

CALIFORNIA COASTAL COMMISSION

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Filed: 2/5/99
40th Day: 3/26/99
180th Day: 8/4/99
Staff: CP-LB
Staff Report: 3/24/99
Hearing Date: April 13-16, 1999
Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-98-354**APPLICANT:** Los Angeles County Department of Public Works**AGENT:** Sara Scott, Planning Division**PROJECT LOCATION:** On beach at terminus of Market Street, Venice, City of Los Angeles, Los Angeles County**PROJECT DESCRIPTION:** Modify existing storm drain outlet on beach, including: abandonment of old headwall in place, replace 8 feet of pipe with new 66" reinforced concrete pipe (RCP), encase old and new pipe in concrete, and reposition rocks of existing breakwater.**SUBSTANTIVE FILE DOCUMENTS:**

1. California Department of Fish & Game Letter, 10/13/98 (Exhibit #4).
2. California Regional Water Quality Control Board Letter, 10/20/98 (Exhibit #5).
3. California State Lands Commission Letter, 1/8/99 (Exhibit #7).
4. U.S. Army Corps of Engineers Letter, 9/30/98 (No. 98-00663-TJE) (Exhibit #6).

SUMMARY OF STAFF RECOMMENDATION:

The proposed project is located seaward of the actual mean high tide line on publicly owned tidelands that the state has legislatively granted to the City of Los Angeles. A Coastal Development Permit is required from the Commission because the proposed development is located within the Commission's area of original jurisdiction. Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a Coastal Development Permit issued by the Commission. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act.

Staff is recommending that the Commission grant a Coastal Development Permit for the proposed development with special conditions to protect public recreational opportunities, water quality, and sensitive species. The applicants agree with the recommendation.

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 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 the 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 effects 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. Timing of Project

In order to reduce impacts on the grunion and the California least tern during the grunion breeding runs and the least terns' nesting and foraging season, no work or construction activity shall occur during the period commencing March 15 and ending September 1.

2. Beach and Recreational Facility Closures

Beach area closures shall be minimized and limited to areas immediately adjacent to the project area (within 300 feet of the pipeline and breakwater). All beach areas and recreation facilities outside of the 300-foot radius shall remain open and available for public use during the normal operating hours. The beach bicycle path shall remain open and available for public use during normal operating hours.

3. Conformance with the Requirements of the Resource Agencies

The permittee shall 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. Any change in the approved project which are required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

4. Assumption of Risk

By acceptance of this permit, the applicants acknowledge and agree: (i) that the site may be subject to hazards from seismic events, liquefaction, storms, waves, floods and erosion; (ii) to assume the risks to the applicants 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; and (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.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The proposed project involves improvements and repairs to an existing storm drain outlet and breakwater on Venice Beach (Exhibit #2). The proposed project includes: 1) replacement of a rusted steel structure in the pipeline with a new pressure manhole structure; 2) abandonment of the old headwall (end of pipeline) in place; 3) replacement of eight feet of the existing pipeline with new 66" reinforced concrete pipe (RCP); 4) encasement of the pipeline in concrete; 5) anchoring the outlet to the breakwater by grouting; and 6) repositioning the rocks of the existing breakwater. The new outlet is proposed to be constructed eight feet behind the abandoned headwall of the old outlet. In order to avoid direct exposure to the surf, the new outlet will be repositioned at a 70-degree angle and shielded by the abandoned headwall and the repositioned rocks of the breakwater (Exhibit #3). The applicants state that, "the purpose of the project is to minimize plugging of the existing outlet due to sand accumulation thereby alleviating potential flooding of the streets east of the beach".

The project site is located seaward of the mean high tide line on Venice Beach within the City of Los Angeles (Exhibit #2). This area of Venice is one of the most visited recreation areas on the coast of California. Ocean Front Walk, the Venice Pavilion, and the Venice Beach bicycle path are located immediately inland of the project site. The applicants propose to schedule the proposed project between September 1 and March 15 to avoid impacts to spawning Grunion (Exhibit #2).

The construction of the proposed project will involve the use of heavy machinery on the beach for excavation of the pipeline and movement of the heavy rocks that comprise the existing breakwater at the end of the existing pipeline. The equipment proposed to be used includes loader/bulldozers, excavators, a crane, concrete trucks, and dump trucks. The applicants have obtained a temporary construction easement across the beach from the City to allow access to the site from the City streets. In addition, a portion of the beach is proposed to be used for the temporary storage of excavated material and the rocks of the breakwater during construction. The proposed project, including material storage, will occupy an area of approximately 3.75 acres.

