

**CALIFORNIA COASTAL COMMISSION**

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**RECORD PACKET COPY****Item Tu-7a**

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Staff: AM-LB **AM**  
Staff Report: July 19, 2001  
Hearing Date: August 7, 2001  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NUMBER:** 5-00-199

**APPLICANT:** Los Angeles County, Department of Beaches and Harbors

**PROJECT LOCATION:** 879 Paseo De La Playa, City of Torrance

**PROJECT DESCRIPTION:** Torrance Beach facilities improvements including: resurface and restripe existing 347 space public bluff-top parking lot; demolish and construct restroom facility; remodel concession stand adding new storage area; demolish and relocate pedestrian access ramp and construct new emergency vehicle access ramp from parking lot to beach; demolish and rebuild Miramar Park stairs and sidewalk; replace and upgrade drainage system and add filtration devices; remove storage containers located at the south end of the beach; remove existing chain link fence around parking lot; 1,914 cubic yards of graded cut, 2,826 cubic yards of fill, and 23,000 cubic yards of civil overexcavation (removal and recompaction); and revegetate disturbed areas with existing landscaping (ice plant) and native plant species of the Malaga bluffs.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending that the Commission approve a coastal development permit for the proposed development with ten (10) special conditions. The special conditions on this project are required to protect water quality, marine resources, coastal recreation, public views and access along the shoreline, and geologic and flooding hazards. The proposed project is an extensive beach improvement project. The recommended special conditions require the applicant to 1) assume the risk of development, 2) agree to not construct future shoreline protective devices, 3) implement a plan to reduce impacts on public access and recreation, 4) incorporate construction related Best Management Practices (BMPs), 5) incorporate the proposed structural BMPs for the drainage system, with monitoring and maintenance requirements, 6) implement a revegetation and landscaping monitoring program, 7) and follow all recommendations of the applicant's geotechnical consultant.

**LOCAL APPROVALS RECEIVED:**

Notice of Exemption, County of Los Angeles Department of Beaches and Harbors,  
May 8, 2000.

**SUBSTANTIVE FILE DOCUMENTS:**

- 1) Santa Monica Bay Restoration Project, Jan. 1993
- 2) Historical Changes in the Beaches of L.A. County, by Coastal Frontiers, Feb. 1992  
Reconnaissance Report, Malibu/L.A. County Coastline, by U.S. Army Corps of  
Engineers, April 1994
- 3) Geotechnical Investigation Report #0013-02 by HNTB Corporation,  
September 1, 2000

**I. MOTION, STAFF RECOMMENDATION, AND RESOLUTION:**

The staff recommends that the Commission adopt the following resolution to **APPROVE**  
the coastal development permit application with special conditions:

**MOTION:**     *I move that the Commission approve Coastal Development Permit No.  
5-00-199 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 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. 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 events, flooding, 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 defiance 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 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.

2. No Future Shoreline Protective Device

A) By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-00-325 including, but not limited to restrooms, concession stands, storm drain outlets, parking lots, and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

By acceptance of this permit, the applicant further agrees, on behalf of itself and all successors and assigns, that the permittee and/or landowner shall remove the development authorized by this permit, including the restrooms and parking lot, if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

In the event the shoreline recedes to within 10 feet of the restroom but no government agency has ordered that the structures not be occupied, a geotechnical investigation shall be prepared by a licensed coastal engineer and geologist retained by the permittee, that addresses whether any portions of the structure is threatened by wave, erosion, storm conditions, or other natural hazards. The report shall identify all those immediate or potential future measures that could stabilize the restroom without shoreline protection including, but not limited to, removal or relocation of portions of the restroom. If the geotechnical report concludes that the restroom or any portion of the restroom are unsafe, the permittee shall, in accordance with a coastal development permit, remove the threatened portion of the structure.

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 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 copy of a written agreement by the applicant, in a form and content acceptable to the Executive Director, accepting all of the above terms of subsection A of this condition.

3. Beach and Recreation Area Closures, Maintenance of Public Access, and Project Staging Areas

**A) Prior to issuance of the coastal development permit**, the applicant shall submit to the Executive Director for review and written approval, a final demolition schedule and detailed plans which identify the specific location of: demolition staging and equipment storage areas, areas where any demolished structures and excavated soils are proposed to be temporarily stockpiled, and the access corridors to the project site. Said plans shall include the follow criteria and limitations specified via written notes on the plan:

- a. In order to reduce adverse impacts to public access and recreation, no demolition or construction associated with the proposed project shall occur during the summer peak beach use period (start of Memorial Day weekend to Labor Day) of any year.
- b. Beach and recreation area closures shall be minimized and limited to areas immediately adjacent to the project area (within 50 feet of the project). All beach areas and recreation facilities outside of the 50-foot radius shall remain open and available for public use during the normal operating hours (unless they are closed pursuant to a Commission approved coastal development permit or permit amendment).
- c. Public access to and along the existing beach bicycle path shall be maintained at all times, except for temporary interruptions (5 minutes or less) for truck crossing. In the event that the bicycle path must be closed for periods longer than five minutes, the County shall submit, for the review and approval of the Executive Director, a beach bicycle path detour to bypass the project site during demolition and construction. No sand areas may be paved for any detour. The detour plan approved by the Executive Director shall be implemented prior to closing the existing beach bicycle path.

- d. Staging areas, equipment and materials storage areas, and soil stockpiles shall be located at least 100 feet from the mean high tide line. These areas shall be fenced-off to prevent any encroachment of equipment or debris within 100 feet of the mean high tide line.
- e. Truck and heavy equipment access corridors to the project site shall be located in a manner that has the least impact on public access and existing public parking areas.

B) The permittee shall undertake development in accordance with the plans and construction schedule approved by the Executive Director pursuant to this condition. Any proposed changes to the approved plans or construction schedule shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

4. Storage of Construction Materials, Mechanized Equipment, and Removal of Construction Debris

A) 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/wind/rain 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. All mechanized machinery shall be removed from the beach at the end of the working day. No storage of mechanized equipment is allowed on the beach.
- d. No disturbance or use of areas below the mean high tide line is permitted for the construction of the proposed development.
- e. Construction debris and sediment shall be removed from construction areas located on the beach each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. If materials are stored in areas other than on the beach the applicant shall ensure that storage does not lead to an increase in erosion or dispersion pursuant to Special Condition #4B. All debris shall be disposed of at a debris disposal site outside the coastal zone, pursuant to Special Condition No. #5.

B) 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. Such measures shall be used during construction:

- a. Temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence, snow fences, or hay bales, and silt fencing.
- b. Stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.
- c. Any spills of construction equipment or fluid or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
- d. These erosion control measures shall be required on the project site prior to or concurrent with the initial construction operations and maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction.

5. 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.

6. Storm Drain/Structural Best Management Practices

A. The applicant shall implement the proposed Best Management Practices (BMPs) which will serve to minimize pollutant loads contained in runoff prior to entering the storm water conveyance system and the Pacific Ocean.

**B. Prior to Issuance of the Coastal Development Permit**, the applicant shall submit a Drainage Plan to the Executive Director for review and approval. The Plan shall provide for the installation of five Continuous Deflection System (CDS) units with inserted sorbent pads specifically designed to remove vehicular contaminants and other typical urban runoff pollutants<sup>1</sup> more efficiently than a standard silt and grease trap. The pad shall be installed in conjunction with the CDS unit. These filters can be installed in-line within the catch basin, water quality inlets, or at the

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<sup>1</sup> "Typical urban runoff pollutants" describes constituents commonly present in runoff associated with precipitation and irrigation. Typical runoff pollutants include, but are not limited to: paints, varnishes, and solvents; hydrocarbons and metals; non-hazardous solid wastes and yard wastes; sediment from construction activities (including silts, clays, slurries, concrete rinsates, etc.); ongoing sedimentation due to changes in land cover/land use; nutrients, pesticides, herbicides, and fertilizers (e.g., from landscape maintenance); hazardous substances and wastes; sewage, fecal coliforms, animal wastes, and pathogens; dissolved and particulate metals; and other sediments and floatables.

drain outlet. Such a filter shall be effective at removing pollutants of concern such as petroleum hydrocarbons, heavy metals, fecal coliform, and suspended solids.

The drainage system shall be designed to filter or treat (i.e., a physical and/or chemical reduction of pollutants achieved through active filtration) the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event for volume based Best Management Practices (BMPs), and/or the 85<sup>th</sup> percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs, prior to its discharge to the Pacific Ocean. The drainage system and its individual components (such as drop inlets and filtration mechanisms) shall be sized according to the specifications identified in the California Storm Water Best Management Practice Municipal Handbook (California Storm Water Management Task Force, March 1993).

C. All drainage system elements shall be permanently operated and maintained at a minimum:

- a. All storm drain inlets, traps/separators, and/or filters shall be inspected to determine if they need to be cleaned out or repaired at the following minimum frequencies: (1) prior to October 15th of each year; (2) prior to April 15th each year; and (3) during each month that it rains between November 1st and April 1st. Clean-out and repairs (if necessary) shall be done as part of these inspections. At a minimum, all traps/separators and/or filters must be cleaned and or replaced prior to the onset of the storm season, no later than October 15th of each year.
- b. Debris and other water pollutants removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner.
- c. All inspection, maintenance and clean-out activities shall be documented in an annual report submitted to the Executive Director no later than June 30th of each year, for a five year period.

D. The applicant 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 necessary.

7. Maintenance/Monitoring of Storm Drain Extension

**A. Prior to Issuance of the Coastal Development Permit**, the applicant shall agree to the below conditions.

B. If, at any time, 10 feet or more of any storm drain is exposed and unsupported by sand, such portion shall be removed. Alternatively, if, at any time, 10 feet or more



of the storm drain is exposed and unsupported by sand, the applicant shall implement a beach nourishment program to sufficiently cover the exposed section of the storm drain and restore the section of the beach in this area. The sand shall come from an approved beach nourishment site.

8. Construction Material

Project related fences, benches, walls, bollards, or support structures shall **not** contain any of the following: petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, including creosote, or carbonaceous materials or substance.

