

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT
200 Oceangate, Suite 1000
LONG BEACH, CA 90802-4302
(562) 590-5071 FAX (562) 590-5084
www.coastal.ca.gov

**Th7/Th19****SOUTH COAST DISTRICT (LONG BEACH)
DEPUTY DIRECTOR'S REPORT**

*For the
July Meeting of the California Coastal Commission*

MEMORANDUM

Date: July 14, 2011

TO: Commissioners and Interested Parties

FROM: John Ainsworth, South Coast District Deputy Director, (Los Angeles County)
Sherilyn Sarb, South Coast District Deputy Director, (Orange County)SUBJECT: ***Deputy Director's Report***

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Coast District Office for the July 12-14, 2011 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. 5-11-128-W Mr. Terry Brennan (Seal Beach, Orange County)
2. 5-11-144-W Mr. Tim Bakman (Balboa Island, Newport Beach, Orange County)
3. 5-11-146-W Avalon Tuna Club (Avalon, Los Angeles County)

DE MINIMIS WAIVERS

1. 5-11-060-W The China Cove Trust (Newport Beach, Orange County)
2. 5-11-067-W Hjem Property, Llc (Newport Beach, Orange County)
3. 5-11-069-W Ms. Carol Helou (Newport Beach, Orange County)
4. 5-11-070-W Mr. John B. Abell (Newport Beach, Orange County)
5. 5-11-097-W Mr. & Mrs. Niel Desai (Pacific Palisades, Los Angeles County)
6. 5-11-122-W Mr. & Mrs. Carl Mosen (Newport Beach, Orange County)
7. 5-11-123-W Mr. Tom Pfeider (Seal Beach, Orange County)
8. 5-11-127-W John Oswald (Newport Beach, Orange County)
9. 5-11-135-W Ddr Urban Lp (Long Beach, Los Angeles County)
10. 5-11-138-W St. Matthew's Parish School, Attn: Mr. Les Frost (Pacific Palisades, Los Angeles County)
11. 5-11-154-W Randy L. Rezen (Venice, City Of Los Angeles, Los Angeles County)

EMERGENCY PERMITS

1. 5-11-143-G Tennis Estates Homeowners Assoc. (Huntington Beach, Orange County)

IMMATERIAL AMENDMENTS

1. 5-07-094-A2 City Of Long Beach Water Department, Attn: Eric Leung, Director Of Water Resources (Long Beach, Los Angeles County)

EXTENSION - IMMATERIAL

1. 5-09-055-E1 Bay Island Club (Newport Beach, Orange County)

