

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



Filed: 3/3/05  
49th Day: 4/21/05  
180th Day: 8/30/05  
Staff: AJP-LB  
Staff Report: 3/22/05  
Hearing Date: 4/13-15/05  
Commission Action:

**W3b****RECORD PACKET COPY****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-04-290**APPLICANT:** Los Angeles County Department of Public Works**PROJECT LOCATION:** Southeast of intersection of Pacific coast Highway and Sunset Boulevard, Pacific Palisades, Los Angeles County**PROJECT DESCRIPTION:** Construct underground low flow diversion structure with trash well, a wet well, sluice gate and maintenance access holes, with an above ground instrument panel and box, to divert dry-weather storm water flows from two Imperial Highway drains into the sanitary sewer system.

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**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission grant a permit for the proposed development with conditions regarding water quality measures, monitoring, and issuance of a construction encroachment permit from the California Department of Transportation. As conditioned, the proposed development conforms with the marine resource protection and coastal access policies of the Coastal Act.

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**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **GRANTS** a permit, subject to the conditions below, 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, 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 of the Coastal Act, and will not have any significant adverse effects 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. **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. STOCKPILING, STAGING, AVOIDANCE OF SILTATION, AND EROSION CONTROL.**

A. Applicant shall not allow discharge of silt or debris into coastal waters as a result of this project. Pursuant to this requirement, prior to issuance of a coastal development permit, the applicant shall agree in writing to require that the final plans shall minimize construction impacts of the project and that all contracts and

other written materials shall include the requirements listed below. The applicant shall further agree that the final plans shall identify acceptable locations for stockpiling and staging of materials; plans for control of erosion, stockpiled earth from trenches, and cement; as well as plans for the disposal of construction materials. The plans shall contain the following:

- 1) A delineation of the areas to be disturbed by grading or construction activities including any temporary trenches, staging and stockpile areas.
- 2) The plan shall include source control Best Management Practices as part of a written plan designed to control dust, concrete, demolition pavement or pipe removed during construction, and/ or construction materials, and standards for interim control and for clean up. All sediment waste and debris should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill. Contractors and City Inspectors shall monitor and contain oil or fuel leaks from vehicles and equipment.
- 3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: filling or covering all holes in roadways such that traffic can continue to pass over disturbed areas, stabilization of all stockpiled fill, disturbed soils and trenches with shoring, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. These temporary erosion control measures shall be monitored and maintained at least on a weekly basis until grading or construction operations resume.

B. Prior to commencement of construction the applicant and its contractor(s) shall provide for the review and approval of the Executive Director final plans and plan notes that conform with the requirements of item A above. No work shall take place until the Executive Director approves the plans in writing.

C. Conformance with plans. All work shall take place consistent with the plans submitted in compliance with A above.

## **2. MONITORING AND MAINTENANCE**

Prior to issuance of the permit the applicant shall prepare for the review and approval of the Executive Director, a program for annual or periodic inspection and appropriate monitoring and maintenance of the diversion device, the pumps and the trash separator. The plan shall establish the frequency that debris shall be removed from the trash separator, and shall identify the maintenance needs of the pump and other mechanical devices that the applicant proposes to employ. The applicant shall provide the reasoning, the monitoring and maintenance manuals, and the statistics upon which such a schedule is based. The applicant shall monitor and maintain the approved facility consistent with the approved plan.

3. **ENCROACHMENT PERMIT FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION**

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants will submit, for the review and written approval of the Executive Director, written evidence from the California Department of Transportation indicating that the applicant has permission to encroach onto and use Pacific Coast Highway right-of-way for the proposed project as described under this permit.

