STATE OF CALIFORNIA—THE RESOURCES AGENCY

W5b

RECORD PACKET COPY

PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4416
(310) 590-5071

Filed:	10/24/96
49th Day:	12/12/96
180th Day:	4/22/97
Staff:	CP-LB
Staff Report:	11/21/96
Hearing Date:	December 11, 1996
Commission Action:	

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-96-197

APPLICANT: City of Long Beach

AGENTS: Dennis Eschen, Supervisor of Parks Planning & Development
Jack Humphrey, Advance Planning Officer

PROJECT LOCATION: 5751 Boat House Lane (Fieldstone Park), City of Long Beach, Los Angeles County.

PROJECT DESCRIPTION: Improvement of 2.7 acre Fieldstone Park site for public recreational and educational purposes including: 1) creation and restoration of 1.2 acres of subtidal and intertidal habitat areas, 2) construction of public walkways and two 900 sq. ft. observation platforms, 3) construction of a 132' x 12' public boat dock, 4) installation of a 481.5 foot long floating breakwater, and 5) landscape the 1.5 acre upland portion of site with native plants.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with conditions regarding turbidity control, timing of construction, protection of eelgrass beds, and State Lands Commission approval. The special conditions are necessary to bring the proposed project into conformance with the marine resource policies of the Coastal Act. The City agrees with the recommendation.

LOCAL APPROVALS RECEIVED:

1. Local Coastal Development Permit No. 9206-15 (City of Long Beach).
2. City of Long Beach Approval in Concept, 9/17/96.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program, 7/22/80.
2. City of Long Beach Marine Stadium Master Plan, 11/17/92.

SUBSTANTIVE FILE DOCUMENTS (Cont.):

3. EIR for Marine Stadium Master Plan (EIR 54-90).
4. U.S. Army Corps of Engineers Permit No. 94-01219-FT, 5/28/96.
5. City of Long Beach Local Coastal Development Permit No. 9206-15 (Marine Stadium Master Plan).
6. Local Coastal Development Permit Appeal Case No. A-5-LOB-92-466 (City of Long Beach).
7. Fieldstone Park Final Design Report, by Tetra Tech, Inc., October 1995.

STAFF NOTE:

The subject site is bisected by the mean high tide line (MHTL). The MHTL differentiates the Commission's area of retained (original) jurisdiction for tidelands, submerged lands, and public trust lands from the landward area for which the City has accepted Coastal Development Permit jurisdiction pursuant to the certified Local Coastal Program. The existence of both Coastal Development Permit jurisdictions within one project site requires two Coastal Development Permits, one for each jurisdiction.

The City states that its November 17, 1992 approval of Local Coastal Development Permit No. 9206-15 for the Marine Stadium Master Plan (End Beach, Costa del Sol and Fieldstone Parks) covers the park improvements which are situated landward of the MHTL. This public hearing and staff report addresses the Coastal Commission Coastal Development Permit required for the portion of the proposed development located seaward of the MHTL. The standard of review for development proposed in the Commission's area of retained jurisdiction (seaward of the MHTL) is the Chapter 3 policies of the Coastal Act.

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, as conditioned, 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, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts 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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

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

5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.

6. 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.

7. 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. Turbidity Control

In order to minimize adverse impacts on the marine environment caused by siltation during construction, silt curtains or other forms of barriers acceptable to the Executive Director shall be used to confine turbid water to the immediate area of excavation and deposition.

2. Timing of Project

In order to minimize adverse impacts on least tern foraging areas during the least tern nesting season, no construction activity shall occur in the water during the period commencing March 15 and ending September 1.

3. Eelgrass Mitigation Plan

Prior to the placement of any piles required for the floating breakwater and boat dock, the applicant shall survey and map the eelgrass (Zostera marina) beds which exist within the project area. The applicant shall then indicate, on a detailed site plan, all areas of eelgrass and potential eelgrass disturbance. If any areas of potential eelgrass disturbance by piles are identified, the applicant shall submit an eelgrass mitigation plan for the review and approval of the Executive Director which shall contain: 1) methods for minimizing the loss of eelgrass, 2) procedures for transplanting and re-establishing any disturbed eelgrass within the project site in order to maintain the extent of eelgrass at the pre-project level, and 3) a timeline for implementing re-establishment of disturbed eelgrass. The applicant shall obtain the Executive Director's approval of the eelgrass mitigation plan prior to the placement of any piles.

4. State Lands Commission Review

Prior to the issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director, documentation that the California State Lands Commission has authorized the approved project.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The City of Long Beach proposes to improve a 2.7 acre waterfront site (Fieldstone Park) in the Marine Stadium area for public recreational and educational uses (Exhibits #1-5). The creation of the proposed public park is mandated by the California State Lands Commission as a condition of the Macco-McGrath Boundary Settlement and Exchange Agreement as executed in 1968, and amended in 1970, 1973, and 1988. The Macco-McGrath Boundary Settlement and Exchange agreement involved the Fieldstone Park site and an adjacent parcel of state tidelands in the Marine Stadium area. A portion of the state tidelands were given up for private residential development, while the Fieldstone Park waterfront site was granted in trust to the City of Long Beach under the condition that it be improved for public recreation and coastal access in order to balance the adjacent residential land uses.

Marine Stadium is a water oriented public recreation area in Alamitos Bay (Exhibit #3). The Marine Stadium water area is approximately one mile long and five hundred feet wide and is contiguous with Los Cerritos Channel, Long Beach Marina, and Alamitos Bay (Exhibit #2). Marine Stadium, once a large tidal wetlands area, was dredged and developed in preparation for the 1932 Olympics. Marine Stadium has been used for Olympic rowing competitions and is currently used for rowing, water skiing, jet skiing, and power boat racing. A

rowing center is currently located on the west side of the project site (Exhibit #4). While Marine Stadium is surrounded by residential development, the entire circumference of the stadium is accessible to the public. Approximately two thousand public parking spaces are located in various parking lots situated around the sides of the stadium (Exhibit #3).

The Fieldstone Park site is actually on the north bank of Los Cerritos Channel next to Marine Stadium (Exhibit #3). The site is currently vacant and unimproved, and the existing shoreline at the site has historically suffered from bank erosion. The 2.7 acre Fieldstone Park site includes both water area (1.2 acres) and land area (1.5 acres) separated by the actual mean high tide line (MHTL).

The proposed project requires a Coastal Development Permit from the Commission for the work proposed in the Commission's original permit jurisdiction, the 1.2 acre portion of the site located seaward of the MHTL. This application covers only the work proposed in the water at the Fieldstone Park site.

The 1.5 acre portion of Fieldstone Park which is located landward of the MHTL is located within the City's LCP permit jurisdiction. City of Long Beach Local Coastal Development Permit No. 9206-15 approved the proposed park improvements which are located landward of the MHTL. Local Coastal Development Permit No. 9206-15 was approved by the City in 1992 for the implementation of the Marine Stadium Master Plan which included the improvement of three new parks: End Beach Park, Fieldstone Park, and Costa del Sol Park (Exhibit #3). According to the City Zoning Officer, Local Coastal Development Permit No. 9206-15 was vested by work done on October 1, 1995.

The currently proposed Fieldstone Park improvements include: 1) creation and restoration of 1.2 acres of subtidal and intertidal habitat areas, 2) construction of public walkways and two 900 sq. ft. observation platforms, 3) construction of a 132' x 12' public boat dock, 4) installation of a 481.5 foot long floating breakwater, and 5) landscape the 1.5 acre upland portion of site with native plants (Exhibit #5).

The public parking for Fieldstone Park will be provided by the existing public parking lots located near the terminus of Boathouse Lane (Exhibit #3). No new roads or parking facilities will be constructed. Local Coastal Development Permit No. 9206-15 requires that a public restroom for park visitors be provided by the City within an existing structure located in the public parking lot at the end of Boathouse Lane (Exhibit #3). Fieldstone Park can also be accessed using the existing pedestrian and bicycle paths, or by boat.

The proposed project will improve the site for public use, and is designed to halt the persistent erosion of the channel banks. Educational use of the site will be facilitated by the proposed creation of new wetland and rocky intertidal habitat areas which can be observed from the proposed observation platforms and public walkways. The proposed project includes the creation of 4,315 square feet of new intertidal habitat area. The new intertidal habitat area includes 2,315 square feet of intertidal mudflats which will be created by excavating approximately 700 cubic yards of material from an existing upland portion of the site (Exhibit #5). The other 2,000 square feet of new intertidal habitat area will be created by placing approximately 200 tons of

rip-rap around the newly created mudflat area to protect it from erosion. The new intertidal habitat area will be planted with native marshland vegetation (Exhibit #7, p.2).

Existing intertidal areas will also be improved as part of the proposed project. The two existing rocky shoreline areas will be improved through the removal of all unsuitable debris (i.e., concrete, steel and refuse), and through the importation of approximately 20 cubic yards of additional rock (Exhibit #5). The imported rocks will be arranged in the intertidal zone to simulate naturally occurring tidal pools.

