

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
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Prepared April 09, 2019 (for the April 11, 2019 Hearing)

To: Commissioners and Interested Parties
From: Karl Schwing, South Coast District Deputy Director
Subject: **South Coast District Deputy Director's Report for Orange County for April 2019**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the South Coast District Office are being reported to the Commission on April 11, 2019. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's South Coast District Office in Long Beach. Staff is asking for the Commission's concurrence on the items in the South Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on April 11th.

With respect to the April 11th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on April 11, 2019 (see attached)

Waivers

- 5-18-1236-W, Maro & Matthew Terry (Seal Beach)
- 5-19-0152-W, Mark Lindley (San Clemente)

Immaterial Amendments

- 5-14-0200-A1, RGP 54 Dredging and Eelgrass Program (Newport Beach)
- 5-15-1670-A3, South Orange County Wastewater Authority (Aliso And Wood Canyons Wilderness Park, Unincorporated Orange County)

Immaterial Extensions

- 5-15-0087-E1, Balboa Marina Project (Newport Beach)
- 5-15-0751-E2, Foxdale Properties (Laguna Beach)
- 5-15-0807-E2, Honey Dew International Limited (San Clemente)

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March 29, 2019

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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: 5-18-1236-W

Applicant: Maro & Matthew Terry

Location: 341 13th St, Seal Beach, Orange County (APN: 043-135-09)

Proposed Development: Demolish an existing one-story, 857 sq. ft. single-family residence and detached garage and construction of a new 25-ft. high, two-story, 3,108 sq. ft. single-family residence with an attached two-car garage, and a 1,574 sq. ft. roof deck. The grade of the new residence will be raised 6 in. The scope of work also includes new landscaping and side yard fences.

Rationale: The proposed project is located in a developed residential neighborhood, approximately 0.3 miles inland of the beach, not between the first public road and the sea, on a 5,000 sq. ft. lot. The lot is zoned Residential High Density-20 (RHD-20) by the City's Zoning Code. The height of the proposed residence complies with the 25-foot height limit established by the City of Seal Beach. Public coastal views will not be impacted by the project. Two parking spaces will be provided on site, and will not impact public beach access parking around the project site. Water quality will be addressed through use of downspouts to direct runoff to on site landscaped areas. The project also adheres to the California Green Building Standards Code. 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. In addition, the project will not prejudice the ability of the City of Seal Beach to create a Local Coastal Program that is consistent with the Coastal Act Chapter 3 policies.

This waiver will not become effective until reported to the Commission at its **April 10-12, 2019** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit 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.

Sincerely,

John Ainsworth
Executive Director

Amrita Spencer
Coastal Program Analyst

cc: File

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March 26, 2019

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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: 5-19-0152-W

Applicant: Mark Lindley

Location: 2489 South Ola Vista, San Clemente, CA (APN: 060-122-16)

Proposed Development: Tentative Parcel Map for condominium purposes; conversion of a duplex on a single lot into two (2) condominium units, each unit with a two-car garage.

Rationale: The subject lot is a 3,950 sq. ft. inland lot designated RM Multiple Family Residential in the certified City of San Clemente Land Use Plan (LUP). The proposed project (Tentative Parcel Map No. 2018-165) was approved by the City of San Clemente's Zoning Administrator on 11/8/18, TPM 18-524 – ZA18-044. The proposed development consists of a conversion of an existing duplex into a two-unit condominium. Authorization for construction of the duplex was granted by CDP 5-17-0687-W. The development meets the Commission's typically applied parking requirement of two parking spaces per residential unit and will not result in adverse impacts to coastal access, coastal resources, public recreation, coastal views or water quality or prejudice the City's ability to prepare a certified Local Coastal Program. The proposed development 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 its **April 11, 2019** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit 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.

John Ainsworth,
Executive Director
cc: File

Liliana Roman
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

South Coast District Office
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**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**

Coastal Development Permit Amendment No. **5-14-0200-A1**

TO: All Interested Parties

FROM: John Ainsworth, Executive Director

DATE: April 2, 2019

SUBJECT: Coastal Development Permit No. **5-14-0200** granted to City of Newport Beach on June 11, 2015 for:

Consistency Certification CC-0002-15: Maintenance dredging around existing docks and off-shore disposal of up to 75,000 cubic yards per year of suitable dredged material, including proposed Eelgrass Protection and Mitigation Plan for eelgrass impacts; and

Coastal Development Permit 5-14-0200: Beach replenishment of up to 75,000 cubic yards per year of suitable dredged material, including Eelgrass Protection and Mitigation Plan for eelgrass impacts.

