

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT  
200 Oceangate, Suite 1000  
LONG BEACH, CA 90802-4302  
(562) 590-5071 FAX (562) 590-5084  
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**Th 8**

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

*For the  
August Meeting of the California Coastal Commission*

MEMORANDUM

Date: August 9, 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 August 9, 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.

***DE MINIMIS WAIVERS***

1. 5-12-071-W Orange County Sanitation District (Ocsd), Attn: Hardat Khublall (Newport Beach, Orange County)
2. 5-12-170-W Nardy Khan, Engineering Supervisor, Oc Public Works/Project Mgt, Attn: Oc Public Works (Orange County, Orange County)
3. 5-12-202-W City Of San Clemente, Attn: Amir K. Iikhanipour (San Clemente, Orange County)

***IMMATERIAL AMENDMENTS***

1. 5-05-020-A3 California Coastal Communities/Signal Landmark (Bolsa Chica, Orange County)

***EXTENSION - IMMATERIAL***

1. 5-04-089-E6 Three Arch Bay C S D, Attn: Nicki Roknifard, Executive Director (Laguna Beach, Orange County)

**TOTAL OF 5 ITEMS**

## DETAIL OF ATTACHED MATERIALS

### 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>
<p><b>5-12-071-W</b> Orange County Sanitation District (Ocsd), Attn: Hardat Khublall</p>	<p>Replacement and realignment of an existing 18" sewer line with a 24" sewer line along Dover Drive from Pacific Coast Highway to Irvine Avenue. Additionally, replacement and realignment of an existing 6" water line with an 8" water line along Dover Drive from just south of Westcliff Drive to just south of Mariners Drive. The Coastal Zone boundary in this area is located along Dover Drive and ends at approximately Westcliff Drive. Thus, the proposed sewer and water line work extends well past Westcliff Drive, outside of the Coastal Zone.</p>	<p>Dover Drive In The Vicinity Of Pacific Coast Highway (Public right-of-way), Newport Beach (Orange County)</p>
<p><b>5-12-170-W</b> Nardy Khan, Engineering Supervisor, Oc Public Works/Project Mgt, Attn: Oc Public Works</p>	<p>Geotechnical borings survey and soil sampling at seven locations along the channel to collect subsurface information to determine the general conditions along the channel alignment. Boring/drilling activities will be performed using a truck-mounted drill rig; the borehole opening will be no more than 8" in diameter. Material produced as a result of boring activities will be captured and disposed at appropriate off-site location. Boring holes will be filled with slurry of similar type material. Drilling activities will be completed in 6-7 working days.</p>	<p>Santa Ana Delhi Channel (F01) From Upper Newport Bay To Mesa Drive In The City Of Newport Beach, Orange County (Orange County)</p>
<p><b>5-12-202-W</b> City Of San Clemente, Attn: Amir K. Iikhanipour</p>	<p>Removal and replacement of three grated inlets and 520 feet of 4" polyvinyl chloride (PVC) drain pipes and 12" reinforced concrete pipe (RCP) storm drain system with new 18" RCP. No grading or vegetation removal proposed, with all work conducted within paved surfaces. Construction is proposed outside of the peak beach season in late October over a 45 day period. Project construction staging is proposed utilizing 4 out of 86 parking spaces at the Parque del Mar upper public parking lot (another 60+ spaces in lower parking lot).</p>	<p>Alameda Lane And City Parking Lot (Public Right-of-way (roadway) and City owned parcel # 6920133), San Clemente (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>
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<p><b>5-05-020-A3</b> California Coastal Communities/Signal Landmark</p>	<p>Minor changes proposed to the project consist of the following: 1) incorporating new floor plans and elevations for three of the four residential product types; 2) eliminating the Z lot configuration on 34 residential lots in favor of a more conventional rectangular configuration; 3) converting two previously-approved residential lots to a private community center. These proposed changes to the CDP were approved by the County of Orange on April 25, 2012.</p>	<p>17201 Bolsa Chica Road, Bolsa Chica (Orange County)</p>
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**REPORT OF EXTENSION - IMMATERIAL**

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p><b>5-04-089-E6</b> Three Arch Bay C S D, Attn: Nicki Roknifard, Executive Director</p>	<p>Construction of a new storm drain system within the Three Arch Bay Community including within Vista del Sol and La Senda streets, to replace the existing deteriorated community storm drain system. The project will include relocation of the ocean outlet. The project includes approximately 3,000 feet of new storm drain lines, 20 new catch basins, several new manholes, and abandonment of several older lines. A tunnel for the new ocean outlet location is proposed to be excavated by hand.</p>	<p>Three Arch Bay Community, Laguna Beach (Orange County)</p>