Two observation platforms and public walkways are proposed in order to provide the public with views of the new and improved intertidal habitat areas, and views of the existing subtidal eelgrass beds for educational purposes (Exhibit #5). The general public and school groups will be able to study the marine habitats from the proposed platforms without disturbing them. Each 900 square foot platform will be constructed of timber and supported by twelve piles.

The persistent bank erosion problem is proposed to be solved with the placement of a 481.5 foot long floating breakwater along the seaward edge of the site and with the construction of retaining walls along two sections of the eroded banks of the site (Exhibit #5). The proposed retaining walls will retain 3-5 feet of the banks and reach a height of 6.5 feet above mean sea level. The retaining walls will be constructed by stacking precast concrete units along two sections of the channel banks for a total length of 500 feet (Exhibit #5). According to the applicant, the toe of the proposed retaining walls will be above mean high tide level at +1.89 mean sea level. The proposed floating breakwater has been designed to have a draft deep enough to protect the channel banks from the erosional forces of the waves in Marine Stadium, yet still allow sufficient water circulation to prevent stagnation. The location of the proposed breakwater was sited to avoid harming the existing eelgrass beds found on the site (Exhibit #6). The breakwater, which will be held in place by twenty concrete piles, is not intended for boat docking or other public use.

Public boat docking opportunities will be provided by the proposed 132' x 12' floating boat dock located on the west side of the site (Exhibit #5). The L-shaped dock, which will be held in place by five concrete piles, is intended for general public boat docking. The end of the proposed public boat dock has been sited 95.5 feet east of the end of the rowing center's existing dock in order to avoid conflicts between the users of the two docks (Exhibits #5&7). A fifty foot long aluminum gangway will provide access between the land and the proposed public dock (Exhibit #5).

The 1.5 acre upland portion of the site will be improved with a meandering pathway and planted with drought resistant native vegetation (Exhibit #7). The work on the upland portion of the site has been approved by the City in Local Coastal Development Permit No. 9206-15. Local Coastal Development Permit No. 9206-15 also approved the use of an existing structure in the public parking lot located at the end of Boathouse Lane as the public restroom facility for park visitors (Exhibit #3). The Commission has upheld the City's approved use of the existing structure as the proposed park's public restroom in Appeal Case No. A-5-LOB-92-466 (City of Long Beach).

Finally, the Fieldstone Park improvement project is included in the Environmental Impact Report for the Marine Stadium Master Plan (EIR E-54-90). Over the past seven years, the proposed project and its alternatives have been subject to the review of many state and federal agencies including: U.S. Army Corp of Engineers, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, National Marine Fisheries Service, California Resources Agency, California Department of Fish and Game, California Department of Boating and Waterways, California Department of Transportation, California Regional Water Quality Control Board, and California State Lands Commission.

Pursuant to the many reviews and close scrutiny of the proposed Fieldstone Park project, the preferred alternative was designed in order to incorporate measures into the project which were determined to have the least negative environmental effects on the surrounding environment and land uses. The project proposed in this application is the final redesign of the preferred alternative and has received approval letters from the U.S. Army Corp of Engineers (Permit No. 94-01219-FT) and the California Regional Water Quality Control Board (8/21/96 letter). No state or federal agencies are known to object to the currently proposed project.

B. Marine Resources

The Coastal Act contains policies which address development in coastal waters. The portion of the proposed project covered by this application is located seaward of the actual mean high tide line in the Commission's area of original jurisdiction. The standard of review for the proposed project is the Chapter 3 policies of the Coastal Act, including the following Marine Resource sections of the Coastal Act.

Sections 30230, 30231 and 30233 of the Coastal Act require the protection of biological productivity, public recreation and marine resources.

Section 30230 of the Coastal Act states:

> Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow,

encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233 of the Coastal Act states, in part:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(7) Restoration Purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

Section 30233 of the Coastal Act allows filling of coastal waters and wetlands only under very limited circumstances. The proposed filling of wetlands and coastal waters must be for an allowable use, mitigation measures must be provided to minimize adverse environmental effects, and it must be the least environmentally damaging alternative.

The proposed project provides opportunities for nature study and public recreational boating, but is first and foremost a wetlands restoration project. First, the channel banks of the Fieldstone Park site will be stabilized in order to stop the erosion problem, then the existing intertidal mudflats and rocky areas will be enlarged and restored to improve the habitat value of the site. Then the public access improvements will be built allowing the public to study the marine environment on foot or by boat. As a result of the proposed improvements, a small area of existing mudflats will be filled, but a much larger area of new mudflats and rocky intertidal habitat will be created.

The proposed project involves the filling of some existing mudflat areas in order to construct two retaining walls that will be built to stop the persistent erosion of the channel banks. The proposed retaining walls will be built along two sections of the existing three to five foot high bluff which comprises the channel bank (Exhibit #5). In one severely eroded portion of the bank, a seven foot wide area will be backfilled behind one of the proposed retaining walls. Approximately 900 square feet of existing intertidal mudflats will be lost as a result of the construction and backfilling of the proposed retaining wall. A seven foot wide public sidewalk will be built on top of the filled area between the northern edge of the property and the top of the bluff edge (Exhibit #5, p.2). This sidewalk will provide pedestrian access to the east side of Fieldstone Park.

The loss of 900 square feet of existing mudflat area will be offset, however, by the creation of 4,315 square feet of new rocky intertidal and mudflat habitat area. The proposed new intertidal habitat area will be created by excavating an upland area adjacent to the existing mudflats on the east side of the site (Exhibit #5). The new intertidal habitat area includes 2,315 square feet of intertidal mudflats, and 2,000 square feet of rocky intertidal area created by placing approximately 200 tons of rip-rap around the newly created mudflat area to protect it from erosion. The new intertidal habitat area will be planted with native marshland vegetation (Exhibit #7, p.2).

The existing intertidal areas will also be improved as part of the proposed project. The two existing rocky shoreline areas will be improved through the removal of all unsuitable debris (i.e., concrete, steel and refuse), and through the importation of approximately 20 cubic yards of additional rock (Exhibit #5). The imported rocks will be arranged to simulate naturally occurring tidal pools.

One of the allowable uses for which coastal waters and wetlands can be filled under Section 30233(a)(7) of the Coastal Act is restoration. The proposed project, which creates 4,315 square feet of new marine habitat area, restores a degraded wetland area by increasing the amount of habitat area and improving the existing wetland areas. The construction of proposed retaining walls and the backfill is a necessary part of the wetland restoration project.

Filling of coastal waters and wetlands in order to facilitate nature study is also one of the allowable uses for which coastal waters can be filled under Section 30233 of the Coastal Act. Educational use of the site will be facilitated through the creation of new wetland and rocky intertidal habitat areas along with the provision of two observation platforms and a seven foot wide sidewalk along the channel bank (Exhibit #5). The observation platforms and sidewalk will provide the public with opportunities to observe and study the new and improved intertidal habitat areas and existing subtidal eelgrass beds without disturbing them. The two 900 square foot platforms will be constructed of timber and supported by twelve piles each. The placement of the proposed 481.5 foot long floating breakwater to slow the bank erosion will require the driving of another twenty piles into the channel bottom. The piles are considered fill in coastal waters, but are an allowable use under Section 30233 of the Coastal Act because they are for public access and nature study.

Filling of coastal waters for new boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities is also one of the allowable uses for which coastal waters can be filled under Section 30233 of the Coastal Act. Public access and recreational opportunities will be provided by the proposed 132' x 12' floating boat dock located on the western side of the site (Exhibit #5). The L-shaped dock, which will be held in place by five concrete piles, is intended for general public boat docking. Public access will also be provided by the proposed observation platforms which will also be built on piles. The piles for the floating dock and observation platforms are considered fill in coastal waters, but are an allowable use under Section 30233(a)(4) of the Coastal Act because they are for public access and recreational opportunities.

The limited filling of coastal waters for public recreational boating facilities, wetland restoration and nature study is allowed under Section 30233 of the Coastal Act. Therefore, the Commission finds that the fill and the driving of piles required for the proposed project are consistent with the limitations of Section 30233 of the Coastal Act.

Section 30233 of the Coastal Act allows the limited filling of coastal waters for specific purposes, but it also requires that mitigation measures must be provided to minimize any adverse environmental effects associated with the proposed project. In order to minimize adverse environmental impacts, conditions of approval are applied to the permit.

First of all, the approval of the permit is conditioned to require the City to use silt curtains or other forms of barriers to confine turbid water to the immediate area of excavation and deposition. The silt curtains or barriers will reduce impacts on the surrounding marine environment by reducing the turbidity of the waters and by reducing the quantity of suspended sediments.

In addition, the project site may be used as a feeding area for the state and federally listed endangered California least tern. The California least tern has historically foraged in the immediate area of the proposed project. The Los Cerritos wetlands, a possible nesting site, are located within one-quarter mile of the proposed project. For other in-water developments in the immediate area, the California Department of Fish and Game has recommended that no development occur in the water during the least terns' nesting season so that the birds' foraging activities are not disturbed [Coastal Development Permits 5-93-182 & 5-94-153 (City of Long Beach)]. The period between March 15 and September 1 is the least tern's nesting season.

