

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**ADDENDUM**

Date: November 4, 2009

To: COMMISSIONERS & INTERESTED PERSONS

From: JOHN AINSWORTH, DEPUTY DIRECTOR
SOUTH COAST DISTRICT STAFF

Subject: Commission Hearing of November 5, 2009, **item Th 18a. of agenda**, permit no 5-09-084(Holiday-Panay Way Marina), Marina del Rey, Los Angeles County.

1. To the Substantive File section on the cover page of the staff report add the following documents:

Marina Del Rey certified Local Coastal Plan, as amended in 1995; Marina Del Rey Periodic LCP Review, 2008; Dana Point Harbor Revitalization Plan (Land Use Plan); Marina Del Rey Slip Pricing and Vacancy Study, March 2009; CDPs 4-91-55, 5-99-244, 5-02-303, and 5-97-060.

2. On page 10, under A. Project Description and Location, third sentence, the number of slips lost should be corrected to 90 slips:

There will be a loss of ~~95~~ 90 slips due to current California Department of Boating and Waterways slip width criteria, American Disability Act (ADA) access requirements, and the provision of slip sizes to meet market demand...

3. On page 11, third paragraph should be modified to reflect the most current slip count conducted by the Bluewater design group, as shown in Exhibit No. 5:

The co-applicants have also included adjacent Parcels 18 (Dolphin Marina, Ltd.) and 20 (Panay Way Marina, LP.)¹, which are leased by the applicants, as part of this application, and have agreed that any change to any of the three marinas will be analyzed on a cumulative basis to ensure that the marinas will continue to provide a slip distribution that protects small boaters and continues to provide boating opportunities for all boaters. Dolphin Marina (Parcel 18) is a ~~424~~ 423 slip marina with approximately ~~309~~ 306 slips, or 72% of the slips, 35 feet and under; and ~~445~~ 116 slips, or 27%, ranging from 36 feet to 65 feet. Panay Way Marina (Parcel 20) is a 149 slip marina with approximately ~~434~~ 130 slips, or 87% of the total slips, 35 feet and under; and ~~48~~ 19 slips, 12% of the total, 36 to 45 feet (see Exhibit No. 5 for slip size distribution).

4. On page 17, second and third paragraphs, should be corrected as follows:

As stated above, the applicant Holiday-Panay Way Marina (Parcel 21) is closely associated with the co-applicant lessees of two adjacent marinas: Panay Way Marina and Dolphin Marina. Panay Way Marina (Parcel 20) is a 149 slip marina with approximately ~~134~~ 130 slips, or 87% of the total slips, 35 feet and under; and ~~48~~ 19 slips, 12% of the total, 36 to 45 feet. In 2002, the Commission approved a coastal development permit for the demolition and renovation of the entire marina (CDP No. 5-02-303). For the renovation, the Panay Way Marina chose to basically keep the existing slip mix and continue to provide a higher mix of small slips. Dolphin Marina (Parcel 18) is a ~~424~~ 423 slip marina with approximately ~~309~~ 306 slips or 72% of the slips, 35 feet and under; and ~~115~~ 116 slips, or 27%, ranging from 36 feet to 65 feet (CDP No. 5-96-276, 5-97-060).

Together the three marinas leased by the co-applicants currently provide a total of ~~756~~ 754 slips with approximately ~~75~~ 80% of the slips in the 35 feet and under range. With the proposed renovation of Holiday Marina, the total number of slips will be reduced to ~~666~~ 664 slips, with ~~63~~ 74% in the 35 feet and under range...

5. The South Coast District office has received letters of support of the project from Marina del Rey boaters/tenants, marina operators and yacht brokers. Letters are attached.

6. Commissioners' Ex Parte Communications that have been submitted to the South Coast District office are attached.

RECEIVED
South Coast Region

OCT 30 2009

CALIFORNIA
COASTAL COMMISSION



11/05/09 meeting
ITEM NO: TH 18a
PERMIT#: 5-09-08
CHARLES S. DEWELL
- IN FAVOR -

SOUTH SEAS PUBLISHING CO.

14025 Panay Way, Marina del Rey, CA 90292

(310) 305-4123 Fax (310) 305-3757

e-mail: cdewell722@aol.com

July 27, 2009

To: Department of Beaches and Harbors, Marina del Rey

California Coastal Commission

Re: Marina del Rey, Parcel 21, Holiday
Harbor Marina Redevelopment Plan

Dear Commissioners,

I am writing in favor of the Marina del Rey, Parcel 21, Holiday Harbor Marina Redevelopment Plan.

There is an argument before the Commission as regards the size of the slips at this facility. Due to my experience, (outlined below), I feel I offer a unique perspective on this issue:

- I have been a marina tenant at this facility since 1990 in both 20-foot slips (1990 through 2003) and 30-foot slips (2003 through present).
- I have been an office tenant at this facility since 1998.
- I was the marina manager / Dockmaster at this facility from November of 1996 through December of 1999.
- I was a yacht broker working out of this facility from January of 2000 through June of 2006.

The D-3700, D-3500 and half of the D-3300 docks at this facility are 20-foot double slips. These slips are extremely difficult



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e-mail: cdewell722@aol.com

to fill. There is room for only one modern 20-foot boat in these double slips. As a tenant, I did not want another boat squeezed into the same slip with me. As a Dockmaster, I had trouble renting those slips. We always had a high vacancy rate with the double slips due to these problems.

The antiquated slip design for parcel 21, especially for the 20 foot double slips, makes it difficult to rent out these slips. The vacancy rates in these slips were high when I was manager and, from a quick look at these three docks, they will continue to be high. In the 1960's, boats were much smaller, both in length and in beam, and these slips were designed for this type of vessel. Moreover, some tenants who rented 20 foot slips did so for 6 months and placed them on trailers the other 6 months.

In addition to the 20-foot slips, the 25's, 30's and 40-foot slips were all designed for 1950's - 1960's boats, and those boats were much narrower in the beam. Many modern-designed boats will not fit into the archaic slips at Parcel 21.

It is my opinion that the obsolete design of the Parcel 21 docks is in desperate need of modernization in order to meet the demands of today's contemporary designed vessels.

Sincerely,

Charles S. Dewell

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OCT 30 2009

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COASTAL COMMISSION

Horia Ispas
13900 Panay Way
Marina del Rey CA 90292
310-904-5510
horiaispas@yahoo.com

11/05/09
ITEM NO: TH 189
PERMIT #: 5.09.084
HORIA ISPAS
— IN FAVOR —

10-29-2009

California Coastal Commission
South Coast District
333 West Ocean Blvd.
Long Beach CA 90802

Dear Commissioners,

I have been a Marina Manager for almost twenty years to date and I have seen Marina del Rey Marina changing for better over the years. I remember when I started being amazed at the huge number of derelict boats and illegal live aboards creeping out of dubious vessels. Marinas as well as the Sheriff's Department have done a pretty good job cleaning up and removing many unseaworthy and unsafe abandoned boats. The vast majority were small boats, less than 30 feet long, that have no value and were simply left behind for the marinas to deal with.

To this day, I still have small boats being left behind by former tenants with rent unpaid and I can not even give them away due to the poor condition they are in. Having them destroyed at the boat yard costs \$3,000 per boat and those are boats that have only paid \$200 or less per month in rent. I have had to deal with about ten such boats within the past year and they are still coming.

Bottom line is there is still a good number of junky decrepit small boats, some even with individuals trying to live on them in unsanitary conditions, and from time to time they just walk away passing the problem to the marina. Unfortunately those are the most vociferous people, trying to preserve their status quo.

THERE HAS NEVER BEEN A SMALL SLIP SHORTAGE IN MARINA DEL REY! But there has always been a shortage of clean and seaworthy boats under 30 feet. We have always had small slips available, even at the time when a boat over 35 feet had to wait two years on the waiting list to obtain a slip.

We need more slips over 35 feet and less slips under 30 feet. There just are not enough clean small boats available to fill all the small slip vacancies on the West Coast. The face of boating has changed and the vast majority of new boaters need the larger slips available now.

I am fully in favor of rebuilding Holiday Marina with larger slips. It is called progress.



Captain Horia Ispas

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THE YACHT
EXCHANGE

14025 PANAY WAY MARINA DEL REY 90292
310 305-9192 310 305-9186 FAX

11/05/09 meeting
ITEM NO: TH 18a
PERMIT #: 5-09-084
RUCK GOLDREYER
— IN FAVOR —

7/08/09
Coastal Commission
1055 Monterey St
San Luis Obispo, Ca

Gentlemen,

I am a Yacht Brokerage with offices and Slips located in Marina Del Rey. I spoke a number of months ago at a meeting of the County board of Supervisors, I have also attended and spoke at the meetings of Los Angeles County Dept of Boating and Waterways meetings.

It is my personal and professional opinion that the rebuild of Holiday Harbor Marina Docks by the net lessee G&K Management, should follow the format which Esprit Marina has just completed on Marquise's Way. This format consisted of larger docks in the 40-60' range. Small slips from 25-35' are readily available in our area. I can make a phone call for a client and within 10 minutes there is a large choice of these smaller slips available thru out Marina Del Rey.

What is lacking are slips in the 40'-55' range. Even with our current economic downturn there is still a strong unfilled need for this size berthing for pleasure boats in Marina del Rey. In the last 10 years the average size of purchased vessels is running 38'-50'.

I strongly recommend that you allow G&K Management to build a Marina which addresses the needs of the wider boating community in Southern California. Please call or contact me for any further information or assistance in this matter.

Regards,

Ruck Goldreyer CEO The Yacht Exchange
ruck@theyachtexchange.net
310-804-6002 cell
310-305-9192 off

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Copy #021A

California Coastal Commission

OCT 30 2009

45 Fremont St. #2000

San Francisco, Ca 94105

CALIFORNIA
COASTAL COMMISSION

11/05/09
ITEM NO: TH 18 a
PERMIT #: 5.09.084
WALTER FREEMAN
IN FAVOR

To whom it may concern:

Regarding the marina redevelopment at 14025 Panay Way Marina del Rey, Ca

This letter is indication of support for the proposed redevelopment of the old Holiday Panay Way Marina. The old rundown slips are in need of replacing and the change from lots of small slips to more large slips will be an upgrade to the area. There is a much needed request for larger slips. The current small slips for the most part seem to be full of run down vessels. With the proposed "dry stack storage" on the other side of the marina some of the small boats could use that facility.

I think the concept of less slips but larger will be good for the community and business in the area.

Best regards

Walter Freeman

310 430 1766

Norseman Yachts

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Compass Yacht Services

**14025 Panay Way Suite #4
Marina del Rey, CA. 90292
(310) 902-2946**

11/05/09
ITEM NO: TH 18a
PERMIT #: 5.09.084
KEN MADEJA
IN FAVOR

To: California Coastal Commission
45 Fremont St. #2000
San Francisco, CA. 94105

10-28-09

From: Compass Yacht Services

To whom it may concern,

Regarding the redevelopment of the Holiday Marina property and slips. The Management of Compass Yacht Services stands behind the proposed redevelopment and improvements of the property on Panay Way and associated D Basin slips. We feel that the proposed improvements will have a positive impact on the general appearance usability and the business potential of the property. We feel the redevelopment of the property will be a benefit to the people of Marina del Rey, Los Angeles County and the State of California.

Sincerely,

Ken Madeja
Owner Compass Yacht Services

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**CALIFORNIA
COASTAL COMMISSION**

JAMES C. ROSS

October 28, 2009

11/05/09 meeting
ITEM NO: TH 18a
PERMIT#: 5-09-084
JAMES ROSS
- IN FAVOR -

California Coastal Commission

In favor of the project

45 Freemont Street

#2000

San Francisco, Ca 94105

RE: Regarding the marina development at 14025 Panay Way, Marina Del Rey, California
Permit No 5-09-084

To whom it may concern;

My wife and I occupy Slip D2515 in Holiday Harbor, Marina Del Rey, California. We have been legal, approved liveaboard since 1986. We both support, and are in favor of Holiday Harbor/Panay Marina management and their request for demolition of the existing 182 boat slip marina and construction of an 87 slip marina.

Sincere regards,



James Ross

John A Hocknell and Associates

13900 Panay Way DS2

Marina del Rey

CA 90292.

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CALIFORNIA
COASTAL COMMISSION

11/05/07 meeting
ITEM NO: TH18a
PERMIT #: 5-09-084
JOHN HOCKNELL
- IN FAVOR -

For attention the Chairperson and Members of The Coastal Commision:

I have been on the water for some 60 years 16 of which were here in Marina Del Rey.

I have a client list of over 500 clients who rely on me to keep their vessels in compliance and safe.

I operate out of a dingy so I am on the water for at least 7 hours a day and as such I feel I am more than qualified to comment on the configuration of slips.

16 years ago a 30 foot boat would have been considered as large, this is no longer the case.

I am a legal liveaboard on a 48foot 2002 vessel and trust me there is hardly enough room for my projects and my wife,s.

Somebody, probably yourselves, should produce a rule such as no liveaboards under 30 feet and then only one tenant.

I refer to parcel 21 now under consideration by you.

There is a certain fraction of people who are against any progress whatsoever who will probably address you today.

I wish you to keep in mind that half of them do not own a vessel and the other half are before you to preserve the status quo of living aboard a vessel under 30 feet.

I would judge from my client base that the average sized sailing vessel is 40 to 45 feet and that would be a slightly lesser number for powerboats but certainly not less than 40 feet.

You will be told today that the marina must be preserved as a small boat harbor.

Due to not being on the water as much as myself the objectors to larger slips will tell you there is no room for smaller boats.

