

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD., SUITE 300  
LONG BEACH, CALIFORNIA 90802-4830  
(562) 590-5071 FAX (562) 590-5084  
WWW.COASTAL.CA.GOV



# Th9

**Prepared October 23, 2020 (for the November 05, 2020 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 November 2020**

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 November 05, 2020. 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 November 5th.

With respect to the November 5th 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 November 05, 2020 (see attached)**

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## **Waivers**

- 5-20-0177-W, Ed Capparelli (Newport Beach)
- 5-20-0359-W, John Wells (Newport Beach)
- 5-20-0504-W, Ed Clark (Huntington Beach)

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October 22, 2020

**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:** 5-20-0177-W**Applicant:** Ed Capparelli**Location:** 117 N. Bay Front, Newport Beach, Orange County (APN: 05002106)

**Proposed Development:** Removal of the existing 210 sq. ft. dock float, 60 sq. ft. gangway, two 14-inch guide piles and two 14-inch T-piles; and construction of a new 198 sq. ft. dock float, 72 sq. ft. gangway, installation of two new 14-inch guide piles and two 14-inch T-piles outside of eelgrass impact area. The 140 sq. ft. pier will also be replaced like-for-like. Project will result in a decrease of 12-sq. ft. of overwater coverage and includes construction and post-construction best management practices and no increase in fill.

**Rationale:** The proposed dock system is located over Beacon Bay in the Commission's area of original jurisdiction on Balboa Island. The proposed dock system is associated with the single-family residence at 117 N. Bay Front and is intended for recreational boat use only. The proposed access point (gangway and gangway platform) will not obstruct the developed approx. 10-foot wide public right-of-way, Bay Front Boardwalk, that runs between the applicant's property and Beacon Bay. The applicant is not proposing any landscaping or improvements in the public right-of-way. The project does not include additional fill or piles. The project does not extend beyond the City's pierhead line and conforms to City's pierhead specifications. The project application includes a list of best management practices the applicant will carry out during and after construction, in order to avoid adverse effects to marine resources. The applicant submitted a pre-construction eelgrass survey dated September 22, 2019, and although eelgrass was noted to be present under the proposed dock location, piles will be located outside of eelgrass beds to avoid direct impacts. The project has been approved by the City of Newport Beach Public Works Department and is consistent with the Newport Beach certified LCP, previous Commission actions in the area, and the Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its **November 5-7, 2020** 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

*Zach Revell*  
for Mandy Revell  
Coastal Program Analyst

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**Waiver:** 5-20-0359-W                      **Applicant:** John Wells

**Location:** 1140 West Bay Avenue, Newport Beach, Orange County (APN: 047-261-01)

**Proposed Development:** Add a cast-in-place concrete cap to an existing, 9.5 ft. NAVD88 bulkhead to raise its elevation to +10.66 ft NAVD88.

**Rationale:** The subject site is a bayfront lot and is located between the first public road and the sea on the Balboa Peninsula in Newport Beach. The project site is within a developed residential neighborhood zoned R-1, Single-Unit Residential in the City of Newport Beach's certified Local Coastal Program (LCP). The proposed development is consistent with the certified LCP Policy, 21.30.030 Natural Landform and Shoreline Protection, to maintain a system of harbor bulkheads that are essential to the continued operation of Newport Harbor and to protect public access, public views, and scenic qualities of the coastal zone. The proposed development is located adjacent to Newport Bay, however there is no development proposed in the water or bayward of the existing bulkhead. The current seawall is at an elevation of +9.5 ft. NAVD88, located seaward of the single-family home. The proposed development will add a cast-in-place concrete cap to the existing seawall to protect the adjacent private development and public infrastructure from flooding and wave overtopping associated with storms and sea level rise, raising the bulkhead elevation to +10.66 ft NAVD88. The City of Newport Beach approved the project and determined it categorically exempt from CEQA review (Class 3, Section 15303). The City provided an Approval-in-Concept on March 26, 2020. The proposed project is compatible with the character of surrounding development and will not adversely affect coastal resources, public access, or public recreation opportunities. The proposed development is consistent with the City's certified LCP, past Commission actions in the area and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its **November 4 - 6, 2020** 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

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*Christine Pereira*  
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Christine Pereira  
Coastal Program Analyst

cc: File

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October 22, 2020

## **Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7**

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**Waiver:** 5-20-0504-W**Applicant:** Ed Clark**Location:** 17061 Bolero Lane, Huntington Beach, Orange County (APN: 178-315-29)

**Proposed Development:** Replace an existing, roughly triangularly shaped boat dock with a new similarly shaped boat dock. The overwater coverage of the boat dock will be reduced from 1,329 sq. ft. to 1,130 sq. ft. Three, existing 14" diameter concrete piles will remain in place and be re-used. The existing 3' by 19' foot gangway will be relocated and re-used. No fill of coastal waters is proposed.

**Rationale:** The subject site is associated with the residentially zoned, harbor front lot in Huntington Harbour in the City of Huntington Beach, Orange County. The proposed dock float is consistent with the size and configuration of similarly situated docks in the Huntington Harbour area, and is consistent with past Commission issued permits. The dock will be used for boating related purposes to serve the adjacent single-family residence. Single-family residences and associated private boat docks characterize the subject site and the surrounding area. Based on a survey conducted on March 30, 2020, no eelgrass or *Caulerpa Taxifolia* has been found in the vicinity. Pre-construction eelgrass and *Caulerpa taxifolia* surveys are proposed by the applicant. Post-construction eelgrass survey is proposed by the applicant. In the event, these surveys identify the presence of eelgrass or *caulerpa* within the project area, measures consistent with the Commission's typically imposed special conditions are proposed. To protect water quality, the applicant has proposed construction responsibilities and debris removal measures and also post construction best management practices. The applicant has an approved California State Lands Commission lease for the proposed boat dock. 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.

This waiver will not become effective until reported to the Commission at its **Nov 4-6, 2020** 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

*Zach Rehm*  
for Meg Vaughn  
Coastal Program Analyst

cc: File