

CALIFORNIA COASTAL COMMISSION

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Filed: November 22, 2000
49th Day: 12/27/00
180th Day: 5/7/01
Staff: KT-LB
Staff Report: 11/27/00
Hearing Date: December 12-15, 2000
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-00-393

APPLICANT: City of Los Angeles/Department of Public Works

AGENTS: City of Los Angeles, Environmental Group

PROJECT LOCATION: Paseo del Mar, San Pedro (Los Angeles County)

PROJECT DESCRIPTION: Phase IV of the Harbor Walkway project. Construct approximately one mile of new sidewalk on the seaward side of Paseo del Mar from Western Avenue to Weymouth Avenue and from Roxbury Street to South Gaffey Street in San Pedro. The project includes installation of lookout points with benches, pedestrian and vehicle railings, drought tolerant landscaping, trash receptacles and concrete curb and gutter. Two dirt turnouts will be converted to view sites and a third, paved turnout will be retained.

LOCAL APPROVAL: City of Los Angeles Approval in Concept, 5/26/00

SUBSTANTIVE FILE DOCUMENTS:

1. City of San Pedro Land Use Plan, certified May 8, 1991
2. County of Los Angeles/Department of Beaches and Harbors "Temporary Permit to Enter Upon County Owned Property at White's Point/Royal Palms State Beach," 10/24/00
3. Coastal Development Permit 5-93-206-W
4. Coastal Development Permit 5-96-008-W
5. Harbor Walkway Phase IV Parking Study, 11/20/00
6. Harbor Walkway Phase IV Addendum No. 2, 11/21/00

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission APPROVE the proposed development subject to several conditions. The proposed project raises issues regarding potential impacts to public views of the shoreline, to public access due to potential loss of public parking and to ecologically sensitive areas. Staff recommends special conditions to protect parking, to avoid invasive plants and to use native plants adjacent to sensitive areas, and to install directional signs identifying it as a public access facility. . The standard of review is the Chapter 3 policies of the Coastal Act.

Staff Note:

This project is located in the City of Los Angeles, which has assumed pre-certification permit jurisdiction under section 30600(b) of the coastal act. The city has not yet adopted implementation ordinances that apply to San Pedro. The project is consistent with the certified San Pedro Land Use Plan and is located in the dual permit jurisdiction where a coastal development permit from both the city and the commission are necessary. The city has indicated that it believes that the project is eligible for an administrative permit because the project is consistent with the Land Use Plan and has referred the matter to the Coastal Commission.

STAFF RECOMMENDATION OF APPROVAL:

MOTION I move that the Commission approve Coastal Development Permit No. 5-00-393 pursuant to the staff recommendation.

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:

I. APPROVAL WITH CONDITIONS

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

II. STANDARD CONDITIONS

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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. PARKING.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a plan for parking to add 15 curbside parking spaces to the project. The plan shall be prepared by a qualified professional engineer or architect.

1) The plan shall include the following:

- a) Ten designated curbside, parallel parking spaces on the seaward side of Paseo del Mar at the first proposed lookout point (approximately Station 25+50.00 to Sta. 29+50.00),
- b) Five designated curbside, parallel parking spaces on the seaward side of Paseo del Mar at the second proposed lookout point (approximately Station 33+00.00 to Sta. 35+50.00),
- c) all proposed parking shall be available daily between the hours of 6:00 a.m. and 10:00 p.m. for a period not less than four hours and at no charge to the public, and

- d) the parking hours shall be adequately posted on permanent signs at each of the three parking areas.
- 2) The plan shall include, at a minimum, the following components:
 - a) a map or plan showing the type, size, and location of parking spaces at each of the three parking areas,
 - b) a map or plan of the signs drawn to scale of 1:10, and
 - c) a map or plan showing the location of the signs or within the project area.
- 3) The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. LANDSCAPING PLAN.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a revised plan for landscaping to use, with the exception of the Torrey Pines (*Pinus torreyana*) indicated on the plan, only native, drought-tolerant plants of Coastal Sage Scrub and Coastal Bluff Scrub habitats at the western segment of the project and to remove all proposed permanent irrigation from the project. The plan shall be prepared by a licensed landscape architect.
 - 1) The plan shall include the following:
 - a) All vegetation planted seaward of Paseo del Mar between Western Avenue and Weymouth Avenue (western segment), with the exception of the Torrey Pine, shall consist of native, drought-tolerant plants of Coastal Sage Scrub and Coastal Bluff Scrub plant communities,
 - b) Torrey Pines to be planted at the western segment shall be planted at minimum 40-foot intervals, with the exception of the planting of numerous Torrey Pines clustered on the property seaward of the intersection of Paseo del Mar and Western Avenue,
 - c) All vegetation seaward of Paseo del Mar between Roxbury Street and South Gaffey Street (eastern segment) shall be planted and maintained as proposed on the plan dated 11/1/99 and consist of the native and nonnative

plants shown on that plan, except that no invasive nonnative plants shall be used,

- d) All planting on the project shall commence within 60 days of the completion of construction and shall be completed no later than March 30 in the spring following the completion of construction,
- e) All required plantings shall be maintained in good growing conditions through-out the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan,
- f) All irrigation shall be temporary and above-ground for the term of the plant establishment period and shall include meters and shut off devices to prevent overuse of irrigation water and to shut down the system in the event of a broken waterline, and
- g) All irrigation shall be removed from the site upon termination of the plant establishment period.

2) The plan shall include, at a minimum, the following components:

- a) A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features, and
- b) A schedule for installation of plants.

3) The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. HARBOR WALKWAY SIGNS.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a plan for two permanent signs indicating the location of the parks (White Point Park and Point Fermin Park) the Harbor Walkway links.

