

**CALIFORNIA COASTAL COMMISSION**

South Coast District Office  
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# W14c

CDP 5-19-1032 (ORANGE COUNTY DEPT. OF PUBLIC  
WORKS)

JULY 8, 2020

EX PARTE FORMS

EXPARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner Donne Brownsey

1) Name or description of project: July 2020 Commission Items  
W14 (c )5-19-1032 OC County Dept of Public Works and W 14(e) 5-  
19-1036 Blue Lagoon Community Association

2) Date and time of receipt of communication:  
July, 2, 2020, 9:00-9:25AM

3) Location of communication

By Telephone

4) Identity of person(s) initiating communication:

Penny Elia

5) Identity of person(s) on whose behalf communication was made:

Penny Elia on behalf of the Sierra Club and the NGO letter on OC  
Public Works (see attached letter) and Penny Elia as resident of  
Laguna Beach on Blue Lagoon.

6) Identity of persons(s) receiving communication:

Donne Brownsey

7) Identity of all person(s) present during the communication:

Brownsey and Elia

Complete, comprehensive description of communication  
content (attach complete set of any text or graphic material  
presented):

RE: OC County Department of Public Works: Ms. Elia reviewed the  
NGO joint letter dated July 1, 2020 regarding the issues of concern with  
the staff report regarding Condition #1 on felt there is a need for  
performance standards that are specified in the condition of determining

an improvement of enforcement of the dogs on leash etc and other rules on the sign. She indicated that they are also very concerned that the location of the signs is critical and that they should be close to the public street entrances to the beach. Additionally she was concerned that the Spanish language sign reference was confusing and that there should be a separate Spanish language sign consistent with the Commission's EJ Principles. Finally: she was concerned that a 5 year monitoring plan is too long a time period. I expressed my concern regarding signs and critical habitat for endangered species in that the signs are routinely ignored on public beaches close to me.

Re: Blue Lagoon: Ms Elia was speaking as a resident of Laguna Beach and she indicated that there is a long history of Commission actions on this property and that the development was required to provide public access in past conditions. She stated that there is a long history of violations of numerous conditions without consequences. She indicated that now it is impossible for the public to walk in front of the property due to the armoring and the beach erosion which blocks the ability of the public to walk between the 2 long beaches on either side. For years, the public was able to enjoy a long beach walk and that it not the case now.

She indicated that the property was required to put in a public staircase and to provide public access in front of the building. Instead there are security guards 24/7 that guard the property preventing any public access. She requests that the Commission require public access as a condition of this permit.

Date July 2, 2020



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Signature of Commissioner Donne Brownsey



July 1, 2020

California Coastal Commission  
45 Fremont St. #2000  
San Francisco, CA 94105

**Re: W14c Application 5-19-1032 Orange County Department of Public Works**

Dear Chair Padilla and Commissioners:

Following many starts and stops with attempts to protect and preserve the endangered species at the Santa Ana River/River Jetties Beach/Huntington Beach Least Tern Preserve, we believe your staff has worked with the County of Orange on implementing a positive first step in achieving protection and preservation of this very special area. Our group of environmental organizations that have been coming before you for several years would like to collectively support staff's recommendation for approval of the proposed signage in CDP application 5-19-1032, including staff's proposed Special Condition One, however, we suggest three modifications.

**• Modification of signage placement**

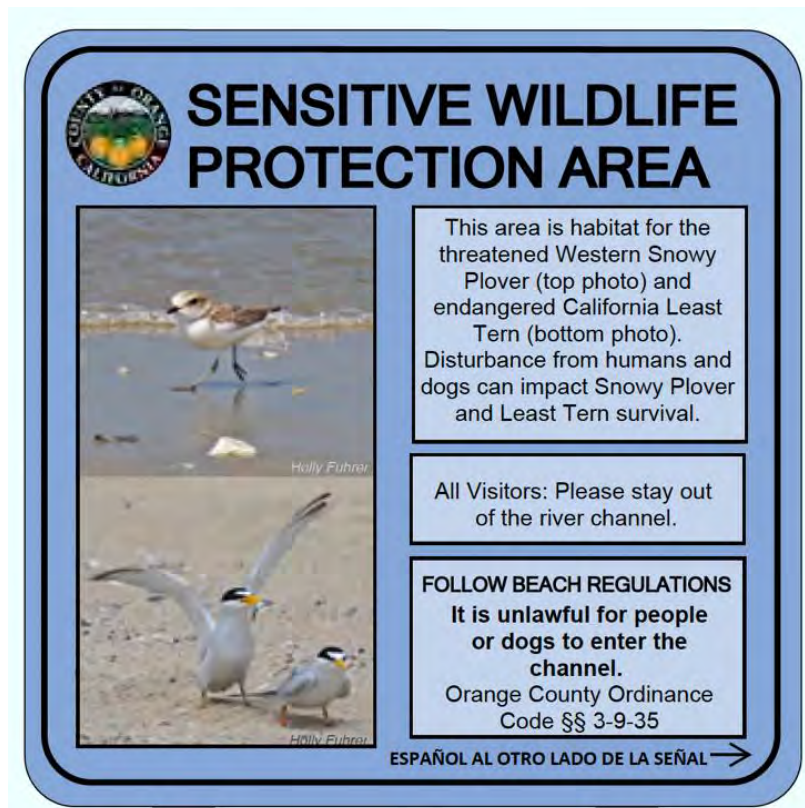
Your staff has crafted a consolidation of the permitting process with this application which allows the County of Orange, City of Newport Beach and the City of Huntington Beach to work as one unit on this CDP for signage. With that in mind, we suggest that signage be increased to include the two heavily parked streets (Seashore Drive and Summit Street) that accommodate the pet owners, dog walking companies and powered parachute operators in the City of Newport Beach, as well as the Santa Ana River Trail on the City of Huntington Beach side of the Santa Ana River (see mapping on next page). Our goal has always been to alter the behavior of the public that continue to impact the natural resources and endangered species in this sensitive area. Placement of signage in the areas where the public parks and accesses this area is critical to positively altering behavior, and allows the public to see the signage before they enter the beach or the river.





