

September 5, 2012

The Deputy Director's report  
begins on the next page.

California Coastal Commission  
45 Fremont Street Suite 2000  
San Francisco, CA 94105-2219

Re: WAIVER#: 5-12-217  
APPLICANT: OC Dana Point Harbor (OCDPH)

Dear Members of the Coastal Commission:

As an environmental advocate I spend an inordinate amount of time reporting to you what I feel is wrong with a project and why it should be denied under the provisions of the Coastal Act. I wanted to take this opportunity to send along my support for a great project in Dana Point Harbor, Orange County.

As your staff has recently reported to you much is being done to monitor the effects of the Japan tsunami on our shores – specifically how debris will be handled. OC Dana Point Harbor (OCDPH) has gone a step beyond in preparing for this possible influx of debris, but has also demonstrated a very proactive approach to dealing with the existing debris that comes into the Harbor via the procurement and installation of these skimmer units. On its face this appears to be a simple waiver, but these skimmer devices will go far in reducing the debris that could in fact enter the receiving waters of the Pacific Ocean if not captured within the Harbor boundaries.

Just a bit on these unique devices and how they were acquired:

In early 2011, the Orange County Transportation Authority's (OCTA) Board of Directors authorized staff to issue the Measure M2 Environmental Cleanup Allocation Program (ECP), Tier 1 Grant Program 2011 Call for Projects. The Tier 1 Grant Program was designed to mitigate the more visible forms of pollutants, such as litter and debris that collects on the roadways and in the catch basins prior to being deposited in waterways and the ocean. It consists of funding for equipment purchases installation to existing catch basins and related best management practices (BMPs) such as screens, filters, and inserts. An estimated \$2.8 million in Measure M2 funds was made available to eligible applicants, which included Orange County cities and the County of Orange. The maximum grant amount was \$100,000 per project. OC Dana Point Harbor (OCDPH) was the proud recipient of the maximum grant amount.

Process and cost make this project/product innovative. The skimmer cycles 340 gallons per minute using water displacement as a method for skimming water. That is 489,600 gallons per day at a cost of only \$18 per month. During the skimming process the pump has been equipped with a new development called a VDA unit (vacuum driven aerator). This unit accomplishes three important tasks: (1) transfers large amounts of diffused air to water being cycled through the system, providing oxidation of invisible pollutants, (2) oxygenation of receiving waters and (3) 25% of this water is returned to the unit under the filter grid, causing debris to remain in suspension as air is trapped in bags and other materials that otherwise would plug unit. The costs for running this unit are minimal, but additionally, this equates to hundreds of saved staff hours. All of the funds that OCDPH is able to save on keeping water quality at the highest level possible can be used in other creative ways to educate boaters and visitors on the benefits of complying with clean water policies.

With harbors working together, the combined efforts of trash skimmers installed at multiple locations across the U.S. has yielded an estimated 453,676 pounds of debris being removed from the water since the first one was installed in 2009, and the number is growing daily.

I respectfully ask the Commission to support staff recommendation for approval of this waiver. Thank you for your valuable time and consideration of the information provided.

Sincerely,

Penny Elia  
30632 Marilyn Drive  
Laguna Beach, CA 92651

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071 FAX (562) 590-5084  
[www.coastal.ca.gov](http://www.coastal.ca.gov)

**Item W 20**

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

*For the*

## ***September Meeting of the California Coastal Commission***

**MEMORANDUM**

Date: September 6, 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 September 12, 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. 5-12-180-W Mr. & Mrs. Chad Smith (San Clemente, Orange County)
2. 5-12-185-W George & Terry Nadel (San Clemente, Orange County)

**DE MINIMIS WAIVERS**

1. 5-12-150-W Patricia Hubbs (Newport Beach, Orange County)
2. 5-12-164-W Anthony A. Nguyen (Newport Beach, Orange County)
3. 5-12-199-W David William Hanna (Laguna Beach, Orange County)
4. 5-12-210-W Orange County Sanitation District (Newport Beach, Orange County)
5. 5-12-217-W Oc Dana Point Harbor, Attn: Mr. Brad Gross, Director (Dana Point, Orange County)
6. 5-12-220-W Robert Pack (Newport Beach, Orange County)
7. 5-12-229-W M U R - S O L, Development, Attn: Mr. Jason Grohs (Newport Beach, Orange County)
8. 5-12-232-W 240 La Paloma Ltd (San Clemente, Orange County)

**EMERGENCY PERMITS**

1. 5-12-236-G Mmb Management, Llc, Attn: Mr. William Bruce Brinkloe, Esq. (Dana Point, Orange County)

**IMMATERIAL AMENDMENTS**

1. 5-09-157-A2 Mr. John Whelan (Corona Del Mar, Orange County)

<b>TOTAL OF 12 ITEMS</b>
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**1. Report of Objection to Immaterial Amendment**

- |                |                                      |
|----------------|--------------------------------------|
| 1. 5-05-020-A3 | California Coastal Communities, Inc. |
| Bolsa Chica    | Signal Landmark                      |
| Orange County  |                                      |

## DETAIL OF ATTACHED MATERIALS

### REPORT OF REGULAR WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>5-12-180-W</b> Mr. & Mrs. Chad Smith	Remodel of existing 2,578 sq. ft. single family residence including minor 22 sq. ft. addition to existing second floor, 340 sq. ft. addition to existing second floor deck, new stucco exterior, replacement of all existing doors and windows, demo and reconstruct existing driveway, and new backyard landscaping including new outdoor fireplace. No grading or foundation work proposed.	230 Vista Marina, San Clemente (Orange County)
<b>5-12-185-W</b> George & Terry Nadel	Addition of 724 sq. ft. to existing third story of an existing 4,546 sq. ft. single family residence resulting in a 5,270 sq. ft., 25' tall residence. No grading, foundation work, vegetation removal, or landscaping proposed.	346 W. Paseo De Cristobol, San Clemente (Orange County)

### REPORT OF DE MINIMIS WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>5-12-150-W</b> Patricia Hubbs	Demolition of an existing two-story single-family residence and construction of a new 27-foot high, two-story, 1,846 square foot single-family residence, including an attached 537 square foot two-car garage and a 377 square foot second-floor deck. Grading consists of 93 cubic yards of cut and 26 cubic yards of fill.	3618 Park Lane, Newport Beach (Orange County)
<b>5-12-164-W</b> Anthony A. Nguyen	Demolition of an existing one-story single-family residence and construction of a new 29-foot tall, three-story, 1,912 square foot single-family residence, including an attached 231 square foot single-car garage, a 159 square foot single-car carport, and a 232 square foot third-floor roof deck. Grading consists of 250 cubic yards of cut and 250 cubic yards of fill.	129 24th Street, Newport Beach (Orange County)
<b>5-12-199-W</b> David William Hanna	Demo an existing single story residence. Construction of new, 25 feet above finished grade, single family residence with subterranean garage and interior courtyard pool. Grading, lanscape and hardscape (including pool, spa, and courtyard improvements.	2455 Monaco Drive, Laguna Beach (Orange County)

# SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<b>5-12-210-W</b> Orange County Sanitation District	Investigative work in preparation for a separate utility project involving construction of seven (7) temporary test wells by auguring core shafts. Once these test wells have been established, water pumping tests will be performed at each test well. It will take approximately 1 day to construct each test well. Once ready, the pump test will be performed and the data recorded for a continuous 24-hour period. At the conclusion of the tests, the test wells will be capped and used as observation wells. All drilling mud and any other spoils for the operation will be contained in 50-gallon drums and hauled off site. No grading is proposed.	40 To 4900 West Coast Hwy, Newport Beach (Orange County)
<b>5-12-217-W</b> Oc Dana Point Harbor, Attn: Mr. Brad Gross, Director	Installation and on-going operation of six (6) new Marina Trash Skimming units (in addition to the two (2) existing units installed as a trial project in September 2009), for a total of eight (8) units in harbor waters. These units will be strategically placed at different points in the harbor to collect trash and oil sheen and improve water quality. Additionally, these units have a footprint of 6-foot wide by 4-foot deep and approximately 18-inches of freeboard and will be mounted to existing floating dock systems. Installation of these units will take approximately 7 days.	Dana Point Harbor (County of Orange Public Facility), Dana Point (Orange County)
<b>5-12-220-W</b> Robert Pack	Demolition of existing one-story single-family residence and construction of a new three-story, 2,792 sq. ft., 29' tall, single family dwelling including an attached 2-car garage, 472 sq. ft. roof deck, 290 sq. ft. balconies, and hardscape improvements including concrete block walls along the side property lines. Grading consists of 235 cubic yards of over-excavation cut/fill for soil re-compaction and site preparation. Run off water will sheet flow towards planters. Surface area drains and roof downspouts will be directed to a perforated drainline and to French drains prior to reaching the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as bougainvillea, rosemary and lavender.	112 Amethyst Ave., Newport Beach (Orange County)
<b>5-12-229-W</b> MUR - SOL, Development, Attn: Mr. Jason Grohs	Demolition of existing two-story single-family residence and construction of a new three-story, 2,720 sq. ft., 29' tall, single family dwelling including an attached 2-car garage, 797 sq. ft. roof deck, 227 sq. ft. balconies, and hardscape improvements including concrete block walls along the side property lines. Grading consists of 235 cubic yards of over-excavation cut/fill for soil re-compaction and site preparation. Run off water will sheet flow towards planters. Surface area drains and roof downspouts will be directed to a perforated drainline and to French drains prior to reaching the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as bougainvillea, rosemary and lavender.	313 Coral Ave, Newport Beach (Orange County)
<b>5-12-232-W</b> 240 La Paloma Ltd	Conversion of a duplex on a single lot into two (2) condominium units. Four (4) parking spaces are provided on site.	240 La Paloma, San Clemente (Orange County)

**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><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>5-12-236-G</b> Mmb Management, Llc, Attn: Mr. William Bruce Brinkloe, Esq.	At the base of the existing concrete beach access ramp, construct a temporary 10 ft. wide by 45 ft. long by 3 to 4 ft. deep extension to the ramp. to be made of sand (herein 'sand bridge'), which is necessary to span a deep pool of water that has formed at the back of the beach, in order to allow emergency vehicle access to the beach.	500 Monarch Bay Drive, Dana Point (Orange County)

**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><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>5-09-157-A2</b> Mr. John Whelan	Revision of the architectural style and modification of the square footages of the previously approved single-family residence. The amendment will add a total of 1,146 square feet to the basement, entry and upper levels and will also add a new 340 square foot lower basement. Additionally, the previously approved garage will be reduced by 421 square feet. Hardscape and landscape work will also be proposed. In addition, additional grading consisting of 200 cubic yards of cut, 65 cubic yards of fill and 200 cubic yards of export to a location outside of the Coastal Zone will take place. Post project, the two-story with a basement and lower basement single-family residence will consist of 9,840 square feet with a 1,900 square foot garage on a coastal bluff top lot. Grading will consist of 1,445 cubic yards of cut, 825 cubic yards of fill, 700 cubic yards of overexcavation and 620 cubic yards of export to a location outside of the Coastal Zone.	157 Shorecliff Rd, Corona Del Mar (Orange County)

**CALIFORNIA COASTAL COMMISSION**

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



August 30, 2012

Wesley Nelson  
2000 S. Melrose Drive #43  
Vista, CA 92081

**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#:** 5-12-180

**APPLICANT:** Chad and Karene Smith

**LOCATION:** 230 Vista Marina, San Clemente (Orange County)

**PROPOSED DEVELOPMENT:** Remodel of existing 2,578 sq. ft. single family residence including minor 22 sq. ft. addition to existing second floor, 340 sq. ft. addition to existing second floor deck, new stucco exterior, replacement of all existing doors and windows, demo and reconstruct existing driveway, and new backyard landscaping including new outdoor fireplace. No grading or foundation work proposed.

**RATIONALE:** The subject site is a 6,294 sq. ft. lot designated as Residential Low Density (RL) in the San Clemente Land Use Plan (LUP) within the first public road and the sea. The site is located near the mouth of Trafalgar Canyon where the coastal canyon transitions to coastal bluff; however, this area was graded at the time the lots were created so that the lot is at a slope but does not front either coastal canyon or coastal bluff. The proposed project includes a minor interior living space addition to an existing single family residence, with no change to the footprint or height of the existing structure, landscaping and exterior improvements. No encroachment into the adjacent coastal canyon is proposed or impacts to the canyon anticipated. The proposed project is compatible with the character of surrounding development and will not create any adverse impacts to public coastal access. Coastal access to the public beach exists nearby at Esplanade. 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 **September 12-14, 2012** meeting. If three (3) 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

**CALIFORNIA COASTAL COMMISSION**

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



August 30, 2012

Scott Rosenbaum  
960 Temple Drive  
Laguna Beach, CA 92651

**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#:** 5-12-185                      **APPLICANT:** George and Terry Nadel

**LOCATION:** 346 W. Paseo de Cristobal, San Clemente (Orange County)

**PROPOSED DEVELOPMENT:** Addition of 724 sq. ft. to existing third story of an existing 4,546 sq. ft. single family residence resulting in a 5,270 sq. ft., 25' tall residence. No grading, foundation work, vegetation removal, or landscaping proposed.

**RATIONALE:** The subject site is a 10,534 sq. ft. lot designated as Residential Low Density (RL) in the San Clemente Land Use Plan (LUP) within the first public road and the sea. The site is located near the mouth of Trafalgar Canyon where the coastal canyon transitions to coastal bluff; however, this area was graded at the time the lots were created so that the lot is at a slope but does not front either coastal canyon or coastal bluff. The proposed project is the addition of a master bedroom suite to the third floor of an existing single family residence, with no change to the footprint or height of the existing structure. No encroachment into the adjacent coastal canyon is proposed or impacts to the canyon anticipated. The proposed project is compatible with the character of surrounding development and will not create any adverse impacts to public coastal access. Coastal access to the public beach exists nearby at Esplanade. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views and 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 **September 12-14, 2012** meeting. If three (3) 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



**CALIFORNIA COASTAL COMMISSION**

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



August 28, 2012

Carl Bunge  
28575 Las Arubas  
Laguna Niguel, CA 92677

**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 #: 5-12-150-W****APPLICANT: Patricia Hubbs****LOCATION: 3618 Park Lane, Newport Beach (Orange County)**

**PROPOSED DEVELOPMENT:** Demolition of an existing two-story single-family residence and construction of a new 27-foot high, two-story, 1,846 square foot single-family residence, including an attached 537 square foot two-car garage and a 377 square foot second-floor deck. Grading consists of 93 cubic yards of cut and 26 cubic yards of fill.

