

CALIFORNIA COASTAL COMMISSION

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



Filed: 1/24/12
49th Day: 3/13/12
180th Day: 7/22/12
Staff: Al Padilla-LB
Staff Report: 2/15/12
Hearing Date: 3/7-9/12

Th6b

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-12-032

APPLICANT: City of Santa Monica

PROJECT LOCATION: Santa Monica Pier, City of Santa Monica

PROJECT DESCRIPTION: Construction of a 5 foot wide by 80 foot long gangway; 32 foot wide by 60 foot long floating dock anchored to ocean floor; and 12 foot high jib crane hoist on the Santa Monica Municipal Pier; and removal of one pier concrete pile.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission grant a permit for the proposed development with conditions regarding: 1) public access; 2) construction responsibilities; 3) resource agency compliance; and 4) written agreement to assume all risk. As conditioned, the proposed development conforms with the coastal access and marine resource protection policies of the Coastal Act.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

MOTION: *I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

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 on which the Commission voted on the application. 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. Public Access To and Along the Shoreline

The applicant and the development shall not interfere with public access along the shoreline or the Pier (except for the temporary disruptions that may occur during the completion of the permitted development).

2. Construction Responsibilities and Debris Removal

Applicant shall not allow discharge of silt or debris into coastal waters as a result of this project. By acceptance of this permit, the applicant agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs.

- A. No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wave, wind, or rain erosion and dispersion.
- B. Staging and storage of construction machinery and storage of debris shall not take place on the beach.
- C. Any and all debris resulting from construction activities shall be removed from the beach and pier area on a daily basis and disposed of at an appropriate location.
- D. Machinery or construction materials not essential for project improvements are prohibited at all times in the subtidal or intertidal zones.
- E. Where permitted, disturbance to the ocean bottom and intertidal areas shall be minimized.
- F. Silt curtains shall be utilized to control turbidity during placement or removal of all piles.
- G. Netting, tarps and/or other forms of barriers shall be installed between the water and the pier to prevent any unpermitted material from entering the Pacific Ocean.
- H. 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.
- I. Divers shall recover non-buoyant debris discharged into coastal waters as soon as possible after loss.
- J. Sand from the beach, cobbles, or shoreline rocks shall not be used for construction material.

- K. Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control sedimentation impacts to coastal waters during project staging, demolition and construction. BMPs shall include a pre-construction meeting to review procedural and BMP guidelines.
- L. The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
- M. At the end of the construction period, the permittee shall inspect the project area and ensure that no debris, trash or construction material has been left on the beach or in the water, and that the project has not created any hazard to navigation.

3. Resource Agencies

The permittee shall comply with all requirements, requests and mitigation measures from the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project that may be required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

4. Assumption of Risk, Waiver of Liability and Indemnity Agreement Applicable to Applicant

A. By acceptance of this permit, the applicant, City of Santa Monica, acknowledges and agrees (i) that the site may be subject to hazards from wave and tidal action; (ii) to assume the risks to the applicant, City of Santa Monica, and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; and (v) to include a provision in any subsequent lease of such property requiring the lessee to submit a written agreement to the Commission, for the review and approval of the Executive Director, incorporating all of the terms of subsection A of this condition.

B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the City of Santa Monica, as applicant, shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The City of Santa Monica proposes to construct on the Santa Monica Municipal Pier a 5 foot wide by 80 foot long gangway along the side of the pier; 32 foot wide by 60 foot long floating dock anchored to ocean floor; and 12 foot high jib crane hoist with a 3'-6" post and cable perimeter fence on the pier platform; and removal of one pier concrete pile (5 feet below existing mudline) under the fishing platform to allow for the gangway. The gangway and dock will be located along the western end of the pier just east of the harbor patrol building and public restrooms. The gangway and dock will be used for emergency purposes for the harbor patrol and other emergencies. The jib hoist is being added to raise and lower the gangway.

The gangway will be located off of an existing 20 foot wide by 60 foot long fishing platform that is cantilevered out along the south side of the main pier platform and will provide access to the proposed floating dock. An approximately 8 foot by 18 foot section of the fishing platform, along with an existing concrete pile, will be removed to provide an access area for the gangway from the pier's platform. The floating dock will be anchored to the seafloor by a Seaflex flexible-hawser type anchoring system consisting of cables and 12 helical anchors driven into the seafloor in approximately 16 feet of water. The seafloor in this location consists of bare sand with no aquatic vegetation.

The City requires all contractors to implement Best Management Practices (BMPs) during demolition and construction to reduce construction related impacts to coastal waters. BMPs for this project will include, but are not limited to, the use of netting or tarps to prevent any falling debris from entering the water; floating booms with silt curtains; debris recovery of all non-buoyant material; and covering of all stockpiles and construction materials.