On the contrary I am constantly giving way to small craft by the boy scouts , the rowing clubs, the 4 main yacht clubs have over 60 small boats on the water in any given day teaching kids to sail or row.

A- basin took over a year to rent out the small boat slips that they were forced to build.

The larger slips were rented out with a waiting list in months.

We should not make the same mistake with parcel 21.

Please understand the above represents my own personal views and I am not connected to any party.

I would have liked to address yourselves in person but I will be out of state at the time of the hearing.

Should you require amplification to any of the above please contact me on my cellphone 310 739 3498.

John A Hocknell.

A handwritten signature in black ink, appearing to be 'John A. Hocknell', written in a cursive style.

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**CALIFORNIA
COASTAL COMMISSION**



meeting 11/05/09
ITEM NO: TH 18a
PERMIT #: 5-09-084
ANTHONY CLARK
- IN FAVOR -

California Coastal Commission

26th October 2009

Re: Parcel 21

To whom it May Concern,

I shall be away on business and therefore unable to attend the meeting regarding Parcel 21, but I was at previous meetings both locally at Burton Chase Park and downtown at City Hall and wanted my position to be entered into the minutes of the meeting.

Over the past ten years I have lived aboard my 35foot Columbia sloop and have been looking for a bigger slip with the Dolphin Marina so that I may buy a bigger, newer sail boat, but there is a lack of such slips within the Dolphin Marina. Many of my friends who have forty to forty five foot yachts are also looking for slips and they would greatly enhance the marina and bring much needed jobs and dollars to the area which small twenty foot boat do not.

For some time now a small but highly vociferous group have tried to thwart the wishes of a majority of boat owners in Dolphin, Holiday Harbor and Panay Way Marinas regarding the renovation of the docks to include more slips for bigger sailing yachts and power boats. The idea being to greatly enhance the marina, and as I said earlier, bring jobs and dollars to the area.

The twenty-foot boats do not enhance the marina and for the most part are run-down, unseaworthy and an eyesore, many of which become abandoned and have to be dealt with.

In these trying economic times, every effort should be made to improve the marinas and brings jobs to the area and I believe that supporting the plans for Parcel 21 would do this.


Anthony Clarke

John W. Schallert, Jr.
13953 Panay Way PM-17 Marina del Rey, CA 90292
310-936-8877 jws.jr@hotmail.com

meeting 11/05/09
ITEM NO: TH 18a
PERMIT #: 5-09-084
JOHN SCHALLERT
— IN FAVOR —

October 27, 2009

California Coastal Commission

Dear Gentlepersons:

Please allow me to take this opportunity to introduce myself to you. Over the past eighteen year I have live a board my vessel in various anchorages in Marina del Rey.

Recently, about a year ago, I was interested in acquiring a thirty-six foot boat only to find out that is a limited amount slips available in this size range in Marina del Rey. In order to secure one of these slips, one has to be placed on "waiting list" for duration of time until a slip became unoccupied. It appears, from my perspective, that there are plenty of slips available in the less than thirty-foot range in most anchorages. My feeling is replacing the old docks at Holiday Marina to more modern larger slips will be great asset for those who wish to move up a larger vessel in the future.

Your time and consideration into this matter is greatly appreciated.

Respectfully yours,


John Schallert

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California Coastal Commission

45 Fremont St. #2000

San Francisco, Ca 94105

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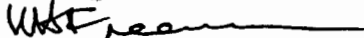
To whom it may concern:

Regarding the marina redevelopment at 14025 Panay Way Marina del Rey, Ca

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I think the concept of less slips but larger will be good for the community and business in the area.

Best regards


Walter Freeman

310 430 1766

Norseman Yachts

EX PARTE COMMUNICATIONS

Name or description of project: Application 5-09-84 Holiday-PanayWay Marina,
Marina Del Rey
Date/time of communication: October 26, 2009 @ 10:00 am
Location of communication: Phone
Type of communication: Conference Call
Persons in attendance: Susan McCabe, Gary Jones, Paul Wong,
Charlotte Miyamoto, Anne Blemker
Person receiving communication: Steve Blank

Detailed description of the communication:

The project representatives described the project and said they are in agreement with the staff's recommendation of approval.

The described a slip study by Noble Consultants which concluded that there was a demand for larger boat slips. The study also said that DBAW and ADA requirements was the reason for the reduction in the number of slips when marinas are reconstructed.

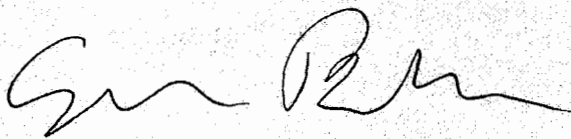
They stated that the proposed Parcel 21 reconstruction was consistent with the slip mix ratio recommended for Marina del Rey and desired by the County.

The applicant is willing to participate in an in lieu fee program to benefit low cost boating opportunities.

I was provided a briefing booklet, which was also provided to District Staff.

Date: October 27, 2009

Signature of Commissioner:

A handwritten signature in black ink, appearing to read 'S. Blank', is written over a light gray rectangular background.

Steve Blank

OCT 27 2009

THURSDAY, ITEM 18A

CALIFORNIA
COASTAL COMMISSION

DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project:

Application No. 5-09-84 (Holiday-Panay Way Marina, LP, Marina Del Rey) Application of Holiday-Panay Way Marina, LP to demolish an existing 182-boat slip marina and construct a 92 slip marina, including removal of existing piles, adding 79 new piles, replacement of ramps and dock floats, installation of a pump-out station, and participation in an in-lieu fee program to increase lower-cost public boating opportunities.

Date and time of receipt of communication:

October 26, 2009 @ 1:30 pm

Location of communication:

Phone

Type of communication:

Conference Call

Person(s) in attendance at time of communication:

Susan McCabe, Gary Jones, Paul Wong, Charlotte Miyamoto, Anne Blemker

Person(s) receiving communication:

Bonnie Neely

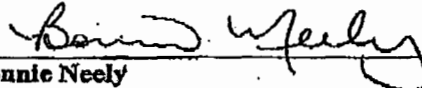
Detailed substantive description of the content of communication:

(Attach a copy of the complete text of any written material received.)

I received a briefing from the project representatives in which they described the project and informed me that they are in agreement with the staff's recommendation of approval. They provided background regarding the Marina del Rey Periodic Review and the comprehensive slip study that was prepared by Noble Consultants to evaluate existing marina conditions and trends. As described by the representatives, the study concluded that there was a demand for larger boat slips and that DBAW and ADA requirements necessitated a reduction in the number of slips when marinas are reconstructed. They stated that the proposed marina reconstruction at Parcel 21, in addition to other recent renovations on the applicant's adjacent marinas, was consistent with the slip mix ratio recommended for Marina del Rey and desired by the County. The applicant is willing to participate in an in lieu fee program to benefit low cost boating opportunities. I was provided a briefing booklet, which was also provided to District Staff.

Date: October 26, 2009

Signature of Commissioner:


Bonnie Neely

Hampton, Nancy

From: Neely, Bonnie
Sent: Monday, November 02, 2009 10:53 AM
To: Hampton, Nancy
Subject: FW: Request for Organized Opposition

Please do an exparte on this. Thanks.

-----Original Message-----

From: Jon Nahhas [mailto:jnahhas@gmail.com]
Sent: Monday, November 02, 2009 10:02 AM
To: Neely, Bonnie
Cc: 'David B - We ARE Marina del Rey'
Subject: Request for Organized Opposition

Dear Chairperson Neely,

The Boating Coalition and We Are Marina del Rey would like the opportunity of providing the organized opposition at the November 5th public hearing for the Holiday Harbor Marina proposed development (TH18a, App. # 5-09-084). Our organizations have worked extensively with the boating community, residents, and local agencies in and around Marina del Rey. Please allow us the same time considerations that the co-applicants would be afforded for the hearing. Thank you for your time and consideration.

Jon Nahhas
The Boating Coalition
310-306-4682

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NOV - 2 2009

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COASTAL COMMISSION

11/02/2009

THURSDAY, ITEM 18A

DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project:

Application No. 5-09-84 (Holiday-Panay Way Marina, LP, Marina Del Rey) Application of Holiday-Panay Way Marina, LP to demolish an existing 182 boat slip marina and construct a 92 slip marina, including removal of existing piles, adding 79 new piles, replacement of ramps and dock floats, installation of a pump-out station, and participation in an in-lieu fee program to increase lower-cost public boating opportunities.

Date and time of receipt of communication:

October 30, 2009 @ 12:00 pm

Location of communication:

La Jolla

Type of communication:

In person meeting

Person(s) in attendance at time of communication:

Susan McCabe, Santos Kreimann

Person(s) receiving communication:

Pat Krüer

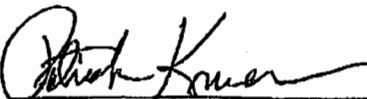
Detailed substantive description of the content of communication:

(Attach a copy of the complete text of any written material received.)

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Date: 11/3/09

Signature of Commissioner:



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COASTAL COMMISSION

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATION

Date and time of communication:
(For messages sent to a Commissioner by mail or facsimile or received as a telephone or other message, date time of receipt should be indicated.)

November 2, 2009, 10:53 am

RECEIVED

NOV 02 2009

Location of communication:
(For communications sent by mail or facsimile, or received as a telephone or other message, indicate the means of transmission.)

via e-mail

CALIFORNIA
COASTAL COMMISSION

Person(s) initiating communication:

Jon Nahhas, The Boating Coalition

Person(s) receiving communication:

Commissioner Bonnie Neely

Name or description of project:

Nov Agenda Item TH18a, App 5-09-084 - Holiday Harbor Marina Proposed Development.

Detailed substantive description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

See attached e-mail communication requesting opportunity to provide organized opposition at the November 5th Public Hearing.

Date: November 2, 2009


Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceedings and provide the Executive Director with a copy of any written material that was part of the communication.

Coastal Commission Fax: 415 904-5400

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South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



Filed:	4/03/09
49th Day:	5/22/09
180th Day:	waived
270 th Day:	12/29/09
Staff:	Al Padilla-LB
Staff Report:	10/20/09
Hearing Date:	11/4-6/09

TH 18a.

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-09-084

APPLICANT: Holiday-Panay Way Marina, L.P.; Dolphin Marina Ltd.; Panay Way Marina, LP; and the Los Angeles County Department of Beaches and Harbors

PROJECT LOCATION: 14025 Panay Way (Parcel 21), Marina del Rey

PROJECT DESCRIPTION: Demolition of an existing 182 boat slip marina and construction of a 92 slip marina including removal of existing piles, adding 79 new piles, replacement of ramps and dock floats, installation of a pump-out station, and participation in an in-lieu fee program to increase lower-cost public boating opportunities.

SUBSTANTIVE FILE DOCUMENTS: Marina Del Rey certified Local Coastal Plan, 1995.

SUMMARY OF STAFF RECOMMENDATION:

The major issues of this staff report include possible impacts upon the California least tern, a reduction in the quantity of berthing slips available in a public recreational marina, and water quality. Staff recommends **APPROVAL** of the proposed development with the following special conditions including: 1) combining three marinas for future planning; 2) participation in a low cost boating in-lieu fee program; 3) construction responsibilities and best management practices; 4) identification of a construction debris disposal site; 5) U.S. Army Corps of Engineers approval; 6) restrictions on the timing of construction; 7) notification of the need to obtain a coastal development permit amendment for any change to the proposed project; 8) water quality requirements for the operation and construction of the marina, including the pump-out station; 9) operation, maintenance, and repair of over-water sewer lines; 10) pre-construction survey for *Caulerpa taxifolia*; 11) assumption of risk lease restriction for the lessee; and 12) assumption of risk lease restriction for the lessor.

STAFF RECOMMENDATION:**I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR 5-09-084:**

Staff recommends that the Commission make the following motion and adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-09-084 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative 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 term or condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. COMBINE THREE MARINAS FOR FUTURE PLANNING

A. By acceptance of this permit, the applicants acknowledge and agree that the three marinas, Dolphin Marina, Ltd. (Parcel 18), Panay Way Marina, LP. (Parcel 20) and Holiday-Panay Way Marina, LP. (Parcel 21), generally depicted in Exhibit No. 2 attached to the staff report dated October 20, 2009, will be, for planning purposes, considered together for all future development so that the boat slip size distribution within the three marinas will be reviewed cumulatively in terms of consistency with the access and recreational policies of the Coastal Act, or until there is a comprehensive amendment to the Marina del Rey Local Coastal Plan submitted by the County, and approved by the Commission, that addresses future boat slip size distribution and supply throughout Marina del Rey Harbor.

2. LOW COST BOATING IN-LIEU FEE

PRIOR TO ISSUANCE OF A COASTAL DEVELOPMENT PERMIT, applicant Holiday-Panay Way Marina, L.P., or its or successor in interest shall agree to provide:

a. An in-lieu fee to the County, or a non-profit organization acceptable to the Executive Director of the Coastal Commission, to be used for scholarships for youths to participate in boating programs, for purchase of sail training vessels, funding for transportation to bring youths to the Harbor, and for other similar programs to enhance lower cost boating opportunities. Such programs may include, but are not limited to the County's Water Awareness, Training, Education and Recreation (W.A.T.E.R.) Youth Program.

b. The in-lieu fee shall be the equivalent financial value of two 30-foot boat slips (based upon the listed per-foot rental rate posted at the marina on July 1 of each year for 30-foot slips). The payment of the in-lieu fee to the County, or the approved non-profit organization, will commence upon completion of the marina redevelopment construction and continue annually, throughout the life of the project.

c. The Department of Beaches and Harbors shall provide (or shall cause the appropriate non-profit organization to provide) an annual report, for the review and approval of the Executive Director of the Coastal Commission, detailing the in-lieu fees that have been collected, the lower cost boating programs developed and operated, and the number of people participating in such programs. The report shall be provided annually, no later than January 15th of each year for the proceeding calendar year.

