

**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



# F8

**Prepared November 08, 2021 (for the November 19, 2021 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 2021

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 19, 2021. 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 19th.

With respect to the November 19th 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 19, 2021 (see attached)**

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**Waivers**

- 5-21-0043-W, Tracy Cloud (Huntington Beach)
- 5-21-0387-W, Paul Villa (Huntington Beach)
- 5-21-0392-W, 1-bedroom ADU (Laguna Beach)
- 5-21-0585-W, Remodel and addition (Seal Beach)
- 5-21-0623-W, ADU conversion (San Clemente)
- 5-21-0626-W, Home remodel and additions (San Clemente)
- 5-21-0635-W, New ADU (San Clemente)

**Emergency Permits**

- G-5-21-0053, Existing Cantilever deck (Huntington Beach)

CALIFORNIA COASTAL COMMISSION  
SOUTH COAST DISTRICT OFFICE  
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HUNTINGTON BEACH, CA 90802-4830  
(714) 590-5071

October 22, 2021



## 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:** 5-21-0043-W

**Applicant:** Tracey H. Cloud, Trustee of the Marital Trust  
under the Robel Trust dated December 13, 2004

**Location:** 16741 Bolero Lane, Huntington Beach, Orange County (APN: 178-381-30)

**Proposed Development:** Replace an existing, roughly rectangular boat dock float with a new boat dock float with the same dimensions and location. There will be no increase in the existing overwater coverage of 570 square feet. Two, existing 14" diameter concrete piles will remain in place and be re-used. No new piles are proposed. The existing 3' by 19' foot gangway will also be re-used in the same location. No fill of coastal waters is proposed.

**Rationale:** The subject site is associated with the adjacent residentially zoned, harbor front lot in Huntington Harbour. 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 October 20, 2020, no eelgrass or Caulerpa was found in the vicinity. Pre- and post-construction eelgrass and Caulerpa surveys are 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 subject site is located in an area of the harbor administered by the City of Huntington Beach and has received approval in concept and Harbor Permit No. 1343 from the City. 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 17-19, 2021** 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

Meg Vaughn  
Coastal Program Analyst

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October 27, 2021

## 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:** 5-21-0387-W                      **Applicant:** Paul Villa

**Location:** 16482 Grimauld Ln, Huntington Beach, Orange County (APN: 178-444-12)

**Proposed Development:** Like-for-like decking replacement on existing, 31' by 3' residential dock finger. No change in overwater coverage, no structural changes, and no fill of coastal waters 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 decking replacement will be made of composite AZEK material (95% recycled materials), is consistent with the size and configuration of the existing dock fingers and similarly situated dock fingers in the Huntington Harbour area, and is consistent with past Commission issued permits. No changes are proposed to the existing dock. Single-family residences and associated private boat docks characterize the subject site and the surrounding area. Pre-construction eelgrass and Caulerpa surveys are proposed by the applicant. Post-construction eelgrass survey is proposed by the applicant. In the event that 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. Therefore, 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 **November 17-19, 2021** 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

Shahar Amitay  
Coastal Program Analyst

cc: Commissioners/File

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October 25, 2021

## Coastal Development Permit Waiver Improvements to Existing Structures or Repair and Maintenance Coastal Act Section 30610

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 13250(c), Section 13252(e), or Section 13253(c), 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:** 5-21-0392-W**Applicant:** 2475 SCH LLC**Location:** 30 S. La Senda Drive, Laguna Beach (Orange County) (APN(s): 056-180-41)

**Proposed Development:** Construction of a lower level approximately 790-sq. ft. accessory dwelling unit (ADU) under an existing 526-sq. ft. garage. The existing garage floor is proposed to be demolished and replaced in-kind to accommodate the proposed ADU. Both the garage and the ADU will be attached to an existing 3,482-sq. ft. single-family residence. Approximately 413 cubic yards of grading (cut & fill) is proposed. New on-grade steps proposed for ADU access.

**Rationale:** The subject site is a 10,843-sq. ft. oceanfront, blufftop lot and is located within the existing locked gate community of Three Arch Bay (TAB), one of the areas of deferred certification in the otherwise certified City of Laguna Beach due to public access issues. The area is zoned low density residential by the City and the proposed project conforms to the permitted uses for the zone. Best Management Practices (BMPs) including erosion and runoff controls will be implemented during the construction phase. Regarding new drainage improvements, stormwater run-off will be diverted into retention areas for reuse, and excess flow will be directed to the public storm drain system. There is no public access in TAB; therefore, the project will have no impact to public coastal access even if the residents park their vehicles on the street in TAB. Public coastal access exists in the project vicinity at 1,000 Steps County beach (approximately ½-mile up-coast) and at Salt Creek Beach Park (approximately 1-mile down-coast). The proposed project design is compatible with the character of surrounding development and will not adversely impact visual or coastal resources, public access, or public recreation opportunities. It is consistent with past Commission actions in the area and with Chapter Three policies of the Coastal Act, and it will not prejudice the City's ability to prepare a Certified Local Coastal Plan (LCP) for the Three Arch Bay area of deferred certification.