The existing pier is approximately 1,600 feet long and a maximum of 270 feet wide, and provides approximately 413,056 square feet of area. The pier consists of a wood deck supported by approximately 2,000 wood and concrete piles. The pier is located at the terminus of Colorado Boulevard in the City of Santa Monica. The Municipal Pier was built at the present pier location in 1908. The Pleasure Pier (also known as the Newcomb Pier) was built adjacent to the Municipal Pier in 1916. The pier's current uses include a number of restaurants, fast food establishments, small retail shops, an arcade, amusement ride area, and public parking. The western end of the pier is used for fishing and is improved with the Harbor Guard office and a display area for pier history and marine related issues, bait shop, and a restaurant.

B. Access

Construction activity on the pier could affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. According to the City, proposed demolition and construction will begin during the non-peak summer period, starting after the Labor Day weekend in September, to minimize impacts to public access. During construction access on the pier, including the western end will continue to be available along with the availability of the other fishing platforms. Once the project is completed, fishing and pedestrian access will continue to be allowed along the remaining portion of the fishing platform. Therefore, the proposed development will not have a significant adverse impact to fishing or pedestrian access. To ensure that impacts to public access are minimized during construction Special Condition No. 1 requires that the project will not interfere with public access along the shoreline or project area except for temporary disruptions during construction. Therefore, as conditioned the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. Visual Resources

Section 30251 of the Coastal Act requires that the scenic and visual qualities of this coastal area shall be protected. Section 30251 of the Coastal Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

Major scenic resources in the City of Santa Monica are identified in the City's Local Coastal Land Use Plan and the City's Scenic Corridor Element. Scenic resources include the coastline, beach and bay, the Santa Monica Pier, Palisades bluff, and the Santa Monica Mountains. The project site is located on the Santa Monica Pier, where views of these scenic resources are visible from.

The pier is developed with a number of structures, such as food service, retail and recreational buildings, including Pacific Park-- an amusement park-- and the Looff Hippodrome (Carousel) building. Existing development includes 20-40 foot buildings and large amusement rides extending to 30 and 85 feet. Existing development on the pier extends from the promenade to the western end of the pier. The proposed project will be located in the western part of the pier immediately east of the two-story Harbor Patrol building. The gangway will be located along the side of the pier and will not extend above the pier platform. The only structure extending above the pier platform is the proposed 12 foot high hoist, which is necessary to lower and raise the gangway. Because of the existing development on the pier, and continued available views along the pier in the immediate area, the proposed project will not have a significant impact to coastal views. Therefore, as proposed, the project will not have a significant visual impact on coastal resources and is consistent with Section 30251 of the Coastal Act.

D. 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, or debris, in a location where it could be carried into coastal waters could impact water quality. The City is requiring that the contractors implement Best Management Practices during construction. To ensure that BMPs are incorporated to reduce the potential for construction and post-construction related impacts on water quality, the Commission imposes Special Condition No. 2 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. Furthermore, Special Condition No. 3 requires that the proposed project shall comply with all other resource agency water quality requirements. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

