

CALIFORNIA COASTAL COMMISSION

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



W11

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the
April Meeting of the California Coastal Commission*

MEMORANDUM

Date: April 08, 2015

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 April 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.

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

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>5-14-1827-W C. Henry & Nesta Klar Family Partnership</p>	<p>Demolition of two residential units and construction of a new three-story 3,327 square foot single-family residence with an attached two-car garage. The maximum height of the structure will not exceed 29-feet above existing grade. No grading is proposed. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.</p>	<p>416 E Bay Avenue, Newport Beach, CA 92661 06059-04811116</p>
<p>5-15-0061-W 204 Crystal Newport LLC</p>	<p>Demolition of an existing single-family dwelling and construction of a new three-story 2,408 square foot single-family residence with an attached 361 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 20 cubic yards of cut, 10 cubic yards of fill and 10 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to water collection devices before entering the main storm drain system.</p>	<p>204 Crystal Ave., Newport Beach, CA 92662 06059-050-193-07</p>
<p>5-15-0107-W SDC Seville Investments LLC, Attn: Jason Kingston</p>	<p>Demolition of existing single-family residence and construction of a new a new three-story 3,135 square foot single-family residence with an attached 514 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 45 cubic yards of recompaction, which will balance on site. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.</p>	<p>2132 Seville Ave, Newport Beach, CA 92661 06059-048-291-12</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-15-0147-W Attn: Alan & Christine Brodtkin</p>	<p>Construct a rear patio cover of 480 square feet over the existing patio. Structure will not increase the total height of the existing building and will not extend past the current line of development. Project includes minor interior remodel of the existing single family home with a 48 square foot addition to the front of the house.</p>	<p>312 W. Gaviota, San Clemente CA 92672 06059-692-282-08</p>
<p>5-15-0149-W Attn: Eric Portelli</p>	<p>Construction of an approximately 3032 sq. ft. and 24 ft.-11 in. high two-story single-family residence on a vacant lot, and the installation and decommissioning of three soil monitoring wells. The dwelling will include an attached 494 sq. ft. two-car garage, a 93 sq. ft. 2nd floor deck, and a 574 sq. ft. roof deck. Vehicle access to the lot will occur via an existing alley. No grading or any other city improvements required. All water runoff will be directed onto permeable areas before entering the main storm drain system.</p>	<p>325 Seal Beach Blvd, Seal Beach, CA 90704 06059-199-061-18</p>
<p>5-15-0176-W Attn: Parnell Black & Linda Melcher</p>	<p>Demolition of existing two-story single-family dwelling with detached three-car garage, and construction of new two-story single-family dwelling of approximately 4,375 sf. with attached 700 sf three-car garage. Grading, landscape, and hardscape.</p>	<p>501 Ocean Ave., Seal Beach, CA 90740 06059-199-031-20</p>
<p>5-15-0180-W Attn: Stacy Walker</p>	<p>Removal of an existing manufactured home to be replaced with a 960 square foot, single story manufactured home that is 14 feet 11 inches in height. Parking for the subject site and the residents of the Seal Beach Trailer Park is provided within common parking areas on the park grounds, which provide a total of 187 parking spaces. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.</p>	<p>5 Cottonwood Ln, Seal Beach, CA 90740 06059-199-011-028</p>
<p>5-15-0193-W Attn: Daniel & Kathleen Murphy</p>	<p>Demolish a two-story duplex and construct a 3,179 sq. ft. and 29 ft. high three-story duplex with a 295 sq. ft. roof deck on the third floor. The proposed project includes an attached, two-car garage and two carport spaces, for a total of four parking spaces. The project involves landscape improvements and approximately 200 cubic yards of total grading.</p>	<p>120 38th St, Newport Beach, CA 92663 06059-423-323-09</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>5-15-0215-W Attn: Frank & Marsh Easterbrook</p>	<p>Demolish a two-level, single-family residence and construct a 3172 sq. ft., three-level and 29 ft. high single-family residence with a 378 sq. ft. covered deck, a 178 sq. ft. open deck, and an attached, 493 sq. ft. garage. The project also involves hardscape and landscape improvements, and approximately 34 cubic yards of total grading.</p>	<p>1505 Miramar Dr., Newport Beach, CA 92661 06059-048-201-51</p>
<p>5-15-0230-W Coastal Home 4 LLC</p>	<p>Demolish a single-family residence and construct an approximately 3,552 sq. ft. 3-level and 29 ft. high single-family residence with a 96 sq. ft. 2nd floor deck, a 456.50 sq. ft. roof deck, and an attached 386 sq. ft. two-car garage. Site work involves landscaping including the removal of trees on the property and approximately 150 cubic yards of total grading. All storm water runoff will be directed to on-site catch basin filter.</p>	<p>1508 Balboa Blvd., Newport Beach, CA 92661 06059-048-182-16</p>
<p>5-15-0245-W Attn: Joseph Balbas-Cortac</p>	<p>Construction of a 2,716 square foot single family residence on a vacant lot, with an attached 438 square foot, 2 car garage. The maximum height of the structure will be 29-feet above finished grade. Grading will consist of 300 cubic yards of cut and 300 cubic yards of fill. All water from the project will be directed onto concrete swales that surround the building. At the alley area, a bottomless trench drain has been provided.</p>	<p>208 43rd St, Newport Beach, CA 92663 06059-423-296-03</p>

SOUTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-10-298-A2 Advanced Group 99-D (Aerie), Attn: Richard J. Julian, President	Redesign the pool and spa for safety. Minor changes to units 2 thru 7 patio spaces to result in a total reduction of 781 sq. ft. of enclosed building area.	101 Bayside Place, 201 Carnation Ave., & 207 Carnation Ave., Newport Beach, CA 06059-052-013-12, 06059-052-013-13
5-14-0759-A1 Attn: Shirish & Sandy Shah	A lot line adjustment to adjust the underlying legal lot line between two contiguous lots (Lot 1: 1200 W. Oceanfront & Lot 2: 1204 W. Oceanfront). The interior lot line between the two lots will be shifted 3-feet to the northwest resulting in Lot 2 reduced to 33-feet in width and Lot 1 increasing to 39-feet in width. There will be no change in the lot length or number of lots.	1204 W Oceanfront, Newport Beach CA 06059-047-241-14

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
5-12-198-E1 Blue Lagoon Community Association, Attn: James Korsen	Extension for the Blue Lagoon Shore Protection maintenance/repair project.	30781 Pacific Coast Hwy, Laguna Beach CA 06059-656-183-24, 06059-656-183-39
5-12-260-E1 R. Christian B. Evensen, Trustee of the R. Christian B. Evensen Living Trust	Demolish existing residence and construct a new sfr	3225 Ocean Blvd., Newport Beach CA 06059-052-120-15

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-5-15-0011 Orange County Public Works	Bridge pile repair consisting of ten (10) seventy-five (75) foot long steel H-piles driven into the channel floor. The proposal also includes temporary closure of the bridge to both pedestrian and vehicle traffic until repairs are complete	City of Huntington Beach and Seal Beach, Huntington Beach, CA

CALIFORNIA COASTAL COMMISSION

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



April 3, 2015

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#: 5-14-1827-W **APPLICANT:** C. Henry & Nesta Klar Family Partnership

LOCATION: 416 E. Bay Avenue, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of two residential units and construction of a new three-story 3,327 square foot single-family residence with an attached two-car garage. The maximum height of the structure will not exceed 29-feet above existing grade. No grading is proposed. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.

