



Post Office Box 461, Dana Point, California 92629

10/1/09

TO: California Coastal Commission and Staff (See Distribution List)

RE: Updated Comments By The Dana Point Boaters Association Regarding Proposed LCPA  
DPT-MAJ-08, aka Dana Point Harbor Revitalization Plan Land Use Component

Dear Commissioners and Staff:

The Dana Point Boaters Association would like to update its submission dated September 15, 2009 regarding the Dana Point LCPA DPT-MAJ-08, based on information recently obtained.

In our prior submission we stated that in Planning area one (MSC 1) there appears to be a loss of boater launch and dry storage square footage of about 8.5% compared with what is currently available. We previously stated that this loss would be problematic and a likely CDP issue. After discussions with Coastal Staff on 9/29/09 we now understand that any changes to the area designated as MSC 1 are an LCPA issue that requires the Commissioners attention prior to passage of the LCPA as written. We are therefore formally requesting the Commissioners to amend the area known as MSC 1 to restore the same square footage as currently exists, thereby to protect dry storage and boat launching capabilities within the harbor. The proposed parking garage takes away too significant a portion of this land, and there is no remediation that makes up for the loss of such land within the harbor to store and launch boats. The dry stack storage facility that may or may not be constructed is not mitigation for the loss of landside storage, as it a) does not accommodate the needs of some boats including boats below or beyond a certain size range, power boats with certain configurations and all sailboats, b) does not provide the same type of access that dry storage users presently enjoy – it only provides boat access by appointment (assuming an appointment is available), and c) removes significant portions of the land used for these purposes today.

The Coastal Staff has done a commendable job of protecting boaters against in water slip loss by recommending a zero slip loss policy. Landside boat storage issues are similarly protected under the Coastal Act, and deserve the same level of protection. Therefore the allowance of the reduction in the land allocated to such storage and launching would be directly contrary to both the Coastal Act and the Staff recommendations regarding slip loss and the need to protect the highest coastal uses.

Related to the loss of 8.5% of the launch and dry storage area are the policies in the section 4 of the LUP that protect such dry storage and launch facilities. In particular section 4.2.2-10 from the LUP (Exhibit 17) continues to attempt to provide boater protections that are inconsistent with the proposed reduction in launch and storage space within the LCPA:

*4.2.2-10 Ensure that the redevelopment of Dana Point Harbor maintains and enhances the following coastal-dependent and coastal related uses:*

- *Redesign and expand the existing boat launch facility to maximize the number of vehicle with trailer parking spaces meeting minimum Department of Boating and Waterway guidelines (10' X 40'). Larger vehicle with trailer parking spaces shall also be provided in adequate amount to meet demand as determined through environmental review process (minimum 292 spaces);*
- ***Retain the existing number of dry boat storage spaces until a replacement dry stack storage facility is constructed and open for use. Maintain a minimum of 93 mast up surface boat storage spaces within the Harbor at all times, additional spaces shall be provided where feasible;***

This language not only ignores our previous suggestions to memorialize the total number of existing launch and dry storage spaces within this and other sections of the LUP (today the number of mast up spaces is many times greater than 93 – how can the retention objective highlighted above be achieved if it is not measurable?) and to increase the minimum number of mast up storage spaces, but it is incongruent with the notion of an 8.5% reduction in the space presently allocated within the Harbor for such uses. We agree that maintenance of at least the existing numbers is a requirement, consistent with the newly revised in-water slip policy, but are having difficulty reconciling the logic in the LUP as to how this can be possible.

We respectfully request the Commission to make the appropriate amendments to the LCPA and LUP to protect all boaters' interests and rights within the Harbor.

Sincerely,



Rodger Beard  
President  
Dana Point Boaters Association

*A nonprofit, all volunteer California Corporation representing over 500 dues paying recreational boaters of Dana Point Harbor*

[www.DanaPointBoaters.org](http://www.DanaPointBoaters.org)

[RodgerBeard@DanaPointBoaters.org](mailto:RodgerBeard@DanaPointBoaters.org)

(949) 485-5656 (main)

(949) 500-3747 (mobile)

Distribution List:

Bonnie Neely, Commissioner, Chair  
William A Burke, Commissioner, Vice Chair  
Mary K. Shallenberger, Commissioner  
Larry Clark, Commissioner  
Steven Blank, Commissioner  
Sara Wan, Commissioner  
Steven Kram, Commissioner  
Patrick Kruer, Commissioner  
Khatchik Achadjian, Commissioner  
Ross Mirkarimi, Commissioner  
Esther Sanchez, Commissioner  
Mark W. Stone, Commissioner  
Peter M. Douglas, Executive Director  
Sherilyn Sarb, Deputy Director  
Teresa Henry, District Manager  
Karl Schwing, Supervisor, Regulation and Planning  
Fernie Sy, Coastal Program Analyst  
Michael Chrisman, Non Voting  
Dale E. Bonner, Non Voting  
Paul Thayer. Non Voting  
Jim Wickett, Alternate  
April Vargas, Alternate  
Dan Secord, Alternate  
Meg Caldwell, JD, Alternate  
Adi Liberman, Alternate  
Sharon Wright, Alternate  
Sarah Glade Gurney, Alternate  
Brooks Firestone, Alternate  
Dr. Suja Lowenthal, Alternate