E. Hazards

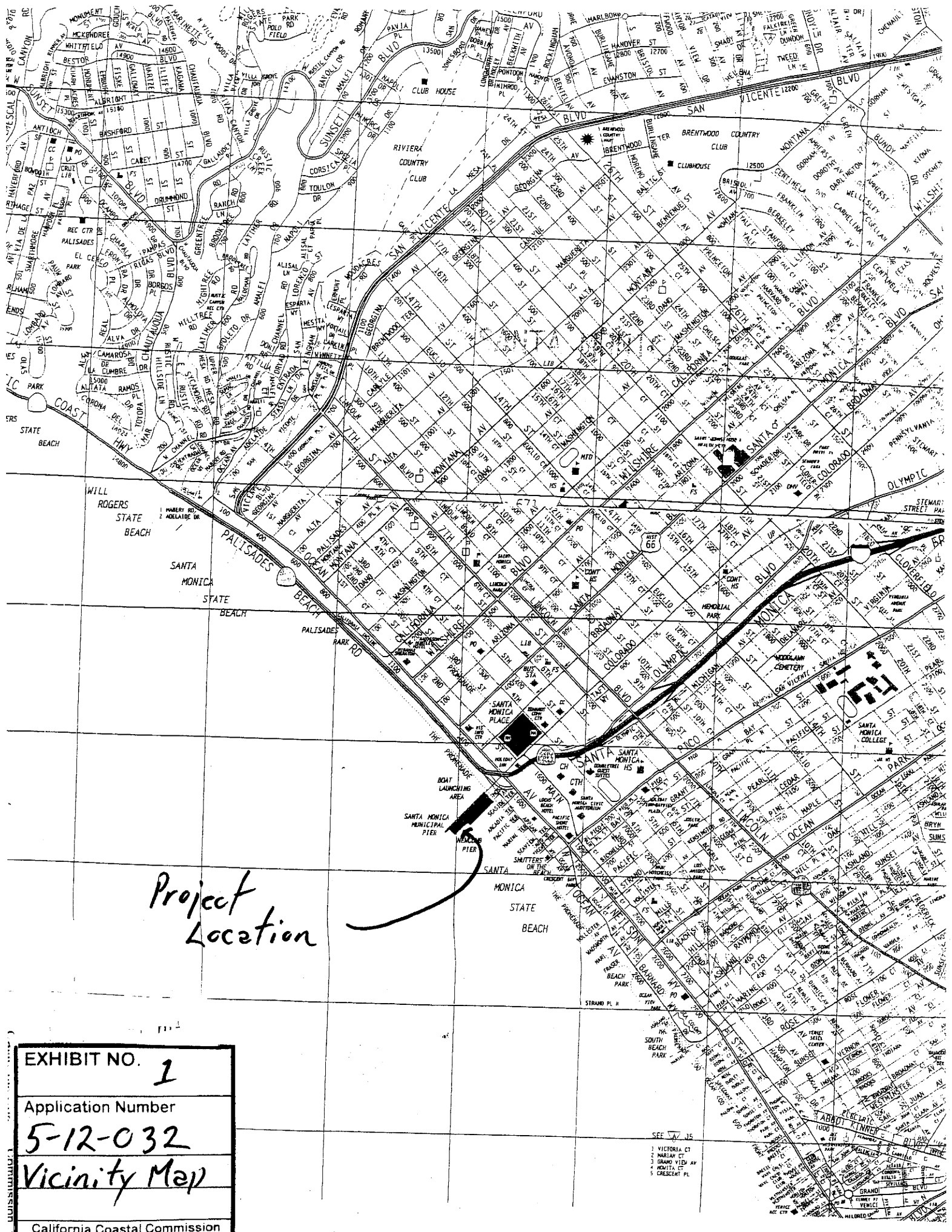
Section 30253 of the Coastal Act states that new development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard, and assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The proposed project involves construction of a new gangway and floating dock subject to wave uprush. Development at such a location is inherently risky. To assure that the applicant is aware of the hazards and restrictions on the subject property, the Commission imposes Special Condition No. 4. Since the proposed development is taking place above and on the water in an area that is subject to wave uprush, the Commission is imposing its standard waiver of liability special condition (Special Condition No. 4). Through Special Condition No. 4, the applicant is notified that the project site is in an area that is potentially subject to wave action and flooding which could damage the proposed structures. The applicant is also notified that the Commission is not liable for such damage as a result of approving the permit for development. In addition, the condition insures that future lessees of the property will be informed of the risks, and the Commission's immunity from liability. Therefore, only as conditioned does the Commission find the proposed project consistent with Sections 30235 and 30253 of the Coastal Act.

F. 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. In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson way (Beach Overlay District). On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project 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.

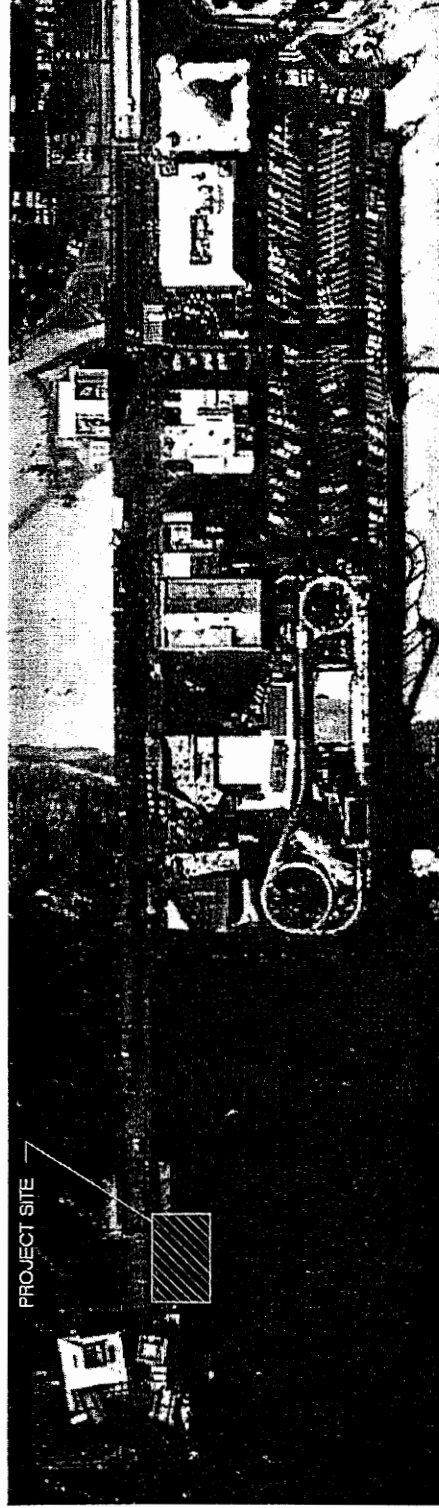
G. California Environmental Quality Act

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.



