

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-25-0002

Applicant: Naples Restaurant Group, LLC

Agents: John Morris and Caroline Wilson

Project Location: Alamitos Bay Landing (between Boathouse on the Bay restaurant and the Long Beach Marina Headquarters) at 195-198 N. Marina Drive, Long Beach, Los Angeles County and open coastal waters of Alamitos Bay.

Project Description: Application of Naples Restaurant Group, LLC for temporary use and closure of public walkways, public areas, approximately 50 parking spaces, and part of the Marina Drive right-of-way north of the Boathouse on the Bay restaurant in Alamitos Bay Landing for approximately 24 hours beginning on July 3, 2025 and occurring annually for five years, for the Big Bang on the Bay fundraising event and fireworks display, the net proceeds of which are proposed to be distributed to local beneficiaries. Temporary development includes installation of vendor booths, DJ/concert stage, perimeter fencing for fee-ticketed block party, fireworks staging area and safety zone, and the 20-minute fireworks display would launch from a barge in Alamitos Bay, in connection with the block party at 195-198 N. Marina Drive.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The applicant, Naples Restaurant Group, LLC, is proposing to host five years of the Big Bang on the Bay event, a one-day event that includes two main aspects: (1) a 'block party' fundraiser and (2) a fireworks show. The block party would be located in Alamitos Bay Landing within the City of Long Beach, and the fireworks would be launched from a barge in the open waters of Alamitos Bay ([Exhibit 1](#)). The event would occur on July 3rd of each year with all development removed the following morning.

As proposed, the block party would begin at 5:00 p.m. on July 3rd and involves the temporary use and closure of public walkways, public areas, approximately 50 parking spaces, and part of the Marina Drive right-of-way north of the Boathouse on the Bay restaurant in Alamitos Bay Landing. Set up would begin at 2:00 p.m. on July 3rd and the site would be restored no later than 10:00 a.m. on July 4th. The block party area would be fee-ticketed and perimeter-fenced. The fee for entry to the block party is proposed to be \$85 per adult and \$35 per child, including options for premium VIP seating at higher price points, with all net proceeds distributed to local beneficiaries. Temporary development within the block party area includes the installation of vendor booths, food trucks, a DJ/concert stage, and seating areas ([Exhibit 2](#)), as well as a firework staging area and safety zone near the Long Beach Marina Headquarters. Beginning at approximately 9:00 p.m. and lasting approximately 20 minutes, the proposed fireworks display would launch from a barge in Alamitos Bay. The applicant proposes to use fireworks made of biodegradable, non-plastic materials and hire a consultant to conduct environmental monitoring prior to, during, and after the event to monitor and report on potential impacts to coastal resources. The fireworks would be visible from Alamitos Bay Landing, Naples Island, the Long Beach Peninsula, and surrounding locations, depending on marine layer conditions.

Beginning in 2011, when the City of Long Beach ceased fireworks displays at Veterans Stadium (in north Long Beach), Big Bang on the Bay has been held as an annual event accompanied with fireworks displays. Until 2023, the Commission's Executive Director had not required a CDP for this event pursuant to the Commission's Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements, adopted by the Commission on January 12, 1993.¹ However, on May 2, 2023, the Executive Director denied an exemption request for the Big Bang on the Bay 2023 event, due to the potential for adverse effects on coastal resources, pursuant to the provisions of Coastal Act Section 30610(i)(2).

A CDP for the Big Bang on the Bay 2023 event was approved on June 8, 2023 (No. 5-23-0383) and held on July 3, 2023. Naples Restaurant Group, LLC was the applicant for the 2023 event and hosted previous Big Bang on the Bay events. CDP No. 5-23-0383 included 11 special conditions required to comply with the coastal access and recreation policies of the Coastal Act, and to ensure protection of marine mammals, birds, and other species of concern consistent with Coastal Act Sections 30230 and

¹ The Commission's Executive Director approved Exemption Requests Nos. 5-12-092-X, 5-13-0253-X, 5-14-0268-X, 5-15-0226-X, 5-16-0177-X, 5-19-0100-X, 5-21-0164-X, and 5-22-0066-X.

30231. Information provided in monitoring reports from the 2023 Big Bang on the Bay event concluded that coastal wildlife was not significantly adversely impacted by the fireworks display. However, Commission enforcement staff confirmed the 2023 event was held in non-compliance with several special conditions related to public access.

Last year, the applicant for Big Bang on the Bay was a beneficiary of the event, the Boys and Girls Club of Long Beach. Prior to the 2024 event, the applicant submitted an Event Alternatives Analysis prepared by Pi Environmental, LLC, including alternatives to a water-based fireworks show. The analysis reviewed environmental and non-environmental factors of a water-based fireworks display, land-based fireworks display, and a drone show. The analysis concluded that a drone show would result in the potential for the least adverse environmental impacts but identified a water-based fireworks show as the preferred alternative in consideration of non-environmental factors and the feasibility of preparing an alternative show in time for the September 1, 2024 event date. The Event Alternatives Analysis was deficient for a number of reasons including failure to support several of its conclusions, including that drones result in similar or greater impacts to wildlife and water quality than fireworks. The Commission approved CDP No. 5-24-0399 for the 2024 event and imposed Special Condition 1, which limited the term of the CDP to a single September 1, 2024 event (outside of bird nesting season) and required a comprehensive, complete alternatives analysis be provided by the applicant as part of their application for any future similar fireworks event at the site.

Commission staff received the subject CDP application on December 31, 2024, with Naples Restaurant Group, LLC as the applicant. The application did not include an alternatives analysis at the time of the submission. Through the filing process, the applicant submitted the 2024 Event Alternatives Analysis as well as a Response to Comments Memo prepared by Pi Environmental, LLC to address deficiencies in the Event Alternatives Analysis that were identified in the Commission findings for CDP No. 5-24-0399. The Response to Comments Memo defended the conclusions of the Event Alternatives Analysis and maintained the applicant's preference for a water-based fireworks show despite the conclusion that a drone show would result in the least adverse environmental impacts.

The proposed development would take place on state tidelands within the Commission's area of original jurisdiction, and, thus, the standard of review for this project is the Chapter 3 policies of the Coastal Act, and the City of Long Beach certified Local Coastal Program (LCP) may provide guidance. The Coastal Act prioritizes protection of coastal resources and public access. The proposed fireworks in this unique location, within Alamitos Bay adjacent to known shorebird nesting habitat, would result in potential adverse impacts to bird species. Based upon the submitted monitoring reports, Event Alternatives Analysis, and Response to Comments Memo, the drone show alternative minimizes impacts to water quality and coastal wildlife and maximizes general public viewing of the show. Therefore, staff recommends approval of the annual event for five years with a series of special conditions to require the applicant to submit revised final plans that eliminate the use of fireworks while still allowing for the use of a drone show rather than a water-based fireworks show in order to avoid adverse impacts

to coastal resources. Commission staff recommend 9 special conditions to avoid creating hazardous conditions or any new long-term adverse impacts on public access and recreation, water quality, and/or marine birds and wildlife.

Staff believes that the proposed project, with the recommended conditions, minimizes impacts on coastal resources and is consistent with the Chapter 3 policies of the Coastal Act. Thus, Commission staff recommends that the Commission **APPROVE** coastal development permit application 5-25-0002 with 9 special conditions. The motion to carry out the staff recommendation is on page six.

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EXHIBITS

[Exhibit 1 – Project Site and Vicinity Map](#)
[Exhibit 2 – Event Staging Map and Schedule](#)
[Exhibit 3 – Fireworks Debris Fallout Zone](#)
[Exhibit 4 – Drone Show Flight Path](#)
[Exhibit 5 – Drone Show Staging Locations](#)

I. MOTION AND RESOLUTION

Motion:

I move that the Commission **approve** Coastal Development Permit No. 5-25-0002 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves the Coastal Development Permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

3. 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.

4. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicant to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Revised Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, two full-size sets of the following revised final plans, modified as required below.
 - A. An event staging plan that conforms with the plan submitted to the Commission via email on April 4, 2025, titled Flight Path ([Exhibit 4](#)), to eliminate the use of fireworks. The revised plans may include implementation of the drone show alternative, except that it shall be modified as required below.
 - i. The plan shall identify one of the drone staging areas identified in [Exhibit 5](#) for takeoff/landing that minimizes impacts to coastal resources, including public access. The applicant may request an alternative drone staging area(s) for the review and written approval of the Executive Director if the staging areas identified in [Exhibit 5](#) are determined to be infeasible.
 - ii. The plan shall identify a flight path, including an adequate safety perimeter, for a drone show over Alamitos Bay.
 - iii. The drone show shall occur at a minimum altitude of 165 feet and a minimum distance of 300 feet to any potential nesting sites.
 - iv. The plan shall be accompanied with best management practices (BMPs) to minimize the risk of drone malfunction/failure.
 - v. The plan shall include a timeline of events for the drone show, including but not limited to required set up and removal of the drone staging area, flight tests, and drone show duration.
 - vi. The plan shall include a drone retrieval plan in the event that any drones associated with the show do not return to the drone staging area.
 - B. All revised plans shall be prepared and certified by a licensed professional or professionals as applicable, based on current information and professional standards, and shall be certified to ensure that they are consistent with the Commission's approval.
 - C. The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

2. Duration and Scope of Permit. This coastal development permit (CDP), as conditioned, shall only authorize:

- A. The Big Bang on the Bay event to take place on one day between July 3rd and September 30th annually for five years (2025, 2026, 2027, 2028, and 2029); and
- B. Set-up and timely removal of all temporary development associated with the event. Set-up activities shall begin no earlier than 2 p.m. on the day of the event, and take-down shall conclude no later than 10 a.m. on the day following the event; and
- C. The annual event is authorized for a period of five years from July 3, 2025 through September 30, 2029 unless monitoring reports and/or the Executive Director determine the event has imposed adverse impacts on coastal resources. By acceptance of this coastal development permit, the applicant agrees that if they wish to implement a future Big Bang on the Bay event or similar event, the applicant must submit a complete coastal development permit application for the event by no later than January 15th of the year in which the event will occur.

