

**CALIFORNIA COASTAL COMMISSION**

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

**F7****SOUTH COAST AREA (LONG BEACH)  
DEPUTY DIRECTOR'S REPORT**

*For the  
August Meeting of the California Coastal Commission*

MEMORANDUM

Date: August 14, 2009

TO: Commissioners and Interested Parties  
FROM: John Ainsworth, South Coast Deputy Director (Los Angeles County)  
Sherilyn Sarb, South Coast Deputy Director (Orange County)

SUBJECT: *Deputy Director's Report*

Following is a listing for the exemptions, waivers, emergency permits, immaterial amendments and extensions, issued by the South Coast Area Office that will be reported to the Commission on either **August 14, 2009** Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff Memorandum concerning the items to be heard on today's agenda for the South Coast District.

**REGULAR WAIVERS**

1. 5-09-116-W Scott & Lori Burson (Seal Beach, Orange County)

**DE MINIMIS WAIVERS**

1. 5-09-059-W Timothy & Cristine Lindenfelser (Newport Beach, Orange County)
2. 5-09-074-W Mr. Tim Donnelly (Newport Beach, Orange County)
3. 5-09-100-W Mr. & Mrs. Barry Meguiar (Newport Beach, Orange County)
4. 5-09-108-W Chad Fischer (Santa Monica, Los Angeles County)
5. 5-09-118-W Mr. & Mrs. John Mavar (San Pedro, Los Angeles County)
6. 5-09-119-W The Mcelroy Family Trust, Attn: Mr. & Mrs. Thom McElroy (Laguna Beach, Orange County)
7. 5-09-120-W Takashi & Kasumi Yasutake (San Pedro, Los Angeles County)
8. 5-09-121-W City Of Long Beach (Long Beach, Los Angeles County)
9. 5-09-122-W City Of Long Beach (Long Beach, Los Angeles County)
10. 5-09-123-W City Of Long Beach (Long Beach, Los Angeles County)
11. 5-09-126-W Mr. & Mrs. Charles Gottesman (Hermosa Beach, Los Angeles County)
12. 5-09-127-W Beverly Stebbins, Trustee, Attn: David Stebbins (Newport Beach, Orange County)
13. 5-09-129-W Mr. & Mrs. Edward Foster; Mr. & Mrs. Nicholas Samios; Mr. Kurt Christiansen (Corona Del Mar, Orange County)
14. 5-09-135-W Mr. Mark Hoover (Seal Beach, Orange County)
15. 5-09-138-W Mr. & Mrs. Brian M. Lewis (Newport Beach, Orange County)
16. 5-09-139-W Mr. Gary E. Primm (Newport Beach, Orange County)
17. 5-09-140-W Mr. & Mrs. Brian And Amy Brown (Seal Beach, Orange County)
18. 5-09-142-W Brian Shannon (San Pedro, Los Angeles County)
19. 5-09-143-W California Dept. Of Fish & Game (Newport Beach, Orange County)

**EMERGENCY PERMITS**

1. 5-09-131-G California Department Of Transportation, Attn: Mr. Chris Flynn (Huntington Beach, Orange County)

**IMMATERIAL AMENDMENTS**

1. 5-07-323-A1 Sampra Energy Utilities, Attn: John A. Thompson (, Los Angeles County)
2. 5-07-094-A1 City Of Long Beach Water Department, Attn: Eric Leung, Director Of Water Resources (Long Beach, Los Angeles County)

**EXTENSION - IMMATERIAL**

1. 5-02-334-E5 Ben Leeds (Pacific Palisades, Los Angeles County)
2. 5-07-085-E1 Lennar Homes, Attn: Donna Kelly; Lm Cummings, Scala Real Estate Partners (Newport Beach, Orange County)
3. 5-05-235-E1 Balboa Performing Arts Theater Foundation, Attn: Mary Lonich; City Of Newport Beach, Attn: Sharon Z Wood, Assistant City Manager (Newport Beach, Orange County)

**TOTAL OF 26 ITEMS**

## **DETAIL OF ATTACHED MATERIALS**

### **REPORT OF REGULAR WAIVERS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>5-09-116-W</b> Scott & Lori Burson	Remodel and addition to an existing 1,378 square foot one-story, single-family residence with an attached 469 square foot two-car garage. The project more specifically consists of: 1) demolition of the existing two-car garage and construction of a new 638 square foot two-car garage; and 2) an addition of 228 square feet of habitable area to the residence. Post project, the residence will be a two-story, single-family residence consisting of 1,593 square feet with an attached 638 square foot two-car garage. The maximum height of the residence will be 15' above finished grade. Grading will consist of 48 cubic yards of cut, 16 cubic yards of fill, and 32 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.	1105 Driftwood, Seal Beach (Orange County)

### **REPORT OF DE MINIMIS WAIVERS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>5-09-059-W</b> Timothy & Cristine Lindenfelser	Demolition of an existing two-story single-family residence and garage and construction of a new three-story 2,483 square foot single-family residence with an attached 415 square foot two-car garage. The maximum height of the structure will be 29 feet above finished grade. Approximately 170 cubic yards of grading will be performed for purposes of recompaction and will be balanced on site. Drainage from the roof drains and surface water will be directed to permeable areas before entering the main storm drain system.	1802 So. Bay Front, Newport Beach (Orange County)
<b>5-09-074-W</b> Mr. Tim Donnelly	Demolition of an existing single-family dwelling and construction of a new two-story 4,701 square foot single-family residence with an attached 519 square foot two-car garage. The maximum height of the structure will not exceed 25-feet above finished grade. Grading will consist of 45 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. NO work is proposed on the existing bulkhead.	225 Northstar Lane, Newport Beach (Orange County)

**SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED**

<p><b>5-09-100-W</b> Mr. &amp; Mrs. Barry Meguiar</p>	<p>Demolition of an existing single-family residence with an attached 2-car garage and all hardscape and landscape at 203 North Bay Front. The existing single-family residence at 201 North Bay Front will remain in its existing location and will be added on to and remodeled. The remodel will result in a two-story, single-family residence consisting of 6,150 square feet with an attached 837 square foot three-car garage. The residence will utilize a mat foundation and caisson supported shoring walls. The maximum height of the structure will be 28-feet above finished grade. Grading will consist of approximately 475 cubic yards of cut, approximately 50 cubic yards of fill, and approximately 425 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. The proposed project also includes a lot consolidation of 201 and 203 North Bay Front. The combination of the two lots will result in an approximately 6,093 square foot lot.</p>	<p>201 &amp; 203 N. Bay Front, Newport Beach (Orange County)</p>
<p><b>5-09-108-W</b> Chad Fischer</p>	<p>Demolition of existing single-family residence and construction of a three-story, 28 foot high, 5,144 square foot single-family residence, with an attached 521 square foot garage, on an 8,043 square foot lot.</p>	<p>364 Sycamore, Santa Monica (Los Angeles County)</p>
<p><b>5-09-118-W</b> Mr. &amp; Mrs. John Mavar</p>	<p>Construction of a 2,280 square foot, 26 foot high (as measured from average existing grade) single-family residence, with 220 square foot basement, and attached two car garage.</p>	<p>2047 Paseo Del Mar, San Pedro (Los Angeles County)</p>
<p><b>5-09-119-W</b> The McElroy Family Trust, Attn: Mr. &amp; Mrs. Thom McElroy</p>	<p>Demolition of existing one-story, 2,845 sq. ft. single-family residence with attached 1,000 sq. ft. 3-car garage and construction of new one-story 14' high (above finished grade) 5,924 sq. ft. single-family residence with a 2,637 sq. ft. subterranean level which includes a 2-car garage, new hardscape and landscaping including pool, spa, outdoor fireplace, bbq, koi pond/water feature and new fences at property lines. Roof water run-off will be conducted through gutters and downspouts into landscaped areas to allow for natural percolation, excess overflow will be directed to the public storm drain system. Grading consisting of 2,420 cubic yards of cut is proposed for the basement/garage level.</p>	<p>121 Riviera Way, Laguna Beach (Orange County)</p>
<p><b>5-09-120-W</b> Takashi &amp; Kasumi Yasutake</p>	<p>Addition of 333 square feet and remodel an existing 2,692 square foot single-family residence.</p>	<p>2149 Paseo Del Mar, San Pedro (Los Angeles County)</p>
<p><b>5-09-121-W</b> City Of Long Beach</p>	<p>Excavate and remove five 500-gallon underground storage tanks (formerly used to store waste oil) from five sites in the marina parking lot. The five 10'x 8' excavation holes will be backfilled with clean soil and gravel, compacted, and resurfaced with asphalt. The tanks and any contaminated soil will be removed from the project sites and disposed of at an approved hazardous materials facility as soon as possible after excavation and testing.</p>	<p>160-500 E. Shoreline Drive (Downtown Marina), Long Beach (Los Angeles County)</p>

**SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED**

<p><b>5-09-122-W</b> City Of Long Beach</p>	<p>Excavate and remove nine 500-gallon underground storage tanks (formerly used to store waste oil) from nine sites in the marina parking lots. The nine 10'x 8' excavation holes will be backfilled with clean soil and gravel, compacted, and resurfaced with asphalt. The tanks and any contaminated soil will be removed from the project sites and disposed of at an approved hazardous materials facility as soon as possible after excavation and testing.</p>	<p>221 Marina Drive (237 Marina Dr, 6201 Marina Dr, 6460 Marina Dr, 6530 Marina Dr, 6610 Marina Dr, 6101 Appian Wy, 6264 Pacific Coast Hwy.), Long Beach (Los Angeles County)</p>
<p><b>5-09-123-W</b> City Of Long Beach</p>	<p>Excavate and remove two 6,000 gallon underground fuel storage tanks, related piping, one fuel dispenser, and any contaminated soils from the City marina maintenance area at Davies public boat launch. The fuel tanks, dispenser, pipes and any contaminated soil will be removed from the project site and disposed of at an approved hazardous materials facility as soon as possible after excavation and testing.</p>	<p>6204 E. 2nd Street, Long Beach (Los Angeles County)</p>
<p><b>5-09-126-W</b> Mr. &amp; Mrs. Charles Gottesman</p>	<p>Demolition of an existing residential duplex and construction of a two-story, 25 foot high, 2,976 square foot single-family residence, with an attached 432 square foot garage, on a 2,934 square foot lot.</p>	<p>322 24th Street, Hermosa Beach (Los Angeles County)</p>
<p><b>5-09-127-W</b> Beverly Stebbins, Trustee, Attn: David Stebbins</p>	<p>Conversion of an existing duplex on one lot into two (2) condominium units. The duplex provides two (2) parking spaces for each unit, for a total of four (4) parking spaces. No additional development is proposed.</p>	<p>120 24th Street, Newport Beach (Orange County)</p>
<p><b>5-09-129-W</b> Mr. &amp; Mrs. Edward Foster Mr. &amp; Mrs. Nicholas Samios Mr. Kurt Christiansen</p>	<p>Move a lot line between two existing adjacent lots resulting in a 7,260 square foot lot and a 4,782 square foot lot. No new lots will be created.</p>	<p>2501 1st Avenue (412 &amp; 412 1/2 Carnation Ave), Corona Del Mar (Orange County)</p>
<p><b>5-09-135-W</b> Mr. Mark Hoover</p>	<p>Demolition of an existing single-family residence and construction of a new 3,273 square foot, two-story single-family residence with an attached 620 square foot three-car garage. The maximum height of the structure will be 27'-4" above existing grade. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.</p>	<p>235 5th Street, Seal Beach (Orange County)</p>
<p><b>5-09-138-W</b> Mr. &amp; Mrs. Brian M. Lewis</p>	<p>Conversion of a duplex on a single lot into two (2) condominium units. Four (4) parking spaces are provided on site.</p>	<p>212 41st Street, Newport Beach (Orange County)</p>
<p><b>5-09-139-W</b> Mr. Gary E. Primm</p>	<p>Lot line adjustment to merge two lots and a portion of a third lot into a single 6,975 square foot parcel for the continuation of existing single-family development.</p>	<p>618 Via Lido Nord, Newport Beach (Orange County)</p>
<p><b>5-09-140-W</b> Mr. &amp; Mrs. Brian And Amy Brown</p>	<p>Demolition of an existing single-family residence and construction of a new 2,752 square foot, two-story single-family residence with an attached 462 square foot two-car garage. The maximum height of the structure will be 24'-6" above existing grade. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.</p>	<p>825 Catalina Ave, Seal Beach (Orange County)</p>

<p><b>5-09-142-W</b> Brian Shannon</p>	<p>Remodel and addition of 281 square feet to an existing 3,757 square foot single-family residence on a bluff top lot.</p>	<p>2221 Warmouth St., San Pedro (Los Angeles County)</p>
<p><b>5-09-143-W</b> California Dept. Of Fish &amp; Game</p>	<p>Installation of a semi subterranean 1000 gallon salt water reserve tank and roof structure. The reserve tank is needed for regular water change outs and possible emergency situations, such as water leaks, associated with the science center marine exhibits. The project site is approximately 75 square feet. A circular hole with a base of 25 square feet and approximately 2.5-feet deep will be hand dug. Approximately 4.5 cubic yards of soil will be removed and taken to areas on site that are in need of soil. The hole will be reinforced with a wood retaining wall consisting of 34 Trex boards 6-inch wide set vertically side by side that line the inside of the hole. The 1000 gallon salt water tank will be installed in the hole and a hexagonal roof 10-feet in diameter constructed in six panels will be installed over the tank. The roof will be set 8-inches above the tank top. Approximately 12.5 cubic yards of gravel will be placed on top of the worksite after installation of the tank and construction of the roof structure.</p>	<p>Back Bay Science Center, 600 Shellmaker Rd., Newport Beach (Orange County)</p>

***REPORT OF EMERGENCY PERMITS***

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
<p><b>5-09-131-G</b> California Department Of Transportation, Attn: Mr. Chris Flynn</p>	<p>Install approximately 475 linear feet of steel sheetpile about 5 feet bayward of the edge of pavement and backfill area between pavement and sheetpile.</p>	<p>Pacific Coast Highway Between Warner Avenue And Seapoint Avenue (Northbound lane and shoulder of PCH adjacent to Bolsa Chica Ecological Reserve), Huntington Beach (Orange County)</p>

***REPORT OF IMMATERIAL AMENDMENTS***

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<b><i>Applicant</i></b>	<b><i>Project Description</i></b>	<b><i>Project Location</i></b>
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**SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED**

<p><b>5-07-323-A1</b> Sampra Energy Utilities, Attn: John A. Thompson</p>	<p>1. As stated in the original project description, the wastewater line (WWL) would vary in depth below grade at certain points along the approved alignment. One such location is storm Drain No. 105 located in the city of L.A., on Jefferson Blvd. At this location, the top of the culvert is approximately 6 to 8 inches below existing grade. Based upon discussions with the City of L.A., SoCalGas proposes to place approximately 40 feet of the WWL on top of the culvert, cover it with additional fill, and construct a curb approximately 70 feet in length to enclose the additional fill and protect the WWL. The WWL would rest on top of the culvert, separated by an 8 mile plastic sheet. The 8in D HDPE pipe will be encased in a 10in.CS pipe &amp; embedded in a reinforced concrete beam, approximately 18in.high X 24in. Wide. The beam would be covered by natural soil, with a maximum 3% slope towards the curb. A 90% soil compaction factor will be provided in the work area. The other 2,941 ft of pipe have already been installed underground in the parkway along the eastbound side of Jefferson Blvd, consistent with the original scope of the work. 2. Technical Info; Storm Drain Dimensions: 12ft wide X 7.3ft deep. Current Grade level to top of culvert: approximately 6 in. City of L.A. right of way from edge of pavement: approximately 16ft. Proposed location of reinforced concrete beam: Parallel to Jefferson Blvd. Approximately 6 inches North of City's property line. Proposed curb, type and dimension: Type A per City of L.A. Bureau of Engineering standard S-410-2. Middle section: approximately 50.9 ft long by 8 in. for height of curb face; end sections (each) approximately 8ft long tapering from 8 in to 0 in. for height of curb face. See attached drawings 31870-permit and 32004-4002.D.STR for details.</p>	<p>Adjacent To Access Road In Ballona Wetlands South Of Jefferson And Culver, Los Angeles County</p>
<p><b>5-07-094-A1</b> City Of Long Beach Water Department, Attn: Eric Leung, Director Of Water Resources</p>	<p>Change date of the removal of the facility from may 21, 2010 to May 25, 2012, installation of a small nano-filtration membrane within the existing vault.</p>	<p>Bluff Park Vehicle Parking Lot At Junipero Beach, Long Beach (Los Angeles County)</p>

