

## CALIFORNIA COASTAL COMMISSION

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

TH 48  
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Permit Application No. 5-95-293  
Date Jan. 25, 1996

ADMINISTRATIVE PERMIT

APPLICANT: City of Los Angeles

## PROJECT

DESCRIPTION: Restoration of the Venice public fishing pier including installation of new concrete decking, guardrails, fish cutting boards, lighting, and utility lines. All existing piles will remain. No new piles.

## PROJECT

LOCATION: Venice Pier & Washington Boulevard Public Beach Parking Lot,  
Venice, City of Los Angeles, Los Angeles County.

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

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

This permit will be reported to the Commission at the following time and place:  
Thursday, February 8, 1996 at 9:00 a.m.  
U.S. Grant Hotel  
326 Broadway, San Diego (619) 232-3121

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

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

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

PETER DOUGLAS  
Executive Director

By: 

Title: Coastal Program Analyst

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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

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

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:A. Project Description

The proposed project involves the restoration and reopening of the 1,200 foot long Venice public fishing pier. The Venice public fishing pier is located at the terminus of Washington Boulevard on Venice Beach (Exhibit #1). The pier was constructed in 1963 under an agreement between the City of Los Angeles and the California Department of Fish and Game. In 1986, the pier was closed to the public because of its deteriorated and unsafe condition. With strong support from the community, the City of Los Angeles has dedicated nearly four million dollars of Los Angeles County Proposition "A" recreation funds to the restoration and reopening of the Venice public fishing pier.

In order to restore and reopen the pier, the City of Los Angeles proposes to install new concrete decking on the pier. The new concrete decking will be secured with new connections to be placed between the existing pilings and the new deck (Exhibit #2). New guardrails and fish cutting boards are also proposed along the length of the pier. The existing piles and girders will be repaired as needed; no new piles are proposed as part of the project. All utility lines including power, water and sewer lines are proposed to be replaced. New security fencing and lighting poles are also proposed. The existing concession stand at the end of the pier and the existing pier restrooms are proposed to be renovated and upgraded to meet the requirements of the Americans with Disabilities Act.

The proposed project also involves the beachfront area located immediately landward of the Venice pier. Half of the public beach parking lot located near the foot of the pier at the terminus of Washington Boulevard will be temporarily used as the construction staging area for the proposed project (Exhibit #3). Also, a lifeguard station will be temporarily relocated while the pier is restored in order to accommodate the construction staging area. In addition, the existing public beach bike path will be permanently relocated from the west side to the east side of the public beach parking lot (Exhibit #3). During construction, a crane and crane mat will be placed on the sand near the foot of the pier in order to transport new sections of the pier deck off of trucks and onto the existing pilings (Exhibit #3).

The area affected by the proposed project lies in both the dual permit jurisdiction and original jurisdiction areas of the coastal zone. The City of Los Angeles Bureau of Engineering has approved Local Coastal Development Permit No. 95-04 for the portion of the project located landward of the mean high tide line. Coastal Development Permit 5-95-293, as conditioned, approves the whole project in both the dual permit jurisdiction and original jurisdiction areas of the coastal zone.

B. Recreation and Public Access

The proposed project is located over the ocean and on Venice Beach between the water and Ocean Front Walk, the first public road. One of the basic goals stated in the Coastal Act is to maximize public access and recreation along

the coast. The proposed project must conform to the public access and recreation policies contained in Chapter 3 of the Coastal Act. The proposed project, as conditioned, is consistent with the Coastal Act policies which encourage public access and recreational use of coastal areas.

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

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 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 proposed restoration and subsequent reopening of the Venice public fishing pier will restore public access and use of the pier which has been closed to the public for nearly a decade. Section 30213 of the Coastal Act states that lower cost visitor and recreational facilities shall be protected and encouraged. In order to ensure that the public has continued access to the proposed pier, the permit is conditioned to require free public access and recreational fishing access to and upon the pier, subject only to limitations necessitated by unsafe conditions resulting from waves, weather or required maintenance activities. As conditioned, the proposed project provides public access and is consistent with the access policies of the Coastal Act.

