

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

**Th 15**

SOUTH COAST DISTRICT (LONG BEACH) DEPUTY DIRECTOR'S REPORT

*For the
November Meeting of the California Coastal
Commission*

MEMORANDUM

Date: November 15, 2012

TO: Commissioners and Interested Parties

FROM: 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 November 15, 2012 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. 5-12-209-W Costance Mann; Virginia Jones (San Clemente, Orange County)
2. 5-12-259-W Christoper Christensen (San Clemente, Orange County)
3. 5-12-267-W Alvin Mathew Ashley (Newport Beach, Orange County)

DE MINIMIS WAIVERS

1. 5-12-255-W Newport Beach Partnership, L L C, Attn: Mr. Michael Terry (Newport Beach, Orange County)
2. 5-12-256-W Nutrend Homes, Attn: Peggy Domasin & Lynn Plumlee (Newport Beach, Orange County)
3. 5-12-261-W Oc Public Works, Attn: Attn: Nardy Khan (Huntington Beach, Orange County)
4. 5-12-273-W John Hooten (Newport Beach, Orange County)

IMMATERIAL AMENDMENTS

1. 5-12-173-A1 Mr. & Mrs. Paul Sackin; Mr. & Mrs. Paul Pryor (Huntington Beach, Orange County)

EXTENSION - IMMATERIAL

1. 5-08-154-E3 Seashore Village, LLC (Newport Beach, Orange County)

TOTAL OF 9 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>
5-12-209-W Costance Mann Virginia Jones	Water damage repair and waterproofing behind existing retaining wall and footing stemwall (requires excavation and backfill); drainage improvements including installation of new sump pump system on street-side only; replacement of existing decking and guardrail on cantilevered upper/main level wood balcony deck and the wood post supported lower level deck with manufactured decking and new guardrails; 112 sq. ft. kitchen addition to upper unit by enclosing portion of existing upper level balcony deck; enlargement of existing window on upper level. No grading or landscaping on the canyon side portion of the lot is proposed.	318 Encino Lane, San Clemente (Orange County)
5-12-259-W Christopher Christensen	Outdoor improvements to an existing one-story, 26' tall, 9,249 sq. ft. single-family residence (including attached 4-car garages) consisting of demolition of existing pool and construction of a new pool and spa, new 380 sq. ft. pool cabana with caisson foundation, new outdoor built-in barbeque, new 6' tall stucco wall along southern property line and new landscaping consisting of a low-water use plant palette.	300 Avenida De Las Palmeras, San Clemente (Orange County)
5-12-267-W Alvin Mathew Ashley	Addition and remodel of an existing 3,182 square foot one-story single-family residence with an attached 430 square foot two-car garage. The proposed project includes a new 836 square foot 2nd floor. The proposed 2nd floor addition does not extend outside of the existing building footprint. Post project the two-story single-family residence will be 3,957 square feet with an attached 430 square foot two-car garage. The maximum height of the structure will be 23-feet above existing grade. No grading is proposed. No work on the existing bulkhead is proposed. Drainage from the roof will be directed onto permeable areas before entering the main storm drain system.	1142 Polaris Drive, Newport 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>
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SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-12-255-W Newport Beach Partnership, L L C, Attn: Mr. Michael Terry</p>	<p>The proposed project involves demolition of an existing one-story single family home and attached garage and construction of a nearly 29 foot tall, two-story, 3,422 square foot single family residence with an attached three-car 656 square foot garage. Grading consists of 34 cubic yards of fill.</p>	<p>2516 Crestview Drive, Newport Beach (Orange County)</p>
<p>5-12-256-W Nutrend Homes, Attn: Peggy Domasin & Lynn Plumlee</p>	<p>Remove an existing mobile home and replace with a new approximately 1,134 square foot one-story manufactured home with a 280 square foot one-car carport. The maximum height of the residence will be approximately 15'-4 1/2" 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>244 Lexington Circle (Lot located within De Anza Bayside Village Mobile Home Park @300 E. Coast Hwy.), Newport Beach (Orange County)</p>
<p>5-12-261-W Oc Public Works, Attn: Attn: Nardy Khan</p>	<p>Bridge concrete repairs to approximately 3 cubic feet of deck joint spalls, bent cap spalls and edge of deck spall and replacement of 36 linear feet of joint seal to extend the life of the bridge. Access under the bridge for repairs to the edge of the deck spall will be via boat and/or by scaffold suspended from the bridge. The bridge sidewalk and road will remain open to vehicular and pedestrian access during repair work.</p>	<p>Broadway Ave Bridge Over Sunset Channel, Huntington Beach (Orange County)</p>
<p>5-12-273-W John Hooten</p>	<p>Construction of a new 4,747 sq. ft., two story, 29' tall, single family residence including an attached four-car garage, covered front porch, second story balcony deck, and roof deck. Outdoor improvements consist of a paved side courtyard and side yards; drainage improvements and landscaping utilizing drought tolerant, non-invasive plants proposed.</p>	<p>1019 West Bay Ave., Newport 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>
<p>5-12-173-A1 Mr. & Mrs. Paul Sackin Mr. & Mrs. Paul Pryor</p>	<p>Revise the bulkhead monitoring plan condition to allow individuals knowledgeable of the seawall and repair design to perform the regular inspections.</p>	<p>4011 Figaro Circle & 3341 Bounty Circle, Huntington Beach (Orange County)</p>

