CALIFORNIA COASTAL COMMISSION
South Coast District Office
200 Oceangate, 10th Floor
Long Beach, California 90802-4416
(562) 590-5071 FAX (562) 590-5084

W10

SOUTH COAST DISTRICT
DEPUTY DIRECTOR'S REPORT

For the

March Meeting of the California Coastal Commission

MEMORANDUM

Date: March 11, 2014

TO: Commissioners and Interested Parties

FROM: For Orange Co.: Sherilyn Sarb, South Coast District Deputy Director

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 March 2014 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.

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.

Applicant	*Project Description*	*Project Location*
5-14-0232-W Attn: Steve & Linda Richman	Addition and remodel of an existing 2,162 square foot two-story single-family residence with an attached 527 square foot two-car garage. The proposed project includes: a new 265 square foot 3rd floor; a new 61 square foot stairway addition; and a new 288 square foot roof deck. Post project, the two-story single-family residence will be 2, 488 square feet with an attached 527 square foot two-car garage. The maximum height of the structure will be 29-feet above exiting grade. No grading is proposed. Drainage form the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.	17755 Miramar Drive, Newport Beach
5-14-0298-W Sean Walter & Andrea Chait	Addition and remodel of an existing 1,322 square foot one-story, single-family residence with an attached 433 square foot two (2) -car garage. The proposed project includes an addition of 1,359 square feet of habitable area. No grading is proposed. Post project, the two-story single-family residence will be 2,681 square feet with an attached 433 square foot two (2)-car garage. The maximum height of the structure will not exceed 16' above existing grade. Drainage form the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.	105 Coastline Drive, Seal Beach

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.

Applicant	*Project Description*	*Project Location*
5-13-1164-W Attn: Salvatore Ferrulo	The project involves demolition of an existing single-family residence with detached garage located on two (2) lots and the construction of one (1) new 2,456 square foot single-family residence with a 608 square foot roof deck and an attached 390 square foot two (2) car garage on each lot. Post project, one (1) new single-family residence with a two (2)-car garage will be located on each lot for a total of two (2). Grading will consist of 15 cubic yards of cut, 10 cubic yards of fill and 5 cubic yards of export to a location outside of the Coastal Zone. The maximum height of the structure will not exceed 25-feet above existing grade. Drainage from the roof and surface water flow will be directed into permeable areas before entering the main storm drain system.	129 Dolphin Avenue, Seal Beach
5-13-1169-W Attn: Scott Burnham	A Lot Line Adjustment that will reduce the parcel width at 2500 Bayshore Drive to 45 ft. wide (at Bayshore Drive), and increase the width of the parcel located at 2482 Bayshore Drive to about 82 ft. wide (no change to the 120 ft. depth of each lot); 2) Demolition of the existing two-story residence located at 2500 Bayshore Drive and construct 2,179 sq. ft. of improvements, including a single-story 1,163 sq. ft. guest suite with porch and fitness room; a 1,016 sq. ft. single-story outdoor living building with kitchen/bar, dining porch, living porch, powder room and pool equipment storage, plus a new pool, associated patios, and a courtyard; 3) Reinforce and raise height of existing bulkhead with new steel tiebacks and two rectangular concrete deadmen and a cast-in-place 32-inch tall concrete stem/retaining wall on top of the existing, and install new 3-foot 6-inch tall guardrail; and 4) construct 224 sq. ft. entry to the property at 2482 Bayshore Drive. No work is proposed over the water.	2482 & 2500 Bayshore Drive, Newport Beach

5-14-0122-W Attn: Robert Hinderliter	Construction of a new 1,769 square foot, two-story single-family residence with an attached 426 square foot three-car garage. The maximum height of the residence will not exceed 25-feet above finished grade. Grading will consist of 50 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.	204 10th Street, Seal Beach
5-14-0321-W Buena Vista Home Owners Assoc.	Removal of an unpermitted 10' X 12' concrete patio slab on a bluff top adjacent to the bluff edge and replacing it with decomposed granite gravel, which matches the surroundings. The cement slab will be broken by jackhammer or sledge hammer and removed by wheelbarrow to a dumpster or truck provided by the contractors.	903 Buena Vista, San Clemente,
5-14-0457-W California Dpartment of Parks and Recreation- Orange Coast Dist., Attn: Brian Ketterer Dist. Superintendent	Removal of an existing 24' x 60' single story, 15' tall pre-fabricated modular structure and attached wood deck/ADA ramp situated within the paved parking lot and installation of a new single story, 15' tall, 36' x 60' pre-fabricated modular structure with stairs and ADA ramp in the same location. No grading or vegetation removal is proposed. Drainage from roof downspouts are proposed to be directed into permeable or landscaped areas for onsite infiltration of water runoff. No new landscaping is proposed.	6902 E Coast Hwy, Newport Beach, Ca 92657

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.