Therefore, in order to reduce the proposed development's impacts on the least tern's feeding area during the birds' nesting season, the permit has been conditioned so that development is not permitted in the water during the period commencing March 15 and ending September 1. A mitigation measure contained in the EIR requires that all construction activities be halted if the California least tern is observed on the site.

The proposed project could also impact eelgrass beds which exist on the project site (Exhibit #6). Any impacts to eelgrass must also be mitigated. Eelgrass (Zostera marina) is a flowering marine plant that grows on mud and sand bottoms. Bottom areas vegetated with eelgrass are important because they are refuges, foraging centers, and nursery habitats for many types of coastal and bay invertebrates and fishes. Eelgrass is also recognized as a key food source for certain shorebirds. Consequently eelgrass habitat is identified as a valuable and sensitive marine resource by the California Department of Fish and Game, the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service.

The City has submitted a map of the existing eelgrass beds on the site (Exhibit #6). The driving of the piles required for the proposed floating breakwater and boat dock could negatively impact any eelgrass beds if they are not avoided. In order to avoid any negative impacts to the eelgrass beds, the project was designed to avoid the placement of any piles in known eelgrass beds. The most recent survey of the eelgrass beds, however, was conducted in

January of 1994. By the time the piles are driven for the proposed project, the extent of the eelgrass beds may have changed.

The City has already proposed to map the eelgrass beds prior to construction, and to avoid them if possible. The City has also proposed to transplant any eelgrass from areas that cannot be avoided to other areas on the site. Any transplanted eelgrass plants would then be monitored in order to determine if they have become reestablished.

Therefore, as a condition of approval, prior to the placement of any piles required for the floating breakwater and boat dock, the applicant shall survey and map the eelgrass (Zostera marina) beds which exist within the project area. The applicant shall then indicate, on a detailed site plan, all areas of potential eelgrass disturbance by the piles. If any areas of potential eelgrass disturbance by piles are identified, the applicant shall submit an eelgrass mitigation plan for the review and approval of the Executive Director which shall contain: 1) methods for minimizing the loss of eelgrass, 2) procedures for transplanting and re-establishing any disturbed eelgrass within the project site in order to maintain the extent of eelgrass at the pre-project level, and 3) a timeline for implementing re-establishment of disturbed eelgrass. The applicant shall obtain the Executive Director's approval of the eelgrass mitigation plan prior to the placement of any piles. This requirement is necessary to ensure that marine resources and biological productivity be maintained as required by Sections 30230 and 30231 of the Coastal Act.

Finally, Section 30233 of the Coastal Act requires that the proposed project must be the least environmentally damaging alternative. During the EIR review process, the City studied several alternative projects in order to determine which alternative was the least environmentally damaging. One alternative would have used a solid armor rock breakwater instead of a floating breakwater. Another alternative would have put a bulkhead where the breakwater is proposed, while still another would have used rock groins perpendicular to the shore. The alternatives are contained in the EIR which has been certified for the Marine Stadium Master Plan. All of the alternatives were designed to stop the erosion of the channel banks, but only the proposed project was found to be the least environmentally damaging alternative.

Over the past seven years, the proposed project and its alternatives have been subject to the review of many state and federal agencies including: U.S. Army Corp of Engineers, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, National Marine Fisheries Service, California Resources Agency, California Department of Fish and Game, California Department of Boating and Waterways, California Department of Transportation, California Regional Water Quality Control Board, and California State Lands Commission.

Pursuant to the many reviews and close scrutiny of the proposed Fieldstone Park project, the design of the preferred alternative incorporates measures into the project which were determined to have the least negative environmental effects on the surrounding environment and land uses. These measures include the use of a floating breakwater for better water circulation, placement of the floating breakwater in an area where it will

avoid the existing eelgrass beds, and placement of the floating boat dock in a place where conflicts with the rowing center's dock will be minimized.

The project proposed in this application is the final redesign of the preferred alternative and has received approval letters from the U.S. Army Corp of Engineers (Permit No. 94-01219-FT) and the California Regional Water Quality Control Board (8/21/96 letter). No state or federal agencies are known to object to the currently proposed project. The proposed project will increase the amount of marine habitat and improve that which already exists. In addition, the project will not negatively impact public access or recreation. The above stated conditions of approval adequately address and mitigate any potential adverse impacts to the environment caused by the proposed project. There is no feasible less environmentally damaging alternative. Therefore, as conditioned, the proposed project is the least environmentally damaging alternative.

Therefore, because all impacts on marine resources have been adequately mitigated, and no less environmentally damaging feasible alternative has been identified, the proposed project, as conditioned, is consistent with the marine resource policies of the Coastal Act.

C. Shoreline Structures

The construction of shoreline structures may alter natural shoreline processes. Section 30235 of the Coastal Act applies to the proposed project.

Section 30235 of the Coastal Act states:

> Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30235 of the Coastal Act limits the construction of shoreline structures which alter natural shoreline processes except for specified purposes. Section 30235 of the Coastal Act also requires such structures to be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

The proposed project includes the use of a 481.5 foot long floating breakwater and retaining walls to combat the persistent bank erosion problem at the site (Exhibit #5). The proposed retaining walls will retain 3-5 feet of the banks and reach a height of 6.5 feet above mean sea level. The walls will be constructed by stacking precast concrete units along two sections of the channel banks for a total length of 500 feet (Exhibit #5). According to the applicant, the toe of the proposed retaining walls will be above mean high tide level at +1.89 mean sea level. The proposed floating breakwater has been

designed to have a draft deep enough to protect the channel banks from the erosional forces of the waves in Marine Stadium. The floating breakwater was designed as an alternative to a solid breakwater in order to allow water circulation through the site and to avoid stagnation. Additional rip rap will also be placed near the shoreline to protect the new and improved intertidal habitat areas.

The proposed project is designed to protect the bank of Los Cerritos Channel and Fieldstone Park from the persistent erosion problem. Los Cerritos Channel provides a venue for coastal-dependent uses in the form of boating related recreational opportunities. Fieldstone Park will provide coastal-dependent nature study opportunities. Therefore, the proposed shoreline protection devices are permitted under Section 30235 of the Coastal Act, but only if they will have no adverse impacts on local shoreline sand supply.

The proposed project is located next to Marine Stadium near the back end of Alamitos Bay. Because Alamitos Bay is completely enclosed, except for a narrow entrance channel approximately two miles from the site, the littoral current is weak or non-existent. The erosion problems at the site have more to do with the wakes from the boats and wind chop than a littoral current. Because of the weak littoral current there is relatively little movement of sand or water along the shoreline of the bay, except for that caused by the boats using the area. Therefore, the proposed breakwater, retaining walls, and armor rock will not affect the local shoreline sand supply.

In addition, because the project is located approximately two miles from entrance channel of Alamitos Bay, it will not affect the movement of sand into or out of the bay. Therefore, the proposed project will have no adverse impacts on the local shoreline sand supply, and is consistent with Section 30235 of the Coastal Act.

D. Recreation and Public Access

One of the basic goals stated in the Coastal Act is to maximize public access and recreation along the coast. Pursuant to Section 30604(c) of the Coastal Act, because the proposed development is located between the first public road and the sea, the proposed project must be found consistent with the public access and recreation policies contained in Chapter 3 of the Coastal Act. The proposed project is consistent with the following Coastal Act policies which encourage public access and recreational use of coastal areas.

Section 30211 of the Coastal Act states:

> Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

> (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...

Section 30213 of the Coastal Act states:

> Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30221 of the Coastal Act states:

> Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

The City of Long Beach proposes to improve a 2.7 acre waterfront site (Fieldstone Park) in the Marine Stadium area for public recreational and educational uses (Exhibits #5). The creation of the proposed public park is mandated by the California State Lands Commission as a condition of the Macco-McGrath Boundary Settlement and Exchange Agreement as executed in 1968, and amended in 1970, 1973, and 1988. The Macco-McGrath Boundary Settlement and Exchange agreement involved the Fieldstone Park site and an adjacent parcel of state tidelands in the Marine Stadium area. A portion of the state tidelands were given up for private residential development, while the Fieldstone Park waterfront site was granted in trust to the City of Long Beach under the condition that it be improved for public recreation and coastal access in order to balance the adjacent residential land uses.

In 1993, the State Lands Commission reviewed and approved an earlier site plan for the proposed Fieldstone Park project. Since 1993, however, the project has undergone a few design changes in response to the concerns of different state and federal agencies. In order to ensure that the State Lands Commission approves of the currently proposed Fieldstone Park project, the permit is conditioned to require the City to demonstrate that the State Lands Commission has authorized the project approved by this permit.

As previously stated, the proposed project is in the Marine Stadium area. Marine Stadium is heavily used by the public for recreational purposes, and is surrounded by residential neighborhoods (Exhibit #3). Recreational boating is the primary use of the Marine Stadium water areas. The upland areas surrounding the water are also used by the public for various recreational activities.

