## CALIFORNIA COASTAL COMMISSION

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Staff:	AJP-LB
Staff Report:	10/26/00
Hearing Date:	11/13-17/00

#### STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-00-096

**APPLICANT:** Los Angeles County Beaches and Harbors

**PROJECT LOCATION:** 

17300 Pacific Coast Highway, Pacific Palisades, Los Angeles County

**PROJECT DESCRIPTION:** The applicant proposes to repair a 700 foot section of riprap revetment by placing approximately 7,500 tons of armor stone and filter fabric in areas where slump failure has displaced the rip-rap. At the toe of the newly placed rock armor, a trench will be excavated in the sand, approximately one rock diameter deep (3 to 4 feet) and two rock diameters (6 to 8 feet) outboard of where the new quarrystone meets the sand bottom, to assist in stabilizing the revetment against wave energy.

The project also includes repair and reconstruction of an existing 200 foot long groin that is upcoast of and runs perpendicular to the revetment. The repair work to the groin will include placing approximately 2,500 cubic yards or 1,273 tons of rock, filter-fabric and gravel underlayer, combined with a scour apron for toe protection on the east side of the groin.

#### SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission <u>APPROVE</u> the proposed project with special conditions which require 1) revetment and groin maintenance and monitoring, 2) use of construction best management practices (BMPs), 3) prefilling (placement of sand prior to natural accretion) of the groin to prevent interruption of downcoast sand transport, 4) evidence of approval by the Regional Water Quality Control Board (RWQCB); 5) a determination by the States Lands Commission prior to permit issuance, and 6) and an assumption of risk due to hazards.

#### SUBSTANTIVE FILE DOCUMENTS:

1. *Functional and Structural Analysis of the Sunset Boulevard Groin*, January 13, 200, by Coastal Environments.



2. Coastal Engineering Analysis and Revetment Study for Possible Rip-Rap Repairs, January 12, 2000, by Concept Marine Associates, Inc.

## I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR 5-00-096:

Staff recommends that the Commission make the following motion and adopt the following resolution:

<u>MOTION</u>: I move that the Commission approve Coastal Development **Permit #5-**00-096 pursuant to the staff recommendation.

#### STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

#### **RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/ or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternative that would substantially lessen any significant adverse impacts of the development on the environment.

#### II. STANDARD CONDITIONS:

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- 1. <u>Notice of Receipt and Acknowledgment.</u> 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. <u>Expiration.</u> 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. <u>Interpretation.</u> Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. <u>Assignment.</u> The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. <u>Terms and Conditions Run with the Land.</u> 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. Revetment Maintenance

The permittee shall remove or redeposit any debris, rock, or material that becomes dislodged after completion of the approved shoreline protection revetment as soon as possible after such displacement occurs. The permittee shall contact the Coastal Commission District Office immediately to determine whether such activities require a coastal development permit.

## 2. Groin Maintenance

The permittee shall remove or redeposit any debris, rock, or material that becomes dislodged after completion of the approved shoreline protection groin as soon as possible after such displacement occurs. The permittee shall contact the Coastal Commission District Office immediately to determine whether such activities require a coastal development permit.

#### 3. Revetment Monitoring Plan

By May 1 of each year, for the life of the structure, the permittee shall submit a monitoring report that has been prepared by county staff, or by a licensed civil engineer. Each monitoring report shall provide the following:

a) As-built plans, showing the permitted structure in relation to the existing topography and showing measurement points that will be used yearly to measure the footprint of the structure (only necessary in the first submitted report).

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- b) An evaluation of the condition and performance of the approved shoreline protection device.
- c) Measurements of the seaward extent of the revetment at all the repair locations.
- d) A description of any migration or movement of rock that has occurred on the site, and
- e) Recommendations for repair, maintenance, modifications or other work to the device.

If applicable, the report can be a short signed letter noting that the condition of the shoreline protection device has not changed from the previous year. If a monitoring report contains recommendations for repair, maintenance or other work, the permittee shall contact the Coastal Commission District Office to determine whether such work requires a coastal development permit.