**RATIONALE:** The subject property is a 2,334 square foot inland lot on the Balboa Peninsula designated as Single Family Residential in the City of Newport Beach Certified Land Use Plan (LUP). The proposed project has been approved by the Newport Beach Planning Department (AIC 2012024). The project meets 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 less than one block away at the end of 37<sup>th</sup> Street. Adequate measures to address water quality have been incorporated during construction and in the project design. Drainage improvements include area drains and installation of a French drain at the front of the property and a bottomless trench drain at the rear of the property for retention and percolation. Landscaping will be drought tolerant, low or very low water consumption non-invasive plants. 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 September 12-14, 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 & Planning

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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



August 28, 2012

Rod A. Jeheber  
410 32<sup>nd</sup> Street, Suite 202  
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 #: 5-12-164-W****APPLICANT: Anthony A. Nguyen****LOCATION: 129 24<sup>th</sup> Street, Newport Beach (Orange County)**

**PROPOSED DEVELOPMENT:** Demolition of an existing one-story single-family residence and construction of a new 29-foot tall, three-story, 1,912 square foot single-family residence, including an attached 231 square foot single-car garage, a 159 square foot single-car carport, and a 232 square foot third-floor roof deck. Grading consists of 250 cubic yards of cut and 250 cubic yards of fill.

**RATIONALE:** The subject property is a 1,537 square foot inland lot on the Balboa Peninsula between the first public road and the sea. The site is designated Single Unit Residential in the City of Newport Beach Certified Land Use Plan (LUP). The proposed project has been approved by the Newport Beach Planning Department (AIC 2012023). The project meets the Commission's parking requirement (2 spaces per residential unit) after a City of Newport Beach Zoning Administrator approved one parking space in a carport because the narrowness of the property would not allow a two-car garage. The project is designed to be compatible with the character of the surrounding development. Public coastal access is approximately 400 feet west of the site at the end of 24<sup>th</sup> Street. Adequate measures to address water quality have been incorporated during construction and in the project design. Drainage improvements include catch basins on the front patio and at the rear of the carport, a French drain on one of the side yards and a drainage swale on the other. The drainage plan also includes roof gutters, downspouts, and deck drains. Landscaping will be drought tolerant, low or very low water consumption non-invasive plants. 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 September 12-14, 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 & Planning

cc: Commissioners/File

**CALIFORNIA COASTAL COMMISSION**

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



August 27, 2012

C.J. Light Associates  
1401 Quail St. #120  
Newport Beach, CA 92660

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

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 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#:** 5-12-199**APPLICANT:** David William Hanna**LOCATION:** 2455 Monaco Drive, Laguna Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of existing single-story, 3,713 sq. ft. single-family residence and garage and construction of new one-story 24' high (above finished grade) 15,350 sq. ft. single-family residence including a basement level with a 5-car garage, new hardscape and landscaping including pool, spa, water feature, outdoor fireplace, bbq and new fences at property lines. Roof water run-off will be conducted through gutters and downspouts into landscaped areas to allow for natural percolation, excess overflow will be directed to the public storm drain system. Grading consisting of 4,140 cubic yards of cut is proposed for the basement/garage level and 40 cu. yds of fill.

**RATIONALE:** The subject site is seaward of Pacific Coast Highway and located within the existing locked gate community of Irvine Cove, one of three areas of deferred certification due to public access issues in the otherwise certified City of Laguna Beach. The 15,522 sq. ft. lot is not a bluff top or oceanfront lot, but is located between the sea and the first public road within a locked gate community. The area is zoned low-density residential by the City and the proposed project conforms to the permitted uses for a low-density zone. Adequate measures to address water quality have been incorporated during construction and into the project design. Public coastal access exists in the project vicinity at Crystal Cove State Park (approximately 1½ mile upcoast) and at Crescent Bay (approximately 1 mile down-coast). The development exceeds the Commission's typical parking requirement of two spaces per residential unit. The proposed landscaping plan provides non-invasive drought-tolerant plant species.

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

This waiver will not become effective until reported to the Commission at their **September 12-14, 2012** meeting. If three (3) 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

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
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(562) 590-5071



August 29, 2012

Orange County Sanitation District (OCSD)  
Attn: Daisy Covarrubias  
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#:** 5-12-210

**APPLICANT:** Orange County Sanitation District (OCSD)

**LOCATION:** 40 to 4900 West Coast Highway (7 different locations within the public right of way), Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Investigative work in preparation for a separate utility project involving construction of seven (7) temporary test wells by auguring core shafts. Once these test wells have been established, water pumping tests will be performed at each test well. It will take approximately 1 day to construct each test well. Once ready, the pump test will be performed and the data recorded for a continuous 24-hour period. At the conclusion of the tests, the test wells will be capped and used as observation wells. All drilling mud and any other spoils for the operation will be contained in 50-gallon drums and hauled off site. No grading is proposed.

**RATIONALE:** The subject sites are located between the first public road and the sea. Public access to the bay is available along West Coast Highway. All staging and storage will occur in developed areas. No impacts to vegetation or wetlands are proposed by this project. 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 September 12-14, 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  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



August 27, 2012

Project Dimensions  
Attn: Craig Hoffman  
4 Park Plaza, Suite #700  
Irvine, CA 92614

**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#:** 5-12-217

**APPLICANT:** OC Dana Point Harbor (OCDPH)

**LOCATION:** Dana Point Harbor-East & West Marinas (eight (8) different locations within the harbor), Dana Point (Orange County)

**PROPOSED DEVELOPMENT:** Installation and on-going operation of six (6) new Marina Trash Skimming units (in addition to the two (2) existing units installed as a trial project in September 2009), for a total of eight (8) units in harbor waters. These units will be strategically placed at different points in the harbor to collect trash and oil sheen and improve water quality. Additionally, these units have a footprint of 6-foot wide by 4-foot deep and approximately 18-inches of freeboard and will be mounted to existing floating dock systems. Installation of these units will take approximately 7 days.