RATIONALE: The lot size is 2,373 square feet and is designated as two-unit residential in the City of Newport Beach Land Use Plan (LUP). 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 exceeds the 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. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project is not between the first public road and the sea and does not interfere with public access. The proposed project design is compatible with the character of surrounding development and does not have any negative effects 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 **April 15-17, 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
cc: Commissioners/File

FERNIE SY
Coastal Program Analyst II

CALIFORNIA COASTAL COMMISSION

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April 3, 2015

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WAIVER#: 5-15-0061-W **APPLICANT:** 204 Crystal Newport LLC

LOCATION: 204 Crystal Avenue, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of an existing single-family dwelling and construction of a new three-story 2,408 square foot single-family residence with an attached 361 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 20 cubic yards of cut, 10 cubic yards of fill and 10 cubic yards of export to a location outside of the Coastal Zone. Drainage from the roof and surface water will be directed to water collection devices before entering the main storm drain system.

RATIONALE: The lot size is 2,550 square feet and is designated as two-unit residential 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 exists in the project vicinity along the public boardwalk that surrounds Balboa Island. 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 **April 15-17, 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.

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Executive Director
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Coastal Program Analyst II

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April 3, 2015

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

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WAIVER#: 5-15-0107-W **APPLICANT:** SDC Seville Investments LLC

LOCATION: 2132 Seville Avenue, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of existing single-family residence and construction of a new a new three-story 3,135 square foot single-family residence with an attached 514 square foot two-car garage. The maximum height of the structure will not exceed 29-feet above finished grade. Grading will consist of 45 cubic yards of recompaction, which will balance on site. Drainage from the roof and surface water will be directed to permeable areas before entering the main storm drain system.

RATIONALE: The lot size is 2,850 square feet and is designated as single-unit residential detached in the City of Newport Beach Land Use Plan (LUP). 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 exceeds the 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. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The proposed project is not between the first public road and the sea and does not interfere with public access. 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 **April 15-17, 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
cc: Commissioners/File

FERNIE SY
Coastal Program Analyst II

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Long Beach, California 90802-4416
PH (562) 590-5071 FAX (562) 590-5084



March 18, 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#: 5-15-0147-W

APPLICANT: Alan Brodtkin

LOCATION: 312 W. Gaviota, San Clemente, Orange County

PROPOSED DEVELOPMENT: Construct a rear patio cover of 480 square feet over the existing patio. Structure will not increase the total height of the existing building and will not extend past the current line of development. Project includes minor interior remodel of the existing single family home with a 48 square foot addition to the front of the house.

RATIONALE: The proposed improvements are to an existing single family home adjacent to a canyon, between the first public road and the sea, but will not intensify the use of the site or extend beyond the line of existing development and comply with the deck stringline canyon setback policy in the certified LUP. The improvements have been reviewed by the City of San Clemente and received an approval in concept on 2/3/15. Construction BMPs will be followed to prevent construction activities from impacting coastal and marine resources. The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public coastal access. Public coastal access exists approximately 750 ft. south of the site.

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, nor will it prejudice the local government's ability to develop a Local Coastal Program or certified Land Use Plan.

This waiver will not become effective until reported to the Commission at their **April 15-17, 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

Amber Dobson
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

South Coast District Office
1000 Ocean Gate, 10th Floor
Seal Beach, California 90802-4416
Phone (562) 590-5071 FAX (562) 590-5084



April 2, 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#: 5-15-0149-W**APPLICANT:** Eric Portelli, P.O. Box 3387, Manhattan Beach, CA 90266**LOCATION:** 325 Seal Beach Blvd., Seal Beach, CA 90704

PROPOSED DEVELOPMENT: Construction of an approximately 3032 sq. ft. and 24 ft.-11 in. high two-story single-family residence on a vacant lot, and the installation and decommissioning of three soil monitoring wells. The dwelling will include an attached 494 sq. ft. two-car garage, a 93 sq. ft. 2nd floor deck, and a 574 sq. ft. roof deck. Vehicle access to the lot will occur via an existing alley. No grading or any other city improvements required. All water runoff will be directed onto permeable areas before entering the main storm drain system.

