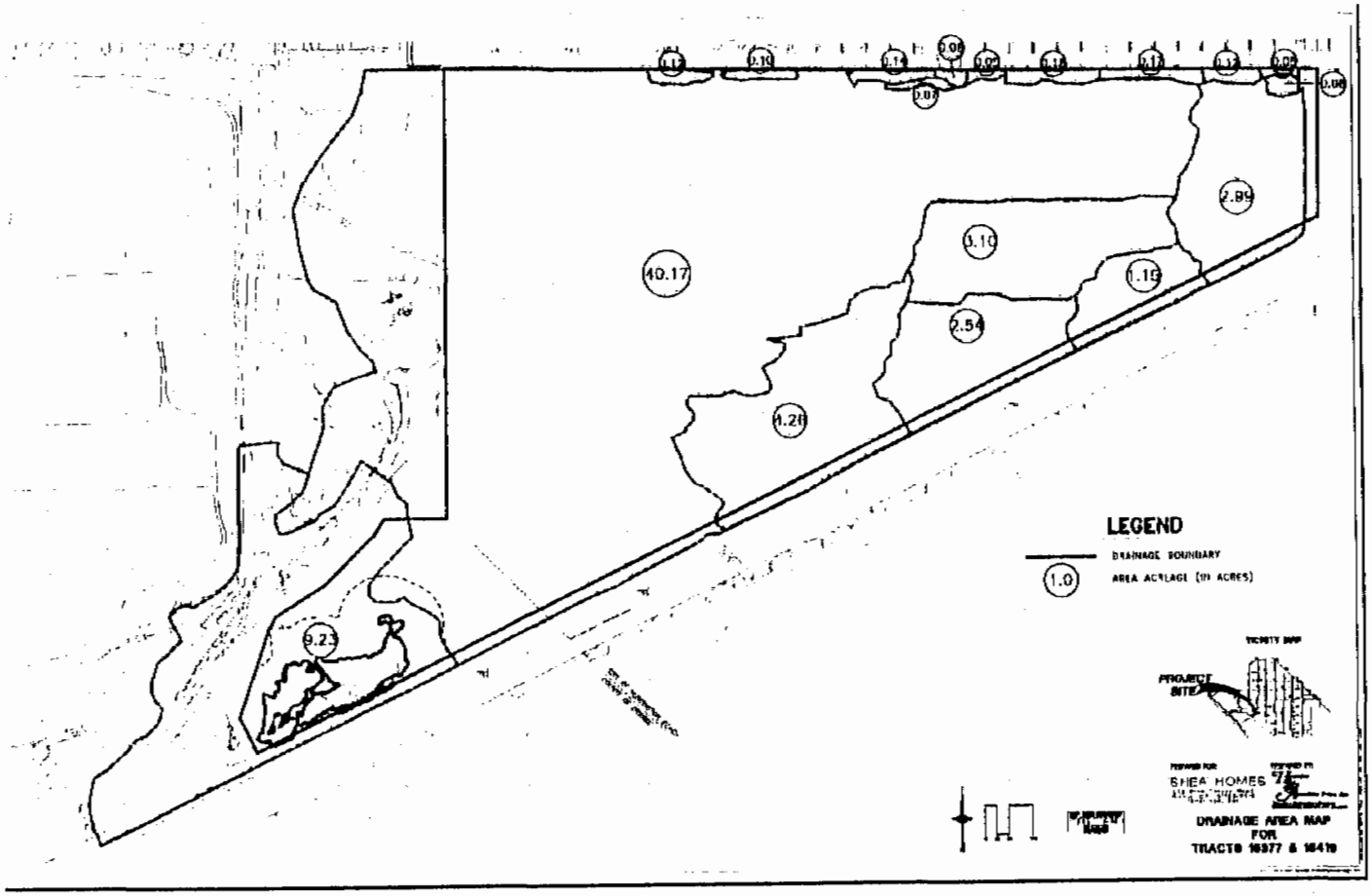


Figure 9. 2005 Hunsaker and Associates drainage area map. Drainage area 40.17 acres.

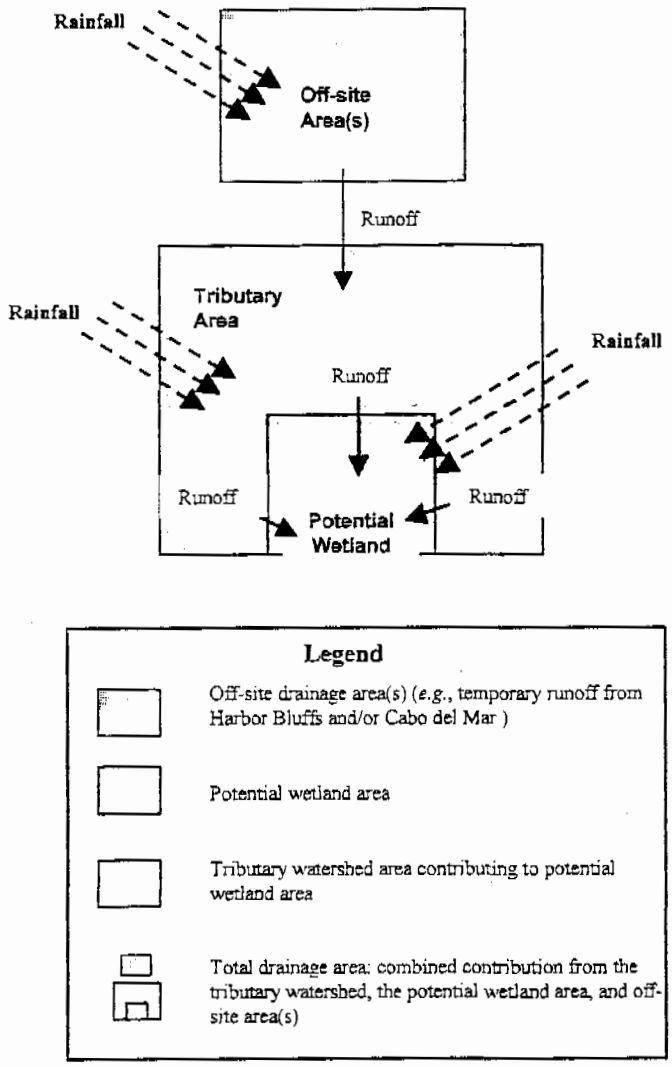


Figure 10. Schematic of areas and input included in September 2007 Exponent water availability estimates.

1970

The 1970 drainage area scenario has a total area of 38.77 acres, of which 25.77 acres are from the tributary drainage area, 5 acres are temporarily diverted from the Harbor Bluffs development, and 8 acres are designated as the potential ponding area. Figure 11 presents the annual water availability estimates for the 1970 scenario. The median water availability is 13.86 inches. The annual water availability ranges from a high of 35.09 inches in 2005 to a low of 4.10 inches in 1961. The water availability in 1970 is 9.66 inches, below the median for the period of record and less than the minimum 24.6 inches required for wetland vegetation. Of the 47 years analyzed, 85.1 percent of years have a water availability estimate less than or equal to 24.6 inches. Only seven years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 2.81-acre potential ponding area, with a 35.96-acre drainage area, would have a median water availability of 24.6 inches.

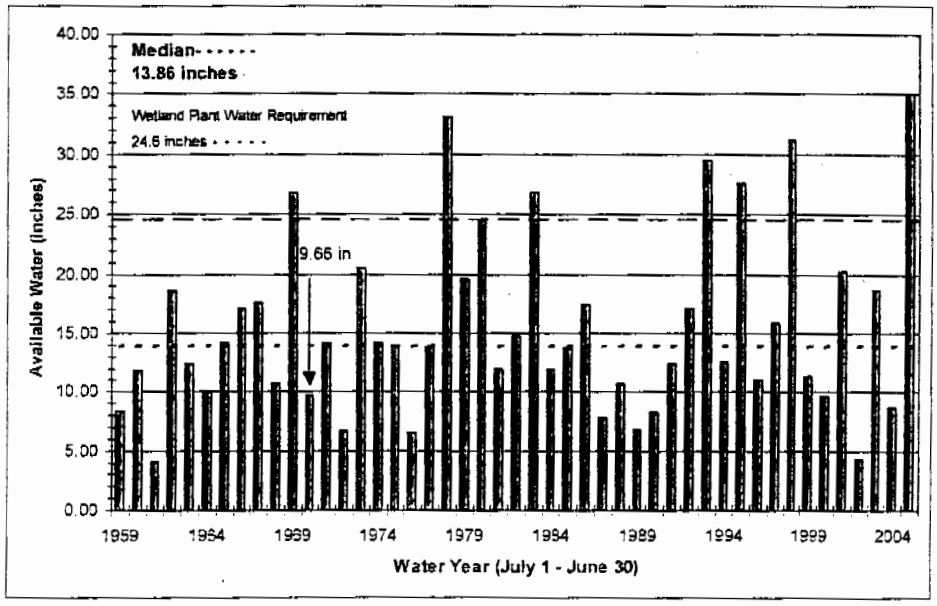


Figure 11. 1970 Drainage Areas - water availability estimates for potential ponding area by water year.

