



Los Cerritos Wetlands Land Trust
for Long Beach and Seal Beach

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Hon. Chair Bonnie Neely and Commissioners
California Coastal Commission
45 Fremont Street, Ste. 2000
San Francisco, CA. 94122

February 26, 2010

Dear Commissioners:

Re: 2H Properties
Substantial Issue Determination A-5-LOB-10-15
W15a March 10, 2010

Dear Coastal Staff and Commissioners

We represent Los Cerritos Wetlands Land Trust (LCWLT). LCWLT is a nonprofit organization established in 2001 for the sole purpose of protecting and restoring the unique and vitally important local estuarine environment located in and around the communities of Long Beach and Seal Beach.

At your upcoming meeting, on March 10, you will determine whether substantial issue exists to hear and further condition a coastal development permit (CDP) issued for 6400 Loynes Drive, Long Beach, Los Angeles County in order to legitimize emergency actions taken to re-establish a landfill cover and to insure future remediation of wetlands, ESHA, wildlife and natural resources located onsite.

The underlying facts are not in dispute. On March 19 & 20, 2009, the property owner, without benefit of permits or environmental analysis or review of any kind, employed heavy machinery to scrape and destroy wetlands, wildlife and ESHA habitat across the entirety of the property. In the process, the landowner also endangered the surrounding community by unearthing and exposing a historic landfill underlying the habitat.

In subsequent statements and information, it now appears the property owner undertook the illegal grading to facilitate future development of the site.

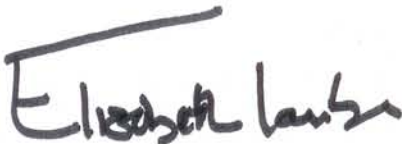
It is critical that the Commission insure the property is restored to pre-development condition prior to consideration of any additional modification or development of the property. LCWLT has retained biological experts and produced a report entitled "Comments on Illegal Development and Retroactive Permit to Remediate at 6400 Loynes Drive, Long Beach" by Land Protection Partners, which outlines the actions and parameters needed to achieve remediation and restoration of the property. This report has been provided to coastal staff and is available for your review at www.lcmlandtrust.org

We believe your actions in 2006 involving illegal dune grading at 7300 W. Ocean Front at the mouth of the Santa Ana River in Newport Beach are illustrative in this case. There, when five families paid a contractor to level sand dunes fronting their homes, you imposed a \$225,000 fine and required restoration and long term monitoring (Cease & Desist Order CCC-06-CD-01 and Restoration Order CCC--6-RO-01). The restoration has been a success and the fine has no doubt discouraged others from similar actions. Your complete report is at <http://documents.coastal.ca.gov/reports/2006/2/W17-s-2-2006.pdf>

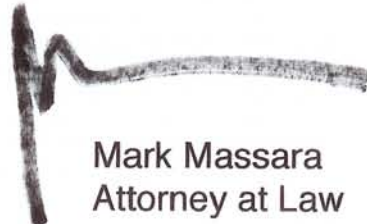
The case at 6400 Loynes Drive is much more severe. In Newport the graded dunes only comprised a 150-ft by 30-ft area. At Loynes, nearly 10 acres of habitat and wetlands have been destroyed. In Newport, the dunes were restored in just five years. At Loynes, the restoration efforts may take decades.

Given the numerous Coastal Act and Local Coastal Program policies at stake, the circumstances involved and the need to insure full restoration and long term monitoring, we urge the Commission to find Substantial Issue and initiate a complete and comprehensive review of the emergency work and future remediation of the property.

Sincerely,



Elizabeth Lambe
Executive Director



Mark Massara
Attorney at Law