The permittee shall undertake development in accordance with the approved plans. Any proposed change of event activities shall be reported to the Executive Director. No changes to the event activities shall occur without a new Commission CDP, unless the Executive Director determines that no new permit is legally required.

3. Other Agency Approvals. PRIOR TO THE COMMENCEMENT OF EACH EVENT, the permittee shall submit to the Executive Director for review and approval evidence of all permits, permissions, or approvals granted for the proposed temporary events, as applicable, from: (1) City of Long Beach Office of Special Events; (2) City of Long Beach Marine Bureau; (3) City of Long Beach Development Services; (4) U.S. Coast Guard; (5) Long Beach Fire Department; (6) Federal Aviation Administration; (7) South Coast Air Quality Management District; (8) Los Angeles Regional Water Quality Control Board; (9) California Department of Fish and Wildlife, and; (10) U.S. Fish and Wildlife Service.

The permittee shall inform the Executive Director of any changes to the current approved project required by any of the above-listed agencies. Such changes shall not be incorporated into the project until the permittee obtains a new Commission CDP, unless the Executive Director determines that no new permit is legally required.

4. Marine Debris Reduction Plan. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a robust plan, including a comprehensive monitoring and evaluation framework, to reduce waste, single-use items

(including plastic and Styrofoam foodware, containers, and packaging), and discarded items that may contribute to marine debris. The plan shall include at a minimum, all of the following, and the permittee shall implement the approved plan:

A. The permittee shall install and maintain smoke-free signage in all areas of the proposed event, to avoid the potential for discarded cigarette butts becoming marine debris;

B. The permittee shall install and maintain educational signage for staff and patrons that promotes and encourages the use of reusable items (instead of single-use items); and

C. Adhere to the following criteria:

- (1) Only use reusable foodware (including dinnerware, drinkware, silverware, and ramekins/containers) for onsite dining, specifically prohibiting the use of plastic cups, utensils or any other disposable serviceware.
- (2) Prohibit the use of plastic straws (and plastic-wrapped straws) and only provide reusable straws, paper straws, or straws made from naturally occurring materials, upon request.
- (3) Prohibit the use of expanded polystyrene (aka Styrofoam).
- (4) Prohibit the use of plastic bags on-site or for takeout/to-go orders.
- (5) Only provide single-use (biodegradable or compostable) utensils, straws, condiments, containers, and other accessory items upon request for takeout/to-go orders.
- (6) Prohibit the sale of beverages in plastic bottles.
- (7) Follow proper recycling practices.

D. Service Plan for recycling, trash bins, and compost. The plan shall specify the amount of trash and recycling bins in the project area of the proposed development and the anticipated maximum usage during each event in order to ensure that an adequate number of bins are being deployed and that the trash and recycling management program is robust and avoids over-filled bins that might result in adverse impacts to nearby natural resources.

No changes to the approved Marine Debris Reduction Plan shall occur without an amendment to this coastal development permit or a new coastal development

permit, unless the Executive Director determines that no amendment or new permit is required.

5. Public Access. BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the permittee agrees to adhere to the following public access protection measures and requirements:

- A. **Maintenance of Public Access.** Public access to and along the public bulkhead walkways shall be maintained and open during the entirety of each event. The fence surrounding the temporary block party shall be located sufficiently landward of all public bulkhead walkways and boater accessways to allow for pedestrian through-traffic and shall not impede access to them. Event staff shall ensure and facilitate access to and along publicly available walkways throughout each event.
- B. **Boater Access.** Boater access to boater docks, headways, and gangways shall remain available throughout the entire duration of each event. If entry is via the temporarily gated and ticketed block party area, then the permittee shall expressly allow boater access to Basin 1 slips, Berths 1-3, and Marine Bureau docks, and include adequate informational signage.
- C. **Event Admission and Signage.** The permittee shall install signage (that is clearly visible, legible, and is written in multiple languages consistent with the City's Language Access Policy) denoting the public access areas vs. ticketed fee block party areas. The public access signage shall be located near all access points open to the public during the temporary events, to identify the open public accessways.
- D. **Public Access Compliance Report.** WITHIN 30 DAYS OF THE CONCLUSION OF EACH EVENT, the permittee shall submit a Post-Event Public Access Compliance Report annually to the Executive Director for review and approval. The report shall include evidence to demonstrate each event was held in compliance with all the Public Access conditions of the permit as outlined in **Special Condition 5(A-C)**.

6. Nesting Bird Surveys and Protection. PRIOR TO THE COMMENCEMENT OF EACH EVENT, the permittee shall retain the services of a qualified ornithologist(s) to conduct nesting bird species surveys in order to determine the presence of nesting bird species including, but not limited to, western gulls, black-crowned night herons, great blue herons, and snowy egrets. At least 14 calendar days prior to commencement of each event, the permittee shall submit the name and qualifications of the consulting qualified ornithologist(s), as well as a Bird Survey and Monitoring Plan, for the review and written approval of the Executive Director. All project construction and operations shall be carried out consistent with the following requirements:

A. The Bird Survey and Monitoring Plan shall include details of the specific dates, times, locations, and methods necessary to detect any such nesting activity within 500 feet of the project area (including, but not limited to, ficus, palm, and other significant nesting trees that are found within the event footprint in Alamitos Bay Landing and the drone staging area) and along Fuel Dock Road. The bird monitoring program shall be developed in consultation with a representative of the Audubon Society and conform with the requirements outlined in **Special Condition 7(A)** for the required surveys conducted prior to, during, and after each event. No changes to the approved Plan shall occur without an amendment to this CDP or a new Commission CDP, unless the Executive Director determines that no new permit is legally required.

B. If an active nest of any bird is found within 300 feet of the block party and/or drone staging area, or an active nest for any raptor species is found within 500 feet of the block party and/or drone staging area, the permittee's qualified ornithologist(s) shall monitor bird behavior, event construction and event noise levels. The nest shall not be removed or disturbed. The monitor(s) shall be present during all significant event activities (i.e., those with potential noise impacts) to ensure that nesting birds are not disturbed by construction or event-related noise. The monitor(s) shall monitor birds and noise during event preparation, throughout the event, and during take-down thereafter. The proposed event activities may occur such that noise levels are at or below a peak of 65 dB at the nest site(s). The applicant may submit an ambient noise study, prior to the event and for the review and written approval of the Executive Director, to evaluate an alternative noise criterion that may be appropriately applied, in the case that it is higher than 65 dB. If event-related noise exceeds a peak level of 65 dB (or the alternative appropriate threshold) at the nest site(s), sound mitigation measures such as sound shields, blankets around smaller equipment, modification of amplified music or speaker volume levels, re-direction and directionalization of loud sound sources, and other such approaches shall be employed, to the maximum extent feasible. Should the 65 dB (or the alternative appropriate) threshold be exceeded, the permittee shall notify the Executive Director of the efficacy of the sound mitigation measures in the Bird Monitoring Report required in **Special Condition 7(A)**.

C. If an active nest of any bird is found within 300 feet of the block party and/or drone staging area, and, in particular, an active nest of any raptor species is found within 500 feet of the block party and/or drone staging area, the permittee shall employ protection and avoidance measures to minimize disturbance to active bird nests, including, but not limited to, cordoning-off 50-foot-radius areas around active nesting trees with cones, installation of educational signage to discourage eventgoers from

disturbing the birds, and placement of blankets beneath nests to soften a potential fall of fledging young.

D. Nighttime lighting may be used only on the night of each event and shall be minimized to levels necessary to provide pedestrian security. In addition, all nighttime lighting shall be shielded and focused downward and inward toward the event. Up-lighting and “event” searchlights or spotlights are prohibited. Structures, including concession and merchandise tents, shall be designed to minimize light spillage and maximize light shielding to the maximum extent feasible. Red lights shall be limited to only the minimum necessary for security and safety warning purposes.