**RATIONALE:** The proposed development is taking place in the City of Dana Point, which has a certified Local Coastal Program (LCP). However, the proposed development is taking place in the Harbor water, the Commission's area of original jurisdiction. Therefore, the development is within the Commission's original permit jurisdiction under Coastal Act Section 30519(b) and must be evaluated for consistency with the Chapter 3 policies of the Coastal Act. Public access to the harbor is available at various locations within the harbor. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation or coastal views. The project will improve water quality. Also, the proposed development 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 September 12-14, 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  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



August 27, 2012

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

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

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

**WAIVER#:** 5-12-220

**APPLICANT:** Robert Pack

**LOCATION:** 112 Amethyst Avenue, Balboa Island, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of existing one-story single-family residence and construction of a new three-story, 2,792 sq. ft., 29' tall, single family dwelling including an attached 2-car garage, 472 sq. ft. roof deck, 290 sq. ft. balconies, and hardscape improvements including concrete block walls along the side property lines. Grading consists of 235 cubic yards of over-excavation cut/fill for soil re-compaction and site preparation. Run off water will sheet flow towards planters. Surface area drains and roof downspouts will be directed to a perforated drainline and to French drains prior to reaching the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as bougainvillea, rosemary and lavender.

**RATIONALE:** The subject site is a 2,550 square foot lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an inland lot within the first public road and the sea on Balboa Island. 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. Adequate measures to address water quality have been incorporated during construction and into the project design. Surface area drains and downspouts are directed to an underground drainage system with perforated drain line encased in gravel for greater filtration on site. Public coastal access to the bay is available ~200 feet south of the site at S. Bayfront along a public walkway surrounding Balboa Island. 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 **September 12-14, 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

**CALIFORNIA COASTAL COMMISSION**

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



August 27, 2012

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

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

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

**WAIVER#:** 5-12-229      **APPLICANT:** MUR-SOL Development LLC

**LOCATION:** 313 Coral Avenue, Balboa Island, Newport Beach (Orange County)

**PROPOSED DEVELOPMENT:** Demolition of existing two-story single-family residence and construction of a new three-story, 2,720 sq. ft., 29' tall, single family dwelling including an attached 2-car garage, 797 sq. ft. roof deck, 227 sq. ft. balconies, and hardscape improvements including concrete block walls along the side property lines. Grading consists of 235 cubic yards of over-excavation cut/fill for soil re-compaction and site preparation. Run off water will sheet flow towards planters. Surface area drains and roof downspouts will be directed to a perforated drainline and to French drains prior to reaching the main storm drain system. Landscaping is proposed utilizing drought tolerant non-invasive plants such as bougainvillea, rosemary and lavender.

**RATIONALE:** The subject site is a 2,550 square foot lot designated two-unit residential in the City of Newport Beach Land Use Plan (LUP) and is located on an inland lot within the first public road and the sea on Balboa Island. 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. Adequate measures to address water quality have been incorporated during construction and into the project design. Surface area drains and downspouts are directed to an underground drainage system with perforated drain line encased in gravel for greater filtration on site. Public coastal access to the bay is available ~250 feet north of the site at Coral Ave. and N. Bayfront along a public walkway surrounding Balboa Island. 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. The development 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 **September 12-14, 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

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

**CALIFORNIA COASTAL COMMISSION**

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



August 28, 2012

Joseph Bulwa  
17 Pinewood  
Irvine, CA 92604

**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#:** 5-12-232

**APPLICANT:** 240 La Paloma LTD, Attn: Joseph Bulwa

**LOCATION:** 240 La Paloma, San Clemente, Orange County

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

**RATIONALE:** The subject lot is an inland 5,356 sq. ft. lot designated RM Multiple Family Residential in the certified City of San Clemente Land Use Plan (LUP). The proposed project (Tentative Parcel Map No. 2011-116) was approved by the City of San Clemente City Council Resolution on 8/21/12. The proposed development consists of a conversion of an existing duplex into a two-unit condominium. Authorization for construction of any new single or two-family residences on the lot is provided under City of San Clemente Categorical Exclusion Order E-82-1, adopted by the Commission in 1982. The exclusion does not apply to development for which a lot split, parcel map or subdivision map is required, therefore Commission approval is necessary. The proposed development meets the Commission's typically applied two parking spaces per unit requirement. 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 **September 12-14, 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



**CALIFORNIA COASTAL COMMISSION**

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

**EMERGENCY PERMIT**

**DATE:** August 30, 2012  
**EMERGENCY PERMIT:** 5-12-236-G  
**APPLICANT:** MMB Management, LLC  
**AGENT:** Chad Christensen, Washington Holdings  
On behalf of WH MBR LLC  
**LOCATION:** 500 Monarch Bay Drive, City of Dana Point (Orange County)  
APN# 670-151-55

**EMERGENCY WORK AUTHORIZED:**

**At the base of the existing concrete beach access ramp, construct a temporary 10 ft. wide by 45 ft. long by 3 to 4 ft. deep extension to the ramp, to be made of sand (herein 'sand bridge'), which is necessary to span a deep pool of water that has formed at the back of the beach, in order to allow emergency vehicle access to the beach.**

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 beach flooding that has impaired emergency vehicle access to the beach requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

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

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

Very Truly Yours,

Charles Lester  
Executive Director

/ s/ By: 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. This is a one-time authorization of the work described and does not authorize any continual work to maintain the 'sand bridge' authorized in this emergency coastal development permit. If the applicant wishes for the 'sand bridge' to be a permanent development and/or wishes to address the emergency vehicle access problem through alternative means including potentially in conjunction with a beach management plan the permittee shall apply for a regular Coastal Development Permit or amend an existing permit (to be decided in consultation with the Executive Director) within 60 days of issuance of this emergency permit unless that deadline is extended or waived in writing by the Executive Director. The follow-up permit shall address any ongoing adverse impacts on coastal resources resulting from the emergency action (if any) and any impacts associated with the longer term resolution. If no such application is received and the sand bridge has not dissipated naturally the emergency work shall be removed in its entirety within 150 days of the date of this permit unless that deadline is extended or waived in writing by the Executive Director. If there are any ongoing adverse impacts on coastal resources resulting from the emergency action those impacts will still need to be addressed by the applicant, preferably through the coastal development permit process.
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 and/or authorizations from property owners or anyone having any legal interest in the property upon which the work is proposed to take place, including, but not limited to State Lands Commission, Regional Water Quality Control Board, CA Department of Fish and Game, and U.S. Army Corps of Engineers.
7. Access to the site, equipment, or emergency work activities shall not disturb grunion spawning areas. Equipment shall not disturb the sand, drive over, or deposit more sand within the grunion spawning areas. In addition, no mechanized equipment should operate below the daily high water mark and no storage of equipment or construction material is authorized on the sandy beach areas. Proposed work shall be monitored by a qualified biologist to assure that work is conducted in compliance with the biological resource avoidance requirements identified in this condition and condition numbers 8 and 9 below. The qualified biologist shall document the work authorized by this emergency CDP and shall submit, to the Executive Director, a written account and photographs of such work, including conditions prior to, during, and after the work has been completed.
8. Where feasible, sand used to construct the 'sand bridge' should be obtained from a commercial source. If on-site sand must be used to create the 'sand bridge' it shall only be obtained from sandy beach areas soaked by freshwater/stormwater at the Salt Creek outlet within the area authorized for disturbance under Administrative Coastal Development Permit No. 5-10-237 and not from dry sandy areas nor areas soaked by ocean water. No organic beach wrack<sup>1</sup> may be removed from the beach. Only minor, incidental relocation of beach wrack within the allowed work areas may occur. Relocation or covering of beach wrack is prohibited outside the approved work areas.

