

CALIFORNIA COASTAL COMMISSION

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



F6

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the
March Meeting of the California Coastal Commission*

MEMORANDUM

Date: March 06, 2015

TO: Commissioners and Interested Parties
FROM: For Los Angeles Co.: John (Jack) Ainsworth, South Coast District Senior 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 2015 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.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-15-0074-W Long Beach Convention & Entertainment Center, Attn: Dan Lee	Improvements to the east façade of the existing center theater building; renovation of entry plaza with new hardscape, landscape, and seating; new marquee sign; glazed wall and glass guardrail; and accent lighting. No change in internal floor area or intensity of use.	300 Ocean Blvd, Long Beach, CA 90802 06037-7278010912
5-15-0076-W City Manager' Office - Tidelands CI Division, Attn: Eric Lopez, Tidelands CIP Officer	Installation of traffic signal at Shoreline Drive and Alamitos Parking Lot Beach Access; installation of sidewalk on east side of Shoreline Drive from Ocean Boulevard to Alamitos Parking lot; re-stripped traffic and bike lanes; and re-landscaping existing medians along Shoreline Drive.	Shoreline Drive from Linden Avenue to Ocean Boulevard, Downtown Shoreline District, City of Long Beach (Los Angeles County)
5-15-0137-W Attn: Steven Holm	Remodel of a 941 sq. ft. single-story single-family residence with an attached, basement level, two-car garage. Remodel includes expanding the two-car garage to a four-car garage; increasing the habitable area to 1881 sq. ft. by expanding habitable area in the basement, incorporating a first-level deck into the habitable area, and adding a second story to the structure, which will reach a maximum height of 30 feet; adding an open deck on the second story; and other structural and cosmetic improvements.	430 29th Street, Hermosa Beach, CA 90254 06037-4181007014

REPORT OF DE MINIMIS WAIVERS

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

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p>5-14-1836-W City of Long Beach</p>	<p>Temporary installation of a 6 ft. high 50 ft. by 75 ft. perimeter chain-link fence, wooden base, shade canopies and 10 ft. by 10 ft. storage container on the sand between the existing Outdoor Pool and the Beach Maintenance building to create a safe and secure location for the City of Long Beach Summer Aquatics Camp programs during the months of June, July, and August. This location will serve as a childcare site for 80 children per week. All improvements will be removed from the site in September of each year.</p>	<p>4000 East Olympic Plaza, Long Beach, CA 90803 06037-7256-39-903, 06037-7256-40-902</p>
<p>5-15-0013-W 1954 Bayview, Llc, Attn: Robert Freedman</p>	<p>Demolition of an existing single-family residence with a detached two-car garage and construction of a three-story, 3,476 square foot single-family residence with a maximum height of 25 feet, an attached 375 square foot, two-car garage and two additional on-site parking spaces and a 278 square foot sundeck on a 2,550 square foot lot.</p>	<p>1954 Bayview Dr., Hermosa Beach, CA 90254 06037-4182018007</p>
<p>5-15-0082-W 2427 Silverstrand, LLC</p>	<p>Demolition of an existing single-family residence with a non-conforming one-car garage and a non-conforming accessory structure and construction of a new two-story, 25-foot high, 3,569 square foot single-family residence over a basement with 647 square feet of decks and a new 452 square foot two-car garage and two additional on-site guest parking spaces (for a total of four on-site parking spaces). The proposed project includes 529 cubic yards of grading.</p>	<p>2427 Silverstrand Avenue, Hermosa Beach, CA 90254 06037-4182014012</p>

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-06-481-E6 Attn: William Abbott	Demolition of a two-story single-family residence and detached garage, subdivision of the 2,700 square foot lot into two lots, and construction of two (one on each lot) three-level, 32.4-foot high, 1,546 square foot single-family residences, each with its own two-car garage in the basement.	121 Catamaran Street, Venice, CA 06037-4225004010
A-5-MDR-12-161-E1 Los Angeles County Department of Beaches and Harbors, Attn: Michael Tripp	Site preparation work (including sit grading and extraction of existing structural pilings), and the construction and ongoing maintenance of a public upland and wetland park and an adjacent 28-foot-wide waterfront public pedestrian promenade.	Marina Del Rey Lease Parcel 9 (Southerly, Approx. 1.46-Acres of Parcel), Located at Northeasterly corner of Via Marina & Tahiti Way) Marina Del Rey (Los Angeles 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>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
G-5-15-0003 Tuna Club of Santa Catalina Island, c/o Adam Gale, Anchor QEA	Repairs are proposed at the Tuna Club of Santa Catalina Island's (Tuna Club) overwater recreational facility. See application for emergency permit for a detailed description.	100 Catherine Way, CA 06037-19180701