7. Pre- and Post-Event Bird Monitoring Report. WITHIN 30 DAYS OF THE CONCLUSION OF EACH EVENT, the permittee shall submit a Pre- and Post-Event Bird Monitoring Report, prepared by a qualified biologist/resource specialist(s), to the Executive Director for review and approval. The Report shall, at a minimum, include:

- A. The results of a census detailing the number of all nesting, roosting, and foraging bird species including, but not limited to, western gulls, black-crowned night herons, great blue herons, and snowy egrets in the impact area of the event (as required in **Special Condition 6**) seven (7) days prior to each event, with observations to occur for no less than 30 minutes;
- B. A record and description of all active bird nests with eggs, chicks, or fledglings observed in the vicinity of the impact area of the event immediately prior to the drone display, during the drone show, immediately afterwards, and the following day. All surveys shall include monitoring for changes in nesting bird behavior, including flight, drop, stun, nest abandonment, and return to nests, and shall occur for no less than 30 minutes in each instance. Video footage of the nesting sites may be used to supplement and aid in data collection;
- C. A record and description of any bird injuries, including serious injuries and mortalities, observed in the vicinity of the impact area of each event. Monitoring for injury, including serious injury and mortality, shall occur no later than the morning after each event, and shall occur for no less than 30 minutes; and
- D. An analysis of the data collected at each event, indicating whether, and to what extent, the event had an impact, if any, on nesting avian species.

8. Assumption of Risk, Waiver of Liability, and Indemnity. BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant acknowledges and

agrees (i) that the approved development involves potentially hazardous activities; (ii) to assume the risks to the permittee and property that may be affected by 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, 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.

- 9. Liability for Costs and Attorneys' Fees.** BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant agrees to reimburse the California Coastal Commission in full for all Coastal Commission costs and attorneys' fees including (1) those charged by the Office of the Attorney General, and (2) any court costs and attorneys' fees that the Coastal Commission may be required by a court to pay, which the Coastal Commission may incur in connection with the defense of any action brought by a party other than the permittee or its authorized agents against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval, issuance, and implementation of this CDP. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.

IV. FINDINGS AND DECLARATIONS

A. Project Location, Description, and History

Project Location

The proposed temporary events would contain two main components: a 'block party' (landside) and fireworks display over open waters of Alamitos Bay (bayside), the locations of which are shown in [Exhibit 1](#). Additional details are provided in the Project Description section below.

The block party portion of the proposed temporary event would be primarily located in Alamitos Bay Landing (formerly Seaport Village), a marine-oriented commercial complex in Alamitos Bay, located at 195-198 N. Marina Drive in Southeast Long Beach. The temporary landside improvements would be situated on filled State tidelands, rather than private lands; however, the City of Long Beach administers the Alamitos Bay Landing and has frequently leased portions of the area to private developers for commercial uses since the 1960s. The proposed temporary events also include a 20-minute fireworks display, proposed to launch from a barge in open coastal waters of Alamitos Bay, approximately equidistant from Alamitos Bay Landing, Naples Island, and the Long Beach Peninsula.

While the City of Long Beach has a certified Local Coastal Program and permitting authority throughout much of the Long Beach coastal zone, the event site is within the Commission's area of original permit jurisdiction due to its location within open bay waters and (filled) State tidelands. Although the State Lands Commission oversees public trust lands throughout the State, the City of Long Beach was granted trustee authority over the tidelands at issue here pursuant to a legislative grant and a boundary exchange and settlement agreement; thus, the applicant is not required to obtain a license from the State Lands Commission for the event.

Project Description

The applicant, Naples Restaurant Group, LLC, is requesting a five-year approval for a one-day event to be held on July 3rd of 2025, 2026, 2027, 2028, and 2029 in celebration of the Fourth of July (Independence Day). This event, known as the Big Bang on the Bay, includes two main aspects: (1) a 'block party' fundraising event, and (2) a fireworks display.

The block party would involve the temporary use and closure of public walkways, public areas, approximately 50 parking spaces, and part of the Marina Drive right-of-way north of the Boathouse on the Bay restaurant for approximately 24 hours between July 3rd and 4th of each year. The block party area would be fee-ticketed and perimeter-fenced. The entry fee for access to the block party is proposed to be \$85 per adult and \$35 per child, with options for premium VIP seating at higher price points as determined by the beneficiaries of the event. All net proceeds (excludes the cost incurred by the applicant for permitting, event materials, etc.) from the event are proposed to benefit the Boys and Girls Club of Long Beach, Action Sports Kids Foundation, Children Today, Los Altos YMCA, Autism Partnership Foundation, and Belmont Shore Rugby Club. Temporary development within the block party area would include the installation of vendor booths, food trucks, a DJ/concert stage, and seating areas ([Exhibit 2](#)), as well as a firework staging area and safety zone near the Marina Headquarters. The block party would also feature aspects that are more accessible to the general public, including live music performances, an aerobatic airshow, a squadron formation, and a U.S. Coast Guard search and rescue demonstration ([Exhibit 2](#)). However, the public would still be prohibited from entering the fenced-in area, unless they have purchased a ticket.

The applicant was the permittee of the 2023 Big Bang on the Bay event and is aware of last year's Commission action in relation to the 2024 event. Thus, the applicant has proposed to adhere to the conditions previously imposed by the Commission in association with a fireworks display. Specifically, the applicant proposes to maintain public access along the two easternmost Basin One gangways at all times. Berths 1-3, on the western side of Alamitos Bay Landing, would not be available for public or boater use for 24 hours ([Exhibit 2](#)). The public parking lot near the block party would be accessible on a first-come, first-served basis, and parking for Basin One of the Long Beach Marina would remain open for boaters. Approximately 50 public and marina parking spaces located directly adjacent to the restaurant/ temporary entry gate would be reserved for vendor and valet parking for the duration of the event.

Event program activities would start at approximately 5:00 p.m. As proposed, nesting trees would be identified pursuant to a nesting bird survey conducted one day prior to the event by a qualified ornithologist(s) who would also be responsible for implementing a proposed bird monitoring program with surveys conducted prior, during, and after the event, followed by a report summarizing the effects of the event on all bird nesting activity in the area. The applicant would be responsible for cleaning all trash and debris during and after the event so that the event area and adjacent marine waters remain clean and safe.

The applicant has proposed a water-based fireworks display that would launch from a barge in Alamitos Bay. The fireworks display would begin at 9:00 p.m. and last approximately 20 minutes and take place over Alamitos Bay and would be visible from Alamitos Bay Landing, Naples Island, the Long Beach Peninsula, and surrounding upcoast, downcoast, and inland locations, depending on marine layer conditions.

Project History

Beginning in 2011, Big Bang on the Bay has been held as an annual event, including Fourth of July fireworks displays, when the City of Long Beach ceased similar fireworks displays at Veterans Stadium.² Historically, the event has been sponsored by Naples Restaurant Group, LLC with the exception of last year's event, in which the Boys and Girls Club of Long Beach was the applicant. During this time, the block party and fireworks event primarily served as a fundraising event for at least 15 local charities, such as Children Today,³ with over \$1 million raised since 2011.

Until 2023, the Commission's Executive Director did not require a CDP for this event pursuant to the Commission's Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements, adopted by the Commission on January 12, 1993.⁴ Section II of the Guidelines allows the Executive Director to exclude most temporary events from CDP requirements, except for those that meet *all* of the following criteria (a-c, below) or those that would potentially significantly impact coastal resources (per Sections III and IV).

- a. The event is held between Memorial Day weekend and Labor Day; and,
- b. The event occupies all or a portion of a sandy beach area; and,
- c. The event involves a charge for general public admission or seating where no fee is currently charged for use of the same area (not including booth or entry fees).

² Veterans Stadium is located outside the coastal zone in the north of Long Beach, and the annual show is purported to have been occurring since at least the 1960s.

³ [Children Today](#) is a Long Beach-based organization that provides trauma-informed child development and family support services to children and families experiencing homelessness or maltreatment.

⁴ The Commission approved Exemption Request Nos. 5-12-092-X, 5-13-0253-X, 5-14-0268-X, 5-15-0226-X, 5-16-0177-X, 5-19-0100-X, 5-21-0164-X, and 5-22-0066-X.

Since part (b) above does not apply to the subject event site, the Executive Director previously determined that the event was exempt from CDP requirements under Coastal Act Section 30610(i)(1). However, on May 2, 2023, the Executive Director denied Exemption Request No. 5-23-0080-X for the Big Bang on the Bay 2023 event. The Executive Director cited potential “impact[s to] coastal resources, including but not limited to coastal shorebirds,” as a reason for the requirement of a CDP. The determination letter referred to Sections III and V of the Guidelines, which grant the Executive Director discretion to require CDP review in unique or changing circumstances where a particular temporary event has the potential for significant adverse impact on coastal resources, including marine and biological resources and public access and recreation.