#### 4. Groin Monitoring Plan

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By May 1 of each year, for the life of the structure, the permittee shall submit a monitoring report that has been prepared by county staff, or by a licensed civil engineer. Each monitoring report shall provide the following:

- As-built plans, showing the permitted structure in relation to the existing topography and showing measurement points that will be used yearly to measure the footprint of the structure (only necessary in the first submitted report).
- b) An evaluation of the condition and performance of the approved shoreline protection device.
- c) Measurements of the seaward and downcoast extent of the groin at regularly spaced intervals.
- d) A description of any migration or movement of rock that has occurred on the site, and
- e) Recommendations for repair, maintenance, modifications or other work to the device.

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If applicable, the report can be a short signed letter noting that the condition of the shoreline protection device has not changed from the previous year. If a monitoring report contains recommendations for repair, maintenance or other work, the permittee shall contact the Coastal Commission District Office to determine whether such work requires a coastal development permit.

## 5. Mitigation of Impacts to Shoreline Sand Supply from Groin

Prior to issuance of the CDP, the applicant shall submit evidence, in a form and content acceptable to the executive director, that approximately 5,600 cubic yards of sand, compatible with the existing beach sand, will be available at the completion of the groin repair and will be placed in the fillet immediately upcoast of the groin. Evidence shall take the form of a signed contract, bond, memorandum of agreement or other similar written document.

#### 6. Plans for Groin Pre-Fill

Prior to issuance of the CDP, the applicant shall submit, for review and written approval of the executive director, a plan for the pre-filling of the groin with approximately 5,600 cubic yards of sand that, at a minimum includes:

- a) Map of area that will be pre-filled and identification of access routes that will be used to transport sand.
- b) If offshore material will be used for the pre-fill, map showing the location of the borrow area.
- c) Plans for pre-fill, including both pre-fill footprint and design template.
- d) Identification of and schedule for all permits necessary for groin pre-fill.
- e) Tests for compatibility between pre-fill sand and existing beach sand.
- f) Timing and schedule for pre-fill such that it will be able to follow immediately after the groin repair.
- g) Efforts to avoid or minimize impacts to grunion, least terns, snowy plover, and other biological resources, as well as to public access and recreation through timing, phased construction, etc.
- h) Plans for monitoring and controlling turbidity.

## 7. <u>Storage of Construction Materials, Mechanized Equipment and Removal of</u> <u>Construction Debris</u>

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave erosion and dispersion;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
- (c) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction related materials, sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project.
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed at a debris disposal site outside the coastal zone, pursuant to Special Condition No. 8.

#### 8. Location of Debris Disposal Site

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

#### 9. Regional Water Quality Control Board Approval

**PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, written evidence from the Regional Water Quality Control Board demonstrating that the Regional Water Quality Control Board has approved the proposed groin. If the Regional Water Quality Control Board requires any substantial changes to the project, as approved by the Commission, the changes shall be submitted to the Executive Director for a determination as to whether the changes require an amendment to this permit. Any changes that require an amendment shall not occur without an amendment to this permit.

10. State Lands Commission Review for Revetment

**RIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, evidence of all necessary approvals or an executed lease agreement from the

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State Lands Commission for the proposed development, or evidence that such approvals are not required.

## 11. United States Army Corps of Engineers Approval

**PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, written evidence from the United States Army Corps of Engineers (USACE) demonstrating that the USACE has approved the proposed groin and revetment. If the USACE requires any substantial changes to the project, as approved by the Commission, the changes shall be submitted to the Executive Director for a determination as to whether the changes require an amendment to this permit. Any changes that require an amendment shall not occur without an amendment to this permit.

#### 12. ASSUMPTION OF RISK, WAIVER OF LIABILITY AND INDEMNITY

- A. By acceptance of this permit, the applicant acknowledges and agrees (I) that the site may be subject to hazards from waves, storm waves, earth movement and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; 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.
- B. PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection (a) of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.
- C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a written agreement, in a form and content acceptable

to the Executive Director, incorporating all of the above terms of this condition.