STAFF RESPONSE TO REVOCATION REQUEST OF GDP NO.5-13-1292

CALIFORNIA COASTAL COMMISSION

South Coast District Office
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Long Beach, California 90802-4416
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February 26, 2015

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 the 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), Section 13252(e), 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#: 5-15-0074-W**APPLICANT:** Long Beach Convention & Entertainment Center**LOCATION:** 300 Ocean Boulevard, City of Long Beach (Los Angeles County)**PROPOSED DEVELOPMENT:** Improvements to the east façade of the existing center theater building; renovation of entry plaza with new hardscape, landscape, and seating; new marquee sign; glazed wall and glass guardrail; and accent lighting. No change in internal floor area or intensity of use.

RATIONALE: The proposed project is improvements to existing facilities at the Long Beach Convention Center, which is located on filled State Tidelands. The area is part of the Commission's original jurisdiction and Chapter 3 of the Coastal Act is the standard of review. The proposed project has received an approval in concept and a CEQA determination (categorically exempt) from the City of Long Beach Department of Planning and Building (1/7/15) and is consistent with the surrounding development, which includes commercial and retail. The project features improvements to a public facility which will enhance public amenities near the coast, including new outdoor benches and seating and new courtyard landscaping. There will be no impacts to public views, as the project is located between the existing convention center, an arena, and a parking structure. There will be no impact to parking because there is no increase in internal floor area or intensity of use. The proposed lighting has been designed for ornamental purposes and will have no substantial effects on habitat or visual resources. Drainage from the outdoor courtyard will be improved and will direct surface flows to the stormdrain system. The applicant has proposed construction best management practices to ensure that debris does not spill into the adjacent harbor or the ocean and is disposed of at approved facilities in a timely manner. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 11-13, 2015 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER,
Executive Director

Zach Rehm
Coastal Program Analyst

cc: Commissioners/File

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WAIVER#: 5-15-0076-W**APPLICANT:** City of Long Beach**LOCATION:** Shoreline Drive from Linden Avenue to Ocean Boulevard, Downtown Shoreline District, City of Long Beach (Los Angeles County)**PROPOSED DEVELOPMENT:** Installation of traffic signal at Shoreline Drive and Alamitos Parking Lot Beach Access; installation of sidewalk on east side of Shoreline Drive from Ocean Boulevard to Alamitos Parking lot; re-stripped traffic and bike lanes; and re-landscaping existing medians along Shoreline Drive.

RATIONALE: The proposed project is improvements to an existing street in the Downtown Shoreline District, City of Long Beach, which is located on filled State Tidelands. The area is part of the Commission's original jurisdiction and Chapter 3 of the Coastal Act is the standard of review. The proposed project has received an approval in concept and a CEQA determination (categorically exempt) from the City of Long Beach Department of Planning and Building (12/18/14) and is consistent with the adjacent street segments, which feature two to three traffic lanes, a bike lane, and sidewalks in each direction with a landscaped median in the center. The project features improvements to a public facility which will enhance pedestrian and cyclist access to the coast, including new sidewalks, extended bike lanes, and a traffic signal to facilitate pedestrian and vehicle crossings to the Alamitos Parking lot, which has immediate beach access. Irrigation and drainage systems in the landscaped medians will be improved and the medians will be re-landscaped following construction. No new sod or grass is proposed or permitted and the applicant has stated that low water use sprinkler heads will be installed wherever possible. The applicant has proposed construction best management practices to ensure that debris does not spill into the adjacent marina or the Pacific Ocean and will be disposed of at approved facilities in a timely manner. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 11-13, 2015 meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER,
Executive Director

Zach Rehm
Coastal Program Analyst

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February 26, 2015

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 the 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), Section 13252(e), 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#: 5-15-0137-W

APPLICANT: Steven Holm

LOCATION: 430 29th Street, Hermosa Beach (Los Angeles County)

PROPOSED DEVELOPMENT: Remodel of a 941 sq. ft., single-story, single-family residence with an attached basement level, 392 sq. ft., two-car garage. Remodel includes expanding the two-car garage to a 410 sq. ft. four-car garage; increasing the habitable area to 1881 sq. ft. by adding 54 sq. ft. to the basement, incorporating a first-level deck into the habitable area, and adding a second story to the structure, which will reach a maximum height of 30 feet; adding an open deck on the second story; and other structural and cosmetic improvements. No grading is proposed for this project. All storm water from non-permeable surfaces will be collected and directed toward landscaped areas, on-site drains or directed toward the alley to a public storm drain. All landscaping will be non-invasive and primarily drought-tolerant.

