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CALIFORNIA COASTAL COMMISSION
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Staff: PE-LB
Staff Report: 8/23/01
Hearing Date: Sept. 11-14, 2001
Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-01-264 (Los Angeles City Public Works)

APPLICANT: City of Los Angeles Department of Public Works

AGENT: James Doty, William Jones, Andrew Flores

PROJECT LOCATION: Within and adjacent to the Temescal Canyon Flood Control Channel (under Temescal Canyon Road), Pacific Palisades, City of Los Angeles, Los Angeles County

PROJECT DESCRIPTION: Installation of a low flow, dry weather diversion and pumping facility to divert low, dry weather flow from an underground, concrete-lined channel to sanitary sewer system. Project includes 18-inch high berm on channel bottom. The project also includes an underground trash well, wet well pump, and rerouting of storm drain inlets, all of which are located below ground; and construction of an above-ground 6' high, 4' wide, 2' deep instrument panel and box located adjacent to the Temescal Pumping Plant. The project also includes rerouting a pipe connection from an existing street storm drain inlet at the northeast corner of Pacific Coast Highway/Temescal Canyon Road to connect with this installation.

LOCAL APPROVALS RECEIVED:

1. City of Los Angeles CDP 1-03 (Temescal Canyon Low Flow Diversion Facility)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the project with conditions requiring 1) preparation of reports identifying upstream sources and transmittal of the reports to the Commission and the Regional Water Quality Control Board 2) limitations on hours of work and of construction which may occur during summer months; 3) limitations on use of beach parking for staging and storage areas during summer months, 4) Maintenance of parking on and pedestrian access to Temescal Canyon Road; 5) siltation and erosion control.; 6) compliance with rules of other permit granting agencies;7) compliance with state law in the event any archaeological resources are encountered. The motion is found on page 2.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Los Angeles, Department of Public Works, Bureau of Engineering: "Draft Santa Monica Bay Storm Drain Low-Flow Diversion Master Plan—Feasibility and Preliminary Engineering Report, July 31, 1996.
2. Beringer, David, California State Water Resources Board; Division of Water Rights Letter: Santa Monica Canyon Low Flow Diversion from Santa Monica Canyon Flood Control Channel in Los Angeles County, September 20, 2000
3. Joseph E Mundine, Manager, Hyperion Treatment Plant, City of Los Angeles, Department of Public Works, Bureau of Sanitation: Letter to Dennis Dickerson, RWQCB "Hyperion treatment Plant Capacity Coastal Development Permit Application No. 5-00-413, for Low Flow Diversion Project, Pacific Palisades, (Los Angeles County), November 30, 2000. (Identifies authorizations for dry weather treatment.)
4. US EPA and Regional Water Quality Control Board, Los Angeles Region IV, NPDES Permit CA0109991 for City of Los Angeles.
5. US EPA and Regional Water Quality Control Board, Los Angeles Region IV, Approval of Request for Deviation from 40 CFR 35.927-4 and 4- FR 35.2130.
6. Wilson, Judith, City of Los Angeles Board of Public Works, Bureau of Sanitation: Response to Council file No. 00-0092 Regarding Low Flow Diversion of Dry Weather Urban Runoff, transmittal letter, January 12 2001.
7. City of Los Angeles Board of Public Works, Bureau of Sanitation: Report from Bureau of Sanitation to City of Los Angeles Environmental Quality and Waste Management Committee on Council File Number 00-0092, January 11, 2001.
8. Anderson, J.W., D.J. Reish, R.B. Spies, M.E. Brady, and E. W. Segelhorst. 1993. Human Impacts. Pages 682-766 in M.D. Dailey, D.J. Reish, and J.W. Anderson, eds. Ecology of the Southern California Bight. A Synthesis and Interpretation. Los Angeles, U. C. Press.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 5-01-264 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. TRAFFIC MANAGEMENT FINAL APPROVAL FROM CALTRANS DISTRICT 7

A. **Caltrans District 7.**

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, applicant shall provide to the Executive Director a copy of a permit issued by Caltrans District 7, or letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director of any changes to the project required by Caltrans. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is required.

B. In addition to any traffic control methods proposed by Caltrans District 7, the applicant shall

1. Maintain pedestrian access from Temescal Canyon Road to Pacific Coast Highway (PCH) at all times.
2. Not undertake construction during the summer months, between Memorial Day weekend and Labor Day;
3. During September and October, the applicant shall do no work on weekends and holidays that may close turning lanes or pedestrian access or access by car from PCH to Temescal Canyon Road.
4. During September and October weekends the applicant shall occupy no more than ten parking spaces along Temescal Canyon Road.

C. The applicant shall carry out the project consistent with the conditions above

2. LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, applicant shall provide to the Executive Director a copy of a permit issued by Los Angeles County Flood Control District, or a letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director of any changes to the project required by the Los Angeles County Flood Control District. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is required.

3. LIMITATIONS ON USE OF BEACH PARKING FOR STAGING AND STORAGE AREAS

A. Prior to issuance of the coastal development permit the applicant shall agree that the beach parking lot shall not be used for construction staging and storage during the summer months (between Memorial Day weekend and Labor Day) and that such operations shall be limited to non-holiday weekdays during September and October. All construction contracts shall include this requirement.

B. The applicant shall carry out the construction consistent with the agreement identified in A above.

4. STOCKPILING, STAGING, AVOIDANCE OF SILTATION, AND EROSION CONTROL.

A. Prior to issuance of a coastal development permit the applicant shall agree in writing to require that the final plans shall minimize construction impacts of the project and that all contracts and other written materials shall include the requirements listed below. The applicant shall further agree that the final plans shall identify acceptable locations for stockpiling and staging of materials; plans for control of erosion, stockpiled earth from trenches, and cement; as well as plans for the disposal of construction materials. The plans shall contain the following:

1) A delineation of the areas to be disturbed by grading or construction activities including any temporary access roads trenches staging and stockpile areas. No vehicles or machinery shall be parked or stored in any sand area.

2) The plan shall include source control Best Management Practices as part of a written plan designed to control dust, concrete, demolition pavement or pipe removed during construction, and/ or construction materials, and standards for interim control and for clean up incorporating the Special Provisions of the Temescal Canyon Low Flow Diversion Work Order (Exhibit 9). All sediment waste and debris should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill. Contractors and City Inspectors shall monitor and contain oil or fuel leaks from vehicles and equipment.

3) Consistent with the approval of the County Flood Control District, no grading in the channel shall take place during the rainy season (November 1 – March 31).

4) The applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all disturbed areas.

5) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: filling or covering all holes in roadways such that traffic can continue to pass over disturbed areas, stabilization of all stockpiled fill, disturbed soils and trenches with shoring, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. These temporary erosion control measures shall be monitored and maintained at least on a weekly basis until grading or construction operations resume.

6. If any park areas are identified for staging, the applicant shall identify those areas and **PRIOR TO ISSUANCE OF A COASTAL DEVELOPMENT PERMIT** provide a written agreement with the City of Los Angeles Department of Recreation and Parks and a repair and rehabilitation plan approved by the Department of Recreation and Parks. . The list of repairs shall be provided to the executive director for his or her determination whether an amendment to this permit or a new permit is required. If the list of repairs contains any changes to the approved project or work requiring a coastal development permit, such changes or work shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is required.

B. Prior to commencement of construction the applicant and its contractor(s) shall provide for the review and approval of the Executive Director final plans and plan notes that conform with the requirements of item A above. No work shall take place until the Executive Director approves the plans in writing.

C. Conformance with plans. All work shall take place consistent with the plans submitted in compliance with A above.

D. Monitoring. The applicant shall provide the Executive Director a written report at the close of construction indicating the degree to which that all landscaped areas have been replanted and debris removed for the waterway. If any revegetation is required, the applicant shall re-inspect the site within one month of the completion of construction and again within one year of the completion of construction to verify that revegetated areas have established. If such area has not re-established the applicant shall re-seed to area.