SANTA MONICA PIER EMERGENCY ACCESS RAMP CONSTRUCTION DRAWINGS

SP2124



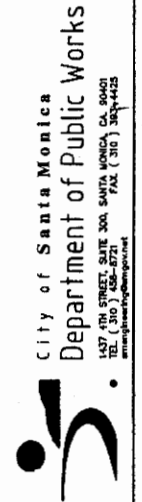
RECEIVED
South Coast Region

JAN 24 2012

CALIFORNIA
COASTAL COMMISSION



SITE MAP
NOT TO SCALE

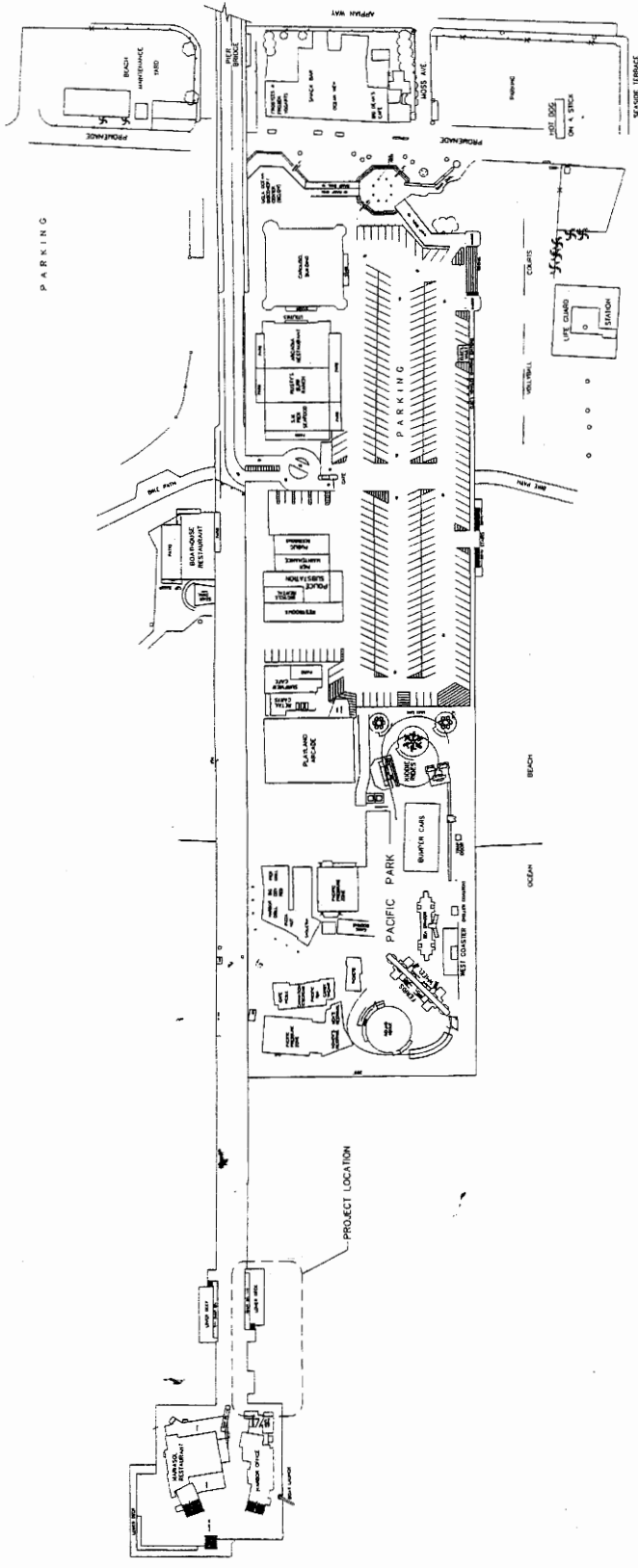


City of Santa Monica
Department of Public Works
1537 THE STRIKE SITE 300 SANTA MONICA, CA 90405
TEL: (310) 552-8771 FAX: (310) 552-8782
www.ci.santamonica.ca.gov

URS
5772 Boile Ave, Ste 100
Huntington Beach, CA 92648
Tel: (714) 895-2072
Fax: (714) 895-1291

NO.	DATE	BY	DESCRIPTION

EXHIBIT NO. 2
Application Number
5-12-032
Site Map



GRAPHIC SCALE: 1"=40'

1 SITE PLAN SCALE 1"=40'

DESIGN DRAWINGS FOR THE EXISTING PIER HAVE BEEN PROVIDED FOR REFERENCE ONLY. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION AS SUPPLIED AND IS SOLELY RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE AGENCIES AND AGENCIES OF THE JURISDICTION.