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p>5-08-154-E3 Seashore Village, LLC</p>	<p>Demolition of an existing 54-unit apartment complex and construction of a 24-unit condominium development. Two (2) parking spaces for each unit will be provided, as well as fifteen (15) guest parking spaces for a total of sixty-three (63) parking spaces. Hardscape and landscape work is also proposed. Grading will consist of 1,615 cubic yards of cut, which will balance on site.</p>	<p>5515 River Avenue, Newport Beach (Orange County)</p>

CALIFORNIA COASTAL COMMISSION

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



November 6, 2012

Ian Buchan
1531 North El Camino Real Suite A
San Clemente, CA 92672

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 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#: 5-12-209**APPLICANT:** Constance Mann & Virginia Jones**LOCATION:** 318 Encino Lane, San Clemente (Orange County)

PROPOSED DEVELOPMENT: Water damage repair and waterproofing behind existing retaining wall and footing stemwall (requires excavation and backfill); drainage improvements including installation of new sump pump system on street-side only; replacement of existing decking and guardrail on cantilevered upper/main level wood balcony deck and the wood post supported lower level deck with manufactured decking and new guardrails; 112 sq. ft. kitchen addition to upper unit by enclosing portion of existing upper level balcony deck; enlargement of existing window on upper level. No grading or landscaping on the canyon side portion of the lot is proposed.

RATIONALE: The subject site is a 6,885 sq. ft. foot coastal canyon lot. The lot is designated residential low density in the City of San Clemente Land Use Plan (LUP). The proposed project is for improvements to an existing 2-unit duplex including waterproofing behind existing retaining wall and footing stemwall of lower unit and drainage improvements including a new sump pump system; enclosing a 112 sq. ft. portion of the upper unit's canyon facing wood balcony deck; and replacement of existing deck balconies for both units. The proposed excavation and backfill for waterproofing is on the street-facing side of the property adjacent to the existing driveway. The proposed 112 sq. ft. addition is on the coastal canyon side of the lot but is on the upper story and will not result in further canyon ward encroachment as the addition will not extend past the existing balcony deck. No excavation or any other construction work is proposed on the canyon slope and no grading or landscaping is proposed. The project is designed to be compatible with the character of the surrounding development. Public coastal access is available less than a quarter mile south of the site at the Linda Lane Access Point. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views; or prejudice the City's ability to prepare a Certified Local Coastal Program. Additionally the project is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **November 14-15, 2012** meeting. If three (3) Commissioners object to this waiver, a coastal development permit will be required.