5. MAINTENANCE

Prior to issuance of the permit the applicant shall prepare for the review and approval of the Executive Director, a program for annual inspection and appropriate maintenance of the diversion device, the pumps and the trash separator. The plan shall establish the frequency that debris shall be removed from the trash separator, and shall identify the maintenance needs of the pump and other mechanical devices that the applicant proposes to employ. The applicant shall provide the reasoning, the maintenance manuals and statistics upon which such a schedule is

based. The applicant shall inspect and maintain the approved facility consistent with the approved plan.

6. SURVEY AND ENFORCEMENT.

The applicant shall in cooperation with the RWQCB develop a detailed pan to identify the sources of pollution, such as schools, stable areas and septic systems that continue to discharge into the creek. The property owners responsible for such discharges shall be notified in writing of the rules pertaining to discharge of fecal material, and the health reasons for such rules. Such notices and other information gathered shall be provided to the Regional Water Quality Control Board and to the Executive Director.

7. ARCHAEOLOGICAL RESOURCES

A. Qualified archaeologist

As required by City approvals, a qualified archaeologist shall be present during all excavation activities.
(1) In the event that cultural resources or human remains are discovered all work in the area of the discovery shall stop immediately.

(a) If human remains are discovered, the applicant or contractor shall contact the County Coroner. If the Coroner determines that the remains are Native American, the applicant shall notify the State Historic Preservation Officer, (SHPO) who shall identify a Native American monitor who is a most likely descendant. Removal of and re-interment of any Native American remains shall follow all requirements of state law.

(b) If cultural resources are discovered the applicant shall prepare a Treatment Plan (mitigation plan). The Treatment Plan shall be submitted to the Executive Director for review and approval. Based on the mitigation procedures outlined in the Treatment Plan the Executive Director will determine if an amendment to this permit is required.

B. Native American Monitor

Once Native American cultural resources or remains are discovered, a Native American monitor shall be present on-site during all further excavation activities to monitor the work. The monitor(s) shall meet the requirements set forth in the Native American Heritage Commission Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites.

C. Curation Facility

Prior to issuance of the permit the applicant shall agree in writing, subject to the review and approval of the Executive Director, to the following:

a) Artifacts collected as a result of this project shall be curated at a qualified curation facility. A qualified curation facility is one that meets the State Office of Historic Preservation Guidelines for Curation of Archaeological Collections.

b) Prior to completion of any archaeological work at the site the applicant shall submit, for the review and approval of the Executive Director, evidence that:

i) The curation facility meets the State Office of Historic Preservation Guidelines for Curation of Archaeological Collections; and

ii) Evidence of the facility's willingness to accept the collection.

c) If no qualified curation facility is available at the time the project is complete, an amendment to this permit shall be required to determine the appropriate curation process.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND LOCATION

The applicant proposes to install a connection from the Temescal Canyon storm drain to a low flow diversion facility. The Temescal Canyon storm drain is a ten foot wide seven foot high box culvert that extends from above Sunset Boulevard and extend about 1.3 miles under Temescal Canyon Road, to the beach, where it outlets at a low bluff south of Pacific Coast Highway. The low flow diversion facility will include an underground trash separator, a wet well with a pump that will direct the water to the sanitary sewer. There will be one 4' by 6' by 2' aboveground control box. The water will be diverted by constructing an 18-inch high berm across the bottom of the drain, which will divert water into a pipe. The pipe will divert the water to the trash collector. From the trash collector the water will be pumped into a sewer line that extends to the Hyperion Treatment Plant. In addition, the applicant proposes to reroute a pipe from an existing street storm drain inlet at the northeast corner of Pacific Coast Highway/Temescal Canyon Road to connect with this installation. With the exception of the control box, all proposed pipes and pumps will be underground and accessed by manholes. The pipes and the pump and separation device will not be visible from the road.

The project is located a few feet inland of Pacific Coast Highway at the corner of Temescal Canyon Road and Pacific Coast Highway. Temescal Canyon Road was constructed and the stream was placed in a covered channel during the late 1960's. The lower sides of the canyon are landscaped as an urban park. Inland of Sunset Boulevard Temescal Canyon Creek is a relatively undisturbed mountain stream. Urban runoff from Sunset Boulevard, the Pacific Palisades High school, and several developed neighborhoods flow into the culvert.

This project is the third priority project of 26 potential low-flow diversion projects that were ranked according to health effects and identified for low flow treatment. In 1996, the City of Los Angeles identified 26 major storm drain discharge points in a 1996 study of major storm drain discharges into Santa Monica Bay. (Exhibits 7 and 8) According to City engineers:

> According to the City Bureau of Sanitation, Santa Monica Canyon ranked first with the highest relative health risk from bacterial contamination. The Temescal Canyon and Imperial Highway drains rank 3rd and 4th respectively. The health index used to set priority ranking was based upon drain flow, fecal coliform concentration levels and beach usage, (William Jones, Environmental Management, Bureau of Engineering Department of Public Works, email, August 14, 2001 2:21 P.M.)

B. PUBLIC SHORELINE ACCESS AND PUBLIC RECREATION

Will Rodgers State Beach, the beach seaward of Temescal Canyon, is a heavily used state beach, operated by Los Angeles County. There is a large parking lot on the beach and a signal at the end of Temescal Canyon Road. Public access is also available through two tunnels under Pacific Coast Highway. The high levels of pollution detected in these waters have negatively affected beach use. Sections 30210, 30211 and 30214 protect public access to the shoreline. Section 30222, 30223 and 30224 protect shoreline and immediate upland recreation and recreation facilities.

Temescal Canyon Park is a moderately heavily used park. During summer weekends all parking spaces along Temescal Canyon Road are occupied by beach visitors (who can park along the Canyon Road and walk to the beach) and by hikers who want to use Temescal Canyon Park, but do not want to pay for parking. This part of Will Rodgers State Beach is heavily used in the summer months, when parking lots fill up to near capacity. Any reduction of parking in this lot in summer months could affect beach access. In the spring and fall the use of the beach tapers off and the lot Is not used to capacity except during occasional weekends during the fall Santa Ana hot spells.

Pacific Coast Highway is heavily used for coastal access and by commuters during weekdays. This installation will require digging up the end of Temescal Canyon Road in order to construct the berm the diverted surface storm drain and the pipes. This activity will involve some disruption of traffic and restriction of some turning movements at Pacific Coast Highway and Temescal Canyon Road. The City has prepared a list of special provisions that address traffic control and also construction methods.

The City has also applied for but not received a permit from Caltrans. Caltrans permits generally restrict the number of lanes that can be closed at one time (usually one) and the times of day during which such closures can take place. The Commission has conditioned this project to obtain a final permit from Caltrans. Neither the City restriction nor the Caltrans restrictions are likely to address impacts on beach traffic or on beach parking.

Temescal Canyon Road is also a major route to Temescal Canyon and to Palisades Drive, which provide access to trails leading to Temescal Ridge.

The biggest potential impact from this project would be from loss of parking and travel routes for weekend and holiday beach use, beach parking, and park and trail use. Use of the beach parking lot for staging or closure of more than a small part of the Temescal Canyon Road parking lanes during summer weekends could result in impacts to park and beach use. Therefore the Commission has limited the construction to fall and spring after Labor Day and to non-holiday weekdays.

A second problem would arise if the project closed pedestrian access from Temescal Canyon to the beach. If that occurred, it could impair the ability of hte public to use the beach or the park. Secondly, the project includes some work adjacent to the park. There is no mention of the use of the landscaped areas of park as a staging area, but given the park's location (1) out of the traffic lanes and (2) adjacent to the work, such use is a possibility. Therefore the Commission imposes a condition requiring the applicant to (1) obtain written permission from the City of Los Angeles Department of Recreation and Parks in advance of any work, and (2) replace any damaged park facilities or landscaping, (3) provide any repair plans to the Director in advance to verify that and amendment to this permit is not required for the work.

