

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
1000 Ocean Gate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

Filed: 7/16/97
49th Day: 9/3/97
180th Day: 1/12/98
Staff: CP-LB
Staff Report: 8/20/97
Hearing Date: Sept. 9-12, 1997
Commission Action:

**RECORD PACKET COPY**STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-216

APPLICANT: City of Long Beach

AGENTS: Dennis Eschen, Supervisor of Parks Planning & Development
Jack Humphrey, Advance Planning Officer

PROJECT LOCATION: 6201 Marina Drive, City of Long Beach, Los Angeles Co.

PROJECT DESCRIPTION: Improvements to the existing Davies public boat launching ramp and parking area including: 1) replace existing asphalt launch ramp with concrete, 2) repair existing floating dock, 3) add a boat wash rack, 4) demolish existing restroom, 5) construct new 678 sq. ft. restroom, 6) install new landscaping and irrigation system, and 7) erect new sign.

Lot Area	334,678 sq. ft.
Building Coverage	678 sq. ft.
Pavement Coverage	330,000 sq. ft.
Landscape Coverage	4,000 sq. ft.
Parking Spaces	260
Zoning	P: Park
Plan Designation	Park
Ht abv fin grade	14 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with no special conditions. The City agrees with the recommendation.

LOCAL APPROVAL RECEIVED:

1. City of Long Beach Staff Site Plan Review Case No. 9512-04, 1/10/96.
2. City of Long Beach Approval in Concept, 7/9/97.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program, 7/22/80.
 2. Coastal Development Permit 5-93-232 (Long Beach Parking Lot Hours).
 3. Coastal Development Permit 5-88-479 (Davies Ramp Improvements).
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STAFF NOTE:

A Coastal Development Permit is required from the Commission for the proposed development because the sites of the existing launch ramp and parking lot are located on state tidelands within the Commission's area of original jurisdiction. Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a Coastal Development Permit from the Commission. The Commission's standard of review for the Coastal Development Permit for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance.

STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions: None.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The City of Long Beach proposes to renovate an existing public boat launching ramp and its parking area in Alamitos Bay known as Davies Launch Ramp (Exhibit #2). The proposed improvements include: 1) replace the existing asphalt launch ramp with a new concrete apron, 2) repair the existing floating dock, 3) add a new boat wash rack complete with grease trap and filter for protection of water quality, 4) demolish the existing restroom, 5) construct new 678 square foot restroom, 6) install new landscaping and an irrigation system, and 7) erect a new "Davies Launch Ramp" sign. The only work proposed in or over the waters of Alamitos Bay involves minor repairs to maintain the existing floating dock. Construction of new floating docks are anticipated as a future project for which a separate Coastal Development Permit application will be submitted. The proposed project is funded by a grant from the State Department of Boating and Waterways.

The Davies Launch Ramp, built in 1965, is a 24 hour a day, seven days a week public boat launching facility. A 150 foot wide ramp provides access into the water (Exhibit #4). A 350 foot long floating dock is located near the ramp for loading and unloading boat passengers. Entrance to the facility is through an automated gate with an entrance fee of five dollars. Exit from the site is through a driveway with reverse flow tire damaging devices (tiger teeth). The parking area for the launch ramp currently contains 262 parking spaces. Only two parking spaces will be lost as a result of the proposed project leaving 260 parking spaces.

The Davies public boat launching ramp and parking lot are located located on State tidelands in the Marine Stadium area of Alamitos Bay in Long Beach (Exhibit #2). Long Beach Marine Stadium is a combination of water and land facilities used for public recreation. The Marine Stadium area was formerly submerged lands and subject to tidal influence. Marine Stadium was dredged out of this area in preparation for the 1932 Olympics, and the dredged spoils were used to fill adjacent areas. The water area is approximately one mile long and five hundred feet wide and is contiguous with Los Cerritos Channel, Long Beach Marina, and Alamitos Bay. Marine Stadium was the site of past Olympic rowing competitions and is currently used for rowing, water skiing, jet skiing, and boat racing. While Marine Stadium is surrounded by residential development, the entire circumference of the stadium is accessible to the public. Approximately two thousand public parking spaces are located in various parking lots situated around the sides of the stadium.

