

**CALIFORNIA COASTAL COMMISSION**

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# F15b

## ADDENDUM

May 8, 2017

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM F15b, A-5-RDB-17-0008 (Redondo Beach Harbor Boat Launch) FOR THE COMMISSION MEETING OF FRIDAY, MAY 12, 2017.**

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### A. CHANGES TO THE STAFF REPORT

Commission staff recommends additions to the FINDINGS of the staff report that clarifies the original jurisdiction of the project area. Language to be deleted from the staff report is identified by ~~strike out~~ and where language is to be added the font is **bold and underlined**.

1. On page 8, add the following language:

#### A. PROJECT LOCATION & DESCRIPTION

The City's coastal development permit (CDP) purports to approve the development project as a whole, including the development in areas that are within the Commission's retained jurisdiction. However, the City has separately submitted a CDP application to the Coastal Commission for the development in the retained jurisdiction. Procedurally, finding substantial issue on this appeal will ensure ~~that the City's permit for development in the areas of the Commission's jurisdiction is vacated and the Commission will have the opportunity to consider the development.~~ **that the City's purported grant of a permit for development in the areas within the Commission's jurisdiction is vacated and the Commission will have the opportunity to consider the development. Because the City did not have the authority to grant any such permit, its purported grant of the permit in areas of the Commission's retained jurisdiction was never effective and does not need to be vacated; however, having the Commission take this appeal will help clarify and ensure that any purported approval of development in the Commission's retained jurisdiction is not effective.**

2. On page 12, fourth and fifth paragraphs, add the following language:

This raises a substantial issue because the removal of the slips appears to be inconsistent with the LUP policy and it may be inconsistent with the Recreation policy E. 3 **and with Coastal Act Section 30213, public access policy.**

Additionally, Policy E. 3 has a subparagraph that states: “All of the existing slips within the Harbor area will be maintained, enhanced, and preserved.” It is unclear if this wording is intended to be part of the actual policy or if it is intended to be findings describing the policy, which requires the preservation of existing boating-related facilities. Either way, the subparagraph and first paragraph, taken together, clearly state that there shall be no removal of boat slips, which is inconsistent with this proposed boat launch project. However, some recreation policies of the LCP **purport to** apply to retained jurisdiction areas (over the water), as is the case here. The City did not make findings that the project is consistent with these recreation policies, perhaps because the area is within retained jurisdiction and the standard of review will ultimately be the Ch. 3 Coastal Act policies. While these LCP policies related to water-borne development may not be binding for the retained jurisdiction standard of review, they can and should be used as guidance **by the Commission in finding that a substantial issue exists regarding conformity with Coastal Act access policies. Given the importance of the issues and the relevance of the LCP policies to this project, the City should also have analyzed these issues**, and as part of the certified LCP, should be included in the City’s analysis prior to issuance of the local CDP.