

**Th13a**

LCP-5-HNB-21-0057-1  
(Magnolia Tank Farm LCPA)

Correspondence Received Through  
7/11/2023

# Th13a

LCP-5-HNB-21-0057-1  
(Magnolia Tank Farm LCPA)

Correspondence Opposed to Staff  
Recommendation

CAPITOL OFFICE  
1021 O STREET  
SUITE 6620  
SACRAMENTO, CA 95814  
TEL (916) 651-4030

DISTRICT OFFICE  
12501 IMPERIAL HWY  
SUITE 110  
NORWALK, CA 90650  
TEL (562) 406-1001

# California State Senate

SENATOR  
**BOB ARCHULETA**  
THIRTIETH SENATE DISTRICT



STANDING COMMITTEES  
MILITARY & VETERANS AFFAIRS  
CHAIR

BUSINESS, PROFESSIONS  
& ECONOMIC DEVELOPMENT  
GOVERNMENTAL ORGANIZATION

TRANSPORTATION

JOINT LEGISLATIVE COMMITTEE  
ON EMERGENCY MANAGEMENT

May 1, 2023

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

Dear Chair Brownsey,

We, the undersigned representatives of Orange County's legislative delegation, write to express our support for the Magnolia Tank Farm (MTF), a 250 unit housing project, including twenty-five low-income housing units, some of which will be set aside for hotel workers, and a 215-room visitor serving lodge with dedicated low-cost lodging in Huntington Beach. The MTF is on a Brownfields site formerly occupied by oil storage tanks. The project site is part of the City's recently adopted Housing Element, and the site has been included in the City's Housing Inventory. MTF has been approved by the City of Huntington Beach and is awaiting Coastal Commission approval of its amended Local Coastal Program.

As you are aware, California is facing an ongoing housing crisis. In accordance with the Regional Housing Needs Assessment (RHNA), Orange County must zone for over 180,000 additional housing units by October 2029. Of these, 13,368 new units are required in Huntington Beach alone. Since MTF is in the approved housing element, if the Coastal Commission denies the LCP amendment for MTF, the city of Huntington Beach would have to find an additional 250 units of housing somewhere else, a near impossibility in such a highly developed coastal community. To comply with RHNA in Orange County and to achieve our state's housing goals, new housing will necessarily be required within the coastal zone.

One of the issues that local governments in Orange County are wrestling with is the impact of sea level rise (SLR) on housing needs. Acknowledging this new reality, we urge the CCC to recognize that the MTF site is an appropriate site for housing. First, the MTF project is surrounded by existing developments that the CCC considers “critical infrastructure”: schools, roads, health care facilities, public buildings, etc. The CCC’s own policy recognizes the need and appropriateness of protecting critical infrastructure from flood risk caused by SLR.

The MTF project site is already protected by the Huntington Beach Channel and the Talbert Channel operated by the Orange County Flood Control Management District (OCFCD). OCFCD has provided flood control protection for Orange County since 1927. Today, OCFCD maintains the integrity of 380 miles of flood control infrastructure throughout the county. The Orange County Board of Supervisors has passed a Resolution confirming that they will continue to protect critical infrastructure from additional flooding threats, including SLR, in the future. Because MTF is co-located with critical infrastructure, it will benefit from ongoing flood control protection, and from our perspective, it is an ideal location for new housing.

We understand that the CCC may evaluate whether the site is located at a location that is a “hazard” when considering approval, without regard to the existing flood protection. The CCC seems to be concerned about tidal inundation of the site. But we understand that under the relevant SLR scenario for residential development over the 75-year project lifespan, the developed project site does not flood.

Finally, in the recent *Del Mar* decision, a housing project located in a hazardous flood plain was approved by the CCC. In contrast, the MTF housing project ***is not located*** in a hazardous area as defined by FEMA. In other words, the flood risk was far greater for the Del Mar project than the MTF site. Moreover, the CCC’s suggested project modifications that were incorporated into the Del Mar project to minimize SLR risks have also been added to the MTF project. The MTF will provide additional affordable housing opportunities, as did the Del Mar project, which was identified by the CCC as being a significant factor in the approval of the Del Mar project.

Given Orange County’s housing needs and the many coastal friendly design features of this project, MTF’s consistency with the adopted Housing Element, the lack of SLR flood risk to the



site, the existing and continued flood control protection in this area, and the *Del Mar* precedent, we implore the CCC to approve the Huntington Beach LCP amendment for the MTF project.

Sincerely,



Assembly Member Blanca Pacheco  
(District - 64)



Assembly Member Diane Dixon  
(District - 72)



Assembly Member Sharon Quirk-Silva  
(District - 67)



Senator Josh Newman  
(District - 29)



Assembly Member Avelino Valencia  
(District - 68)



Senator Bob Archuleta  
(District - 30)



Assembly Member Tri Ta  
(District - 70)



Senator Kelly Seyarto  
(District - 32)

A handwritten signature in black ink, appearing to read 'T Umberg', with a stylized, cursive script.

Senator Thomas Umberg  
(District - 34)

A handwritten signature in black ink, appearing to read 'D Min', with a stylized, cursive script.

Senator Dave Min  
(District - 37)

CC: California Coastal Commissioners  
Dr. Kate Huckelbridge, Executive Director  
Governor Gavin Newsom  
Dana Williamson, Chief of Staff, Governor Newsom  
Ann Patterson, Cabinet Secretary, Governor Newsom



**CALIFORNIA AFRICAN AMERICAN  
CHAMBER OF COMMERCE**

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Timothy Alan Simon, Esq.  
*TAS Strategies*

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*Southern California Gas  
Company*

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*JLM Management Group*

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*Business Resource Group*

**Director**

Genail Nemovi  
*Nemovi Law Group, APC*

**Director**

Dail St. Claire  
*St. Claire Consultants*

**Director**

Deborah Robertson  
*Mayor City of Rialto*

**Chief Operating Officer**

Ahmad Holmes  
*C.A.A.A.C*

May 2, 2023

Donne Brownsey, Chair  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105  
Sent via email: [Donne.brownsey@coastal.ca.gov](mailto:Donne.brownsey@coastal.ca.gov)

**RE: Support for City of Huntington Beach Local Coastal Plan Amendment**

Dear Chair Brownsey and Coastal Commissioners:

The California African American Chamber of Commerce submits our support for the City of Huntington Beach Local Coastal Plan Amendment (LCPA) and the housing project it envisions, the Magnolia Tank Farm (MTF). With an overall deficit of 2.5 million homes, California and each of its 58 counties are in dire need of housing, with the widening gap in availability and affordability disproportionately affecting the African American Community.

The African American business community supports new housing projects for all income levels. California needs low-income housing for people currently unable to afford housing, new middle-income housing for first-time home buyers who cannot afford current prices, and additional housing along the coast to provide more families with neighborhood coastal access and to relieve housing pressure in more affordable areas. California needs to build every type of housing in every region. The MTF project, envisioned in the LCPA, makes reasonable progress towards Orange County's Regional Housing Needs Allocation obligation.

The African American business community recognizes the importance of taking appropriate steps to protect individuals and property from the impacts of climate change, including sea level rise. However, we also recognize that we must take a science-based approach that balances the needs of our communities with each of the pressing threats facing the state, including fires, floods, drought, and earthquakes.

Among the factors contributing to our housing deficit is local resistance to development. Opponents of housing often cite environmental threats that have a minuscule chance of occurring decades to hundreds of years out. Just as Governor Newsom recognized that fire resilience measures must be done while meeting housing needs<sup>1</sup>, so too, must

<sup>1</sup> <https://ww2.arb.ca.gov/2020-senate-bill-182-jackson-hannah-beth-local-government-planning-and-zoning-wildfires-vetoed>

sea level rise resiliency. The MTF project is protected by flood control infrastructure that is in place to protect homes, businesses, and critical infrastructure.

Regarding coastal development, the State's Legislative Analyst's Office [stated](#) in 2015, "*The state probably would have to build as many as 100,000 additional units annually—almost exclusively in its coastal communities—to seriously mitigate its problems with housing affordability.*"<sup>2</sup>

A balance must be met if the state is serious about meeting its housing goals.

The City of Huntington Beach is seeking approval of a Local Coastal Plan Amendment (LCPA) that includes a proposal for a development that would build 250 new homes in a city currently facing a housing deficit of over 13,368 homes. Additionally, the housing proposal will provide improved and increased public access to the wetlands, low-cost accommodations in the proposed hotel, and public views of the wetlands via a new park and trails.

Our mission is to advocate and promote African American business and economic development within the public and private sectors, resulting in a sound economic base supporting the survival and self-determination of the African American community. As such, we support development that would positively impact local business and the city's economic development, provide new home opportunities described above, and open beach access through educational opportunities at the wetlands and hotel accommodations at varying price points with beach access. We urge you to support the City of Huntington Beach LCPA when it comes before your commission.

If you have any questions about our position, please get in touch with our policy consultant, Caliph Assagai, at [caliph@californiapolicysolutions.com](mailto:caliph@californiapolicysolutions.com).

Sincerely,

A handwritten signature in blue ink that reads "Timothy A. Simon". The signature is fluid and cursive, with the first name "Timothy" being more prominent than the last name "Simon".

Timothy Alan Simon, Esq.

Chairman of the Board

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<sup>2</sup> <https://lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.pdf>



October 3, 2022

The Hon. Donna Brownsey, Chair  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105  
Sent via e-mail at: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

***Re: City of Huntington Beach Magnolia Tank Farm Housing Development – SUPPORT***

Dear Chair Brownsey and Commissioners:

Orange County REALTORS® (OCR) is the largest local association of real estate professionals in California with offices in Fountain Valley and Laguna Hills.

The association provides services for its nearly 15,000 members, who are serving both their clients currently in the market to purchase or sell a home, as well as members of the public who own homes in this community.

From time to time, the association's Board of Directors is asked to consider endorsing proposed housing developments. These requests come from developers, investors, city staff, and other agents involved in planning, zoning, and construction.

Most recently, Orange County REALTORS® was asked by Shopoff Realty to support a project in Huntington Beach, Calif., described as the Magnolia Tank Farm.

This September, we met with the developer regarding this project. The plans presented promised to include housing units within the project: 215 houses to be offered as for-sale properties, plus 26 units offered for lease or for rent as workforce housing. All of which would help residents looking for a new place to live, as well as assist the City of Huntington Beach in meeting its Regional Housing Needs Allocation (RHNA).

While building and construction plans can— and often do— change, with the addition of for-sale homes, our Board of Directors supports the Magnolia Tank Farm and urges the commission to support a local coastal plan amendment, which would allow the development the city supports already to proceed, beginning construction of this much needed new housing.

Sincerely,

Dirissy Doan  
Government Affairs Director

Cc: [John.Ainsworth@coastal.ca.gov](mailto:John.Ainsworth@coastal.ca.gov), [Meg.Vaughn@coastal.ca.gov](mailto:Meg.Vaughn@coastal.ca.gov)





## INTERNATIONAL ASSOCIATION OF HEAT & FROST INSULATORS & ASBESTOS WORKERS

Local No. 5 City Ontario State California  
Address 3833 Ebony Street (Mailing): P.O. Box 3160 Zip 91761

March 13, 2023

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the Union members of the Heat & Frost Insulators, Local 5 of Orange County urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

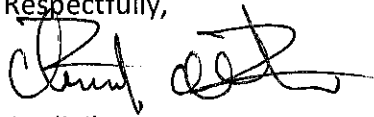
For the local community, the economic benefits required by the development agreement are impressive. Nearly \$25 million dollars in developer's fees for city services including public safety, roads, city employees, schools, libraries and more. As important, it will transform a blighted property into a desired residential and productive commercial visitor destination while providing exceptional public access where none exists today.

More quality housing supply is a need for Huntington Beach, and a clear mandate has been placed on the city through the state's RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That's why this project is so critical as it represents the largest "ready to build" parcel in the city. Not only has the owner decided to provide all the proposed affordable units onsite, but a significant portion of the homes will also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing.

We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,

A handwritten signature in black ink, appearing to read 'Fredi Flores', with a stylized flourish extending to the right.

Fredi Flores

Business Agent

Heat & Frost Insulators Local 5



# IBEW ORANGE COUNTY

## LOCAL UNION 441

309 N. Rampart St., Suite M, Orange, CA 92868  
(714) 939-3131 • [www.ibewoc.com](http://www.ibewoc.com)

Neal H. Lauzon  
Business Manager

March 13, 2023

Honorable Donne Brownsey and Members of the CA Coastal Commission  
(via email)

Re: Support for Proposed Magnolia Tank Farm Project LCP-A

Dear Chair Brownsey and Commissioners:

I write on behalf of IBEW Local 441 in Orange County urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project which will transform a blighted property from its former use as an oil storage facility into a vibrant mixed-use neighborhood that will dramatically improve the aesthetics and value of southwest Huntington Beach. The project will create new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The LA/OC Building and Construction Trades Council and affiliated Local Unions (including IBEW 441) have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits, along with local hire and veteran preference. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

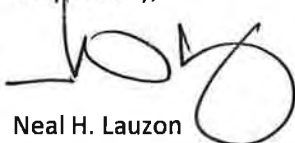
For the local community, the economic benefits required by the development agreement are impressive. Nearly \$25 million dollars in developer's fees for city services including public safety, roads, city employees, schools, libraries and more. As important, it will transform a rundown property into a desired residential and productive commercial visitor destination while providing exceptional public access where none exists today.

Quality housing is needed in Huntington Beach, and a clear mandate has been placed on the city through the state's RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That's why this project is so critical as it represents the largest "ready to build" parcel in the city. Not only has the owner decided to provide all the proposed affordable units onsite, but a significant portion of the homes will also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing.

We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

We appreciate the opportunity to lend our voice in support of this project. Please consider all the community and coastal benefits this proposal offers and support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,



Neal H. Lauzon  
Business Manager





**Local 582** Orange County, California  
United Association of Journeymen and  
Apprentices of the Plumbing and Pipe  
Fitting Industry of the United States and Canada

Robert James  
*Business Manager,  
Financial Secretary, Treasurer*

March 31 2023

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the 1000 members of the Plumbers and Steamfitters, Local 582 of Orange County urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

For the local community, the economic benefits required by the development agreement are impressive. Nearly \$25 million dollars in developer's fees for city services including public safety, roads, city employees, schools, libraries and more. As important, it will transform a blighted property into a desired residential and productive commercial visitor destination while providing exceptional public access where none exists today.

More quality housing supply is a need for Huntington Beach, and a clear mandate has been placed on the city through the state's RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That's why this project is so critical as it represents the largest "ready to build" parcel in the city. Not only has the owner decided to provide all the proposed affordable units onsite, but a significant portion of the homes will

also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing.

We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,

Robert James  
Business Manager  
Local 582 Plumbers and Steamfitters

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1916 W. Chapman Ave., Orange, California 92868-2608 (714) 978-0582 FAX (714) 978-1582

United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada  
AFL-CIO

# UNITE **HERE!** Local 11

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464 Lucas Ave., Suite 201 • Los Angeles, California 90017 • (213) 481-8530 • FAX (213) 481-0352

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June 22, 2023

Coastal Commissioners  
Dr. Kate Huckelbridge, Executive Director  
55 Market St., Suite 300  
San Francisco, CA 94105  
*VIA EMAIL*

Re: Public Comment on July 2023 Agenda Item Thursday 13a - City of Huntington Beach LCP  
Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)

Dear Honorable Chair Brownsey and Commissioners,

On behalf of the 30,000 hotel, airport, and stadium workers that UNITE HERE Local 11 (“Local 11”) represents in Southern California we are writing to urge you to approve the Magnolia Tank Farm project in Huntington Beach. This is a model project for coastal Orange County because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Time is of the essence. We are facing an unprecedented, statewide housing crisis. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. This project not only proposes 250 units of housing with 51 lower-cost units, but it also proposes to earmark a percentage of those units for the very workers who will service guests next door at the eco-lodge. These workers will be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city.

UNITE HERE has long advocated for the protection of coastal access for people from all walks of life, especially for low-cost visitor serving accommodations. In addition to providing the opportunity for workers to live near the coast, this project also proposes to dedicate a percentage of its rooms as lower cost overnight accommodations.

This is exactly the kind of development we need in coastal Orange County and working families should be able to benefit from it now. We urge you to approve the Magnolia Tank Farm project as it is currently proposed.

Sincerely,

/s/ Danielle Wilson





Laborers'  
International  
Union of  
North America

# LIUNA!

*Feel the Power*

**LOCAL UNION 652**  
**ADRIAN A. ESPARZA**

***Business Manager***  
***Sergeant-at-Arms, SCDCL***

**JESSE SEGURA**  
*President*

**JOSE LUIS TIRADO**  
*Vice-President*

**GABINO ENRIQUEZ, JR**  
*Recording Secretary*

**ROBERT RUIZ**  
*Secretary-Treasurer*

**ROBERTO J. LOPEZ**  
*Sergeant-at-Arms*

**RUBEN GARCIA**  
*Auditor*

**ENRIQUE "Henry" MARTINEZ**  
*Auditor*

**FOUAD "Fred" SALAMÉ**  
*Auditor*

**MICHAEL R. HERNANDEZ**  
*Executive Board Member*

**LUPE FLORES**  
*Executive Board Member*

LOCAL OFFICE:

1532 E. Chestnut Ave.  
Santa Ana, CA 92701  
Ph. 714-542-7203  
Fx. 714-542-3724  
www.local652.com

June 23, 2023

VIA EMAIL

Honorable Donne Brownsey and Members of the CA Coastal Commission  
301 E. Ocean Blvd., #300  
Long Beach, CA 90802

RE: LIUNA Local 652 Supports the  
Proposed Magnolia Tank Farm Project LCP-A

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the 2,265 members of LIUNA Local 652 of Orange County asking you to support the Magnolia Tank Farm Local Coastal Program Amendment in Huntington Beach. The success of this project is critical to the city and the county for several reasons. It would provide drastically needed housing for limited income workers, reducing their need to drive and letting them spend more time with loved ones. It also means more open space in Southwestern Huntington Beach, an area that has been historically dominated by fenced land and industrial uses. We have seen the plans and support the approval because it will create parks, open space, environmental upgrades and allow community access for all.

Our Building Trades Council has signed a Project Labor Agreement (PLA) with the owners guaranteeing living wages and local hires. This will not happen unless this project is approved by you. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project. For the local community, the economic benefits required by the development agreement are impressive.

**Laborers' International Union of North America**

Nearly \$25 million dollars in developer's fees for city services including public safety, roads, city employees, schools, libraries and more.

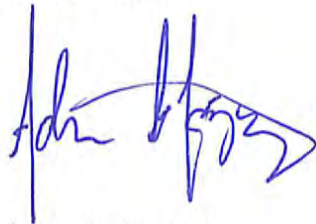
More quality housing is an imperative in Huntington Beach, and a clear mandate has been placed on the city through the state's RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That's why this project is so critical as it is the largest "ready to build" parcel in the city. Not only has the owner decided to provide all the proposed affordable units onsite, but we understand that a significant portion of the homes will also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing that should be the norm not the exception.

The owner has taken great care, effort, and expense to address Coastal Act issues and as a result, the site is resilient against sea level rise and provides, a no-touch conservation buffer and increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to give our and support. Please think about the community and coastal benefits this proposal offers.

We ask that you approve the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,



Adrian A. Esparza  
Business Manager

AAE/uem  
OPEIU #537

*Feel the Power*  
**LiUNA!**





January 23, 2023

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

via email: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

**RE: Support for Magnolia Tank Farm Project - Huntington Beach, CA**

Dear Chairwoman Brownsey and Commissioners,

The California Hispanic Chamber of Commerce (CHCC) supports the goal of building 2.5 million new homes in California by 2030 and the building of 180,000 new homes in Orange County. The Magnolia Tank Farm Project (MTF) in Huntington Beach is making a meaningful contribution toward Orange County's Regional Housing Needs Allocation requirement; we urge the commission to support and assist MTF Project efforts.

The CHCC recognizes the impacts of climate change and the concerns over sea level rise on the coast. However, amid California's ongoing and growing housing and affordability crisis, it is critical to take a science-based and needs-based approach to housing and the impacts of climate change, including fires, floods, drought, and earthquakes. The MTF project is protected by existing flood control infrastructure which has been put in place to reduce the risk of flooding to the local community and critical infrastructure and is maintained by the Orange County Flood Control District, which has ensured the protection of the community against flood for nearly 100 years. According to the analysis, the risk of flooding to the project and the community is minimal.

Governor Newsom recently affirmed his desire to balance housing and environmental policy by stating, "wildfire resilience must become a more consistent part of land use and development decisions. However, it must be done while meeting our housing needs." Governor Newsom stated this regarding a climate threat that California faces every year, with increasing severity. However, the impediments to building along the coast result from forecasted impacts 50, 100, and 200 years in the future.

The CHCC and its members represent the interests of more than 815,000 Hispanic-owned businesses in California. The CHCC serves as the voice of California's diverse small business community, bringing the issues and needs impacting Hispanic and diverse small businesses and communities to the forefront of California and National economic agendas.

Supporting housing affordability and availability in California is a top CHCC priority. As part of our efforts to promote policies that enhance the affordability and availability of housing, we contemporaneously work to ensure that policies for land use are implemented to ensure that California can achieve its Sustainable Communities Strategies goals. As such, the Local Coastal Plan Amendment proposed by the City of Huntington Beach and its associated Magnolia Tank Farm strikes the appropriate balance of providing much-needed housing while also planning for the impacts of climate change, including sea level rise.

Sincerely,



**JULIAN CANETE**  
**PRESIDENT & CEO**

cc: John Ainsworth, Executive Director ([John.Ainsworth@coastal.ca.gov](mailto:John.Ainsworth@coastal.ca.gov))  
Meg Vaughn, Costal Program Analyst ([Meg.Vaughn@coastal.ca.gov](mailto:Meg.Vaughn@coastal.ca.gov))

January 10, 2023

Chairwoman Donne Brownsey  
California Coastal Commission  
Sent via e-mail at: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

**RE: SUPPORT for City of Huntington Beach Magnolia Tank Farm Housing Development**

Dear Chairwoman Brownsey and Commissioners,

The Los Angeles/Ventura Chapter of the Building Industry Association of Southern California, Inc. (BIASC-LAV) is a non-profit trade association of nearly 1,000 companies employing over 100,000 people, all affiliated with building housing for all. On behalf of our membership, we write to you today in strong support for Huntington Beach's Magnolia Tank Farm housing project. When considering California's historic housing and homelessness crisis, we feel this is exactly the type of project that should be supported by all levels of California government.

California's growing housing and homelessness crisis impacts families, communities, and the overall well-being of the state. The lack of housing inventory is causing home and apartment costs to skyrocket, forcing many California families – including many in Southern California – to relocate. California's current Statewide Housing Plan, put forth by Housing and Community Development in March, calls for Huntington Beach to plan for over 13,000 homes during this time. Failure to plan for and facilitate construction of such homes now invokes penalties that will be aggressively enforced by the Attorney General's Housing Strikeforce and HCD's Housing Accountability Unit.

Failure of a project like Magnolia Tank Farm would also contribute to a worsening of issues raised by the California Coastal Commission's (CCC) Environmental Justice Policies. Elimination of affordable residential neighborhoods in the coastal zone is identified as a contributing factor to homelessness and an unjust impact for lower income communities of color. Increasing housing opportunity within coastal communities is a matter of statewide interest that must be given serious consideration.

The Legislative Analyst's Office (LAO) issued a report identifying multiple constraints that limit coastal development opportunity. This daunting list should not be compounded by mitigatable Sea Level Rise (SLR) barriers when existing infrastructure and planning exist. If coastal cities are prevented from such development, achieving state housing goals becomes an impossibility. Local government flood control efforts need to be given full consideration, in coordination with the CCC, to achieve RHNA requirements.



As an example, the Orange County Flood Control District (OCFCD) maintains 380 miles of flood control infrastructure protecting critical regional infrastructure, roads, schools, libraries, and residences. Through their mitigation strategies, communities like Huntington Beach can safely meet their RHNA demands while also protecting against SLR. Partnerships between the CCC and OCFCD are the path to an environmentally stronger, safer and equitable future for our coastal communities.

