

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: CONSENT CALENDAR

Application No.: 5-18-1003

Applicant: City of Huntington Beach, Jonathan Claudio, P.E., Senior Engineer

Agent: Erinn Peterson, Senior Environmental Planner, GPA Consulting

Location: Admiralty Drive Bridge (Bridge No. 55C-0282) in Huntington Harbour over Queen Elizabeth Passage between Grimaud Lane and Channel Lane, City of Huntington Beach, Orange County

Project Description: Bridge repair and rehabilitation including: removal and replacement of the concrete barriers, sidewalks, and bridge deck; cleaning and painting of I-girders and other steel members; and removal and replacement of unsound concrete at bridge piers on the 155' long, 52' wide bridge.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The Admiralty Drive Bridge is located over Queen Elizabeth Passage between Grimaud Lane and Channel Lane in Huntington Harbour approximately 500 feet northeast of Pacific Coast Highway. The proposed project involves bridge repair and maintenance. As part of the bridge rehabilitation, the applicant proposes to remove and replace the concrete barriers, sidewalks, and bridge deck; clean and paint the steel I-girders and other steel members; and remove and replace unsound concrete on the bridge piers. Working platforms would be constructed of untreated timber, installed during low tide, and suspended from the existing bridge soffit and/or pier walls. The project would be completed in two phases as described in Section IV of this staff report.

Commission staff recommends **approval** of Coastal Development Permit application **5-18-1003**, with **seven (7)** special conditions regarding: **(1) Resource Agencies; (2) Avoidance of Sensitive Species; (3) Pre- and Post-Construction Eelgrass Survey(s); (4) Pre-Construction *Caulerpa taxifolia* Survey; (5) Construction Responsibilities and Debris Removal; (6) Construction Access and Staging Plans; and (7) Assumption of Risk, Waiver of Liability and Indemnity Agreement Applicable to Applicant.** The special conditions are necessary to ensure that rare and protected species in the area and coastal resources are protected and that the applicant is aware of and assumes the risks associated with the proposed development.

The bridge is located within the City of Huntington Beach, which has a certified Local Coastal Program (LCP). However, the project contains development occurring over coastal waters, which is within an area of the Commission's retained permit jurisdiction. Proposed development is also located in the City's LCP permitting jurisdiction. The applicant has exercised the consolidated permit provisions in Section 30601.3 of the Coastal Act, which allows the Commission to process a coastal development permit for development located in both its jurisdiction and the City's jurisdiction. In such cases, the standard of review is Chapter 3 of the Coastal Act, with the City's certified Local Coastal Program used as guidance.

The applicant agrees with the staff recommendation.

NOTE: This project was previously reviewed and approved by the Coastal Commission under Coastal Development Permit Application No. 5-15-1905 (City of Huntington Beach) and the permit issued. However, development was not commenced within the two year time frame and the permit expired. Hence the applicant has re-submitted the project for Commission review.

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APPENDICES

Appendix A - Substantive File Documents

EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Plans

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Resource Agencies.** The permittee shall comply with all requirements, requests and mitigation measures from the California Department of Fish and Wildlife, California Department of Transportation, Regional Water Quality Control Board, United States Army Corps of Engineers, United States Coast Guard, National Oceanic and Atmospheric Administration National Marine Fisheries Service, and the United States Fish and Wildlife Service with respect to preservation and protection of water quality and the marine and terrestrial environment. Any change in the approved project that may be required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.
2. **Avoidance of Sensitive Species**
 - A. **Nesting Birds.** Prior to commencement of any demolition or construction activities between February 15 through August 31, a qualified biologist shall conduct a breeding behavior and nesting survey for birds protected by the United States Fish and Wildlife Service, California Department of Fish and Wildlife, the Migratory Bird Treaty Act and California species of special concern within 300' of the project site, or 500' for raptors and owls. If any occupied nests of any sensitive species are discovered, construction activities within 300' of the nest (500' for raptors and owls) shall be monitored to ensure that construction noise levels do not exceed 85 dB peak until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. The applicant shall implement a larger buffer if the biologist recommends a larger buffer from the nest.
 - B. **Sensitive Species Monitoring.** Prior to undertaking any development including, but not limited to, demolition, construction, grading or excavation, a qualified biologist shall survey the project site to determine whether sensitive bird species, including but not limited to Belding's savannah sparrow, western snowy plover, brown pelican, light-footed clapper rail, black skimmer or California least tern, are present within 100' of the project site, and whether sensitive plant species, including but not limited to woolly seablite, estuary seablite, Leopold's rush or southern tarplant are located within 25' of the project site. Excepting southern tarplant, addressed in **Special Condition 2D**, construction activities shall avoid any identified species.
 - C. An appropriately trained biologist shall monitor the approved development for disturbance to sensitive species or habitat area. At minimum, monitoring shall occur once a week during any week in which construction occurs. Daily monitoring shall occur during development that could significantly impact biological resources, such as construction that could result in disturbances to sensitive species. Based on field observations, the biologist shall advise the Permittee regarding methods to avoid significant impacts which could occur to sensitive species or habitat areas.
 - D. If, prior to construction, the biologist identifies impacts to southern tarplant which cannot feasibly be avoided, a final seeding and salvage plan shall be submitted for the review and

approval of the Executive Director. The seeding and salvage plan shall include a plan identifying the location of southern tarplant, the required width necessary for construction access, and measures for reseeded or salvage.

