#### CALIFORNIA COASTAL COMMISSION

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



# Th15a

#### 5-92-168-A8 (DANA POINT BEACH RESORT, LLC)

#### AUGUST 11, 2022

#### CORRESPONDENCE



August 4, 2022

California Coastal Commission 455 Market Street Suite 300 San Francisco, CA 94105

Re: Th15a Permit No. 5-92-168-A8 Dana Point Beach Resort, LLC, Dana Point

Dear Chair Brownsey and Commissioners:

The Sierra Club Orange County Conservation Committee appreciates the opportunity to comment on this proposed CDP. We are concerned about the loss of public access to this coastal site and the sustainability of the project and strongly oppose the project.

Our first concern is that the project would use scarce public coastal open space to expand the operation of private fee-based services by the project proponent. This elitist and exclusive type of project is exactly what the Coastal Act was passed to prevent. Public open space was required as part of the initial approval of the Waldorf Astoria for good reason, and should not be developed.

The proposed public access program is completely inadequate and does next to nothing for the vast majority of the public. The proposed \$25 cost to the public is over half the cost of a full-service water park in Orange County, and most people can't or won't pay \$25 just to float around in a circle. Additionally, public attendance is capped at only 25% of attendees. This will result in very few people being given the "opportunity" to pay to use the facility. It is also likely that prepaid online reservations will be the only real way to gain access, and the 25% cap will result in people arriving without advance reservations being turned away. This puts this project even further out of reach for the low income residents that most utilize free coastal open space.

The proposed youth program is an expansion of a bad idea implemented in Newport Beach. The few "lucky" youth that would be eligible for the program would not even be allowed on site to use the proposed attraction. Instead, they would be sent somewhere else to utilize inferior facilities in some undetermined "camp" activity. This also restricts access to families that can't send their children away for a week at a time. Overall the proposed public access plan appears to be more of an effort to distance the public from the facility than any attempt to accommodate the public. If this is approved at all, a more equitable solution would be no cap on public attendance, and 25% of the attendance reserved for low income youth at no cost.

Secondly, given the scarcity of potable water in this immediate area (and throughout our state), we are unclear as to how this type of recreational amenity can possibly be sustainable. The water supplier for the project, the South Coast Water District, currently imports over 95% of its water from the Colorado River and California Delta. Both are in bad shape due to climate change and unable to even meet current demands. That will not change much in the future. Installing a large water hogging amusement at a location that already has a luxurious pool, and is within walking distance of the ocean just reinforces the elitist notion that there are no limits on our resources.

Additionally, single-use plastics is one of the most critical environmental issues facing our planet. Single-use plastics should be completely prohibited at this location. Thank you again for the opportunity to comment, and we look forward to your responses and denial of this CDP.

Sincerely,

Capil 9. Hienson

Ray Hiemstra Chair Sierra Club Orange County Conservation Committee

#### 5-92-168-A8 DANA POINT BEACH RESORT, LLC LAZY RIVER PROJECT AUG. 11, 2022 TH15A

A copy of these materials has been provided to CCC District staff.

