

CALIFORNIA COASTAL COMMISSION

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Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-01-432

APPLICANT: California Department of Transportation

AGENTS: Stephanie Reeder; Aziz Elattar; Ron Kosinski

PROJECT LOCATION: Route 90 from Coastal Zone boundary to halfway between Culver Boulevard and Mindanao Way, a point 1,934.7 feet west of the westerly edge of the proposed bridge over Culver Boulevard, Palms Mar Vista-del Rey District, City of Los Angeles, Los Angeles County.

PROJECT DESCRIPTION: Construct a 58.6-foot wide, four lane, 436 foot long bridge over Culver Boulevard partially located within the coastal zone; extend Route 90 Freeway 1,020 feet west of the westerly edge of the proposed bridge; install one 38.4 foot wide, 1,020 foot long eastbound ramp and one 38.4 foot wide, 771-foot long westbound ramp in the 18.83 acre undeveloped median between Route 90's present east and westbound roadways in order to connect the bridge to existing roadways that now extend between Culver Boulevard and Mindanao Way (Modified East Alternative). The bridge and its ramps would bridge over a small willow-mulefat dominated area, avoid all fill and shading of the Marina Drain and minimize disturbance of other vegetated areas. As part of the project, the applicant proposes to enhance the biological quality of the Marina Drain, the 1.81-acre freshwater wetland found in the uncovered drain that exists on the site, to enhance other areas of the site, to remove invasive introduced plants from the site, and to use native vegetation in planting the engineered slopes that will support the new ramps. The applicant also proposes a system of pretreatment swales that will enhance the quality of water discharged from the 2.3 acres of new pavement and from 4.8 acres of existing paved areas. The application includes a request for after-the-fact authorization for demolition of a retail pottery store and RV/boat storage facility.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending **APPROVAL** of the revised project (the Modified East Alternative) with conditions. **The resolution is found on page 7.** During its initial project review, the applicant investigated conceptual plans for four alternative alignments of the ramps (the initially preferred alternative, termed "Original" in the chart below, and the "Bridge", "East", and "West" alternatives.) The applicant submitted the Original alternative, which provided the most direct route across the median, as its proposal. When the Original alternative

proved to result in wetland fill, the applicant decided to pursue the Bridge Alternative, an alternative that would not result in wetland fill, although it would result in profound shade in an open water area. At the February, 2002 hearing on the Bridge Alternative, the applicant indicated that it could modify its second alternative, the East Alternative, to correct some safety problems so that it could provide an alternative that did not shade wetlands. This "Modified East Alternative" would result in no fill or shading of the Marina Drain, which contains the open water wetlands on the site. However, investigations conducted in April 2002 revealed that this alternative would shade a small 0.04-acre patch of willows. In addition, the fill supporting the ramps would divide the strip into three discrete sections, and would also separate the wetlands on the site from Area C Playa Vista by the fill for its ramps.

In April 2002, in preparation for the April Coastal Commission hearing on the "Modified East Alternative," the applicant surveyed a 5.6-acre former boat storage yard on the eastern end of the project site that were formerly covered with asphalt. (4.93 acres of the boat yard are within the Coastal Zone.) In the 16 months after the tenant had vacated the site and removed the pavement, a small patch of willows and mule fat had emerged (about 1700 sq. ft.) that was unquestionably a wetland. Opportunistic annuals, among them wetland obligate and facultative wetland plants including rabbitsfoot (*Polypogon*), sand spurrey (*Spergularia*), sweet clover (*Melilotus*) and bristly ox-tongue (*Picris*) had sprung up on significant areas of the site. Other plants such as pampas grass had also appeared. The applicant requested an onsite analysis from Dr. John Dixon, Senior Staff Biologist. The applicant's consultants, assert that the boat yard site is generally too dry to be a wetland but they identified the Arroyo Willow-Mulefat Association at the east end of the site as a wetland under the Coastal Act. Pending Dr. Dixon's analysis, the applicant was prepared to return to the Bridge Alternative, an alternative that eliminates the wetland fill on the Marina Drain and limits the fill in the *Spergularia* and to some extent, in the *Picris*, *Melilotus*, and *Polypogon* (all wetland indicator vegetation), although it would result in some shading.

On May 13, 2002, at the applicant's request, Dr. John Dixon visited the site with the applicant's consultants. In his subsequent report, Exhibit 5, he agreed that the willow-mulefat area identified by the consultants is a wetland, but indicated it is larger than originally reported. He also agreed that on the site there are plants that are designated "Obligate" and "Facultative Wetland" in the U.S. Fish and Wildlife Service list of plants that occur in wetlands, but concluded that those plants were not functioning as wetland plants. As a result, the area was not currently functioning as a wetland. Furthermore, there was likely to be a change in the species composition of the vegetative community on the site, given natural succession common to newly disturbed areas. He also noted that the wetland obligate plants were located on the high, apparently drier, part of the site, and the lower, apparently wetter, parts of the site were dominated by ruderal species listed as "Facultative". He concluded that, except for the area of the Arroyo Willow-Mulefat Association, the site is not a functioning wetland at this time, although he thinks it is probable that some additional areas would develop wetland characteristics under normal climatological conditions.

The staff cannot base a regulatory decision on inconclusive information concerning the wetland status of an area that is clearly not presently functioning as a wetland. Therefore, the staff will treat only the willow-mulefat area and the open water areas of the site as wetland. Therefore, staff is recommending approval of this Modified East Alternative because it does not involve wetland fill; it will not shade the open water areas of the site, and it will impact the willow mulefat areas by shading only.

At prior hearings on this project, opponents provided a design of the intersection that would consolidate the new ramps on the northern edge of the median, allowing the wetlands on the site to eventually link with Area C Playa Vista. The applicant has investigated the alternative provided by the opponents (the North Alternative.) The applicant states that the North Alternative has a major disadvantage: it results in fill of 0.60 acres of open water wetland, and shading of 0.01 acres of the patch of willows (Exhibit 1, page 3 and Exhibits 8, 9 and 10). The opponents contend, however, the North Alternative would be the environmentally superior alternative because it would (1) result in the least discontinuous on-site wetlands and (2) on the westernmost third of its length it would connect with Playa Vista Area C, which is also being considered for retention by the State for habitat and wetland restoration and for improvement as a public park. In order to approve this North Alternative, the Commission would be required to address the inconsistency of the North Alternative with Section 30233 of the Coastal Act. Moreover the idea that clustering the travel lanes on the northern side of the Route 90 right-of-way would result in a continuous area of state-owned land in Area C is incorrect. The Route 90 right-of-way is separated from the Area C lands held by the Controller of the State of California by a 90-foot wide strip of former Railroad Right-of-way. Two private parties, one of which is Playa Capital, own this right of way. (See Exhibit 1, pages 1-3 for exhibits showing the Modified East Alternative and the North Alternative.)

The applicant has provided an analysis of alternatives and asserts that there are no feasible alternatives that would be less environmentally damaging than the project as now proposed. The applicant further points out that the project does not result in fill or shading of the Marina Drain, the open water wetlands on the site, and contends that the presence of sand spurrey is not indicative of the presence of a wetland. Caltrans has prepared the following table to compare the alternatives that they investigated (see next page):

ROUTE 90 ALTERNATIVES ANALYSIS WETLAND AREA IMPACTS (Acres) (INITIAL ESTIMATE - MAY 17, 2002)										
Alternative	Modified East*		Bridge-Over-Wetland*		West*		North*		Original Design	
	Fill	Shad ing	Fill	Shad ing	Fill	Shad ing	Fill	Shad ing	Fill	Shad ing
Original Delineated Wetlands				0.10		0.15	0.60		0.17	
Boat Storage Yard Wetlands		0.04		0.04		0.04			0.04	
Wetland Subtotal		0.04		0.14		0.19	0.60		0.21	
Boat Storage Yard Vegetation	0.03	0.57	0.08	0.81	0.08	0.75	0.08	1.11	1.14	0.11
Total	0.03	0.65	0.08	1.09	0.08	1.13	1.1	1.11	1.56	0.11
* Assumes that the Alternative "Bridges Over" the wetland and vegetation areas instead of fill whenever possible. Source: Caltrans staff										

As proposed, the project includes a plan to improve water quality. The applicant has provided a water quality enhancement program that will pretreat all drainage from the 2.3 acres of new pavement and the 4.8 acres of the existing roadways before it enters the wetland. The applicant has also proposed to enhance the biological quality of the Marina Drain, and other areas of the former boat yard, to remove invasive vegetation that exists on the site and to use vegetation that is native to the areas in planting fill slopes and elsewhere in the project area. In addition, the applicant has provided a lighting plan that will minimize overspill of light onto habitat areas. The applicant proposes to install lighting at intersections only.

Finally staff notes that the level of service at this intersection is currently Level F during evening rush hour (stop and go). According to the applicant, this level of congestion can increase accidents. The applicant has already installed improved signals and re-stripped a turn lane to improve this intersection, and feels that a partially grade-separated intersection is the next step to improving the capacity of the intersection. This intersection is a link in a major commuter route from the South Bay to down town business areas. The project is necessary to improve existing travel on the road and to improve access to the coast, but it is also necessary to maintain existing access when the first phase of the Playa Vista development is complete. This first phase of Playa Vista is located outside the

Coastal Zone, and the Commission does not have the power to reduce the level of traffic that it generates. This project is intended to reduce the impacts of this traffic (See Traffic Analysis Section B, page 21 ff).