1) The plan shall demonstrate that:

- a) one sign shall clearly indicate that the Harbor Walkway links White Point Park to Point Fermin Park, and

- b) one sign shall clearly indicate that the Harbor Walkway links Point Fermin Park to White Point Park.
- 2) The plan shall include, at a minimum, the following components:
 - a) A map or plan of the signs drawn to scale of 1:10,
 - b) A map or plan showing the location of the sign, which indicates that that the Harbor Walkway links White Point Park to Point Fermin Park, between the proposed walkway and White Point Park within the project area, and
 - c) A map or plan showing the location of the sign, which indicates that that the Harbor Walkway links Point Fermin Park to White Point Park, between the proposed walkway and Point Fermin Park within the project area.
- 3) The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declaration

The Commission hereby finds and declares:

A. Project Description and Background

This project is the fourth phase of a four-phase project to build the Harbor Walkway in San Pedro. The purpose of the overall Harbor Walkway project (Phases I through IV) is to provide a public walkway that wraps around the unique San Pedro coastline linking various community landmarks. The City of Los Angeles, Department of Public Works is proposing to construct approximately one mile of new sidewalk (5 feet-11.25 inches wide) with brick pattern inlay (every 20 linear feet) on the seaward side of Paseo del Mar, the first public road from the sea. The walkway would extend from Western Avenue to Weymouth Avenue (western segment) and from Roxbury Street to South Gaffey Street (eastern segment) (Exhibit #1, pp.1-3). These two stretches of walkway would connect to an existing stretch of walkway with the same brick pattern inlay from Weymouth Avenue to Roxbury Street. The City has an agreement ("Temporary Permit to Enter Upon County Owned Property at White's Point/Royal Palms State Beach") with the County of Los Angeles to install portions of the walkway and landscape on County property, which is on the bluff edge seaward of the City property.

The project includes the replacement of the existing dirt turnouts with two lookout points, which include benches and trash receptacles. The project also proposes to provide native

and nonnative drought tolerant landscaping on City and County property along the blufftop at the western segment (See Exhibit #1, p.1) and at one site immediately south of Roxbury Street. Pedestrian and vehicle railings would be installed where necessary for safety. Concrete curb would be placed throughout the length of the project and gutter would be installed where necessary. Existing informal parking would be eliminated at the two dirt turnouts and a third paved turnout would be retained.

Currently, parking at the turnouts is informal, is not designated by the City and is not recognized by the City. According to the project description provided in the Coastal Development Permit application, designated curbside parking would be provided adjacent to the two proposed lookout points. As stated in the application, "Two turnouts will be converted to view sites with curbside parking." The project plans originally provided with the application, however, do not indicate that parking would be provided. At the request of staff, the City had a parking study done for the project by the Department of Transportation, which indicated that 15 curbside parking spaces could be added within the turnouts along the seaward side of Paseo del Mar between Western Avenue and Weymouth Avenue.

In 1993, the Coastal Commission granted the City of Los Angeles a waiver (5-93-206-W) to build Phase I of the Harbor Walkway along Paseo del Mar from Weymouth Avenue to Roxbury Street. Phase IV of the Walkway extends west and east of Phase I. Phases II and III consisted of replacement of existing sidewalk with the type of sidewalk used throughout the Walkway. These phases, which were excluded under the Repair, Maintenance and Utility Hook-up Exclusion provisions, were built between 1993 and 1997. Phase IV differs from Phases II and III in that it proposes to construct new sidewalk in an area where sidewalk does not exist. Phase IV, therefore, requires a Coastal Development Permit.

B. PUBLIC ACCESS

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the first public road and the sea include a specific finding regarding the conformity of the proposed development with the public access and recreation policies of Chapter 3 of the Coastal Act. The proposed development is located between the first public road and the sea.

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.

The proposed walkway, in conjunction with the existing walkway from Weymouth Avenue to Roxbury Street, would provide maximum access to the blufftop, adjacent parks and beach, vertical and lateral access trails, and a baseball field. The proposed walkway would link White Point Park and Royal Palms County Beach, adjacent to the western end of the project area, to the existing walkway from Weymouth Avenue to Roxbury Street and to Point Fermin Park at the eastern end of the project area.

Pursuant to §30210, which requires that access be conspicuously posted, the project has been conditioned such that signs be placed within the project area identifying the nearby parks. The condition requires that a sign be placed adjacent to and seaward of the walkway near the entrance of White Point Park identifying the walkway linkage to Point Fermin Park to the east. The condition also requires that a sign be placed adjacent to and seaward of the walkway near the entrance of Point Fermin Park identifying the walkway linkage to White Point Park to the west.

The approximately 100-foot high bluffs of the Palos Verdes Peninsula are unstable and have been geologically active in recent years. Bluff retreat has caused numerous landslides, including the Sunken City Slide immediately east of the project area and the Ocean Trails Slide approximately two miles west of the project area. To avoid further exacerbating the bluff instability, the project is conditioned to permit only temporary aboveground irrigation with automatic, emergency shutoffs. The proposed walkway is set back from the irregular edge of the bluff and can be repaired in the case that the bluff retreats, consistent with public safety needs.

The proposed project, as conditioned, is consistent with §30210 of the Coastal Act.

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 of legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Only as conditioned, the proposed project does not interfere with the public's right of access to the sea. Some parking is necessary to provide access to the walkway that would be used by walkers and joggers going to the beach. Overcrowding or overuse of the parking facilities at the Royal Palms County Beach that could potentially result from the proposed elimination of informal parking at the turnouts just west of Weymouth Avenue would be mitigated by the parking conditions. The parking conditions require the addition of 15 curbside parking spaces at the lookouts.

The applicant's project description states that curbside parking would be provided at the proposed lookouts. The Department of Transportation conducted a parking study for the proposed project, which concluded that 15 curbside spaces would be created along the

seaward side of Paseo del Mar at the western segment. The parking study states that 7 of the parking spaces would be added in front of the baseball field and 8 of the spaces would be added just west of Weymouth Avenue. Since informal curbside parking already exists in front of the baseball field, the Commission does not consider the designation of 7 formal spaces at that location to be an addition of parking spaces. The Commission considers the designation of 8 curbside spaces just west of Weymouth Avenue to be an addition of parking spaces. The Commission concludes that, under the proposed project, only 8 parking spaces would be created along the seaward side of Paseo del Mar between Western Avenue and Weymouth Avenue.

The project proposes to replace the existing dirt turnouts and the parking they provide with lookout points. The addition of 8 curbside parking spaces at or near the turnouts would not fully mitigate the parking that would be lost through the removal of the turnouts. (The Commission's parking analysis is discussed below). A net decrease in parking at the turnouts would impact the public's right of access to the sea. Pursuant to §30211, the proposed project has been conditioned to provide 15 additional parking spaces at the turnouts, thus eliminating the potential impact to the public's right of access to the sea.

The proposed project provides access to the sea by use of the additional parking areas and walkway. Thus, the proposed project, only as conditioned, would not decrease public access to the sea and is consistent with §30211 of the Coastal Act.