PROJECT SITE: Dredging & Beach Replenishment in Newport Bay (Orange County): between the shoreline and project lines, on beaches and within bay waters, at street ends and in front of bulkheads in lower Newport Bay, and within Upper Newport Bay in the bulkheaded areas of Dover Shores, Bayside Village, and existing docks at Shellmaker Island; and Offshore Disposal at EPA approved disposal site known as LA-3 located approximately four miles southwest of the entrance to Newport Harbor in Orange County.

DESCRIPTION OF AMENDMENT REQUEST (5-14-0200-A1):

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):

Timing adjustments for biological surveys and reporting requirements, including: 1) allowing *Caulerpa taxifolia* surveys to be conducted biennially in conjunction with harbor-wide eelgrass surveys rather than on a pre-construction, site-specific basis; 2) allowing the required annual reports to be submitted on January 1st rather than July 1st; 3) allowing the dredging and disposal plan to be submitted at least 15 calendar days prior to the commencement of dredging operations authorized by the permit rather than 60 days; and 4) correcting typos in the numbering of Special Condition 4. To effectuate these changes, the proposed permit amendment proposes the following changes to Special Conditions 1 and 4 to Coastal Development Permit No. 5-14-0200:

Removed words are ~~struck through~~ and new words are underlined. The Commission authorizes no other changes to the special conditions of amended Coastal Development Permit 5-14-0200 other than the change noted below:

1. **Final Revised Regional General Permit 54 Program.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a document, subject to the review and approval of the Executive Director, detailing the final Regional General Permit 54 program. The format of the document shall substantially conform to the preliminary program titled "Permit Application Supplement: Proposed Regional General Permit 54," submitted January 2014, and included as Exhibit 2 in the staff report dated 5/29/15, but shall be amended to reflect the following changes:

- A. Term of Authorization for Dredging and Ocean or Beach Disposal: Authorization to dredge and dispose of suitable material at an approved ocean or beach disposal site under this CDP/CC shall expire six (6) years from the date of issuance of the CDP/CC. Requests for development under this authorization shall be submitted for review and, if authorized by the Executive Director, the development shall be completed within the six-year period.

Following the review of the biennial eelgrass survey data proposed in the Eelgrass Protection and Mitigation Plan and as required by Special Condition 2, or should there be a net loss in eelgrass in the impacted areas of Newport Bay relative to the reference sites, the City, Commission staff, and other resource agency staff will work together to resolve implementation issues that were unforeseen when the RGP 54 and Eelgrass Protection and Mitigation Plan were developed. If, at any time, the Executive Director determines that the development authorized by this CDP/CC is causing adverse impacts to habitat which are not being mitigated, the Executive Director shall notify the City and suspend commencement of and/or authorization of any further dredging and/or disposal under this CDP/CC unless and until the applicant obtains approval of an amendment to this CDP and a new consistency certification from the Commission that allows for recommencement of development pursuant to any additional terms and conditions to address the unforeseen impacts to coastal resources.

- B. Annual maintenance dredging shall be limited to 75,000 cubic yards (CY) of material.
- C. Individual dredging events shall be limited to 8,000 CY of material. Individual disposal (offshore or beach replenishment) events shall be limited to 8,000 CY of material.
- D. The demolition, repair and in-kind replacement of docks (including piers, gangways, floats, and piles), bulkheads, and piles with similar structures are excluded from the current Regional General Permit 54 program. These activities shall require a separate coastal development permit from the California Coastal Commission.
- E. The City shall submit a pre-construction notification to the Executive Director and must receive a written authorization from the Executive Director prior to any dredging or disposal event undertaken by the City or by anyone with a legal right to dredge or

dispose of dredged material. The Executive Director shall notify the City within 60 days indicating whether a proposed dredging or disposal event qualifies under the confines of the Regional General Permit 54 program or whether a separate coastal development permit/federal consistency certification is required from the Commission.

