

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.:	5-25-0649
Applicant:	City of Long Beach; Attention: Todd Leland
Agent:	Tetra Tech, Attention: Rafael Holcombe
Location:	205 North Marina Drive, Long Beach, Los Angeles County (APN: 7242-011-900)
Project Description:	Demolition of the existing 1,215 sq. ft. Berth 1 wood floating dock and 1,035 sq. ft. Berth 2 wood floating dock, two concrete access platforms at the end of the piers and two gangways and construction of one new 2,250 sq. ft. concrete floating dock, 27 sq. ft. concrete landing, and 480 sq. ft. aluminum gangway with a grated deck. Post project, the Berth piers will be repurposed from leading to the floating docks to now being public piers.
Staff Recommendation:	Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The proposed project includes the demolition of two existing wood floating docks, two concrete planks at the end of the piers, and two gangways, known as Berths 1 and 2; and the construction of one new concrete floating dock, a concrete landing, and an aluminum gangway with a grated deck. Post project, the existing berth piers will be repurposed from providing exclusive private access to the docks (which are proposed to be demolished and replaced with one new larger dock) to observational decks available

to the general public during daylight hours. The project site is located on, over, and adjacent to the waters (public tidelands) of Alamitos Bay, near the marina entrance channel and the Alamitos Bay Landing (formerly Seaport Village).

The project was previously scheduled for the September 2026 Commission hearing with the understanding that the proposed project would not take place during the bird nesting season. However, prior to the hearing, the City clarified that some of the project would take place during the bird nesting season. As such, the project was postponed from the September 2026 Commission hearing. The staff report has been revised to clarify that the proposed work will take place during the proposed bird nesting season. In addition, letters of support and those raising issues were received. One letter raised the issue of the need of a previously imposed temporary bird deterrent plan special condition and with the proposed plexi-glass guardrails. Commission staff agrees that the need for a temporary bird deterrent plan is no longer necessary as the breeding and nesting bird surveys during construction special condition (**Special Condition 3**) is already imposed. In addition, a special condition has already been imposed that requires that the proposed plexi-glass guardrails materials be replaced with a bird safe material (**Special Condition 1**).

The same letter raises issue with the birds identified in **Special Condition 3(B)** (breeding and nesting bird surveys during construction) stating that no construction activities should be allowed within 300 ft of any shorebirds or wading birds. To address this concern, subsection (B) has been revised to apply to active nests of any bird.

The other issue raised in the letter is that the proposed signage plan should include language identifying Los Alamitos Bay Marina as a historic site of a coastal bird rookery. The proposed project does not include a component that deals with Los Alamitos Bay Marina as a historic site of a coastal bird rookery. However, as proposed and conditioned, potential impacts to coastal birds are avoided with the proposed project. As such, educational signage identifying the marina as a historic site of a coastal bird rookery included as part of the signage plan are not necessary

Another issue raised in this letter is that existing bird deterrents (spikes) should be removed from all docks in the Alamitos Bay Marina because Western Gulls have nested on Berths 1 and 2, and therefore alternative nesting sites be provided for Western Gulls. The photographs appended to the letter indicate that in 2021, one nest was established on the existing capped pier pilings, suggesting that the piers likely have supported a few pairs in the past. Additionally, the photographed nests were directly next to cleats used to tie off boats, which also suggest that young raised at these nests may have been at high risk from typical use of the infrastructure. However, passive physical bird deterrents serve an important function and are used on docks to prevent human-wildlife conflict and discourage nesting in locations that are precarious to juvenile birds. Second, western gulls are a common species that do not exhibit nest site fidelity, are not colonial nesters, and appear to have used this site incidentally in the past. Bird

deterrents on other docks outside of the subject project are unrelated to the application before the Commission, and the Commission's ecology staff have concluded that, as proposed, the project will not have significant impacts on birds, and, thus, no mitigation is required.

The second letter received that raised issues dealt with the use of un-encapsulated polystyrene which may be used as part of the floating portion of the proposed dock and may potentially break down and enter the water, causing adverse impacts to ocean water quality. The Commission shares the water quality concern and has confirmed with the city that polystyrene plastic will be used and that it will be encased. The other issue raised was if the proposed new dock would extend further out into Alamitos Bay. The new proposed dock will not extend out any further into Alamitos Bay than the existing dock. Thus, there is no new encroachment into Alamitos Bay.

The primary issues raised by this project concern protection of marine resources/water quality and public access. Thus, Commission staff is recommending special conditions to ensure consistency with the marine resources and water quality and public access and recreation policies of the Coastal Act.

In addition, the proposed project is located in an area where marine resources are located and potential impacts could occur. Nesting birds have been found within the project site and the City has indicated that work will take place during the bird nesting season. To ensure that nesting birds are not impacted, staff recommends the Commission impose **Special Condition 3**, which requires breeding and nesting bird surveys during construction and the City accepts this special condition. While eelgrass is not anticipated to be impacted by the proposed project, it is located nearby. Thus, staff recommends the Commission impose **Special Condition 5**, which requires pre- and post-construction eelgrass surveys.