9. Landscaping/Habitat Restoration Plan

**A. Prior to issuance of a Coastal Development Permit**, the applicant shall submit a landscaping plan prepared by a professionally licensed landscape architect or resource specialist, for review and approval by the Executive Director implementing vegetation native to the Malaga Bluffs between the proposed ADA pedestrian access ramp and the proposed emergency vehicular access ramp (see Exhibit #2). All other disturbed areas shall be planted to control erosion and slope instability. The plan shall incorporate the applicant's proposal to "install new landscaping material/plants to attract and provide safe haven for the El Segundo Blue butterfly between the two ramps [the proposed ADA pedestrian access ramp and the proposed vehicular access ramp – see Exhibit #2]." The plan shall include, at a minimum, the following components: a statement of goals for the restoration project, a map showing the type, size, and location of all plant materials that will be on the developed site, the topography of the developed site, all other landscape features, and a schedule for installation of plants. The landscaping plan shall show all existing vegetation. The plan shall incorporate the following criteria:

- a. The subject site shall be planted and maintained for slope stability, erosion control, and native habitat enhancement purposes. The landscaping shall be planted within sixty (60) days after the completion of grading along the bluffs.
- b. Landscaped areas between the proposed ADA pedestrian access ramp and the proposed vehicular access ramp shall consist of 100 percent native plant species of the Malaga bluffs as listed on Exhibit #6, as proposed. The landscaping shall be planted using accepted planting procedures required by a professionally licensed landscape architect or resource specialist.
- c. A large component of the native landscaping shall consist of *Eriogonum parvifolium* and *Lupinus chamissonis* for the safe harbor of the Federally listed El Segundo Blue butterfly.

- d. All carpoprotus (ice plant) and any other invasive, non-native plant species shall be removed from the native landscaping location (between the proposed ADA pedestrian access ramp and the proposed vehicular access ramp (see Exhibit #2). The applicant shall also remove all airborne invasive plant species from the entire project site. The removal of all non-native and invasive plant species shall be conducted in accordance with the consulting landscape architect or resources specialist.
- e. The applicant shall include a maintenance program report that shall include the continued removal of ice plant and airborne invasive plant species.
- f. The landscaping shall be maintained in good growing condition throughout the life of the project and whenever necessary shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements in the landscaping plan. Watering of new plants shall be conducted during the first two years of the restoration as needed until root systems have expanded to prevent excessive plant mortality.

#### B. Monitoring

The applicant or successor in interest shall monitor and maintain the site for a period of no less than five years. The applicant or successor in interest shall submit, for the review and approval of the Executive Director, a six month landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition.

- a. Records shall be made of the species, quantities and location of all vegetation, as well as methods used. Potential problems, such as unsuitable soils, or weed infestations shall be documented. A photographic record of the site shall be kept every three months from the time of the initial planting through the end of the monitoring program. These records shall be provided yearly to the Executive Director.
- b. For the second year, the applicant shall inspect within two weeks of major rainfalls. If the inspection reveals that invasive plants have established, or that installed plants have failed, the applicant shall report to the Executive Director the proposed remediation measures and shall implement such measures after the approval of the Executive Director and the Department of Parks and Recreation.
- c. For the third and fourth years, the applicant shall inspect, as noted above. At the end of the first rainy season the applicant shall provide the

Executive Director with records that no fewer than 50% of the installed plants have survived and that coverage is 80% of that observed on nearby hills. The applicant shall replace, as necessary, all native plant material that did not survive with similar native species.

- d. If these objectives have not been met, the applicant shall, subject to the review and approval of the Executive Director, either continue for an additional three years with its original program, or revise its plan and reinstall plants consistent with the new plan. If the applicant revises the plan, the applicant, or successors in interest, shall submit the revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

C. 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.

10. Conformance of Design and Construction Plans to Geotechnical Report

A. All final design and construction plans and grading and drainage plans shall be consistent with all recommendations contained in Geotechnical Investigation Report Job No. 0013-02, September 1, 2000 by MCE Group. Such recommendations shall be incorporated into all final design and construction plans.

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

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. Project Description and Location**

The proposed project is for the improvement to several Torrance Beach facilities (See Exhibits). This includes improving existing public access ways to the beach and creating new access ramps across the bluff to the beach, refurbishing an existing concession stand, demolition and construction of a public restroom, repaving and restriping the existing public beach parking lot, improving existing storm drains with structural Best

Management Practices (BMPs), and landscaping disturbed areas (more specifically in the project description on page 1 of this staff report). The project includes 1,914 cubic yards of graded cut, 2,826 cubic yards of fill, and 23,000 cubic yards of civil overexcavation (removal and recompaction) for access ramps.

Torrance Beach is located between the City of Redondo Beach and the City of Palos Verdes Estates, in the southern portion of the Santa Monica Bay. The beach in this location is approximately 350 feet wide. Directly inland of the beach is a foot 40 to 50-foot high bluff that, further south, curves out forming the beginning of the Palos Verdes peninsula.

Currently, there is a 15-foot wide pedestrian and bicycle pathway between the beach and the bluffs. This lateral access route begins in the City of Torrance (adjacent to the concession stand and existing emergency vehicle access ramp – Exhibit #2 & #8) and terminates at Will Rogers State Park in Pacific Palisades.

Four existing storm drains outlet on this section of Torrance Beach. The southernmost storm drain, which drains portions of the City streets and neighborhoods, is 30 inches in diameter and exits approximately 75 feet away from the toe of the bluff (approximately 250 feet inland of the ocean). The remaining three storm drains are 12 inches in diameter and exit approximately 20 feet seaward of the existing walkway/bike path. Runoff from the 12-inch storm drains collects and creates a "pool" on the beach. This occurs because there is a small amount of runoff which cannot cross the expanse of the wide beach. However, the 30-inch storm drain collects a wider area of runoff. During heavy rain events the runoff from this drain erodes the beach to depths of nearly 15 feet, creating a canyon-like landform to the waters edge. The applicant proposes to extend the 30-inch storm drain approximately 30 feet seaward to alleviate the possibility of damage to the concession stand located inland of the storm drain exit. The applicant does not propose to extend the remaining three drains but is proposing to combine two of the drains into one (abandoning one and expanding the other to an 18-inch diameter drain).

A majority of existing land uses inland of the beach and beach parking area is residential. Torrance Beach provides recreational activities to many in the Los Angeles area. The boardwalk, consisting of a five-foot wide pedestrian walkway and a 10-foot wide bicycle path, connects an extensive beach path comprised of the entire Santa Monica Bay, from Torrance to Pacific Palisades. City of Redondo Beach directly north of Torrance Beach includes visitor-serving facilities such as restaurants, hotels and specialty retail stores.

A report conducted by the U.S. Army Corps of Engineers, April 1994 indicates that the area between the Redondo Beach-King Harbor to the north and the Topaz Street groin to the south is a chronically narrow stretch of sandy beach. This narrow beach is strongly influenced by the effects of the groin as well as the Redondo Submarine Canyon, which lies in close proximity to the beach. The report states, "Slow but steady losses to the canyon are projected to occur in the future resulting in shoreline recession over the short segment". The project location, Torrance Beach between Miramar Park and Via Riviera, is not subject to this beach erosion. The Redondo submarine canyon is approximately 4 mile

to the north of Torrance Beach. The county has stated that the current beach profile has remained the same for several years

**B. Public Access**

Sections 30210, 30211 and 30213 of the Coastal Act require that new development provide maximum public access and recreation, avoid interference with the public's right of acquired access, and provide public access from the nearest public roadway to the shoreline and along the coast except under certain circumstances.

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

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

Section 30213 of the Coastal Act states, in part:

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

Section 30220 of the Coastal Act states:

*Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

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*

Torrance Beach, Miramar Park, and the public walkways, accessways, and bike path provide the public with extensive recreation and coastal access opportunities. The bike path and boardwalk located between the beach and the toe of the bluff are used throughout the year for strolling, running, bike riding, and accessing areas laterally across

the beach. This area of Torrance Beach is the beginning of a regional bike path and boardwalk that crosses every coastal city/town in Santa Monica Bay (from Torrance to Pacific Palisades).

The proposed project includes major structural and grading work along this stretch of Torrance Beach. The proposal includes demolition of the restroom facility located adjacent to the beach, construction of storm drain extensions and diversions, construction of new pedestrian access ways, repaving the existing parking lot, and a total of 27,740 cubic yards of grading. The project will temporarily disrupt public access to this recreational area. The Commission requires special conditions for this project to limit the disruption and ensure that public access to this beach remains open and clear for recreational uses.

The peak beach use season runs through the summer from May to September (typically from the start of Memorial Day weekend to the end of Labor Day. In order to reduce the project's impacts on coastal access and limit the disruption of the recreational uses at Torrance Beach a condition of approval that limits all demolition and construction to the non-peak summer months, which begins after Labor Day until the beginning of Memorial Day. By working during the winter months the proposed project will avoid conflicts with heavy beach crowds that are attracted to this portion of the coastline.

As previously stated, the proposed project requires extensive grading, construction equipment, and materials. Mechanized equipment is required for the project, as well as disposal routes and staging and stockpile areas. The applicant has acknowledged that stockpiles of dirt will be placed depending on the phase of the project. Therefore stockpiled material will be located either on the wide sandy beach or in the parking lot, both of which would have a temporary impact to public access. As further discussed below, Special Condition #3 requires the applicant to reduce the adverse impacts to public access. Special Condition #3, in part, requires the applicant to restrict development during the peak summer time months (beginning of Memorial Day weekend to the end of Labor Day) and locate all storage/stockpile areas a minimum of 100 feet inland of the mean high tide line. The proposed project will increase recreational opportunities by constructing an ADA compliant access ramp and improve Torrance Beach facilities such as the concession stand, restrooms, and parking lot. Also, the proposed project includes the implementation of structural Best Management Practices in the existing storm drain system. The intended effect of this is to filter runoff water before it enters into the intertidal area and ocean.

In order to reduce the temporary impacts to public access and recreation the Commission imposes Special Condition #3 which requires the following:

- In order to reduce adverse impacts to public access and recreation, no demolition or construction associated with the proposed project shall occur during the summer peak beach use period (start of Memorial Day weekend to Labor Day) of any year.