TOTAL OF 17 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>
5-11-128-W Mr. Terry Brennan	Remodel and addition to an existing 640 square foot, one-story mobile home. The project more specifically consists of adding 180 square feet of internal floor area. Post project, the mobile home will be a one-story, 820 square foot mobile home. The height of the project will be 11-feet from 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.	57 Riversea Rd., Seal Beach (Orange County)
5-11-144-W Mr. Tim Bakman	Addition and remodel of an existing 2,069 sq. ft. two-story, duplex with the addition of 258 sq. ft. (12.5% addition) resulting in a 2,327 sq. ft. duplex with attached 500 sq. ft. 2-car garage, new roof, roof deck, drainage and landscaping improvements. The maximum height will be 29 feet above finished grade. Landscaping using drought tolerant non-invasive plants are proposed. New concrete block walls along the side property lines.	1301 North Bay Front, Balboa Island, Newport Beach (Orange County)
5-11-146-W Avalon Tuna Club	Replace a deteriorated brick chimney with a veneer chimney in the same location on an existing pile-supported structure in Avalon Bay (using temporary scaffolding).	100 St Catherine Way, Avalon Tuna Club, Avalon (Los Angeles 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>
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SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-11-060-W The China Cove Trust</p>	<p>Construction of a new two-story 3,943 square foot single-family residence with an attached two-car garage on a vacant bulkheaded lot. The maximum height of the structure will be 27'-17" above finished grade. Grading will consist of 423 cubic yards of overexcavation, which will balance on site. After-the-fact bulkhead work will consist of: new tie backs, a new deadman, new coping and guardrail, a new 8-foot long shoring section wall with two (2)-24" caissons along the Northern property line behind the bulkhead, and replacement of an approximate 6-foot long section panel of the existing bulkhead that is located along the Southern property line behind the bulkhead. All bulkhead work will take place on the landward side of the existing bulkhead. Additionally, after-the-fact side yard property line walls ranging in height from 6-feet to 3-feet high are proposed. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.</p>	<p>2619 Cove Street (Corona Del Mar), Newport Beach (Orange County)</p>
<p>5-11-067-W Hjem Property, Llc</p>	<p>Construction of a new, 3990 sq. ft., 29' high single family residence, 220 cubic yards of cut and 210 cubic yards of fill</p>	<p>2641 Bayshores Drive, Newport Beach (Orange County)</p>
<p>5-11-069-W Ms. Carol Helou</p>	<p>Construction of a new, 29 foot high, 4194 sq. ft. single family residence</p>	<p>2218 Channel Rd, Newport Beach (Orange County)</p>
<p>5-11-070-W Mr. John B. Abell</p>	<p>Construction of a new, 29' high, 4290 sq. ft. single family residence</p>	<p>2222 Channel Rd., Newport Beach (Orange County)</p>
<p>5-11-097-W Mr. & Mrs. Niel Desai</p>	<p>Demolition of a two-story, 1,909 square foot single-family residence on a 13,018 square foot lot, and construction of a two-story (with basement), thirty-foot high (above grade), 5,743 square foot single-family residence with a 499 square foot garage in the basement. Approximately 859 cubic yards of material will be excavated and exported from the site. Includes new retaining walls, landscaping, and a 30'x 15' swimming pool in the rear yard.</p>	<p>1343 N. Luna Vista Drive, Pacific Palisades (Los Angeles County)</p>
<p>5-11-122-W Mr. & Mrs. Carl Mosen</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>4500-4504 Seashore Drive, Newport Beach (Orange County)</p>
<p>5-11-123-W Mr. Tom Pfeleider</p>	<p>Demolition of an existing single-family residence and construction of a new 2,425 square foot, two-story single-family residence with an attached 456 square foot two-car garage. The maximum height of the structure will be 25' above finished grade. Grading will consist of 50 cubic yards of cut, 5 cubic yards of fill, 27 cubic yards of export to a location outside of the Coastal Zone, and 181 cubic yards of recompaction, which will balance on site. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.</p>	<p>123 2nd Street, Seal Beach (Orange County)</p>

<p>5-11-127-W John Oswald</p>	<p>Construction of a new, 29 foot high, 4150 sq. ft. single family residence.</p>	<p>2531 Bayshore Dr., Newport Beach (Orange County)</p>
<p>5-11-135-W Ddr Urban Lp</p>	<p>Operate a weekly (Tuesdays 5PM-9PM) Farmers' Market and Arts and Crafts Fair on the open space area situated at the northwest corner of Shoreline Drive and Pine Avenue. The term of this approval is ninety days, terminating on October 12, 2011.</p>	<p>199 S. Pine Avenue, Long Beach (Los Angeles County)</p>
<p>5-11-138-W St. Matthew's Parish School, Attn: Mr. Les Frost</p>	<p>Modification to an existing retaining wall consisting of installation of two semi-circular retaining walls of 2.5 foot radius with metal living wall framework and replacement of an approx. 8 feet long retaining wall segment</p>	<p>1031 Bienvenida Ave., Pacific Palisades (Los Angeles County)</p>
<p>5-11-154-W Randy L. Rezen</p>	<p>Construction of a three-level, 28-foot high (with a 37-foot high roof access structure), 4,585 square foot single-family residence with a three-car garage on a vacant 3,150 square foot lot facing a walk street. Includes landscaping and a 42-inch high (max.) fence within a 10'x 35' front yard right-of-way encroachment authorized by a City-issued Revocable Encroachment Permit.</p>	<p>17 Privatcer Street., Venice, City Of Los Angeles (Los Angeles 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.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p>5-11-143-G Tennis Estates Homeowners Assoc.</p>	<p>Removal of a partially broken, overhanging branch from tree C-35 by certified arborist/landscape crew using handsaws. Once the branch is removed, on further cutting is to occur within 300 feet of any tree occupied or otherwise known to be used by herons or egrets. The entire felled branch is proposed to be moved by hand in one piece approximately 104 meters (340 feet) to a location near the northern access gate along Wimbledon Lane. The removed branch is then proposed to be cut into smaller pieces by chainsaw (gas powered or electric) or handsaw and removed off site by the landscape crew. The area proposed for processing the felled branch is approximately 117 meters *385 feet) from tree C-11, which is the nearest tree that currently supports active heron/egret nests. As proposed by the applicant, at no time will mechanized equipment be used within 300 feet of heron/egret nesting or roosting.</p>	<p>Approximately four-acre lot within tennis Estates residential complex seaward of Humboldt Drive and Saybrook Lane., 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.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-07-094-A2 City Of Long Beach Water Department, Attn: Eric Leung, Director Of Water Resources	To change the date of the removal of the facility from may 25, 2012 to May 26, 2017.	Bixby Park Public Beach and Parking Lot (2000-2300 E. Ocean Blvd.), Long Beach (Los Angeles County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-09-055-E1 Bay Island Club	Application of Bay Island Club to 1) reinforce, in part, and replace, in part, the entire 1,200 linear foot long bulkhead system surrounding a private island developed with 24 single family residences; 2) demolish the existing gated private pedestrian bridge linking the island to the mainland and construct a new gated, private pedestrian bridge in a slightly different alignment; and 3) construct a 'sand retention wall' offshore of a small private beach on the western side of the island.	1-26 Bay Island, Newport Beach (Orange County)