The County Department of Beaches and Harbors has indicated that the beach cannot be used as a staging area for construction. However other possible locations for construction staging—the beach parking lot and Temescal Canyon Road will also have impacts on beach use because of impacts on beach parking

Because of the benefits of this project, on public health and the usability of beaches the project will have a long-term positive effect on beach access. To avoid negative impacts during construction, the Commission requires that construction take place during late spring or early fall months, and not during weekends or holidays. This leaves a narrow window for construction because the flood control district will not allow the work to take place during the rainy season. The most heavily used months are from May 30 to September 5, Memorial Day Weekend to Labor Day. During the fall months there is also heavy attendance during weekends and holidays. . As conditions to limit staging, construction and storage of materials to fall and spring week-days the project will have limited effects on public beach access, and on the balance will increase public access to and use of the public beach. As such is consistent with sections 30210, 30211 and 0212 of the Coastal Act.

Because reducing levels of contamination will improve safe access to the beach as proposed and conditioned the Commission finds the prject is consistent with sections 30210, 20211 and 30212 of the Coastal Act.

C. WATER QUALITY

The Coastal Act requires that the Commission protect recreational use of coastal waters and marine habitat.

Section 30220

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

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling 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.

To carry out these provisions that Commission has required control of siltation generated by development and has encouraged measures to reduce the pollution of streams that reach the ocean. Polluted waters have impacts on marine life, and also on the safety and attractiveness of swimming in marine waters. In analyzing the reasons for the concentrations of highly polluted runoff in this area, the City and the RWQCB identified the presence of septic tanks in the up stream area and the presence of horse facilities. The first step was to engage in extensive public education with homeowners horse farm operators and gardeners. The City and the Regional Water Quality Control Board did not undertake any enforcement action. In discussing the alternatives that might reduce the level of contamination, with City Staff, the staff was informed that the flows were continuing to have high levels of contamination. Since the water flowing form the upland is a vital part of near shore environment, the Commission encourages the City to further investigate the sources of polluted flow. If the City analyzes these sources, it can communicate with homeowners and horse owners who might not be aware that they are discharging a measurable quantity of bacteria laden waste into the creek that this is

occurring. The Commission imposes condition 6 as the first step to encourage further cooperative work among residents of Temescal Canyon and government agencies to improve the water quality of the stream, consistent with Section 30230.

In this case the project is proposed to reduce the amount of pollutants that reach the beach and then flows out and contaminates near shore waters. The purpose of the project is to reduce contamination of coastal waters, consistent with these Coastal Act policies. However, the Commission notes that as with all construction projects, measures must be required so that siltation does not occur during construction and so that nearshore areas and sand areas are protected from oil and gas leaking from heavy equipment. Heavy equipment will be used, asphalt removed and replaced during construction, and workers will need to excavate trenches to access and install the pipes, dry well and trash separator. Therefore, the Commission requires the project to contain construction areas, and, during construction, to properly protect staging areas, to clean up sand, contain concrete, excavated soils and other wastes, not letting them escape into the channel or the ocean. To avoid contamination form the vehicles, the Commission requires that the applicant and its contractors shall properly monitor and contain oil or fuel leaks from vehicles and equipment and to avoid storing heavy equipment on the beach. Finally, to assure that the project maintain its effectiveness the Commission requires that the City periodically inspect and maintain the facility after its installation, and continue its effort to reduce upstream sources of contamination. As proposed and as conditioned the project is consistent with sections 30220, 30230 and 30231 of the Coastal Act

D. ENVIRONMENTALLY SENSITIVE HABITAT AREAS.

It has been demonstrated in numerous studies that polluted discharges have damaged kelp, shellfish and other off shore resources. The ability of the nearshore waters to support abundant and varied species of plants and animals is dependent in part on water quality. Improving the water quality will reduce impacts of urbanization on near shore resources. There is no environmentally sensitive habitat left in the park or in the channel, which is closed. The actual creek is encased in concrete and underground and does not support habitat. The Department of Fish and Game determined that no streambed alteration permit is necessary for the project. Another potential impact of work carried out near streambeds can be the removal of riparian vegetation. The project will not impact riparian vegetation, which was extirpated when the City filled the canyon and constructed the drain. .

The remaining possible negative effect of the work on habitat could be impacts on marine habitat from siltation due to erosion of material from the stockpiles or trenches, or spill of cement dust, gasoline or oil during construction. The project is conditioned to prevent discharge of sand, silt, cement, gasoline or lubricating oils into the stream or onto the sand during construction. As proposed and as conditioned the project will not impact any habitat.

E. ARCHAEOLOGICAL RESOURCES.

The City imposed "special provisions" on the project, including a provision that an archaeologist be on site at all times. City representatives explain that the reason for this is that there is a site "in the area" but not believed to be in the project footprint. The site is not located in the intersection where the work is proposed, which has long been filled, but is at an unspecified location nearby. The site is located where a large perennial stream meets the ocean. Such locations are commonly identified as shell gathering sites or seasonal encampments. Section 30244 of the Coastal Act requires that the Commission must also impose conditions that require consultation with the State Historic Preservation Officer and reasonable mitigation measures to protect paleontological and archaeological resources.

If there is an archaeological site near enough that the City has determined that an archaeologist should be on site during construction, the Commission finds that it is necessary to require conformance with the provisions of 30244 and other state laws regarding archaeological and paleontological resources and Native American sites. The Commission requires that the City follow these laws. As conditioned, the project is consistent with section 30244 of the Coastal Act.

F. VISUAL QUALITY

This project is small and located in a developed area. The part of it that is visible; a small box to house the pump structure, is proposed to be installed above grade just inland of an existing sewage pump station which also has some existing above ground boxes and monitors. The box will be below the line of sight from PCH, and will not interrupt views of the beach because it is inland of PCH. The project will have no significant impact on visual quality or on views to and along the ocean.

G. LOCAL COASTAL PROGRAM

Section 30604 (a) of the Coastal Act states:

> Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

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

The City has submitted five Land Use Plans for Commission review and the Commission has certified three (Playa Vista, San Pedro, and Venice). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just been completed. When the City began the LUP process in 1978, with the exception of two tracts (a 1200-acre and 300-acre tract of land) which were then undergoing subdivision approval, all private lands in the community were subdivided and built out. The tracts were A-381-78 (Headlands) and A-390-78 (AMH). The Commission's approval of those tracts in 1980 meant that no major planning decision remained in the Pacific Palisades. Consequently, the City concentrated its efforts on communities that were rapidly changing and subject to development pressure and controversy, such as Venice, Airport Dunes, Playa Vista, San Pedro, and Playa del Rey. In recent months the City has established an advisory committee to discuss a local coastal program for Pacific Palisades. The committee is discussing issues such as the scale of new development, geologic safety, preservation of public views, water quality and access to and protection of recreational resources.