- Beach and recreation area closures shall be minimized and limited to areas immediately adjacent to the project area (within 50 feet of the project). All beach areas and recreation facilities outside of the 50-foot radius shall remain open and available for public use during the normal operating hours (unless they are closed pursuant to a Commission approved coastal development permit or permit amendment).
- Public access to and along the existing beach bicycle path shall be maintained at all times, except for temporary interruptions (5 minutes or less) for truck crossing. In the event that the bicycle path must be closed for periods longer than five minutes, the County shall submit, for the review and approval of the Executive Director, a beach bicycle path detour to bypass the project site during demolition and construction. No sand areas may be paved for any detour. The detour plan approved by the Executive Director shall be implemented prior to closing the existing beach bicycle path.
- Staging areas, equipment and materials storage areas, and soil stockpiles shall be located at least 100 feet from the mean high tide line. These areas shall be fenced-off to prevent any encroachment of equipment or debris within 100 feet of the mean high tide line.
- Truck and heavy equipment access corridors to the project site shall be located in a manner that has the least impact on public access and existing public parking areas.

#### Storm Drain Extension and Expansion

Currently, four storm drains outlet onto the sandy beach within the project site. Three drains are 12 inches in diameter and one is 30 inches in diameter. The northern most drain (just south of the Miramar Stairs) drains Miramar Park. The two drains in the middle of the project drain the existing 347 space public beach parking lot. These three drains are 12 inches in diameter and exit approximately 20 feet seaward of the pedestrian/bike path. The southern most drain within the project area is 30 inches in diameter, which outlets approximately 75 feet seaward from the toe of the bluff. The drainage area of this drain encompasses portions of Torrance City streets as well as the residential neighborhood. During rainstorms deep canyons are created across the beach from runoff water exiting the 30-inch drain. The other three drains create deep pools where water collects but does not reach the ocean. The applicant has proposed to extend the 30-inch drain 30 feet seaward. The project also includes the abandonment of one of the "parking lot" drains. This drain will be redirected to the other "parking lot" drain. The combined drain would then be expanded to an 18-inch diameter drain.

While the erosion caused by the storm drains partially impedes lateral access to both the public and to emergency vehicles, such as lifeguard and fire trucks, the beach in this location is approximately 350 feet wide. Extending the 30-inch storm drain would allow the runoff water to exit closer to the shoreline instead of across the dry portion of the beach.

Although the proposed extension would allow for better lateral coastal access by discharging the water runoff away from the dry sandy beach, the storm drain structure could pose a major impediment if the beach were to retreat, exposing the drain pipes and headwalls. Though the beach profile appears constant, beach areas are dynamic environments, which may be subject to unforeseen changes. Such changes may affect beach processes, including sand regimes. The mechanisms of sand replenishment are complex and may change over time, especially as beach process altering structures, such as jetties, are modified, either through damage or deliberate design. In order to prevent the storm drain extensions from impeding lateral access along the coastline if such beach erosion occurs, the Commission imposes Special Condition #7. Special Condition #7 requires that at any time, 10 feet or more of the storm drain is exposed and unsupported by sand, such portion shall be removed. Alternatively, if, at any time, 10 feet or more of the storm drain is exposed and unsupported by sand, the applicant shall implement a beach nourishment program to sufficiently cover the exposed section of the storm drain and restore the section of the beach in this area. The sand shall come from an approved beach nourishment site.

### **C. Hazards**

Section 30253 states in part:

*New development shall:*

*(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

*(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

### **Waves Storm Events, and Flooding Hazards**

The subject property is located at the southern portion the Santa Monica Bay, on Torrance Beach. The project site includes a wide, sandy beach (approximately 350 feet wide), with an adjacent approximately 40 to 50-foot high bluff. At the base of this bluff is an existing 15-foot wide pedestrian and bicycle access way, which connects from Torrance Beach to Will Rodgers State Beach in Pacific Palisades. Atop the bluff is an existing 347 space public beach parking lot. Public beach access is taken along cement walkways from the parking lot down the bluff face. There is currently a restroom, concession stand, and lifeguard headquarters at the base of this bluff. The proposed project is an extensive beach improvement project that includes most all of the amenities at Torrance Beach. The width of the beach provides this area a measure of protection from wave hazards, however beach erosion is seasonal and is subject to extreme storm events that may expose the project to wave up-rush and subsequent wave damage.



The especially heavy wave action generated during the 1982-83 El Nino winter storms and again in 1988 caused extensive beach erosion throughout Southern California. In both years Torrance Beach was eroded but wave action and water did not reach the subject property.

As previously mentioned above beach areas are dynamic environments, which may be subject to unforeseen changes. Therefore, the presence of a wide sandy beach at this time does not preclude wave up-rush damage and flooding from occurring at the subject site in the future. The width of the beach may change, perhaps in combination with a strong storm event like those which occurred in 1983, 1988 and 1998, resulting in future wave and flood damage to the proposed development.

Section 30253 requires applicants to site projects to lessen the risks due to hazards. In this case those risks are from waves, storm events, erosion, and flooding. The project includes demolishing the existing restroom and constructing a new restroom, remodeling the existing concession stand, extending a 30-inch storm drain, and demolishing and constructing new access ramps across the bluff, adjacent to the beach. The applicant cannot be sited further from the ocean because of the existence of the bluff. Therefore, because the subject site may be subject to significant wave hazards, storms, flooding, or erosion if conditions change Special Condition #1 requires the recordation of an assumption-of-risk deed restriction by the applicant. With this standard waiver of liability condition, the applicant is notified that the lot and improvements are located in an area that is potentially subject to flooding and wave run-up hazards that could damage the applicant's property. The applicant is also notified that the Commission is not liable for such damage as a result of approving the permit for development. In addition, the condition insures that future owners and lessors of the property will be informed of the risks and the Commission's immunity of liability.

The applicant has stated that "the facilities on Torrance Beach are considered 'temporary' in that we are fully aware that an extraordinary storm could damage them, causing a need to rebuild them."

#### No Future Shoreline Protective Device

The Coastal Act limits construction of protective devices because they have a variety of negative impacts on coastal resources including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach. Under Coastal Act Section 30235, a shoreline protective structure must be approved if: (1) there is an existing principal structure in imminent danger from erosion; (2) shoreline altering construction is required to protect the existing threatened structure; and (3) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply.

Section 30235 requires the Commission to approve shoreline protection for development only for existing principal structures. The construction of a shoreline protective device to protect new development would not be required by Section 30235 of the Coastal Act.

In the case of the current project, the applicant does not propose the construction of any shoreline protective device to protect the proposed development. The applicant has stated in a July 26, 2000 letter that "we have no intention to build any shoreline protective structures as part of this, or any other project at Torrance Beach." It is not possible to completely predict what conditions the proposed structure may be subject to in the future. Consequently, it is conceivable the proposed structure may be subject to wave run-up hazards that could lead to a request for a protective device.

Section 30253 of the Coastal Act states that new development shall not "in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs". Therefore, if the proposed structure requires a protective device in the future it would be inconsistent with Section 30253 of the Coastal Act because such devices contribute to beach erosion.

Based on the information provided by the applicant, no mitigation measures, such as a seawall, are anticipated to be needed in the future. The coastal processes and physical conditions are such at this site that the project is not expected to engender the need for a seawall to protect the proposed development. There is currently a wide sandy beach in front of the proposed development that currently provides substantial protection from wave activity.

To further ensure that the proposed project is consistent with Sections 30253 of the Coastal Act, and to ensure that the proposed project does not result in future adverse effects to coastal processes, the Commission imposes Special Condition #2 which requires the applicant to agree that no future shoreline protective device be constructed to protect any portion of the proposed project.

#### Conformance with Geotechnical Recommendations

Recommendations regarding the design and installation of the retaining walls and grading have been provided in a geotechnical investigation report submitted by the applicant, as referenced in the above noted final report. Adherence to the recommendations contained in these reports is necessary to ensure that the proposed grading and retaining walls assures stability and structural integrity, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way requires the construction of protective devices that would substantially alter natural landforms.

The geotechnical consultant (MCE Group) conducted field explorations on July 24, 1998 and August 9, 2000. Seventeen borings were drilled throughout the site to depths ranging from 6.5 to 50.5 feet below the existing ground surface. The consultant has indicated that the existing parking lot, Miramar Park stairs, and the west-facing slope descending to the beach are all underlain with man-made artificial fill ranging from 1 foot to 30 feet in depth. The report also indicates that older stabilized dune and drift sand deposits (marine terrace) underlie the artificial fill. The geotechnical report states:

*According to as-built plans prepared by the Department of the County Engineer dated 1963, a canyon transected the parking lot between the two concrete ramps. The canyon was infilled in 1963 with as much as 30 feet of fill.*

*Due to the loose nature of the artificial fill, these deposits are considered unsuitable for the structural support or support of areas to receive compacted fill in the future.*

Based on the geotechnical analysis that the fill is not suitable for the support of structures, the consultant recommends either the removal and recompaction of fill under the proposed access ramps and stairs or the use of deepened piles driven into the marine terrace deposits.

The geotechnical report states:

*Deep, loose fills up to 30 feet were encountered in the pre-existing canyon area. Extensive earthwork will be required to support the ramps on the shallow foundations. As an alternative to deep removals and recompaction, deep foundations may be considered.*

The applicant has proposed to remove and recompact the fill material for the support of the ramps and stairs. In doing so the applicants engineers (HNTB Corporation) have calculated that 1,914 cubic yards of cut and 2,826 cubic yards of fill (a total of 4,740 cy) are required. In addition to this amount HNTB has calculated that 23,000 cubic yards of "civil overexcavation" for the removal and recompaction of the uncertified fill material. The applicant has stated that the use of deepened piles is not feasible because of the high cost of implementing such a system.

The Commission's senior staff geologist, Mark Johnsson and senior staff coastal engineer, Lesley Ewing have reviewed this project and the geology and engineering report, and both have visited the site. The staff engineer has concurred with the engineering proposed for the project. Staff geologist, Mark Johnsson has stated that the project, as proposed, is consistent with section 30253 of the Coastal Act.

Therefore, Special Condition #10 requires the applicant to conform to the geotechnical recommendations contained in Geotechnical Investigation Report Job No. 0013-02, September 1, 2000 by MCE Group.

