

**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



# W12

**Prepared June 25, 2020 (for the July 08, 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 July 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 July 08, 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 July 8th.

With respect to the July 8th 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 July 08, 2020 (see attached)**

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**Waivers**

- 5-20-0204-W, Newport-Mesa USD chain-link fence (Terminus Of Whittier Ave.)
- 5-20-0209-W, 721 Beachcomber Drive (Seal Beach)
- 5-20-0228-W, Surfside Rental Properties I, LLC (Seal Beach)
- 5-20-0334-W, Crystal Cove State Park (Laguna Beach)

**Immaterial Extensions**

- 5-82-291-A5-E3, S.H.C. Laguna Niguel, I, LLC (Dana Point)

**Emergency Permits**

- G-5-20-0021, Roof repairs at 31361 Coast Hwy (Laguna Beach)
- G-5-20-0008, Fuel Modification (Laguna Beach)

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June 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:** 5-20-0204-W**Applicant:** Newport-Mesa Unified School District**Location:** Southern terminus of Whittier Ave., Costa Mesa, Orange County (APN: 114-170-63, 1114-170-50).

**PROPOSED DEVELOPMENT:** Installation of a 6-foot high, 155-foot long chain link fence with a 30-foot wide telescoping vehicular access gate at the southern terminus of Whittier Avenue along the Newport-Mesa Unified School District (NMUSD) property line. The southern portion of the fence will extend from the existing block wall between the NMUSD property and adjacent Lighthouse Condominium property along the NMUSD property line, and will connect on the northern side with the existing NMUSD property line fence to enclose the northeast corner of the applicant's property. The fence will be installed within existing paved or graveled areas with no impact to native vegetation. Construction staging will be located on a paved area located within the applicant's property.

**RATIONALE:** The applicant proposes to erect a chain-link fence in this location to protect their property from trespass related to members of the public parking on the applicant's private property. The Newport-Mesa Unified School District property is an 11.5 acre site which is divided into five fenced areas. Three of the fenced areas in the southeastern portion of the property have been developed and graded and are currently used to store equipment, and a portion of the property in the northwest corner of the property has been determined by the Coastal Commission to contain Environmentally Sensitive Habitat Area (ESHA) (CDP No. 5-18-1090). The proposed fence will be located within developed asphalted or graveled areas, requiring minimal trimming of non-native vegetation, and will be located approximately 400 feet southeast of sensitive habitat areas; therefore there will be no impacts to surrounding habitat. The City of Costa Mesa determined that this project is exempt from CEQA (Class 1) on June 19, 2020. The proposed development will not prejudice the City's ability to prepare a Certified Local Coastal Program and is consistent with 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 their **July 8-10, 2020** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card

**Coastal Development Permit De Minimis Waiver**

5-20-0204 (Newport Mesa Unified School District)

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

Mandy Revell  
Coastal Program Analyst

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June 18, 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:** 5-20-0209-W**Applicant:** Steven Rapp**Location:** 721 Beachcomber Dr, Seal Beach (Orange County) (APN: 199-197-16)

**Proposed Development:** Demolish two-story single-family residence of 3,070 sq. ft. and attached 489 sq. ft. two-car garage; construct a two-story 4,011 sq. ft. single family residence with attached 489 sq. ft. two-car garage on 8,542 sq. ft. lot.

**Rationale:** The project site is located approximately 0.8 mile from the inland extent of the public beach and is not between the first public road and the sea. The project site is within a developed residential neighborhood designated RLD-9 (Residential Low Density) in the City of Seal Beach's Zoning Map. The 24'-10" height of the proposed development is in conformity with the RLD-9 building height restriction of 25'. The proposed grading includes 619 cubic yards of cut and 55 cubic yards of fill, resulting in an export of 564 cubic yards of cut outside the Coastal Zone. The applicant has provided stormwater pollution control best management practices including on-site runoff management through the utilization of retention basins and stabilizing construction entrance roadways to inhibit sediments from being deposited into public storm drains. Roof drainage will be conveyed via gutters and downspouts. All proposed landscaping is drought tolerant and non-invasive. The proposed project received a stamp of Approved-in-Concept from the City of Seal Beach on March 17, 2020 and the City determined the project was exempt from CEQA (Class 3). 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 and will not prejudice the City's ability to prepare a certifiable local coastal program.