The proposed improvement of Fieldstone Park will not negatively impact the existing recreational uses in the area and will provide additional lower-cost and free recreational uses to the public. Public access to the coast will be improved through the provision of the proposed improvements at the Fieldstone Park site. The proposed project will also provide the public with new opportunities to study the marine environment.

According to the City, the proposed project has been designed to avoid conflicts with the existing recreational boating uses in the area. Because of the proposed project's proximity to the existing rowing center, the public dock proposed as part of the Fieldstone Park project was realigned to avoid

conflicts between the rowing center's dock and the proposed public dock (Exhibit #5). The proposed public dock was moved eastward in order to maintain a 99.5 foot distance from the end of the existing rowing center dock. In addition, a 175 foot channel width has been maintained between the proposed Fieldstone Park floating breakwater and the Marina Pacifica docks on the other side of Los Cerritos Channel (Exhibit 7, p.1). A 175 foot channel width will maintain the existing level of safety for boats using the channel. The proposed project has been reviewed by the California Department of Boating and Waterways and it was recommended that the correct signage and waterway markers be used both during and after construction.

The provision of adequate parking and public restrooms for the proposed Fieldstone Park are issues that have already been addressed by the City in its approval of Local Coastal Development Permit No. 9206-15. The City found that the existing public parking lot located at the end of Boathouse Lane will provide adequate parking to serve the proposed park (Exhibit #3). In addition, Local Coastal Development Permit No. 9206-15 approved the use of an existing structure located in the public parking lot as the public restroom facility for park visitors (Exhibit #3). The Commission has upheld the City's approved use of the existing structure as the proposed park's public restroom in Appeal Case No. A-5-LOB-92-466 (City of Long Beach).

Therefore, the proposed project will provide the public with new coastal recreational facilities, and the Commission finds that the proposed project, as conditioned, is consistent with Sections 30210, 30213 and 30221 of the Coastal Act.

E. 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 which conforms with Chapter 3 policies of the Coastal Act:

> (a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development 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 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The City of Long Beach Local Coastal Program was certified by the Commission on July 22, 1980. The proposed project complies with the policies of the certified LCP. However, because the project is located seaward of the former

mean high tide line, in the Commission's area of original jurisdiction, the LCP is advisory in nature and may provide guidance. The standard of review for this project is the Coastal Act.

Approval of the project cannot prejudice the local government's ability to prepare a certifiable LCP because the City of Long Beach LCP was certified in 1980. The proposed project, as conditioned, is consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

F. California Environmental Quality Act

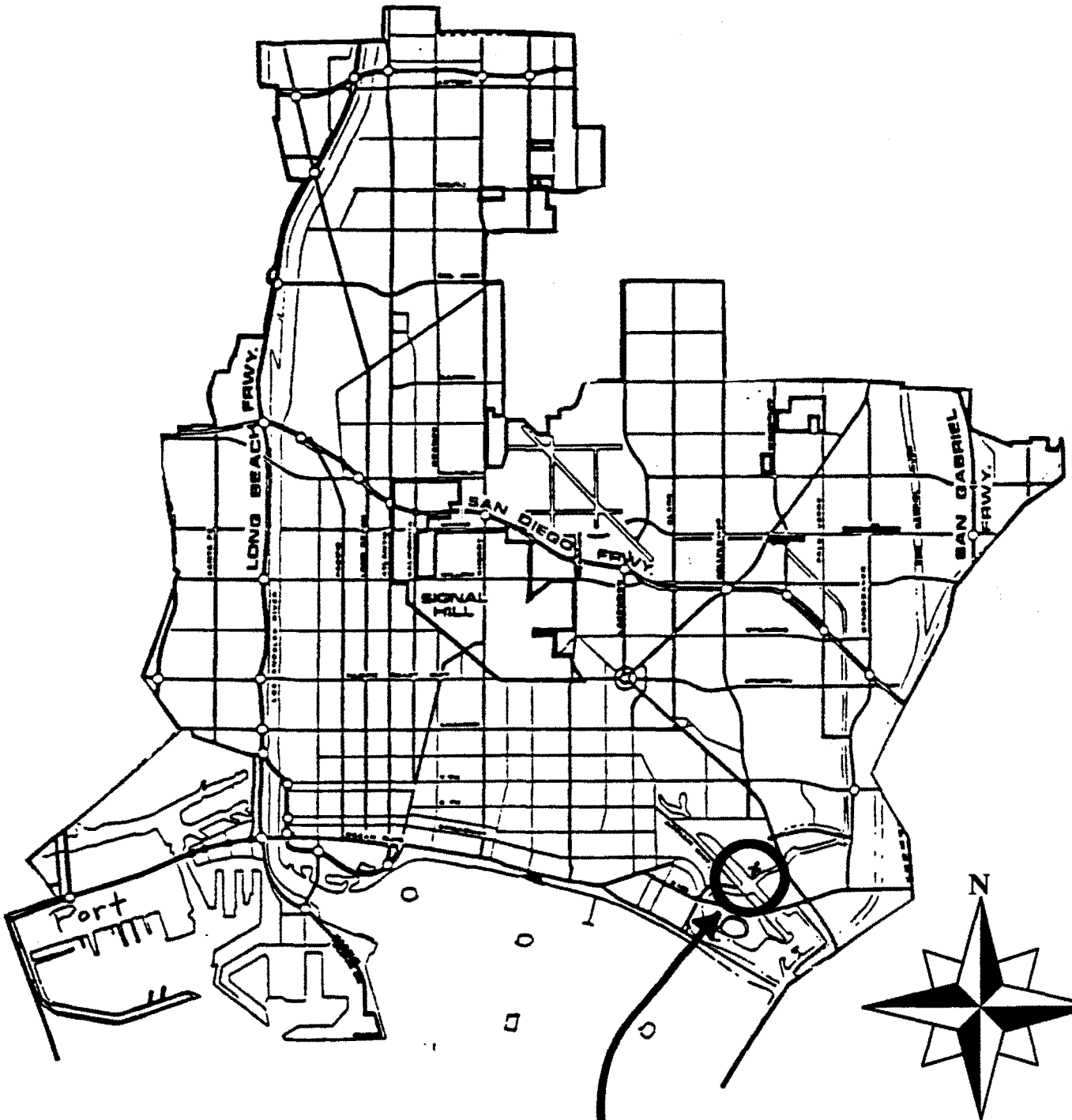
Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the activity may have on the environment.

The City considered alternative projects in the EIR for the Marine Stadium Master Plan (EIR E-54-90). The proposed project is a redesign of the the preferred alternative. The preferred alternative was redesigned in order to incorporate measures into the project which were determined to have the least negative environmental effects on the surrounding environment and land uses.

The proposed project, as conditioned, adequately protects public access opportunities and marine resources and is consistent with the Chapter 3 policies of the Coastal Act and the certified LCP. As conditioned, the proposed project will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA. Therefore, the Commission finds that the project is consistent with the requirements of the Coastal Act to conform to CEQA.