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<sup>1</sup> The term "wrack" or "beach wrack" is used to describe the organic material such as kelp and sea grass that is cast up onto the beach by surf, tides, and wind.

9. Except for the 'sand bridge' specifically authorized by this emergency permit, no fill or sanitization of the existing depression on the beach upcoast of the Salt Creek outlet is authorized. Inorganic trash may be removed by hand. Any beach wrack picked up during trash removal must be separated from the trash and returned to the area from which it was removed (removal of beach wrack is prohibited).
10. Nothing in this permit shall be construed as superseding or replacing the requirements of Consent Cease and Desist Order No. CCC-08-CD-01, adopted by the Commission on April 9, 2008. As the successor in interest to the responding party subject to the Consent Order, the applicant shall comply with the terms and conditions of the Consent Order, which includes but is not limited to, the prohibition on grading of the beach, construction of berms, breaching of Salt Creek or other breaching activities, and removing wrack and other organic material, except as explicitly authorized in this permit or in another coastal development permit, and an agreement to stipulated penalties for non-compliance with the order.
11. OTHER: Condition number four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development Permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.

These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all present and future owners and possessors of the subject property to the terms and conditions.

FAILURE TO A) SUBMIT A FOLLOW-UP COASTAL DEVELOPMENT PERMIT APPLICATION THAT SATISFIES THE REQUIREMENTS OF SECTION 13053.5 OF THE CALIFORNIA CODE OF REGULATIONS BY THE DATE SPECIFIED BY THIS PERMIT, OR AS EXTENDED THROUGH CORRESPONDENCE, OR B) REMOVE THE EMERGENCY WORK (IF REQUIRED BY THIS EMERGENCY PERMIT) BY THE DATE SPECIFIED BY THIS PERMIT, WILL CONSTITUTE A KNOWING AND INTENTIONAL VIOLATION OF THE COASTAL ACT AND MAY RESULT IN FORMAL ENFORCEMENT ACTION BY THE COMMISSION.

THIS FORMAL ACTION COULD INCLUDE A RECORDATION OF A NOTICE OF VIOLATION ON YOUR PROPERTY PURSUANT TO SECTION 30812; THE ISSUANCE OF A CEASE AND DESIST ORDER AND/OR RESTORATION ORDER; AND/OR A CIVIL LAWSUIT, WHICH MAY RESULT IN THE IMPOSITION OF MONETARY PENALTIES, INCLUDING DAILY PENALTIES OF UP TO \$15,000 PER VIOLATION PER DAY UNDER SECTION 30820(B), AND OTHER APPLICABLE PENALTIES AND OTHER RELIEF PURSUANT TO CHAPTER 9 OF THE COASTAL ACT

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: Aaron McLendon, CCC, Statewide Enforcement Analyst  
Teresa Henry, CCC, District Manager  
Sherilyn Sarb, CCC, Deputy Director  
Brad Fowler, City of Dana Point  
Regional Water Quality Control Board  
US Army Corps of Engineers  
California Department of Fish and Game

**CALIFORNIA COASTAL COMMISSION**

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



5-09-157-A2

**NOTICE OF PROPOSED PERMIT AMENDMENT**

**TO:** All Interested Parties

**FROM:** Charles Lester, Executive Director

**DATE:** August 31, 2012

**SUBJECT:** Coastal Development Permit No. 5-09-157 granted to John Whelan:

**Demolition of an existing single-family residence and construction of a three-level, 8,354 square foot single-family residence with an attached 2,321 square foot seven-car garage on a coastal bluff top lot. Grading will consist of 1,180 cubic yards of cut, 760 cubic yards of fill, 700 cubic yards of overexcavation and 420 cubic yards of export to a location outside of the Coastal Zone.**

**PROJECT SITE:** 157 Shorecliff Road, Newport 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):

**Revision of the architectural style and modification of the square footages of the previously approved single-family residence. The amendment will add a total of 1,146 square feet to the basement, entry and upper levels and will also add a new 340 square foot lower basement. Additionally, the previously approved garage will be reduced by 421 square feet. Hardscape and landscape work will also be proposed. In addition, additional grading consisting of 200 cubic yards of cut, 65 cubic yards of fill and 200 cubic yards of export to a location outside of the Coastal Zone will take place. Post project, the two-story with a basement and lower basement single-family residence will consist of 9,840 square feet with a 1,900 square foot garage on a coastal bluff top lot. Grading will consist of 1,445 cubic yards of cut, 825 cubic yards of fill, 700 cubic yards of overexcavation and 620 cubic yards of export to a location outside of the Coastal Zone.**

**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):

The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed amendment is consistent with the underlying

permit approval (CDP# 5-09-157) and 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.

If you have any questions about the proposal or wish to register an objection, please contact Fernie Sy at the Commission District 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



September 4, 2012

**OBJECTION TO EXECUTIVE DIRECTOR'S DETERMINATION**

**To:** Commissioners and Interested Parties

**From:** Sherilyn Sarb, Deputy Director  
Teresa Henry, Coastal Program Manager

**Re:** Coastal Development Permit Amendment 5-05-020-A3 (California Coastal Communities, Inc. /Signal Landmark)

On May 4, 2012, the applicant California Coastal Communities/Signal Landmark submitted a request to amend Coastal Development Permit 5-05-020. The original application, granted by the Commission on April 14, 2005, approved the subdivision of a 105.3-acre site creating 349 residential lots on 67.9 acres and 37.4 acres of habitat restoration and bluff top trail, located primarily on the upper bench of the Bolsa Chica Mesa. The approved project also included the construction of infrastructure and 349 single-family homes and the construction of two small local parks within the new community. Three vertical walkways providing resident access to the bluff top trail are also available to the public. Public access improvements, including pedestrian, bicycle and vehicular access and public parking is provided throughout the community. Los Patos Avenue, located on the northern boundary of the project site was also widened, paved and landscaped, creating 114 (unstriped) public parking spaces.

The subject amendment application proposes (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, for the residents and guests of the Brightwater community. Eleven on-site automobile parking spaces (including 1 handicapped access space and 1 "green" space) and a minimum of six on-site bicycle parking spaces are proposed.