While the project proposes to enhance public access with the addition of new public observation decks, signage clearly indicating its availability a free public amenity is not proposed. Thus, staff recommends the Commission impose **Special Condition 8**, which requires submittal of a Final Public Access Signage Plan, which will require signage indicating that the piers are available to the public as observational platforms during daylight hours.

In addition to these special conditions, several other special conditions are recommended to address coastal resource concerns. These include special conditions addressing or requiring revised final plans, water quality protection measures (pre- and post-construction), pre-construction *Caulerpa sp.* surveys, lighting plans, and construction staging plans. If approved with conditions to protect marine resources and water quality and public access, the proposed project will conform with the Chapter 3 policies of the Coastal Act with the City of Long Beach LCP as guidance.

Thus, staff recommends that the Commission **APPROVE** CDP Application No. 5-25-0649 with **TEN** special conditions. The motion to carry out the staff recommendation is on page **FOUR**. The special conditions begin on page **FIVE**.

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EXHIBITS

Exhibit No. 1 – Location Map

Exhibit No. 2 – Existing Site Plan

Exhibit No. 3 – Proposed Site Plan

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit No. 5-25-0649 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 Commissioners present.

Resolution:

The Commission hereby approves a 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 and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. 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 will 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. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided that the assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

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

III. SPECIAL CONDITIONS

1. Submittal of Revised Final Plans.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and written approval of the Executive Director, two sets of Revised Final Plans that have been reviewed and approved by the City of Long Beach Planning Department. The revised plans shall substantially conform with the plans submitted to the Commission on November 5, 2025, except that they shall be modified as required below:
- i.** The surface material for the Berth 1 and Berth 2 piers will be revised to a self-leveling concrete surface layer;
 - ii.** Remove any identified previously proposed tree removal; and
 - iii.** To minimize bird-strike hazards, any proposed glass railings will be replaced with bird safe glass or frosted or etched glass screens or will be replaced with a different type of material (i.e. metal fence, etc.).
- B.** All revised plans shall be prepared and certified by a licensed professional or professionals as applicable (e.g., architect, surveyor, geotechnical engineer), based on current information and professional standards, and shall be certified to ensure that they are consistent with the Commission's approval and with the recommendation of any required technical reports.
- C.** The revised plans submitted to the Executive Director shall bear evidence of Approval-in-Concept of the revised design from the City of Long Beach Planning Department.
- D.** 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. Water Quality

A. Construction Responsibilities and Debris Removal

- (1)** No demolition or construction materials, equipment, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain or tidal erosion and dispersion;

- (2) Any and all debris resulting from demolition or construction activities, and any remaining construction material, shall be removed from the project site within 24 hours of completion of the project;
- (3) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters;
- (4) Machinery or construction materials not essential for project improvements will not be allowed at any time in the intertidal zone;
- (5) If turbid conditions are generated during construction a silt curtain will be utilized to control turbidity;
- (6) Floating booms will be used to contain debris discharged into coastal waters and any debris discharged will be removed as soon as possible but no later than the end of each day;
- (7) Non buoyant debris discharged into coastal waters will be recovered by divers as soon as possible after loss;
- (8) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;
- (9) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;
- (10) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required;
- (11) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- (12) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems;
- (13) The discharge of any hazardous materials into any receiving waters is prohibited;

- (14) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible;
- (15) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity; and
- (16) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

B. Best Management Practices Program

By acceptance of this permit the applicant agrees that water-borne berthing of boat(s) in the approved dock and/or boat slip will be managed in a manner that protects water quality pursuant to the implementation of the following BMPs.

- (1) Boat Cleaning and Maintenance Measures:
 - a. In-water top-side and bottom-side boat cleaning shall minimize the discharge of soaps, paints, and debris;
 - b. In-the-water hull scraping or any process that occurs under water that results in the removal of paint from boat hulls shall be prohibited. Only detergents and cleaning components that are designated by the manufacturer as phosphate-free and biodegradable shall be used, and the amounts used minimized; and
 - c. The applicant shall minimize the use of detergents and boat cleaning and maintenance products containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye.
- (2) Solid and Liquid Waste Management Measures:
 - a. All trash, recyclables, and hazardous wastes or potential water contaminants, including old gasoline or gasoline with water, absorbent materials, oily rags, lead acid batteries, anti-freeze, waste diesel, kerosene and mineral spirits will be disposed of in a proper manner and will not at any time be disposed of in the water or gutter.

(3) Petroleum Control Management Measures:

- a. Boaters will practice preventive engine maintenance and will use oil absorbents in the bilge and under the engine to prevent oil and fuel discharges. Oil absorbent materials shall be examined at least once a year and replaced as necessary. Used oil absorbents are hazardous waste in California. Used oil absorbents must therefore be disposed in accordance with hazardous waste disposal regulations. The boaters will regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. The use of soaps that can be discharged by bilge pumps is prohibited;
- b. If the bilge needs more extensive cleaning (e.g., due to spills of engine fuels, lubricants or other liquid materials), the boaters will use a bilge pump-out facility or steam cleaning services that recover and properly dispose or recycle all contaminated liquids; and
- c. Bilge cleaners which contain detergents or emulsifiers will not be used for bilge cleaning since they may be discharged to surface waters by the bilge pumps.