Staff is recommending approval with conditions requiring that the applicant carry out and expand its habitat enhancement and water quality proposals, control siltation during construction and protect of water quality after construction, control project lighting, and provide biological and archaeological monitors during construction. The Marina Drain in the median discharges directly into the portion of the Marina Drain that is located on Area C Playa Vista, which is directly southwest of the project. The enhancement of 18.8 acres and removal of invasive plants directly upstream from Area C Playa Vista will have a beneficial effect on restoration efforts in Area C, if any take place, and on other areas down stream of this site.

The applicant has provided a feasible alternative that would be the least environmentally damaging of all feasible alternatives that were considered, and has also proposed mitigation measures that protect and restore the biological productivity of the sensitive resources that have been identified on site. **The motion to carry out the staff recommendation is found on Page 7.**

APPROVALS RECEIVED:

1. Categorical Exclusion CEQA, Caltrans
2. Department of Fish and Game 1601 permit (Streambed alteration agreement Notification Number 5-265-00, 6/27/01)
3. City of Los Angeles Department of Public Works
4. California Regional Water Quality Control Board, Los Angeles Region, Conditional Certification for proposed State Route 90/Culver Boulevard Fly-over project (Corps Project 2000-06124-PJF), unnamed tributary to Ballona Creek, Marina del Rey, Los Angeles County (File No. 00-133) (401 Conditional Certification)

STAFF NOTE ON JURSDICTION.

A. COASTAL ZONE BOUNDARY. The project is located on state-owned land located in the City of Los Angeles. Not all of the project is located in the Coastal Zone. The Coastal Zone boundary follows a projection of the northeastern side of the Alla Road right-of-way, connecting to the Pacific Electric Railroad right-of-way, then running east along the northerly edge of the right-of-way and from there to the southerly edge of the Ballona Creek Channel (Exhibit 1). The northerly half of the Culver Boulevard/Route 90 intersection is outside the Coastal Zone, but the eastbound Route 90 roadway and the southerly half of the intersection and most of the Route 90 median area west of Culver Boulevard are located inside the Coastal Zone. About half of the proposed bridge and a sliver of the presently undeveloped median are not in the Commission's jurisdiction, however most of the median strip west of Culver Boulevard is located in the Commission's jurisdiction, as are the westerly ramps and the wetland enhancement. Exhibit 1 shows a

depiction of the location of the Coastal Zone in this area. The proposed development that is located within the Coastal Zone requires a coastal development permit.

B. LOCALLY ISSUED PERMITS UNDER 30600(b). The City of Los Angeles has assumed the responsibility of issuing coastal development permits within its boundaries as permitted in Section 30600(b) of the Coastal Act, which allows local governments to review and issue coastal development permits prior to certification of a Local Coastal Program (LCP). Section 30600(b), however, provides that local governments do not have jurisdiction to issue coastal development permits under this program to public agencies over which they do not normally have permitting authority, such as schools and state agencies. Therefore, unlike many other projects that the Commission has reviewed in the City, this project has not received a coastal development permit from the City of Los Angeles.

Section 30600 states in part:

Section 30600

(a) Except as provided in subdivision (e), and in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, any person, as defined in Section 21066, wishing to perform or undertake any development in the coastal zone, other than a facility subject to Section 25500, shall obtain a coastal development permit.

(b) (1) Prior to certification of its local coastal program, a local government may, with respect to any development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620, and 30620.5, establish procedures for the filing, processing, review, modification, approval, or denial of a coastal development permit. Those procedures may be incorporated and made a part of the procedures relating to any other appropriate land use development permit issued by the local government.

(2) **A coastal development permit from a local government shall not be required** by this subdivision for any development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled, **or for any development by a public agency for which a local government permit is not otherwise required.**
(Emphasis added)

The City of Los Angeles does not have permit jurisdiction over development carried out by the State Department of Transportation elsewhere in the City of Los Angeles. Therefore, the Department of Transportation has applied directly to the Commission for this coastal development permit for the development that is proposed inside the Coastal Zone.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the permit application with special conditions

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-01-432 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.

The permit is approved subject to the following special conditions:

1. FINAL PLANS FOR PROPOSED MODIFIED EAST ALTERNATIVE.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director final engineering drawings for the Modified East Alternative generally shown in Exhibit 1. Plans shall include the locations of the wetlands areas identified in Exhibits 1, 3 and 4 and shall demonstrate that the bridge pilings, earth berms supporting ramps and all development will avoid all fill of wetlands described in Exhibit 1 (defined as the Marina Drain and Existing Wetlands on Exhibit 1). Earth berms supporting ramps shall be set back no less than 25 feet from wetlands. The development shall be carried out consistent with the construction staging and disturbance plan required in Special Condition 2 below.

2. CONSTRUCTION STAGING AND DISTURBANCE PLAN.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall provide, for the review and approval of the Executive Director, a construction disturbance and staging plan that shows all areas in which stockpiling, equipment access, storage, and haul routes can not take place. The plan shall indicate that construction staging area(s) shall not encroach on wetlands areas and shall be set back no less than 25 feet from all wetlands. Wetlands for purposes of this approval are those designated by the United States Army Corps on Engineers, and those State wetlands identified by the Department of Fish and Game, and those areas identified as "Existing Wetlands" on Exhibit 1 (The Marina Drain and the Arroyo Willow -Mulefat dominated area), identified in the applicants "Addendum to jurisdiction evaluation of vacated vehicle storage yard site" as modified subsequent to the staff site visit (See Substantive File Documents.)

(1) The plan shall include/require:

- (a) Visible hazard fences shall be placed to designate areas where grading shall occur to place the berms supporting the ramps shown on Exhibit 1, and to designate the approved haul routes. Such fences shall be located no less than 25 feet outside the wetland areas noted in Exhibits 3, 4, 5a, above, and around vegetated areas not needed for approved grading. Prior to construction, the applicant shall place sandbags

and/or plastic on the outside of the fences to avoid siltation into the wetland and vegetated areas.

(b) A site plan that depicts:

- i. The boundaries of the areas in which staging, stockpiling and hauling shall not take place due to the existence of wetlands or established native shrubs;
- ii. Location of construction fencing and temporary job trailers;
- iii. Wetlands on the site.

(c) A temporary runoff control plan consistent with Condition 3, below.

B. The permittee shall undertake development in accordance with the approved final plans and with this condition. 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.

3. WETLAND AND HABITAT ENHANCEMENT PLAN.

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT** the applicant shall provide, for the review and approval of the Executive Director, a detailed Wetland and Habitat Enhancement Plan for the entire area of the median strip. The plan shall identify the following areas: (a) wetlands; (b) areas vegetated with native upland vegetation, (c) manufactured slopes; (d) drainage swales and (e) temporary erosion control plantings. The design shall take into account the placement of swales and other structures provided for water quality treatment as depicted in the applicants' water quality enhancement plan and required in condition 3. The Wetland and Habitat Enhancement Plan, as developed in the steps and according to the criteria outlined below, shall reflect the current mixture of native plants, shall leave existing native plants in place, use plant species commonly found in Ballona Wetland and nearby upland habitats, and/or use cuttings and seed stock from native plants found in the Ballona area.

(1) **Initial assessment.** The applicant shall submit for the review and approval of the Executive Director, a brief initial assessment describing the soil type and vegetation now found in the median strip and in the waterways, a general list of the measures that will be necessary to enhance the site, and a description of the vegetation that is likely to exist on the site after completion of the construction of the road. The assessment shall include:

- (a) An evaluation of measures necessary to remove invasive plants and a schedule of removal,
- (b) A detailed final grading plans and a description of the effects of such earth movement on the vegetation and hydrology of the site;
- (c) A description of the effect on soils of the proposed grading;
- (d) A list/description of measures to assure the soils in the manufactured slopes will be appropriate for planting,

- (e) The amount and duration of irrigation necessary to establish the project;
- (f) The measures that might be necessary to control invasive plants at the beginning of the project and after its completion, and
- (g) Measures necessary to prevent siltation and erosion from the site while plants are establishing.

(2) **Habitat Goals.** Prior to preparing the Wetland and Habitat Enhancement Plan, the applicant shall provide a statement of habitat goals prepared by a biologist or licensed landscape architect experienced in wetland restoration for the review and written approval of the Executive Director. The general goal of the plan shall be to provide support habitat for native birds, water dwelling animals and insects found in the area presently or in the past. The goals shall establish a minimum coverage of each type of plant community, including preservation of all currently present wetlands that now occur on the median strip. Plans and notes shall also indicate the goals underlying the choices of any other plants shown for manufactured slope landscaping and indicate the habitat function of the proposed vegetation--the animals and other plants expected to benefit from the presence of the vegetation.