1980

The 1980 drainage area scenario has a total area of 41.23 acres, of which 11.23 acres are from the tributary drainage area, 22 acres are temporarily diverted from the Harbor Bluffs and Cabo del Mar developments, and 8 acres are designated as the potential ponding area. Figure 12 presents the annual water availability estimates for the 1980 scenario. The median water availability is 14.23 inches. The annual water availability ranges from a high of 36.02 inches in 2005 to a low of 4.20 inches in 1961. The water availability in 1980 is 25.21 inches, greater than the median for the period of record and greater than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 83 percent of years have a water availability estimate less than or equal to 24.6 inches. Only eight years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 2.99-acre potential ponding area, with a 38.24-acre drainage area, would have a median water availability of 24.6 inches.

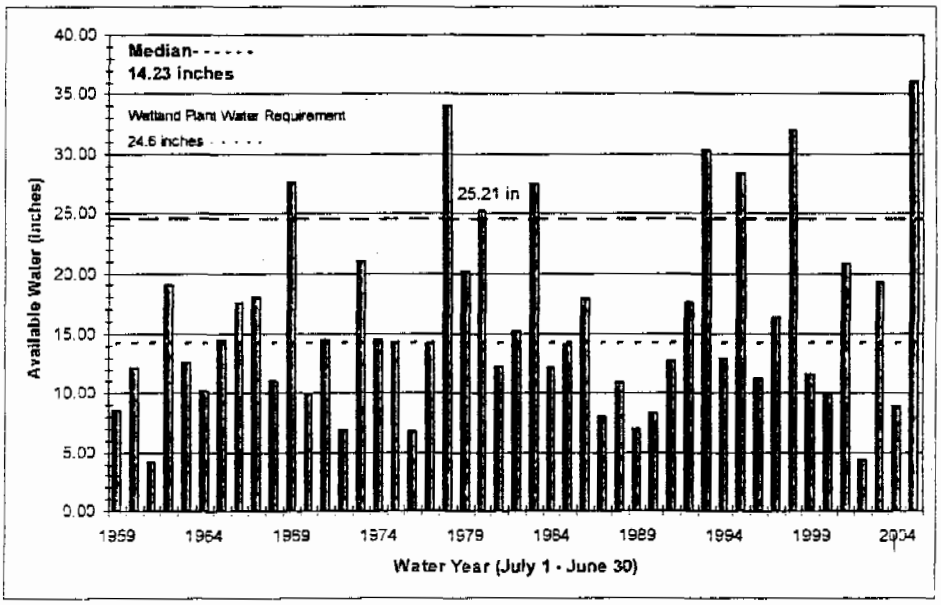


Figure 12. 1980 Drainage Areas - water availability estimates for potential ponding area by water year.

1980a

The 1980a drainage area scenario has a total area of 41.23 acres, of which 11.23 acres are from the tributary drainage area, 22 acres are temporarily diverted from the Harbor Bluffs and Cabo del Mar developments, and 8 acres are designated as the potential ponding area. As previously described, an 87 percent loss rate is applied to the tributary drainage area and a 69 percent loss rate is applied to the temporary diversion. Figure 13 presents the annual water availability estimates for the 1980a scenario. The median water availability is 18.80 inches. The annual water availability ranges from a high of 47.60 inches in 2005 to a low of 5.56 inches in 1961. The water availability in 1980 is 33.31 inches, greater than the median for the period of record and greater than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 72.3 percent of years have a water availability estimate less than or equal to 24.6 inches. Only 13 years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 5.2-acre potential ponding area, with a 36.03-acre drainage area, would have a median water availability of 24.6 inches.

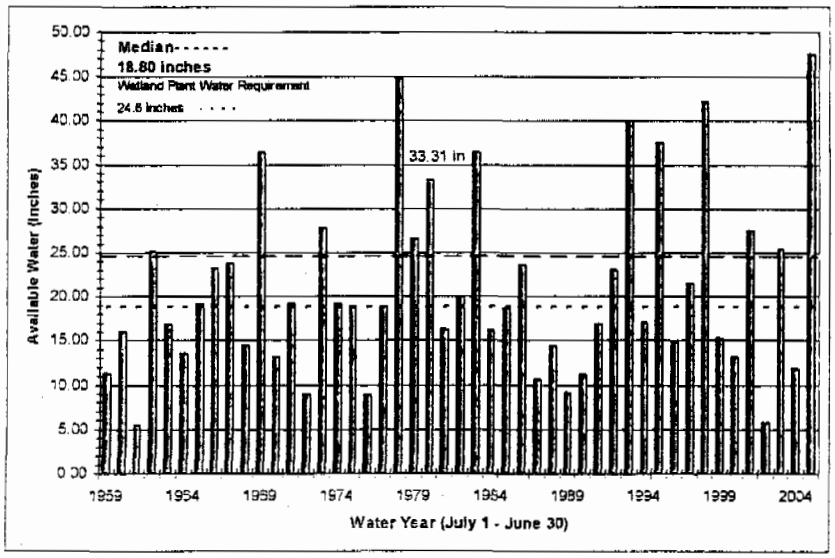


Figure 13. 1980a Drainage Areas - water availability estimates for potential ponding area by water year.

1997

The 1997 drainage area scenario has a total area of 23.74 acres, of which 15.74 acres are from the tributary watershed area (no diversion) and 8 acres are designated as the potential ponding area. Figure 14 presents the annual water availability estimates for the 1997 scenario. The median water availability is 11.60 inches. The annual water availability ranges from a high of 29.37 inches in 2005 to a low of 3.43 inches in 1961. The water availability in 1997 is 13.31 inches, less than the median for the period of record and less than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 91.5 percent of years have a water availability estimate less than or equal to 24.6 inches. Only four years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 1.72-acre potential ponding area, with a 22.02-acre drainage area, would have a median water availability of 24.6 inches.

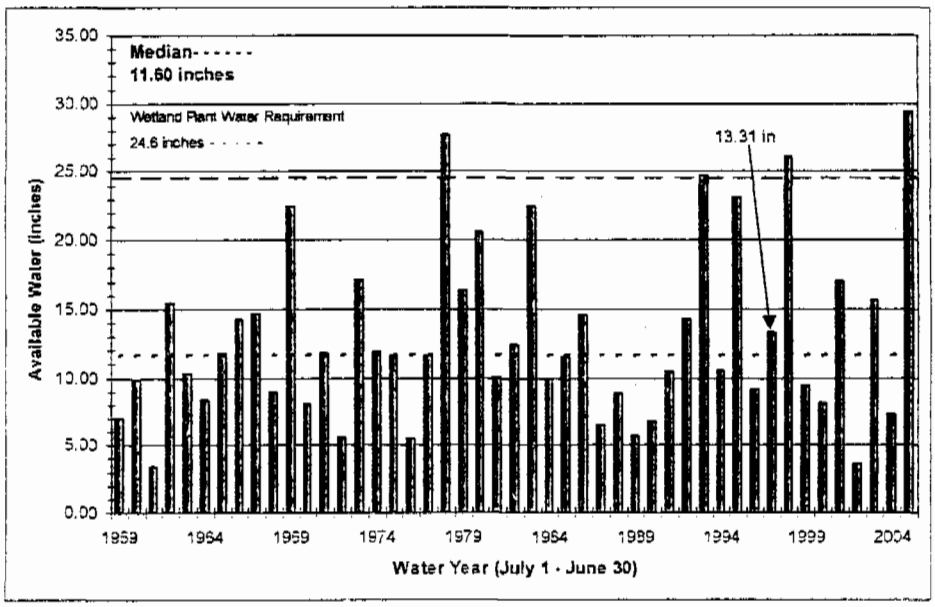


Figure 14. 1997 Drainage Areas - water availability estimates for potential ponding area by water year.

2005

The 2005 drainage area scenario has a total area of 40.17 acres, of which 32.17 acres are from the tributary drainage area (no diversion) and 8 acres are designated as the potential ponding area. Figure 15 presents the annual water availability estimates for the 2005 scenario. The median water availability is 14.07 inches. The annual water availability ranges from a high of 35.62 inches in 2005 to a low of 4.16 inches in 1961. The water availability in 2005 is 35.62 inches, greater than the median for the period of record and greater than the minimum 24.6 inches required of wetland vegetation. Of the 47 years analyzed, 83 percent of years have a water availability estimate less than or equal to 24.6 inches. Only eight years of the period of record have a water availability estimate greater than 24.6 inches of available water.

These results indicate that wetland vegetation would not be sustained in most years under this scenario. However, a 2.91-acre potential ponding area, with a 37.26-acre drainage area, would have a median water availability of 24.6 inches.