Applicant	*Project Description*	*Project Location*
5-06-117-A3 City Of Newport Beach, Attn: Chris Miller	Extend the term of approval of the authorizations for dredging, beach nourishment and offshore disposal (at LA-3 only), from March 31, 2014 to December 20, 2015; and modify the boundary of the area approved for such work to include additional areas in Newport Bay that new testing has shown are suitable for beach nourishment and/or offshore disposal. The amendment does not request to extend the authorization for replacement in-kind or construction of an alternative alignment of residentially associated piers, docks, and gangways – such development must be separately authorized	Lower And Upper Newport Bay, Newport Beach

CALIFORNIA COASTAL COMMISSION

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

February 27, 2014

Martin Gaither
22333 Pacific Coast Highway, #203
Malibu, CA 90265

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#: 5-14-0232-W **APPLICANT:** Steve & Linda Richman

LOCATION: 1755 Miramar Drive, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Addition and remodel of an existing 2,162 square foot two-story single-family residence with an attached 527 square foot two-car garage. The proposed project includes: a new 265 square foot 3rd floor; a new 61 square foot stairway addition; and a new 288 square foot roof deck. Post project the two-story single-family residence will be 2,488 square feet with an attached 527 square foot two-car garage. The maximum height of the structure will be 29-feet above existing grade. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

RATIONALE: The lot size is 2,461 square feet and is designated as single-unit residential detached in the City of Newport Beach Land Use Plan (LUP). The subject site is an inland lot not located between the first public road and the sea. Some residential projects which are sited on inland lots in Newport Beach and have less than a 1.5 floor to buildable-lot area ratio are excluded from coastal development permit (CDP) requirements under Categorical Exclusion E-77-5, adopted by the Commission on June 14, 1977. However, the proposed project does not qualify for exclusion from CDP requirements because it does not have less than a 1.5 floor to buildable-lot area ratio. Nevertheless, the proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access to the public beach exists near the site at the end of "L" Street. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with 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 March 12-13, 2014 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
Executive Director
cc: Commissioners/File

FERNIE SY
Coastal Program Analyst II

CALIFORNIA COASTAL COMMISSION

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

February 27, 2014

Mark Wheeler
325 Roycroft Avenue
Long Beach, CA 90814

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

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

WAIVER#: 5-14-0298-W **APPLICANTS**: Sean Walter & Andrea Chait

LOCATION: 105 Coastline Drive, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Addition and remodel of an existing 1,322 square foot one-story, single-family residence with an attached 433 square foot two (2)-car garage. The proposed project includes an addition of 1,359 square feet of habitable area. No grading is proposed. Post project the one-story single-family residence will be 2,681 square feet with an attached 433 square foot two (2)-car garage. The maximum height of the structure will not exceed 16' above existing grade. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

RATIONALE: The subject site is located on a lot adjacent to the City's Gum Grove Park located between the first public road and the sea. The proposed project is not exempt because the improvement will result in an increase in height greater than ten (10) percent. The lot size is approximately 10,699 square feet and is designated as residential low density in the City of Seal Beach Zoning Code. No construction activity or staging of construction activity will take place north of the project site where Gum Grove Park is located. Such activity would interfere with public access, biological resources and other coastal resources. The proposed development conforms to City setback requirements and provides adequate parking based upon the Commission's standard of two (2) parking spaces per unit. Public access is available at Gum Grove Park. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their March 12-13, 2014 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER
Executive Director
cc: Commissioners/File

FERNIE SY
Coastal Program Analyst II

CALIFORNIA COASTAL COMMISSION

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

February 26, 2014

George Paul Brown II
17212 Argio Circle
Huntington Beach, CA 92647

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#: 5-13-1164-W **APPLICANT**: Salvatore & Michelle Ferrulo

LOCATION: 127 & 129 Dolphin Avenue, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: The project involves demolition of an existing single-family residence with detached garage located on two (2) lots and the construction of one (1) new 2,456 square foot single-family residence with a 608 square foot roof deck and an attached 390 square foot two (2)-car garage on each lot. Post project, one (1) new single-family residence with a two (2)-car garage will be located on each lot for a total of two (2). Grading will consist of 15 cubic yards of cut, 10 cubic yards of fill and 5 cubic yards of export to a location outside of the Coastal Zone. The maximum height of the structure will not exceed 25-feet above existing grade. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

RATIONALE: The subject site is an inland lot not located between the first public road and the sea. The lot size is 2,500 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access to the public beach exists near the project site at the end of Dolphin Avenue. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their March 12-13, 2014 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

FERNIE SY
Coastal Program Analyst II

CALIFORNIA COASTAL COMMISSION

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

March 3, 2014

Ron Ritner
503 32nd Street, Suite 130
Newport Beach, CA 92663

SUBJECT: **Waiver of Coastal Development Permit Requirement/De Minimis Developments-Section 30624.7of 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 # 5-13-1169-W **APPLICANT:** Scott Burnham