(3) **Conceptual plan.** Based on the habitat goals approved by the Executive Director, the applicant shall submit for the review and approval of the Executive Director a conceptual Wetland and Habitat Enhancement Plan and a schedule of installation of plants consistent with these goals and plan specifications. Based on the applicant's initial plans, the Wetland and Habitat Enhancement Plan shall be consistent with the following basic habitat goals:

- (a) **Wetlands.** Plans for restoration/enhancement of the wetland areas on the site, identified in Exhibits 3, 4 and 5a. These areas shall be enhanced and preserved as freshwater wetlands. The design shall address hydrology, residence time of water, seasonal fluctuations or water levels and the accommodation of storm water.
- (b) **Upland areas.** The existing saltbush scrub and coastal sage scrub found in the upland areas shall be protected as much as feasible, and, if disturbed during construction, replaced with a mixture of native coastal prairie, saltbush scrub and coastal sage scrub plants common to the Ballona wetlands area that tolerate intermittent irrigation. Invasive species shall be removed. The plants shall be consistent with Caltrans standards for line-of-sight impacts and fire resistance.
- (c) **Manufactured slopes.** The manufactured slopes shall be planted with low-lying individuals of the coastal sage scrub and saltbush scrub community that are fire resistant.

- (d) Swales and temporary erosion control. The applicant shall specify the species and seed sources of vegetation used for temporary erosion controls and for water quality enhancement devices that employ vegetation, such as vegetated swales. Plants used for these purposes shall be natives common to the Ballona area, and in no instance shall be invasive plants as defined in subsection 6 below.
- (4) **Detailed Plans.** After the Executive Director's approval of the conceptual Wetland and Habitat Enhancement Plan, the applicant shall provide for the review and approval of the Executive Director detailed plans and notes that show the location of plants, sizes of container plants, density of seeds, if seeds are used, expected sources of seeds and container plants, a schedule of installation and a statement describing the methods necessary to prepare the site and install and maintain the enhanced and planted areas, and the kinds and frequency of maintenance expected to be necessary in the long term. If sources of cuttings or seeds outside the immediate area are used, the applicant shall describe the locations of the sources, the amount used, and the reasons for their use. The Executive Director shall approve use of such sources. The detailed plans shall be consistent with the Habitat Goals and with the approved Conceptual Plans.
- (5) **Monitoring.** Based on the information in the Wetland and Habitat Enhancement Plan and in the initial assessment, the applicant shall prepare a monitoring schedule, providing (a) a plan for removal of invasive and non-native plants identified in the initial assessment, (b) an initial report upon completion of initial planting to verify that the plants have been installed according to the approved plan, (c) no fewer than two additional reports in the first year after completion of the initial report, and (d) no fewer than one report in each subsequent year for no less than 5 years. The reports shall contain a brief description of the condition of the plants; the degree of coverage and the survival rate of various plants; either photographs, maps or illustrations and recommendations concerning activities necessary to achieve the stated "Habitat Goals" discussed in Section 2 above; and if the planting is not consistent with the goals, suggested measures to remedy the situation. The applicant shall, at the appropriate season, replant to remedy any deficiencies noted in the monitoring reports, and remove any invasive or non-native plants that have established on the site. After the initial five years, the area shall be maintained as required in this coastal development permit according to the normal Caltrans maintenance schedule, but in no event less often than once a year.
- (6) **Definition of invasive plants.** No non-native or invasive species shall be employed or allowed to naturalize or persist on the site. Invasive plants are those identified in the California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled Recommended List of Native Plants for Landscaping in the Santa Monica Mountains, January 20, 1992;

those species listed by the California Exotic Pest Plant Council on any of their watch lists as published in 1999; and those otherwise identified by the Department of Fish and Game or the United States Fish and Wildlife Service, such as the Ocean Trails list of invasive plants (attached).

- (7) **Maintenance.** In addition to the elements noted above, the Wetland and Habitat Enhancement Plan shall include a manual for maintenance methods and a plan for training maintenance employees (and contractors) in the needs of the plants on the plant palette and on the identification of native and invasive plants. Pursuant to this the plan shall include:

- (a) A list of chemicals the applicant proposes to employ and methods for their application. Said chemicals shall not be toxic to fish or wildlife or persistent in the environment. Herbicides – if used – shall be applied by hand application or by other methods that will prevent leakage, percolation or aerial drift into adjacent restoration areas. Pursuant to this requirement the maintenance plan shall include:

- i. An Integrated Pest Management Program (IPM) shall be designed and implemented for all of the proposed landscaping/planting on the project site. Because the project is located within the immediate watershed of Ballona wetland, alternatives to pesticides including, but not limited to, the following shall be employed as necessary:
- Bacteria, viruses and insect parasites shall be considered and employed where feasible.
 - Weeding, hoeing and trapping manually.
 - Use of non-toxic, biodegradable, alternative pest control products.

- (b) Where pesticides and/or herbicides are deemed necessary in conjunction with the IPM program, the list of pesticides and their application methods shall be included in the plans. In using pesticides, the following shall apply:

- i. All state and local pesticide handling, storage, and application guidelines, such as those regarding timing, amounts, method of application, storage and proper disposal, shall be strictly adhered to.
- ii. Pesticides containing one or more of the constituents listed as parameters causing impairment of the receiving waters for the proposed development (the Marina del Rey, Ballona wetlands, Ballona Creek and Ballona Creek Estuary) on the California Water Resources Control Board's 1998 Clean Water Act Section 303 (d) list, or those appearing on the 2002 list shall not be employed. In addition to those products on the Section 303(d) list, products that

shall not be employed include but are not limited to those containing the following constituents:

- Chem A. (group of pesticides) – aldrin, dieldrin, chlordane, endrin, heptachlor, heptachlor epoxide, hexachlorocyclohexane (including lindane), endosulfan, and toxaphene.
- DDT.

B. **Compliance.** The permittee and any contractors shall undertake development and maintenance of the site (including monitoring, maintenance, and training) in accordance with the final approved plan and with this condition. Any proposed changes to the approved final plans or maintenance methods 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.

4. **CONSTRUCTION-RELATED EROSION AND SEDIMENT CONTROL PLAN.**

A. **PRIOR TO ISSUANCE OF THE PERMIT**, the applicant shall submit for the review and written approval of the Executive Director, an Erosion and Sediment Control Plan outlining appropriate Best Management Practices to limit erosion and sedimentation during construction, such that no sediment escapes into the wetlands identified in Special Conditions 1 and 2, or runs off this development site. Before disturbance, all loose asphalt and other debris shall be removed from the site and disposed of in a facility designated for such waste located outside the coastal zone. Applicant shall install all appropriate erosion and sediment control Best Management Practices (BMPs) to minimize, to the maximum extent practicable, the erosion and sediment runoff from this development site. Due to the sensitive location of the project, the plan must meet the following criteria:

- (1) The plan shall be consistent with the construction disturbance and staging plan required in Special Condition 2 and the wetland and habitat enhancement plan found in Special Condition 3
- (2) Construction shall occur in stages that limit the length of time that the soils are uncovered at any one time.
- (3) The plan shall minimize, to the maximum extent practicable, grading during the rainy season (October 15 through April 1).
- (4) BMPs shall include, but are not limited to, drainage inlet protection, temporary drains and swales, gravel or sandbag barriers, fiber rolls, and silt fencing as appropriate. Applicant must also stabilize any stockpiled fill or cut or fill slopes with geotextiles or mats and close and stabilize open trenches as soon as possible. These erosion control measures shall be installed on the project site prior to or concurrent with the initial grading operations and maintained throughout construction to minimize erosion and sediment runoff waters during construction.

- (5) The plan shall also include temporary erosion control measures to be implemented immediately if grading or site preparation should cease and such cessation is likely to extend for a period of more than 30 days. If such cessation occurs, the applicant shall install such stabilization measures immediately upon cessation of grading, but in no event more than 30 days after grading stops. Temporary measures shall include, but are not limited to, stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag and gravel bag barriers, silt fencing; temporary drains and swales; and sediment basins. BMPs shall not include any erosion or sediment control BMPs that might introduce the threat of invasive or non-native species to the wetlands. Given the sensitivity of adjacent habitat, sediment basins are not sufficient to capture sediment. They must be accompanied by more stringent means of controlling sediment in close proximity to marshes and wetlands as identified.
- (6) No sediment shall be discharged into the wetlands identified in Exhibits 3, 4, 5 and 5a (the Marina Drain; or the Willow –Mulefat area noted above in Special Conditions 1 and 2
- (7) Trucks and equipment shall not be allowed to track mud or other materials onto roads per methods outlined in Caltrans BMP CD29A (2), Caltrans Storm Water Quality Handbook, or an equivalent measure required by Los Angeles City Department of Public Works.
- (8) The applicant shall test soils for toxicity during excavation according to Department of Toxic Substances Control rules and Regional Water Quality Control Board rules, whichever agency determines it has jurisdiction.
 - (a) If contaminated soils or associated materials are identified, other than non-water soluble aerially deposited lead, the toxic material shall be removed and transported to an appropriate disposal site approved for contaminants that may be discovered in the material. The site shall be an approved disposal site located outside the coastal zone.
- (9) Contaminated soils or associated material excavated shall be stockpiled only in accordance with Department of Toxic Substances Control (DTSC) rules and/or Regional Water Quality Control Board (RWQCB) regulations.
- (10) Aerially deposited lead-contaminated soils or associated material discovered during the excavation of the site shall be handled according to DTSC rules. If the lead is water-soluble, it shall be hauled offsite as indicated in Subsection A6 above. If it is not water-soluble, it may be properly capped and used under the improved roadway, if consistent with DTSC approvals.
- (11) Airborne particulates shall be controlled consistent with the rules of the Air Quality Management District.