This waiver will not become effective until reported to the Commission at its **July 8 – 10, 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 three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

John Ainsworth  
Executive Director

Christine Pereira  
Coastal Program Analyst

cc: File

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June 18, 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:** 5-20-0228-W**Applicant:** Richard Pearson**Location:** B18 and B19 Surfside Avenue, Surfside Colony, Seal Beach, Orange County (APN: 178-491-17)

**Proposed Development:** Re-subdivision of two existing lots to add adjacent 25-foot strip of former railway right of way to those lots. No construction is proposed; the existing single-family residences on each lot will remain unchanged.

**Rationale:** The subject site is not a beachfront lot, but it is located between the first public road and the sea in the private gated community of Surfside Colony, Seal Beach. In 1929, Lot B18 and Lot B19 were created, as documented in the Record of Survey of Surf Side Colony. In 1969, one single family residence was constructed on each lot. In 1992, the single owner of both Lot B18 and Lot B19 purchased an additional 25-foot wide strip of land fronting both lots that was then owned by the Pacific Electric Railway. The purchase was memorialized, including consolidation of Lots B18 and B19, via a lot line adjustment, resulting in one parcel (designated by Orange County as APN: 178-491-17) with two single family residences. However, that action took place without the benefit of a coastal development permit. The subject application identifies the lot size as 3,120 sq. ft.; however, this is not recognized by the Commission because no coastal development permit was issued for the lot consolidation. The proposed re-subdivision will result in two lots of 1,560 sq. ft., similar to the original configuration of two lots (each slightly larger with the addition of the 25-foot strip), which is consistent with the predominant pattern of development in Surfside Colony. The newly created lots comply with the City of Seal Beach's minimum lot size standards and RLD-9 (Residential Low Density) zoning, which allows one but not more than one single family residence on each lot. Any future construction on either lot will require a coastal development permit, which will be analyzed for potential impacts associated with public access and hazards. Currently, public access to the public beach is available approximately 460 feet southeast of the site at Anderson Street. The site is in a hazardous area where development may be damaged or flooded by future storms and sea level rise; but the re-subdivision does not create any new lots in a hazardous area and does not extend the lives of the existing structures, which were constructed prior to the effective date of the Coastal Act. The proposed development will not adversely impact coastal resources or public access, is consistent with past Commission actions in the area, is consistent with the Chapter 3 policies of the Coastal Act, and will not prejudice the City of Seal Beach's ability to prepare a certifiable LCP.

This waiver will not become effective until reported to the Commission at its **July 8 – 10, 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

Christine Pereira  
Coastal Program Analyst



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June 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:** 5-20-0334-W **Applicant:** California Department of State Parks

**Location:** Pelican Point parking lots #1-4, Los Trancos parking lot, Reef Point parking lot, and existing trails and trail heads generally located at 8790 North Coast Highway, Crystal Cove State Park, Orange County

**Proposed Development:** Construct and install ADA improvements to the existing day use and trail facilities at Crystal Cove State Park. Project implementation will comply with State and Federal accessibility requirements and standards found in the "2015 California State Parks Accessibility Guidelines". Specific improvements include: accessible parking stall upgrades at Pelican Point Lots #1, #2 and Reef Point; Trailhead upgrades at Pelican Point Lots #1, #2, #3, #4 and Reef Point; Interior and exterior restroom upgrades at Pelican Point Lots #1, #2, #3, #4, Reef Point and Los Trancos areas; General 'Path of Travel' improvements at various locations; Replace benches along Bluff Trail and Overlooks for ADA access. No vegetation removal. Minor pruning of brush and vegetation may occur.