In order to direct the water away from the construction site while the proposed work is occurring, the applicants propose to: a) construct a diversion berm around the site using beach sand and rock; or b) install a steel sheet cofferdam and pump the area dry using submersible sump pumps. A third option is to work from the ocean side of the breakwater using an anchored barge. The actual construction method will be determined by the applicants' contractor. In any case, the applicants assert that the project site will be restored to its original condition (with the exception of the proposed alterations to the pipeline, outlet and breakwater).

B. Marine Resources

The proposed project is located on the beach and within coastal waters. The Coastal Act contains policies which address development in or near coastal waters. The standard of review for development proposed in coastal waters is the Chapter 3 policies of the Coastal Act, including the following marine resource policies. 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:
 - (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
 - (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

- (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.
- (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.
- (5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- (6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- (7) Restoration purposes.
- (8) Nature study, aquaculture, or similar resource dependent activities.

Sections 30230 and 30231 of the Coastal Act require that coastal waters and marine resources shall be maintained and enhanced, and special protection shall be given to areas and species of special biological or economic significance. The proposed construction activity (grading, placement of concrete, placement of rocks, etc.) will temporarily impact the existing marine habitat. Mitigation measures are necessary to protect the project site for the annual grunion spawning season. The waters in the area are also used as a foraging area for the endangered California least tern. The project site is located within two miles of the Venice Beach California least tern nesting area.

In order to reduce the proposed development's impacts on spawning grunion and the least tern's feeding area during the birds' nesting season, the permit has been conditioned so that development is not permitted during the period commencing March 15 and ending September 1. The period between March 15 and September 1 is the primary grunion spawning season as well as the least tern's nesting season. The California Department of Fish and Game and the U.S. Army Corps of Engineers routinely prohibit beach replenishment or construction activities on the beach during these times. In this case, the U.S. Army Corps of Engineers has applied the same protective condition to the proposed project (Exhibit #6). The California Department of Fish and Game has not restricted the timing of the proposed project (Exhibit #4). In any case, the applicants have proposed to

schedule the project to occur between September 1 and March 15 to avoid impacts to grunion spawning (Exhibit #2, p.2).

The resource agencies may require further mitigation measures. Therefore, a condition of approval requires the permittee 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. Any change in the approved project which are required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed changes shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

The proposed project will also impact the marine environment by placing fill in coastal waters. The proposed grading, installation of new pipe, concrete and rocks for repairing the breakwater all constitute fill in coastal waters. The area permanently impacted by the proposed fill is approximately 0.05 acres (2,178 square feet). The proposed filling will occur in the area currently occupied by the existing breakwater and pipeline (Exhibit #3).

Section 30233 of the Coastal Act allows filling of coastal waters and wetlands only under very limited circumstances. Under this section, any approved filling of open coastal waters must be for an allowable use, mitigation measures must be provided to minimize adverse environmental effects, and the project requiring the fill must be found to be the least environmentally damaging alternative. In this case, the proposed fill would result from the repair of an existing storm drain outlet and breakwater on the beach (Exhibit #2). Section 30233(a)(5) of the Coastal Act allows fill for incidental public service purposes such as maintenance of existing intake and outfall lines. The proposed fill for the repair of an outfall is both incidental and for a public service purpose. Therefore, the proposed fill is authorized pursuant to Section 30233(a)(5) of the Coastal Act.

Therefore, the Commission finds that the fill necessary to undertake the proposed repairs to the storm drain outlet and breakwater is allowable fill that can be permitted if there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. Because the proposed fill is minor (in relation to the existing pipeline and breakwater) and necessary for the proposed public service (outlet), there is no feasible less environmentally damaging alternative. The pipe is fixed in place and all other alternatives would include some fill. The recommended special conditions of approval, including the timing condition to protect the least terns and grunion, will mitigate the potential adverse environmental effects of the proposed project. As conditioned above, the Commission finds that the proposed project is consistent with the marine resource and water quality policies of the Coastal Act.

C. Recreation and Public Access

One of the basic goals stated in the Coastal Act is to maximize and protect 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.

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 construction area for the proposed project is located on Venice Beach between the water and Ocean Front Walk, the public boardwalk immediately inland of the beach and Venice recreation area. This area of Venice is one of the most visited recreation areas on the coast of California. Ocean Front Walk, the Venice Pavilion, and the Venice Beach bicycle path are located immediately inland of the project site.

The construction of the proposed project will involve the use of heavy machinery on the beach for excavation of the pipeline and movement of the heavy rocks that comprise the existing breakwater at the end of the existing pipeline. The equipment proposed to be used includes loader/bulldozers, excavators, a crane, concrete trucks, and dump trucks. The applicants have obtained a temporary construction easement across the beach from the City to allow access to the site from the City streets. In addition, a portion of the

beach is proposed to be used for the temporary storage of excavated material and the rocks of the breakwater during construction. The proposed project, including material storage, will occupy an area of approximately 3.75 acres.