#### **IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

#### A. Project Description and Location

The applicant proposes to repair a 700 foot section of rip-rap revetment by placing rock in areas where slump failure has displaced the rip-rap. Approximately twelve gaps in the existing revetment will be filled with 3 ton quarrystone armor at a 1:2 slope. Approximately 7,500 tons of armor stone is proposed for the revetment repair. A durable woven filter fabric will be installed prior to the placement of the quarrystone to help prevent further erosion. At the toe of the newly placed rock armor, a trench will be excavated in the sand, approximately one rock diameter deep (3 to 4 feet) and two rock diameters (6 to 8 feet) outboard of where the new quarrystone meets the sand bottom, to assist in stabilizing the revetment against wave energy.

The project also includes repair and reconstruction of an existing 200 foot long groin that is located upcoast of and runs perpendicular to the revetment. The repair work to the groin will include placing approximately 2,500 cubic yards or 1,273 tons of rock, filter-fabric and gravel underlayer, combined with a scour apron for toe protection on the east side of the groin. New and existing rock will be placed atop the existing base to reconstruct the groin to its previous height, which was variable and decreased offshore. The groin will vary from 12 feet (MLLW) high at the shore, dropping to an elevation of 5 feet (MLLW) near the seaward end.

The existing footprint of the groin in its current deteriorated condition covers approximately 5,271 square feet. It is assumed that the original footprint covered approximately 4,785 square feet. The proposed project will cover approximately 5,025 square feet, including the scour aprons, which are necessary to provide toe protection.

The groin was originally constructed in 1958. The purpose of the groin was to widen the beach located to the west or upcoast of the groin. Due to its current deteriorated condition the function of the groin is compromised and does not trap as much sand as when it was originally constructed. According to reports some sections of the groin have settled by as much as six feet, and the armor stones have shifted and tumbled both offshore and laterally away from the centerline. The existing groin still serves to maintain the upcoast beach width approximately 120 feet wider than it would be without the groin. Restoration of the groin would increase the upcoast beach width by an estimated additional 72 feet, or 60% of the present width. The proposed project is located along Will Rogers County Beach, in the Pacific Palisades area of the City of Los Angeles. The project site is near the intersection of Sunset Boulevard and Pacific Coast Highway. The revetment is seaward of a public parking lot used by an adjacent restaurant and for general beach parking. The groin is located upcoast of the section of the revetment to be repaired and near the eastern corner of the restaurant. The coastline along this area is south facing, with an eastwest orientation.

## **B.** Past Permit Action

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The Commission previously approved a permit for the County of Los Angeles in 1983, for repair work to this revetment (CDP #5-83-304). The permit was for replacing riprap that had been dislodged by winter storms within an area of approximately 220 linear feet.

In 1997, the Commission issued an emergency permit for repair work to a revetment located immediately upcoast of the groin [Emergency Permit #5-97-386G (Seaview Restaurant)]. The repair work involved replacing rock that had been displaced by winter storms. This upcoast revetment is part of the restaurant development and serves to protect the restaurant. The applicant of the emergency permit, Seaview Restaurant, did not follow up with the submittal of a CDP application, as required. South Coast staff is currently investigating this matter.

#### C. Marine Resources

Sections 30230, 30231 and 30235 of the Coastal Act address the protection and management of 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 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.

As described previously, the project involves the repair of an existing revetment and adjacent groin. The revetment protects an approximately 25 foot high bluff and a public parking lot located atop the bluff. The public parking lot serves the general public for beach access and an adjacent restaurant.

The purpose of the existing groin is to trap sand for the public beach located upcoast or to the west of the groin. The beach also provides protection from wave uprush for the existing restaurant that is located immediately to the northwest.

#### 1. Seawall Analysis

Section 30235 of the Coastal Act allows revetments and groins to 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. Analyses carried out by Concept Marine Associates, Inc. indicates that the existing revetment has slumped, creating gaps between the rock armor, in twelve locations along a 700 foot length of the existing revetment. The existing spot failures have caused some damage to the public parking lot located behind the revetment. The instabilities caused by these gaps in the rock armor could lead to additional failure of the rock revetment during storm activities and can cause further erosion and damage to the bluff and parking lot behind the revetment.