RATIONALE: The project site is a 2,405 sq. ft. lot developed with a single-family residence in an established neighborhood of Hermosa Beach, in Los Angeles County. The applicant received Approval-in-Concept from the City of Hermosa Beach Community Development Department on January 20, 2015. The site is designated as R-2, two-family residential, by the City of Hermosa Beach and the proposed development is consistent with the zoning. The proposed project exceeds the Commission's parking requirement of two residential per residential unit with the attached four-car garage. The proposed project is consistent with the character of the area and the 30 foot height limit (as measure from the existing grade) and will not have a significant impact on visual or coastal resources. The proposed project is consistent with past Commission approvals and the Chapter 3 policies of the Coastal Act and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at their **March 11 – 13, 2015** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER,
Executive Director

Shannon Vaughn
Coastal Program Analyst

cc: Commissioners/File

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February 25, 2015

City of Long Beach
ATTN: George Chapjian
Director of Parks, Recreation & Marine
333 West Ocean Blvd., 13th Floor
Long Beach, CA 90802

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

Based on the 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#: 5-14-1836-W

APPLICANT: City of Long Beach

LOCATION: 4000 East Olympic Plaza, City of Long Beach

PROPOSED DEVELOPMENT: Temporary installation of a 6 ft. high 50 ft. by 75 ft. perimeter chainlink fence, shade canopies, wooden base to serve as a floor, and 10 ft. by 10 ft. storage container on the sand between the existing Outdoor Pool and the Beach Maintenance building to create a safe and secure location for the City of Long Beach Summer Aquatics Camp programs during the months of June, July, and August. This location will serve as a childcare site for 80 children per week. All improvements will be removed from the site in September of each year.

RATIONALE: The City of Long Beach Summer Aquatics Camp programs have historically been held at the Belmont Plaza indoor pool facility. The indoor pool was recently demolished. The City requests to relocate the Summer Aquatics Camp to the sandy area between the existing outdoor pool and the beach maintenance building at the Belmont Plaza site. The proposed project involves installation of temporary structures only during the summer months. The proposed project will not interfere with lateral access along the beach and vertical access to the beach will remain available on the opposite sides of the outdoor pool and the beach maintenance building. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 11-13, 2015** 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

ERIN PRAHLER
Coastal Program Analyst

cc: Commissioners/File

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February 26, 2015

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

Based on the 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#: 5-15-0013-W

APPLICANT: 1954 Bayview, LLC, Robert Freedman

LOCATION: 1954 Bayview Drive, Hermosa Beach (Los Angeles County)

PROPOSED DEVELOPMENT: Demolition of a single-family residence with a detached two-car garage and construction of a three-story, 3,476 sq. ft. single-family residence with a maximum height of 25 ft., an attached 375 sq. ft., two-car garage with 278 sq. ft. sundeck with two additional on-site parking spaces in front of the garage on a 2,550 sq. ft. lot. The existing driveway approach and curb cut on Monterey Blvd. will be removed resulting in one additional public parking space on the street on Monterey Blvd. The new garage will be accessed from a new driveway on Bayview Drive, where one public parking space will be removed. Construction of the project includes 443 cubic yards of cut and 11 cubic yards of fill. All storm water and run off from non-permeable surfaces will be collected and directed toward an on-site drain system

RATIONALE: The project site is a developed lot in an established residential neighborhood of Hermosa Beach in Los Angeles County. The applicant received Approval in Concept from the City of Hermosa Beach Community Development Department on November 20, 2014. The site is designated as R-1, single-family residential, low density by the City of Hermosa Beach and the proposed single-family residence is consistent with the zoning. The proposed project will close an existing curb cut on Monterey Blvd creating one new public on-street parking space and relocate the driveway to Bayview Drive, an alley on the west side of the property, eliminating one public, parking space. There will be no net loss in public parking spaces. The proposed project is consistent with the character of the area and the 25 foot height limit (as measured from the existing grade) and will not have a significant impact on visual or coastal resources. The proposed project is consistent with past Commission approvals and the Chapter 3 policies of the Coastal Act and will not prejudice the City's ability to prepare an LCP.

