

CALIFORNIA COASTAL COMMISSION

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

Permit Application No. **5-12-027**

April 19, 2012

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**W5a****ADMINISTRATIVE PERMIT**

APPLICANTS: City of Long Beach & Long Beach Transit

PROJECT DESCRIPTION: Install three twelve-foot high solar-powered message boards adjacent to docks utilized for AquaLink and AquaBus (water taxi) public transit service. Each sign will display only transit-related information such as route maps (bus, train and boat), schedules and service bulletins, without any commercial advertising.

LOCATIONS: 1) Rainbow Harbor Esplanade - Dock 4 (100 Aquarium Way), 2) Alamitos Landing Shopping Center (190 Marina Drive), 3) Belmont Veterans Memorial Pier (35 39th Place), City of Long Beach, County of Los Angeles.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Wednesday, May 9, 2012, 9:00 a.m.
Marin County Civic Center - Board of Supervisors Chambers
3501 Civic Center Drive, Room 330
San Rafael, CA 94903

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

CHARLES LESTER
Executive Director

By: Charles R. Posner
Title: Coastal Program Analyst

SPECIAL CONDITIONS: See Page Four.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Project Description

The proposed project, which will encourage coastal recreational activities, involves the installation of three twelve-foot high solar-powered message boards (Exhibit #7). The signs will display transit-related information for public transit service (bus, train and water taxi), such as route maps, schedules and service bulletins. The signs will not contain any commercial advertising (Exhibit #6). Each sign is supported by one six-inch diameter aluminum pole, and each sign has a 10"x 34" LED digital matrix for scrolled messages and an internally-lit case (47"x 45") for displaying route maps and schedules (Exhibit #7). A four square foot solar panel on top of each sign will provide the necessary power for the lights.

The three proposed signs will be placed next to three AquaLink and AquaBus water taxi docks located at Rainbow Harbor Esplanade (Dock 4), Alamitos Landing Shopping Center, and Belmont Veterans Memorial Pier (Exhibits #2-5). A similar sign, approved by the Port of Long Beach, has already been installed at the Catalina Express dock near the Queen Mary. Long Beach Transit operates the AquaLink and AquaBus vessels to provide on-water public transportation between the Downtown Shoreline area, the Queen Mary, Belmont Pier and Alamitos Bay (Exhibit #2). The docks at each destination are serviced by the Long Beach Transit bus service.

All of the signs will be placed on existing paved surfaces and will not require any new fill. No vegetation will be removed. The proposed signs have been sited to reduce adverse impacts on public views and public access. The proposed project, as conditioned, does not: a) obstruct a significant view to or along the coast; b) adversely impact public access to and use of the water; c) adversely impact public recreational use of a public park or beach; or d) otherwise adversely affect recreation, access or the visual resources of the coast.

B. Public Access

The proposed signs have been sited to avoid obstructing public walkways. The proposed project will enhance public access by providing the public with information about public transportation options. As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. Public Recreation

The proposed development, as conditioned, does not interfere with public recreational use of coastal resources. The proposed development, as conditioned, protects coastal areas suited for recreational activities. Therefore, the Commission finds that the proposed development, as conditioned, is in conformity with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities.

D. Water Quality

The proposed 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 30231 of the Coastal Act.

E. Local Coastal Program

A coastal development permit is required from the Commission for the proposed development because it is located within the Commission's area of original jurisdiction. The Commission's standard of review 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. The Commission certified the City of Long Beach LCP on July 22, 1980. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

F. California Environmental Quality Act (CEQA)

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.

SPECIAL CONDITIONS:

1. **Permit Compliance**

The signs approved by Coastal Development Permit 5-12-027 are to provide the public with information about public transportation services as described in the applicant's letter dated April 3, 2012 and attached as **Exhibit #6 to the staff report dated April 19, 2012**. No commercial advertising is permitted. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved development shall occur without a Commission amendment to this coastal development permit or a new coastal development permit, unless the Executive Director determines that no amendment or new permit is required.

2. **Construction Responsibilities and Debris Removal**

- 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) Any and all construction material shall be removed from the site within ten days of completion of construction and disposed of at an appropriate location.
- c) Machinery or construction materials not essential for project improvements are prohibited at all times in the subtidal or intertidal zones.
- d) Divers will recover non-buoyant debris discharged into coastal waters as soon as possible after loss.
- e) 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 shore or in the water, and that the project has not created any hazard to navigation.

3. **Assumption of Risk**

By acceptance of this permit, the applicant, on behalf of a) itself; b) its successors and assigns and c) any other holder of the possessory interest in the development authorized by this permit, acknowledges and agrees i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; ii) to assume the risks to the applicant 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 agree to include a provision in any subsequent sublease or assignment of the development authorized by this permit requiring the sublessee or assignee to submit a written agreement to the Commission, for the review and approval of the Executive Director, incorporating all of the foregoing restrictions identified in i through v.

