CALIFORNIA COASTAL COMMISSION
South Coast District Office
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Long Beach, CA 90802
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Th9a

Staff: D. Ziff – LB
Date: 9/17/2020

ADMINISTRATIVE PERMIT

Application No. **5-19-1157**

Applicant: David Lawee, et al.

Agent: Andrey Popovich, Swift Slip Dock & Pier Builders, Inc.

Project Description: Like-for-like replacement of an approximately 2,680 square foot dock servicing approximately nine private recreational boat slips.

Project Location: 6070, 6071, 6074, 6078, 6082, 6086, 6090, and 6094 Lido Lane, Long Beach, Los Angeles County

EXECUTIVE DIRECTOR'S DETERMINATION

The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission on October 7, 2020. PLEASE NOTE THAT THIS WILL BE A VIRTUAL MEETING. As a result of the COVID-19 emergency and the Governor's Executive Orders N-29-20 and N-33-20, this Coastal Commission meeting will occur virtually through video and teleconference. Please see the Coastal Commission's Virtual Hearing Procedures posted on the Coastal Commission's webpage at www.coastal.ca.gov for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Virtual Hearing Procedures, please call 415-904-5202.

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

JOHN AINSWORTH
Executive Director

By: Dani Ziff
Title: Coastal Program Analyst

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 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 or interpretation of any term or 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.

SPECIAL CONDITIONS: See Pages 4 through 13

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

A. Project Description

The applicant is proposing to remove six “distressed” dock fingers and the connecting access dock servicing nine private recreational boat slips, and replace the existing floating docks in the same size, configuration, and location (**Exhibit 2**). These docks, which total 2,680 square feet, are associated with the single-family residences at 6070, 6071, 6074, 6078, 6082, 6086, 6090, and 6094 Lido Lane for private recreational use (**Exhibit 1**). The existing gangways will not be modified. The existing concrete guide piles will remain and will be incorporated into the replacement docks; no additional piles will be installed. The development authorized by this permit is private use of State Tidelands. **Special Condition 10** clarifies that there is no waiver of public rights, which might exist at the project site. **Special Condition 6** requires the applicant to participate in a dock float and pier lease program, should the City of Long Beach implement a lease program for Alamitos Bay.

Given that the proposed dock system would be identical in size, configuration, and location as existing dock float, the proposed development would not result in increase of over water coverage in areas suitable for eelgrass growth. **Special Conditions 4, 5, 8, and 9** protect water quality by requiring periodic monitoring of the dock and maintenance to ensure that plastic and foam do not enter coastal waters, use of ACZA-treated wood to minimize risk of aquatic toxicity, any painting or coating be composed of materials that are inert when dry, and implement construction best management practices including the use of floating booms and the appropriate storage, removal, and disposal of demolition or construction debris to protect water quality and the marine environment. **Special Condition 7** requires the applicant to comply with all permit requirements and mitigation measures imposed by other resource agencies including the RWQCB, which would serve to further protect water quality.

Special Condition 1 is imposed to ensure the development is constructed in strict compliance with the applicant’s proposal, as described herein. Furthermore, **Special Conditions 2 and 3** require pre- and post-construction eelgrass surveys and a pre-construction Caulerpa survey to be conducted. If eelgrass or *Caulerpa taxifolia* are determined to be present prior to construction, then the applicant must follow the procedures laid out in **Special Conditions 2 and 3**. Therefore, as proposed and conditioned herein, the development will not have any significant adverse effects on marine resources.

B. Marine Resources

The proposed recreational boat dock development and its associated structures are an allowable and encouraged marine related use. The project design minimizes impacts to marine resources by utilizing the existing piles. There are no feasible less environmentally damaging alternatives available. As conditioned, the project will not significantly adversely impact eelgrass beds and will not contribute to the dispersal of the invasive aquatic algae, *Caulerpa taxifolia*. Further, as proposed and conditioned, the project, which is to be used solely for recreational boating purposes, conforms to Sections 30224 and 30233 of the Coastal Act.

C. Water Quality

There is potential for discharge of demolition or construction debris into coastal waters at the project site. The applicant has proposed BMPs for the conservation of essential fish habitat. Thus, **Special Condition 1** is imposed to ensure the development is constructed in strict compliance with the applicant's proposal, as described herein. Furthermore, **Special Conditions 4, 5, 8, and 9** require periodic monitoring of the dock and maintenance to ensure that plastic and foam do not enter coastal waters, use of ACZA-treated wood to minimize risk of aquatic toxicity, any painting or coating be composed of materials that are inert when dry, and construction to adhere to best management practices including the use of silt curtains if the waters may become turbid and the appropriate storage, removal, and disposal of demolition or construction debris to protect water quality and the marine environment. **Special Condition 7** requires the applicant to comply with all permit requirements and mitigation measures imposed by other resource agencies including the RWQCB, which would serve to further protect water quality. Therefore, the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. Public Access

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as conditioned the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

E. Local Coastal Program (LCP)

A coastal development permit is required from the Commission for the proposed development because it is located within the Commission's area of original jurisdiction. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP, certified by the Commission on July 22, 1980, is advisory in nature and may provide guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

F. 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 Executive Director 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.

SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the permit application, subject to any special

conditions. Any deviation from the approved project must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

2. Pre- and Post- Eelgrass Survey(s).

A. **Pre-Construction Eelgrass Survey.** 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" dated October 2014 (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 eelgrass survey for the review and approval of the Executive Director within five (5) business days of completion of each eelgrass survey and in any event 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 if completion of construction occurs within the active growth period, 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" dated October 2014 (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 by project construction, the applicant shall replace the impacted eelgrass at a minimum 1.38:1 ratio on-site, or at another appropriate location subject to the approval of the Executive Director, in accordance with the California Eelgrass Mitigation Policy. Any exceptions to the required 1.38:1 mitigation ratio found within CEMP 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.

3. Pre-Construction *Caulerpa taxifolia* Survey. Not earlier than 90 days nor later than 30 days prior to commencement or recommencement 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.

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. 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 of the Southern California Caulerpa Action Team (SCCAT). The SCCAT Surveillance Subcommittee may be contacted through California Department of Fish & Wildlife (858/4674218) National Marine Fisheries Service (562/9804043).

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, subject to concurrence by the Executive Director, that all *C. taxifolia* discovered within the project and 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.

4. Materials Used to Construct Docks. To protect coastal water quality, the applicant shall comply with the following requirements for the materials used to construct the docks:

A. **Alternatives to Treated Wood.** The use of alternative materials instead of preservative-treated wood — such as wood-plastic composites, plastic (e.g., polyethylene, polypropylene, or PVC), fiberglass-plastic composites (e.g., fiber-reinforced polymer), concrete, metal, or naturally decay-resistant untreated wood (e.g., redwood, red cedar, ipe, greenheart, and in some cases Douglas fir) — shall be prioritized, where appropriate and feasible.

(1) For components of the dock framework that the applicant proposed to construct using treated wood that may feasibly be constructed using alternative materials, such as the fascia and walers, the applicant shall prioritize the use of alternative materials instead of treated wood, to the extent appropriate and feasible.

(2) The dock decking shall consist of either a wood-plastic composite (Trex) or PVC plastic (TimberTech Azek), as proposed by the applicant.

(3) The dock floatation system shall consist of “Superfloat” float drums manufactured from polyethylene plastic and filled with Expanded Polystyrene (EPS) foam, as proposed by the applicant.

B. **Type of Treated Wood.** For components of the dock framework that the applicant proposed to construct using preservative-treated wood (including the framing, diagonal bracing, stringers, walers, and fascia), a type of treated wood shall be selected that minimizes the risk of aquatic and sediment toxicity.

(1) All treated wood shall be treated with the preservative Ammoniacal Copper Zinc Arsenate (ACZA), instead of Alkaline Copper Quaternary (ACQ) that the applicant proposed. ACZA-treated wood leaches substantially less copper than does ACQ-treated wood, and thus has a lower risk of aquatic toxicity. Because the arsenic in ACZA poses mammalian health concerns, ACZA should be avoided where frequent contact with humans or marine mammals is expected. Conversely, the arsenic-free preservative ACQ should only be used where frequent contact with humans or marine mammals is expected.

(2) All treated wood shall be treated to the standards of the lowest appropriate Use Category for each component, to ensure that the treated wood does not exceed the minimum preservative retention level. This will minimize the amount of preservative in the wood that may leach into coastal waters. Use Categories, as specified by the American Wood Protection Association, are based on factors such as whether the wood is subject to saltwater splash vs. immersion, and whether the component is critical and difficult to replace.

(3) Where available, the applicant shall use treated wood that has been certified as produced for use in aquatic environments (as indicated by a BMP Quality Mark or Certificate of Compliance), in accordance with industry standards such as the Best Management Practices for the Use of Treated Wood in Aquatic and Wetland Environments by the Western Wood Preservers Institute, et al.

C. **Paints, Coatings, and Other Products.** Any paint, coating, wrapping, sealant, adhesive, caulk, or other product used in construction of overwater and in-water structures shall be inert when fully dried and cured, and therefore not leach chemicals that could contribute to aquatic toxicity. The applicant shall specify the product to be used and the location of its use, and shall provide any available information on the product’s aquatic toxicity.

