CALIFORNIA COASTAL COMMISSION
South Coast Area Office
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F5a

Filed:	4/23/2014
180th Day:	10/20/2014
Staff:	Z. Rehm-LB
Staff Report:	5/22/2014
Hearing Date:	6/13/2014

STAFF REPORT: CONSENT CALENDAR

Application Number:	**5-14-0549**
Applicant:	**City of Long Beach**
Agent:	Joshua Burnam, Anchor QEA, LLC
Project Location:	227 Marina Drive (Alamitos Bay Marina), City of Long Beach, County of Los Angeles; APN 7242-014-900
Project Description:	Installation of two new 12,000 gallon underground gasoline and diesel double-walled fuel storage tanks in existing marina parking lot; installation of one new gasoline and diesel public fueling station and hose reel on existing 170' long public dock float; retroactive approval for two existing gasoline and diesel public fueling stations and hose reels on same dock float; above-water double-walled piping to connect fuel storage tanks to fueling stations. No additional water coverage; no underwater construction.
Staff Recommendation:	Approval with Conditions

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the 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 the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the 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 of the Coastal Act. 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 alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following 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

This permit is granted subject to the following special conditions:

1. **Permit Compliance.** The permitted use of the approved development is for boating-related and visitor-serving recreation uses only. 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.

2. **Construction Best Management Practices.** In order to minimize adverse environmental impacts and the unpermitted deposition, spill, or discharge of any liquid or solid into coastal waters, the permittee shall implement the following construction best management practices IN ADDITION TO the best management practices proposed in the detailed project description by Anchor QEA (December 2013) and best management practices plan report by ENCON Technologies (April 2014), Exhibit 3:

    a. No pile driving equipment (e.g., impact hammers, vibratory hammers or any other pile driving hammers) shall be utilized.

    b. Sand from the beach, cobbles, or shoreline rocks shall not be used for construction material.

    c. No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.

    d. Any and all demolition/construction material shall be removed from the site (via the alley only) within ten days of completion of demolition/construction and disposed of at an appropriate location. 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.

    e. Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the sea.

    f. The storage or stockpiling of soil, silt, other organic or earthen materials, or any materials and chemicals related to the construction shall not occur where such

materials/chemicals could pass into coastal waters. Stockpiled fill shall be stabilized with geofabric covers or other appropriate cover.

g. Spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible. Disposal within the coastal zone shall require a coastal development permit.

h. Construction vehicles operating at the project site shall be inspected daily to ensure there are no leaking fluids. If there are leaking fluids, the construction vehicles shall be serviced immediately. Equipment and machinery shall be serviced, maintained and washed only in confined areas specifically designed to control runoff and prevent discharges into coastal waters. Thinners, oils or solvents shall not be discharged into sanitary or storm sewer systems.

i. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than fifty feet away from all storm drains, open ditches and surface waters.

j. All floatable debris and trash generated by construction activities within the project area shall be disposed of as soon as possible or at the end of each day.

k. All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.

l. In the event that lead-contaminated soils or other toxins or contaminated material are discovered on the site, such matter shall be stockpiled and transported off-site only in accordance with Department of Toxic Substances Control (DTSC) rules and/or Regional Water Quality Control Board (RWQCB) regulations.

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 shore or in the water, and that the project has not created any hazard to navigation.

The permittee shall include the requirements of this condition on all plans and contracts issued for the project. The permittee shall implement and carry out the project staging and construction plan during all construction activities.

3. **Avoidance of Sensitive Species.** Prior to commencement of any construction activities, a qualified biologist or environmental resource specialist shall conduct a breeding behavior and nesting survey for birds protected by the United States Fish and Wildlife Service, California Department of Fish and Wildlife, the Migratory Bird Treaty Act, and California species of special concern within 300’ of the project site (500’ for raptors and owls). If any occupied nests of any sensitive species are

discovered, construction activities within 300' of the nest (500' for raptors and owls) shall be monitored to ensure that construction noise levels do not exceed 85 dB peak within 300' of the nest until the nest is vacated and juveniles have fledged and there is no longer evidence of a second attempt at nesting. The applicant shall implement a larger buffer if the biologist or environmental resource specialist recommends a larger buffer from the nest area.

