

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD, SUITE 300  
LONG BEACH, CA 90802-4325  
VOICE (562) 590-5071



September 4, 2024

Joe Ueberroth  
President  
Bellwether Financial Group  
610 Newport Center Dr, Suite 490  
Newport Beach, CA 92660

Dana Point Harbor Partners, LLC  
c/o Sherman Stacey  
3197-A Airport Loop Dr  
Costa Mesa, CA 92626

The Marina at Dana Point  
34555 Casitas Place  
Dana Point, CA 92629

**Re: Dana Point Harbor Slip Layout and Compliance with Coastal Development Permit No. 5-19-0971**

Dear Addressees:

This letter is written regarding the Dana Point Harbor's current boating slip layout and potential non-compliance with Coastal Development Permit ("CDP") No. 5-19-0971, which was issued by the Coastal Commission ("Commission") in September 2020. Commission staff has reviewed both CDP No. 5-19-0971's final approved plans and the current slip layout, and, while we have not done a comprehensive compliance review, we are concerned that certain smaller boating slips have not been included in the marina as identified on the final plans and required by the CDP. For instance, area for thirty-seven (37) fifteen (15) ft. boats are required to be constructed and permanently maintained within the "Cove East" section of the project; and twenty-two (22) twenty-one (21) ft. boats are required to be constructed and permanently maintained within the "Island East" section of the project. The 15-foot slips identified on the west and east ends of Cove East and the 21-foot slips identified in Island East on the final plans do not appear on the current slip layout maps.<sup>1</sup> Further, the Marina at Dana Point's website states that available boat slips range from 21 feet to 85 feet and makes no mention of the requisite 15-foot slips.<sup>2</sup> Please note that an adequate boat slip mix, including smaller slips, is necessary for CDP No. 5-19-0971's consistency with the Coastal Act. To that end, the adopted staff report for CDP No. 5-19-0971 states:

Although there is demand for larger slips, the continued loss of small boat slips could have an adverse impact on boating opportunities within the harbor by reducing the number of slips and small slips available to the public. . . By upgrading the older marina with new

<sup>1</sup> Please see Exhibit 1 for reference.

<sup>2</sup> Please see Exhibit 2 for reference.

ADA compliant docks, providing new pump-out stations, and providing a wide range of slip sizes, the project will enhance anchorage and improve and encourage recreational boating in the Dana Point Harbor as a whole. However, the proposed project could have the effect of reducing recreational boating opportunities and lower cost visitor and recreational opportunities within Dana Point due to the net loss of total slips and net loss of small slips. *To encourage lower cost boating opportunities and the introduction of boating to recreational boaters it is necessary to protect the provision of small slips within the water[.]* (emphasis added)

Also referenced in the adopted staff report is the City of Dana Point's certified Local Coastal Program Section 4.2.2-6 – Protect and enhance berthing opportunities in Dana Point Harbor, which provides that “[p]riority shall be given to provision of slips that accommodate boats less than 25 feet in length.”

Please know that Commission staff acknowledges this is a complicated and ongoing multi-phased project. However, we are concerned that many of the required slips for smaller boats are not shown on the marina's slip layout maps, which we understand reflect the intended final layout, and that Dana Point Harbor does not intend to provide these required smaller slips, which would constitute a violation of the CDP. Please also note that Special Condition 1 of CDP No. 5-19-0971 states:

All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required pursuant to the requirements of the certified LCP, the Coastal Act and the California Code of Regulations. No changes to the approved development shall occur without a Commission amendment to this coastal development permit or a new coastal development permit, unless the Executive Director determines that no amendment or new permit is required.

As such, in order to help Commission enforcement staff's consideration of options to address this matter, we are requesting that the addressees submit a compliance report that assesses Dana Point Harbor's current slip layout's conformance with CDP No. 5-19-0971. Please contact me via email at [spenser.sayre@coastal.ca.gov](mailto:spenser.sayre@coastal.ca.gov) by **September 18, 2024**, to confirm receipt of this letter and your intention to provide the requested slip layout assessment.

Sincerely,



Spenser Sayre, Esq.  
South Coast District Enforcement

**Cc: Karl Schwing, Deputy Director, CCC**  
**Lisa Haage, Chief of Enforcement, CCC**  
**Andrew Willis, Enforcement Counsel, CCC**  
**Jeff Palm, Planner, CCC**

# EXHIBIT 1



BOAT SLIP SIZES			
20' x 29'	26' x 21'	30' x 24'	BROKER DOCKS COMMERCIAL FISHING DOCKS
11' x 24'	26' x 21'	30' x 24'	
20' x 49'	26' x 73'	30' x 24'	



**BELLWETHER**  
FINANCIAL GROUP

EAST COVE  
DANA POINT HARBOR



BOAT SLIP SIZES			
20' x 29'	26' x 21'	30' x 24'	BROKER DOCKS COMMERCIAL FISHING DOCKS
11' x 24'	26' x 21'	30' x 24'	
20' x 49'	26' x 73'	30' x 24'	



**BELLWETHER**  
FINANCIAL GROUP

EAST ISLAND  
DANA POINT HARBOR

**EXHIBIT 2**

SPACE SIZE	MAX VESSEL LOA	BASE RENT LENGTH OF DOCK	ADD'L COST PER FOOT
Inside Tie	20'	22' = \$283.00	\$14.15
21'	23'	21' = \$381.15	\$18.15
22'	24'	22' = \$422.40	\$19.20
24'	26'6"	24' = \$475.20	\$19.80
25'	27'6"	25' = \$498.75	\$19.95
26'	28'6"	26' = \$535.60	\$20.60
28'	30'6"	28' = \$637.84	\$22.78
30'	33'	30' = \$788.10	\$26.27
35'	38'6"	35' = \$999.95	\$28.57
40'	44'	40' = \$1,488.00	\$37.20
45'	49'6"	45' = \$1,714.50	\$38.10
50'	55'	50' = \$1,972.50	\$39.45
52'	57'	52' = \$2,080.00	\$40.00
55'	60'6"	55' = \$2,494.95	\$45.35
58'	64'	58' = \$2,806.04	\$48.38
60+ & ET	Dock Ft + 10%	60' = \$2,989.20	\$49.82