Section 30212 of the Coastal Act states, in relevant part:

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Section 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

The public has been using the two dirt turnouts described throughout this report for informal parking for decades. The City of Los Angeles has not designated formal parking within or adjacent to the turnouts. The City, therefore, does not recognize the area as parking. The Commission, on the other hand, recognizes that the turnouts have been used for public parking for many years and that the City has not restricted or denied parking in those locations. There is a sign at each turnout stating that parking is not allowed between the hours of 10:00 p.m. and 6:00 a.m. The Commission analyzed the potential for a loss of public parking as a result of the proposed project, which includes replacement of the turnouts with landscaped lookout points. The Commission analyzed the following parking alternatives:

- (1) provide designated parking at the existing turnouts;
- (2) eliminate informal parking at the turnouts and provide curbside parking at the proposed lookout points;

(3) eliminate informal parking at the turnouts and provide no additional parking.

Alternative 1: Provide designated parking at the existing blufftop turnouts

The Commission analyzed the first alternative and determined that it is not the best practical alternative and is inconsistent with the Chapter 3 policies of the Coastal Act. The applicant, City of Los Angeles, owns property immediately seaward of and adjacent to Paseo del Mar throughout the project area. The County of Los Angeles owns property seaward of the above described City property along the bluff edge. More specifically, the County owns the seaward portions of the two dirt turnouts. Because the City property is too narrow to allow diagonal parking, any diagonal parking provided would extend onto County property. The City would need a revised agreement with the County to build a portion of the formal parking lot on County property. The City's agreement with the County to install walkway, benches, trash receptacles and landscaping on the blufftop County property, does not include the installation of a parking lot.

A second issue with Alternative 1 is that placing the walkway seaward of the proposed alignment and near the approximately 100-foot high bluff edge may pose a risk to public safety. Posing a risk to public safety is not consistent with the Chapter 3 policies of the Coastal Act. Because the bluff edge is irregular and unstable, it is safer to locate the development as far inland as feasible. The walkway, as proposed, is located as far inland as feasible and is consistent with the Chapter 3 policies of the Coastal Act.

Alternative 2: Eliminate informal parking at the turnouts and provide designated curbside parking at the proposed lookout points

The Commission considered the current and proposed number of parking spaces at the turnouts. The Commission used parking angle and parking bay dimension information from the City of Los Angeles Planning and Zoning Code (July 1996 Edition) to calculate the maximum number of diagonal parking spaces available at the turnouts. Based on these calculations, the Commission concluded that a maximum of 10 diagonal and 11 parallel parking spaces could exist at the first turnout and a maximum of 13 diagonal and 4 parallel parking spaces could exist at the second turnout. The turnouts, as calculated, could provide a maximum of 38 informal parking spaces. In reality, however, the public does not park in a manner that allows the maximum number of spaces to be used. In practice, the turnouts probably provide on average half the number of possible spaces. The Commission estimates, therefore, that the two turnouts combined provide about 19 parking spaces.

The proposed project would eliminate the dirt turnouts and replace them with lookout points that include landscaping, benches, trash receptacles, walkway, curb and gutter. According to the applicant's project description, parking would be provided parallel to the curb at the proposed lookout points. The Commission has determined based on the

parking study and existing parking conditions adjacent to the western segment, as described above, that the proposed project would add 8 curbside parking spaces.

The Commission concludes that the proposed addition of 8 curbside parking spaces at the two existing turnouts would not mitigate the impacts to public access caused by the proposed removal of 19 informal parking spaces at the two dirt turnouts. The project has been conditioned to add a minimum of 15 parking spaces to adequately mitigate the estimated loss of 19 spaces at the proposed lookout points. With this condition, this parking alternative is considered the best practical alternative. The project, as conditioned, is consistent with §30212 of the Coastal Act.

Alternative 3: Eliminate informal parking at the turnouts and provide no additional parking

Alternative 3 would decrease public parking and is inconsistent with the Chapter 3 policies of the Coastal Act.

Section 30212.5 of the Coastal Act states:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social or otherwise, of overcrowding or overuse by the public of any single area.

Parking exists in parking lots at White Point Park, Royal Palms County Beach and Point Fermin Park (Exhibit #1, p.3). The Commission notes that support parking is necessary for the walkway development to serve any people other than residents of the immediate area. Currently, designated public parking does not exist on the seaward side of Paseo del Mar south of the baseball field in the western segment. The proposed project, as conditioned, would provide designated curbside parking at the two proposed lookout points. The lookout points are located just west of Weymouth Avenue, approximately 800-1,200 feet and 1,600-2,000 feet east of White Point Park. Curbside parking adjacent to the existing turnout locations would provide direct access to the lookout points and indirect access to the neighboring parks and beach via the proposed walkway.

Providing fewer parking spaces at the proposed lookout points than currently exists in the turnouts could cause overcrowding or overuse by the public of the parking facilities at White Point Park and Royal Palms County Beach. The proposed project is conditioned to add a minimum of 15 curbside parking spaces at the proposed lookout points. This additional designated parking would substantially replace the informal parking that exists at the turnouts. Designating at least 15 parking spaces at the proposed lookouts would, therefore, adequately mitigate against the potential impacts of overcrowding or overuse by the public of the parking lots at the nearby park and beaches. The project, only as conditioned, is consistent with §30212.5 of the Coastal Act.

Section 30213 of the Coastal Act states, in relevant part:

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

The proposed project, as conditioned, would provide free recreational opportunities on the walkway, such as walking, jogging, resting on benches and ocean-viewing. The Commission notes again that support parking is necessary for the walkway development to serve any people other than residents of the immediate area and people who park at the park and beach parking lots. The proposed project, as conditioned, would provide free blufftop parking that would support beach access.

As conditioned, the proposed project is consistent with §30210 and 30213 of the Coastal Act.

C. RECREATION

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the first public road and the sea include a specific finding regarding the conformity of the proposed development with the public access and recreation policies of the Coastal Act. As stated above, the proposed development is located between the first public road and the sea.

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 subject site is seaward of Paseo del Mar, the first public road from the sea, and runs along the oceanfront blufftop. Currently, no walkway exists along the blufftop, seaward of Paseo del Mar, at the two project segments. A walkway exists between the project segments along the seaward side of Paseo del Mar, from Weymouth Avenue to Roxbury Street. The proposed addition of walkway west and east of the existing walkway would provide a continuous walkway from Western Avenue to South Gaffey Street. A continuous walkway would provide increased passive recreational opportunities, which include walking, jogging, resting on benches and ocean-viewing. A continuous walkway would link White Point Park and Royal Palms State Beach, towards the western end of the project area, to Point Fermin Park, which borders the eastern end of the project area (Exhibit #1, p.3). This connection would provide increased recreational opportunities for the public who would use the new walkway to access the parks and beach.

