

**CALIFORNIA COASTAL COMMISSION**

South Coast District Office  
301 E Ocean Blvd., Suite 300  
Long Beach, CA 90802-4302  
(562) 590-5071



# W17a

Staff: JP-LB  
Staff Report: 3/25/26  
Hearing Date: 4/15/26

## STAFF REPORT: APPEAL OF EXECUTIVE DIRECTOR DETERMINATION

**Application No.:** 5-25-0002-A1-EDD

**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:** Appeal of the Executive Director's determination that the amendment application for a July 3, 2026 fireworks display associated with the 2026 Big Bang on the Bay event lessens and avoids the intended effect of the permit pursuant to Section 13166 of Title 14 of the California Code of Regulations.

---

### SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission **uphold** the Executive Director's determination to reject the proposed amendment pursuant to Section 13166 of Title 14 of the California Code of Regulations. The Commission must uphold the Executive Director's Determination unless the Commission finds that either: (1) the proposed amendment would not lessen or avoid the intended effect of an approved or conditionally approved permit or (2) if the proposed amendment does lessen or avoid the intent of the permit, the Commission may accept the amendment if the applicant has presented newly discovered material information, that could not, with reasonable diligence, have been discovered and produced before the original permit was granted.

Beginning in 2011, Big Bang on the Bay has been held as an annual event, including fireworks displays. Until 2023, the Commission's Executive Director did not require a coastal development permit (CDP) for this event pursuant to the Commission's Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements. Coastal development permits for the 2023 and 2024 Big Bang on the Bay 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. On May 9, 2025, the Commission approved a five-year CDP for the event (CDP No. 5-25-0002), which authorized the applicant to hold a final fireworks display for the 2025 Big Bang on the Bay event but intentionally excluded the pursuit of fireworks displays for the 2026 through 2029 events due to the environmental harm to sensitive resources in the area caused by the display. While the Commission-approved CDP eliminates consideration of fireworks displays for the 2026 through 2029 events, it does provide authorization for drone shows, which have been found to be a less environmentally damaging aerial display alternative. Should the applicant wish to pursue options other than a fireworks display or drone show, they would need to submit an amendment application for Commission review.

On January 13, 2026, the South Coast District office of the California Coastal Commission received the subject amendment application, which requests authorization for another 20-minute fireworks display located at Alamitos Bay in Long Beach for the Big Bang on the Bay event to be held on July 3, 2026. The amendment application states the proposed fireworks display would be conducted in strict accordance with the special conditions approved for the July 3, 2025 event. However, **Special Condition 1** of the subject CDP removed consideration of fireworks displays for the event after 2025, and, thus, the amendment application disregards previous Commission deliberations and actions. Therefore, on January 27, 2026, the Executive Director rejected the subject amendment request, finding that the development requested is inconsistent with the Commission-approved conditions of CDP No. 5-25-0002 and that it is not possible to accept the amendment request because the proposed development would lessen or avoid the intended effect of the permit. Specifically, **Special Condition 1(A)** requires the permittee to submit revised final plans by no later than January 15, 2026, that eliminate the use of fireworks for the 2026 through 2029 Big Bang on the Bay events. **Special Condition 1(A)** specifies that the revised plans may include implementation of a drone show alternative.

On February 6, 2026, Commission staff received a letter from the applicant's representative requesting to appeal the Executive Director's determination that the proposed fireworks display for the July 3, 2026 Big Bang on the Bay event lessens and avoids the intent of CDP No. 5-25-0002. The letter includes four grounds for appeal, stated by the applicant's representative as follows: A) the benefits/virtues of Boathouse's application are undisputed; B) Boathouse's record of avoiding and minimizing potential impacts to marine resources and environmental concerns is exemplary; C) costs of the proposed drone program make the event, as offered by the Commission, infeasible; and D) the absence of a drone show permit renders the event impossible. Commission staff concludes that the applicant's appeal does not provide any information pertaining to the consistency of the amendment request with the

5-25-0002-A1-EDD (Naples Restaurant Group, LLC)

conditions of the Commission-approved CDP nor does it provide any new information that was not already considered by the Commission at the May 9, 2025 hearing.