IV. **FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

A. **Project Description and Location**

The applicant proposes to install a low flow diversion facility to divert dry weather flow from three flood control drains to an existing sewer line. The low flow diversion facility will include an underground trash well, a wet well with a pump that will direct the water to the sanitary sewer and maintenance access hole. There will be one 6 foot high by 6 foot wide by 2 foot deep, above ground, control box. The low-flow water will be diverted by constructing an approximately underground 18-inch high berm across the bottom of the drains, which will divert water into the diversion pipe. The pipe will divert the water to the trash collector. From the trash collector the water will be pumped into the existing sewer line that extends to the Hyperion Treatment Plant. The pipes and the pump and separation device will not be visible from the road.

The project is located along the public right of way of Pacific Coast Highway, south of the intersection of Sunset Boulevard and Pacific Coast Highway, immediately south of the entrance to the Gladstone/public beach parking lot. In this location Pacific Coast Highway is a four-lane highway, with a merging lane heading south, immediately south of the intersection. During construction, for safety reasons, the outside south bound lane maybe temporarily closed during portions of the construction. The project will take approximately four months. All work will be conducted during the non-summer period to minimize traffic impacts. All work performed within PCH's right-of-way will require a construction encroachment permit from the California Department of Transportation (Caltrans), which the applicant is in the process of obtaining. Special condition number 3 is necessary to ensure that Caltrans has reviewed and issued a permit for the work within their right-of-way.

The project will be located along the south bound shoulder of PCH. The shoulder provides unmarked public street parking and a gravel open area between the shoulder parking and the paved public parking lot. The shoulder parking is separated from the gravel area by posts and wire cable. To minimize any adverse impacts to parking along the shoulder, the project will be located along the far outer edge of the shoulder and will

require relocating a few posts and the wire cable to provide more area for construction and routine maintenance of the facility (access to the trash well). The trash well manhole cover and control box will be located in areas to minimize any loss of public street parking. As proposed, because of the narrow width of the shoulder in this area and the need for access to the trash well for periodic and emergency access, the placement of the well access along the shoulder may affect a maximum of one parking space.

The control box, which will measure 6 feet high and 6 feet wide will be the only structure above ground. Because of the location on the seaward side of PCH, structures placed along the roadside could have an adverse impact on coastal views. However, since the box will be located in an area that is located between parking areas (street parking and public parking lot, and other structures are located in the area, such as utility poles and signs, the visual impact would not be significant. The applicant considered using a smaller control box as an alternative design to minimize view impacts. The alternative shorter box would be 4.5 feet in height, but this alternative would require two boxes to accommodate all the necessary electrical equipment. This alternative would have required additional space along the shoulder, whereby increasing the visibility of the boxes and would have adversely impacted street parking. Therefore, the single 6 foot high box was selected for this area.

#### **B. Water Quality**

The proposed work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters, or any release of sewage, would result in an adverse effect on the marine environment. To reduce the potential for construction and post-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; and requires monitoring and maintenance of the system. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

#### **C. Access**

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

#### **D. Local Coastal Program**

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the

proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

**E. California Environmental Quality Act**

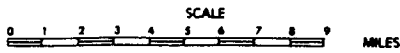
As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the 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.



