

CALIFORNIA COASTAL COMMISSION

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



W13

Prepared March 06, 2024 (for the March 13, 2024 Hearing)

To: Commissioners and Interested Parties
From: Steve Hudson, South Coast District Deputy Director
Subject: **South Coast District Deputy Director's Report for Los Angeles County for March 2024**

The following coastal development permit (CDP) waivers, immaterial CDP amendments for the South Coast District Office are being reported to the Commission on March 13, 2024. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's South Coast District Office in Long Beach. Staff is asking for the Commission's concurrence on the items in the South Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on March 13th.

With respect to the March 13th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on March 13, 2024 (see attached)

Waivers

- 5-23-0127-W, Renovation (Santa Monica)
- 5-23-0680-W, Convert ADU (Santa Monica)
- 5-23-0770-W, Dock Replacement (Long Beach)
- 5-23-0823-W, New Single-Family Residence (Santa Monica)

Immaterial Amendments

- 5-83-560-A4, Santa Monica Hotel Association
- 5-04-019-A2, Isthmus Cove Pier at Two Harbors, Santa Catalina Island
- 5-16-0632-A1, Santa Monica Beach Restoration Pilot Project (Santa Monica)

CALIFORNIA COASTAL COMMISSION

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Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 5-23-0127-W

Applicant: Nicholas Mathers

Location: 305 Alta Ave., Santa Monica, Los Angeles County (APN:4293-008-011)

PROPOSED DEVELOPMENT: Repair and remodel of an existing 2,519 sq. ft., 2-story single family residence including new roof, exterior repairs, like for like replacements of boxed eaves and other decorative elements, and window replacements, and a new 5,153 sq. ft., (22 ft. high) 2-story addition with basement at the rear of the existing 2-story structure. totaling a new 2-story and basement addition at the rear of the existing property. This would result in a 7,344 sq. ft., two-story single family residence. The project also includes 1,299 cu. yd. of grading and no fill for the basement.

RATIONALE: The project site is located approximately 0.20 mile inland of the ocean, landward of the first public road parallel to the sea, and in an urbanized residential neighborhood. The lot is designated as Single Family Residential in the North Side Residential subarea of the City's certified LUP and in the R-1 zone of the City's uncertified zoning code. The Santa Monica Planning Division's AIC was approved on 1/24/2023. The proposed project is consistent with the height limitations set forth in the certified LUP. The applicant proposes to follow mitigation measures for paleontological, archeological, and Cultural resources as recommended in the DUDEK report dated 7/25/2023. The proposed additions will be located on the rear of the property, and comply with LUP setback and height requirements. The project proposes to maintain the existing three onsite parking spaces and doesn't propose any new curb cuts. Thus, there are no anticipated impacts to public access. The proposed project will not have any adverse impacts on coastal resources or public recreation opportunities. Additionally, the proposed project will not prejudice the City's ability to prepare a certified Local Coastal Program and is consistent with the designation in the City's certified Land Use Plan, previous Commission action in the area, and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its **March 13, 2024** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit

shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Kate Huckelbridge, PhD
Executive Director

Elishebah Tate-Pulliam
Coastal Program Analyst

cc: Commissioners/File

CALIFORNIA COASTAL COMMISSION

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February 29, 2024

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 5-23-0680-W

Applicant: Lauren Lambert

Location: 503 Ashland Ave, Santa Monica, Los Angeles County (APN: 4287-020-020)

Proposed Development: Conversion of an existing detached 560 sq. ft. 2-car garage associated with an existing 1,498 sq. ft., 2-story single-family residence into a new two-story, 996 sq. ft. ADU via an addition of 118 sq. ft. to the first floor and 350 sq. ft. to the second floor, the replacement of an existing deck at the rear of the main home, and the installation of new low-water, native landscaping. No grading is proposed.

Rationale: The project site is located on a developed 7,042 sq. ft. residential lot located 0.42 miles inland from the first public road parallel to the sea and is in an urbanized residential neighborhood. The lot is zoned as Ocean Park Low Density Multiple Residential (OP-2 in City's uncertified zoning) and the proposed project is consistent with the permitted uses for the OP-2 zone. The project does not propose any work to the existing single-family residence. While the garage is proposed to be converted, two tandem parking spaces will remain on site and thus would not adversely impact public access in the area. The proposed landscaping will consist only of low water-use, native plants. The height and setbacks of the proposed ADU conform to the height limits and setback requirements established in the certified LUP. Therefore, the proposed development will not adversely impact coastal access, coastal resources, public recreation or coastal views, and is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act. In addition, the proposed project will not prejudice the City of Santa Monica's ability to prepare a Local Coastal Program that is consistent with the Chapter 3 Coastal Act policies.