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July 19, 2012

Orange County Sanitation District (OCSD)  
Attn: Hardat Khublall  
10844 Ellis Avenue  
Fountain Valley, CA 92708

**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#:** 5-12-071                      **APPLICANT:** Orange County Sanitation District (OCSD)

**LOCATION:** Dover Drive, between Pacific Coast Highway and Westcliff Drive, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Replacement and realignment of an existing 18" sewer line with a 24" sewer line along Dover Drive from Pacific Coast Highway to Irvine Avenue. Additionally, replacement and realignment of an existing 6" water line with an 8" water line along Dover Drive from just south of Westcliff Drive to just south of Mariners Drive. The Coastal Zone boundary in this area is located along Dover Drive and ends at approximately Westcliff Drive. Thus, the proposed sewer and water line work extends well past Westcliff Drive, outside of the Coastal Zone.

**RATIONALE:** The subject site is located inland and is not located between the first public road and the sea. The replacement and realignment of the existing sewer line is necessary to deal with hydraulic and structural deficiencies of the original pipe that was constructed in the 1950's. The sewer line size increase is needed to better accommodate wet weather flows and minimizing spills and thus is not growth inducing. In order to accommodate the replaced and realigned sewer line, the existing water line is being realigned and also replaced. The water line increase is also not based on growth but instead to better accommodate water flow and thus not growth inducing. Public access to the bay is available along Pacific Coast Highway at the south end of Dover Drive. 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 will retain uses that are consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their August 8-10, 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  
cc: Commissioners/File

KARL SCHWING  
Orange County Area Supervisor



**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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July 31, 2012

City of San Clemente, Attn: Amir K. Ilkhanipour, P.E., Engineering Division  
910 Calle Negocio Suite 100  
San Clemente, CA 92673

**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#:** 5-12-202      **APPLICANT:** City of San Clemente, Attn: Amir Ilkhanipour

**LOCATION:** North Alameda Lane, San Clemente (Orange County)

**PROPOSED DEVELOPMENT:** Removal and replacement of three grated inlets and 520 feet of 4" polyvinyl chloride (PVC) drain pipes and 12" reinforced concrete pipe (RCP) storm drain system with new 18" RCP. No grading or vegetation removal proposed, with all work conducted within paved public right-of-way. Construction is proposed outside of the peak beach season in late October over a 45 day period. Project construction staging is proposed utilizing 4 out of 86 parking spaces at the Parque del Mar upper public parking lot (another 60+ spaces in lower parking lot).

**RATIONALE:** The subject site is the public right-of-way at N. Alameda Lane and the lower Parque del Mar public parking lot within the first public road and the sea. The existing storm drain pipes are constantly clogged causing storm runoff to overflow from the inlets; replacing the smaller pipes with larger pipes is not intended to increase capacity but rather to avoid maintenance issues caused by runoff overflow. The project will not increase runoff. The larger storm drain system will efficiently convey the intended surface flow into the new pipe system. Construction Best Management Practices (BMPs) are proposed to avoid erosion and water quality impacts during project construction. Combined, the upper and lower public parking lots provide approximately 146 public parking spaces. Construction is proposed during the off-peak season and will be phased to minimize loss of parking spaces due to construction activities (i.e., 10 on-street parking spaces on Alameda Lane during one phase and 15 out of 60+ parking spaces in the lower parking lot will not be accessible due to construction in a second phase). The proposed development will not result in adverse impacts to public coastal views, access, coastal resources, or public recreation. Additionally, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with the land use designation in the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **August 8-10, 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

by:   
KARL SCHWING  
Supervisor Regulation and Planning

cc: Commissioners/File

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5-05-020-A3

**NOTICE OF PROPOSED PERMIT AMENDMENT**

**TO:** All Interested Parties

**FROM:** Charles Lester, Executive Director

**DATE:** July 31, 2012

**SUBJECT:** Permit No. **5-05-020** granted to **Hearthside Homes/Signal Landmark** for:

Approval of Vesting Tentative Tract Map (VTTM) 15460 for the subdivision and development of two existing parcels into the 105.3-acre Brightwater community consisting of 349- residential lots on 67.9 acres and 37.4-acres of habitat restoration and public trail, located primarily on the upper bench of the Bolsa Chica Mesa. The proposed project also includes the construction of 349 single-family homes and the construction of two small local parks within the residential community. The 37.4-acre habitat area consists of a 34.2-acre coastal sage scrub and native grassland community located along the western and southern slope and bluff top edges slope and bluff face areas and the construction of a 3.2-acre Los Patos Wetland and Southern Tarplant preserve. The coastal sage scrub and native grassland restoration area also serves as a buffer between the proposed development and the existing "Eucalyptus tree" environmentally sensitive habitat area (ESHA). Three proposed vertical walkways providing resident access to the habitat trail will also be available to the public. Approved VTTM 15460 also includes the creation of an 11.8-acre residual parcel located on the lower bench of the Bolsa Chica Mesa.