The groin was originally constructed in 1958 to widen and protect the beach upcoast of the groin. The groin has deteriorated since it was constructed and has reduced in length and height. According to the applicant's engineer the current condition of the groin is such that it does not trap as much sand as it was originally designed to do. Consequently, the beach upcoast of the groin is not as wide. Although the groin still functions to maintain a wider beach than under natural conditions, the current width may jeopardize the beach and existing development during storm conditions.

Loss of additional sand at this site would create negative impacts throughout the littoral cell, which includes the adjacent revetment. Reduced beach widths would increase the exposure of the buff, increase erosion, subject existing development to increase wave damage, and reduce public recreation opportunities as a direct result of a smaller beach area. Therefore, the project is allowable under Section 30235 of the Coastal Act.

However, the reconstruction of the groin will trap more sand on the upcoast side and will deprive the downcoast side of accreting sand. This loss of sand will have adverse impacts on the downcoast beaches, shoreline protective devices, and other structures, due to reduced sand accretion caused by the reconstructed groin. While the sand is being trapped upcoast of the new groin, sand will not be available to replenish the beaches downcoast. Consequently, the beaches downcoast may erode while the groin is filling. After the upcoast side of the groin is filled with sand, this effect on the downcoast beaches disappears. However, it is the time between construction and natural filling that can cause erosion and damage.

In addressing these potential impacts, the structural analysis report for the groin recommends that the upcoast beach be prefilled with sand after the groin is restored, so as to avoid any downcoast sand supply interruption (Prefilling is the process of placing sand in the area where sand will be trapped by the groin prior to the natural accretion process). The Coastal Commission's coastal engineer has reviewed the proposed project and also recommends that the area upcoast be prefilled.

It is estimated that it would require approximately 5,600 cubic yards of sand to prefill upcoast of the groin. The applicant has indicated that prefilling would be costly, which the County does not have the budget for, and finding a source of sand would be difficult. However, it is evident by the proposed revetment repair and past repairs to the revetment, which is located downcoast of the groin, the type of wave damage that can be done to this portion of the coastline and existing structures. If prefilling is not done in conjunction with the construction of the groin, there can be additional damage to the revetment, public parking lot, and other development downcoast of the groin. Therefore, Special Condition No. 5 and 6 requires that the applicant mitigate the interruption of the sand supply by providing approximately 5,600 cubic yards of sand for prefilling and provide plans indicating location, timing, and ensuring quality and compatibility of the sand with the existing beach sand.

#### 2. Water Quality Analysis

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Section 30231 of the Coastal Act requires maintenance and restoration of the biological productivity of coastal waters. The project site is located within open coastal waters. Storage or placement of construction materials, debris, or waste in a location subject to wave erosion and dispersion would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of machinery in coastal waters not designed for such use may result in the release of lubricants or oils that are toxic to marine life. Sediment discharged to coastal waters may cause turbidity which can shade and reduce the productivity of the area and foraging avian and marine species ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, Special Condition No. 7 outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. Special Condition No. 8 requires that the applicant dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit.

Finally, since the proposed project has the potential to affect water quality, the development requires approval by the Regional Water Quality Control Board (RWQCB). At the time of this staff report, evidence of RWQCB approval has been received for the revetment portion of the project, but not for the groin. Consequently, the proposed repair to the groin has yet to be found in conformance with current water quality standards by the RWQCB. To ensure that the project will not adversely affect water quality, Special Condition No. 9 requires that the applicant provide written evidence of RWQCB approval for the groin repair work prior to issuance of a coastal development permit. If the RWQCB approval results in changes to the currently proposed project, the applicant may be required to obtain an amendment to the CDP.

#### 3. Conclusion

Only as conditioned for appropriate storage of construction materials and equipment, location of an appropriate debris disposal site, and RWQCB approval, does the Commission find that the proposed development is consistent with Sections 30230, 30231 and 30232 of the Coastal Act.

#### D. Public Access

The project site lies within the water between the first public road and the sea. Therefore, a finding must be made that the development is consistent with the public access and recreation policies of Chapter 3 of the Coastal Act.