**Rationale:** The existing park facilities at the Crystal Cove State Park need to conform to ADA requirements. Non-conforming ADA parking spaces will be corrected, trash receptacles will be relocated, ADA ramps will be installed from the parking lots to the trail heads, restrooms will be upgraded, and benches will be replaced, picnic areas and signage will be modified for ADA accessibility. There will be no vegetation removal and the improvements will occur within the existing paved areas or along existing trails or within areas denude of vegetation. The park is surrounded by sensitive habitat, however this project will not impact any habitat. There is a certified Public Works Plan for this State Park, however these particular upgrades are not detailed in the plan, therefore the standard of review is the Chapter 3 policies of the Coastal Act, with which this project is consistent, and it will not prejudice the Public Works Plan. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities.

This waiver will not become effective until reported to the Commission at their **July 8-10, 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.

**Coastal Development Permit De Minimis Waiver**  
5-20-0334-W (California Dept of State Parks and Recreation)

John Ainsworth,  
Executive Director

Amber Dobson  
District Manager

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## **NOTICE OF PROPOSED PERMIT EXTENSION**

**Date:** June 24, 2020

**To:** All Interested Parties

**From:** Shannon Vaughn, Coastal Program Manager  
Meg Vaughn, Coastal Program Analyst

**Subject:** Third Extension to Coastal Development Permit (CDP) No. 5-82-0291-A5  
Applicants: SHC Laguna Niguel I, LLC

### **Original CDP Approval**

On June 16, 1982, the Coastal Commission approved CDP No. 5-82-0291 (AVCO), which allowed construction of a 397-room resort hotel with two restaurants, meeting rooms, ballroom, pool and deck, public access trail, 672 off-street parking spaces, landscaping and other improvements on a vacant 18.55 acre blufftop lot.

### **CDP 5-82-291-A5**

Remodel and expansion of the existing Ritz Carlton Laguna Niguel hotel by adding a 36,071 square foot meeting and event space; relocating a segment of the existing public access walkway to the bluff and beach; landscape and hardscape work and installing water quality management devices.

**Project Location:** Ritz-Carlton Resort Hotel  
1 Ritz Carlton Drive, City of Dana Point (Orange County)

### **Previous CDP Extension**

The expiration date of CDP No. 5-82-0291-A5 was previously extended by one year to May 13, 2020. The Commission's reference number for this previous extension was **CDP No. 5-16-0298-E2**.

### **Proposed CDP Extension**

The expiration date of CDP No. 5-82-0291-A5 would be extended by one year to May 13, 2021. The Commission's reference number for this proposed extension is **CDP No. 5-16-0298-E3**.

### **Executive Director's Changed Circumstances Determination**

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the certified City of Dana Point Local Coastal Program and/or Chapter 3 of the Coastal Act, as applicable.



5-82-291-A5-E3  
SHC Laguna Niguel I, LLC  
Third Extension Request

**Coastal Commission Review Procedure**

The Executive Director's determination and any written objections to it will be reported to the Commission on July 8, 2020. If three or more Commissioners object to the Executive Director's changed circumstances determination at that time, a full hearing on whether changed circumstances exist will be scheduled pursuant to the Commission's regulations.

**If you have any questions about the proposal or wish to register an objection, please contact Meg Vaughn in the South Coast District office.**

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**EMERGENCY PERMIT**

Issue Date: March 20, 2020  
Emergency Permit No. G-5-20-0021

**APPLICANT:**

Todd Schiffman Trust (Attn: Mark Puente)  
31361 Coast Hwy  
Laguna Beach, CA 92651

**LOCATION OF EMERGENCY:**

31361 Coast Highway, Laguna Beach, Orange County (APN: 056-032-06)

**EMERGENCY WORK:**

Removal of the existing composite slate roof, wood sheathing, and a double-layer of "Class A" felt underlayment in an existing single-family residence. All will be replaced with like materials. No change in height or usage is proposed.

This letter constitutes approval of the emergency work you or your representative has requested be done at the location listed above. I understand from the provided information that an unexpected occurrence in the form of winter storms creating gaps in the existing roof requires immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services pursuant to 14 Cal. Admin. Code Section 13006. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

The emergency work is hereby approved, subject to the conditions in the attached pages.