7985F:CP

City of Long Beach



COASTAL COMMISSION
5-96-197
EXHIBIT # 1
PAGE 1 OF 1

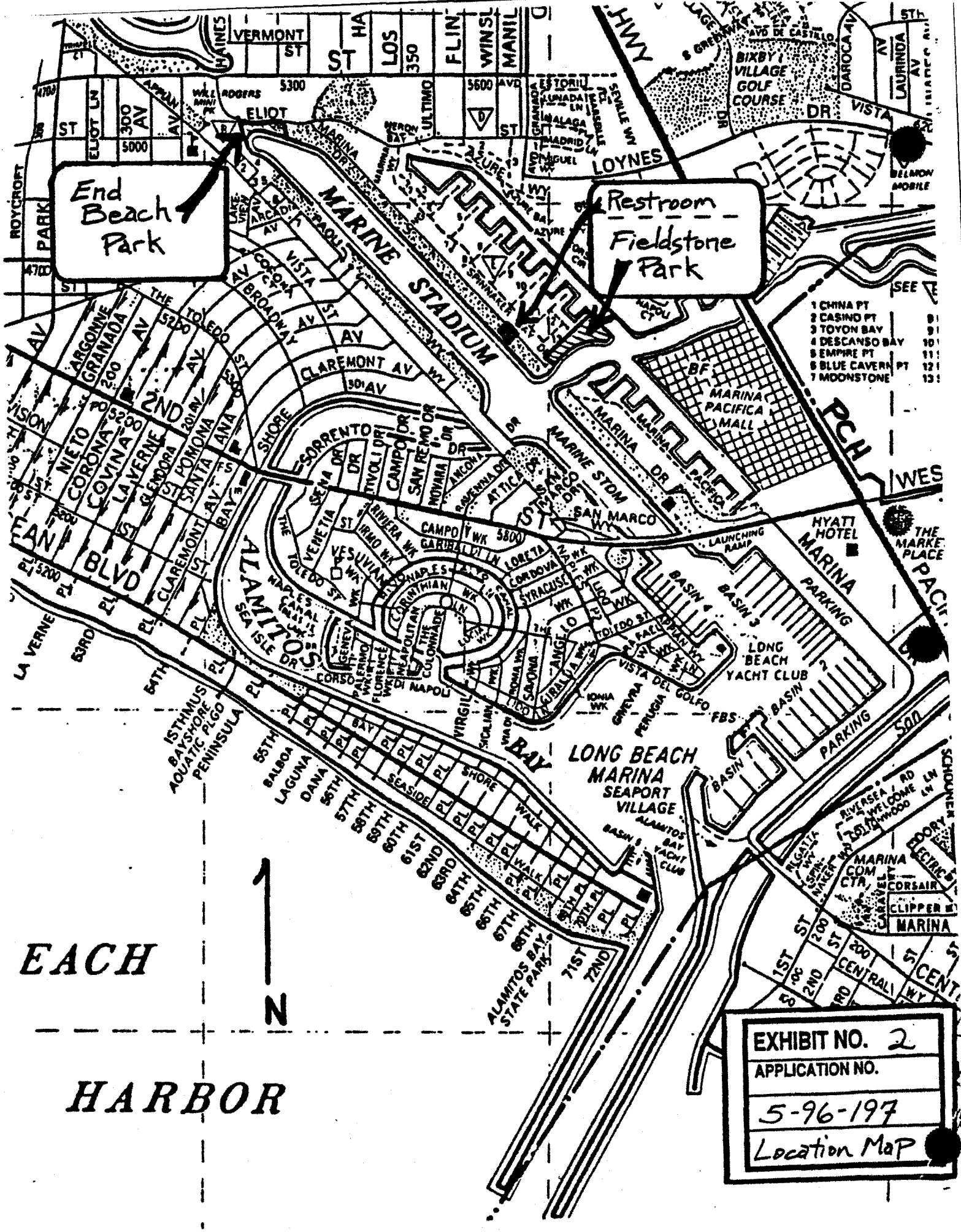
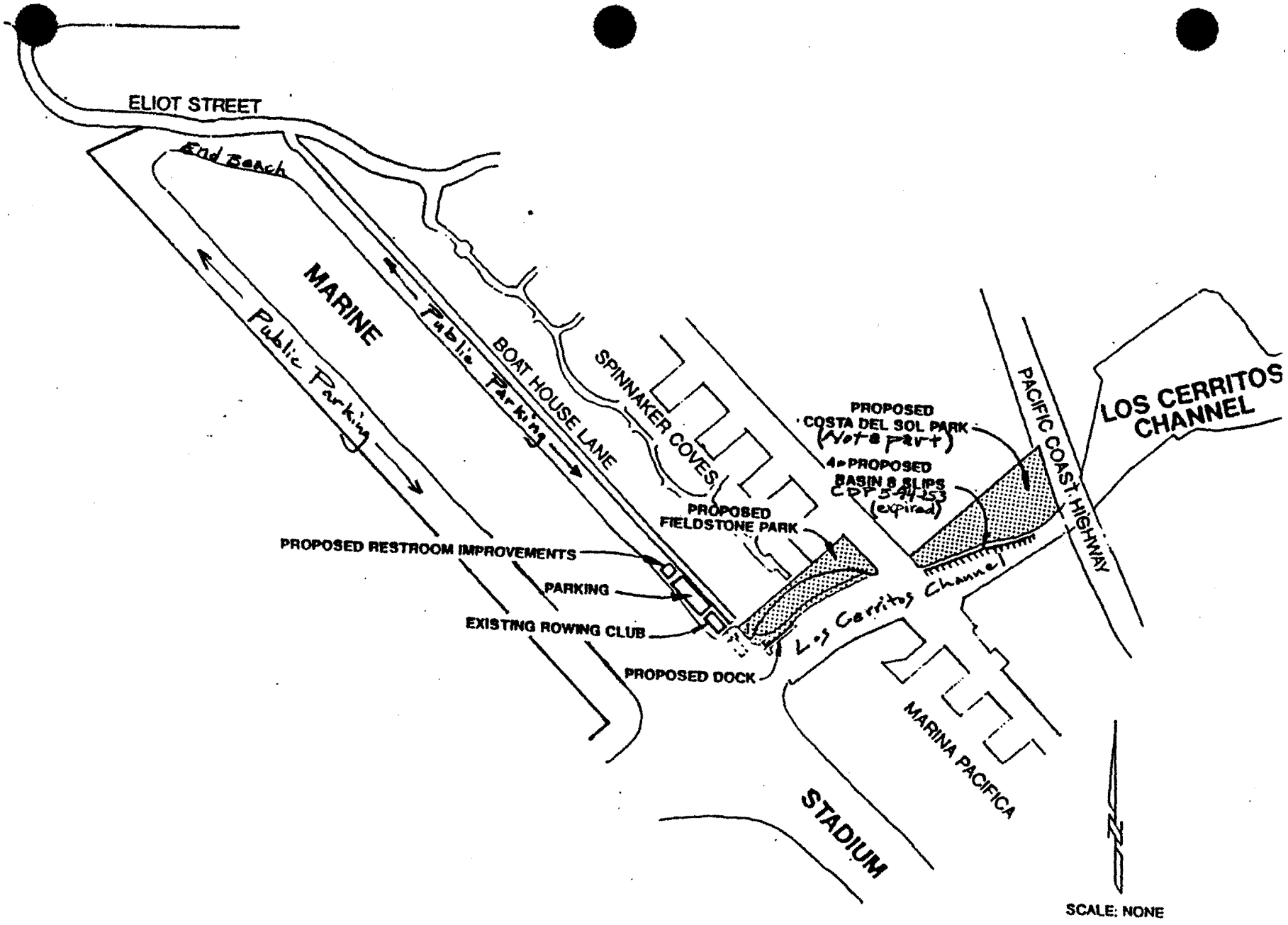