3. CONSTRUCTION RESPONSIBILITIES AND DEBRIS REMOVAL

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

- (a) No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to inundation or dispersion in the waters of the marina;
- (b) Any and all debris resulting from construction activities shall be removed from the site within 10 days of completion of construction;
- (c) No machinery or construction materials not essential for project improvements shall be allowed at any time in the intertidal zone;
- (d) If turbid conditions are generated during construction, a silt curtain shall be utilized to control turbidity;
- (e) 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;
- (f) Non-buoyant debris discharged into coastal waters shall be recovered by divers as soon as possible after loss; and
- (g) 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 the waters of the Marina del Rey. The applicant and the applicant's contractors shall have adequate equipment available to contain any such spill immediately.

4. LOCATION OF DEBRIS DISPOSAL SITE

PRIOR TO ISSUANCE OF A COASTAL DEVELOPMENT PERMIT, the applicant shall identify in writing, for the review and approval of the Executive Director, the location of the disposal site of the demolition and construction debris resulting from the proposed project. Disposal shall occur at the approved disposal site. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

5. U.S. ARMY CORPS OF ENGINEERS APPROVAL

PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall provide to the Executive Director a copy of a permit issued by U.S. Army Corps of Engineers, or letter of permission, or evidence that no permit or permission is required. The

applicant shall inform the Executive Director of any changes to the project required by the U.S. Army Corps of Engineers. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

6. TIMING OF PROJECT

In order to reduce impacts on the California least tern during nesting and foraging season, no pile driving activity that may generate noise or turbidity shall occur during the period commencing April 1 and ending September 1 of any year.

7. FUTURE DEVELOPMENT

This Coastal Development Permit 5-09-084 is only for the development expressly described and conditioned herein. The permittee shall undertake development in accordance with the approved coastal development permit. Any proposed changes to the development, including any change to the sequence of construction, shall be reported to the Executive Director. No changes to the approved development shall occur without a Commission amendment to this coastal development permit or a new coastal development permit unless the Executive Director determines that no amendment or new permit is required.

8. WATER QUALITY MANAGEMENT PLAN

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a detailed Water Quality/Best Management Practices (BMPs) Program for controlling adverse impacts to water quality related to long-term water-borne berthing of vessels in the marina. The plan shall be prepared by a qualified professional with expertise in the control of water quality impacts related to marinas.

1. The plan shall demonstrate that long-term water-borne berthing of vessels in the marina shall be managed in a manner which protects water quality and that persons using the marina are made aware of the rules related to boat maintenance and use. To the extent to which physical features or objects (trash containers, recycling bins) are required in the plan, an attached site plan shall show the location where these features or objects will be installed.
2. The plan shall include, at a minimum, the following components or measures:
 - (a) Boat Cleaning Management Measures:
 1. The marina shall prohibit in-water boat hull washing which does not occur by hand;

2. The marina shall prohibit in-the-water hull scraping or any process that occurs under water which results in the removal of paint from boat hulls;
3. The marina shall ensure that marina tenants, when washing boats, utilize detergents and cleaning components that are phosphate-free and bio-degradable. Amounts used shall be minimized; and
4. The marina shall prohibit the use of detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye.

(b) Implementation of a solid waste reduction and recycling program including the following Solid Waste Management Measures:

1. Trash receptacles shall be provided at the entrances to all docks;
2. Containers for recyclables shall be provided and sited so that they are convenient for boaters (i.e. close to the dock); and
3. All trash and separate containers for recyclables, oil wastes, fish wastes, etc. shall be clearly marked, have the capacity to handle all waste streams, and be sited so that they are convenient for boaters (i.e. close to the dock).
4. All solid waste, including sewage, shall be properly disposed of only at appropriately designated facilities.

(c) Implementation of a liquid material control program which provides and maintains appropriate storage, transfer, containment and disposal facilities for liquid materials commonly used in boat maintenance including the following Liquid Waste Management Measures:

1. The marina shall provide a secure location to store hazardous wastes, including petroleum products, old gasoline or gasoline with water, absorbent materials, and oily rags;
2. Containers for anti-freeze, lead acid batteries, used oil and used oil filters which will be collected separately for recycling shall be provided by the marina;
3. Signage shall be placed on all regular trash containers to indicate that hazardous wastes may not be disposed of in the container. The containers shall notify boaters as to how to dispose of hazardous wastes and where to recycle certain recyclable wastes; and
4. The marina shall maintain an adequate supply of absorbent pads for use by marina tenants and lessees for the cleaning of minor spills.

(d) Petroleum Control Management Measures:

1. The marina shall provide a service that reduces oily discharges from in-board engines, either a bilge pump-out facility (with an oil-water separation device) or the marina shall promote the use of oil-absorbing materials in the bilge areas or engine compartments of all boats with inboard engines. When distributing oil absorbents to boaters, the marina shall provide adequate safety warnings as to the safe use and handling of flammable materials and methods to prevent fouling the bilge pump. Oil absorbent materials should be examined at least once a year and replaced as necessary. The marina shall recycle the materials, if possible, or dispose of them in accordance with hazardous waste disposal regulations. The marina environmental policies shall encourage boaters to regularly inspect and maintain engines, lines and hoses in order to prevent oil and fuel spills. These policies shall encourage boaters to use preventive engine maintenance, oil absorbents, bilge pump-out services, or steam cleaning services as much as possible to clean oily bilge areas. The use of soaps that can be discharged by bilge pumps shall be discouraged.

(e) Public Education Measures:

In addition to these specific components outlined in Special Condition 8.2.(a) through (d) above, the BMP program shall also include enforcement provisions, including eviction from the marina and notice of possible civil or criminal fines and/or penalties, to assure compliance with this program by all marina tenants. The marina shall provide information about all of the measures in the BMP program through a combination of signage, tenant bill inserts and distribution of the BMP program to new tenants and each year to repeat tenants. The program shall be posted at the dockmaster's office and at all dock entrances, and be included and attached to all slip lease agreements.

9. OPERATION, MAINTENANCE, AND REPAIR OF OVER-WATER SEWER LINES

The applicant shall submit, for the review and approval of the Executive Director, an operation and maintenance plan for over-water sewer lines. The over-water sewer lines include all pipes from sewage pump-out facilities, and any other pipe which leads to a sanitary sewer. The over-water sewer lines shall be visually inspected at least once per month and dye- or pressure-tested at least once every six months. All leaks shall be repaired immediately upon discovery. If the applicant determines that a more stringent procedure is necessary to ensure protection of coastal water quality, then the applicant shall update the operation and maintenance plan.

The permittee shall undertake development and ongoing maintenance and operation in accordance with the approved final plan and other requirements. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to

this coastal development permit unless the Executive Director determines that no amendment is required.

10. CAULERPA TAXIFOLIA PRE-CONSTRUCTION SURVEY

A. Not earlier than 90 days nor later than 30 days prior to commencement or re-commencement of any development authorized under this coastal development permit (the "project"), the applicant shall undertake a survey of the project area and a buffer area at least 10 meters beyond the project area to determine the presence of the invasive alga *Caulerpa taxifolia*. The survey shall include a visual examination of the substrate.

B. The survey protocol shall be prepared in consultation with the Regional Water Quality Control Board, the California Department of Fish and Game, and the National Marine Fisheries Service.

C. Within five (5) business days of completion of the survey, the applicant shall submit the survey:

1. for the review and approval of the Executive Director; and
2. to the Surveillance Subcommittee to the Southern California Caulerpa Action Team (SCCAT). The SCCAT Surveillance Subcommittee may be contacted through William Paznokas, California Department of Fish & Game (858/467-4218) or Robert Hoffman, National Marine Fisheries Service (562/980-4043).

D. If *Caulerpa taxifolia* is found within the project or buffer areas, the applicant shall not proceed with the project until 1) the applicant provides evidence to the Executive Director that all *C. taxifolia* discovered within the project and/or buffer area has been eliminated in a manner that complies with all applicable governmental approval requirements, including but not limited to those of the California Coastal Act, or 2) the applicant has revised the project to avoid any contact with *C. taxifolia*. No revisions to the project shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

11. ASSUMPTION OF RISK, WAIVER OF LIABILITY, AND INDEMNITY AGREEMENT AND LEASE RESTRICTION APPLICABLE TO APPLICANT-LESSEE

A. By acceptance of this permit, the applicant/lessee, Holiday-Panay Way Marina, LP, on behalf of (1) itself; (2) its successors and assigns and (3) any other holder of the possessory interest in the development authorized by this permit, acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (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; (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; and (v) to include a provision in any subsequent sublease or assignment of the development authorized by this permit requiring the sublessee or assignee to submit a written agreement to the Commission, for the review and approval of the Executive Director, incorporating all of the restrictions identified in (i) through (v).

B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant, Panay Way Marina, LP, shall execute and record a lease restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The lease restriction shall include a legal description of the applicant's entire parcel (No. 21). The lease restriction shall run with the land, binding all successors and assigns. This lease restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

12. ASSUMPTION OF RISK, WAIVER OF LIABILITY, AND INDEMNITY AGREEMENT APPLICABLE TO APPLICANT-LESSOR

A. By acceptance of this permit, the applicant-lessor Los Angeles County Department of Beaches and Harbors acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant-lessor 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; (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; and (v) to include a provision in any subsequent lease of such property requiring the lessee to submit a written agreement to the Commission, for the review and approval of the Executive Director, incorporating all of the terms of subsection A of the prior condition.

B. PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT, the landowner shall execute and record 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.

C. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to demolish an existing 182 slip marina [Holiday Marina (Parcel 21)] and construct a new 92 slip marina (Exhibit No. 2 - 4). All existing dock floats, ramps, and pilings within the anchorage will be removed and new floats, ramps, and pilings will be constructed in a similar configuration. There will be a loss of 95 slips due to current California Department of Boating and Waterways slip width criteria, American Disability Act (ADA) access requirements, and the provision of slip sizes to meet market demand. The new anchorage will be a structural wood system with a concrete deck and polyethylene floats. The existing and proposed boat slip lengths are as follows (see also Exhibit No. 5):

<i>Slip Length(ft.)</i>	<i>18 to 25</i>	<i>26 to 35</i>	<i>36 to 50</i>	<i>Total</i>
Existing	122	50	10	182
Proposed	11	43	38	92
Change	-111	-7	+28	-90

The existing marina includes boat slips arranged in seven docks with seven gangways. The existing marina is comprised of slips in the 20, 25, 30 and 40 foot slip lengths. All of the 20 foot slips (68) are configured as double loaded slips (two vessels per finger). The average slip size will increase from 26.55 feet to 36.40 feet.

The new anchorage will provide five gangways, with one ADA accessible, leading to five docks. The existing parcel coverage by the docks and walkways will decrease from 31,235 square feet to 23,879 square feet. In addition, all 87 existing 14-inch diameter concrete pilings will be replaced and relocated with 79 new concrete pilings 14-inch to 16-inches in diameter.

The project will also include a new pump-out station to serve the reconstructed marina and a docking area for the County's public water shuttle taxi (WaterBus), which provides low cost

(\$1.00) water transportation throughout the marina. The marina operator will also participate in an in-lieu fee program to provide the public lower-cost boating opportunities.

Parcel 21 is located along Panay Way in the northwest section of Marina del Rey harbor. The parcel contains approximately 3.22 acres of water area (see Exhibit No. 3). The water parcel is approximately 200 feet wide and 660 feet long paralleling the interior channel bulkhead. The water parcel is one of the smallest marinas within Marina del Rey.

The co-applicants have also included adjacent Parcels 18 (Dolphin Marina, Ltd.) and 20 (Panay Way Marina, LP.)¹, which are leased by the applicants, as part of this application, and have agreed that any change to any of the three marinas will be analyzed on a cumulative basis to ensure that the marinas will continue to provide a slip distribution that protects small boaters and continues to provide boating opportunities for all boaters. Dolphin Marina (Parcel 18) is a 424 slip marina with approximately 309 slips, or 72% of the slips, 35 feet and under; and 115 slips, or 27%, ranging from 36 feet to 65 feet. Panay Way Marina (Parcel 20) is a 149 slip marina with approximately 131 slips, or 87% of the total slips, 35 feet and under; and 18 slips, 12% of the total, 36 to 45 feet (see Exhibit No. 5 for slip size distribution).

According to the applicant, Holiday-Panay Way Marina, during construction of the new marina, only portions of the slip anchorages will be out of service at any one time. Construction will be done one dock at a time to minimize boater displacement. Boats using the existing facility and impacted by development will have the opportunity to move to the other available slips within the same marina. Other available relocation options within Marina del Rey include dry dock facilities and other available slips within other anchorages found throughout Marina del Rey.

B. Areawide Description

Marina del Rey covers approximately 807 acres of land and water in the County of Los Angeles. Marina del Rey is located between the coastal communities of Venice and Playa Del Rey. The marina is owned by the County and operated by the Department of Beaches and Harbors.

The existing marina began its development in 1962 when the dredging of the inland basin was completed. The primary use of the marina is recreational boating. The marina currently provides approximately 4,731 boat slips², within approximately 26 separate anchorages. Other boating facilities include transient docks, dry storage (817 spaces³) a public launching ramp, three public pump-out stations, repair yards, charter and rental boats, harbor tours, and sailing instruction schools.