Sincerely,  
John Ainsworth  
Executive Director

 , Coastal Program Manager  
FOR: Karl Schwing  
Deputy Director, Orange County

Enclosures: Acceptance Form

**CONDITIONS OF APPROVAL:**

1. The enclosed Emergency Permit Acceptance Form must be signed by the PROPERTY OWNER and sent to the Coastal Commission's South Coast District office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Work is further limited to the submitted Site Plans. Any additional work requires separate authorization from the Executive Director.
3. All work shall take place in a time and manner to minimize any potential damages to any coastal resources, including terrestrial habitat and water quality, and to minimize impacts to public access. The coastal resource impact avoidance measures referenced in the project application shall be implemented throughout construction. Construction materials, equipment, or debris shall not be stored where it will be or could potentially be subject to wave erosion and dispersion, or subject to direct impacts from rain. Water quality shall be protected through best management practices including, but not limited to proper disposal of construction waste at designated sites and minimization of construction runoff through proper containment and stockpiling.
4. The work authorized by this permit must be completed within thirty (30) days of the date of this permit, or as extended by the Executive Director through correspondence.
5. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the City of Laguna Beach, California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
7. Within 30 days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall submit to the City of Laguna Beach a complete follow-up Coastal Development Permit (CDP) Application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the City of Laguna Beach determines that the follow-up CDP application is incomplete and requests additional information, the

applicant shall submit this additional information within 60 days, or within additional time as established by the City. If such a follow-up CDP application is withdrawn by the applicant or is denied by the City, or if the follow-up CDP application remains incomplete for a period of sixty (60) days after the City informs the applicant that the application is incomplete, the emergency-permitted development shall be considered unpermitted until the issue is remedied in compliance with the Coastal Act.

8. Failure to a) submit a complete follow-up CDP Application that complies with Condition 7 above, or b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP will constitute a knowing and intentional violation of the Coastal Act<sup>1</sup> and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

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<sup>1</sup> The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

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**EMERGENCY PERMIT**

Issue Date: June 25, 2020

Emergency Permit No: G-5-20-0008

**APPLICANT:**

City of Laguna Beach Fire Department  
505 Forest Ave., Laguna Beach, CA 92651

**LOCATION OF EMERGENCY:**

Hobo-Aliso Canyon Area: East of Barracuda Way and Loretta Drive (City-designated Fuel Modification Zone 10); and Adjacent to northern terminus of Marilyn Drive and Driftwood Drive, and east of Driftwood Drive and Ocean Vista Drive (City-designated Fuel Modification Zone 11), City of Laguna Beach, Orange County (APNs: 056-240-62, 056-240-67, 056-240-68, 656-035, 03, 656-191-40, 056-240-54, 056-240-56, 056-240-57, 056-240-65, 656-071-13, and 656-071-18))

**EMERGENCY WORK:**

Vegetation removal as necessary to reduce fire hazards at City-designated Fuel Modification Zones (FMZ) 10 and 11. For FMZ 10, proposed vegetation removal is limited to hand removal in areas identified as maritime chaparral, disturbed maritime chaparral, maritime chaparral/coastal sage scrub, coastal sage scrub, and disturbed coastal sage scrub; goat grazing will be permitted in areas with non-native grassland and ornamental vegetation. As for FMZ 11, all vegetation removal will be limited to hand removal.

**PERMIT RATIONALE**

This letter constitutes approval of the emergency work you or your representative has requested to be completed at the location listed above. I understand from your information that an unexpected occurrence in the form of a fire hazard due to the growth of non-native fire-prone vegetation requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Code of Regs. Section 13009. The Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 45 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.


The emergency work is hereby approved, subject to the conditions listed on the attached pages.