B. The permittee shall undertake development in accordance with the approved final plans and with this condition. 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.

5. CONSTRUCTION AND POST-CONSTRUCTION WATER QUALITY MANAGEMENT PLAN.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall provide for the review and written approval of the Executive Director a Water Quality Management Plan (WQMP). This plan shall include a list of best management practices to minimize to the maximum extent practicable the amount of polluted runoff that is discharged into Marina del Rey, the Ballona Wetland, or any other waterway.

A. Maintain, to the maximum extent practicable, post-development peak runoff rates at levels that are similar to pre-development levels through the use of the eight (8) proposed bioswales and energy dissipaters; AND post-development mass pollutant loading and concentration of pollutants shall be significantly reduced from pre-development levels, as proposed. Pursuant to this requirement, the plan shall include:

1. Construction BMPs

- (a) All trash and debris shall be disposed in the proper recycling or trash receptacles at the end of each day.
- (b) All stock piles and construction material shall be covered and enclosed on all sides, and in addition, as far away as possible from the identified wetlands, drain inlets, or any other waterway, and shall not be stored in contact with the soil.
- (c) Vehicles shall be refueled offsite or in a designated fueling area with a proper suite of BMPs outlined and submitted in the water quality management plan.
- (d) Asphalt demolished from the site shall be removed within 48 hours during the rainy season.
- (e) Vehicles shall not track mud or debris onto roads.
- (f) Staging areas shall include impermeable berms to catch fuel spills.
- (g) Paving machines shall be parked over drip pans or absorbent materials.
- (h) Spills of all solid and liquid materials shall be immediately cleaned up. Contaminated soils and clean-up materials shall be disposed of according to the requirements of this permit and the RWQCB. Dry spills should be swept, not washed or hosed. Wet spills on impermeable surfaces shall be absorbed, and absorbent materials properly disposed. Wet spills on soil shall be dug up and all exposed soils properly disposed.
- (i) The applicant shall not apply concrete, asphalt, and seal coat during rainstorms to prevent contaminants from coming into contact with stormwater runoff.

- (j) All storm drain inlets and manholes shall be covered when paving or applying seal coat, tack seal, slurry seal, fog seal, or similar materials.
- (k) Any imported fill must be tested for contaminants in advance of importation to the site. No contaminated material from off site may be used on the site.

2. Post Construction BMPs

- (a) As proposed in the "Post Construction Stormwater Quality Management Plan: Route 90 Improvements, Modified East Alternative" prepared on 11 March 2002, the applicant shall meet the following requirements:
- (b) Install an appropriate suite of source control and structural treatment control BMP's to achieve the above-stated goals. Structural treatment control BMP's shall be designed to treat, infiltrate, or filter the amount of stormwater runoff generated by any storm event up to, and including the 85th percentile, 24-hour storm event for volume-based BMP's, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor, for flow-based BMP's.
- (c) The WQMP shall indicate how it shall minimize to the maximum extent practicable or eliminate the contribution of 303(d)-listed pollutants (for Ballona Wetlands, Ballona Creek, and Ballona Creek Estuary) from this project.
- (d) Install trash screens and energy dissipaters at the outlets of all discharge points.
- (e) Monitor and maintain all structural and non-structural BMPs prior to the onset of the rainy season and monthly during the rainy season (October 15 through April 1) for the first year after construction is complete. One year after construction is complete, the applicant shall submit, for review and written approval by the Executive Director, a revised monitoring and maintenance schedule proposing, as appropriate, changes to the BMP monitoring and maintenance plan.
- (f) Regularly patrol and clean up the area for discarded containers, trash and other materials likely to blow into or otherwise impact the wetlands and waterways.

- B. The permittee shall undertake development in accordance with the approved final plans and with this condition. 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

6. BIOLOGICAL MONITOR.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, and again before any vegetation is disturbed; a biologist with experience in plant and animal identification whose qualifications have been reviewed and approved by the Executive Director shall survey the site and prepare a Biological Monitor's Report to the Executive Director concerning the presence of any nesting birds. If a nesting bird is found within or immediately adjacent to the footprints of the excavation or of the staging areas, work including grading or clearance of vegetation shall not proceed until the qualified biologist certifies that the chicks have fledged and that the work shall not disturb the birds.

B. The permittee shall undertake development in accordance with this condition and with any biological mitigation measures approved by the Executive Director or the Commission. Any proposed changes to the approved biological monitoring procedures or measures shall be reported to the Executive Director. No changes to the approved biological monitoring procedures or mitigation measures shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

7. PROJECT LIGHTING.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall provide lighting plans for the review and written approval of the Executive Director. A copy of all federal and state standards for lighting that may apply shall accompany the plans, along with an explanation identifying which standards are mandatory. Unless the mandatory standards applicable to this road require more lighting, the lighting plans shall provide:

- (1) Illumination shall be at the lowest levels allowed in mandatory federal and state standards for secondary highways and or intersections.
- (2) Where lights are employed, sodium vapor street lamps (HSE) shall be used.
- (3) All lights shall be directed so that, as much as possible, spillover outside the right-of-way shall not occur.
- (4) Any plan that shows lighting outside of intersections shall be accompanied by a written explanation describing why such lighting is required.
- (5) The applicant shall employ flat-faced lighting, shielding, solid or vegetative barriers and other measures to confine lighting within the roadway.
- (6) No night work or night construction lighting shall be permitted.

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.

8. ARCHAEOLOGICAL RECOVERY

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall provide evidence for the review and written approval of the Executive Director that the State Historic Preservation Officer has determined that no further investigation of the sites in the vicinity of the approved bridge project is required. The "vicinity" means within 100 yards. Pursuant to this, prior to issuance of the permit, Caltrans shall provide evidence for the review and approval of the Executive director that a qualified archaeologist has evaluated the project in light of current confidential reports, and that Caltrans has obtained concurrence of the State Historic Preservation Officer with such evaluation. An archaeological monitor qualified by SHPO standards and a Native American Monitor appointed consistent with the standards of the Native American Heritage Commission shall be present on the site during all project grading. If cultural deposits or grave goods (as defined by SHPO) are uncovered during construction, work must stop until the archaeological monitor and the Native American Monitor can evaluate the site and, if necessary, develop a treatment plan approved by SHPO and the Executive Director. Upon review of the treatment plan, the Executive Director shall determine whether an amendment is required. If human remains are found, the Commission requires that the applicant carry out identification and recovery or reburial consistent with State Law.

B. The permittee shall undertake development in the coastal zone in accordance with the adopted treatment plan. 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 applicant proposes to construct a four-lane bridge on Route 90 (the Marina Expressway) over Culver Boulevard, and to extend freeway lanes to approximately halfway between Culver Boulevard and Mindanao Way. In this part of its length, Route 90 connects the 405 Freeway to Lincoln Boulevard. Route 90 is a State Highway that extends from Lincoln Boulevard across the 405. Caltrans representatives describe Route 90 as extending to the City of La Habra; a city located approximately 20 miles inland. Most of the route, such as Slauson Boulevard, the portion of the route that lies directly

east of the 405 Freeway, is not developed as a freeway (limited access route). From the 405 to Culver Boulevard, Route 90 is a freeway. Between Culver Boulevard to Lincoln Boulevard, Route 90 is not a freeway because there are signalized intersections at Culver Boulevard, Alla Road, Mindanao Way, and Lincoln Boulevard.

Within the Coastal Zone portion of the project site, Route 90 is developed with two westbound lanes and two eastbound lanes separated by a (approximately) 330-foot wide, 2,950-foot long median. 9.74 acres of the 18.83 acre median between Culver Boulevard and Mindanao Way were previously occupied by several businesses, all but one of which have been demolished. In the larger area (approximately 38 acres) between the south bank of Ballona Creek and Lincoln Boulevard, 10.05 acres are developed with streets. Most of the 18.83 acres of the median is not developed and is vegetated by a mixture of native plants (saltbush scrub community), invasive species such as pampas grass, and several drainage ditches that support freshwater marsh plants (Exhibits 3, 4, 5 and 5a). A survey conducted by Psomas Associates in 1995 identified a total of 1.81 acres of state wetlands and 0.99 acres of Corps jurisdictional wetlands within the median between Culver Boulevard and Mindanao Way. The identified wetlands included a drainage area, the Marina Drain, which supported open water and a number of freshwater plants (Exhibit 3.) In June 2001, the Department of Fish and Game issued a Streambed Alteration Agreement for an earlier version of the proposed project (Exhibit 6). In mid-September 2001, the Commission Senior Biologist field-checked the delineation of the wetlands and confirmed that it was accurate for the area identified.