As conditioned, the proposed project is consistent with §30221 of the Coastal Act.

D. LAND RESOURCES

Section 30240 of the Coastal Act states, in relevant part:

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The City submitted information regarding the proposed project's potential impacts to sensitive habitat areas, State or Federally listed rare, threatened or endangered species and park and recreation areas. According to the City's submittal:

The project is on a coastal bluff over the Palos Verdes Peninsula coastline, a Los Angeles County-designated Significant Ecological Area (SEA #234) including the Point Fermin Federal Marine Life Refuge. All nearshore coastal waters are designated Ecologically Important Areas in the Conservation Plan Element of the City General Plan and in the San Pedro Specific Plan, certified by the Coastal commission as the Land Use Plan (LUP) element of the Local Coastal Plan (LCP). The coastline is categorized Marine Intertidal Rocky Shore and Beach Bar under the US Fish and Wildlife Service National Wetlands Inventory.

In addition, within the general area there have been increasing efforts to save coastal sage scrub and coastal bluff scrub plant communities. These plant assemblages have received increasing interest from federal and state wildlife agencies. The City of Rancho Palos Verdes, located approximately two miles to the west of the project area is the process of preparing an NCCP to preserve habitat for the threatened California Coastal Gnatcatcher, *Polioptila californica californica*. As a related effort, the Palos Verdes Land Conservancy has entered into an agreement with the City of Los Angeles Recreation and Parks Department to restore the bluff face immediately seaward of, and the slope inland of, the project area with vegetation from these plant communities (Exhibit #1, p.3). Any invasive nonnative plants installed on this project could jeopardize that public-private effort.

Although no critical habitat areas have been designated in the vicinity of the proposed project, the California Least Tern, *Sterna antillarum browni*, and the California Brown Pelican, *Pelecanus occidentalis californicus*, both forage for small fish in shallow coastal waters. In addition, the American Peregrine Falcon, *Falco peregrinus anatum*, is known to forage on fish in the coastal waters below the Palos Verdes Peninsula.

Polluted runoff could have significant adverse impacts on marine and terrestrial species associated with Marine Intertidal Rocky Shores, Beach Bars, and open coastal waters. The project proposes to add gutter in areas where curb and gutter do not currently exist to direct the flow of runoff into the existing storm drain catch basins. The proposed project does not include the installation of new storm drains. The proposed project should not adversely impact water quality.

The proposed project is partially located within White Point (See Exhibit #1, p.1), a Los Angeles County designated buffer zone (099) in the Significant Ecological Area Report, Los Angeles County Department of Regional Planning and Environmental Systems Research Institute, 1976. According to this 1976 report:

Proper management of these areas (buffer zones) is essential to the control of erosion and access, which might otherwise lead to tidepool siltation and to disruptions of cliff vegetation and important bird roosting areas. In addition, they provide feeding habitat for migrating and wintering birds. The areas should either continue to be used for light agriculture or they should be allowed to return to their natural state. In order to protect the remaining habitat, access to the cliffs should be restricted to designated pedestrian trails. Residential, industrial and commercial use should not be permitted because they will result in encroachment upon and consequent degradation of valuable habitat. (*Italics added*).

Agriculture currently is not practiced on White Point bluff and residential, industrial and commercial developments are not present on the bluff edge. The only development existing on the bluff seaward of Paseo del Mar in the White Point section of the project area consists of a baseball field, White Point Park (including the parking lot) and a driveway down the bluff face to Royal Palms County Beach. The proposed walkway is consistent with the report's finding that "access to the cliffs should be restricted to designated pedestrian trails."

Part of the proposed project is located within Point Fermin Park and another part is located adjacent to White Point Park, within the City's right of way (Exhibit #1, p.3). The proposed walkway would not directly impact the SEA or the Marine Refuge, conforms to SEA buffer zone recommendations and is consistent with SEA protection and preservation goals. The proposed walkway would provide a transition zone of low-intensity use along the border of the ecological area.

Since the plan was certified, new research has identified the coastal sage scrub and coastal bluff scrub plant communities as sensitive. The threatened California coastal Gnatcatcher has been identified in the adjacent community to the west, Rancho Palos Verdes. As noted above the bluff face on this property supports some coastal bluff scrub although invasive weeds dominate the bluff top. In response to interest in preserving these plants and the animals dependent on them, the City Department of Recreation and

Parks has agreed to allow the Palos Verdes Land Conservancy revegetate the bluff face immediately seaward of this area and the hill inland of this area with Coastal Sage Scrub. Planting invasive plants or native plants from a different subcommunity adjacent to the revegetation area could jeopardize the revegetation project.

Staff informed the applicant that the project would be conditioned such that only native plants and the Torrey Pine would be permitted at the western segment. In response, the applicant requested from staff a list of plants that would be permitted at that segment. Staff sent a letter to the applicant with lists of coastal sage scrub and coastal bluff scrub plants that would be permitted at that segment (Exhibit #2, pp. 1-3). The applicant later sent the Harbor Walkway Phase IV Addendum No. 2, which included a new list of plants to be used. This list was not consistent with the lists staff provided and it included nonnative, invasive species. Use of the plants listed in Addendum No. 2 at the western segment would be inconsistent with the Chapter 3 policies of the Coastal Act. The City staff did not explain the reason for their suggestions.

The "eastern segment" next to Point Fermin Park does not raise these same issues. The project proposes to plant native and nonnative, drought-tolerant plants at Point Fermin Park within the eastern segment. This park is landscaped with ornamental plants. The proposed landscaping plan for the eastern segment would provide consistency with the surrounding landscaping at the park. Nevertheless, the bluff faces do contain some undisturbed habitat. The Commission has conditioned this area of the to the project to eliminate the use of invasive plants, such as *Cistus* sp. and pampas grass which could invade the bluff face, which, as noted above, is sensitive.

However, as noted above, if the project installs plants that might invade the sensitive cliffs or revegetation areas, damage could occur to the efforts of preserving or restoring native habitat. Therefore, the Commission requires that (1) no invasive nonnative plants be installed at either site and (2) at the western segment, the site adjacent to White Point Park and the proposed revegetation site, only native plants of the appropriate community be installed. As conditioned, the proposed project is consistent with §30240 of the Coastal Act.