June 25, 2020  
Emergency Permit No.: G-5-20-0008

Sincerely,

John Ainsworth  
Executive Director  
Signed by:

  
By: Karl Schwing, Deputy Director, Orange  
County B9690DD756CA4C4...

cc: Local Planning Department  
Enclosure: Emergency Permit Acceptance Form

**CONDITIONS OF APPROVAL:**

1. The enclosed Emergency Permit Acceptance form must be signed by the permittee and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. Work in Fuel Modification Zone 10 is limited to the upper area identified in Exhibit A, and is not authorized in the lower area of this zone. Any additional work requires separate authorization from the Executive Director. This emergency permit shall not be construed as authorizing any unpermitted development previously undertaken on the subject property.
3. All work shall take place in a time and manner to minimize any potential damages to any resources, including wildlife.
4. The work authorized by this permit must be completed within 45 days of the date of this permit, unless extended in writing by the Executive Director for good cause.
5. The applicant recognizes that the emergency work is considered to be temporarily authorized pursuant to this permit. Within 90 days, the applicant must apply for a regular coastal development permit for the work undertaken pursuant to this permit as part of an ongoing plan to assess and address, as necessary, fire hazards on the property, and to mitigate for impacts to coastal resources. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.
6. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, and U.S. Army Corps of Engineers.
8. For FMZ 10, all vegetation removal shall occur by hand in areas identified as maritime chaparral, disturbed maritime chaparral, maritime chaparral/coastal sage scrub, coastal sage scrub, and disturbed coastal sage scrub; goats shall only be used in areas with non-native grassland and ornamental vegetation (maintained or non-maintained) and only for the minimum amount of time necessary to achieve the City's targets for fuel reduction in these areas. Grazing Treatment Protocols shall be implemented as detailed in the document titled Laguna Beach Treatment Protocols for Fuel Modification Zones Subject to Coastal Development Permitting. In order to achieve the City's targeted 50% reduction in fuel loading, native plants may be removed in areas where native plant coverage is comprehensive or nearly comprehensive. In areas where native plants are mixed with non-native plants, non-native plants shall be removed first to reach the targeted reduction in fuel loading.
9. For FMZ 11, all vegetation removal shall occur by hand; no goats will be used. No native plants will be removed including, but not limited to, all native woody species, native bunch grasses, and all special status plant species (e.g. big-leaved crownbeard (*Verbesina dissita*)) at the project site.

10. Non-native plant cuttings and seeds removed as part of the subject fuel modification activities shall be removed from the site and shall not be left on the soil where they remain a seed source. When a biologist determines that a plant has already gone to seed, and where seeds are already on the ground, the applicant is not required to collect such seeds.
11. All vegetation removal shall be limited to the area within 100 feet of any combustible primary structures. The applicant shall notify all affected property owners to coordinate the fuel modification on all affected properties.
12. Special status plant species (e.g. big-leaved crownbeard (*Verbesina dissita*)) at the project site shall not be disturbed. Both native and non-native plants that are required overstory to big-leaved crownbeard, located within the proposed work area, will be flagged for avoidance by work crews, and protected under the guidance of a qualified biologist who shall be on site during all plant removal activities. The minimum area preserved as overstory shall be the area within 15 feet surrounding the big-leaved crownbeard. Non-natives within 15 feet of crownbeard which are not providing overstory for the crownbeard may be removed.
13. Root systems of native perennial plants shall be left intact to preserve soil stability.
14. Within 48 hours prior to commencement of fuel modification activities, a qualified biologist shall conduct a biological survey for any special status plant species including, but not limited to, big-leaved crownbeard, cliff spurge (*Euphorbia misera*), fish's milkwort (*Polygala cornuta* var. *fishiae*), and western dichondra (*Dichondra occidentalis*) and any nesting birds and special status animal species such as nesting gnatcatchers. All special status plant species identified shall be flagged prior to commencement of fuel modification activities. If an active nest of any bird species is documented, no fuel modification activities within 300 feet of the nest shall be allowed until the chicks have fledged.
15. All work shall be conducted by qualified contractors with experience in fuel modification activities within sensitive habitat. A minimum of one qualified biologist for each three contractors shall be present on-site and shall monitor all fuel modification activities. If work is phased so that workers remain grouped in one area, then the ratio of 1:3 may be reduced. Workers may collect (rake and haul) plant matter which has already been trimmed without the supervision of a biologist.
16. Prior to commencement of work, pre-project biological conditions shall be documented via photographing the site, mapping, and other appropriate documentation. Post-project conditions shall be similarly documented and an analysis prepared identifying all impacts to native plant species caused by the proposed project. While no native plants or their non-native overstory are proposed to be impacted, any such inadvertent or unexpected impacts to native plants, or non-native plants that are overstory to and necessary for the survival of big-leaved crownbeard, shall be mitigated. The pre- and post-project biological condition documentation shall be submitted in conjunction with the follow-up regular CDP application, along with a mitigation plan if adverse impacts to native plants occur.
17. PRIOR TO COMMENCEMENT OF FUEL MODIFICATION ACTIVITIES, the permittee shall submit for the review and written approval of the Executive Director, final plans depicting the areas where work is proposed to occur taking into consideration all the requirements and limitations established under these conditions of approval, including but not limited to the areas where goats will be utilized, said areas being restricted to areas dominated by non-native grasses or ornamental vegetation. Such plans shall accurately depict the