Although the majority of the proposed project is located landward of the current water line, the entire project is located in the Commission's area of original jurisdiction because of its situation on former tidelands. Because the proposed project is located in the Commission's area of original jurisdiction, the required Coastal Development Permit must be issued by the Commission.

B. Recreation and Public Access

One of the basic goals stated in the Coastal Act is to maximize public access and recreation along the coast. In order to receive the Commission's approval, the proposed project must be found consistent with the public access and recreation policies contained in Chapter 3 of the Coastal Act. The proposed project is consistent with the following Coastal Act policies which encourage public access and recreational use of coastal areas.

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

- (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...

Section 30213 of the Coastal Act states, in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30224 of the Coastal Act states:

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

The above stated policies of the Coastal Act require that developments near the coast provide maximum public access, lower-cost recreational opportunities, and water-oriented recreational activities. The proposed project involves the renovation of an existing recreational boating facility which currently provides excellent public access and coastal recreation opportunities. The public boat launch is always open and costs only five dollars to access.

Although the proposed improvements may temporarily interrupt the public's use of the boat launch facilities, the proposed renovation of the facility will

ensure that it will be able to continue to provide maximum public access, lower-cost recreational opportunities, and water-oriented recreational activities in conformance with the Chapter 3 policies of the Coastal Act and the certified LCP. Overall, the proposed project will improve the public's ability to access the sea by providing an improved facility for the public to interface with the coastal environment. Therefore, the Commission finds that the proposed project is consistent with the public access and recreation policies of the Coastal Act.

C. Marine Resources

Because of its location, the proposed project could affect sensitive habitat areas and water quality in the adjacent coastal waters of Alamitos Bay. The Coastal Act contains policies which address development in or near coastal waters by requiring the protection of biological productivity, public recreation and marine resources. The proposed project must conform to the following Chapter 3 policies of the Coastal Act.

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project involves the renovation of an existing boat launch facility. Although the proposed project is located directly on the waterfront, no work is proposed in the water except for minor repairs to the existing floating dock. The proposed project includes the addition of a boat wash rack to the existing boat launch facility.

The Coastal Act requires that mitigation measures be provided to ensure that the proposed project is the least environmentally damaging alternative. Sections 30230 of the Coastal Act requires special protection shall be given to areas of special biological significance like Alamitos Bay. Section 30231

requires that water quality be protected and enhanced in order to maintain the biological productivity of all coastal waters.

Therefore, special measures must be taken to ensure that runoff from the proposed boat wash rack does not negatively impact marine resources. In order to protect the water quality of Alamitos Bay the City has sited the boat wash rack away from the launch ramp and water's edge (Exhibit #4). In addition, the City has proposed a special design for the boat wash rack that directs the boat wash runoff into a sump to be filtered by a grease trap and sand filter. The runoff will be filtered and then discharged into the City sewer system so as not to enter and pollute the waters of Alamitos Bay.

As proposed, the project adequately mitigates any potential adverse impacts to the environment caused by the proposed project. Therefore, the Commission finds that the proposed project is consistent with the marine resource and water quality policies of the Coastal Act.

D. State Lands

The proposed project is located on state tidelands which are administered by the City of Long Beach under the Long Beach Tidelands Trust Agreement. The use of state lands is generally restricted to public serving uses. The proposed project is a public serving use. The Commission has consistently required the City to document that projects on state tidelands are consistent with all tideland grant requirements imposed on the City. In this case, the State Lands Commission staff has reviewed the proposed project and found that it appears to be consistent with the Long Beach Tidelands Trust Agreements (Exhibit #6). The City has also provided written documentation, including specific citation of the relevant sections of the applicable State Tidelands Grant, showing that the proposed project is consistent with the public trust and with the terms and conditions of the Legislature's grant of this portion of the City of Long Beach (Exhibit #7).