4. **Operational Best Management Practices.** In order to minimize adverse environmental impacts and the unpermitted deposition, spill, or discharge of any liquid or solid into coastal waters, the permittee shall implement the following operational best management practices IN ADDITION TO the best management practices proposed in the detailed project description by Anchor QEA (December 2013) and best management practices plan report by ENCON Technologies (April 2014), Exhibit 3:

   A. Boat Cleaning and Maintenance Measures:

      1) In-water hull washing which does not occur by hand shall be prohibited.
      2) In-water top-side and bottom-side boat cleaning shall minimize the discharge of soaps, paints and debris.
      3) Only detergents and cleaning components that are designated by the manufacturer as phosphate-free and biodegradable shall be used, and only minimal amounts shall be used.
      4) The use of detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye shall be prohibited.
      5) In-the-water hull scraping or any process that occurs under water that results in the removal of paint from boat hulls is prohibited.

   B. Solid and Liquid Waste Management Measures:

      1) All trash, recyclables, and hazardous wastes or potential water contaminants, including old gasoline or gasoline with water, absorbent materials, oily rags, lead acid batteries, anti-freeze, waste diesel, kerosene and mineral spirits shall be disposed of in a proper manner and shall not at any time be disposed of in the water or gutter.
      2) Containers for recyclables shall be provided on the dock and sited so that they are convenient for boaters.
      3) All trash and separate containers for recyclables, oil wastes, fish wastes, etc. shall be clearly marked, have the capacity to handle all waste streams, and be sited on the dock so that they are convenient for boaters.
      4) All solid waste, including sewage, shall be properly disposed of only at appropriately designated facilities.

   C. Petroleum Control Management Measures:

      1) BMPs shall be implemented to minimize the potential for accidental discharges during fueling activities.

2) Oil absorbent materials should be examined at least once a year and replaced as necessary. The applicant shall recycle the materials, if possible, or dispose of them in accordance with hazardous waste disposal regulations.
3) Boaters shall regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills.
4) Boaters shall use preventive engine maintenance, oil absorbents, bilge pump-out services, or steam cleaning services as much as possible to clean oily bilge areas. The use of detergents or soaps that can be discharged by bilge pumps is prohibited.

5. **Parking Supply.** This coastal development permit does not authorize any changes to the existing parking lot management or configuration. No parking spaces shall be reserved for the commercial use.

6. **Public Access along the Waterway.** The permittee and the development shall not interfere with public access and use of the public walkway situated immediately inland of the approved development (except for the temporary disruptions that may occur during the completion of the permitted development). The proposed project shall not interfere with public access and use of the public picnic area located immediately east of the approved development.

7. **Resource Agencies.** The permittee shall comply with all requirements, requests and mitigation measures from the California Department of Fish and Wildlife, 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.

8. **Assumption of Risk.** By acceptance of this permit, the applicant, on behalf of 1) itself; 2) its successors and assigns and 3) 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, and flooding; (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).

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION:

The proposed project is the replacement of the fuel storage and dispensing system at the Alamitos Bay Marina in Long Beach **(Exhibit 1)**. An existing 170-foot long (and up to 50' wide) dock float houses two gasoline and diesel fuel pumps and associated piping, installed without a coastal development permit approximately two years ago. The application seeks retroactive approval for those two fuel pumps and approval for a third fuel pump on the same dock float, all of which are proposed to connect to two underground gasoline and diesel fuel tanks buried in the adjacent parking lot on the landside potion of the marina **(Exhibit 2)**.

The proposed double-walled fuel tanks are each 12,000 gallons, one to be filled with gasoline one with diesel. The applicant is not proposing to replace the dock float. No new piles are proposed. All proposed construction is above water and there will be no increase in water coverage as part of the development. All piping will be double-walled and continuously monitored by a state-of-the-art leak detection system with positive shutdown for the dock-mounted fueling equipment. The proposed project is expected to take about six weeks to complete. The project staging area is the marina parking lot where the new underground fuel storage tanks will be placed.

The parking lot (approximately 40 spaces) serves the adjacent facilities, which include a snack shack and landscaped areas as well as the fuel dock float. The public currently has access to the parking lot and dock float. **Special Conditions 5 and 6** ensure that the proposed project will not interfere with public access to the parking lot, along the marina, or to the gangway and dock float, except for the temporary disruptions that may occur during the construction of the permitted development in a section of the parking lot and along the dock float.

A fueling system similar to the current proposal has been sited on the dock float historically and as recently as one year ago. In 2013, the City of Long Beach decommissioned the previous fueling system at the marina under Waiver of Coastal Development Permit No. 5-13-056-W. The work involved cleaning out five existing underground fuel tanks, filling them with concrete slurry, and abandoning them in place, as well as removing outdated piping. That course of action was determined by the City's consultants to be the least environmentally damaging method of decommissioning the previous fueling system, which had exceeded its useful life. That development was approved by Commission staff with the understanding that the second phase of the fueling system upgrade would be the development proposed in the subject application.