(4) Leakage Measures:

- a. Any leakage or spills must be immediately reported to the management team, Long Beach Fire Department and/or the City of Long Beach Hazmat Team.
- b. In the event of leakage or spill of hazardous materials to the marine environment, the source of the leakage or spill is terminated immediately.
- c. All tenant vessels should have absorbent pads on board. This product should be an oil-only absorbent product which soaks up hydrocarbons – gasoline, diesel fuel, oil, hydraulic fluids- but not water. Other absorbent products that “eat” hydrocarbons are not allowed. No boater shall pour loose remediation productions or spray any remediation products on the water at any time.

3. **Breeding and Nesting Bird Surveys During Construction.** For any construction activities, between January 15th and September 1st, the permittee shall retain the services of a qualified biologist with experience in conducting bird behavior, nesting bird, and noise surveys (hereinafter, “biologist”) to conduct said surveys in order to assess bird behavior, the presence of nesting birds including, but not limited to, black-crowned night herons, great blue herons, great egrets, and snowy egrets, and to document ambient and project

noise levels. All project construction and operations shall be carried out consistent with the following:

- A.** The permittee shall ensure that a qualified biologist shall conduct the surveys 15 calendar days prior to the construction activities to detect any active bird breeding behavior or active bird nests in all trees within 500 ft. of the project and to document ambient and project noise levels. A follow-up survey must be conducted three (3) calendar days prior to the initiation of project activities and nest surveys must continue on a monthly basis throughout the nesting season or until the project is completed, whichever comes first. All bird breeding behavior, nesting bird, and noise surveys shall be submitted to the Executive Director within two (2) days of completion.
- B.** If an active nest(s) of any bird or is found within 300 ft. of the project or bird nesting or courtship behavior is observed within the project site, the applicant's biologist shall monitor bird behavior and construction noise levels. The nest(s) and nesting bird(s) shall not be removed or disturbed. The biologist shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The biologist shall monitor birds and noise every day at the beginning of the project and continuing throughout all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below the demonstrated ambient noise levels or a peak of 65 dB at the nest site(s). If construction noise exceeds the ambient noise levels or a peak level of 65 dB at the nest site(s), sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce noise levels, construction shall cease and shall not recommence until either new sound mitigation can be employed or the birds have fledged.
- C.** If an active nest of a federally or state-listed threatened or endangered species, bird species of special concern, or designated migratory bird under the federal Migratory Bird Treaty Act, is found within 300 ft. of the project, or an active nest for any species of raptor is found within 500 ft. of the project, the permittee shall notify the appropriate state and/or federal wildlife agencies within 24 hours, and appropriate action specific to each incident will be developed. The permittee shall notify the California Coastal Commission by e-mail within 24 hours and consult with the Commission regarding determinations of state and federal wildlife agencies.
- D.** The permittee must cease work if informed by the biologist that proceeding with any development authorized by this permit would adversely affect breeding or nesting birds, and shall consult with the appropriate federal and/or state wildlife agencies as well as the Commission Executive Director on appropriate steps to protect breeding or nesting birds. The permittee shall

immediately notify the Commission Executive Director if activities outside of the scope of the subject Commission-approved project occur. If the Commission Executive Director determines that significant impacts or damage to sensitive habitats or to wildlife species has occurred, the permittee shall submit an application to the Commission to amend this permit to include appropriate mitigation and/or restoration measures.

- E. If the relevant state or federal wildlife agencies require modifications to the project to protect nesting or breeding birds, the permittee shall obtain an amendment to this permit unless the Commission Executive Director determines that amending the permit is not legally required.

4. Final Lighting Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, two (2) sets of a Final Lighting Plan that incorporates the following requirements:

- A. Exterior night lighting for all development shall be designed, installed, and, where applicable, retrofitted to minimize all forms of light pollution, including light trespass, glare, and sky glow consistent with the following:
 - a. Lighting shall be of low glare design.
 - b. No skyward-casting lighting shall be used.
 - c. Lighting shall use the best available visor technology to minimize light spill and direct/focalize lighting downward. All lighting shall be shielded and directed downward. Lighting fixtures shall be cut-off type fixtures that divert lighting downward onto the property and shall not cast light onto adjacent properties, roadways or waterways.
- B. All temporary lighting used for construction and security shall not include skyward-casting lighting or flashing lights. All construction and security lighting shall divert lighting downward onto the property and shall not cast light onto adjacent properties, roadways or waterways.
- C. The lowest intensity lighting shall be used that is appropriate to the intended use of the lighting. Lighting shall use the best available technology and a lighting spectrum designed to minimize lighting impacts on sensitive bird species. Specifications for all permanent and temporary lighting, including those used for security lighting or the operation of construction equipment, if performed at night, shall be included, with light temperatures maintained at 2,700 Kelvin (in no case shall exceed 3,000 Kelvin) and a foot candle value of no higher than 0.01 fc (lm./ft.) incident along the property's waterfront edge.
- D. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans

shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. Eelgrass Survey(s)