We respectfully request that the CCC adopt a smart and reasonable approach to environmental policies that will also address the housing crisis. We look forward to your consideration of this request and proactive efforts to assist the building industry with projects currently under consideration by the CCC.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Valencia', with a long horizontal stroke extending to the right.

De'Andre Valencia, Senior Vice President  
BIASC/ LA Ventura Chapter

November 29, 2022

Building Industry Association of Southern California  
17192 Murphy Avenue #14445  
Irvine, CA 92623

Chairwoman Donne Brownsey  
California Coastal Commission  
Sent via e-mail at: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

**RE: SUPPORT for City of Huntington Beach Magnolia Tank Farm Housing Development**

Dear Chairwoman Brownsey and Commissioners,

The Building Industry Association of Southern California strongly supports the Magnolia Tank Farm housing project. Considering the existing housing crisis, Regional Housing Needs Allocation (RHNA) enforcement and Orange County Flood Control District planning/infrastructure, Magnolia Tank Farm is a project that needs to be supported by all levels of California government.

California is facing a growing housing and homelessness crisis that impacts families, communities, and the well-being of the state. The situation in Orange County is no different. Lack of housing inventory is causing home and apartment costs to skyrocket, forcing relocation of some Californians to high-polluting states. The CA Department of Housing and Community Development (HCD) acknowledges this crisis through the RHNA process and requires cities to plan for thousands of new homes over an eight-year period. The current plan calls for Huntington Beach to plan for over 13,000 homes during this time. Failure to plan for and facilitate construction of such homes now invokes state law penalties that will be aggressively enforced by the Attorney General's Housing Strikeforce and HCD's Housing Accountability Unit.

Failure of a project like Magnolia Tank Farm would also contribute to a worsening of issues raised by the California Coastal Commission's (CCC) Environmental Justice Policies. Elimination of affordable residential neighborhoods in the coastal zone is identified as a contributing factor to homelessness and an unjust impact for lower income communities of color. Increasing housing opportunity within coastal communities is a matter of statewide interest that must be given serious consideration.

The Legislative Analyst's Office (LAO) issued a report identifying multiple constraints that limit coastal development opportunity. This daunting list should not be compounded by mitigatable Sea Level Rise (SLR) barriers when existing infrastructure and planning exist. If coastal cities are prevented from such development, achieving state housing goals becomes an impossibility.

Local government flood control efforts need to be given full consideration, in coordination with the CCC, to achieve RHNA requirements.

As an example, the Orange County Flood Control District (OCFCD) maintains 380 miles of flood control infrastructure protecting critical regional infrastructure, roads, schools, libraries, and residences. Through their mitigation strategies, communities like Huntington Beach can safely meet their RHNA demands while also protecting against SLR. Partnerships between the CCC and OCFCD are the path to an environmentally stronger, safer and equitable future for our coastal communities.

We respectfully request that the CCC adopt a smart and reasonable approach to environmental policies that will also address the housing crisis. We look forward to your consideration of this request and proactive efforts to assist the building industry with projects currently under consideration by the CCC.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Montejano", with a long, sweeping horizontal line extending to the right.

Jeff Montejano, CEO  
BIASC



# BUILDING INDUSTRY OF SOUTHERN CALIFORNIA, INC.

## ORANGE COUNTY CHAPTER

Chair Donne Brownsey  
CA Coastal Commission  
455 Market Street, Ste 300  
San Francisco, CA 94105

Re: California Housing Crisis: Magnolia Tank Farm Approval

Chair and Commissioners,

The Building Industry Association of Orange County strongly supports the proposed housing project known as the Magnolia Tank Farm. Considering the existing housing crisis, Regional Housing Needs Allocation (RHNA) enforcement and Orange County Flood Control District planning/infrastructure, Magnolia Tank Farm is a project that needs to be supported by all levels of California government.

**Critical Need for New Housing in Orange County:** California is facing a growing housing and homelessness crisis that impacts families, communities, and the well-being of the state. Lack of housing inventory is causing home and apartment costs to skyrocket, forcing relocation of some Californians to high-polluting states. Housing and Community Development (HCD) acknowledges this crisis though the RHNA process and requires Orange County to plan for 180,000 new homes over an eight-year period. More specifically, it calls for Huntington Beach to plan for over 13,000 homes during this time. Failure to plan for and facilitate construction of such homes now invokes state law penalties that will be aggressively enforced by the Attorney General's Housing Strikeforce and HCD's Housing Accountability Unit.

Failure of a project like Magnolia Tank Farm would also contribute to a worsening of issues raised by the California Coastal Commission's (CCC) Environmental Justice Policies. Elimination of affordable residential neighborhoods in the coastal zone is identified as a contributing factor to homelessness and an unjust impact for lower income communities of color. Increasing housing opportunity within coastal communities is a matter of statewide interest that must be given serious consideration.

**Factors Inhibiting Coastal Home building:** The Legislative Analyst's Office (LAO) issued a report identifying multiple constraints that limit coastal development opportunity. This daunting list should not be compounded by mitigatable Sea Level Rise (SLR) barriers when existing infrastructure and planning exist. If coastal cities are unilaterally prevented from such development, achieving state housing goals becomes untenable. Local government flood control efforts need to be given full consideration, in coordination with the CCC, to achieve RHNA requirements.

### EXECUTIVE COMMITTEE

PRESIDENT  
ERIC NELSON  
TRUMARK HOMES

1<sup>ST</sup> VICE PRESIDENT  
BROOKE DOI  
SHEA HOMES

TREASURER  
JAMES O'MALLEY  
SHOPOFF REALTY INVESTMENTS

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BOUDREAU PIPELINE

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MEMBER AT LARGE  
PETER VANEK  
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MEMBER AT LARGE  
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COX, CASTLE, & NICHOLSON LLP

IMMEDIATE PAST PRESIDENT  
SUNTI KUMJIM

MBK RENTAL LIVING

VICE PRESIDENT, OC CHAPTER  
ADAM WOOD  
BIAOC

As an example, the Orange County Flood Control District (OCFCD) maintains 380 miles of flood control infrastructure protecting critical regional infrastructure, roads, schools, libraries, and residences. Through their mitigation strategies, communities like Huntington Beach can safely meet their RHNA demands while also protecting against SLR. Partnerships between the CCC and OCFCD are the path to an environmentally stronger, safer and equitable future for our coastal communities. Unilateral removal of all parcels with future flood potential, without consideration of mitigation efforts, unduly restricts the California dream for countless families.

As such, we respectfully request that the CCC adopt a smart and reasonable approach to environmental policies that will also address the housing crisis. We look forward to your consideration of this request and proactive efforts to assist the building industry with projects currently under consideration by the CCC.

Sincerely,

A handwritten signature in black ink, appearing to be 'AW' with a stylized flourish extending to the right.

Adam Wood  
Vice President  
BIA/SC, OC Chapter



Fighting for a future of abundant housing in Orange County.  
peopleforhousing.org

---

People for Housing OC  
P.O. Box 6942  
Fullerton, CA 92834  
PeopleForHousing.org

Chairwoman Donne Brownsey  
California Coastal Commission  
Sent via e-mail at: Donne.Brownsey@coastal.ca.gov

RE: SUPPORT - City of Huntington Beach Magnolia Tank Farm Housing Development and Public Beach Access

Dear Chairwoman Brownsey and Commissioners,

People for Housing Orange County is a non-profit organization that advocates for more housing production in Orange County. We are the voice of Orange County residents who understand that the only way to create thriving communities and a region with a robust and growing economy is to continue to build new housing to meet our population's needs. As such, we are submitting our support for the Huntington Beach Local Coastal Plan Amendment, under your current review, which would allow for the development of the Magnolia Tank Farm.

At a time when Orange County must plan for the addition of 180,000 new units by 2029 to meet Regional Housing Needs Allocation (RHNA) requirements, the Magnolia Tank Farm, with its 250 units, represents an important piece in our regional housing puzzle.

Our organization's goal is not only to ensure the availability of housing, but also to ensure that housing is safe for its inhabitants. In coastal areas, local public works and flood control infrastructure must be considered. With respect to the Magnolia Tank Farm, the project site is flanked by the Huntington Beach Channel and the Talbert Channel. Each of these channels, as well as the network of 380 miles of flood control infrastructure operated and maintained by Orange County Public Works, is in place specifically to protect current and existing residences, businesses, and critical infrastructure.

Through the implementation of mitigation strategies and collocation of new housing in areas already receiving flood protection, communities can both meet their RHNA needs while also protecting against sea level rise.

As a result of the limited housing stock in Orange County, including Huntington Beach, the next generation of families – including many “adult children” who grew up and wish to remain here – cannot find available housing. Working professionals are looking for homeownership opportunities for their families in the city where they grew up and want to raise their own children. In addition, “empty nesters,” looking to downsize are trapped in homes bigger than they need. With the November 2020 passage of Prop 19 – a portable property tax break for seniors – there are now new opportunities to foster turnover in the housing market; however, we need new housing opportunities to make that happen. The 250 units proposed as part of the Magnolia Tank Farm project would provide the City of Huntington Beach with an opportunity to build this mid-sized housing to serve both young families and downsizing seniors. The inclusion of affordable housing whether on-site or off-site will help Orange County to address its housing needs in a prime location along the coast.

Public access is another major focus of this project. The lodge’s low-cost accommodations allow for more access for those who have been priced out of the higher-cost hotels in the area. The additional park space and open space improvements will increase the parks-to-person ratio in Huntington Beach, just steps from the ocean. Additional access to the wetlands along with funding for tours and wetlands observation bring new educational access for students from all over the area.

All these public benefits and progress toward additional housing cannot be achieved if the Coastal Commission chooses to deny housing on property that may experience flooding under the worst-case-scenario circumstances in the next 100 to 200 years. The housing crisis is here and now. People for Housing Orange County urges the California Coastal Commission to take a reasoned approach to new housing in the coastal zone and help us make progress toward alleviating rather than perpetuating the housing shortage.

Respectfully yours,

*Elizabeth Hansburg*

Elizabeth Hansburg  
Co-Founder & Executive Director

Cc: John.Ainsworth@coastal.ca.gov, Meg.Vaughn@coastal.ca.gov



Fighting for a future of abundant housing in Orange County.  
[peopleforhousing.org](http://peopleforhousing.org)



27762 Antonio Pkwy Suite L1-463  
Ladera Ranch, CA 92694  
www.ochcc.org  
T: (714) 953-4289

Donne Brownsey, Chair  
CA Coastal Commission

**RE: Support for Magnolia Tank Farm Proposal for Huntington Beach**

Dear Chair Brownsey and Coastal Commissioners:

The Orange County Hispanic Chamber of Commerce represents the interests of and provides access to Orange County's 30,000 Hispanic-owned businesses. Our goal is to participate as partners in support of civic, social, cultural and legislative programs which are designed to enhance the quality of life of the Hispanic community. As such, we regularly consider issues brought before us that impact the Hispanic Community. In accordance with that mission, we are writing to express our support for the City of Huntington Beach Local Coastal Plan Amendment to allow for the Magnolia Tank Farm, currently under California Coastal Commission (CCC) review.

As you are aware, California is facing a growing housing, homelessness, and affordability crisis. There are few areas of the state that have not felt the immediate consequences of this growing crisis. Across Orange County this crisis is exacerbated by a lack of housing inventory which is causing home and apartment costs to skyrocket and forcing some Californians to move out of state altogether. According to the California Association of Realtors, the median price of a home in California has [never been higher](#).

Orange County is facing a serious housing shortage. To address this, Orange County is required by the state to plan for 180,000 new homes according to the 6th Cycle Regional Housing Needs Allocation (RHNA). To meet RHNA needs, local governments must identify land that is available and facilitate the building of more homes in their jurisdiction.

The Magnolia Tank Farm project would add 250 new homes in an area that is protected by existing flood control infrastructure, namely the Talbert and Huntington Beach Channels, which are in place to reduce the risk of flooding to countless residences, schools, libraries, public facilities, and other forms of critical infrastructure.

To make meaningful progress toward solving our housing crisis, state agencies such as the CCC must work collaboratively with local governments to identify ways to move housing projects in the coastal zone forward.

The Hispanic Chamber recognizes the impacts climate change is having and will continue to have on our state. However, just as jurisdictions are making reasonable planning decisions regarding housing in fire prone areas, so too must jurisdictions responsible for housing decisions in the coastal zone. This means striking a balance between statewide policy and local planning flexibility.





**ORANGE COUNTY HISPANIC CHAMBER OF COMMERCE**

27762 Antonio Pkwy Suite L1-463  
Ladera Ranch, CA 92694  
[www.ochcc.org](http://www.ochcc.org)  
T: (714) 953-4289

This principle was reaffirmed in the Sea Level Rise Working Group Joint Statement on Adaptation Planning, which specifically stated that the CCC, the California State Association of Counties, and the League of California Cities would together “plan for sea-level rise adaptation in a way that is responsive and flexible, and based on unique local community contexts.”

This is an exceptionally critical time for home building in California. The Governor and the California Department of Housing and Community Development have stated a goal of 2.5 million new homes over the course of the next eight years, and we all must do our part to achieve that goal. We respectfully request that the CCC adopt a smart and reasonable approach to environmental policies that will also address the housing crisis. We look forward to your consideration of this request and proactive efforts to assist with providing housing for our members at all income levels to live near the coast.

Sincerely,

Reuben Franco  
President & CEO  
Orange County Hispanic Chamber of Commerce

The Orange County Taxpayers Association  
701 East Chapman Avenue  
Orange, CA 92866  
OCTax.org

Chairwoman Donne Brownsey  
California Coastal Commission  
Sent via e-mail at: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

**RE: SUPPORT for City of Huntington Beach Magnolia Tank Farm Housing Development**

Dear Chairwoman, Brownsey and Commissioners,

On behalf of taxpayers throughout Orange County, the Orange County Taxpayers Association submits this letter in support of the Huntington Beach Local Coastal Plan Amendment (LCPA) that would allow for the construction of critically needed housing, provide visitor accommodations, and increase coastal access within Orange County.

This project will contribute toward Orange County's Regional Housing Needs Allocation (RHNA) requirement of 180,000 new units by 2029, construct a lodge that will generate revenue from tourism, and include new retail and restaurants. The LCPA will also contribute to the local sales tax base relieving pressure on existing taxpayers to carry all the tax burden.

The OC Taxpayers Association's mission is to represent Orange County taxpayers to ensure that state and local policies are equitable, understandable, cost-effective, and good for the economy. The potential tax benefits resulting from the construction of the Magnolia Tank Farm (MTF), if the LCPA were to be approved are plentiful.

By virtue of the construction of this project, a large quantity of jobs will be created in the community. This includes 1,500 construction-related jobs and 400 permanent jobs. Overall, the MTF project would create \$18 million in labor income, \$47 million in economic output, and \$3.5 million in gross tax revenue for the City of Huntington Beach. Rejection of the LCPA would negatively affect economic development and jeopardize potential tax revenues that would otherwise be available to the City of Huntington Beach and the state, resulting in fewer resources for social services, infrastructure, public health and safety, and environmental protection.

By rejecting the City of Huntington Beach LCPA, the California Coastal Commission is setting a precedent that will restrict housing all along the California coast. The impacts of this decision will worsen the existing housing shortage and drive California workers and small business owners elsewhere. As such, we urge the commission to strongly consider the opportunity cost of denying this project.

Sincerely,



**Sara Catalán**  
President and CEO



## **MEMORANDUM**

To: Robin Stieler, Clerk of the Board

From: Supervisor Andrew Do, Supervisor, 1<sup>st</sup> District

Date: 02/24/2022

**RE: Add Supplemental Item to 03/08/22 Board Meeting Agenda –Adopt  
Resolution in support of the Magnolia Tank Farm Project in the City of Huntington  
Beach**

5384

Please place a supplemental item on the 03/08/22 Board of Supervisors agenda to adopt the attached resolution in support of the Magnolia Tank Farm Project in the City of Huntington Beach.

cc: Chris Wangsaporn, Chief of Staff, BOS-1  
Valerie Sanchez, Chief Deputy Clerk, COB

RECEIVED  
2022 FEB 25 AM 9:13  
CLERK OF THE BOARD  
ORANGE COUNTY  
BOARD OF SUPERVISORS

RESOLUTION OF THE BOARD OF SUPERVISORS OF  
ORANGE COUNTY, CALIFORNIA

[Date], 2022

WHEREAS, in accordance with the 6<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) requirements adopted by the Southern California Association of Governments (SCAG), Orange County must accommodate for 183,861 additional housing units by October 2029. Of these, roughly 75,000 units must be very low-income to low-income homes, and;

WHEREAS, in order to maximize coastal access and accommodations to all Californians regardless of financial status, the Board of Supervisors prioritizes the availability of low cost, high occupancy hotel lodgings across Orange County coastal communities, and;

WHEREAS, access to outdoor spaces including parks and trails, the availability of public transit infrastructure and parking, and elimination of industrial pollutants is critical to maximizing quality of life for communities that live, visit, and recreate along the Orange County coastline, and;

WHEREAS, under the supervision of the Board of Supervisors, Orange County has made infrastructure investments to protect existing and future development from flood risk, including flood risks as a result of sea level rise, and;

WHEREAS, The Orange County Flood Control District (OCFCD) and Orange County Public Works (OCPW) has and continues to maintain the integrity of 380 miles of flood control infrastructure throughout the county, including the Huntington Beach Channel and Talbert Channels which were constructed to reduce the risk of flooding of critical regional infrastructure, including roads, public facilities, schools, libraries, and thousands of residences.

*“OCFCD has provided flood control protection for Orange County since 1927. We continue to meet the challenge of flood risk, whatever the cause, and will evaluate the flood risks from sea level rise as part of our ongoing planning and capital improvement efforts moving forward. We do this with our federal and state partner agencies and incorporate FEMA standards as they develop. Most importantly, we need to protect critical infrastructure and residents as well as allow for continued economic development in Orange County.”*

*“OCFCD is committed to improving and maintaining the system as prioritized resources allow and must meet FEMA standards that evolve over time to include the most updated science as implemented by the accreditation program.”<sup>1</sup>*

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<sup>1</sup> Orange County Public Works letter to City of Huntington Beach RE: CA Coastal Commission Response – OCFCD Flood Control System (November 2021)

WHEREAS, OCFCD continues to receive revenues from a portion of Orange County property taxes for the design, construction, and maintenance of OCFCD facilities;

WHEREAS, the California Coastal Commission, the California State Association of Counties, and the League of California Cities together pledged to “[p]lan for sea-level rise adaptation in a way that is responsive and flexible, and based on unique local community contexts.” Accordingly, Local Coastal Plan (LCP) updates should achieve an appropriate balance between statewide policy consistency and local LCP flexibility.<sup>2</sup>;

WHEREAS, the City of Huntington Beach has submitted a LCP Amendment , now under consideration by the California Coastal Commission, to allow for a project, the Magnolia Tank Farm, that would:

1. Provide up to 250 new homes, including twenty-five low-income rental units, on property formerly occupied by oil storage tanks, both contributing to city’s RHNA obligation of zoning for 13,368 new units while also eliminating the presence of industrial pollutants;
2. Include a 215-room lodge with a low-cost visitor-serving component, in which at least forty affordable rooms will be priced within the lowest 30 percent of the coastal room rates based on an annual survey of nearby hotel/motel rooms in the coastal zone;
3. Include a native upland habitat conservation area, expanded wetland habitat buffer, contribute to wetland restoration/maintenance funding, and abide by habitat management plan;
4. Provide county-wide economic benefits including 1,500 construction related jobs, 400 permanent jobs, \$18 million in labor income, \$47 million in economic output, and \$3.5 million in gross tax revenue to the City including funding for off-site parks and libraries;
5. Provide enhanced public access, education, and recreation assets, including a park, an overlook trail, enhanced public transit features including a bus stop and additional parking, a Marsh Park interpretive staging area, and a wetlands interpretive program;
6. Receive protection from the Huntington Beach and Talbert Channels, which already provide flood protection to existing critical regional infrastructure, including roads, public facilities, schools, libraries, and thousands of residences.

NOW, THEREFORE, BE IT RESOLVED THAT:

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<sup>2</sup> Source: Sea Level Rise Working Group JOINT STATEMENT ON ADAPTATION PLANNING, November 6, 2020, [https://documents.coastal.ca.gov/assets/slr/SLRWGJointStatement\\_Final.pdf](https://documents.coastal.ca.gov/assets/slr/SLRWGJointStatement_Final.pdf)

1. The Orange County Board of Supervisors recognizes the myriad public benefits afforded by the Magnolia Tank Farm, acknowledges that the project is sited in an area that is protected by flood control infrastructure that will be maintained over the course of the life of the project, and affirms that this project in and of itself is important to the county's progress towards meeting its RHNA requirements but also sets an important precedent for responsible coastal development countywide. The Board of Supervisors, therefore, supports the approval of this project.
2. The Orange County Board of Supervisors further affirms the continued need to plan for sea-level rise adaptation in a way that is responsive and flexible, and based on unique local community context that takes into consideration the county's flood control infrastructure that was constructed to reduce the risk of flooding of critical regional infrastructure, including roads, public facilities, schools, libraries, and thousands of residences.

RESOLUTION NO. 00021-05

RESOLUTION OF THE ORANGE COUNTY COUNCIL OF GOVERNMENTS  
SUPPORTING THE MAGNOLIA TANK FARM PROJECT,  
RECOMMENDING APPROVAL OF THE LOCAL COASTAL PROGRAM  
AMENDMENT SUBMITTED BY THE CITY OF HUNTINGTON BEACH TO  
THE CALIFORNIA COASTAL COMMISSION

WHEREAS, in accordance with Regional Housing Needs Assessment (RHNA) requirements set forth by Governor Newsom, Orange County must zone for over 180,000 additional housing units by October 2029. Of these, 75,000 units must be very low-income to low-income homes, and;

WHEREAS, in order to maximize coastal access and accommodations to all Californians regardless of financial status, the Orange County Council of Governments prioritizes the availability of low cost, high occupancy hotel lodgings across County coastal communities, and;

WHEREAS, access to outdoor spaces including parks and trails, the availability of public transit infrastructure and parking, and elimination of industrial pollutants is critical to maximizing quality of life for communities that live, visit, and recreate along the Orange County coastline, and;

WHEREAS, under the supervision of the Board of Supervisors, Orange County has made infrastructure investments to protect existing and future development from flood risk, including flood risks as a result of sea level rise, and;

WHEREAS, Orange County Public Works (OCPW) and its flood control department, Orange County Flood Control Management District (OCFCD), has and continues to maintain the integrity of 380 miles of flood control infrastructure throughout the county, including the Huntington Beach Channel and Talbert Channels which were constructed to reduce the risk of flooding of critical regional infrastructure, including roads, public facilities, schools, libraries, and thousands of residences.