The Executive Director determined that the applicant's request is inconsistent with **Special Condition 1**, which expressly eliminates the use of fireworks displays for the 2026 through 2029 Big Bang on the Bay events.

Staff recommends that the Commission, after public hearing, **uphold** the Executive Director's determination that the CDP amendment application be rejected. The motion to accomplish this is on page 5.

## TABLE OF CONTENTS

<b>I. MOTION AND RESOLUTION .....</b>	<b>5</b>
<b>II. FINDINGS AND DECLARATIONS.....</b>	<b>5</b>
A. Project Location, History, and Prior Commission Action .....	5
B. Description of Original Approval.....	8
C. Description of Amendment Application .....	10
D. Executive Director’s Determination to Reject Amendment.....	11
E. Applicants’ Appeal of Executive Director Determination .....	12
<b>APPENDIX A – SUBSTANTIVE FILE DOCUMENTS .....</b>	<b>15</b>

### EXHIBITS

[Exhibit 1 – Event Site and Vicinity Map](#)

[Exhibit 2 – Amendment Rejection Letter](#)

[Exhibit 3 – Appeal of Executive Director’s Determination](#)

[Exhibit 4 – CDP No. 5-25-0002](#)

## I. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, uphold the Executive Director's determination that the CDP amendment application be rejected. To implement this recommendation, staff recommends a **NO** vote on the following motion. Passage of this motion will result in rejection of the CDP amendment application, and the terms and conditions of CDP No. 5-25-0002 will remain unchanged. The motion passes only by affirmative vote of a majority of the Commissioners present.

### Motion:

I move that the Commission **overturn** the Executive Director's decision to reject Coastal Development Permit Amendment Application Number 5-25-0002-A1, and I recommend a **no** vote.

### Resolution to Concur with the Executive Director's Determination:

The Commission hereby concurs with the Executive Director's determination to reject Coastal Development Permit Amendment Application No. 5-25-0002-A1 on the grounds that the proposed amendment would lessen or avoid the intended effect of an approved or conditionally approved permit and that there is no newly discovered material information which, in the exercise of reasonable diligence, could not have been discovered and produced before the permit was granted.

## II. FINDINGS AND DECLARATIONS

### A. Project Location, History, and Prior Commission Action

#### Project Location

The subject temporary event contains two main components: a 'block party' (landside) and an aerial 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 temporary event is 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 are 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 temporary event also includes a 20-minute aerial display over open coastal waters of Alamitos Bay, approximately equidistant from Alamitos Bay Landing, Naples Island, and the Long Beach Peninsula.

## Project History

The subject temporary event has a complex permit history, which is relevant to the appeal at hand. Beginning in 2011, Big Bang on the Bay has been held as an annual event (except in 2020), including fireworks displays, when the City of Long Beach ceased similar fireworks displays at Veterans Stadium.<sup>1</sup> Historically, the event has been sponsored by Naples Restaurant Group, LLC with the exception of the 2024 event, in which the Boys and Girls Club of Long Beach was the applicant. The block party and fireworks events have primarily served as a fundraising event for at least 15 local charities, such as Children Today,<sup>2</sup> 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 May 12, 1993.<sup>3</sup> 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 II and III).

- 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).

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 2023 Big Bang on the Bay 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.

Representatives of Los Cerritos Wetlands Task Force of the Sierra Club, Puvunga Wetlands Protectors, and Eastside Voice have submitted numerous comments over the

---

<sup>1</sup> 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.

<sup>2</sup> [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.

<sup>3</sup> 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.

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 adjacent to the event site 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 General Public Comment at the June 10, 2022 public hearing, to which the Commission responded by guiding staff to further investigate the potential for adverse impacts on the environment associated with the event.

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 such events, the Commission found it necessary to require monitoring pursuant to special conditions of a CDP. Coastal development permits for the 2023 and 2024 Big Bang on the Bay 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. Coastal Development Permit Nos. 5-23-0383 and 5-24-0399 each included eleven special conditions to comply with the coastal access and recreation policies of the Coastal Act, and to ensure protection of water quality, 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 fireworks 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.