- F. The City of Newport Beach Tidelands Administrator shall be the primary Point of Contact (POC) for applicants seeking authorization under Coastal Development Permit No. 5-14-0200 and Federal Consistency Certification No. CC-0002-15 (CDP/CC). Once the POC has determined an application meets the conditions of the subject CDP/CC, the POC will forward the application to the Executive Director of the Commission along with a written certification for the Executive Director's review and approval. The POC may submit one batch of applications to the Executive Director for review and approval once per calendar month; additional submittals per calendar month beyond the single batch submitted by the POC may be authorized by the Executive Director for good cause. This certification shall include the following information:
- i. Certification letter from the City of Newport Beach Tidelands Administrator confirming the proposed application meets the terms and conditions of the CDP/CC, with special emphasis on the presence or absence of eelgrass.
 - ii. Maps of the project site including location within the harbor, site address, site assessor's parcel number, site latitude and longitude coordinates (decimal degree format), as well as to-scale drawings of the proposed action (plan view and cross-section view of proposed activity), including the boundaries of any proposed sediment dredging and/or disposal work, the location and physical dimensions of any existing docks, floats, piers, pilings and bulkheads (and general outline of same that is present on adjacent sites), the location of the bulkhead, project and pierhead lines, and the specific location of any eelgrass beds within or near the work area (based on the most recent comprehensive eelgrass survey required pursuant to Special Condition No. 2).
 - iii. The proposed area of temporary impacts to coastal waters (in acres), proposed dredge and/or disposal quantities (in cubic yards and acres), including a detailed estimate of how much material has been dredged from or discharged onto the site through previous activities.
 - iv. The results of ~~an~~ harbor-wide invasive algae (*Caulerpa taxifolia*) surveys ~~of the proposed dredge area~~ taken biennially consistent with Special Condition 2. The surveys shall occur once every two years, beginning no later than one year after the issuance of this permit amendment, unless the Executive Director grants additional time for good cause.
 - v. Photos (minimum of five) of the beach area and the low tide line (i.e., prior to any work), with special emphasis on any areas of eelgrass.

- vi. Evidence of California State Lands Commission approval for any work upon land that is not within the City of Newport Beach tidelands grant, which shall consist of a copy of a permit issued by the California State Lands Commission, or letter of permission, or evidence that no permit or permission is required for the development to occur at the proposed site. The City shall inform the Executive Director of any changes to the project required by the California State Lands Commission. Such changes shall not be incorporated into the project until the permittee obtains a Commission amendment to this coastal development permit or a new coastal development permit, and, if applicable, a new consistency certification unless the Executive Director determines that no amendment or new permit and consistency certification is legally required. This may be a one-time requirement so long as the approval covers the entire geographic area and time period covered under this CDP/CC.
 - vii. Evidence of the permittee's legal ability to undertake the development on any land that is not owned in fee title by the City of Newport Beach or County of Orange or upon any land granted to the City or County pursuant to a State Tidelands grant under which said grant does not specifically authorize the grantee to undertake the proposed activity which shall include written documentation demonstrating that the permittee has the legal ability to undertake the proposed development as conditioned herein. The permittee shall inform the Executive Director of any changes to the project required in obtaining such legal ability. Such changes shall not be incorporated into the project until the permittee obtains a Commission amendment to this coastal development permit and, if applicable, a new consistency certification, unless the Executive Director determines that no amendment or consistency certification is legally required.. This may be a one-time requirement so long as the approval covers the entire geographic area and time period covered under this CDP/CC.
 - viii. Evidence of Regional Water Quality Control Board approval, which shall consist of a copy of a permit issued by the Regional Water Quality Control Board, or letter of permission, or evidence that no permit or permission is required for the development to occur at the proposed site. The City shall inform the Executive Director of any changes to the project required by the Regional Water Quality Control Board. Such changes shall not be incorporated into the project until the permittee obtains a Commission amendment to this coastal development permit or a new coastal development permit and, if applicable, a new consistency certification, unless the Executive Director determines that no amendment or consistency certification is legally required. This may be a one-time requirement so long as the approval covers the entire geographic area and time period covered under this CDP/CC.
- G. Annual Reporting: The City of Newport Beach shall submit annual reports for the life of the subject CDP/CC to the South Coast District Office (Long Beach) of the California Coastal Commission documenting activities authorized under this coastal development permit and consistency certification. Each annual report shall include a cumulative ledger documenting all activities conducted to date under the subject CDP/CC. The

annual report shall be submitted no later than January 1 ~~July 1~~ of each year, beginning in 2016. Annual reports from the City shall include:

- i. A summary of dredging operations including location (coordinates and address) of each dredging operation and areas and volumes of material dredged (in cubic yards and acres).
- ii. Disposal location(s)(coordinates and address) and volumes for each method used (i.e., beach disposal, LA-3, or inland site).
- i. An estimate of the total acreage of coastal waters impacted for each activity type.
- ii. Summary of any direct and indirect eelgrass impacts for each activity type, and the on-site or off-site eelgrass mitigation completed or in progress.
- iii. An updated, to-scale map showing the locations of all activities conducted using this coastal development permit and consistency certification to date.
- iv. Confirmation of compliance with all special conditions, or a detailed explanation of any special conditions not complied with.

The City and anyone with a legal right to dredge or dispose of dredged material shall undertake development in accordance with the approved final Regional General Permit 54 program. Any proposed changes to the approved final program shall be reported to the Executive Director. No changes to the approved final program shall occur without a Commission amendment to this coastal development permit (and, if applicable, a new consistency certification) unless the Executive Director determines that no amendment is legally required.

4. **Dredging and Dredged Material Disposal Requirements.** For this CDP/CC, the term dredging operations shall mean navigation of the dredging vessel at the dredging site, excavation of dredged material within the project boundaries, and placement of dredged material into a hopper dredge or disposal barge or scow. The following requirements shall apply, in addition to those proposed by the applicant's preliminary program titled "Permit Application Supplement: Proposed Regional General Permit 54," submitted January 2014, and included as Exhibit 2 in the staff report dated 5/29/15 and the applicant's Eelgrass Protection and Mitigation Plan most recently updated March 2015 and included as Exhibit 3 in the staff report dated 5/29/15:

I. Dredging Activities.

- A. Under this CDP/CC, dredging operations are limited to -10 feet MLLW with a 2-foot allowable overdraft (1 foot paid, 1 foot unpaid).
- B. Sediment Testing Requirements. The permittee is prohibited from dredging and disposing material in coastal waters that has not been tested and determined by the

Commission, in consultation with the Army Corps of Engineers and with the Environmental Protection Agency Region IX (EPA), to be both clean and suitable for ocean disposal or beach replenishment. Prior to each dredging episode at each individual dredging location and prior to beach replenishment at each replenishment location, the permittee shall sample the material to be dredged and any beach-receiver location for the purpose of determining the physical characteristics of the material. Testing shall be performed consistent with procedures defined in: "Procedures for Handling and Chemical Analysis of Sediment and Water Samples," by Russell H. Plumb (1981), Corps Technical Report EPA/CE-81-1, pages 3-28 to 3-47. The grain size test shall be conducted on a composite of at least one core per one-quarter (1/4) acre area to be dredged and/or at least one core per site for each project, as well as at least one core per receiver beach location. The core depth shall be equivalent to the proposed dredging depth plus any over-dredging. Grain size data shall be reported to the nearest 1% for sand, silt, and clay consistent with procedures defined in: "Procedures for Handling and Chemical Analysis of Sediment and Water Samples," by Russell H. Plumb (1981), Corps Technical Report EPA/CE-81-1, pages 3-28 to 3-47.

- C. At least ~~60~~ 15 calendar days before initiation of any dredging operations authorized by this permit, the permittee shall send a dredging and disposal operations plan to the Corps, EPA, and CCC with the following information:
- i. A list of the names, addresses and telephone numbers of the permittee's project manager, the contractor's project manager, the dredging operations inspector, the disposal operations inspector and the captain of each tug boat, hopper dredge or other form of vehicle used to transport dredged material to the designated disposal site.
 - ii. A list of all vessels, major dredging equipment and electronic positioning systems or navigation equipment that will be used for dredging and disposal operations, including the capacity, load level and acceptable operating sea conditions for each hopper dredge or disposal barge or scow to assure compliance with special conditions on dredging and disposal operations.
 - iii. A detailed description of the dredging and disposal operations authorized by this permit. Description of the dredging and disposal operations should include, at a minimum:
 - a. Dredging and disposal procedures for the dredged material determined by the Corps and EPA Region IX to be unsuitable for ocean disposal.
 - b. Dredging and disposal procedures for the material to be dredged from the proposed site.
 - c. A schedule showing when the dredging project is planned to begin and end.