*“OCFCD has provided flood control protection for Orange County since 1927. We continue to meet the challenge of flood risk, whatever the cause, and will evaluate the flood risks from sea level rise as part of our ongoing planning and capital improvement efforts moving forward. We do this with our federal and state partner agencies and incorporate FEMA standards as they develop. Most importantly, we need to protect critical infrastructure and residents as well as allow for continued economic development in Orange County.”*

*“OCFCD is committed to improving and maintaining the system as prioritized resources allow and must meet FEMA standards that evolve over time to include the most updated science as implemented by the accreditation program.”<sup>1</sup>*

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<sup>1</sup> Orange County Public Works letter to City of Huntington Beach RE: CA Coastal Commission Response – OCFCD Flood Control System (November 2021)

WHEREAS, OCFCD continues to receive revenues from a portion of Orange County property taxes for the design, construction, and maintenance of OCFCD facilities;

WHEREAS, the California Coastal Commission, the California State Association of Counties, and the League of California Cities together pledged to “[p]lan for sea-level rise adaptation in a way that is responsive and flexible, and based on unique local community contexts.” Accordingly, local coastal plan (LCP) updates should achieve an appropriate balance between statewide policy consistency and local LCP flexibility.<sup>2</sup>;

WHEREAS, the City of Huntington Beach has submitted a LCP Amendment, now under consideration by the California Coastal Commission, to allow for a project, the Magnolia Tank Farm, that would:

1. Provide up to 250 new homes, including twenty-five low-income rental units, on property formerly occupied by oil storage tanks, both contributing to city’s RHNA obligation of zoning for 13,368 new units while also eliminating the presence of industrial pollutants;
2. Include a 215-room lodge with a low-cost visitor-serving component, in which at least forty affordable rooms will be priced within the lowest 30 percent of the coastal room rates based on an annual survey of nearby hotel/motel rooms in the coastal zone;
3. Include a native upland habitat conservation area, expanded wetland habitat buffer, contribute to wetland restoration/maintenance funding, and abide by habitat management plan;
4. Provide county-wide economic benefits including 1,500 construction related jobs, 400 permanent jobs, \$18 million in labor income, \$47 million in economic output, and \$3.5 million in gross tax revenue to the City including funding for off-site parks and libraries;
5. Provide enhanced public access, education, and recreation assets, including a park, an overlook trail, enhanced public transit features including a bus stop and additional parking, a Marsh Park interpretive staging area, and a wetlands interpretive program;
6. Receive protection from the Huntington Beach and Talbert Channels, which already provide flood protection to existing critical regional infrastructure, including roads, public facilities, schools, libraries, and thousands of residences.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ORANGE COUNTY COUNCIL OF GOVERNMENTS, RESOLVES, AND ORDERS AS FOLLOWS:

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<sup>2</sup> Source: Sea Level Rise Working Group JOINT STATEMENT ON ADAPTATION PLANNING, November 6, 2020, [https://documents.coastal.ca.gov/assets/slr/SLRWGJointStatement\\_Final.pdf](https://documents.coastal.ca.gov/assets/slr/SLRWGJointStatement_Final.pdf)



1. The Orange County Council of Governments recognizes the myriad public benefits afforded by the Magnolia Tank Farm, acknowledges that the project is sited in an area that is protected by flood control infrastructure that will be maintained over the course of the life of the project, and affirms that this project in and of itself is important to the county's progress toward meeting its RHNA requirements and also sets an important precedent for coastal development countywide. The Orange County Council of Governments, therefore, supports the approval of this project.
2. The Orange County Council of Governments further affirms the continued need to plan for sea-level rise adaptation in a way that is responsive and flexible, and based on unique local community context that takes into consideration the county's flood control infrastructure that was constructed to reduce the risk of flooding of critical regional infrastructure, including roads, public facilities, schools, libraries, and thousands of residences.

ADOPTED, SIGNED AND APPROVED this 24<sup>th</sup> day of February, 2022.



Chair

APPROVED AS TO FORM:

Aleshire & Wynder, LLP



Fred Galante, General Counsel

September 14, 2022

Chairwoman Donne Brownsey  
California Coastal Commission  
Sent via e-mail at: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

**RE: Shopoff Realty Investments' Magnolia Tank Farm Proposal – SUPPORT**

Dear Chairwoman Brownsey,

Orange County Business Council (“OCBC”), the leading voice of business in Orange County, serves as an influential advocate for Orange County’s economic prosperity. One of OCBC’s core initiatives is to advocate for the development of new housing to meet current and future needs of Orange County’s diverse workforce. **For this reason, OCBC supports the Shopoff Realty Investments proposal.**

OCBC is satisfied that the City examined all possible affects this project may have on the environment, including traffic, parking, open space and other areas. Redevelopment of this land is not only necessary for the property, but also for the surrounding community, and will provide economic development and housing opportunities to the area.

OCBC’s [2019-20 Workforce Housing Scorecard](#) found that Orange County currently faces a shortfall of nearly 60,000 housing units, which is projected to grow to over 114,000 units by 2045. In accordance with the Southern California Association of Governments’ 6th Cycle Regional Housing Needs Allocation, Orange County is required to plan for 180,000 new homes by the close of the decade. By virtue of the region’s iconic coastline, many choose to live and work within the coastal zone. As such, a portion of this housing must be built on the coast. The City of Huntington Beach urgently needs a variety of housing types, especially for residents who work in the city and want a move-up opportunity or would like to down-size. Employees of local businesses living outside of Huntington Beach would also greatly benefit from new housing opportunities.

Moreover, in trying economic times it is crucial for cities to find additional funding sources for local infrastructure projects, parks and public safety. In addition to new tax revenue and the economic development impacts of addressing local housing supply challenges, this plan will bring in new jobs both during construction and once the lodge is built.

OCBC respectfully asks the Coastal Commission to consider the invaluable benefits this development offers to residents, the surrounding business community, and the greater Orange County economy and **approve the City of Huntington Beach’s Local Coastal Program Amendment.**

Sincerely,



Jennifer Ward  
Senior Vice President of Advocacy and Government Affairs



October 3, 2022

The Hon. Donna Brownsey, Chair  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105  
Sent via e-mail at: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

***Re: City of Huntington Beach Magnolia Tank Farm Housing Development – SUPPORT***

Dear Chair Brownsey and Commissioners:

Orange County REALTORS® (OCR) is the largest local association of real estate professionals in California with offices in Fountain Valley and Laguna Hills.

The association provides services for its nearly 15,000 members, who are serving both their clients currently in the market to purchase or sell a home, as well as members of the public who own homes in this community.

From time to time, the association's Board of Directors is asked to consider endorsing proposed housing developments. These requests come from developers, investors, city staff, and other agents involved in planning, zoning, and construction.

Most recently, Orange County REALTORS® was asked by Shopoff Realty to support a project in Huntington Beach, Calif., described as the Magnolia Tank Farm.

This September, we met with the developer regarding this project. The plans presented promised to include housing units within the project: 215 houses to be offered as for-sale properties, plus 26 units offered for lease or for rent as workforce housing. All of which would help residents looking for a new place to live, as well as assist the City of Huntington Beach in meeting its Regional Housing Needs Allocation (RHNA).

While building and construction plans can— and often do— change, with the addition of for-sale homes, our Board of Directors supports the Magnolia Tank Farm and urges the commission to support a local coastal plan amendment, which would allow the development the city supports already to proceed, beginning construction of this much needed new housing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dirissy Doan", is written over a circular blue ink stamp.

Dirissy Doan  
Government Affairs Director

Cc: [John.Ainsworth@coastal.ca.gov](mailto:John.Ainsworth@coastal.ca.gov), [Meg.Vaughn@coastal.ca.gov](mailto:Meg.Vaughn@coastal.ca.gov)

The Honorable Steve Padilla  
California Coastal Commission  
Sent via email: Stephen.Padilla@coastal.ca.gov



RE: Huntington Beach Local Coastal Program Amendment/Magnolia Tank Farm

Dear Chair Padilla:

As you are aware, the housing crisis throughout the state is not diminishing. In order to meet the Regional Housing Needs Assessment (RHNA) requirements established by Governor Newsom, Orange County needs to zone for over 180,000 more housing units by October 2029. Over 75,000 of the units must be very low-income to low-income homes; the city of Huntington Beach alone must zone for 13,368 housing units. Meanwhile, the Orange County Business Council has [reported](#) that the county's housing deficit is on pace to grow from 58,000 to 115,000 by 2045.

Statewide, the situation is similarly dire. According to an analysis of state data, the Southern California News Group [reported](#) earlier this year that only 3% of California's cities and counties are on track to meet state housing goals. That's why it is so important that cities approve new housing development for every income level.

One housing project of interest to the Black Chamber of Commerce is the Tank Farm proposal in Huntington Beach. This project proposes up to 250 new homes that could help address housing needs in the community. These coastal move-up opportunities not only provide new home options for empty-nesters and established families, but also provide opportunities for young families to find their more affordable "starter" home when larger families and empty-nesters vacate current housing stock. Furthermore, these homes would provide an economic boost to both the city and local businesses at a time when both are recovering from the negative financial impacts of the pandemic.

Additionally, the Tank Farm proposal will provide improved and increased public access to the wetlands, low-cost accommodations in the proposed hotel, and public views of the wetlands via a new park and trails.

It is our mission to advocate and promote Black business and economic development within the public and private sectors, resulting in a sound economic base that supports the survival and self-determination of the African-American community. As such, we support development that would positively impact local business and the city's economic development, provide new home opportunities described above and open beach access through educational opportunities at the wetlands and hotel accommodations at varying price-points with beach access.

As with any new housing project proposed in the coastal zone, city approval of the Tank Farm triggered a process through which a Local Coastal Program (LCP) Amendment must be drafted by the City and submitted to the CCC for approval. We respectfully request that you review the LCP and vote in favor to allow development of this blighted piece of property that can benefit so many.

Sincerely,

***Robert V. McDonald***

Robert V. McDonald  
Executive Director  
Black Chamber of Commerce of Orange County



P. O. Box 5903  
Huntington Beach, CA 92645  
(714) 536-0141

March 4, 2022

Ms. Donne Brownsey  
Chairwoman  
California Coastal Commission  
**455 Market Street, Suite 300, San Francisco, CA 94105**  
Sent via email: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

RE: Collaboration between the Conservancy and Shopoff Realty Investments - Tank Farm Project

Dear Chairwoman Brownsey:

The Huntington Beach Wetlands Conservancy (Conservancy) is a volunteer-led organization with a board of directors and an executive director. The goal of the Conservancy is to acquire, restore, and protect the coastal wetlands of Southeast Huntington Beach between Beach Boulevard and the Santa Ana River. The Conservancy annually reviews its plans to set its strategic direction (including defining programs), long-term funding needs to support wetlands management, interpretative programs, staffing, etc.

The Conservancy supports Shopoff Realty Investments (SRI), on behalf of SLF - HB Magnolia, LLC, in their efforts to develop property adjacent to and northeast of the Huntington Beach Wetlands. The Magnolia Tank Farm project proposes to redevelop the property with a wetlands-themed boutique lodge with visitor serving commercial uses, much-needed residential uses, open space and trails.

Due to the proximity of the now-restored Magnolia Marsh, and the soon to be completed restoration of the Upper Magnolia Marsh (the "Magnolia Marsh") to the Tank Farm Property, development will provide an opportunity for coastal visitors and residents to enjoy views of the Magnolia Marsh wetlands and also provide opportunities for wetland stewardship, educational and outreach programs. The Conservancy believes such programs will greatly enhance the coastal visitor experience. The Tank Farm Property bordering the Huntington Beach Flood Control Channel would also expand scientific observational opportunities for Magnolia Marsh, thereby encouraging the study of the Magnolia Marsh, a valuable wetlands resource.

SRI and the Conservancy have been engaged in discussions aimed at developing a detailed wetlands interpretive program that expands the Conservancy's existing offerings. Discussions regarding a possible controlled access point and expanding the existing docent-led tour program are in the works. The objectives are to expand public access and to develop educational programs in a manner that will ensure the protection and preservation of the Magnolia Marsh as a wetlands resource. We are confident that we will achieve the stated objectives. We also understand the Conservancy's design modifications have been incorporated into SRI's project which include but are not limited to: installation of glare reducing films on all outside facing windows to minimize window strikes, minimal lighting toward the wetlands to reduce



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impact to wildlife within the marsh utilizing hooded, downcast lights and less reflective glass; and incorporation of an ample buffer from the wetlands no less than 100 feet.

We look forward to this partnership flourishing once you approve the amendment to the Local Coastal Program and allow this project to move forward.

Sincerely,

David Guido, Chairman, Board of Directors

Cc: [John.Ainsworth@coastal.ca.gov](mailto:John.Ainsworth@coastal.ca.gov), [Meg.Vaughn@coastal.ca.gov](mailto:Meg.Vaughn@coastal.ca.gov)





Chair Donne Brownsey  
California Coastal Commission  
455 Market Street, Suite 300,  
San Francisco, CA 94105  
Sent via email: [Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

**Re: Housing Needs in Huntington Beach: Magnolia Tank Farm Project Support**

Dear Chairwoman Brownsey and Commissioners,

On behalf of the Huntington Beach business community, the Huntington Beach Chamber of Commerce (HBCC) is submitting the following letter to express strong support for the City of Huntington Beach Local Coastal Plan Amendment now under consideration by the California Coastal Commission to allow for the proposed Magnolia Tank Farm (MTF Project) housing development. By virtue of the MTF Project investment, a prominently blighted area of our city and coastline would be transformed, coastal access will be expanded, and most importantly, progress toward our city's housing goals will be made.

In January 2020, the HBCC unanimously supported the Local Coastal Plan Amendment submitted by the City of Huntington Beach associated with the MTF Project and currently under your consideration. HBCC maintains our support for this project for the following reasons:

1. **Our city has a monumental housing goal to meet.** According to the 6<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) requirements adopted by the Southern California Association of Governments, Huntington Beach needs to build 13,368 new units by 2029. This project brings us 250 units closer to that goal. With each additional new unit, the pool of available units expands, reducing the affordability crisis city-wide.
2. **This project enhances coastal access.** In addition to critically needed housing, the MTF Project includes plans for a 215-room lodge. The lodge will include a low-cost visitor-serving component which locks in a portion of the rooms at rates within the bottom 30% of the coastal zone hotel/motel rates 10 miles north and south of the lodge. Visitors to the lodge will have access to education by virtue of the Marsh Park interpretive staging area and wetlands interpretive program;

recreation assets that include a park and overlook trail; and enhanced transportation connections by virtue of additional parking and an additional bus stop. Moreover, our local business community will benefit from additional quality meeting and conference space along with restaurants and retail opportunities.

3. **Community-wide economic benefits.** In a time of great economic uncertainty, this project will benefit our local economy. This project will create 1,500 construction-related jobs and 400 ongoing jobs; it would create \$18 million in labor income, \$47 million in economic output, and \$3.5 million in tax revenue for the city to reinvest in our community amenities.

Replacing the currently blighted industrial area under which the proposed project would sit would greatly enhance our city and coastline. Additionally, this project will serve as an economic engine, generating significant annual net tax revenue for the city's budget and will produce hundreds of jobs, both during and after construction.

We are hopeful that once you review the many benefits and opportunities that come with this project, you will agree the MTF Project is a rare opportunity to transform an under-performing asset into a beautiful project that will contribute to our great city for many years to come.

As representatives of the business community, we ask for your careful consideration of each of the benefits associated with the proposed Magnolia Tank Farm.

Sincerely,

**Bruce Berman**

Bruce Berman, Board Chair  
Huntington Beach Chamber of Commerce

Cc: [John.Ainsworth@coastal.ca.gov](mailto:John.Ainsworth@coastal.ca.gov), [Meg.Vaughn@coastal.ca.gov](mailto:Meg.Vaughn@coastal.ca.gov)



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**July 6, 2023**

**VIA EMAIL**

Donne Brownsey, Chair  
Commissioners  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

**Re: City of Huntington Beach LCP Amendment No. LCP-5- HNB-21-0057-1**

Dear Chair Brownsey and Commissioners:

This firm represents SLF-HB Magnolia LLC ("Applicant"), the owner of a vacant 29-acre site located at 21845 Magnolia Street ("Site") in the City of Huntington Beach ("City"). On January 19, 2021, the City approved Local Coastal Program (LCP) Amendment No. LCP-5-HNB-21-0057-1 ("LCP Amendment") that would allow for the development of a mixed-use project consisting of commercial visitor, residential, and open space uses ("Project"). This correspondence is being written in response to the staff report and recommendation ("Staff Report"), dated June 29, 2023, regarding the LCP Amendment, which the California Coastal Commission ("Commission") is scheduled to consider at its July 13, 2023, meeting.

The Project should be approved because it is consistent with the policies of the Coastal Act and will provide much-needed housing, including for low-income households and local hotel workers, in a largely built-out coastal community. (See attached Consistency Analysis Summary.) Although the Staff Report somewhat clouds the issue, the Project ***is not*** in a hazardous location prone to flooding. Nor is the approval of the Project related to the City's completion of its Sea Level Rise ("SLR") Vulnerability Assessment and Coastal Resiliency Plan ("Resiliency Plan"). Finally, the Site **cannot** be used for managed retreat strategies such as "wetland complexes, stormwater basins, ...or floodable parks" without the Applicant receiving just compensation for the land.

The Project will allow the Commission to advance the objectives of the Environmental Justice Amendment to the California Coastal Act by providing housing opportunities for low-income households in the coastal zone. ( Pub. Resources Code, § 30604(f) & (g). ) The LCP Amendment will also provide lower-cost, visitor-serving overnight accommodations and public recreational opportunities such as parks, trails, and associated free parking areas where there is currently none.

The Applicant joins in the City’s reply letter to the Commission regarding approval of this Project. We also agree to all of the suggested modifications proposed by the City. We, therefore, respectfully request that the Commission consider the LCP Amendment for approval.

### **Brief Background**

The Site is currently designated (without the LCP Amendment) as “Public” under the General Plan and “Public/Semi-Public” under the associated zoning. Together this allows certain institutional, public, and commercial uses such as *convalescent/assisted living*, cultural institutions, government facilities, hospitals, parks, religious assemblies, schools, and utilities. The Project's certified Final Environmental Impact Report No. 17-001 (“FEIR”) considered an alternative that consisted of a 650-unit residential care senior community that could be built without a Specific Plan, General Plan amendment, or zone change. As a part of such a facility, a host of services would fall within this use, including preparation facilities for meals and snacks; providing activities and programs; housekeeping; transportation; 24-hour emergency response, and overall assistance with the activities of daily living. The FEIR concluded that this currently allowed use would be equivalent to, or more intense, than the Project. [see FEIR, page 1-5.]

The City’s approval of the Project consists of a General Plan Amendment (GPA) to establish land use designations for the Project; a Zoning Map Amendment (ZMA) to rezone the Site to a Specific Plan; a Zoning Text Amendment (ZTA) to establish a Specific Plan; Development Agreement (“Development Agreement”), and a Local Coastal Program (LCP) Amendment (LCP Amendment) to amend the City’s LCP to incorporate the GPA, ZMA, and ZTA changes (collectively referred to as “LCP Amendment”).

The Applicant proposes to build a mixed-use project with a 211,000-square-foot lodge with 215 guest rooms, including 40 lower-cost rooms, 29,000 square feet of retail/restaurant space within the lodge, 250 for-sale and for-rent homes, 2.8 acres of Coastal Conservation area to provide a buffer for the adjacent wetlands and 4.4 acres of new public parks, trails, and viewpoints. The Applicant has agreed to all of the City’s suggested modifications, including that 20% of the units (50) will be available for low-income households and that hotel employees will have a right of first refusal for 25 of these units. Hotel employees could walk to work, saving Green House Gas (GHG) and undoubtedly improving their life quality by eliminating their long commutes.

## **The Location of the Project.**

As discussed further below, the Site is not in a hazardous location prone to flooding. Unlike the Del Mar project referenced in the Staff Report, the Site is located outside the 100-year floodplain, as designated by FEMA's Flood Insurance Rate Map. [see also Project EIR, Exhibit 4.8-1.] Instead, the Project is uniquely suited for development because of its location adjacent to the Huntington Beach Flood Control Channel ("Huntington Beach Channel"), which runs along the entire west-southwest boundary of the site.

The Huntington Beach Channel is part of a more extensive flood control system [Huntington Beach and Talbert Channels] that protects 18.25 miles of highway and collector streets; six primary, middle, and secondary public schools; a 20 MGD Groundwater Replenishment treatment plant; a 640 MW Energy Generating Station; and approximately 8,000 single and multi-family private residences. The channel currently provides flood protection for a large part of the City. It is operated and maintained by the Orange County Flood Control District ("OCFCD") through funding it receives from property taxes and other sources.

OCFCD, established in 1927, is administered by the Orange County Public Works Department and governed by the Orange County Board of Supervisors. The Board of Supervisors recently affirmed that OCFCD will "continue to meet the challenge of flood risk, whatever the cause, and will evaluate the flood risks from sea level rise as part of our ongoing planning and capital improvement efforts moving forward." The Board further affirmed the continued need to "plan for sea-level rise adaptation taking into consideration the County's flood control infrastructure constructed to reduce the risk of flooding of critical regional infrastructure, including roads, public facilities, schools, libraries, and thousands of residences." (County of Orange Board of Supervisors Resolution, adopted March 8, 2022, attached hereto as Exhibit 1.)

The Commission has also acknowledged that maintaining this existing flood control system is necessary for public safety and the protection of existing development. (California Coastal Commission Staff Report W21c-6-2010, page 10.) Additionally, repair work to the Huntington Beach and Talbert Channels has been consistently approved by the Commission to maintain the integrity of the channels. OCFCD has commenced work to repair and replace steel sheet piles to protect the levees and provide flood control capacity for sections of the Huntington Beach (D01) and Talbert (D02) flood control channels. (CDP/Waiver 5-20-0590-W, February 24, 2021.)

As a part of that repair project, a Hydrology and Hydraulics Analysis ("Technical Appendix") was prepared, which analyzed the channels' ability to protect Huntington Beach neighborhoods against severe flooding (100-year flows). The Technical Appendix concluded that the project, "D01 and D02 channels *are resilient to the effects of SLR* over the design life of 75 years." (Huntington Beach Channel and Talbert Channel Sheet Pile Repair Hydrology and Hydraulics Technical Appendix (September 2020), page 3-26.) This would mean that the Huntington Beach Channel and the Project will have the same lifespan of 75 years (see discussion below).

An SLR Vulnerability Assessment and Adaptation Plan were prepared for the Project by Anchor QEA, dated July 2021 ("2021- SLR VAAP") in accordance with the California Coastal Commission 2018 SLR Policy Guidance, which represents the best available science on SLR projections. The 2021- SLR VAAP<sup>1</sup> concluded that the Project is ***not*** vulnerable to coastal hazards [flooding] through 2100. Therefore, the Project's anticipated lifespan is the same as the Huntington Beach Channel. The Project was only found to be vulnerable to fluvial flooding on two open space areas located on the western and eastern sides of the Site where no structures or roads are located. The 2021-SLR VAAP also concluded that the Huntington Beach Channel provided adequate protection for the Site in the future with respect to SLR. The Huntington Beach Channel would need no improvements or redesign. Nor would the flood control system need to be expanded or enlarged due to the Project. [2021-SLR VAAP, page 23.]

An additional SLR analysis [Technical Memorandum Anchor QEA, July 19, 2022 ("2022- Report")] was conducted to address further questions raised by Commission staff regarding whether the Project would increase flood risk in the area surrounding the Site. This analysis concluded that the Project, without berms, showed no flood risk to the Site or surrounding areas under future sea levels up to 5.0 feet of SLR. Under a future SLR of 6.0 feet, only a minimal change (i.e., less than 0.1 foot) in the 100-year flood water levels was shown within the surrounding areas. Changes in the 100-year flood water levels with 7.0 feet of SLR would increase the 100-year flood water levels in the surrounding areas from 0.1 to 0.25 feet. The probability that SLR would meet or exceed 6.0 feet or 7.0 feet was very low (respectively 1.0% and 0.4% probability) by 2100, and an even lower joint probability that this amount of SLR at spring high tide would occur with the 100-year peak flood. (2022-Report, page 6. )

In addition, the adaptation measures identified in the Coastal Commission's 2018 SLR Policy Guidance (Chapter 7 Adaptation Strategies) have been applied to the Project. These widely recognized and frequently used SLR adaptation measures were incorporated into the Project's design and added as conditions of the Project's approval to eliminate coastal hazard vulnerabilities (e.g., the strategic location of the two open spaces area, fill placement, foundation design, salt-resistant concrete, etc.).

So, while the Staff Report concludes that the Site is essentially located in a " hazardous area" prone to flooding, the 2021- SLR VAAP concludes the opposite. Moreover, the City determined that locating the Project at this spot was more reasonable than assuming the Huntington Beach Channel would not exist in the future. It bears repeating that the Huntington Beach Channel is part of a flood control system that protects 8,000 homes and regional infrastructure, including 18.25 miles of highway and streets that would also serve the Project. The Huntington Beach Channel has a lifespan of 75 years, the same as the Project. The Commission and the Orange County Board of Supervisors have acknowledged the importance of this channel in protecting development and regional infrastructure. In other words, the Huntington Beach Channel must continue to exist and be operational to protect the thousands of homes and miles of critical infrastructure the channel protects today, regardless of the Project.

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<sup>1</sup> The analysis included the Huntington Beach Channel floodwall in its modeling.