E. DEVELOPMENT (SCENIC AND VISUAL RESOURCES)

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by

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the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The project, as conditioned, would protect the scenic and visual qualities of the ocean and enhance scenic and visual qualities of the blufftop throughout the project area. Paseo del Mar is a City-designated Scenic Highway, from which there is an uninterrupted view of the ocean throughout much of the project area. The landscaping at White Point Park and Point Fermin Park partially interrupts, and a small hill with a baseball field fully interrupts, the public view of the ocean from Paseo del Mar at those locations. In addition, vehicles parked informally at the existing dirt turnouts interrupt the view of the ocean for vehicle passengers driving along Paseo del Mar. Views of the ocean are available throughout the project area, with the exception of the hill, for people who are on foot.

Curbside parking exists on the seaward side of Paseo del Mar adjacent to the White Point Park parking lot and the baseball field. The project is conditioned to add 15 curbside parking spaces at the proposed lookout points. The two lookout points would be located at the existing turnouts between the baseball field and Weymouth Avenue, an area where curbside parking does not exist (Exhibit #1, p.3). City staff has pointed out that parking on the seaward side of Paseo del Mar could interrupt views of the ocean. However, providing a bike /pedestrian trail with no support parking would effectively eliminate the facility as a Citywide access facility, even a San Pedro-wide access facility. In response to this, the Commission finds that three clusters of parking at three turnouts can provide sufficient parking. The Commission does not require public parking along the rest of the bluff top. Since the turnouts currently provide informal parking, the addition of designated curbside parking adjacent to those areas should not interrupt ocean views substantially more than the informally parked vehicles currently do in the turnouts. Designated curbside parking would provide ocean views that would not have otherwise been available to some of the public. Curbside parking at the proposed lookout points would not interrupt the ocean views for the public who would use the walkway. The City proposes to restrict curbside parking elsewhere on the seaward side of Paseo del Mar to preserve views of the ocean from the street.

The project is conditioned to allow the planting of Torrey Pines, *Pinus torreyana*, and exclude the planting of the other proposed trees. The project proposes the planting of at least fifteen Torrey Pines within the project area west of White Point Park. Several of these are clustered at the intersection of Western Avenue and Paseo del Mar, the western tip of the project area (Exhibit #1, pp.1-3). The applicant proposes to plant the pines, rather than install a warning sign at that location, to act as a warning device to lower the risk of vehicles driving downhill on Western Avenue and continuing onto or over the bluff edge. The proposed clustering of the pines would result in a loss of ocean views through that location from the intersection of Paseo del Mar and Western Avenue. The Commission considers the view loss at that location insignificant and, in considering the scenic quality of the greater area, prefers it to the placement of a large warning sign.

The project also proposes to plant Torrey Pines west of White Point Park, and seaward of the proposed walkway, at approximately 45-foot intervals. The project is conditioned such that additional Torrey Pines may be planted east of White Point Park to Weymouth Avenue at a minimum of 40-foot intervals, with minor variations allowed at the lookout points. The project is conditioned in this way to maintain wide visual corridors with minimal visual interruptions caused by the tall pines.

The bluff is irregular due to uneven erosion and fractured rocks. It is this irregularity that attracts the public to bluffs. While the proposed walkway does not echo the irregularity of the bluff, it is consistent with the curvature of the adjacent roadway and is setback from the unstable edge of the blufftop. The proposed walkway and landscaping would replace the exposed dirt and nonnative grasses on the blufftop, thus improving the scenic and visual qualities of the bluff.

The proposed landscaping consists of native and nonnative vegetation. The project is conditioned such that only native, drought-tolerant vegetation shall be permitted at the western segment, with the exception of the Torrey Pine, which is native to the San Diego area and found at Cabrillo Beach east of the project area. The project is conditioned in this way to protect habitat and also provide consistency with the vegetation types proposed to be planted at the neighboring coastal sage scrub and coastal bluff scrub restoration areas inland and seaward of the western segment. As stated by Ellen Brubaker, President of the South Coast Chapter of the California Native Plant Society, in reference to this project, "Looking down from the upper slopes of White Point Park one could see the native vegetation extended towards the ocean – a look back in time." Native landscaping near White Point Park would provide improved scenic and visual qualities of the blufftop, as well as scenic and visual consistency with the local area.

The project proposes to plant native and nonnative, drought-tolerant plants at Point Fermin Park within the eastern segment. This park is landscaped with ornamental plants. The proposed landscaping plan for the eastern segment would provide consistency with the surrounding landscaping at the park. Nevertheless, even in this area, invasive plants, could invade the bluff face, which, as noted above, is sensitive. As conditioned, the proposed landscaping plan for the eastern segment would provide improved scenic and visual qualities of the blufftop, as well as scenic and visual consistency with the local area. The proposed project, as conditioned, is consistent with §30251 of the Coastal Act.

Section 30252 of the Coastal Act states, in relevant part:

The location and amount of new development should maintain and enhance public access to the coast by... (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities...

The nature of the project provides non-automobile circulation within the development. The project is conditioned to provide adequate parking facilities as discussed above. The proposed project, as conditioned, is consistent with §30252 of the Coastal Act.

F. GEOLOGIC STABILITY

Coastal Act Section 30253 requires the Commission consider the geologic stability of development. As noted elsewhere, the Palos Verdes Peninsula is geologically active and depending on the kind of rock that is found in them, the 100-foot high bluffs and cliffs along its seaward side can fail dramatically. While igneous rocks can be relatively stable, sedimentary rocks can fail. Along this portion of the coast, unstable sedimentary rocks on adverse bedding planes, as found in the Abalone Cove Slide, the Portuguese Bend slide, the Ocean Trails Slide, the Shoreline Park Slide, the "Trailer Park Slide" and to the east of this development, the Sunken City Slide at Point Fermin have slid dramatically. The development proposed is of temporary nature and does not merit a major geological investigation and the City has provided no investigation. However, irrigation of weak rocks can exacerbate instability. Installation of irrigated landscaping with permanent water sources can result in over-irrigation, and consequent slides and failures. For example, the City of Rancho Palos Verdes two miles to the west has eliminated even drip irrigation on questionable sites. In this case, the Commission finds that the City has not proved that this site is any different from neighboring sites or would behave any differently if irrigation were installed. Therefore, the Commission requires that no permanent irrigation be installed and requires that any temporary irrigation include meters and cut-off devices to stop overflows in the event of a broken line or an oversight that leaves the water flowing. Only as conditioned to prevent installation of permanent irrigation can the Commission find that this development will not contribute to instability along bluffs and cliffs.