On July 31, 2012, the Commission's South Coast District Office in Long Beach issued a notice of the Executive Director's determination that the amendment is immaterial because the proposed amendment does not have the potential for adverse impacts, either individually or cumulatively, on coastal resources or public access to and along the shoreline and does not raise any issue of conformity with the Coastal Act. As required by Section 13166(b) of Title 14 of the California Code of Regulations, the Executive Director reported this determination to the Commission at its August 9, 2012 Commission meeting in Santa Cruz. On August 7 and 8, 2012, within the ten working day period during which any person may object to the Executive Director's determination, the South Coast District Office received six letters objecting to the amendment request (see attached

letters)<sup>1</sup>. The letters assert (1) the new floor plans of the new home builder are significantly larger; the remaining homes have been repositioned and will have zero lot lines; (2) new plans contain an option to convert the garage to an additional bedroom(s) resulting in higher density and inadequate parking; (3) the new exterior architectural design features detract from the planned community; (4) the additional noise and light from the proposed outdoor covered patios with fireplaces will adversely impact the adjacent wetland habitat; (5) the location of the proposed resident community center along with inadequate on-site parking will adversely impact public access to the on-site walkways and bluff top trail; and (6) a public hearing is necessary to address the above concerns. One of the letters request that additional special conditions be added to the permit amendment that would (1) require that an archaeologist and a Native American monitor all excavations and the screening of all excavated soil for the presence of archaeological resources; (2) require assessment of visual impacts and require plans to be modified if views are affected; and (3) require that the proposed bicycle racks and parking on the site of the proposed community center be available to the general public at all times.

The Executive Director has concluded that the objection letters do not raise any issue of conformity with the Coastal Act due to the following: (1) the proposed changes to the single family residences are consistent with the Site Development Standards of the approved permit in that the new homes will not exceed the maximum 60% lot coverage; front, rear and side yard setbacks will not be modified (the 20 ft. structural setback and 15 ft. patio and deck setback will be maintained adjacent to the bluff top habitat area) and the maximum height will remain at 35 ft. ; (2) the density of the development will decrease from 349 to 347 residential units; the range of number of bedrooms per unit remains from 3 to 6 with 2- to 4-car garages, depending on the floor plan (all driveways continue to provide additional parking spaces); (3) there are no proposed changes to the color palette nor maximum height; although there are some minor modifications to some of the side elevations, the architectural styles of the approved development (e.g., Cottage, Hampton, Monterey and Traditional) are retained; (4) no changes to the lighting or setback requirements for development adjacent to the bluff top habitat area is proposed; covered patios and outdoor fireplaces are currently allowed and many have been built by individual homeowners; and (5) the community center is located more than 500 ft. from the bluff top trail; is smaller than the two residential units that were originally approved on the proposed site and is not designed for or large enough to accommodate large social events; and exceeds the number of required on-site automobile parking spaces required by the local government, in addition to a minimum of 6 on-site bicycle parking spaces. An additional special condition is not necessary to address archaeological resources since the previously approved detailed archaeological grading removed (and screened) all potential cultural soils and only sterile soils remain on the project site. Further, the project site was previously mass graded, and underground utilities constructed throughout the subdivision (with required archaeologist and Native American monitors) and no additional cultural resources were discovered. Pools have been built on numerous lots throughout the subdivision and no additional cultural resources have been reported.

As required by Section 13166(b)(2) of Title 14 of the California Code of Regulations, the Executive Director is reporting this conclusion to the Commission along with a copy of the objection letters. If

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<sup>1</sup> One of the six objection letters received was also signed by eight additional homeowners.

three Commissioners object to the Executive Director's designation of immateriality, the amendment application shall be set for public hearing in accordance with Section 13166(c) Title 14 of the California Code of Regulations. If three Commissioners do not object, the immaterial amendment shall become effective.



**Jonathan Bonwit**  
4622 Oceanridge Drive  
Huntington Beach, CA 92649  
Resident of The Brightwater Community

RECEIVED  
South Coast Region  
AUG 7 2012  
CALIFORNIA  
COASTAL COMMISSION

August 2, 2012

Dr. Charles Lester  
Executive Director  
California Coastal Commission  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

**Re: Objection to Coastal Commission Approval of proposed Amendment to Permit No. 5-05-020** granted to Hearthside Homes/Signal Landmark that allows Hearthside Homes/Signal Landmark aka Woodbridge Pacific Group to alter the master plan for the Brightwater Community located at 17201 Bolsa Chica Road, Bolsa Chica, Orange County, California that was previously approved by the Commission in the original CDP.

Dear Dr. Lester,

As residents of the Brightwater Community in Huntington Beach, we hereby vehemently object to the Coastal Commission's July 31, 2012 findings and approval of the proposed Amendment referenced above because it IS a significant MATERIAL change to the approved master plans for Brightwater that were previously approved by the Commission in the original CDP. We respectfully request a public hearing to review this matter because our objections include, but are not limited to the following:

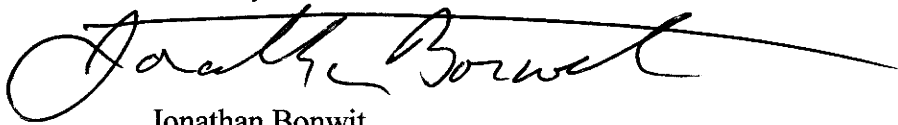
1. The proposed Amendment IS a significant MATERIAL change to the approved master plans approved by the Commission in the original CDP.
2. As an initial matter, we understand from the County of Orange that it recently raised questions, and even may have rejected plans submitted by the builder, regarding the new floor plans. The mere fact that the County has rejected anything submitted by the builder – or even asked questions requiring follow-up – regarding what the builder has described as alleged “immaterial” changes in its plans, demonstrates that there are questions about what the builder is doing and what representations it is making, and requires that there be further consideration before any findings or approvals by the Commission can occur.
3. The proposed plans increase the massing and square footage of the new houses which negatively impacts the population density and traffic density adjacent to the sensitive and protected Bolsa Chica Wetlands Preserve in Huntington Beach, California
4. The proposed plan change allows the builder to build larger mass houses on the same square foot lots as previously approved only for smaller dwellings, including what we understand are homes with much larger second-floor decks overlooking the wetlands.

5. The proposed plan changes eliminate the increased dwelling setbacks from the front and rear lot lines of the houses that were previously approved by the Commission. Increasing the massing, foot print, and the square footage of the houses and repositioning them on the bare minimum setback requirements increases density adjacent to the Wetlands and results in straight rows of square stucco boxes on zero lot lines similar to track row housing in the South Bronx. Adding minimal trim to the fronts of these stucco boxes will not camouflage these material changes and design flaws that do not comply with the spirit of the original CDP. Any increase in massing and square footage also increases density.
6. Among other things, the proposed plan change submitted by the builder also offers the option for Buyers to convert their garages into additional bedroom(s) which exceed the number of bedroom limitations previously approved. For some of the floor plans, we understand that there could be as many as 7 or 8 bedroom homes with just 2-car garages. Increasing the number of bedrooms also increases the number of occupants and their accompanying number of cars which adversely affects density patterns. Current residents already own 3-6 cars per family and the resulting overflow of their parking occupies the available street parking needed by the public to access the Trails. Consequently increasing the number of bedrooms, occupants, and cars negatively impacts density. We are unsure whether the builder has clearly communicated this substantial and material building and design change in its request to amend the existing CDP; if it has not, we believe it must be required to do so and explain why these options are appropriate and within the terms of the original CDP.
7. We understand from previous discussions with Ms. Teresa Henry of the Commission that *any* changes to the Brightwater community that result in increased population density, or increased parking spaces on the street being used by residents, would be in violation of the Commission's prior approvals, since that would mean that there is less public parking available for the general public and for visitors of the Bolsa Chica wetlands. The elimination of garages restricts public access to the Trails and Preserve, and increases parking congestion by residents who will then have to park their cars on the public streets thereby occupying available parking needed by the public to readily access the Bolsa Chica Preserve and Trails. This is a substantial, material, and objectionable change from the original CDP.
8. The proposed new residential floor plans are not similar to the original floor plans, but are actually significantly different than the residential floor plans previously approved by the Commission in the original CDP. These changes require careful review.
9. Although the color palette and maximum heights of the proposed plans are not changed, the proposed plan changes eliminate significant portions of the exterior trim, wood siding, exterior brick and stone work, shutters, and other architectural design features of the exterior elevations previously approved in the master plan which significantly alter the master plan. These are indeed significant MATERIAL changes that do not comply with the original intent and letter of the CDP.