- A. Pre-Construction Eelgrass Survey.** A valid pre-construction eelgrass survey (whether for *Zostera marina* or *Z. pacifica*) shall be completed for the project site and a 10m buffer area by the Permittees during the period of active eelgrass growth (this period varies in different regions; consult the CEMP for the relevant season in the project area). The pre-construction survey shall be completed no more than 60 days prior to the beginning of construction and shall be valid until the next period of active growth. If any portion of the project is subsequently proposed to occur in a previously unsurveyed area, a new survey is required during the active growth period for eelgrass in that region and no more than 60 days prior to commencement of work in that area. The eelgrass survey and mapping shall be prepared in full compliance with the CEMP, and in consultation with the National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW). If side-scan sonar methods will be used, evidence of a permit issued by the California State Lands Commission (CSLC) for such activities shall also be provided prior to the commencement of survey work. The applicant shall submit the pre-construction eelgrass surveys for review and approval by the Executive Director within five (5) business days of completion of each eelgrass survey and in any event, no later than fifteen (15) business days prior to commencement of any development. If eelgrass surveys identify any eelgrass within the project area, which may be potentially impacted by the proposed project, the Permittees are required to complete post-project eelgrass surveys consistent with subsection B (below).
- B. Post-Construction Eelgrass Survey.** If any eelgrass is identified in the project site or the 10m buffer area by surveys required in subsection A of this condition (above), within 30 days of completion of construction, or within the first 30 days of the next active growth period following completion of construction that occurs outside of the active growth period, the permittee shall survey the project site and the 10m buffer area to determine if any eelgrass was adversely impacted. The survey shall be prepared in full compliance with the CEMP adopted by the NMFS (except as modified by this special condition), and in consultation with the CDFW. If side-scan sonar methods are to be used, evidence of a valid permit from CSLC must also be provided prior to the commencement of each survey period. The applicant shall submit the post-construction eelgrass survey for the review and approval of the Executive Director within thirty (30) days after completion of the survey. If any eelgrass has been adversely impacted, the applicant shall replace the impacted eelgrass at a minimum final 1.38:1 (mitigation:impact) ratio on-site, or at another location, in accordance with the CEMP. Any exceptions to the required 1.38:1 minimum final mitigation ratio

found within the CEMP shall not apply. Based on past performance of eelgrass mitigation efforts, in order to achieve this minimum, the appropriate regional initial planting ratio provided in the CEMP should be used. Implementation of mitigation to ensure success in achieving the minimum final mitigation ratio (1.38:1) shall require an amendment to this permit or a new coastal development permit unless the Executive Director provides a written determination that no amendment or new permit is required.

6. Pre-construction Caulerpa Sp. Surveys

- A.** Not more than 90 days nor less than 30 days prior to commencement or recommencement of any development authorized under this coastal development permit (the “project”), the applicant shall undertake a survey of the project area and a buffer area at least 10 meters beyond the project area to determine the presence of the invasive green alga, *Caulerpa* sp. The survey shall include a visual examination of the substrate.
- B.** The survey protocol shall be prepared in consultation with the Regional Water Quality Control Board, the California Department of Fish and Wildlife, and the National Marine Fisheries Service (see http://www.westcoast.fisheries.noaa.gov/habitat/aquatic_invasives/caulerpa_taxifolia.html).
- C.** Within five (5) business days of completion of the survey, the applicant shall submit the survey:
 - (1) for the review and approval of the Executive Director; and
 - (2) to the Surveillance Subcommittee to the Southern California Caulerpa Action Team (SCCAT). The SCCAT Surveillance Subcommittee may be contacted through William Paznokas, California Department of Fish & Wildlife (858-467-4218/William.Paznokas@wildlife.ca.gov) or Bryant Chesney, National Marine Fisheries Service (562-980-4037/Bryant.Chesney@noaa.gov).
- D.** If *C. taxifolia* is found within the project or buffer areas, the applicant shall not proceed with the project until 1) the applicant provides evidence to the Executive Director that all *C. taxifolia* discovered within the project and/or buffer area has been eliminated in a manner that complies with all applicable governmental approval requirements, including but not limited to those of the California Coastal Act, or 2) the applicant has revised the project to avoid any contact with *C. taxifolia*. No revisions to the project shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director provides a written determination that no amendment is legally required.

