

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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 (562) 590-5071

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Filed: 3/12/02
 49th Day: 4/30/02
 180th Day: 9/8/02
 Staff: AJP-LB
 Staff Report: 7/17/02
 Hearing Date: 8/6-9/02
 Commission Action:

STAFF REPORT: CONSENT CALENDAR**APPLICATION NUMBER:** 5-02-077**APPLICANT:** Marina Pacific Associates**PROJECT LOCATION:** 4400 and 4500 Via Marina (Parcels 111 & 112), Marina del Rey**PROJECT DESCRIPTION:** Replace deteriorated/damaged boat dock floats with new dock floats similar in size to existing floats within an existing 586 slip marina. No change to the number or size of the boat slips.**LOCAL APPROVALS RECEIVED:** County of Los Angeles Department of Regional Planning Approval in Concept**SUBSTANTIVE FILE DOCUMENTS:** Marina Del Rey certified Local Coastal Plan, 1995.**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission grant a permit for the proposed development with a condition regarding construction responsibility and debris removal. As conditioned, the proposed development conforms with the public access, recreation, and marine resource protection policies of the Coastal Act.

Staff Note: The Coastal Commission certified the Marina del Rey Local Coastal Plan in 1984. The Commission retained jurisdiction over submerged lands (original jurisdiction), which are all areas seaward of the mean high tide line pursuant to Section 30519 of the Coastal Act. In Marina del Rey, submerged lands are demarcated by the marina's bulkhead. Therefore, development seaward of the bulkhead is within the Commission's original jurisdiction and permit authority is retained by the Commission.

The standard of review for development within the Commission's original permit jurisdiction is Chapter 3 of the Coastal Act. The County's certified LCP is advisory in nature and may provide guidance for development.

STAFF RECOMMENDATION:

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR 5-02-077:

Staff recommends that the Commission make the following motion and adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit #5-02-077 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/ or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternative that would substantially lessen any significant adverse impacts of the development on the environment.

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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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

1. CONSTRUCTION RESPONSIBILITIES AND DEBRIS REMOVAL

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to inundation or dispersion in the waters of the marina;
- (b) Any and all debris resulting from construction activities shall be removed from the site within 10 days of completion of construction;
- (c) No machinery or construction materials not essential for project improvements shall be allowed at any time in the intertidal zone;
- (d) If turbid conditions are generated during construction, a silt curtain shall be utilized to control turbidity;
- (e) Floating booms shall be used to contain debris discharged into coastal waters and any debris discharged shall be removed as soon as possible but no later than the end of each day;
- (f) Non-buoyant debris discharged into coastal waters shall be recovered by divers as soon as possible after loss; and
- (g) Reasonable and prudent measures shall be taken to prevent all discharge of fuel or oily waste from heavy machinery, or construction equipment or power tools into the waters of the Marina del Rey. The applicant and the applicant's contractors shall have adequate equipment available to contain any such spill immediately.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to replace deteriorating cement floats on the main walks and fingers for the existing 586 slip marina. The floats are located under the walks and fingers of the dock system providing buoyancy, through a solid polystyrene core, to the dock structures. The floats are approximately 3 feet-7 inches wide and are 8 to 10 feet in length.

The replacement of the floats will require unbolting and removing the existing floats, placing the new floats into position and bolting them unto the walks and fingers. The size and configuration of the existing docks will not be affected. The purpose of the project is to replace old and deteriorating floats as County required maintenance, to ensure that the anchorage is maintained in a safe and operable condition.

The proposed project is located on the 16.8 acre water portion of Parcels 111 and 112. Parcel 111 is located along Via Marina. The parcel contains approximately 7.3 acres of usable water area. Parcel 112 is located partially on Via Marina and extends down Bora Bora Way. Parcel 112 contains approximately 9.5 acres. Both parcels are situated in the western portion of the marina, in Marina Del Rey (see Exhibit No. 1-3).

C. Public Access and Recreation

The proposed development is the improvement of a small boat marina, which promotes recreational boating and is an encouraged marine related use. No fill of coastal waters is proposed. The proposed development will not have any significant adverse effect on sensitive marine resources, such as eelgrass. Therefore, the Commission finds that the proposed development conforms with Section 30224 of the Coastal Act.

