

**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



# TH10

**Prepared February 27, 2023 (for the March 09, 2023 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 March 2023**

The following coastal development permit (CDP) waivers and immaterial CDP amendment for the South Coast District Office are being reported to the Commission on March 09, 2023. 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 March 9th.

With respect to the March 9th 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 March 09, 2023 (see attached)**

---

### **Waivers**

- 5-22-0874-W, ADU Conversion (San Clemente)
- 5-22-1031-W, New Detached ADU (Seal Beach)
- 5-23-0132-W, Talbert Regional Park (Costa Mesa)

### **Immaterial Amendments**

- 5-18-1002-A1, Humboldt Drive Bridge Rehabilitation Project (Humboldt Drive Bridge Over Short Channel (Bridge #55C-0284). Humboldt Drive Between Wayfarer Lane And Wimbledon Lane, Huntington Beach, Orange County)

**CALIFORNIA COASTAL COMMISSION**

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



February 22, 2023

**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:** 5-22-0874-W**Applicant:** Steve and Heidi Matthews**Location:** 335 Avenida Vaquero, San Clemente, Orange County (APN: 691-261-14)

**Proposed Development:** Interior remodel and addition to an existing one-story, 13-ft. high, 1,685 sq. ft. single family structure with an attached 471 sq. ft. two-car garage, comprised of a 431 sq. ft. addition to the first floor, including the conversion of first floor interior space to a 550 sq. ft. Accessory Dwelling Unit (ADU); and a new 2,058 sq. ft. second story addition. Post-project, the residential structure will be a 25-ft. high, 4,380 sq. ft. single family structure with an attached ADU on the first floor, and an attached 488 sq. ft. two-car garage.

**Rationale:** The project site is located on a developed 6,200 sq. ft. lot located approximately 1/2 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 Density (RL) by the City's certified LUP and the proposed project conforms to the permitted uses and development standards for the RL zone. The project maintains two covered parking spaces for the primary residence and provides additional parking in the driveway for the proposed ADU. Therefore, the new ADU will not impact public street parking spaces used for beach access. Additionally, the proposed project 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 **March 8-9, 2023** 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.

Dr. Kate Huckelbridge  
Executive Director

Mandy Revell  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD, SUITE 300  
LONG BEACH, CA 90802-4325  
PHONE (562) 590-5071



February 22, 2023

## 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:** 5-22-1031-W

**Applicant:** Daniel & Maria Sullivan

**Location:** 1204 Ocean Avenue, Seal Beach, Orange County (APN: 199-075-15)

**Proposed Development:** Construct a new detached 476 sq. ft., one-story accessory dwelling unit in the front yard of an existing duplex property.

**Rationale:** The project site is located on a developed 2,910 square-foot lot located one block inland (120 feet) of the public beach, landward of the first public road parallel to the sea, and in an urbanized residential neighborhood. The lot is designated as residential high density in the City of Seal Beach uncertified Zoning Code. The project does not propose any changes to the existing multi-family residence or the 2-car carport. There will be no loss of on-site parking or public street vehicle parking. Therefore, the project would not adversely impact public access in the area. Although the project site is not currently sited in a hazardous area, the property may encounter flooding due to sea level rise near the end of the expected lifespan of the development. In response to this issue, the applicant proposes to waterproof the base of the proposed ADU 36" above finished floor elevation, and has acknowledged and agreed that the site may be subject to hazards from flooding and assumed any risks that may result from hazards and flooding in a signed statement. The applicant will also provide a nesting bird survey prior to construction for the proposed removal of two palm trees. If nesting birds are identified, the trees shall not be trimmed or removed until they have fledged. 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 previous Commission action in the area and the Chapter 3 policies of the Coastal Act.

## Coastal Development Permit De Minimis Waiver

5-22-1031-W

This waiver will not become effective until reported to the Commission at its **March 8-9, 2023** 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.