The 1.81 acre wetland on the project site that Caltrans initially identified is located within and adjacent to a drainage ditch that connects with several municipal storm drains that drain the developed area to the north of the project and discharge into the Marina Drain at the southern edge of the right-of-way. These wetlands are linear, freshwater marshes that will continue to be fed by urban storm drains. The ditch runs the length of the median strip between Culver Boulevard and Mindanao Way, generally parallel to the roadway, but widening near its intake from a major drain to the north (the Marina Drain) and also at its discharge to the south to Area C Playa Vista (again at the Marina Drain) (Exhibit 2.) As noted above, the applicant originally proposed to enhance this area, as requested in its 1601 permit, in order to mitigate filling of 0.23 acres of wetlands. No fill of this drainage is now proposed. However, the applicant is still proposing the enhancement.

The willows are found in a swale that extends the length of the boat yard portion of the site. The swale begins about 100 feet from the east bound road way and extends west to a fence that separates the former boat yard from an undisturbed patch of *Atriplex* and willows that surround the Marina Drain. The willow patch is found near the easterly end of the swale. The sand spurrey, a wetland plant listed as "Obligate," is found in a long patch that is about 50 feet south of the west bound frontage road, and that extends almost the entire length of the site (Exhibits 4 and 5). The facultative wetland plants are found in several patches on the east end of the site, east of the swale and also along the western portion of the swale. These facultative plants define an area that shows little evidence of wetlands hydrology but that is marked by wetlands facultative plants that are also plants that are found in disturbed upland areas.

The determination of the location and extent of wetland on the boat yard portion of the project site is difficult. All of the vegetation on the boat yard portion of the site is immature, having emerged within the last two years. Wetland indicator plants are found adjacent to upland plants such as coyote bush and adjacent to weeds such as pampas grass and acacia. The vegetative cover is sparse. The only wildlife observed on the site was a nesting killdeer, which commonly nests on open beaches, mourning doves, a grassland dweller, and pigeons, crows and hummingbirds—common back yard species identified in the initial survey.

In April 2002, the applicant revisited what was believed to be the upland portion of the site with two biological consultants. The consultants discovered that after the asphalt was removed from a boat storage yard, several willows and other wetland indicator plants began to emerge on the fenced, 4.93-acre boat yard site. The consultant prepared vegetation maps (Exhibit 4 and 5) that indicated that a small area (a little over 581 sq. ft.; 0.01 acres)¹ dominated by willows and mule fat in the shrub layer is a wetland, but that a larger area dominated by sand spurrey, a wetland obligate plant was not a wetland. The consultant also concluded that the portions of the swale and other areas dominated by *Picris* (bristly ox tongue), *Polypogon* (rabbits foot grass), *Melilotus indica* (Indian sweet clover), and *Conyza canadensis* (horseweed), which are also listed as wetland indicators, were not wetlands, basing their conclusion on the dryness of the site, and lack of wetland soil characteristics. See Section C, below page 19, wetlands.

The applicant has changed its project description from the project that it originally proposed. The purpose of the change is to avoid wetland fill. The applicant initially proposed, as requested in its 1601 permit (Exhibit 6), to fill 0.23 acres of wetlands and cause temporary impacts on 0.09 acres of wetlands, and to mitigate that fill by restoring additional wetlands within the median (original project). Shortly before the Commission's February 2002 hearing, Caltrans representatives changed its proposal to an alternative (The Bridge Alternative) that avoided wetland fill, but significantly shaded about a tenth of an acre of wetlands. At the hearing, Caltrans representatives indicated that it would be possible to avoid all fill and shading of wetlands. An alternative, the "East Alternative" that Caltrans staff had initially rejected for safety reasons could be slightly redesigned to reduce safety issues, and, as redesigned, could be constructed.

After the hearing, Caltrans engineers discovered a way to modify the East Alternative by modifying the bridge, so that the slope to the intersection would begin on the bridge itself. With this change, motorists would see the intersection early enough to be able to stop if necessary. The applicant presently proposes the Modified East Alternative. Caltrans asserts that The "East Alternative" avoids all wetland fill, does not shade the Marina Drain although it shades a small area (0.04 acres) of willows.

¹ At a site visit on May 23, 2002, the applicant and the staff agreed that the willow mulefat area should be considered about 1700 square feet, see Exhibit 7.

After the discovery of the willow-mulefat area, Caltrans substituted pilings for fill in order to support a part of the Modified East Alternative connection to the bridge. This allowed the ramp to bridge over the willow mulefat wetland areas. The bridge will be four meters over the willows, which should allow morning and afternoon sun to reach the willows. (See Exhibits 1 and 5) The ramps are, however, set back from the part of the site that is most likely to survive in the long term as a wetland or transitional area, a swale near the center of the former boat yard. As previously noted, this alternative will also shade 0.04 acres of the willow-mulefat wetland. (See Page 2, Executive Summary for chart.)

The present project is the first phase of a project that would ultimately link Route 90 Expressway directly with Admiralty Way in the Marina del Rey and complete the Expressway's development as a limited access, high-speed route between Lincoln Boulevard and Route 405. This phase of the project (the distance between Centinela Boulevard and Mindanao Way) is 7,910.476 feet or about a mile and a half in length. The length of the median from Culver Boulevard to Mindanao Way is approx. 2,950 feet (a little over half a mile), all but a corner of which is located within the Coastal Zone (Exhibit 1). In preparing for the project, but without first receiving a coastal development permit, the applicant removed certain structures and uses that have been allowed to operate within the median as interim uses of the right-of-way. These include a boat storage operation, and a pottery store. In preparation for this project, Caltrans also demolished an athletic facility located just outside the coastal zone. There are no conditions imposed on this project to restore or mitigate for the unpermitted development because the project would replace these uses (1) with the road and (2) with restored habitat and wetland.

Issues have been raised concerning whether, in considering this project, the Commission is considering the complete project, or whether this is only part of a larger project. Because of State and local budgetary constraints, Caltrans normally carries out road improvements, even those that may eventually connect with each other, in segments that are designed be built over a number of budgetary years. Caltrans requires that each road-widening project be able to function adequately on its own and that each project improve traffic flow by itself. The next "phase" of the project may occur within two or three years, or possibly never, but each phase of a project like this is designed to function and be useful independently, and indefinitely, with or without the completion of the next phase. There is a second improvement of Route 90, which would improve its intersection with Lincoln Boulevard that is under consideration. This extension to Lincoln is not yet approved or funded. Approval of this project does not commit the Commission to approve the other project and construction of this project does not commit Caltrans to build the revised intersection at Lincoln Boulevard.

B. PROJECT BACKGROUND.

The present project is the first phase of a project that would ultimately link Route 90 Expressway directly with Admiralty Way in the Marina del Rey and complete the Expressway's development as a limited access, high-speed route between Lincoln Boulevard and Route 405. This phase of the project (the distance between Centinela Boulevard and Mindanao Way) is 7,910.476 feet or about a mile and a half in length. The length of the median from Culver Boulevard to Mindanao Way is approx. 2,950 feet (a little over half a mile), all but a corner of which is located within the Coastal Zone (Exhibit 1). In preparing for the project, but without first receiving a coastal development permit, the applicant removed certain structures and uses that have been allowed to operate within the median as interim uses of the right-of-way. These include a boat storage operation, and a pottery store. In preparation for this project, Caltrans also demolished an athletic facility located just outside the coastal zone. There are no conditions imposed on this project to restore or mitigate for the unpermitted development because the project would replace these uses (1) with the road and (2) with restored habitat and wetland.

By bridging Route 90 over Culver Boulevard, this project would create a partially grade-separated intersection at Culver Boulevard and Route 90 (the Marina Freeway). The bridge would speed up traffic on Route 90 between Lincoln Boulevard and the 405 Freeway. Ramps provided in this and the "Culver Loop" project would make it possible to enter the freeway from northbound Culver Boulevard. The intersections of the frontage roads and Culver Boulevard would still be controlled by a traffic light.²

While the project has long appeared on subregional traffic improvement plans, including in the certified Marina del Rey LUP and in the certified Playa Vista LUP, it has most recently been required by the City of Los Angeles as a mitigation for the first phase of the Playa Vista project. Phase I is the portion of the Playa Vista project located outside the Coastal Zone. The Phase One Playa Vista project includes institutional, commercial (35,000 sq. ft.), office (1,250,000 sq. ft.) and residential (3,246 dwelling units) development and is expected to generate 44,500 daily trips, and approximately 5,360 peak hour daily trips. The project draft EIR estimates that slightly more than 12% of these trips would be internal to the project.

In the Phase I mitigation measures, the City of Los Angeles requires Playa Capital to "guarantee construction" of the bridge, arguing that significant traffic from Phase One will be routed up Route 90 to the 405 and that construction of the bridge would increase the capacity of Route 90. The City originally required only that the developer design the

² Caltrans representatives state that Playa Capital has obtained a Caltrans encroachment permit to "construct ramps to connect Culver Boulevard with the Route 90). However, this work is not part of this application. In November 2001, the Commission approved an application from Playa Vista to do this (see 5-00-382 and A-PLV-5-00-417).

bridge. The City then received comments on its certified EIR for Playa Vista Phase I³ from transportation agencies, including Caltrans⁴. These agencies questioned the feasibility of increasing access to the 405 via Jefferson Boulevard, pointing out that it would require relocation of major columns in order to widen the existing ramps at Jefferson and the 405 freeways. After hearing from Caltrans that Jefferson Boulevard/405 freeway ramps could not accommodate the amount of traffic that the consultants originally assumed, the City required Playa Vista to "guarantee construction" of the bridge and construct ramps and widen Culver Boulevard to direct traffic to Route 90. The City required the following mitigation measure:

"Culver and Marina Freeway: Guarantee construction of a 56-foot wide three lane westbound portion (or, as an interim measure, two lanes in each direction) of a grade-separated interchange at Culver Boulevard and the 90 freeway with a new freeway-lane striping easterly at a point beyond the Ballona Creek Channel Bridge, all to the satisfaction of Caltrans. Complete the eastbound portion of this interchange if funding is provided by other sources for this location. This would replace the Culver and Marina Freeway measure listed on Page V.L. 1-94 of the Draft EIR." (See Exhibit 17, Playa Capital Phase I EIR mitigation measures as amended.)