Up until 2024, the applicant for the event was Naples Restaurant Group, LLC. However, the applicant for the 2024 Big Bang on the Bay event was the Boys and Girls Club of Long Beach. That event was held on September 1<sup>st</sup> rather than July 3<sup>rd</sup> due to the lateness of the application 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, on October 3, 2024, The Boys and Girls Club of Long Beach informed Commission staff 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. A CDP application for the 2025 event, which was required to be submitted in full to the Commission's South Coast District office 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's team. Commission staff met with the applicant's team on February 11, 2025 to discuss the proposed fireworks display and potential alternatives, including a drone show.

On May 9, 2025, the Commission approved CDP No. 5-25-0002 ([Exhibit 4](#)) per the staff recommendation through an amending motion, which allowed the applicant to hold a final fireworks display for the 2025 Big Bang on the Bay event but required elimination of the fireworks display for the 2026 through 2029 events. While the Commission-approved CDP required elimination of the fireworks show beyond 2025, it did authorize a drone show option for the remaining four events. The Commission found the additional year of preparation would allow the permittee to work with Commission staff and the City of Long Beach to effectively transition to a drone show without negatively impacting event attendance for the 2025 event. The Commission approved the single fireworks display for the 2025 event by imposing the same fireworks-related special conditions as on CDP No. 5-24-0399 for the 2024 event. In addition to the fireworks-related special conditions, the Commission also imposed **Special Condition 14**, requiring the permittee to schedule and participate in a minimum of one quarterly meeting with Commission staff to facilitate the effective transition from a fireworks show to potential drone shows for the 2026 through 2029 Big Bang on the Bay events. The permittee participated in quarterly meetings with Commission staff on June 13, 2025, September 30, 2025, and December 16, 2025. Pursuant to **Special Condition 1** of CDP No. 5-25-0002, if the permittee intended to pursue a drone show for the 2026 event, they were required to submit revised final plans to the Commission's South Coastal District office no later than January 15, 2026. With the deadline quickly approaching and no submittal of the revised plans, Commission staff sent the applicant a letter on January 12, 2026, to remind them of the approaching deadline and that a fireworks display is not permissible for the 2026 through 2029 events pursuant to the special conditions of CDP No. 5-25-0002 ([Exhibit 4](#)). On January 13, 2026, the applicant submitted the subject amendment application, which requests a fireworks display for the 2026 Big Bang on the Bay event.

The subject amendment application is further reviewed under Sections C, D, and E of this staff report.

## **B. Description of Original Approval**

On May 9, 2025, the Commission approved CDP No. 5-25-0002 ([Exhibit 4](#)), which authorizes a five-year approval for the annual 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 each year for the Big Bang on the Bay fundraising event, 2025 fireworks display, and 2026 through 2029 drone show displays, 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 the fee-ticketed block party, fireworks/drone staging areas and safety zone, and 20-minute fireworks/drone display over Alamitos Bay.

In the Commission's approval of CDP No. 5-25-0002, the Commission found that a drone show has been identified as the least environmentally damaging alternative to a fireworks display. However, in order to avoid adverse impacts to public access to the 2025 event, the Commission imposed **Special Condition 1**, which allowed the

permittee to hold a final fireworks display for the 2025 Big Bang on the Bay event and the option to transition to a drone show for the remaining four events authorized by the permit.

Special Condition 1 of CDP No. 5-25-0002 states:

**1. Revised Final Plans.** BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the permittee shall submit by no later than January 15, 2026, for the review and written approval of the Executive Director, two full-size sets of the following revised final plans for the 2026, 2027, 2028 and 2029 Big Bang on the Bay events, 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](#)) **that eliminates the use of fireworks**. The revised plans may include implementation of the drone show alternative, except that it shall be modified as required below. (Emphasis added.)
  - 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 from any potential bird 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.

The Commission found that the additional year of preparation would allow the permittee to work with Commission staff and the City of Long Beach to effectively eliminate the fireworks show and transition to a drone show without negatively impacting event attendance. Additionally, the Commission imposed **Special Condition 14**, requiring the permittee to schedule and participate in a minimum of one quarterly meeting with Commission staff to facilitate the effective transition from a 2025 fireworks show to potential drone shows for the 2026 through 2029 Big Bang on the Bay events.