**REPORT OF EXTENSION - IMMATERIAL**

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p><b>5-02-334-E5</b> Ben Leeds</p>	<p>Construction of a three-level, 3,100 square foot, 36-foot high single family home with five parking spaces and a one-story accessory building supported by 48, 24-inch concrete reinforced piles and grade beams, a spa, fountain, irrigated landscaping on a 4,289 square foot vacant bluff lot. The project also includes 850 cubic yards of cut, 50 cubic yards of fill, four horizontal drains and four vertical dewatering wells, two inclinometers (one of which is after-the fact), and removal of a wood retaining wall along the Castellammare property line.</p>	<p>17633 Castellammare Drive, Pacific Palisades (Los Angeles County)</p>

**SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED**

<p><b>5-07-085-E1</b> Lennar Homes, Attn: Donna Kelly Lm Cummings, Scala Rcal Estate Partners</p>	<p>Demolition of existing tennis complex and construction of 79 residential townhome units on a 4.25 acre site, including 3 buildings ranging from 50-60 feet in height above grade, totaling approximately 205,679 square feet and approximately 97,231 square feet of subterranean parking, landscaping, hardscaping, and open space, and payment of a \$5,000,000.00 mitigation fee.</p>	<p>900 Newport Center Drive, Newport Beach (Orange County)</p>
<p><b>5-05-235-E1</b> Balboa Performing Arts Theater Foundation, Attn: Mary Lonich City Of Newport Beach Attn:</p>	<p>Remodel and addition to the existing Balboa Theater. The façade will be retained and restored, and a 2nd floor, plus roof deck with tower and rooftop mechanical equipment will be added to the building which will increase the existing height of the building to 45ft-6in with roof top projections up to 55ft. Also, the seating will be reduced from 450 to 325 seats. The proposal includes a prohibition of weekend matinee performances during the summer between Memorial Day and Labor Day to address parking issues. No landscaping is proposed.</p>	<p>707 E. Balboa Blvd., Newport Beach (Orange County)</p>

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July 22, 2009

Jeannette Architects  
Attn: Jeff Jeannette  
325 Quincy Avenue  
Long Beach, CA 90814

**SUBJECT: Waiver of Coastal Development Permit Requirement/Improvements to Existing Single-Family Residences or Structures - Section 30610(a) and (b) of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13250(c) or Section 13253(c), Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-116                      **APPLICANT:** Scott & Lori Burson

**LOCATION:** 1105 Driftwood, Seal Beach (Orange County)

**PROPOSED DEVELOPMENT:** Remodel and addition to an existing 1,378 square foot one-story, single-family residence with an attached 469 square foot two-car garage. The project more specifically consists of: 1) demolition of the existing two-car garage and construction of anew 638 square foot two-car garage; and 2) an addition of 228 square feet of habitable area to the residence. Post project, the residence will be a two-story, single-family residence consisting of 1,593 square feet with an attached 638 square foot two-car garage. The maximum height of the residence will be 15' above finished grade. Grading will consist of 48 cubic yards of cut, 16 cubic yards of fill, and 32 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.

**RATIONALE:** The subject site is an inland lot not located between the first public road and the sea. The proposed project is not exempt because it will result in more than 50% demolition of the exterior walls. The lot size is 5,300 square feet and is designated as residential low density in the City of Seal Beach Zoning Code. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access to the beach exists south of the project site at the end of Bolsa Avenue, which becomes Main Street. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

KARL SCHWING  
Orange County Area Supervisor

**CALIFORNIA COASTAL COMMISSION**

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Long Beach, CA 90802-4302  
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June 27, 2009

Ian Harrison, Architect  
3535 East Coast Highway, #301  
Corona Del Mar, CA 92625

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-059                      **APPLICANT:** Timothy & Cristine Lindenfelser

**LOCATION:** 1802 South Bay Front, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing two-story single-family residence and garage and construction of a new three-story 2,483 square foot single-family residence with an attached 415 square foot two-car garage. The maximum height of the structure will be 29 feet above finished grade. Approximately 170 cubic yards of grading will be performed for purposes of recompaction and will be balanced on site. Drainage from the roof drains and surface water will be directed to permeable areas before entering the main storm drain system.

**RATIONALE:** The subject site is a waterfront lot approximately 2,550 square feet in size, is designated as high density residential in the City of Newport Beach Land Use Plan (LUP) and is located between the first public road and the sea. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access exists in the project vicinity along the public boardwalk that surrounds Balboa Island. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director  
cc: Commissioners/File

KARL SCHWING  
Orange County Area Supervisor

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July 22, 2009

G. Robert Ensign  
2214 Port Lerwick Place  
Newport Beach, CA 92660

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-074                      **APPLICANT:** Tim Donnelly

**LOCATION:** 225 Northstar Lane, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing single-family dwelling and construction of a new two-story 4,701 square foot single-family residence with an attached 519 square foot two-car garage. The maximum height of the structure will not exceed 25-feet above finished grade. Grading will consist of 45 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. NO work is proposed on the existing bulkhead.

**RATIONALE:** The lot size is 6,000 square feet and is designated as residential low density in the City of Newport Beach Land Use Plan (LUP). The subject site is a waterfront bulkheaded lot located adjacent to Upper Newport Bay in the City of Newport Beach. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Vertical public access to the Bay exists at North Star Beach and lateral public access exists along the Upper Newport Bay trail and bikeway. Diverting storm drain runoff onto permeable areas is consistent with the marine protection policies of the Coastal Act. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

KARL SCHWING  
Orange County Area Supervisor

cc: Commissioners/File

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June 27, 2009

Brion Jeannette & Associates  
Attention: Alison Oh  
470 Old Newport Boulevard  
Newport Beach, CA 92663

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-100                      **APPLICANT:** Mr. & Mrs. Barry Meguiar

**LOCATION:** 201 & 203 North Bay Front, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing single-family residence with an attached 2-car garage and all hardscape and landscape at 203 North Bay Front. The existing single-family residence at 201 North Bay Front will remain in its existing location and will be added on to and remodeled. The remodel will result in a two-story, single-family residence consisting of 6,150 square feet with an attached 837 square foot three-car garage. The residence will utilize a mat foundation and caisson supported shoring walls. The maximum height of the structure will be 28-feet above finished grade. Grading will consist of approximately 475 cubic yards of cut, approximately 50 cubic yards of fill, and approximately 425 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system. The proposed project also includes a lot consolidation of 201 and 203 North Bay Front. The combination of the two lots will result in an approximately 6,093 square foot lot.