E. California Environmental Quality Act (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project has been found consistent with the public access, recreation, and marine resource policies of the Coastal Act. Mitigation measures proposed as part of the project will minimize all adverse impacts. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the

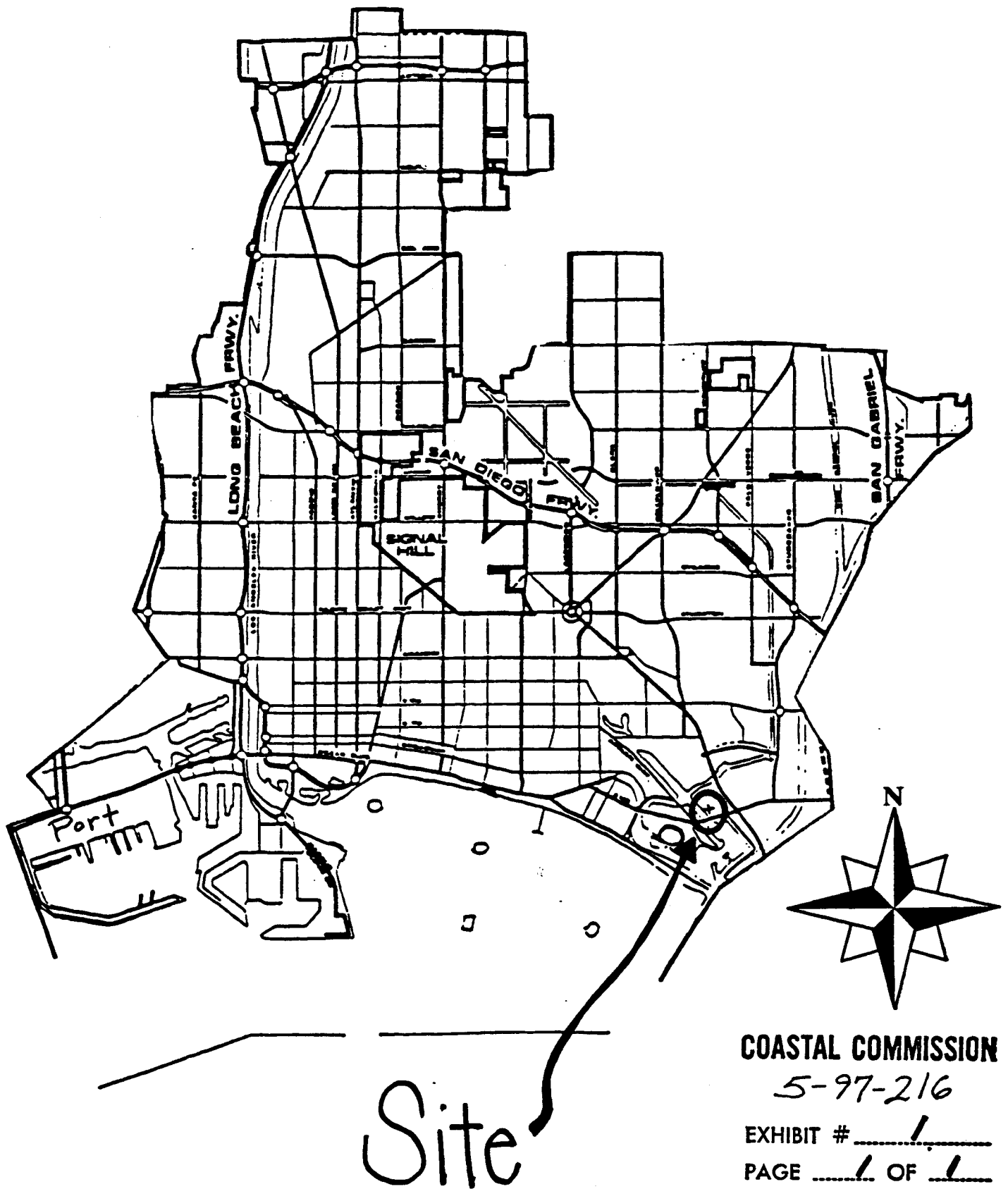
activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