10. The proposed elimination of the previously approved unconventional "Z" lot configuration lot lines significantly alters and increases the previously approved square footage for 34 lots. Increasing the approved square footage of 34 lots materially alters the master plan and approved CDP.
11. The proposed outdoor covered patios with fireplaces enable and encourage new residents to violate noise and lighting restrictions adjacent to the protected wildlife preserve that was approved by CDP. At present, each resident whose backyard falls within Zone 5A (i.e., bordering the wetlands) is required to make detailed submissions to the Homeowners' Association, City, and Commission regarding landscaping and lighting designs, all of which are subjected to rigorous and individualized review. If the Commission now permits the builder to skip this individualized evaluation, and allows the builder to build larger homes with outdoor fireplaces, lighting, sound, and increased massing closer to the wetlands, there is the substantial risk that the spirit, if not the letter, of the original CDP will be violated.
12. The location of the proposed 1,950 sq.ft. Community Center adversely impacts and restricts public access to two of the approved public vertical accessways and the public bluff top trail at the southern boundary of the subdivision. The proposed site is located at the intersection of Brightwater Drive and Oakbluffs Lane which is the major entrance and exit road to the entire Community. Essentially 350 resident families along with their friends, relatives, and support workers and the general public use this single funnel ingress and egress point to the development. The Center will be located only one short block away from the primary main public accessway to the Trails at the intersection of Bolsa Chica Street and Brightwater Drive. An estimated 300/350 families will be active members of the Community Center who along with their friends and relatives will create significant traffic congestion and traffic hazards at this intersection as they access the swimming pool and gym in the Community Center. Spillover parking from the Center will take away needed street parking for the public accessing this main primary Trail head at Bolsa Chica Street and thereby restrict public access to the Trails and the Bolsa Chica Wetlands Preserve. Additionally the spillover noise from the large outdoor 1,440 sq.ft. swimming pool/spa will negatively impact wildlife in the Preserve near this area.

We respectfully ask the Commission to deny this proposed Amendment and, in connection with its denial, make such additional findings or conduct a public hearing in a location near the Brightwater Community in Huntington Beach to facilitate public participation and discuss this matter that so gravely impacts public access to the Trails and the Bolsa Chica Wetlands Preserve, and materially alters the original master plan the Commission approved in the original CDP.

Sincerely,



Jonathan Bonwit  
714-412-2222

cc: Ms. Teresa Henry, California Coastal Commission

Ms. Connie Boardman, Council Member, City of Huntington Beach  
Ms. Flossie Horgan, Director of the Bolsa Chica Land Trust

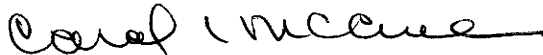
**Additional Signatures from Residents of Brightwater**



Paul & Kristin Konovalov

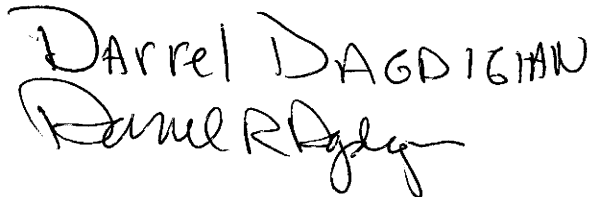
4592 Oceanridge Drive, Huntington Beach, CA  
92649

(714) 536-4927



CAROL MCCUNE

4602 OCEANRIDGE DR, HUNTINGTON BEACH  
(714) 846-0016 92649



4611 Oceanridge Dr HB, Ca  
714 748-6491 92649



BRYAN WILLIAMS

4591 WINTHROP DR HB CA 92649  
714-846-6140

Marcie Zeller  
~~Marcie Zeller~~  
Lee Zeller  
~~Lee Zeller~~

4632 Oceanridge Dr. HB, CA 92649  
(714) 840-3123

Marcie Zeller  
~~Marcie Zeller~~  
Lee Zeller  
~~Lee Zeller~~

4791 Coveview Drive, HB, CA 92649  
(714) 840-6169<sub>4</sub>  
(A TWO PROPERTY OWNER)

Jennifer & Joseph FRIEDMAN  
4642 WINTHROP DR  
HUNTINGTON BEACH CA  
(714) 310-4060 92649  
Jennifer Friedman Joseph Friedman

Arthur & Kaven Goodwin  
4591 Oceanridge Drive  
4601 Oceanridge Drive  
Huntington Beach CA 92649

~~Arthur~~ Goodwin Kaven S. Goodwin  
(A TWO PROPERTY OWNER)



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AUG 8 2012

CALIFORNIA  
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Marinka Horack

August 7, 2012

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**ENDORSEMENTS**

Amigos de Bolsa Chica  
Algalita Marine Research  
Foundation  
Anza Borrego Foundation  
Ballona Wetlands Land  
Trust  
City of Huntington Beach  
Friends of Harbors,  
Beaches and Parks  
Huntington Beach  
Wetlands Conservancy  
Huntington Beach Tomorrow  
Orange Coast League of  
Women Voters  
Orange County  
Coastkeeper  
Peninsula Open Space Trust  
Sea and Sage Audubon  
Sierra Club  
Angeles Chapter  
Surfrider Foundation

California Coastal Commission  
200 Oceangate #1000  
Long Beach, Ca 90802-4316


Dear Ms. Henry,

RE: Permit No. 5-05-020 granted to Hearthside Homes/Signal Landmark

The following are recommended restrictions to this proposed amendment.

- 1) Sifting of all excavated materials for pool, reservoir, and building foundations for archeological artifacts together with stoppage of activity if artifacts are found. A native American monitor and an archaeological monitor should be present during all excavations. This is due to the past history of chronic archaeological irregularities by this developer on Bolsa Chica Mesa.
- 2) Careful study of building elevation plans effects on views. If such views are affected plans must be changed; The height elevation of the private community center is stated on the plans to be 35Ft. Is that on top of pad elevation?
- 3) Projected effects on any changes of overall project density. It is our understanding that the project density will be reduced. If that is not the case please inform. The two single family homes will be eliminated from the project density.
- 4) Require that the proposed bike racks and parking at the community center be available for use by the general public at all times.