Dr. Kate Huckelbridge  
Executive Director

Vince Lee  
Coastal Program Analyst

cc: File

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD., SUITE 300  
LONG BEACH, CALIFORNIA 90802-4416  
PH (562) 590-5071 FAX (562) 590-5084  
[WWW.COASTAL.CA.GOV](http://WWW.COASTAL.CA.GOV)



February 22, 2023

**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:** 5-23-0132-W**Applicant:** Orange County Parks**Locations:** South Talbert Regional Park, 1298 Victoria Street, Costa Mesa, Orange County (APNs 422-341-02, 422-341-06).

**PROPOSED DEVELOPMENT:** Phase I of the South Talbert Regional Park Habitat Enhancement Project proposes removal of invasive, non-native vegetation, revegetation with native vegetation suitable for the specific surrounding habitat type, and installation of temporary fencing and signage on the perimeter of existing trails. Proposed non-native vegetation removal consists of 26 Brazilian pepper trees (*Shinus terebintifolius*), 18 Canary Island date palm trees (*Phoenix canariensis*), four Mexican fan palm trees (*Washingtonia robusta*), and approximately 350 Myoporum shrubs (*Myoporum laetum*). Vegetation removal will be conducted utilizing non-mechanical treatment with manual tools (shovels, picks, axes, handsaws, loppers, machetes); and mechanical treatment where necessary (mowers, brush-cutters, line trimmers, chainsaws). Native revegetation will be achieved through hand seeding of locally derived site-appropriate native species and planting of approximately 300 staked mulefat cuttings in the myoporum removal area and south of Victoria Pond, and watering in those mulefat cuttings upon installation and as-needed based on site conditions. Temporary fencing and access gates will be comprised of metal T-posts and three strands of cable, and will be installed into the soil without concrete footings. Signage will be installed low to the ground to inform visitors about native habitat enhancement restricting access where rehabilitation work is in process, and will be installed around the perimeter of each restoration zone along both sides of authorized trails to promote habitat rehabilitation. Phase I of the two-phase habitat rehabilitation project is proposed to begin in March of 2023. Phase II of the rehabilitation effort is anticipated to be completed by June 2024, but activities are not covered by this waiver and will be covered under a separate CDP application. All existing trails are proposed to remain open to the public during non-native vegetation removal activities. No herbicide use is proposed or authorized.

**RATIONALE:** South Talbert Regional Park consists of approximately 81 acres of coastal habitat area comprised of coastal dunes, coastal scrub, wetlands, riparian scrub, marsh, and native grasslands vital to wildlife as well as recreational benefits to the public.

## Coastal Development Permit De Minimis Waiver

5-23-0132-W

Currently, non-native, invasive plant species are a leading threat to native habitat, biodiversity, and ecological function.

Biological surveys conducted in 2020 by the applicant's biological consultant, Dudek, indicated sightings of least Bell's vireo (*vireo bellii pusillus*) and coastal California gnatcatcher (*Poliioptila californica californica*), a federally threatened species; however, no special status species were identified in the non-native invasive trees targeted for removal, and site areas that provide suitable habitat for these sensitive avian species will be avoided. Nevertheless, the applicant is proposing pre-disturbance nesting surveys by a qualified avian biologist for the trees proposed for removal and within a 500-foot radius of the tree removal area. If the survey finds any active nests present within the trees proposed to be removed, no tree removal activities shall commence. To ensure potential vernal pool habitat is sufficiently protected against significant disruption, the applicant proposes to avoid driving in basins where water is present. In addition, to prevent members of the public from entering into the restoration areas, temporary fencing and signage will be installed. These signs will be removed once the non-native weed removal process has been completed and native species have successfully re-established. To ensure successful re-establishment of native vegetation, the applicant proposes to submit a restoration monitoring plan and annual reports for five years for Commission review. The project will improve the habitat value for birds and wildlife, and will improve public access to the park. As proposed, the project will not adversely affect coastal resources, including public access, and is consistent with Chapter 3 of the Coastal Act.

This waiver will not become effective until reported to the Commission at its **March 8-9, 2023** 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 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.