Therefore, the proposed project will temporarily disrupt public use of approximately 3.75 acres of the beach adjacent to the breakwater during the construction period (Exhibit #2). The sandy beach, Venice recreation area, and the beach bike path provide the public with important coastal access and recreation opportunities. The existing bicycle path is part of the regional bicycle path system which runs from Venice Beach to Santa Monica Beach and is heavily used by pedestrians and bicyclists. These public recreation resources must be protected during the construction of the proposed project.

The peak beach use season runs through the summer from May to September. Because the applicants have proposed to schedule the proposed project between September 1 and March 15 to avoid impacts to spawning Grunion, the proposed project will also avoid the peak beach use season in the summer. By working during the winter months the proposed project will avoid conflicts with the heavy beach crowds that are attracted to this portion of the state's coastline. In the winter months, however, the beach is still used by many visitors. Therefore, the permit is conditioned to minimize the area of beach that is closed during construction. The closed areas shall be limited to the areas immediately adjacent to the project area (within 300 feet of the pipeline and breakwater). All beach areas and recreation facilities outside of the 300-foot radius shall remain open and available for public use during the normal operating hours. The 300-foot radius encompasses the proposed 3.75 acre project site. In addition, the proposed project shall not interfere with the public's use of the beach bicycle path. The requirement to maintain public access along the bicycle path ensures that at least one lateral access path will remain available for people to pass the proposed project as they walk along the shore. Only as conditioned is the proposed project consistent with the coastal access and recreation policies 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:

- (l) 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. The proposed project (breakwater and outfall) is located in the surf zone and is 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 applicants understand and assume 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 imposed a similar condition on Coastal Development Permit 5-94-100 (Pointe Design) for a new pier in Avalon. In 1999, the Commission imposed such a condition on Coastal Development Permit 5-98-156 (City of Long Beach) for the Queensway Bay Development.

Therefore, by acceptance of this Coastal Development Permit, the applicants acknowledge and agree: (i) that the site may be subject to hazards from seismic events, liquefaction, storms, waves, floods and erosion; (ii) to assume the risks to the applicants 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; and (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. 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.

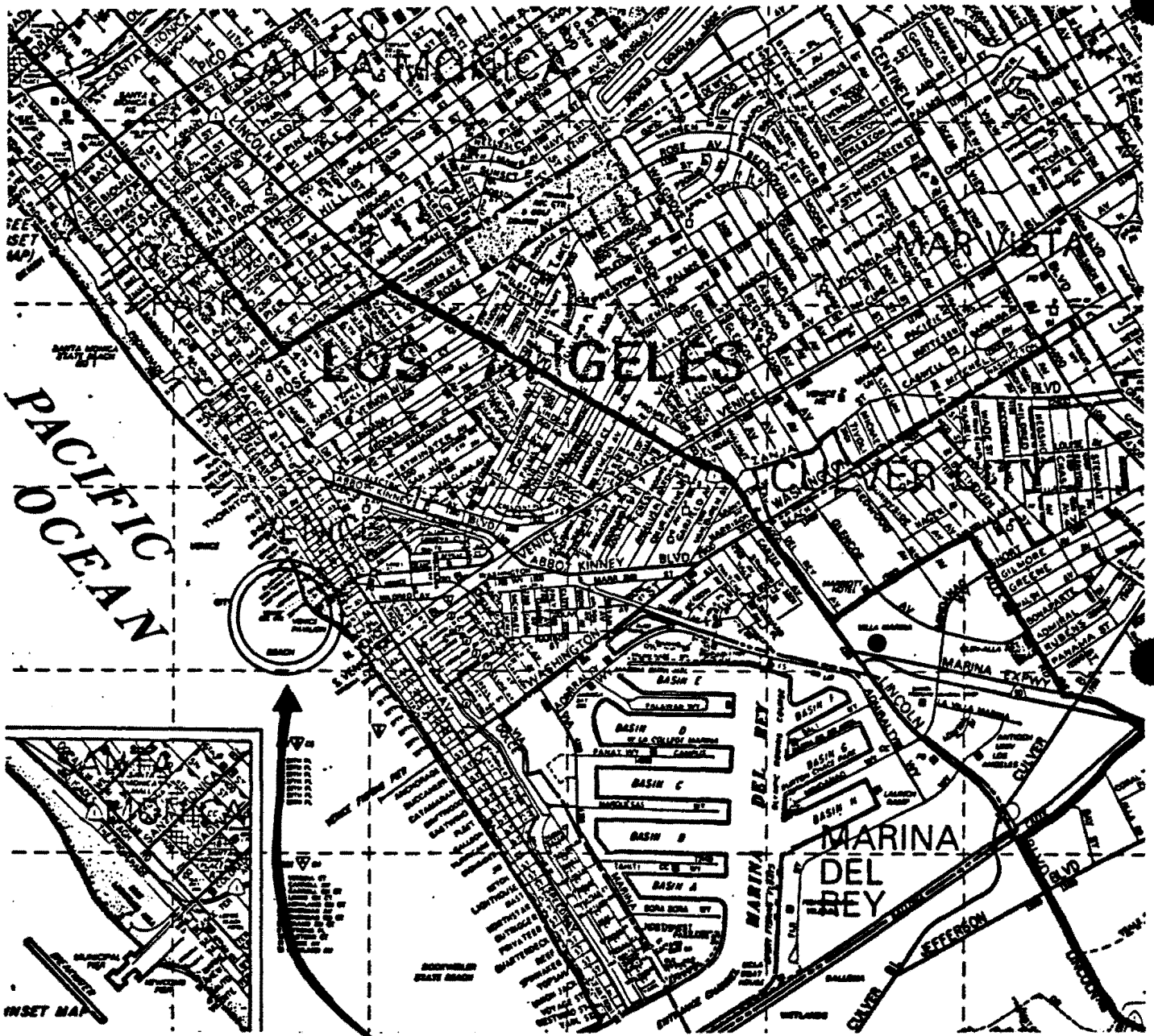
The proposed project, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of 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.