location and physical extent of native plants to be avoided and flagged pursuant to these conditions of approval. The applicant shall provide written notification to the Executive Director of the date and time that the work will commence at least two (2) business days prior to commencement of the work. Work shall not commence without the written authorization of the Executive Director.

18. The applicant shall coordinate with Southern California Edison to gain access to the site through the locked gate. The gate shall be locked at the conclusion of each day's activities.
19. The applicant shall avoid fuel modification in any identified active restoration areas, including the following:
  - A. The applicant shall coordinate all activities with the OCTA or OCTA's designated land manager and shall install field markers to delineate the maximum boundaries of the FMZ, as well as the OCTA Pacific Horizon Preserve Boundary. In the event that any active restoration area within the OCTA Pacific Horizon Preserve (**Exhibit B**) is disturbed in the course of or as a result of the proposed work, the applicant shall take all steps necessary, in a timely fashion, to return the disturbed restoration area to the condition in which it existed prior to the disruption caused by the applicant.
  - B. The applicant shall avoid fuel modification in the Hometown America Restoration Site (Ref: CDP No. 5-13-471) (see **Exhibit C**). The applicant shall install field markers to delineate the maximum boundaries of the FMZ, as well as the Hometown America Restoration Site. In the event that any active restoration area within the Hometown America Restoration Site is disturbed in the course of or as a result of the proposed work, the applicant shall take all steps necessary, in a timely fashion, return the disturbed restoration area to the condition in which it existed prior to the disruption caused by the applicant.
  - C. The applicant shall avoid fuel modification in the Southern California Edison pole maintenance and removal and habitat restoration area (Ref: CDP No. 5-17-0506) (see **Exhibit D**). The applicant shall install field markers to delineate the maximum boundaries of the FMZ and the Southern California Edison pole maintenance and removal and habitat restoration area. In the event that any active restoration area within the SCE pole maintenance and removal and habitat restoration area is disturbed in the course of or as a result of the proposed work, the applicant shall take all steps necessary, in a timely fashion, return the disturbed restoration area to the condition in which it existed prior to the disruption caused by the applicant.