This waiver will not become effective until reported to the Commission at their **March 11 – 13, 2015 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

Shannon Vaughn
Coastal Program Analyst

cc: Commissioners/File

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February 26, 2015

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

Based on the 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#: 5-15-0082-W**APPLICANT:** 2427 Silverstrand, LLC**LOCATION:** 2427 Silverstrand Ave., Hermosa Beach (Los Angeles County)

PROPOSED DEVELOPMENT: Demolition of a single-family residence with a one-car garage and an accessory structure and construction of a two-story, 25-foot high, 3,569 sq. ft. single-family residence over a basement with 647 sq. ft. of decks and a 452 sq. ft. two-car garage and two additional on-site guest parking spaces on the apron of the driveway (for a total of four on-site parking spaces). Additionally, the proposed project includes 529 cubic yards of grading. All storm water and run off from non-permeable surfaces will be collected and directed toward landscaped and permeable areas or an infiltration pit/sump pump which will be directed toward the public storm drain system. All landscaping will be non-invasive and consist of primarily drought tolerant and native plant species.

RATIONALE: The project site is located on a developed 2,551 sq. ft. lot over 800 ft. from the beach in an established neighborhood of Hermosa Beach, Los Angeles County. The applicant received Approval in Concept from the City of Hermosa Beach Community Development Department on December 23, 2014. The site is designated as R-1, low-density residential land use by the City of Hermosa Beach and the proposed development is consistent with the zoning. The existing residence has non-conforming setbacks, some that encroach into the public right-of-way, and a non-conforming one-car garage. The proposed project will comply with all setback and height requirements, bringing the site into conformance with established City regulations and the Land Use Plan. In order to accommodate the proposed four on-site parking spaces, the existing curb cut is proposed to be widened, eliminating one public compact parking space on the street. Because there is no on-site parking available for the resident(s) of the site, they occupy two public street parking spaces. By widening the driveway and eliminating one public parking space, the applicant will provide four on-site parking spaces, and although the four new parking spaces will not be available to the public, they will provide parking for the residents and visitors to the site, reducing the use of public parking spaces on the street. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with 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 11 – 13, 2015** 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

Shannon Vaughn
Coastal Program Analyst

cc: Commissioners/File

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**NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT
5-06-481-E6**

March 2, 2015

Notice is hereby given that William Abbott has applied for a one year extension of CDP **5-06-481** granted by the California Coastal Commission on February 7, 2008 for:

Demolition of a two-story single-family residence and detached garage, subdivision of the 2,700 square foot lot into two lots, and construction of two (one on each lot) three-level, 32.4-foot high, 1,546 square foot single-family residences, each with its own two-car garage in the basement.

at: 121 Catamaran Street, Venice, City of Los Angeles (Los Angeles County).

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
CHARLES LESTER
Executive Director

Amber Dobson
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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



(A-5-MDR-12-161-E1)

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

March 2, 2015

Notice is hereby given that the **Los Angeles Department of Beaches and Harbors** has applied for a one year extension of Coastal Development Permit **A-5-MDR-12-161** approved on **December 12, 2012** for:

Site preparation work (including site grading and extraction of existing structural pilings), and the construction and ongoing maintenance of a public upland and wetland park and an adjacent 28-foot-wide waterfront public pedestrian promenade.

at: Marina Del Rey Lease Parcel 9 (Southerly Approx. 1.46-Acres of Parcel), Located At Northeasterly Corner Of Via Marina And Tahiti Way), Marina Del Rey (Los Angeles County)

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
CHARLES LESTER
Executive Director

By: Shannon Vaughn
Coastal Program Analyst

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**EMERGENCY PERMIT**

JANUARY 12, 2015

EMERGENCY PERMIT: G-5-15-0003

APPLICANT: Tuna Club of Santa Catalina Island, c/o Adam Gale, Anchor QEA
27201 Puerta Real, #350
Mission Viejo, CA 92691

LOCATION: 100 Saint Catherine Way, Avalon, Los Angeles County.