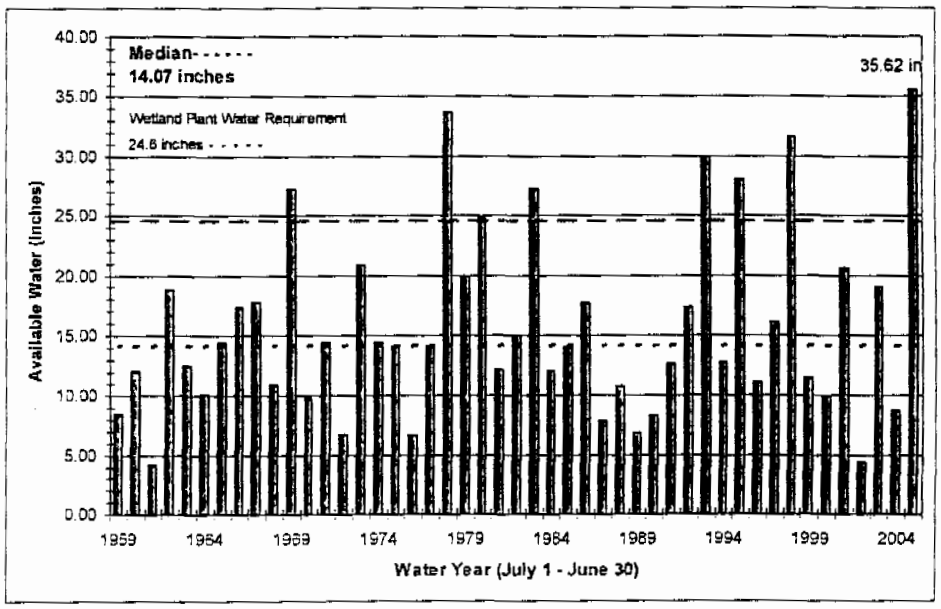


Figure 15. 2005 Drainage Areas - water availability estimates for potential ponding area by water year.

Conclusions

The results from all drainage area conditions indicate that while there are occasional years when the water availability estimates exceed the threshold value of 24.6 inches, in the majority of years this is not the case. Table 5 provides a summary of the water availability estimates. The percentage of years when the water availability estimates are less than 24.6 inches ranges from a low of 72.3 percent to a high of 91.5 percent for the various drainage area conditions.

Table 5. Summary of water availability estimates.

Watershed Condition	Median Water Availability in	Years with Available Water Greater Than or Equal to 24.6 inches	Years with Available Water Less Than 24.6 inches	Maximum Water Available for this Watershed Condition in	Minimum Water Available for this Watershed Condition in
1970	13.86	14.9%	85.1%	35.09	4.10
1980	14.23	17.0%	83.0%	36.02	4.20
1980a	18.80	27.7%	72.3%	47.60	5.56
1997	11.60	8.5%	91.5%	29.37	3.43
2005	14.07	17.0%	83.0%	35.62	4.16

Evaluating the potential for additional runoff generated by the Harbor Bluffs and Cabo del Mar diversions illustrates how the water availability estimates increase with a decrease in estimated infiltration. As a result, a maximum of 5.2 acres of annual wetland vegetation might hypothetically be supported with a 36.03-acre tributary area.

The results observed using the Orange County Los Alamitos precipitation gage data and the drainage areas from 1970, 1980, 1980a, 1997, and 2005 are consistent with the results observed using the Long Beach Daugherty precipitation gage and the areas determined for the WP Pre-2005, WP Post-2005, and CP Pre-2005.

Neighbors for Wintersburg Wetlands Restoration
17451 Hillgate, Huntington Beach, CA 92649-4707 - 714-625-0876 - www.bixby.org/parkside

---

July 8, 2007

W8.5a

California Coastal Commission
South Coast Area Office
ATTN: Meg Vaughn
200 Oceangate, Suite 1000
Long Beach, CA 90802-4416

RE: Huntington Beach LCPA HNB-MAJ-1-06 and WP vegetation as of June 30, 2007

Dear Ms. Vaughn and Coastal Commissioners,

On June 30, 2007, I returned to the Shea Parkside WP wetland to conduct another vegetation survey to determine if hydrophytic species were still preponderant as they were for my previous survey of March 17, 2007. This document may be viewed in its original color format at:

http://www.bixby.org/parkside/documents/CCC/nwwr-ccc-070708-wp-veg-survey.pdf

I traversed the length and width of WP and used a 1-meter PVC quadrat to sample vegetation at approximate 50ft intervals paced off from GPS measurements. I took a closeup photograph of each quadrat and a wide-angle photograph to show context.

I used Photoshop to overlay a 10x10 grid of 100 equally spaced points on top of each closeup quadrat photo. I then proceeded to perform "point-contact estimation of cover" to tally each living vegetation species under the center of each of the 100 points to arrive at an estimated absolute coverage percentage for each species.

Next, I computed the relative coverage percentage for each species, and ranked the species by decreasing coverage amount. I then used the "50/20 rule" to determine which species were dominant. I use **bold print** to denote the dominant species in the attached sampling details.

Finally, I computed the percentage of the dominant species that had hydrophytic status indicators (i.e. FAC, FACW, OBL). If more than 50% of the dominant species are hydrophytic, then hydrophytic vegetation is preponderant in that quadrat.

The end result is that 11 out of my 12 quadrats exhibit predominantly hydrophytic vegetation.

The Coastal Commission only requires one parameter (hydrology, soils, or vegetation) to determine that wetlands are present. It is clear from the quantitative vegetation data I have collected that WP ***still*** qualifies as a wetland based on vegetation alone.

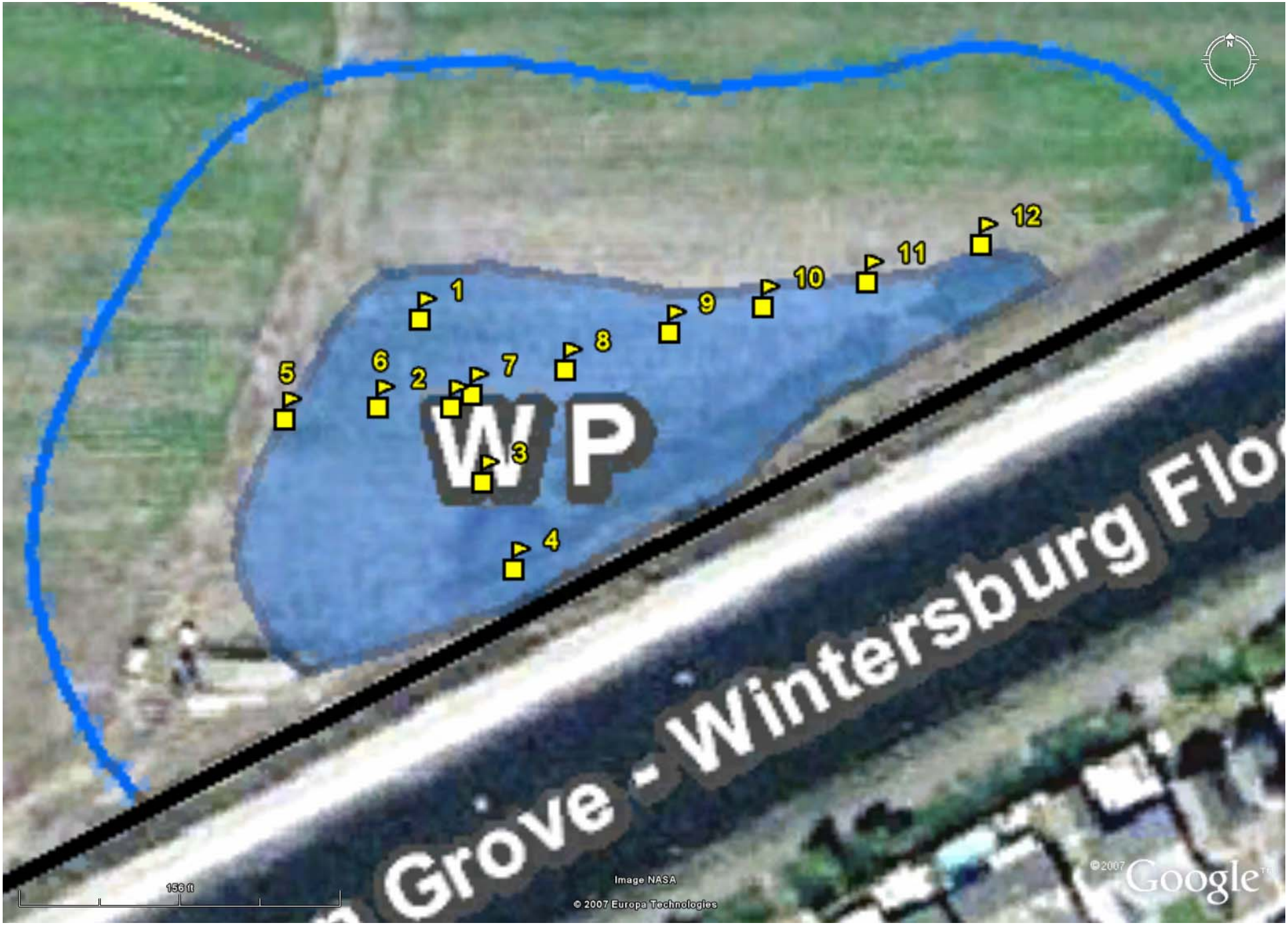
Sincerely,

Mark D. Bixby

Mark D. Bixby
Neighbors for Wintersburg Wetlands Restoration
17451 Hillgate Ln
Huntington Beach, CA 92649-4707
714-625-0876
mark@bixby.org
http://www.bixby.org/parkside/