¹ The three marina co-applicants all have common partners. Thus, although the marinas are legally distinct entities, they are closely inter-related.

^{2,3} Marina Del Rey Slip Pricing and Vacancy Study, Prepared for Los Angeles County Department of Beaches and harbors, March 2009

Other recreational facilities within Marina del Rey include: Burton W. Chase Park, Admiralty Park, a public beach and picnic area, bicycle trail, and limited pedestrian access along the marina bulkheads and north jetty promenade. Along with the recreational facilities, the marina is developed with multi-family residential projects, hotels, restaurants, commercial, retail and office development.

Within the marina, most structural improvements have been made by private entrepreneurs, operating under long-term land leases. These leases were awarded by open competitive bids in the early and mid-1960's. The developers were required to construct improvements on unimproved parcels in conformance with authorized uses designated in their leases and pursuant to a master plan for the marina. Most leases will expire after 2020.

Within the existing marina, development has occurred on all but one leasehold parcel. This development is generally referred to as Phase I development. Recycling, intensification, or conversion of these initial uses on leased parcels is referred to as Phase II development.

C. Public Access and Recreation

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213 of the Coastal Act states:

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

Section 30224 of the Coastal Act states:

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

Section 30234 of the Coastal Act states:

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

The proposed project is located between the nearest public road and the sea as well as within coastal waters. The project is the demolition of a public boating marina and reconstruction of a new marina in a similar configuration but with net reduction of 90 slips and change in the slip size distribution. The marina is a privately operated facility with berthing slips available to the general public on a month-to-month fee basis. Upon completion of the proposed development, the marina slip leases will remain available to the general public. The proposed project does not include any proposed change to the method of leasing.

The slip size distribution in Marina del Rey and other marinas is important in terms of recreational boater access since pricing is based on the size of the slip. Slip rates in Marina del Rey range from an average of approximately \$10.00 to \$16.00 per linear foot of dock. Rates for the proposed renovated anchorage range will be consistent with this range. However, with the proposed reduction of the smaller slips (-118 slips in the 35 foot and under range or -146 in slips 30 foot and under), small boat owners will be forced to either rent larger slips and pay a higher rental rate, store their boats on land, or compete for the limited number of available small boat slips in the other marinas.

In the recent periodic review for the Marina del Rey Local Coastal Plan, the Commission expressed concern with the loss of slips within Marina del Rey and the protection of the mix of slips. The Commission found that:

...to continue to protect the public demand for boating and lower cost recreational facilities, consistent with the Coastal Act, the County should ensure that the LCP policies and objectives protect an adequate mix of slip sizes to continue to meet the demand for all boat size categories of boat owners. Furthermore, the marina should be protected from any further reduction in total slips to maximize boating recreational opportunities; and in order to protect the small boater's continued use and access to wet slips throughout the marina, slips 35 feet and under should be protected from further slip reduction.

The existing slip configuration within Parcel 21 contains a total of 182 slips. Of this total, 172 slips, or 94%, are 35 foot or less. The proposed total slip count will be reduced to 92 slips, and slips 35 foot and under will decrease to 54 slips, or 59% of the proposed total slips. Slips 36 feet and over will increase from 10 existing slips to 38 slips, or 41% of the proposed total slips.

According to the applicant, the proposed modification of slip size distribution is due to several factors. The existing marina was constructed over 30 years ago and new, or reconstructed marinas are required to comply with the current Layout and Design Guidelines of the California Department of Boating and Waterways. Incorporation of the

current design requirements, requiring wider slip or berth sizes will result in fewer slips being redeveloped in any given water space. Slip size distribution will also require more water space within marina basins to be used for floating walkways, finger floats, and greater fairway widths (interior channels between docks). Furthermore, marinas have been increasing berth sizes to accommodate the wider power boat widths in order to provide the greatest flexibility for berthing of recreational boats (sailboats and power boats), and double loaded slips, which are frequently found in older marinas, are being eliminated due to the wider and longer vessel designs that are common today. Another factor is the design requirements imposed under the Americans with Disabilities Act (ADA), which requires wider fingers, docks, and longer access ramps. Furthermore, installation of on- dock boating facilities, such as the proposed pump-out facility, which was not previously provided within this marina, requires additional space, further reducing the number of slips. Therefore, under the redesigned marina, the number of slips, or berths, is being reduced from 182 to 92, a reduction of 90 slips. However, although the above mentioned factors influence the slip size distribution to a certain degree, the main reason is market demand. Marketing studies have shown that the greatest demand is in the mid and larger boat sizes (36 feet and over), and to meet this demand, marinas are reducing the number of smaller slips and increasing the mid and larger range slips.

Boat ownership and boat recreation is based on a number of factors, including economics and population growth. As the economy grows, more and more people have greater disposable income which can be used to purchase boats and to pay for the anchorage fees. Furthermore, as southern California's population continues to increase, boat sales could also increase and increase the demand for anchorages in all slip lengths. Therefore, it is important to ensure that anchorages continue to provide a mix of slip lengths to provide a full range of boating opportunities for all boaters.

Marina del Rey currently provides approximately a total of 4,731 boat slips. The slips range in size from approximately 18 feet to over 51 feet in length, with the following slip distribution⁴:

18-25 ft.	= 1,231
26-35 ft.	= 2,074
36-50 ft.	= 1,146
>51 ft.	= 280

Currently, of the approximately 4,731 boat slips provided within Marina del Rey, approximately 69% of the slips are 35 feet or under, and approximately 51% are under 30 feet. The applicant has indicated that the demand for the smaller slips has been declining locally and regionally and the slip distribution was based on demand and was selected after various meetings with the County, marina tenants, and local boat owners (see Exhibit No. 6-8 for Parcel No. 21 2005-2007 vacancy reports).

⁴ Marina Del Rey Slip Pricing and Vacancy Study, Prepared for Los Angeles County Department of Beaches and harbors, March 2009.

According to studies (Marina Del Rey—Boat Slip Sizing and Pricing Study, April 20, 2001, and 2004 update, prepared by Williams-Kuebelbeck & Associates, Inc.; California Boating Facilities Needs Assessment report, dated October 15, 2002, and Marina del Rey Slip sizing Study Marina Del Rey, California, prepared by Noble Consultants, Inc, March 11, 2009), vacancies are generally higher for boat slips under 36 feet than for boats slips 36 feet and longer. For Marina del Rey, the County's Beaches and Harbors reports that the overall average vacancy for 2008 was approximately 4% (see Exhibit No. 9). The report indicates that the vacancy rate for slips less than 36 feet was approximately 3.7% while the vacancy rate for boats 36 feet and longer was less than 1%.

Regionally, since the early 1990's, marinas have been renovating their aging marinas and reconfiguring their slip size distribution to favor larger boats—boats 36 feet and larger. In the early 1990's, Ventura Isle Marina, in the City of Ventura, reduced their total number of slips from 597 slips to 467, and reduced the slips 25 foot and under from 26% to 9% of the total. The average slip size increased from 31.9 to 38.2 feet (Coastal Development Permit No. 4-91-55).

Cabrillo Harbor, in the San Pedro area of the City of Los Angeles, provides two marinas: Cabrillo Marina and Cabrillo Way Marina. Under a Port of Los Angeles coastal permit, Cabrillo Way Marina was recently reconfigured reducing the number of slips from 625 to 614. Slips that were 25 feet and under, and originally constituted 18% of the total, were eliminated. Cabrillo Marina provides no slips 25 feet or under. The average slip size increased from approximately 34.5 to 42 feet.

In 1999, Sunset Harbor Marina (i.e. Sunset Aquatic Park) in Seal Beach, reduced the total number of slips from 255 to 240. Slips that were 25 feet and under, which constituted approximately 30% (78) of the total, was reduced to 16% (40) of the total. Slips 35 feet and larger were increased with the overall slip length increasing from 30.5 to 32.8 feet (Coastal Development Permit No. 5-99-244).

Most recently, in October 2009, the Commission approved the Dana Point Harbor Revitalization Plan (Land Use Plan), that included a proposed marina renovation and redistribution of the existing boat slip mix. The Plan, which was approved by the Commission, included reducing the total number of slips from 2,409 to 2,200 and reducing the slips 30 foot and under from 75% (1,795) of the total to 67% (1,472) of the total. Slips considered in the mid and large range increased approximately 5% (87) and 2% (33) respectively. The average slip length increased from 29.85 feet to 31.34 feet (see Exhibit No. 10 & 11) for Dana Point Harbor slip distribution chart).

For Marina del Rey, current distribution of slips 30 foot and under consists of 51% (2,414) of the total. The proposed renovation of Parcel 21 will reduce slips 30 foot and under by 146 slips to 48% (2,268) of the total number of slips provided within Marina del Rey harbor. The average slip size would increase from approximately 33.9 feet to 34.3 feet. As the largest marina along the California coast, Marina del Rey provides a significant number of small slips and its average slip length is consistent with other marinas found along the

coast (see Exhibit No. 12, Comparison of Average Slip Length for MDR and Other Marinas).

The proposed project will have a total reduction of approximately 3.6% over the total slips 35 foot or less within Marina del Rey. Based on the most recent (January -March 2009) vacancy rates for Marina del Rey, there are approximately, on average, 332 available slips in the 35 foot and under range and only 40 available slips on average for slips 36 foot and over. Therefore, there is currently more than an adequate number of vacant slips available in the less than 35 foot length range to offset the loss of small slips as proposed in this project.

Although the trend for new and redeveloped marinas is for larger boats slips, and despite the higher vacancies in the small slip range, surveys indicate that in Marina del Rey, there continues to be a demand for the smaller slips. As the trend for larger boats continues and marinas convert their small boat slips to larger slips anchorage opportunities for the small boat owner will continue to be reduced; however, an adequate mix of boat sizes, along with alternative storage alternatives, such as dry storage, should be available to provide the greatest boating opportunities for the boating public. In recognizing the need to provide an adequate mix of boat slips throughout Marina del Rey, the County is developing marina design guidelines for all marinas within Marina del Rey to support the Department of Beaches and Harbors in the review and approval process. The County has indicated that they are considering maintaining a minimum combined percentage of 50% of slips for slips 35 feet and under for the entire Marina. Furthermore, the County will be coming before the Commission with a comprehensive plan for the waterside portion of the marina to address slip size distribution to ensure that there is an adequate mix of slip sizes offered throughout the marina (This project was originally submitted to the Commission in 2007 prior to the Commission's final action on the Marina del Rey Periodic Review in January 2008. Because the project was already approved by the County and submitted to Commission staff prior to the Commission's action on the Periodic Review and the applicants were working with Staff to bring this project to hearing for approximately two years, staff determined that this project should be allowed to go forward prior to the County's preparation of a comprehensive plan).

While it is difficult to contend that recreational boating is in fact a lower cost recreational activity, in general, smaller boats are less expensive, and therefore available to a larger segment of the population than are larger boats. The Commission has heard testimony in past Commission permit hearings contending that reduction in the availability of slips that accommodate smaller boats reduces this option for those who want to own boats and use the docks, but can not afford a larger boat or larger slip and its associated fees. Moreover, if the trend continues as noted above, small boat owners will not be able to find slips of a size that is appropriate for their boats. Cumulatively, this reduction would not be consistent with Coastal Act provisions that encourage lower cost facilities and support recreational boating opportunities. However, coastal recreational activities, such as boating, should be available to all economic sectors, including the small boat or personal water craft owner to the large boat and yacht owner. As indicated above, there are currently a surplus of slips 35 feet and under serving the small boat owner and a shortage

of the larger slips. The proposed dock reconfigure will provide a slip mix that will help meet the larger boat demand while continuing to provide a supply of smaller slips.

Although the proposed project will reduce the total number of slips within the Marina and within the 35 feet and under category, with new boating and dock design standards, and the trend for larger boat designs, it is difficult to maintain the same number of slips, especially in the smaller marinas, such as Holiday Marina, and provide a marina that meets the market demand and is economically viable. Considering the applicant's other marinas, the applicant, through recent renovations, has provided a large percentage of slips 35 feet and under and the County is working towards and continuing to protect the mix of boat slips, including slips 35 feet and under, and will continue to provide alternatives to wet slip storage, including dry storage throughout the marina, and boat launch facilities. The County is also planning a dry stack storage facility to provide small boat owners additional storage opportunities.

As stated above, the applicant Holiday-Panay Way Marina (Parcel 21) is closely associated with the co-applicant lessees of two adjacent marinas: Panay Way Marina and Dolphin Marina. Panay Way Marina (Parcel 20) is a 149 slip marina with approximately 131 slips, or 87% of the total slips, 35 feet and under; and 18 slips, 12% of the total, 36 to 45 feet. In 2002, the Commission approved a coastal development permit for the demolition and renovation of the entire marina (CDP No. 5-02-303). For the renovation, the Panay Way Marina chose to basically keep the existing slip mix and continue to provide a higher mix of small slips. Dolphin Marina (Parcel 18) is a 424 slip marina with approximately 309 slips or 72% of the slips, 35 feet and under; and 115 slips, or 27%, ranging from 36 feet to 65 feet (CDP No. 5-96-276, 5-97-060).

Together the three marinas leased by the co-applicants currently provide a total of 756 slips with approximately 75% of the slips in the 35 feet and under range. With the proposed renovation of Holiday Marina, the total number of slips will be reduced to 666 slips, with 63% in the 35 feet and under range. With the recent renovations to the other two marinas and the proposed renovation of Holiday-Panay Way Marina, the three marinas maintain a large percentage of small slips and will provide 20% of the entire Marina del Rey supply of small slips. The percentage of small slips provided by the three marinas together is fairly consistent with the current Marina del Rey wide percentage of 69%.