The fuel dock serves recreational boaters in the City's 1,991-slip public marina. The marina was established in the late 1950s and has been open for public boating and fueling since then. The proposed project will support increased recreational boating use of coastal waters. Only with the proposed project will the fueling facility continue to be available for public use and continue to enhance public access and recreational boating opportunities. The proposed project, which

supports recreational boating, is an allowable and encouraged marine related use, and is consistent with Section 30224 of the Coastal Act.
Due to the project's location in and over coastal waters, it is necessary to ensure that construction activities will be carried out in a manner that will not adversely affect recreation, water quality or marine resources. The storage or placement of construction material, debris, or waste in a location where the materials could be discharged into coastal waters could result in an adverse effect on the marine environment. Ongoing fueling activities could also have adverse impacts if fuel is not adequately contained.

As part of the proposed project, the applicant has proposed best management practices to protect water quality and marine resources as required by Sections 30230, 30231, 30232, and 30240 of the Coastal Act. The proposed best management practices, set forth in the detailed project description by Anchor QEA (December 2013) and best management practices plan report by ENCON Technologies (April 2014), include provisions to prevent discharges into the water during construction, and also post-construction during the ongoing fueling operations that will be conducted at the new facility.

The applicant has incorporated special design element best management practices into the proposed fuel storage and dispensing system in order to minimize the potential for fuel spills, including the use of a double-walled underground fuel storage tank, double-walled connecting pipes, and a state-of-the-art leak detection system with positive shutdown for the dock-mounted fueling equipment.

Because temporary dewatering of the soil may be required in the landside area where the two fuel storage tanks are proposed to be buried, the applicant has retained the services of a dewatering specialist to prepare a dewatering plan and related supervise construction activities. The plan to discharge any recovered groundwater into a nearby sewer, incorporating best management practices, has received the approval of the sanitation department and is included in the project plans associated with this application. No discharges are proposed or permitted into Alamitos Bay.

In order to minimize adverse environmental impacts from fueling activities, **Special Condition 2** requires the permittee to implement additional construction best management practices, which will ensure that debris is not discharged into the bay. **Special Condition 4** will ensure that best management practices are implemented by the permittee and public users of the dock and fuel facility after the proposed development is constructed. Both conditions are similar to those imposed by the Commission on Coastal Development Permit 5-10-239 for the Downtown Shoreline Marina in Long Beach, which also has public slips and a public fueling system.

Because the proposed development is located in an area where nesting birds have been observed, **Special Condition 3** requires that a qualified biologist or environmental resource specialist conduct a breeding behavior and nesting survey around the site and that construction noise be minimized if nesting birds are discovered.

There is a nexus between the proposed development and the existing management and use of the marina because the provision of three functional fueling stations will increase the intensity of use

of the marina. Therefore, the applicant has agreed to implement the boat cleaning and maintenance measures and solid and liquid waste management measures detailed in **Special Condition 4** in order to be consistent with City environmental policy and the Coastal Act.

Special Condition 7 requires the permittee to comply with all requirements, requests and mitigation measures from the California Department of Fish and Wildlife, 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.

The proposed project is located in the Pacific Ocean, and even though it is in a marina enclosed by rock jetties, the site is still susceptible to natural hazards, including sea level rise. The applicant has acknowledged that these risks exist and the Commission has imposed an assumption of risk in because the area is at high risk from hazards. **Special Condition 8** ensures that the permittee understands and assumes the potential hazards associated with development in or near the water.

The proposed project has received an approval in concept from the City of Long Beach and an approval of plans for industrial waste discharge from the Sanitation District. The proposed project is situated on Tidelands within the Commission's coastal development permit jurisdiction. The proposed project is consistent with the Chapter 3 policies of the Coastal Act and previous Commission approvals.

B. PUBLIC ACCESS AND 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, Sections 30220 through 30224, and Section 30252 of the Coastal Act regarding the promotion of public recreational opportunities.

C. 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 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 ongoing best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

D. HABITAT

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

E. VISUAL RESOURCES

The design of the proposed structures is low scale and visually compatible with the character of the surrounding area. Therefore, the proposed project will not block any existing public views or result in any significant change to visual resources, and is consistent with Section 30251 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program (LCP) which conforms with Chapter 3 policies of the Coastal Act. 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. The certified LCP permits a marina and public recreation area in the location where the development is proposed. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and the certified LCP for the area.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effect which the activity may have on the environment.