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 term or 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.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

City of Long Beach



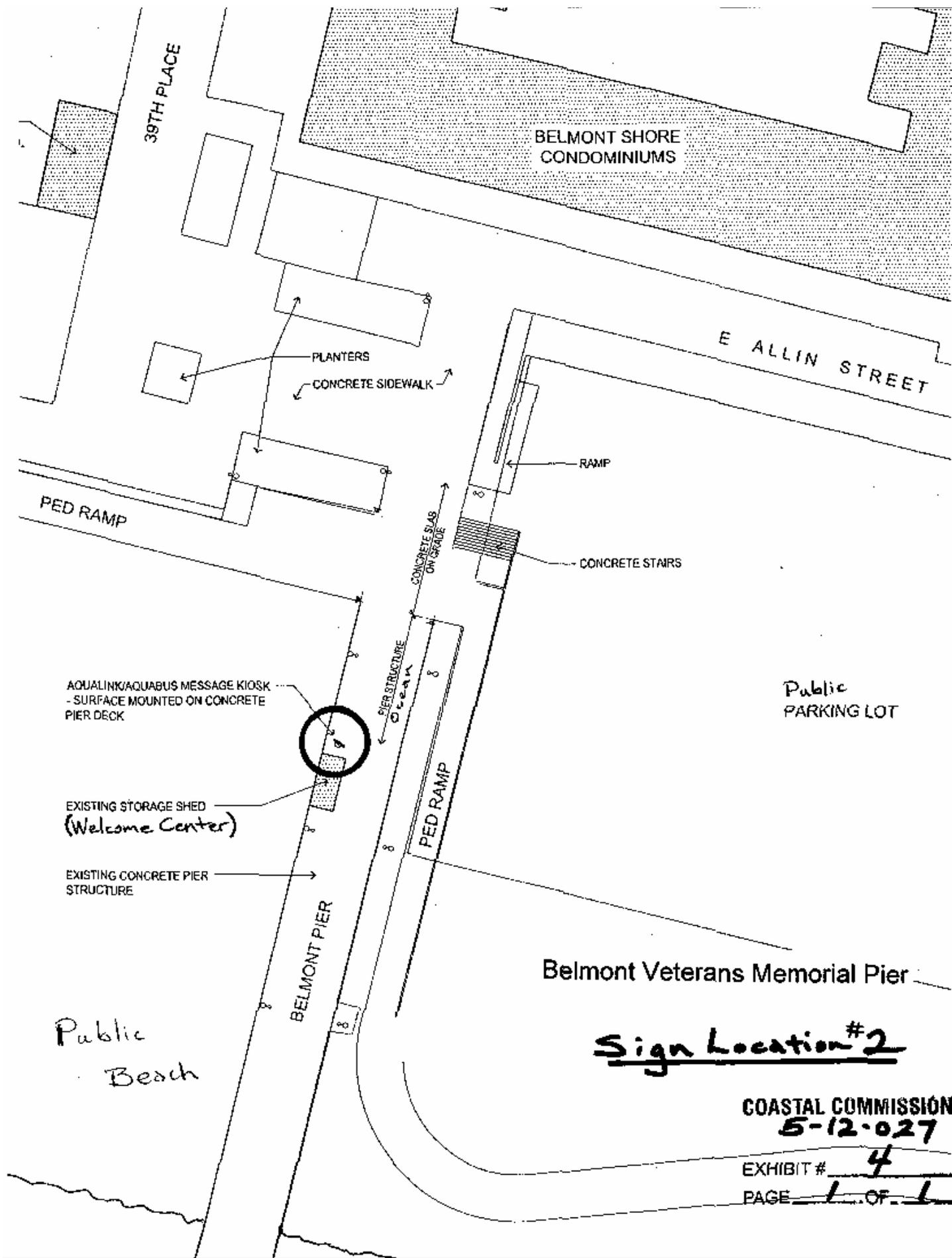
Three Locations

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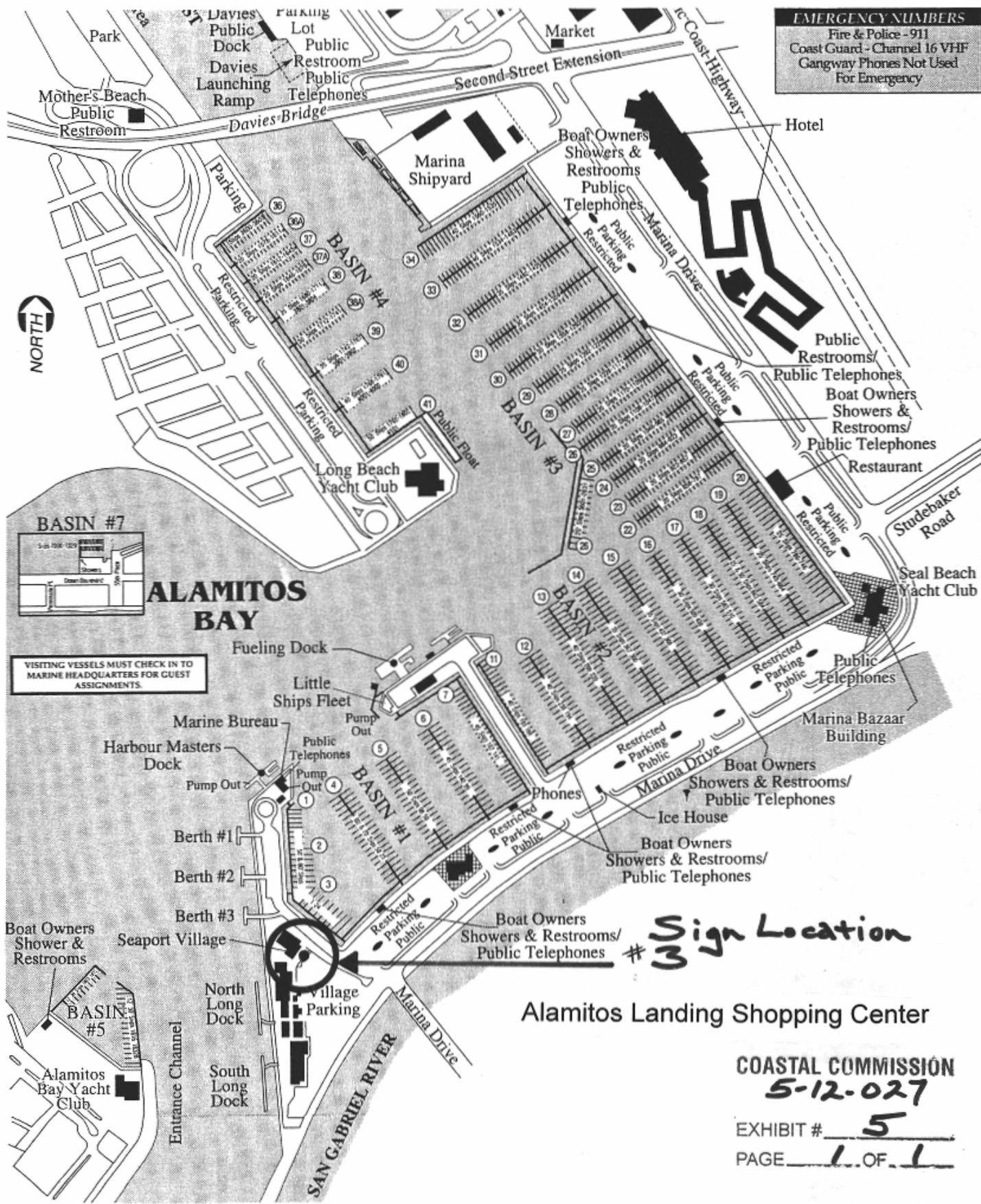
EXHIBIT # 1

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Sign Location #2

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 EXHIBIT # 4
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EMERGENCY NUMBERS
 Fire & Police - 911
 Coast Guard - Channel 16 VHF
 Gangway Phones Not Used
 For Emergency



ALAMITOS BAY

VISITING VESSELS MUST CHECK IN TO MARINE HEADQUARTERS FOR GUEST ASSIGNMENTS.

#3 Sign Location

Alamos Landing Shopping Center

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EXHIBIT # 5
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RECEIVED
South Coast Region

APR 03 2012

CALIFORNIA
COASTAL COMMISSION



LONG BEACH
TRANSIT

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Long Beach, Ca 90801-0731
Phone: (562) 591-8753
Fax: (562) 218-1994
www.lbtransit.com

April 3, 2012

Chuck Posner
California Coastal Commission
South Coast District Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

RE: Application for Coastal Development Permit – LBT AquaLink/AquaBus Signs(5-12-027)

Dear Mr. Posner,

On behalf of Long Beach Transit (LBT), I would like to thank you for your assistance on our Coastal Development Permit application for our AquaLink/AquaBus signs located at: the Aquarium of the Pacific, the Belmont Pier, and Alamitos Bay Landing.

With this letter I would like to clarify that LBT will not, at any time, be using these message boards (either the digital screen or the display board) for commercial advertising. The display areas on these signs will contain only LBT-related information that we feel will be useful for informing our customers of our services (such as route maps, service bulletins, schedule information, etc). LBT does not intend to make this area available to any commercial vendors, nor any other agency or organization.