Special Condition 14 of CDP No. 5-25-0002 states:

**14. Coordination Meetings.** BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the permittee agrees to schedule and participate in a minimum of one quarterly meeting with Commission staff to facilitate the effective transition from a 2025 fireworks show to potential drone shows for the 2026 through 2029 Big Bang on the Bay events and invite representatives from the City of Long Beach Special Events department to participate. Meetings shall occur until the applicant submits Revised Final Plans and by no later than January 15, 2026, as required pursuant to **Special Condition 1**.

Therefore, the intent of **Special Conditions 1** and **14** were to effectuate elimination of the fireworks display and to transition to potential drone shows for the Big Bang on the Bay event beginning in 2026 in order to avoid and minimize adverse impacts on coastal resources.

### **C. Description of Amendment Application**

On January 13, 2026, the South Coast District office of the California Coastal Commission received the subject amendment application, which requests a private block party and 20-minute fireworks display located at Alamitos Bay in Long Beach ([Exhibit 1](#)) for the Big Bang on the Bay event to be held on July 3, 2026. The amendment application states the proposed fireworks display would be conducted in strict accordance with the special conditions approved for the July 3, 2025 event. In a cover letter dated January 9, 2026, the applicant asserts the amendment request is “based on demonstrated and undisputed feasibility considerations, the substantial public access and community benefits associated with the fireworks display, and the exceptional circumstances presented by July 2026, which marks the 250<sup>th</sup> anniversary of American independence.” The letter proceeds with an outline of the event’s permitting history and states that the applicant has undertaken a good-faith evaluation of potential alternatives and determined a drone show is not a feasible alternative at this time, specifically in reference to the cost of a drone show in comparison to a fireworks display and an inability to obtain a permit from the Long Beach Fire Department.

The remainder of the activities associated with the event including live music, dancing, food and beverages, and aircraft flyover would remain unchanged through the amendment request. The request only references the July 3, 2026 event and does not include any reference to the 2027 through 2029 events, which are currently permitted under CDP No. 5-25-0002 for a drone show option. The request also does not address or reconcile the inconsistency of the request with **Special Condition 1** of the Commission-approved CDP, which requires elimination of the fireworks display after the 2025 event.

#### **D. Executive Director's Determination to Reject Amendment**

Section 13166 of Title 14 of the California Code of Regulations requires that the Executive Director reject an amendment application if the proposed amendment would lessen or avoid the intended effect of an approved or conditionally approved permit, unless the applicant presents newly discovered material information, which they could not, with reasonable diligence, have discovered and produced before the permit was granted.

On January 27, 2026, the Executive Director rejected the subject amendment request, finding that the development requested is inconsistent with the Commission-approved conditions of CDP No. 5-25-0002 ([Exhibit 4](#)) and that it is not possible to accept the amendment request because the proposed development would lessen or avoid the intended effect of the permit. Specifically, **Special Condition 1(A)** requires the permittee to submit revised final plans by no later than January 15, 2026, that eliminate the use of fireworks for the 2026 through 2029 Big Bang on the Bay events. **Special Condition 1(A)** specifies that the revised plans may include implementation of a drone show alternative. Furthermore, **Special Condition 14** requires the permittee to schedule and participate in a minimum of one quarterly meeting with Commission staff to facilitate the effective transition from a 2025 fireworks display to potential drone shows for the 2026 through 2029 Big Bang on the Bay events. Therefore, the request for a fireworks display for the 2026 Big Bang on the Bay event is in direct conflict with **Special Conditions 1** and **14** of CDP No. 5-25-0002.

As discussed in Section C above, the amendment application submittal states that the permittee has undertaken a good-faith evaluation of potential alternatives and determined a drone show is not a feasible alternative at this time, specifically in reference to the cost of a drone show in comparison to a fireworks display and an inability to obtain a permit from the Long Beach Fire Department. These feasibility concerns were raised prior to the Commission's May 9, 2025 hearing and have been previously analyzed in the staff report dated April 4, 2025 (see pg. 21 for a cost analysis and pg. 35 for an area closure analysis). In any case, CDP No. 5-25-0002 does not require the permittee to pursue a drone show but rather *allows for* the implementation of drone shows for the 2026 through 2029 Big Bang on the Bay events. The remainder of the activities associated with the event including live music, dancing, food and beverages, and aircraft flyover continue to be permissible under the current CDP. The request for a fireworks display for the 2026 Big Bang on the Bay event, however, is expressly required to be eliminated pursuant to **Special Condition 1**.