7. Resource Agencies.

The permittee shall comply with all requirements, requests and mitigation measures from the Regional Water Quality Control Board (RWQCB); the U.S. Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW), and the U.S. Fish and Wildlife Service (USFWS) with respect to preservation and protection of water quality and marine environment. Any change in the approved project that may be required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

8. Final Public Access Signage Plan.

- A. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for the Executive Director's review and approval, two (2) sets of a Final Public Access Signage Plan, which indicates the piers at Berth 1 and Berth 2 are public. In addition to the specifications above, at a minimum the signage program shall include:
- (1) Signage shall indicate, with graphics and text, the presence of, and location of, public access opportunities at the project site;
 - (2) Signage shall be clearly visible to pedestrians and occupants of vehicles traveling in either direction along Marina Drive;
 - (3) The project plans shall include, at a minimum, the following components: dimensions and content (graphics and text) of each sign and/or stencil and a site plan depicting the location of each sign and/or stencil; and
 - (4) Language on the signs shall be multiple languages, including English and Spanish.
 - (5) Signage shall include language identifying the historic, current, and projected numbers of local coastal birds and describing measures that are being taken or can be taken to ensure their survival.
 - (6) Signage shall include information pertaining to the history of sailing in the local area.
- B.** The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

9. Final Construction Staging Plan.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, two (2) sets of a Final Construction Staging Plan that indicates that the construction staging area(s) and construction corridor(s) will minimize public access impacts to coastal waters.

(1) The plan shall demonstrate that:

- (a) Construction equipment, materials or activity shall not occur outside the staging area and construction corridor identified on the site plan required by this condition;
- (b) Construction equipment, materials, or activity shall not be placed outside of the construction staging area or corridor identified in subsection (a) of this special condition, including but not limited to, within the adjacent lawn area between the public parking lot and the water;
- (c) The construction staging area will gradually be reduced as less materials and equipment are necessary;
- (d) The construction access route will only be intermittently closed for transport of equipment and materials. When not in use for transportation of equipment and materials, it will be made available for uninterrupted public access;
- (e) No construction staging shall take place on Berths 1 & 2.

(2) The plan shall include, at a minimum, the following components:

(a) A site plan that depicts:

- 1. limits of the staging area(s);
- 2. construction corridor(s);
- 3. construction site; and
- 4. location of construction fencing and temporary job trailers with respect to the public walkway along Alamitos Bay and the Basin 4 public parking lot.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur

without a Commission amendment to this Coastal Development Permit unless the Executive Director determines that no amendment is legally required.

- 10. Public Rights and Public Trust.** The Coastal Commission's approval of this permit shall not constitute a waiver of any public rights that exist or may exist on the property. The permittee shall not use this permit as evidence of a waiver of any public rights that may exist on the property now or in the future.

IV. FINDINGS AND DECLARATIONS

A. Project Description, Location and Standard of Review

Project Description

The proposed project includes the following ([Exhibits 2-3](#)):

- 1) Demolition of an existing 135 ft. x 9 ft. (1,215 sq. ft.) wooden floating dock (Berth 1) and a 115 ft. x 9 ft. (1,035 sq. ft.) wooden floating dock (Berth 2), totaling 2,250 sq. ft. of overwater coverage;
- 2) Demolition of an existing 5 ft. x 53 ft. (265 sq. ft.) concrete access platform (Berth 1) and a 5 ft. x 53 ft. (265 sq. ft.) concrete access platform, (Berth 2) totaling 530 sq. ft. of overwater coverage. The piles supporting the concrete access platforms will remain;
- 3) Demolition of an existing 2.5-ft. x 30 ft. (75 sq. ft.) gangway (Berth 1) and a 2.5 ft. x 30 ft. (75 sq. ft.) gangway (Berth 2), totaling 150 sq. ft. 8.83 sq. ft. of the Berth 1 gangway is over water, and 29.34 sq. ft. of the Berth 2 gangway is over water, totaling 38.17 sq. ft. of overwater coverage;
- 4) Demolition of Berths 1 and 2 utilities lines (water, fire, and communication lines) and installation of new utility lines involving trenching (approximately 545 sq. ft.);
- 5) Construction of one new 2,250 sq. ft. concrete floating dock that replaces the wooden floating docks that make up Berths 1 and 2. The new concrete floating dock will parallel the coastline in the same location as the existing berths and will be supported by two existing sets of dolphin piles, which are a group of pilings (in this case 4 – 16 in. diameter concrete piles) arranged together and fixed using a reinforced concrete cap, at each Berth (four sets in total) they will be reused to support the new concrete floating dock; no existing piles will be removed or added; and a sump pump on the new dock;
- 6) Construction of a new 80 ft. x 6 ft. [480 sq. ft. of overwater coverage] aluminum ADA-compliant gangway with a grated deck (to let sunlight come through) with an 8 ft. tall entrance gate and 8 ft. tall guardrails proposed to be made up of marine Plexi glass located adjacent to the Berth 2 pier that will provide access to the new concrete floating dock;
- 7) Construction of a new 10 ft. x 10 ft. (100 sq. ft.) concrete landing for the new gangway on the new concrete floating dock [3 ft. x 9 ft. = 27 sq. ft. of overwater coverage];

- 8) Removal of the existing gates to Berth 1 and Berth 2 piers;
- 9) Installation of a new self-leveling concrete surface layer, a 4 ft. entrance gate with 4 ft. tall side guardrails at the entrance of each pier for both Berths. Each Berth pier will be repurposed from solely leading to the existing wooden floating docks to also include observational platforms available to the public during daylight hours. Outside of daylight hours, the gates will be locked and controlled by the City of Long Beach Marine Bureau;
- 10) Removal of an existing sign indicating parking only for maintenance vehicles. New signage is proposed to be installed on the remaining piers that supported the concrete access platforms. The new signs will state the Berth number and that no fishing, smoking, or drinking is allowed. The parking spaces adjacent to the Berth entrances and new gangway entrance will be restriped with no changes in the number of spaces;
- 11) Concrete curb and gutter would be re-poured and the concrete surface areas leading to the piers and new gangway will be removed and repaved; and
- 12) Minor lawn removal (approximately 120 sq. ft.) to install the new gangway landing, installation of EV Chargers and a utility pad (approximately 80 sq. ft.).