D. Marine Resources

The proposed dock work will be occurring on or within coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be discharged into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

E. Local Coastal Program

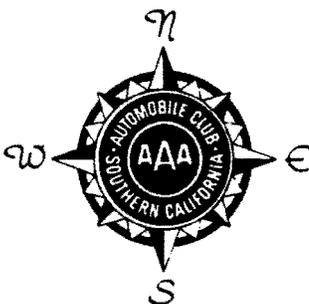
The LCP for Marina del Rey/Ballona segment of the County of Los Angeles was effectively certified on December 9, 1986. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. The proposed use is a permitted use. However, the proposed development is located seaward of the mean high tide and is within the Commission's original permit jurisdiction. The standard of review for development within the Commission's original permit jurisdiction is Chapter 3 of the Coastal Act. The County's certified LCP is advisory in nature and may provide guidance for development. As stated in the preceding sections, as conditioned, the project will not adversely impact coastal and marine resources or coastal access and will be consistent with the Chapter 3 policies of the Coastal Act.

F. California Environmental Quality Act

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



Site Location



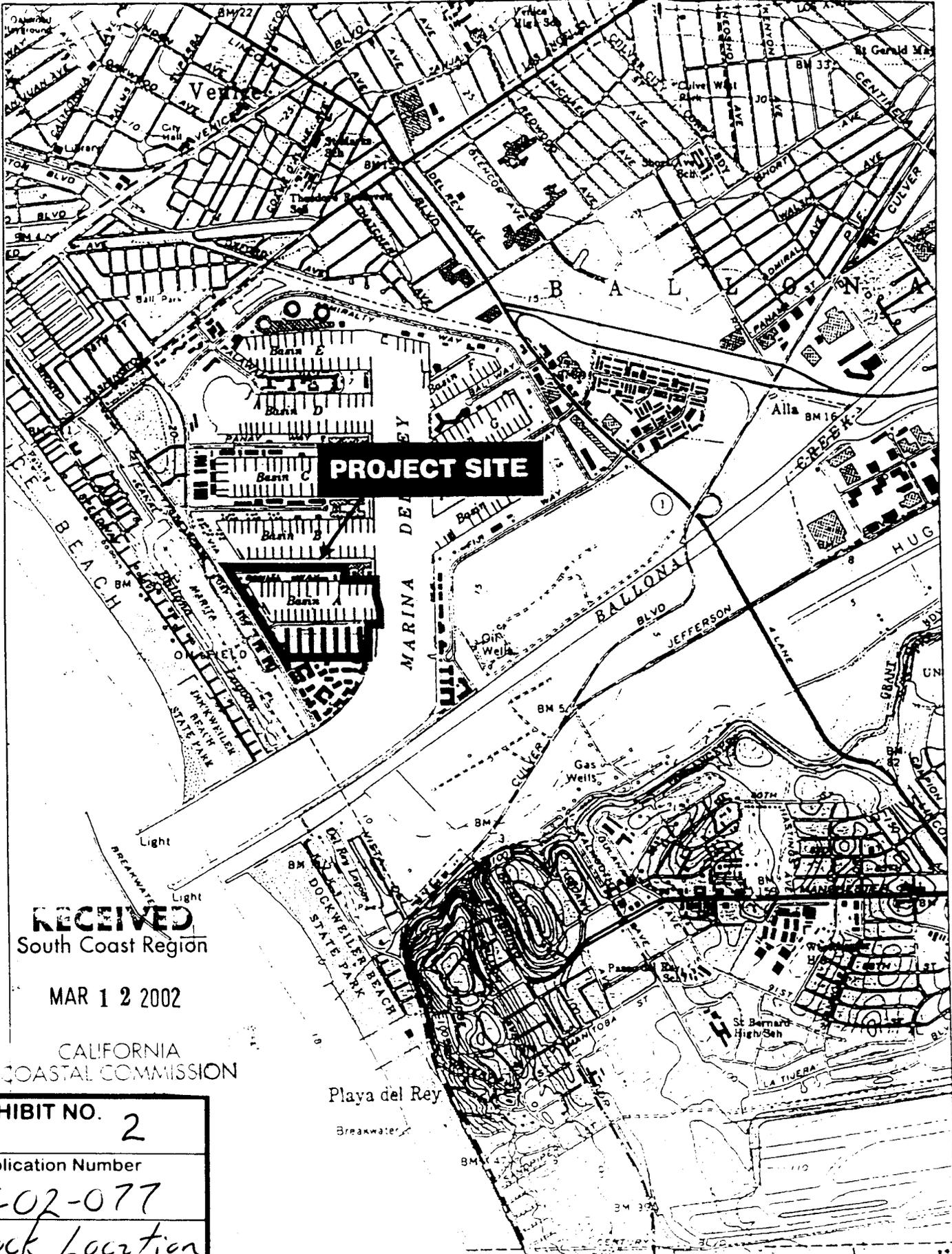
LOS ANGELES AREA

SCALE
0 1 2 3 4 5 6 7 8 9 MILES

EXHIBIT NO. 1
Application Number
5-02-077
Vicinity Map
California Coastal Commission