**RATIONALE:** The subject site is a bayfront lot approximately 6,093 square feet in size, is designated as high density residential in the City of Newport Beach Land Use Plan (LUP) and is located between the first public road and the sea. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access exists in the project vicinity along the public boardwalk that surrounds Balboa Island. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be requ

PETER DOUGLAS  
Executive Director  
cc: Commissioners/File

*for* KARLSCHWING  
Orange County Area Supervisor

**CALIFORNIA COASTAL COMMISSION**

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



July 22, 2009

Scott Prentice  
507 Entrada Drive  
Santa Monica, CA 90402

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-108

**APPLICANT:** Chad Fischer

**LOCATION:** 364 Sycamore, Santa Monica, Pacific Palisades community, City of Los Angeles

**PROPOSED DEVELOPMENT:** Demolition of existing single-family residence and construction of a three-story, 28 foot high, 5,144 square foot single-family residence, with an attached 521 square foot garage, on an 8,043 square foot lot.

**RATIONALE:** The project site is approximately 1/2 mile from Will Rogers State Beach, in an established Pacific Palisades residential area in the City of Los Angeles. The applicant has received an Approval in Concept No. ZA-2009-1587AIC from the City of Los Angeles Planning Department (5/27/09). The site is designated as low-density (R1-1) residential land use in the Brentwood-Pacific Palisades Adopted Community Plan. The proposed project is compatible with the character of the surrounding pattern of development. The City of Los Angeles does not allow infiltration of water on sites in Pacific Palisades; therefore, the project will direct site runoff to the City's storm drain system. The proposed project is consistent with past Commission approvals, and the Chapter 3 policies of the Coastal Act, and will have no adverse impacts on coastal resources (i.e., public access and public recreation), and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

  
Al J. Padilla  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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



July 22, 2009

John Vilicich  
953 W. First Street, Suite O  
San Pedro, CA 90731

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-118W

**APPLICANT:** John Mavar

**LOCATION:** 2047 Paseo del Mar, San Pedro

**PROPOSED DEVELOPMENT:** Construction of a 2,280 square foot, 26 foot high (as measured from average existing grade) single-family residence, with 220 square foot basement, and attached two car garage.

**RATIONALE:** The proposed project site is located between Paseo del Mar and a residentially developed bluff top lot. The proposed residence will be located on the inland side of an existing residence on the adjoining lot and approximately 100 feet from the bluff edge. The surrounding area is developed with single and multiple-family residences and a reduction of approximately 540 square feet from the previously approved single-family residence. The proposed project is consistent with the San Pedro's certified Land Use Plan's permitted 26-foot height limit (as measured from average existing grade) and with the existing R1 Single-Family Residential zoning and is consistent with the character and scale of the surrounding neighborhood. The proposed SFR is a reduction of approximately 540 square feet from the previously approved SFR (CDP Waiver No. 5-08-163). Drainage is to be directed to non-erosive drainlines that drain to the street. The proposed project will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with the City's certified LUP, past Commission actions for the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

  
Al J. Padilla  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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



July 29, 2009

Ehrlich Architects, Attn: Brendan Canning  
10865 Washington Blvd.  
Culver City, CA 90232

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13250(c) or Section 13253(c), Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-119

**APPLICANTS:** Thom and Sarah McElroy

**LOCATION:** 121 Riviera Way, Laguna Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of existing one-story, 2,845 sq. ft. single-family residence with attached 1,000 sq. ft. 3-car garage and construction of new one-story 14' high (above finished grade) 5,924 sq. ft. single-family residence with a 2,637 sq. ft. subterranean level which includes a 2-car garage, new hardscape and landscaping including pool, spa, outdoor fireplace, bbq, koi pond/water feature and new fences at property lines. Roof water run-off will be conducted through gutters and downspouts into landscaped areas to allow for natural percolation, excess overflow will be directed to the public storm drain system. Grading consisting of 2,420 cubic yards of cut is proposed for the basement/garage level.

**RATIONALE:** The subject site is a 19,042 sq. ft. interior lot seaward of Pacific Coast Highway and located within the existing locked gate community of Irvine Cove, one of the areas of deferred certification in the otherwise certified City of Laguna Beach. Irvine Cove, along with three other locked gate communities, was deferred certification due to public access issues. The proposed project is not a bluff top or oceanfront lot, but is located between the sea and the first public road within the locked gate community of Irvine Cove. The area is zoned low-density residential by the City and the proposed project conforms to the permitted uses for a low-density zone. Public coastal access exists in the project vicinity at Crystal Cove State Park (approximately 1½ mile upcoast) and at Crescent Bay (approximately 1 mile down-coast). The development is consistent with the Commission's typical parking requirement of two spaces per residential unit. The proposed landscaping plan provides non-invasive drought-tolerant plant species.

The proposed development will not prejudice the City's ability to prepare a certified Local Coastal Program for this area. Furthermore, the proposed development will not adversely impact coastal resources, public access, coastal views or public recreation opportunities, and is consistent with past Commission actions in the area, and the Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **August 12-14, 2009** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

by: \_\_\_\_\_  
for **KARL SCHWING**  
Orange County Area Supervisor

**CALIFORNIA COASTAL COMMISSION**

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



July 22, 2009

Bruce Krause  
777 Silver Spur Rd. Ste. 135  
Rolling Hills Estates, CA 90274

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-120W

**APPLICANT:** Takashi Yasutake

**LOCATION:** 2149 Paseo del Mar, San Pedro

**PROPOSED DEVELOPMENT:** Addition of 333 square feet and remodel an existing 2,692 square foot single-family residence.

**RATIONALE:** The proposed addition will be located under the existing roof line and will not encroach any further seaward than the existing residence and will not extend the height of the existing 14 foot high roof line. The proposed project is consistent with the San Pedro's certified Land Use Plan's permitted 26-foot height limit (as measured from average existing grade) and with the existing R1 Single-Family Residential zoning and is consistent with the character and scale of the surrounding neighborhood. Drainage is to be directed to non-erosive drainlines that drain to the street. The proposed project will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with the City's certified LUP, past Commission actions for the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

  
Al J. Padilla  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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

July 27, 2009



Steven G. Aichele, Pacific Coast Tank  
235 E. Broadway, #706  
Long Beach, CA 90802

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER:** 5-09-121                    **APPLICANT:** City of Long Beach Dept. of Parks, Recreation & Marine

**LOCATION:** 160-500 E. Shoreline Drive (Downtown Marina), City of Long Beach, Los Angeles Co.

**PROPOSED DEVELOPMENT:** Excavate and remove five 500-gallon underground storage tanks (formerly used to store waste oil) from five sites in the marina parking lot. The five 10'x 8' excavation holes will be backfilled with clean soil and gravel, compacted, and resurfaced with asphalt. The tanks and any contaminated soil will be removed from the project sites and disposed of at an approved hazardous materials facility as soon as possible after excavation and testing.

**RATIONALE:** The five project sites are in paved parking areas situated on State Tidelands that are administered by the City of Long Beach. The underground oil tanks must be removed as soon as possible because they represent a potential hazard to the environment. The proposed project has been reviewed and approved by the City of Long Beach Department of Parks, Recreation and Marine, the City of Long Beach Fire Department, and the City Planning Department. The tanks will be cleaned at the site prior to removal using water, detergent and a vacuum truck. No discharges of any kind are proposed or approved. Appropriate Best Management Practices (BMPs) will be implemented in order to prevent any adverse impacts to water quality, including the use of temporary containment dikes constructed around the work area with sand bags and heavy duty plastic sheeting. Commencement of the project, expected to occur in late summer of 2009, will be postponed in the event of possible rainy weather. The City will conduct soil sampling during the proposed excavation and temporary stockpiling. Stockpiled soils will be covered with heavy duty plastic sheeting prior to removal. New replacement above-ground tanks for storing waste oil are proposed to be installed in the future under a separate coastal development permit application. The proposed project will not adversely affect public access to the shoreline or displace any recreational activities. The proposed project is consistent with the Chapter 3 policies of the Coastal Act and the certified Long Beach Local Coastal Program (LCP).