Irrespective of the City Playa Vista Phase I mitigation measures, Caltrans representatives contend that the road is required to accommodate existing and future volumes of traffic on the West Side of Los Angeles, especially on Lincoln Boulevard. The West Side varies in definition, but can be loosely defined as the part of the City of Los Angeles that lies west of La Cienega, south of the Santa Monica Mountains, north of the Airport and that extends to the Pacific Ocean. In a letter provided to the Coastal Commission staff, Aziz Elatter, Senior Environmental Planner for Caltrans outlines the reason the bridge is needed.

"Purpose and need of the project.

The project is proposed to relieve traffic congestion and improve safety by extending the Route 90-freeway section across Culver Blvd. It is needed to address existing and forecasted congestion levels due to the increased development in the area. The project will also alleviate congestion-related accidents that are expected to increase as congestion increases, should this project not be developed.

Traffic.

Traffic volumes are projected to increase significantly along Route 90 due to on-going and planned development as well as regional growth to the extent that design year traffic demands are projected to substantially exceed capacity at a number of

³ (See Haripal Vir, Senior Transportation Engineer, City of Los Angeles: "Playa Vista Project Phase I, Amendment to the Initial Traffic Assessment and Mitigation Letter dated September 16, 1992, EIR No.90-0200 (C) (CUB) (CUZ) (GPA) (SUB) (VAC) (ZC),"

⁴ Robert Goodell, Chief, Advance Planning Branch, Caltrans District 7; Memorandum to Tom Loftus, State Clearinghouse, re DEIR Playa Vista Phase I 90-0200 SUB (C) (CUZ) (CUB), March 22, 1993

intersections without improvements. Currently there are over 200 proposed developments in the general area of the Route 90 Corridor, which include Playa Vista (Phase I and II), the Marina del Rey Local Coastal Plan update and the LAX Master Plan. " (Aziz Elattar, Caltrans, Letter).

When questioned about the need for the project based on existing traffic, instead of traffic levels projected as a result of recently approved and proposed projects, Caltrans representatives responded with information that they consider illustrates present congestion levels, and thus, present need. This includes volume/capacity statistics concerning the present level of service (LOS) at the Route 90 and Culver intersection. In a letter to staff, Caltrans representatives state that in the morning peak hour, the present level of service is LOS D (Eastbound) and C (Westbound). In the evening peak hour, the level of service is LOS E (Eastbound) and LOS F (Westbound). Caltrans representatives explain that these levels of service indicate that presently, the intersection is over or near capacity. They indicate that operating at this level of congestion leads to accidents (Exhibits 17 and 18).

Caltrans' representatives contend that the bridge is necessary to maintain the existing "capacity" (flow rates) because traffic levels will increase without any specific future project. They point out that there are additional projects, many of them outside the Coastal Zone, that are expected to further increase demand. They also argue that the bridge is necessary to accommodate traffic from projects that have been approved and are vested that will add to the traffic levels at this and other intersections. Once these approved projects are occupied, they argue, the congestion at this bridge will rise from over and near capacity to extremely over and at capacity (Exhibits 13 and 14). Ronald Kosinski, Deputy District Director for Environmental Planning for Caltrans Region 7, indicates that no one project is behind the demand for this project:

"Caltrans has no specific master plan for this or any freeway/expressway. Caltrans' process indicates that as needs are identified; they are forwarded to the California Transportation Commission (CTC) for prioritization and funding. Because of the need generated by work and recreational congestion, this project has been funded as a highly needed project by the CTC. In addition, Caltrans is not in the real estate business, and is legally mandated by law to dispose of unnecessary real estate. This area was designated as needed for this project since it was built in 1972." (Ronald Kosinski, Deputy District Director Division of Environmental Planning, Letter, Sept 19, 2001, Exhibit 14)

Mr. Kosinski continues that given the present congestion of this intersection and the 2% per year annual ambient growth identified by the Southern California Association of Governments, this project is needed. He acknowledges that a number of projects, including Playa Vista and the Airport expansion, will exacerbate the need for the project. However, he maintains, the project is needed because traffic has been increasing due to projects that have been already approved and constructed both inside and outside of the Coastal Zone. Levels of traffic, Caltrans' representative points out, have been rising by about 2 percent per year on the West Side of Los Angeles for no reason that may be

attached to any particular project but which represents general increases in destinations in the area and general population increases in greater Los Angeles. Caltrans representatives state that Playa Vista needs the road, but Playa Vista' traffic is not the only reason that the road is needed.

The project before the Commission is substantially identical to the project required by the City in its tract conditions for Playa Vista Phase I. Caltrans representatives indicate that the bridge cost is shared between the City and Caltrans: the City of Los Angeles is paying for the engineering and design work, and Caltrans will pay for the bridge construction. The mitigation measures proposed in the draft EIR require Playa Vista to pay for the bridge design, but not its construction, but the adopted mitigation measures require Playa Capital to "guarantee construction" of the entire bridge.

Information about traffic demands in related traffic reports. The draft Phase One Playa Vista EIR (1991) and the 1995 Entertainment District Amendment to the Phase One Playa Vista EIR that was completed in 1995 each include an analysis of area traffic. The 1991 EIR Appendix O was based on an update of an analysis prepared in 1983 for Los Angeles County by Barton Aschman Associates, a traffic-engineering firm. Kaku Associates further updated the study in 1995, when Playa Capital was considering rehabilitating the old Hughes Aircraft Plant as an Entertainment Media and Technology Center. Kaku estimates that traffic in the area of the project have been increasing at about 4 percent a year. Kaku attributes 1.5 percent of the increase to "ambient growth" and the remainder to identified major projects. In the 1995 amendment to the Phase One Playa Vista EIR (Entertainment and Media District) Kaku acknowledges that some major projects discussed in the 1991 Draft EIR were never constructed; and, at the time of the 1995 amendment to Playa Vista's City permit, some new projects were under discussion. Kaku figures indicate that at peak hours the level of service in 1990 was LOS E and D except for the evening westbound and the morning eastbound, when it exceeded capacity --level F. Consistent with the remarks from Caltrans staff, the consultant indicated that traffic levels were expected to increase without the Playa Vista project.

1997 Intersection Operating Conditions (source: First Phase Playa Vista Draft EIR)							
		Existing 1990		1997 without First Phase Playa Vista		1997 with First Phase Playa Vista	
Intersection	Period	V/C	LOS	V/C	LOS	V/C	LOS
Culver/Marina Freeway East bound ramps	AM	1.323	F	1.679	F	1.719	F
	PM	0.943	E	1.265	F	1.281	F
Culver/Marina Freeway West bound ramps	AM	0.834	D	1.115	F	1.128	F
	PM	1.036	F	1.474	F	1.527	F ⁵

The 1995 Amendment to the Phase I EIR for Playa Vista, required for the development of an Entertainment and Media Center in Area D, analyzes the then current levels of service and the level of service anticipated without the Phase I Playa Vista project (ambient levels of growth) (Exhibits 17 and 18). This document anticipates that Phase One Playa Vista, will generate almost twice as much traffic as all the other projects in the area combined and after development of Phase I Playa Vista, the level of service at Culver/Route 90 will rise above capacity to Level of Service F in all directions. The Commission notes, however, that the data that Caltrans provided with this application shows improvement at these intersections in 1993. It is unclear whether traffic had decreased between 1991 and 1995 as a result of the recession in those years, or whether there were differences in the studies' methodology or the time of year at which they were conducted.

Playa Vista traffic consultant, Kaku Associates has prepared the following table reflecting a more recent levels of service. They point out that in the time between 1990 and the present, some signal and striping changes were carried out at the intersections, reducing traffic congestion:

⁵ Level F is the most severe level of heavy traffic, where traffic is approaching gridlock (Exhibit 13.)