CALIFORNIA COASTAL COMMISSION

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



June 27, 2011

Veridian III Construction
Attn: Lennert Mitchell
9965 Whitewater Road
Moreno Valley, CA 92557

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#: 5-11-128 **APPLICANT:** Terry Brennan

LOCATION: 57 Riversea Road, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Remodel and addition to an existing 640 square foot, one-story mobile home. The project more specifically consists of adding 180 square feet of internal floor area. Post project, the mobile home will be a one-story, 820 square foot mobile home. The height of the project will be 11-feet from 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 located between the first public road and the sea. The lot size is approximately 1,274 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The subject mobile home space is located in the Seal Beach Mobile Home Park which is identified by the City as one of its affordable housing resources. Restrictions are in place which mandate occupation of a certain number of the mobile home park spaces by families of low or moderate income. The proposed project will not change any existing affordable restrictions, will not result in any division of land or change the manner of ownership of the land, and will not adversely impact the inventory of lower cost housing available in the Coastal Zone. No parking space is provided on site. However, parking for the subject site and the residents of the Seal Beach Trailer Park is provided within common parking areas on the park grounds, which provide a total of 187 parking spaces. The proposed project is designed to be compatible with the character of the surrounding development. Public access is not available on site, but the proposed development will not change public access conditions on-site. Public access to the beach is available approximately ½ mile west of the project site at the end of 1st 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 July 13-14, 2011 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director

Original Signed By
(signature on 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



June 28, 2011

Chris Torre
10949 Technology Place
San Diego, CA 92127

SUBJECT: Waiver of Coastal Development Permit Requirement/Improvements to Existing Single-Family Residences or Structures - Section 30610(a) & (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 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: 5-11-146 **APPLICANT:** Avalon Tuna Club

LOCATION: 100 St. Catherine Way, City of Avalon, Los Angeles County.

PROPOSED DEVELOPMENT: Replace a deteriorated brick chimney with a veneer chimney in the same location on an existing pile-supported structure in Avalon Bay (using temporary scaffolding).

RATIONALE: The project site (Avalon Tuna Club) is situated over the water in Avalon Bay within the Commission's original permit jurisdiction. The Avalon Tuna Club building (c.1916) is listed in the National Register of Historic Places. On May 25, 2011, the City of Avalon determined that the building's old chimney was in a dangerous state of disrepair and declared it a public nuisance. The City ordered the abatement of the nuisance, and the old chimney has been removed. The applicant proposes to replace the old chimney with a false chimney that has been designed with a brick veneer that will maintain the historic appearance of the old two-story building. The proposed project includes installation of temporary scaffolding that will be cantilevered over the water. The scaffolding will be removed after installation of the new chimney. There will be no change to the size of the existing deck or structure. The proposed project does not involve any construction in the water and will not adversely impact sensitive resources, public access or water quality. No discharges are permitted. The project will be completed within four weeks. The proposed project incorporates best management practices (BMPs) to protect water quality in the bay, including the use of netting and tarps to catch any falling debris during construction. The proposed project is consistent with 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 its **July 14, 2011 meeting in San Rafael**. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

PETER DOUGLAS
Executive Director

Original Signed By
(signature on 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