This waiver will not become effective until reported to the Commission at its **August 14, 2009 meeting in San Francisco** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director  
cc: Commissioners/File

CHARLES R. POSNER  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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July 27, 2009



Steven G. Aichele, Pacific Coast Tank  
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**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER:** 5-09-122                      **APPLICANT:** City of Long Beach Dept. of Parks, Recreation & Marine

**LOCATIONS (9):** 207, 221, 237, 6201, 6460, 6530 & 6610 Marina Drive, 6264 Pacific Coast Highway & 6101 Appian Way (Alamitos Bay Marina), City of Long Beach, Los Angeles Co.

**PROPOSED DEVELOPMENT:** Excavate and remove nine 500-gallon underground storage tanks (formerly used to store waste oil) from nine sites in the marina parking lots. The nine 10'x 8' excavation holes will be backfilled with clean soil and gravel, compacted, and resurfaced with asphalt. The tanks and any contaminated soil will be removed from the project sites and disposed of at an approved hazardous materials facility as soon as possible after excavation and testing.

**RATIONALE:** The nine project sites are in paved parking areas situated on State Tidelands that are administered by the City of Long Beach. The underground oil tanks must be removed as soon as possible because they represent a potential hazard to the environment. The proposed project has been reviewed and approved by the City of Long Beach Department of Parks, Recreation and Marine, the City of Long Beach Fire Department, and the City Planning Department. The tanks will be cleaned at the site prior to removal using water, detergent and a vacuum truck. No discharges of any kind are proposed or approved. Appropriate Best Management Practices (BMPs) will be implemented in order to prevent any adverse impacts to water quality, including the use of temporary containment dikes constructed around the work area with sand bags and heavy duty plastic sheeting. Commencement of the project, expected to occur in late summer of 2009, will be postponed in the event of possible rainy weather. The City will conduct soil sampling during the proposed excavation and temporary stockpiling. Stockpiled soils will be covered with heavy duty plastic sheeting prior to removal. New replacement above-ground tanks for storing waste oil are proposed to be installed in the future under a separate coastal development permit application. The proposed project will not adversely affect public access to the shoreline or displace any recreational activities. The proposed project is consistent with the Chapter 3 policies of the Coastal Act and the certified Long Beach Local Coastal Program (LCP).

This waiver will not become effective until reported to the Commission at its **August 14, 2009 meeting in San Francisco** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director  
cc: Commissioners/File

CHARLES R. POSNER  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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200 OceanGate, Suite 1000  
Long Beach, CA 90802-4302  
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July 27, 2009

Steven G. Aichele, Pacific Coast Tank  
235 E. Broadway, #706  
Long Beach, CA 90802

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments Section 30624.7 of the Coastal Act**

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**WAIVER:** 5-09-123                      **APPLICANT:** City of Long Beach Dept. of Parks, Recreation & Marine

**LOCATION:** 6204 E. Second Street (Alamitos Bay Marina), City of Long Beach, Los Angeles Co.

**PROPOSED DEVELOPMENT:** Excavate and remove two 6,000 gallon underground fuel storage tanks, related piping, one fuel dispenser, and any contaminated soils from the City marina maintenance area at Davies public boat launch. The fuel tanks, dispenser, pipes and any contaminated soil will be removed from the project site and disposed of at an approved hazardous materials facility as soon as possible after excavation and testing.

**RATIONALE:** The project site is located within a marina maintenance yard situated on State Tidelands that are administered by the City of Long Beach. The underground fuel tanks must be removed as soon as possible because they represent a potential hazard to the environment. The proposed project has been reviewed and approved by the City of Long Beach Department of Parks, Recreation and Marine, the City of Long Beach Fire Department, and the City Planning Department. The tanks will be cleaned at the site prior to removal using water, detergent and a vacuum truck. No discharges of any kind are proposed or approved. Appropriate Best Management Practices (BMPs) will be implemented in order to prevent any adverse impacts to water quality, including the use of temporary containment dikes constructed around the work area with sand bags and heavy duty plastic sheeting. Commencement of the project, expected to occur in late summer of 2009, will be postponed in the event of possible rainy weather. The City will conduct soil sampling during the proposed excavation and temporary stockpiling. Stockpiled soils will be covered with heavy duty plastic sheeting prior to removal (if contaminated) or recompaction in the hole (if not contaminated). New replacement above-ground fuel tanks are proposed to be installed under a separate coastal development permit application in the future. The proposed project will not adversely affect public access to the shoreline or displace any recreational activities. The proposed project is consistent with the Chapter 3 policies of the Coastal Act and the certified Long Beach Local Coastal Program (LCP).

This waiver will not become effective until reported to the Commission at its **August 14, 2009 meeting in San Francisco** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

cc: Commissioners/File

CHARLES R. POSNER  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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



July 27, 2009

Srou & Associates  
1001 6<sup>th</sup> Street, Suite 110  
Manhattan Beach, CA 90266

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-126

**APPLICANT:** Mr. & Mrs. Charles Gottesman

**LOCATION:** 322 24<sup>th</sup> Street, Hermosa Beach

**PROPOSED DEVELOPMENT:** Demolition of an existing residential duplex and construction of a two-story, 25 foot high, 2,976 square foot single-family residence, with an attached 432 square foot garage, on a 2,934 square foot lot.

**RATIONALE:** The site, which is four blocks inland of the Strand, is designated as low density (R-1) residential land use in the City of Hermosa Beach Certified Land Use Plan (LUP). The proposed single family residence is a permitted use in the R-1 zone and has received an approval in concept from the City of Hermosa Beach Planning Department. The proposed project conforms to the 25-foot height limit above grade. The proposed three on-site parking spaces provide adequate parking for the single-family residence. The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site. The proposed project is consistent with the community character and will have no negative effects on visual resources or coastal access. The project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

  
Al J. Padilla  
Coastal Program Analyst

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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



July 22, 2009

Barbara Nelson  
4948 Voltaire Street, #A  
San Diego, CA 92107

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments-Section 30624.7 of the Coastal Act**

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**WAIVER#:** 5-09-127

**APPLICANT:** Beverly Stebbins

**LOCATION:** 120 24<sup>th</sup> Street, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Conversion of an existing duplex on one lot into two (2) condominium units. The duplex provides two (2) parking spaces for each unit, for a total of four (4) parking spaces. No additional development is proposed.

**RATIONALE:** The lot size is approximately 2,375 square feet and is designated as high density residential in the City of Newport Beach Land Use Plan (LUP) and is located between the first public road and the sea. The proposed development consists of a conversion of a duplex into two (2) condominium units. The subdivision of land is not allowed under Categorical Exclusion E-77-5, adopted by the Commission on June 14, 1977, therefore Commission approval is necessary. The proposed project conforms to the Commission's parking requirement of two (2) parking spaces per residential unit. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed development would not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

KARL SCHWING  
Orange County Area Supervisor

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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



July 22, 2009

Edward & Helen Foster  
2501 1<sup>st</sup> Avenue  
Corona Del Mar, CA 92625

Nicholas & Carol Samios  
412 ½ Carnation Avenue  
Corona Del Mar, CA 92625

Kurt Christiansen  
412 Carnation Avenue  
Corona Del Mar, CA 92625

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

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**WAIVER#:** 5-09-129

**APPLICANTS:** Edward & Helen Foster, Nicholas & Carol Samios & Kurt Christiansen

**LOCATION:** 2501 1<sup>st</sup> Avenue & 412 & 412 ½ Carnation Avenue, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Move a lot line between two existing adjacent lots resulting in a 7,260 square foot lot and a 4,782 square foot lot. No new lots will be created.