The existing overwater coverage of the berths and gangways totals 2,819 sq. ft. and the proposed overwater coverage totals 2,757 sq. ft. Thus, the project will result in a 62 sq. ft. reduction in overwater coverage.

The new concrete dock will be fabricated off site and delivered to a nearby launch ramp by truck. The new concrete dock will then be lifted into the water by a crane located on land. The docks will be assembled off site and floated to the site via a barge.

The Berths, which are owned by the City of Long Beach Marine Bureau, are currently not operational due to safety issues, therefore no vessels are currently docked at them. The docks were closed in 2018 due to the disrepair of the current dock system and gangway. Berth 1 & 2 docks are part of the City's permitted slip inventory and were rented out on a month-to-month basis like the rest of the slips in Alamitos Bay Marina. These two docks were previously used by "commercial recreational" boat uses, such as a seasonal Christmas cruise boat. The intended future use of these revised docks into one larger dock is now for "recreational" use, which is a change to a more inclusive recreational use. The new dock space will be available on a first-come, first-served reservation basis through the Marina Operations office. Vessel stays will be short-term, limited to no more than 15 days per calendar month. The dock will not operate as a commercial dock, a general public mooring dock with a three-hour limit, or a Long Beach Transit/AquaLink berth.

The general public was not previously allowed to use the Berth 1 and Berth 2 facilities, as only authorized users were allowed to access the docks. While access to the dock will continue to be limited to dock lessees once the project is complete, the applicant is proposing to repurpose the piers to new public observation platforms for use by the general public during daylight hours.

The city has indicated that the gate and guardrail for the new gangway is necessary for public safety and to deter unauthorized use of the docks. Additionally, the city states that the gates for the public observation platforms are required by California building code and to protect the public.

The city anticipates that the project will take approximately nine months to complete and has indicated that work will take place during the bird nesting season.

The city originally proposed removal of some trees and installation of a new rubber surface material for the Berth 1 and Berth 2 piers but has since revised the proposed project to not include any tree removal, and instead of a rubber surface area, a self-leveling concrete surface layer will be installed. However, the plans have not been revised to indicate those changes. Thus, the Commission **imposes Special Condition 1**, which requires the applicant to submit revised plans that eliminate the previously requested tree removal and revises the surface material for the Berth 1 and Berth 2 piers to a self-leveling concrete topping.

The proposed grading material associated with the gangway landing and utility lines (depth of 3 ft.), EV chargers (depth of 1 ft.), utility pad (depth of 1 ft.) is man made so no impacts are anticipated.

The floating portion of the proposed dock will consist of polystyrene plastic that will be encased.

Project Location

The proposed project is located on, over, and adjacent to the waters of Alamitos Bay (public tidelands), near the marina entrance channel and the Alamitos Bay Landing (formerly Seaport Village), a commercial, retail, and entertainment complex with a maritime theme in the southeast area of Alamitos Bay, located at 205 N. Marina Drive in Southeast Long Beach ([Exhibit 1](#)).

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.

B. Marine Resources/Water Quality

Section 30230 of the Coastal Act, Marine Resources; maintenance, 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, Biological productivity, water quality, 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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

LANDSIDE DEVELOPMENT

Construction Impacts to Water Quality

A portion of the proposed project takes place on land. Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain or wind could result in adverse impacts upon the marine environment that could reduce the water quality and biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat and harm wildlife. Sediment discharged into coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts upon water quality and biological productivity, conditions must be imposed. Thus, the Commission imposes **Special Condition 2**, which outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. This condition requires the applicant to remove any and all debris resulting from construction activities within 24 hours of completion of the project. In addition, all construction materials, excluding lumber, shall be covered, and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

Nesting /Roosting Birds

The proposed project site is a developed site within an urbanized area. While it is an urbanized area, many bird species have adapted to use urban landscaping, including stands of palm trees, in areas near wetlands, coastal waters, and other open spaces. As such, a Biological Resources Report prepared by Tetra Tech dated July 2, 2025, was completed.

The report identified an active barn swallow nest on the underside of the gangway on Berth 2, though lack of access to the docks precluded determination of the presence of eggs or hatchlings. Also, a song sparrow was observed with nest lining materials on the north side of the nearby restroom facility within a Chinese hibiscus shrub (outside of the limits of the project area).

A Western gull nestling was observed on the riprap south of Berth 2 (also outside of the limits of the project area), which appeared to have prematurely left its nest. Two stick nests typical to the Western gull were observed on the pilings associated with both berths, but activity could not be confirmed. A Western gull nest may be present on one or more of the berths, but both nests observed on berth pilings were unoccupied at the time of surveys.