June 30, 2011

Troy Weiland, Architect
 4532 Judson Way
 La Mesa, CA 91942

**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#: 5-11-060 **APPLICANT:** The China Cove Trust

LOCATION: 2619 Cove Street, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Construction of a new two-story 3,943 square foot single-family residence with an attached two-car garage on a vacant bulkheaded lot. The maximum height of the structure will be 27'-17" above finished grade. Grading will consist of 423 cubic yards of overexcavation, which will balance on site. After-the-fact bulkhead work will consist of: new tie backs, a new deadman, new coping and guardrail, a new 8-foot long shoring section wall with two (2)-24" caissons along the Northern property line behind the bulkhead, and replacement of an approximate 6-foot long section panel of the existing bulkhead that is located along the Southern property line behind the bulkhead. All bulkhead work will take place on the landward side of the existing bulkhead. Additionally, after-the-fact side yard property line walls ranging in height from 6-feet to 3-feet high are proposed. 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 a 7,200 square foot, waterfront bulkheaded lot designated as single-unit residential detached in the City of Newport Beach Land Use Plan (LUP). 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 Newport Bay is available approximately 30-feet southeast of the project site at the beach at the end of Fernleaf Avenue, street end. 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 July 13-14, 2011 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

Original Signed By
 (signature on file)
 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



6/30/2011

William Guidero
 425 30th St, Suite #23
 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#: 5-11- 067 -W

APPLICANT: HJEM Property, LLC

LOCATION: 2641 Bayshores Drive, Newport Beach, Orange County

PROPOSED DEVELOPMENT: Construction of a new, 3990 sq. ft., 29' high single family residence, 220 cubic yards of cut and 210 cubic yards of fill.

RATIONALE: The subject lot is a 4000 sq. ft. inland lot designated as Single Unit Residential Detached in the City's Certified Land Use Plan. Although an inland lot, it is located between the first public road (Coast Highway) and the sea because the subject site is located in the locked gate community of Bayshores. No public access currently exists through the site. However, the project will have no impacts on existing coastal access. Public access to the harbor exists upcoast adjacent to the Bayshores Community at the Balboa Bay Club. The proposed project has been approved in concept by the City of Newport Beach. Runoff is directed towards landscaped permeable areas and perforated trench drains for on-site infiltration. Two parking spaces are provided on site, meeting the Commission's typically applied requirement of 2 parking spaces per 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 **July 13-14, 2011** 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

Original Signed By
 by: _____ (signature on file)
 KARL SCHWING
 Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



6/30/2011

Craig Hampton
46 Mallard Court
Magalia, CA 95954

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#: 5-11-070-W**APPLICANT: John B. Abell****LOCATION: 2222 Channel Road, Newport Beach, Orange County****PROPOSED DEVELOPMENT: Construction of a new, 29' high, 4290 sq. ft. single family residence.**

RATIONALE: The subject lot is a 3500 sq. ft. bayfront lot designated as Single Unit Residential Detached in the City's Certified Land Use Plan. The proposed project has been approved in concept by the City of Newport Beach. The applicant has submitted an assessment by William Simpson + Associates dated June 13, 2011 indicating that the existing bulkhead will last for the life of the proposed development. Runoff is directed towards two trench drain for on-site infiltration. Two parking spaces are provided on site, meeting the Commission's typically applied requirement of 2 parking spaces per unit. Demolition of structures and a land division affecting this site were previously approved under Coastal Development Permit Waiver No. 5-10-083-W. 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 **July 13-14, 2011** 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

Original Signed By
by: _____ (signature on file) _____
KARL SCHWING
Supervisor Regulation and Planning

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



June 28, 2011

Mark A. Hudson Design
137 Larchmont Boulevard, #227
Los Angeles, CA 90004

**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: 5-11-097

APPLICANTS: Neil & Anjini Desai

LOCATION: 1343 Luna Vista Drive, Pacific Palisades, City of Los Angeles, Los Angeles County.

PROPOSED DEVELOPMENT: Demolition of a two-story, 1,909 square foot single-family residence on a 13,018 square foot lot, and construction of a two-story (with basement), thirty-foot high (above grade), 5,743 square foot single-family residence with a 499 square foot garage in the basement. Approximately 859 cubic yards of material will be excavated and exported from the site. Includes new retaining walls, landscaping, and a 30'x 15' swimming pool in the rear yard.