Section 30210 of the Coastal Act states, in pertinent part:

...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 30213 of the Coastal Act states, in pertinent part:

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

As discussed previously, the proposed project involves the repair of an existing groin and revetment. If the existing groin is removed and not replaced with a similarly functioning structure, natural marine processes will erode the beaches upcoast along Will Rogers County Beach. Specifically, without a groin structure at the subject site, the beach will be subject to significant erosion due to wave action exposing development along the beach to surge uprush. Therefore, the proposed rock groin project is designed to replicate the function of the existing structure, which has been in place since 1958, and currently controls littoral sand transport.

The beach profile west, or upcoast, of the groin is currently approximately 120 feet wide. The structural analysis report indicates that the function of the groin in retaining sand and stabilizing the beach width has become compromised by the years of deterioration and lower design height. The lower height allows sand to pass over and around the groin at a lower equilibrium beach width than would otherwise be the case with a higher groin. The report indicates that restoring the groin to its original design configuration would likely widen the upcoast beach by an additional 72 feet.

As such, the proposed project will restore and protect a public beach, thereby enhancing public access and recreation at the subject site.

As shown on the project plans, pedestrian access will be available over and around that portion of the proposed groin structure that is on the beach. The height of accumulated sand will be almost level with the top of the rock groin on either side along the beach area. Therefore, as designed, the proposed structure will provide

continued pedestrian access at the subject site. However, the reconstruction of the groin will trap more sand on the upcoast side and will deprive the downcoast side of accreting sand. This loss of sand will have adverse impacts on the downcoast beaches, shoreline protective devices, and other structures, due to reduced sand accretion caused by the reconstructed groin. While the sand is being trapped upcoast of the new groin, sand will not be available to replenish the beaches downcoast. Consequently, the beaches downcoast may erode while the groin is filling. After the upcoast side of the groin is filled with sand, this effect on the downcoast beaches disappears. However, it is the time between construction and natural filling that can cause erosion and damage.

In addressing this potential impact, the structural analysis report recommends that the upcoast beach be pre-filled with sand after the groin is restored, so as to avoid any downcoast sand supply interruption. The Coastal Commission's coastal engineer has reviewed the proposed project and also recommends that the area upcoast be prefilled. It is estimated that it would require approximately 5,600 cubic yards of sand to prefill upcoast of the groin. The applicant has indicated that prefilling would be costly, which the County does not have the budget for, and finding a source of sand would be difficult. However, it is evident by the proposed revetment repair and past repairs to the revetment, which is located downcoast of the groin, the type of wave damage that can be done to this portion of the coastline and existing structures. If prefilling is not done in conjunction with the construction of the groin, there can be additional damage to the revetment, public parking lot, and other development downcoast of the groin. This additional damage can create hazardous conditions for the public and adversely impact access in the area. Therefore, Special Condition No. 5 and 6 requires that the applicant mitigate the interruption of the sand supply by providing approximately 5,600 cubic yards of sand for prefilling and provide plans indicating location, timing, and ensuring quality and compatibility of the sand with the existing beach sand.

The proposed repair to the revetment will encroach from approximately 6 to 10 feet further seaward than the existing footprint. The applicant's consultant indicates that damage to the revetment has caused the revetment to steepen and become unstable in areas, which poses a risk to the public due to the possible movement of large armor stone. In order to reconstruct the wall at a required 1:2 slope the revetment will extend further seaward than the existing rock. In addition, much of the portion of the revetment what will encroach further seaward includes the toe key and apron, which is necessary to provide a stable structure and prevent undermining by wave action. This toe and apron area will be filled with the sand removed during the excavation of the toe and through natural processes.

However, over time the revetment and groin, through settlement or collapse due to wave action, can migrate further seaward and take up additional sandy beach. This

can adversely impact public access. The applicant has indicated that monitoring is conducted bi-annually by the County. The revetment will be reviewed in the spring to monitor possible damages from the winter storms season and in late summer so that time remains to make any necessary repairs prior to winter. The condition of the revetment will also be inspected following any significant storm events with waves exceeding the design storm height of 8 feet. To ensure that the applicant will maintain and continue to monitor the revetment and groin repair area Special Condition No. 1, 2, 3 and 4 require that the applicant maintain the structures by removing or redepositing any rock or debris that becomes dislodged and that the applicant submit annual monitoring reports for the revetment and groin.