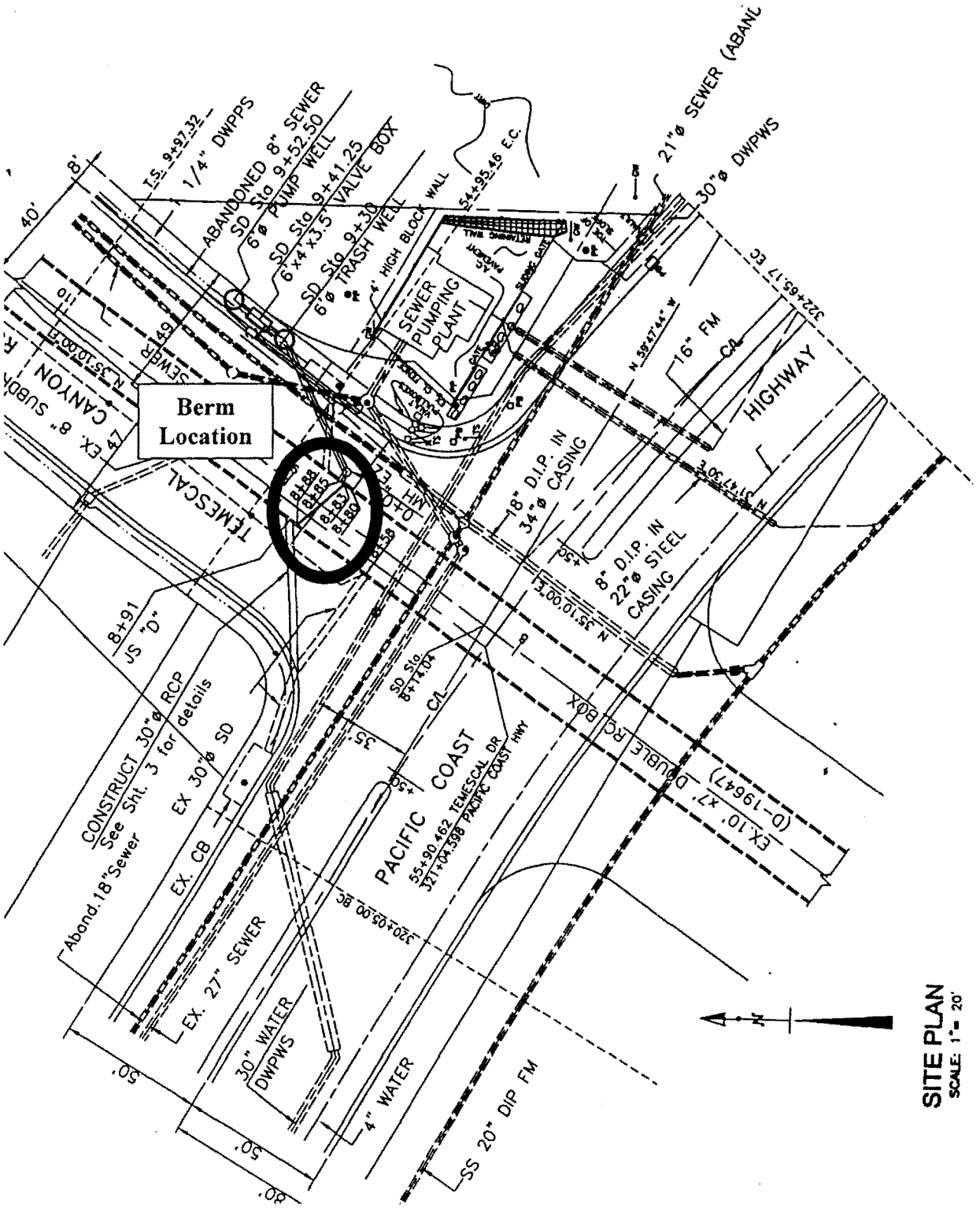
As conditioned, to address water quality issues related to the project, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent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

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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 which the activity may have on the environment.

The Commission has examined a no project alternative, which would result in the continuing discharge or pollutants into nearshore waters. It has examined an alternative to carry out the work without limitations on the hours and season during which the work may be carried out, but has determined that it is feasible to limit the days on which the beach parking lot can be used for staging in order to minimize impacts on public access to the beach. There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact that the activity would have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.

TEMESCAL CANYON LOW FLOW DIVERSION PROJECT (W.O. SZS11177)
Coastal Commission File No. 5-01-264



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INDEX TO SHEETS

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		PLAN, PROFILE, SOIL BORING LOG		
		PUMPS, VALVES		
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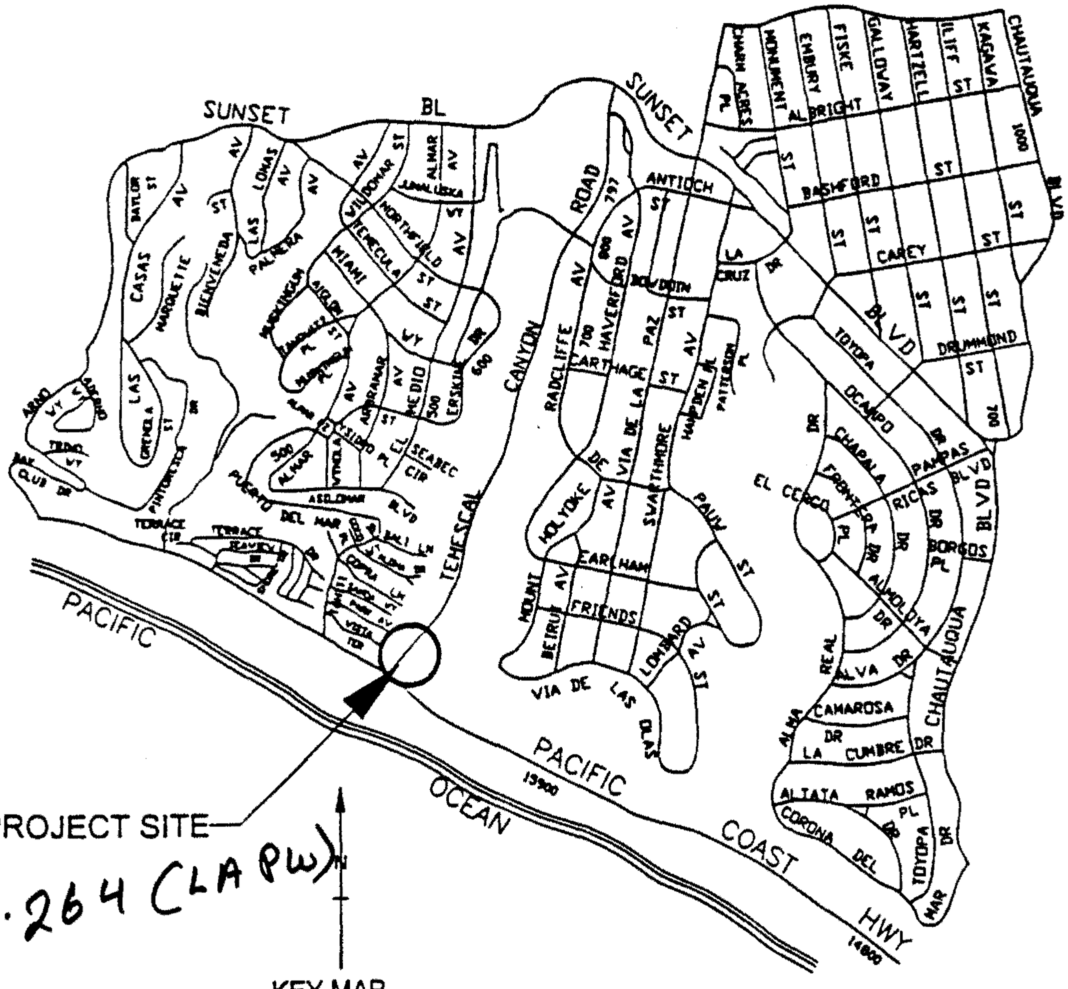
		PUMP CONTROL AND PANEL ENCLOSURE		
		INSTRUMENTATION DIAGRAM AND DATA HANDLING SUMMARY		
		INSTRUMENTATION DETAILS		



KEY MAP
SCALE: 1"=400'

5-01-264 (LA PW)

Exhibit 1
Location

TEMESCAL CANYON LOW FLOW DIVERSION
W.O. No. SZS11177

DIV./DIST. ENGR	DATE	CITY ENGINEER	DATE

CITY OF LOS ANGELES
VITALY B. TROYAN P.E. CITY ENGINEER

APPROVALS	ENGINEER	DATE
STRUCTURAL		
WASTEWATER		
ST. LIGHTING		
TRAFFIC		
SURVEY		

DIV./DIST. ENGINEER R.E. NO. DATE
DEPUTY ENGINEER R.E. NO. DATE
APPROVED ________ 20 ___

DESIGNED BY Shabaz Mad
DRAWN BY Andres de la Cruz
SUPERVISED BY Robert Vega
CHECKED BY Hassan Nazemi
PROJECT ENGINEER Robert Vega R.E. NO. C-47491
ASST. DIV./DIST. ENGINEER Wayne C. Mohr R.E. NO. C-21071
REVIEWED FOR: STREETS, SEWERS, STORM DRAINS, SURVEY, SUBSTRUCTURES, STRUCTURES, R/W