The Commission would further note that on November 5, 2015, the attorneys of the California Environmental Rights Foundation (CERF) issued Boathouse on the Bay a Notice of Intent to Sue over previous iterations of the subject event’s firework show, and in November 2021, filed a civil lawsuit against John Morris, agent of CDP No. 5-23-0383 and the subject application, and Naples Restaurant Group, LLC, the owner and operator of Boathouse on the Bay.⁵ Moreover, representatives of Los Cerritos Wetlands Task Force of the Sierra Club, Puvunga Wetlands Protectors, and Eastside Voice have submitted numerous comments over the years to Commissioners and staff, alleging that the event unlawfully discharges pollutants into Alamitos Bay and adversely affects bird and marine species. In conjunction, the El Dorado Chapter of the Audubon Society has been monitoring bird nesting activities along Fuel Dock Road and Marina Drive for several years and has raised concerns that the annual event poses a risk to nesting birds. These interested parties spoke before the Commission during the general public comment item of the June 2022 public hearing, to which the Commission responded by guiding staff to further investigate the event and review its potential for adverse impacts on the environment.

The U.S. Central District Court of California dismissed CERF’s case without prejudice and determined that Naples Restaurant Group, LLC may proceed with future fireworks events, finding that, while CERF demonstrated sufficient evidence that the fireworks’ discharge entered Alamitos Bay waters during the 2022 event, there was no proof of continuous and ongoing violations of the Clean Water Act of 1972.

Monitoring reports provided by Naples Restaurant Group, LLC in previous years found that no abandonment of nests occurred during any of the previous fireworks displays; however, to ensure that such impacts did not occur from previous events or future such events, the Commission found it necessary to require monitoring pursuant to special conditions of a CDP. CDPs for the Big Bang on the Bay 2023 and 2024 events were approved on June 8, 2023 (No. 5-23-0383) for an event held on July 3, 2023 and on August 9, 2024 (No. 5-24-0399) for an event held on September 1, 2024. CDP Nos. 5-23-0383 and 5-24-0399 included 11 special conditions to comply with the coastal

⁵ Coastal Environmental Rights Foundation v. Naples Restaurant Group, LLC et al., Case No. 2:2021cv09172-MCS-JEM (C.D. Cal.).

access and recreation policies of the Coastal Act, and to ensure protection of marine mammals, birds, and other species of concern consistent with Coastal Act Sections 30230 and 30231. The special conditions also required submittal of pre- and post-event monitoring reports as well as feasibility studies for firework alternatives for future events. Furthermore, at the August 9, 2024 Commission hearing, several Commissioners informed the applicant that they would not support future fireworks shows for the Big Bang on the Bay event, due to growing concerns regarding the potential adverse impacts fireworks shows may impose upon coastal resources in the event vicinity. The Commission approved CDP No. 5-24-0399, which authorized a single event including a fireworks show, and once again requested the applicant to pursue alternatives to a fireworks display for future CDP applications. The findings and conclusions of the monitoring reports from previous Big Bang on the Bay events will be discussed further in subsequent sections of this staff report.

The 2024 Big Bang on the Bay event was held on September 1st rather than July 3rd due to the lateness of the applicant's submittal and the fact that the application was submitted incomplete primarily due to the applicant's failure to provide an alternatives analysis to the use of fireworks. Following the 2024 event, the applicant, Boys and Girls Club of Long Beach, informed Commission staff on October 3, 2024 that they were uncertain of the future of the Big Bang on the Bay event but noted they would not be the applicant moving forward. The subject CDP application, which as conditioned was due complete by January 15, 2025, was received by Commission staff on December 31, 2024, with Naples Restaurant Group, LLC as the applicant. Commission staff deemed the application incomplete on January 30, 2025, due to missing application materials including, but not limited to, an alternatives analysis, event staging plans, fireworks best management practices, noticing list, and local approval, and requested a meeting with the applicant team. Commission staff met with the applicant team on February 11, 2025 to discuss the proposed fireworks display and potential event alternatives, including a drone show.

The applicant submitted a Response to Comments Memo on March 3, 2025 to supplement the Event Alternatives Analysis dated June 2024 prepared for CDP No. 5-24-0399 prepared by Pi Environmental, LLC. The Response to Comments Memo defended the conclusions of the Event Alternatives Analysis and maintained the applicant's preference for a water-based fireworks show, which will be discussed in further detail in subsequent sections.

Drone shows have been held in other coastal California cities throughout the State, including San Francisco, Ventura, Redondo Beach, Rancho Palos Verdes, Laguna Beach, and San Diego. The applicant submitted a quote for a drone show from a local drone operator on April 11, 2025, which estimated the cost of a drone show using 500 drones to be approximately \$70,000. According to the Boys and Girls Club of Long Beach, the 2023 Big Bang on the Bay fireworks display was estimated to cost approximately \$40,000. However, the subject approval does not require much of the monitoring and reporting required under CDP Nos. 5-23-0383 and 5-24-0399. Commission staff additionally confirmed that Ventura Harbor was able to purchase six drone shows for a total cost of \$70,000, for an annual show using 500 drones, the same

size that a local drone operator proposed to use for the subject event. The applicant has additionally asserted that the subject event has been subject to increased scrutiny while fireworks shows occur regularly in other areas of coastal California. This event, however, includes a private fireworks display and a ticketed block party, which is dissimilar to the many public fireworks displays that occur throughout the State requiring no cost for attendees. Furthermore, as discussed in the subsequent sections of this staff report, the subject event includes environmental impacts associated with the unique event site, which may differ from other occurring fireworks displays.

B. Standard of Review

A coastal development permit is required from the Commission for the proposed development because it is located within the Commission's area of original jurisdiction and on state tidelands and open coastal waters of Alamitos Bay. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach Local Coastal Program (LCP), certified by the Commission on July 22, 1980, is advisory in nature and may provide guidance.

C. Marine Resources and Water Quality

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed events would take place in an urbanized area adjacent to coastal waters with a fireworks display launched from a barge over the open waters of Alamitos Bay ([Exhibits 1](#) and [2](#)). Fireworks displays have historically been conducted in California coastal communities as part of national and local celebrations, and to foster public use and enjoyment of coastal and marine environments. Launching fireworks over the ocean also avoids or reduces fire hazards that are associated with such landside displays. However, nighttime lighting and loud noises, including amplified music and

firework blasts, can disturb birds and other species living in the urban environments surrounding events like the proposed Big Bang on the Bay celebration. Additionally, firework displays with aerial shells launched over open waters and runoff from event activities have the potential to discharge pollutants and debris into coastal waters, which can be damaging to marine species and biological productivity. In fact, past monitoring reports have shown that each Big Bang on the Bay event has resulted in 0.6 and 0.84 pounds of debris, which represents collection of approximately 3.4% of the expected debris⁶ from the display. Other coastal California cities, including San Francisco, Ventura, Redondo Beach, Rancho Palos Verdes, Laguna Beach, and San Diego have implemented drone shows in lieu of fireworks displays in 2023 and 2024.

Marine Wildlife and Nesting Birds

The event, proposed to occur in the middle of nesting season, is located within a mostly urban bay environment. Several trees within the proposed event footprint and adjacent to the event site have historically been suitable habitat for coastal wading bird species, including western gulls, black-crowned night herons, great blue herons, and snowy egrets (with the occasional sighting of green herons, great egrets, and yellow-crowned night herons⁷). Many birds have colonized tall non-native trees, such as palm and ficus trees, in highly developed areas, including within and adjacent to the project site. According to the monitoring report for the 2023 Big Bang on the Bay event, which was held on July 3rd, 25 bird species were sighted with eight species confirmed to be nesting within the vicinity of the event prior to the fireworks show. The monitoring report for the 2024 event, which was held on September 1st, identified 28 bird species with three species confirmed to be nesting within the vicinity of the event prior to the fireworks display.

Firework displays have the potential to impact coastal wildlife, particularly birds, in the surrounding area. The impact area is defined as the area where sound, light, and debris will directly impact coastal and marine organisms and habitats and is affected by certain variables including the types of pyrotechnic devices and altitude of explosion. Coastal wildlife may avoid or temporarily depart the impact area during the hours immediately prior to the beginning of the fireworks displays due to increased human recreational activities associated with the event. The bird monitoring report from the 2023 event asserted that no active nests were found within 300 feet of the event and that no raptors were found within 500 feet of the event during initial surveys, therefore not requiring sound monitoring and/or attenuation devices. However, Figure 3 from the report depicts bird nests within 300 feet of the block party area. Additionally, the bird monitoring report from last year's event concluded there was an active nest within 300 feet of the block

⁶ The applicant estimates 5% of the pre-ignited firework weight to result in debris from the fireworks display. Therefore, the fireworks display is anticipated to produce 18.75 pounds of debris, based on a net explosive weight of 375 pounds.

⁷ Information provided by the El Dorado Chapter of the Audubon Society via email dated April 15, 2023.

party area, but the applicant's consultant did not implement the sound monitoring and/or attenuation devices required pursuant to Special Condition 8.