Attachments:
  Sampling Location Distribution
  Sampling Location Detail

Sampling Location Distribution



Sampling Location Details

Location: 1	Longitude/Latitude: -118.035900,33.709800		
Species	Status Indicator	Absolute Cover	Relative Cover
Alkali Mallow ***Malvella leprosa***	**FAC**	**8%**	**100%**
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 2:	Longitude/Latitude: -118.035850,33.709683		
Species	Status Indicator	Absolute Cover	Relative Cover
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**28%**	**82%**
Salt Sandspurry *Spergularia salina*	OBL	6%	18%
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 3:	Longitude/Latitude: -118.035800,33.709583		
Species	Status Indicator	Absolute Cover	Relative Cover
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**28%**	**64%**
Salt Sandspurry ***Spergularia salina***	**OBL**	**15%**	**34%**
Cheeseweed Mallow *Malva parviflora*	UPL	1%	2%
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 4:	Longitude/Latitude: -118.035750,33.709467		
Species	Status Indicator	Absolute Cover	Relative Cover
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**45%**	**90%**
Spreading Alkaliweed *Cressa truxillensis*	FACW	5%	10%
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 5:	Longitude/Latitude: -118.036117,33.709667		
Species	Status Indicator	Absolute Cover	Relative Cover
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**25%**	**69%**
Salt Sandspurry *Spergularia salina*	OBL	5%	14%
Bristly Oxtongue *Picris echioides*	FAC	3%	8%
Cheeseweed Mallow *Malva parviflora*	UPL	2%	6%
Common Sowthistle *Sonchus oleraceus*	NI	1%	3%
Hydrophytic dominants:	100%	Preponderant?:	Yes

Location 6:	Longitude/Latitude: -118.035967,33.709683		
Species	Status Indicator	Absolute Cover	Relative Cover
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**20%**	**63%**
Alkali Mallow ***Malvella leprosa***	**FAC**	**9%**	**28%**
Cheeseweed Mallow *Malva parviflora*	UPL	3%	9%
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 7:	Longitude/Latitude: -118.035817,33.709700		
Species	Status Indicator	Absolute Cover	Relative Cover
Salt Sandspurry ***Spergularia salina***	**OBL**	**29%**	**58%**
Cheeseweed Mallow ***Malva parviflora***	**UPL**	**12%**	**24%**
Fivehorn Smotherweed *Bassia hyssopifolia*	FAC	9%	18%
Hydrophytic dominants:	50%	Preponderant?:	No
Location 8:	Longitude/Latitude: -118.035667,33.709733		
Species	Status Indicator	Absolute Cover	Relative Cover
Salt Sandspurry ***Spergularia salina***	**OBL**	**23%**	**74%**
Alkali Mallow ***Malvella leprosa***	**FAC**	**8%**	**26%**
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 9:	Longitude/Latitude: -118.035500,33.709783		
Species	Status Indicator	Absolute Cover	Relative Cover
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**40%**	**67%**
Salt Sandspurry ***Spergularia salina***	**OBL**	**20%**	**33%**
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 10:	Longitude/Latitude: -118.035350,33.709817		
Species	Status Indicator	Absolute Cover	Relative Cover
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**69%**	**100%**
Hydrophytic dominants:	100%	Preponderant?:	Yes
Location 11:	Longitude/Latitude: -118.035183,33.709850		
Species	Status Indicator	Absolute Cover	Relative Cover
Salt Sandspurry ***Spergularia salina***	**OBL**	**31%**	**78%**
Fivehorn Smotherweed ***Bassia hyssopifolia***	**FAC**	**9%**	**22%**
Hydrophytic dominants:	100%	Preponderant?:	Yes

Location 12:	Longitude/Latitude: -118.035000,33.709900		
Species	Status Indicator	Absolute Cover	Relative Cover
Salt Sandspurry ***Spergularia salina***	**OBL**	**56%**	**95%**
Fivehorn Smotherweed *Bassia hyssopifolia*	FAC	3%	5%
Hydrophytic dominants:	100%	Preponderant?:	Yes

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Amigos de Bolsa Chica
Algalita Marine Research Foundation
Anza Borrego Foundation
Bolsa Wetlands Land Trust
City of Huntington Beach
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Huntington Beach Wetlands Conservancy
Huntington Beach Tomorrow
Orange Coast League of Women Voters
Orange County Coastkeeper
Peninsula Open Space Trust
Sea and Sage Audubon
Sierra Club Angeles Chapter
Surfrider Foundation

July 30, 2007

RECEIVED
South Coast Region
NOV 6 2007
CALIFORNIA COASTAL COMMISSION

Mayor Gil Coerper
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: City of Huntington Beach
LCP Amendment No. HNB-MAJ—1-06

Dear Mayor Coerper:

As you are aware, the above LCP Amendment was scheduled to be considered by the California Coastal Commission on July 11, 2007 in San Luis Obispo. At such time, the Commission, at the request of the City of Huntington Beach and the developer, postponed a hearing on the matter until a date uncertain in October or November of this year.

The action to postpone was adopted against the advice of the Commission legal counsel, who stated that the Coastal Act – specifically Public Resources Code Section 30512 (b) – did not authorize the postponement under the circumstances. An alternative method of setting a later hearing date was suggested by counsel. However, these alternatives, according to Commission legal counsel, would have required a public hearing at the City level. Under Public Resources Code Section 30503, a local hearing would be required if the correct procedure had been followed.

The Bolsa Chica Land Trust has opposed the LCP Amendment since it was proposed by the City, and a significant number of Land Trust members attended the San Luis Obispo hearing to continue to register the Trust's opposition – while at the same time supporting the Coastal Commission Staff's suggested modification to the LCP Amendment. As the President of the Bolsa Chica Land Trust, please let this letter serve as a request for a public hearing conducted by the City of Huntington Beach at which time the above Amendment may be considered and whereby the public may be able to make appropriate comment. I believe such a hearing is required under the circumstances and applicable law.

By copy of this letter, the California Coastal Commission is notified of the Bolsa Chica Land Trust's position relative to the above continuance

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www.bolsachicalandtrust.org

and the procedure which the Trust believes should be followed under the Coastal Act.

Thank you for your attention to this letter.

Respectfully,

Gerald Chapman, President, Bolsa Chica Land Trust

cc: Peter Douglas, Executive Director, California Coastal Commission
Scott Hess, Director of Planning, City of Huntington Beach
Jennifer McGrath, City Attorney, City of Huntington Beach

City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

Gil Coerper
Mayor

August 14, 2007

Dr. Gerald Chapman
Bolsa Chica Land Trust
5200 Warner Ave., Ste. 108
Huntington Beach, CA 92649

SUBJECT: LCP AMENDMENT NO. HNB-MAJ--1-06 (PARKSIDE ESTATES)

Dear Dr. Chapman:

This is in response to your letter, received July 31, 2007, regarding the Parkside Estates project and a request that the city of Huntington Beach conduct a public hearing.

As you aware, on July 11, 2007, the California Coastal Commission, in a 9-3 vote, continued the public hearing on suggested modifications to the Land Use Plan for the above-referenced Local Coastal Program Amendment. In so doing, the Commission, who the city defers to in these matters, did not require that the city withdraw its application nor the amendment as the Commission has already begun the public hearing process.

The city has previously withdrawn the Implementation Plan for the pending Local Coastal Program Amendment. If Public Resources Code Section 30503 requires an additional public hearing prior to the submission of the Implementation Plan, the city will conduct such a hearing and mail notices accordingly.

Please contact Scott Hess, Director of Planning, at 536-5554 or Jennifer McGrath, City Attorney, at 536-5555 should you have any questions on this information.

Sincerely,

Gil Coerper
Mayor

cc: City Council Members
Jennifer McGrath, City Attorney
Penny Culbreth-Graft, City Administrator
Paul Emery, Deputy City Administrator
Scott Hess, Director of Planning

Bolsa Chica
LAND TRUST

June 25, 2007

RECEIVED
South Coast Region
JUN 27 2007
CALIFORNIA
COASTAL COMMISSION

Mr. Patrick Kruer, Chair
Members of the Commission
California Coastal Commission
200 Oceangate- 10th floor
Long Beach, Calif. 90802

Dear Mr. Kruer and Members of the Commission,

I am writing to you regarding the July, 2007 Coastal Commission hearing scheduled in San Luis Obispo concerning the Shea Parkside project (City of Huntington Beach Major Amendment Request No. 1-06 to the City's certified LCP). I am specifically concerned about the **number of unpermitted fills** which have been performed at the property, as well as the **location of such unpermitted fills**.