RATIONALE: The subject site is not located between the first public road and the sea nor is it located within 300 feet of the mean high tide of the sea or the inland extent of any beach. The lot is designated as limited commercial/residential medium density in the City of Seal Beach Zoning Code. The proposed development conforms to the Commission's parking standard of two (2) parking spaces per unit. Public beach access is available south of the project site at the end of Seal Beach Boulevard. Directing storm drain runoff to permeable surfaces is consistent with the marine protection policies of the Coastal Act. The monitoring wells, installed circa 2000 and removed in 2005, have been reviewed and approved by the regional board. The proposed project design is compatible with the character of surrounding development and does not have any negative effects 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 **April 15-17, 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

Marlene Alvarado
Staff Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

Central Coast District Office
725 Front Street, Suite 300
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April 2, 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#: 5-15-0176-W

APPLICANT: Parnell Black and Linda Melcher

LOCATION: 501 Ocean Avenue, Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Demolition of a two-story single-family residence with a detached three-car garage, and construction of a two-story, 25-foot high single-family residence of approximately 4,375 square feet, with an attached 700 square foot three-car garage. The proposed project also includes 15 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 4,950 sq. ft. lot approximately 290 ft. from the beach in an established neighborhood of Seal Beach, Orange County. The applicant received Approval in Concept from the City of Seal Beach Planning Department on February 12, 2015. The site is designated as RDH-20, high-density residential land use by the City of Seal Beach and the proposed development is consistent with the zoning. The proposed project will comply with all setback and height requirements. 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.

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CHARLES LESTER,
Executive Director

Mandy Revell
Staff Analyst

Cc: Commissioners/File

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April 2, 2015

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WAIVER#: 5-15-0180-W**APPLICANT:** Stacy Walker**LOCATION:** 5 Cottonwood Lane (Seal Beach Trailer Park), Seal Beach (Orange County)

PROPOSED DEVELOPMENT: Removal of an existing manufactured home to be replaced with a 960 square foot, single story manufactured home that is 14 feet 11 inches in height. Parking for the subject site and the residents of the Seal Beach Trailer Park is provided within common parking areas on the park grounds, which provide a total of 187 parking spaces. No grading is proposed. Drainage from the roof and surface water sheet flow will be directed onto permeable areas before entering the main storm drain system.

RATIONALE: The subject site is located between the first public road and the sea. The lot size is approximately 1,457 square feet and is designated as residential high density in the City of Seal Beach Zoning Code. The subject mobile home space is located in the Seal Beach Mobile Home Park which is identified by the City as one of its affordable housing resources. Restrictions are in place which mandate occupation of a certain number of the mobile home park spaces by families of low or moderate income. The proposed project will not change any existing affordable restrictions, will not result in any division of land or change the manner of ownership of the land, and will not adversely impact the inventory of lower cost housing available in the Coastal Zone. 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 beach access is not available on site, but is available approximately ½ mile west of the project site at the end of 1st 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 effects 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.

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Mandy Revell
Staff Analyst

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April 2, 2015

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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#: 5-15-0193-W**APPLICANT:** Daniel & Kathleen Murphy**LOCATION:** 120 38TH ST, NEWPORT BEACH (ORANGE COUNTY)

PROPOSED DEVELOPMENT: Demolish a two-story duplex and construct a 3,179 sq. ft. and 29 ft. high three-story duplex with a 295 sq. ft. roof deck on the third floor. The proposed project includes an attached, two-car garage and two carport spaces, for a total of four parking spaces. The project involves landscape improvements and approximately 200 cubic yards of total grading.

