

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



Notice of incomplete application

June 26, 2017

City of Newport Beach
Attn: Brenda Wisneski, Deputy Community Development Director
100 Civic Center Drive
Newport Beach, CA 92660

RE: NOTICE OF INCOMPLETE APPLICATION

City of Newport Beach; Applicant

Two locations on the sandy beach on the ocean side of Balboa Peninsula, Newport Beach (Orange County); Location

Coastal Development Permit Amendment Applications 5-17-0465 and 5-17-0515

Ms. Wisneski,

The above referenced application number 5-17-0465 was received in this office on May 26, 2017 and application number 5-17-0515 was received in this office on June 13, 2017. The project under consideration is the removal of sand fencing installed to delineate two areas identified by U.S. Fish and Wildlife Western Snowy Plover (WSP) Critical Habitat on the public sandy beach. Application number 5-17-0465 requests removal of plover habitat fencing between E and F Streets and application number 5-17-0515 request s removal of plover habitat fencing between D and E Streets. Additional information is necessary to adequately analyze the proposed project. Consequently, the application has been deemed incomplete and cannot be filed. Following is the additional information needed to complete the file:

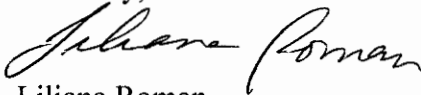
1. **Verification of all other permits, permits or approvals by other agencies.** The information provided in the CDP application submittal indicates that existing fencing was installed in response to US Fish and Wildlife identifying areas of Balboa Peninsula as Critical Habitat known to support Western Snowy Plover wintering and nesting activities. Please provide proof of application for, or documentation of permits or approvals, or comment letters in support of the proposed project from other resource agencies including but not limited to, US Fish and Wildlife Service review comments/approvals.
2. **Habitat Restoration/Conservation Plan and Habitat Monitoring Plan.** The information provided in the CDP application submittal indicates that once the existing habitat fencing is removed, then alternative methods for habitat protection will be implemented and a subsequent CDP application will be submitted for a long term management effort. However, Commission staff must consider the immediate impacts to sensitive biological resources currently protected by the habitat fencing proposed for removal. Therefore, any coastal development permit application for removal of existing habitat protective fencing must include a management plan for ongoing protection of existing biological resources in order for the Commission to ensure continued protection of coastal resources. Please provide, a preliminary habitat restoration/conservation plan and monitoring plan that at a minimum

includes the following: identification of existing resources (including vegetation and sand dune formations) native plant restoration, invasive plant removal, final success criteria, provisions for monitoring, provisions for submission of annual reports of monitoring results, and a project alternative(s) analysis. A project alternatives analysis is critical in order to make the necessary project findings for approval.

Please do not limit your submittal to the above-mentioned items. You may submit any information, which you feel, may help Commission staff gain a clear understanding of the scope of your project. Upon receipt of the requested materials, we will proceed with determining the completeness of your application. Please be aware that additional questions may be raised after review of the information requested. After the application is deemed complete, it will be scheduled for Commission review.

Thank you for your attention to these matters. We look forward to working with you. If you have any questions, you may contact me at (562) 590-5071.

Sincerely,

A handwritten signature in cursive script that reads "Liliana Roman".

Liliana Roman
Coastal Program Analyst