## **Resiliency Planning**

While we acknowledge the need for resiliency planning, there is no legitimate connection between the LCP Amendment and the adoption of the City's Resiliency Plan. Instead, the Applicant is concerned that, based on the excerpts below, denying the Project seems more to do with the desire to use the Site for "adaptation infrastructure" rather than the Project's impacts on coastal resources. While we understand that municipalities have broad discretion in developing such plans, "proactive" adaptive SLR policies must still recognize property rights. The following are some of the more pertinent statements in the Staff Report:

- *"In the absence of information and planning from the City demonstrating that this site is not necessary to ensure the resiliency of this part of the City, it would be inconsistent with the Coastal Acts' hazards policies to change the land use designation to allow for additional residential and commercial development in a highly vulnerable area."* (Staff Report, page 4.)

Response: The City has repeatedly stated it has no intention of buying the Site and, therefore, would not be able to use the Site to ensure resiliency for the entire southeast Huntington Beach area. It has been clearly demonstrated that the Site is not located in a highly vulnerable area, and the Project has already been extensively analyzed and shown to be resilient to SLR (e.g., the Project is not vulnerable to coastal hazards through 2100.)

- *"Also, the hazard assessments conducted to date have not evaluated the operational vulnerabilities of the City's existing drainage infrastructure or how it interacts with the County flood control infrastructure....This type of modeling can be used to better understand the flood risks in low-lying areas, identify the points in the system that control fold risk (e.g., pumping capacity), low points in flood channel walls, or undersized storm drains, and evaluate the benefits or impacts of different adaptation strategies."* (Staff Report, page 29.)

Response: While we agree that the issues listed in this excerpt should be analyzed in the City's Resiliency Plan, such an analysis calls for a City-wide evaluation, not tied to this one Project. Again, as stated above, the 2021- SLR VAAP concluded that the Project is not vulnerable to coastal hazards [flooding] through 2100. Nor would the Project cause significant flood risks to other portions of Huntington Beach, including the neighborhoods both east and west of the Project site. (2022-Report, page 6.) Also, a suggested modification has been added that would require the Project to pay its "fair share of funding for future public improvements identified by the City of Huntington Beach as necessary adaptation measures to mitigate the effects of sea level rise in the vicinity of the specific plan area." This would allow the Project to be approved and still be subject to any future resiliency measures that would be adopted through the Resiliency Plan.

- *"The current land use designation at the MTF site allows infrastructure as a primary use, which, as discussed previously, would allow for the implementation of a variety of adaptation strategies. This fact, and because the site is relatively large and vacant in an*

*otherwise developed area, promotes the idea of considering this specific site as a location to provide adaptation related infrastructure that could reduce the level of hazard in the wider area as needed to address the impacts of climate change. (Staff Report page 29.)*

- *“However, in order to fully understand what the best options at this site may be, including the feasibility of the site for potential adaptation measures instead of or in addition to other uses, along with related impacts and trade-offs associated with these options, must first be fully evaluated.” (Staff Report, page 32.)*

**Response:** It is clear from the comments above that the Site is being considered to locate “adaptation-related infrastructure” to address the SLR issues of the surrounding communities. Property owners cannot be required to dedicate land without regard to the Takings Clause of the Fifth Amendment. Clearly, “taking” private property to reduce SLR hazards for the greater community would require compensation from the government. (See *Lucas v. S.C. Coastal Council*, (1992) 505 U.S. 1003, 1014.) The City has repeatedly stated that it does not intend to buy the Site. Therefore, we object to the Project being denied to allow the City and Commission to “explore” adaptation strategies that would require the Site to be taken for the benefit of the surrounding community.

The Staff Report correctly states that denying the LCP Amendment would maintain the status quo. Still, it did not consider that the current zoning would allow a more intense use (convalescent/assisted living care facility) to be located on the Site. In other words, if the Commission followed the current recommendation, only a housing project would be prevented from being developed on the Site until the Resiliency Plan is completed.

This outcome is at odds with the Governor’s request that local communities do their part to address the housing crisis. The State Attorney has also threatened to take action against local agencies for “violating” the Housing Crisis Act of 2019 by imposing regulations that limit or stop housing development. The Housing Crisis Act of 2019 specifically prohibits local agencies from imposing ***any moratorium, or similar restriction*** or limitation, on housing development. (Gov. Code § 66300, sub. (b)(1)(B)(i).) While the Coastal Commission is exempt from the Housing Crisis Act of 2019, California is still suffering from a housing crisis, which the Commission has recognized.

### **Implementation of managed retreat strategies.**

The Staff Report concentrates on the SLR risk that the surrounding properties will face, making clear that the Site would be an ideal location for “adaptation infrastructure” that would reduce future hazards for the benefit of the broader community. The Staff Report repeatedly references “the area ***near*** the MTF site,” “the ***southeast Huntington Beach*** area,” and “***next to*** the MTF site.” This ignores the reality that the Site is privately owned, and as such, the Applicant has the right to utilize the site for something other than “wetland complexes, stormwater basins, ...or floodable parks.” [see Staff Report page 29.]

Accordingly, the Applicant is concerned that managed retreat strategies such as converting the Site into “wetland complexes, stormwater basins, ...or floodable parks” would obviously affect his property rights and effectively prevents the Applicant from all economic use of the Site. (see *Lucas v. South Carolina Coastal Council* (1992) supra at 1003.) Even if the property owner is not denied all economically viable use of his land, the character of the government action, its economic impact, and its interference with reasonable, investment-backed expectations would still be examined by the courts. (***Penn Central Transportation Co. v. New York*** (1978) 438 U.S. 104, 124. Denying this LCP Amendment because the Site “might be better suited” for “adaption infrastructure” would effectively prevent the Applicant from using the Site.

### **Conclusion**

Contrary to the conclusions reached in the Staff Report, the Project is not in a hazardous location prone to flooding. Nor is consideration of the Project related to the City’s completion of its Resiliency Plan. The Site cannot be used for managed retreat strategies such as “wetland complexes, stormwater basins, ...or floodable parks” without the Applicant receiving just compensation for the land. Additionally, we concur with the City’s letter submitted to the Commission for this Project. For the reasons outlined in this letter as well as the City’s letter, we respectfully request that the Commission approve the LCP Amendment with the City’s suggested modifications.

Very truly yours,  
NORTON MOORE & ADAMS

A handwritten signature in cursive script, appearing to read "Ann Y. Moore".

Ann Y. Moore

Attachment

## ATTACHMENT “1”

### Coastal Act Section 30253.

The Site is located outside the 100-year floodplain, as designated by FEMA’s Flood Insurance Rate Map. [see also Project EIR, Exhibit 4.8-1.] Moreover, the Site is uniquely suited for development because of its location adjacent to the 145-foot-wide OCFCD property, which includes the Huntington Beach Channel.

The 2021- SLR VAAP concluded that by raising the Site, it would not be vulnerable to coastal hazards now through 2100 (the same lifespan as the Huntington Beach channel) except for fluvial flooding of the Project's two open space areas located on the western and eastern sides of the Site where no structures or roads are located. [2021-SLR VAAP, page 23.] As explained above, the Huntington Beach Channel provides adequate protection for the Site in the future with SLR, and no improvements or redesign of the channel would be needed. The Huntington Beach Channel would avoid the potential impact of tidal inundation and changing water levels that might occur over the life of the development. A hydrologic analysis was conducted for the Project and reviewed by Orange County Public Works (OCPW), which concluded that the Project **would not** cause flooding on-site or off-site **and**, during a 100-year high-capacity storm event, **could discharge** into the channel without impacting the channel’s capacity. [Project EIR, page 4.8-21.] Nor would the flood conditions within the Magnolia Marsh be altered. [Project EIR, page 4.8-23.] Finally, the location of the Huntington Beach Channel protects the infrastructure improvements needed to serve the Project from the impacts of SLR for the life of the Project. (2021-SLR VAAP, supra at page 23.)

It is reasonable to assume that the Huntington Beach Channel will continue to be operational and maintained over the lifetime of the Project because this Channel is part of a flood control system that currently protects eight thousand residents and other critical regional infrastructure (e.g., AES Power Plant, Orange County Sanitation District Wastewater Treatment Plant, Brookhurst Street, Magnolia Street, Edison High School, John H. Eader Elementary School). Note that the lifespan of the Huntington Beach channel is the same as the lifespan of the Project, which is 2100.

Consistent with Coastal Act Section 30253 (b), the Project will neither create nor contribute significantly to erosion, geologic instability, or destruction of the Site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The Project has been sited and designed to prevent the use of protective devices (such as retaining walls and caissons), which would alter natural landforms. Nor would the Huntington Beach channel need to be expanded or enlarged due to the Project. [2021-SLR VAAP, page 23.]

Furthermore, concerning the Project’s impact on the surrounding area, see the discussion above in Section II. The Project without berms showed no flood risk to the surrounding areas under future SLR levels of up to 5.0 feet. Finally, there was a very low probability that SLR would meet or exceed 6.0 feet or 7.0 feet (respectively 1.0% and 0.4% probability) by 2100, and an



even lower joint probability that this amount of SLR at spring high tide would occur with the 100-year peak flood. Therefore, no protective devices would need to be constructed due to the Project.

### **Coastal Act Section 30270**

Coastal Act Section 30270 requires the Commission to consider the effects of SLR in coastal resources planning and management policies and activities to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise. An analysis of the Site for SLR impacts was conducted consistent with the Coastal Commission's Sea Level Rise Guidance. As stated above, the 2021-SLR VAAP determined that the site with the Project would not be vulnerable to coastal hazards now through 2100 except for fluvial flooding of the Project's two open space areas located on the western and eastern sides of the Site where no structures or roads are located. Furthermore, concerning the surrounding area, the Project without berms showed no flood risk to the Site or surrounding areas under future sea levels up to 5.0 feet of SLR. Finally, there was a very low probability that SLR would meet or exceed 6.0 feet or 7.0 feet (respectively 1.0% and 0.4% probability) by 2100, and an even lower joint probability that this amount of SLR at spring high tide would occur with the 100-year peak flood.

The Owner has included several design features in the Project that would further minimize the risk to life and property. The City has also suggested several modifications to the Specific Plan. For instance, the property owner is required to record a notice on the property and notify all occupants that:

- Sea level rise and flooding could render it difficult or impossible to provide services to the site;
- The boundary between public land (tidelands) and private land may shift with rising seas, and the development approval does not permit an encroachment onto public trust land;
- Additional adaptation strategies may be required in the future to address sea level rise and flooding consistent with the Coastal Act and certified LCP, and
- The permittee and all successors waive any rights under Coastal Act Section 30235 and related LCP policies to hard shoreline armoring to protect development.

With the project design features and the suggested modifications, the Project is consistent with Sections 30253 and 30270 of the Coastal Act pertaining to hazards.

### **Coastal Act Section 30250.**

Coastal Act Section 30250 encourages "smart" growth by encouraging new development to be located in appropriate areas contiguous with, or in close proximity to, existing developed areas that minimize impacts on coastal resources and discourage residential sprawl. In more rural or sparsely populated areas that are not adequately developed, new residential development should

be located where adequate public services can be provided, and coastal resources would not be threatened.

The Project is consistent with Coastal Action 30250 by proposing to develop on a previously disturbed infill site within a developed and well-established area. The Site obtains access from Magnolia Street *across the street* from 1,366 single-family residences. In addition, the Site is located adjacent to two existing bus stops and a bike lane along Magnolia Street. [see Project EIR, pages 2-17 and 6-8.] The Project would not require extending the regional transportation system to previously undeveloped areas. [see Project EIR, page 4.9-68.] However, most importantly, the Project is located adjacent to the Huntington Beach Channel, which the County of Orange constructed to reduce the risk of flooding for surrounding properties and ***critical regional infrastructure***, including roads, public facilities, schools, and libraries (e.g., AES Power Plant, Orange County Sanitation District Wastewater Treatment Plant, Brookhurst Street, and ***Magnolia Street***).

The Staff Report failed to consider the anticipated lifespan of the Huntington Beach Channel when concluding there was no way to know whether the surrounding roads and existing infrastructure would be able to serve the Project in the foreseeable future with SLR. The Huntington Beach channel improvements were determined to be resilient to the effects of SLR over the design life of 75 years. [see discussion above.]

Moreover, the Commission has consistently found that maintaining the existing channelization was necessary for public safety, the same infrastructure the Project would rely on. [see California Coastal Commission Staff Report W21c-6-2010, page 10.] As previously stated, critical regional infrastructure and thousands of residences depend on this flood control system. So, it is reasonable to assume that this flood control system will continue to exist and future improvements will be made to protect the existing eight thousand homes and regional infrastructure against SLR through the life of the Project and beyond. [2022- Anchor Report, page 6.]

Finally, the potential of this Site to be used for public serving adaptation measures to reduce the risk of SLR for the surrounding area is not an appropriate consideration when determining whether the Project is consistent with Coastal Act Section 30250. The City has repeatedly stated it has no intention nor the money to purchase the Site.

### **Coastal Access/Priority Land Uses**

The Coastal Act gives priority to visitor-serving commercial uses, encourages the provision of lower-cost visitor and recreational facilities, and provides that development should maintain and enhance public access to the coast. Relevant Coastal Act policies include Sections 30213, 30222, and 30252.

The Project also conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Specific Plan allows the development of a lodge with a guesthouse component with 40 rooms designated as lower-cost overnight accommodations and ancillary retail to encourage coastal public access and recreation. The visitor-serving uses will

be integrated with residential and open space/park uses on a site that formerly served as an oil storage area for the power plant that was inaccessible to the public. The open space component of the land use plan includes the conversion of a privately-owned landscape area adjacent to Magnolia Street into a passive-use public park. In addition, the proposed Marsh Park next to the Lodge will offer a public view corridor to the ocean and serve as a staging area for docent-led tours of the adjacent wetlands. Thus, the Project will enhance public opportunities for coastal recreation where there is none now.

### **Environmental Justice Policies**

The LCP Amendment provides a balanced, integrated approach to development on the Site that maximizes public access for all. The Project will provide critically needed housing affordable to low-income households. It would provide lower-cost, visitor-serving amenities and ensure visitor-serving and recreational uses at this Site.

The Project will not impact any habitat areas. The Project will further the goals of the Coastal Act by increasing access to the water in an inviting manner and providing something for visitors to do once they get there.

The Project would provide the following components:

- Visitor-serving overnight accommodations that included a low-cost visitor-serving component.
- The Project would also allow the City to meet the community's housing needs and provide affordable housing for low-income qualified individuals.
- The Project will establish a program that gives hotel workers the right of first refusal to the affordable housing units on the Site. This would allow hotel workers to walk to work, saving GHG and improving their quality of life by eliminating their long commutes.
- Recreational opportunities such as parks, trails, and associated free parking areas will be provided by the Project.
- An extensive multi-modal pedestrian, bicycle, and automobile-based system to provide various free and low-cost coastal-related recreational opportunities for the residents and visitors in southwestern Huntington Beach.



# ***Los Angeles / Orange Counties Building and Construction Trades Council***

*Affiliated with the Building & Construction Trades Dept., AFL-CIO*

1626 Beverly Boulevard  
Los Angeles, CA 90026-5784  
Phone (213) 483-4222  
(714) 827-6791  
Fax (213) 483-4419



April 6, 2023

Honorable Donne Brownsey and Members of the CA Coastal Commission  
(via email)

Re: Support for Proposed Magnolia Tank Farm Project LCP-A

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the 140,000 hard working men and women of the Los Angeles and Orange Counties Building and Construction Trades Council urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored “Helmets to Hardhats” program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

For the local community, the economic benefits required by the development agreement are impressive. Nearly \$25 million dollars in developer’s fees for city services including public safety, roads, city employees, schools, libraries and more. As important, it will transform a blighted property into a desired residential and productive commercial visitor destination while providing exceptional public access where none exists today.

More quality housing supply is a need for Huntington Beach, and a clear mandate has been placed on the city through the state’s RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That’s why this project is so critical as it represents the largest “ready to build” parcel in the city. Not only has the owner decided to provide all the proposed affordable units onsite, but a significant portion of the homes will also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing.

We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,

A handwritten signature in black ink, appearing to read "Ernesto Medrano".

Ernesto Medrano  
Council Representative

EM: ag/OPEIU#537/afl-cio



Local Union 105

ALAN SANDOVAL  
FINANCIAL SECRETARY-TREASURER  
RECORDING SECRETARY

STEVE HINSON  
PRESIDENT  
BUSINESS MANAGER

ALBERT "AL" HERNANDEZ  
VICE PRESIDENT  
BUSINESS REPRESENTATIVE

*April 20, 2023*

*Honorable Donne Brownsey and Members of the CA Coastal Commission  
(sent via email)*

*Re: Support for Proposed Magnolia Tank Farm Project LCP-A*

*Dear Chairperson Brownsey and Commissioners:*

*I am writing on behalf of the members of SMART Local Union 105 of Orange County urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.*

*The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" Program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.*

*For the local community, the economic benefits required by the development agreement are impressive. Nearly \$25 million dollars in developer's fees for city services including public safety, roads, city employees, schools, libraries and more. As important, it will transform a blighted property into a desired residential and productive commercial visitor destination while providing exceptional public access where none exists today.*

Business Representatives

Anthony Campos  
Donny E. Sappington, II

\*Chris Gonzalez  
William "Bill" Shaver

Tim Hinson  
Joaquin Stallworth

Art Lopez  
Erik Villegas



*More quality housing supply is a need for Huntington Beach, and a clear mandate has been placed on the city through the state's RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That's why this project is so critical as it represents the largest "ready to build" parcel in the city. Not only has the owner decided to provide all the proposed affordable units onsite, but a significant portion of the homes will also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing.*

*We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort, and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.*

*As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.*

*Respectfully,*



*Stephen M. Hinson  
Business Manager / President*



# United Union of Roofers, Waterproofers and Allied Workers

## Local Union No. 220

*Affiliated with AFL-CIO and Building and Construction Trades Department*

283 N. Rampart Street, Suite F, Orange, CA 92868  
(714) 939-0220 • FAX (714) 939-0246



March 31, 2023

Honorable Donne Brownsey and Members of the CA Coastal Commission

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the members of the Roofers Local 220 of Orange County, urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

For the local community, the economic benefits required by the development agreement are impressive. Nearly \$25 million dollars in developer's fees for city services including public safety, roads, city employees, schools, libraries and more. As important, it will transform a blighted property into a desired residential and productive commercial visitor destination while providing exceptional public access where none exists today.

More quality housing supply is a need for Huntington Beach, and a clear mandate has been placed on the city through the state's RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That's why this project is so critical as it represents the largest "ready to build" parcel in the city. Not only has the owner decided to provide all the proposed





# United Union of Roofers, Waterproofers and Allied Workers

## Local Union No. 220

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affordable units onsite, but a significant portion of the homes will also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing. We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,

Brent Beasley

International Vice President

Roofers International



# LOCAL UNION NO. 952

GENERAL TRUCK DRIVERS, OFFICE, FOOD & WAREHOUSE UNION

140 S. Marks Way, Orange, CA 92868  
Phone: (714) 740-6200 | Fax: (714) 978-0576  
[www.teamsters952.org](http://www.teamsters952.org)



Eric Jimenez  
Secretary-Treasurer  
and Principal Officer

March 14, 2023

Sent via Email

John Green  
President

Honorable Donne Brownsey & Members of the CA Coastal Commission

**Re: Support for Proposed Magnolia Tank Farm Project LCP-A**

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the almost 10,000 members of the Teamsters Local 952 of Orange County, urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

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More quality housing supply is a need for Huntington Beach, and a clear mandate has been placed on the city through the state's RHNA process. Huntington Beach needs approximately 13,500 new housing units to comply with state law. That's why this project is so critical as it represents the largest "ready to build" parcel

*Continued on next page*

*Affiliated with the International Brotherhood of Teamsters*





# LOCAL UNION NO. 952

GENERAL TRUCK DRIVERS, OFFICE, FOOD & WAREHOUSE UNION

140 S. Marks Way, Orange, CA 92868  
Phone:(714) 740-6200 | Fax:(714) 978-0576  
[www.teamsters952.org](http://www.teamsters952.org)



Eric Jimenez  
Secretary-Treasurer  
and Principal Officer

John Green  
President

in the city. Not only has the owner decided to provide all the proposed affordable units onsite, but a significant portion of the homes will also be set aside for limited income hotel workers employed at the hotel – an innovative approach to workforce housing.

We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort, and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,

Norma López  
Special Assist to the Secretary-Treasurer



# TEAMSTERS LOCAL UNION NO. 986

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

*General Teamsters, Airline, Aerospace and Allied Employees, Warehousemen, Drivers, Construction, Rock and Sand*

March 13, 2023



Honorable Donne Brownsey and Members of the CA Coastal Commission  
(via email)

Re: Support for Proposed Magnolia Tank Farm Project LCP-A

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the 19,000 members of Teamsters Local 986 urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

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We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Griswold". The signature is fluid and cursive, with the first name "Chris" and last name "Griswold" clearly distinguishable.

Chris Griswold  
Secretary Treasurer



# *Sprinkler Fitters Local 709*

*Affiliated with AFL-CIO*



March 16, 2023

Honorable Donne Brownsey and Members of the CA Coastal Commission  
(via email)

Re: Support for Proposed Magnolia Tank Farm Project LCP-A

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the 1000 + members of Sprinkler Fitters U.A. Local 709, urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

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As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Thank you,

A handwritten signature in blue ink that reads "Todd W. Golden". The signature is written in a cursive, flowing style.

Todd W. Golden  
Business Manager  
Sprinkler Fitters U.A. Local 709

JL: opeiu#537, afl-cio, clc



# Painters & Allied Trades District Council 36

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**Luis F. Robles**

**Business Manager**

DRYWALL FINISHERS, FLOORLAYERS, GLAZIERS, PAINTERS, TRADESHOW & SIGNCRAFT

March 15, 2023

Honorable Donne Brownsey and Members of the CA Coastal Commission  
(via email)

Re: Support for Proposed Magnolia Tank Farm Project LCP-A

Dear Chair Brownsey and Commissioners:

I am writing on behalf of the 11,000 members of the Painters & Allied Trades District Council 36, of Southern California urging your support of the Magnolia Tank Farm Local Coastal Program in the city of Huntington Beach. We support the development plans for this project for many reasons. The transformation of this blighted property from its former use as an oil storage facility to a vibrant new mixed-use neighborhood will dramatically improve the aesthetics and value of southwest Huntington Beach while creating new coastal public open space and access, affordable and market rate housing, good paying jobs, and tax revenues for the city.

The Los Angeles and Orange Counties Building and Construction Trades Council and affiliated Local Unions have signed a Project Labor Agreement (PLA) with the owners of the property that guarantees high wages with good benefits and local hires. This opportunity cannot happen unless this project is approved by your Commission. Our Agreement also provides preference to Veterans of the Armed Services through the Building Trades sponsored "Helmets to Hardhats" program. These partnerships create a pathway to middle class careers in Orange County for men and women through our Joint Labor Management Apprenticeship Programs into the construction trades. The PLA also provides for a Skilled and Trained Workforce to be on site with the highest safety and industry standards. These benefits will bring life changing opportunities for local working families during the construction process and operation of the project.

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# Painters & Allied Trades District Council 36

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**Luis F. Robles**

**Business Manager**

DRYWALL FINISHERS, FLOORLAYERS, GLAZIERS, PAINTERS, TRADESHOW & SIGNCRAFT

limited income hotel workers employed at the hotel – an innovative approach to workforce housing.

We have been following this project since its inception and are encouraged by the evolution of the plan based on comments from Coastal Commission Staff. The owner has taken great care, effort and expense to address staff concerns and as a result, the site is resilient against sea level rise and provides increased public open space and access – all priorities of the California Coastal Act.

As leaders within the Building Trades, we are excited at the opportunity to provide our voice and support so in the future the workforce to build this project is there. Please consider all the community and coastal benefits this proposal offers. We ask that you enthusiastically support the Magnolia Tank Farm Local Coastal Program Amendment.