**RATIONALE:** The subject site is designated as medium density residential in the City of Newport Beach Land Use Plan (LUP) and is not located between the first public road and the sea. The proposed project only involves moving a portion of the side lot line between two adjacent lots by 6-feet. There is no proposed change in use. The proposed project is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director  
cc: Commissioners/File

  
KARL SCHWING  
Orange County Area Supervisor

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



July 22, 2009

Brent Sears Architect  
203 Argonne Avenue, Suite B-210  
Long Beach, CA 90803

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-135                      **APPLICANT:** Mark Hoover

**LOCATION:** 235 5<sup>th</sup> Street, Seal Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing single-family residence and construction of a new 3,273 square foot, two-story single-family residence with an attached 620 square foot three-car garage. The maximum height of the structure will be 27'-4" above existing grade. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

**RATIONALE:** The subject site is an inland lot not located between the first public road and the sea. The lot size is 4,406 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access to the beach exists at the 5<sup>th</sup> Street, street end. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

KARL SCHWING  
Orange County Area Supervisor

**CALIFORNIA COASTAL COMMISSION**

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



July 28, 2009

Brian M. and Lauri E. Lewis  
44-700 Village Court #110  
Palm Desert, CA 92260

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-138

**APPLICANT:** Brian M. Lewis and Lauri E. Lewis

**LOCATION:** 212 41<sup>st</sup> Street, Newport Beach, Orange County

**PROPOSED DEVELOPMENT:** Conversion of a duplex on a single lot into two (2) condominium units. Four (4) parking spaces are provided on site.

**RATIONALE:** The subject lot is an inland 2,430 sq. ft. lot designated Medium Density Residential in the certified City of Newport Beach Land Use Plan (LUP). The proposed project has been approved by the City of Newport Beach Planning Department (Tentative Parcel Map No. NP2009-002[PA2009-102], 06/25/09). The proposed development consists of a conversion of an existing duplex into a two-unit condominium. Authorization for construction of any new single or two-family residences on the lot is provided under City of Newport Beach Categorical Exclusion Order E-77-5, adopted by the Commission on June 14, 1977. However, the subdivision of land is not allowed under Categorical Exclusion E-77-5, therefore Commission approval is necessary. The development proposes four parking spaces, meeting the Commission's typically applied parking requirement of two parking spaces per residential unit. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality and will not prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **August 12-14, 2009** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

by:   
KARL SCHWING  
Supervisor Regulation and Planning

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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



July 28, 2009

Fari International Inc. Attn: Mark Maize  
2015 Newport Blvd.  
Costa Mesa, CA  
Newport Beach, CA 92660

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-139

**APPLICANT:** Gary E. Primm

**LOCATION:** 618 Via Lido, Newport Beach, Orange County

**PROPOSED DEVELOPMENT:** Lot line adjustment to merge two lots and a portion of a third lot into a single 6,975 square foot parcel for the continuation of existing single-family development.

**RATIONALE:** The proposed development consists of a lot line adjustment to combine two lots and a portion of a third lot into a single parcel designated Medium Density Residential for the continuation of existing single-family development. The site is between the sea and first public road, facing Newport Bay. The subject site is a bulkhead lot fronting Newport Bay between the first public road and the sea. The construction of a new approximately 6,954 sq. ft. two-story single-family residence, garage and landscape improvements was approved under CDP 5-07-328-W in November 2007 and the demolition of the previous single-family residence, site grading, new bulkhead and pier and dock system was approved under CDP 5-07-081 in June 2007 by the Commission. The existing single family residence straddles the lots subject to the lot line adjustment. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. Additionally, the proposed development would not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **August 12-14, 2009** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director  
cc: Commissioners/File

by:  \_\_\_\_\_  
KARL SCHWING  
Supervisor Regulation and Planning

**CALIFORNIA COASTAL COMMISSION**

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



July 22, 2009

Ronald Wilkstrom  
2027 North Ross Street  
Santa Ana, CA 92706

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-140                      **APPLICANT:** Brian & Amy Brown

**LOCATION:** 825 Catalina Avenue, Seal Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of an existing single-family residence and construction of a new 2,752 square foot, two-story single-family residence with an attached 462 square foot two-car garage. The maximum height of the structure will be 24'-6" above existing grade. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

**RATIONALE:** The subject site is an inland lot not located between the first public road and the sea. The lot size is 6,560 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access is available at Gum Grove Park. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

KARL SCHWING  
Orange County Area Supervisor

**CALIFORNIA COASTAL COMMISSION**

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



July 22, 2009

Herbert Franck  
2189 Warmouth St.  
San Pedro, CA 90732

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-142W

**APPLICANT:** Brian Shannon

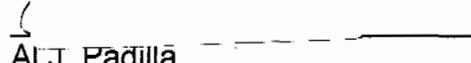
**LOCATION:** 2221 Warmouth Street, San Pedro

**PROPOSED DEVELOPMENT:** Remodel and addition of 281 square feet to an existing 3,757 square foot single-family residence on a bluff top lot.

**RATIONALE:** The proposed addition will not encroach any further seaward than the existing residence and height will be consistent with the existing 14 foot high roof line. The proposed project is consistent with the San Pedro's certified Land Use Plan's permitted 26-foot height limit (as measured from average existing grade) and with the existing R1 Single-Family Residential zoning and is consistent with the character and scale of the surrounding neighborhood. Drainage is to be directed to non-erosive drainlines that drain to the street. The proposed project will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with the City's certified LUP, past Commission actions for the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director

  
Al J. Padilla  
Coastal Program Analyst

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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



June 23, 2009

California Department of Fish and Game (CDFG)  
Attn: Karen Miner  
600 Shellmaker Road  
Newport Beach, CA 92660

Justin C. Craft  
259 Hanover Drive  
Costa Mesa, CA 92626

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis  
Developments-Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER#:** 5-09-143                      **APPLICANT:** CDFG & Justin C. Craft

**LOCATION:** Back Bay Science Center (Shellmaker Island), Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Installation of a semi subterranean 1000 gallon salt water reserve tank and roof structure. The reserve tank is needed for regular water change outs and possible emergency situations, such as water leaks, associated with the science center marine exhibits. The project site is approximately 75 square feet. A circular hole with a base of 25 square feet and approximately 2.5-feet deep will be hand dug. Approximately 4.5 cubic yards of soil will be removed and taken to areas on site that are in need of soil. The hole will be reinforced with a wood retaining wall consisting of 34 Trex boards 6-inch wide set vertically side by side that line the inside of the hole. The 1000 gallon salt water tank will be installed in the hole and a hexagonal roof 10-feet in diameter constructed in six panels will be installed over the tank. The roof will be set 8-inches above the tank top. Approximately 12.5 cubic yards of gravel will be placed on top of the worksite after installation of the tank and construction of the roof structure.

**RATIONALE:** The subject site is the Back Bay Science Center located on Shellmaker Island. More specifically, the project site is located southwest of the teaching lab, across the gravel parking area, near the touch tank, a gazebo and Ficus tree. The project site is adjacent to a Ficus tree that is habitat to breeding Night Herons. The proposed project will not begin until after the Night Heron breeding season (April to September) and will not require any changes to the tree (i.e. no trimming). The project will impact some native plant individuals; however, these native plants will be replaced at a 5 to 1 ratio with seeds collected from existing plants from the site. In addition, the applicants are proposing a native plant managing program from September 2009 (anticipated beginning of construction)-to September 2012 to make sure that the native plants grow back effectively. Public access to Upper Newport Bay is available on Shellmaker Island. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 12-14, 2009 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS  
Executive Director  
cc: Commissioners/File

KARL SCHWING  
Orange County Area Supervisor

**CALIFORNIA COASTAL COMMISSION**

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

**EMERGENCY PERMIT**

**DATE:** JULY 15, 2009

**EMERGENCY PERMIT:** 5-09-131-G

**APPLICANT:** California Department of Transportation (CalTrans)  
Attn: Chris Flynn

**LOCATION:** Pacific Coast Highway (northbound lane and shoulder adjacent to Bolsa Chica Ecological Reserve), between Warner Avenue and Seapoint Avenue, City of Huntington Beach, Orange County

**EMERGENCY WORK PROPOSED:** Installation of 475 linear feet of sheetpile (30 ft. deep), parallel to and five (5) feet bayward of the edge of pavement, backfill area between pavement and sheetpile, and restore damaged pavement. All work will be conducted within the CalTrans right-of-way.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of high tides causing channel bank erosion of the roadway embankment and collapse of the pavement requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and
- (c) As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the attached conditions.