Because of past renovations and maintaining of the smaller size slips within the adjacent marinas (Dolphin Marina and Panay Way Marina) leased and operated by the co-applicants, the co-applicants have agreed to combine, for planning purposes, the two other marinas together with this marina so that in the future, any change in slip sizes for any one of the marinas, will be reviewed cumulatively with all three marinas to ensure that there will continue to be an adequate mix of boat slip sizes within all three marinas. Furthermore, as part of this permit application, the applicant, Holiday-Panay Way Marina, is also proposing to participate in an in-lieu fee program that will help improve boating and lower cost water recreational opportunities within and surrounding the marina. The applicant has proposed to annually contribute to the County, or a County approved non-profit foundation, an

amount equal to the annual rent chargeable for two 30 foot boat slip, and said funds will be used for scholarships for youths to participate in boating programs, such as the County's Water Awareness, Training, Education and Recreation (W.A.T.E.R) Youth Programs, for purchase of sail training vessels, funding for transportation to bring youths to the harbor and for other similar programs to enhance access for lower income persons to the coast.

The upgrading of the marina with new docks, providing a new pump out-station, and providing a dock area for the County's public water taxi will enhance the anchorage and improve and encourage recreational boating in the Marina del Rey harbor as a whole. Section 30224 of the Coastal Act encourages increased recreational boating use of coastal waters, and Section 30213 of the Coastal Act encourages developments with lower cost visitor and recreational facilities providing public recreational opportunities. The proposed improvements to the existing marina will result in an increase in the slip rental fees and a reduction in the number of lower cost boat slips; however, based on the demand and the provision of small slips within the applicants' adjacent marinas, and the provision of an in-lieu fee to increase boating opportunities the proposed project is consistent with Sections 30224 and 30213 of the Coastal Act. To ensure that all three parcels will be considered as one in future dock renovation/reconfiguration, to ensure that there is an adequate mix of boat slips, Special Condition No. 1 places the applicant on notice that all three parcels (18, 20, and 21) will be considered as one for any future renovation/reconfigurations. Furthermore, the applicants' proposed in-lieu fee has been included as Special Condition No. 2 to ensure the applicant's participation in an in-lieu fee program to increase boating opportunities in the marina continues for the life of the project. If the applicant makes its payments to a non-profit organization, that organization must be acceptable to the Commission's Executive Director. The Commission therefore finds that only as conditioned will the proposed development be consistent with Sections 30210, 30213, 30224 and 30234 of the Coastal Act.

D. Marine Resources

Section 30230 of the Coastal Act states:

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

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored

through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240(b) of the Coastal Act states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The Commission has reviewed numerous reports concerning the impacts of chemical pollution and siltation on marine organisms and on coastal recreation in coastal waters including public marinas. In addition, given the location of the proposed work within a marina supporting both sensitive species and recreational activities there are concerns about how the work may be performed. In response to these concerns the Commission has imposed in past permit actions conditions on development to prevent siltation, spills and pollution as a result of development.

1. Water Quality and Construction Impacts

The proposed project is for the demolition of an existing marina and construction of a new marina located in coastal waters. Due to the proposed project's location on the water, the proposed work may have adverse impacts upon water quality and the marine environment.

The proposed project was submitted to the U.S. Army Corps of Engineers for their review and approval. In the Corps review, the Corps determined that water quality would not be affected by the proposed project if the applicant implements proposed best management practices to minimize the dispersal of silt, debris, and chemicals. The best management practices include the use of turbidity screens/siltation curtains to isolate work area during pile removal and installation, floating booms to contain debris or spills, recovery of any non-buoyant debris by divers as soon as possible after loss. The Commission finds that since construction of the proposed project requires the use of best management practices to minimize impacts upon water quality, the Commission imposes Special Condition No. 8 requiring the applicant to utilize best management practices including those described above. In addition, the improper storage of construction equipment and materials during construction can contribute to water quality impacts; therefore, the Commission finds it necessary to identify the following other construction related restrictions: all construction materials and equipment shall be stored landward of the bulkhead, on impervious surfaces only; all construction materials or waste shall be stored in a manner which prevents their movement via runoff, or any other means, into coastal waters; and that any and all construction equipment, materials and debris are removed from upland areas at the conclusion of construction. In addition, demolition of existing structures will generate debris that will need to be disposed of off-site. Since the applicant has not identified a disposal site and in order to prevent impacts to coastal waters that could occur if such debris were not properly disposed,

the Commission imposes a special condition which requires that all demolition debris be disposed of at a legal site approved by the Executive Director. Choice of a site within the coastal zone shall require an amendment to this permit or a new coastal development permit.

The proposed project will maintain the present use and is not expected to create additional adverse impacts on marine resources. However, the Commission finds it necessary to identify the permittee's responsibilities regarding construction and the utilization of best management practices and has conditioned the project accordingly. Therefore, only as conditioned does the Commission find that the proposed project conforms with Sections 30230 and 30231 of the Coastal Act.

2. Sensitive Species Impacts

According to EIR's that have been done for various projects in the Marina area, there are no special status benthic invertebrate, fish, insects, reptiles or mammals occurring in the marine portions of the project site. However, special status birds were observed or are expected to utilize open water habitat present in the marina and on the project site. Such birds include the California Brown Pelican, Peregrine falcon, Great blue heron, and the California Least Tern.

According to a report (*Marina Del Rey Heronry*, by Jeffrey B. Froke, Ph.D., May 2006), in 2004-2005, there were approximately 27 trees (eucalyptus) located within four geographically grouped areas in the Marina used by Black-crowned Night Herons for nesting. The closest nesting site is over 1,200 feet away from Parcel 21, along Via Marina and in proximity to Parcel 9u that contains wetlands. There are no known heron or egret nesting or roosting sites within the immediate vicinity of the project site (see Exhibit No. 13 for surveyed nesting sites). However, the California least tern (*Sterna antillarum brownii*) nests at nearby Venice Beach and have been observed to use all portions of the Marina del Rey harbor for foraging. Least terns feed on small fish directly under the water surface in coastal waters. Construction activity, such as pile driving, may cause turbidity in the water which would affect foraging species ability to see food normally visible in the water. In addition, pile driving would generate noise in the water column that would disturb fish and other species normally present upon which foraging least terns would normally feed.

The Department of Fish and Game has reviewed the proposed project and determined that the proposed activity would not have a significant adverse effect on existing marine resources and habitats, provided no open water activities that have the potential to create water turbidity or excessive noise and vibration (e.g. pile driving) occur during the tern season and the use of silt curtains are implemented. The Department of Fish and Game and U.S. Army Corps of Engineers, in their preliminary review, concurs with the applicant's construction activity restriction between April 1 through September 1, in order to avoid adverse impacts to the tern's foraging.

Section 30230 and 30231 of the Coastal Act state that the biological productivity and the quality of coastal waters shall be maintained. Therefore, in order to ensure that adverse impacts to the biological productivity and marine resources are avoided, the Commission

finds that it is necessary to impose Special Condition No. 6 which prohibits pile driving activity, between April 1 and September 1 of any year during which construction occurs, that would impact foraging species in the area. Construction activity that does not create turbidity or excessive noise that disturbs foraging species, such as float assembly, is permitted during this time.

Other marine resources that could be impacted by the development is Eelgrass (*Rupia maritima*). 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's biologist conducted a reconnaissance survey of the marina on August 23, 2007. The results of the survey indicate that eelgrass is not present in the area of the proposed project site. In addition, *Caulerpa taxifolia*, which is an invasive non-native algae, was not found. The Department of Fish and Game has indicated that it is necessary to conduct a survey just prior to construction, consistent with the *Caulerpa* Control Protocol. Therefore, to ensure that *Caulerpa taxifolia* is not present at the time of construction it is necessary to require in Special Condition No. 10 that the applicant conduct a survey no earlier than 90 days and no later than 30 days prior to commencement of any development authorized under this coastal development permit.

The proposed project includes the installation of a pump-out station for all recreational boats within this marina. The station will be located at one of the end-ties at the end of the dock and will have a sewer line that will run under the dock and connected to the County's main sewer line. The installation of a pump-out station within this marina will provide boats a more convenient pump-out station and encourage boaters to use the facility which will help reduce illegal discharges into coastal waters. Sewer lines exposed to the marine environment, however, have the potential to break or corrode more quickly than those more sheltered from the salty air and sunlight. Because the sewer line will be directly above the water, it could leak raw sewage directly into the water, if there are any ruptures in the pipes. Coastal Commission staff reviewed the existing operation and maintenance procedures of the submitted by the Los Angeles County Department of Beaches and Harbors and determined that a more stringent procedure is necessary. Visually inspecting the entire length of the lines on a monthly basis will provide the basic inspection necessary to ensure there is no leakage into coastal waters. The more strict dye or pressure tests will allow inspectors to see less visible leaks in the sewer lines; and because these tests are more expensive and labor-intensive, conducting these tests biannually is sufficient. Special Condition No. 9 requires the proper operation, maintenance, inspections, and repair of over-water sewer lines.

The U.S. Army Corps of Engineers will not authorize this project until after Commission action on the permit application. Therefore, the Commission imposes Special Condition No. 5 which requires that the applicant to submit evidence of final approval from the U.S. Army Corps of Engineers prior to commencement of construction.

As conditioned, the Commission finds that the proposed project would eliminate significant adverse impacts to marine resources and sensitive species such as the least tern. Therefore, the Commission finds that, as conditioned, the proposed project is consistent with Sections 30231 and 30240(b) of the Coastal Act.

3. Fill of Coastal Waters and Loss of Marine Habitat

The proposed project will involve the removal of 87 dock float guide pilings and the placement of 79 concrete guide pilings in open coastal waters. These dock float guide piles constitute fill of open coastal waters. More specifically, the existing 87 pilings to be removed constitute approximately 202 square feet of fill, while the proposed pilings have a total fill of approximately 183 square feet, for a total decrease of approximately 19 square feet of fill of open coastal waters. Under Section 30233 of the Coastal Act, fill of open coastal waters is only allowed when several criteria are met, including (a) the project must fall within one of the use categories specified; (b) the proposed project must be the least environmentally damaging alternative; and (c) feasible mitigation measures to minimize adverse environmental effects must be provided. Section 30233 of the Coastal Act states, in part:

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

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

The proposed project meets the first criteria because it is the replacement of an existing public boating facility. Fill of open coastal waters for the construction of a public boating facility is an allowable use under Section 30233(a)(4) of the Coastal Act.

Next, the proposed project is the replacement of a boating marina in a different configuration. Alternatives to the proposed project include no project, no change to the existing configuration, or a change to the proposed configuration.

Under the no project alternative, the applicant could only pursue simple maintenance repair activity. However, simple maintenance repair could not feasibly repair the docks, nor bring them up to present engineering and safety standards. Simple maintenance would only prevent further deterioration of the docks. In addition, marine habitat would not significantly benefit from the no project alternative since this alternative would necessitate that the structure remain in place. Continued, safe use of the facility for marine recreational purposes would be precluded without replacement of the dock system.

The second alternative, replacement of the project in the same configuration would not reduce the number of piling required. Modern engineering standards require a larger number of pilings. Therefore, even if the marina were demolished and reconstructed in the same configuration, the number of proposed pilings would increase over what is currently existing.

Under the proposed alternative, the dock and guide piling layout is changing from the existing layout. However, the number of proposed pilings is the minimum necessary to adhere to present engineering standards and reduces the number of pilings. Furthermore, it should be noted that the installation of the new pilings will result in temporary disturbance to the existing vertical substrate. The guide pilings provide a vertical substrate for mollusks and other marine organisms. However, the proposed project will replace the quantity of vertical substrate upon which mollusks and other marine organisms may settle. Therefore, no long-term impact will occur to this habitat. Finally, by reducing the total number of piles, the project will result in a net reduction of fill. No additional creation of open water area is required. Therefore, the proposed project is the least environmentally damaging, feasible alternative, and includes feasible mitigation measures, such as limiting pile driving to avoid critical periods and construction measures to limit turbidity, to minimize adverse environmental effects.

The proposed project will result in the fill of open coastal waters for a boating facility, which is an allowable use under Section 30233 of the Coastal Act. In addition, the proposed project is the least environmentally damaging alternative, and does provide feasible mitigation measures. Therefore, the Commission finds that, as conditioned, the proposed project is consistent with Section 30233 of the Coastal Act.

E. Visual Impacts

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253 states that new development shall:

(5) where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The proposed project is located on the water in the western portion of the marina.

The Land Use category for the project site is designated Water in the LCP. The LCP provides that the height of development located on parcels designated as Water parcels is limited to 15 feet above the water surface.

The proposed project will replace an existing deteriorating dock system with a new system. As with the existing docks, the proposed docks will rise approximately 1.5 feet above the waterline. The docks will contain dock boxes, trash bins and other ancillary type structures. No restrooms, offices, or other commercial structures are proposed. Boater restrooms are provided on the landside portion of the parcels.

As proposed, the new docks will improve the visual aesthetics of the marina by removing deteriorating docks and will not adversely impact views of the marina. The Commission, therefore, finds that the proposed project is consistent with the visual resource protection policies of the Coastal Act and with the County's Local Coastal Program.