RATIONALE: The subject site is an inland lot located between the first public road and the sea but does not interfere with public access. The proposed project is located on a lot with an R-2 (Two-unit residential) zoning designation, which is consistent with the RT designation allowed under the City of Newport Beach Land Use Plan (LUP). The proposed project conforms to the Commission's parking requirement of two spaces per residential unit. Vertical public beach access is available at the terminus of 38th Street approximately 280 ft. of the project site. Adequate water quality measures have been addressed through on-site water filtration drains designed by a civil engineer. Construction best management practices including the use of sandbags to control erosion during construction are included in the project plans. All plants are CA-IPC non-invasive and drought tolerant. The proposed project design is compatible with the character of surrounding development and does not have any negative effects 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 **April 15-17, 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

Marlene Alvarado
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



April 2, 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#: 5-15-0215-W

APPLICANT: Frank & Marsh Easterbrook

LOCATION: 1505 MIRAMAR DR., NEWPORT BEACH, CA 92661 (ORANGE COUNTY)

PROPOSED DEVELOPMENT: Demolish a two-level, single-family residence and construct a 3172 sq. ft., three-level and 29 ft. high single-family residence with a 378 sq. ft. covered deck, a 178 sq. ft. open deck, and an attached, 493 sq. ft. garage. The project also involves hardscape and landscape improvements, and approximately 34 cubic yards of total grading.

RATIONALE: The proposed project is located on a lot designated for R-1 (single-family residential) development by the City of Newport Beach Land Use Plan (LUP). The proposed project does not qualify for exclusion from CDP requirements under Exclusion E-77-5 because it does not have less than a 1.5 floor to buildable-lot area ratio. The subject site is an inland lot located between the first public road and the sea but does not interfere with public access. The proposed project conforms to the Commission's parking requirement of 2 spaces per residential unit. Vertical public beach access is available at the north end of 'G' Street approximately 275 ft. Adequate water quality measures have been addressed through on-site water filtration drains designed by a civil engineer. Construction best management practices including the use of sandbags to control erosion during construction are included in the project plans. All plants are CA-IPC non-invasive and drought tolerant. The proposed project design is compatible with the character of surrounding development and does not have any negative effects 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 **April 15-17, 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

Marlene Alvarado
Staff Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



April 2, 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#: 5-15-0230-W

APPLICANT: Coastal Home 4 LLC

LOCATION: 1508 E. BALBOA BLVD, NEWPORT BEACH (ORANGE COUNTY)

PROPOSED DEVELOPMENT: Demolish a single-family residence and construct an approximately 3,552 sq. ft. 3-level and 29 ft. high single-family residence with a 96 sq. ft. 2nd floor deck, a 456.50 sq. ft. roof deck, and an attached 386 sq. ft. two-car garage. Site work involves landscaping including the removal of trees on the property and approximately 150 cubic yards of total grading. All storm water runoff will be directed to on-site catch basin filter.

RATIONALE: The proposed project is located on a lot designated for R-1 (single-family residential) development by the City of Newport Beach Land Use Plan (LUP). The proposed project does not qualify for exclusion from CDP requirements under Exclusion E-77-5 because it does not have less than a 1.5 floor to buildable-lot area ratio. The subject site is an inland lot located between the first public road and the sea but does not interfere with public access. The proposed project conforms to the Commission's parking requirement of 2 spaces per residential unit. Vertical public beach access is available approximately 150 ft. west and 170 ft. east of the project site. Adequate water quality measures have been addressed through on-site water filtration drains designed by a civil engineer. The proposed project design is compatible with the character of surrounding development and does not have any negative effects 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 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 **April 15-17, 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

Marlene Alvarado
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, California 95060-4508
PH (831) 427-4863 FAX (831) 427-4877



April 2, 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#: 5-15-0245-W

APPLICANT: Joe Balbas-Cortac

LOCATION: 208 43rd Street, Newport Beach (Orange County)

PROPOSED DEVELOPMENT: : Construction of a 2,716 square foot single family residence on a vacant lot, with an attached 438 square foot, 2 car garage. The maximum height of the structure will be 29-feet above finished grade. Grading will consist of 300 cubic yards of cut and 300 cubic yards of fill. All water from the project will be directed onto concrete swales that surround the building. At the alley area, a bottomless trench drain has been provided.