RATIONALE: The project site is a developed lot in an established residential neighborhood situated in the Santa Monica Mountains about 1.5 miles inland of Will Rogers State Beach. The site is designated for very low-density residential land use in the Brentwood-Pacific Palisades Community Plan. The proposed project has received an Approval-in-Concept from the City of Los Angeles Planning Department (Case #ZA-2011-9897, 4/18/11) and is consistent with the R15-1-H zoning designation and the pattern of development in the surrounding neighborhood. The elevation range of the project site is about thirty feet. The City of Los Angeles discourages on-site infiltration of water in Pacific Palisades, so the project site will be graded in order to direct site runoff to the fronting street and into City's storm drain system. The proposed project is consistent with 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 its **July 14, 2011 meeting in San Rafael** 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


Original Signed By
(signature on file)
CHARLES R. POSNER
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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June 27, 2011

James C. Person, Jr., Esq.
507 29th Street, Suite A
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#: 5-11-122**APPLICANT:** Carl & Barbara Mosen**LOCATION:** 4500-4504 Seashore Drive, 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 3,235 square feet and is designated as two family 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 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 July 13-14, 2011 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

Original Signed By
(signature on file)
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



June 27, 2011

Tom Pfleider
35590 Byron Trail
Beaumont, CA 92223

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#: 5-11-123 **APPLICANT:** Tom Pfleider

LOCATION: 123 2nd Street, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of an existing single-family residence and construction of a new 2,425 square foot, two-story single-family residence with an attached 456 square foot two-car garage. The maximum height of the structure will be 25' above finished grade. Grading will consist of 50 cubic yards of cut, 5 cubic yards of fill, 27 cubic yards of export to a location outside of the Coastal Zone, and 181 cubic yards of recompaction, which will balance on site. 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 2,938 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 south of the project site at the end of 2nd 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 July 13-14, 2011 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

Original Signed By
(signature on file) 
KARL SCHWING
Orange County Area Supervisor

ALIFORNIA COASTAL COMMISSION

South Coast Area Office
 10000 Oceanside, Suite 1000
 Newport Beach, CA 90802-4302
 (949) 590-5071



6/30/2011

Tony Castillo
 Sander Architects
 2434 Lincoln Blvd
 Los Angeles, CA 90291

**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#: 5-11- 127 -W

APPLICANT: John Oswald

LOCATION: 2531 Bayshore Drive, Newport Beach, Orange County

PROPOSED DEVELOPMENT: Construction of a new, 29' high, 4150 sq. ft. single family residence

RATIONALE: The subject lot is a 4000 sq. ft. inland lot designated as Single Unit Residential Detached in the City's Certified Land Use Plan. Although an inland lot, it is located between the first public road (Coast Highway) and the sea because the subject site is located in the locked gate community of Bayshores. No public access currently exists through the site. However, the project will have no impacts on existing coastal access. Public access to the harbor exists upcoast adjacent to the Bayshores Community at the Balboa Bay Club. The proposed project has been approved in concept by the City of Newport Beach. Two parking spaces are provided on site, meeting the Commission's typically applied requirement of 2 parking spaces per unit. Runoff will be directed towards permeable sidewalks and landscaped areas for on-site infiltration. 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 July 13-14, 2011 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: _____ Original Signed By _____
 KARL SCHWING (signature on file)
 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



June 28, 2011

Jeffrey T. Miyaoka, General Manager
The Pike at Rainbow Harbor
95 S. Pine Avenue
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: 5-11-135

APPLICANT: DDR Urban LP

LOCATION: 199 S. Pine Avenue (at Shoreline Drive), City of Long Beach, Los Angeles County

PROPOSED DEVELOPMENT: Operate a weekly (Tuesdays 5PM-9PM) Farmers' Market and Arts and Crafts Fair on the open space area situated at the northwest corner of Shoreline Drive and Pine Avenue. The term of this approval is ninety days, terminating on October 12, 2011.