HUNTINGTON BI

Channel
O C E A



PROJECT SITE

RECEIVED
South Coast Region

MAR 12 2002

CALIFORNIA
COASTAL COMMISSION

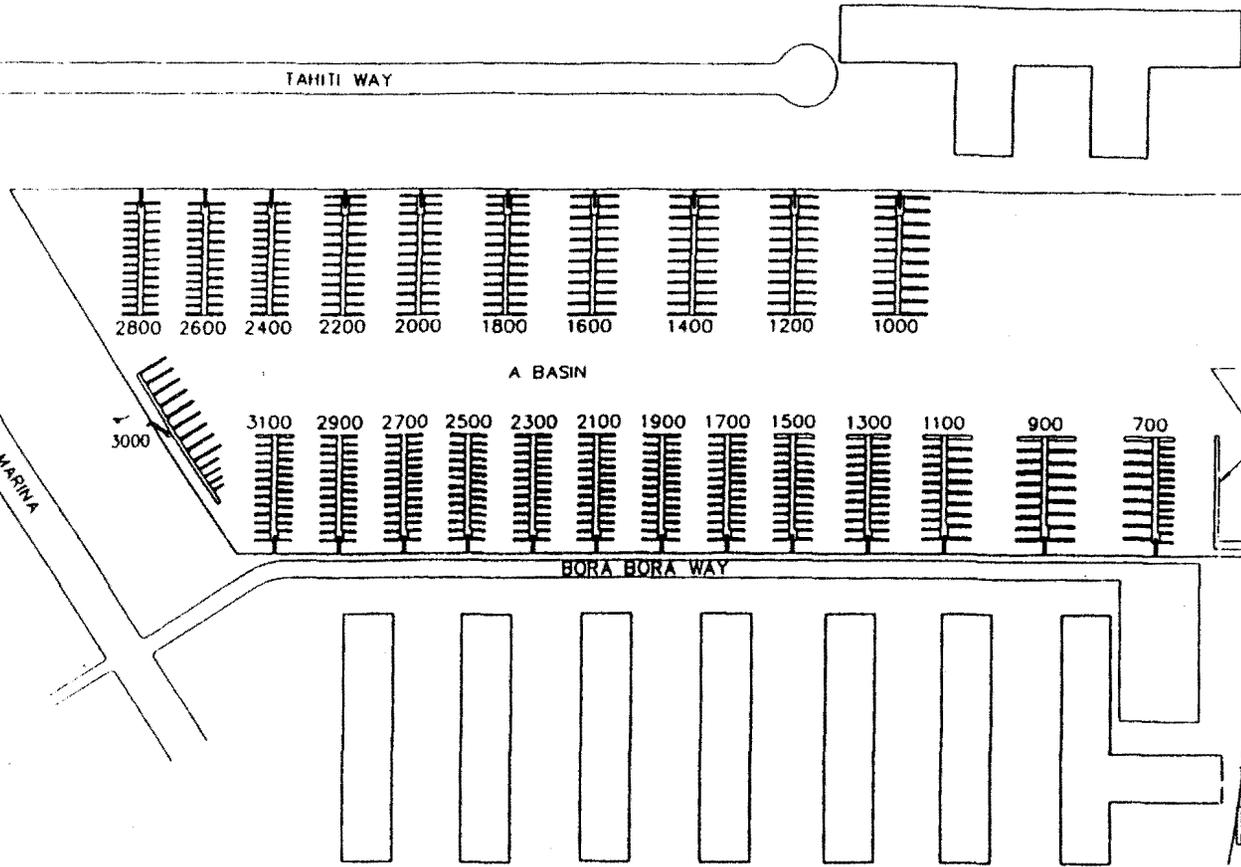
EXHIBIT NO.	2
Application Number	5-02-077
Dock Location	Perce 111+112
California Coastal Commission	

Playa del Rey

RECEIVED 5-02-077
South Coast Region

MAR 12 2002

CALIFORNIA
COASTAL COMMISSION
VIA MARINA



Prepared by: W. H. H. & H. H. Engineers
P.O. Box 13992

MARINA HARBOR APARTMENTS AND ANCHORAGE
4500 VIA MARINA, MARINA DEL REY, CA 90292

EXISTING SITE MAP

Figure

EXHIBIT NO. 3

Application Number

5-02-077

Dock Layout

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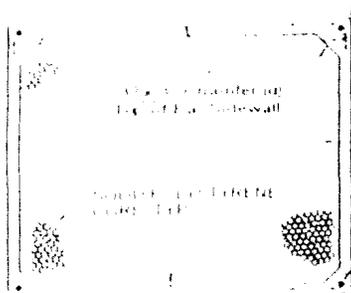
Finger Float: 3-7/10XEi