The City has indicated that work will take place during the bird nesting season and proposes to conduct a pre-construction biological/bird survey to identify any active nests within the construction buffer, and if an active nest is observed, Tetra Tech will coordinate with the California Department of Fish and Wildlife (CDFW) to determine how to proceed. The Commission imposes **Special Condition 3**, which memorializes the applicant's proposal and requires breeding and nesting bird surveys during construction. The City has also indicated that they accept this special condition.

While sound impacts will be minimal as there is no pile driving (or any pile work) for this project, the city states that concrete removal will require a jack hammer. As a result, the city states that they will coordinate with CDFW if active nests are found within the construction buffer during the pre-construction survey and abide by the CDFW instruction.

Bird Strikes

The project includes 8 ft. tall guardrails made up of marine plexi-glass along the new gangway, which may result in bird strikes caused by transparent glass. Thus, the Commission imposes **Special Condition 1**, which requires the applicant to submit revised plans indicating that any proposed glass rails will utilize bird safe glass or will be replaced with a different type of material (i.e. metal fence, etc.).

Lighting

Lighting is proposed at the parking spaces adjacent to the Berth entrances and new gangway entrance on the landside near the public parking spaces, as well as on the pier and dolphin piles on the water. Lighting that is not controlled could have adverse effects upon the adjacent marine habitat. To protect the marine habitat, measures necessary to make sure that lighting will not have adverse impacts to habitat should be implemented. For example, low intensity lighting should be used, and skyward-casting lighting is prohibited. To ensure that the proposed lighting does not impact adjacent marine habitat, the Commission imposes **Special Condition 4**, which requires the applicant to submit a Final Lighting Plan incorporating limited, down-cast, low-intensity lighting.

WATERSIDE DEVELOPMENT

Eelgrass (*Zostera marina*)

Eelgrass (*Zostera marina*) is an aquatic plant consisting of tough cellulose leaves, which grows in dense beds in shallow, subtidal or intertidal unconsolidated sediments. Eelgrass is considered important to protect because it functions as important habitat for a variety of fish and other wildlife, according to the California Eelgrass Mitigation Policy (CEMP) adopted by the National Marine Fisheries Service (NMFS), the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW). For instance, eelgrass beds provide areas for fish egg laying, juvenile fish rearing, and waterfowl foraging. Sensitive species, such as the California least tern, a federally listed endangered species, utilize eelgrass beds as foraging grounds.

The applicant submitted an eelgrass survey for the project site conducted on June 18, 2025, which determined that eelgrass was located at the project site; however, the project has been designed to not impact eelgrass. Eelgrass surveys completed between August through October are valid until the resumption of active growth (i.e., March 1). This date has passed, and the subject eelgrass survey is no longer valid for project construction. Therefore, the Commission imposes **Special Condition 5**, which requires a new eelgrass survey and identifies the procedures necessary to be completed prior to beginning construction. If the pre-construction eelgrass survey required by **Special Condition 5** identifies new eelgrass beds that would be impacted by the proposed dock construction, the applicant must apply for a CDP amendment or new CDP to re-design and/or relocate the new dock to avoid eelgrass impacts.

Caulerpa sp.

In 1999, a non-native and invasive aquatic plant species, *Caulerpa sp.*, was discovered in parts of Huntington Harbor (Emergency Coastal Development Permits 5-00-403-G and 5-00-463-G). *Caulerpa sp.* is a type of seaweed which has been identified as a threat to California's coastal marine environment because it has the ability to displace native aquatic plant species and habitats. Information available from the National Marine Fisheries Service indicates that *Caulerpa sp.* can grow in large monotypic

stands within which no native aquatic plant species can co-exist. Therefore, native seaweeds, seagrasses, and kelp forests can be displaced by the invasive *Caulerpa sp.* This displacement of native aquatic plant species can adversely impact marine biodiversity with associated impacts upon fishing, recreational diving, and tourism. *Caulerpa sp.* is known to grow on rock, sand, or mud substrates in both shallow and deep-water areas. Since eelgrass grows within the general project vicinity, *Caulerpa sp.*, if present, could displace eelgrass in the channels.

The applicant has submitted a *Caulerpa sp.* survey conducted in conjunction with the eelgrass survey on June 18, 2025. The surveys did not find evidence of *Caulerpa sp.* onsite; however, *Caulerpa sp.* surveys only remain valid for 90 days. Given the potential for the non-native, invasive *Caulerpa* species to take over eelgrass and other marine habitat in the project vicinity, and because *Caulerpa* has been observed elsewhere in Southern California (e.g., Newport Bay) within the past year, the Commission requires up-to-date *Caulerpa sp.* surveys consistent with the National Marine Fisheries Service and California Department of Fish and Wildlife protocols to be conducted prior to commencement of the project, as addressed by **Special Condition 6**. If any *Caulerpa sp.* is found on the project site, **Special Condition 6** identifies the procedures necessary to be completed prior to beginning any construction.