The results from the 2023 Big Bang on the Bay bird monitoring report identified 129 individuals representing 25 species prior to the event and 107 individuals representing 20 species following the event. The monitoring report concluded that there was no observed permanent disruption to the nesting birds since all nestlings previously observed the day before as well as the day of the event were still present. The results from last year's bird monitoring report identified 95 individuals representing 28 species prior to the event and 105 individuals representing 26 species following the event. Although the monitoring reports concluded there was no observed permanent disruption to nesting birds due to the event, previous monitoring reports have acknowledged that multiple adult birds were observed flying away from their nests due to noises associated with the event. Additionally, local environmental organizations, including the Los Cerritos Wetlands Task Force of the Sierra Club, have provided evidence of temporary disturbance from previous Big Bang on the Bay fireworks displays. Furthermore, a study⁸ concluded that fireworks can result in nest abandonment and cause fledging birds to fall out of nests. The study further found that fireworks can cause birds to experience disrupted sleep and increased distress, vigilance, and fear, which increase energy use and susceptibility to pathogens. Another study⁹ concluded that birds are most likely to take flight within 10 km (6 miles) of a fireworks display and more frequently in open habitats, such as open water. The proposed fireworks display would occur approximately 700 to 1,500 ft. from known nesting trees in the vicinity and take place over open water.

Section 251.1 of Title 14 of the California Code of Regulations (CCR) defines the harassment of animals as, in relevant part, "an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding or sheltering." Therefore, the proposed event, which has historically caused adult birds to temporarily abandon nests, may constitute harassment under Section 251.1 of Title 14 of the CCR. Given the presence of active nests within 300 feet of the block party area according to previous monitoring reports and evidence of disturbance to adjacent nesting birds, Commission staff requested an evaluation of feasible alternatives to a fireworks display.

The applicant's Event Alternatives Analysis evaluated potential impacts to avian resources, including birds, nests, or chicks from the proposed event. The analysis concluded that water-based and land-based fireworks shows pose low to medium potential impacts to bird species, while drone shows pose medium to high potential impacts to bird species. The analysis incorrectly asserts that drones pose a higher risk to birds through direct interaction, potentially causing physical injury; however, as described in the staff report for CDP No. 5-24-0399, the Event Alternatives Analysis

⁸ [Effects of Fireworks on Birds - A critical Overview](#) (Stickroth 2019).

⁹ [Fireworks disturbance across bird communities](#) (Hoekstra et al. 2024).

lacked evidence to support the conclusion that a drone show poses a greater potential impact to avian resources. Pi Environmental, LLC responded through a Response to Comments Memo, which reaffirmed their conclusions from the Event Alternatives Analysis and provided examples in which drones have been identified as a potential disturbance to wildlife, including a reference from the California Department of Fish and Wildlife (CDFW). While it is true that individual or groups of drones may impose adverse impacts to birds, as CDFW acknowledges in the citation¹⁰ provided by Pi Environmental, LLC, there are several common practices drone operators should follow in order to avoid wildlife disturbance, including adhering to adequate buffers from any known wildlife in the vicinity.

The Response to Comments Memo also reaffirmed the applicant's assertion that a drone show may attract birds and provoke birds in the vicinity to attack the drones, causing physical injury to the birds. However, the Commission's staff ecologists Dr. Jonna Engel, Dr. Corey Clatterbuck, and Kaylee Griffith disagree with this assertion, noting it is unlikely that birds would attack drones during a nighttime display. This is due to the fact that the majority of bird species, including those identified in previous monitoring reports for the event, are diurnal, and are therefore not active after dusk when a drone show would occur. Additionally, a meta-analysis¹¹ of drone disturbance on nesting birds indicated that drone altitude had the strongest effect on nesting bird disturbance. According to the study, regardless of other species' traits, drones pose low disturbance impacts when flown at altitudes greater than 50 meters. A similar meta-analysis¹² added additional recommendations based on bird breeding status and size, in addition to drone speed. The recommendations were based on models that prevented a bird from flushing at least 95% of the time. The analyzed drone show alternative would take place over Alamitos Bay several hundred feet away from any active bird nests ([Exhibit 5](#)). Therefore, the Commission's staff ecologists maintain their conclusion that firework displays pose a greater risk of potential impacts to nesting birds due to elevated noise and light impacts associated with the display in comparison to drone shows. Based on this conclusion, Commission staff requested a comprehensive analysis of alternatives to prepare a drone show over Alamitos Bay in order to analyze the proximity of a drone show to potential bird nesting sites. The applicant provided a conceptual drone flight path ([Exhibit 4](#)), which would use the private Alamitos Bay Yacht Club parking lot as a staging area and asserted it would be infeasible since the Yacht Club did not agree to allow usage of their parking lot for the drone staging area. Commission staff requested an analysis of alternative locations where a drone staging area would be feasible and did not receive any from the applicant. Regardless, Commission staff were able to identify multiple feasible locations ([Exhibit 5](#)) that could be used as a drone staging area, including a flight path that avoids existing structures and could be closed during the drone display in order to protect the safety of members

¹⁰ [Legal and Responsible Drone Operations](#), California Department of Fish and Wildlife.

¹¹ [A meta-analysis of disturbance caused by drones on nesting birds](#) (Leija et al. 2023).

¹² [A meta-analysis of the impact of drones on birds](#) (Brisson-Curadeau et al. 2024).

of the public. **Special Condition 2** authorizes the event to take place on one day between July 3rd and September 30th annually for five years in order to allow the applicant enough time to prepare a drone show in time for the event.

The applicant's Event Alternatives Analysis separately evaluated noise impacts from event alternatives, concluding that a drone show poses low potential for environmental impact, with a water-based firework show posing a low to medium potential impact and a land-based firework show posing a medium to high potential impact. The Commission concurs with these conclusions.

Therefore, for the reasons noted above, the proposed fireworks display in this unique location, within Alamitos Bay adjacent to known shorebird nesting habitat, would result in potential adverse impacts to bird species. To avoid potential adverse impacts to bird species and nesting habitat areas, **Special Condition 1** requires the applicant to submit revised final plans to eliminate the use of fireworks while still allowing for a drone show, which has been identified as the least environmentally damaging alternative to a fireworks display. The alternative drone staging locations identified by Commission staff ([Exhibit 5](#)) are all located in the Commission's retained permitting jurisdiction; however, some are located adjacent to beach habitat and potential nesting trees. Therefore, the Commission imposes **Special Condition 1(A)(iii)** requiring the drone show to occur at a minimum altitude of 165 ft. and a minimum distance of 300 ft. to adjacent potential nesting sites in order to protect birds in the vicinity. While there are no listed endangered species known to be established in the area, as previously stated, nighttime lighting and loud noises, including airshows and amplified music from the block party, can disturb nesting birds within or adjacent to the project site. Therefore, the Commission imposes **Special Conditions 6** and **7(A)**, which require the applicant to retain a qualified ornithologist(s) to conduct surveys in accordance with the final approved Bird Survey and Monitoring Plan, including seven days prior to the proposed events, immediately prior to the drone show on the day thereof, during the drone show, immediately afterwards, and on the day thereafter. If active nests are found, the applicant shall not disturb the nest(s) or the nesting birds and shall provide physical barriers around nesting trees to minimize disturbance from eventgoers, as well as implement sound mitigation measures for any event-related noise above 65 dB (**Special Condition 6**). Qualified ornithologists are required during the event to monitor all nesting locations in the required radius around the event site, drone staging area, as well as at Fuel Dock Road.

To ensure consistency with Coastal Act Sections 30230 and 30231, **Special Condition 3** requires the applicant to obtain authorization from CDFW and the U.S. Fish and Wildlife Service so that the event fully complies with all applicable requirements of the biological resource agencies.

Marine Debris

Debris from a fireworks show can impair water quality as well as harm wildlife that may ingest and/or become entangled in such debris. Fireworks debris that may enter the ocean includes fireworks casings, cardboard cylinders, disks, shell case fragments,

paper strips and wadding, plastic wadding, disks, tubes, aluminum foil, cotton string, and whole unexploded shells (i.e., duds or misfires). It is likely that paper strips, cardboard, and cotton string are biodegradable and do not persist for long periods of time in the ocean environment. However, other materials, such as plastic and aluminum, are likely to persist in the marine environment for lengthy periods if they are not washed ashore and/or removed by personnel. In addition, temporary events like the subject block party located in close proximity to marine environments have the potential to impact water quality through the use and potential discharge of single use plastics and other materials into, in this case, Alamitos Bay.