G. San Pedro Land Use Plan

The San Pedro Coastal Land Use Plan (LUP) is a guide for the development of the community and may be used by concerned governmental agencies, including the Coastal Commission. The San Pedro Coastal Land Use Plan Area comprises the Coastal Zone of San Pedro. One of the intentions of the LUP is to outline an arrangement of land use, circulation and services within the requirement of the Coastal Act. The LUP includes objectives and policies, which are related to the planning of the proposed project, regarding Open Space, Resource Conservation and Coastal Zone.

In the Open Space, Resource Conservation and Coastal Zone section of the San Pedro LUP, "open space refers to land which is essentially inbuilt upon, or is natural in character, and functions in one or more of the following ways: provides opportunities for recreation and education; preserves scenic, cultural or historic values; conserves or preserves natural resources or ecologically important areas; preserves or creates community scale and identity; buffers or defines activity areas." According to the definition of open space provided in the LUP, the subject property (the strip of bluff-top land seaward of Paseo del Mar owned by the City of Los Angeles and the smaller portion owned by the County of Los Angeles) is open space. The subject property is essentially undeveloped but open to the public and now and provides opportunities for recreation, preserves scenic values,

preserves community scale and identity and buffers activity areas. The proposed project will not change that use and is consistent with the objectives and policies of the LUP.

H. California Environmental Quality Act (CEQA)

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

The project alternatives are (1) no development, (2) develop as proposed, and (3) develop as conditioned. The first alternative, no development, would not improve the environment of the project area, but would not effect the environment and would provide no public access enhancement. The second alternative, develop as proposed, would have significant adverse effects on the environment caused by the planting of nonnative, invasive plants, the installation of conventional irrigation on an unstable bluff. The provision of only 8 parking spaces where 19 now exist would severely reduce the ability of the installation to provide public shoreline access to all the residents of the City. The third alternative, develop as conditioned, would positively effect the environment by planting native and drought-tolerant plants.

The proposed development, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. All significant environmental effects have been mitigated by conditions of approval. Mitigation measures, including protection of public access along the bluff through a provision of adequate parking, will minimize all adverse impacts. As conditioned, the proposed development will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA. Therefore, the Commission finds that the project is consistent with the requirements of the Coastal Act to conform to CEQA.