5. Protection of Water Quality during Construction. To protect coastal water quality during construction and demolition activities, the applicant shall comply with the following requirements:

A. **General BMPs and Procedures**

(1) Best Management Practices (BMPs) designed to minimize adverse impacts resulting from construction and demolition activities shall be implemented prior to the onset of such activity, including BMPs to minimize erosion and sedimentation, minimize the discharge of pollutants and non-stormwater runoff, and minimize land disturbance, as applicable. The description and location of all water quality BMPs to be implemented during construction and demolition shall be specified.

(2) All BMPs shall be maintained in a functional condition throughout the duration of the construction and demolition activities, and shall be promptly removed when no longer required.

(3) The use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting shall be prohibited, to minimize wildlife entanglement and plastic debris pollution. Only products with 100% biodegradable (not photodegradable) natural fiber netting shall be allowed.

(4) All construction methods and equipment to be used shall be specified.

B. **BMPs for Overwater and In-Water Construction**

(1) Tarps or other devices shall be used to capture all debris, sawdust, oil, grease, rust, dirt, drips, and spills resulting from overwater construction and demolition activities, to protect the quality of coastal waters.

(2) Floating booms shall be used to contain any floating debris accidentally discharged into coastal waters during construction and demolition activities. Non-buoyant debris discharged into coastal waters shall be recovered by divers as soon as possible. The collected debris shall be removed as soon as possible, but no later than the end of each day.

(3) A silt curtain shall be used to control turbidity if sediment or silt is stirred up during construction or demolition activities taking place in or over coastal waters, where coastal resources (such as benthic communities or eelgrass) may be at risk.

C. **BMPs for Using Treated Wood in the Aquatic Environment**

(1) Treated wood sawdust and debris shall not be allowed to enter coastal waters. If treated wood is saw-cut, drilled, or sanded during demolition, removal, installation, or maintenance of the docks, all sawdust and debris generated shall be contained and removed.

(2) Field-treatment of Copper Naphthenate preservative shall be applied sparingly to cut ends and drilled holes in treated wood, and drips or spills of Copper Naphthenate shall not be allowed to enter coastal waters.

(3) Treated wood and treated wood debris shall be stored a minimum of 50 feet from coastal waters, drainage courses, and storm drain inlets; shall be stored on an impervious surface; and shall be covered during rain events.

D. **BMPs for Construction Activities Adjacent to Coastal Waters**

(1) Construction work and equipment operations below the mean high water line shall be minimized to the extent feasible, and, where possible, shall be limited to times when tidal waters have receded from the authorized work areas.

(2) All work shall be performed during favorable tidal, ocean, wind, and weather conditions that will enhance the ability to contain and remove, to the maximum extent feasible, construction and demolition debris.

(3) Equipment or construction materials not essential for construction work shall not be allowed at any time in the intertidal zone.

(4) The footprint of areas within which demolition and construction activities are to take place (including staging and storage of equipment, materials, and debris; and equipment fueling and maintenance) shall be minimized to the extent feasible, to minimize impacts on the marine environment. Construction activities shall be prohibited outside of designated construction, staging, storage, and maintenance areas.

(5) Vegetable-oil-based hydraulic fluids shall be used in heavy equipment used in construction lasting one week or longer overwater or adjacent to coastal waters, if feasible.

(6) Biodiesel fuel shall be used in heavy equipment used in construction lasting one week or longer overwater or adjacent to coastal waters, if feasible.

E. **BMPs for Stockpile and Debris Management**

(1) All demolition and construction materials, equipment, debris, and waste shall be properly stored and contained, and shall not be placed or stored where it may be subject to wave, wind, rain, or tidal dispersion, to prevent pollutants from entering coastal waters, sensitive habitats, and the storm drain system.

(2) All stockpiles, construction materials, and demolition debris shall be enclosed on all sides, covered during rain events, and not stored in contact with the soil, and shall be located a minimum of 50 feet from coastal waters, sensitive habitat, and storm drain inlets.

(3) Sediment control BMPs shall be installed at the perimeter of staging and storage areas, to prevent sediment in runoff from construction-related activities from entering coastal waters.

(4) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs, to prevent the accumulation of debris, sediment, and other pollutants that may potentially be discharged into coastal waters.

(5) All trash and debris shall be disposed of in the proper trash and recycling receptacles at the end of every construction day.

(6) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.

(7) All debris resulting from demolition or construction activities, and any remaining construction materials, shall be removed from the project site within 24 hours of completion of the project.

(8) 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.

F. **BMPs for Spill Prevention and Equipment Maintenance**

(1) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of construction products or materials that may have adverse environmental impacts. The discharge of any construction products or materials into coastal waters shall be prohibited.

(2) Leaks or spills of fuel, oil, grease, lubricants, hydraulic fluid, chemicals, preservatives, paints, or other construction products or materials shall be immediately contained on-site and disposed of in an environmentally-safe manner as soon as feasible.