#### Erosion Control Measures

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion via rain or wind could result in possible acceleration of slope erosion and earth movement. Special Condition #5 requires the applicant to 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. The applicant shall follow both temporary

and permanent erosion control measures to ensure that the project area is not susceptible to excessive erosion.

Currently, runoff flows from the City streets and parking lot through storm drains that exit on the dry sandy beach. During rain events, however, drainage flows uncontrolled across the bluff face. The geotechnical report states:

*Erosion and surface instability should be expected during periods of heavy or intense rainfall. Therefore, erosion control and planting should be performed. In addition, excessive irrigation of the slopes should be avoided. Appropriate drainage devices should be placed at the top of all slopes such that water does not flow over the slope face in an uncontrolled manner.*

The applicant has proposed to upgrade the existing storm drain system but has not proposed a temporary solution to construction related impacts to slope stability caused by erosion. Therefore, the Commission also imposes Special Condition 4 which requires the applicant to incorporate construction related Best Management Practices (BMPs) prior to or concurrent with any development. Such requirements include:

- No construction materials, debris, or waste shall be placed or stored where it may be subject to wave/wind/rain erosion and dispersion.
- Construction debris and sediment shall be removed from construction areas located on the beach each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. If materials are stored in areas other than on the beach the applicant shall ensure that storage does not lead to an increase in erosion or dispersion.
- The applicant shall include the following measures during construction:
  - 1) Temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence, snow fences, or hay bales, and silt fencing.
  - 2) Stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.
  - 3) Any spills of construction equipment or fluid or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
  - 4) These erosion control measures shall be required on the project site prior to or concurrent with the initial construction operations and maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction.

The applicant is proposing to grade 27,740 cubic yards of earth, of which 23,000 cubic yards is for remedial purposes (removal and recompaction). This amount of grading will result in the disturbance of the bluff face. The applicant has proposed to revegetate the disturbed portions of the bluff with the existing landscape material, ice plant. However, in the area between the proposed emergency access road and the proposed ADA compliant access ramp the applicant proposes to landscape with native plant species associated with the Malaga Bluffs. The landscaping of the disturbed portions of the bluff will lessen the possibility of erosion and future slope failures. However, the landscaping must be implemented correctly and monitored for a period of time to ensure its effectiveness in prevented such erosion and surficial earth movement. Therefore, Special Condition #9 is required to incorporate the applicant's proposed landscaping plan and to require the submittal of a long range monitoring plan to ensure the landscaping effectiveness. The proposed landscaping is discussed further in the Habitat/Landscaping section of this staff report.

Therefore, by imposing Special Conditions #1, #2, #4, #5, and #9 which address development in a hazardous area, future protection devices, erosion control, the disposal of materials outside of the coastal zone, and landscaping, the Commission finds that the project is consistent with Section 30253 of the Coastal Act.

**D. Water Quality**

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 30232 of the Coastal Act states, in pertinent part:

*Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials.*

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- (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 such areas, and shall be compatible with the continuance of such habitat areas.*

Sections 30230, 30231, 30232, and 30240 of the Coastal Act require that marine resources be maintained, enhanced, and restored in a manner that will sustain the biological productivity of all species of marine organisms in coastal waters, and that the biological productivity and water quality of Santa Monica Bay be maintained and restored by controlling polluted runoff.

#### Construction Impacts to Water Quality

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain, surf, or wind 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 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 #4 outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris.

Special Condition No. 4 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. This condition requires the applicant to incorporate construction related Best Management Practices prior to or concurrent with the proposed development (as stated in the Erosion Control Measures subsection above. Special Condition #4 also requires the following:

- No construction materials, debris, or waste shall be placed or stored where it may be subject to wave/wind/rain erosion and dispersion.

- Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction.
- All mechanized machinery shall be removed from the beach at the end of the working day. No storage of mechanized equipment is allowed on the beach.
- No disturbance or use of areas below the mean high tide line is permitted for the construction of the proposed development.
- Construction debris and sediment shall be removed from construction areas located on the beach each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. If materials are stored in areas other than on the beach the applicant shall ensure that storage does not lead to an increase in erosion or dispersion pursuant to Special Condition #4B. All debris shall be disposed of at a debris disposal site outside the coastal zone, pursuant to Special Condition No. #5.

#### Storm Drain Best Management Practices

The existing storm drains at Torrance Beach discharge directly onto dry, sandy beach and into Santa Monica Bay and the Pacific Ocean. Santa Monica Bay has received recognition as an estuary of ecological importance. Under the Clean Water Act, 1977 and the Water Quality Act, 1987 Congress established the National Estuary Program (NEP). The Santa Monica Bay is an estuary participating in this program which provides a mechanism for coordination action. The Santa Monica Bay Restoration Program (SMBRP) was created to develop a Comprehensive Conservation and Management Plan for the Bay. The Plan addressed habitat and water quality concerns within the Bay through a long-term watershed management strategy.

The Santa Monica Bay supports a wide array of species. The Bay provides habitat for marine mammals, waterfowl, shorebirds and endangered species, such as the California grey whale and the California least tern. The Bay also provides several water-related recreational activities such as fishing, boating, swimming, surfing, and scuba diving. Because of the extensive coastal recreation activities and the sensitivity of the Bay habitat, water quality issues are essential in the review of this project.

Pollutants such as sediments or toxic substances such as grease, motor oil, heavy metals, and pesticides are often contained within urban runoff entering the storm water system. The discharge of polluted runoff into the Santa Monica Bay would have significant adverse impacts on the overall water quality of the Bay and Pacific Ocean.

The proposed project includes the extension of the larger, 30-inch drain located at the southern section of this project, 30 feet seaward. This outfall drains a large proportion of City streets, the public beach parking lot, and landscaping. Water runoff from such regions typically contains high levels of petroleum hydrocarbons, heavy metals, pesticides, and fertilizers.

The existing 351 space parking lot is drained by existing catch basins which outlet approximately 20 feet seaward of the beach boardwalk and bicycle path. The applicant proposes to abandon and divert one 12-inch "parking lot" storm drain to another 12-inch "parking lot" storm drain. The combined drain, as proposed, will be expanded from the existing 12-inch diameter drain to 18 inches in diameter to accommodate for the abandoned drain. The proposed 18-inch drain would then drain the entire parking lot. The proposal does not extend any of the 12-inch drain outlets further seaward.

The applicant has proposed to insert five new Continuous Deflection Separator (CDS) units in five separate catch basins (three located in the Torrance Beach parking lot and two in Miramar Park. Each CDS unit will be equipped with petroleum absorbent pads that are designed to intercept and capture petroleum hydrocarbons. The unit is installed near the existing outlet and removes floatable solids and some suspended sediments. The Commission water quality unit has reviewed similar CDS units and determined that this BMP would be effective at removing pollutants of concern if the unit implements a 1200 to 2000 micron screen. In a previous permit (5-00-318 LA County Beaches and Harbors) the Commission's water quality unit concluded that if the applicant cannot provide a CDS unit with a 1200 to 2000 micron screen, an alternative would be to insert a sorbent pad that is specifically designed to remove vehicular contaminants and other typical urban runoff pollutants more efficiently than a standard silt and grease trap. In this case, the applicant has proposed to insert petroleum absorbent pads into each of the five CDS units.

The Commission notes that BMPs are very new in design and some are still in the experimental stage and the city may determine that another method is more effective. A change in method would need to be reported to the commission as an amendment to this permit. If the director determines that the method is as effective as that indicated in the proposed project, such a change can be reported as an immaterial amendment.

For this reason, the Commission imposes Special Condition #6 that requires the applicant to submit a final drainage plan providing for the installation of five Continuous Deflection System (CDS) units with inserted sorbent pads specifically designed to remove vehicular contaminants and other typical urban runoff pollutants. The pad shall be installed in conjunction with the CDS unit. These filters can be installed in-line within the catch basin, water quality inlets, or at the drain outlet. Such a filter shall be effective at removing pollutants of concern such as petroleum hydrocarbons, heavy metals, fecal coliform, and suspended solids.

The drainage system shall be designed to filter or treat (i.e., a physical and/or chemical reduction of pollutants achieved through active filtration) the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event for volume based Best Management Practices (BMPs), and/or the 85<sup>th</sup> percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs, prior to its discharge to the Pacific Ocean. The drainage system and its individual components (such as drop inlets and filtration mechanisms) shall be sized according to the specifications identified in the California Storm Water Best Management Practice Municipal Handbook (California Storm Water Management Task Force, March 1993).



A key factor in the continued effectiveness of structural BMPs is regular and adequate maintenance of the implemented system. Therefore, Special condition #6 also requires the drainage system elements to be permanently operated and maintained. The storm drain inlets, traps/separators, and/or filters shall be inspected to determine if they need to be cleaned out or repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) prior to April 15th each year; and (3) during each month that it rains between November 1st and April 1st. Clean-out and repairs (if necessary) shall be done as part of these inspections. Traps/separators and/or filters must be cleaned prior to the onset of the storm season, no later than October 15th of each year. Debris and other water pollutants removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner.

#### Construction Material

The applicant has proposed to use aluminum railings and bollards for the proposed access railings and vehicle ramp. However, during construction certain construction materials are used that were unforeseen during project development. In some cases items such as telephone poles, railroad ties, and other oil based materials are used. Water and sand contact could leech out contaminants from such items and direct them into the ocean. According to the California Department of Fish and Game, the use of any petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, or carbonaceous materials is typically prohibited for use in State Waters. Creosote is included in this category. Special Condition #8 directs the applicant to not use any of the following materials in the proposed structures: petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, including creosote, or carbonaceous materials or substance.

Only as conditioned to comply with construction related requirements, dispose of all debris at an approved disposal site, incorporate and maintain Best Management Practices during construction and for the drainage system, and forbid the use of structures containing petroleum based material is the proposed project consistent with the water quality provisions of the Coastal Act.

#### **E. Visual Quality/Landform Alteration**

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 the surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas.*

The Coastal Act protects the visual quality of scenic coastal areas. In this case the proposed project is on and adjacent to Torrance Beach. The project entails several beach

improvements. The complete project will benefit the public and will lead to an overall improvement to this scenic coastal area. However, there will be temporary impacts to the visual quality of the area during the construction phase of the project. The project will require the use of heavy equipment and will entail the removal of an extensive amount of the fill area on the bluff face (see below for grading calculation). To offset some of the impacts during the construction phase of the project the Commission requires Special Condition #3, which in part prohibits any development from taking place during the peak summer months (start of Memorial Day weekend to Labor Day).