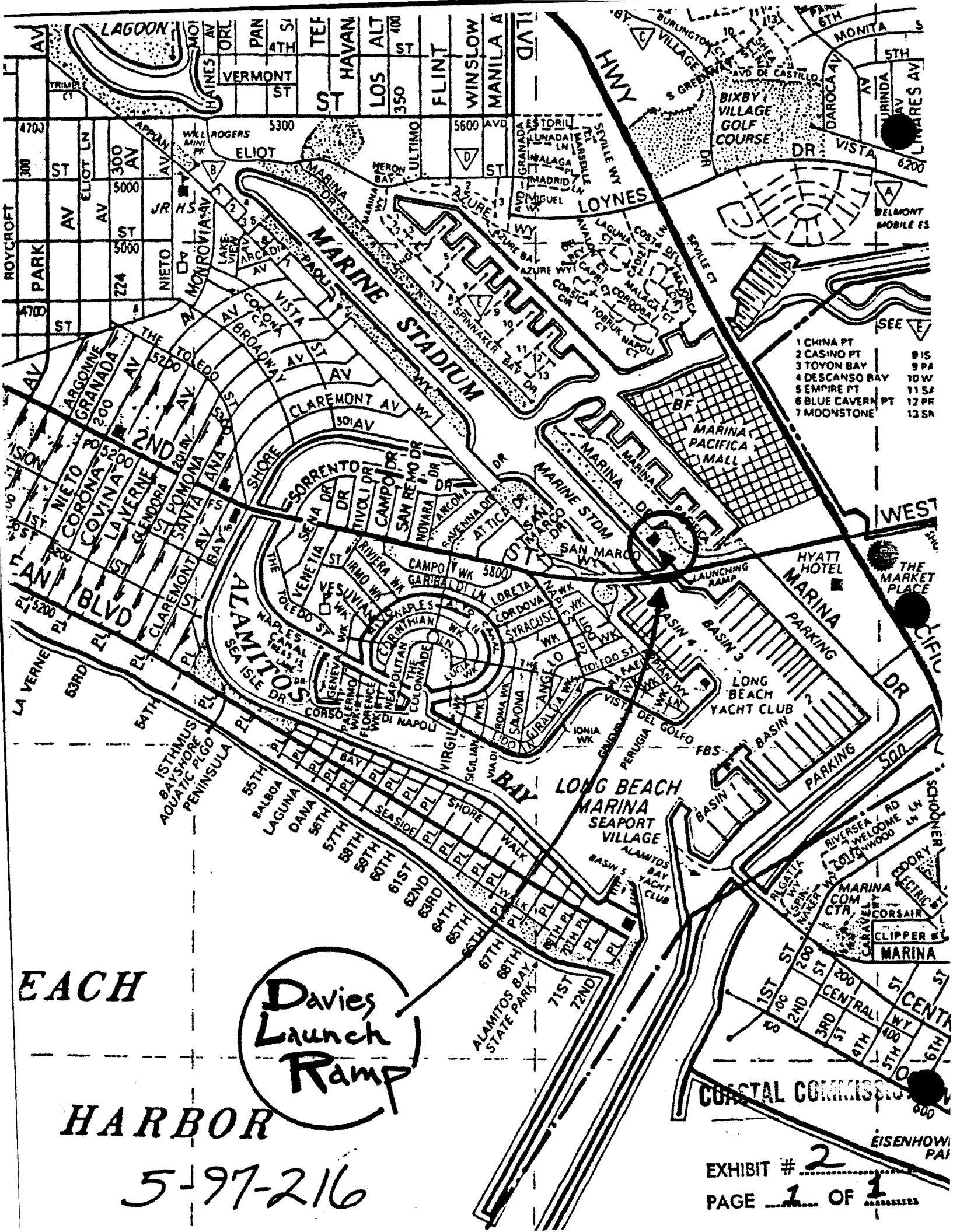
F. Local Coastal Program

The City of Long Beach Local Coastal Program (LCP) was certified by the Commission on July 22, 1980. The proposed project complies with the policies of the certified LCP. However, the proposed project is located seaward of the former mean high tide line and in the Commission's area of original jurisdiction. Because the proposed project is located in the Commission's area of original jurisdiction, the LCP is advisory in nature and only provides guidance. The standard of review for this project is the Coastal Act. The proposed project is consistent with the policies of Chapter 3 of the Coastal Act.