Very Truly Yours,

Peter M. Douglas  
Executive Director

By: Sheryl Sarto

Title: Deputy Director

**CONDITIONS OF APPROVAL:**

1. The enclosed form must be signed by the permittee and returned to our office within 15 days.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 120 days of the commencement of sheet pile installation.
4. In exercising this permit the permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
5. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g. City of Huntington Beach, California Department of Fish and Game, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers).
6. Construction Responsibilities and Debris Removal

The permittee shall comply with the following construction related requirements:

- (a) No construction materials, debris, waste, oil or liquid chemicals shall be placed or stored where it may be subject to tidal or wave erosion and dispersion, stormwater, or where it may contribute to or come into contact with nuisance flow;
  - (b) Any and all debris resulting from construction activities shall be removed from the site within 1 week of completion of construction;
  - (c) Work shall be staged and conducted from the roadway (as opposed to from the bay) to the maximum extent possible. No machinery or construction materials not essential for project implementation shall be allowed at any time in bay waters;
  - (d) If turbid conditions are generated during construction, a silt curtain shall be utilized to minimize and control turbidity to the maximum extent practicable;
  - (e) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
  - (f) All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day;
  - (g) The discharge of any hazardous materials into coastal waters or any receiving waters shall be prohibited.
  - (h) All temporary construction access measures (e.g. access ramps) shall be removed in their entirety upon completion of the emergency work and the area restored to the pre-construction condition.
7. Authorization of this emergency permit shall not preclude implementation, through the regular coastal development permit process, of other hazard avoidance and/or protective response options.
  8. The sheet pile shall be installed no more than 5 feet bayward of the existing pavement (or pre-existing pavement in areas of pavement collapse) and shall be no more than approximately 475 linear feet long. The top elevation of the sheetpile shall not exceed the elevation of the adjacent pavement. Steel sheetpile is preferred. If an alternative material is necessary the applicant shall consult with the Executive Director regarding use of such materials. Request for permanent

use of plastic or similar material will likely result in additional long-term monitoring/inspection requirements and commitment to install a different material if the material installed is found to have adverse impacts on the marine environment.

9. Prior to commencement of work, the applicant shall have oil spill contingency measures in place in the event of oil leak or spill from the existing 6" oil line adjacent to the work area, including but not limited to, identification of the oil line owner/operator and validated 24-hour contact information for the oil line owner/operator, identification of the location of pumps, valves, etc. that would need to be shut down/closed in the event of an oil leak or spill and instructions/procedures needed to implement the shut down/closure, and provision of containment equipment in the event of a leak or spill. The applicant shall request that the owner/operator of the oil line reduce/minimize flows through the oil line or shut down the oil line prior to the commencement of work, if feasible.
10. Pre-project site biological conditions shall be documented through photographs of the site, mapping and other appropriate documentation prior to commencement of work. Post-project conditions shall also be similarly documented and an analysis prepared identifying all impacts to biological resources caused by the proposed project. Impacts to wetland and other habitat shall be mitigated. A mitigation plan, along with the pre and post project biological monitoring documentation shall be submitted in conjunction with the follow-up regular coastal development permit application. Existing native vegetation and soil shall be salvaged, where feasible, for use in any future mitigation plan.
11. Construction activities shall, to the maximum extent feasible, minimize or avoid significant adverse impacts on biological resources. A biological survey shall be completed prior to initiation of construction activities and shall provide recommendations for a biological monitor to be present during construction, if necessary.
12. Public access impacts shall be minimized. Lane closures, traffic direction and flow, and detours shall be managed by the applicant during implementation of the proposed emergency work in a manner that has the least effect upon public access to and along the coast. The duration of lane closures shall be minimized by expediting installation of the proposed emergency work through use of extended work days and night time work to the extent possible and to the extent that such extended work periods do not significantly adversely impact sensitive biological resources in and adjacent to the work area, to be determined in consultation with the applicant's biological monitor and California Department of Fish and Game and U.S. Fish and Wildlife Service personnel. Adjustments to the work period shall be made as necessary to protect biological resources.
13. Other than temporary placement of white pavement delineators/channelizers (i.e. flat approximately 2 inch wide by 3 foot tall painted posts with reflectors) about every 20 feet along the length of the proposed sheetpile, the permit does not authorize installation of any guard rail, cable handrail, or similar such structures. Permanent retention of the temporary delineators/channelizers and/or installation of any guard rail, cable handrail, or similar, may be requested by the applicant through the follow-up regular coastal development permit application as required in Special Condition No. 16. If such elements are requested, the submittal shall include substantiation of the need for such structures, an analysis of alternatives, and a visual impact analysis and any additional information requested by the Executive Director during the processing of the follow-up application.
14. The applicant shall comply with the "PCH Erosion Control Project Emergency Consultation Recommended Avoidance and Minimization Measures" prepared by

Sally Brown, U.S. Fish and Wildlife Service. In addition, the applicant shall comply with proposed Liquid Waste Management Measures, Spill Prevention and Control Measures, and Contaminated Soil Management Measures. Wherever such documents request submittal of a report or documentation to the agency that authored the requirements, a copy of said reports or documentation shall also be submitted to the Executive Director of the Coastal Commission.

15. Immediately following installation of the sheetpile, and at least monthly (preferably bi-monthly) through the first entire winter following sheetpile installation, the applicant shall monitoring for erosion in the project vicinity and provide documentation of monitoring efforts. The applicant shall submit the results of the monitoring and recommendations to address observed or anticipated erosion in conjunction with the follow-up permit application required in Special Condition No. 16.
16. Follow-Up: Within 180 days of the date of this permit, and any additional time granted by the Executive Director for good cause (e.g. additional time needed to prepare required studies) the permittee shall submit a complete application for a regular Coastal Development Permit for the emergency work that the applicant wishes to be a permanent development and any additional development the permittee wishes to undertake in conjunction with the project. At a minimum, the submittal shall contain the materials, studies, analyses required by the other conditions of this permit.
17. The follow-up application submittal shall, at minimum, address the erosional effects of the sheetpile on adjacent areas of unprotected embankment and in front of the sheetpile. In conjunction with such analysis a hydraulic analysis must examine conditions in the project area including those present during periods of high flow from the East Garden Grove-Wintersburg Channel (CO5) and during extreme tidal range typical of December/January conditions.

This emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development Permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from hazards.

If you have any questions about the provisions of this emergency permit, please call the Commission office in Long Beach (562) 590-5071.

Enclosures: Acceptance Form  
Coastal Permit Application Form

cc: City of Huntington Beach

**CALIFORNIA COASTAL COMMISSION**

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

**5-07-323-A1****NOTICE OF PROPOSED PERMIT AMENDMENT**

**TO:** All Interested Parties

**FROM:** Peter Douglas, Executive Director

**DATE:** August 3, 2009

**SUBJECT:** Permit No.5-07-323-A1. Original permit granted to Sempra Energy Utilities (Southern California Gas Company) for:

Reroute existing damaged gas company's waste water line and place approximately 960 lineal foot of 6-inch diameter line underground within the facility's existing access roadway; re-connect and replace existing underground approximately 2,500 lineal foot line along Jefferson Boulevard; and remove temporary above grade line approved under an emergency permit due to line break.

**PROJECT SITE:** Jefferson Boulevard, Playa del Rey, City of Los Angeles (Playa Vista Planning Area), as pertaining to amendment.

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Place approximately 40 feet of the rerouted wastewater line on top of a below grade culvert. Line will be encased in a reinforced 18" by 24" concrete beam: place approximately 14-18 inches of fill: and construct an approximately 70 feet in length 8" high curb to maintain fill and protect line all within the existing road right-of-way.