EMERGENCY WORK PROPOSED: Replace two missing piles and repair four damaged piles to support an existing structure (Tuna Club). One 16 square foot concrete footing will be removed and replaced to support one of the new piles. The old footing will be pulled from the substrate and disposed of at an upland facility. Steel rods will be drilled into the substrate to support the new 4'x 4' concrete footing, then the concrete will be poured and the new pile installed on top of the new footing. The four damaged piles will be fitted with new encasements, increasing their diameter about four inches, rotated back into place, and reconnected to the facility structure. Additional support in the location of the four damage piles includes two additional 12"x 12" timber posts being fastened to the existing concrete footings. The work shall take place during low tide only. The applicant proposes to use in-kind timber replacement piles. However, the contractor may not be able to procure timber piles on such short notice resulting in an alternate pile type being used.

This letter constitutes approval of the emergency work you or your representative has requested, as modified herein, to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of missing and significantly deteriorated timber piles that provide necessary support for an historic structure 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.

Sincerely,
Charles Lester
Executive Director


By: John Ainsworth
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 as specifically conditioned herein, and for the specific property listed above, is authorized. Any additional work requires separate authorization from the Executive Director and/or by an approved coastal development permit.
3. The work authorized by this permit must be completed by March 31, 2015.
4. Within sixty (60) days of the date of this permit, the permittee shall apply for a regular Coastal Development Permit with the Coastal Commission to have the emergency work be considered permanent.
5. Any wood treatment used shall conform with the specifications of the American Wood Preservation Association for saltwater use. Wood treated with Creosote, CCA (Chromated Copper Arsenate), or ACA (Ammoniacal Copper Arsenate) is prohibited. No wood treated with ACZA (Ammoniacal Copper Zinc Arsenate) shall be used where it could come into direct contact with the water. All treated timber shall be free of chromium and arsenic.
6. Silt curtains and methods for erosion control shall be maintained around the project site in order to control turbidity and contain debris.
7. Disturbance to the ocean bottom and intertidal areas shall be minimized.
8. Machinery or construction materials not essential for project improvements are prohibited at all times in the subtidal or intertidal zones.
9. Construction staging activities and equipment and materials storage areas shall not be located in intertidal areas or in any other environmentally sensitive habitat area. The storage or stockpiling of soil, silt, other organic or earthen materials, or any materials and chemicals related to the construction, shall not occur where such materials/chemicals could pass into coastal waters. Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
10. Pre-construction Biological Survey. Prior to commencement of any development authorized under this Emergency Coastal Development Permit, the applicant shall complete a pre-construction biological survey to identify flora and fauna [e.g., eelgrass (*Zostera marina*)] that may be impacted by the proposed development. The survey shall include photographs of all intertidal and subtidal areas where any work, access or other disturbance will occur. The applicant shall submit the survey for the review and approval by the Executive Director within thirty (30) days after completion of the survey.
11. Post-construction Biological Survey. Within five days of completion of the development authorized under this Emergency Coastal Development Permit, the applicant shall complete a post-construction biological survey to identify any impacts that occurred to the flora and fauna identified in the pre-construction Biological Survey. The survey shall include photographs of all intertidal and subtidal areas where any work, access or other disturbance occurred. The applicant shall submit the survey for the review and approval by the Executive Director within thirty (30) days after completion of the survey.

If any eelgrass has been impacted, the applicant shall replace the impacted eelgrass at a minimum 1.2:1 ratio on-site, or at another location, in accordance with the SCEMP. All impacts to eelgrass habitat shall be mitigated at a minimum ratio of 1.2:1 (mitigation:impact). The exceptions to the required 1.2:1 mitigation ratio found within SCEMP shall not apply. Approval for implementation of the mitigation shall occur through the follow-up coastal development permit.

12. Public Rights. The approval of this permit shall not constitute a waiver of any public rights that exist or may exist on the property. The permittee shall not use this permit as evidence of a waiver of any public rights that may exist on the property.

~~13. 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,~~

14. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.

Condition Four (4) indicates that the emergency work is considered to be temporary work done in an emergency situation. As required by the conditions of this Emergency Permit, a Coastal Development Permit must be obtained to have the work become permanent development. A regular coastal development 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.