The applicant's geotechnical consultant has stated that the bluff area above this portion of Torrance Beach is comprised of artificial fill. Prior to 1963 a canyon transected the parking lot between the two access ramps. In 1963 the canyon was filled to depths as much as 30 feet thick. The consultant continues by stating that the existing parking lot, the west facing slope descending to the beach (which is the bluff facing the beach and ocean), and the stairs from Miramar Park. Presently, the bluff in this area of Torrance appears to be a natural coastal bluff. In actuality the bluff is a smooth, contoured fill slope to create a flat area for the existing parking lot in 1963. Therefore, the entire bluff in the area of the proposed project was created by artificial fill. The report states:

*Due to the loose nature of the artificial fill, these deposits are considered unsuitable for the structural support or support of areas to receive compacted fill in the future.*

The consultant recommended that the applicant either remove and recompact all artificial fill below the proposed access ways, restrooms, and concession stand and implement shallow foundations or use a deepened pile system into the dense marine terrace deposits that underlie the fill. The applicant's engineers have calculated grading requirements as follows:

Cut volume: 1,914 cubic yards  
Fill volume: 2,826 cubic yards  
Total: 4,740 cubic yards

Civil Overexcavation:	19,000 cubic yards
Civil Overexcavation (restroom):	310 cubic yards
Civil Overexcavation (stairs):	490 cubic yards
Civil Overexcavation (stand):	200 cubic yards
Civil Overexcavation (fill)	3,000 cubic yards
Total:	23,000 cubic yards

Summation of total grading (including cut, fill and removal/recompaction: 27,740 cy

The applicant has stated that deepened pile support foundations was not a feasible alternative due to the cost of such a system. Therefore, the applicant must remove and recompact (shown above as civil overexcavation) the fill material that underlies the proposed structures. The applicant has proposed to reinstall the smooth contoured fill

slopes with small benches. The benches will be located next to the proposed access ways and will be covered with compacted fill material. The applicant has also proposed to landscape all disturbed areas with either the existing landscaping or native habitat, as proposed and further conditioned in Special Condition #9.

The Commission finds that there is an extremely large quantity of grading involved on this bluff. As stated above the proposed project will improve the access to and visual quality of the area. The bluff in this location of Torrance Beach was artificially created in 1963 by filling in a canyon to construct the existing parking lot. Currently, the bluff is planted entirely of carpoprotus (ice plant). This plant material is highly invasive, non-native, and leads to excessive erosion and slumping problems on bluffs and canyons. While the Commission agrees that there is enormous amount of grading proposed, 23,000 cubic yards of the total 27,740 cubic yards of grading is for remedial work (removal and recompaction of artificial fill). Therefore, the grading does not have a permanent impact on the visual quality of the area, it would not lead to further instability of the site, and it does not affect any sensitive habitat areas. In sum, the Commission finds that the grading involved in the proposed project does not violate Section 30251 or other policies of the Coastal Act.

The original project proposed landscaping all disturbed areas with similar plant material, carpoprotus (ice plant). This plant species is extremely invasive and leads to an increase in erosion and surficial slumping of bluffs and canyons. After consultation with staff, the applicant has proposed to landscape a certain section on the project site with native plant material of the Malaga bluffs and incorporate plant species specifically for the safe harbor of the Federally listed El Segundo Blue butterfly (as further discussed in the Habitat section below). The applicant's intentions were to offset any impacts that would be found with the grading and disturbance of the bluff area.

**F. Habitat/Native Landscaping**

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- (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 such areas, and shall be compatible with the continuance of such habitat areas.*

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.*

The project is also adjacent to the marine environment (more specifically the Santa Monica Bay). Torrance Beach is a highly accessible and frequently visited recreation area. Finally the site is and the northern end of the Palos Verdes peninsula. On residential lots directly to the north, the United States Fish and Wildlife Service recently discovered remnant populations of the Federally listed El Segundo Blue butterfly (*Euphilotes battoides allyni*). The El Segundo Blue depends on two food plants, the coast buckwheat, *Eriogonum parvifolium*, and a lupine native to southern California coastal bluffs *Lupinus chamissonis*. The Service is working with land owners both to the north and south of the project to expand and re-establish the butterfly habitat.

The bluffs in Torrance Beach park are now planted entirely with *Carpobrotus* (ice plant), a highly invasive, non-native plant species. Landscaping and grading done in the past extirpated all native plants, including the food plants and the butterfly from the toe and face of the bluff. This section of the bluffs in Torrance was created by the filling a canyon that transected the area of the existing parking lot. Up to 30 feet of fill was placed to create the flat, level area for the bluff-top parking lot. Ice plant was installed to "prevent erosion" and now covers the entire bluff. Because there are no habitat resources located on the bluffs in this area of Torrance Beach and the grading proposed for the access ramps will not directly impact any habitat.

In response to local efforts to create a safe harbor for the El Segundo Blue in the area, the applicant is proposing to landscape a portion of the project area with plants species native to the Malaga Bluffs. These plant species include the food plants for the El Segundo Blue butterfly. The applicant is proposing to plant coastal bluff scrub between two paved areas: the proposed ADA compliant accessway and the proposed emergency vehicular access way. The area between the two proposed access ways is an area of greatest disturbance from the grading, and in the view of the applicant feasible to maintain. In other bluff face areas, the existing ice plant would quickly overwhelm any habitat. The applicant intends to use the access ways as a barrier to prevent the encroachment of the existing ice plant.

The proposed project includes 27,740 cubic yards of grading across the bluff and in limited sections along the beach adjacent to the bluff. The geotechnical report requires the removal and recompaction of this artificial fill. The extensive grading to ensure structural integrity of the ramps will denude portions of the bluff face of vegetation. As discussed in the Hazards section of this staff report above, the Special Condition #9 requires the applicant to re-landscape the graded areas to prevent siltation and erosion. Except where the disturbance is directly adjacent to an area covered with ice plant, the applicant will attempt to re install Malaga Cove coastal bluff scrub. The condition also requires the applicant to implement a monitoring plan to ensure the continued maintenance and adequate growth of the landscaping for erosion control purposes to prevent possible earth movement and slope failure. While the Torrance Beach project does not directly impact any ESHA, there is a possibility of an indirect impact due to the establishment of airborne

invasive plant species. While the applicant does not intend to use such species in the landscaping plan, airborne invasives are easily established in bare, recently graded earth. Without the proper monitoring and maintenance such invasives can supplant established plant communities and spread to others. Therefore, to ensure the protection of newly installed habitat Special condition #9 further requires the removal of all airborne invasive plants from the project site. The applicant is also required to monitor the site to ensure that such invasives do not become established. The siting and design of the project prevents any impacts which would significantly degrade habitat areas and if carried out as conditioned, the project will maintain and enhance the habitat found in the area.

Siltation is another possibility when massive grading is proposed. As noted above, the applicant is required to employ best management practices to prevent siltation during construction. Special Condition #9 also requires that any area to be re-planted whether with nonnative or with natives shall be re-landscaped within 60 days of the completion of the project. As proposed and conditioned, the project is consistent with Sections 30240 and 30230 of the Coastal Act.

#### **G. Local Coastal Program**

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

On June 18, 1981, the Commission approved with suggested modifications the City of Torrance Land Use Plan (LUP). The City did not accept the modifications and the certified LUP, which was valid for six months, has lapsed. The major issues raised in the LUP were affordable housing, blufftop development and beach parking. The City has not planned the resubmittal of a new Land Use Plan for Commission approval.

Based upon the findings presented in the preceding section, the Commission finds that the proposed development, as conditioned, will not create adverse impacts on coastal resources. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program

consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

**H. California Environmental Quality Act (CEQA)**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications 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 proposed project has been conditioned for consistency with the marine resource protection policies, geologic hazards, and public recreation and access policies of the Coastal Act. The proposed development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. There are no feasible alternatives or mitigation measures available that will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with CEQA and the policies of the Coastal Act.

End/am

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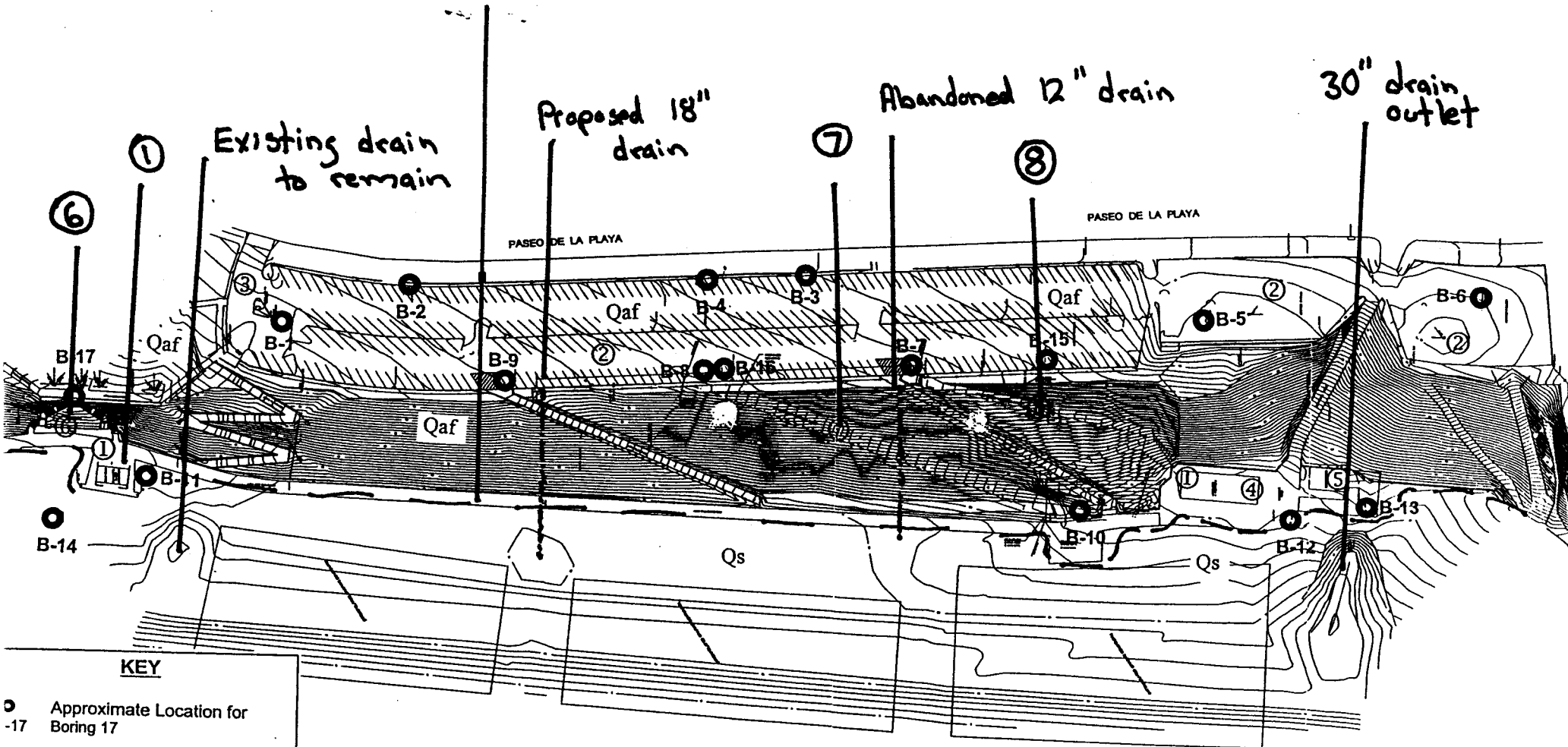
15' wide Pedestrian/Bicycle Path