**FINDINGS:** Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

After the project was approved for trenching the line the proximity of the existing culvert to the surface caused plans to change and required the line to be constructed closer to the at-grade surface than originally approved. The Commission's coastal engineer reviewed the plans and hydrology report and concurred that the amendment will not have a significant impact on the existing drainage patterns. The proposed amendment, as with the original plan, will incorporate best management practices during construction, to control runoff and sedimentation. The proposed development as amended will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed amendment is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Al J. Padilla, at the Commission Area office in Long Beach (562) 590-5071.

**CALIFORNIA COASTAL COMMISSION**

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

**5-07-094-A1****NOTICE OF PROPOSED PERMIT AMENDMENT**

**TO:** All Interested Parties

**FROM:** Peter Douglas, Executive Director

**DATE:** 4 August 2009

**SUBJECT:** Coastal Development Permit No. 5-07-094 granted September 5, 2007 to City of Long Beach Water Department for:

Installation and removal of a temporary demonstration seawater intake and discharge system on the public beach seaward of the public beach parking lot, comprised of one 40'x 86' subsurface intake gallery, one 50'x 113' subsurface discharge gallery, one thirty-foot deep wet well, and connecting pipes and electric lines. Approximately 6,000 cubic yards of clean permeable sand will be imported. More specifically described in the application file in the Commission offices.

**AT:** Bixby Park Public Beach and Parking Lot (2000-2300 E. Ocean Blvd.), City of Long Beach.

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

**DESCRIPTION OF THE PERMIT AMENDMENT REQUEST (5-07-094-A1):**

Modify the piping within subsurface intake gallery (to accommodate the addition of a nano-filtration membrane), and amend Special Condition Five of the underlying permit to extend the life of the project for two additional years, as follows:

**5. Removal of Development and Restoration of the Site**

All development permitted by Coastal Development Permit 5-07-094 (subsurface intake and discharge galleries, pumps, wells, well casings, pipes and concrete, etc.) shall be removed from the project site, and the beach restored to its pre-existing condition, ~~within two years of initial installation, and in no case later than May 21, 2010~~ **May 25, 2012** (the start of Memorial Day weekend). The permittee shall also repair any damage to the public parking lot. The clean sand imported for the project may remain on the beach unless the Executive Director determines that the imported sand is having an adverse affect on coastal resources or public recreation.

**FINDINGS:**

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) this amendment is considered to be IMMATERIAL and the permit will be modified accordingly if no written objections are received

within ten working days of the date of this notice. This amendment has been considered "immaterial" for the following reason(s):

In 2008, the City of Long Beach Water Department installed the temporary demonstration seawater intake and discharge system on the public beach as permitted by Coastal Development Permit 5-07-094. Except for one manhole cover on the top of the underground vault, the project components are buried by sand and are not visible. The entire beach is open to public recreation. The proposed project is not for, or part of, any actual desalination plant. The proposal, funded by Proposition 50, seeks to develop an innovative and cost-effective submerged intake technology for seawater desalination in a manner that minimizes adverse environmental impacts such as the impingement and entrainment of marine organisms. With the proposed demonstration seawater intake and discharge system, the sand on the beach provides a filter that minimizes the amount of sea life and debris that would otherwise be drawn into the seawater intake system, thus minimizing the number of killed animals.

The demonstration project was planned to last for two years, and then be removed from the beach in its entirety by May 21, 2010. The permittee is now requesting a two-year extension of the deadline for removal of the project in order to allow for additional study of flow characteristics over a longer period of time. The two additional years of testing will provide data to determine whether higher sustainable infiltration rates can be achieved so that a smaller footprint could be used, and to observe the effects of seasonal events. The proposed installation of a small nano-filter membrane within the existing underground vault is necessary to observe the effects of the sand filtration process on the membrane.

The City of Long Beach Department of Parks, Recreation and Marine has indicated that this project is not interfering with beach activities. No part of the proposed project will be visible during the extended demonstration period as all the development will remain buried under the sand. The modification to the piping within subsurface intake gallery will not be visible from the beach. Special Condition Four of the permit requires the permittees to inspect the site daily in order to ensure that no pipe or other part of the approved development protrudes from the sand and to ensure that the project does not pose a hazard to navigation or public recreation. Special Condition Five, as amended, requires that the permittees remove all development from the project site, except for clean imported sand, no later than the start of Memorial Day weekend 2012. The beach will be open for public use until the commencement of removal. Therefore, the two-year extension of the deadline for the removal of the approved development will have no adverse impact on public recreation or coastal resources.

Coastal access has not been adversely affected by the project since its installation in 2008. The currently proposed extension of time will not adversely affect coastal access. Therefore, the permit amendment is an immaterial amendment. The proposed amendment is consistent with the Chapter 3 policies of the Coastal Act, previous Commission approvals and the certified Long Beach LCP. Therefore, staff is recommending that the Commission grant the amendment request.

If you have any questions about the proposal or wish to register an objection, please contact **Charles Posner** at the Commission Area office in Long Beach (562) 590-5071.

**CALIFORNIA COASTAL COMMISSION**

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



(5-02-334-E5)

**NOTICE OF EXTENSION REQUEST  
FOR COASTAL DEVELOPMENT PERMIT**

4 August 2009

Notice is hereby given that **Benjamin & Doreen Leeds, dba Castellammare Vista LLC**, has applied for a one year extension of 5-02-334 granted by the California Coastal Commission on June 11, 2003 for:

**Construction of a three-level, 3,100 square foot, 36-foot high single family home with five parking spaces and a one-story accessory building supported by 48, 24-inch concrete reinforced piles and grade beams, a spa, fountain, irrigated landscaping on a 4,289 square foot vacant bluff lot. The project also includes 850 cubic yards of cut, 50 cubic yards of fill, four horizontal drains and four vertical dewatering wells, two inclinometers (one of which is after-the-fact), and removal of a wood retaining wall along the Castellammare property line.**

at: 17633 Castellammare Drive, Pacific Palisades (Los Angeles County)

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,  
PETER M. DOUGLAS  
Executive Director

By:  
Charles Posner  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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

(5-07-085-E1)

**NOTICE OF EXTENSION REQUEST  
FOR COASTAL DEVELOPMENT PERMIT**

3 August 2009

Notice is hereby given that **Lennar Homes, Attn: Donna Kelly & LM Scala Real Estate Partners** have applied for a one-year extension of Coastal Development Permit **5-07-085**, granted by the California Coastal Commission on **September 13, 2007** for:

**Demolition of existing tennis complex and construction of 79 residential townhome units on a 4.25 acre site, including 3 buildings ranging from 50-60 feet in height above grade, totaling approximately 205,679 square feet and approximately 97,231 square feet of subterranean parking, landscaping, hardscaping, and open space, and payment of a \$5,000,000.00 mitigation fee.**

**At: 900 Newport Center Drive, Newport Beach (Orange County) APN 442-011-41**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,  
PETER M. DOUGLAS  
Executi

By: Karl Schwing  
Supervisor, Regulation & Planning  
Orange County Area

**CALIFORNIA COASTAL COMMISSION**

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

(5-05-235-E1)

**NOTICE OF EXTENSION REQUEST  
FOR COASTAL DEVELOPMENT PERMIT**

3 August 2009

Notice is hereby given that **Balboa Performing Arts Theater Foundation, Attn: Mary Lonich and City Of Newport Beach, Attn: Sharon Z Wood, Assistant City Manager** have applied for a one-year extension of Coastal Development Permit **5-05-235**, as amended, granted by the California Coastal Commission on **September 5, 2007** for:

**Remodel and addition to the existing Balboa Theater. The façade will be retained and restored, and a 2nd floor, plus roof deck with tower and rooftop mechanical equipment will be added to the building which will increase the existing height of the building to 45ft-6in with roof top projections up to 55ft. Also, the seating will be reduced from 450 to 325 seats. The proposal includes a prohibition of weekend matinee performances during the summer between Memorial Day and Labor Day to address parking issues. No landscaping is proposed.**

**At: 707 East Balboa Boulevard, City of Newport Beach, County of Orange County**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,  
PETER M. DOUGLAS  
Executive Director

By: Fernie Sy  
Coastal Program Analyst II