End/cp



Site

Venice Beach

COASTAL COMMISSION

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EXHIBIT # 1

PAGE 1 OF 1

LOS ANGELES COUNTY

DEPARTMENT OF PUBLIC WORKS

PROJECT NO. 507

LINE G

OCEAN OUTLET REPAIR

5-98-354

RECEIVED
AUG 26 1998

CALIFORNIA
COASTAL COMMISSION

REMOVE EXIST. STEEL
OUTLET STRUCTURE AND
INSTALL PRESSURE MANHOLE

OUTLET

PACIFIC OCEAN

EXISTING
BREAKWATER

CITY OF
LOS ANGELES

EXIST. LOS ANGELES
CITY CSP STORM DRAIN

WAVECREST CT.

CLUB HOUSE CT.

WESTMINSTER CT.

HORIZON CT.

MARKET ST.

WINDWARD AV.

N. VENICE BLVD.

(VENICE BEACH)

EXIST. PROJ.
NO. 507. LINE G

EXIST. LOS ANGELES
CITY PUMP STATION

GRAND BLVD.

NO SCALE

LOCATION MAP

COASTAL COMMISSION

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EXHIBIT # 2

PAGE 1 OF 2

ATTACHMENT A

Project Description

Project No. 507 Ocean Outlet Repair

AUG 26 1998

CALIFORNIA

COASTAL COMMISSION

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The proposed project is located in the City of Los Angeles. It is located within Township 2 South, Range 15 West at approximately 33° 59' 07" latitude and 118° 28' 34" longitude of the Venice Quadrangle.

Project No. 507 (project) is an existing ocean outlet in the Venice area of the City of Los Angeles. The project consists of installing approximately 8 feet of 66-inch reinforced concrete pipe (RCP). This project is an extension of an existing City of Los Angeles corrugated steel pipe drain which functions as an outlet for the city-maintained pump station. The project extends the outlet from the beach through an existing stone breakwater. Currently, sand deposits at the outlet due to the outlet being unshielded and perpendicular to the surf.

The purpose of the proposed project is to minimize plugging of the outlet due to sand accumulation, thereby alleviating potential flooding of the streets east of the beach.

The proposed project involves modifying the existing outlet by 1) abandoning the existing headwall in place; 2) adding a new section of RCP at the same location but angled 70 degrees; 3) encasing the new RCP and a portion of the existing RCP with a concrete slurry; 4) repositioning the rocks to maintain the continuity of the breakwater; 5) anchoring the outlet to the breakwater by grouting, and 6) replacing the existing temporary outlet structure with a special manhole structure.

Excavation of approximately 200 cubic yards of excess material may be necessary during modification of the outlet. All excess material will be properly disposed of by the contractor as required by the project specifications. Equipment used may include, but not be limited to, a loader/bulldozer, excavator, crane, concrete trucks, and dump trucks. A temporary construction easement will be obtained to access the project site. Some possible methods used by the contractor to direct the flow of water away from the construction site may include: 1) construction of a diversion berm with a bulldozer using existing sand and rock; 2) having the project site dewatered by installing a steel sheet pile cofferdam and pumping the area dry using submersible sump pumps; or 3) to work from the ocean side of the breakwater where a barge can be anchored. Upon project completion, the area will be restored to its original condition.