Respectfully,

Luis F. Robles

Business Manager



Clergy & Laity United  
for Economic Justice

## Board

### Rev. Gary Williams

Saint Mark United Methodist  
Church

#### Chair

### Mary Stancavage

Meditation Coalition

#### Chair

### Derek Smith

UFCW 324

#### Treasurer

### Rev. Melissa McCarthy

Episcopal Diocese of Los Angeles

#### Secretary

### Rabbi Dr. Stephen J. Einstein

Congregation B'nai Tzedek

### John Grant

UFCW 770, President Emeritus

### Griselda Mariscal

SEIU-UHW

### Rabbi Daniel Mehlman

Temple Ner Tamid

### Pastor Bridie Roberts

UNITE HERE 11

### Vivian Rothstein

Santa Monica CLUE Committee

### Michael Soto

NUHW

### Ali Tweini

Teamsters Local 2010

## Staff

### Rev. Jennifer Gutierrez

#### Executive Director

### Cecilia Contreras

Communications Coordinator

### Rev. Walter Contreras

Faith-Rooted Organizer

### Lucero Garcia

Senior Faith-Rooted Organizer

### Matthew Hom

Faith-Rooted Organizer

### Kara Howard

HR/Admin Manager

### Pastor Cue Jn'Marie

Faith-Rooted Organizer

### Adam Overton

Faith-Rooted Organizer

### Guillermo Torres

Director of Immigration

### Jacki Weber

Development Director

*As CLUE, we educate, organize, and mobilize the faith community to accompany workers and their families in their struggle for good jobs, dignity, and justice.*

July 6, 2023

To: Coastal Commissioners

Dr. Kate Huckelbridge, Executive Director

55 Market St., Suite 300, San Francisco, CA 94105

VIA EMAIL

**Re: Public Comment on July 2023 Agenda Item Thursday 13a - City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)**

Dear Honorable Chair Brownsey and Commissioners,

On behalf of Clergy and Laity United for Economic Justice, I am writing to ask that you support the Magnolia Tank Farm project by approving its Local Coastal Plan Amendment at the July 13, 2023 meeting of the Commission. CLUE brings together clergy and lay leaders of all faiths with the marginalized, the unheard, and the least protected—low-wage workers—in the cause of a just economy that works for everyone, not just those at the top.

The Magnolia Tank Farm is a model project for coastal Orange County because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Time is of the essence. We are facing an unprecedented, statewide housing crisis. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. This project not only proposes 250 units of housing with 51 lower-cost units, but it also proposes to earmark a percentage of those units for the very workers who will service guests next door at the eco-lodge.

These workers will be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city. In addition to providing the opportunity for workers to live near the coast, this project also proposes to dedicate a percentage of its rooms as lower cost overnight accommodations.

This is exactly the kind of development we need in coastal Orange County and working families should be able to benefit from it now. We urge you to approve the Magnolia Tank Farm project as it is currently proposed.

Sincerely,

Rev. Jennifer Gutierrez

Clergy & Laity United for Economic Justice (CLUE)

Executive Director

**FW: Item Th13a (LCP-5-HNB-21-0057-1) - Support LCPA for Magnolia Tank Farm project**

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Fri 7/7/2023 1:24 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>; Schwing, Karl@Coastal  
<Karl.Schwing@coastal.ca.gov>

---

**From:** Fadia Kanaan <info@email.actionnetwork.org>

**Sent:** Friday, July 7, 2023 11:47 AM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** Item Th13a (LCP-5-HNB-21-0057-1) - Support LCPA for Magnolia Tank Farm project

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

As a resident of Huntington Beach, I urge the California Coastal Commission to approve the Magnolia Tank Farm project. This is a model project for coastal Orange County because it will provide four things Californians most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Please support this project and approve the Local Coastal Program Amendment on July 13.

Sincerely,

Fadia Kanaan

[k.fadia@yahoo.com](mailto:k.fadia@yahoo.com)

19051 Holly In #5

Huntington Beach, California 92648



**FW: Item Th13a (LCP-5-HNB-21-0057-1) - Support LCPA for Magnolia Tank Farm project**

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Thu 7/6/2023 9:12 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>; Schwing, Karl@Coastal  
<Karl.Schwing@coastal.ca.gov>

---

**From:** BRENDA IGLESIAS <info@email.actionnetwork.org>

**Sent:** Thursday, July 6, 2023 12:43 PM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** Item Th13a (LCP-5-HNB-21-0057-1) - Support LCPA for Magnolia Tank Farm project

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

As a resident of Orange County and a member of UNITE HERE Local 11, I urge the California Coastal Commission to approve the Magnolia Tank Farm project. This is a model project for coastal Orange County because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Please support this project and approve the Local Coastal Program Amendment on July 13.

Sincerely,

BRENDA IGLESIAS

[venadita73@gmail.com](mailto:venadita73@gmail.com)

3618 W Orange Ave, Apt 4

Anaheim, California 92804

## FW: Item Th13a - Support Increase in Coastal Access for Huntington Beach

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Thu 7/6/2023 9:12 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>; Schwing, Karl@Coastal <Karl.Schwing@coastal.ca.gov>

---

**From:** Jarrett Manly <info@email.actionnetwork.org>

**Sent:** Thursday, July 6, 2023 12:24 PM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** Item Th13a - Support Increase in Coastal Access for Huntington Beach

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

As a resident of Orange County and a member of UNITE HERE Local 11, I urge the California Coastal Commission to approve the Local Coastal Program Amendment for the Magnolia Tank Farm project. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. With the Magnolia Tank Farm project, some of these workers will finally be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city. This is a model project for coastal Orange County because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Please support this project and approve the LCPA on July 13.

Sincerely,

Jarrett Manly

[jarrettmanly1977@gmail.com](mailto:jarrettmanly1977@gmail.com)

603 Begonia

Corona Del Mar , California 92625

## FW: Item Th13a - Support Increase in Coastal Access for Huntington Beach

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Thu 7/6/2023 9:12 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>; Schwing, Karl@Coastal  
<Karl.Schwing@coastal.ca.gov>

---

**From:** Maria carmen Luna cortes <info@email.actionnetwork.org>

**Sent:** Thursday, July 6, 2023 12:14 PM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** Item Th13a - Support Increase in Coastal Access for Huntington Beach

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

As a resident of Orange County and a member of UNITE HERE Local 11, I urge the California Coastal Commission to approve the Local Coastal Program Amendment for the Magnolia Tank Farm project. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. With the Magnolia Tank Farm project, some of these workers will finally be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city. This is a model project for coastal Orange County because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Please support this project and approve the LCPA on July 13.

Sincerely,

Maria carmen Luna cortes

[67mcluna@gmail.com](mailto:67mcluna@gmail.com)

1081 bonita st

Tustin c.a, California 92780

## FW: Item Th13a - Support Increase in Coastal Access for Huntington Beach

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Thu 7/6/2023 5:41 PM

To: Schwing, Karl@Coastal <Karl.Schwing@coastal.ca.gov>; Vaughn, Meg@Coastal  
<Meg.Vaughn@coastal.ca.gov>; Spencer, Amrita@Coastal <Amrita.Spencer@coastal.ca.gov>

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**From:** Samuel Hernandez <info@email.actionnetwork.org>

**Sent:** Thursday, July 6, 2023 9:28 AM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** Item Th13a - Support Increase in Coastal Access for Huntington Beach

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

As a resident of Orange County and a member of UNITE HERE Local 11, I urge the California Coastal Commission to approve the Local Coastal Program Amendment for the Magnolia Tank Farm project. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. With the Magnolia Tank Farm project, some of these workers will finally be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city. This is a model project for coastal Orange County because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Please support this project and approve the LCPA on July 13.

Sincerely,

Samuel Hernandez

[samhdz7162.tx3@gmail.com](mailto:samhdz7162.tx3@gmail.com)

810 S. Minnie St. Apt. 14

Santa Ana , California 92701



# CITY OF HUNTINGTON BEACH

## DEPARTMENT OF COMMUNITY DEVELOPMENT

PLANNING ♦ BUILDING ♦ PERMIT CENTER ♦ ECONOMIC DEVELOPMENT ♦ HOUSING ♦ CODE ENFORCEMENT

July 7, 2023

Donne Brownsey, Chair  
Commissioners  
California Coastal Commission  
455 Market Street,  
Suite 300  
San Francisco, CA 94105

**Re: City of Huntington Beach LCP Amendment No. LCP-5- HNB-21-0057-1**

Dear Chair Brownsey and Commissioners:

The City of Huntington Beach ("City") is writing in response to the staff report and recommendation dated June 29, 2023 ("Staff Report"), regarding LCP Amendment No. LCP-5-HNB-21-0057-1 ("LCP Amendment"), which the California Coastal Commission ("Commission") is scheduled to consider at its July 13, 2023, meeting. The LCP Amendment would allow for the development of a mixed-use project consisting of commercial visitor, residential, and open space uses, commonly known as the Magnolia Tank Farm project ("Project") on a 29-acre parcel located at 21845 Magnolia Street ("Site").

The City understands that the Commission serves an essential role as the final arbiter in determining the coastal hazard risk that may result from approving the LCP Amendment. Based on best available science and extensive project/site specific analysis, the City did not find the project poses the level of risk characterized in the staff report. A sea level rise ("SLR") analysis was conducted for the Project in accordance with the California Coastal Commission SLR Policy Guidance, which concluded that the Site is *not* vulnerable to coastal hazards through 2100 (except for two small open space areas where no structures or roads are located). Moreover, the Huntington Beach Flood Control Channel *would protect the Project* and the infrastructure needed to serve the Project from the impacts associated with SLR for the life of the Project.

The Site is outside the 100-year floodplain, as designated by FEMA's Flood Insurance Rate Map. (FEIR, Exhibit 4.8-1). The Project is strategically located adjacent to the Huntington Beach Channel, which will remain in place whether or not the Project is built. This regional flood control channel protects the Site and the infrastructure needed to serve the Project from the



impacts associated with SLR for the life of the Project. While the Staff Report acknowledges that the flood control system [Huntington Beach and Talbert Channels] is designed to withstand 100-year flows today, it advises against considering this flood control system in the decision to approve the LCP Amendment. The City questions why the same flood control system that protects thousands of homes and regional infrastructure in the City cannot be assumed to protect the Project and the infrastructure needed to serve it. *It is far more reasonable* to assume that this flood control system, which currently protects 8,000 single and multi-family private residences (along with regional infrastructure), would continue to be operational and that future improvements would be made to address flood impacts due to SLR.

The City objects to the recommendation in the Staff Report to indefinitely halt consideration of this LCP Amendment and other such amendments until an SLR Vulnerability Assessment and a Coastal Resiliency Plan (“Resiliency Plan”) have been completed and adopted by the City. This recommendation would stop future development projects (including much-needed housing) from being considered indefinitely because the Draft Resiliency Plan is potentially years away from being completed as it has not gone through the City’s public outreach and adoption process nor has it gone through the typical review process between City and Commission staff. The explanation for imposing this essentially de facto moratorium has nothing to do with the particulars of this Project. Instead, the Staff Report suggests the Project should not be approved so the City can consider using the Site for “adaptation strategies” that would benefit the southeast Huntington Beach area as part of the future Resiliency Plan. However, the City does not intend to acquire the Site or any private property to implement SLR “adaptation strategies.” This recommendation is also out of step with the state’s housing crisis and the bulk of legislation passed in the past few years to address this crisis. For instance, the Housing Crisis Act of 2019 prohibits local agencies from imposing any moratorium, or similar restriction or limitation, on housing development. (Gov. Code § 66300, sub. (b)(1)(B)(i).)

Finally, the Staff Report fails to consider the tremendous obligation placed on the City, as well as other Orange County coastal communities, to assist the State in meeting the demand for housing. The Project will establish a program that gives hotel workers the right of first refusal to the affordable housing units built on the Site. From the City’s perspective, it is difficult to reconcile the state’s position on enforcing housing mandates and the position outlined in the Staff report not to approve 250 homes that could be built in the next few years without the risk of SLR. There needs to be a balanced state policy that addresses housing need and coastal protection. Coastal communities cannot be expected to meet their housing obligations when the interpretation of coastal policies prevents local governments from building housing at a location determined suitable for development by technical experts in their respective fields who have analyzed the site in accordance with the California Coastal Commission 2018 SLR Policy Guidance.

Indeed, when the Legislature adopted the Environmental Justice Amendment to the California Coastal Act (“Coastal Act;” Pub. Resources Code, § 30000 et seq.) in 2016, the Legislature emphasized that “[t]he commission shall encourage housing opportunities for persons of low and moderate-income” and “it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate-income in the coastal zone.” Pub. Resources Code, § 30604(f) & (g). The Project provides a rare opportunity to advance these legislative objectives in the City and will be setting



environmental justice precedence by delivering housing for hotel workers who would be able to walk to work in a community that has been traditionally unattainable for them.

The City believes that the proposed LCP Amendment should be approved because it is consistent with the policies, standards, and provisions of Chapter 3 of the California Coastal Act, with the addition of the suggested modifications presented by the City. The City has prepared a list of suggested modifications that should be added to the LCP Amendment via the proposed Specific Plan. [see Attachment 1, Suggested Modifications.]

## **Project Background**

On January 19, 2021, the City approved a General Plan Amendment (GPA) to establish land use designations for the Project; a Zoning Map Amendment (ZMA) to rezone the Site to a Specific Plan; a Zoning Text Amendment (ZTA) to establish a Specific Plan; Development Agreement (“Development Agreement”), and a Local Coastal Program (LCP) Amendment (LCPA) to amend the City’s LCP to incorporate the GPA, ZMA, and ZTA changes (collectively referred to as “Entitlements”). Final Environmental Impact Report No. 17-001 was prepared for the Project and certified by the City (“Project EIR”). Future approvals, such as a Conditional Use Permit, Coastal Development Permit, and Tentative and Final Tract Map(s), will be needed for the Project’s construction.

The Entitlements will allow the vacant Site to be developed with a 211,000-square-foot lodge with 215 guest rooms, including 40 lower-cost rooms, 29,000 square feet of retail/restaurant space within the lodge, 250 for-sale and for-rent homes, including 20% of the units being available for low-income households, 2.8 acres of Coastal Conservation area to provide a buffer for the adjacent wetlands and 4.4 acres of new public parks, trails, and viewpoints [see Attachment 2, Revised Land Use Plan.] Please note that with the suggested modification requested by the City, all of the affordable housing units will be built on-site, and the hotel employees will have a right of first refusal for 25 of these units. [see Attachment 1 Suggested Modifications.]

The following outlines the specifics related to these uses that are found in the Specific Plan:

- The lodge is required to be built prior to the issuance of the 200th occupancy permit within the residential planning area. [see Section 3.12 of the Specific Plan.]
- The Lower cost room rates will be determined by an annual survey of all hotel/motel room rates in the Coastal Zone ten miles north and south of the project site and must be within the bottom thirty percent of the hotel/motel room rates in the survey. [see Section 3.12 of the Specific Plan.]
- The Project's residential component is designated Residential Medium Density (RM) and permits the development of up to 250 residential units with a density of +15 dwelling units per acre. [see Table 3.1 of the Specific Plan.]
- The Owner has agreed to a modification to the Project’s Specific Plan that would require the Owner to construct twenty percent of the units on-site for low-income households. The hotel employees will have a right of first refusal for 25 of these



units. [See Attachment 1, Suggested Modifications.]

The Specific Plan also includes Open Space-Park (OS- P), and Open Space-Conservation (OS-C) uses. The OS-C designation provides for environmental resource conservation and management (e.g., wetland protection) and supporting uses. The Project's Open Space-Park (OS-P) designation would allow for over four acres of public parks within the Site. More specifically, a proposed park (Marsh Park) next to the Lodge will offer a public view corridor to the ocean and serve as a staging area for docent-led tours of the adjacent wetlands. [See Section 3.4.2 of the Specific Plan.] The two open space areas act as buffers that prevent flooding of the residential and commercial areas.

A Public Access Program will be incorporated into the Specific Plan as a suggested modification to the Project, thus making the Access Program regulatory. A planned interior loop road serving the proposed development will add public parking to the area. A pedestrian/bicycle trail will be constructed within the open space area, providing non-motorized mobility along the western fringe of the Site. Based on comments received from Coastal Staff, the public trail was relocated to the Commercial Visitor area.

After the Entitlements were approved for the Project, the City subsequently added the Site to the City's Housing Element as a "pipeline project" for future housing to help meet the City's RHNA obligation for the 2021-2029 planning period (the "6th Cycle"). [see Attachment 3, page B-9 of the Housing Element, Table B-3, Summary of Pipeline Projects.]

### **The Project is strategically located adjacent to the Huntington Beach Channel.**

The flood control system [Huntington Beach and Talbert Channels] protects 18.25 miles of highway and collector streets; six primary, middle, and secondary public schools; a 20 MGD Groundwater Replenishment treatment plant; a 640 MW Energy Generating Station; and approximately 8,000 single and multi-family private residences. It is operated and maintained by the Orange County Flood Control District ("OCFCD") through funding it receives from property taxes and other sources. The Coastal Commission has found that maintaining the existing channelization was necessary for public safety and to protect existing development. [see California Coastal Commission Staff Report W21c-6-2010, page 10.]

In addition, the Coastal Commission has routinely approved projects that have maintained the integrity of the Huntington Beach Channel and Talbert Channel flood control systems. As recently as February of this year, the Executive Director found repair work to the Huntington Beach and Talbert Channels ("DB Project") consistent with the Chapter 3 policies of the Coastal Act and past Commission actions in the area. [see CDP/Waiver 5-20-0590-W, February 24, 2021.] OCFCD has since commenced work on this \$44 million major repair project designed to achieve accreditation from FEMA. The work includes repairing and replacing steel sheet piles to protect the levees and provide flood control capacity for sections of the Huntington Beach (D01) and Talbert (D02) flood control channels. The DB Project was designed using 100-year EV-flow rates per the Orange County Public Works, City of Huntington Beach, and Federal Emergency Management Agency standards and incorporates the appropriate levels of flood protection and resiliency in accordance with the intended goals of achieving accreditation from FEMA.

**The Project is not vulnerable to coastal hazards through 2100, the Project's anticipated life.**

An SLR Vulnerability Assessment and Adaptation Plan were prepared for the Project by Anchor QEA, dated July 2021 ("2021- SLR VAAP") in accordance with the California Coastal Commission 2018 SLR Policy Guidance, which represents the best available science on SLR projections. The analysis included the Huntington Beach Channel floodwall in its modeling. The 2021- SLR VAAP concluded that the Project is not vulnerable to coastal hazards through 2100, the Project's anticipated life, which is also the same lifespan as the Huntington Beach channel. The Project was only found to be vulnerable to fluvial flooding on two open space areas located on the western and eastern sides of the Site where no structures or roads are located. [2021-SLR VAAP, page 23.] The 2021-SLR VAAP used the recommended medium-high risk aversion scenario to assess the risk of SLR. The medium-high risk aversion scenario uses a relatively high projection of sea level rise, even though it has a lower probability of occurring (1-in-200 chance or 0.5% probability of exceedance).

The 2021-SLR VAAP also concluded that no improvements or redesign of the Huntington Beach Channel would be needed to protect the Site. Nor would the flood control system need to be expanded or enlarged due to the Project. [2021-SLR VAAP, page 23.]

Finally, the adaptation measures identified in the Coastal Commission's 2018 SLR Policy Guidance (Chapter 7 Adaptation Strategies) have been applied to the Project. These widely recognized and frequently used SLR adaptation measures were incorporated into the Project's design and have been added as suggested modifications to the Project's approval to eliminate coastal hazard vulnerabilities (e.g., the strategic location of the two open spaces area, fill placement, foundation design, salt-resistant concrete, etc.). [see Attachment 1; Suggested Modifications.]

**Coastal Access/Priority Land Uses**

The Coastal Act gives priority to visitor-serving commercial uses, encourages the provision of lower-cost visitor and recreational facilities, and provides that development should maintain and enhance public access to the coast. Relevant Coastal Act policies include Sections 30213, 30222, and 30252.

The Project also conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Specific Plan allows the development of a lodge with 40 rooms designated as lower-cost overnight accommodations and ancillary retail to encourage coastal public access and recreation. The visitor-serving uses will be integrated with residential and open space/park uses on a site that formerly served as an oil storage area for the power plant that was inaccessible to the public. The open space component of the land use plan includes the conversion of a privately owned landscape area adjacent to Magnolia Street into a passive-use public park. In addition, the proposed Marsh Park next to the Lodge will offer a public view corridor to the ocean and serve as a staging area for docent-led tours of the adjacent wetlands. Thus, the Project will enhance public opportunities for coastal recreation where there is none now.



## Conclusion

In conclusion, the City believes the Project is proposing to be built on a site uniquely suited for development because of its location adjacent to the Huntington Beach Channel, which already protects major infrastructure, schools, and approximately 8,000 private residences. No improvements or redesign of the flood control channel would be needed for the Project to be located there. The Project is not vulnerable to coastal hazards (except tsunamis) through 2100, which is both the Project's and the Huntington Beach channel's anticipated life. The Project without berms showed no flood risk to the surrounding areas under future SLR levels of up to 5.0 feet. The analysis conducted by Anchor QEA concluded that the same flood risk would exist with or without the Project, even with 6.0 and 7.0 feet of SLR. The probability that SLR would meet or exceed 6.0 feet or 7.0 feet by 2100 is very low (respectively, a 1.0% and 0.4% probability). In addition, SLR adaptation measures were incorporated into the Project's design and added as conditions of the Project's approval that eliminate coastal hazard vulnerabilities, such as groundwater elevation increases and associated saltwater corrosion of utilities.

Finally, it is well recognized that the state needs to build as many as 100,000 additional units annually in coastal communities to mitigate its problems with housing affordability. However, if housing cannot be approved in this location, how can Huntington Beach and all coastal communities be expected by the state to address its housing needs?

The City appreciates the opportunity to provide additional input on the LCPA and respectfully requests the Coastal Commission approve the LCPA as approved by the City with the suggested modifications in Attachment No 1. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ursula Luna-Reynosa", followed by the initials "ULR".

Ursula Luna-Reynosa, Director of Community Development

Attachment 1, Suggested Modifications.

Attachment 2, Revised Land Use Plan.

Attachment 3, page B-9 of the Housing Element, Summary of Pipeline Projects.

## **SUGGESTED MODIFICATIONS**

### **A. Land Use Plan Modifications**

The following suggested revisions to the proposed Land Use Plan are recommended for adoption.

1. The Land Use Plan (LUP) shall be modified to reflect the land uses and acreages shown on the revised LUP exhibit dated June 19, 2023.
2. The public trail paralleling the Huntington Beach Flood Control Channel (HBFCC) shall be in the CV and OS/P planning areas. An eight-foot-wide trail in the CC area connecting the OS/P area to the existing bridge over the HBFCC is permitted to allow docent led tours of the Huntington Beach Wetlands and Interpretive Center.

### **B. Implementation Program Modifications**

The following suggested revisions to the proposed Implementation Program are recommended for adoption.

1. Section 3.8 of the Magnolia Tank Farm Specific Plan (Affordable Housing) shall be revised to require that 20% of all new residential construction shall be rental units meeting the city's definition of low-income households. The affordable units shall be constructed onsite in an area designated for residential use. Fifty percent of the low-income rental units shall be made available to employees of the onsite hotel/lodge on a "first right of refusal" basis. The affordable units shall be available for occupancy concurrent with the first occupancy permit issued for the hotel/lodge.
2. Section 3.13 of the Magnolia Tank Farm Specific Plan shall be revised to include the following regulations addressing sea level rise.
  - a. Development shall be sited and designed, including elevation and floodproofing, to ensure safety from the impacts of sea level rise and flooding over the anticipated lifetime of the proposed structures using the best available science on sea level rise projections (such as the California State Sea Level Rise Guidance (OPC 2018).
  - b. At the time of the issuance of a CDP, the landowner shall record a notice on the property and notify all occupants that:
    - i. Sea level rise and flooding could render it difficult or impossible to provide services to the site;
    - ii. The boundary between public land (tidelands) and private land may shift with rising seas and the development approval does not permit encroachment onto public trust land;
    - iii. Additional adaptation strategies may be required in the future to address sea level rise and flooding consistent with the Coastal Act and certified LCP, and
    - iv. The permittee and all successors waive any rights under Coastal Act Section 30235 and related LCP policies to hard shoreline armoring to protect development.
  - c. The permittee shall acknowledge that the development may be required to be removed or relocated and the site restored if the development becomes unsafe for occupancy due to future sea level rise or flood hazard conditions.