Existing drain to remain

Proposed 18" drain

Abandoned 12" drain

30" drain outlet

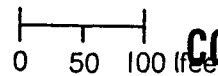


**KEY**

- Approximate Location for Boring 17
- Restrooms
- Parking Lots
- Lot Entrance Booth
- Lifeguard Station
- Concession Stand
- Stairs
- Proposed Vehicle Ramp
- Proposed Pedestrian Ramp
- af Artificial Fill
- 3 Modern Beach Sands

**MCE GROUP**

Approximate Scale



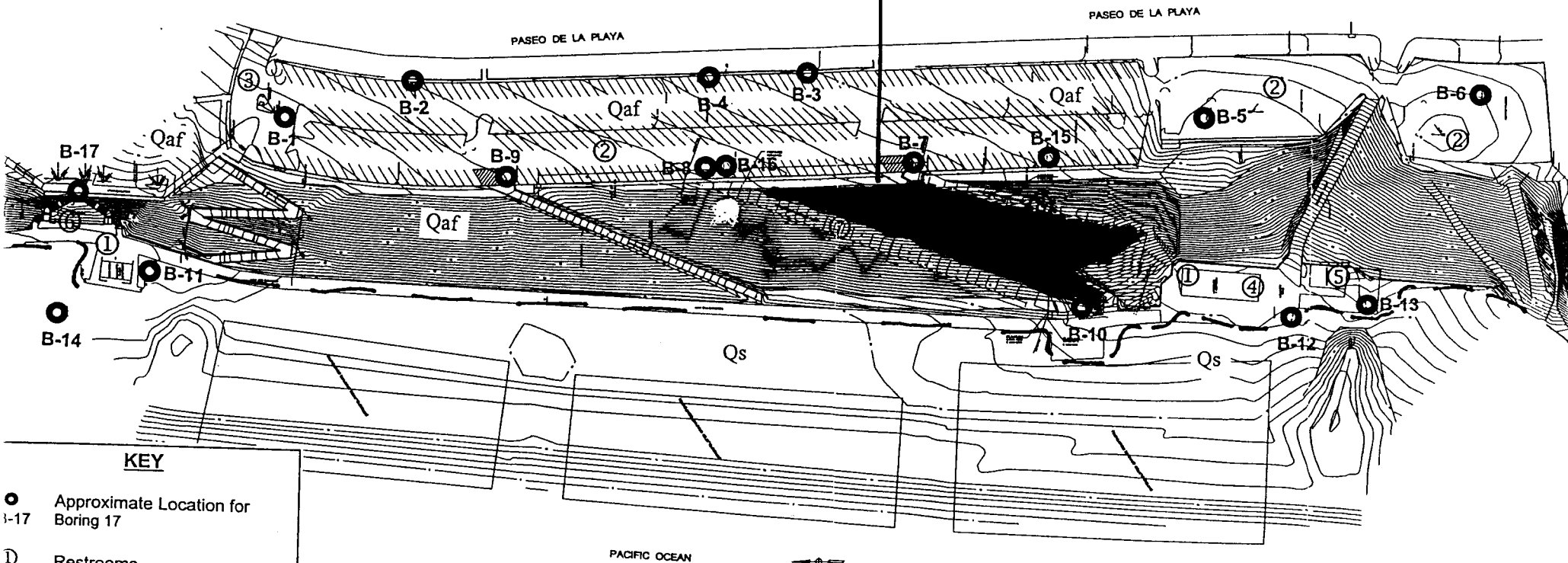
**COASTAL COMMISSION**  
**5-00-199**

EXHIBIT # 2  
PAGE 1 OF 2

**Figure 2**  
Boring Location Plan  
Torrance Beach Renovation  
County of Los Angeles  
Job No. 0013-02  
9/00



Area to be landscaped with native plant species

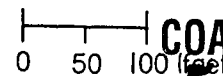


**KEY**

- Approximate Location for Boring 17
- ① Restrooms
- ② Parking Lots
- ③ Lot Entrance Booth
- ④ Lifeguard Station
- ⑤ Concession Stand
- ⑥ Stairs
- ⑦ Proposed Vehicle Ramp
- ⑧ Proposed Pedestrian Ramp
- ⑨ Artificial Fill
- ⑩ Modern Beach Sands