No newly discovered information was submitted as part of the amendment application. Therefore, the Executive Director rejected the amendment on January 27, 2026 ([Exhibit 2](#)).

## **E. Applicant's Appeal of Executive Director Determination**

On February 6, 2026, Commission staff received a letter from the applicant's representative requesting to appeal the Executive Director's determination that the proposed fireworks display for the July 3, 2026 Big Bang on the Bay event lessens and avoids the intent of CDP No. 5-25-0002 ([Exhibit 3](#)). The letter states, "The crux of the appeal is the Commission's failure to adopt an amendment that would further serve the intention of the existing permit, which is to enhance and preserve public access, community enjoyment and allow Boathouse additional time to transition into a drone show, to the extent feasible."

The letter includes four grounds for appeal, stated by the applicant's representative as follows:

- A. The benefits/virtues of Boathouse's application are undisputed.
- B. Boathouse's record of avoiding and minimizing potential impacts to marine resources and environmental concerns is exemplary.
- C. Costs of the proposed drone program make the event, as offered by the Commission, infeasible.
- D. The absence of a drone show permit renders the event impossible.

With regard to the first ground for appeal, the applicant discusses benefits of the annual temporary event, including public access and recreational opportunities and direct community benefit resulting from charitable fundraising efforts. The letter states, "The Rejection disputes none of these benefits, nor can it dispute the charitable and philanthropic aspects of the Application." The benefits the applicant is referring to are discussed throughout the staff report for CDP No. 5-25-0002 dated April 24, 2025, and were considered by the Commission in its approval of the CDP at the May 9, 2025 hearing. The Application Rejection Letter ("Rejection Letter") dated January 27, 2026 ([Exhibit 2](#)), does not further discuss these findings, given the Commission's May 9, 2025 decision adopted the findings set forth in the staff report and approved the permit application pursuant to special conditions. Rather, the Rejection Letter identified why the amendment cannot be accepted as it is in direct conflict with the approved conditions of CDP No. 5-25-0002 ([Exhibit 4](#)). The applicant's appeal does not make any arguments pertaining to how the amendment request is consistent with the conditions of approval under the first ground for appeal, but rather reiterates community benefits of the event, which were considered by the Commission at the May 9, 2025 hearing.

The second ground for appeal outlined in the applicant's letter asserts the applicant's record of avoiding and minimizing potential impacts to marine resources and environmental concerns is exemplary. The letter then discusses the applicant's

compliance with permit requirements from various regulatory agencies, including the Commission and Los Angeles Regional Water Quality Control Board. In addition, the applicant's representative asserts the applicant has demonstrated that the Big Bang on the Bay event has been conducted without adverse impact on coastal resources. This was also considered by the Commission in its May 2025 decision, and, as previously stated, the Commission imposed **Special Condition 1** to require 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. This decision is elaborated upon in the findings of the staff report for CDP No. 5-25-0002, which addresses the impacts the proposed fireworks display imposes on coastal resources. Similar to the first ground for appeal, the second ground for appeal does not make any arguments regarding the proposal's consistency with the underlying conditions of approval, nor does it provide any new information that was not already considered by the Commission at the May 9, 2025 hearing.

In the applicant's third ground for appeal, the applicant asserts the cost of a drone show would make the event infeasible and states the Commission does not dispute this assertion. This statement is false, as the Commission found that a drone show is the least environmentally damaging feasible alternative in its May 9, 2025 approval of CDP No. 5-25-0002, which is in direct conflict with the applicant's statement. Furthermore, the applicant's assertion that the cost of a drone show renders the event infeasible was already considered by the Commission at the May 9, 2025 hearing. In fact, page 21 of the staff report dated April 24, 2025 provides a drone show cost analysis, which references the same cost estimate of \$70,000 for 500 drones as provided in the applicant's appeal letter ([Exhibit 3](#)). Therefore, the cost of a drone show was previously considered by the Commission, and the applicant has provided the same information that was previously reviewed by the Commission at the May 9, 2025 hearing.