3. Section 4.11 of the Magnolia Tank Farm Specific Plan shall include the formation of an assessment district, Community Facilities District, or other financing mechanism within the Magnolia Tank Farm Specific Plan area to provide fair share funding for future public improvements identified by the City of Huntington Beach as necessary adaptation measures to mitigate the effects of sea level rise in the vicinity of the specific plan area.



Area	Acres
Total Res	14.11 ac
Total CV	4.32 ac
Total OS-PR	3.99 ac
Total CC	2.84 ac
Streets	3.73 ac
Total Project	28.99 ac





## Huntington Beach Housing Element Update

Table B-3: Summary of Pipeline Projects

Project Name/Location	Very Low Income Units	Low Income Units	Moderate Income Units	Above Moderate Income Units	Status	Determination of Affordability
					for public hearing	reflect applicant's proposal)
18750 Delaware	-	70	-	276	Ministerial approval 3/16/22 via SP14 Affordable Housing Overlay	20% inclusionary units on-site rental (low) - inclusionary req. 20% low income due to project location within the BECSP Affordable Housing Overlay
7225 Edinger/ Brandywine Townhomes			13	117	Submitted, not scheduled for public hearing	10% on-site deed-restricted moderate income units in compliance with current Citywide inclusionary housing requirements
Georgia Townhomes (910 Georgia St.)				18	PC approved 1-26-2021	
Jamboree Housing Senior Apartments (18431 Beach Blvd.)		43			Under construction	100% affordable development by Jamboree Housing submitted pursuant to SP14 Affordable Housing Overlay
Magnolia Tank Farm (21845 Magnolia Ave.)				250	CC approved 1-21-2021	
Windward Townhomes (17202 Bolsa Chica)				36	Zoning Administrator approved 4-7-2021	
1620 Pacific Coast Hwy Apartments				4	Building permit review phase	



July 7, 2023

Coastal Commissioners  
Dr. Kate Huckelbridge, Executive Director  
55 Market St., Suite 300  
San Francisco, CA 94105  
*VIA EMAIL*

Re: Public Comment on July 2023 Agenda Item Thursday 13a - City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)

Dear Honorable Chair Brownsey and Commissioners,

My name is Kathleen Treseder, and I am a Councilmember in the City of Irvine.



The Magnolia Tank Farm is a model project for coastal Orange County because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Time is of the essence. We are facing an unprecedented statewide housing crisis. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. This project not only proposes 250 units of housing with 51 lower-cost units, but it also proposes to earmark a percentage of those units for the very workers who will service guests next door at the eco-lodge.

These workers will be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city. In addition to providing the opportunity for workers to live near the coast, this project also proposes to dedicate a percentage of its rooms as lower-cost overnight accommodations.

This is exactly the kind of development we need in coastal Orange County, and working families should be able to benefit from it now. We urge you to approve the Magnolia Tank Farm project as it is currently proposed.

Sincerely,



Kathleen Treseder  
Irvine Councilmember



**UNITE HERE Local 483**

July 7, 2023

California Coastal Commission  
Dr. Kate Huckelbridge, Executive Director  
55 Market St., Suite 300  
San Francisco, CA 94105

*VIA EMAIL: to*

**RE:** Public Comment on July 2023 Agenda Item Thursday 13a - City of  
Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1  
(Magnolia Tank Farm)

Dear Honorable Chair Brownsey and Commissioners,

On behalf of more than 50,000 workers represented by UNITE HERE Locals 19, 483, 11, and 30, the hospitality workers' union in coastal communities across California, **we urge you to reject the staff recommendation and approve the proposed Local Coastal Program Amendment (LCP) for the Magnolia Tank Farm project in Huntington Beach.** This is a model project for the coastal zone because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Our members face an unprecedented, statewide housing crisis. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. This project proposes 250 units of housing with 51 lower-cost units and dedicated portion of those will be earmarked as workforce housing. The project will also provide working families and the public with access to a currently-inaccessible coastal resource – the Magnolia Marsh.

UNITE HERE has long advocated for the protection of coastal access for people from all walks of life, especially for low-cost visitor serving accommodations. In addition to providing the opportunity for workers to live near the coast, this project also proposes to dedicate a percentage of its rooms as lower cost overnight accommodations.

This is exactly the kind of development we need in the coastal zone and working families should be able to benefit from it now. We urge you to approve the LCPA as it is currently proposed.

Sincerely,

Brigette Browning  
President, UNITE HERE Local 30

Enrique Fernandez  
Business Manager, UNITE HERE  
Local 19

Hector Azpilcueta  
Secretary-Treasurer, UNITE HERE  
Local 2850

Kurt Petersen  
Co-President, UNITE HERE Local  
11

**FW: SUPPORT the Magnolia Tank Farm Project, SUPPORT housing and coastal access!  
(July 13th, Item Th13a)**

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Sat 7/8/2023 6:28 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>; Schwing, Karl@Coastal  
<Karl.Schwing@coastal.ca.gov>

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**From:** Maryam Dallawar <info@email.actionnetwork.org>

**Sent:** Saturday, July 8, 2023 1:49 PM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** SUPPORT the Magnolia Tank Farm Project, SUPPORT housing and coastal access! (July 13th, Item Th13a)

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

As a resident of Huntington Beach, I urge you to approve the Magnolia Tank Farm project. As you know, we are in a statewide housing crisis. This project not only proposes 250 units of housing with 51 lower-cost units, it proposes to earmark some of those units for the very workers who will service guests next door at the eco-lodge. These workers will be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city.

Please support this project and approve the Local Coastal Program Amendment on July 13.

Best,

Maryam Dallawar

[maryamarifa1@gmail.com](mailto:maryamarifa1@gmail.com)

11442 Barclay Drive

Garden Grove, California 92841



**UNITE HERE Local 483**

July 8, 2023

California Coastal Commission  
Dr. Kate Huckelbridge, Executive Director  
55 Market St., Suite 300  
San Francisco, CA 94105

*VIA EMAIL: to*

**RE:** Public Comment on July 2023 Agenda Item Thursday 13a - City of  
Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1  
(Magnolia Tank Farm)

Dear Honorable Chair Brownsey and Commissioners,

On behalf of more than 50,000 workers represented by UNITE HERE Locals 2, 19, 483, 11, and 30, the hospitality workers' union in coastal communities across California, **we urge you to reject the staff recommendation and approve the proposed Local Coastal Program Amendment (LCP) for the Magnolia Tank Farm project in Huntington Beach.** This is a model project for the coastal zone because it will provide four things working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Our members face an unprecedented, statewide housing crisis. Hotel housekeepers, dishwashers, bellmen, and cooks are faced with hours-long commutes because they cannot afford to live near their jobs at luxury resorts along the coastline. This project proposes 250 units of housing with 51 lower-cost units and dedicated portion of those will be earmarked as workforce housing. The project will also provide working families and the public with access to a currently-inaccessible coastal resource – the Magnolia Marsh.

UNITE HERE has long advocated for the protection of coastal access for people from all walks of life, especially for low-cost visitor serving accommodations. In addition to providing the opportunity for workers to live near the coast, this project also proposes to dedicate a percentage of its rooms as lower cost overnight accommodations.

This is exactly the kind of development we need in the coastal zone and working families should be able to benefit from it now. We urge you to approve the LCPA as it is currently proposed.

Sincerely,

Brigette Browning  
President  
UNITE HERE Local 30

Enrique Fernandez  
Business Manager  
UNITE HERE Local 19

Hector Azpilcueta  
Secretary-Treasurer  
UNITE HERE Local 483

Kurt Petersen  
Co-President  
UNITE HERE Local 11

Anand Singh  
President  
UNITE HERE Local 2



**FW: SUPPORT - Item Th13a - City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)**

SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Mon 7/10/2023 6:26 PM

To:Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>;Spencer, Amrita@Coastal <Amrita.Spencer@coastal.ca.gov>

Cc:Hernandez, Jose@Coastal <jose.hernandez@coastal.ca.gov>

-----Original Message-----

From: M E <mesquiv@icloud.com>

Sent: Monday, July 10, 2023 6:04 PM

To: SouthCoast@Coastal <SouthCoast@coastal.ca.gov>; Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>; Padilla, Javier@Coastal <javier.padilla@coastal.ca.gov>; Selvaraj, Sumi@Coastal <Sumi.Selvaraj@coastal.ca.gov>

Subject: SUPPORT - Item Th13a - City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)

Dear Honorable Chair and Commissioners,

I am writing to urge you to approve the Magnolia Tank Farm project in Huntington Beach. This is a model project for coastal Orange County because it will provide what working people most need: housing, green space, transportation, and good jobs. It provides affordable housing and improves coastal access for the public, including a lodge with lower-cost accommodations, public parks, and trails.

Time is of the essence. We are in an unprecedented, statewide housing crisis. This project not only proposes 250 units of housing with 51 lower-cost units, but it also proposes to earmark a percentage of those units for the very workers who will service guests next door at the eco-lodge. These workers will be able to access a previously-inaccessible coastal resource – the Magnolia Marsh – while living just several hundred yards from the ocean in a historically-exclusive city.

In addition to providing the opportunity for workers to live near the coast, this project also proposes to dedicate a percentage of its rooms as lower cost overnight accommodations.

This is exactly the kind of development we need in coastal Orange County and working families should be able to benefit from it now. I urge you to approve the Magnolia Tank Farm project as it is currently proposed.

Sincerely,

Marlene Esquivel

## FW: Item Th13a - Support Increase in Coastal Access for Huntington Beach

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Mon 7/10/2023 7:10 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>; Schwing, Karl@Coastal <Karl.Schwing@coastal.ca.gov>; Spencer, Amrita@Coastal <Amrita.Spencer@coastal.ca.gov>

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**From:** Ryan Bell <info@email.actionnetwork.org>

**Sent:** Monday, July 10, 2023 12:04 PM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** Item Th13a - Support Increase in Coastal Access for Huntington Beach

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

I urge the California Coastal Commission to approve the Local Coastal Program Amendment for the Magnolia Tank Farm project. Currently, the site is an out-of-use oil tank farm right next to the Magnolia Marsh. Please approve the proposed Local Coastal Program Amendment (LCPA) to create the possibility for the tank farm to become acres of public open space right next to the coast for Huntington Beach residents and visitors alike.

Sincerely,

Ryan Bell

[rjbell@me.com](mailto:rjbell@me.com)

623 S Pasadena Ave Apt 2

Pasadena, California 91105

**Subject:** Fw: Public Comment on July 2023 Agenda Item Thursday 13a - City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)  
**From:** "Cummings, Justin@Coastal" <justin.cummings@coastal.ca.gov>  
**Date:** 7/7/2023, 8:12 AM  
**To:** "ExecutiveStaff@Coastal" <ExecutiveStaff@coastal.ca.gov>

Hello,

Please see correspondence below related to items on this agenda.

Kind regards,

Justin A. Cummings, Ph.D.  
Commissioner; Central Coast  
California Coastal Commission  
455 Market St. Suite 300  
San Francisco, CA 94105

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**From:** Adam Overton <aoverton@cluejustice.org>  
**Sent:** Thursday, July 6, 2023 11:07 AM  
**To:** SouthCoast@Coastal <SouthCoast@coastal.ca.gov>; Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>; Padilla, Javier@Coastal <javier.padilla@coastal.ca.gov>; Selvaraj, Sumi@Coastal <Sumi.Selvaraj@coastal.ca.gov>  
**Cc:** Rev. Jennifer Gutierrez <jgutierrez@cluejustice.org>  
**Subject:** Public Comment on July 2023 Agenda Item Thursday 13a - City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)

Good afternoon!

Clergy and Laity United for Economic Justice (CLUE) is writing to ask that you support the Magnolia Tank Farm project by approving its Local Coastal Plan Amendment at the July 13, 2023 meeting of the Commission.

Please read our full statement in the letter attached below from our executive director, Rev. Jennifer Gutierrez (cc'd).

Thank you for your great leadership and consideration!  
In solidarity & gratitude,

Adam Overton  
Faith-Rooted Organizer, Orange County  
Clergy & Laity United for Economic Justice (CLUE)  
Pronouns: he/they  
(661) 373-8679  
[aoverton@cluejustice.org](mailto:aoverton@cluejustice.org)  
<https://facebook.com/CLUEJustice>  
<https://facebook.com/groups/CLUEJusticeOC>  
*Your donation makes a difference. [Support CLUE today!](#)*

*Justice, justice shall you pursue...*

...וְצִדִּיק תִּרְדֹּף

- Deuteronomy 16:20

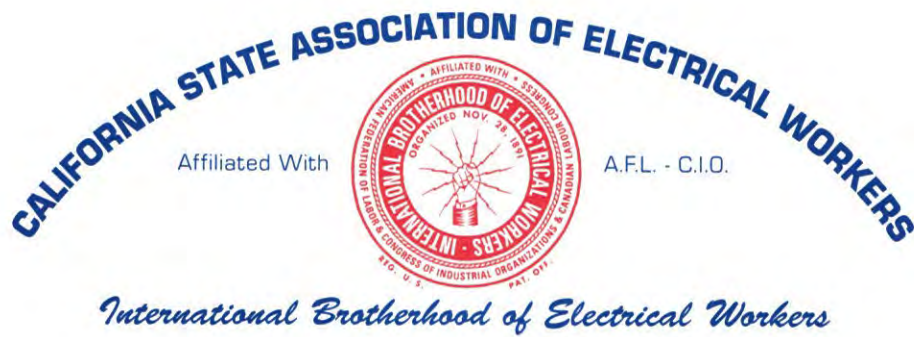
*CLUE's Mission is to educate, organize and mobilize the faith community to accompany workers and their families in their struggle for good jobs, dignity, and justice.*

— Attachments: —

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2023-07-06 CLUE Lttr re\_ Support of Magnolia Tank Farm Project.pdf

141 KB



July 10, 2023

Honorable Donne Brownsey and Members of the CA Coastal Commission  
Donne.Brownsey@coastal.ca.gov

Re: Support for Proposed Magnolia Tank Farm Project – 7/13/23 Meeting, Item 13A

Dear Chair Brownsey and Commissioners:

On behalf of the California State Association of Electrical Workers (CSAEW), I urge you to support the Magnolia Tank Farm Local Coastal Program.

Plans for this project include housing (with a 20% affordable housing minimum), development of which will create over 2,000 construction jobs and 400 permanent jobs in the city of Huntington Beach, transforming a once-industrial property into a vibrant neighborhood and reinvigorating a local economy.

We support endeavors such as these that can create a positive ripple effect in surrounding communities and urge the Coastal Commission to do the same.

Sincerely,

Joel Barton  
Secretary-Treasurer

cc: Coastal Commission Staff, [executivestaff@coastal.ca.gov](mailto:executivestaff@coastal.ca.gov)

JB/bcm opeiu #537 afl-cio

July 7, 2023

Chairwoman Donne Brownsey  
CA Coastal Commission  
Sent via e-mail: ExecutiveStaff@coastal.ca.gov

**RE: SUPPORT FOR SHOPOFF REALTY PLANS FOR TANK FARM**

Dear Chairwoman Brownsey:

I would like to express my support for Shopoff Realty Investments' proposal for new homes, open space and a lodge on the Tank Farm property in Huntington Beach. I am an advocate for responsible development, thoughtful planning and development projects that shed a positive light on the real estate development industry.

Shopoff is proposing a project that not only complements and provides suitable transitions to the existing surrounding land uses, but also improves the area by removing a blighted property and replacing it with uses that bring much-needed funds to the city as well as desperately needed housing options to the area. In this case, the plan places compatible housing next to existing residential. The lodge is placed near existing industrial uses and overlooking the wetlands separated with a large buffer to protect this resource while also promoting its educational value to residents and guests alike.

As the housing crisis in southern California continues, we are desperate for new housing—move-up opportunities for grown children moving back to their “hometown,” expanding families needing a larger floor plan, and empty-nesters downsizing.

From an economic perspective, revitalization of the Tank Farm can only increase neighboring property values and provide a much-needed boost to Southeast Huntington Beach. And, of course, taxes generated will undoubtedly benefit the city's infrastructure, public safety and other city-funded needs; an economic boost to the city's coffers is desperately needed in these trying times.

In my opinion, this project will only provide positive changes to the area. I hope that you agree and vote “yes” to Huntington Beach's LCPA on July 13.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole B" followed by a stylized flourish.

Nicole Burdette



City of Huntington Beach LCPA LCP-5-HNB-21-0057-1  
Magnolia Tank Farm  
July 13, 2023

Business Industry Association Letters  
33 Copies of the Attached Letters Were Received from Separate Individuals

**Subject:** Please Support the Magnolia Tank Farm Community  
**From:** Bob Auer <bob.auer.77999@advocacy.online>  
**Date:** 7/7/2023, 2:07 PM  
**To:** "ExecutiveStaff@Coastal" <ExecutiveStaff@coastal.ca.gov>

California Coastal Commission Executive Staff,

Dear Chairwoman Brownsey and Commissioners,

As a member of the Building Industry Association, I write to you today in strong support of the proposed Magnolia Tank Farm housing project in Huntington Beach. When considering California's historic housing and homelessness crisis, this is exactly the type of project that should be supported by all levels of California government.

California's growing housing and homelessness crisis impacts families, communities, and the overall well-being of the state. The lack of housing inventory is causing home and apartment costs to skyrocket, forcing many California families – including many in Southern California – to relocate. And despite the state's best efforts, hurdles to new housing development remain as cumbersome as ever.

California's current Statewide Housing Plan, put forth by the Department of Housing and Community Development last year, calls for Huntington Beach to plan for over 13,000 homes by the end of the decade. Failure to get a good project like Magnolia Tank Farm off the ground would only contribute to a worsening problem.

Further, the elimination of affordable residential neighborhoods in the coastal zone is identified as a contributing factor to homelessness and an unjust impact for lower income communities of color. Increasing housing opportunity within coastal communities is a matter of statewide interest that must be given serious consideration.

If coastal cities are prevented from such development, achieving state housing goals becomes an impossibility. Local government flood control efforts need to be given full consideration, in coordination with the CCC, to achieve RHNA requirements.

As an example, the Orange County Flood Control District (OCFCD) maintains 380 miles of flood control infrastructure protecting critical regional infrastructure, roads, schools, libraries

and residences. Through their mitigation strategies, communities like Huntington Beach can safely meet their RHNA demands while also protecting against sea level rise.

I respectfully request that the CCC adopt a smart and reasonable approach to environmental policies that will also address the housing crisis. I look forward to your consideration of this request and proactive efforts to assist the building industry with projects currently under consideration by the CCC.

Sincerely,

Bob Auer  
7373 Oranewood Dr.  
Riverside, CA 92504  
(909) 286-2693

City of Huntington Beach LCPA LCP-5-HNB-21-0057-1  
Magnolia Tank Farm  
July 13, 2023

Comment Letters in Support of Magnolia Tank Farm  
43 Copies of the Attached Letter were Received from Separate Individuals

Dear Chairwoman Brownsey and Commissioners,

I am submitting this letter to express my support for the proposed City of Huntington Beach Local Coastal Plan Amendment that would allow for the development of the Magnolia Tank Farm. My family values our parks, open areas, and our coastline. We pay close attention to what happens in our city and county, and we seek to ensure that coastal development complements the landscape, increases coastal access, and benefits a growing community. This project would transform an area that once housed oil tanks to provide much needed housing, low-cost accommodations, parks and amenities, and environment-focused educational programs. As such, we believe the Magnolia Tank Farm would positively contribute to the region.

I wanted to share a few reasons why I support this project.

Housing and low-cost accommodations:

The state is facing an ongoing housing crisis. The Regional Housing Needs Assessment requires the construction of 13,368 new units within Huntington Beach alone - 180,000 countywide. The housing crisis is only getting worse and there is not unlimited land on which to build.

In addition to housing, the project would also ensure the availability of low cost, high occupancy rooms in the hotel for middle-to-low-income visitors, increasing coastal access considerably.

Coastal Amenities and local economic benefits:

I welcome the residential and public amenities this project would provide, including Magnolia Park, an overlook trail, and much-needed additional parking.

Concerning the local economy, the project would generate millions of dollars in tax revenue for the city, it would create hundreds of permanent jobs, and it would generate millions of dollars in economic output.

Educational programs:

I am also in support of the environmental education component that is central to the project. This includes a wetlands interpretive program that would be offered to the public, as well as to disadvantaged communities, at no cost through partnerships with local school districts and NGOs.

We are well aware of the threat of sea level rise. However, we have our full faith in the Orange County Flood Control District, which maintains the flood control infrastructure. These channels would protect this project in addition to the existing regional infrastructure including roads, public facilities, schools, libraries, and thousands of residences, including my own.

The Magnolia Tank Farm would transform this area for the better by creating much needed housing and improving access and amenities that complement our coastline. This project is a model for all other coastal development. I urge your support.

Sincerely,

Brian Smith  
Business Owner



City of Huntington Beach LCPA LCP-5-HNB-21-0057-1  
Magnolia Tank Farm  
July 13, 2023

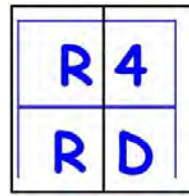
Link Sent by Property Owner to Expressions of Support for Magnolia Tank Farm

<https://magnoliatankfarm.com/supporters/>

# **Th13a**

LCP-5-HNB-21-0057-1  
(Magnolia Tank Farm LCPA)

Correspondence in Favor of Staff  
Recommendation



**Residents for  
Responsible  
Desalination**  
[www.r4rd.org](http://www.r4rd.org)



**SIERRA  
CLUB**

April 17, 2023

Chair Donne Brownsey and Members of the California Coastal Commission  
455 Market St., Suite 300  
San Francisco CA

RE: Community Opposition to the Magnolia Tank Farm Project

Orange County Coastkeeper, The Surfrider Foundation, California Coastal Protection Network, Residents for Responsible Desalination, Friends of Harbors Beaches and Parks the Surfrider Foundation and Sierra Club, write to express our opposition to the development of the Magnolia Tank Farm project. While housing is needed in Orange County, this is the wrong site for it, and we have significant concerns regarding the project's short and long-term impact on the community and environment.

The project site, located in Huntington Beach on Magnolia St. next to the Huntington Beach Wetlands, is subject to significant coastal hazards including sea level rise and tsunamis, along with being located on an earthquake fault in a flood zone next to the Ascon toxic waste dump. Development of the site for commercial and residential uses would result in risk to the residents of the site and cause irreparable harm to the residents of adjacent neighborhoods.

Specifically, we have the following Concerns:

**1. This is a low-lying area subject to flooding, sea level rise, and tsunamis.**

The site is in an area subject to flooding, this will only get worse with sea level rise. Raising the height of the site to prevent flooding onsite will divert floodwaters into adjacent neighborhoods and will do nothing to prevent tsunami damage. Watch the video at <https://www.coastkeeper.org/hb-simulation/> to see how sea level rise would affect the area.

**2. The South Branch of the Newport-Inglewood Fault lies underneath the site.**

The Newport-Inglewood Fault can generate earthquakes as large as 7.5 in magnitude. Studies show the site is subject to soil liquefaction and spreading during an earthquake.

**3. The Ascon Toxic Waste Dump, a State of California Superfund site, is adjacent to the property.**

The Ascon site is loaded with toxins and a potential threat to the neighborhood. The remediation of the site is ongoing, and Ascon will be a concern for many years to come.

As proposed, the project is not consistent with the current City of Huntington Beach Local Coastal Program (LCP). Unfortunately, the City of Huntington Beach is currently seeking certification from the California Coastal Commission for a 'project specific' amendment to their LCP so the project can proceed. We ask the Coastal Commission not to certify the proposed changes to the Huntington Beach Local Coastal Program and to protect the local residents, wildlife, and ecosystem from the adverse impacts of this project. Please take into consideration the vulnerabilities of this site in terms of climate change and sea level rise as well as the long-term potential risks to people that invest in housing here, as well as the other proposed uses.