LOCATION: 2482 & 2500 Bayshore Drive, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: 1) A Lot Line Adjustment that will reduce the parcel width at 2500 Bayshore Drive to 45 ft. wide (at Bayshore Drive), and increase the width of the parcel located at 2482 Bayshore Drive to about 82 ft. wide (no change to the 120 ft. depth of each lot); 2) Demolition of the existing two-story residence located at 2500 Bayshore Drive and construct 2,179 sq. ft. of improvements, including a single-story 1,163 sq. ft. guest suite with porch and fitness room; a 1,016 sq. ft. single-story outdoor living building with kitchen/bar, dining porch, living porch, powder room and pool equipment storage, plus a new pool, associated patios, and a courtyard; 3) Reinforce and raise height of existing bulkhead with new steel tiebacks and two rectangular concrete deadmen and a cast-in-place 32" tall concrete stem/retaining wall on top of the existing, and install new 3' 6" tall guardrail; and 4) construct 224 sq. ft. entry to the property at 2482 Bayshore Drive. No work is proposed over the water.

RATIONALE: The subject properties are bayfront lots designated as Single Unit Residential in the City's Certified Land Use Plan. The subject site is between the first public road (Coast Highway) and the sea because the property is located in the locked gate community of Bayshores. There is no public access to the gated community and this project will not change that fact. Therefore, the project will have no impacts on existing coastal access. Public access to the harbor exists upcoast adjacent to the Bayshores Community at the Balboa Bay Club. A January 10, 2014 letter from William Simpson and Associates, Inc. states that after reinforcement "the existing bulkhead shall last for the economic life of the proposed development on the lot, normally taken to be at least 75 years." The project does not include any additional parking, but the applicant has entered into a Covenant with the City of Newport Beach to allow two guest parking spaces to be located on the private street, Bayshore Drive. The City of Newport Beach issued an Approval in Concept 2013053 for the proposed guest and pool house project and the Harbor Resources Division issued Harbor Permit/Approval in Concept No. 129-2500 for the bulkhead reinforcement. Runoff from 2500 Bayshore Drive will be directed into an underground drainage system that will discharge into a drain box and perforated trench drain along the front of the property. Any excess runoff will be directed to the street through twin pipes beneath the sidewalk. Erosion control and Best Management Practices will be in place to protect water quality during the construction phase. 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 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their March 12, 2014 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: _____
Jeffrey Rabin
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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

February 27, 2014

Robert J. Tavasci
3351 Orangewood Avenue
Los Alamitos, CA 90720

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#: 5-14-0122-W **APPLICANT:** Robert Hinderliter

LOCATION: 204 10th Street, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Construction of a new 1,769 square foot, two-story single-family residence with an attached 426 square foot three-car garage. The maximum height of the residence will not exceed 25-feet above finished grade. Grading will consist of 50 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

RATIONALE: The subject site is an inland lot not located between the first public road and the sea. The lot size is 2,938 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The proposed project conforms to the Commission's parking requirement (2 spaces per residential unit) and is designed to be compatible with the character of the surrounding development. Public access to the public beach exists near the project site at the end of 10th Street. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their March 12-13, 2014 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

FERNIE SY
Coastal Program Analyst II

cc: Commissioners/File

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

February 28, 2014

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#: 5-14-0321-W **APPLICANT**: Buena Vista Home Owners Association

LOCATION: 903 Buena Vista, Unit E, San Clemente, Orange County

PROPOSED DEVELOPMENT: Removal of an unpermitted 10' X 12' concrete patio slab on a bluff top adjacent to the bluff edge and replacing it with decomposed granite gravel, which matches the surroundings. The cement slab will be broken by jackhammer or sledge hammer and removed by wheelbarrow to a dumpster or truck provided by the contractors.

RATIONALE: The project site is a seven-unit condominium complex located on a bluff top between the first public road and the sea in a developed neighborhood of San Clemente. This application is in response to violation V-5-12-025, dated October 29, 2013, which cited that no coastal development permit was issued for the bluff top patio. The applicant has received Approval in Concept from the City of San Clemente Planning Department to remove the cement slab and replace it with decomposed granite gravel as shown on their submitted plans signed and dated February 4, 2014. 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 **March 12 – 14, 2014** 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: _____
Shannon Vaughn
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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

February 28, 2014

Julie Tobin, Park and Recreation Specialist
3030 Avenida del Presidente
San Clemente, CA 92672

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#: 5-14-0457-W **APPLICANT:** CA Department of Parks and Recreation

LOCATION: 6902 E. Pacific Coast Hwy., Crystal Cove State Park, Los Trancos Parking Lot, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Removal of an existing 24' x 60' single story, 15' tall pre-fabricated modular structure and attached wood deck/ADA ramp situated within the paved parking lot and installation of a new single story, 15' tall, 36' x 60' pre-fabricated modular structure with stairs and ADA ramp in the same location. No grading or vegetation removal is proposed. Drainage from roof downspouts are proposed to be directed into permeable or landscaped areas for onsite infiltration of water runoff. No new landscaping is proposed.