The Coastal Commission staff addendum of February 2007 page 7 refers to the unpermitted fill that this letter is addressing. That page references a fill on the subject property that is located within the "City parcel" along the northern levee of the EGGWFCC, between the WP wetland and the line to the west that divides the "City parcel" and the "County parcel".

In a letter dated February 9, 2007, Shea states:

> "The bridge at Slater pump station was constructed in the 1960s to carry Slater Avenue over the newly-constructed East Garden Grove-Wintersburg flood control channel, and the fill in question is associated with the construction of the levees and bridge"

Endorsements:

Amigos de Bolsa Chica
Peninsula Open Space Trust
Sierra Club Angeles Chapter
Wildlands Conservancy
Sea and Sage Audubon
Surfrider Foundation
Coastwalk

City of Huntington Beach
Orange Coast League of Women Voters
Friends of Harbors, Beaches and Parks
Santa Monica Mountains Conservancy
Algalita Marine Research Foundation
Tree Society

Orange County Coastkeeper
Huntington Beach Wetlands Conservancy
California Trails and Greenway Foundation
The Nature Conservancy
Ballona Wetlands Land Trust
Anza Borrego Foundation
City of Seal Beach

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www.bolsachicalandtrust.org

However, the historical record is not consistent with Shea's position.
For example, in the City of Huntington Beach August 15, 1989, Staff report to the Planning Commission CUP 89-2/ Conditional Exception (Variance) No 89-32/ Negative Declaration 89-10, the applicant, Smoky's Stables was requesting the following:

> " To permit the expansion of a temporary commercial horse facility with a variance to encroach within the 300ft residential zone or use setback and waive the required perimeter fencing and landscaping requirements.

August 15, 1989, City of Huntington Beach Staff report states:

> "Land Use violation" Unpermitted fill dirt (stockpiling)
> New dirt (**less than a year old** on the east end of the site) placed on the premises: Red tagged by Public works on 1/20/89, 2/3/89, and 2/28/89 for violations of Section 17.10,010 (a) of the Huntington Beach Municipal Code and Section 7003 of the Uniform Building Code (permits for grading re required). The applicant has indicated it will be removed following the Planning Commission action."

On page 6 of the 1989 City Staff report, the following is stated:

> "The specific location of the stockpiling of dirt is in the southeast area of the site. This is the location of the proposed expansion. The site has been raised approximately **8 feet above** the existing natural grade of the site which would bring the site's elevation to a height of the Wintersburg Channel. The placement of a 12 foot high stall in this area would indicate that the stalls are approximately 8 to 9 feet above the channel. This would impact the residential property to the south...The applicant is **required** as a **condition of approval** for proposed expansion to provide a grading plan and obtain a stockpiling permit from Public Works Dept to eliminate the unpermitted fill and reduce the elevation from the area to the natural **level prior to the illegal stockpiling**."

The 1989 City Staff report goes on to say that regardless of the proposed expansion being approved that the land use violations (unpermitted fill) must be abated within 90 days of final action.

Within the 1989 City Staff report there is a petition signed by neighbors and several letters from neighbors living south of the proposed expansion. The letters all refer to aspects of the expansion to which they are opposed.

One letter from Mr. Donaher, dated July 1989, states in part:

> "The section of land this permit will allow expansion on, is to be on illegal dumped and graded dirt. This hundreds of yards of dirt, raises the height to almost the same as the Wintersburg Channel Dikes, making the stables no longer hidden but looking down into our yards instead."

The Commission Staff report of 89-10 states:

> "...The elevation of the site has gone from -.5 to 8 to 10 feet. To allow the fill to be compacted and made a permanent part of the site would be to alter the area's topography. The original topography of the site should be restored by removing the fill. With mitigation, no significant impacts are anticipated."

Therefore, in August of 1989, the City Planning Commission action regarding this application placed a condition of approval that required the removal of the "unpermitted fill from 8-10 ft to 1-2 ft."

Further, on May 2, 2007, Duane Wentworth from the City of Huntington Beach sent a memo to the Coastal Commission. He is the City employee who red tagged the 1989 unpermitted fill.
He states in this memo

> " on January 20, 1989, January 25, 1989, and February 28, 1989, was a " small stockpile of freshly placed soil that had been leveled into a pad approximately 20'by 50' and **around 2'high**. This would be approximately 75 cubic yards of soil..."

Recently, two neighbors, Mr. Donaher and Mr. Kittredge, who had signed the petition in 1989 visited the site. Both indicated that their current understanding from viewing the site is that the fill was never removed, and indeed parts of it still remain. The unpermitted fill was dumped on the site during 1988 and 1989, not in 1960s as the Shea homes letter of 2007 indicates. Further, the unpermitted fill was not 2 ft high but over 7ft high. See the attached two letters from Mr Donaher and Mr. Kittredge.

It is clear that there is significant confusion regarding the unpermitted fill referred to in the City of Huntington Beach Staff Report dated August 15, 1989 and the current City staff memo of May 2007 as to the location of the fill and the height of the fill. If indeed the current memo from Mr. Wentworth is correct, then there were obviously **two very separate and distinct unpermitted fill issues** in August of 1989. One, the two foot high unpermitted fill, was removed according to the staff memo of 2007. The other unpermitted fill of 8-10 ft referred to in the City Staff report of 1989 and by the current neighbors observations has never been removed. Indeed, the fill that the neighbors refer to is still evident at the Shea property. (see photo of Mr. Donaher at bottom of fill site) This fill material has been used by SHEA to fill in wetlands in on the property. See attached photo dated April 1998.

Since the Coastal Commission in 1981 and 1982 withheld certification of the LCP for this area because of the 40 acres of wetlands present on this site, it seem reasonable to require removal of this unpermitted fill area to the pre-fill level and determine if hydric soils are present.

Thank you for your attention to this letter.

Sincerely,

Flossie Horgan
Bolsa Chica Land Trust

June 11, 2007

TO: California Coastal Commission
From: Arthur L. Donahur

RE: Shea development

I have read City Staffer Duane Wentworth's memo of May 2, 2007 related to the above project. The contents of his memo are not what I remember of the red- tagged unpermitted fills at the property in 1989.

I sent a letter to the City of Huntington Beach dated July 24, 1989. It is included in your staff report. At that time, I was very concerned about the dump trucks that were dropping fill dirt on the property.

According to the City memo, the fill that was red-tagged was only 2 ft. high. My recollection is that big dump trucks were continually dumping loads of fill. Then Mr. Burkett, the owner of Smoky's Stables would use a tractor to drop manure on the fill area and smooth it out for more dump trucks. This went on for a long time. My neighbor and I went over to talk to Mr. Burkett, but we were told to leave the property.

The fill was much larger than 20' by 50' and only 2 feet high as described in the memo of May 2007.

The fill was never removed.

I visited the site with Flossie Horgan and have included two photos taken in June, 2007.
One of the photos is of me standing in the trough that separates fill on my right from the Wintersburg Channel on my left. It is still a large fill, but lower than it was in the 1989.

The second photo is taken from the bridge that connects the southern portion of the Wintersburg Channel to the northern Wintersburg. The fill is located to the northeast of the bridge, not the south west as has been reported.

Arthur L. Donaher

TO: Bolsa Chica Land Trust

FROM: Daniel Kittredge, 5332 Glenstone Drive, Huntington Beach, CA

SUBJECT: Smokey's Stables Illegal stockpiling of dirt

DATE: June 4, 2007

I wrote a letter to the city of Huntington Beach dated 8/1/89 complaining about the many, many dump truck loads of dirt that arrived and was dumped on the Metropolitan Water District land located west of Graham street and south of Warner Ave.

This dumping of dirt went on for quite awhile until a huge pile of dirt was almost to the height of the top of Wintersberg Channel. The owner of Smokeys Stable would then bulldoze the dirt around when it got close to the top of the channel. The dirt had to be a least 7 or 8 feet high or more. The dirt went from just before the bridge to well beyond the the concrete lining across from the pump discharge. It also spread out to the field quite away. I thought, at one point, that Smokey's was going to move his double wide trailer there. The dirt was also used for the two riding circles that the stables built.

I asked one of the truck drivers about where he was bringing the dirt in from and he said it was from a construction project downtown and that it was cheaper to dump it at Smokey's then to take it elsewhere. He said a lot of different projects where dumping dirt there.

I complained to the city on numerous occasions on the phone and eventually by letter. The dirt dumping still went on. I also called and complained to the city attorney's staff about what was going on and about the "red tag" notice not being followed. At some point the dirt dumping stopped and I remember thinking that it would cost a fortune if Somkey's was made to remove all that dirt.

I conclude by stating that the letter dated 5/2/07 from Duane Wentworth concerning the size and scope of the dirt dumping in no way matches my recollections of how much dirt was dumped there. I jogged on the Garden Grove East Wintersberg channel at least three times a week for many years and saw what was going on there.

I hope this will help clarify and paint an accurate description of how much dirt was illegally dumped on the Metropolitan Water District land.