Thank you,

Garry Brown  
Executive Director  
Orange County Coastkeeper

Susan Jordan  
Executive Director  
Coastal Protection Network

Dave Hamilton  
President  
Residents for Responsible Desalination

Michael Wellborne  
President  
Friends of Harbors, Beaches and Parks

Laura Walsh  
California Policy Manager  
Surfrider Foundation

John Larue  
Conservation Chair  
Sierra Club Orange County Group

**Subject:** Fwd: Magnolia Tank Farm

**From:** Nancy Buchoz <nancybuchoz@yahoo.com>

**Date:** 3/24/2023, 1:50 PM

**To:** "Padilla, Javier@Coastal" <javier.padilla@coastal.ca.gov>

Hi Javier

I hope this email finds you well!

I have an issue with the area located next to my neighborhood, located in south east HB, next to the Ascon landfill, and across from the AES power plant. Its referred too as the Magnolia Tank Farm. This land was zoned industrial for 8 decades. Last year our City Council changed the zoning to make it available for residential homes and retail/hotel.

This land is located mere feet from the AES power plant, and the Ascon Superfund site.

We walked through the area at our in person meeting prior to the Poseidon decision last year.

I was told that there are people lobbying the state legislature to have support drawn up via a letter to ask the Coastal Commission to approve this development.

They claim there is no opposition to it, and that the public is on board. **This is a flat out lie.** Not all of the public is on board. Many are very concerned the protected wetlands will be forever disturbed, and polluted from the hotel, as it will be directly in front of the wetlands.

Also the real issue of the superfund site not being 100% remediated. As of now the Ascon site has been sitting idle due to the toxic air contaminants that were released into the neighborhood in 2019. DTSC shut down the remediation. It is still under review as to HOW TO APPROACH THE FINAL CLEANUP. The site would have 275 homes stuffed into the 38 acres, and plans show a 2.8 acre park located across from the AES blowers, with no parking. How can this be considered???????

Anyhow, can you possibly find time to talk about this with me?

What is the best way to approach letting the CCC know the truth about this site.

Its just not suitable for what they are proposing. For a multitude of good reasons.

Thanks so much

Nancy Buchoz

714-469-9033

## FW: Magnolia Tank Farm

ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

Fri 6/23/2023 2:28 PM

To:Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>

Fyi

---

**From:** Richard Armendariz <hbrichlinda@yahoo.com>

**Sent:** Friday, June 23, 2023 2:21 PM

**To:** ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

**Subject:** Magnolia Tank Farm

Think about spending a week at a hotel where you can easily get cancer. Would you and your family enjoy spending your vacation there? So why build something like this in the middle of a residential neighborhood. This area is adjacent to a toxic dump that has yet to be cleaned up, so why would you want to expose your self and family there? Vote to deny the Magnolia Tank Farm!



**FW: Tank Farm property in Huntington Beach on Magnolia Street near the**

ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

Tue 6/27/2023 6:44 PM

To:Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>;Schwing, Karl@Coastal  
<Karl.Schwing@coastal.ca.gov>

-----Original Message-----

From: meg Watson <megwathb1@gmail.com>

Sent: Monday, June 26, 2023 7:49 PM

To: ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

Subject: Tank Farm property in Huntington Beach on Magnolia Street near the

Beach.

This is a precarious location. Do the fact that it's so close to the beach, right next to a designated wetland.

Which is our protection from the rising ocean. Land May Be below sea level. Also on a fault. Next to a super fund clean up Toxic Waste site? Ascon Thank you for looking into this throughly Meg Watson  
714-968-4191

Sent from my iPhone

**From:** Patrick Osullivan <[patrick.osullivan@gmx.com](mailto:patrick.osullivan@gmx.com)>  
**Sent:** Tuesday, June 27, 2023 5:36 PM  
**To:** ExecutiveStaff@Coastal <[ExecutiveStaff@coastal.ca.gov](mailto:ExecutiveStaff@coastal.ca.gov)>  
**Subject:** Objection to high density development in Huntington Beach

Dear Coastal Commission,

My family house is located not far from a 29 acre property bounded by Magnolia Street, the Ascon Property, the AES electrical generating station, and the Huntington Beach flood control channel and Magnolia Marsh currently under consideration for high density development.

It is my understanding that the subject development includes:

- A 211,000 s.f. lodge with 175 guest rooms and guesthouse (lower cost overnight accommodations) with 40 rooms
- 19,000 s.f. of retail
- 250 for sale dwelling units (at 15 dwelling units./acre)

I wish to oppose this development. Some of the basis for this objection are:

1. It is an inappropriate use of this environmentally important coastal area.
2. It is a use that is incompatible with otherwise low density land use over decades.
3. It is subject to flooding due to sea level rise or tsunami.
4. It is located near the extension of the Long beach Inglewood fault. The infamous Long Beach Quake is estimated to have been centered just off shore from where this development is proposed.
5. It is positioned adjacent to the Ascon toxic waste dump, a State of California Superfund site.
6. It severely impacts the safety of humans, wildlife, and the environment

Sincerely,

Maurice Patrick O'Sullivan



July 2, 2023

CALIFORNIA COASTAL COMMISSION  
South Coast Area Office  
301 E. Ocean Blvd, Suite 300  
Long Beach, CA 90802-4302

Re: Agenda Item 13A Proposed Local Coastal Program (LCP) Amendment:  
Magnolia Tank Farm / Huntington Beach

Dear Commissioners:

Friends of Harbors, Beaches and Parks (FHBP) is an Orange County nonprofit organization with a stated mission **"to** promote, protect, and enhance the harbors, beaches, parks, trails, open spaces, natural preserves, and historic sites in Orange **County."**

FHBP concurs with the staff recommendation to deny this application. The staff report clearly points out that the proposed amendment is NOT consistent with the Coastal Act. We are disappointed that the City of Huntington Beach is assisting the landowner with this site-specific application while the **City's** entire LCP is undergoing an update. Doing an LCP amendment for a single site – and one that has major health and safety issues from stormwater flooding, sea level rise, being on the Newport-Inglewood earthquake fault and being directly adjacent to the notorious Ascon toxic waste superfund site – prior to the needed analysis of the full City LCP is just putting the cart before the horse!

FHBP respectfully urges your Commission to deny this application.

Sincerely,

Michael Wellborn, President

cc: Karl Schwing, Deputy Director



7/5/23

To The California Coastal Commission,

**Request to deny Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)**

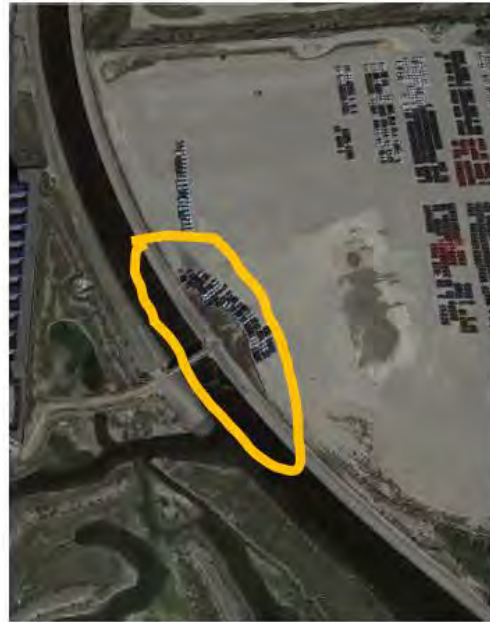
The Banning Ranch Conservancy is a 501(c)3 nonprofit organization, dedicated to the preservation of Randall Preserve (formerly Banning Ranch) as open space. The local community enjoyed tremendous success in December 2022, when Randall Preserve was purchased by The Trust for Public Land and the property title immediately transferred to the Mountains, Recreation and Conservation Authority to be maintained as public open space.

The mission of the Banning Ranch Conservancy is to protect biodiversity, foster community stewardship, and advocate for public access on the Randall Preserve and Santa Ana River coast corridor.

The Banning Ranch Conservancy respectfully asks the California Coastal Commission to deny Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)

1. **PROPOSED BUFFERS ARE TOO SMALL.** The Coastal Conservation (CC) buffers between the Huntington Beach Channel (including its service road on the inland side) and the residential structures should be a minimum of 100' (they are currently proposed to be closer to 70'). The Huntington Beach Channel serves as a source of both fresh and salt water for the immediately adjacent Magnolia Marsh and allows the ingress and egress of the tide through several direct connections (that, no doubt, also allow the passage of aquatic wildlife). In short, the Huntington Beach Channel is essential and inseparable from Magnolia Marsh and should be protected by buffers of at least 100' to begin at the inland edge of the service road (unless vegetation is/was present on the inland side of this service road).
2. **THE BUFFERS SHOULD BEGIN WHERE VEGETATION EXISTS (EXISTED) ON THE INLAND SIDE OF THE HUNTINGTON BEACH CHANNEL.** Before the tanks were demolished, there

were patches of vegetation on the inland side of the Huntington Beach Channel service road. These patches of vegetation continued to exist after the tanks were demolished. Buffers (setbacks) of at least 100' should begin at the (historical) edge of this vegetation.



In both of these aerial photos (taken before and after tank demolition) one can appreciate a patch of vegetation on the inland side of the service road for the Huntington Beach Channel. Buffers of at least 100' should begin at the (historical) edge of this vegetation patch.

In conclusion, due to insufficient buffers between the proposed residential dwellings and the Huntington Beach Channel service road and/or historical vegetation inland to this road, the Banning Ranch Conservancy asks the California Coastal Commission to deny Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm).

Sincerely,

A handwritten signature in cursive script that reads "Terry Welsh".

Terry Welsh, M.D.  
President, Banning Ranch Conservancy

## FW: Agenda item 13a-Magnolia Tank Farm

SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

Fri 7/7/2023 4:08 PM

To:Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>

Cc:Hillard, Simone@Coastal <simone.hillard@coastal.ca.gov>

---

**From:** norma vander <miltnormavm@yahoo.com>

**Sent:** Friday, July 7, 2023 1:52 PM

**To:** SouthCoast@Coastal <SouthCoast@coastal.ca.gov>

**Subject:** Agenda item 13a-Magnolia Tank Farm

Dear Coastal Commission members,

I wish to comment on the upcoming agenda item 13a-Magnolia Tank Farm to be heard on July 13 in Newport Beach, CA.

My comments are that the area under consideration is not appropriate for building houses and hotels. It is a ecological area that is home to various wildlife species as well as marine life. This area is subject to not only very high tides on a regular basis, but also to tsunami damage. It is also on an earthquake fault that would cause tremendous damage to structures that are built there, both residential and commercial, when the long awaited earthquake transpires.

It baffles me to think that putting residences there would benefit the community, knowing that it is a disaster area to residential living and should be left in its natural state to protect human life, wildlife and marine species. Knowingly approving this proposal is irresponsible and unacceptable.

As a long time resident of southeast Huntington Beach, having lived here over 60 years and seen this general area be used for electric generation, sanitation processing, oil extraction, and a toxic dump, I hereby urge you to vote NO on the proposed Magnolia Tank Farm.

Please feel free to contact me if you need further information regarding the effects to the area should this proposal be approved.

Please vote NO.

Yours truly,

Norma Vander Molen  
9472 Mokihana Drive  
Huntington Beach, Ca 92646

phone: 562-303-4222



**FW: Item Th13a (LCP-5-HNB-21-0057-1) - Support LCPA for Magnolia Tank Farm project**

Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

Thu 7/6/2023 5:51 PM

To: Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>; Spencer, Amrita@Coastal <Amrita.Spencer@coastal.ca.gov>; Schwing, Karl@Coastal <Karl.Schwing@coastal.ca.gov>

---

**From:** Lloyd Kasakoff <info@email.actionnetwork.org>

**Sent:** Thursday, July 6, 2023 10:09 AM

**To:** Huckelbridge, Kate@Coastal <Kate.Huckelbridge@coastal.ca.gov>

**Subject:** Item Th13a (LCP-5-HNB-21-0057-1) - Support LCPA for Magnolia Tank Farm project

Executive Director Kate Huckelbridge,

Dear Honorable Chair Brownsey and Commissioners,

As a resident of Huntington Beach, I urge the California Coastal Commission to disapprove the tank farm project.

Sincerely,

Lloyd Kasakoff

[fly6ll@gmail.com](mailto:fly6ll@gmail.com)

2119 California

Huntington Beach , California 92648

## FW: Magnolia Tank Farm Development

ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

Wed 7/5/2023 4:08 PM

To:Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>;Schwing, Karl@Coastal  
<Karl.Schwing@coastal.ca.gov>

fyi

---

**From:** Lynn Friedman <haus2ful@gmail.com>

**Sent:** Tuesday, July 4, 2023 7:13 AM

**To:** ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

**Subject:** Magnolia Tank Farm Development

Dear Coastal Commissioners,

Please oppose this development for these reasons and more:

This property is subject to flooding, and sea level rise due to its low-lying area

The Newport-Lnglewood Fault lies underneath project site

The Ascon Toxic Waste Dump located adjacent to proposed project property

Thank you,

Lynn Friedman  
concerned resident

## FW: OPPOSED TO MAGNOLIA TANK FARM PROJECT

ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

Wed 7/5/2023 4:08 PM

To:Vaughn, Meg@Coastal <Meg.Vaughn@coastal.ca.gov>

Fyi -

---

**From:** Denise Turner Walsh <dturnerwalsh@gmail.com>

**Sent:** Monday, July 3, 2023 11:07 AM

**To:** ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

**Subject:** OPPOSED TO MAGNOLIA TANK FARM PROJECT

To Whom It May Concern:

I am absolutely opposed to the Magnolia Tank Farm Project! This land should serve as a coastal wetland for wildlife and future generations of Californians to enjoy. If permitted to go forward, the Coastal Commission would be ignoring flood risks and bailout costs to California taxpayers once flooded as well as contamination risks from the existing, adjacent Superfund site that regulators failed to properly regulate. The California coastline needs to be preserved to the maximum extent possible for this and future generations. Residential and mixed-use commercial development should be located in areas without significant impacts to the few fragile coastal ecosystems we still have left in the Golden State.

Thank you.

--

Denise Turner Walsh

Attorney At Law

1589 Eolus Avenue

Encinitas, CA 92024

(760) 689-5727 mobile

(760) 704-9565

[dturnerwalsh@gmail.com](mailto:dturnerwalsh@gmail.com)

[www.deniseturnerwalsh.com](http://www.deniseturnerwalsh.com)

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California Coastal Commission  
South Coast District Office  
301 E Ocean Blvd, Ste 300  
Long Beach, CA 90802-4830

Item# Th13a  
LCP Amendment No LCP-5-HNB-21-0057-1  
Position: Against

John F & Elizabeth E McKirachan  
22032 Malibu Lane  
Huntington Beach, CA 92646-8334  
Cell Phone: (714) 342-5422

Dear Commissioners;

July 7, 2023

We are residents and homeowners for over 32 years located approximately ¼ mile east of the proposed project site. We are strongly against the proposed project as currently envisioned. We feel the proposed housing and hotel/retail density are inappropriate for the site in question.

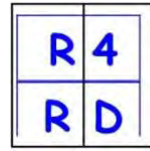
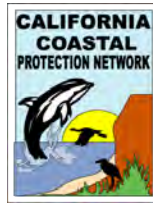
An alternate plan with reduced housing and hotel density and increased public and open space could be more appropriate if properly implemented. If developed as envisioned, the residential areas adjacent to the project would be adversely affected by increased traffic and vehicle trips per day, particularly on Banning Avenue directly passing by Eader Elementary school. Already morning and afternoon traffic at the school results in high congestion and many illegal U-turns while pedestrian traffic is at its highest. Hundreds of cars annually turn around using my driveway while dropping off or picking up children from the school. Compounding this with what could easily amount to 1000 new residents and hotel guests does not seem reasonable.

Additionally, the proposed project site is directly adjacent to the Power Plant and ASCON toxic dump site and does not logically seem well suited to residential use. The site is also very low lying and already prone to flooding as happened again this year. A super King Tide could easily cause worse flooding of the site as sea levels continue to rise.

We support continuing the current Public designation for this property and encouraging open space use. We do not encourage further commercialization of this area in pursuit of developer profits and increased housing density.

Sincerely;

John Frederick McKirachan  
Elizabeth E McKirachan



Residents for  
Responsible  
Desalination  
[www.r4rd.org](http://www.r4rd.org)



July 7<sup>th</sup>, 2023

Chair Donne Brownsey and Commissioners  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

**RE: DENY the Huntington Beach Project Specific LCP Amendment to Change the Current Land Use Designation and Zoning for the Magnolia Tank Farm Site (SUPPORT for Staff Recommendation)**

Dear Chair Brownsey and Members of the Commission,

On behalf of the California Coastal Protection Network, the Surfrider Foundation, the Orange County Coastkeeper and the Residents for Responsible Desalination, we submit the following letter in support of the Coastal Commission Staff Recommendation to deny the City of Huntington Beach's major LCP Amendment for the Magnolia Tank Farm (MTF).

This LCP Amendment would, if approved, change the existing land use designation and zoning for this vacant lot from Public (P) and Public-Semipublic with Oil and Coastal Zone Overlays to Medium Residential, Commercial, with 5.6 acres for Open Space/Conservation.

In light of the well-studied current and projected sea level rise vulnerability of the Southeast Huntington Beach area and associated risks, the Commission should reject the City's request to change the current Land Use Designation and the Zoning for the Magnolia Tank Farm (MTF) as outlined in the Specific Plan Number 18 submitted by the City because it does not comply with the Commission's mandate to uphold the Coastal Act.

Coastal Act policies 30253, 30250 and 30270 provide that new development is sited in safe locations that minimize risk to life and property, preserve access to public services, and take sea level rise into account in planning to avoid its adverse effects<sup>1</sup>. Our letter discusses how the LCP Amendment is in conflict with the Commission's mandate to uphold these tenets of the Coastal Act for three primary reasons:

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<sup>1</sup> Staff Report, California Coastal Commission. Item Th13a, City of Huntington Beach LCP Amendment, page 17.  
<https://documents.coastal.ca.gov/reports/2023/7/Th13a/Th13a-7-2023-report.pdf>

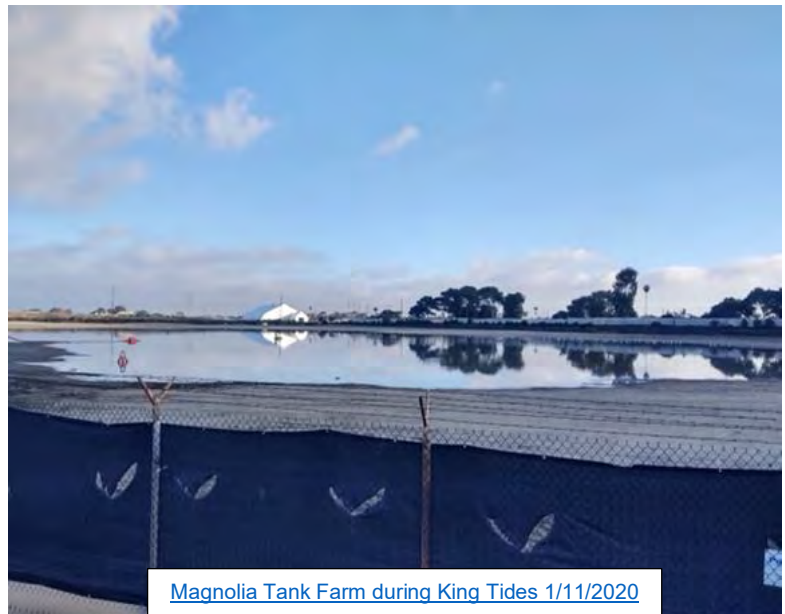
- 1) The project site currently faces flood risk, and the site and surrounding community will face increasing flood risk caused by sea level rise;
- 2) The proposed rezoning sacrifices a rare opportunity to build resilience to sea level rise for the area's surrounding residential areas, infrastructure assets and public resources, and;
- 3) The risk of groundwater flooding to the site has not been properly studied, and presents a possibly disastrous risk to life and property due to the adjacent location of the ASCON Superfund site.

Additionally, we assert that many of the project's benefits that have been presented to decisionmakers and legislators are either not included in the Specific Plan or unlikely to manifest due to inconsistencies between the way the project has been presented in materials (i.e. its brochure, website, etc.) and the actual language of the Specific Plan that has been submitted to the Commission. Notably, the Specific Plan does not require on-site affordable housing and allows the Owner or a future Developer to pay an in-lieu fee to satisfy 100% of the affordable housing requirement.<sup>2</sup>

### **1. The project site currently faces flood risk, and the site and surrounding community will face increasing flood risk caused by sea level rise.**

The LCP Amendment that the City is requesting is primarily designed to facilitate new construction of 250 majority market-rate homes, and a high-end Kimpton-style boutique resort hotel (with a lower cost 'lodge') in Southeast Huntington Beach.<sup>3</sup>

This area has long been acknowledged as a low-lying area that already [experiences frequent daylighting](#)<sup>4</sup> during high tides or rain events. When the area floods due to king tides, portions of the access road, Magnolia Street, are already subject to flooding. Because Southeast Huntington Beach



[Magnolia Tank Farm during King Tides 1/11/2020](#)

<sup>2</sup> Magnolia Tank Farm, [Specific Plan Number 18](#), December 2019 Draft, p.3-15

<sup>3</sup> Development Agreement NO.19-001, Development Agreement Between the City of Huntington Beach and SLF-HB Magnolia, LLC, A

<sup>4</sup> It is important to note that while the [DTSC](#) conducted further remediation for contamination in 2020 and subsequently concluded that the property met unrestricted use standards, the analysis did not include an analysis of potential future impacts on the site due to sea level rise including potential groundwater rise or changes in groundwater flow as a result of the City's drainage infrastructure. [CCC Staff Report](#), City of Huntington Beach LCPA Amendment, p.12.



already includes extensive residential and commercial development and infrastructure that is situated in or near historic tidelands, this low-lying area is also considered one of the state's hotspots for projected sea level rise vulnerability.

Patrick Barnard, a USGS scientist who is widely credited with raising awareness of the significant climate hazards affecting the California coast, [identified Huntington Beach](#) as a location that is currently on the precipice of experiencing extreme climate impacts in a 2022 [interview with the Los Angeles Times](#):

“There’s definitely a lot of low-lying communities that have seasonal or annual high tide flooding today,” Barnard said. Venice, Seal Beach, Newport and **parts of Huntington Beach** are all examples. “They’re already sort of on that knife-edge, and another foot of sea level rise is going to increase the frequency of flooding of those communities.” (emphasis ours)

For context, the special vulnerability of Southeast Huntington Beach is being pointed out while sea level rise is already projected to have a profound impact in California and the U.S. more broadly. Patrick Barnard helped co-author [the 2022 NOAA Sea Level Rise Risk Technical Report](#), which described how SLR in the United States will:

- increase as much over the next 30 years as it has over the last 100 years.
- create a profound shift in flooding over the next 30 years by causing tide and storm surge heights to increase and reach further inland.
- result in “moderate” (typically damaging) flooding occurring, on average, more than 10 times as often as it does today and can be intensified by local factors. ([Executive Summary](#), 2022 NOAA SLR Risk Technical Report)

Many sea level rise tools and methods of vulnerability analysis have been applied to Southeast Huntington Beach to characterize its flooding vulnerability, and we have included an array of sources and related visual modeling below.

#### Virtual Planet Projection with High Sea Level Rise Scenarios

In a sea level rise analysis completed in 2021, [Virtual Planet](#) documented rising seas in the MTF area. The subject of the simulation [video](#) is the Poseidon Desalination Plant that the Commission denied a CDP for in 2022, however the information in the video is accurate for the Magnolia Tank Farm site because it is located roughly 150 feet from the Poseidon site (across the flood control channel.) The images from the video below show the site as it would look under 4.1 and 6.6 sea level rise feet scenarios with a 100 year storm.