The City of Long Beach, the lead agency for CEQA, determined on July 3, 2013 that the proposed project is categorically exempt from CEQA pursuant to State Guidelines Section 15302, Class 2: Replacement or Reconstruction. Furthermore, the proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal 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, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

SUBSTANTIVE FILE DOCUMENTS

1. City of Long Beach Local Coastal Program (Commission Certified July 22, 1980)
2. Permit File for Waiver of Coastal Development Permit 5-13-056-W
3. Permit File for Coastal Development Permit 5-10-239

EXHIBITS

Exhibit 1 – Vicinity Map
Exhibit 2 – Proposed Site Plan
Exhibit 3 – Best Management Practices Proposed by Applicant

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Vicinity Map: Alamitos Bay Marina Fuel Dock

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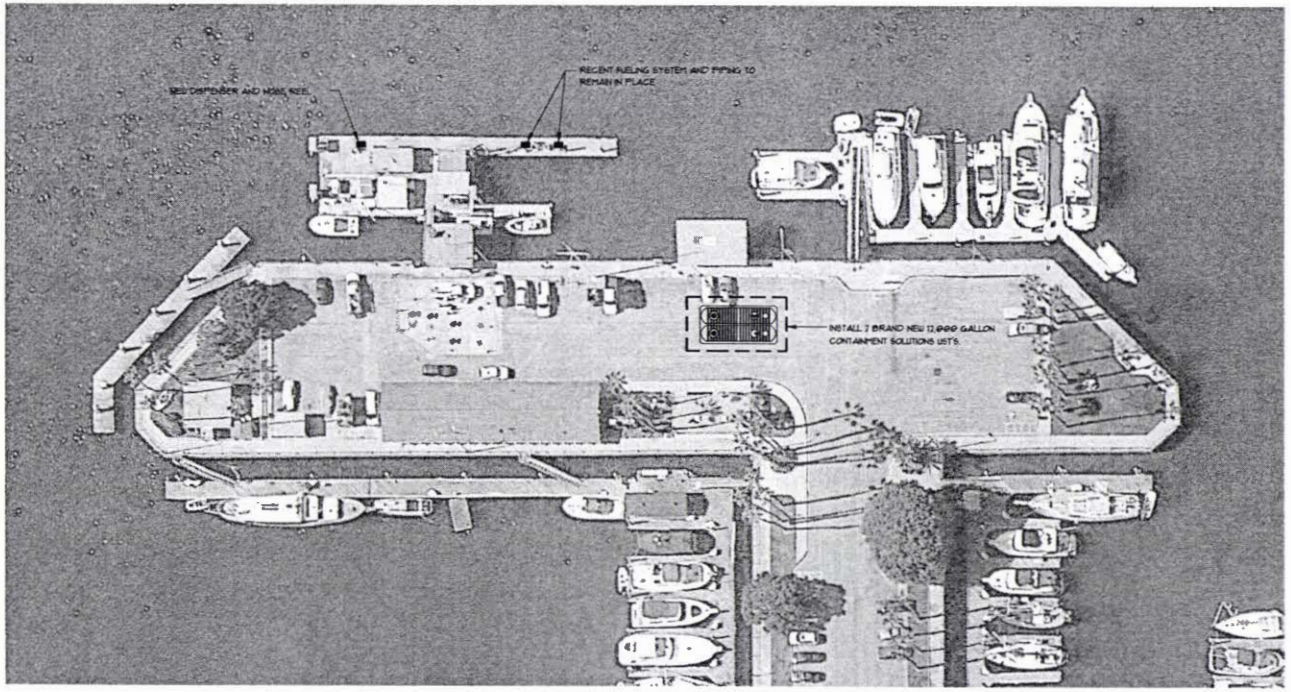
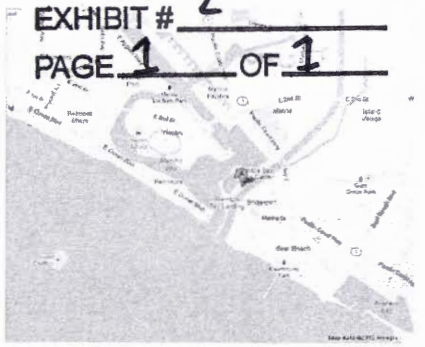
Vicinity Map: Alamitos Bay Marina Fuel Dock

EXHIBIT # 2
PAGE 1 OF 1

ALAMITOS BAY MARINA NEW FUELING SYSTEM

227 MARINA BLVD.
LONG BEACH, CA





VICINITY MAP

NORTH

SHEET SYMBOL INDEX

- (X) DETAILS ON PAGES 5, 6, 7, 8, 9
- [X] MATERIAL LIST ON SHT. 10
- (X) TANK DETAILS ON SHT. 9
- (5-X) DETAILS ON PAGE 4

SHEET INDEX

APPLICABLE CODES & STANDARDS:

THE WORK SHALL CONFORM TO THE MOST RECENT EDITION OF THE FOLLOWING CODES AND STANDARDS AS SUPPLEMENTED, AMENDED, OR OTHERWISE MODIFIED BY LOCAL REQUIREMENTS

- CALIFORNIA BUILDING CODE (2010)
- CALIFORNIA FIRE CODE (2010)
- CALIFORNIA PLUMBING CODE (2010)
- CALIFORNIA MECHANICAL CODE (2010)
- CALIFORNIA ELECTRICAL CODE (2010)
- CALIFORNIA FIRE CODE (2010) REFERENCES STANDARDS CHAPTER 47
- LONG BEACH MUNICIPAL CODE 18.48
- CALIFORNIA UNDERGROUND STORAGE TANK REGULATIONS
  - TITLE 23, CALIFORNIA CODE OF REGULATIONS, CHAPTER 16
- CALIFORNIA HEALTH AND SAFETY CODE, CHAPTER 6, 7
- PEI DOCUMENT ON RECOMENDED PRACTICES
  - FOR THE INSTALLATION OF MARINA FUELING SYSTEMS

SCOPE OF WORK

1. INSTALL UST AND ALL COMPONENTS
2. INSTALL VENT TRANSITION SUMP AND TRANSITION SUMP AT SEA WALL
3. INSTALL DOUBLE WALL FIBERGLASS PIPING FROM UST'S TO TRANSITION SUMP AT SEA WALL
4. INSTALL DOUBLE WALL FIBERGLASS PIPING FROM UST TO VENT TRANSITION SUMP
5. INSTALL ELECTRICAL CONDUIT TO ALL SUMPS IN USTS AND IN ALL TRANSITION SUMPS AND TO ALL COMPONENTS ON EXISTING DOCK
6. INSTALL PIPE SUPPORTS AND EXTENDED GRATE ON DOCK AS NOTED BY STRUCTURAL ENGINEER.
7. INSTALL API PIPING FROM SEA WALL TRANSITION TO NEW FUELING SYSTEM
8. INSTALL NEW ABOVE GROUND STAINLESS STEEL BOX ON TOP OF GRATE. MOUNT PER MANUFACTURES SPECIFICATIONS
9. INSTALL NEW FUELING DISPENSERS, HOSE REELS AND ALL COMPONENTS
10. INSTALL ALL INTRINSICALLY SAFE CONDUIT, SENSORS AND VEEDER ROOT TLS 350 AS NOTED ON PLANS

NOTE:
CONTRACTOR TO FIELD VERIFY ALL LOCATIONS AND ELEVATIONS

No	Revision / Submissions	Date

ENCON TECHNOLOGIES INC.
ENVIRONMENTAL ENGINEERING & CONSTRUCTION SERVICES
12145 MORA DRIVE, UNIT 7
SANTA FE SPRINGS, CA 90670
TEL: 562.777.2290 FAX: 562.777.2201
CALIFORNIA CONTRACTORS LICENSE NO. 748578
A, HAZ
EXPIRES 4/30/14

ALAMITOS BAY MARINA FUEL DOCK
227 MARINA DRIVE
LONG BEACH, CA 90803

NEW FUELING INSTALLATION
COVER SHEET / SITE PLAN

Designed:	Project Number: N/A
Drawn: MW	Scale: NOT TO SCALE
Checked: RU	Drawing Number: G-0
Reviewed: CW	
Date: 2/11/13	1 of 19

Best Management Practices Proposed by Applicant

Construction BMPs

To minimize potential impacts to the water, shoreline, or upland areas at the proposed project site, the City would require the contractor to implement a number of BMPs, including adhering to a Spill Prevention, Control, and Countermeasure (SPCC) Plan and the following guidelines, standards, and regulations:

- California Building Code
- California Fire Code (CFC)
- California Plumbing Code
- California Mechanical Code
- California Electrical Code
- CFC References Standards, Chapter 47
- Long Beach Municipal Code 18.48
- California UST Regulations, Title 23, California Code of Regulations, Chapter 16
- California Health and Safety Code, Chapter 6.7
- Petroleum Equipment Institute Document of Recommended Practices for the Installation of Marine Fueling Systems

In California, UST permitting is handled by local agents of the State Water Resources Control Board (SWRCB; a section of the California Environmental Protection Agency). These agents are known as Certified Unified Program Agencies (CUPAs). In Long Beach, permitting is handled by the Long Beach CUPA, which is the Long Beach Fire Department. The proposed project would proceed under separate approval from the Fire Department, acting as the Long Beach CUPA. In addition, the Fire Department would be responsible for inspections and testing throughout construction, as detailed in the following sections.

BMPs and procedures specific to fueling system installation and operation are detailed below, as specified in the project plans.