This waiver will not become effective until reported to the Commission at its **November 17-19, 2021** meeting. If three (3) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Marlene Alvarado  
Coastal Program Analyst

cc: Commissioners/File

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October 27, 2021

## 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:** 5-21-0585-W      **Applicant:** Robert Thomas  
**Location:** 1421 E Seal Way, Seal Beach, Orange County (APN: 199-092-11)

**Proposed Development:** Remodel and addition of 292 sq. ft. of habitable space to an existing three-story, 35'-tall, 3,884 sq. ft. triplex in Seal Beach. The 2nd-floor beachfront balcony will be enclosed and converted into a family room, and new windows will be installed at all elevations. Additionally, existing roof deck containing sauna and bar will be removed and replaced with 48" pool and spa, fire feature, and lounge. Existing elevator will be extended to roof elevation. Electrical, mechanical, and plumbing fixtures and appliances will be upgraded. The structure façade is proposed to be flush with the adjoining pedestrian beach path with no setback.

**Rationale:** The subject site is a 3,739 sq. ft. lot directly adjacent to the public beach and pedestrian pathway. Public access to the beach and walkway may be found at the termini of 14<sup>th</sup> Street or Dolphin Avenue, both approximately 130 feet from the subject site. The proposed project received an Approval in Concept from the City of Seal Beach (7/28/21) and is consistent with the low-density residential zoning designation and the surrounding land uses, which consist of single-family homes and small multi-family residences. The proposed project design is compatible with the character of surrounding development. The proposed development conforms to City setback requirements and there will be no change to existing parking. To protect water quality, the applicant has proposed construction responsibilities and debris removal measures, post-construction best management practices, and adequate drainage measures redirecting runoff onto permeable surfaces within the lot and away from the beach. The applicant has also proposed a leak detection and protection system for the swimming pool atop the roof deck, consistent with the Commission's typically imposed special conditions. Therefore, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, 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 Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its **November 17-19, 2021** 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

Shahar Amitay  
Coastal Program Analyst

cc: Commissioners/File

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November 3, 2021

## **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:** 5-21-0623-W**Applicant:** Kristine K. Schuster**Location:** 215 Avenida Barcelona, San Clemente, Orange County (APN: 692-241-06)**Proposed Development:** Convert an existing 666 sq. ft. detached garage of a single family residence into an ADU with a bedroom, bathroom, living room, kitchen, and laundry room. Two tandem parking spaces are provided in the driveway.

**Rationale:** The project site is located on a developed 7,200 square-foot lot located 0.28 mile inland of the ocean, landward of the first public road parallel to the sea, and in an urbanized residential neighborhood. The lot is designated Residential Low (RL) by the City's certified Land Use Plan and the proposed project conforms to the permitted use and development standards for the RL zone. The project does not propose any changes to the existing single family residence. The proposed development will provide two (2) parking spaces for the residential unit in the driveway. Moreover, the site is located more than a quarter mile inland from the beach and is not expected to impact public street parking spaces used for beach access. Therefore, the project would not adversely impact public access in the area. Additionally, the proposed project design is compatible with the character of surrounding development, will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the designation in the City's certified Land Use Plan, previous Commission action 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 17-19, 2021** 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

Vince Lee  
Coastal Program Analyst

cc: File

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November 3, 2021

## **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:** 5-21-0626-W**Applicant:** Boyd Truman and Sandy Truman**Location:** 4085 Calle Isabella, San Clemente, Orange County (APN: 060-311-04)

**Proposed Development:** Remodel and 191 sq. ft. addition to the first and second floor of the existing 7,152 sq. ft. single family residence, remove existing pool and construct a new pool and spa, construct a new detached 400 sq. ft. guest house and pool bath, and remove existing concrete walkway and replace with decomposed granite path within the 15' public access easement area along the eastern boundary of the property.

**Rationale:** The subject site is a 30,015 sq. ft. lot zoned Residential Low (RL) in the City of San Clemente's certified Land Use Plan. The proposed project is not a bluff top or oceanfront lot, but is located between the sea and the first public road within the gated community of Cotton Point. The proposed project conforms to the permitted use and development standards for the RL zone. The proposed development currently provides three (3) parking spaces for the residential unit and additional unenclosed parking for guests. The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public coastal access. Public coastal access exists in the project vicinity at the Trestles Beach accessway approximately 1,500 ft. to the south. The existing access easement at the site is currently not in use; the access will only be opened if the Trestles access way is no longer available to the public (Ref: CDP Nos. P-81-7789 and A-148-81). No permanent improvements are proposed along the 15' wide public access easement along the eastern property line, as the existing concrete walkway will be replaced with decomposed granite path. The proposed development will not result in adverse impacts to coastal access, views, resources, or public recreation. Also, the proposed development is compatible with the character of surrounding development, will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the designation in the City's certified Land Use Plan, previous Commission action 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 17-19, 2021** 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

Vince Lee  
Coastal Program Analyst

cc: File

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November 3, 2021

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

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**Waiver:** 5-21-0635-W**Applicant:** Jason C. Engle and Kerry K. Engle**Location:** 2400 South Ola Vista, San Clemente, Orange County (APN: 060-182-04)**Proposed Development:** Construct a new 527 sq. ft., 1-story, 15-ft. high, detached ADU with a roof deck in the rear yard of an existing single family residence.