RATIONALE: The lot size is 2,428 square feet and is designated as residential 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. 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 sandy public beach is available approximately 632-feet southwest of the project site at the 43rd Street, street end. 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 effects 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 **April 15-17, 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

Mandy Revell
Staff Analyst

CALIFORNIA COASTAL COMMISSION

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

**NOTICE OF PROPOSED PERMIT AMENDMENT (Immaterial)**
Coastal Development Permit Amendment No. **5-10-298-A2**

TO: All Interested Parties

FROM: Charles Lester, Executive Director

DATE: April 7, 2015

SUBJECT: Permit No. **5-10-298** granted to Advanced Group 99-D (Aerie) Richard J. Julian to: Demolish 13,688 sq. ft., 4-level, 14-unit apartment while retaining an on-grade stairway on the bluff face, demolition of a 2,810 sq. ft. single-family residence and construction of a new 51,124 sq. ft., 7-unit, 33-foot tall, 5-level condominium structure (3 levels visible from grade/street level and all five levels visible from seaward side), with 18 parking spaces and common amenities including fitness facility, meeting room, patios, pool and spa, hardscape/landscape, grading consisting of 9,810 cu. yds. of cut; lot line adjustment to merge a 584 sq. ft. portion of 101 Bayside Place with the parcel identified as 201-205 Carnation Avenue and with the parcel identified as 207 Carnation Ave into one single 61,284 sq. ft. lot for residential purposes; and tentative tract map to subdivide the air space for seven residential condominium units.

PROJECT SITE: 101 BAYSIDE PL., 201 CARNATION AVE., AND 207 CARNATION AVE., 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):

Redesign the pool and spa for safety. Minor changes to unit 2 thru 7 patio spaces to result in a total reduction of 781 sq. ft. of enclosed building area with an additional 14 sq. ft. of grading. A 432 sq. ft. roof deck with parapet will be added to the roof.

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

The pool and spa have been redesigned and pulled back from the bluff edge with no further encroachments over the bluff edge. The proposed changes do not result in a change in the number of units, do not represent a change in the intensity of use, and do not require any additional parking. The changes will not result in adverse impacts to coastal access, coastal resources, or coastal views.

If you have any questions about the proposal or wish to register an objection, please contact Amber Dobson at the phone number provided above.

CALIFORNIA COASTAL COMMISSION

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



5-14-0759-A1

NOTICE OF PROPOSED PERMIT AMENDMENT

TO: All Interested Parties
FROM: Charles Lester, Executive Director
DATE: April 7, 2015
SUBJECT: Coastal Development Permit No. 5-14-0759 granted to Shirish & Sandy Shah:

Construction of a new 3,997 square foot, approximately 29-feet above finished grade, two-story single-family residence with an attached 500 square foot two (2)-car garage on a vacant beach fronting lot. Grading will consist of 393 cubic yards of cut, 566 cubic yards of fill and 173 cubic yards of import.

PROJECT SITE: 1204 W. Oceanfront, 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):

A lot line adjustment to adjust the underlying legal lot line between two contiguous lots (Lot 1: 1200 W. Oceanfront & Lot 2: 1204 W. Oceanfront). The interior lot line between the two lots will be shifted 3-feet to the northwest resulting in Lot 2 reduced to 33-feet in width and Lot 1 increasing to 39-feet in width. There will be no change in the lot length or number of lots.