General BMPs

- All on-site personnel shall have completed HAZWOPER training within the past 12 months, to be field verified by the Fire Department.
- All work on the UST system shall be completed under direct on-site supervision of an International Code Council (ICC)-certified UST installer at all times.
- All work shall be completed by manufacturer-certified technicians.
- All work shall be completed according to federal, state, regional, and city regulations. If conflicts arise between the plans and regulations, regulations shall prevail.
- The contractor shall mark the site and notify dig alert (811) at least 12 hours before starting excavation.
- All excavated soil shall be treated as contaminated until testing proves otherwise. All

excavated soil shall be placed on and covered with heavy plastic during construction.

- Requests for Fire Department inspections and witnessed operations shall be made by calling the Fire Inspector (562-570-2595) at least 12 hours in advance.
- All soil sampling and analysis conducted in preparation for this installation shall be completed under the UST removal permit.
- This project requires an electrical permit. No electrical work shall be completed prior to acquiring an electrical permit from the City Building and Electrical Division.
- Underground piping shall be sloped toward the UST at a rate of at least 1 percent (0.125 inch per foot). The contractor shall demonstrate the slope to the Fire Inspector using a smart level prior to backfilling.
- Prior to backfilling, the primary underground piping shall be tested pneumatically at 110 percent of design operating pressure and soap tested according to Section 12636(e) of Title 23, California Code of Regulations, Chapter 100, and witnessed by the Fire Inspector.
- Prior to backfilling, the piping's secondary containment shall be tested according to Section 12636(e) of Title 23, California Code of Regulations, Chapter 100, and the manufacturer's guidelines as well as witnessed by the Fire Inspector.
- During final inspection, the entire UST system will undergo secondary containment testing according to Section 12637 of Title 23, California Code of Regulations, Chapter 100.
- During final inspection, the new monitoring system will be tested. The monitoring system will then be certified within 2 weeks of final inspection. Certification must be witnessed by the Fire Inspector and requires a separate appointment (562-570-2595).
- Two 2A:20BC fire extinguishers shall be on site when the site is active.
- 'No smoking' signs shall be posted around the perimeter of the site.
- If work will be completed in a confined space, an internal confined space permit will be issued in accordance with a project site-specific health and safety plan. Any work completed in a confined space shall be undertaken according to California Occupational Safety and Health Administration regulations and only after the proper equipment is in place and technicians have been fully trained in confined space work procedures.
- The portable gas detector (PID meter) shall be calibrated within 90 days and affixed with a sticker indicating the date of the most recent calibration.
- The project site shall be accessible to fire crews 24 hours a day.
- Spill bucket capacity (5 or more gallons) shall be confirmed in the presence of the Fire Inspector.
- All possible means shall be taken to prevent the release of hazardous material.
- All underground and aboveground piping will be double-walled, continually monitored and clearly identified with directional arrows showing the direction of flow.

- The overfill alarm shall be visible and audible from the likely location of a fuel delivery truck and set to activate at 90 percent of tank volume. The alarm shall sound for 90 seconds.
- Workers shall wear proper personal protective equipment while applying epoxy and while conducting all other activities at the site.
- The UST system shall be constructed and operated according to provisions of Title 23, California Code of Regulations, Chapter 16, 2610 through 2729.1; Chapter 6.7 of the California Health and Safety Code 25280 through 25299.8; and Chapters 27 and 34 of the 2010 CFC.
- All signs shall be UV-resistant and suitable for the marine environment.
- Electrical control panels and power shut-offs shall be labeled and signs provided.
- All pipes shall be labeled in the field and shall include directional arrows.
- All components shall be installed by ICC manufacturer's certified technicians. Certification shall be included in the documentation binder.
- The contractor shall be present on site and throughout the construction process. Should the contractor leave the site, work will stop as required.
- All UST components are Underwriters Laboratory (UL) approved for this application.
- Piping shall be tested at 150 percent of maximum anticipated pressure hydrostatically or 110 percent of maximum pressure pneumatically but not less than 5 pounds per square inch at the highest point.
- Storage tanks shall be tested independently from the piping.
- Tank openings shall be spring-loaded to prevent vapor release.
- Dispensing operations shall meet specific code requirements.
- A minimum 10-foot clearance shall be maintained from combustible material.
- Secondary piping inspection shall include confirmation that piping is properly embedded in piping trenches.
- Secondary containment systems shall be tested upon installation, 1 month after installation, and every 36 months thereafter. Secondary containment systems shall be tested every 36 months after installation.
- Piping shall be laid and continuously supported by a compacted pea gravel bedding. Piping shall not be supported by blocks, planks, or other debris. Confirmation by the Fire Inspector shall occur during secondary piping inspection.
- The Fire Department shall witness 24-hour leak tests on all sumps and under dispenser containments. Final acceptance for liquid tightness shall be by en-con or similar measuring device.
- The minimum depth of cover shall be maintained and avoidance of undermining foundations of existing structures firm foundation and surrounded with 6 inches of inert material (i.e., clean sand or gravel tamped in place), 2 feet of earth or 1 foot of earth

topped with a minimum 4-inch slab of reinforced concrete, in traffic areas 3 feet of earth or 18 inches of tamped earth plus 6 inches of reinforced and asphaltic must extend 1 foot beyond tank in all directions.