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City of Long Beach





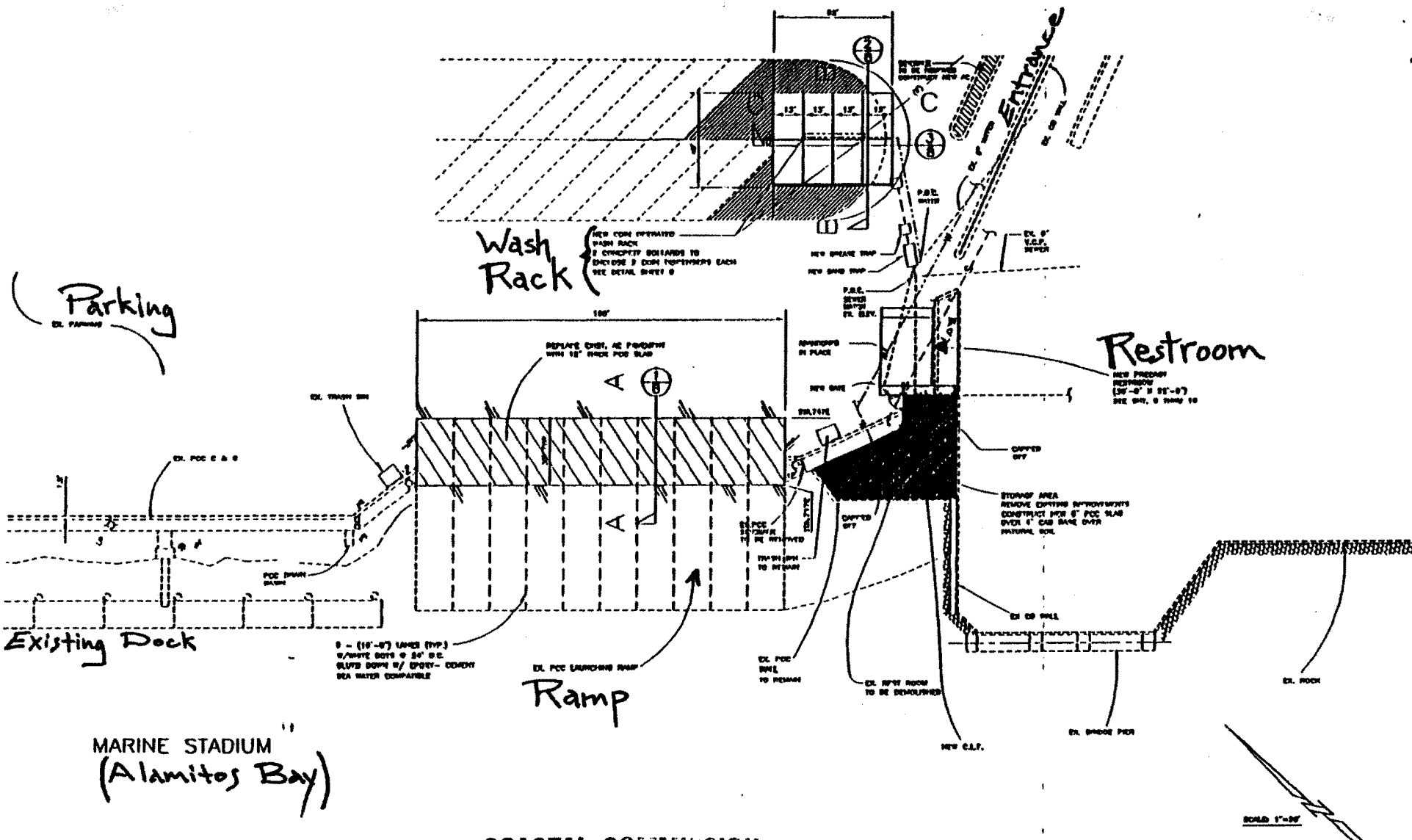
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- 2 CASINO PT 9 PA
- 3 TOYON BAY 10 W
- 4 DESCANSO BAY 11 SA
- 5 EMPIRE PT 12 PR
- 6 BLUE CAVERN PT 13 SA
- 7 MOONSTONE