City of Santa Monica
 Department of Public Works
 300 SANTA MONICA, CA 90401
 FAX (310) 364-1253

URS
 3775 Bona Ave, Ste 100
 Huntington Beach, CA 92649
 Tel: (714) 855-1251

Santa Monica Pier
 Emergency Access Ramp
 SITE PLAN

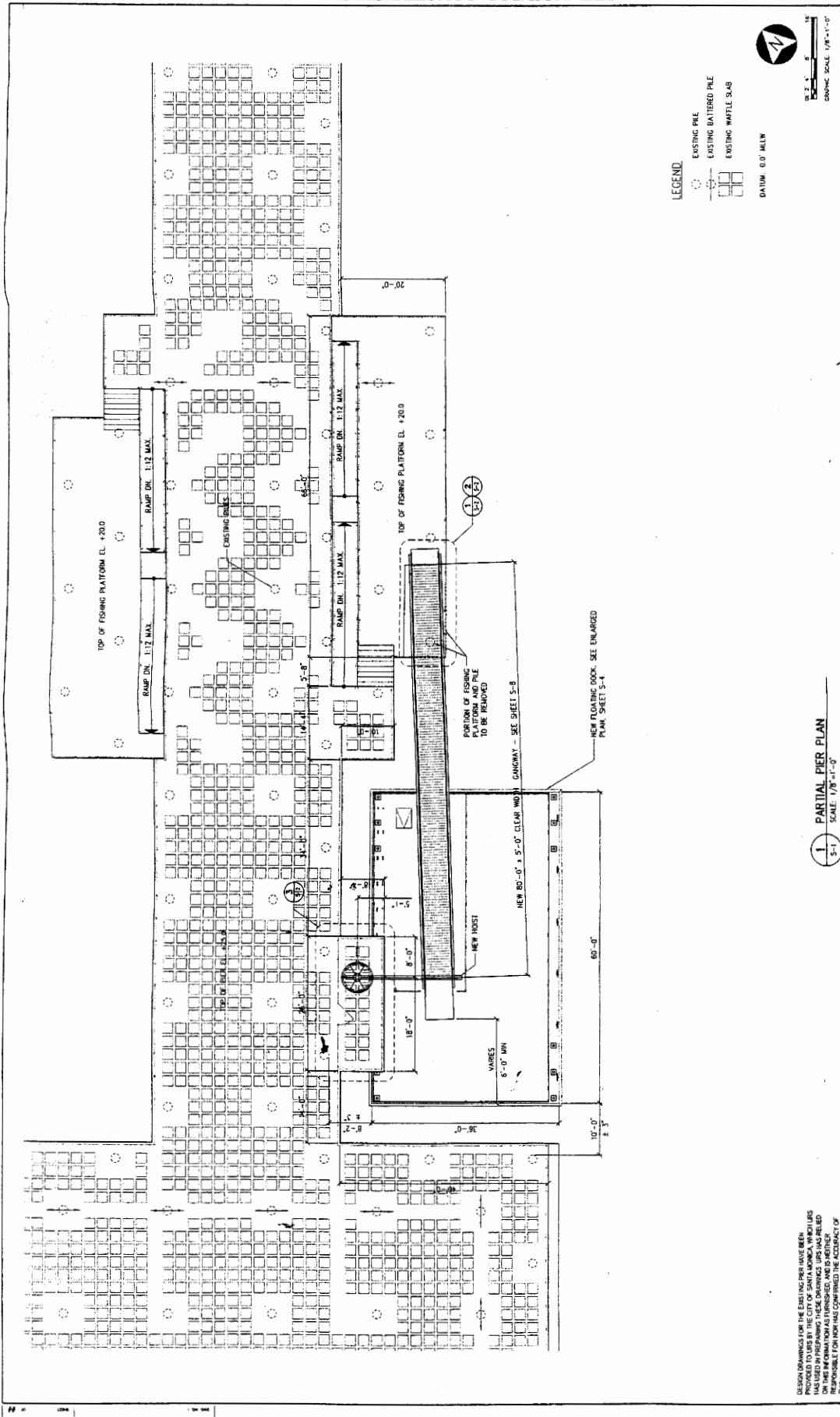
DATE	BY	REVISION

EXHIBIT NO. 3

Application Number
5-12-032

Site Plan

California Coastal Commission



LEGEND.
 ○ EXISTING PILE
 ○ EXISTING BATTERED PILE
 □ EXISTING WASTE SLAB
 □ DATUM 0.0' MEAN

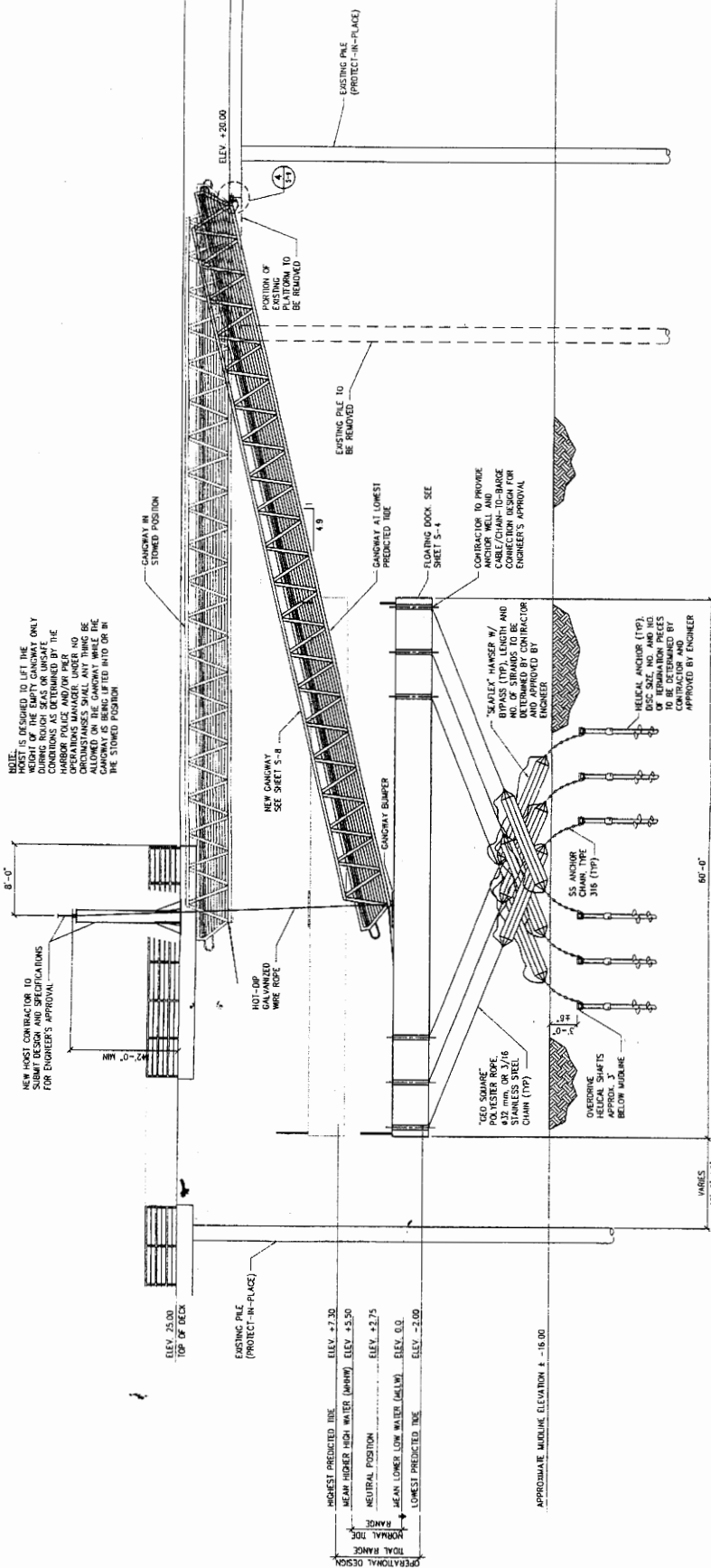


1 PARTIAL PIER PLAN
 SCALE 1/8"=1'-0"

DESIGN DRAWINGS FOR THE EXISTING PIER HAVE BEEN PREPARED BY URS CONSULTING ENGINEERS, INC. URS HAS USED IN PREPARING THESE DRAWINGS URS AND RELIED ON THE INFORMATION AS FURNISHED, AND IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR AS A RESULT OF THIS INFORMATION.

<p>City of Santa Monica Department of Public Works SANTA MONICA, CA 90401 TEL: (310) 303-3428</p>		<p>URS 5725 Wilshire Ave., Ste 100 Los Angeles, CA 90048 Tel: (310) 895-1200 Fax: (310) 895-1201</p>		<p>Santa Monica Pier Emergency Access Ramp PARTIAL PIER PLAN</p>	
DATE:	12-1-2011	PROJECT NO.:	12-1-2011	SHEET NO.:	S-1
DESIGNED BY:		CHECKED BY:		DATE:	
DRAWN BY:		APPROVED BY:		DATE:	
SCALE:	1/8"=1'-0"	PROJECT:		DATE:	

EXHIBIT NO.	4
Application Number	5-12-032
Pier	Partial Pier
California Coastal Commission	



NOTE:
HOIST IS DESIGNED TO LIFT THE WEIGHT OF THE EMPTY GANGWAY ONLY. THE HOIST IS TO BE OPERATED BY THE HARBOR POLICE AND/OR PIER OPERATIONS MANAGER UNDER NO CIRCUMSTANCES SHALL THE GANGWAY BE ALLOWED TO BE LIFTED INTO OR IN THE STORAGED POSITION.