CHARLES LESTER
Executive Director
cc: Commissioners/File

by: 
KARL SCHWING
Supervisor Regulation and Planning

CALIFORNIA COASTAL COMMISSION

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October 31, 2012

James Chinn, Architect
2120 Jimmy Durante Boulevard, #114
Del Mar, CA 92014

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#: 5-12-267 **APPLICANT:** Alvin Matthew Ashley

LOCATION: 1142 Polaris Drive, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Addition and remodel of an existing 3,182 square foot one-story single-family residence with an attached 430 square foot two-car garage. The proposed project includes a new 836 square foot 2nd floor. The proposed 2nd floor addition does not extend outside of the existing building footprint. Post project the two-story single-family residence will be 3,957 square feet with an attached 430 square foot two-car garage. The maximum height of the structure will be 23-feet above existing grade. No grading is proposed. No work on the existing bulkhead is proposed. Drainage from the roof will be directed onto permeable areas before entering the main storm drain system.

RATIONALE The lot size is 6,000 square feet and is designated as single-unit residential detached (RSD) in the City of Newport Beach Land Use Plan (LUP). The subject site is a waterfront lot located adjacent to Upper Newport Bay in the City of Newport Beach. The proposed project is an improvement that would result in an increase greater than ten (10) percent. 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 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. 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 November 14-15, 2012 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
Executive Director

KARL SCHWING
Orange County Area Supervisor

CALIFORNIA COASTAL COMMISSION

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October 31, 2012

Craig S. Hampton, Architect
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 #: 5-12-255-W

APPLICANT: Newport Beach Partnership, LLC

LOCATION: 2516 Crestview Drive, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: The proposed project involves demolition of an existing one-story single family home and attached garage and construction of a nearly 29 foot tall, two-story, 3,422 square foot single family residence with an attached three-car 656 square foot garage. Grading consists of 34 cubic yards of fill.

RATIONALE: The subject property is a 4,000 square foot lot designated as Single-Unit Residential Detached in the City of Newport Beach Certified Land Use Plan (LUP). Although an inland lot, the subject property is located between the first public road (Coast Highway) and the sea, inside the locked gate community of Bayshores. No public access currently exists through the site. Public access to the harbor exists upcoast at the Balboa Bay Club, adjacent to the Bayshores community. The proposed project has been approved by the Newport Beach Planning Department (AIC 2012037). The project includes a three-car garage that exceeds the city's typically applied parking requirement of two spaces per residential unit. The project is designed to be compatible with the character of the surrounding development. Adequate measures to address water quality have been incorporated during construction and in the project design. The drainage plan includes roof gutters and downspouts. Runoff will be directed to a drainage swale in the side yards of the structure, which will carry water to a landscaped front yard or through gravel for infiltration into the ground toward the rear of the property. A trench drain will be constructed in a corner of the front yard. Landscaping will be drought tolerant, consisting of low water consuming non-invasive plants and ground cover. 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 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their November 15, 2012 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, a coastal development permit will be required.

CHARLES LESTER
Executive Director

by: 
KARL SCHWING
Supervisor, Regulation & Planning

cc: Commissioners/File

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(562) 590-5071



October 31, 2012

Stephen Almquist
22481 Goldrush
Lake Forest, CA 92630

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#: 5-12-256 **APPLICANT:** Nutrend Homes

LOCATION: 244 Lexington Circle (Bayside Village Mobile Home Park), Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Remove an existing mobile home and replace with a new approximately 1,134 square foot one-story manufactured home with a 280 square foot one-car carport. The maximum height of the residence will be approximately 15'-4 1/2" 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 consists of a 2,053 square foot mobile home space located on a larger parcel that is designated as Multiple Residential (RM) in the City of Newport Beach Land Use Plan (LUP) and is located on an interior lot, but which is between the first public road and the sea. The subject mobile home space is located in the Bayside Village Mobile Home Park which is identified by the City as one of its affordable housing resources. However, the City does not include any of the mobile homes in their inventory of affordable units within the City because these mobile home parks are regulated by HCD, not the City. 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. One (1) parking space is provided on site. Additional parking for the guests and residents of the Bayside Village Mobile Home Park is provided within the park grounds, a total of 160 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 Upper Newport Bay is available near the site at the end of North Bayside Drive. 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 November 14-15, 2012 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.