**MCE GROUP**

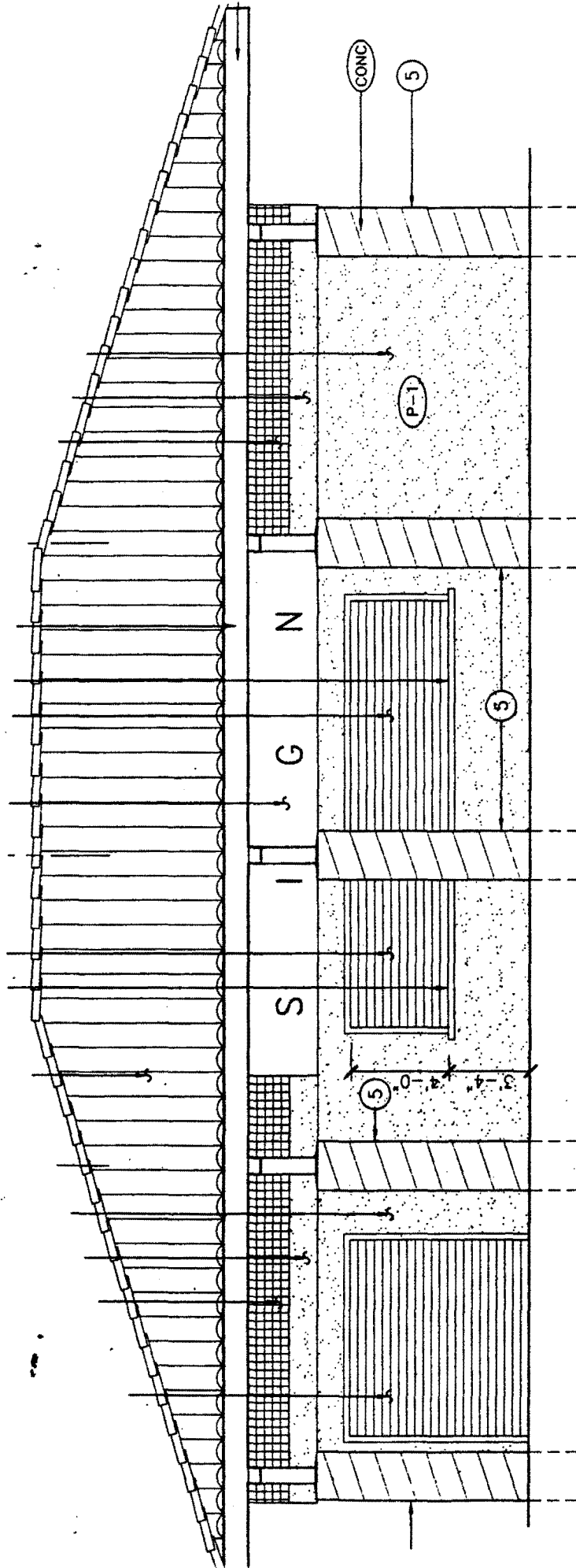
Approximate Scale



**COASTAL COMMISSION**  
**5-00-199**

EXHIBIT # 2  
PAGE 2 OF 2

**Figure 2**  
Boring Location Plan  
Torrance Beach Renovation  
County of Los Angeles  
MCE Job No. 0013-02  
9/00



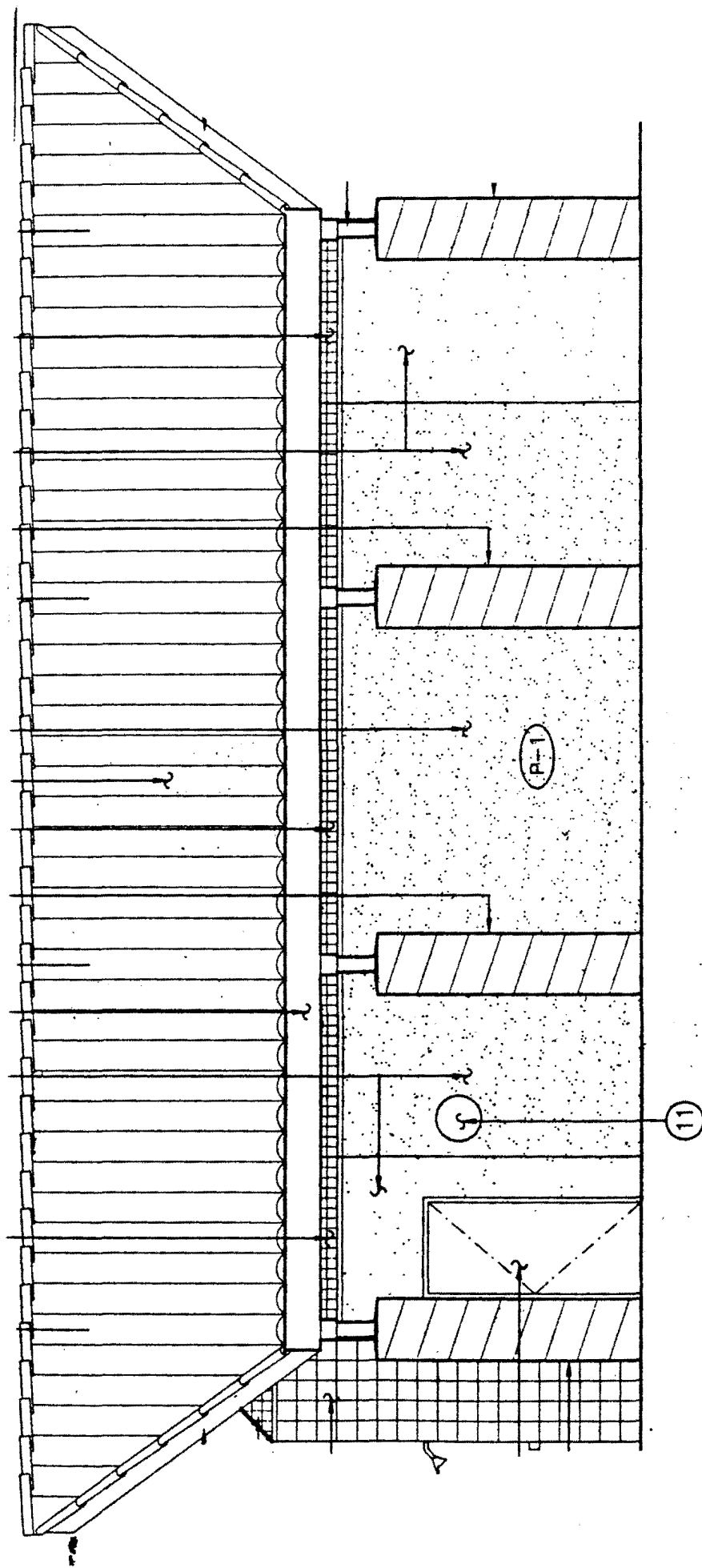
CONCESSION BUILD'G - WEST ELEVATION 01

SCALE: 1/4"=1'-0"

COASTAL COMMISSION  
5-00-199

EXHIBIT # 3

PAGE 1 OF 1



RESTROOM BUILD'G - SOUTH ELEVATION 01

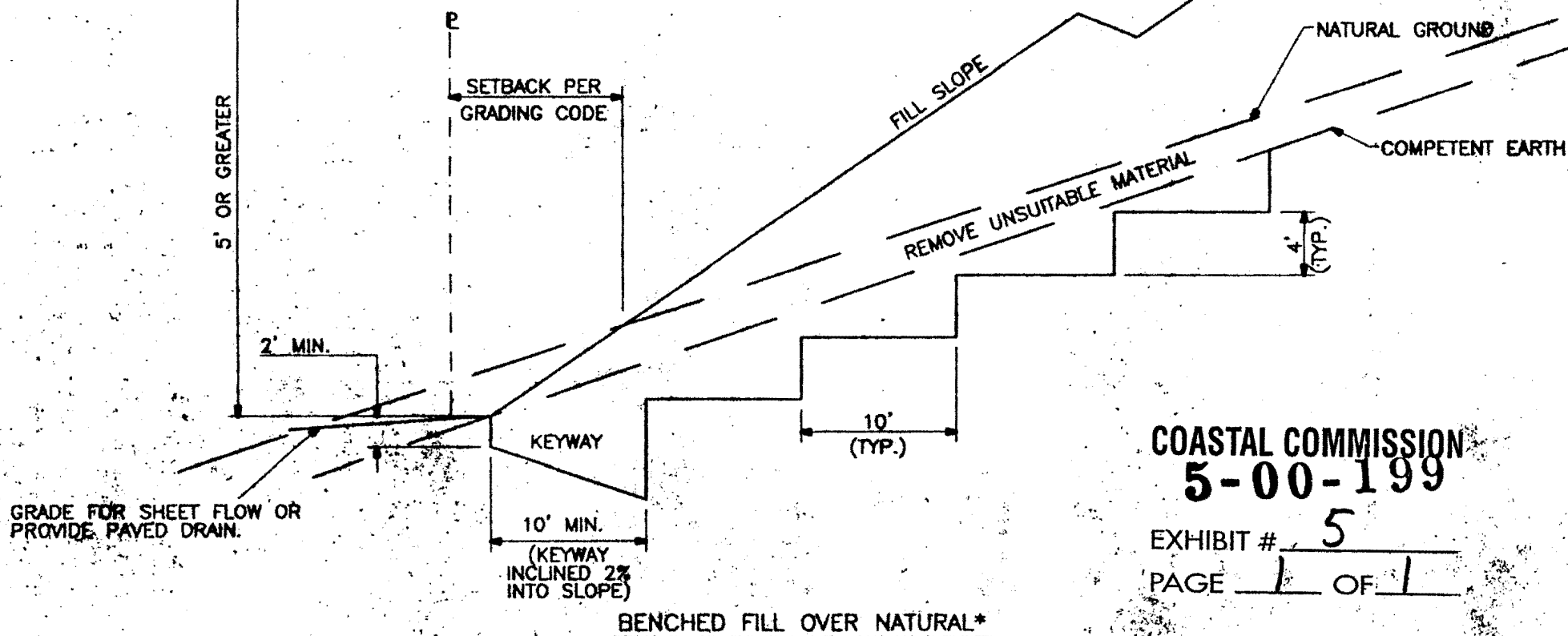
SCALE: 1/4"=1'-0"

COASTAL COMMISSION  
5-00-199

EXHIBIT # 4

PAGE 1 OF 1

\* BENCHING SHALL BE REQUIRED WHEN NATURAL SLOPES ARE EQUAL TO OR EXCEED 5:1 OR WHEN RECOMMENDED BY THE SOILS ENGINEER.



COASTAL COMMISSION  
5-00-199

EXHIBIT # 5  
PAGE 1 OF 1

## Malaga Bluffs Flora

Rudi Mattoni, Ph.D., AgResearch

The following is listing of all plant species found or likely Malaga Bluffs native plant species. The revegetation plan involves restocking existing species and reintroducing the other species to restore original floral diversity.

### Perennials - Large shrub cover

*Eriogonum parvifolium*  
*Lupinus chamissonis*  
*Rhus integrifolia*  
*Isomeris arboria*  
*Encelia californica*  
*Haplopappus ericoides*  
*Opuntia littoralis*  
*O. prolifera*  
*Phacelia ramosissima*  
*Datura wrightii*  
*Baccharis pilularis*  
*Lotus scoparius*  
*Salvia mellifera*  
*Artemisia californica*  
*Ambrosia chamissonia*

### Subshrub cover

*Erysimum suffrutescens*  
*Dudleya lanceolata*  
*Distichlis spicata*  
*Abronia umbellatum*  
*Camissonia chieranthifolia*  
*Eremocarpus setigerus*  
*Corethrogyne filaginifolia*  
*Gnaphalium bicolor*  
*Heterotheca grandiflora*  
*Cuscuta californica*  
*Curcubita foetidissima*  
*Croton californica*  
*Marah macrocarpa*  
*Eschscholtzia californica*  
*Dichlostemma pulchella*  
*Galium angustifolium*  
*Ambrosia psilostachya*  
*Senecio douglasii*  
*Artemisia dracunculus*  
*Astragalus leucopsis*  
*Calystegia macrostegia*  
*Cardionema ramosissima*  
*Mirabilis laevis*  
*Solanum douglasii*

### Annuals

*Festuca megalura*  
*Dithyrea maritima*  
*Plantago erecta*  
*Calandrinia maritima*  
*Phacelia cicutaria hispida*  
*Chaenactis glabriuscula*  
*Descurainaea pinnata*  
*Lepidium lasiocarpum*  
*Cryptantha clevelandii*  
*Lotus purshianus*  
*Lotus strigosus*  
*Calyptridium monandrum*  
*Lupinus bicolor*  
*L. truncatus*  
*C. micrantha*  
*Linaria canadensis*  
*Heterotheca grandiflora*  
*Crassula erecta*  
*Stephanomeria virgata*  
*Malacothrix saxatile*  
*Camissonia lewisii*  
*C. micrantha*  
*Microseris heterocarpa*  
*Rafinesquia californica*  
*Senecio californicus*

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5-00-199

EXHIBIT # 6  
PAGE 1 OF 1

**Aaron McLendon****COASTAL COMMISSION**  
**5-00-199**

**From:** Dean Smith [REDACTED]  
**Sent:** Thursday, July 19, 2001 10:46 AM  
**To:** [REDACTED]; [REDACTED]  
**Cc:** [REDACTED]; [REDACTED]  
**Subject:** TORRANCE BEACH PROJECT--CDP # 5-00-199

EXHIBIT # 7  
PAGE 1 OF 2

This is in response to your inquiry regarding bluff revegetation at Torrance Beach.

The Department of Beaches and Harbors has a limited budget for the refurbishment of Torrance Beach. The scope of the project has already been reduced to stay within budget, resulting in elements being eliminated from our plans. We are informed that removing large amounts of the existing ice plant, and replacing it with native plants, would be prohibitively expensive. Our project is only addressing critical public safety and access needs (ADA ramp, replacing unsafe stairs and vehicle ramp, etc.), and public enjoyment needs (public restroom and concession renovation). Funding a significant revegetation program would mean elimination of one or more of these elements.