The proposed project could, however, temporarily disrupt public use of the beach parking lot and beach bike path during the construction period (Exhibit #3). Both the beach parking lot and the beach bike path provide the public with important coastal access opportunities. The existing bicycle path is part of the regional bicycle path system which runs from Venice Beach to Santa Monica Beach. The regional bicycle path provides public access to and along the beaches in northern Los Angeles County and is heavily used by pedestrians and bicyclists.

Therefore, in order to protect public access to the coast, the approval of the permit is conditioned to require the uninterrupted provision of bicycle and pedestrian access on the beach bike path. In order to avoid the closure of the beach bike path, the City shall construct and open the proposed new beach bike path route prior to closing the existing beach bike path. In addition, the beach bike path may not be used to store or park construction equipment. Only as conditioned is the proposed project consistent with the coastal access policies of the Coastal Act.

The public beach parking lot may be temporarily used as the construction staging area for the proposed project. The temporary loss of parking facilities during construction is offset by the benefits of the proposed project. As conditioned, the proposed project is consistent with is consistent with Sections 30210, 30211, 30213 and 30221 of the Coastal Act.

### C. Water Quality

The following Coastal Act policies are relevant:

#### Section 30230

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

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 run-off, 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.

The proposed project does not involve and dredging or filling of coastal waters, or the placement of new piles. The City states that no discharges into coastal waters is anticipated. Refuse from the demolition of parts of the pier will be contained by nets under the pier. This approval does not permit the applicant to discard or dump any construction materials, toxics, debris or refuse into any waterway.

Additional approvals may be required from state or federal agencies. In order to improve coordination among the various regulatory agencies, the Commission

requires, as a condition of approval, that the City comply with all permit requirements and mitigation measures of the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. These agencies may require environmental mitigation measures to minimize impacts on the marine environment. In addition, the applicant shall not discard or dump construction materials, toxics, debris or refuse into any waterway. Only as conditioned is the proposed project consistent with Sections 30230 and 30231 of the Coastal Act.

D. Hazards

The Coastal Act states that new development must minimize risks to life and property and not create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30253 of the Coastal Act states, in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity; and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Developments located in or near the ocean have the potential for damage caused by wave energy. Piers, by their very nature, are located in the surf zone and are especially susceptible to wave damage. No development in the water can be guaranteed to be safe from hazard.

The Commission routinely imposes conditions for assumption of risk in areas at high risk from hazards. The condition ensures that the applicant understands and assumes the potential hazards associated with development in or near the water. In 1990, the Commission imposed such a condition on Coastal Development Permit 5-90-490 (City of Huntington Beach) for the new Huntington Beach Pier. In 1995, the Commission also imposed a similar condition on Coastal Development Permit 5-94-100 (Pointe Design) for a new pier in Avalon.

Therefore, by acceptance of this Coastal Development Permit, the City agrees that: (a) the site may be subject to extraordinary hazard from storms, waves and erosion; and (b) the applicant hereby waives any future claims of liability against the Commission or its successors in interest for damage from such hazards. Only as conditioned is the proposed project is consistent with Section 30253 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 (LCP) 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 proposed project, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program 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 the California Code of Regulations requires Commission approval of Coastal Development Permit application 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)(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 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 feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

The City has issued Categorical Exemption No. RP 129-95 for the proposed project.

SPECIAL CONDITIONS:

1. Beach Bike Path

Public use of the beach bike path shall not be disrupted by the proposed project. In order to avoid the closure of the beach bike path, the City shall construct and open the new beach bike path route prior to closing the existing beach bike path. No construction equipment shall be parked be stored on the beach bike path route.