BENCH MARKS: BASIS, DESCRIPTION

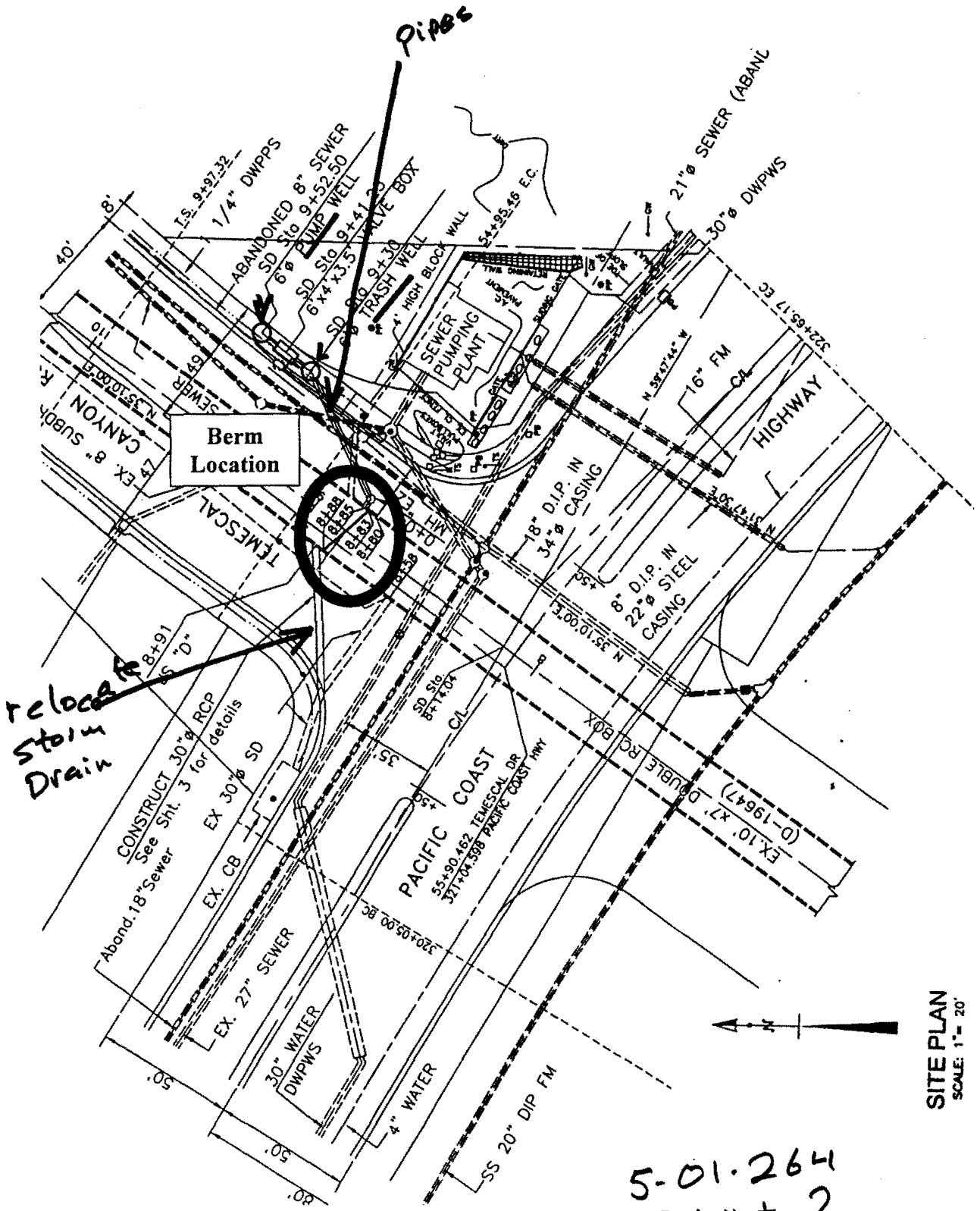
SURVEY INFORMATION: FIELD BOOK NO., DATE OF SURVEY, PRELIMINARY, PROFILE, CENTERLINE

REFERENCES: DISTRICT MAP NO., DRAINAGE MAP NO., SUPERSEDED PLAN NO., INDEX GRIDS, R/W NO., DIV., PROJECT DISPOSITION, WORK ACCEPTED, CONSTRUCTION CHANGES MADE, PROJECT ABANDONED, DATE, SERIAL NO., BY

TITLE SHEET

R-1

TEMESCAL CANYON LOW FLOW DIVERSION PROJECT (W.O. SZS11177)
Coastal Commission File No. 5-01-264



5-01-264
Exhibit 2
Location of improvements

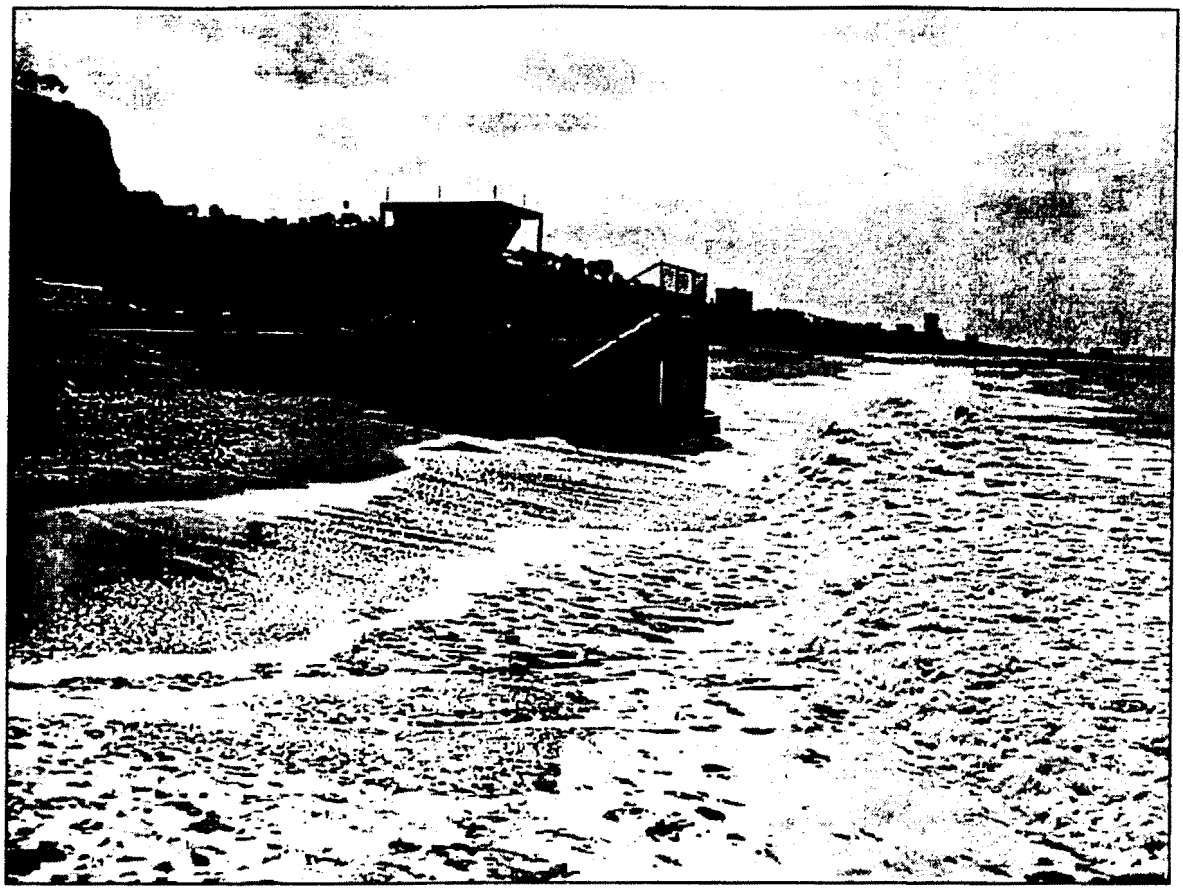


Photo 3: Temescal Canyon Storm Drain Outlet, Looking North Toward Santa Monica.

5-01-264
Exhibit 3
Existing Outfall

Photo 2: Temescal Canyon Storm Drain (Covered) , Looking North Toward Temescal Canyon.