F. Hazards

Section 30253 of the Coastal Act provides in part:

New Development shall:

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazards...*

The proposed dock system will be designed in accordance with the County's building code for docks to ensure structural integrity. However, because of its location, the docks are potentially subject to the effects of tsunamis and seiches. The LCP indicates that Marina del Rey has sustained only minor damage in the past due to tsunami and seiches because of special design standards embodied in the moles, docks and breakwater. However, there remains the potential for damage from wave and tidal action. Therefore, the Commission finds that the lessee of Parcel 21 must assume the risks associated with the proposed development. The lessee must also record a lease restriction reflecting, among other things, the assumption of the risk of developing in an area where an extraordinary potential for damage from wave and tidal action exists as an inherent risk to life and property, and the waiver of the Commission's liability for damage that may occur as result of such hazards (Special Condition No. 11 and 12). This is necessary because the design is a result of a study for which the applicant and its engineer are responsible. Wave hazards cannot be predicted with certainty, so the applicant and future owners must be put on notice that the Coastal Commission is not liable for damages resulting from wave and tidal action. The Commission, therefore, finds that the proposed project, as conditioned, is consistent with Section 30253 of the Coastal Act.

G. Local Coastal Program

In 1984, the Commission certified the County's Land Use Plan portion of the Marina del Rey/Ballona segment of the County of Los Angeles Local Coastal Program. Subsequent to the Commission's certification, the City of Los Angeles annexed over 525 acres of undeveloped land, which was a portion of the County's LCP area located south of Ballona Creek and east of Lincoln Boulevard (known as Area B and C). Subsequent to the City's annexation, the City submitted the identical Land Use Plan (the Playa Vista segment of the City's Local Coastal Program) covering the City's portion of the original County LCP area. The Commission certified the Land Use Plan Amendment for the annexed area with suggested modifications on December 9, 1986. The County also resubmitted those portions of their previously certified LUP that applied to areas still under County jurisdiction, including the area known as Area "A" and the existing marina. The Commission certified the County of Los Angeles' revised Marina del Rey Land Use Plan on December 9, 1986.

On September 12, 1990, the Commission certified an Implementation Program pertaining to the existing marina, with suggested modifications. The undeveloped area in the County, Playa Vista Area "A" was segmented from the marina and no ordinances were certified for the area. After accepting the suggested modifications, the Commission effectively certified the Marina del Rey LCP and the County assumed permit-issuing authority, although the Commission retains permit jurisdiction over all water areas within the marina.

In 1995, the County submitted an amendment to the LCP. In May 1995, the Commission certified the LCPA with suggested modifications. The County accepted the modifications and the LCP was effectively certified. The revised 1995 LCP represented a major change in the County's approach to Marina del Rey development. Abandoning the bowl concept, which limited height on moles and next to the water, the County presented the Commission with a redevelopment plan that allowed greatly increased heights if and when developers provided view corridors over no less than 20% of the parcel. Increased height would be contingent on the provision of increased views. Secondly, the County agreed that at the time of renegotiations of the leases, the lessees would be required to reserve an 18 foot wide promenade/fire road along the water that would be open to the public [an access promenade was reserved and approved by the County as part of the proposed landside redevelopment of Parcel 20 (CDP No. 98-172(4))].

On January 9, 2008, the Commission approved a Periodic Review evaluation of the County's certified LCP. The Periodic Review identified policy areas where County actions have implemented the certified LCP in a manner that is not in conformity with the Coastal Act, and where the specific provisions of a certified LCP do not reflect new information or changed conditions such that the LCP is not being implemented in conformity with the Coastal Act. The Commission's recommendations included in part:

- Revises boating recommendations to include provisions to expand affordable boating opportunities through a variety of measures including reservation of slips for rental or membership clubs; creation of youth boating programs that provide low cost boating opportunities for youths; new storage facilities; day use rentals; and increased opportunities to launch and use kayaks and other smaller craft.

- Revises Boating recommendations to ensure no loss in total boat slips and slips 35 feet and under.
- Revises Water Quality recommendations to reflect requirements and ensure integration of the existing NPDES, SUSMP and TMDL requirements and to clarify application of BMPs.
- Revises Water Quality recommendations to include monitoring of all implemented BMPs.
- Revises development recommendations to recommend that the County undertake a comprehensive LCP update of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies and other facilities identified through a community planning process.
- Revises Biological Resources and ESHA recommendations and acknowledges that trees currently or historically used as roosting or nesting habitats by herons, egrets or other significant avian species constitutes ESHA as defined by Section 30107.5 of the Coastal Act, and requires a marina-wide assessment of the trees that may provide habitat for birds protected by Fish and Game code and the Migratory Bird treaty Act. The recommendations also expands areas where site-specific resource assessments should be undertaken as part of the LCP Amendment or development review process.

The recommendations made in the Periodic Review do not directly amend the certified LCP. The recommendations suggest actions that could be carried out through such means as: policy and ordinance changes in future amendments to the LCP; changes in how the County implements the LCP in issuing coastal permits; or through other implementing actions such as new studies, educational efforts or County programs.

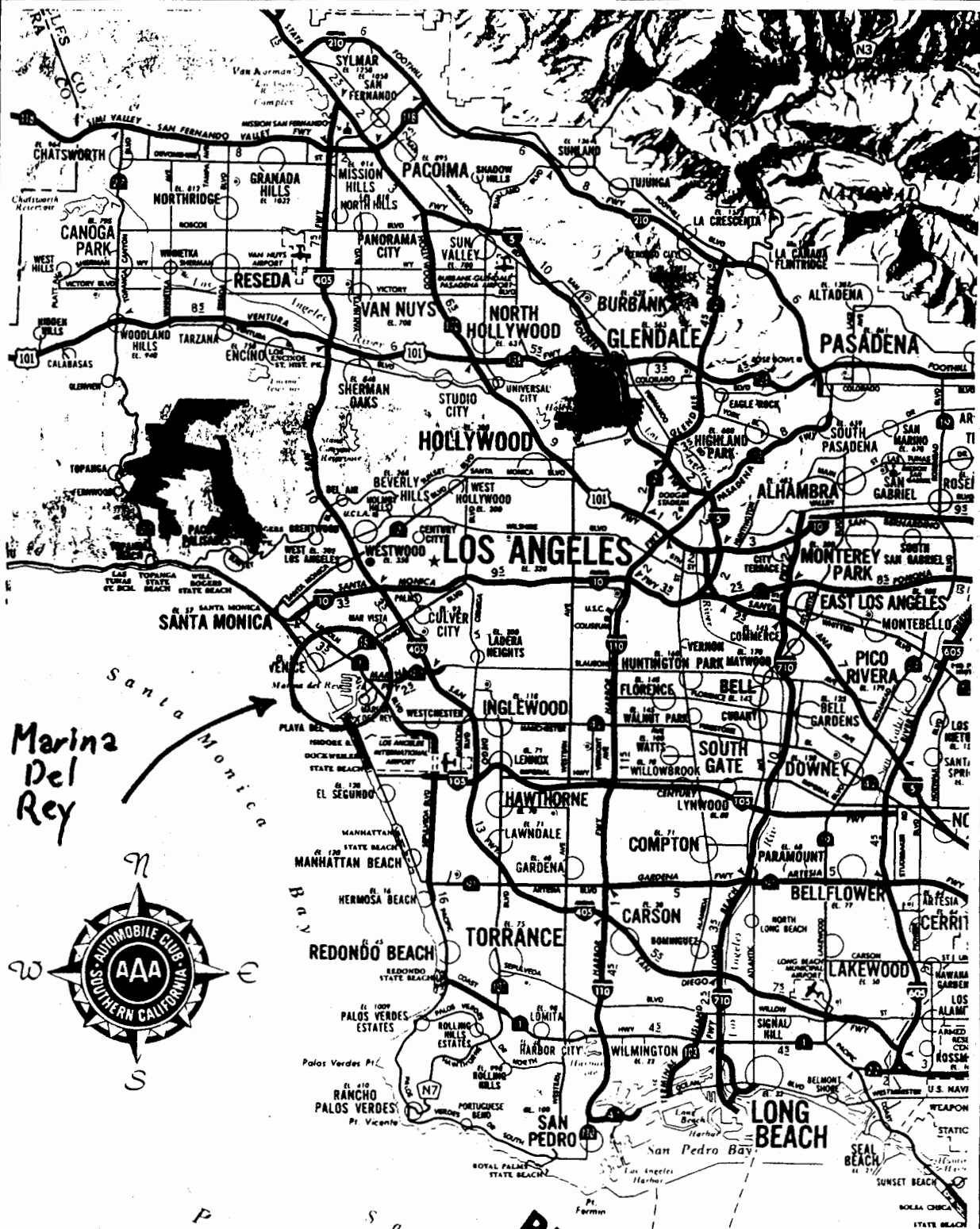
The certified LCP designates the proposed site as “Water”. Under the “Water” category of the LCP the permitted uses are recreational uses, wet boat slips, docking and fueling of boats, flood control and light marine commercial. The proposed use is a permitted use. However, the proposed development is located seaward of the mean high tide and is within the Commission’s original permit jurisdiction. The standard of review for development within the Commission’s original permit jurisdiction is Chapter 3 of the Coastal Act. The County’s certified LCP is advisory in nature and may provide guidance for development. As stated in the preceding sections, as conditioned, the project will not adversely impact coastal and marine resources or coastal access. The Commission, therefore, finds that the proposed project will be consistent with the Chapter 3 policies of the Coastal Act.

H. California Environmental Quality Act

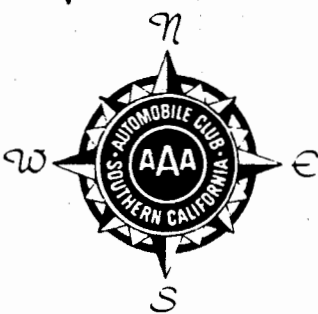
Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment. The

County of Los Angeles Department of Regional Planning determined that the proposed project was ministerial and no further CEQA action was necessary.

Potential impacts are to boater access, marine resources, water quality and the visual resources of the area. As conditioned, all potential adverse impacts have been adequately mitigated. As conditioned, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.



Marina
Del
Rey



LOS ANGELES AREA



RECEIVED
South Coast Region
CALIFORNIA
COASTAL COMMISSION

HUNTINGTON BI

EXHIBIT NO. 1

APPLICATION NO.

5-09-084

Vicinity Map

California Coastal Commission

Marina del Rey
LCP Periodic Review

BOATING FACILITIES

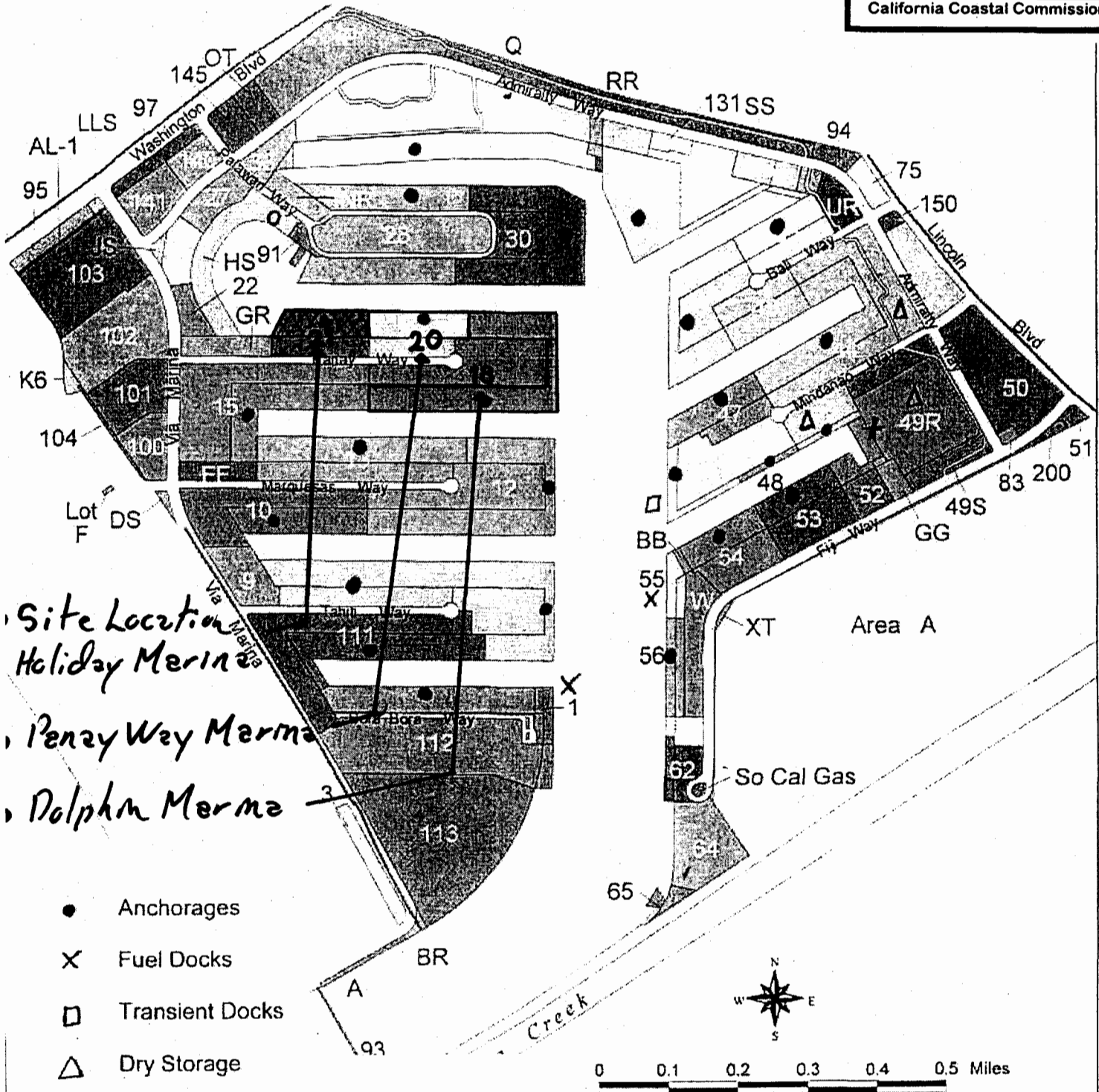
EXHIBIT NO. 2

Application Number

5-09-084

Parcel Map

California Coastal Commission



PROPOSED DOCK LAYOUT SLIP COUNT			
Slip Length	Quantity	Linear Feet	%
25'	11	275	11.84
30'	15	450	18.30
35'	28	980	39.43
40'	2	80	3.21
45'	19	855	33.85
50'	8	400	15.64
55'	6	330	12.87
60'	3	180	7.07
65'	1	65	2.54
Average	13	330	12.87

FILE NOTE:
TOTAL NO. OF SLIPS = 82
PROPOSED DOCK AREA = 287,000 SQ. FT.