Our plans call for replacement of ice plant where the contractor disturbs the existing ice plant on the bluffs. We anticipate that the area involved in any such disturbance will be minimal. It would not be beneficial to plant narrow strips of native plants along the edges of the new ramps, leaving the vast majority of the bluffs covered with ice plant. However, we have alerted the designer to the need for revegetation with native plants, wherever feasible. It may be that a large enough area will be disturbed, or that another opportunity will evolve, and we will endeavor to use native plants, where possible.

More importantly, we have had extensive discussions with Travis Longcore, of the Urban Wildlands Group, who is currently working on a revegetation project just south of our property at Torrance Beach. Mr. Longcore has had preliminary discussions with the U.S. Fish and Wildlife Service about the possibility of grant funding for a project on the bluff behind our concession building. This section of bluff is currently used for tractor access to the beach, so it is bare in places, making it easier to plant with native plants. After the new vehicle ramp is built, tractors will not have to use this section of bluff for beach access. Mr. Longcore is willing to work with our department to obtain funding, to purchase the correct (and most likely to survive) plants, and to organize volunteers for planting. He says that we can enter into a "safe harbor" agreement, which results in no permanent requirement to maintain the habitat. However, once the habitat is established, there would be no reason to anticipate that it would not remain for the foreseeable future. Certainly, this department would have no intention of using that section of bluff for any other purpose.

7/19/01

While the area behind the concession is significant, and Mr. Longcore believes that it will make a viable addition to the butterfly habitat, we would like to replace ice plant with native species wherever possible. If grants become available that will enable us to expand the revegetation effort, we will pursue them. In fact, Mr. Longcore recently contacted us and asked that we meet with the City of Redondo Beach, because that City's citizens are interested in revegetating a section of bluff, just north of Torrance Beach, which is also owned by the County and operated by this department. We intend to explore this possibility, and hope to be successful in creating another area of native plants, that will not only support the blue butterfly, but will improve the coastal environment, as well as reduce erosion and maintenance costs.

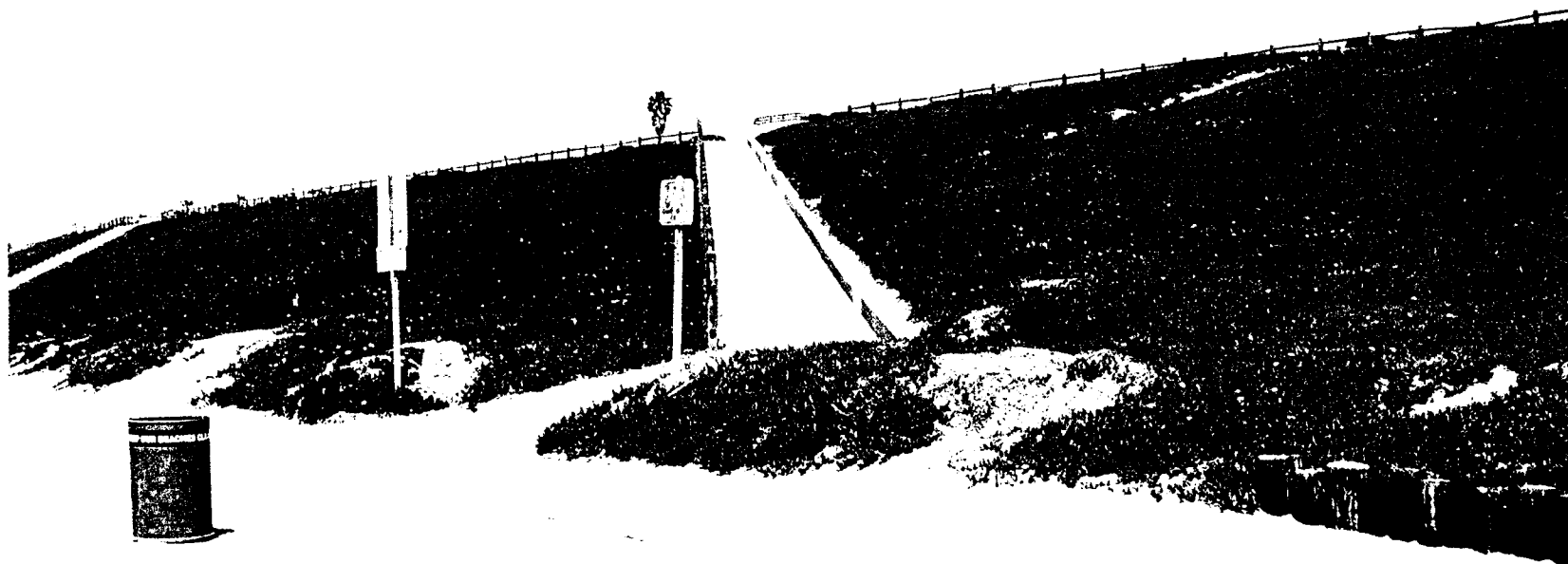
If you have any further questions regarding this matter, please contact me, at (310) 305-9573.

COASTAL COMMISSION  
**5-00-199**

EXHIBIT # 7  
PAGE 2 OF 2







Taken from the lifeguard headquarters showing existing ramp to be removed. ADA compliant ramp will be installed to the right of the existing ramp.

5-00-199  
Exhibit #8



Taken from the beach toward the existing emergency vehicular access ramp and concession stand to the right. This ramp will be closed to vehicle traffic, remaining open to public access. Concession stand will be remodeled.

5-00-199  
Exhibit #8



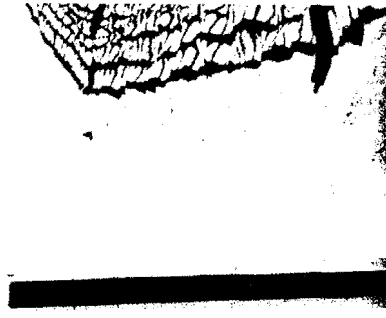
30-inch diameter storm drain exits at the center-left of the picture, in front of the concession stand. The drain outlet will be extended 30 feet seaward.

5-00-199  
Exhibit #8

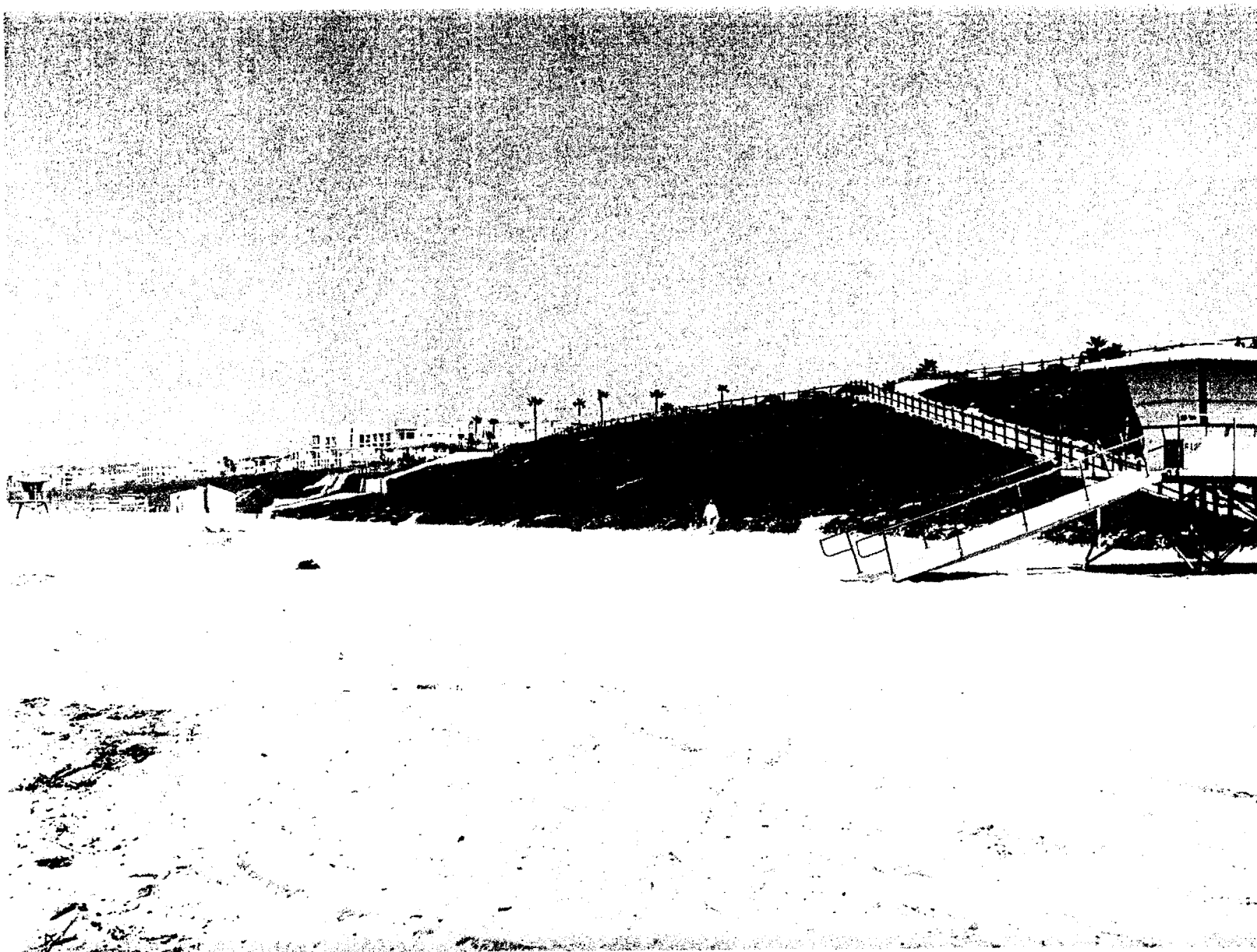


Taken from the beach toward the existing access ramp to be removed in the foreground and the existing access ramp to remain in the background. New vehicle ramp will be located between the two existing access ramps.

5-00-199  
Exhibit #8



Existing concession stand to be remodeled.



View of the northern end of the project. Access ramp to the right is remaining. Stairs in background will be refurbished.

5-00-199  
Exhibit #8



Restroom will be demolished and reconstructed. Storm drain in the foreground to remain. Structural BMPs to be installed in catch basins on top of bluff in Miramar Park.

5-00-199  
Exhibit #8



Existing ADA compliant ramp to remain. Note that entire bluff is vegetated with ice plant