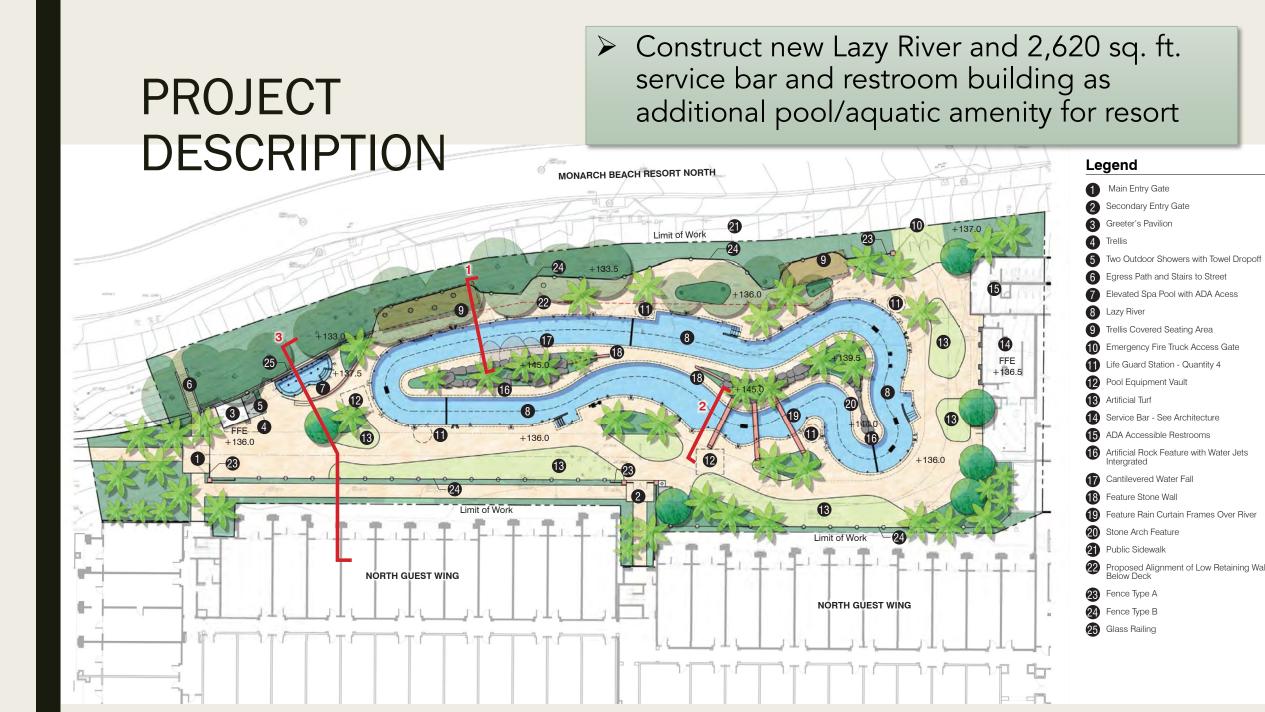
Project Location



Google

Pacific Coast Highman

Over 1/2 mile to beach





## EXISTING CONDITION

Underutilized manicured lawn on hotel grounds adjacent to north guest wing

### PUBLIC ACCESS--LAZY RIVER DAY PASSES

- Original permit for resort designated common areas open to the public, including existing lawn where Lazy River is proposed.
- Applicant proposes public access through provision of Lazy River day passes:
  - Day Passes for the general public available for purchase online, in person, and over the phone;
  - ✤ Day Passes set at a year-round price of no more than \$25.00 (+CPI);
  - Minimum of 25% of the Day Passes will be for the general public; and
  - ✤ Free on-site parking for Day Passes users.

### YOUTH EDUCATIONAL AND ACCESS PROGRAM

- To further enhance public access, applicant proposes to create a coastal-themed Youth Educational and Access Program on-site:
  - Minimum of 240 underserved youth (students) per year taught by subject matter experts;
  - Participants will be from low-income and other underserved communities that lack equitable access to coastal resources in Orange County;
  - Program would exist for the lifetime of the proposed development; and
  - Program will be free of charge to all participants, would involve the hosted students taking part in an educational session in the morning, be provided lunch, and then invited to enjoy the Lazy River in the afternoon.

### WATER USAGE AND SUSTAINABILITY

- Upon conversion to a Lazy River, the project site will consume less water than the existing lawn:
  - On an ongoing basis, the Lazy River is anticipated to use ~50% less water as a pool than as a lawn.
  - Total volume of the Lazy River is 217,200 gallons that will be filled up on a onetime basis – only a quarter of the water needed to keep existing lawn healthy over one year.
  - Based on Lazy River surface area of 7,110 SF, and assuming quarter inch of water loss each day (standard assumption on pools), this equates to 1,108 gallons per day or approx. 404,000 gallons per year.
  - Based on existing lawn surface area of 25,000 SF, and assuming 0.623 gallons of water per SF per week (standard rule-of-thumb on lawn maintenance), this equates to 2,225 gallons per day or approx. 810,000 gallons per year.

### STAFF RECOMMENDATION

- Staff is recommending *approval* of the amendment with four (4) new special conditions requiring:
  - Submittal of Plans re: Recreation and Public Access
    - Lazy River Day Pass Program, Youth Education and Access Program, Marine Debris Reduction Program, Landscape Plans w/drought tolerant plants
  - Compliance with Construction Best Management Practices (BMPs)
  - Recordation of Deed Restriction
  - Payment of Application Fee Balance

The applicant is *in agreement* with the staff recommendation and all special conditions and respectfully requests approval by the Coastal Commission.

### CONCLUSION

Thank You