2. Conformance with the Requirements of the Resource Agencies

The City shall, through the acceptance of this permit, agree to comply with all permit requirements and mitigation measures of the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. In addition, the applicant shall not discard or dump construction materials, toxics, debris or refuse into any waterway.

3. Public Access to Pier

Subsequent to restoration, free unobstructed public access and recreational fishing access to and upon the Venice public fishing pier shall be provided and maintained by the City, subject to only those temporary safety limitations necessitated by unsafe conditions resulting from waves, weather or required maintenance activities.

4. Assumption of Risk

By acceptance of this Coastal Development Permit, the City agrees that: (a) the site may be subject to extraordinary hazard from storms, waves and erosion; and (b) the applicant hereby waives any future claims of liability against the Commission or its successors in interest for damage from such hazards.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

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

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Applicant's Signature

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Date of Signing



DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

118°30' 34°00' 180 000 FEET (5) 1 850 000 FEET (5) 363000m.E 365 27°30" SANTA MONICA CITY HALL 2 MI.

SANTA MONICA BEACH STATE PARK  
SANTA MONICA  
Ocean Park Pier  
Dome  
Venice  
Venice Fishing Pier  
Dockweiler Beach State Park  
Breakwater  
Marina del Rey

GN  
MN  
0°48' 14 MILS  
15° 267 MILS  
UTM GRID AND 1972 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

COASTAL COMMISSION  
5-95-293  
EXHIBIT # 1  
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365 27'30"

SANTA MONICA BEACH  
STATE PARK

Ocean Park  
Pier  
Com

DOCKWEILER BEACH  
STATE PARK

**Venice Fishing Pier** 

Diagram showing the relationship between GN, MN, and a horizontal line. GN is a vertical line with a star at the top. MN is a line segment starting from the same point as GN and extending upwards and to the right. A horizontal line intersects MN at an angle of  $15^\circ$ . The distance from the intersection point to the bottom of the diagram is 267 MILS. The distance from the bottom of the diagram to the bottom of GN is 14 MILS. The angle between GN and the horizontal line is  $0^\circ 48'$ .