The proposed modification will be scheduled to occur between September 1 through March 15 to avoid impacts to Grunion spawning. During the proposed activities near the ocean, an area of approximately 3.75 acres will be temporarily impacted. The area of permanent impact will be approximately 0.05 acres. The proposed project impact on the environment is not considered significant.

SDS:km/aa/P-2/240
L.A. Co. DPW

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EXHIBIT # 2

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N 4568.29	N 4577.70
E 4476.08	E 4491.72
EL 4.10	EL -2.00

N 4576.34
E 4527.54
EL -2.00

DETAIL "A" N 4566.44
E 4524.85

¢ OF EXIST. 66" RCP —

N 4544.
E 4530.
EL 4.10

EXIST. PILES
BENTS (TYP.)

N 4522.33
E 4542.47
EL 4.10

N 4549.
E 4553.
STA. 5+

N 4515.85
E 4551.54
—
EL 4.10

N 4511.78
E 4561.60
EL -2.00

N 4477.16
E 4504.66
SIA. 5496.65

PLAN "A" (SH. 1)
SCALE: 1" = 10'

DETAIL "A"
SCALE: $\frac{1}{4}" = 1' - 0"$

INSTALL ONE JOINT OF THICK
WALL 66" RCP 1000 D AS SHOWN.
NEW RCP AND EXIST. RCP MUST
BE CUT AT ANGLE SHOWN. INSIDE
OF JOINT SHALL BE MORTARED
USING CLASS "C" MORTAR FOLLOWING
CONCRETE ENCASEMENT.

SECTION F-F
SCALE: 1" = 5'

NOTES:

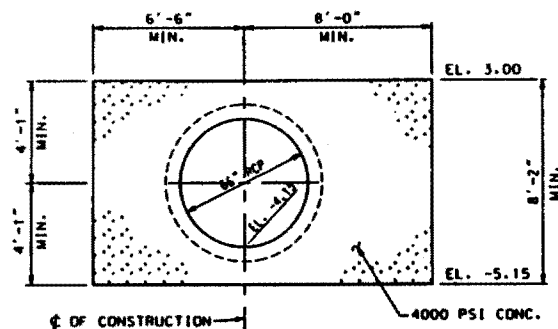
1. CONTRACTOR SHALL VERIFY AT STA. 5+39.90 PRIOR TO NEW RCP.
2. SEE PROJECT SPECIFICATION

COASTAL COMMISSION

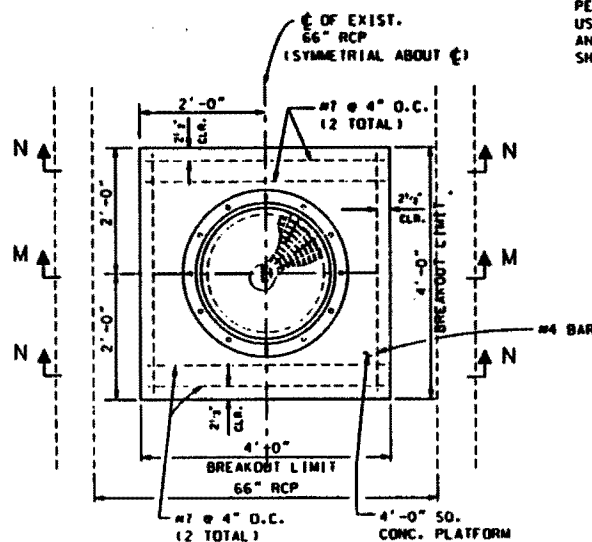
5-98-354

EXHIBIT # 3

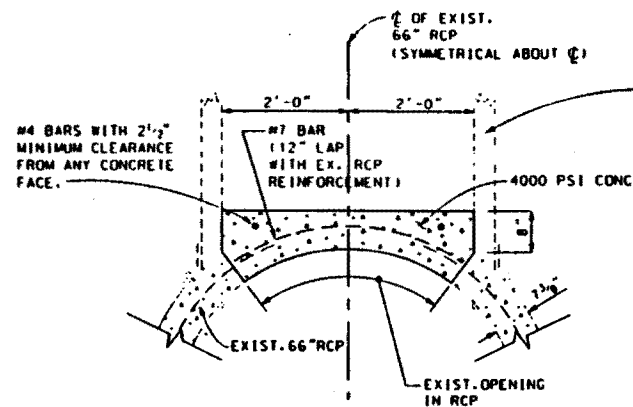
PAGE 1 OF 2



SECTION A-A (SH. 2)
SCALE: 1/4" = 1'-0"