RATIONALE: The project area is in the southeastern portion of the existing 14 acre paved parking lot, inland of E. Coast Hwy and inland of the Crystal Cove Historic District. The actual paved parking lot at the Los Trancos site sits slightly above the level of Pacific Coast Hwy and is surrounded by a 15'- 45' wide strip of native vegetation on all sides. The proposed project is designed to be compatible with the character of the surrounding development. No additional public parking spaces will be impacted by the replacement of the existing structure in its existing footprint. ESHA surrounding the parking lot will not be impacted. The nearest public access to the beach is available down a path from the parking lot to a pedestrian tunnel running underneath Pacific Coast Hwy and connecting with the existing trail network within the Crystal Cove Historic District on the west (seaward) side of PCH. There is also an at-grade crossing at the intersection of PCH and the entry road to the Los Trancos parking lot. The proposed project design is compatible with the character of surrounding development and does not have any negative affects on visual or coastal resources, public recreation or coastal access. Also, the proposed development is consistent with the policies contained in the Crystal Cove Public Works Plan and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their **March 12-14, 2014** 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

AL PADILLA
Supervisor, Regulation

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

5-06-117-A3
CC-031-06

NOTICE OF PROPOSED AMENDMENT TO PERMIT AND MODIFICATION TO FEDERAL CONSISTENCY CERTIFICATION

TO: All Interested Parties

FROM: Charles Lester, Executive Director

DATE: March 5, 2014

SUBJECT: Permit No. **5-06-117, as amended through 5-06-117-A1, 5-06-117-A2 and Consistency Certification CC-031-06** granted to **the City of Newport Beach** for:

Consistency Certification CC-031-06: Maintenance dredging under existing docks and off-shore disposal of up to 20,000 cubic yards of dredge material a year;
Coastal Development Permit 5-06-117: Beach nourishment of up to 20,000 cubic yards a year of suitable dredged material from existing dock areas; and replacement in-kind or construction of an alternative alignment of residentially associated piers, docks, and gangways…More specifically described in the application file in the Commission offices

PROJECT SITE: Dredging, Beach Nourishment and Docks, Piers and Gangways: Between the shoreline and project line, on beaches and within bay waters, at street ends and in front of bulkheads in lower Newport Bay and within Upper Newport Bay in the bulkheaded areas of Dover Shores, Bayside Village and existing docks at Shellmaker Island, City of Newport Beach, Orange County

Offshore Disposal: at EPA approved disposal sites known as LA-2 and LA-3 located approximately 6 miles offshore southwest of Point Fermin, Los Angeles County and approximately 4 miles southwest of the entrance to Newport Harbor, Orange County, respectively.

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

Extend the term of approval of the authorizations for dredging, beach nourishment and offshore disposal (at LA-3 only), from March 31, 2014 to December 20, 2015; and modify the boundary of the area approved for such work to include additional areas in Newport Bay that new testing has shown are suitable for beach nourishment and/or offshore disposal. The amendment does not request to extend the authorization for replacement in-kind or construction of an alternative alignment of residentially associated piers, docks, and gangways – such development must be separately authorized.

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 work will be occurring on, within, or adjacent to coastal waters. The proposed dredging supports recreational boating which is an encouraged marine related use of coastal waters. The proposed dredging and beach nourishment is an allowable and encouraged marine related use. Suitable dredged material will be used for beach nourishment. The project will not significantly adversely impact eelgrass beds as there are no eelgrass beds within 15 feet of the project area. *Caulerpa taxifolia* will be avoided so as to prevent spread of this invasive aquatic algae. Special

conditions previously imposed require use of suitable dredge material for beach nourishment; avoidance of eelgrass impacts and monitoring and mitigation for inadvertent impacts, conformance with Caulerpa taxifolia survey requirements and avoidance, submittal of information to the Executive Director for verification of conformance with the conditions of approval, approval from the California State Lands Commission, assumption of risk, proof of legal ability to undertake development, and avoidance of activity in Upper Newport Bay between April 1st and September 30th to avoid impacts to sensitive bird species. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed development would not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act.

Also, pursuant to the federal consistency procedures (15 CFR Section 930.65), the Commission reviews project modifications and any changed circumstances to determine wither a previously-concurred with activity remains consistent with the Coastal Act. For federal consistency purposes, the project remains consistent with the applicable Coastal Act policies, and no new consistency certification is therefore needed.

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