3. Pre-and Post-Construction Eelgrass Survey(s)

- A. Pre-Construction Eelgrass Survey. A valid pre-construction eelgrass (*Zostera marina*) survey shall be completed during the period of active growth of eelgrass (typically March through October). The pre- construction survey shall be completed within 60 days before the start of construction. The survey shall be prepared in full compliance with the “California Eelgrass Mitigation Policy and Implementing Guidelines” dated October 2014 (see http://www.westcoast.fisheries.noaa.gov/habitat/habitat_types/seagrass_info/california_eelgrass.html) adopted by the National Marine Fisheries Service (except as modified by this special condition) and shall be prepared in consultation with the California Department of Fish and Wildlife. The applicant shall submit the eelgrass survey for the review and approval of the Executive Director within five (5) business days of completion of each eelgrass survey and no later than fifteen (15) business days prior to commencement of any development. If the eelgrass survey identifies any eelgrass within the project area which would be impacted by the proposed project, the development shall require an amendment to this permit from the Coastal Commission or a new coastal development permit.
- B. Post Construction Eelgrass Survey. If any eelgrass is identified in the project area by the survey required in subsection A of this condition above, within 30 days of completion of construction, or within the first 30 days of the next active growth period following completion of construction that occurs outside of the active growth period, the applicant shall survey the project site to determine if any eelgrass was adversely impacted. The survey shall be prepared in full compliance with the “California Eelgrass Mitigation Policy and Implementing Guidelines” dated October 2014 (see http://www.westcoast.fisheries.noaa.gov/habitat/habitat_types/seagrass_info/california_eelgrass.html) (except as modified by this special condition) adopted by the National Marine Fisheries Service and shall be prepared in consultation with the California Department of Fish and Wildlife. The applicant shall submit the post-construction eelgrass survey for the review and approval of 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 (mitigation:impact) ratio on-site, or at another location, in accordance with the California Eelgrass Mitigation Policy and Implementing Guidelines. Based on past performance of eelgrass mitigation efforts in this area, in order to achieve this minimum, an initial planting ratio of 1.38:1 is recommended. All impacts to eelgrass habitat shall be mitigated at a minimum ratio of 1.2:1 (mitigation: impact). Any exceptions to the required 1.2:1 mitigation ratio found within the California Eelgrass Mitigation Policy and Implementing Guidelines shall not apply. Implementation of mitigation shall require an amendment to this permit or a new coastal development permit unless the Executive Director determines that no amendment or new permit is legally required.

4. Pre-Construction *Caulerpa taxifolia* Survey

- A. No earlier than 90 days nor later than 30 days prior to commencement or re-commencement of any development authorized under this coastal development permit (the “project”), the

applicant shall undertake a survey of the project area and a buffer area at least 10 meters beyond the project area to determine the presence of the invasive alga *Caulerpa taxifolia*. The survey shall include a visual examination of the substrate.

- B. The survey protocol shall be prepared in consultation with the Regional Water Quality Control Board, the California Department of Fish and Wildlife, and the National Marine Fisheries Service (see http://www.westcoast.fisheries.noaa.gov/habitat/habitat_types/seagrass_info/caulerpa_taxifolia.html).
 - C. Within five (5) business days of completion of the survey, the applicant shall submit the survey:
 - 1. for the review and approval of the Executive Director; and
 - 2. to the Surveillance Subcommittee to the Southern California Caulerpa Action Team (SCCAT). The SCCAT Surveillance Subcommittee may be contacted through William Paznokas, California Department of Fish & Wildlife (858-467-4218/William.Paznokas@wildlife.ca.gov) or Bryant Chesney, National Marine Fisheries Service (562-980-4037/Bryant.Chesney@noaa.gov), or their successors.
 - D. If *Caulerpa taxifolia* is found within the project or buffer areas, the applicant shall not proceed with the project until 1) the applicant provides evidence to the Executive Director that all *C. taxifolia* discovered within the project and/or buffer area has been eliminated in a manner that complies with all applicable governmental approval requirements, including but not limited to those of the California Coastal Act, or 2) the applicant has revised the project to avoid any contact with *C. taxifolia*. No revisions to the project shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
- 5. Construction Responsibilities and Debris Removal.** The permittee shall comply with the following construction related requirements:
- A. No demolition or construction materials, equipment, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain or tidal erosion and dispersion.
 - B. Any and all debris resulting from demolition or construction activities, and any remaining construction material, shall be removed from the project site within 24 hours of completion of the project.
 - C. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
 - D. Machinery or construction materials not essential for project improvements will not be allowed at any time in the intertidal zone
 - E. If turbid conditions are generated during construction a silt curtain will be utilized to control turbidity.