(1 req'd)

LOCATED @ END OF FINGER
2 Inserts in one end
Deep Type for Special Dead Loads

Configuration:
1-1/2" x 7-1/2" @ Ends
(NO Lips @ Sides)

EXHIBIT NO.	4
Application Number	5-02-077
	Floats
California Coastal Commission	



End View

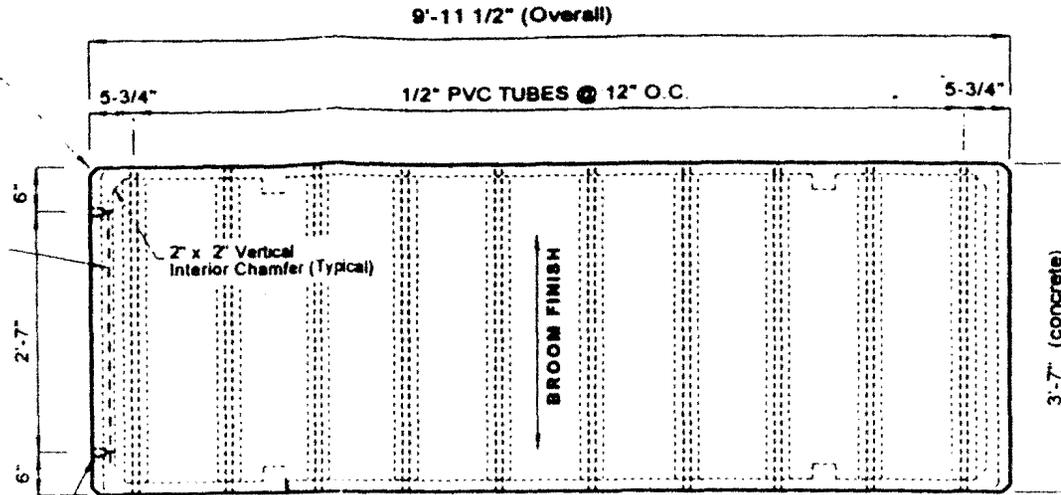
1" Vertical Chamfer @ All Exterior Corners

#3 Epoxy Rebar (Thru Insert Loops)

Plan View

1/2" LOOP INSERTS (18-8 S S) * 2 per End

2" x 3" Vert. Concrete Beam (Full Depth) * 2 per Side

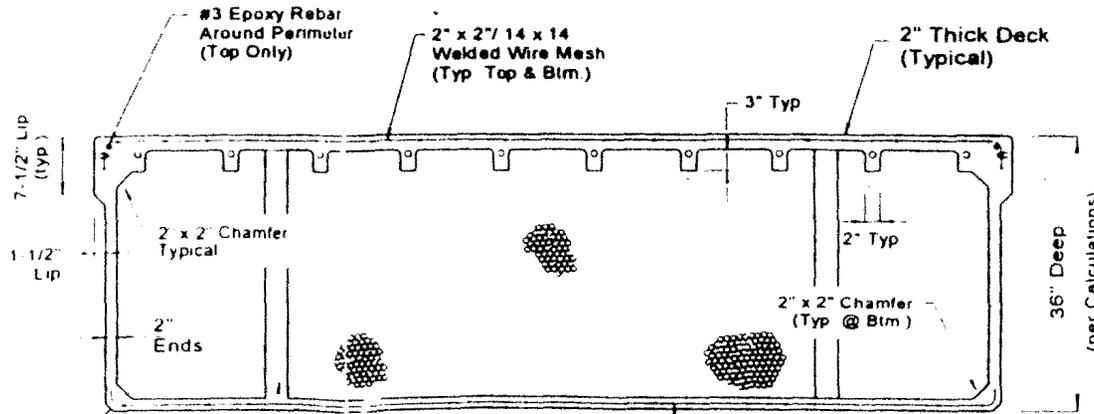


1/2" Beveled Edge Around Float

2'-1/2" Typ Elevation

1 3/4" Sides

#3 Epoxy Rebar @ Btm Lengths (floats exceeding 8' ONLY)



Side View

California Coastal Commission
San Diego District Office
APPROVED
Permit No. _____
2" x 3" Vert. Concrete Beam (2 per Side)

APPROVAL IN CONCEPT
2" x 2" / 14 x 14 Welded Wire Mesh (Typ @ Btm)

CITY OF LOS ANGELES
DEPARTMENT OF REACHES & HARBORS
PLANNING DIVISION

PLANNER *[Signature]*
DATE 10-18-01

PLANNER *[Signature]*
DATE 8-02

APPROVAL IN CONC

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES & PLANNING DIVISION

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