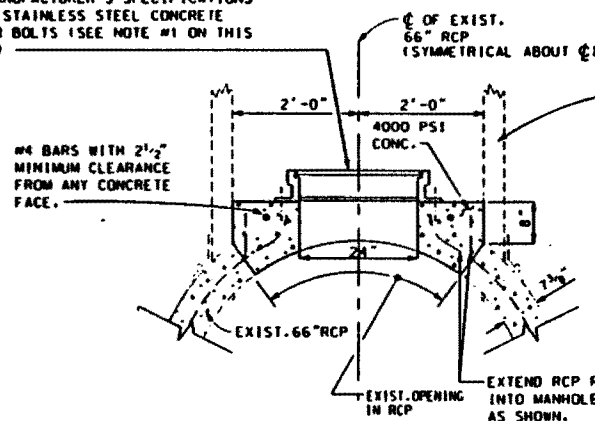


PRESSURE MANHOLE DETAILS
SCALE: 1" = 1'-0"



SECTION N-N
SCALE: 1" = 1'-0"

INSTALL PRESSURE MANHOLE
FRAME AND COVER (ALHAMBRA
FOUNDRY CO. PLATE NO. A-1500
WITH LOCKING COVER DEVICE OR
DEPARTMENT APPROVED EQUAL)
PER MANUFACTURER'S SPECIFICATIONS
USING STAINLESS STEEL CONCRETE
ANCHOR BOLTS (SEE NOTE #1 ON THIS
SHEET)



SECTION M-M
SCALE: 1" = 1'-0"

REMOVE AND DISPOSE OF EXIST.
STEEL OUTLET STRUCTURE INCLUDING
ANCHOR BOLTS. BOLT HOLES THROUGH
EXIST. RCP WALL SHALL BE FILLED WITH
SIKADUR INJECTION GEL OR DEPARTMENT
APPROVED EQUAL.

STRUCTURAL NOTES

1. DIMENSIONS FROM FACE OF CONCRETE TO STEEL ARE TO CENTER OF BAR, UNLESS OTHERWISE SHOWN.
2. CONCRETE DIMENSIONS SHALL BE MEASURED HORIZONTALLY OR VERTICALLY ON THE PROFILE, AND PARALLEL TO OR AT RIGHT ANGLES (OR RADIALLY) TO CENTERLINE OF CONDUIT ON THE PLAN EXCEPT AS OTHERWISE SHOWN.
3. ALL BAR BENDS AND HOOKS SHALL CONFORM TO THE AMERICAN CONCRETE INSTITUTE'S "BUILDING CODE REQUIREMENT FOR REINFORCED CONCRETE", 1983 EDITION, SECTIONS 7.1 AND 7.2.
4. PLACING OF REINFORCEMENT BARS SHALL CONFORM TO THE AMERICAN CONCRETE INSTITUTE'S "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE", 1983 EDITION, SECTION 7.5.
5. THE TRANSVERSE REINFORCING BARS SHALL TERMINATE ONE AND ONE-HALF INCHES FROM THE CONCRETE SURFACES UNLESS OTHERWISE SHOWN ON THE STRUCTURAL DETAILS.
6. EXPOSED EDGES OF CONCRETE MEMBERS SHALL BE ROUNDED OR BEVELED.

NOTES

1. ANCHOR BOLTS SHALL BE MILTI KWIK BOLT II EXPANSION ANCHOR 3/4" DIAMETER WITH 4" MINIMUM EMBEDMENT OR DEPARTMENT APPROVED EQUAL. ANCHOR SHALL BE MADE OF 316 STAINLESS STEEL. REFER TO MANHOLE MANUFACTURER'S SPECIFICATIONS FOR TOTAL NUMBER OF ANCHOR BOLTS REQUIRED AND BOLT LAYOUT.

South Coast District Office

COASTAL COMMISSION

5-98-354

EXHIBIT # 3

PAGE 2 OF 2

DEPARTMENT OF FISH AND GAME

Leslie S. MacNair
Environmental Services Division
330 Golden Shore, Suite 50
Long Beach, California 90802
(562) 590-5137



October 13, 1998

Ms. Sarah D. Scott
Los Angeles County Department of Public Works
Planning Division 11th Floor
900 South Fremont Avenue
Alhambra, CA 91803-1331

Dear Ms. Scott:

Mr. Steve Sheridan, during a phone conversation on September 24, 1998, requested that the proposed Project No. 507 Ocean Outlet Repair be constructed between April 15th and September 15th. The project is located at Venice Beach in the vicinity of Market Street in Los Angeles County. No riparian vegetation will be impacted by the project.

Due to the location of the project, the Department has concerns regarding the impacts that may occur to grunion and their eggs as a result of construction for this project during the requested time frame. Grunions spawn from late February to early September, therefore any work conducted along the shoreline during these months could impact grunion and their eggs.