440,000 cubic yards of grading (220,000 c.y. cut, 220,000 c.y. fill) is proposed to carry out the proposed project. Infrastructure improvements include the construction of a 1.2-million gallon underground drinking water reservoir and aboveground pump station and a new 54" to 66" storm drain and rip-rap energy dissipater discharging treated runoff to the off-site Isolated Pocket Lowland area. Public access, including pedestrian, bicycle and vehicular access and public parking will be allowed throughout the community. The Los Patos Avenue frontage will also be widened, paved and landscaped creating 114 (unstriped) public parking spaces.

**PROJECT SITE:** 17201 Bolsa Chica Road, Bolsa Chica, 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):

The proposed changes include (1) the incorporation of new floor plans and elevations for three of the four residential product types; (2) the elimination of the "Z Lot" configuration on 34 residential lots in favor of a more conventional

rectangular lot configuration; and (3) the conversion of two previously-approved residential lots located at the intersection of Brightwater Drive, Oakbluffs Lane and Orleans Drive to a 1,950 sq. ft. community center with 1,440 sq. ft. of swimming pools/spa and 11 on-site parking spaces, for the residents and guests of the Brightwater community.

## **FINDINGS**

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

The new residential floor plans are similar to the residential floor plans approved by the Commission in the original CDP. No changes to the approved color palette or maximum height are proposed. Some of the floor plans include new outdoor covered patios; however, no changes to the approved living area or patio setbacks from the habitat area are proposed and the new floor plans adhere to the lighting special condition of the approved CDP. The proposed lot line adjustments to 34 lots will eliminate the unconventional lot lines in favor of more conventional rectangular lot lines (straight side yards) and will result in only minor changes to size of the affected lots.

The elimination of two approved single family homes in favor of the private 1,950 sq. ft. community center with 1,440 sq. ft. of pools/spa will not adversely impact public access to the three approved public vertical accessways and public bluff top trail at the southern boundary of the subdivision. The center includes a 744 sq. ft. gym and a recreation building containing 1,206 sq. ft. of lounge, kitchen and restroom uses. A covered pool patio, BBQ and fireplace are also provided. Eleven parking spaces, including 1 handicapped space and 1 space for electric vehicles, is provided on-site. Additionally, bike racks for a minimum of six bicycles are also provided on-site. The local government has no parking standard for private community centers but applied the parking standard for commercial swimming pools (1 parking space for each 500 sq. ft. or 7 parking spaces) in the review and approval of the center.

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

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July 30, 2012



**NOTICE OF EXTENSION REQUEST  
FOR COASTAL DEVELOPMENT PERMIT  
Extension No. 5-04-089-E6**

Notice is hereby given that: Three Arch Bay Community Services District (CSD), has applied for a one year extension of Permit No. 5-04-089 granted by the California Coastal Commission: August 9, 2005 for:

**Construction of a new storm drain system within the Three Arch Bay Community including within Vista del Sol and La Senda streets, to replace the existing deteriorated community storm drain system. The project will include relocation of the ocean outlet. The project includes approximately 3,000 feet of new storm drain lines, 20 new catch basins, several new manholes, and abandonment of several older lines. A tunnel for the new ocean outlet location is proposed to be excavated by hand.**

at: Three Arch Bay Community, Laguna Beach, (Orange County).

**NOTE:** Coastal Development Permit No. 5-04-089 was amended on November 11, 2011 to delete the following portions of the approved project: 1) installation of new storm drain pipes within Vista del Sol from the upstream end of the storm drain system to Stonington street, and from Encino street to North La Senda street; and, 2) modification of the smaller desilter basin, located at the upstream terminus of the storm drain system and of Vista del Sol street, by replacing the existing 18 inch reinforced concrete pipe riser with a 30 inch ID CSP. The deleted aspects of 5-04-089 were approved via Coastal Development Permit Waiver No. 5-11-121-W at the Commission's November 2011 hearing.

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: Meg Vaughn  
Coastal Program Analyst