Construction and Post Construction Impacts

There is potential for the discharge of demolition or construction debris into coastal waters at the project site. This could result in adverse effects on the marine environment. The proposed development includes protective measures to ensure that coastal waters and marine resources will not be adversely affected before, during or after construction. To ensure that all impacts (pre- and post- construction) to water quality are minimized, and to reduce the potential for construction related impacts on water quality, the Commission imposes **Special Condition 2**, which requires, but is not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters; and the continued use and maintenance of post-construction BMPs.

To ensure that the proposed project adheres to the requirements from other resource agencies, and to account for changes to other resource agency permits that may be necessary given the design alternative required by the Commission, **Special Condition 7** requires the applicant to comply with all requirements, requests and mitigation measures from the California Department of Fish and Wildlife (CDFW), the Regional Water Quality Control Board-(RWQCB), the United States Army Corps of Engineers (USACE), and the United States Fish and Wildlife Service (USFWS) with respect to preservation and protection of water quality and marine environment consistent with Section 30239 and 30231 of the Coastal Act.

Conclusion

Therefore, as conditioned, biological resources and water quality are protected, consistent with Sections 30230 and 30231 of the Coastal Act, with the City's LCP as guidance.

C. Public Access

Article X, Section 4 of the California Constitution provides:

No individual, partnership, or corporation claiming or possessing the frontage or tidal lands of a harbor, bay inlet, estuary, or other navigable water in this state shall be permitted to exclude the right of way to such water whenever it is required for any public purpose... and the Legislature shall enact such law as will give the most liberal construction to this provision so that access to the navigable waters of this state shall always be attainable for the people thereof.

Section 30210 of the Coastal Act, Access; recreational opportunities; 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 30211 of the Coastal Act, Development not to interfere with access states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30220 of the Coastal Act, Protection of certain water-oriented activities, states:

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

Section 30221 of the Coastal Act, Oceanfront land; protection for recreational use and development, 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.

Berth 1 and Berth 2 Docks

As described above, public access is not available on the docks. While the applicant is proposing a change in use to a more inclusive recreational use, general public access to the docks is not proposed at this time.

Berth 1 and Berth 2 Piers

As described above, Berths 1 and 2 piers do not currently provide general public access. However, the applicant proposes to repurpose these piers into new observational platforms available to the general public during daylight hours. As such, the proposed project enhances public access. However, no signage is proposed indicating that the piers will be accessible to the public. Signage is proposed to be installed on the remaining pier piles that supported the concrete access platforms that state the berth number and that no fishing, smoking, or drinking is allowed, but nothing is provided clearly indicating that the piers will be available to the public. Thus, to make clear that the piers will be a free public amenity, **Special Condition 8** requires submittal of a Final Public Access Signage Plan, which will require signage indicating that the piers are available to the public as observational platforms during daylight hours.

Even though the proposed project does not include a component that deals with Los Alamitos Bay Marina as a historic site of a coastal bird rookery, as proposed and conditioned, potential impacts to coastal birds are avoided with the proposed project. As such, educational signage identifying the marina as a historic site of a coastal bird rookery included as part of the signage plan are not necessary. In previous Commission actions, the Commission has imposed signage requirements when impacts to potential nesting habitat, such as tree removal, were part of the proposed project. However, this is not the case here and while the Commission supports the concept of providing new educational signage on site, there is no need to require educational signage about coastal birds on site in conjunction with the signage plan since no impacts to coastal birds are anticipated.

Construction Impacts

The proposed project is taking place adjacent to a public parking area that will be temporarily impacted as a result of the proposed project. The city has indicated that the project construction will take approximately nine months and the construction staging will take place within this adjacent public parking area, taking up potentially 18 public parking spaces. However, construction on site and the final location of the staging area has not been identified. Public parking during construction is available approximately 200 ft. southeast at a public parking lot. To ensure that public access is protected during construction, the Commission imposes **Special Condition 9**, which requires the applicant to submit a Final Construction Staging Plan.

While the proposed development itself will not result in adverse impacts to public access, and will add a new public access component, Coastal Commission approval of this project cannot waive any public rights that may exist on the property. To preserve and maintain access to the public Tidelands if development patterns change in the future, **Special Condition 10** is imposed stating that the approval of a coastal development permit for the project does not waive any public rights or interest that exist or may exist on the property.

Conclusion

Therefore, as conditioned, the project will not impact public access to the coast, consistent with the public access and recreation policies of the Coastal Act, with the City's LCP as guidance.

D. California Environmental Quality Act (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by findings showing the approval, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which 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).)

In this case, the City of Long Beach is the lead agency, and the Commission is a responsible agency for the purposes of CEQA. The City of Long Beach determined on August 27, 2026, that the proposed project is categorically exempt from CEQA pursuant to CEQA Guidelines Class 2 (Section 15302, Replacement or Reconstruction). As a responsible agency under CEQA, the Commission has determined that the proposed project, as conditioned, is consistent with the development and land use, public access and recreation, hazards, biological resources and water quality policies of the Coastal Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

City of Long Beach Approval-In-Concept dated November 5, 2025.