NEW HOIST CONSTRUCTION TO SUBMIT DESIGN AND SPECIFICATIONS FOR ENGINEER'S APPROVAL

HIGHEST PREDICTED TIDE	ELEV. +2.30
MEAN HIGHER HIGH WATER (MHHW)	ELEV. +3.50
NEUTRAL POSITION	ELEV. +2.75
MEAN LOWER LOW WATER (MLLW)	ELEV. 0.0
LOWEST PREDICTED TIDE	ELEV. -2.00

APPROXIMATE MUDLINE ELEVATION = -16.00

DATUM: O.G. MLLW

1 ELEVATION SCALE: 3/16"=1'-0"

City of Santa Monica
Department of Public Works
100 SANTA MONICA, CA 90405
TEL (310) 305-4425

URS
3737 Wilshire Blvd., Suite 100
Los Angeles, CA 90010
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Fax: (310) 882-1071

Santa Monica Pier
Emergency Access Ramp

FLOATING DOCK AND GANGWAY ELEVATION

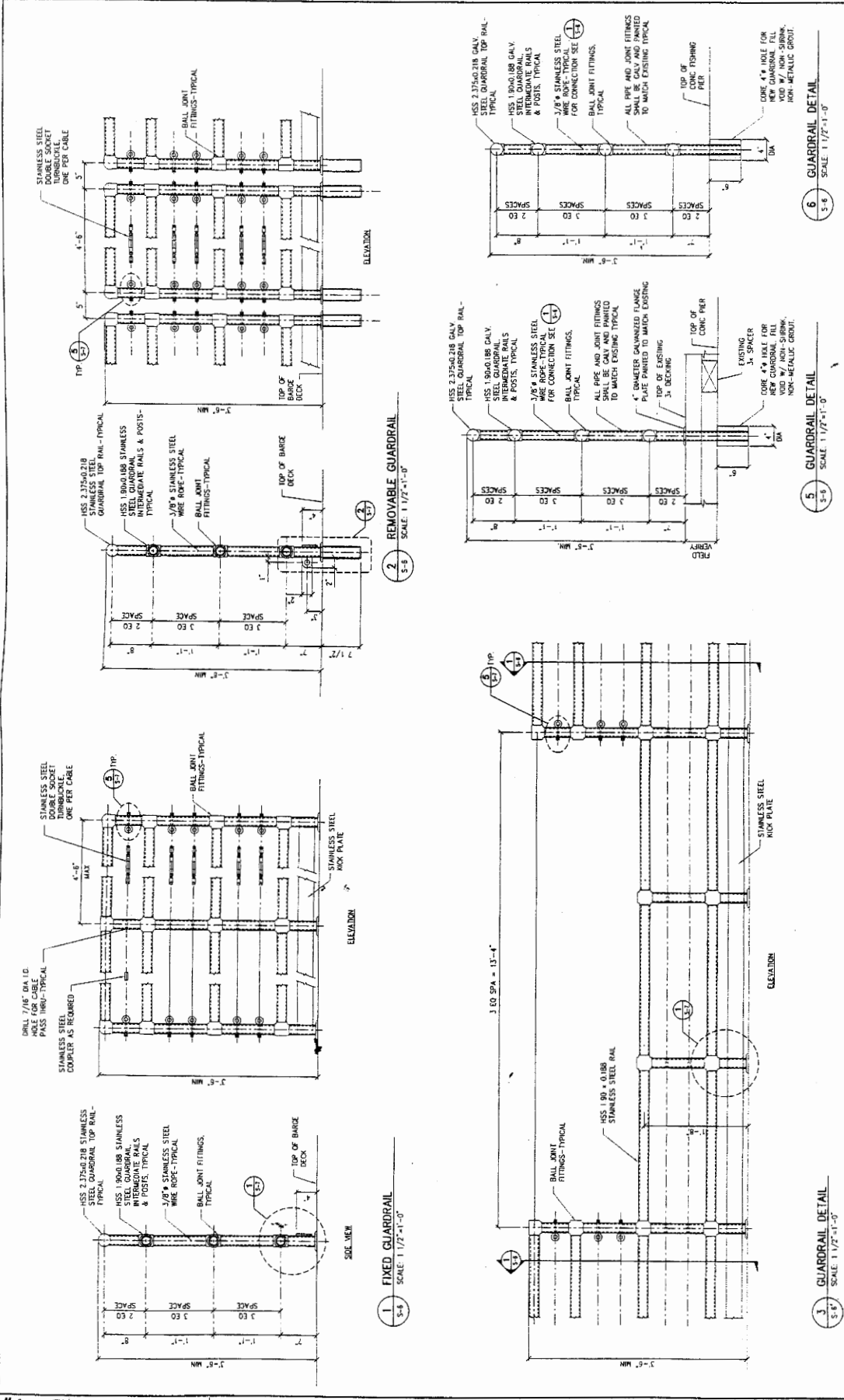
DATE	DRAWN BY	CHECKED BY	SCALE	SHEET NO.	TOTAL SHEETS

EXHIBIT NO. 5

Application Number
5-12-032

Elevation

California Coastal Commission



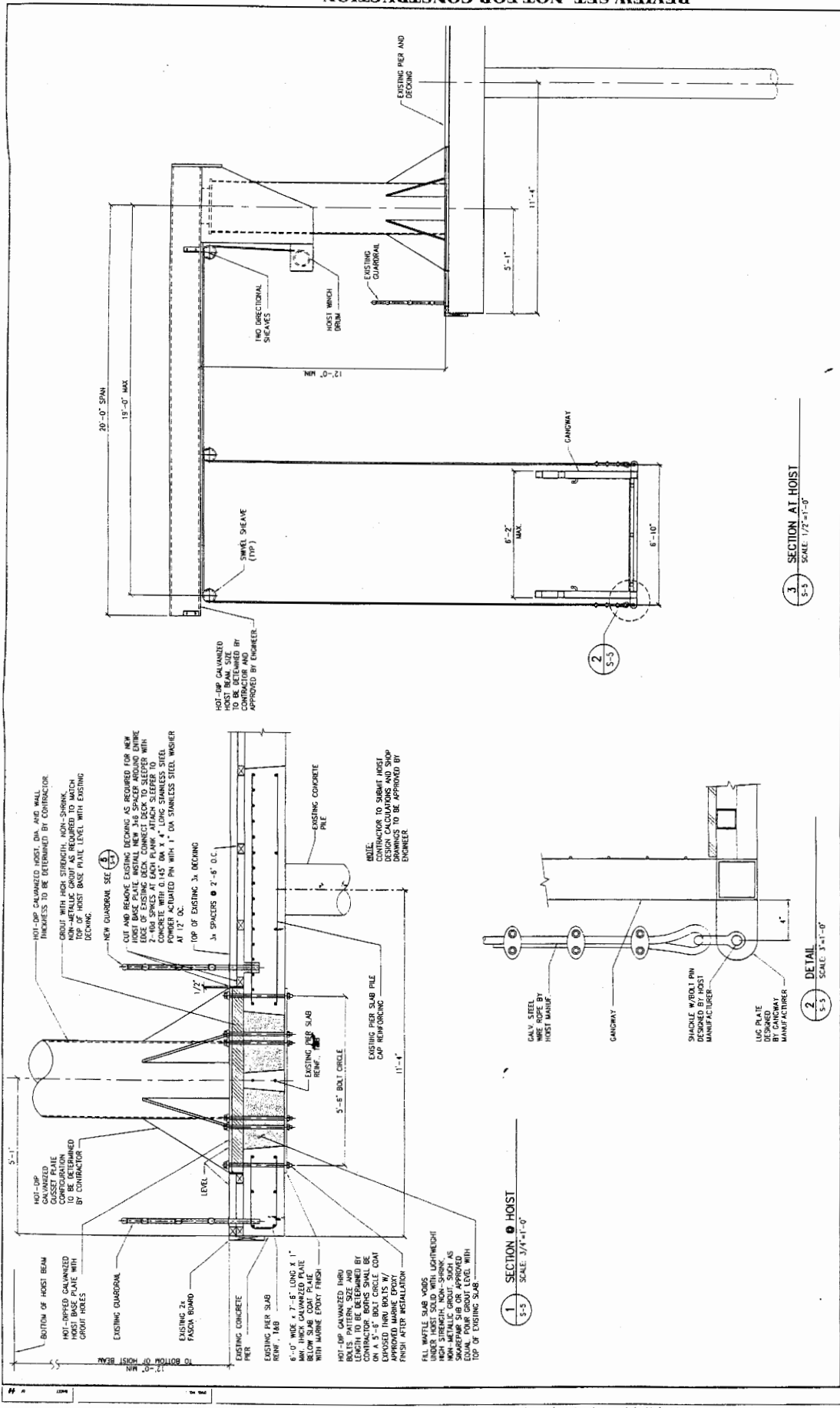
<p>City of Santa Monica Department of Public Works</p> <p>5777 Wilshire Ave., Ste. 100 Beverly Hills, CA 90210 Tel: (310) 305-1000 Fax: (310) 305-1025</p>		<p>URS 5777 Wilshire Ave., Ste. 