Dr. Kate Huckelbridge  
Executive Director

Mandy Revell  
Coastal Program Analyst

**CALIFORNIA COASTAL COMMISSION**

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

February 22, 2023

**NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**Coastal Development Permit Amendment No. **5-18-1002-A1****To:** All Interested Parties**From:** Dr. Kate Huckelbridge, Executive Director

**Subject:** Coastal Development Permit No. **5-18-1002** granted to City of Huntington Beach Public Works Department for: bridge maintenance and repairs including: removal and replacement of the concrete barriers, sidewalks, and bridge deck; cleaning and painting the steel I-girders and other steel members; removal and replacement of unsound concrete and the bridge bents; and widening the 156 ft. long bridge from approximately 35 ft. to approximately 39 ft.

**Project Site:** Humboldt Drive Bridge (Bridge No. 55C-0284), over Short Channel in Huntington Harbour, between Wayfarer Lane and Wimbledon Lane, City of Huntington Beach, Orange County

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

- Remove and replace bridge I-girders rather than repair in place;
- Work to occur on south side of bridge first, rather than north side;
- Construction of two temporary utilities poles (previously not needed because scaffolding previously proposed will not occur with revised girder replacement project);
- Revisions to temporary public pedestrian access across the bridge: previously to be located below level of bridge deck, now proposed to be located at the same level as the bridge deck.

**FINDINGS**

Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

The previously approved project is proposed to be revised to remove and replace the bridge I-girders because recent field inspection of the bridge reveals deterioration of the girders to the point they can no longer be repaired in place. The bridge components to be removed and replaced rather than repaired in place include all steel girders, diaphragms, and associated steel hardware. All new bridge

components will be fabricated and painted off site. The girders will be removed and replaced using a crane located on land. The crane arm will not be allowed to swing over the small pocket harbor beach area to avoid any potential impacts to use of that area (Humboldt Park beach).

Temporary utility poles were not previously needed because a scaffolding system supported by the girders (which were to have remained in place), will no longer be used. Consequently, the temporary utility poles are proposed to support utilities during construction. One pole is proposed in the southeast quadrant of the bridge. The other pole would be placed in the southwest quadrant of the bridge. Both poles will be located in the City's right-of-way, and not in the water. The poles will be removed following construction. Construction is expected to take eight months. The temporary poles would not have any adverse impacts to public views or public access.

A temporary public walkway was part of the approved project. The temporary public walkway will ensure public pedestrian access across the bridge will remain uninterrupted for the duration of construction, until the new sidewalk is in place and publicly available. The temporary walkway was to be located below the level of the bridge deck. The revised location for the temporary walkway will be at the same elevation as the bridge deck.

To protect the channel waters during project construction, a temporary containment system to prevent materials from falling into channel waters is proposed. The containment system will capture any debris, cutting fluid, tools, etc. and prevent it from falling into channel waters. In addition, a wet saw will be used during bridge deck cutting to limit chipping and/or dust during deck removal. All construction staging/storage for the proposed project would occur within the developed road right of way, within the side of the road under construction (approach roadways). No construction staging/storage will occur in or over the public beach at Humboldt Park beach and public access to the small pocket beach will remain available for the duration of the project. Furthermore, Special Condition No. 5 requires imposition of BMPs to protect water quality. This special condition remains in effect with the amended permit. No harbor bottom disturbing activities are proposed or will occur.

With the proposed revisions, the project will still not result in any fill of coastal waters. There will be no change to the bridge pier size or locations. There will be no bottom disturbing activities.

The project was approved with seven special conditions:

1. Compliance with resource agency requirements, and any changes required be reported to the Executive Director of the Coastal Commission to determine whether an amendment is required;
2. Avoidance of Sensitive Species, which requires surveys to detect sensitive species and protection of nesting birds and other sensitive species if present
3. Pre- and Post-Construction Eelgrass Surveys;



4. Pre-Construction Caulerpa Survey;
5. Construction Responsibilities and Debris Removal requirements;
6. Implementation of an approved Construction Access and Staging Plan;
7. Applicant's Assumption of Risk.

No changes are proposed to any of the special conditions. All of the previously imposed special conditions will remain in effect with the project as amended. With the special conditions imposed, the project as proposed to be amended will remain consistent with the Chapter 3 policies of the Coastal Act.

If you have any questions about the proposal or wish to register an objection, please contact Meg Vaughn [meg.vaughn@coastal.ca.gov](mailto:meg.vaughn@coastal.ca.gov) .

cc: Commissioners/File