EACH

Davies
Launch
Ramp

HARBOR

5-97-216

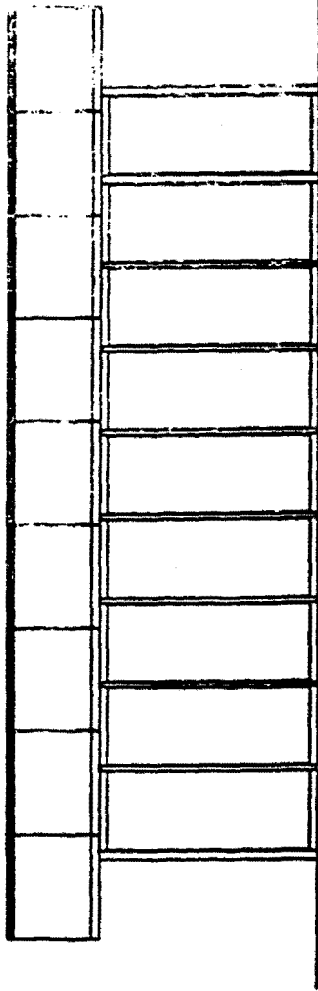


COASTAL COMMISSION
 5-97-216
 EXHIBIT # 4
 PAGE 1 OF 1

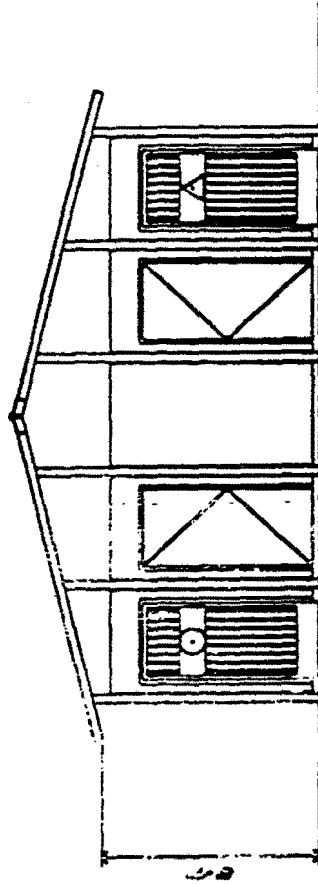
LAUNCH RAMP AND RESTROOM PLAN

1/16 SHEET 5/22/97 LRS 1" = 10'			NO. 0-0201 NO. 472211-05 2001 7-18 SHEET NO. 0-0533
NO.	DATE	BY	

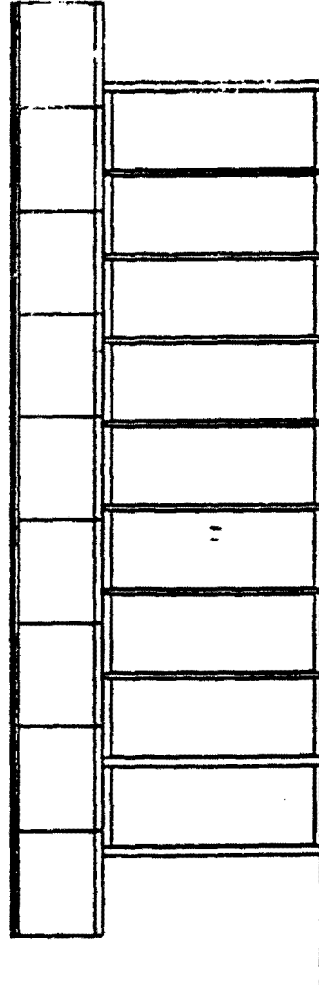
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1-01	00-00	00-00	00-00	00-00