Sincerely,

  
Joe Shaw  
President

CALIFORNIA COASTAL COMMISSION  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
06 August 2012

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AUG 8 2012

CALIFORNIA  
COASTAL COMMISSION

RE: Permit No. 5-05-020 granted to Hearthside Homes/Signal Landmark

To Whom It May Concern:

I am writing this letter as a very concerned homeowner and resident at the Brightwater community for the past 4 years. Back then, I understood the risk involved with purchasing a new home in a volatile economy, but I put my hard earned money and trust in the builder and its vision for the community. I have remained loyal throughout the years despite large reductions in home prices. The most recent turn of events, however, has me truly concerned as it strikes at the heart of why I purchased a home in the Brightwater community to begin with.

It is clear that the builder is interested only in the bottom line. They are producing subpar homes by using cheaper material and fixtures reducing the overall beauty and value of the community in general. As their future plans suggest, they are planning to produce bigger homes at the expense of quality and overcrowding the neighborhood. A quick drive and look at the new homes they are building now would indicate they are moving towards producing stucco-box, Irvine-like homes. If I wanted to live in that type of community, I would have moved to Irvine 4 years ago.

I have noticed that the builder is moving forward with their agenda by selling off the older model homes even before getting the approval of the Coastal Commission for their new plans. Frankly, I do not trust that the builder has the best interest of the Brightwater community and city of Huntington Beach at heart. I would kindly ask that the Coastal Commission thoroughly review the new builder's plans and consider the repercussions such a drastic change would make on the current homeowners. It took over a decade to formulate the original plans for the Brightwater community so that it would be environmentally friendly and add value to the surrounding Huntington Beach communities. Any changes, especially if they are financially motivated, should not be taken lightly. As such, I oppose the proposed master plan permit amendment filed by Woodbridge Pacific Group. Thank you for your time and consideration.

Sincerely,



Hoa Truong of 4771 Edgartown Drive, Huntington Beach, CA 92649

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August 7, 2012

CALIFORNIA COASTAL COMMISSION

South Coast Area Office

200 Oceangate, Suite 1000

Long Beach, CA 90802-4302

Mr. and Mrs. William L. Forman

17345 Wareham Ln

Huntington Beach, CA 92649

TO: Teresa Henry

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

My wife and I recently purchased our new home in the Brightwater development at the above address in Huntington Beach. It has always been our dream to own a home like ours in such a wonderfully planned development as Brightwater. The developers had managed to create quaint neighborhoods despite the number of homes being built. That was managed through the creation of a variety of property setbacks and home designs. We did not receive notice of the proposed changes to the property setbacks or the lack of individual home designs until August 6, 2012. Between the proposed changes and the addition of the community center, pool and the builder's option to convert garages into additional bedrooms, we believe that this permit will allow for an increase in the number of residents and traffic and further drain the limited parking resources. In our opinion these issues will have a negative effect on our environment and the quality of life of Brightwater residents and the surrounding community. We strongly object to this amendment by the Coastal Commission.

Respectfully,

  
William L. Forman



August 6 2012

California Coastal Commission  
200 OceanGate, Suite 1000  
Long Beach, Ca. 90802-4302

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AUG 8 2012

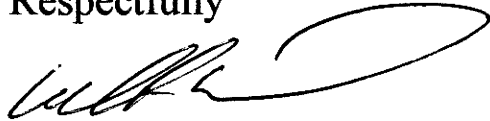
CALIFORNIA  
COASTAL COMMISSION

Re: Brightwater Permit 5-05-020 Hearthside/Signal Landmark

I am writing this letter to you to post my objection to the amendment of the permit that was originally issued or the construction of the Brightwater Development. Your notice makes note that there is "immaterial changes" which is not correct. The changes to the elevation are very material, as the builder has now eliminated the detail of the exterior of the homes, which will make the neighborhood look as though it is a row house development, and the loss of the detail will impact this neighborhood and community. Set backs and lot lines are not Immaterial, it is a major change. The size of the homes along with the option to change a portion of the garage into another bedroom, will cause more cars on the streets, and traffic, which is already beginning to show and the lots are not built out. The outdoor living will create an issue with the Dark Sky regulation. Inter mixing the new style with the existing homes will destroy the overall appearance. The community center and pool is a great idea, but only having 9 compact stalls is not sufficient, to service 347 homes.

This also will create a parking and traffic issue. How can you think this is Immaterial, its not. I object to the issuance of the permit 5-05-020, and request a public hearing, so the community can voice all concerns to your immaterial change.

Respectfully



William K O'Neil  
4582 Oceanridge Dr  
Huntington Beach, Ca. 92649

Mail any notices to:  
William K O'Neil  
9 Kapalua Place  
Lahaina, Hi 96761

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AUG 8 2012

CALIFORNIA  
COASTAL COMMISSION

Lee and Marcie Zeller  
4632 Oceanridge Drive and 4791 Coveview Drive  
Huntington Beach, CA 92649

Dr. Charles Lester, Executive Director  
California Coastal Commission  
South Coast Area  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

August 5, 2012

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AUG 7 2012

RE: Notice of Proposed Permit Amendment

Project Site: 17201 Bolsa Chica Road, Bolsa Chica, Orange County  
Brightwater Neighborhood, Huntington Beach, CA 92649

CALIFORNIA  
COASTAL COMMISSION

Dear Dr. Lester,

I wish to register a complaint in response to the letter I received from you regarding the Brightwater community in Huntington Beach. The changes to the permit that WPG proposes to make significantly result in a negative impact to our community. WPG has shared with us at a town hall meeting that the new floor plans will be significantly larger but the lot sizes will stay the same. As of now, the lots are TINY and larger homes with minimal setbacks will result in a look that brings down the original approved design of our neighborhood. Zero lot lines with homes built close to the street and built out to the bordering fences will alter the whole look of the community. Not only does the builder want to build out each lot with boxy homes, but due to acts of desperation to maximize profits, the builder intends to drop in these new homes on random open lots as the cost of construction is 50% less than the original floor plans. To clarify, the original approved planned community will not even look like a planned neighborhood as new random floor plans will be mixed in with existing homes leaving an ugly mismatched neighborhood. There will be no continuity and we will no longer be a cohesive planned development.

As I stated above, these new designs are not up to par with the original approved floor plans. The new plans include options to convert a garage to a room, outdoor areas that will not only disturb the neighbors due to the homes being built so close together but also the precious habitat of the wetlands. The cheaper construction has noticeably minimal trim and lacks outer accents as well. The proposed recreation center has inadequate parking that will result in guests parking in public spaces that are now used for trail hikers. Larger homes mean more residents in each home, more cars and less public parking available for public access to the trailhead. Increased population density seriously impacts parking for the wetlands and access to the Bolsa Chica Preserve.

We are requesting you revisit our neighborhood and support us in keeping the original floor plans to build out the beautiful community as originally promised to Huntington Beach and maintain maximum public access to the wetlands. WPG's only concern is how to make more money on each home sold, with no regards to the impact on the existing homeowners and the ability for the public to park and enjoy the unique wetlands. A public hearing is hereby requested to adequately discuss the optimum solution in this matter. THESE ARE MATERIAL CHANGES and need to be reviewed carefully.

Sincerely,

Marcie and Lee Zeller