This waiver will not become effective until reported to the Commission at its **March 13-15, 2024** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit

shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Elishebah Tate-Pulliam
Coastal Program Analyst

cc: Commissioners/File

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February 21, 2024

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 5-23-0770-W

Applicant: Claudia Graham

Location: 317 Bay Shore Ave, Long Beach, Los Angeles County
(APN: 7249-007-004)

Proposed Development: Replacement of an existing 402 sq. ft. floating dock and 72 sq. ft. gangway with a 323 sq. ft. floating dock and 57 sq. ft. gangway with no change to the pier, piles or fill.

Rationale: The proposed dock system, located on public waters within Alamitos Bay, is associated with the single-family residence at 317 Bay Shore Avenue and is intended for recreational use only. The existing floating dock and gangway would be replaced, and the overwater coverage will be reduced by 94 sq. ft. The proposed work would not obstruct the public right-of-way that runs between the applicant's property and Alamitos Bay. The applicant is not proposing any landscaping or improvements in the public right-of-way. The subject development would not propose additional fill or piles. The project application also includes best management practices that would be implemented during and after construction in order to avoid any significant adverse effects to marine resources. The applicant has submitted an eelgrass survey which concluded no impact to eelgrass would result from the proposed dock replacement. Therefore, the project will not have any significant adverse effects on marine resources or public access. The proposed project is consistent with the City's certified Local Coastal Program and is consistent with previous Commission action in the area and the Chapter 3 policies of the Coastal Act.

Coastal Development Permit De Minimis Waiver
5-23-0770-W

This waiver will not become effective until reported to the Commission at its **March 13-15, 2024** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

Jeffrey Palm
Coastal Program Analyst

cc: Commissioners/File

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February 28, 2024

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 5-23-0823-W

Applicant: Pavlova LLC

Location: 237 Palisades Ave, Santa Monica, Los Angeles County
(APN: 4239-015-017)

Proposed Development: Construction of a new single-story 1,850 sq. ft. single-family residence and new accessory tennis court, including 55 cubic yards of cut and 7,456 sq. ft. of landscaping areas, providing two parking spaces onsite.

Rationale: The project site is located approximately a quarter mile inland of the ocean, landward of the first public road parallel to the sea, and in an urbanized residential neighborhood. The lot is designated as Single-Family Residential in the North Side Residential subarea of the City's certified LUP, so the proposed project constitutes an allowable use. The Santa Monica Planning Division's AIC was approved on October 31, 2023. The proposed development will provide two parking spaces onsite and will not add or expand any curb cuts, so no impacts to on-street parking are expected. New landscaping includes non-invasive low water use plants. The applicant has proposed to invite monitors to be present to observe project activities as a mitigation measure to protect archaeological, including tribal cultural resources. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with the City's certified Land Use Plan, past Commission actions in the area and Chapter Three policies of the Coastal Act. Additionally, the proposed development will not prejudice the City's ability to prepare a certified Local Coastal Program.

Coastal Development Permit De Minimis Waiver
5-23-0823-W

This waiver will not become effective until reported to the Commission at its **March 13- 15, 2024** meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

Kate Huckelbridge, PhD
Executive Director

Original on File signed by:

Jeffrey Palm
Coastal Program Analyst

cc: Commissioners/File

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February 29, 2024

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT**Coastal Development Permit Amendment No. 5-83-560-A4**

To: All Interested Parties
From: Kate Huckelbridge, PhD, Executive Director
Subject: Permit No. **5-83-560** granted to **Santa Monica Hotel Association** for:

Demolition of a 104 room motel and the construction of a 4-story, 50 foot tall, 300 room hotel with associated amenities and 399 parking spaces.