- F. Floating booms shall be used to contain debris discharged into coastal waters and any debris discharged will be removed as soon as possible but no later than the end of each day.
 - G. Non buoyant debris discharged into coastal waters will be recovered by divers as soon as possible after loss.
 - H. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
 - I. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
 - J. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
 - K. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
 - L. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
 - M. The discharge of any hazardous materials into any receiving waters shall be prohibited.
 - N. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
 - O. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
 - P. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- 6. Construction Access and Staging Plans.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit a plan for the review and approval of the Executive Director which indicates that the construction staging area(s) and construction corridor(s)/access will avoid impacts to public access or sensitive habitat areas, except as specifically authorized in this coastal development permit:
- A. The plan shall demonstrate that:

1. Construction equipment or activity shall not occur outside the staging area and construction corridor identified on the site plan required by this condition.
2. Staging or storage areas shall not be located in or result in impacts to habitat areas.
3. The construction staging/storage area shall not be located in public beach parking areas during the peak summer period (Memorial Day to Labor Day).
4. The size of the construction staging/storage area will be minimized and will be gradually reduced as less materials and equipment are necessary.
5. The construction access corridor is the minimum width necessary, boundaries of the corridor have been flagged for avoidance of sensitive habitat and public access ways, and measures to protect the soil from disturbance such as temporary driving surfaces are utilized.

B. The plan shall include, at a minimum, the following components:

1. A site plan that depicts:
 - a. limits of the staging area(s)
 - b. construction corridor(s)
 - c. construction site
 - d. location of construction fencing and temporary job trailers
 - e. traffic control plan
2. Written documentation from the owner of the staging area site that the permittee is authorized to use the site, as conditioned by the Coastal Commission, for the period the project is under construction.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

7. Assumption of Risk, Waiver of Liability and Indemnity Agreement Applicable to Applicant.

By acceptance of this permit, the applicant, the City of Huntington Beach, acknowledges and agrees (i) that the site may be subject to hazards from wave and tidal action, flooding, erosion, sea level rise, geologic instability, or liquefaction; (ii) to assume the risks to the applicant, the City of Huntington Beach, and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

IV. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION & DESCRIPTION

The project site is the Admiralty Drive Bridge (bridge #55C-0282) in the City of Huntington Beach, Orange County. The bridge is located within Huntington Harbour approximately 500 feet northeast of Pacific Coast Highway and spans Queen Elizabeth Passage (**EXHIBIT 1**). It serves as the only vehicular and pedestrian access to two artificial islands: Admiralty Island, occupied by 90 single-family homes; and Gilbert Island, occupied by 100 single-family homes. There is no public beach access on the islands, but there is a public sidewalk extending from the Admiralty Drive Bridge, along Channel Lane adjacent to and with harbour water views of Queen Elizabeth Passage, and over the Gilbert Drive Bridge. In addition, there is a small pocket park on Gilbert Island (Tarbox Park, with a tot lot, picnic table, lawn, and benches). The bridge itself is a multi-span steel I-girder bridge that was constructed in 1963 as part of the development of the harbour. The bridge is approximately 52 feet wide and 155 feet long, and no changes to these dimensions are proposed. The bridge provides one 12-foot wide vehicular lane in the eastbound direction and one 12-foot wide vehicle lane in the westbound direction. There are eight-foot wide shoulders and five-foot wide sidewalks on both sides of the bridge (**EXHIBIT 2**). There are utilities embedded in the existing sidewalks and suspended underneath the bridge in conduits, including: high-voltage electrical lines, telephone, gas, water, and cable.

The proposed project includes repair and rehabilitation to the existing bridge including: removal and replacement of the concrete barriers, sidewalks, and bridge deck; cleaning and painting the steel I-girders and other steel members; and removal and replacement of unsound concrete on the bridge piers. Construction activities are expected to last approximately eight months and would be completed in two phases. Vehicular and pedestrian traffic across the bridge will be maintained throughout the construction period by installing a temporary traffic signal system to safely direct traffic over the bridge deck in a staggered manner. Temporary traffic sensors would be installed in limited locations at the approach roadways. Pedestrian traffic across the bridge would be provided continually during the construction process. Existing utilities will be temporarily relocated and supported during construction. When construction is complete, utilities would be replaced in their original locations. BMPs to prevent all material, equipment, and debris from falling into the channel would be implemented during all maintenance activities as proposed by the applicant and required by **Special Condition 5**.