100 Beverly Hills, CA 90210 Tel: (310) 305-1000 Fax: (310) 305-1025</p>		<p>DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____</p>	<p>DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____</p>
<p>Santa Monica Pier Emergency Access Ramp</p>				<p>GUARDRAIL ELEVATIONS & DETAILS</p>	
<p>PROJECT NO.: _____ SHEET NO.: _____</p>				<p>SCALE: 1 1/2" = 1'-0"</p>	
<p>DATE: _____</p>				<p>5-6</p>	

EXHIBIT NO. 6

Application Number
5-12-032

Guardrail Elevations

California Coastal Commission



City of Santa Monica
Department of Public Works
 300 300 SANTA MONICA, CA 90401
 TEL (310) 303-4225 FAX (310) 303-4225

URS
 6375 Wilshire Blvd., Suite 100
 Los Angeles, CA 90048
 Tel: (310) 805-2022 Fax: (310) 805-1001

Santa Monica Pier
Emergency Access Ramp
 SECTIONS AND DETAILS

3 SECTION AT HOIST
 SCALE: 1/2"=1'-0"

2 DETAIL AT HOIST
 SCALE: 3"=1'-0"

1 SECTION HOIST
 SCALE: 3/4"=1'-0"

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 PROJECT NO.: _____
 SHEET NO.: _____

EXHIBIT NO. 7

Application Number
 5-12-032

Hoist

California Coastal Commission