EXHIBIT NO. 2
APPLICATION NO.
5-96-197
Location Map

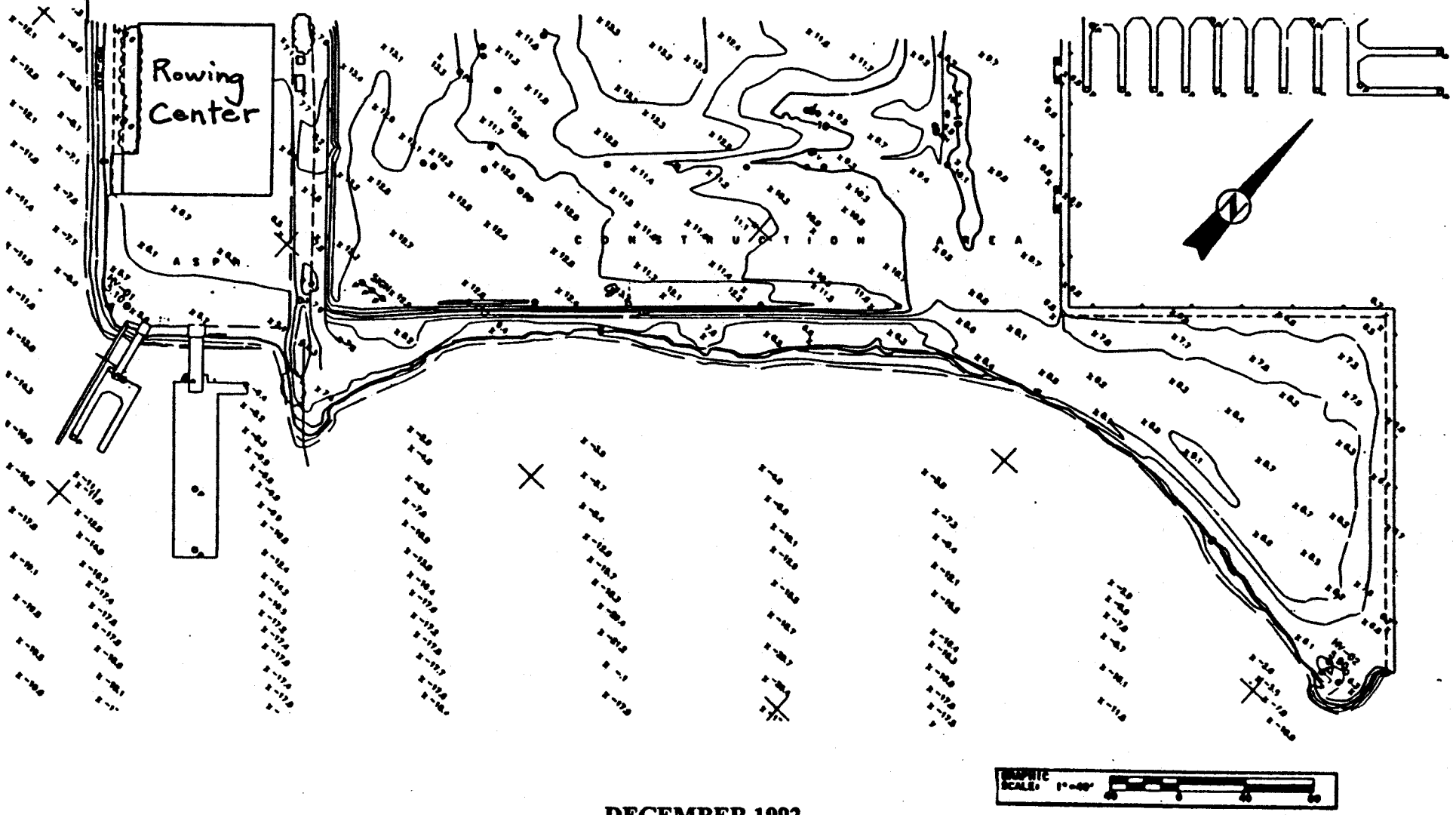


Area Map

COASTAL COMMISSION
5-96-197
EXHIBIT # 3
PAGE 1 OF 1

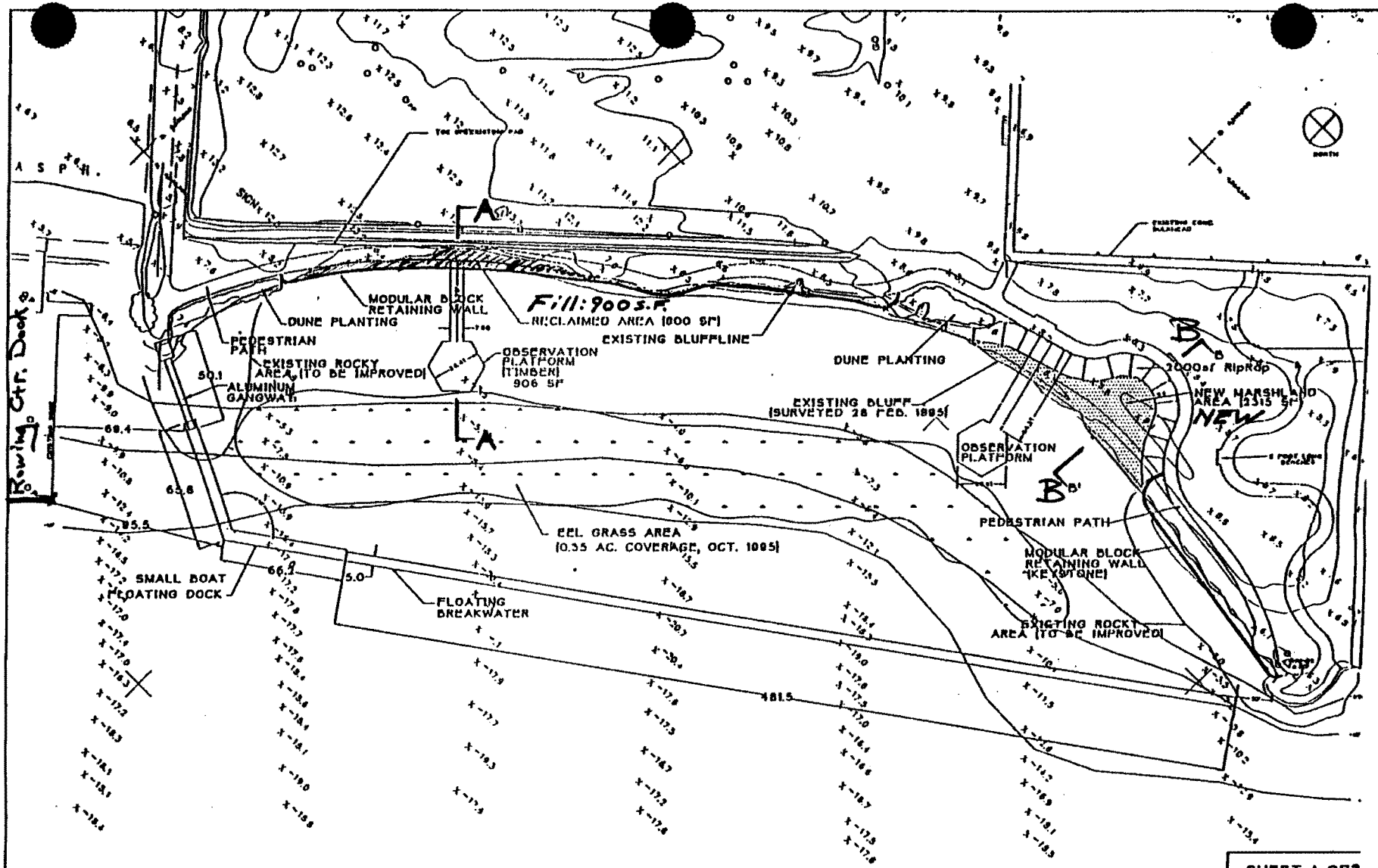
Parking Lot

SHORELINE EROSION HISTORY AT FIELDSTONE PARK SITE



DECEMBER 1992
Active Erosion Along Indented Coast

Existing Conditions



SHEET 1 OF 2
DATE: 1/15/96

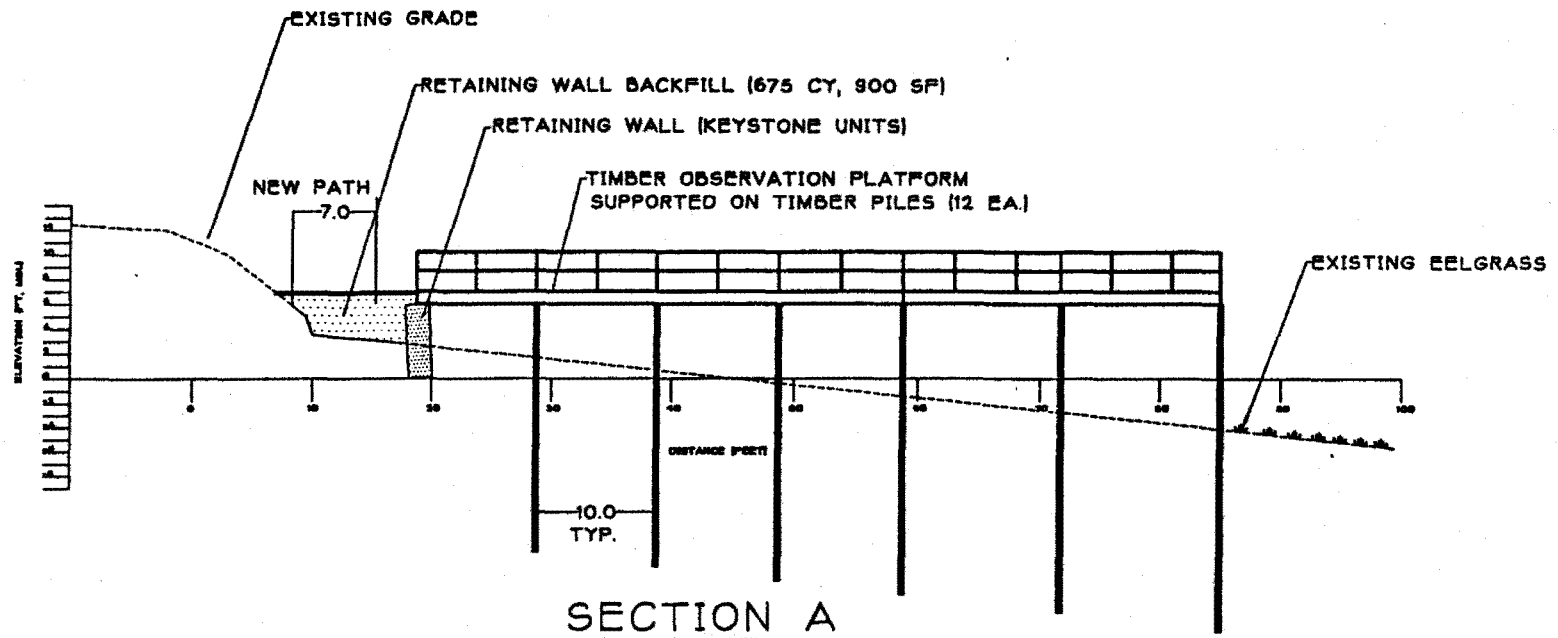
PURPOSE: CREATE A MARINE EDUCATIONAL PARK AND PREVENT EROSION
DATUM: MEAN SEA LEVEL
SCALE: 0' 40' 80'