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 shoreline processes, public access and water quality. The proposed amendment is consistent with the underlying permit approval (CDP# 5-14-0759) 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



(5-12-198-E1)

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

April 3, 2015

Notice is hereby given that **Blue Lagoon Community Association** has applied for a one year extension of Coastal Development Permit **5-12-198** for:

return existing rock revetment to original configuration through addition of 860 tons of imported or retrieved rock

at: **30781 Pacific Coast Highway, Laguna Beach, Orange County**

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

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

Sincerely,
CHARLES LESTER
Executive Director

By: Shannon Vaughn
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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



(5-12-260-E1)

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

8 April 2015

Notice is hereby given that **R. Christian B. Evensen, Trustee of the R. Christian B. Evensen Living Trust** has applied for a one-year extension of **Coastal Development Permit No. 5-12-260**, granted by the California Coastal Commission on **April 10, 2013** for development consisting of:

Demolish existing residence and construct a new single family residence.

at: 3225 Ocean Boulevard, Newport Beach, Orange County

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

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

Sincerely,
CHARLES LESTER
Executive Director

By: Fernie Sy
Coastal Program Analyst II

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT****MARCH 17, 2015****EMERGENCY PERMIT: G-5-15-0011****APPLICANT:** Orange County, Public Works, c/o Vincent Gin
300 N. Flower Street, Santa Ana, CA 92703**LOCATION:** Edinger Avenue Bridge at Bolsa Chica Channel
Seal Beach & Huntington Beach, Orange County

EMERGENCY WORK PROPOSED: Bridge pile repair consisting of ten (10), seventy-five (75) foot long steel H-piles driven into the channel floor. Eight of the piles will be driven through the bridge deck and two piles will be driven adjacent to the bridge on the north side. Piles will be lifted by crane and inserted through holes cut into the bridge deck and driven into the ground. Pile caps consisting of long pieces of steel will be slid into place from the side of the bridge and structurally connected to the existing 12-inch by 12-inch wood beam along the top of the existing wood piles. The piles will be embedded approx. 50 feet into the channel floor for stability with any excess pile cut off at the required length. The piles are temporary in that they will be removed during the construction of a new bridge expected to be constructed shortly after the interim bridge repair. The proposal also includes temporary closure of the bridge to both pedestrian and vehicle traffic until repairs are complete.

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 a public bridge 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: 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 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 April 17, 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, or amend existing Application No. 5-15-0148 pending with the Commission, to have the emergency work be considered permanent. If no such application is received, the emergency work shall be removed in its entirety within 270 days of the date of this permit unless this deadline is extended or waived in writing by the Director for good cause.
5. Silt curtains and methods for erosion control shall be maintained around the project site in order to control turbidity and contain debris.
6. Disturbance to the bay bottom and intertidal areas shall be minimized.
7. Machinery or construction materials not essential for project improvements are prohibited at all times in the subtidal or intertidal zones.
8. Construction staging activities and equipment and materials storage areas shall not be located in wetland areas, 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.
9. 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.
10. 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. Any other habitat impacts shall be mitigated as outlined through the follow-up coastal development permit.

11. Biological Monitoring. An appropriately trained biologist shall monitor the proposed development for disturbance to sensitive species or habitat area. Daily monitoring shall occur during

development which could significantly impact biological resources such as pile driving or construction that could result in disturbances to sea turtles, marine mammals, or sensitive avian species. Based on field observations, the biologist shall advise the applicant regarding methods to minimize or avoid significant impacts which could occur upon sensitive species or habitat areas. Such methods may include but are not limited to use of sound attenuation measures and/or delaying or temporarily stopping work until such time that the risks to any sea turtles, marine mammals, or sensitive avian species that may be present are minimized or avoided.

12. **Public Access.** The applicant shall minimize impacts to pedestrian and vehicle access to the Sunset Aquatic Park and adjoining uses. Closures and detours shall be managed by the applicant during implementation of the proposed emergency work in a manner that has the least effect upon public access to and along the coast. The duration of closures shall be minimized to the extent possible.
13. **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.
14. 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.
15. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California State Lands Commission, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and/or the U.S. Army Corps of Engineers.

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(s)
G:Emergency Permits