As conditioned by this permit the groin and revetment will not have a significant adverse impact to public access. In fact the repair work to the revetment will reduce a hazardous condition that currently exists at the site and provide safer public access, and the groin will increase beach width and public access. Therefore, for the reasons stated above, the proposed project, as conditioned, is consistent with Sections 30210 and 30213 of the Coastal Act.

## E. Hazards

Section 30253 of the Coastal Act states in part:

New development shall:

(I) 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.

Section 30253 of the Coastal Act states in part that new development shall minimize risks to life and property and shall assure stability and structural integrity. According to the reports for the revetment and groin the rock and armor stone that will be used for the two structures will be engineered based on current design standards. The revetment and groin will incorporate filter fabric to reduce erosion and will be designed with scour aprons to reduce scouring at the toe of the structures. The engineering reports indicate that the design will increase the stability of the structures and bluff behind the bluff. At this time the applicant has not received approval of the design of the groin or revetment by the U.S. Army Corps (USACE) of Engineers. Therefore, prior to the issuance of the permit the applicant shall submit evidence that the USACE has reviewed and approved the design for the groin and

revetment. Therefore, the Commission finds that, only as conditioned, will the proposed development conform with Section 30253 of the Coastal Act.

Finally, with development along the beach development is exposed to several hazards in the area, such as wave uprush, storm waves, and erosion, which in the future may pose a risk to the development. Due to the inherent nature of coastal processes there remains the possibility that the structural integrity of the structures can be threatened. Although the development is designed to be stable to reduce adverse impacts due from wave damage, there will continue to be the threat. Therefore, to ensure that the applicant, and any future property owner is aware of the hazards, the applicant shall be required to indemnify and hold harmless the Coastal Commission from any claims related to the proposed development. The Commission, therefore, finds that only as conditioned, will the proposed development be consistent with Section 30253 of the Coastal Act.

#### F. Local Coastal Program

Section 30604 (a) of the Coastal Act states:

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).

In 1978, the Commission approved a work program for the preparation of Local Coastal Programs in a number of distinct neighborhoods (segments) in the City of Los Angeles. In the Pacific Palisades, issues identified included public recreation, preservation of mountain and hillside lands, and grading and geologic stability.

The City has submitted five Land Use Plans for Commission review and the Commission has certified two (Playa Vista and San Pedro). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just been completed. When the City began the LUP process in 1978, with the exception of two tracts (a 1200-acre tract of land and an adjacent approximately 300-acre tract) which were then undergoing subdivision approval, all private lands in the community were subdivided and built out. The Commission's approval of those tracts in 1980 meant that no major planning decision remained in the Pacific Palisades. Consequently, the City concentrated its efforts on communities that were rapidly changing and subject to development pressure and controversy, such as Venice, Airport Dunes, Playa Vista, San Pedro, and Playa del Rey.

As conditioned, to address shoreline erosion, water quality, and public access, approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project, as conditioned, is consistent with the provisions of Section 30604 (a) of the Coastal Act.

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#### G. California Environmental Quality Act

Section 13096 of the California Code of Regulations requires Commission approval of a CDP 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)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The applicant evaluated three alternatives to the proposed groin project. The alternatives included the complete removal and re-build of the existing structure; construction of a new groin adjoining the existing structure; and the repair of the existing groin. The first two alternatives were determined to be infeasible because of the difficulty with removing the existing stone, and the time and cost associated with such an operation.

The proposed project, as conditioned, has been found to be consistent with the public access policies of the Coastal Act. Mitigation measures, in the form of special conditions, requires maintenance and monitoring of the structures, use of construction best management practices (BMPs), pre-filling with sand, evidence of approval by the Regional Water Quality Control Board (RWQCB), and a determination by the State Lands Commission prior to permit issuance. No further alternatives, or mitigation measures, beyond those imposed by this permit amendment, would substantially lessen any significant adverse impacts which the development would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, can be found consistent with the requirements of the Coastal Act to conform to CEQA.







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