• **Modification of Spanish language educational signage**

The staff report states that all of the signs will be in both Spanish and English – this is excellent. However, please note the small type on the English educational sign at the very bottom with an arrow. This states in Spanish that the Spanish version of the educational sign is on the back of the English sign. We would like to see two separate signs, English and Spanish, either installed side-by-side or the two signs on one pole. Either way, we feel it's important to provide equality in messaging.



• **Modification of Special Condition One**

We support staff's proposal for an annual report on enforcement activity by the County. We believe that additional performance standards and regular monitoring to ensure that signage and enforcement are as effective as possible are needed. We propose that the County also report annually on the status of the two key species of the area, Western Snowy Plover and California Least Tern. One of our organizations, Sea and Sage Audubon Society, has a lengthy history (since 1964) of playing an active role in protecting these birds through monitoring, census programs, and interpretation to the public. We suggest that opportunities for Sea and Sage and other interested NGOs to assist the County in such monitoring programs be included.

We once again thank staff for their work on developing a first step in protecting and preserving this special area that will now hopefully be the home of many Western Snowy Plover and Least Tern, as well as aid in the recovery of the nearby dune ESHA. We thank the Commissioners for listening to our testimonies over the years and taking action when possible. We look forward to this first step being very successful with the help of the County of Orange and cities of Newport Beach and Huntington Beach.

Sincerely,

Andrea Jones  
Audubon California

Travis Longcore, Ph.D.  
Los Angeles Audubon Society

Susan Sheakley  
Sea & Sage Audubon Society

Scott Thomas  
Sea & Sage Audubon Society

Steve Ray  
Banning Ranch Conservancy

Garry Brown  
Orange County Coastkeeper  
Inland Empire Waterkeeper

Dan Silver  
Endangered Habitats League

Michael Wellborn  
Friends of Harbors, Beaches  
and Parks

Penny Elia  
Sierra Club

Conner Everts  
Southern California  
Watershed Alliance

Jack Eidt  
Wild Heritage Planners

Robert A. Hamilton  
Hamilton Biological, Inc.

**EX PARTE COMMUNICATION DISCLOSURE FORM**

Filed by Commissioner: Roberto Uranga

- 1) Name or description of project: 5-19-1036 (Blue Lagoon Community Association, Laguna Beach)
- 2) Date and time of receipt of communication: June 30, 2020 at 3:00pm
- 3) Location of communication: Telephone  
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
- 4) Identity of person(s) initiating communication:  
Penny Elia
- 5) Identity of person(s) on whose behalf communication was made:  
Self
- 6) Identity of persons(s) receiving communication:  
Roberto Uranga
- 7) Identity of all person(s) present during the communication:  
Penny Elia, Celina Luna

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

I had a phone briefing with Penny Elia who along with other non government organizations would like to see protection and preservation of the endangered species at the Santa Ana River/ River Jetties Beach/ Huntington Beach Least Tern Preserve.

One small change they would like to see is the modification of the sign placement, including the heavily parked streets (Seashore Drive and Summit Street) that accommodate the pet owners, dog walking companies and powered parachute operators. The goal of signage is change in behavior to protect the endangered species in this sensitive area. There also needs to be a modification to the signage to have multi-lingual signage on the premises.

She would also like to see this CDP conditioned with a goal of returning the public beach access that has been diminished over the years. She also would like a requirement for a plant palette before the permit is issued.

07/01/2020

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Date

Signature of

Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written

material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.



### EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Erik Howell

- 1) Name or description of project: OC Parks River Signs
- 2) Date and time of receipt of communication: June 30, 2020, 2:30 pm
- 3) Location of communication: Oceano by telephone  
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
- 4) Identity of person(s) initiating communication:  
Penny Ellia
- 5) Identity of person(s) on whose behalf communication was made:  
Penny Ellia
- 6) Identity of persons(s) receiving communication:  
Erik Howell
- 7) Identity of all person(s) present during the communication:  
Erik Howell, Penny Ellia

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

I spoke with Penny Ellia regarding the designation of the mouth of the Santa Ana river as a semi-authorized off-leash dog park and the negative impacts this use is having on the native wildlife. The Orange County Parks proposal to place no trespassing signs is a start, however, they are to be placed in the wrong locations without proper and prominent Spanish translation. She also stated that Parks was unwilling to partner with NGOs to place fencing to protect wildlife.

7/4/20  
Date

  
Signature of Commissioner

**TIMING FOR FILING OF DISCLOSURE FORM:** File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.