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: Project Plans
Acceptance Form

cc: Local Planning Department

G:Emergency Permits

CALIFORNIA COASTAL COMMISSION

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



February 17, 2015

Mr. John Davis
P. O. Box 10152
Marina del Rey, CA 90295

Dear Mr. Davis:

Commission staff received your undated request to revoke CDP No. 5-13-1292 on December 9, 2014, which was followed by a revised request, dated January 7, 2015, received on January 9, 2015 and second revised request also received on January 9, 2015 by email. According to your stated allegations:

- 1. The applicant for Coastal Development Permit did provide incomplete and or erroneous information in regard to the legal status of the land on it's application for Coastal Development permit.*
- 2. The applicant failed to inform the Coastal Commission that all of Marina del Rey is excluded form the Coastal Zone in accordance with Section 304(a) of the US. Coastal Zone Management Act of 1072 and Section 30103(b) of the California Coastal Act of 1976, which implements the federal act.*
- 3. The applicant failed provide information in the application for CDP that the U.S. Supreme Court disallows¹ the Coastal Commission from exercising its powers of land planning in areas under prior ownership of the United State Excluded from the Coastal Zones and only allows for the Commission to exercise it's power of environmental review.*

¹ Briefly, in response to this claim, Congress passed the Submerged Lands Act of 1953 (43 U.S.C. § 1301 et seq.) after the Supreme Court decided the case that Mr. Davis cites to in Exhibit 2 of his request, quitclaiming "the three-mile belt of submerged lands to the State of California and to those entitled thereto under California law." (Gabrielson v. City of Long Beach (1961) 56 Cal. 2d 224, 230-31.) To ensure clarity, "the 1953 law 'approved and confirmed' the 'boundaries' of each coastal state as terminating three geographical (nautical) miles seaward from the coast. State claims beyond the three-mile limit were foreclosed" (People v. Weeren (1980) 26 Cal.3d 654, 661-62.)

4. *By filing an application for Coastal Development Permit, the (CDP Applicant) did provide erroneous information indicating Marina del Rey was not excluded from the Coastal Zone and not under federal ownership, contrary to the facts.*

In summary, your allegations pertain to the Commission's permit jurisdiction regarding property within Marina del Rey (County of Los Angeles) and the County's failure to inform the Commission of purported Federal ownership over the entire Marina del Rey area which could affect the Commission's permit jurisdiction.

In his review of the stated grounds for the request, the Executive Director finds, pursuant to Title 14 California Code of Regulations section 13106, that the stated grounds for revocation are patently frivolous and without merit for the following reason: according to our records, the project site subject to CDP No. 5-13-1292 is within the coastal zone and is, therefore, subject to coastal development permit requirements.

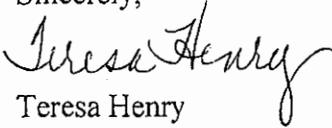
In addition, you have raised this ownership issue numerous times in the past with the Commission and you have received letters from Commission staff in response to your inquiries (see attached Commission letters, dated June 2, 2003, September 12, 2005 and January 24, 2007). This issue has also been addressed by Los Angeles County in 2003 and 2010 (see attached Los Angeles County memorandums addressing marina ownership and jurisdiction issues, dated July 14, 2003 and November 3, 2010). In short, the Marina is subject to the regulatory authority of the California Coastal Commission under the California Coastal Act.

Specifically, the Marina del Rey Local Coastal Program, certified by the Commission, lawfully regulates the land areas of the marina and the County lawfully exercises coastal permit jurisdiction over the land areas of the Marina while the Coastal Commission retains coastal permit jurisdiction over the water areas. As a certified area the County has coastal permit jurisdiction; however, the Commission retains permit jurisdiction for any development proposed or undertaken on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled (Section 30519 of the Coastal Act). Portions of the Oxford Basin are considered tidelands due to the presence of tidally influenced seawater that enters and exits the basin through the tide gate. Therefore, the Commission has permit jurisdiction for that area of the basin that is tidally influenced. Accordingly, any development within the tidal area of the basin would require a coastal development permit from the Commission and the development outside of the tidal area would require a coastal development permit from the County. Section 30601.3 of the Coastal Act allows the Commission to process and act upon a consolidated coastal development permit application if a proposed project requires a coastal development permit from both the local government and the Commission and the local government and the applicant agree to the consolidation. The local government, as applicant, agreed to consolidate the permit action and in June 13, 2014, the Commission approved the permit.

Mr. Davis
February 17, 2015
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Therefore, you have not provided any evidence that the County provided inaccurate, erroneous or incomplete information in connection with the coastal development permit application, or that the Commission does not have regulatory authority with regards to the project approved under CDP 5-13-1292. Therefore, the Executive Director will not initiate revocation proceedings for CDP No. 5-13-1292.

Sincerely,



Teresa Henry
District Manager

For
Charles Lester
Executive Director

cc: Charles Lester, California Coastal Commission
Jack Ainsworth, California Coastal Commission
Al Padilla, California Coastal Commission