Table 2 Existing Intersection Levels of Service Comparison Culver /90 ramp Intersections (source: Kaku Associates)							
Intersection	Peak hour	1990 Conditions from 1992 PV 1 st Phase EIR		1998 Conditions from 2000 Project Report		2001 Conditions (Based on new counts)	
		V/C	LOS (a)	V/C	LOS(b)	V/C	LOS(c)
Route 90 EB Ramps & Culver Boulevard	Weekday AM	1.323	F	0.90	D	0.70	C
	Weekday PM	0.943	E	0.95	E	0.95	E
	Saturday PM	na		na		0.80	D
	Sunday PM	na		na		0.77	C
Route 90 WB Ramps & Culver Boulevard	Weekday AM	0.834	D	0.79	C	0.090	D
	Weekday PM	1.036	F	1.13	F	1.01	F
	Saturday PM	na		na		0.77	C
	Sunday PM	na		na		0.93	E
Notes							
a) Before lane reconfiguration on EB Culver approach to EB on-ramp and implementation of ATSAC							
b) 1998 and 2001 conditions incorporate lane reconfiguration at Culver/EB ramps and credit for ATSAC							
c) For illustrative purposes							

The information provided by these studies is consistent with Caltrans' contention that some improvement is necessary to maintain existing levels of service even without the Playa Vista project. Caltrans further asserts that the bridge is necessary to improve safety at present demand levels. The Commission notes that the study prepared by Kaku for the amendment to the Playa Vista Plan in 1995 assumes that each year, traffic will go up by 1.5% instead of 2% as indicated by Caltrans.⁶ Both studies show that the levels of service are high and approach gridlock at least at some peak hours. It is clear, based on the information provided by Caltrans and others, that there is a need for road widening or other measures to alleviate present traffic congestion. These and other measures will also be needed in the near future when already-approved and vested projects are occupied.

C. WETLANDS.

A spotty mixture of saltbush scrub and introduced plants dominates the 18.83 acres of the median strip. This area includes a small retail nursery that is not being displaced, areas that were not previously paved, and the 5.02-acre (4.93 acres in the coastal zone) former boat/recreational vehicle storage yard. (As noted above Caltrans estimates that the entire median strip, not including the cross streets, is about 18.83 acres.) Parallel to the roadway, near the center of the median, there is a water-filled ditch that is fed from urban storm drains. The ditch, the Marina Drain, supports grasses, reeds and cattails and other

⁶ The Commission also notes that the Kaku study shows the Culver Boulevard/Route 90 intersection more congested than Caltrans estimates in its recent letters (Exhibit 19 page 2).

freshwater wetland plants. On the eastern end of the site, there is a 4.93-acre former boat storage area. Within the last two years, the boat yard was demolished and willows and other plants often associated with wetlands have emerged on the former boat yard site. The identification of wetlands in the site dominated by the Marina Drain is clear. In the former boat yard, all parties agree that a 1700 square foot patch of willows and mulefat is a wetland, but some areas of the site support stands of sand spurrey, a wetlands obligate plant, and other areas support a mixture of facultative wetland plant, plants that are found in wetlands and also in other sites. After extensive discussion, staff has agreed that portions of this area may develop wetland characteristics, but for a number of reasons, the site is not identified as a wetland at the time of this application, and there is no conclusive evidence that the site would develop into a wetland if left in a natural state.

The Commission staff biologist, John Dixon, visited the Marina Drain on September 18, 2001. A portion of his evaluation follows:

Route 90, Marina Highway: This project will impact small areas of existing man-made and degraded wetland. There is a ditch that carries urban runoff parallel to the highway and then curves south where it widens into a small freshwater marsh before entering a culvert. The California wetland delineation, as marked by stakes and tape, appears to include all stands of wetland vegetation. There is a great deal of exotic vegetation, such as pampas grass, that should be removed. (Dixon, 9/18/2001)

As noted above, a wetland delineation (Psomas, 1995) has shown that there are 1.81 acres of state jurisdictional wetlands on the median strip, some of which is open water. Within and adjacent to the inundated area, there is a large and vigorous stand of pampas grass. As the slope rises, there is "saltbush scrub" habitat, dominated by Saltbush (*Atriplex lentiforma*) and Coyote bush (*Baccharis pilularis*.) According to the Psomas survey, and the Streambed Alteration Agreement, (June, 2001) the area supports a number of bird species including the great blue heron, barn swallows, Allen's hummingbirds, American goldfinches, northern mocking birds, mourning doves and other common upland birds such as sparrows (Exhibit 6, 1601 permit.) The marsh is degraded and of limited habitat value. Nevertheless, it is a wetland as defined by the Commission's regulations and as confirmed by the Commission's biologist.

In April 2002, doing a resurvey of the site, the applicant discovered a 581 sq. ft. of willow wetland and an additional area dominated by sand spurrey (*Spergularia marina*) in the area where the ramps are planned. (See Exhibit 4.) The applicant's consultant indicated that the willows were wetland. The sand spurrey, is identified as a wetland obligate plant, on a 1988 United States Fish and Wildlife Service document entitled, the "National List of Plant Species that Occur in Wetlands ". However, the applicant's consultant felt that sand spurrey was not necessarily an indicator of wetlands on this site because descriptions in standard floras suggest that it is commonly found on sandy soils outside wetlands. Finally the applicant's biologist identified other areas dominated by facultative wetland plants that are also typically found on recently disturbed areas. The applicant also indicates that in its opinion those areas are not wetland.

To support its conclusion, the applicant analyzed 1977 aerial photos of the site, identifying a drainage ditch and a swale "that may have collected runoff from interior portions of the site, directing the flow toward the east bound lanes and ultimately into the aforementioned culvert [on the southern edge of the property]. With regard to vegetation present, the applicant's consultant stated in part:

"The dominant vegetation type on the site is ruderal, meaning that most of the species present are herbaceous and common to open, disturbed upland conditions. Such species include non-natives (e.g. ripgut brome, *Bromus dandrus*) as well as natives (e.g. telegraph weed, *Heterotheca grandiflora*).

Certain species predominate at specific locations. These locations are shown on Figure 4. Arroyo willow (*Salix lasiolepis* FACW) and mulefat (*Baccharis salicifolia* – FACW) form a small cluster at the east end of the swale, although small individuals of both species are widely scattered (not dominant) across the site. Sand spurrey (*Spergularia marina* [= *S. salina*] OBL) forms nearly monotypic stands across the north and south sides of the site, parallel to the swale.

The applicant's consultant continues:

With regard to the second point, like other species on the National List of Plant Species that Occur in Wetlands, sand spurrey's habitat range as reported in taxonomic texts (Hickman 1993) is much wider than the National List designation of "Obligate" would suggest. In this case, the species in California is found on mud flats, alkaline fields, sandy river bottoms, sandy coasts, and saltmarshes (Hickman 1993 p. 494). Munz (1974 p. 347) describes the habitat as common along seashore and in alkaline places of the interior and occasional on deserts. "Mason (1969) describes the habitat as "alkaline places, salt marshes, seashore." If the suggestion of Hickman (1993) that the correct name for *S. marina* may be *S. salina*, is accepted, the description of Jepson (1951 page 350) also applies, which is that *S. salina* occurs across a broad range of habitats, "the alkaline plains of the Sacramento and San Joaquin valleys, west to the salt marshes near the coast". This range of habitat associations suggests that sand spurrey has broad tolerance for soil alkalinity, soil texture, soil moisture retention capacity, and natural disturbance regimes associated with riverine and dune ecosystems. None of these conditions necessarily equate to wetlands.

Section 4.0 Conclusions.

Sand spurrey, classified as "Obligate" on the National List of Plant Species that Occur in Wetlands (Reed 1988; USFWS, 1997), dominate over several large areas of the site but the soils at those areas do not exhibit hydric characteristics within the upper soil profile where this annual plant is rooted. The soils at the site in general and where sand spurrey dominates specifically consist of a fine sandy loam down to approximately 15 inches. Shell fragments, and other isolated features that

obviously did not form in place, indicate that the upper soils are imported and do not exhibit historical or contemporary hydric indicators. Also surface indicators of wetland hydrology are lacking except for localized small depressional areas that probably subsided after dismantling of the former asphaltic cover.

...

The only area at the site that supports predominance of hydrophytic vegetation in association with hydric soils, and where these observations are unlikely to be season dependent occurs at the east end of the swale in an area supporting a sparse canopy of mulefat and arroyo willow and an understory herbaceous layer dominated by facultative species. Soil sampled at two locations in the area (numbers 1 and 4) exhibited contemporary redox features in the form of mottles within the upper 15 inches of the profile this section of the soil profile is underlain by a layer of a sticky clay with fine sand which is probably extensive enough to form an effective aquatard that perches water.

Based on the association we conclude that the arroyo willow-mulefat association shown on figure 4 at the east end of the swale appears to meet technical criteria as wetland under the California coastal act. Absence of a clearly defined streambed and other hydrologic indicators associated with this feature excludes it from federal, (Corps) and other state (CDFG) jurisdiction." (Read and Winfield, 2002, see Exhibit 4 for additional excerpts from document.)