Div. A pre-dredging bathymetric condition survey, taken within 30 days of the dredge start date. The survey may be taken via lead line, sounding disc, or sounding pole techniques according to Chapter 8 (Manual Depth Measurement Techniques) from the Corps Engineering and Design - Hydrographic Surveying manual (EM 1110-2-1003, published 01 Jan 2002). Each individual project survey using this method will include a minimum of three sounding points (adjusted for tide) per individual dock.

The pre-dredge survey shall be accurate to 0.5-foot with the exact location of all soundings clearly defined on the survey chart. The pre-dredge survey chart shall be prepared showing the following information:

- i. ~~a.~~ The entire dredging area, the toe and top of all side-slopes and typical cross sections of the dredging areas. To ensure that the entire area is surveyed, the pre-dredge condition survey should cover an area at least 50 feet outside the top of the side-slope or the boundary of the dredging area, unless obstructions are encountered.
- ii. ~~b.~~ The dredging design depth, overdredge depth and the side-slope ratio.
- iii. ~~c.~~ The total quantity of dredged material to be removed from the dredging areas and the side-slope areas.
- iv. ~~d.~~ Areas shallower than the dredging design depth shall be shaded green, areas between the dredging design depth and overdredge depth shall be shaded yellow, and areas below overdredge depth that will not be dredged shall be shaded blue. If these areas are not clearly shown, the Corps may request additional information.
- v. ~~e.~~ The pre-dredging survey chart shall be signed by the permittee to certify that the data are accurate and that the survey was completed within 30 days of the proposed dredging start date.
- vi. ~~f.~~ A debris management plan to prevent disposal of large debris at all disposal locations. The debris management plan shall include: sources and expected types of debris, debris separation and retrieval methods, and debris disposal methods.

E. ~~D.~~ The permittee shall not commence individual dredging operations unless and until the permittee receives a written authorization to proceed from the Executive Director of the Commission to commence work, subject to the terms of Special Condition 1(F).

F. ~~E.~~ The City shall require applicants to submit a post-dredging completion report, which shall be compiled by the City and submitted to the Executive Director in an annual report. The report shall include all information collected by the permittee, the dredging operations inspector and the disposal operations inspector or the disposal vessel captain as required by the special conditions of this permit. The report shall indicate whether all general and special permit conditions were met. Any violations of the permit shall be explained in detail. The report shall further include the following information:

- iv. Permit and project number.
- v. Start date and completion date of dredging and disposal operations.

- vi. Total cubic yards disposed at the authorized disposal site(s).
- vii. Mode of dredging.
- viii. Mode of transportation.
- ix. Form of dredged material.
- x. Frequency of disposal and plots of all trips to the authorized disposal site(s).
- xi. Tug boat or other disposal vessel logs documenting contact with the USCG before each trip to the authorized ocean disposal site.
- xii. Percent sand, silt and clay in dredged material: for this CDP/CC only, see sediment testing requirements above.
- xiii. A certified report from the dredging site inspector indicating all general and special permit conditions were met. Any violations of the permit shall be explained in detail.
- xiv. Pre-dredging hydrographic survey.
- xv. A detailed post-dredging hydrographic survey of the dredging area. The survey shall show areas above the dredging design depth shaded green, areas between the dredging design depth and overdredge depth shaded yellow, areas below overdredged depth that were not dredged or areas that were deeper than the overdredge depth before the project began as indicated on the predredging survey shaded blue, and areas dredged below the overdredge depth or outside the project boundaries shaded red. The methods used to prepare the post-dredging survey shall be the same methods used in the predredging condition survey. The survey shall be signed by the Permittee certifying that the data are accurate.