5-01-264
Exhibit 4
top of drain
on sand

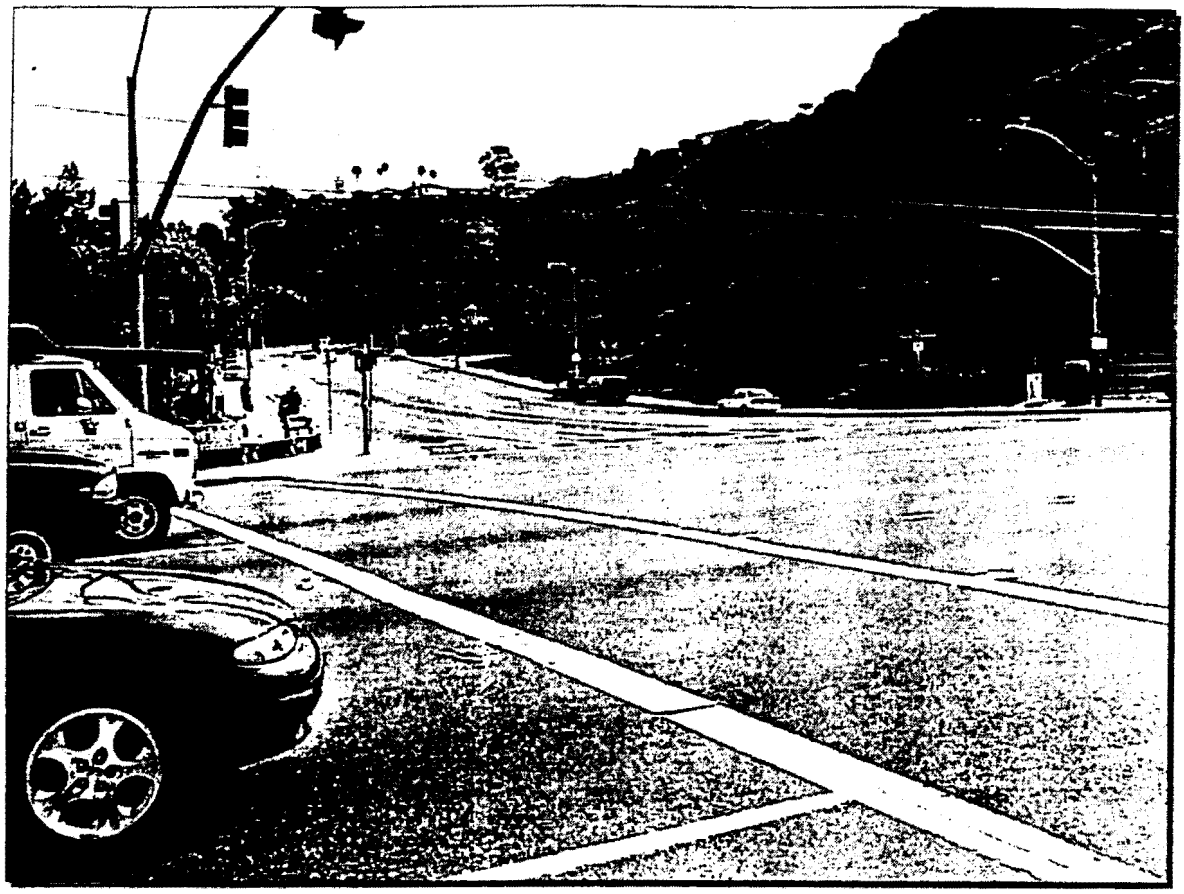


Photo 1 : Approximate Project Location (End of Temescal Cyn Rd (Background)) at Pacific Coast Hwy (Foreground).

Exhibit 5
5.01.264
Location
of improvements

- Expanding the City's Stormwater Program web site, LAstormwater.org to provide more information about stormwater pollution prevention.
- Partnering with Business Improvement Districts on the dissemination of information.
- Partnering with Cabrillo Marine Aquarium in the education of elementary students.
- Partnering with Los Angeles County in the education of middle and high-school students through the Generation Earth program.
- Expanding the public agency employee training program to include specialized training for employees who job duties have the potential to negatively impact water quality.

TEMESCAL CANYON SOURCE CONTROL INVESTIGATION

Sanitation conducted an investigation of the Temescal Canyon watershed to determine if obvious and controllable sources of bacterial contamination were present. If sources could be identified, then measures would be taken to control these bacterial inputs, thus eliminating violations of water quality standards along the shoreline and the need for a diversion structure.

From September to November 2000, personnel from the Bureau of Sanitation have conducted 7 monitoring events at ten stations along the main storm drain line running down the length of the Canyon. Each sample was tested for concentrations of ammonia and three indicator bacteria: total coliform, *E. coli*, and enterococci. All these parameters are indicators of the presence of sewage contamination. Such contamination could be derived from leaking sewers, failing septic tank systems, or waste from pets or horses washing into the storm drain system.

Data collected to date (Appendix 6) indicate that while bacterial concentrations were sporadically elevated within the drain system at different stations; no discernable pattern of bacterial contamination emerges from this monitoring. Based on this finding, Sanitation plans to continue of a low-flow diversion structure at the base of Temescal Canyon with construction to be completed by summer 2002. Dry-weather diversion will keep contaminants from reaching recreational waters from April through October. Public education will continue in our effort to reduce stormwater pollution year round.

LOW-FLOW DIVERSION SPILL RESPONSE

Sanitation is responsible for the operation and maintenance of the City's sewer system, as well as the City's low-flow diversion pump stations. Before the beginning of the next dry-weather diversion period (April 1, 2001), Sanitation will have implemented modifications to the existing Stormwater Hotline Response procedures (Appendix 7) to include notification of any spills to the storm drain system that might impact low-flow diversion structure, the sewer system, or Hyperion Treatment Plant. Currently, protocols exist, that in the event of a spill, notification goes out to the following groups:

5.01.264

Exhibit 6
Details on
Temescal

LOW-FLOW DIVERSION PRIORITIZATION

The major storm drains that flow into Santa Monica Bay were evaluated to determine if the storm drain runoff and adjacent beach water quality continue to justify the need for dry-weather low-flow diversions. There are 19 major storm drains flowing from the City of Los Angeles to Santa Monica Bay (Table 1). Eight of these drains are either currently diverted or scheduled for LFD construction over the next two years. Two other drains, Marina Del Rey and Ballona Creek, are located next to each other and have offshore outlets with large-scale tidal mixing that dilutes the coliform counts and, therefore, reduces the risk of illness to swimmers. Discharges from Marina Del Rey enter the Pacific Ocean 1000-feet from shore. Discharges from Ballona Creek enter the Pacific Ocean 500-feet from shore. Shoreline station S-10 located 50-yards downcoast of Ballona Creek consistently show low bacterial counts from daily monitoring.

The remaining 9 drains (Table 3) were evaluated as potential candidates for low-flow diversion. These drains were tested for coliform bacteria from April to October 2000 in the undiluted drain effluent, in the mixing zone, at 50-yards North, and at 50-yards South of the storm drain outlet. Two types of analyses were conducted on the water quality data from storm drain and beach samples. First, beach water quality data was evaluated for exceedences of the existing health standards for water contact, the AB-411 bathing standards (Figures 1, 2, 3, and 4, Appendix 4). AB-411 was adopted by the California Legislature in September of 1997. Los Angeles County Department of Health Services (LACDHS) incorporated AB-411 bathing water standards into their Ocean Water Regulatory and Monitoring Protocol in July 1999. LACDHS is responsible for enforcing laws and regulations regarding beach sanitation and State water quality standards. This includes posting of warning signs on beaches when State standards are not met.

AB-411 bathing standards require that a single sample shall not exceed:

> 10,000 total coliform bacteria/100-mL or
> 400 fecal coliform bacteria/100-mL or
> 104 enterococcus bacteria/100-mL or
> 1,000 total coliform bacteria/100-mL, if the ratio of fecal/total bacteria exceeds 0.1.