RATIONALE: The limited-term development is situated within the Pike commercial-entertainment complex in the Downtown Shoreline area of Long Beach. The project is entirely landward of Shoreline Drive, the first public road inland of the sea (Rainbow Harbor). The proposed project, which includes no grading or permanent structures, has been approved for a ninety-day trial by the City of Long Beach Department of Development Services. The Farmers' Market and Arts and Crafts Fair would occur once each week on Tuesday evenings. Vendors will sell fresh fruits and vegetables, cut flowers, prepared food, baked goods, artwork, and other items. Set-up of 60-70 vending booths, a food court, and a children's play area would commence at 3:30pm Tuesday afternoon, and all vendors and their equipment would be removed on Tuesday night. Admission to the market/fair is free. Parking for the proposed project is available on the nearby streets and in the Pike's 2,195-stall parking structure. The proposed project will enhance public recreation and will not obstruct or interfere with existing public access or recreational opportunities at or near the project site. The proposed project will have no negative effects on visual resources or coastal access. Best management practices (BMPs) have been incorporated to protect water quality (e.g., no Styrofoam containers will be used and there will be a litter patrol). 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 its **July 14, 2011 meeting in San Rafael** 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.

Original Signed By
(signature on file)

CHARLES R. POSNER
Coastal Program Analyst

PETER DOUGLAS
Executive Director

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



6/28/2011

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#: 5-11- 138 -W

APPLICANT: St Matthew's Parish School

LOCATION: 1031 Bienvenida Ave, Pacific Palisades, Los Angeles County

PROPOSED DEVELOPMENT: Modification to an existing retaining wall consisting of installation of two semi-circular retaining walls of 2.5 foot radius with metal living wall framework and replacement of an approx. 8 feet long retaining wall segment.

RATIONALE: The subject lot is a 28 acre inland lot containing St Matthew's Parish School. The proposed project has been approved in concept by the City of Los Angeles (AIC ZA 2011-1194-AIC, 5-16-2011). The proposed development would result in a minor change to the existing retaining wall located on the west portion of the project site. The applicant has submitted a geotechnical report stating that the proposed project is feasible from a geologic and soils engineering standpoint. 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 **July 13-14, 2011** 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

Original Signed By _____
(signature on file)
by: GARY IMM
Coastal Program Manager

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



June 28, 2011

Randy Rezen
37 29th Avenue, #1
Venice, CA 90291

**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: 5-11-154**APPLICANT:** Randy Rezen**LOCATION:** 17 Privateer Street, Venice, City of Los Angeles, Los Angeles County.

PROPOSED DEVELOPMENT: Construction of a three-level, 28-foot high (with a 37-foot high roof access structure), 4,585 square foot single-family residence with a three-car garage on a vacant 3,150 square foot lot facing a walk street. Includes landscaping and a 42-inch high (max.) fence within a 10'x 35' front yard right-of-way encroachment authorized by a City-issued Revocable Encroachment Permit.

RATIONALE: The proposed project, which is situated within the "Dual Permit" area of the City of Los Angeles (within 300 feet of the beach), has received approval from the City of Los Angeles Planning Department (Case #DIR-2011-0490, 6/14/11) and is consistent with the R3-1 zoning designation and the surrounding land uses. The structure formerly on the site was demolished in 2010 pursuant to Coastal Development Permit 5-09-200-W. The proposed project conforms to all Commission building standards, including the 28-foot height limit for structures on walk streets in the Marina Peninsula area of Venice (roof deck railings and a one hundred square foot roof access structure are parts of the structure that are permitted to exceed the 28-foot roof height limit). Adequate on-site parking is provided by a three-car garage in the basement, which is accessed from the rear alley. 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 (920 square feet of permeable landscaped area will be maintained on the project site, which includes a 10'x 35' landscaped yard on the fronting walk street right-of-way). The proposed project is consistent with 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 its **July 14, 2011 meeting in San Rafael** 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.

Original Signed By
(signature on file)

CHARLES R. POSNER
Coastal Program Analyst

PETER DOUGLAS
Executive Director
cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**

DATE: JUNE 24, 2011

EMERGENCY PERMIT: 5-11-143-G

APPLICANT: Tennis Estates Homeowners Association (TEHOA)
Attn: Dan Schultz/Ron Moyer
16419 Wimbledon Lane
Huntington Beach, CA 92649

LOCATION: An approximately four-acre lot within Tennis Estates residential complex seaward of Humboldt Drive and Saybrook Lane, adjacent to Huntington Harbor, Assessor's Parcel No. 178-601-64, Huntington Beach, Orange County. Tree C-35¹ is the westernmost of approximately five Aleppo pine trees located immediately south of the existing tennis courts on the property.