*Project Location*



LOS ANGELES AREA

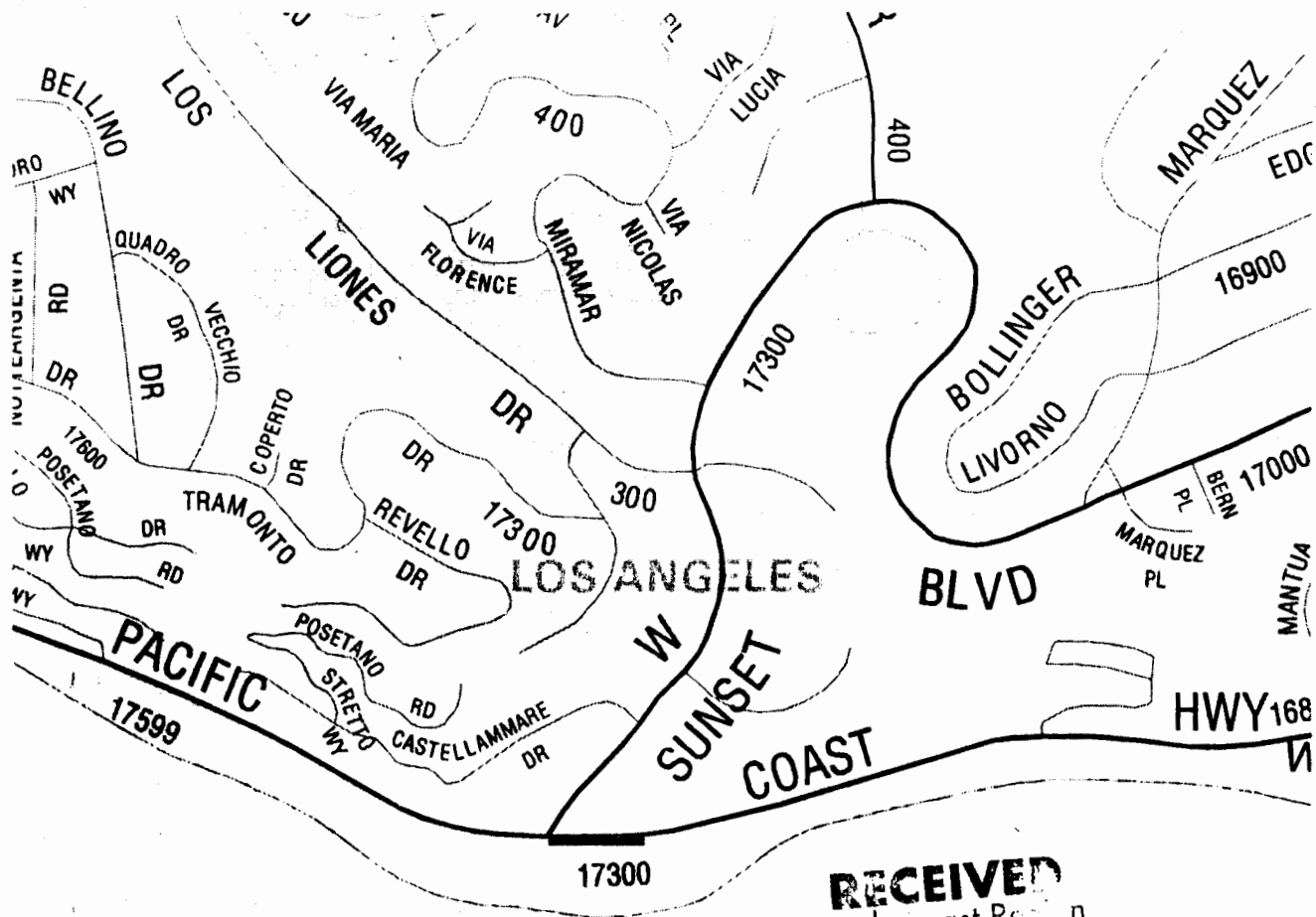


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South Coast Region  
CALIFORNIA  
COASTAL COMMISSION

EXHIBIT NO. <b>1</b>
Application Number <b>5-04-290</b>
<i>Regiment Map</i>
California Coastal Commission