Finally, the applicant's fourth ground for appeal asserts that the Long Beach Fire Department has advised that it will not permit a drone show, in part due to the extensive safety perimeter required. The applicant's assertion that the Long Beach Fire Department has advised that it will not permit a drone show is incorrect. Commission staff contacted the Long Beach Fire Department on February 23, 2026 to clarify permit requirements for a drone show within Alamitos Bay. The City's Special Events and Filming Department responded on February 27, 2026, confirming that the applicant has not applied for a drone show for the Big Bang on the Bay event for the City to review. In the email, the Fire Department confirmed that the City's Fire Marshal has mandated that drone shows in the City only fly vertically, have a secured perimeter, do not have a flight path, and do not fly over people. The email also states that the Long Beach Police Department has stated that they do not have the personnel to dedicate to this event in the numbers it would require over the holiday weekend to clear and secure the approved drone staging areas identified in Exhibit 5 of CDP No. 5-25-0002. In addition, the Fire Department raised feasibility concerns with some of the drone staging locations due to the need to maintain a fire lane and the proximity to the Alamitos Bay Yacht Club. However, **Special Condition 1(A)(i)** clarifies that 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. To

date, the Fire Department has not provided any formal determination to suggest they will not permit a drone show for the event. Furthermore, area closures were also analyzed in the Commission's May 9, 2025 approval: page 35 of the staff report dated April 24, 2025 evaluates area closures required for a fireworks display in comparison to a drone show, including drone staging areas. In fact, the Fire Department also clarified that either a fireworks display or a drone show requires vessel traffic to be cleared for safety perimeters prior to the shows, noting that the safety perimeter for a drone show is dependent on the drone show proposal. A specific safety perimeter for a drone show is not currently available, given the applicant has not provided project plans that include important details including, but not limited to, the number of drones, staging area, and show location. In any case, these feasibility concerns were considered by the Commission at the May 9, 2025 hearing, and **Special Condition 1(A)(i)** was designed to provide flexibility in the drone show design. Additionally, the Commission provided further flexibility through **Special Condition 2**, which allows the event to take place on any day between July 3<sup>rd</sup> and September 30<sup>th</sup>.

In conclusion, the intent of **Special Conditions 1** and **14**, as approved by the Commission at the May 9, 2025 hearing, was to effectuate the transition from a 2025 fireworks display to potential drone show displays for the 2026 through 2029 Big Bang on the Bay events. The applicant is requesting approval for a 2026 fireworks display. Commission staff concludes that the applicant's request is inconsistent with **Special Condition 1** and that the Commission expressly required elimination of fireworks displays for the 2026 Big Bang on the Bay event. As discussed above, the applicant's appeal did not provide any newly discovered information that could not, with reasonable diligence, have been produced before the permit was granted. And further, the information on which the appeal is based is not new; the Commission considered these same contentions in the findings and at the May 9, 2025 hearing for the subject permit. The applicant asserts that a drone show is not feasible at this time and requests a fireworks display for the 2026 event in part to allow them additional time to transition to a drone show, to the extent feasible. However, the applicant's appeal letter ([Exhibit 3](#)) raises the same assertions that were previously considered by the Commission at the May 9, 2025 hearing. The Commission has directed the applicant to study the feasibility of a drone show for the Big Bang on the Bay event since 2023. Thus, the applicant's request for additional time to transition to a drone show is not supported by the event's permitting history. Rather, the Commission provided a clear directive in its May 9, 2025 approval, requiring the applicant to eliminate the use of a fireworks display beginning in 2026 and allowing for the implementation of a drone show alternative.

The applicant's appeal letter also requests acceptance of a new CDP application as an alternative to the amendment application; however, the applicant has already accepted, acted upon and received the benefits of the subject permit. Either in the form of the subject amendment or new CDP application, the permittee wishes to have the benefits of the accepted permit and avoid the obligations imposed.

## **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 No. 5-25-0002 and associated file documents.
- Coastal Development Permit Application No. 5-25-0002-A1 and associated file documents.