LACDHS has monitoring locations at most of the major storm drains entering Santa Monica Bay. Routine samples are collected 50 yards away from the storm drains either upcoast or downcoast. Discussions are currently underway between environmental and regulatory groups to determine if the samples collected 50-yards away from the drain are representative and if the sampling locations should be moved closer to the drain to be more protective of swimmers. Another issue is the location of the station with respect to the lateral transport of urban runoff along the shore. If the waves and currents transport is moving away from the sampling location, then the resulting data will underestimate the contribution of urban runoff to the beach water quality. In Santa Monica Bay, only one of the storm drains monitored by LACDHS is monitored both to

5-01-264

(Background) Exhibit 7
p. 1

the north and the south. The rest of the storm drain stations are either 50 yards to the north or south of the drain but not both. There are regional differences to how the sampling distance issue is being handled. For example, in San Diego, the local health agency applies AB-411 standards to samples that are collected at 0-yards from the drain. The Bureau of Sanitation from April to October of 2000 collected samples from the drain, the mixing zone in front of the drain, 50-yards North, and 50-yards South to better understand the relationship between urban runoff at the beach and the resulting beach water quality.

Second, the storm drains were ranked according to relative health risk which considers drain flow, bacterial concentration, bacterial ratios, and beach usage. The results from this analysis are shown in Table 4 and Appendix 5.

Table 3. Storm Drains Evaluated for Coliform Contamination During 2000. Drains are Listed from North to South.

Castlerock
Santa Ynez Canyon
Marquez Avenue
Pulga Canyon
Temescal Canyon
Santa Monica Canyon
Venice Pavilion
North Westchester
Imperial Highway

Percent of Samples that Exceeded AB-411 Bathing Standards

Over 90% of the samples collected from the storm drain exceeded the AB-411 bathing water standards (Figure 1). A notable exception to these high numbers is Pulga Canyon, which exceeded AB-411 standards about half as often as the other drains due to a $5.4 million dollar sewer repair done in early 2000. Mixing zone samples were composited from 5 individual grab samples taken at ankle depth where the incoming waves meet the storm drain effluent. Mixing zone measurements from the following storm drains: Castlerock, Santa Monica Canyon, Temescal Canyon, and Santa Ynez Canyon exceeded the AB-411 standards between 65% and 100% of the time (Figure 2). Mixing zone samples from Imperial Highway and Pulga Canyon form a second group with exceedences at 31% and 28%, respectively. At 50-yards North of the storm drain, Santa Monica Canyon samples showed the 35% exceedence of AB-411 standards, about 3 times higher than any of the other drain measurements at 50-yards North (Figure 3). At 50-yards South, samples from Castlerock, Santa Ynez Canyon, and Santa Monica Canyon exceeded the AB-411 standards between 40% to 60% of the time (Figure 4).

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Project Background
Exhibit 7
p2

Figure 1. Percent of Samples that Exceed AB-411 Bathing Water Standards at Various Storm Drains from 2000.

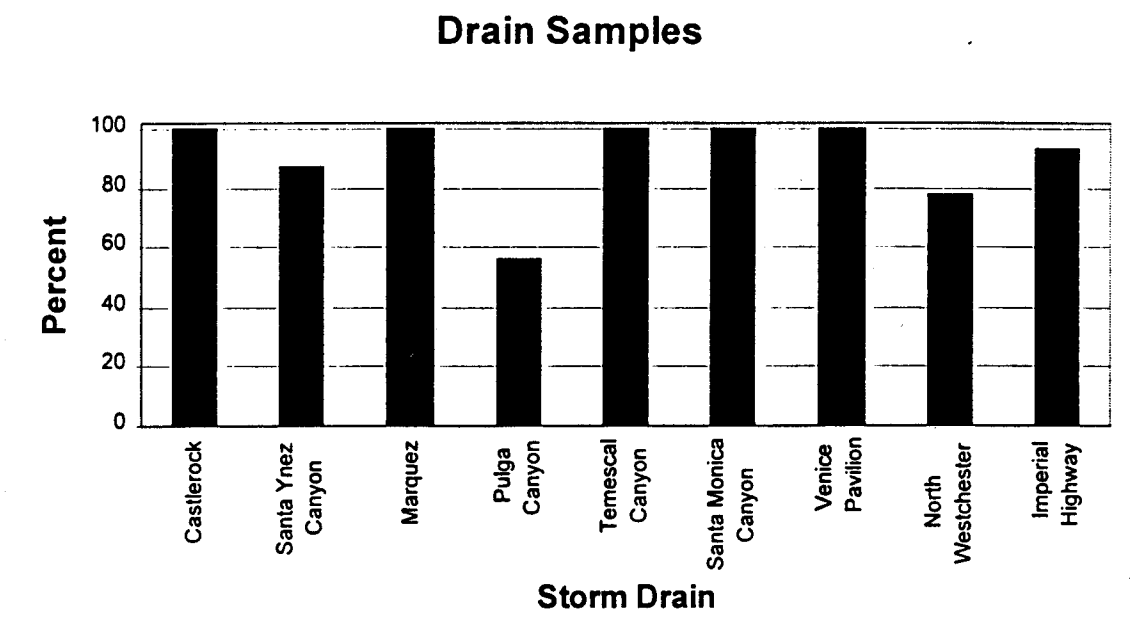
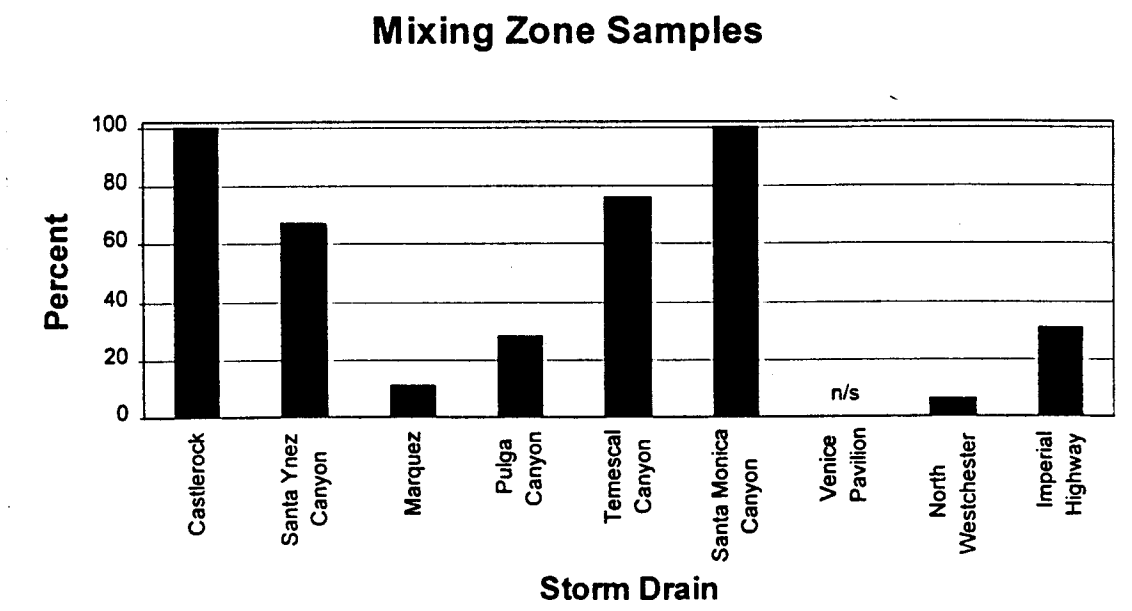


Figure 2. Percent of Samples that Exceed AB-411 Bathing Water Standards in the Mixing Zone from 2000.