5-04-290

**PROJECT NO. 674  
LOW-FLOW DIVERSION AT SANTA INEZ**



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South East Region

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**PACIFIC OCEAN**

**EXHIBIT NO.**

**2**

**Application Number**

**5-04-290**

**Vicinity Map**

**California Coastal Commission**

**PUBLIC WORKS**  
Mont Ave.  
CA 91803

**Management Division**  
Services

**Project Location**



**FEET**

0 600 1200

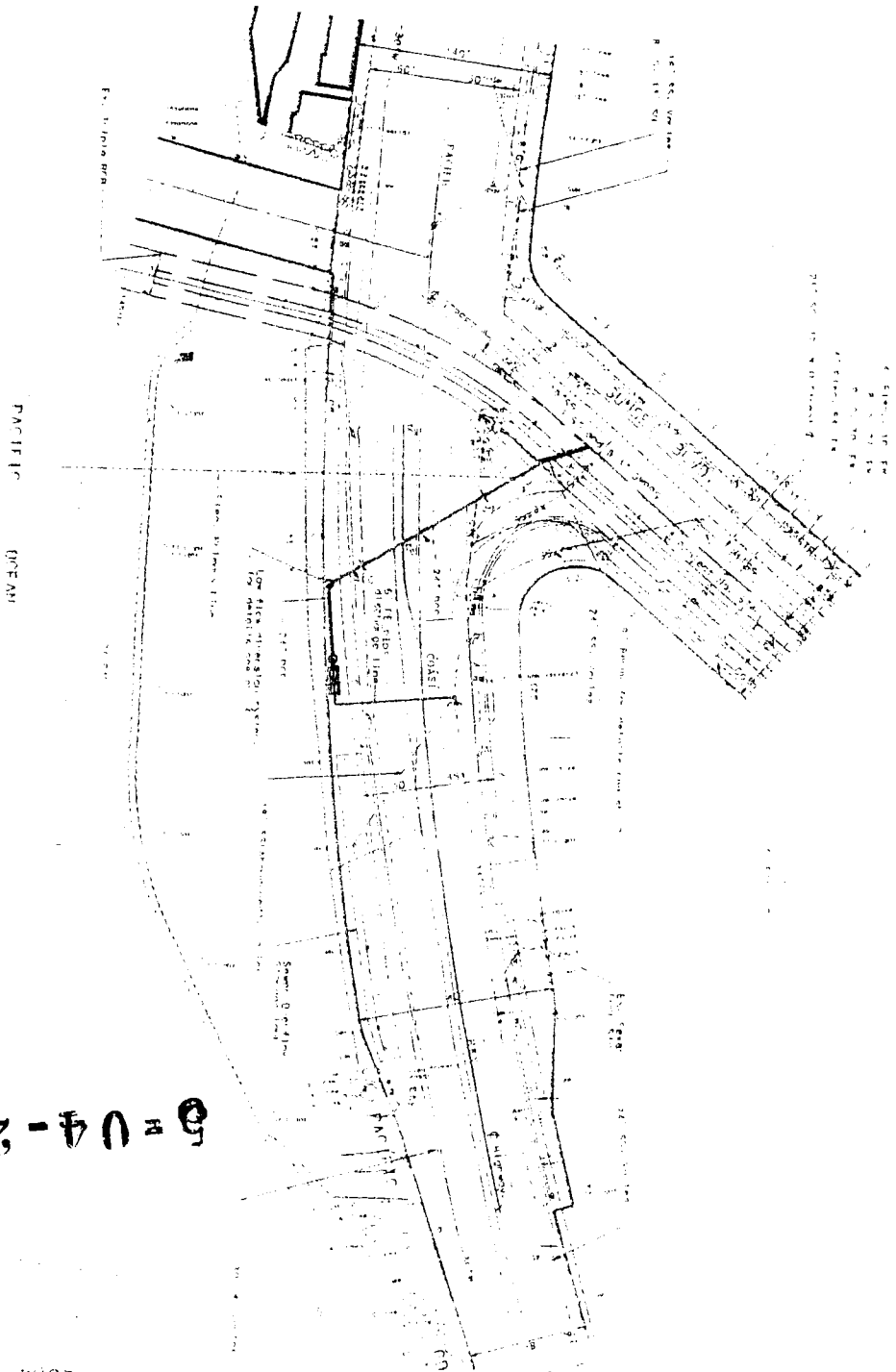
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**EXHIBIT NO. 3**

Application Number

5-64-290

S. 12/22

California Coastal Commission