Plastic pollution is a persistent and growing problem worldwide that significantly impacts the health of our oceans and coasts. Roughly eight million metric tons of plastics are estimated to enter the ocean each year, and the United States is one of the top 20 contributors to plastic pollution.¹³ Plastic has been found in a wide range of marine environments including the seafloor, surface water, the water column, and on beaches and shorelines. California communities are estimated to spend more than \$428 million annually to clean up and control plastic pollution. Plastic never fully degrades into its chemical components; instead, it physically breaks down into smaller pieces, creating microplastics. Plastics have been found in the digestive tracts of marine organisms ranging from zooplankton to whales, and in drinking water and food.¹⁴

The applicant's Event Alternatives Analysis evaluated potential impacts of marine debris and concluded that water-based firework shows, land-based firework shows, and drone shows all pose low to medium potential impacts. The analysis acknowledges that firework shows produce marine debris but refers to the proposed mitigation measures for clean-up activities for the event required in CDP Nos. 5-23-0383 and 5-24-0399. The analysis concludes that the mitigation measures previously imposed, if implemented for future events, reduce the impacts of a fireworks show. Following the 2023 event, the applicant submitted a Fireworks Debris Monitoring report dated August 7, 2023. The report stated that a total of 280 grams (approximately 0.6 pounds) of fireworks debris was collected following the event, 96% of which was cardboard and paper, with 4% consisting of fuses and wiring components. The BMPs Plan for the fireworks event estimates 5% of the net explosive weight of the fireworks to be created as fireworks debris as a result of the event. However, the Monitoring Report from the 2023 event did not identify the total weight of the fireworks prior to use. Furthermore, collection efforts did not take place in the entire 600-foot fallout radius ([Exhibit 3](#)). Therefore, Special Condition 6 of CDP No. 5-24-0399 required the applicant to collect firework-related debris within the entire fallout area to ensure sufficient collection efforts. If collection efforts did not account for the full 5% estimated firework debris weight, the applicant was required to mitigate these impacts by collecting additional marine debris within Alamitos Bay, the beach areas along the bayside of the Peninsula, and the shoreline

¹³ Ocean Protection Council, Plastic Pollution <https://www.opc.ca.gov/programs-summary/marine-pollution/plastics/>

¹⁴ Ibid.

segments of Naples Island and Alamitos Bay to account for the difference in expected fireworks debris with fireworks debris collected following the event. Following last year's event, the applicant submitted a Fireworks Debris Monitoring report dated October 7, 2024. The report stated that a total of 380 grams (approximately 0.84 pounds) of fireworks debris was collected following the event, 100% of which was cardboard and paper. The report did not comment on the net explosive weight of the fireworks nor comment on any additional marine debris collection efforts pursuant to Special Condition 6 of CDP No. 5-24-0399. As previously stated, the debris collected following the fireworks show represents approximately 3.4% of the expected debris from the display. Given the applicant did not comment on the amount of debris collected beyond what was discussed in the monitoring report, it is unclear how much debris remains in the marine environment following each event.

The Event Alternatives Analysis asserts that although drone shows do not generate trash and debris in the same manner as a fireworks show, failure of the drones could result in hundreds of drones falling into coastal waters, thereby resulting in marine debris. The applicant's assertion is based on a reference to two drone shows in London and Melbourne in which an event of this nature occurred. The applicant maintained this conclusion in their Response to Comments Memo and provided an additional example of a drone show failure in Seattle last year. As discussed in the staff report for CDP No. 5-24-0399, the company responsible for the show in Seattle clarified that they provide 150-200 shows of this nature annually, with this being the first to experience a failure. Furthermore, the Federal Aviation Administration is investigating the incident, with the possibility that the drones were tampered with. Commission staff have continually followed up with the applicant regarding the frequency in which these sorts of drone failures occur and about the feasibility of recovering such debris. The applicant was not able to provide any data on drone failure rates but rather referred to the three examples provided above. The applicant contacted a local Long Beach drone operator to gain additional information regarding best management practices incorporated to avoid drone failures and mitigation measures if a drone failure were to occur. In an email dated March 23, 2025, the drone operator provided best management practices their company implements to avoid malfunctions, including scanning for interference, calibration tests and signal tests.

As previously stated, a drone show without incidents results in no marine debris or trash whereas a fireworks display, even in the absence of incidents such as unexploded shells, results in marine debris. Therefore, **Special Condition 1** requires revised final plans to eliminate the use of fireworks while still allowing the applicant to implement a drone show in lieu of a fireworks display in order to avoid impacts to water quality due to marine debris as a result of the aerial display. **Special Condition 1** further requires the applicant to prepare a best management plan (BMP) to reduce the risk of drone malfunctions during the event and to retrieve any drones that do not return to the drone staging area in the unlikely event of a malfunction.

The Commission also recognizes that the use of single-use plastics in food and beverage packaging or serviceware are seven of the top ten items found on California beaches and adjacent to marine waters. Taken together, food serviceware and food and

beverage packaging represent nearly 37% of the items found on the beach.¹⁵ Styrofoam or other single-use materials that often are used at temporary events could result in adverse effects to marine wildlife, since these materials can make their way to the ocean, causing fish, seabirds, sea turtles, and marine mammals to become entangled in or ingest plastic debris, which can lead to suffocation, starvation, and drowning. The elimination of non-reusable, non-recyclable, and non-compostable products and the reduction of packaging is an effective way to protect the health of wildlife and the environment.

The City of Long Beach Special Events office requires the applicant to submit a Waste Management Plan that includes recycling and plastic reduction measures in accordance with its special events permit. However, in order to ensure the protection of marine resources and water quality by minimizing plastic pollution, **Special Condition 4** requires the applicant to submit a Marine Debris Reduction Plan, meet all mandatory requirements, and implement a Service Plan for adequate recycling, trash bins, and compost. The Marine Debris Reduction Plan is intended to ensure that plastic pollution from the block party portion of the event does not enter the receiving waters of Alamitos Bay. In addition, **Special Condition 3** requires the applicant to obtain the necessary authorization from the City.

Runoff

The proposed event would occur in locations where there is potential for discharge of polluted runoff from the site into coastal waters. Having firework fuel, debris, and waste in a location where it could be carried into or fall into coastal waters may result in an adverse effect on the marine environment and water quality. Given the potential for adverse effects resulting from the proposed temporary event, the applicant is proposing a monitoring and reporting plan to assess and share information about impacts to water quality, consistent with previous approvals of CDP Nos. 5-23-0383 and 5-24-0399, which concluded the event did not have a deleterious effect on the receiving waters of the event area. According to the Big Bang on the Bay Water Quality Monitoring Results report submitted for last year's event, the following pollutant concentrations recorded numerically significant increases following the fireworks display: copper (455%), dissolved lead (56%), mercury (380%), dissolved nickel (271%), total recoverable titanium (145%), zinc (88%), dissolved zinc (165%), and nitrate (116%). The report asserts the presence of hundreds of boats in the vicinity of the fireworks display is a likely cause of the increased concentration of dissolved metals. This assertion is likely inaccurate given the pre-event water quality sample was collected shortly before the fireworks display began once the barge was in position for the fireworks show. Therefore, a similar number of boats would have been in the vicinity during the pre-event sample as the post-event sample. Additionally, the first post-event sample was collected within the debris fallout zone ([Exhibit 3](#)) shortly after completion of the fireworks show, which is closed to boat traffic 30 minutes prior to and during the show

¹⁵ Ocean Protection Council, California Ocean Litter Prevention Strategy, June 2018
https://opc.ca.gov/webmaster/media_library/2018/06/2018_CA_OceanLitterStrategy.pdf

according to the City of Long Beach Fire Department, meaning there would be no boater traffic within the debris fallout zone for approximately 50 minutes. Furthermore, several of the aforementioned pollutant concentrations listed are commonly found in fireworks, including lead, titanium, and copper. In fact, according to the monitoring report, 26 out of 42 (62%) fireworks-related pollutants showed elevated concentrations in the water in at least one location in the post-event samples compared to pre-event samples.

Commission staff requested the applicant provide a robust discussion from their environmental consultant regarding the elevated pollutant concentrations during the 2024 event. The applicant's consultant, Pi Environmental, LLC, submitted a letter in response to Commission staff's request dated April 9, 2025. The applicant's consultant dismissed Commission staff's concerns regarding several of the increased metal concentrations by asserting dissolved metals are more important to aquatic health than total metal concentrations. According to the Commission's water quality senior environmental scientist, Dr. Hollie Hall, their discussion on elevated concentrations therefore focused solely on bioavailable metals without considering the process by which total metal concentrations can transform into bioavailable forms over time. Dr. Hall notes that heavy metals bioaccumulate in aquatic environments and may become bioavailable gradually, leading to degradation of aquatic habitats. Therefore, the consultant's discussion is incomplete and not directly relevant to the key concerns regarding firework event-related degradation of coastal water quality. The consultant's letter again attributed elevated metal concentrations to several potential sources, including "anchor chains, mooring shackles, boats rubbing docks, and ablative boat paints," however, as previously discussed, the samples detected elevated increases in pollutant concentrations following the fireworks display, while these other potential sources were present throughout the duration of the event.

The consultant's letter further asserted that the pollutant concentration sampling did not detect perchlorate before or after the show, therefore metal concentration increases cannot be attributed to the fireworks. Dr. Hall dismissed this assertion by clarifying that the Pollution Control section of the Los Angeles Regional Water Quality Control Board's (LARWQCB) *Waste Discharge Requirements for Discharges of Residual Fireworks Pollutants from Public Fireworks Displays to Surface Waters in Los Angeles and Ventura Counties*¹⁶ states that minimizing adverse impacts from discharges should include using alternative fireworks that eliminate perchlorate in favor of other oxidizers and biodegradable components. Therefore, compliance with LARWQCB's Fireworks Order is expected to significantly reduce perchlorate, and as such, measurable concentrations should not be present if the event adheres to those requirements. Finally, the consultant's letter asserted that although some pollutant concentrations demonstrated increases following the fireworks display, the concentrations remain below criteria established by the State for the preservation of aquatic health, the

¹⁶ [Waste Discharge Requirements for Discharges of Residual Fireworks Pollutants from Public Fireworks Displays to Surface Waters in Los Angeles and Ventura Counties](#), Los Angeles Regional Water Quality Control Board.