II. F. Beach disposal (beach replenishment)

- A. Beach disposal (replenishment) shall be the preferred disposal method under the program. All sediment removed from the harbor which is suitable for beach replenishment (subject to the following testing and disposal requirements) shall be disposed of on beaches in front of bulkheads and at street end beaches throughout the bay, subject to the approval of the landowner, Tidelands administrator, and the Executive Director.
- B. Grain Size Criteria: Material utilized for beach replenishment shall have a sand content that is either i) greater than 80% sand; or ii) at least 75% sand and within 10% of the sand content of the receiver beach. Any material that meets the requirements outlined above for beach replenishment and consists of less than 80% sand shall only be placed upon submerged beach areas (i.e. below the water line).
- C. Prior to commencement of beach replenishment at a site, the results of each sampling episode and beach replenishment compatibility test described in Section I above shall be submitted for the review and approval of the Executive Director. Dredged material deemed suitable for beach replenishment may be deposited at the approved deposition sites only after the Executive Director has concurred with a City determination that the materials to be dredged have been deemed "suitable" using the standards in these special conditions. All dredged material deemed "unsuitable" for beach replenishment shall be disposed of at an approved location according to all

federal, state and local regulations. If the disposal site is not within an approved ocean disposal site as identified in section II but is located in the coastal zone, a separate coastal development permit application shall be filed for the disposal of the "unsuitable" material. All contracts involving the subject project shall include the above stated condition of approval.

- D. In no case will beach disposal be authorized with material dredged below the sediment testing characterization depth for any particular site.
- E. A detailed description of the transport and discharge operations authorized by this permit will be submitted to the Executive Director of the Commission for review and approval at least 60 calendar days prior to work in coastal waters. Description of the transport and discharge operations shall include:
 - i. Transport and discharge procedures for all sediment, including all material unsuitable for beach replenishment discharge.
 - ii. A schedule showing when the beach replenishment project is planned to begin and end.
 - iii. A debris management plan to prevent disposal of large debris at all beach discharge locations. The debris management plan shall include: sources and expected types of debris, debris separation and retrieval methods, and debris disposal methods.
 - iv. The volume of material to be excavated and discharged.
 - v. A list of previous discharges by site, date, and volume, as well as the total volume of material which has been excavated and discharged to date using this CDP/CC.
- F. The City must submit a pre-construction notification and must receive a written authorization to proceed from the Executive Director of the Commission before the permittee may commence any work.
- G. The permittee shall send one copy of a beach disposal post-discharge report to the Executive Director documenting compliance with all general and special conditions defined in this permit. The post-discharge report shall be sent within 30 calendar days after completion of the discharge operations authorized in this permit. The report shall indicate whether all general and special permit conditions were met. Any violations of the permit shall be explained in detail. The report shall include:
 - i. CDP/CC number.
 - ii. Identify source of material.
 - iii. Total cubic yards disposed at each beach disposal site.
 - iv. Modes of transportation and discharge.
 - v. Actual start date and completion date of transport and discharge operations.
- H. The permittee shall implement all appropriate, standard Best Management Practices to ensure that toxic materials, silt, debris, or excessive eroded materials do not enter

coastal waters due to beach replenishment operations. Sediment for beach replenishment shall be placed, not dumped, using means to minimize disturbance to bay sediments and to minimize turbidity. If turbid conditions are generated during construction a silt curtain shall be utilized to minimize and control turbidity to the maximum extent practicable.

- I. The permittee will establish a safety flag perimeter of the beach replenishment area during disposal activities, and monitor the premises to protect the general public from construction hazards and equipment.
- J. No maintenance, storage, or fueling of heavy tracked equipment or vehicles will occur within 500 feet of the high tide line of waters of the United States.

III. H. Offshore (ocean) disposal

- A. All of the sediments dredged from within the Plan Area that are deemed unsuitable for beach replenishment are suitable for ocean disposal, with the exceptions as identified in the RGP 54 program.
- B. Prior to commencement of ocean disposal, the results of each sampling episode described in Section I(B) above shall be submitted for the review and approval of the Executive Director. Dredged material deemed unsuitable for beach disposal/replenishment may be deposited at the approved ocean disposal sites only after the Executive Director has concurred with a City determination that the materials to be dredged have been deemed unsuitable for beach replenishment and are suitable for ocean disposal using the standards in these special conditions. All dredged material deemed unsuitable for beach replenishment shall be disposed of at an approved location according to all federal, state and local regulations. If the disposal site is not located at an approved ocean disposal site and is located in the coastal zone, a separate coastal development permit application shall be filed for the disposal of the material. All contracts involving the subject project shall include the above stated condition of approval.
- C. For this permit, the phrase "ocean disposal operations" shall mean: the transportation of dredged material from the dredging site to the ocean disposal site, proper disposal of dredged material at the central disposal area within the ocean disposal site, and transportation of the hopper dredge or disposal barge or scow back to the dredging site.
- D. The approved ocean disposal site is LA-3, effective October 2005: 33 degrees 31.00 minutes North Latitude, 117 degrees 53.30 minutes West Longitude (NAD 1983), circular site with radius of 3,000 feet.
- E. In no case will offshore (ocean) or beach disposal be authorized for material dredged below the sediment testing characterization depth for any particular site.

