

CALIFORNIA COASTAL COMMISSION

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F8d**ADDENDUM**

May 1, 2017

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM F8d, CDP NO. 5-16-0711 FOR THE COMMISSION MEETING OF FRIDAY, MAY 12, 2017.**

CHANGES TO STAFF REPORT

Commission staff recommends modifications to the staff report dated 4/20/17. Language to be added to the findings and conditions is shown in **underlined italicized bold text**, and language to be deleted is identified by ~~strike-out~~.

Page 5- Modify Special Condition No. 2. No Future Bayward Extension of the Shoreline Protective Device, as follows:**2. No Future Bayward Extension of the Shoreline Protective Device.**

- A. By acceptance of this Permit, the applicant agrees, on behalf of itself (or himself or herself or themselves, as applicable) and all successors and assigns, that no future repair or maintenance, enhancement, reinforcement, or any other activity affecting the shoreline protective device that is the subject of Coastal Development Permit No. 5-16-0711, as described and depicted on an Exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit, shall be undertaken if such activity extends the footprint seaward of the subject shoreline protective device. By acceptance of this Permit, the applicant waives, on behalf of itself (or himself or herself or themselves, as applicable) and all successors and assigns, any rights to such activity that may exist under Public Resources Code Section 30235.
- B. Prior to the issuance by the Executive Director of the NOI FOR THIS PERMIT, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, a formal legal description and graphic depiction of the shoreline protective device that is the subject of Coastal Development Permit No. 5-16-0711, as generally described above and shown on **Exhibit No. 5** attached to this staff report, showing the footprint and the elevation of the device referenced to **NAVD** NGVD (National American Vertical Datum).

Page 11- Modify the Section B. Hazards, as follows:

B. HAZARDS

Development adjacent to the ocean is inherently hazardous. Development which may require the seaward extension of a protective device ~~a protective device~~ in the future cannot be allowed due to the adverse impacts such devices have upon, among other things, public access, visual resources and shoreline processes. To minimize the project's impact on shoreline processes, and to minimize risks to life and property, the development has been conditioned to: require an appropriate set-back from the water; require a drainage and run-off control plan to direct, treat, and minimize the flow of water offsite; prohibit the seaward extension ~~construction~~ of protective devices (such as a seawall) in the future; and to require that the landowner and any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of the certified City of Newport Beach LCP and Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.