Phase I of the proposed project involves the closure of the one half of the bridge using K-rail barriers to separate vehicular traffic from work areas. That one half of the bridge deck would be removed, along with the concrete barriers and sidewalk, providing access to the steel girders below. The steel girders would be accessed from the top of the bridge, sandblasted to remove rust, and painted. The work area would be tented in order to contain all paint and debris while the I-girders and other steel members are sandblasted and repaired. A small cofferdam would be installed around one column of the eastern bridge pier to dewater the area in order to patch existing cracks on the pier and prevent concrete debris, fresh bonder, and fresh concrete from contacting seawater (**EXHIBIT 2**). Pier repair involves the removal of unsound concrete using small jackhammers. All exposed reinforcement would be sandblasted, a bonding agent would be applied, and the piers would be patched with new concrete. All work on the piers would be performed during low tide with protective measures in place to prevent any material, equipment, and debris from falling into the channel. Once the repairs

are complete, the new deck, concrete barrier, and sidewalk would be placed and Phase II would commence.

Phase II includes rehabilitation of the second half of the bridge using the same process as just described. After the repairs are complete, the bridge would be reopened in both directions.

In a routine Bridge Inspection Report performed by Caltrans on June 21, 2006, the bridge was flagged as structurally deficient due to surface rust on girders and bearings, unsealed traverse cracks in concrete deck of moderate size and density, and several small spalls throughout the deck. The purpose of the proposed project is to enhance public safety, extend the life of the bridge, and prevent environmental damage.

Work for the proposed project would occur over and within a navigable channel within the Huntington Harbour. There will be no change to the bridge piers size or locations. Although no eelgrass or *Caulerpa taxifolia* was found in previous surveys of the area, in order to protect biological resources from potential negative impacts from construction activities within the channel, the Commission imposes **Special Conditions 3, 4 & 5**, which require the applicant to conduct Eelgrass and *Caulerpa taxifolia* surveys, possible Eelgrass mitigation and to implement construction BMPs. The site is located approximately 2000 feet south of Seal Beach Wildlife Refuge and approximately 4000 feet north of Bolsa Chica Ecological Reserve. In an effort to avoid impacts to sensitive species, the Commission imposes **Special Conditions 1 & 2**, which require the applicant to comply with the requirements of other resource agencies and to take careful measures to avoid adversely affecting sensitive species.

At the end of each workday, all construction equipment, materials and other gear will be properly secured and stored in an approved staging area. **Special Condition 6** requires that the applicant submit construction access and staging plans for approval by the Executive Director prior to commencement of construction. **Special Condition 7** imposes an assumption of risk, waiver of liability and indemnity agreement on the applicant. By accepting a Coastal Development Permit, the applicant agrees to this and all associated conditions.

B. WATER QUALITY / MARINE RESOURCES

The proposed work will occur in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 30231 of the Coastal Act.

C. BIOLOGICAL RESOURCES

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

D. VISUAL RESOURCES

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. As conditioned, the project will not disrupt public coastal views. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

E. MARINE RESOURCES

The proposed development is the improvement of a bridge which crosses over a waterway in Huntington Harbour. The proposed development has been designed to minimize the fill of coastal waters and adequate mitigation has been provided. The proposed development has been conditioned to minimize adverse effects on the marine environment by avoiding or mitigating impacts upon sensitive marine resources, such as eelgrass and to avoid contributing to the dispersal of the invasive aquatic algae, *Caulerpa taxifolia*. As conditioned, there are no feasible less environmentally damaging alternatives available. Therefore, the Commission finds that the proposed development conforms with Sections 30224, 30230, 30231, and 30233 of the Coastal Act.

F. HAZARDS

Development adjacent to the ocean is inherently hazardous. To minimize risks to life and property, the development has been conditioned to: require that the applicant assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the requirements of Section 30253 of the Coastal Act regarding the siting of development in hazardous locations.

G. PUBLIC ACCESS

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

H. LOCAL COASTAL PROGRAM (LCP)

An LCP for the City of Huntington Beach was effectively certified in March 1985. However, the proposed development is occurring within an area that crosses jurisdiction with that of the Commission's original permit jurisdiction.

Section 30601.3 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission when the applicant, the local government and the Commission through its executive director consent to consolidate the permit action, provided that public participation is not substantially impaired by that review consolidation. In this case, the project site crosses jurisdictional boundaries, the applicant is the City, and the City submitted the coastal development permit application directly to the Commission, requesting a consolidated permit action by the Commission. Consequently, the standard of review is Chapter 3 of the Coastal Act and the City's LCP is used only as guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

- 1) City of Huntington Beach Certified Local Coastal Program.
- 2) City of Huntington Beach Approval in Concept, 10/1/18