Work may commence from April 15th through September 15th, as long as the following conditions are met to minimize impacts to aquatic resources:

- 1.) The Operator shall flag the construction site and set up barriers to limit the construction vehicles to the project site.
- 2.) The Operator shall not allow vehicles to access the site by driving horizontally along the beach. Access to the work area shall be via existing roads.
- 3.) Staging/storage areas for equipment and materials shall be located outside of the stream.
- 4.) Spoil sites shall not be located within a stream/lake, where spoil shall be washed back into a stream/lake, or where it will cover aquatic or riparian vegetation.
- 5.) The Operator shall comply with all litter and pollution laws. All contractors, sub-contractors and employees shall also obey these laws and it shall be the responsibility of the operator to ensure compliance.

6.) Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the ocean or other waters of the state. These materials, placed within or where they may enter the ocean and/or stream, by Operator or any party working under contract, or with the permission of the Operator, shall be removed immediately.

7.) No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into the ocean or other waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark.

8.) No equipment maintenance shall be done within or near any stream channel where petroleum products or other pollutants from the equipment may enter these areas under any flow.

Based on the information provided, no further notification is required under Fish and Game Code 1600 et seq., unless the project should change and/or result in a significant impact to aquatic resources.

Two copies of this letter are being sent to you. PLEASE RETURN ONE SIGNED ORIGINAL to the Department of Fish and Game, at P. O. Box 6907, Laguna Niguel, CA 92607. If you have any questions, please contact me at (949) 831-7335.

Leslie S. MacNair

Leslie S. MacNair
Environmental Specialist III
Environmental Services, Region 5

CONCURRENCE: *Glen D. Progin* DATE: 11-4-98



California Regional Water Quality Control Board

Los Angeles Region

Internet Address: <http://www.swrcb.ca.gov>
101 Centre Plaza Drive, Monterey Park, California 91754-2156
Phone (323) 266-7500 • FAX (323) 266-7600



October 20, 1998

Mr. David Yamahara, Assistant Deputy Director
Planning Division
Los Angeles County Department of Public Works
P.O. Box 1460
Alhambra, CA 91802-1460

PROPOSED OCEAN OUTFALL REPAIR PROJECT, PACIFIC OCEAN, VENICE AREA, LOS ANGELES COUNTY (File No. 98-115)

Dear Mr. Yamahara:

We have reviewed your request for a Section 401 Water Quality Certification for the above-mentioned project. Your application was deemed complete on October 15, 1998. We have evaluated the submitted information and have no objections to the proposed project as described in Attachment A.

No further action will be taken by this Regional Board for the proposed work within the project boundary as long as the work implemented is in accordance with the conditions specified in the California Department of Fish and Game's letter to the County (October 13, 1998), and all the water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*. Appendix I summarizes a subset of these objectives that may apply to the proposed project. In addition, this project may be subject to other State requirements (see Appendix II). Please be informed that discharges of non-stormwater runoff to surface waters are not allowed without prior coordination and approval from this Regional Board. If the project is modified, re-application for certification may be required.

This letter does not preclude the Regional Board from taking enforcement actions on this or other projects, for the purpose of protecting quality and preserving beneficial uses of U.S. waters. Should you have questions concerning this letter, please contact me at (323) 266-7533.

Sincerely,


RUEEN-FANG WANG
Associate Water Resources Control Engineer, Surveillance Unit

enclosures

cc: Bill Campbell, DWQ, SWRCB
Leslie MacNair, CDFG (Long Beach)
Terri Ely, USACOE (Los Angeles) (File No. 98-00663-TJE)
Steven John, USEPA (San Francisco, WTR-8)
Jim Bartel, USFWS (Carlsbad)
Sarah Scott, LACDPW, Planning

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South Coast Region

DEC 1 1998

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COASTAL COMMISSION
5-98-354

EXHIBIT # 5

PAGE 1 OF 2

California Environmental Protection Agency

Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

ATTACHMENT A

1. Project description:	<p>Purpose: modify an existing outlet structure to minimize plugging of the outlet due to sand accumulation and, thereby, alleviate potential flooding of nearby streets</p> <p>Description of project:</p> <ul style="list-style-type: none"> • abandon the existing headwall in place • add a new section of RCP at an angle of 70 degrees • encase the new RCP and a portion of the existing RCP with concrete slurry • reposition rocks to maintain the continuity of the breakwater • anchor the outlet to the breakwater by grouting • replace the existing temporary outlet structure with a special manhole structure • perform temporary water diversion (diversion berm) or dewatering (steel sheet pile cofferdam and pumping), or work from a barge <p>LARWQCB case file no: 98-115</p>
2. Receiving water:	Pacific Ocean
3. Fill or excavation area (within US waters):	Ocean: 0.05 permanent, 3.75 temporary acres
4. Dredge volume:	0 cubic yards
5. Federal permit:	<p>Federal agency: US Army Corps of Engineers</p> <p>NWP No. 3 (File No. 98-00663-TJE)</p>
6. Compensatory mitigation:	None