n/s = no samples

5.0-264
Project Background
Exhibit 7
page 3

Table 1. Low-Flow Diversion Program Summary Table

Storm Drain (listed North to South)	Status of Low-flow Diversions			
	Divert	Year	Monitor in 2001	Notes
Castlerock	No		Yes	Rocky downcoast area eliminates recreational access, which reduces public exposure to urban runoff along the shoreline.
Santa Ynez Canyon	No		Yes	Rocky downcoast area eliminates recreational access, which reduces public exposure to urban runoff along the shoreline.
Marquez Avenue	No		Yes	Small flow infiltrates into sand and rarely reaches shoreline, which reduces public exposure to urban runoff along the shoreline.
Bay Club Drive	Yes	2001		Divert to Hyperion Treatment Plant
Pulga Canyon	No		Yes	Lower bacterial counts due to $5.4 million sewer repair.
Temescal Canyon	Yes	2002		Divert to Hyperion Treatment Plant
Palisades Park	Yes	2001		Divert to Hyperion Treatment Plant
Santa Monica Canyon	Yes	2002		Divert to Hyperion Treatment Plant
Pico-Kenter	Yes	2001		Diverted to SMURRF[1]
Ashland Avenue[2]	Yes	2001		Divert to Hyperion Treatment Plant
Rose Avenue[2]	Yes	1977		Diverted to Ashland
Thornton Avenue	Yes	2000		Diverted to Hyperion Treatment Plant
Brooks Avenue[2]	Yes	2001		Divert to Hyperion Treatment Plant
Venice Pavilion	Yes	2002		Divert to Hyperion Treatment Plant
Marina Del Rey	No		No	Offshore discharge and tidal mixing dilutes bacterial contamination and lowers public exposure.
Ballona Creek	No		No	Offshore discharge and tidal mixing dilutes bacterial contamination and lowers public exposure.
Playa Del Rey[2]	Yes	2001		Divert to Hyperion Treatment Plant
North Westchester	No		Yes	Offshore discharge and tidal mixing dilutes bacterial contamination and lowers public exposure.
Imperial Highway	Yes	2002		Divert to Hyperion Treatment Plant

Note: 1. SMURRF stands for Santa Monica Urban Runoff Recycling Facility.
2. Los Angeles County Department of Public Works is responsible for the construction and operation of these low-flow diversion structures. The City of Los Angeles is responsible for construction and operation of all other low-flow diversion structures proposed above.

5.01.264
Exhibit 8
program summary

SPECIAL PROVISIONS B1

1. Traffic Control

All traffic controls in the work area shall conform tot he latest edition of "Work Area Traffic Control Handbook" (W.A.T.C.H), and to the Traffic Lane Requirements below.

2. Traffic Lane Requirements

Temescal Canyon Road

All traffic lanes (including through, turning, and parking lanes) shall be unobstructed from 4:00 P.M. to 9:00 A.M. of the next day. One lane may be closed at all other times. During phase III construction (for installation of the Trash Well, Pump Well and Valve Box), the parking and bike lane for northbound Temescal Canyon Road may be closed for the duration of the work.

The Contractor shall prepare a Worksite Traffic Control Plan (WTCP) and submit to the Engineer for approval ten days prior to the start of construction. The plan shall show the proposed parking and bike lane clsures (phase III), typical lane closures and proposed temporary traffic control devices per the WATCH manual and/or Standard Plans S-488.0.

Pacific Coast Highway

See attached Lane Closure Guidelines from CALTRANS.

3. Signs and Markings Maintenance

The contractor shall make arrangements for the restoration of all obliterated pavement markings and for the reinstallation of all missing or damaged signs, curb markings and parking meters. In some cases the contractor may be required to reinstall obliterated and related pavement markings, to the satisfaction of LADOT. All damaged and destroyed striping and pavement markings shall be restored utilizing thermoplastic materials per LADOT specifications. The contractor shall contact LADOT's Citywide Investigations at (213) 580-5215 prior to commencing any work that requires sign and/or marking maintenance.

5.01.264
Exhibit 9

Special Provision

4. Traffic Signal

The following conditions shall apply at locations where construction interferes with existing City of Los Angeles Department of Transportation (LADOT) traffic signal pullboxes, conduits, detector loops, or other equipment.

a) Materials and installation shall, except as otherwise stated or provided herewith, conform to the latest edition and supplements of the Standard Specifications for Public Works Construction adopted by the Board of Public Works of the City of Los Angeles as modified by the corresponding issue of the Standard Plan S-610, and the latest edition of LADOT Special Provisions and Standard Drawings for the Installation and Modification of Traffic Signals.

b) The LADOT Traffic Signal Inspector, telephone (213) 485-7689 *(for locations in San Fernando Valley (818) 756-7852 or (818) 756-8414)*, shall be notified three (3) working days prior to beginning construction.

c) Traffic signal control shall be maintained between the hours of 6:00-9:00 a.m. and 4:00-7:00 p.m. on weekdays. Flashing, shutdown, or turn on of signals shall be accomplished only by an LADOT Traffic Signal Electrician. Arrangement for all shutdowns shall be made 24 hours prior to the start of any construction by contacting the LADOT Inspector at (213) 485-9161 between 6:30-9:00 a.m.; if no answer call (213) 485-2217.

d) The contractor shall maintain all existing LADOT traffic signs. Contact the LADOT Sign Foreman at (213) 485-6765 or (213) 485-2217, (for locations in San Fernando Valley *(818) 756-7851* or *(818) 756-8414)*, three (3) working days prior to construction for removal or reinstallation of signs. Any signs lost or damaged by the contractor shall be replaced at the contractor's expense.

e) In the event that conduit or traffic signal pullboxes interfere with proposed construction, the contractor will be authorized by the project engineer to relocate or replace the conduit and/or the pullboxes. For City contracts, the contractor may be paid in accordance with section 3-3 of the Standard Specifications for Public Works Construction. For all other work performed under permits, any amount paid for additional work shall be the agreed price between the Permittee and the contractor. All work must be performed by a licenced contractor experienced in traffic signal construction.

f) In the event of damage to existing traffic signal equipment, conduit, or detector loops, the contractor shall immediately notify the LADOT Traffic Signal Superintendent at (213) 847-2991, and shall be responsible for repair or replacement at no cost to the City. Repaired or replaced equipment/conduit shall be inspected by the Traffic Signal Inspector before signal circuits are energized.

Special Provisions

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Exhibit 9 p2

Temescal Canyon - Discharge 19

This drainage area is 1,660 acres (672 hectares) in size and is shown in Appendix F. The municipality contributing and responsible for runoff is the City of Los Angeles (100%). The drain discharges into Santa Monica Bay across PCH and Will Rogers State Beach at Temescal Canyon in a 10-foot wide by 7-foot-high double RCB (20'x7'). The line outlets on the beach or in the surf depending on the tide. The drain is maintained by LACDPW.

Pulga Canyon - Discharge 20

This drainage area is 1,220 acres (494 hectares) in size and is shown in Appendix F. The municipality contributing and responsible for runoff is the City of Los Angeles (100%). The drain discharges into Santa Monica Bay across PCH and Will Rogers State Beach at Pulga Canyon Park in a 11.5-foot-wide by 7-foot-high double RCB (23'x7'). The line outlets onto the beach. The drain is maintained by LACDPW.

Bay Club Drive (a.k.a. Balboa Bay Club or Bel Air Bay Club) - Discharge 21

This drainage area is 148 acres (60 hectares) in size and is shown in Appendix F. The municipality contributing and responsible for runoff is the City of Los Angeles (100%). The drain discharges into Santa Monica Bay across PCH and Will Rogers State Beach at Bay Club Drive in a 3-foot-6-inch-diameter RCP. The line outlets into the surf. The drain is maintained by the City of Los Angeles.

Marquez Avenue - Discharge 22

This drainage area is 47 acres (19 hectares) in size and is shown in Appendix F. The municipality contributing and responsible for runoff is the City of Los Angeles (100%). The drain discharges into Santa Monica Bay across Will Rogers State Beach at Marquez Avenue, Los Angeles across Pacific Coast Highway in a 4-foot-diameter RCP. The line outlets onto the beach and seeps into the sand. During November 1995 and April, May, and June 1996 sampling, the flow from this outlet had a rusty light brown color and a white foam in a small stagnant pool at the outlet. The pool was full of trash and debris.

Santa Ynez Canyon (a.k.a. Sunset Boulevard) - Discharge 23

This drainage area is 4,387 acres (1,775 hectares) in size and is shown in Appendix F. The municipalities contributing and responsible for runoff (by acreage) are the City of Los Angeles (96%) and unincorporated areas of Los Angeles County (4%). The basin falls under the municipal jurisdiction of the City of Los Angeles and LACDPW. The drain discharges into Santa Monica Bay across Will Rogers State Beach at Sunset Boulevard, Los Angeles across Pacific Coast Highway in a triple RCB (8.75' and 12.25' and 8.75' wide by 8.5' high). The line outlets into the beach or surf depending on tidal conditions. The drain is maintained by LACDPW.

Watershed Description

S. 01264
Exhibit 10