Project Site: 1515-1525 Ocean Ave. and 1530 Second Street, Santa Monica (Los Angeles County)

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

Perform interior improvements, reconfiguration, maintenance and repairs to the existing 347 one to two occupant guestrooms. The 347 existing rooms will be converted to 12 single rooms, 129 two-bay rooms, 11 three-bay rooms, 12 four-bay rooms, 2 six-bay rooms, and 1 eight-bay room, providing 167 reconfigured rooms, with 155 larger rooms that serve families and groups of 4 or more occupants. The reconfigured rooms will result in no expansion or intensification of use. The larger rooms, which can accommodate families of four or more, will serve a comparable number of guests to the existing facility.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of Section 13166(b) of the Commission's regulations.¹ Pursuant to Section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to Section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the Executive Director determines that the objection does not raise an issue of conformity

¹ The Commission's regulations are codified in Title 14, Division 5.5 of the California Code of Regulations.

Notice of Proposed IMMATERIAL Permit Amendment

5-83-560-A4

with the Coastal Act or certified local coastal program if applicable, the amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the Executive Director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the Executive Director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

Pursuant to Section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the Executive Director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

The project proposes reconfiguration of 347 one-to-two occupant guestrooms into 167 larger rooms that can serve families and groups of 4 or more occupants. The larger rooms can serve 738 visitors, which is comparable to the number of guests of the existing facility. The nonstructural, internal reconfiguration will result in no expansion or intensification of use, as the current total square footage of existing rooms is 138,900 sq. ft. and the reconfigured rooms will total 137,200 sq. ft. The project does not require any changes to the conditions of the underlying permit. Therefore, the project would not adversely impact public access, recreational opportunities, or other coastal resources, is consistent with past Commission actions in the area, is consistent with the Chapter 3 Coastal Act policies, and will not prejudice the City's ability to prepare a certified Local Coastal Program.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Vince Lee at the phone number provided above.

cc: Commissioners/File

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February 28, 2024

NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. 5-04-019-A2

To: All Interested Parties

From: Kate Hucklebridge, Executive Director

Subject: Development previously approved pursuant to Coast Development Permit No. 5-04-019 granted to Santa Catalina Island Company for: Renovate existing 178-foot long pier and attached floating docks, including replacement of all sixty timber piles with ACZA-treated timber piles wrapped in polyethylene; replacement of pile caps, stringers, bracing, decking and handrails; renovation of existing fueling station; construction of a two-story, 576 square foot Harbor Master/pier administrative building; and installation of a new vessel sewage pump-out system.

Project Site: Isthmus Cove Pier at Two Harbors, Santa Catalina Island, County of Los Angeles.

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

Like for like replacement of a 10'-6"D x 20'W x 9'-8"H modular harbormaster office structure on the pier at the Isthmus in Two Harbors on Catalina Island

FINDINGS

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

The proposed modular 10'6" D x 20' W x 9'8" H structure is designed to be easily installed to replace an existing modular office that is no longer safe due to mold and fungal infestation. The proposed modular building is of the same mass, scale, and height as the existing modular building. The modular office will be constructed prior to installation, will not be permanently attached to the existing dock and will not

require any equipment other than a crane to install. The crane will only be needed for 2-3 hours for the removal and replacement of the prefabricated structure. The modular building installation is anticipated to take no longer than 2 days, and the entire project including removal of the existing structure, cleaning the area, installation of the new structure, and reconnecting utilities is anticipated to last no longer than 3 weeks. The applicant proposes to follow best management practices including removing the existing structure via flatbed truck, driving the structure off site to Cat Harbor for disassembly and removal off the island via barge to San Pedro, and clearing the site of any debris for installation of the new structure via crane. Due to the modular nature of the structure to be removed and replaced there are no anticipated concerns regarding debris impacting water quality. The new structure will make use of existing utility lines once in place. The applicant has also proposed to follow a public access plan to maintain access throughout the duration of the project. Replacement will occur during the off-season when pedestrian volume is low (mid-September to mid-May) and a 5 ft. wide passageway on the west side of the pier will remain open to the public for the duration of the project. Further, work will cease during unloading/loading of Catalina Express passengers, safety personnel will also be stationed to help monitor pedestrian movement about the pier. The proposed office will not create any adverse impacts to public access or views and thus the proposed development will not result in adverse impacts to public access and recreation, hazards, biological resources, and water quality policies of the Coastal Act. In addition, the amended project will not result in any changes to the special conditions imposed on the original project or add any new special conditions. Therefore, the proposed amendment is consistent with the underlying permit approval (CDP# 5-04-019-A1) and is consistent with the Chapter 3 policies of the Coastal Act.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Elishebah Tate-Pulliam at the phone number provided above.