## Location of Emergency – City-designated FMZ 10:





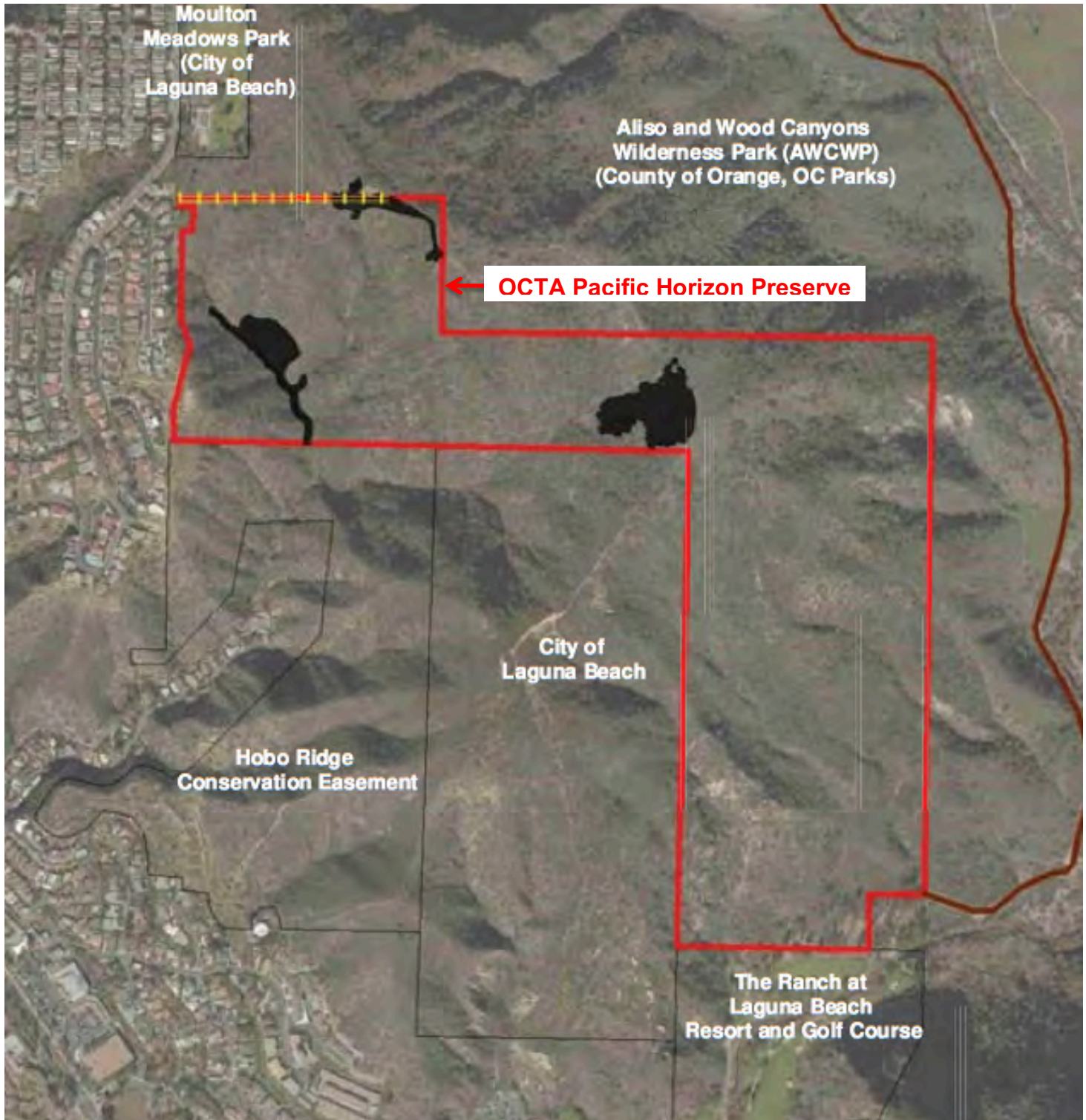
## Location of Emergency – City-designated FMZ 11:



Fuel Modification Zone 11



# OCTA Pacific Horizon Preserve





# Hometown America Restoration Site





# SCE Pole Maintenance and Removal and Restoration Areas



FIGURE 3

LSA



SOURCE: Bing Maps (2015); SCE (2017)

## LEGEND

- Drive and Crush Access - Reuse prior path
- Existing Dirt Access Road
- Walking Path to Pole (Approximate)
- Foot Access
- Crane/Vehicle Location (Approximate)

## Pole Locations

- Work Complete
- Remove Pole
- Top Half of Pole Needs to be Removed
- Top Half of Pole already Removed. Segments on Ground.

SCE1303B.1447 Driftwood GRM Project  
Access Routes