PLAN VIEW
FIELDSTONE PARK
Figure 2
CITY OF LONG BEACH
DEPARTMENT OF PUBLIC WORKS

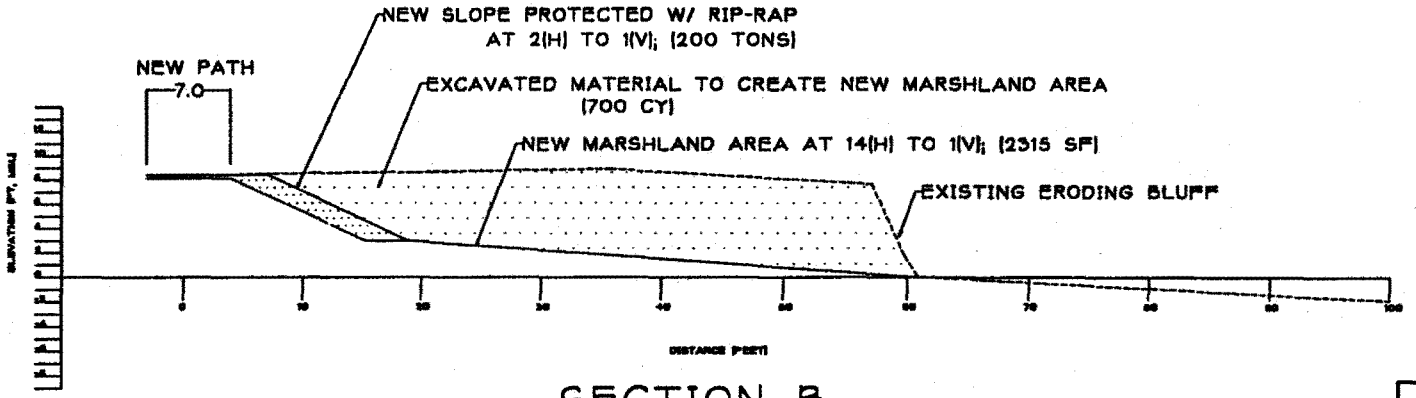
PROPOSED NEW MARSHLAND CREATION, RETAINING WALL, OBSERVATION PLATFORMS FLOATING DOCK, AND FLOATING BREAKWATER IN CERRITOS CHANNEL, ALAMITOS BAY, CITY OF LONG BEACH, CALIFORNIA
APPLICATION BY: DEPARTMENT OF PUBLIC WORKS

Proposed Plan

COASTAL COMMISSION
5-96-197
EXHIBIT # 5
PAGE 1 OF 2



SECTION A



SECTION B

SHEET 2 OF 2
DATE: 1/15/96

PURPOSE: CREATE A MARINE EDUCATIONAL PARK AND PREVENT EROSION
DATUM: MEAN SEA LEVEL

SECTION VIEWS
FIELDSTONE PARK

CITY OF LONG BEACH
DEPARTMENT OF PUBLIC WORKS

PROPOSED NEW MARSHLAND CREATION, RETAINING WALL, OBSERVATION PLATFORMS FLOATING DOCK, AND FLOATING BREAKWATER IN CERRITOS CHANNEL, ALAMITOS BAY, CITY OF LONG BEACH, CALIFORNIA
APPLICATION BY: DEPARTMENT OF PUBLIC WORKS

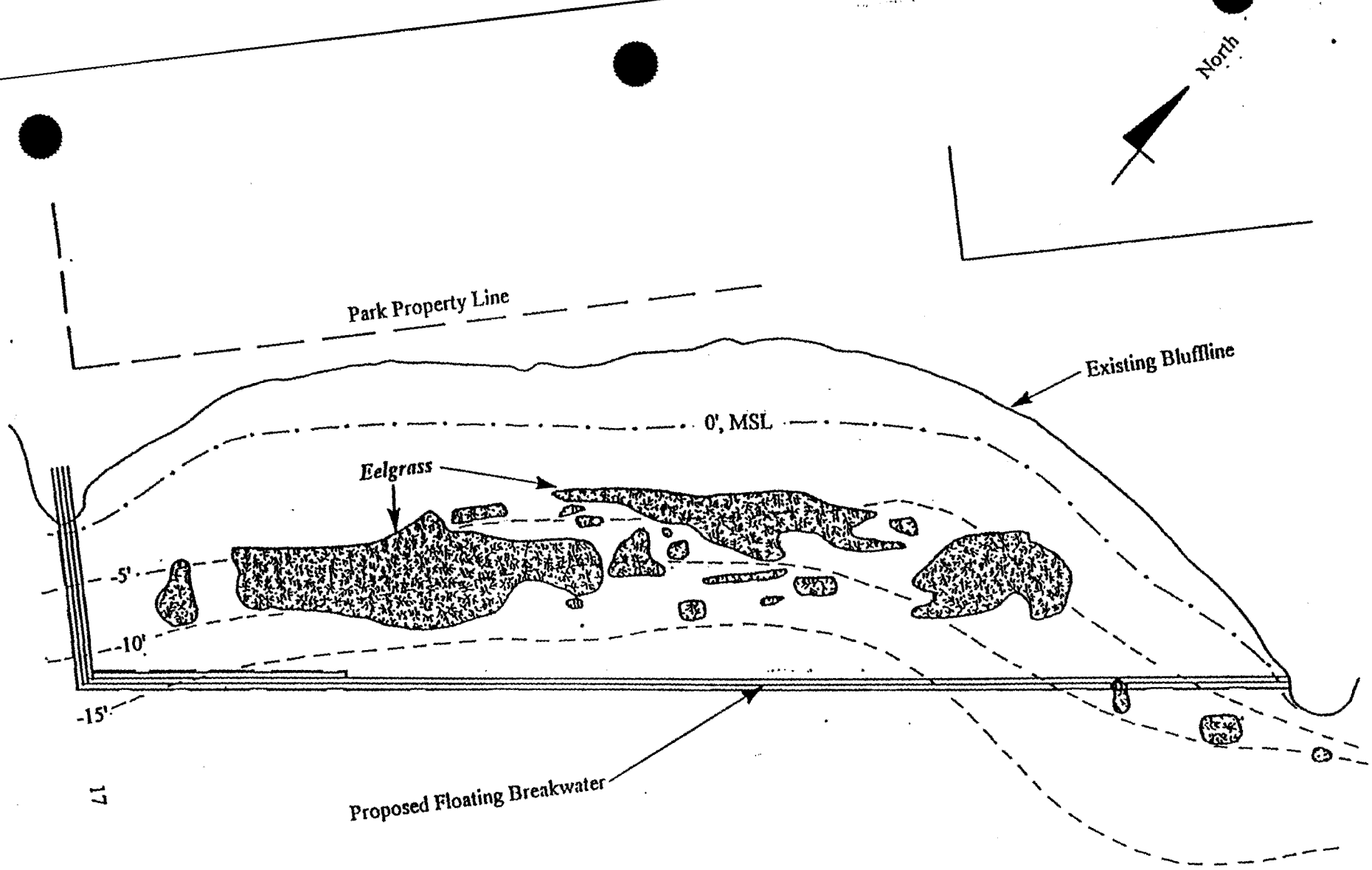
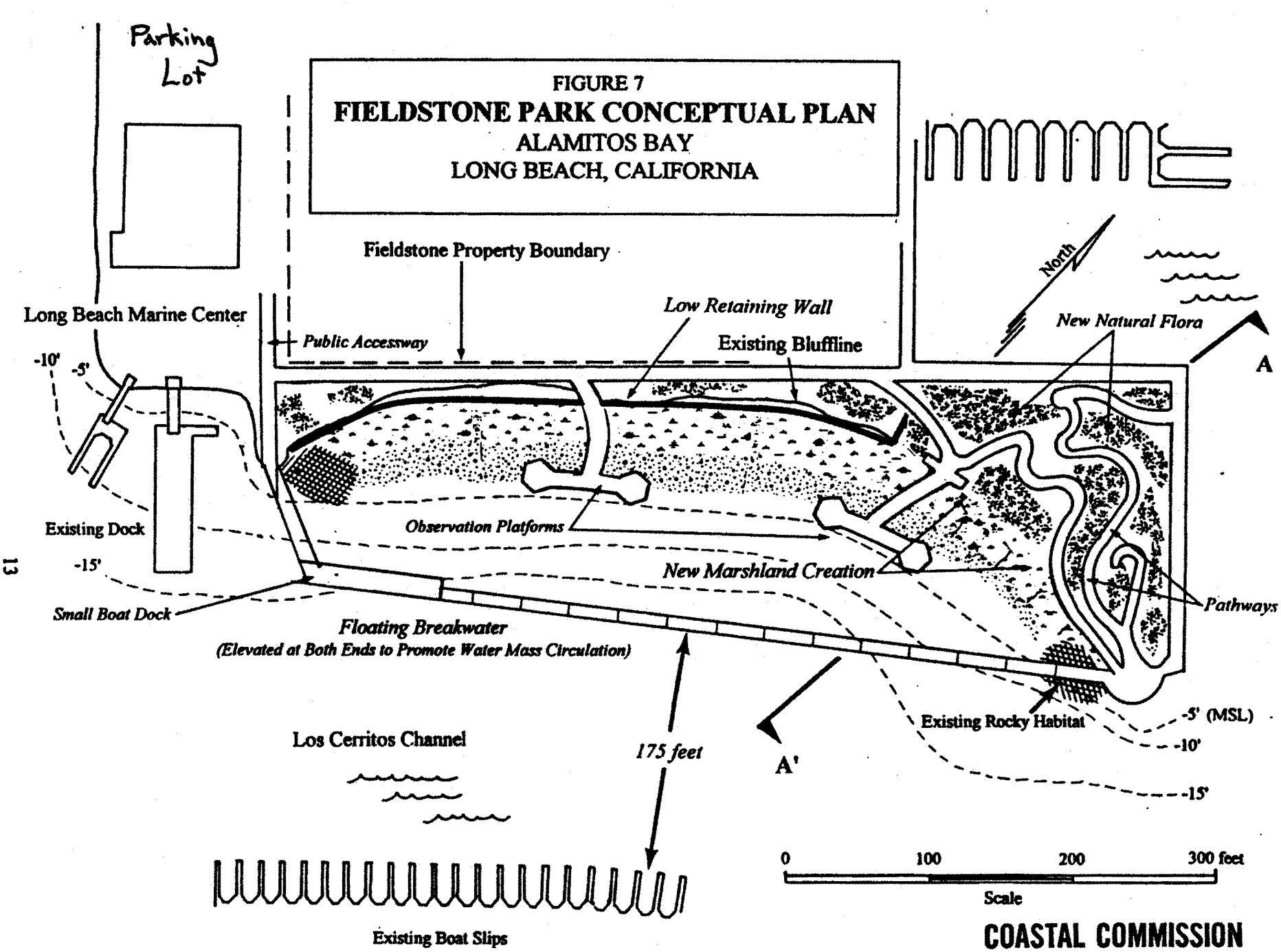