EMERGENCY WORK PROPOSED: Removal of a partially broken, overhanging branch from tree C-35 by certified arborist/landscape crew using handsaws. Once the branch is removed, no further cutting is to occur within 300 feet of any tree occupied or otherwise known to be used by herons or egrets. The entire felled branch is proposed to be moved by hand in one piece approximately 104 meters (340 feet) to a location near the northern access gate along Wimbledon Lane. The removed branch is then proposed to be cut into smaller pieces by chainsaw (gas powered or electric) or handsaw and removed off site by the landscape crew. The area proposed for processing the felled branch is approximately 117 meters (385 feet) from tree C-11, which is the nearest tree that currently supports active heron/egret nests. As proposed by the applicant, at no time will mechanized equipment be used within 300 feet of heron/egret nesting or roosting.

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 a partially broken tree branch 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.

¹ The Tennis Estates Homeowners Association has identified, in a document submitted to the Executive Director titled Existing Tree Disposition Plan, dated December 2009, prepared by Tolly Landscape, all the trees and large shrubs on the subject property by using a letter and number system. The tree that is the subject of this emergency permit, C-35, is one of several tens of hundreds of trees and shrubs on the subject property.

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

Very Truly Yours,

Peter M. Douglas
Executive Director

Original Signed By
By:  (signature on file)
Sherilyn Sarb
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 30 days of the date of this permit.
4. Within 60 days of the date of this permit, the permittee shall apply for a regular Coastal Development Permit to have the emergency work be considered permanent, as detailed more fully in Condition 9.
5. 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.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.

OTHER:

7. In order to avoid further disruption to nesting/roosting herons/egrets, and consistent with the applicant's proposal:
 - a) At no time are chain saws or other mechanized equipment to be used within 300 feet of any tree occupied or otherwise known to be used by herons or egrets, including during removal of the broken, partially hanging branch on tree C-35;
 - b) Once the broken branch is removed from tree C-35, no further cutting is to occur within 300 feet of any tree occupied or otherwise known to be used by herons or egrets;
 - c) After the branch is removed by hand and relocated, a chain saw may be used to cut the branch into smaller pieces, as long as such activity is done at a minimum distance of 300 feet away from **ANY** tree occupied or known to be used by herons/egrets.
 - d) The removed branch may then be taken off site by the landscape crew.

8. A biologist shall be onsite during all development described in this permit. Within 10 days prior to beginning the branch removal work, a biologist shall inspect tree C-35 and any surrounding trees that may be affected by the development for the presence of egret or heron nests, eggs, chicks, and/or juveniles. If the biologist observes any nests, eggs, chicks and/or juveniles within tree C-35 or surrounding trees, work shall be postponed until after the nesting season (from January 1 to September 30) or until the biologist confirms the nest(s) are no longer occupied. Upon completion of the development, the biologist shall submit, for the review and approval of the Executive Director, a written assessment of the branch removal activity and documentation of his/her clearance and support of the work completed.
9. This Emergency Coastal Development Permit No. 5-11-143-G for the removal of the broken/hanging branch on tree C-35 shall require submittal of an application for a follow-up, regular coastal development permit as specified in Special Condition No. 4 above. The required follow-up, regular coastal development permit application shall be a comprehensive coastal development permit application: 1) required pursuant to this Emergency Coastal Development Permit (5-11-143-G); 2) required pursuant to Emergency Coastal Development Permit No. 5-10-179-G; 3) to request authorization for after-the-fact approval of all tree removal/trimming that has occurred on site without benefit of a required coastal development permit; and 4) for any future tree trimming/removal project that encompasses the entire subject property. This comprehensive application shall include all tree removal and tree trimming at the subject site and shall, at a minimum, include/address:
 - a. All unpermitted tree removal activities including, but not limited to, removal of trees C-27, C-36, C-37, P-3 and potentially trees C-5 and C-7;
 - b. All tree trimming activities including, but not limited to, trimming of trees C-3, C-28, C-29, C-31, C-49 and potentially trees C-25 and C-26;
 - c. The removal of the partially broken branch of the Allepo Pine tree that occurred under approved emergency coastal development permit No. 5-10-179-G;
 - d. The removal of the partially broken, overhanging branch from Tree C-35 that is the subject of this Emergency Coastal Development Permit No. 5-11-143-G;
 - e. A tree trimming/removal plan to be implemented in the future; and,
 - f. A mitigation plan identifying and addressing all impacts to the on-site rookery(s)/heronry(s) caused by all tree trimming/removal activities, including such activities that occurred without benefit of a Coastal Development Permit. Mitigation shall be developed based on consideration of use by herons and/or egrets of the rookery(s)/heronry(s) had the unpermitted removal and/or partial removal of trees not occurred.
10. The subject site is located within the area of coastal development permit authority of the City of Huntington Beach. Thus, the required follow-up, regular coastal development permit application must be made to the City of Huntington Beach. The Commission retains appeal jurisdiction over this area. The applicant shall submit a copy of the required, follow-up regular coastal development permit application to the Commission's South Coast District office, at the time the application is submitted to the City of Huntington Beach, and, after submittal, shall provide copies of any subsequent documentation exchanged between the City and the applicant.