Elishebah Tate-Pulliam
Coastal Program Analyst

cc: Commissioners/File

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February 28, 2024

**NOTICE OF PROPOSED IMMATERIAL PERMIT
AMENDMENT**Coastal Development Permit Amendment No. **5-16-0632-A1**

To: All Interested Parties

From: Kate Huckelbridge, PhD, Executive Director

Subject: Permit No. **5-16-0632** granted to **City of Santa Monica & California Department of Parks and Recreation** for:

Transformation of approximately two (2) acres (of three-acre project site) of sandy beach into foredune habitat; the third acre is to remain as intertidal dry/wet sand. The proposed dune habitat measures approximately 541 ft. long and 164 ft. wide, and will have a path through the center allowing public access to the shoreline.

Project Site: Three-acres of sandy Santa Monica State Beach, perpendicular to San Vicente Boulevard, and between Adelaide Drive and Georgina Avenue, Santa Monica, Los Angeles County. (Latitude: 34.024205 °; Longitude : -118.516220 °)

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

Create a second foredune habitat restoration site south of the first restoration site, and revise Special Condition 2 (Development Authorization Period) of 5-16-0632 to extend the development authorization period for another five years and require reporting of the results at the end of the five years. The Commission's reference number for this proposed amendment is **5-16-0632-A1**. See **Exhibit A** for the proposed changes to these conditions.

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations.¹ Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed above within ten (10) working days of mailing said notice,

¹ The Commission's regulations are codified in Title 14, Division 5.5 of the California Code of Regulations.

Notice of Proposed IMMATERIAL Permit Amendment

5-16-0632-A1

the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed).

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the executive director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

The proposed amendment would extend the development authorization period of the foredune habitat restoration project and create a second foredune habitat restoration site south of the first restoration site. The proposed amendment is intended to address coastal hazard risks while protecting and enhancing other coastal resources, including public beach access and recreation, natural shoreline habitat, and aesthetic values. As designed and situated, the proposed amendment will continue to allow public beach access and recreation around and through the restoration sites. The amendment requires minor revision to Special Condition 2 to extend the development authorization period and require a monitoring report at the end of the five-year authorization period, which does not lessen the intent of the underlying permit. Therefore, the proposed amendment will not result in any new adverse effects to coastal resources and is consistent with Chapter Three policies of the Coastal Act.

If you wish to register an objection to the processing of this amendment application as an immaterial amendment, please send the objection in writing to the address above.

If you have any questions about this notice, please contact Vince Lee at Vince.Lee@coastal.ca.gov, or alternatively at (562) 590-5071.

cc: Commissioners/File

Notice of Proposed IMMATERIAL Permit Amendment

5-16-0632-A1

EXHIBIT A – Standard and Special Conditions pursuant to CDP No. 5-16-0632 through CDP Amendment No. 5-16-0632-A1

NOTE: Unless specifically altered by this amendment, all regular and special conditions attached to Coastal Development Permit 5-16-0632, as amended, remain in effect. Language to be deleted is shown in ~~strike-out~~ and new language is shown in **bold, underlined**.

STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit **amendment** is not valid and development shall not commence until a copy of the permit **amendment**, signed by the applicants or authorized agent, acknowledging receipt of the permit **amendment** and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit **amendment** will expire two years from the date on which the Commission voted on the **amendment** application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicants to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS

1. **Assumption of Risk, Waiver of Liability and Indemnity.**
 - A. By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from flooding, sea level rise, erosion and wave uprush; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims,