- F. No more than 8,000 cubic yards of dredged material excavated for an individual dredging project authorized under this CDP/CC are authorized for disposal at the LA-3 ocean disposal site.
- G. The permittee shall ensure dredged material is not leaked or spilled from the disposal vessel(s) during transit to the ocean disposal site. The permittee shall transport dredged material to the ocean disposal site only when weather and sea state conditions will not interfere with safe transportation and will not create risk of spillage, leak or other loss of dredged material during transit. No disposal vessel trips shall be initiated when the National Weather Service has issued a gale warning for local waters during the time period necessary to complete disposal operations.

IV. H. Inland disposal

- A. If neither offshore disposal nor beach disposal are available for an individual project proposed under this CDP/CC, material may be disposed of at an inland facility, subject to the review and approval of the Executive Director. If the disposal site is located in the coastal zone, a separate coastal development permit application shall be filed for the disposal of the material

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 City's proposed amendment to adjust the timing and survey protocol for *Caulerpa taxifolia* to once every two years in lieu of conducting surveys on a pre-construction, site-specific basis, was submitted with a letter of support from the National Marine Fisheries Service, which states that conducting *Caulerpa* surveys on a harbor-wide basis at consistent intervals using duplicative methodologies is an effective way to screen for the invasive algae compared to the existing project-by-project basis approved by the underlying permit. Our Commission staff biologist reviewed this information, and concurs that this change in timing and survey protocol will have no adverse effects on coastal resources. Additionally, the City's request to change the deadline to submit annual reports as required by Special Condition 1 G from July 1 to January 1 in an effort to align the City's deadlines for similar reports required by the United States Army Corps of Engineers and Regional Water Quality Control Board related to this on-going project will have no adverse effects on coastal resources.

The remaining proposed timing adjustments are administrative in nature, and/or correct typos to the numbering of the conditions of the permit. Special Condition 4 (1) (c) of the permit

Permit Amendment

5-14-0200-A1

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requires that the permittee submit dredging and disposal operations plans at least 60 calendar days before initiation of any dredging, which requires information such as: the names and contact information of the permittee's project manager, operations inspector, captain of the tug boat, list of equipment, vessels, type of equipment, etc., however the City contends such information is infeasible to obtain so far in advance of actual dredging activities. Since these aspects of the dredging and disposal operations plans do not require Commission staff authorization, Commission staff concurs with this proposed timing adjustment, and finds that it will have no negative effects on coastal resources or coastal access, and is consistent with the Chapter 3 policies of the Coastal Act, previous Commission actions. Therefore, staff is recommending that the Commission concur with the granting of the amendment request.

If you have any questions about the proposal or wish to register an objection, please contact Mandy Revell at the South Coast District Office: (562) 590-5071.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 East Ocean Blvd., Suite 300
Long Beach, CA 90802
(562) 590-5071

March 29, 2019

**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**

Coastal Development Permit Amendment No. 5-15-1670-A3

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Amended Permit No. 5-15-1670-A1 granted to South Orange County Wastewater Authority (SOCWA) for: **Replacement of two existing, 4" diameter, ductile iron force main sludge transport pipelines with one, 6" diameter, high density polyethylene (HDPE) force main sludge transport pipeline; creek bank stabilization within Aliso Creek; and mitigation including restoration of riparian and upland habitat in Wood Canyon.**

Second Amendment to 5-15-1670-A2 granted to SOCWA on 11/14/17 for: creek bank erosion repair.

Project Site: Between SOCWA's Coastal Treatment Plant (CTP) and SOCWA's Regional Treatment Plant (RTP), in Aliso Canyon, in Aliso and Wood Canyons Wilderness Park, Orange County (Aliso Viejo LCP area)

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):

Reduction in the pipeline construction corridor from 30 feet to 20 feet in width. The reduction in the construction corridor width results in corresponding reductions in impacts to habitat, and so reduction in the area required for habitat mitigation. No change to the previously required mitigation ratios is requested or proposed. No change to the previously imposed special conditions are requested or proposed.