FIGURE 9
EELGRASS LOCATION
FIELDSTONE PARK
Figure 4

Date of Survey: January 1994

COASTAL COMMISSION
5-96-197

EXHIBIT # 6
PAGE 1 OF 1



Conceptual Plan
(See Exhibit 5 for Final Plan)

COASTAL COMMISSION
5-96-197
EXHIBIT # 7
PAGE 1 OF

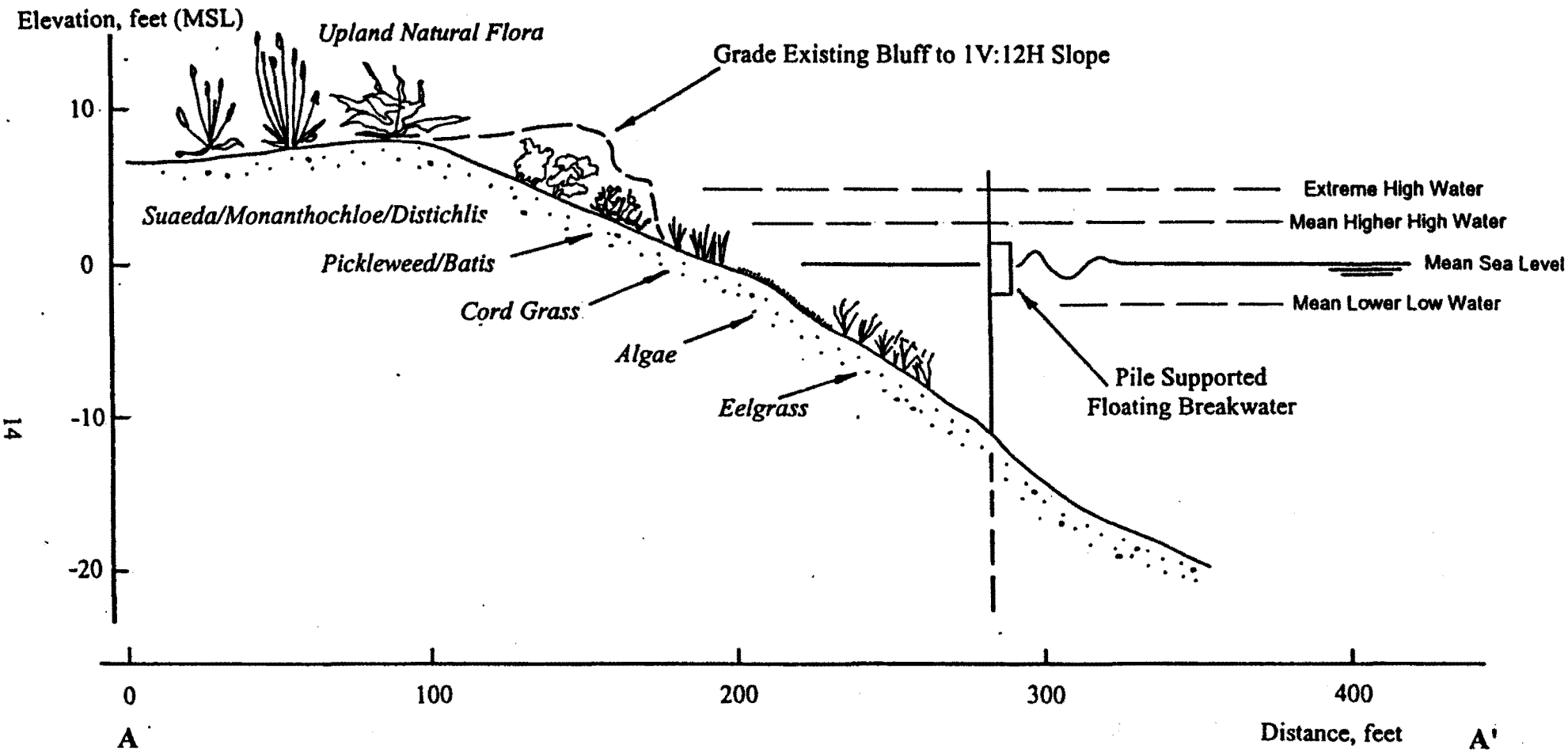


FIGURE 8
SECTION VIEW OF PARK SITE
FIELDSTONE PARK
LONG BEACH, CALIFORNIA

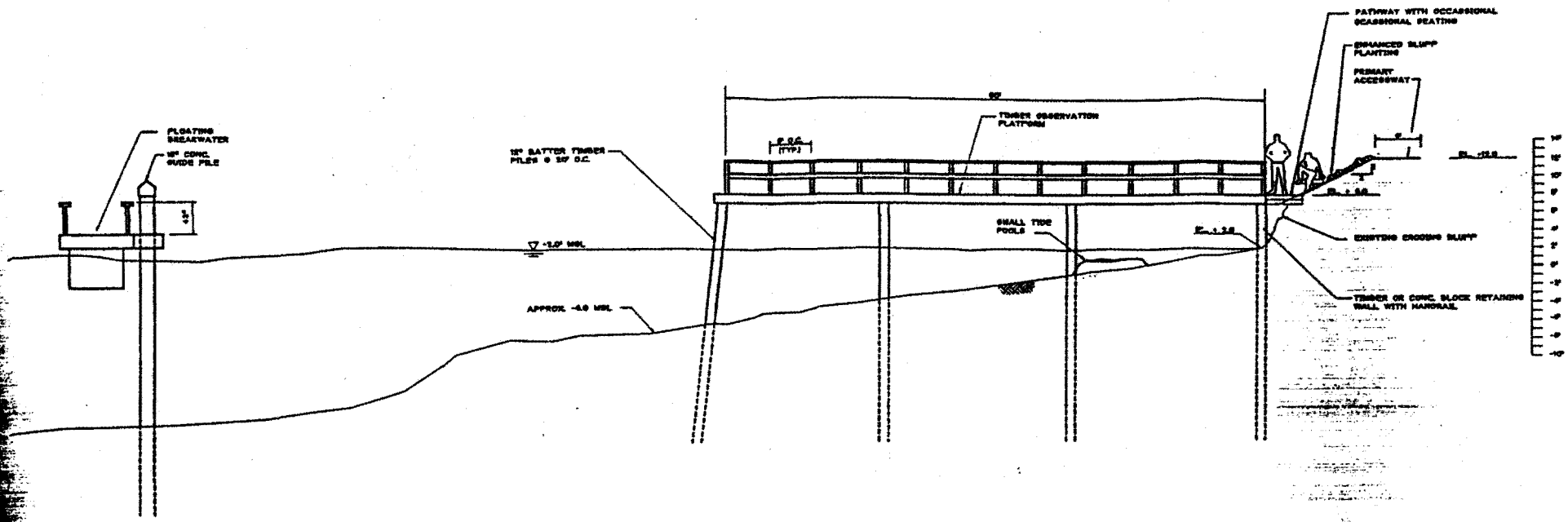


FIGURE 3. TYPICAL CONCEPTUAL SECTION

SECTION HEAD	APPROVALS	CITY OF LONG BEACH	DESIGNED BY	FIELDSTONE PARK	NO. R-		
INSPECTION		DEPARTMENT OF PUBLIC WORKS	DRAWN BY	SECTION THRU PARK AT OBSERVATION PLATFORM	JOB NO.		
SURVEY CONTROL		OFFICE OF THE CITY ENGINEER	CHECKED		SHEET		
PROPERTY LINES	R.E. EXP. DATE						
GAS	CITY ENGINEER DATE			FIELD BOOK / PAGE	DRAWING NO.		
WATER							
STRUCTURES							