#1

#2

April 22, 1998

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Orange County Coastkeeper
Sea and Sage Audubon
Sierra Club Angeles Chapter
Surfrider Foundation
Wildlands Conservancy

RECE
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CALIFO
COASTAL CO

November 7, 2007

Mr. Patrick Kruer, Chair
Members of the Commission
California Coastal Commission
200 Oceangate – 10th Floor
Long Beach, CA 90802-4416

RE: Item W-16a - Major Amendment Request No. 1-06 to the City of Huntington Beach Certified Local Coastal Program (For Public Hearing and Commission Action at the November 14, 2007 meeting in San Diego).

Dear Mr. Kruer and Members of the Commission:

These comments are submitted on behalf of the Bolsa Chica Land Trust, a grassroots, nonprofit organization of nearly 5,000 members residing in California and twenty other states. Our objective is to provide recommendations to the California Coastal Commission (CCC) which will ensure protection of the coastal zone resource values of the Bolsa Chica ecosystem in Huntington Beach, California.

Preliminarily, the City of Huntington Beach has denied the request of the Land Trust to hold what the Land Trust believes is a hearing required by Public Resources Code Section 30503 concerning the proposed Amendment. On the understanding that the Commission will proceed with the hearing on November 14, this confirms that the Bolsa Chica Land Trust does not waive this objection by continued participation in the process or otherwise.

We are pleased to state that **we support the recommended modifications to the LUP amendment as outlined in the November 2007 staff report.**

More specifically:

1) Staff has stated numerous times (August 2006, February 2007, May 2007, July 2007, November 2007) that both Eucalyptus groves on the

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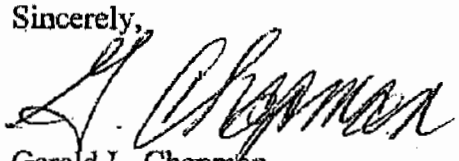
property are ESHA and both need 100m buffers. Staff has not wavered on that assessment and we fully support it and the recommended foraging habitat mitigation ratio of 0.5:1 (17 acres).

2) Staff has amply demonstrated that multiple wetlands do exist today on the property (CP/AP/WP), and that the EPA wetland did in fact exist in the past and that it was at least 4 acres in size. We support the recommended 14.44 acres of 4:1 wetland restoration to mitigate for the obliteration of the EPA wetland.

3) Staff has confirmed the public's assertions (at the May 2007 hearing) of unpermitted landform alterations far beyond the scope of the known permit history for this property. Were it not for these landform alterations, the extent of wetlands would be far greater than what it is today.

4) We support the staff recommendation that the NTS for water quality protection must be located OUTSIDE of all wetlands (current or former), ESHA, and buffers.

Sincerely,



Gerald L. Chapman
President, Bolsa Chica Land Trust

cc: Ms. Meg Vaughn

Amigos de Bolsa Chica
1976 30 years 2006
Working for Wetlands

Amigos de Bolsa Chica

P.O. Box 1563 Huntington Beach, CA 92647
Phone / Fax 714 840 1575 info@amigosdebolsachica.org www.amigosdebolsachica.org

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South Coast Region
NOV 6 2007
CALIFORNIA
COASTAL COMMISSION

Item W 16a

November 6, 2007
Mr. Patrick Kruer, Chair
Members of the Commission
California Coastal Commission
200 Oceangate – 10th Floor
Long Beach, CA 90802-4416
VIA FAX (562) 590-5084

SUBJECT: Major Amendment Request No. 1-06 (Shea Homes/Parkside) to the City of Huntington Beach Certified Local Coastal Program Land Use Plan (For Public Hearing and Commission Action at the November 14-16, 2007 meeting in San Diego,

Dear Mr. Kruer and Members of the Commission:

Amigos de Bolsa Chica, a non-profit, grassroots organization of 1,000 members in Huntington Beach, California, has had a three-decade history of advocating the protection of the coastal wetland and upland resources of the Bolsa Chica. We fully support the CCC staff's recommendations in their November 1 report for the denial of Huntington Beach's LCP amendment as submitted, as well as supporting staff's proposal for approving the amendment with specific modifications.

The Commission staff is to be commended for taking the time and effort to review carefully the evidence provided by local citizens and other independent sources that unauthorized fill had occurred and the areas of the Parkside site's wetlands were much more extensive than was originally proposed.

We are also pleased that the staff has recognized the value of protecting the ESHA buffers in their entirety as well as protecting adjacent wetlands from urban runoff originating from the project through a natural treatment system. Maintaining public access is also a key feature that we support.

CONCLUSION
Amigos de Bolsa Chica supports the staff recommendation that the Commission DENY the Land Use Plan Amendment as submitted by the City of Huntington Beach and instead APPROVE the document with the staff's modifications that bring the project into compliance with the Coastal Act.

Sincerely,
Dave Carlberg
Dave Carlberg
President

cc: Ms. Meg Vaughn
Dr. John Dixon

Meg Vaughn

From: Jerome Mandich [jkmhb@yahoo.com]
Sent: Wednesday, November 07, 2007 11:35 AM
To: Meg Vaughn
Subject: (W 16a) LCPA 1-06 Huntington Beach/Parkside Estates

Dear Ms. Vaughn,

Regarding W 16a: I am very concerned that the Coastal Commission staff's recommendation last July for Parkside Estates (LCPA 1-06) will result in Huntington Beach not receiving the flood protection it needs.

For Shea to generate the funds needed to build the millions of dollars in flood control improvements they have committed to, they would have no choice but to build high-density homes of three stories or more on the small 17-acre site Coastal staff recommends. We oppose such a plan, as it would be incompatible with our long-established community character and with Huntington Beach's zoning and general plan. More importantly, a high density project will have significant negative impact on coastal resources and would limit on-street parking for public access.

A more balanced plan can both protect and expand wetland resources, and provide the flood control improvements necessary for a new FEMA flood map for the area. I urge rejection of the July staff recommendation and approval of the applicant's and City's proposal.

Sincerely,

Jerome Mandich
Huntington Beach

Supports
LCPA
as Proposed

Meg Vaughn

From: Julie Bixby [julie@bixby.org]
Sent: Wednesday, November 07, 2007 7:27 AM
To: Karl Schwing; Meg Vaughn
Subject: Support for agenda item W-16a, HB LUPA 1-06

This e-mail constitutes my official support of the November 2007 staff recommended modifications for City of Huntington Beach Major LUP Amendment No. 1-06 (Shea/Parkside property), agenda item W-16a.

I do have one concern:

Page 40: "Wetland delineations must be sufficiently current to represent present site conditions. As proposed, the LUP amendment does not include this clarifying information. Therefore a modification is suggested to specifically incorporate this standard into the site specific section of the LUP."

Looking through Section II of the staff report, the suggested modifications section, I can find no such recommended language incorporating this standard. I hope this is an oversight on my part, and I'm just not seeing it-- but if it was an oversight on staff's part, then I hope the language appears in Section II in the forthcoming Addendum.

Thank you.
--
Julie Bixby
17451 Hillgate Ln
Huntington Beach, CA 92649

Letters Opposing
LCPA 1-06
as
Submitted

W-16a

Marinka Horack
21742 Fairlane Circle
Huntington Beach, CA 92646

RECE
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November 4, 2007

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

RE: City of Huntington Beach LCP Amendment No 1-06 (Shea/Parkside)
I favor Coastal Commission Staff recommendation.

Dear Coastal Commissioners:

I support the November 2007 staff recommendations for the City of Huntington Beach Major LCP Amendment No. 1-06 –Shea-Parkside, agenda item W-16a.

Congratulations to the Coastal Commission staff on its diligent work and determination to protect the few wetlands that remain in our highly over-developed region.

So many of our California wetlands have been destroyed and paved over, that it is increasingly more crucial and urgent that we save and restore what little is left. In 2007, California is suffering from over-development, and lacks enough natural open space.

The emergency repair project on the Wintersburg Flood Control Channel is enough of a red flag that no more houses should be built in the area.

Please follow the staff recommendations. Please save what is left of the Upper Bolsa Chica Wetlands.

Sincerely Yours for a Better California,

Marinka Horack

Marinka Horack

W-16a

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

I support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.
Please give these new staff recommendations your approval for the benefit of our wet lands and open space conservation in this environmentally sensitive neighborhood.

please.

Michael Castellano
17192 Berlin Lane
Huntington Beach, CA 92649

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NOV. 1ST, 2007

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DEAR COASTAL COMMISSION MEMBERS,

PLEASE DO NOT APPROVE THE SHEA/PARKSIDE PROJECT. PLEASE FOLLOW THE COASTAL ACT RULES.

I SUPPORT THE JUNE 29, 2007 STAFF REPORT CONCERNING HUNTINGTON BEACH LCP AMENDMENT 1-06. THIS REPORT IS ACCURATE AND COMPLETE. THANK YOU FOR YOUR HARD WORK.