Criterion Maximum Concentration. Dr. Hall concludes that although post-event pollutant concentrations did not exceed established toxicity thresholds, several showed substantial increases as identified previously. These results provide clear evidence that the event led to measurable water quality degradation. Therefore, Commission staff requested an analysis of alternatives to the use of fireworks in order to avoid adverse impacts to water quality.

The applicant's Event Alternatives Analysis evaluated potential impacts to water quality. The analysis determined that water-based fireworks shows pose medium to high potential impacts to water quality, while land-based fireworks shows and drone shows pose low to medium potential impacts to water quality. The analysis' conclusion that a drone show would impose water quality impacts was based on similar drone failure findings as those discussed above in relation to marine debris with a note that the batteries from failed drones could negatively impact water quality. The applicant's Response to Comments Memo defended the assertions of the Event Alternatives Analysis regarding the possibility of drones contaminating coastal waters. As discussed above, the likelihood of such an event is very small. In any case, **Special Condition 1(A)(vi)** requires the applicant to submit a drone retrieval plan in the event that any drones associated with the show do not return to the drone staging area.

Due to the proposed fireworks shows' potential to increase pollutant concentrations of coastal waters in the vicinity of the event, the Commission imposes **Special Condition 1**, requiring the applicant to submit revised final plans to eliminate the use of fireworks while still allowing for implementation of a drone show in lieu of a fireworks display in order to minimize adverse impacts to the marine environment from pollutants entering coastal waters from the proposed event pursuant to Coastal Act Sections 30230 and 30231.

Conclusion

The Commission finds that the event has been proposed and conditioned to maintain marine resources and sustain the biological productivity of and quality of coastal waters in the vicinity of the event area. Thus, the proposed event as conditioned is consistent with the marine resource and water quality protection policies of the Coastal Act.

D. Public Access and Recreation

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30212 of the Coastal Act states, in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby[...]

Section 30213 of the Coastal Act states, in relevant part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30214 of the Coastal Act states, in relevant part:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- (1) Topographic and geologic site characteristics.
- (2) The capacity of the site to sustain use and at what level of intensity.
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.
- (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot be readily provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or

commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30223 of the Coastal Act states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30252 of the Coastal Act states, in relevant part:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, ... (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation ...

Alamitos Bay Landing is a visitor-serving tourist destination consisting of a shopping center, public parking, boating docks/marina basins, numerous restaurants, and the Long Beach Marina Headquarters. The project site is also adjacent to the AquaLink terminal (Berth 3), an important lower-cost, public water taxi service operated by Long Beach Transit between Alamitos Bay and the Long Beach Downtown area (Rainbow Harbor and the Queen Mary Seaport), which would be closed during the event ([Exhibit 2](#)). Alamitos Bay Landing has accommodated large events and activities in the past, including the annual Big Bang on the Bay celebrations since 2011. City of Long Beach Planned Development District PD-4, which is part of the certified City of Long Beach LCP, includes a list of primary permitted uses for Subarea One where the proposed event would be located. PD-4 includes visitor-serving commercial uses that support or enhance public opportunities for coastal recreation, including retail uses, personal, restaurant/entertainment, and professional uses. The Commission thus finds that this area is generally appropriate for visitor-serving events with commercial elements that are open to the public.

The proposed project is five years of an annual temporary block party and fireworks event, which would include music, catering, and aerobatic shows with net proceeds going to nonprofits that support the community. Parts of the Alamitos Bay Landing would temporarily be developed with fencing and other structures that restrict the general public from using a public road, public parking, public walkways and areas, and boating docks. It is estimated that during the proposed temporary event, the general public, with the exception of the event attendees, would be excluded from approximately 1.5 acres of Alamitos Bay Landing.

The parking supply for the proposed event is the 330-space public parking lot that serves the Alamitos Bay Landing (formerly Seaport Village) shopping center ([Exhibit 1](#)). The block party will involve the temporary use and closure of public walkways, public areas, approximately 50 parking spaces, and part of the Marina Drive right-of-way north of the Boathouse on the Bay restaurant in Alamitos Bay Landing for approximately 24

hours ([Exhibit 2](#)). Thus, as proposed, the event could pose an adverse impact to public access to and along the shore.

The block party would require an entry fee of \$85 per adult and \$35 per child, with options for premium VIP seating at higher price points. In addition, while the general public would not be able to access or use this portion of the Alamitos Bay Landing during the event, there would still be aspects of the event available to the nonticketed public, including the aerial displays. In past years, hundreds of thousands are reported to have gathered at public spaces throughout coastal Long Beach and Seal Beach to watch the fireworks. Although **Special Condition 1** requires the applicant to submit revised final plans to eliminate the use of fireworks while still allowing for a drone show, the drone show alternative would additionally be viewable for members of the public, similar to previous fireworks shows. Thus, as proposed and conditioned, the project would only have short-term public access impacts and would still support some public access and recreation opportunities during the event.

Coastal Act Sections 30220 and 30221 encourage the protection of existing recreational boating and other coastal-dependent, water-oriented uses. As proposed, Berths 1-3, on the western side of Alamitos Bay Landing, will not be available for pedestrian or boater use ([Exhibit 2](#)). To ensure consistency with the aforementioned Coastal Act policies, the applicant must maintain access to all boat slips surrounding the event area. **Special Condition 5(B)** provides that the applicant must grant boater access to all boater docks, headways, and gangways within the vicinity of the block party site for the entire duration of the event. If entry to the boat slips is to be done through the temporarily gated and ticketed block party area, then the applicant is required to expressly allow boater access to Basin One slips, Berths 1-3, and Marine Bureau docks. The applicant is required to include adequate informational signage for boaters to realize their access. Furthermore, **Special Condition 3** requires the applicant to seek authorization from the U.S. Coast Guard, as applicable, to ensure safe navigation and recreational boating during the event. Finally, in order to allow the public to easily identify the open public accessways, **Special Condition 5(C)** requires the applicant to install signage in various languages in accordance with the City's Language Access Policy for wayfinding and to denote the public access areas vs. the fee-ticketed block party areas. The public access signage must be clearly visible, legible, and located near all access points open to the public during the temporary event.

The applicant's Event Alternatives Analysis considered non-environmental factors that relate to public access, including event attendance. The analysis concluded that a water-based fireworks show would result in the highest event attendance, with a drone show drawing the lowest attendance to the paid event. The low score attributed to a drone show was in part due to the visibility of the show from other locations, noting that a drone show at approximately 400-feet in elevation would be more visible from alternative locations than that of a fireworks show at 150-feet in elevation. This, however, would infer that a drone show would increase public access as opposed to the fireworks alternatives given the increased visibility from alternative locations. This additionally would increase free public access to view the event. The Response to Comments Memo prepared by Pi Environmental, LLC, did not provide further comments

regarding public access, but further discussed the feasibility of preparing a drone show to take place over Alamitos Bay. The memo asserts that it is not possible to hold a drone show over Alamitos Bay due to health and safety concerns, as well as required safety perimeters from members of the public. The Response to Comments Memo then provided an example of a child being struck by a drone in Florida in December of 2024 to support their assertions that a drone show over Alamitos Bay would not be safe. Although such instances have been recorded, they are highly uncommon. Conversely, according to the U.S. Consumer Product Safety Commission¹⁷, fireworks were the cause of approximately 9,700 injuries requiring treatment in U.S. hospital emergency departments in 2023. Additionally, there are public firework displays in the vicinity to celebrate the Fourth of July, and a drone show here would offer an alternative celebratory display.

Commission staff contacted a local drone operator on April 8, 2024, to learn about the feasibility of preparing a drone show over Alamitos Bay. The local operator confirmed there are several locations adjacent to Alamitos Bay that could be used as a staging area for a drone show, including the end of N Marina Drive and along the sandy beach adjacent to 65th Place and 69th Place ([Exhibit 5](#)). In order to provide adequate safety buffers and ensure drones are not flown above members of the public, a drone show would require approximately 450,000 sq. ft. of closed space during the show, primarily located over Alamitos Bay. In contrast, the proposed fireworks show requires a 600 ft. fallout radius, or 1,130,973 sq. ft. space surrounding the barge in Alamitos Bay, to be closed to members of the public 30 minutes prior to and during the fireworks display. Therefore, the proposed fireworks display requires temporary closure of approximately 680,000 sq. ft. of additional space, or 2.5 times the space compared to a drone show alternative. Based on this, the drone show alternative would reduce conflict between recreational boaters during the show and minimize temporary closure of Alamitos Bay. Therefore, the Commission imposes **Special Condition 1**, requiring the applicant to submit revised final plans to eliminate the use of fireworks while still allowing for a drone show, including a drone staging plan to minimize any temporary impacts to public access in lieu of the proposed fireworks show.