CHARLES LESTER
Executive Director

KARL SCHWING
Orange County Area Supervisor

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5-12-173-A1

**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Charles Lester, Executive Director
DATE: November 2, 2012
SUBJECT: Coastal Development Permit 5-12-173 granted to for:

Repairs to an existing seawall/bulkhead at two separate locations consisting of installation of 7/16 inch thick carbon fiber reinforced vinyl ester resin sheetpile panel along the toe of the existing seawall footing for a total of 225.6 feet and injection of grout to fill the voids beneath the seawall; removal of existing concrete overpour along the toe of the bulkhead footing to allow for the installation of the sheetpile flush along the vertical face of the seawall footing thereby avoiding fill of open coastal waters.

AT: 4011 Figaro Circle and 3341 Bounty Circle, Huntington Beach (Orange County)

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 AMENDMENT REQUEST:

The proposed CDP amendment would revise Special Condition 1 requiring a bulkhead monitoring plan. As written, the bulkhead monitoring plan must provide for regular bulkhead inspections conducted by a licensed engineer. The proposed amendment will allow for someone other than a licensed engineer to conduct the bulkhead inspections and will not change any other aspect of the required monitoring (i.e., inspection frequency, aspects examined, etc.). The condition would be modified as follows, deleted language is shown in ~~strike through~~ and new language is in **bold, underlined italic**:

Bulkhead Monitoring Plan. The permittees shall maintain the bulkhead reinforcement in good condition throughout the life of the development. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval a Bulkhead Monitoring Plan. The permittees, and their successors in interest shall be responsible for carrying out all provisions of the approved Monitoring Plan for as long as the bulkhead reinforcement remains in place. The monitoring plan, at a minimum, shall provide for: (a) regular inspections by a ~~licensed engineer~~ **qualified person familiar with bulkhead structures who is able to document via photos and provide written descriptions based on personal observation whether any cracks, breaks or deterioration have occurred**. These inspections shall be performed at least every 2 years; (b) inspections shall examine the exposed portions of the bulkhead reinforcement (to the mud line) for signs of weakness or possible failure, including, but not limited to cracking, bending, splitting, splintering, or flaking. All weak or potential failure areas should be marked on an

as-built plan of the bulkhead reinforcement, and there should be photographs and text to explain the nature and extent of each weakness.

Inspection reports shall be prepared and conveyed to the Executive Director within 30 days of the inspection work. These reports shall provide information on and photographs from the date of the inspection, the name and qualifications of the person performing the inspection, and an overall assessment of the continued integrity of the bulkhead reinforcement. If the inspection identifies any areas where the bulkhead reinforcement has been damaged, the report shall identify alternatives to remedy the damage.

In the event that any sections of the bulkhead reinforcement are damaged or flaking, the permittees shall notify the Commission within 10 days; and in such event, within 30 days of such notification, submit to the Commission a complete application for any coastal development permit amendment, or new permit, necessary for the repair or replacement of the bulkhead reinforcement.

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):

No changes are proposed to the actual project scope, materials, or method of repair as previously approved under CDP 5-12-137.

The proposed permit amendment does not conflict with any of the conditions or terms of the underlying coastal development permit and will not result in any adverse impacts to coastal resources or access. The amendment is consistent with the Chapter 3 policies of the Coastal Act, previous Commission approvals and will not prejudice the City's ability to prepare an 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 **Liliana Roman** at the Commission Area office in Long Beach (562) 590-5071.

CALIFORNIA COASTAL COMMISSION

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(5-08-154-E3)

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

2 November 2012

Notice is hereby given that **Dacor Estates** has applied for a one-year extension of Coastal Development Permit **5-08-154**, as amended, granted by the California Coastal Commission on **October 16, 2008** for:

Demolition of an existing 54-unit apartment complex and construction of a 24-unit condominium development. Two (2) parking spaces for each unit will be provided, as well as fifteen (15) guest parking spaces for a total of sixty-three (63) parking spaces. Hardscape and landscape work is also proposed. Grading will consist of 1,615 cubic yards of cut, which will balance on site. More specifically described in the application file in the Commission offices.

At: 5515 River Avenue, 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,
CHARLES LESTER
Executive Director

By: Fernie Sy
Coastal Program Analyst II