(3) Construction vehicles operating at the project site shall be inspected daily to ensure there are no leaking fluids, and shall be serviced immediately if a leak is found.

(4) Fueling and maintenance of construction equipment and vehicles shall be conducted off-site, if feasible. Any fueling and maintenance of mobile equipment conducted on site shall take place at a designated area located at least 50 feet from coastal waters, sensitive habitat, and storm drain inlets (unless these inlets are blocked to protect against fuel spills). The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Equipment that cannot be feasibly relocated to a designated fueling and maintenance area (such as cranes) may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills.

(5) Equipment, machinery, and vehicles shall be washed only in designated areas specifically designed to contain runoff and prevent discharges into coastal waters. Thinners, oils, and solvents shall not be discharged into the sanitary sewer or storm drain systems.

6. Dock Float and Pier Leases. By acceptance of Coastal Development Permit 5-19-1157, the permittee agrees, on behalf of itself and all successors and assigns that should the City of Long Beach implement a dock float and pier lease program for the Alamitos Bay area for the limited term private use and occupation of State tidelands for development associated with recreational boating activities (i.e., private docks and piers), the development subject to this permit shall be subject to the terms of such dock float and pier lease program. The approval of this permit shall not constitute a waiver of any public rights that exist or may exist on the subject property including, but not necessarily limited to, the tidelands and submerged land beneath the development approved by this Coastal Development Permit. The permittee shall not use this permit as evidence of a waiver of any public rights that may exist on the property.

7. Resource Agencies. The permittee shall comply with all requirements, requests and mitigation measures from the California Department of Fish and Wildlife, the Regional Water Quality Control Board, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine 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.

8. Post-Construction Monitoring and Maintenance of Docks. The applicant shall comply with the following post-construction monitoring and maintenance requirements to protect coastal waters:

A. **Monitoring of Dock Floatation System.** The dock floatation system shall be periodically monitored during the life of the structure, and shall be repaired or replaced if the materials begin to deteriorate, to ensure that fragments of the polyethylene float drums and the EPS foam within the drums do not enter coastal waters and contribute to marine debris.

B. **Monitoring of Pile Wrapping or Coating.** If a pile wrapping or coating will be installed to protect the existing concrete piles from corrosion and abrasion, the wrapping or coating shall be periodically monitored during the life of the structure, and shall be repaired or replaced if the materials begin to deteriorate, to ensure that fragments do not enter coastal waters and contribute to marine debris.

9. Marina Water Quality Management Plan. By acceptance of this permit, the applicant agrees that the long-term water-borne berthing of boats in the

approved docks and/or boat slips shall be managed in a manner that protects water quality pursuant to the implementation of the following BMPs.

A. **Boat Cleaning and Maintenance Measures**

(1) In-water hull cleaning, scraping, or any other process taking place underwater that results in the removal of paint from boat hulls shall be prohibited.

(2) Top-side maintenance work that may result in the discharge of debris (including paint chips, wood coatings, treated-wood preservatives, and plastic particles) into the water shall be prohibited.

(3) For boat top-side cleaning and maintenance, only cleaning products that are designated by the manufacturer as non-toxic, phosphate-free, and biodegradable shall be used, and the amounts used shall be minimized. Boaters shall implement protective practices to prevent all cleaning products from entering the water. The use of boat cleaning and maintenance products containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye shall be prohibited.

B. **Solid and Liquid Waste Management Measures**

(1) All trash, recyclables, hazardous wastes, and potential water contaminants, (including waste gasoline or diesel, fuel mixed with water, absorbent materials, oily rags, lead acid batteries, anti-freeze, kerosene, and mineral spirits) shall be disposed of in a proper manner, and shall not be allowed to enter coastal water or the storm drain system.

(2) Boaters shall regularly inspect and maintain engines, seals, gaskets, lines, and hoses in order to prevent oil and fuel spills. Boaters shall use oil absorbent materials in the bilge and under the engine to prevent oil and fuel discharges. Oil absorbent materials shall be examined at least once per year, and replaced as necessary. Used oil absorbent materials are hazardous waste in California, and must therefore be disposed in accordance with hazardous waste disposal regulations.

(3) The discharge of oily bilge water to coastal waters shall be prohibited. Boat owners shall use preventive engine maintenance, oil absorbents, bilge pump-out services, or steam cleaning services to prevent oily bilge water discharges.

(4) If the bilge needs more extensive cleaning (such as due to spills of engine fuels, lubricants, or other liquids), boaters shall use a bilge pump-out facility or steam-cleaning services that recover and properly dispose of or recycle all contaminated liquids.

(5) Bilge cleaners that contain soaps, detergents, or emulsifiers shall not be used, as these products may be discharged to coastal waters by the bilge pumps, and are harmful to aquatic life.

10. 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.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

_____ _____

Applicant's Signature Date of Signing