The drone show alternative requires a drone staging area on land for takeoff and landing. A local drone show operator confirmed a 3,600 sq. ft. staging area (included in the 450,000 sq. ft. estimate) would be required for a drone show including 500 drones, which would be appropriate for the proposed event. Similar Fourth of July drone shows have used 500 drones for a display in other coastal California cities, including Ventura, which utilized the sandy beach for a staging area. Although the fireworks display would not require closure of any space on land, as previously discussed, the fireworks display requires closure of 2.5 times the space a drone show requires. The operator also stated set up for the show would take approximately six hours, with restoration of the site following the show taking one to two hours. Therefore, any temporary public access impacts associated with the drone show would occur within a shorter timeframe than set up for the block party, which would take place from approximately 2:00 p.m. on July 3rd

¹⁷ U.S. Consumer Product Safety Commission, [2023 Fireworks Annual Report](#)

until 10:00 a.m. on July 4th. Additionally, the remainder of the sandy beach and other public spaces not utilized for the drone staging area would remain open to the public throughout the duration of the event.

Following the 2023 Big Bang on the Bay event, Commission enforcement staff confirmed the event was held in non-compliance with several special conditions related to public access. Specifically, the event prevented public access with private security guards, fencing, and ropes along the pedestrian sidewalks along the western and eastern bulkheads adjacent to Boathouse on the Bay and Alamitos Bay in violation of Special Conditions 7(A) and (C) of CDP No. 5-23-0383. Commission enforcement staff sent a letter to John Morris, the agent for the subject application and agent of CDP No. 5-23-0383, on June 4, 2024, regarding these violations. The Boys and Girls Club of Long Beach was the applicant of last year's event, and submitted a Public Access Compliance report on October 11, 2024, pursuant to Special Condition 7(D), confirming last year's event was held in compliance with the public access conditions of CDP No. 5-24-0399.

Section 30210 of the Coastal Act requires access to be maximized for all people. According to the U.S. Department of Veteran Affairs, fireworks displays commonly cause distress to veterans due to the sounds, intense light or smells they produce. A drone show would not produce the sounds, intense light or smells that occur during a fireworks display, thereby providing an alternative that is more inclusive of individuals who experience various forms of sensory sensitivities, which expands access to the event consistent with Section 30210 of the Coastal Act. Given the temporary public access impacts due to the proposed event, the Commission imposes **Special Condition 5(A)**, which requires the applicant to maintain public access to and along the public bulkhead walkways during the entirety of the event. This public access area must be kept clear of event-related structures and other obstructions, and, in particular, the fence surrounding the temporary block party shall not impede such access. The condition further requires event staff to ensure that access to and along the publicly available walkways remains open and is not significantly impacted by the event. Due to the violations of the public access special conditions of CDP No. 5-23-0383 by the subject applicant, **Special Condition 5(D)** requires the applicant to submit a Public Access Compliance Report after the event to ensure public access was maintained during the event in compliance with **Special Conditions 5(A-C)**.

The State Tidelands Grant limits the use of tidelands to uses that further the Public Trust. The City of Long Beach, as custodian of the Public Trust in this area, may find that private uses like a paid private event, even if temporary, may not be consistent with the terms and conditions of the Legislature's grant of the State Tidelands. Thus, in order to ensure that the proposed project, including all of the proposed uses, is consistent with the applicable State Tidelands Grant, **Special Condition 3** requires the applicant to provide written documentation to the Executive Director that the City of Long Beach, including the Office of Special Events and Marine Bureau, approves the temporary event.

Conclusion

As conditioned, the Commission finds that the annual one-day event would not adversely affect coastal visitors generally and, in fact, will provide public attraction in an urban setting in and around the event area. Thus, the proposed event, as conditioned, is consistent with the public access and recreation policies of the Coastal Act.

E. Fire Hazards and Air Pollution

Section 30253 of the Coastal Act states, in relevant part:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard[...]
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.

Fire Hazards

Launching fireworks during the summer fire season raises the question of whether such an activity could increase fire hazard. In this case, the proposed fireworks would be launched over the water and viewed from surrounding public and residential areas. Coastal areas are often the preferred venue for celebrations with fireworks displays in California because they optimize public viewing opportunities while minimizing fire hazards that are associated with such displays. However, in windy conditions, such displays still have the potential of igniting adjacent vegetation. According to the Office of the State Fire Marshal, launching fireworks is prohibited if surface wind speeds at the launch site exceed 20 mph¹⁸. Similarly, the applicant contacted a local drone operator who confirmed the drones they use for a drone display are rated to fly in wind speeds up to 20 mph. The applicant's Event Alternatives Analysis did not analyze potential fire hazard impacts, nor did the Response to Comments Memo. The Commission finds that a drone show would pose a lower fire hazard risk than fireworks alternatives, therefore, the Commission imposes **Special Condition 1**, requiring the applicant to submit revised final plans to eliminate the use of fireworks while still allowing for a drone show in lieu of a fireworks display. To ensure consistency with Coastal Act Section 30253(a), **Special Condition 3** requires the applicant to obtain authorization from the Long Beach Fire Department and Federal Aviation Administration prior to the drone show to ensure adequate precautions are taken to protect public health and safety.

Applicants are regularly required to acknowledge inherent hazards and agree to waive any claims of liability on the part of the Commission for allowing potentially hazardous development to proceed. This allows for such potentially hazardous development or

¹⁸ [Fireworks Law & Regulations](#), California Department of Forestry and Fire Protection, Office of the State Fire Marshal Fire Engineering Division.

events to occur while avoiding placing the economic burden for damages onto the people of the State of California. Accordingly, this approval is conditioned for the applicant to assume all risks for developing at this location (**Special Condition 8**). In addition, Coastal Act Section 30620(c)(1) and section 13055(g) of Title 14 of the California Code of Regulations authorize the Commission to require applicants to reimburse the Commission for expenses incurred in processing CDP applications. Thus, the Commission is authorized to require reimbursement for expenses incurred in defending its actions on pending CDP applications in the event that the Commission's action is challenged by a party other than the applicant or its authorized agents, in most circumstances. Therefore, consistent with this authority, the Commission imposes **Special Condition 9** requiring reimbursement for any costs and attorneys' fees that the Commission incurs in connection with the defense of any action brought by a party other than the applicant or its authorized agents challenging the approval or issuance of this CDP, or challenging any other aspect of its implementation, including with respect to condition compliance efforts.

Air Quality

Coastal Act Section 30253(c) requires development to be consistent with requirements imposed by the regional or state air pollution control district. The air pollution control district for this area is the South Coast Air Quality Management District (SCAQMD), which is a regulatory agency responsible for inspecting and controlling emissions from primarily stationary sources of air pollution. SCAQMD recognizes that fireworks, while temporary, emit high levels of particulate matter (including PM2.5 and PM10), as well as metal air pollutants, all of which can contribute to a variety of negative health effects. High levels of these pollutants can lead to a wide variety of cardiovascular and respiratory health effects such as heart attacks, asthma aggravation, decreased lung function, coughing and difficulty breathing.

Air quality on and around the Fourth of July holiday varies each year depending on the number of firework displays as well as weather conditions but typically reaches 'Very Unhealthy' or 'Hazardous' levels in Southern California due to numerous fireworks events. Especially during the summer months, the typical regional weather pattern becomes stagnant, and an inversion layer develops with warm, subsiding air from above. While the coastal areas of the City of Long Beach enjoy a coastal breeze and, at times, a marine layer beneath the shallow inversion, particulate matter and emissions from fireworks tend to become trapped near the surface along with other airborne contaminants or smoke from wildfire, which can exacerbate impacts to air quality.

The applicant's Event Alternatives Analysis evaluated potential impacts to air quality and concluded that a drone show would pose low potential for air quality impacts, while a water-based fireworks show poses low to medium potential for impacts and a land-based fireworks show poses medium to high potential for impacts. The Commission concurs with these conclusions. Therefore, based upon the conclusions of the applicant's Event Alternatives Analysis, which concludes a drone show poses a lower potential to adversely affect air quality in the event vicinity, the Commission imposes

Special Condition 1, requiring the applicant to submit revised final plans to eliminate the use of fireworks while still allowing for a drone show in lieu of a fireworks display.

F. California Environmental Quality Act

The City of Long Beach is the lead agency, and the Commission is a responsible agency, for the purposes of the California Environmental Quality Act ("CEQA"). On December 30, 2024, the City of Long Beach, the lead agency for CEQA, determined that the proposed event is categorically exempt from CEQA, finding that the proposed event constitutes minor temporary use of land with no adverse impacts to the environment.

Section 13096 of the Commission's administrative regulations requires Commission approval of coastal development permit (CDP) applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment. The Commission's regulatory program for reviewing and granting CDPs has been certified by the Resources Secretary to be the functional equivalent of CEQA (14 CCR § 15251(c)).

The preceding coastal development permit findings in this staff report have discussed the relevant coastal resource issues with the proposal, and the permit conditions identify appropriate mitigations to avoid and/or lessen any potential for adverse impacts to said resources. The Commission incorporates these findings as if set forth here in full. As conditioned, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact, individual or cumulative, which the proposed event would have on the environment. Therefore, the Commission finds that the proposed development, as conditioned, can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- Coastal Development Permit No. 5-23-0383 and associated file documents.
- Coastal Development Permit No. 5-24-0399 and associated file documents.
- Coastal Development Permit Application No. 5-25-0002 and associated file documents.