PLEASE SAVE ALL OF BOLSA CHICA

Steve Van Nattan
3727 CANESHILL AVE.
LONG BEACH, CA 90808

"W-16a"

November 6, 2007

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South Coast Region
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COASTAL COMMISSION

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

FAX#: (562) 590-5084

Dear Ms. Vaughn:

We support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a." We have been living with this process for over 12 years now and are interested in seeing this come to its proper conclusion.

While we had the opportunity to attend the San Pedro hearing this summer, we will not be able to be in San Diego. I trust that this item won't be extended yet again but rather the Commission adopts your recommendations.

Thank you and your colleagues for all of your efforts through this process.

Best regards,

Douglas Stewart
Tracy Stewart
Lindsay Stewart
Ashley Stewart

Coastal Commission Letter 11/06/07

David E. Hamilton
5401 Kenilworth Drive
Huntington Beach, CA 92649
Phone: (714) 840-8901
E-mail: dehamilton@earthlink.net

W-16a

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November 6, 2007

Ms. Meg Vaughn
California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416
Fax: (562) 590-5048

Re: CCC Agenda item—W-16a: Shea/Parkside Development site & Bolsa Chica wetlands conservation

Dear Ms. Vaughn,

I fully support the November staff recommendations for the City of Huntington Beach LCP Amendment No. 1-06 concerning the proposed Shea/Parkside development in the coastal zone (November agenda item W-16a). Particularly, I am very pleased to see that the recommendations revive the designation of "EPA wetlands" to be set aside for preservation as wetlands.

I have lived at 5401 Kenilworth Drive in Huntington Beach since 1987. I chose to live there for various reasons. The primary reason was to be near the Bolsa Chica and open space. Both City and Orange County planning maps that showed the subject development site designated "open space "and "EPA Wetlands" reinforced that reasoning. The property was then owned by the Metropolitan Water District. That designation of "EPA Wetlands" was public knowledge long before and at the time Shea purchased the property from MWD. Shea's claim that such wetlands do not now exist and were improperly designated is not valid. I don't agree with such claim. I'm pleased that the Commission staff does not agree either. Hopefully the Commission will agree with its staff's recommendations.

Therefore, I support the November 2007 staff recommendations regarding Huntington Beach LCP Amendment 1-06.

Sincerely,

David E. Hamilton
California Homeowner

Nov.5,2007

W-16A

California Coastal Commission
Attn. Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

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Dear Commissioners:

I support the November 2007 staff recommendation for the City of Huntington Beach Major LCP Amendment No 1-06(Shea-Parkside) agenda item W-16A.

Our wetlands have to be protected and this recommendation does that.

Thanks for your attention.

Eileen

Eileen Murphy
201 21st Street
HB CA 92648

Coastal fax 562-590-5084

W-16A

11/05/2007

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416
Fax to 562-590-5084

Dear Meg Vaughn:
Sue and I strongly support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Again, as we have stated before, we truly appreciate the thorough and detailed work that the CCC staff has done and we continue to support your recommendations for the CCC. It is reassuring to see that there are still those that care about the public at large rather than totally focused on self objectives, desires, etc. Keep up your good work.

Thank you again.

Larry Eaton

Larry and Sue Eaton
5332 Kenilworth Dr
Huntington Beach CA, 92649
Phone & Fax 714 846 1796

W 16a

LORRAINE PRINSKY AND JERRY GOLDFEIN
5402 BARWOOD DRIVE
HUNTINGTON BEACH, CA. 92649
(714)846-1493
FAX: (714)846-4593

November 5, 2007

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

To the California Coastal Commission:

We have read and would like to add our support to the November 2007 staff recommendations regarding Huntington Beach LCP Amendment 1-06.

We are grateful to the staff for examining this issue so carefully. We have lived in the area for over 20 years and believe that the land must be preserved as part of the Bolsa Chica Wetlands and protected from development. The proposed development would adversely affect the plants, wild life and open space that we and countless others enjoy.

We greatly appreciate the work of the California Coastal Commission to monitor land use along our precious Pacific Coast.

Sincerely,

Lorraine Prinsky and Jerry Goldfein

W-16a

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802

November 4, 2007

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Dear Members of the Coastal Commission:

We live at 5452 Kenilworth; Huntington Beach, California 92649 our home backs up to the Shea/Parkside property. We have been opposed to Shea/Parkside development from the start, we fully believe the site to be part of the wet lands.

We support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a."

If you have questions please write to us at the above address.

Daniel L. Rocha
714-846-2513

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

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W-16a

Dear Ms. Vaughn:

I am in full support of the Coastal Commission Staff Report which recommends limiting the Parkside Estates development to the northeasternmost acreage of the property and protects all areas of wetland and sensitive habitat on the site.

The development needs to be limited to LOW DENSITY single-family homes so that it will better match exiting residential neighborhoods and there should be NO ACCESS to the development through the Kenilworth neighborhood to the north. Additionally, I support the staff's recommendation to designate the northern eucalyptus grove as Environmentally Sensitive Habitat Area and assign a minimum setback of 100 meters. I also support the designation of the Wintersburg Pond (WP) and Agriculture Pond (AP) as wetlands, a minimum 100-foot setback, and the removal of all illegal fills on the property. The area known as the EPA Wetland needs to be fully restored, as does the WP and former Smokey's Stables area; the Coastal Act requires that wetlands which have been filled/graded illegally be treated as if those fills/grading never occurred and therefore state law requires those areas be considered wetlands. The Vegetated Flood Protection Feature (VFPF), aka "sea wall" needs to be located outside all protective setbacks and ALL illegal fills on the property need to be completely removed and the habitats fully restored.

Shea Homes needs to be held accoutable for the deliberate, repeated, and egregious acts of illegal trenching, grading, and filling done in direct violation of the Coastal Act since purchasing the property in 1996. Maximum penalties should be assessed and be made retroactive to the time of the violations.

I strongly urge you to APPROVE THE November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06. Do not allow Shea Homes to profit from violating the Coastal Act.

Sincerely, Dena Hawes

Date: 5 November 2007

THE EVIDENCE CLEARLY SHOWS THAT SHEA HAS DELIBERATELY DESTROYED WETLANDS ON THE PROPERTY AND GREATLY EXCEEDED THE SCOPE OF "NORMAL FARMING ACTIVITIES." THE COMMISSION NEEDS TO HOLD SHEA FULLY ACCOUNTABLE FOR ALL VIOLATIONS, INCLUDING THE RECENT UNPERMITTED REMOVAL OF MAJOR VEGETATION FROM THE NORTH GROVE. THE DOCUMENTATION SHEA & HIRED ASSOCIETES HAVE SUBMITTED FOR PARKSIDE HAS BEEN TIME & AGAIN PROVEN TO BE INCOMPLETE, INACCURATE, AND INTENTIONALLY MISLEADING; ALL SHEA SUBMISSIONS SHOULD THEREFORE BE DISCOUNTED AND COMPLETELY IGNORED.

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

W-16a

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Dear Ms. Vaughn:

I am in full support of the Coastal Commission Staff Report which recommends limiting the Parkside Estates development to the northeasternmost acreage of the property and protects all areas of wetland and sensitive habitat on the site.

The development needs to be limited to LOW DENSITY single-family homes so that it will better match exiting residential neighborhoods and there should be NO ACCESS to the development through the Kenilworth neighborhood to the north. Additionally, I support the staff's recommendation to designate the northern eucalyptus grove as Environmentally Sensitive Habitat Area and assign a minimum setback of 100 meters. I also support the designation of the Wintersburg Pond (WP) and Agriculture Pond (AP) as wetlands, a minimum 100-foot setback, and the removal of all illegal fills on the property. The area known as the EPA Wetland needs to be fully restored, as does the WP and former Smokey's Stables area; the Coastal Act requires that wetlands which have been filled/graded illegally be treated as if those fills/grading never occurred and therefore state law requires those areas be considered wetlands. The Vegetated Flood Protection Feature (VFPF), aka "sea wall" needs to be located outside all protective setbacks and ALL illegal fills on the property need to be completely removed and the habitats fully restored.

Shea Homes needs to be held accoutable for the deliberate, repeated, and egregious acts of illegal trenching, grading, and filling done in direct violation of the Coastal Act since purchasing the property in 1996. Maximum penalties should be assessed and be made retroactive to the time of the violations.

I strongly urge you to APPROVE THE November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06. Do not allow Shea Homes to profit from violating the Coastal Act.

Sincerely,

Helen L Hawes

Date:
11-05-07

We do not need more houses in the area.
Please don't allow Shea to build.

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

W–16a

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NOV 7 2007

CALIFORNIA
COASTAL COMMISSION

Dear Ms. Vaughn:

I am in full support of the Coastal Commission Staff Report which recommends limiting the Parkside Estates development to the northeasternmost acreage of the property and protects all areas of wetland and sensitive habitat on the site.