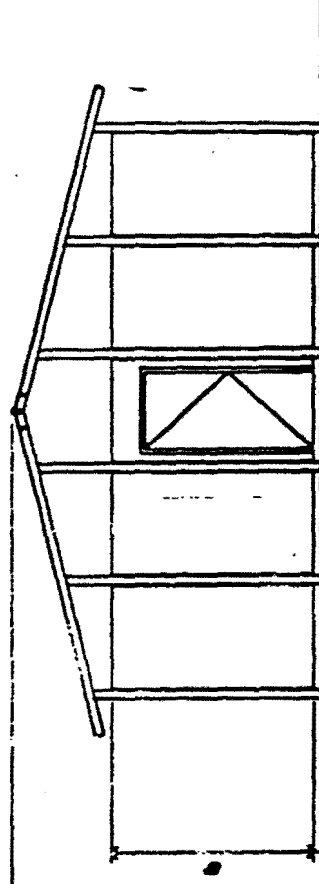
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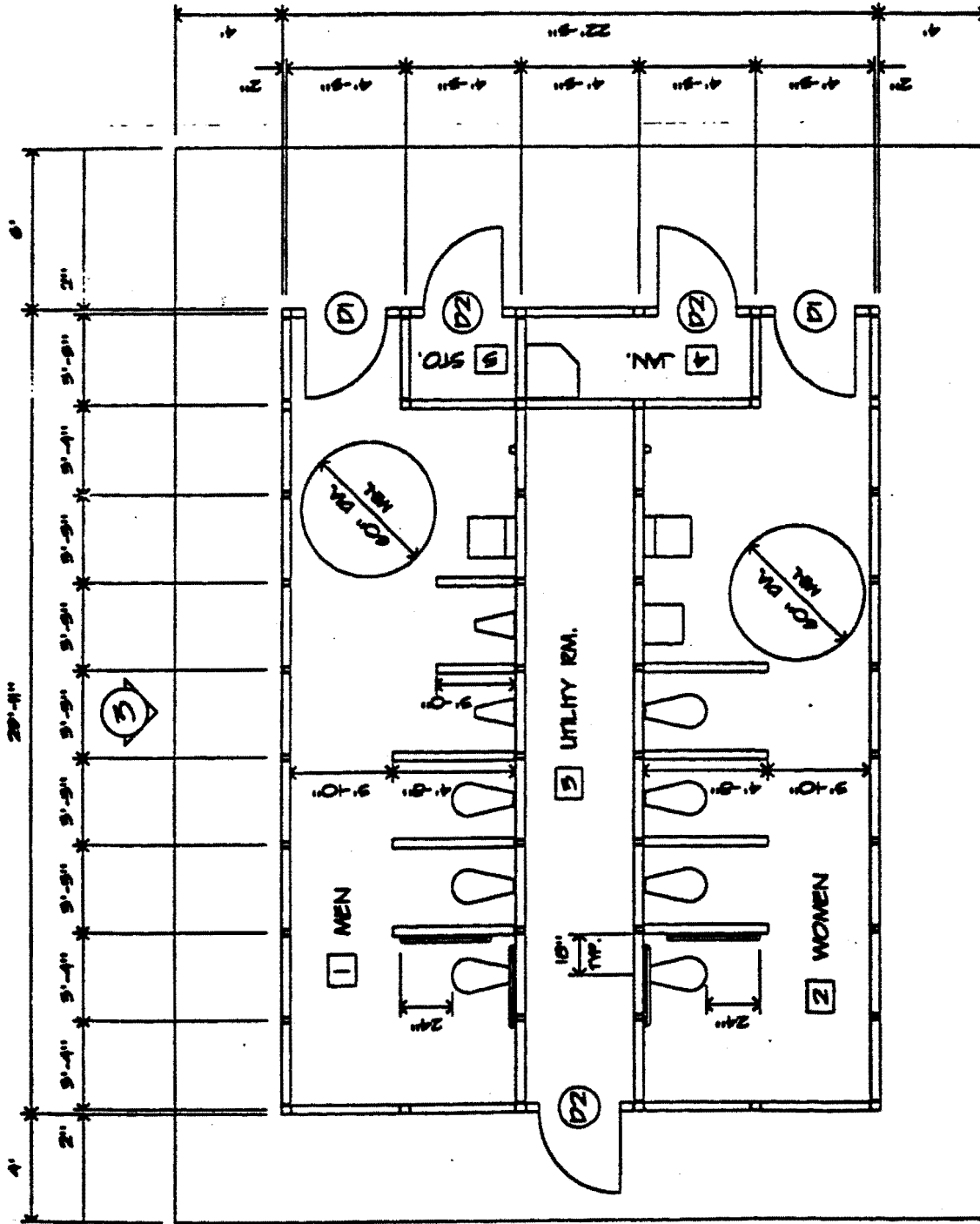
Restroom