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):

According to the applicant, as design and preliminary field construction evaluations have progressed since the project was originally approved by the Coastal Commission on June 8, 2016 (5-15-1670-A1), SOCWA [the project applicant] has refined the proposed construction technique to reduce the width of the proposed construction corridor from 30 to 20 feet. This corridor reduction is to be accomplished by working in a more linear manner instead of concentrating equipment and materials immediately adjacent to the active trenching location (into which the replacement pipeline will be placed). Construction methods will be modified such that an excavator approximately 8 feet in width will operate within the designated 20-foot wide corridor to install a 12 to 16 inches wide trench. No change to the approved trench depth is proposed (approved trench depth ranges from a minimum of three feet to up to approximately twelve feet, depending upon topography; typical depth

will be 4 to 5 feet). No change is proposed to previously approved placement of bedding materials, pipeline, and backfill.

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

5-15-1670-A3 SOCWA NotImmAm 4.19 mv

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD. SUITE 300
LONG BEACH, CALIFORNIA 90802
PH (562) 590-5071 FAX (562) 590-5084
WWW.COASTAL.CA.GOV

(5-15-0087-E1)

**March 27, 2019****NOTICE OF EXTENSION REQUEST
FOR COASTAL DEVELOPMENT PERMIT**

Notice is hereby given that the Irvine Company has applied for a one year extension of **Coastal Development Permit No. 5-15-0087** approval granted by the California Coastal Commission on **February 9, 2017** for development consisting of:

Landside and waterside development. On the waterside, 9,900 cubic yards dredging is proposed and the existing private marina will be expanded and a new public dock system will be installed. The existing riprap slope will be removed and replaced with a new riprap slope landward. On the landward side, the existing surface parking area and an existing building will be demolished and a new one-story, 14,252 square foot restaurant will be constructed. In addition, there will be grading, hardscape and landscape installed, the parking lot will be redesigned, a new restroom will be constructed, and a dedicated public walkway from E. Coast Highway to the new public dock system will be installed.

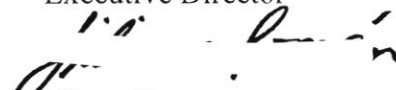
at: 201 E. Coast Hwy., Newport Beach, Orange County (APN(s): 050-451-01, 050-451-02, 050-451-03, 050-451-060, 050-451-09, 050-451-10, 050-451-55, 440-132-39, 440-132-51)

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,

John Ainsworth
Executive Director


Liliana Roman
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
WWW.COASTAL.CA.GOV



NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

April 2, 2019

5-15-0751-E2

Notice is hereby given that Foxdale Properties LLC has applied for a one year extension of 5-15-0751 granted by the California Coastal Commission on April 14, 2016, with the most recent one-year extension issued on April 13, 2018.

for: Remodel and addition to an existing 1,665 sq. ft. one-story single family home on ocean fronting bluff top/coastal canyon lot above Three Arch Bay. Construction of a 330 sq. ft. lower level addition and a 247 sq. ft. upper level addition on the west side of the home, and a 296 sq. ft. elevated deck and 388 sq. ft. pervious paving patio on the south (seaward) side of the home.


at: 19 Bay Drive, Laguna Beach (Orange County) (APN(s): 056-180-31)

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,

John Ainsworth
Executive Director



Marlene Alvarado
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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



NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

5-15-0807-E2

March 27, 2019

Notice is hereby given that Honey Dew International Limited has applied for a one year extension of 5-15-0807 granted by the California Coastal Commission on December 10, 2015, with the most recent one-year extension issued December 10, 2017.


for: Demolition of an existing two-story, single-family residence, and construction of an approximately 7,829 sq. ft., 24 ft.-3 in. high two-story single-family residence over a partially subterranean basement (three-level residence), an attached 936 sq. ft. three-car garage, second- and third-level decks, new garden/site wall, a covered patio/courtyard with an outdoor swimming pool/spa, and hardscape and landscape improvements on a coastal canyon; existing carport is to remain.

at: 350 Paseo De Cristobal, San Clemente (Orange County) (APN 692-261-04)

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,
JOHN AINSWORTH
Executive Director



Marlene Alvarado
Coastal Program Analyst