The development needs to be limited to LOW DENSITY single-family homes so that it will better match exiting residential neighborhoods and there should be NO ACCESS to the development through the Kenilworth neighborhood to the north. Additionally, I support the staff's recommendation to designate the northern eucalyptus grove as Environmentally Sensitive Habitat Area and assign a minimum setback of 100 meters. I also support the designation of the Wintersburg Pond (WP) and Agriculture Pond (AP) as wetlands, a minimum 100-foot setback, and the removal of all illegal fills on the property. The area known as the EPA Wetland needs to be fully restored, as does the WP and former Smokey's Stables area; the Coastal Act requires that wetlands which have been filled/graded illegally be treated as if those fills/grading never occurred and therefore state law requires those areas be considered wetlands. The Vegetated Flood Protection Feature (VFPF), aka "sea wall" needs to be located outside all protective setbacks and ALL illegal fills on the property need to be completely removed and the habitats fully restored.

Shea Homes needs to be held accoutable for the deliberate, repeated, and egregious acts of illegal trenching, grading, and filling done in direct violation of the Coastal Act since purchasing the property in 1996. Maximum penalties should be assessed and be made retroactive to the time of the violations.

I strongly urge you to APPROVE THE November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06. Do not allow Shea Homes to profit from violating the Coastal Act.

Sincerely, Greg Cassell Date: 11-5-07
5282 GLENROY DR.

P.S. WE ARE ORIGONAL OWNERS OF A HOME IN THE KENILWORTH NEIGHBORHOOD. FORTY YEARS AGO THE FAIL-SAFE PUMPS FAILED DURING A RAIN STORM. THERE WAS OVER TWO-FEET OF WATER IN THE INTERSECTION OF GRAHAM AND KENILWORTH. A FEW HOMES WERE FLOODED. IF THE SHEA HOMES HAD BEEN BUILT AT THAT TIME ON A 9-FOOT PLATEAU AS SHEA PRESENTLY PROPOSES ~~THE~~ OUR ENTIRE TRACT WOULD HAVE BEEN SEVERELY FLOODED BECAUSE OF THE DECREASED SIZE OF OUR BASIN AND THE THE ADDITIONAL RUN-OFF FROM THE SHEA DEVELOPMENT. UNDER ANY CIRCUMSTANCES THE SHEA HOME WILL MAKE OUR FLOOD CONDITIONS WORSE.

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COASTAL COMMISSION

November 5, 2007

W-16a

R and S Rubel
5421 Neargate Drive
Huntington Beach, CA 92649

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416
FAX 562-590-5084

We support the November 2007 staff recommendations for City of
Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda
item W-16a

Very Concern Homeowners,

S Rubel

R Rubel

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562-590-5084

Nov. 7, 2007

W-16a

California Coastal Comm.
200 Oceangate, 10th Floor
Long Beach, Ca. 90802-4416

Attn. Meg Vaughn-

I support the November 2007 staff recommendations for the City of Huntington Beach Major LCP Amendment No. 1-06 (Shea-Parkside). agenda item W-16a

Sincerely
Bea Weston
17071 Camelot Cir.
Huntington Beach 92649
714-846-7686

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W-16a

Richard K. Moore
17672 Crestmoor Lane
Huntington Beach, CA 92649
(714) 840-4116
richardguy@aol.com

November 4, 2007

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

I support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Thank you,

Richard K. Moore

" W-16a"

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA. 90802-4416

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I support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Thank You,
Audrey Richards

" W-16a"

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California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA. 90802-4416

I support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Thank You,
Nancy Richards

Nancy Richards

Dear Meg;

I am writing in support of the November 2007 staff recommendations for the City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/ Parkside) agenda item W-16a.

I believe the recommendations are based on sound science and should be approved.

Respectively,
Rudy Vietmeier
Lakewood CA.

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COASTAL COMMISSION

" W-16a "

11-5-07

CALIFORNIA COASTAL COMMISSION

ATTN: MEG VAUGHN

200 OCEANGATE, 10TH FL.

LONG BEACH, CA. 90802-4416

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WE SUPPORT THE NOV. 2007 STAFF RECOMMENDATION FOR CITY OF HUNTINGTON BEACH MAJOR LCP AMENDMENT NO. 1-06 (SHOA-PARKSIDE) AGENDA ITEM W-16a

SINCERELY,

J. GULMESOFF

17151 GREENLEAF LN.

HUNTINGTON BEACH, CA.

92649

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COASTAL COMMISSION

November 6, 2007

W-16a

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

We support the November 2007 staff recommendations for the City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Bill & Mary Jane Wiley
6192 Moonfield Drive
Huntington Beach, CA 92648

17071 Berlin Lane
Huntington Beach, CA 92649

November 5, 2007

W-16a

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Reference: City of Huntington Beach Major LCP Amendment No. 1-06
Shea/Parkside

Dear Gentlepersons:

I support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Sincerely,

Sara Mathis

Sara Mathis

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From: Robert Hogan
Date: 11/5/2007 9:37:07 AM
Subject:

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COASTAL COMMISSION

California Coastal Commission
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

W-16a

We support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Bob & Betty Hogan
17302 Forbes Lane
Huntington Beach, CA 92649

November 5, 2007 W-16a

Dear California Coastal Commission,

I support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16a.

Sincerely,

June Nye

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COASTAL COMMISSION

November 5, 2007

California Coastal Commission
ATTN: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA.

FAX# 562-590-5084)

W-16a

RE: City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside)
Agenda Item W-16a

I support the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment no. 1-06.

Merle Moshiri
8802 Dorsett Dr.
Huntington Beach, CA 92646
714-536-2017

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COASTAL COMMISSION

W-16A

California Coastal Commision
Attn: Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

11/5/2007

Ms Vaughn:

For the record, I would like to express my support for the November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Shea/Parkside), agenda item W-16A.

Thank you,

Zach Halopoff
4801 Los Patos Ave.
Huntington Beach, CA 92649
714 840-9783

W-16a

We support the November 2007 Staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06 (Pacific) agenda item W-16a.

Sincerely,
David & Joan Fider
Huntington Beach

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NOV 05 2007
CALIFORNIA
COASTAL COMMISSION

November 4, 2007

To: California Coastal Commission

Re:W-16a

Attn: Meg Vaughn
Fax – (562)590-5084

We, the undersigned, support the November 2007 staff recommendations for city of Huntingon Beach Major LCP Amendment No. 1-06 (Shea/Parkside) agenda item W-16a.

Anna Young, 5362 Bonanza, H.B. 92648
Laura Fischbein, 18561 Florida St. 3026, HUNTINGTON BCH, CA. 92648
Louis Ciotti, Louis Ciotti 16791 Ruby Cir, Huntington Beach, CA. 92649
Martin Greenhalgh 16802 Canyon Ln. H.B. 92649
Louis Scalise, 16882 Canyon Ln. H.B. CA 92649
[illegible] Craig Bohi, 5435 Overland Dr HB 92649 [illegible]
JoAnn Royal JoAnn Royal 16871 Canyon Ln H.B 92649
Marjorie M. Volz 16862 Canyon Ln H 92649
Esther D. Hart 5322 OVERLAND DR 92649
Evelyn C. Spinas 5422 Bonanza, HB 92649
Marie M. Hoffmann 16902 Canyon Lane H.B. 92649
[illegible] 5331 Bonanza H.B 92649
Lorette Wuchtschuhe 5452 Bonanza Dr H.B. 92649
[illegible] 5452 Bonanza Dr HB 92649
Irene Scalise 16882 CANYON LN HUNTINGTON BCH 92649

W-16a

James M. Hlavaty
17152 Newquist Lane
Huntington Beach, CA 92649-4539

California Coastal Commission
Attn: Ms. Meg Vaughn
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

November 6, 2007

Dear Ms. Vaughn:

I am in full support of the Coastal Commission Staff Report which recommends limiting the Parkside Estates development to the northeastern most acreage of the property and protects all areas of wetland and sensitive habitat on the site.

The development needs to be limited to LOW DENSITY single-family homes so that it will better match existing residential neighborhoods and there should be NO ACCESS to the development through the Kenilworth neighborhood to the north. Additionally, I support the staff's recommendation to designate the northern eucalyptus grove as Environmentally Sensitive Habitat Area and assign a minimum setback of 100 meters. I also support the designation of the Wintersburg Pond (WP) and the Agriculture Pond (AP) as wetlands, a minimum 100 foot setback, and the removal of all illegal fills on the property. The area known as the EPA Wetland needs to be fully restored, as does the WP and former Smokey's Stables area: the Coastal Act requires that wetlands which have been filled/graded illegally be treated as if those fills/grading never occurred and therefore state law requires those areas be considered wetlands. The Vegetated Flood Protection Feature (VFPF), aka "sea wall" needs to be located outside all protective setbacks and ALL illegal fills on the property need to be completely removed and the habitats fully restored.

Shea Homes needs to be held accountable for the deliberate, repeated, and egregious acts of illegal trenching, grading, and filling done in direct violation of the Coastal Act since purchasing the property in 1996. Maximum penalties should be assessed and be made retroactive to the time of the violations.

I strongly urge you to APPROVE THE November 2007 staff recommendations for City of Huntington Beach Major LCP Amendment No. 1-06. Do not allow Shea Homes to profit from violating the Coastal Act.

Sincerely yours,

James M. Hlavaty

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