Emergency Coastal Development Permit No. 5-11-143
Removal of Broken Branch, Tree C-35
Page 4 of 4

11. The required follow-up, regular coastal development permit application (per Conditions 4 and 10 above) shall be submitted to the City of Huntington Beach, and copied to the Commission's South Coast District Office, within 60 days of the issuance of this emergency coastal development permit. This requirement may be met, with the approval of the City of Huntington Beach, by providing the information necessary to complete the application currently on file at the City of Huntington Beach. By acceptance of this permit the applicant agrees to (1) cooperate in providing all information necessary for the City to complete and process the permit application; (2) diligently pursue completing the application; (3) not withdraw the application or otherwise delay timely review of the application; and (4) comply with any requirements of the permit if issued. If any of the foregoing four conditions is not met, or if the City or Commission on appeal denies any such after-the-fact coastal development permit application submitted pursuant to this section, the Commission will seek all remedies available to enforce the terms and conditions of Cease and Desist Order No. CCC-06-CD-12, the Coastal Act, and the City of Huntington Beach Local Coastal Program, including the imposition of civil penalties, stipulated penalties, and other remedies pursuant to Public Resources Code Sections 30821.6, 30822, and 30820 as a result of the lack of compliance with Cease and Desist Order No. CCC-06-CD-12 and for Coastal Act violations.²

Condition number four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. As required by the conditions of this emergency permit, a Coastal Development Permit must be obtained to have the work become permanent development. A regular permit would be subject to all of the provisions of the California Coastal Act (and the City's LCP) 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.

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

cc: Local Planning Department

TEHOA em cdp tree C35 6.23.11 mv

² Regardless of any after-the-fact approvals of development that had occurred without a Coastal Development Permit, the Commission may seek stipulated penalties pursuant to Section 9.0 of Consent Cease and Desist Order No. CCC-06-CD-12 for any violations of the Consent Cease and Desist Order.

CALIFORNIA COASTAL COMMISSION

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

5-07-094-A2**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties

FROM: Peter Douglas, Executive Director

DATE: July 6, 2011

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. [Originally approved date of removal/site restoration: May 21, 2010. Extended date of removal/site restoration, pursuant to Permit Amendment 5-07-094-A1: May 25, 2012.]

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-A2):

Amend Special Condition Five of the underlying permit to extend the life of the project for five 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~~ **May 26, 2017** (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. In 2009, the Commission granted the permittee a two-year extension of the date for the removal of the system (and the restoration of the site to its pre-existing condition) in order to allow for additional study of flow characteristics over a longer period of time.

The permittee is now requesting another extension of the deadline for removal of the project in order to allow for additional study of flow characteristics over an even longer period of time. Five 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 measure filter turbidity and monitor the system for biological fouling.

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 (except for the manhole). 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 2017. The beach will be open for public use until the commencement of removal. Therefore, the five-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 minor. 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



(5-09-055-E1)

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

Notice is hereby given that **Bay Island Club** has applied for a one-year extension of Coastal Development Permit **5-09-055**, granted by the California Coastal Commission on **June 11, 2009** for:

1) reinforce, in part, and replace, in part, the entire 1,200 linear foot long bulkhead system surrounding a private island developed with 24 single family residences; 2) demolish the existing gated private pedestrian bridge linking the island to the mainland and construct a new gated, private pedestrian bridge in a slightly different alignment; and 3) construct a 'sand retention wall' offshore of a small private beach on the western side of the island....More specifically described in the application file in the Commission offices.

At: **1-26 Bay Island, Newport Beach (Orange County) 048-040-02**

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: Karl Schwing
Coastal Program Analyst III