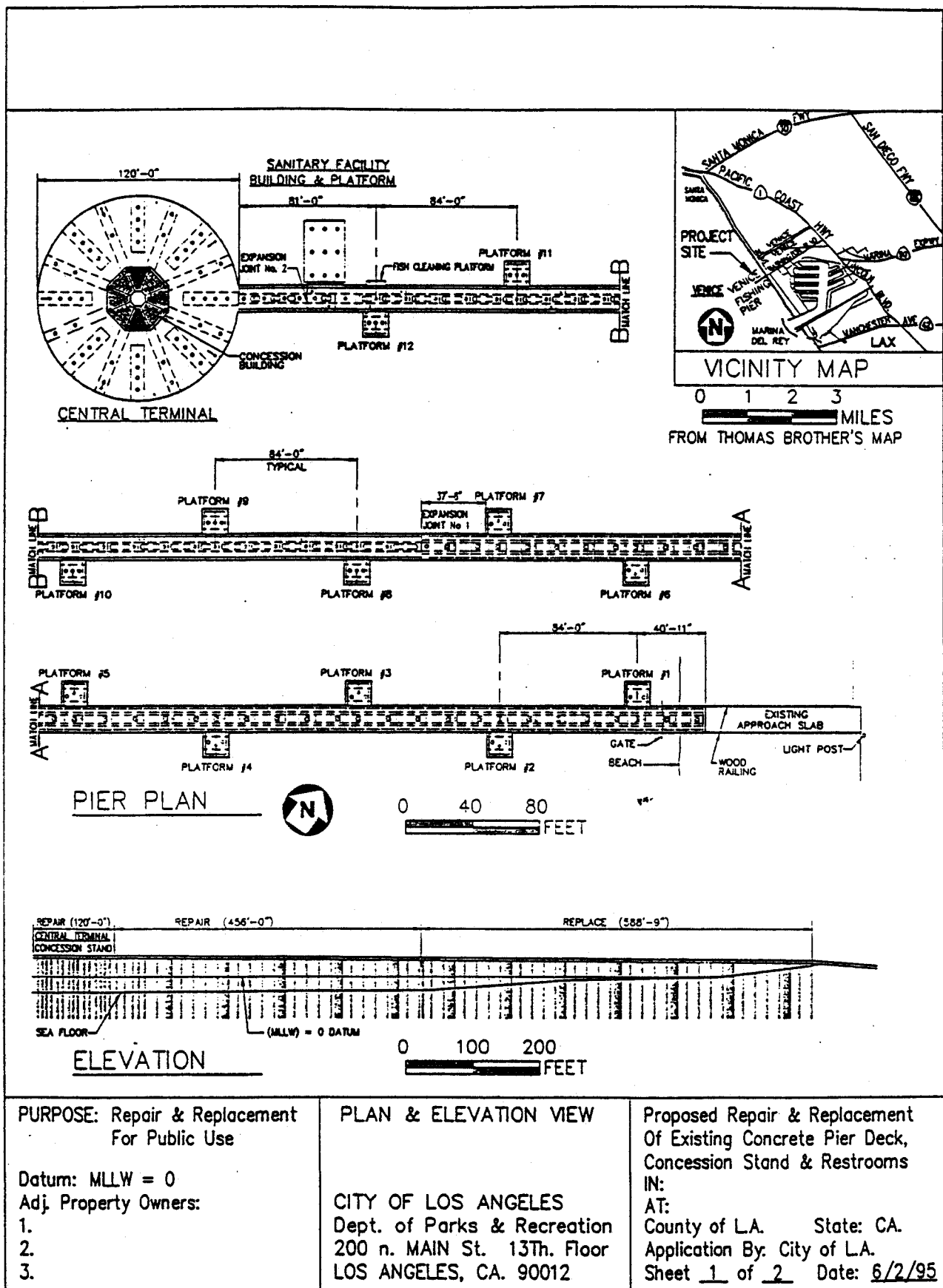
UTM GRID AND 1972 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET

5-95-293

EXHIBIT # 1

PAGE 1 OF 1

**EXHIBIT - "A"**



PURPOSE: Repair & Replacement  
For Public Use

Datum: MLLW = 0  
Adj. Property Owners:  
1.  
2.  
3.

PLAN & ELEVATION VIEW

CITY OF LOS ANGELES  
Dept. of Parks & Recreation  
200 n. MAIN St. 13Th. Floor  
LOS ANGELES, CA. 90012

Proposed Repair & Replacement  
Of Existing Concrete Pier Deck,  
Concession Stand & Restrooms  
IN:

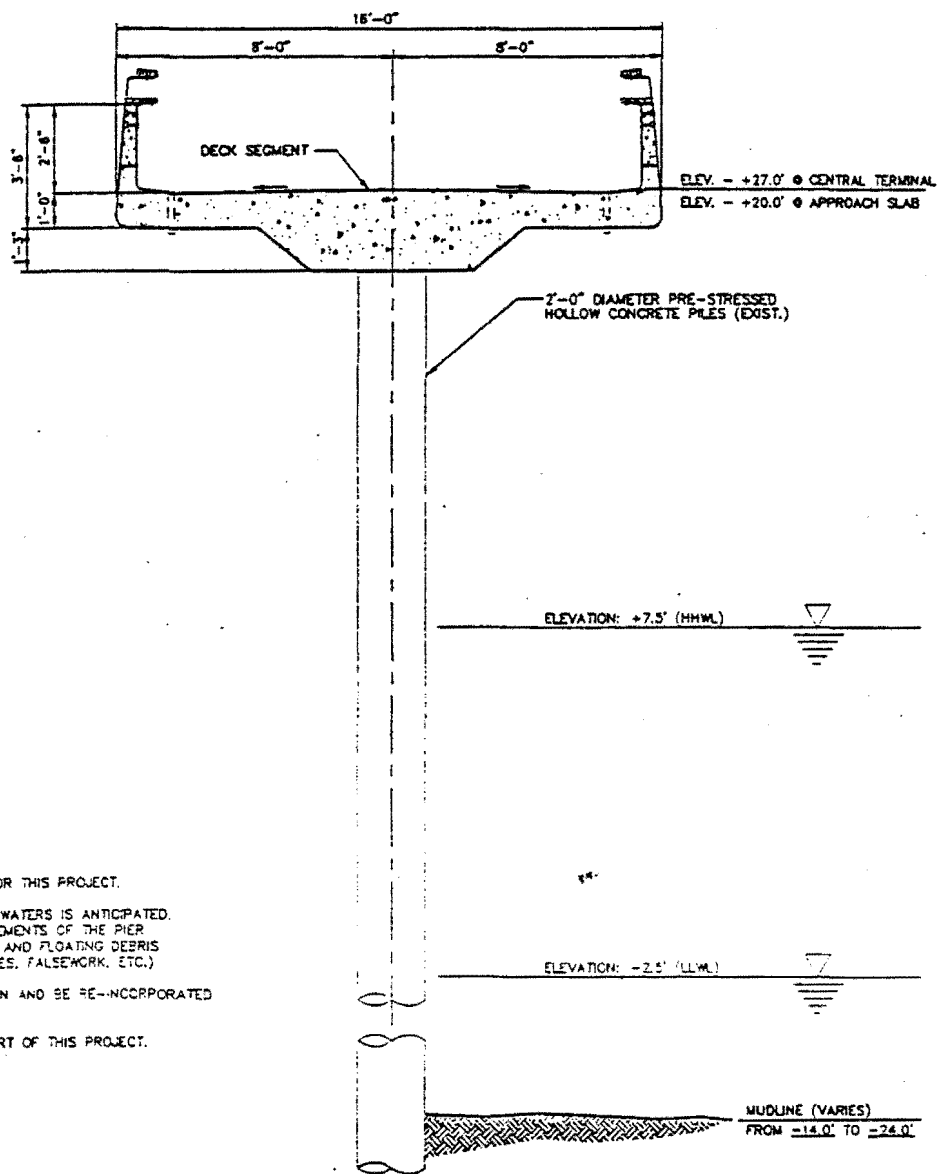
AT:  
County of L.A. State: CA.  
Application By: City of L.A.  
Sheet 1 of 2 Date: 6/2/95

COASTAL COMMISSION

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EXHIBIT # 2

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#### NOTES:

1. NO DREDGING IS REQUIRED FOR THIS PROJECT.
2. NO DISCHARGES IN COASTAL WATERS IS ANTICIPATED. DEMOLITION OF CONCRETE ELEMENTS OF THE PIER WILL BE CONTAINED BY NETS AND FLOATING DEBRIS CONTAINMENT DEVICES (BARGES, FALSEWORK, ETC.)
3. ALL EXISTING PILES TO REMAIN AND BE RE-INCORPORATED INTO THE STRUCTURE.
4. NO NEW PILES ARE MADE PART OF THIS PROJECT.

#### TYPICAL 16'-0" WIDE SECTION

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

PURPOSE: Repair & Replacement  
For Public Use

Datum: MLLW = 0

Adj. Property Owners:

- 1.
- 2.
- 3.

#### TYPICAL SECTION

0 1 2 3 4 5 6  
FEET

CITY OF LOS ANGELES  
Dept. of Parks & Recreation  
200 n. MAIN St. 13th. Floor  
LOS ANGELES, CA. 90012

Proposed Repair & Replacement  
Of Existing Concrete Pier Deck,  
Concession Stand & Restrooms  
IN:

AT:  
County of L.A. State: CA.  
Application By: City of L.A.  
Sheet 2 of 2 Date: 6/2/95

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EXHIBIT # 2

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