COASTAL COMMISSION

5-98-354

EXHIBIT # 5

PAGE 2 OF 2



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

September 30, 1998

Office of the Chief
Regulatory Branch

County of Los Angeles
Department of Public Works
ATT: Mr. David Yamahara
900 South Fremont Avenue
P.O Box 1460
Alhambra, California 91802-1460

Dear Mr. Yamahara:

Reference is made to your request (No. 98-00663-TJE) dated August 17, 1998, for Department of the Army authorization to permanently impact 0.05 acres and temporarily impact 3.75 acres of jurisdictional waters of the United States to modify an existing outlet in the Pacific Ocean, in the Venice area of the City of Los Angeles, Los Angeles County, California.

While this activity meets the general terms and conditions for authorization under Nationwide Permit Number 03 [Federal Register, Dec.13, 1996, pp.65874-65922], we note that you do not have Section 401 water quality certification from the California Regional Water Quality Control Board (RWQCB) or a consistency certification from the California Coastal Commission. Therefore, your request is denied without prejudice. You will receive authorization from the Corps when you have met the requirements outlined below.

According to 33 CFR 330.4 state 401 water quality certification pursuant to Section 401 of the Clean Water Act, or waiver thereof, and consistency certification or waiver pursuant to section 307 of the Coastal Zone Management Act (CZM) are required prior to authorization of your project. You must therefore obtain Section 401 certification or waiver, or provide the Corps with evidence that 60 days have passed since you applied to the RWQCB for certification. In addition, you must obtain CZM consistency certification or waiver, or provide evidence that 6 months have passed since you applied to the California Coastal Commission for CZM certification. Be aware that any conditions on your Section 401 and CZM certifications will become conditions on your Nationwide Permit authorization.

Furthermore you must comply with the following special conditions:

1. The applicant shall schedule work between September 1 and March 15 to avoid impacts to Grunion spawning.

COASTAL COMMISSION

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EXHIBIT # 6

PAGE 1 OF 2

When you receive your Section 401 certification or waiver (or when 60 days have passed since you applied) and your CZM consistency certification or waiver (or when 6 months have passed since you applied), you should contact the Corps Project Manager for this project, Terri Ely, at (213) 452-3412. Please reference application 98-00663-TJE in your letter. Your authorization could then be issued without further delay or processing.

If you have any questions, please contact Terri Ely at the above telephone number.

Sincerely,



David J. Castanon for
Chief, North Coast Section
Regulatory Branch

COASTAL COMMISSION

5-98-354

EXHIBIT # C

PAGE 2 OF 2

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



ROBERT C. HIGHT, *Executive Officer*
California Relay Service From TDD Phone 1-800-735-2922
from Voice Phone 1-800-735-2929

Contact Phone: (916) 574-1892
Contact FAX: (916) 574-1925

January 8, 1999

File Ref: PRC 3137; G 05-04

Sarah D. Scott
Los Angeles County
Department of Public Works
900 S. Fremont Avenue
Alhambra, CA 91803

Dear Ms. Scott:

Subject: Ocean Outlet Repair in the Venice Area of the City of Los Angeles,
Project No. 507

This is in response to your request for a determination by the California State Lands Commission (CSLC) whether it asserts a sovereign title interest in the property that the subject project occupies and whether it asserts that the project intrudes into an area that is subject to the public easement in navigable waters.

The facts pertaining to your project, as we understand them, are these:

The County proposes to extend an existing steel pipe drain which functions as an outlet for the city-maintained pump station. The project will involve extending the outlet from the beach through an existing stone breakwater. The repairs are needed to minimize plugging of the outlet due to sand accumulation and alleviate potential flooding of streets east of the beach.

The tide and submerged lands over which the outlet is located are sovereign lands of the State that have been legislatively granted to the City of Los Angeles pursuant to Chapter 1513, Statutes of 1945, as amended. Therefore, no further authorization from the CSLC is required. The County should, however, apply to all other agencies having approval authority, including the City of Los Angeles in its capacity as trustee of these sovereign lands.

This letter is not intended, nor shall it be construed as, a waiver or limitation of any right, title, or interest of the State in any lands under the jurisdiction of the CSLC.

If you have any questions, please contact Jane E. Smith, Public Land Management Specialist, at (916) 574-1892.

Sincerely,

Robert L. Lynch, Chief
Division of Land Management

COASTAL COMMISSION
5-98-354

cc: Jane E. Smith

EXHIBIT # 7
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