COASTAL COMMUNITY COLLEGE

5-97-216

EXHIBIT # 5

PAGE 1 OF 2



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FLOOR PLAN

SCALE: NONE

Restroom

COASTAL COMMISSION

5-97-216

EXHIBIT #

5

PAGE

2

2

EXHIBIT 2

STATE OF CALIFORNIA

PETE WILSON, Governor

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202



ROBERT C. HIGHT, Executive Officer
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from Voice Phone 1-800-735-2929

Contact Phone: (916) 574-1892
Contact FAX: (916) 574-1925
Internet Address: smithj@slc.ca.gov

February 19, 1997

RECEIVED
DIRECTOR'S OFFICE
FEB 21 1997
DEPT. OF PARKS & RECREATION

Ralph J. Cryder
Director
Department of Parks, Recreation and Marine
City of Long Beach
2760 Studebaker Road
Long Beach, CA 90815-1697

5-97-216
RECEIVED
JUL 16 1997

File Ref: SD 97-01-21.6

CALIFORNIA
COASTAL COMMISSION

Dear Mr. Cryder:

SUBJECT: Rehabilitation to Davies Launch Ramp, Northeast Shore of Marine Stadium, Long Beach

This is in response to your request for a determination by the California State Lands Commission (CSLC) whether it asserts a sovereign title interest in the property that the subject project will occupy and whether it asserts that the project will intrude into an area that is subject to the public easement in navigable waters.

The subject project involves improvements to Davies Launch Ramp. The project will be located on lands which were originally granted in trust by the Legislature to the City of Long Beach pursuant to Chapter 102, Statutes of 1925, as amended. These lands were subsequently reconfirmed to the City of Long Beach pursuant to two settlement agreements: (1) BLA 101, the McGrath-Macco Boundary Settlement and Exchange Agreement, originally recorded in 1970, as subsequently amended; and (2) BLA 179, the Alamitos Bay Boundary Settlement and Exchange Agreement, recorded in 1981. The project appears to be consistent with public trust uses provided for by the Legislature and no further authorization from the CSLC is required.

If you have any questions, please feel free to contact Jane E. Smith, Public Land Management Specialist, at (916) 574-1892.

Sincerely,

Jane Sekelsky, Chief
Land Management Division

COASTAL COMMISSION

5-97-216

EXHIBIT # 6

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cc: Chuck Posner, CCC/LB

OFFICE OF THE
CITY ATTORNEY
OF
LONG BEACH

JOHN R. CALHOUN
CITY ATTORNEY

ROBERT E. SHANNON
ASSISTANT

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June 25, 1997

Coastal Commission
South Coast District
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P.O. Box 1450
Long Beach, CA 90801-1450

5-97-216
RECEIVED
JUL 16 1997
CALIFORNIA
COASTAL COMMISSION

Re: Davies Launch Ramp

Gentlemen:

I understand that there are planned improvements to the Davies Launch Ramp. The project area is divided into areas that are owned by the City of Long Beach outright on the one hand or is part of the tidelands trust held in trust by the City for the State of California on the other hand.

As to that portion of the project which is tidelands, I have examined relevant restrictions on the uses to which the City of Long Beach may put tidelands. I find that the Davies Launch Ramp project is consistent with, and not forbidden by, the various grants by the State to the City. These include Statutes 1911, Chapter 675; Statutes 1925, Chapter 102; Statutes 1935, Chapter 158; and Statutes 1959, Chapter 1560. There have been subsequent enlargements of the uses allowed in the mentioned statutes but no relevant diminutions and the mentioned statutes clearly allow the intended use.

I trust that the forgoing is satisfactory to your needs.

Very truly yours,

JOHN R. CALHOUN, City Attorney

By


James N. McCabe, Deputy

JNM:pw

COASTAL COMMISSION

5-97-216

EXHIBIT # 7

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