**Rationale:** The project site is located on a developed 12,500 square-foot lot located 0.28 mile inland of the ocean, in an urbanized residential neighborhood. The lot is designated Residential Low (RL) by the City's certified Land Use Plan and the proposed project conforms to the permitted use and development standards for the RL zone. The proposed development was approved in concept by the City's Planning Division on July 14, 2021. The project does not propose any changes to the existing single family residence. The proposed development will provide two (2) parking spaces for the residential unit in the driveway. Moreover, the site is located more than a quarter mile inland from the beach and is not expected to impact public street parking spaces used for beach access. Therefore, the project would not adversely impact public access in the area. Additionally, the proposed project design is compatible with the character of surrounding development, will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the designation in the City's certified Land Use Plan, previous Commission action 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 17-19, 2021** 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

Vince Lee  
Coastal Program Analyst

cc: File



**CALIFORNIA COASTAL COMMISSION**

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

**EMERGENCY PERMIT**

**DATE:** NOVEMBER 4, 2021

**EMERGENCY PERMIT:** G-5-21-0053

**APPLICANT:** Wasseem Samaan

**LOCATION:** 3575 Courtside Circle, Huntington Beach, Orange County

**EMERGENCY WORK PROPOSED:** An existing 281 square foot concrete deck that cantilevers 5 feet beyond the bulkhead was structurally compromised during work on an adjacent pool. The applicant will remove the compromised cantilever deck by wire saw, cutting the failed deck into 1-2 ton sections. Before the sections are cut, they will be secured to an overhead trolley crane. The freshly cut concrete sections will be lowered by the overhead trolley crane onto floating platforms waiting under the sections. The concrete sections will be floated out and placed on a truck where they will be delivered to an appropriate upland recycling center. Work is proposed to begin upon receipt of this emergency permit and is expected to take 5-7 days.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of imminent structural failure of the cantilevered deck which, if allowed, would fall into the waters of Huntington Harbour requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and
- (c) As conditioned the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, **subject to the attached conditions.**

John Ainsworth  
Executive Director

DocuSigned by:  
*Karl Schwing*  
Karl Schwing  
Deputy Director

**CONDITIONS OF APPROVAL:**

1. The enclosed form must be signed by the permittee and returned to the Commission's South Coast District office within 15 days.
2. Only that work specifically described above and for the specific properties listed above is authorized by this permit. Any additional work requires separate authorization from the Executive Director or appropriate Coastal Development Permit approval authority.
3. The work authorized by this permit must be completed within 60 days of the date of this permit.
4. The proposed work will occur over water located within the jurisdiction the California State Lands Commission (CSLC). The applicant shall immediately contact the California State Lands Commission to report the emergency situation and proposed actions. Any emergency requirements imposed by the CSLC shall be reported to the Executive Director of the Coastal Commission. Evidence of efforts to contact the CSLC, and any comments received and/or additional measures required by CSLC shall be included with the follow-up CDP described in Condition No. 6, below.
5. The applicant shall implement the attached water quality Best Management Practices (BMPs).
6. The emergency work is considered to be temporarily authorized pursuant to this permit. The applicant must obtain a follow-up Coastal Development Permit for the work undertaken pursuant to this permit. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. A follow-up Coastal Development Permit application to authorize the removal work shall be submitted to the Coastal Commission's South Coast District office within ninety (90) days of conclusion of the emergency work, unless the time limit is extended by the Executive Director for good cause.
7. In exercising this permit the permittee 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.
8. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
9. 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.

Condition number six (6) indicates that the emergency work is considered to be temporary work done in an emergency situation. A follow-up Coastal Development Permit must be obtained. A regular coastal development permit would be subject to all of the provisions of the Chapter 3 policies of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages, if required under the Coastal Act.

If you have any questions about the provisions of this emergency permit, please call the Commission office in Long Beach (562) 590-5071.

Enclosures: Acceptance Form  
Water Quality BMPs

cc: Huntington Beach Community Development Department

## **Water Quality**

### **A. Construction Responsibilities and Debris Removal**

- (1) No demolition or construction materials, equipment, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain or tidal erosion and dispersion;
- (2) Any and all debris resulting from demolition or construction activities, and any remaining construction material, shall be removed from the project site within 24 hours of completion of the project;
- (3) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters;
- (4) Machinery or construction materials not essential for project improvements will not be allowed at any time in the intertidal zone;
- (5) If turbid conditions are generated during construction a silt curtain will be utilized to control turbidity;
- (6) Floating booms will be used to contain debris discharged into coastal waters and any debris discharged will be removed as soon as possible but no later than the end of each day;
- (7) Non buoyant debris discharged into coastal waters will be recovered by divers as soon as possible after loss;
- (8) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;
- (9) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;
- (10) 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;
- (11) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- (12) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems;
- (13) The discharge of any hazardous materials into any receiving waters shall be prohibited;
- (14) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials.

Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible;

(15) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity; and

(16) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.