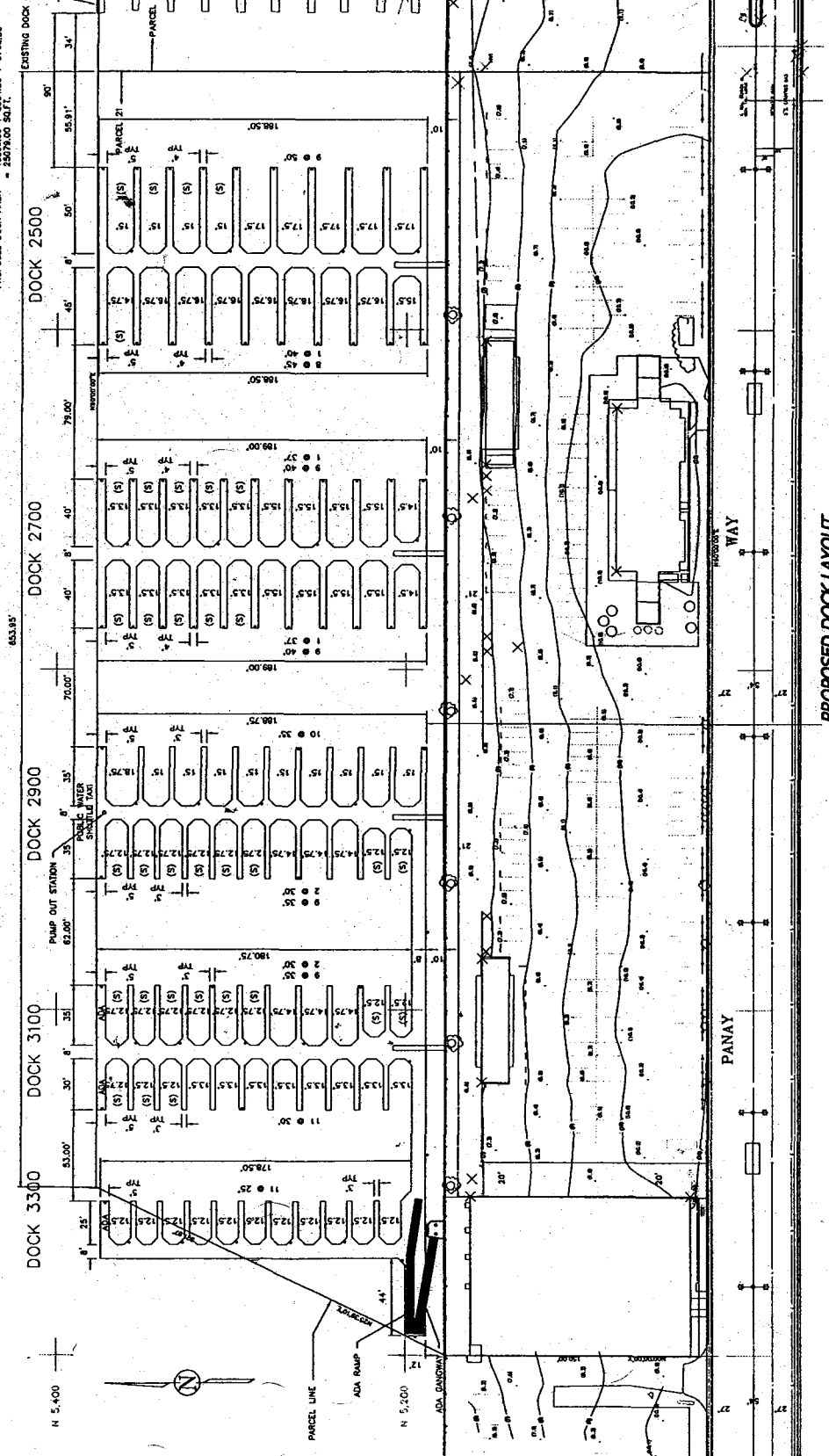
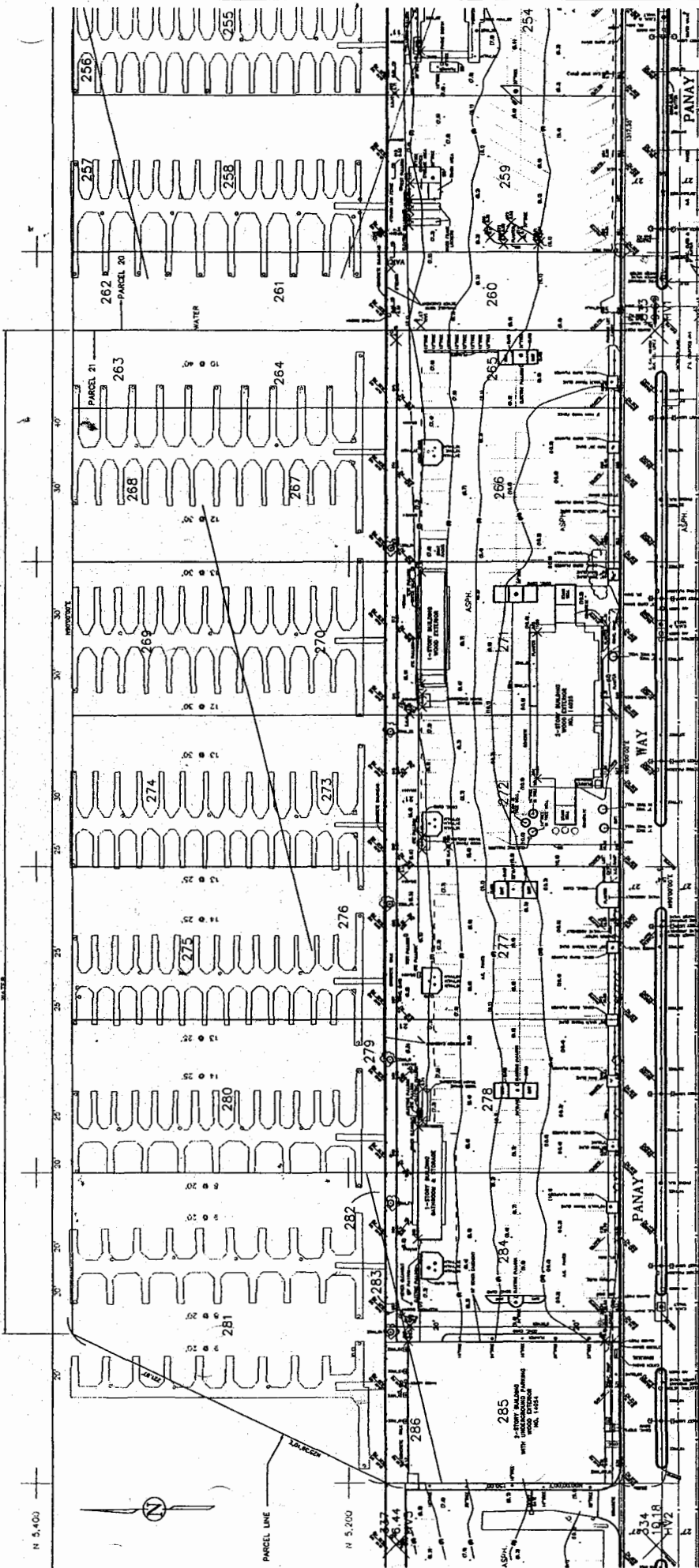


EXHIBIT NO. 3
Application Number
5-09-084
Proposed Dock Layout
California Coastal Commission

PROPOSED DOCK LAYOUT SCALE 1" = 30'		PROJECT IMPROVEMENTS FOR HOLIDAY MARINA PARCEL 21-MARINA DEL REY, CA	
2800 W. Pacific Avenue, Suite 200 San Pedro, CA 90731 Tel 310 544 3332 Fax 310 544 1024 Email: info@hifw.com Website: www.hifw.com		DESIGNER HIFW AFTER Design Group Planning and Engineering Services For Marine and Waterfront Boards	
PROJECT NO. 21-08-001 DATE: 08/01/2008 DRAWN BY: J. L. LEE CHECKED BY: J. L. LEE APPROVED BY: J. L. LEE		PROJECT NO. 21-08-001 DATE: 08/01/2008 DRAWN BY: J. L. LEE CHECKED BY: J. L. LEE APPROVED BY: J. L. LEE	

EXISTING DOCK LAYOUT SLIP COUNT			
Slip Length	Quantity	Linear Feet	%
20'	31	620	22.97
25'	54	1,350	49.48
30'	0	0	0.00
35'	0	0	0.00
40'	10	400	14.48
50'	0	0	0.00
60'	0	0	0.00
Total	95	2,370	85.93
Average = 24.95'			

INDICATES DOUBLE BERTH SLIPS
EXISTING DOCK AREA = 3088.76 SQ FT
65.13%



EXISTING DOCK LAYOUT
SCALE 1"=30'

EXHIBIT NO. 4
Application Number
5-09-084
Existing Deck
Layout
California Coastal Commission

PROJECT		STATUS	
IMPROVEMENTS FOR HOLIDAY MARINA PARCEL 21-MARINA DEL REY, CA		EXISTING DOCK	
2500 Via Carlsbad Marina, Suite 200 San Pedro, CA 90731 Tel: 310 548 3132 Fax: 310 548 1924		RIVER WATER DIVISION GROUP Planning and Engineering Services For Marine and Waterfront Owners	
PREPARED BY: [] CHECKED BY: [] APPROVED BY: [] DATE: []		PREPARED BY: [] CHECKED BY: [] APPROVED BY: [] DATE: []	

EXISTING SLIP LAYOUT - PRE CONSTRUCTION

PARCEL 21				DOLPHIN MARINA				PANAY WAY				COMBINED			
Slip Length	Quantity	Linear Feet	%	Quantity	LF	%		Quantity	LF	%		Quantity	LF	%	
17-20	68	1,360	37%	30	594	7%		0	-	0%		98	1,954	12%	
21-25	54	1,350	30%	179	4,403	40%		58	1,442	37%		291	7,195	37%	
26-30	50	1,500	27%	69	2,070	15%		54	1,614	34%		173	5,184	22%	
31-35	0	-	0%	41	1,370	9%		25	871	16%		66	2,241	8%	
36-40	10	400	5%	35	1,374	8%		10	398	6%		55	2,172	7%	
41-45	0	-	0%	30	1,324	7%		10	440	6%		40	1,764	5%	
50	0	-	0%	18	900	4%		0	-	0%		18	900	2%	
53	0	-	0%	12	636	3%		0	-	0%		12	636	2%	
57	0	-	0%	7	399	2%		0	-	0%		7	399	1%	
58	0	-	0%	1	58	0%		0	-	0%		1	58	0%	
59	0	-	0%	14	826	3%		0	-	0%		14	826	2%	
63	0	-	0%	1	63	0%		0	-	0%		1	63	0%	
65	0	-	0%	1	65	0%		0	-	0%		1	65	0%	
68	0	-	0%	1	68	0%		0	-	0%		1	68	0%	
70	0	-	0%	1	70	0%		0	-	0%		1	70	0%	
73	0	-	0%	1	73	0%		0	-	0%		1	73	0%	
78	0	-	0%	1	78	0%		0	-	0%		1	78	0%	
82	0	-	0%	1	82	0%		0	-	0%		1	82	0%	
83	0	-	0%	2	166	0%		0	-	0%		2	166	0%	
88	0	-	0%	1	88	0%		0	-	0%		1	88	0%	
Σ	182	4,610	100%	446	14,707	1.00		157	4,765	100%		785	24,082	100%	
				Ave	33			Ave	30			Ave	31		

SLIP COUNT AFTER CONSTRUCTION

PARCEL 21				DOLPHIN MARINA				PANAY WAY				COMBINED			
Slip Length	Quantity	Linear Feet	%	Quantity	LF	%		Quantity	LF	%		Quantity	LF	%	
17-20	0	-	0%	30	594	7%		2	38	1%		32	632	5%	
21-25	11	275	12%	171	4,215	40%		42	1,024	28%		224	5,514	34%	
26-30	15	450	16%	64	1,896	15%		63	1,835	42%		142	4,181	21%	
31-35	28	980	30%	41	1,370	10%		23	801	15%		92	3,151	14%	
36-40	21	834	23%	39	1,528	9%		2	79	1%		62	2,441	9%	
41-45	8	360	9%	26	1,160	6%		17	722	11%		51	2,242	8%	
50	9	450	10%	18	900	4%		0	-	0%		27	1,350	4%	
53	0	-	0%	11	583	3%		0	-	0%		11	583	2%	
57	0	-	0%	7	399	2%		0	-	0%		7	399	1%	
58	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
59	0	-	0%	15	885	4%		0	-	0%		15	885	2%	
63	0	-	0%	1	65	0%		0	-	0%		1	65	0%	
65	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
68	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
70	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
73	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
78	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
82	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
83	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
88	0	-	0%	0	-	0%		0	-	0%		0	-	0%	
Σ	92	3,349	100%	423	13,595	100%		149	4,498	100%		664	21,442	100%	
				Ave	32			Ave	30			Ave	32		