Additionally, as requested, LBT will be resubmitting an engineered site plan for its Belmont Pier location (sheet A-3). This site plan will modify the sign's proposed location to the west side of the pier, adjacent to an existing storage shed. The intent of this adjustment is to minimize potential impacts to viewsheads while still maintaining visibility of the sign for customer's seeking the AquaLink/AquaBus service.

It is our hope that, with these clarifications and revisions, LBT's Development Permit application will continue to proceed smoothly through the Commission's process. However if there is anything further that is needed, please do not hesitate to contact either myself or Karissa Selvester (kselvester@lbtransit.com or 562-599-8534).

Sincerely,

Marcelle Epley
Chief Administrative Officer & Senior Vice President

COASTAL COMMISSION

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EXHIBIT # 6

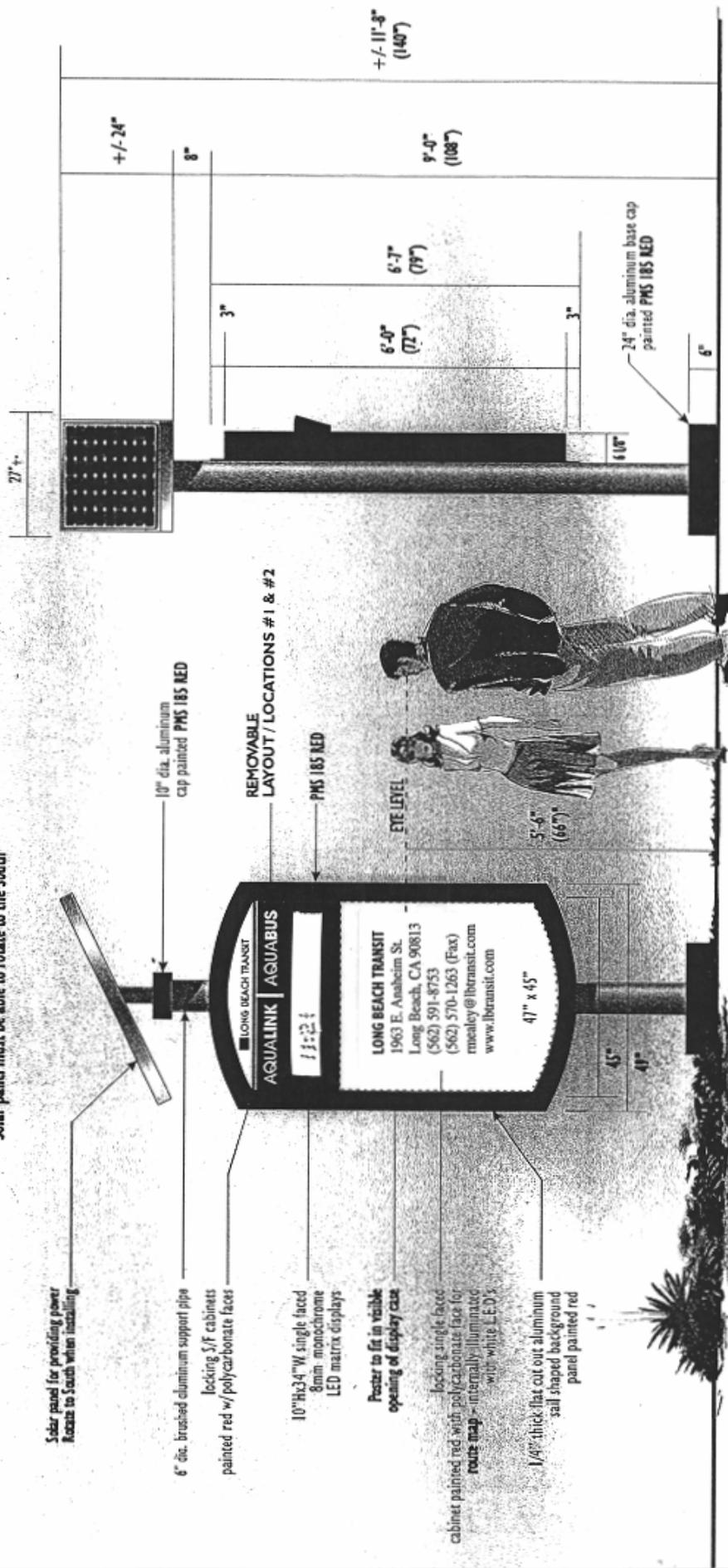
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These plans have been prepared in accordance with the requirements of the City of Long Beach as required for application to the South Coast Regional Commission pursuant to Section 13210, Public Resource Code.



Date: 9/16/11 By: [Signature]

* Solar panel must be able to rotate to the South*



FRONT VIEW
Scale: 1/2" = 1'-0"

END VIEW
Scale: 1/2" = 1'-0"