4.1 ft sea level rise + 100 year storm



6.6 ft sea level rise + 100 year storm

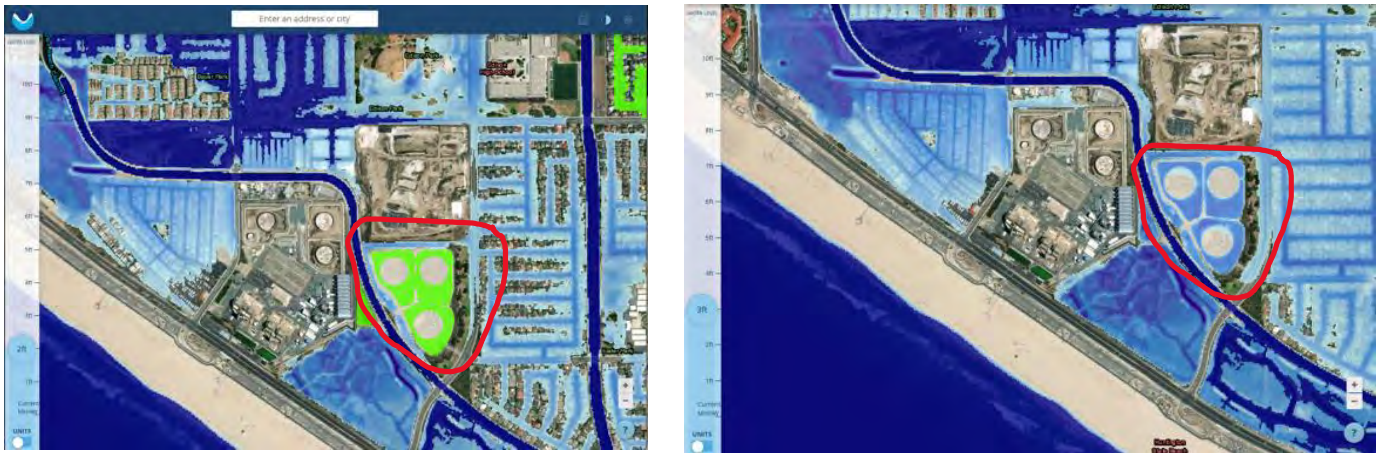


Virtual Planet simulation shows Magnolia Tank Farm faces flooding risks with 4.1 ft of sea level rise and a 100 year storm, and increasing risk with 6.6 feet of sea level rise and a 100 year storm

For a project of this scale, and which inherently has low adaptive capacity, the use of high sea level rise scenarios like the ones above is prudent (though an extreme scenario would use 10+ feet of sea level rise.) However, additional scenarios described below reference low and moderate sea level rise scenarios through the lifetime of the project (or approximately 2100.)

NOAA Sea Level Rise Viewer with Moderate Sea Level Rise Scenarios:

According to the [NOAA Office for Coastal Management Sea Level Rise Viewer](#), the surrounding area is likely to experience extensive flooding and access issues with as little as 2 feet of sea level rise, demonstrated below. With 3 feet of sea level rise, the NOAA model shows even more extensive flooding:



NOAA Sea Level Rise viewer shows flooding at MTF with as little as 2 feet of SLR (right), and more flooding with 3 ft of SLR (left)

SLR Vulnerability Documented in the Developer Study (Anchor QEA Report):

MTF would be built in harm's way and could make flooding worse for neighboring development. In Anchor QEA's modeling, the proposed project grading and fill will displace floodplain storage capacity and increase flooding during storm events and rising seas by up to 0.5 feet for adjacent neighborhoods<sup>5</sup>.

The Anchor QEA Report, *Sea Level Rise Vulnerability Assessment and Adaptation Plan: Magnolia Tank Farm Redevelopment Project*, discusses the vulnerability of the surrounding area:

*"In the future, as sea level rises, low-lying residential neighborhoods surrounding the site would be vulnerable to coastal hazards (e.g., tidal inundation and fluvial flooding) with the existing flood control system in place. The City recently prepared an updated SLR VAAP (Moffatt & Nichol 2021), which identified SLR vulnerabilities for the HBW and coastal developments surrounding the HB Channel with 5.0 feet or more of SLR. The City is planning to prepare an updated Local Coastal Program (LCP) in the future, and it is anticipated that the City would continue to pursue an adaptation strategy focused on protection, at least for the near future (e.g., now through Year 2060) when SLR is not expected to result in extensive vulnerability. Beyond Year 2060, the City may choose to pursue an adaptation strategy involving a hybrid mixture of protection, accommodation, and retreat (e.g., relocate or remove existing structures, and new development limitations)".*<sup>6</sup>

<sup>5</sup>Coastal Commission Staff Report Th13A, page 26.

<sup>6</sup> Anchor QEA Report, Magnolia Tank Farm Redevelopment Project, Table 2-6, page 24, footnote 2.

A similar statement is included in the Specific Plan for the project site. **The developer understands the site to be vulnerable after 2060 via flooding of the surrounding area, only 37 years from now and well before the 75-year lifespan of the project.**

SLR Vulnerability Documented in the City of Huntington Beach Vulnerability Assessment:

The Anchor QEA report's flood risk analysis also claims that "CoSMoS results indicate vulnerability; however, the model did not include the existing floodwall, which would eliminate or reduce vulnerability"<sup>5</sup>. This is overly optimistic. [The City of Huntington Beach 2021 Final Sea Level Rise Vulnerability Assessment \(SLRVA\)](#) instead states:

*"The Huntington Beach Wetlands study area shows a significant increase in storm flood hazard projections with 4.9ft SLR as projections extend inland in areas bordering Talbert Channel and Huntington Beach Channel. CoSMoS non-storm flood projections remain limited within the HB Wetlands study area under this scenario, as Talbert Inlet tidal connection was likely not fully captured in CoSMoS modeling. As discussed in Section 5.2.2, supplementary bathtub modelling was performed, and the result indicates the potential for widespread flooding during an extreme high tide event due to overtopping along the Talbert and Huntington Beach Channels."*<sup>7</sup>

## City of Huntington Beach Bathtub Analysis (4.9 ft)



FIGURE 6-9: SUPPLEMENTAL 4.9FT SLR HAZARD BATHTUB ANALYSIS, STUDY AREAS

The bathtub model included in the Huntington Beach SLRVA clearly indicates that overtopping could occur with 4.9 feet of sea level rise.

The proposed Project is sited in a sea level rise hazard zone as designated by the City's SLRVA for the Huntington Beach Wetlands Subarea.<sup>8</sup> According to an 1874 U.S. Coast Survey, the Magnolia Tank Farm site itself is on historic tidelands that have been artificially elevated with fill and the proposed Magnolia Tank Farm development proposes additional grading to further

<sup>7</sup> 2021 City of Huntington Beach, [Final Sea Level Rise Vulnerability Assessment](#), page 18

<sup>8</sup> *ibid*



elevate the site.<sup>9</sup> This would create an ‘island effect’ but does not mean the project would be immune from coastal hazards. Access and utilities to the site could all be jeopardized, leaving the City and nearby residents to deal with stranded assets in the coming decades or to foot the bill for expensive retrofitting.

Due to the well-documented flood risks that are clearly presented for the project and surrounding area within the lifetime of the project at many sea level rise scenarios, this project cannot be considered to be sited in a way that minimizes risk.

## **2. The Proposed Rezoning Sacrifices an Essential Opportunity for Adaptation Planning**

Due to its sea level rise vulnerabilities, California’s coastline must be able to adapt to rapidly intensifying weather patterns and groundwater changes. In most cases along the Southern California coast, building resilience is extremely difficult and expensive given the limited adaptive capacity of already existing dense residential housing, commercial development, industrial infrastructure, and transportation corridors that are in harm’s way and may require some form of managed retreat in order to remain viable.

In the case of the Magnolia Tank Farm (MTF), we have a vacant, filled-wetland parcel, and a DTSC court-ordered remediation site that is already designated and zoned for infrastructure. This area will be able to accommodate adaptation measures that could be necessary to protect the adjacent flood control infrastructure, the new AES power plant, the ASCON Super Fund site and established residential housing development.

To change the site’s existing designations to accommodate new residential and commercial uses is to sacrifice a potentially rare and valuable opportunity to minimize sea level risk to surrounding resources and assets. The grading proposal is also recognized by the developer’s own vulnerability analysis as contributing to the endangerment of adjacent residential housing via spillover effects (as described in the previous section.) Approval of this proposal would additionally create yet another development that will demand in the future to be protected from hazards we already know exist.

Coastal Act Section 30270 requires the Commission to “take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.”<sup>10</sup> Granting the City’s request to change the zoning of this site would violate this policy by prematurely limiting the ability of the City to implement adaptation measures needed to mitigate future hazards and protect surrounding parcels and infrastructure.

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<sup>9</sup> 1874 U.S. Coast Survey T-Street. Survey conducted by U.S. Coast Survey and Provided by NOAA. <https://historicalcharts.noaa.gov/>

<sup>10</sup> [Coastal Commission Staff Report Th13A](#), page 17

**Given the site's significant sea level rise vulnerabilities, the current Land Use Designation(s) and Zoning for the Magnolia Tank Farm should remain in place until such time as the City of Huntington Beach has evaluated the various options available to address vulnerability to sea level rise, flooding, and other coastal hazards, and can demonstrate conclusively that this vacant parcel is not required for future adaptation efforts that depend on its current zoning.** Should the City conduct a thorough independent scientific analysis as they update their Local Coastal Program that concludes that the MTF site is not needed to meet future coastal adaptation needs, the Commission can always revisit this decision and make modifications to the land use designation and zoning as appropriate.

While this area of Huntington Beach has been the subject of several studies related to coastal hazards, specific strategies or actions to address regional flooding with rising seas and intense rain events and specific locations suitable for climate adaptation measures have yet to be identified. Rezoning the few potential opportunities that may exist for these options runs counter to building coastal resilience.

**3. The risk of groundwater flooding to the site has not been properly studied, and presents a possibly disastrous risk to life and property due to the nearby location of the ASCON Superfund site.**

Groundwater rise poses present and future risk to the site and surrounding low-lying area. The 2021 Anchor QEA report does not analyze the latest U.S. Geological Survey model for groundwater rise in this area, known as MODFLOW. Therefore, flood risks may be underestimated in the report and could affect the site earlier than projected due to uncertainty with groundwater rise and sea level rise interaction.

Instead of modeling realistic possibilities for future groundwater conditions i.e. by using MODFLOW, the Anchor QEA report relies on historic monitoring data and a rudimentary calculation to project potential groundwater rise assuming one foot of sea level rise may increase groundwater by one foot. This is a failure to use the best available science and represents yet another data gap for making an informed land use decision.

The Anchor QEA report also fails to analyze the potential for groundwater and rising seas to mobilize contamination from the ASCON Superfund site. **Neither the project proponent nor the City have prepared a plan to protect future residents and visitors to the MTF site from harm should SLR and groundwater rise lead to disturbance and mobilization of contaminants in the soil at the adjacent Superfund site.**

Site specific groundwater monitoring confirms that the site is that is low-lying with a high groundwater table, which in some areas is only three feet below existing site ground elevations.<sup>11</sup> The rising of the groundwater table could be caused by both shoaling from sea level rise and the impermeability of the area that reduces drainage. Either scenario could result

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<sup>11</sup> [Coastal Commission Staff Report](#), page 26.



in earlier than predicted flooding for the site and surrounding area — including the ASCON superfund site — as sea levels rise. The SLRVA describes widespread groundwater emergence for the Huntington Beach Wetlands Subarea:

*Hazard area projections become more widespread with 3.3ft SLR, extending inland in areas between the Huntington Beach Channel and Talbert Channel. Hazard area projections continue to extend landward in these areas under 4.9ft and 6.6ft SLR scenarios, also becoming more widespread in areas south of Talbert Channel<sup>12</sup>.*

To add to safety and toxicity threats, the Project site's seismic hazards are also documented and include the Newport-Inglewood Fault<sup>13</sup>, now understood to be capable of generating up to a magnitude 7.5 earthquake. The seismic analysis for the Magnolia Tank Farm project mentions the Northern branch of the Newport-Inglewood Fault, but underestimates the potential magnitude that could occur. Importantly, the analysis does not even mention the South Branch of the Newport Inglewood Fault that runs directly through the site.

#### **4. Additional concerns regarding the role of the Owner, Shopoff Realty Investments, must be acknowledged.**

We would be remiss if we did not address and object to the manner in which elements of this project have been misrepresented to decision-makers in Sacramento and others by promoting elements of the project that are not reflected in or required by the Development Agreement with the City or contained within the Specific Plan that is before the Commission or analyzed by its staff.

The Owner has chosen to modify its proposal several times to include different elements and shiny object 'promises' that appear in their Brochure and in recent ex partes with Commissioners. However, **those modifications are not included in the Specific Plan** that is before you. If a revised proposal is planned, the current one should have been withdrawn, modified with those changes, and resubmitted to the Commission in a timely manner. It was not.

Only at this late date does the Owner seek to have the Commissioners' themselves amend the LCPA from the dais in the hearing room. We strongly object to this process and urge the Commission to evaluate the Specific Plan as submitted to the Commission on August 17<sup>th</sup>, 2021 by the City of Huntington Beach and vetted in a public process in numerous public hearings and community meetings as detailed in your Staff Report on pages 7-8.

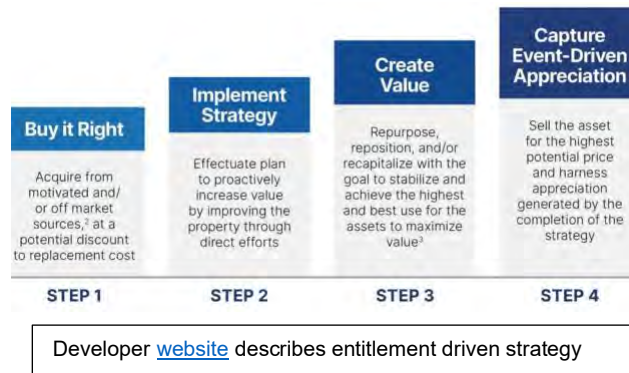
Further, based on the Owner's [website](#), it is unclear if the Owner actually intends to develop the Magnolia Tank Farm site to completion or if it intends to seek the entitlements sought in the LCPA in order to sell the property to an unrelated Developer.

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<sup>12</sup> 2021 City of Huntington Beach, [Final Sea Level Rise Vulnerability Assessment](#), page 32.

<sup>13</sup> Assessment of the Newport-Inglewood Fault Zone AES Electrical Generation Facility, Poseidon Desalination Project 202 by LCI, page 32.

As the Owner attempts to convince the Commission to grant the land use designation and zoning changes requested by the City, it is important to note that the Owner's [website](#) describes their business strategy as one of buying properties at a discount, obtaining entitlements to increase their value and then selling them in order to maximize their profit.



Consistent with the strategy described above, Shopoff Realty Investments purchased the property in August 2016 from Texas-based Plains Exploration and Production shortly after the company was [indicted](#) for the 2015 Refugio Oil Spill in Santa Barbara. In [news reports](#) describing the purchase, Shopoff stated that it intended to turn its \$26.5M purchase into a \$500M beach resort and housing project. Further, the Shopoff [website page](#) that is specifically devoted to the Magnolia Tank Farm property clearly states that the 'Business Plan' for the MTF site is to **secure land entitlements**:

Magnolia Tank Farm

In August 2016 approximately 29 acres of land was acquired in the City of Huntington Beach, California. The site is located north of Pacific Coast Highway on Magnolia Street with close oceanfront proximity and convenient access to Huntington State Beach and the numerous coastal amenities.

The business plan is to process entitlements for approximately 250 single-family detached and attached units and a 4-acre commercial site designed for a 215-key boutique lodge and approximately 19,000 square feet of neighborhood / visitor serving retail and 4 acres of park.

Since acquisition, the property's existing oil storage tanks were removed, and the entitlement process is well underway. The site is currently being utilized as a "lay down yard" for the construction of a new power plant to the north of the site.

To date, a Specific Plan – Zoning document has been submitted to the City, technical studies have been prepared, and an Environmental Impact Report is in process.

Details

Property Type : Land      Status : Entitlements in process      Business Plan : Secure land entitlements

Developer website discusses an entitlements-driven strategy

This is concerning because the Development Agreement with the City of Huntington Beach allows the Owner to sell or transfer the property at any time during the term of the Development Agreement<sup>14</sup>.

Additionally, multiple descriptions of the development in the Magnolia Tank Farm promotional materials and communications to decisionmakers are **overtly inconsistent** with the Specific Plan submitted to the Commission. Due to the ability and stated strategy of the Owner to obtain entitlements as well as the Owner's clear freedom to sell the property once entitlements are obtained, the Commission must base its decision to approve or deny the LCPA based on the contents and requirements of the actual Specific Plan that has been approved by the City of

<sup>14</sup> Development Agreement NO.19-001, Development Agreement Between the City of Huntington Beach and SLF-HB Magnolia, LLC, A Delaware Limited Liability Company, January 19<sup>th</sup>, 2021, Section 1.7 Assignment, Section 1.7.1 Right to Assign

Huntington Beach on January 19<sup>th</sup>, 2021 and submitted to the Coastal Commission on August 17<sup>th</sup>, 2021.

### **• The Specific Plan Does Not Require On-Site Affordable Housing**

On-site Affordable Housing is **not required** under the Specific Plan, though promotional materials/communications repeatedly emphasize the project's provision of affordable housing.

The Specific Plan is comprised of three volumes totaling over 250 pages, and only contains two sentences about affordable housing. This brief section simply describes the *potential* for 10% of the 250 homes to be affordable, or for the affordable housing requirement to be 100% satisfied by the payment of an in-lieu fee. The Specific Plan only states:

#### **"3.8 Affordable Housing**

Section 230.26 of the HBZSO applies and requires that at least ten percent (10%) of all new residential construction shall be affordable units. **As an alternative to complying with Section 230.26, the City and the Property Owner may enter into an agreement that allows provides for the payment of in lieu fees for 100% of the affordable housing obligation.**"<sup>15</sup> (emphasis ours)

Therefore there is no actual *requirement* in the Specific Plan to provide affordable housing on-site or off-site.

### **• The Specific Plan Does Not Require or Include Rental Housing**

On-site Rental Housing is also **not included** in the Specific Plan. Promotional materials and communications to decision-makers describe rental housing that would be available on-site implying that a portion of the housing units would be affordable and, in some cases, available to the hotel work force. However, official descriptions in the Specific Plan describe the housing as 'for sale' only<sup>16</sup>:

## **3.2 Planning Area Program**

The Magnolia Tank Farm program is illustrated on Figure 3.1: Planning Area Diagram. It includes four planning areas (PA): PA 1 - Coastal Conservation (CC), PA 2 - Open Space-Parks and Recreation (OS-PR), PA 3 - For-Sale Residential (RM) and PA 4 - Commercial Visitor (CV). A private recreation area will provide recreation opportunities for the residents within PA 3.

<sup>15</sup> Magnolia Tank Farm, [Specific Plan Number 18](#), December 2019 Draft, p.3-15

<sup>16</sup> Magnolia Tank Farm, [Specific Plan Number 18](#), December 2019 Draft, p.3-3, 3-4

Table 3.1: Maximum Development Table

Development Types	Maximum Density/Intensity	Net Acres	Maximum Development	Total Open Space Acres
<b>PA 1 - Coastal Conservation (CC)</b>				
CC Area	-	2.8	-	2.8
<b>PA 2 - Open Space Parks &amp; Recreation (OS-PR)</b>				
Parks	-	2.9	-	2.9
<b>PA 3 - Residential (RM)</b>				
For-Sale Residential (RM)	15 DU/Ac	18.9	250 Units	-
<b>PA 4 - Commercial Visitor (CV)</b>				
Lodge	175 Guest Rooms	4.3	Up to 230,000 GSF (211,000 GSF Lodge and Guesthouse; 19,000 Retail GSF)	-
Guesthouse <sup>1</sup>	40 Rooms			
GRAND TOTAL	-	29.0	-	5.7

Magnolia Specific Plan (pages 3-3 and 3-4 outline) describe the residential areas as 'for-sale' only

#### • **The Development Agreement Contradicts Proposed Community Benefits**

The Promotional Brochure circulated in Sacramento and distributed to Coastal Commissioners in Ex Partes identified the following “Development Agreement Community Benefits (Non-Nexus)”:

- o Banning Ranch Library - \$1,000,000
- o Passive Park Space - \$400,000 - OWNER
- o Play Equipment and Parks Improvements at Seely Parks - \$400,000
- o Banning Avenue Beautification - \$300,000
- o Edison Park Improvements - \$800,000
- o Magnolia/Hamilton Improvements – OWNER

However, the four public benefits not slated to be managed by the Owner, but that have been touted by the Owner in its Brochure, may never materialize. The Development Agreement between the City and the Owner, SLF-HB Magnolia, LLC, a Delaware Limited Liability Company does not require the Owner to make such improvements<sup>17</sup>:

“the Project will provide monetary funds to improve the CITY’s open space and recreational space by providing funding in a total amount that would allow the CITY, **should it so choose** in the future.....to implement the public improvements listed below.

<sup>17</sup> Development Agreement NO.19-001, Development Agreement Between the City of Huntington Beach and SLF-HB Magnolia, LLC, A Delaware Limited Liability Company, January 19<sup>th</sup>, 2021, p.12, 3. Public Benefits, 3.1 Public Benefits.

**Nothing in this agreement obligates the City to use to use the monetary funds provided by the Owner for such improvements, and the City Council may use the funds provided by the Owner for any lawful purpose at its sole and absolute discretion.** The monetary funds provided by the owner to the City simply **may** fund the library, park improvements, and Banning Avenue beautification. (emphasis ours)

## **Conclusion**

Given the known hazards associated with this site and the vital role it could play in helping the City of Huntington Beach and its residents and visitors to adapt to imminent climate change and sea level/ground water rise incursion, we respectfully request that the Commission adopt the Staff Recommendation and vote to deny the City of Huntington Beach LCPA as submitted.

Sincerely,

Susan Jordan  
Executive Director  
California Coastal Protection Network

Raymond Hiemstra  
Associate Director of Policy and Projects  
Orange County Coastkeeper

Laura Walsh  
California Policy Manager  
Surfrider Foundation

Dave Hamilton  
President  
Residents For Responsible Desalination

**Subject:** Magnolia Tank Farm Proposed Residential and Commercial Development

**From:** Mikel Hogan <mhogan072@gmail.com>

**Date:** 7/6/2023, 3:13 PM

**To:** "ExecutiveStaff@Coastal" <ExecutiveStaff@coastal.ca.gov>

Dear Coastal Commission, as a 50 year resident of SE Huntington Beach I strongly urge a "No" vote on the proposed LCP for the Magnolia Tank Farm development in Huntington Beach. The area is far too fragile to support the proposed residential and commercial project, being a flood, earthquake, and liquefaction area.

Additional hazards include the **negative cumulative impacts** of the four concurrent projects: the Ascon Dump site, the AES electrical generating station (the old AES plant removal and the new AES plant), and the Magnolia Tank Farm development. The cumulative impacts of these four projects need to be assessed and mitigated.

In closing, the best use of that land is to restore it to a wetland as there are other sites for housing development in Huntington Beach.

Sincerely, Mikel Hogan, PhD



**Subject:** Deny July13th Agenda # 13a

**From:** Patricia Goodman <patgoodman@yahoo.com>

**Date:** 7/6/2023, 8:56 PM

**To:** "ExecutiveStaff@Coastal" <ExecutiveStaff@coastal.ca.gov>

Dear Commissioners,

Please deny the July 13<sup>th</sup> Agenda Item 13a, City of Huntington Beach LCP Amendment No. LCP-5-HNB-21-0057-1 (Magnolia Tank Farm)

There are several reasons to deny this amendment to the Local Coastal Plan. One important one in my mind is to include any changes when reviewing the full LCP for the city which I understand is in process and will be considered for a vote in the coming year. I also believe that in these days of Kind Tides, sea level rise it would be prudent to restore this area as needed wetlands.

I am an advocate for affordable housing and this site in another part of the city would be great for its proposed development. I hope that there could be some way to work with the developer to make such a project in another part of the city. I think because of soil toxicity, adjoining superfund sites and seismic issues it would be prudent to leave it as undeveloped land.

Sincerely,  
Patricia Goodman  
Huntington Beach, CA 92648

Sent from [Mail](#) for Windows

**Subject:** Magnolia Tank Farm

**From:** Ron Smith <esgi@yahoo.com>

**Date:** 7/10/2023, 12:02 PM

**To:** "ExecutiveStaff@Coastal" <ExecutiveStaff@coastal.ca.gov>

The above project does not make any sense at that location. I don't believe anything should be built next to the Ascon site or on it.

Yours truly,  
Ronald Smith  
esgi@yahoo.com