End/kt

City of Los Angeles

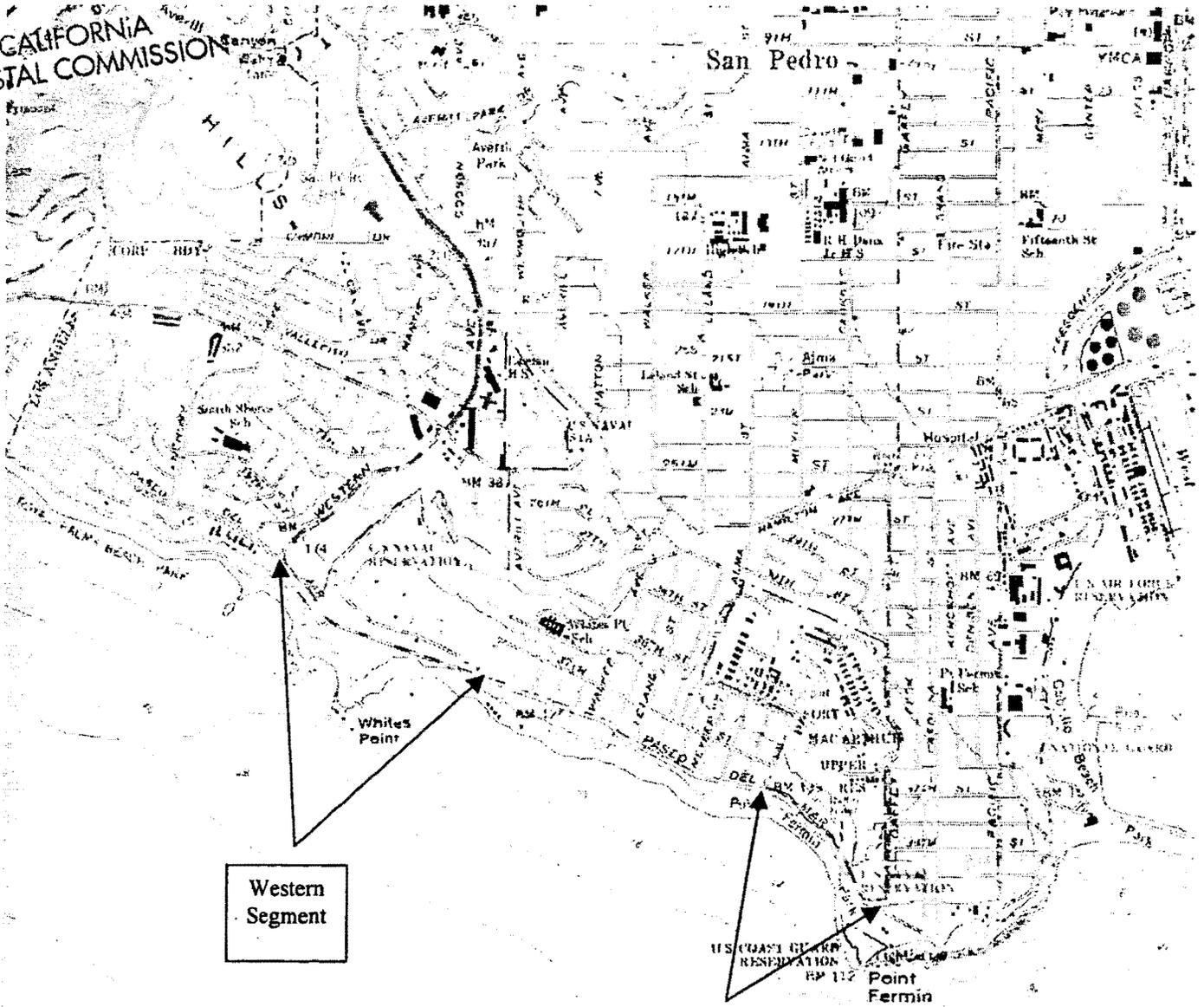
Harbor Walkway Phase IV Project

Vicinity Map

RECEIVED
South Coast Region

OCT 2 2000

CALIFORNIA
COASTAL COMMISSION



Western Segment

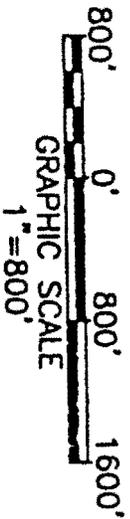
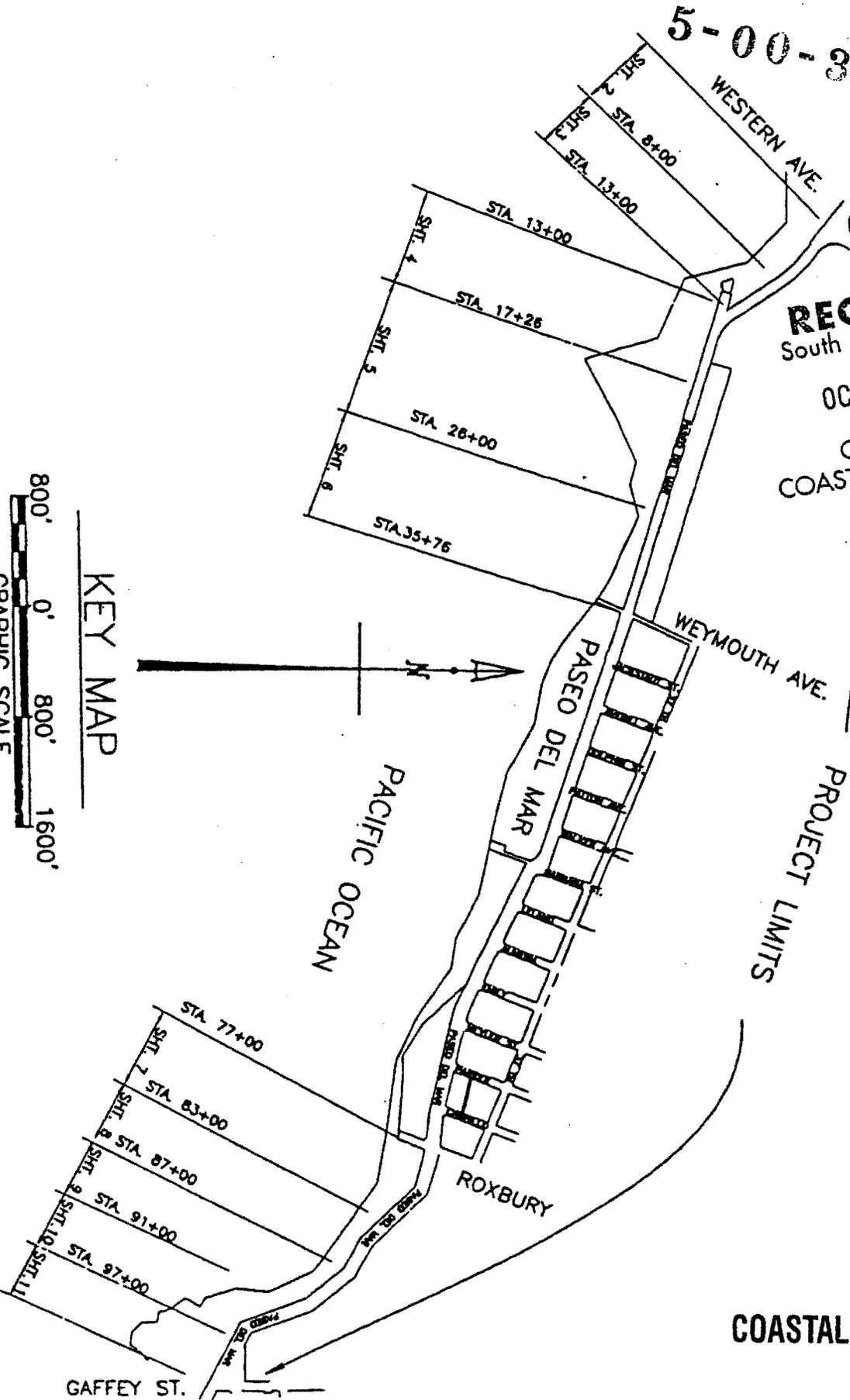
Eastern Segment