EXHIBIT NO. 5

Application Number

5-09-084

Slip Distribution

Existing / Proposed

California Coastal Commission

Parcel 21 - Holiday Harbor Marina Docks
Vacancy Report / Monthly Figures 2005

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
12' to 25' 122	9	10	6	2	5	4	10	3	5	4	6	3
26' to 36' 50	2	1	0	0	1	0	4	0	1	0	0	1
36' to 50' 10	0	0	0	0	0	0	0	0	0	0	0	0
Total Vacancies	11	11	6	2	6	4	14	3	6	4	6	4
Total Slips	182											
Percentage of Vacant Slips	6%	6%	3%	1%	3%	2%	8%	2%	3%	2%	3%	2%
Percentage of Slips Occupied	94%	94%	97%	99%	97%	98%	92%	98%	97%	98%	97%	98%

EXHIBIT NO. 6

Application Number

5-09-084

Vacancy Report

2005 for Parcel 21

California Coastal Commission

Parcel 21 - Holiday Harbor Marina Docks
Vacancy Report / Monthly Figures 2006

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
12' to 25' 122	3	2	1	1	3	10	14	11	11	14	15	15
26' to 35' 50	0	1	1	1	3	0	1	1	1	1	1	1
36' to 50' 10	0	0	0	0	0	0	0	0	0	0	0	0
Total Vacancies	3	3	2	2	6	10	15	12	12	15	16	16
Total Slips 182	98%	98%	99%	99%	97%	95%	92%	93%	93%	92%	91%	91%
Percentage of Slips Occupied												

EXHIBIT NO. 7

Application Number

5-09-084

Vacancy Report

2006

California Coastal Commission

12-01-01 - Holiday Harbor Marina Docks
Vacancy Report / Monthly Figures 2007

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
12' to 25' 122	12	15	15	15	16	16	17	15	19	18	20	19
26' to 35' 50	0	2	4	4	3	3	3	2	2	2	2	2
36' to 50' 10	1	1	0	0	0	0	0	0	1	0	0	0
Total Vacancies	13	18	19	19	19	19	20	17	22	20	22	21
Total Slips 182												
Percentage of Vacant Slips	7%	10%	10%	10%	10%	10%	11%	9%	12%	11%	12%	12%
Percentage of Slips Occupied	93%	90%	90%	90%	90%	90%	89%	91%	88%	89%	88%	88%

EXHIBIT NO.	8
Application Number	5-09-084
Vacancy Report	2007
California Coastal Commission	



To enrich lives through effective and caring service

May 7, 2009

EXHIBIT NO. 9

Application Number

5-09-084

County Vacancy

Report MDR

California Coastal Commission

Kerry Silverstrom

Chief Deputy

TO: Small Craft Harbor Commission

FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

SUBJECT: ITEM 5b – MARINA DEL REY SLIP VACANCIES: A SPECIAL REPORT

Due to the recent and frequent reporting in the media about the state of slip vacancies in Marina del Rey, we have analyzed the data and would like to provide you with this special report, so that you will have firsthand knowledge of the situation. As indicated in the table immediately below, overall slip vacancies started to rise in September 2008 from 3% to 4% and gradually increased until vacancies peaked at 9% in February 2009, with a descent to 7% occurring in March 2009.

	18'-25'	26'-35'	36' & Above	Total Vacancies ¹	Total Slips Available	% Vacant
Jan-08	85	38	5	128	4708	3%
Feb-08	94	30	9	133	4708	3%
Mar-08	108	39	10	157	4708	3%
Apr-08	108	51	19	178	4708	4%
May-08	103	50	5	158	4708	3%
Jun-08	102	48	6	156	4708	3%
Jul-08	89	47	9	145	4708	3%
Aug-08	86	65	12	163	4708	3%
Sep-08	104	61	32	197	4708	4%
Oct-08	150	100	42	292	4708	6%
Nov-08	118	101	38	257	4708	5%
Dec-08	194	127	43	364	4708	8%
Jan-09	184	135	45	364	4708	8%
Feb-09	219	173	33	425	4708	9%
Mar-09	149	136	42	327	4708	7%

In the past, even during the time periods when vacancies were in the stable 3% range, there was no shortage of slips for rent in the categories up to 35 feet in length. It was more difficult to find vacancies in the larger slip categories. As illustrated in the table

¹All vacancy data throughout this report excludes vacancies from Parcel 12, Esprit, as that marina is in its lease-up period.

Item 5b
Small Craft Harbor Commission
Page 2

below, vacancies are now also occurring in the larger slips, but these vacancies never exceed 1% of the total slips available for rent. Vacancies in the smaller slips under 35 feet, on the other hand, rose from the 3% range (rounded) to over 6% and presently remain at this elevated level.

	18'-25'	26'-35'	Aggregate vacancies for 35' and under	As % of total slips available for rent	Vacancies for 36' & Over	As % of total slips available for rent
Jan-08	85	38	123	2.6%	5	0.1%
Feb-08	94	30	124	2.6%	9	0.2%
Mar-08	108	39	147	3.1%	10	0.2%
Apr-08	108	51	159	3.4%	19	0.4%
May-08	103	50	153	3.2%	5	0.1%
Jun-08	102	48	150	3.2%	6	0.1%
Jul-08	89	47	136	2.9%	9	0.2%
Aug-08	86	65	151	3.2%	12	0.3%
Sep-08	104	61	165	3.5%	32	0.7%
Oct-08	150	100	250	5.3%	42	0.9%
Nov-08	118	101	219	4.7%	38	0.8%
Dec-08	194	127	321	6.8%	43	0.9%
Jan-09	184	135	319	6.8%	45	1.0%
Feb-09	219	173	392	8.3%	33	0.7%
Mar-09	149	136	285	6.1%	42	0.9%

Based on the drop in vacancies from the February peak, and given the approaching summer boating season, we are not anticipating future vacancies will be higher than what we have already experienced.

Please let me know if you have any questions.

SHK:ks

Dana Point Harbor Marina Renovation
 Alternate 3.50
 8/26/2009

SLIP LENGTH	Existing Slips by Size
20	36
21	7
22	107
23	0
24	100
25	801
28	233
28	123
29	0
30	388
31	1
32	0
34	2
35	266
36	4
38	0
39	0
40	129
45	107
50	44
53	13
55	33
60	15
65	0
70	0
72	0
76	0
Total	2409

Avg. Length 29.85

1795 (30' & Under) 75%

273 (31' - 39') 11%

236 (40' - 49') 10%

105 (50' & Over) 4%

2409 100%

New Alternative (3.50) by Size
98
0
6
4
90
465
104
311
5
389
0
17
51
92
1
199
3
147
119
54
0
31
7
4
1
1
1
2200

1472 (30' & Under) 67%

363 (31' - 39') 17%

266 (40' - 49') 12%

99 (50' & Over) 5%

2200 100%

31.34

EXHIBIT NO.

10

Application Number

5-09-084

Dana Point Slip

Size Distribution

California Coastal Commission

SION

DANA POINT HARBOR

MARINA IMPROVEMENT PROJECT

BOATER SELECTED DESIGN ALTERNATIVE

(Alt. 3.5 O)

9/14/2009

4 SIZE CATEGORY SUMMARY

SLIP SIZE	EXISTING SLIPS	% OF TOTAL
30' & Under	1795	75%
31' to 38'	273	11%
39' to 49'	236	10%
over 50'	105	4%
TOTAL	2409	100%
NET GAIN/LOSS		
AVG SIZE	29.85	

Doublewides - 33%, except for pitchforks

ALT. 3.5 O	% OF TOTAL	LOSS / GAIN
1472	67%	-323
360	16%	87
269	12%	33
99	5%	-6
2200	100%	-209
-209		
31.34		

9 SIZE CATEGORY SUMMARY

SLIP SIZE	EXISTING SLIPS	% OF TOTAL
20 - 24	250	10%
25 - 29	1157	48%
30 - 34	391	16%
35 - 39	270	11%
40 - 44	129	5%
45 - 49	107	4%
50 - 54	57	2%
55 - 59	33	1%
60 & over	15	1%
TOTAL	2409	100%
NET GAIN/LOSS		
SIZE	29.85	
AL LF	67855	

Doublewides - 33%, except for pitchforks

ALT. 3.5 O	% OF TOTAL	LOSS / GAIN
198	9%	-52
885	40%	-272
457	21%	66
295	13%	25
147	7%	18
119	5%	12
54	2%	-3
31	1%	-2
14	1%	-1
2200	100%	-209
-209		
31.34		
68947		

EXHIBIT NO. 11

Application Number

5-09-084

Dana Point Slip Size
Distribution

California Coastal Commission

COASTAL COMMISSION

EXHIBIT # 21

PAGE 1 OF 1

Table 5. Comparison of Average Slip Length for MDR and Other Marinas (Cont.)

Marinas	Total Slips	Average Slip Length (Feet)
Marina del Rey		
2008	4,731	33.9
Proposed	4,255	36.4
Average of 13 Other Marinas with Reconstructed Slips		
Before	8,903	33.6
After	8,293	38.0
12. Anacapa Isle Marina, Oxnard²		
1974	504	30.2
1987	389	33.4
13. Bahia Marina, Oxnard²		
1973	70	38.0
2009	82	52.8
14. Peninsula Marina, Oxnard²		
1970	341	33.7
2009	292	47.3
15. Ventura Isle Marina, Ventura²		
1973	625	31.5
1992	519	38.8
16. Treasure Isle Marina, San Francisco²		
1950	105	31.5
2009	403	41.8
17. Ballena Isle Marina, Alameda²		
1974	442	34.5
2010	373	43.8
18. Pier 39, San Francisco⁴		
Existing	299	41.4
19. San Francisco Marina, San Francisco⁴		
Existing	657	30.4
20. South Beach Harbor, San Francisco⁴		
Existing	757	34.9
21. Martinez Marina, Martinez²		
1968	340	32.6
22. Ko Olina Marina, Honolulu²		
2002	336	45.4
23. Iroquois Point, Honolulu²		
1970	34	32.4

Source: ¹ Noble Consultants, Inc. (NCI), Construction Drawings.

² County of Los Angeles, Department of Beaches and Harbors.
(NCI calculated from data received from various marina developers.)

³ Williams-Kuebelbeck & Associates (2004) Study.

⁴ Berthing Study, California Association of Harbor Masters and Port Captains.
March 2006, excerpt on San Francisco Marina facilities.

EXHIBIT NO.

12
1 of 2

Application Number

5-09-084

Slip Length

Comparison Chart
California Coastal Commission

Table 5. Comparison of Average Slip Length for MDR and Other Marinas

Marinas	Total Slips	Average Slip Length (Feet)
Marina del Rey		
2008	4,731	33.9
Proposed	4,255	36.4
Average of 13 Other Marinas with Reconstructed Slips		
Before	8,903	33.6
After	8,293	38.0
1. Sunroad Marina, San Diego ¹		
1987	527	42.2
2. CYM-Chula Vista, San Diego ²		
1990	354	36.1
3. Cabrillo Isle Marina, San Diego ²		
1976	406	38.0
2005	404	39.4
4. Dana Point Marina, Dana Point		
1969 ³	1,467	33.0
Proposed ¹	1,285	33.4
5. Sunset Aquatic Park, Huntington Beach ³		
Before Reconfiguration	252	30.5
After Reconfiguration	237	32.8
6. Peter's Landing Marina, Huntington Beach ¹		
Before Reconfiguration	300	39.0
After Reconfiguration	286	40.5
7. Long Beach Downtown Marinas, Long Beach ²		
Before Reconfiguration	1,769	35.9
After Reconfiguration	1,679	36.7
8. Alamitos Bay Marina, Long Beach ²		
Existing	1,997	31.5
Proposed	1,647	35.8
9. Cabrillo Marina, San Pedro ²		
Mid 1980's	882	35.6
10. Cabrillo Way Marina, San Pedro		
Existing ³	625	34.3
Proposed ²	697	45.6
11. Port Royal, Redondo Beach ²		
1960	336	29.8

Source: ¹ Noble Consultants, Inc. (NCI), Construction Drawings.

² County of Los Angeles, Department of Beaches and Harbors.
(NCI calculated from data received from various marina developers.)

³ Williams-Kuebelbeck & Associates (2004) Study.

⁴ Berthing Study, California Association of Harbor Masters and Port Captains.
March 2006, excerpt on San Francisco Marina facilities.

EXHIBIT NO. 12

2 of 2

Application Number

5-09-084

Sizing Study

Page 15 of 65

3/11/2009

California Coastal Commission



FIG 2 - 2005 ATLAS OF NESTING HERONS

Four geographically grouped nesting areas, which in total encompass all active or recently active heron nests recorded within the heronry study area during 2005. See Figures 3-6 and 7 for closer views of each nest area (A,B,C,D).

MARINA DEL REY HERONRY

Marina del Rey | Los Angeles County CA | 2005

JB Froke PhD | California Wildlife Ecology | jbfroke@msn.com
3158 Bird Rock Road | Pebble Beach CA 93953 | 831.224.8595

EXHIBIT NO. 13

Application Number

5-09-084

Heron Nesting Sites

Report by JB Froke

California Coastal Commission