- All buildings and canopies shall require a separate submittal to the Fire Department.
- Hazardous material disclosure information shall be provided within 10 days of proposed tank installation.
- Dispensers, hose reel boxes, and aboveground transition sump shall be anchored with 0.125-inch stainless-steel hilti wedge anchors with 6-inch embedment.
- Shear valve position shall meet CFC Chapter 22 requirements.
- Dispensing operations shall meet all applicable CFC requirements:
  - Dispensing devices shall be located as follows: 1) 10 feet or more from property lines; 2) 10 feet or more from buildings having combustible exterior wall surfaces or buildings having noncombustible exterior wall surfaces that are not part of a 1-hour fire-resistive assembly; 3) such that all portions of the vehicle being fueled will be on the premises of the motor fuel-dispensing station; 4) such that the nozzle, when the hose is fully extended, will not reach within 5 feet of building openings; and 5) 20 feet or more from fixed sources of ignition (2203.1).
  - The emergency disconnect switch shall be provided for all dispensers and located between 20 and 100 feet from dispensers. Such devices shall be distinctly labeled as emergency fuel shutoff (2203.2).
  - Dispenser operating instructions and warning signs shall be conspicuously posted in approved locations on or within sight of every dispenser (2204.2.3 and 2205.6).
  - Unsupervised dispensing is allowed when the owner or operator provides and is accountable for daily site visits; regular equipment inspections and maintenance; conspicuously posting instructions for safe operations of dispensing equipment; and posting telephone numbers for the owner or operators. A sign providing emergency instructions shall also be posted in conspicuous locations (2204.3).
  - Class I, II, and IIA liquids shall not be dispensed into a portable container unless the container is of approved material/construction and has a tight closure with a screwed or spring-loaded cover so the contents can be dispensed without spilling (2204.410).
  - Automatic emergency shutoff valves required by Section 2206.7.4 shall be checked no less than once per year by manually tripping the hold-open linkage (2205.2.2).
  - Leak-detecting devices shall be tested annually. Test results shall be maintained on the premises and available upon request (2205.2.3).
  - Smoking and open flames shall be prohibited in areas where fuel is dispensed. Vehicle engines of vehicles being fueled shall be shut off during fueling (2205.4).
  - A fire extinguisher with a minimum rating of 2A:20BC shall be provided and located no more than 75 feet from any dispenser (2205.5).

- Combustible materials shall be kept 10 or more feet from storage vessels and handling equipment (2205.7).
- Flammable and combustible liquids shall be stored according to CFC Chapter 34 and Section 2206.1.
- The design, fabrication, and installation of fuel-dispensing systems for flammable and combustible liquid fuels shall be in accordance with CFC Section 2206.7.

- Nozzles shall automatically close and meet manufacturer's and code requirements.
- The minimum size of a National Fire Protection Association 704M placard shall be 15 feet by 15 feet.
- The owner or its agents shall certify that the installation of the tanks and piping meets the conditions below. The certification shall be made on a "Certificate of Compliance for UST Installation for C."

  - The installer has met the requirements set forth in Section 2715, subdivisions (g) and (h).
  - The UST, any primary piping, and any secondary containment, was installed according to applicable voluntary consensus standards and any manufacturer's written installation instruction.
  - All work listed in the manufacturer's installation checklist has been completed.
  - The installation has been inspected and approved by the local agency, or, if required by the local agency, inspected and certified by a registered professional engineer who has education and experience with UST system installation to be provided by general contractor.