Notice of Proposed IMMATERIAL Permit Amendment

5-16-0632-A1

demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

- B. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT**, the applicants shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.
- 2. Development Authorization Period and Monitoring Report.** This CDP authorizes the approved development on a temporary basis for a period of five (5) years from the date of Commission action (i.e., until ~~October 6, 2024~~ **March 13, 2029**). After such time, the authorization for continuation and/or retention of the approved fencing, signage, and active management of the dune habitat shall cease, unless the applicants submit an amendment to this permit, or new Coastal Development Permit application to the Commission, and that amendment or permit is approved, thereby extending the time period for the development. The dune habitat created pursuant to this permit may remain in place. **At the end of the five years, the applicants shall provide a report assessing the result of the restoration project. The report shall, at a minimum, provide:**
- A. Relative elevation using GPS technology to estimate 5-yr sand accumulation.**
 - B. Beach width at restored and adjacent comparison areas.**
 - C. Vegetation mapping, compared to the current state.**
 - D. Absolute percent cover of CA native and non-native vegetation.**
 - E. Species richness of the CA native vegetation.**
 - F. Wildlife surveys to record species of note (rare, threatened, endangered, etc.).**
- 3. Dune Habitat Creation Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and written approval of the Executive Director, a landscaping plan prepared by a qualified biologist or licensed landscape architect and a public access fencing and signage plan. The plans shall include the following:
- A. Dune Habitat Area Footprint.** The dune habitat creation area shall generally include a 164 ft. (50 m.) wide and 541 ft. (165 m.) long footprint and shall be located such that a shore-side buffer area of sandy beach is maintained consistent with Special Condition 4 to allow for lateral public access between the maximum seaward limit of the dune habitat and the shoreline.
 - B. Dune Planting.** The dune habitat creation plan shall include a planting plan using native coastal strand and southern foredune plant species (plant palette) including source of plant material and plant installation methods. The plant palette shall be made up exclusively of native plants appropriate to the habitats and region, grown from seeds or vegetative materials obtained from the site or from an appropriate nearby beach location to maintain the genetic integrity of the area. No horticultural varieties, and no coastal bluff or back dune species shall be used (e.g. *Artemisia californica*, *Ericameria ericoides*, *Eriogonum*

Notice of Proposed IMMATERIAL Permit Amendment

5-16-0632-A1

parvifolium, *Perritoma arborea*, *Rhus intergrifolia*). The plan shall also include an exhibit that shows the planned locations, numbers, and spacing of the individual plant species, i.e. that depicts their distribution and abundance across the dune area.

- C. Sand Fencing.** Discontinuous sand fencing shall be temporarily employed to facilitate establishment of dune hummocks. No sand fencing shall be installed on the seaward perimeter of the dune area. In addition to sand fencing, the design shall include strategic placement of native dune vegetation for dune hummock establishment. Temporary sand fencing and strategic planting, rather than mechanized equipment, shall be employed to establish a natural pattern of dune hummocks. The sand fencing shall be no more than 36 inches in height and designed to be removable in the event of wave uprush.
 - D. Post and Rope Fencing.** Discontinuous post and rope fencing shall be installed through the center of the project site to accommodate an approximately 5 ft. wide and 164 ft. long sandy trail to provide vertical public access to the shore. The post and rope fence shall be no more than 36 inches in height and designed to be removable in the event of wave uprush.
 - E. Signage.** The plan shall include the provision for the installation of signage to be incorporated into the design of the fencing adequate to inform the public of their right to utilize all public access areas on site (including the vertical sandy trail through the center of the habitat area and the lateral portion of the sandy beach between the mean high tide line and the ambulatory beach area at the seaward most limit of the dune habitat area) and generally describing the approved project, including identification of the dune site as a sensitive dune habitat. The signage shall blend in with the surrounding natural environment and not detract from the character of the area. Signs that become subject to erosion or otherwise become unsightly shall be relocated or replaced. The plan shall show the location, size, design, and content of all signs. The signs shall be no larger than 24 inches x 36 inches. No signs shall be posted on the sandy beach unless specifically authorized by the approved signage plan, a separate coastal development permit, or an amendment to this coastal permit, unless the Executive Director determines that no permit or amendment is required. The signs may indicate that the areas within the project site are sensitive dune habitat. In no instance shall signs be posted prohibiting public coastal access.
 - F. Maintenance.** The plan shall include provisions for on-going maintenance and/or management of the dune habitat – beach enhancement area for the term of this coastal development permit, including procedures for removing and relocating the fencing and signage during predicted storm events that may threaten the integrity of the fence or create a potential public safety hazard.
- 4. Public Access.** The shore-side buffer area of sandy beach, providing public lateral access, shall extend seaward from the seaward most limit of dune vegetation to the maximum wave uprush limit. Public lateral access and passive recreational use over the entirety of the area running parallel to the shore and extending landward

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from the ambulatory mean high tide line shall be maintained by the landward relocation of existing vertical sand fencing and post-and-rope fencing on the upcoast and downcoast sides of the proposed foredune habitat area if the beach area seaward of the first line of dune vegetation is impassible due to consistent high tides, formation of a steep scarp, or some other reason, in which case the public shall be able to pass and repass along the toe of the seaward most dune formation.

- 5. Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions imposed herein. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this Coastal Development Permit No. 5-16-0632 is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.