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KEY MAP

COASTAL COMMISSION

EXHIBIT # 1
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03-85

Western Avenue

1:12000 CDRY APR 6 143

Royal Palms County Beach

White Point Park

Weymouth Avenue

Roxbury Street

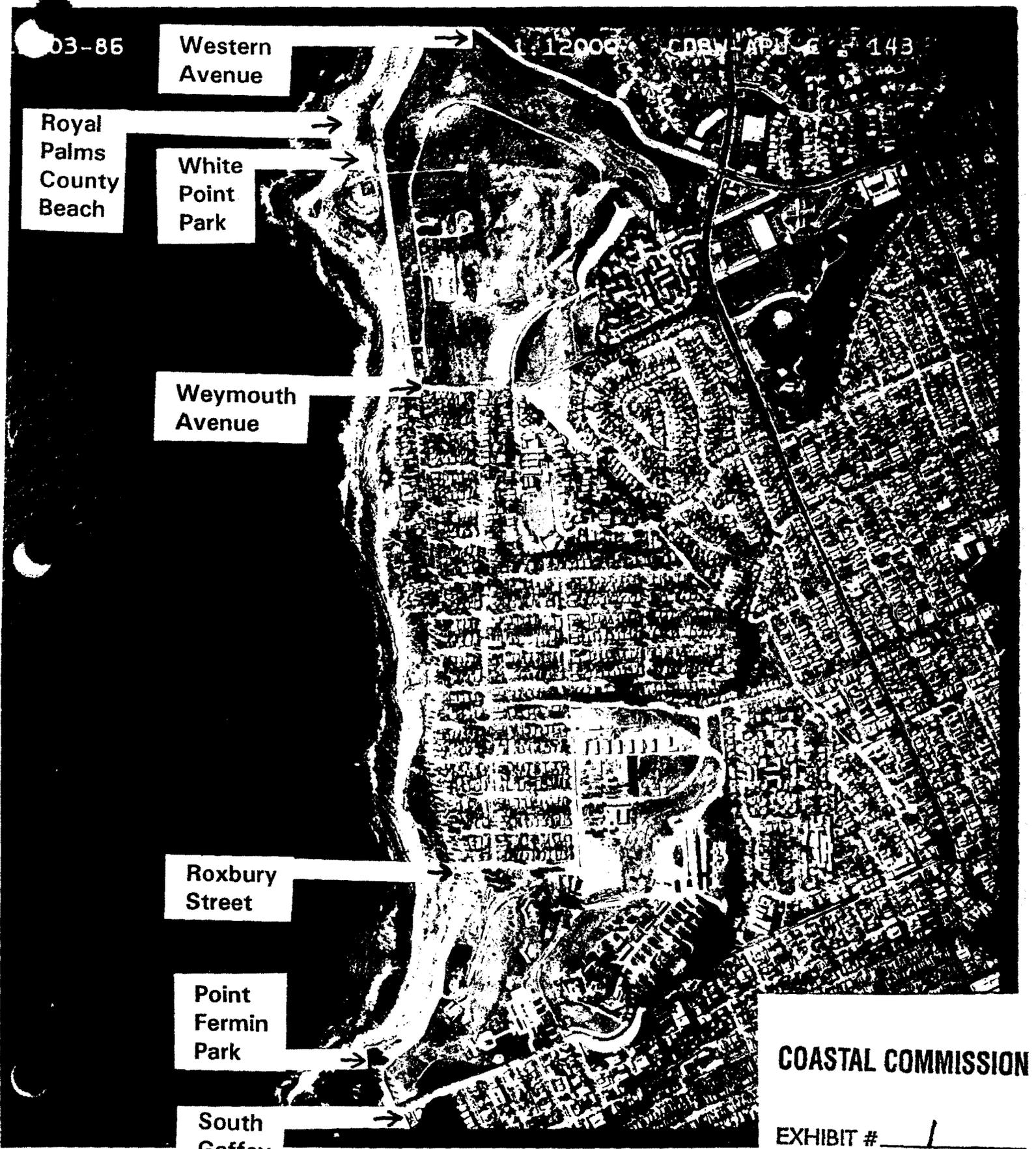
Point Fermin Park

South Gaffey Street

COASTAL COMMISSION

EXHIBIT # 1

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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



November 9, 2000

Russ Ruffing
Environmental Group, MS-549
650 South Spring Street, Room 500
Los Angeles, CA 90014

RE: Plant Lists

Dear Mr. Ruffing,

Thank you for delivering the items I requested for the Harbor Walkway Phase IV project.

The Harbor Walkway Phase IV project includes construction of new sidewalk on the seaward side of Paseo Del Mar from Western Avenue to Weymouth Avenue and from Roxbury Street to South Gaffey Street in San Pedro. The project also includes a landscaping proposal for land adjacent to, and seaward of, Paseo Del Mar within those limits. The proposed landscaping plan includes native and non-native vegetation. A habitat restoration project is being planned for the bluff face descending from White Point Park (south of Paseo Del Mar) and an area across from White Point Park (north of Paseo Del Mar) in San Pedro. Coastal Bluff Scrub habitat will be restored on the bluff face and Coastal Sage Scrub habitat will be restored in the upland area.

The proposed sidewalk and landscaping of the Harbor Walkway Phase IV project are located between these restoration areas. To avoid impacts to the restoration areas, associated with the spread of invasive plant species, Staff will recommend that the Commission require native plants from local seed stocks. Lists of plants associated with Coastal Bluff Scrub and Coastal Sage Scrub habitats are attached. These native, drought-tolerant plants are available at specialized native plant nurseries. We will recommend that the Commission require that these plant lists be used in developing revised landscaping plans. We will also recommend that all non-native and non-drought-tolerant plants be removed from the landscaping plans.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Karen A. Terry".

Karen Terry
Coastal Program Analyst

Enclosure

COASTAL COMMISSION

EXHIBIT # 2
PAGE 1 OF 3

Coastal Sage Scrub Plants

Botanical Name

Artemisia californica
Astragalus trichopodus var. *lonchus* *
Baccharis pilularis
Bloomeria crocea *
Castilleja exserta *
Dichelostemma capitatum
Encelia californica
Eriogonum cinereum
Gnaphalium bicolor
Gnaphalium californicum
Gnaphalium canescens microcephalum
Hazardia squarrosa
Isocoma menziesii
Isomeris arborea
Lotus scoparius
Lupinus bicolor
Lupinus succulentus
Melica imperfecta
Mirabilis californica
Nasella lepida
Nasella pulchra
Opuntia littoralis *
Opuntia oricola *
Opuntia prolifera *
Plantago subnuda
Rhus intregifolia
Solanum douglasii

Common Name

California sagebrush
 ocean locoweed
 coyote brush
 goldenstars
 purple owl's clover
 blue dicks
 California Encelia
 gray coast buckwheat
 bicolor cudweed
 California everlasting
 white everlasting
 sawtooth goldenbush
 coast goldenbush
 Coastal bladderpod
 deerweed
 pygmy-leafed lupine
 arroyo lupine
 small-flowered melic grass
 California wishbone bush
 foothill needlegrass
 purple needlegrass
 coastal prickly-pear
 snake cholla
 coastal cholla
 coastal plantain
 lemonade berry
 Douglas nightshade

* From Local Seed Source

COASTAL COMMISSION

EXHIBIT # 2
 PAGE 2 OF 3

Coastal Bluff Scrub Plants

Botanical Name

Amblyopappus pusillus
*Aphanisma blitoides**
Artemisia californica
*Atriplex pacifica**
Calandrinia maritima
*Dudleya virens**
Encelia californica
Eriogonum cinereum
Isomeris arborea
Lotus salsuginosus
Marah macrocarpa
Mentzelia affinis
Mirabilis californica
*Opuntia littoralis**
*Opuntia oricola**
*Opuntia prolifera**
Phacelia cicutaria
Phacelia viscida
Rhus intregifolia
Salvia columbariae

Common Name

pineapple weed
no common name known
California sagebrush
Pacific saltbush
seaside calandrinia
bright-green dudleya
California encelia
gray coast buckwheat
Coastal bladderpod
no common name known
manroot
hydra stick-leaf
California wishbone bush
coastal prickly-pear
snake cholla
coastal cholla
caterpillar phacelia
no common name known
lemonade berry
chia sage

* From Local Seed Source

COASTAL COMMISSION

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