Fire Safety BMPs

- Site address numbers shall be visible from the street.
- Two 4A:80BC fire extinguishers shall be on-site during construction. Travel distance shall not exceed 50 feet, and storage shall be within a non-corrosive, weather-resistant cabinet.
- The construction area shall be secured from pedestrians and vehicles using 6 feet of fencing around the site.
- Safety signs shall be prominently located around the perimeter of the site.
- Each installation shall be subject to acceptance testing witnessed by the Fire Inspector and shall be in accordance with nationally-recognized standards prior to being placed in service. Requests for all inspections by the Fire Inspector shall be made 72 hours in advance for the following:

  - Site safety inspection prior to commencement of work
  - Underground primary pipe test and tank inspection
  - Underground secondary pipe test

- Lake test inspection double-wall sumps
- Aboveground primary pipe test
- Aboveground secondary pipe test
- Under dispenser containment lake test including hose reel's pan containment box and dispenser sumps (sumps and dispensers shall be pre-tested by manufacturer)
- Veeder Root test including sensors and certification
- Emergency Shut Down valve positive shut down
- Fire Department final inspection

- All secondary containment sumps and similar shall be tested by the contractor prior to requesting testing/inspection by the Fire Inspector.
- Vacuum system shall be tested in the presence of the Fire Inspector. Vacuum monitoring outlets shall be properly labeled.
- Tank setting shall take place with oversight of the Fire Inspector. Brine level shall be established. Tank condition shall be inspected.
- Prior to final approval by the Fire Department, the contractor shall provide a completed Form C.
- An ICC-certified individual must be on site when work occurs.
- The Fire Inspector may spot check employee certifications at any time. Employees must produce their certification or be dismissed until proper documents are on site.
- Final field acceptance shall include a monitoring certification to ensure that all components are functioning properly. This certification shall be witnessed by the Fire Inspector. Monitoring certification requires separate 72-hour notification.
- Submittal and approval by both the City Planning and Zoning Division and City Building and Electrical Division shall be completed.
- Seismic and structural approval shall be obtained as required by the CCC and City Building and Safety Division.
- A Fire Prevention permit from the Long Beach Fire Department shall be obtained.
- The overfill alarm shall be visible and audible from the likely location of a fuel delivery and set to activate at 90 percent of tank volume.
- Labels indicating product and flow direction shall be applied to piping and on the transition sump. All valves in transition shall include labels indicating normal positions.
- Separate review and approval from the City Building and Safety Division shall be completed under a separate submittal, as required.
- Non-corrosive or corrosion-protected materials shall be provided to avoid galvanic action of dissimilar metals.
- Flexible joints shall be listed and approved for liquid, vapor, and vent piping at the following locations: the UST where connected, piping ends at dispensing islands and vent risers, and locations where differential piping movement can occur.

- The system shall include 30-foot fuel hoses, which are longer than those typically used for land-based automobile fueling. The longer hoses are necessary to reach from the dispenser to the fuel tanks on larger boats, which are often located well inboard and down the dock from boat tie-up locations. Hoses will be stored when not in use, on spring-loaded hose reals and mounted inside of product tight containment pans that hold at least 150 percent of the maximum hose volume.
- The system includes enhanced vapor recovery equipment as specified in the South Coast Air Quality Management District (AQMD) permit. The AQMD permit specifies that the project site will be equipped with the EVR Phase I system specified in California Air Resources Board (CARB) executive order VR-102, which includes an OPW brand spill bucket, drop tube/adapter assembly, and an OPW or Husky brand P/V vent valve. The AQMD permit does not specify EVR Phase II equipment because marine craft are not designed to mate with vapor recovery nozzles.
- All UST and monitoring system components shall be compatible with and UL-listed for the product being stored, conveyed, or dispensed. Additionally, all underground piping shall be listed in the SWRCB pipe matrix. All leak monitoring system components shall be listed in the most current edition of the *Leak Detection Evaluations for Storage Tank Systems* as referenced in SWRCB Local Guidance (LG) Letter LG-113.
- All sump sensors shall be installed to detect liquid at the earliest possible opportunity and mounted in tamper-proof sleeves. Sleeves shall be mounted so that they do not impede the sensor's ability to detect liquid.
- The leak monitoring system shall be wired and programmed to immediately notify Frank Neely (the City's UST program supervisor) of all alarms and warning. If Mr. Neely is not available, the notification will be routed to an alternative person as directed in the UST program procedures.
- Hazardous material disclosure information shall be provided within 10 days of proposed tank installation.
- Only metal rubbish containers shall be used on the fuel dock per CFC Section 2210.5.3.
- Bonding and grounding of pipe shall meet the requirements of NFPA 30A 11.6.1.
- Two types of pipe will be used to convey fuel from the UST to the dispensers. APT will convey gasoline and diesel fuel aboveground from the UST to the transition sump. Double-walled fiberglass system piping will convey fuel underground along the seawall, then APT flexible pipe will run down the gangway and through the dock to the dispensers. The fiberglass systems and APT pipe are included in the SWRCB's Underground Pipe Matrix.
- The CCC, City Water Department, County of Los Angeles Sanitation District, and AQMD will review the proposed project as described in this permit application.