Senior biologist Dr. John Dixon reviewed the report, attached as Exhibit 4, and requested additional mapping of the areas. He visited the site in the company of the consultants and Caltrans staff on May 13, 2002. His report attached as Exhibit 5, concludes that only the previously identified Marina Drain and the area dominated by willows and mulefat can be considered a wetland at this time. He indicated that the area dominated by willows and mulefat should be larger than originally believed, or about 1700 square feet. For a number of reasons, described in more detail in the letter attached, he determined that he could not say with assurance that areas of the site dominated by wetland facultative annuals that are wetlands. This is because their appearance is recent and there is no evidence that they will persist in the locations where they have been observed. His report states in part:

"The subject site is currently a difficult site to delineate for at least four reasons. First, the topography has been substantially altered over the years by agriculture and later by fill and grading. Second, it is an atypical situation because it was used for many years as a vehicle storage yard and was covered with asphalt until November 2000. Therefore, all the vegetation is recent and the vegetative characteristics of the site will continue to undergo successional changes for several years. Third, it is a problem situation because November 2001 through April 2002 was a period of extreme drought (3.98 inches of rainfall compared to the long-term average of 11.33 inches⁷). Finally, it is a problem situation because the soil is

⁷ Rainfall data for Los Angeles International Airport from Western Regional Climate Center.

comprised of fill from elsewhere, so soil color and redoximorphic features⁸ are not necessarily reliable indicators of hydric soils. ..."

Doctor Dixon concludes, in part:

The pattern of the herbaceous vegetation is confusing and bears little relationship to the topography of the site. Throughout the site, many areas are dominated by species that are designated as OBL, FACW, or FAC in the list of plant species that occur in wetlands. Of the 8 dominant herbaceous species present in the samples, 6 are FAC or drier. However, the remaining two are *Spergularia maritima* (OBL), an annual herb and *Polypogon monspeliensis* (FACW+), an annual grass. *Spergularia* occurs throughout the site and probably has the greatest ground cover of any species, but particularly dominates the higher, apparently drier areas. The swale, which one would expect to be wetter, is dominated by FAC herbaceous species. *Polypogon* occurs in single clumps or small patches throughout the site. A portion of the swale also supports arroyo willow (FACW) and mulefat (FACW), which are dominants in the shrub layer. Except in patches of nearly 100% *Spergularia*, the wetland indicator species are intermixed with 30 species of mostly weedy, upland plants, all but two of which occur only as subdominants.

It is clear that no areas on this site would delineate as wetlands under the Corps' regulations due to the absence of hydrology indicators and the general absence of hydric soil indicators. However, the preponderance of dominant species throughout most of the site was OBL, FACW, and FAC wetland indicator species, which meets the Corps' vegetation criterion. However, since there was also substantial evidence of upland environmental conditions, it was necessary to assess whether the predominant species were growing as hydrophytes and were therefore indicative of a wetland. In the above mentioned reports, it is concluded that the area that was dominated by arroyo willow and mulefat in the shrub layer and that had a relatively shallow clay confining layer with redoximorphic features in or near the root zone is a wetland under the Coastal Act. I agree with that conclusion and with the boundaries, as modified during our site visit and shown in the revised map referenced above. The reports also concluded that none of the rest of the site qualified as wetland. I also agree with that conclusion, but in the narrow sense that those areas did not have wetland characteristics in 2002.

Such a caveat is unusual in a recommendation. In a natural area under normal circumstances during a drought year, one would use professional judgement to adjust for the shortage of rainfall and make a wetland determination that would try to capture the wetland boundaries under usual conditions. Even in the case of seasonal wetlands, there would be evidence of prior conditions in the soils and the perennial vegetation present. One might also be able to examine aerial and ground level photographs from recent years with more normal rainfall and talk to local

⁸ Redoximorphic features, such as "rust"-like concentrations, result from the reduction, translocation, and oxidation of iron and manganese oxides in, at least periodically, saturated soils.

residents with knowledge of the site. With the return of normal weather conditions, the site would tend to return to its average mix of wetland and upland hydrology and vegetation. At the subject site, this approach is not possible because the usual condition has been that of an asphalt-covered parking lot. One can only look at the current condition, during an extreme drought, and perhaps guess at the community trajectory. If the soil characteristics of the upper north and south slopes are similar to those immediately west of the fence that defines the western edge of the previously paved area, then one would expect that the vegetation would eventually take on similar upland shrub characteristics. On the other hand, the presence of a shallow, clay-rich confining layer over portions of the site provides a soil environment characteristic of many wetlands and demonstrates wetland potential. In fact, I think it more likely than not that some areas in or near the swale but outside the boundaries of the delineated wetland will develop wetland characteristics over a period of years with normal rainfall. However, there is no factual basis for delineating additional areas at this time. Because of the unique situation at this site, identifying such areas would require observations during the rainy season of a normal rainfall year, or a significant experimental study of hydrology and soil characteristics. (Dixon, 2002, Exhibit 5)

The applicant originally proposed to fill two sections of the Marina Drain totaling 0.23 acres and to redirect water in those sections to underground culverts. The original design required fill to accommodate ramps that would have connected the bridge to the existing travel lanes. In addition, the applicant originally identified 0.09 acres of wetland that would not be filled, but that would be so close to the grading that the area would suffer "temporary impacts." Originally the applicant stated that it is not feasible to elevate these ramps. Then the applicant proposed to bridge over the wetlands, but at a hearing the Commission indicated that the shading that would occur as a result of the bridges was a problem. Now the applicant changed its request and proposed the "Modified East Alternative," that would not fill or shade any portion of the originally identified wetlands (the Marina Drain), but it would fill 0.03 acres of area dominated by sand spurrey (*Spergularia*) and some wetlands facultative plants including (*Picris* (bristly ox tongue), *Polypogon* (rabbits foot grass), *Melilotus indica* (Indian sweet clover), and *Conyza canadensis* (horseweed). However, as indicated above, this area is not functioning as a wetland at this time. Moreover, although the Commission's Senior Staff Biologist found that it may do so in the future, the Commission cannot wait for several rainy seasons to determine whether the area will revert to wetland or be invaded by other plants. The possibility that this area is wetland is based on the presence of a wetland obligate, sand spurrey, and several wetland facultative plants listed above, that are also found in disturbed areas. An invasion by upland plants that are already also on the site, including coyote bush (*Baccharis*) and pampas grass, would remove the possibility of the area being defined as a wetland. The Commission cannot make a regulatory decision based on inconclusive information, which is the inability to yet determine that the area is or is not a wetland -- a condition that might turn out to be true in the future. Therefore the Commission will allow the proposed development, as long as the remainder of the area is revegetated and the

areas adjacent to the Marina Drain are revegetate compatible with wetland buffer and wetland vegetation.

COASTAL ACT LIMITATIONS ON WETLAND FILL.

Section 30233 of the Coastal Act provides for wetland fill under a limited set of circumstances. Section 30233 limits wetland fill. In this case, the applicant has revised its application such that no wetland fill will occur. However, even if the fill of areas that are indeterminate were to be analyzed following the stricter standard, the Commission notes that the applicant has taken every measure to avoid fill of wetlands and areas adjacent to wetlands. Because this project avoids all wetland fill, no Section 30233 analysis is required for the project as now proposed.

D. ALTERNATIVES.

Before the Commission can approve any project, it must determine that there is no feasible alternative that is less environmentally damaging. Caltrans representatives assert that they examined alternatives as part of their initial project evaluation. They have provided a list of alternatives and the reasons for rejecting them.

Traffic re-routing or a change in modes. The first set of alternatives would include alternate routes or modes for traffic. Are there alternate routes that the traffic that presently congests this intersection could take, such as Jefferson, Manchester, or Washington Boulevards? What improvements could take place on any of those routes to improve capacity and attract commuters away from Culver Boulevard or the Marina Freeway? Secondly, are there feasible modal shifts, such as an express bus from the South Bay to one of the currently proposed light rail lines that would encourage enough modal shifts to reduce traffic? How much traffic would need to be reduced to maintain capacity? Even if only a small percentage of commuters would change their route or ride a bus, could that reduce levels of congestion enough to maintain levels of service? In response to this issue Caltrans provided the alternatives analysis from its project report:

Rejected Alternatives

The objectives of the proposed Project are to reduce projected future congestion levels and congestion-related accidents along Route 90 within the project area. No viable project alternatives, other than the proposed Project, have been identified which would satisfy the project objectives at a lesser cost. As discussed below, higher-cost alternatives were studied; however, they were determined to have greater right of way and/or environmental impacts or would provide less benefit relative to the proposed Project.

Under the "No Project" alternative, the interim interchange at Culver Boulevard would not be built, resulting in a continuation of the at-grade signalized expressway

intersections at this location. Likewise, the section of Mindanao Way between the two existing Route 90 roadways would not be improved -- instead retaining its present cross-section. Table 2 shows the results of intersection capacity calculations assuming the retention of the existing roadway cross-sections (i.e., the No Project alternative). As can be seen, all of the analyzed locations are projected to experience significant increases in V/C ratios with corresponding increases in congestion. This is especially true at the Culver/Route 90 location, where the No Project alternative would result in approximately one-half of the capacity needed to accommodate the projected future traffic demand.

The Caltrans Project Development Team (PDT) analyzed alternative designs and geometric configurations for the Route 90 improvements proposed as part of this Project during the series of design workshops in November and December of 1995. The design alternatives considered at that time were determined to be infeasible, overly costly, or otherwise inferior to the proposed design and were rejected by the PDT. In addition, the mandatory Fact Sheet approved on February 29, 1996, determined that no incremental improvements were considered to be viable for the Project.

The alternative routes investigated for widening included Jefferson Boulevard, Washington Boulevard, and Venice Boulevard. Jefferson Boulevard will be widened from Route 1 to Centinela Avenue as part of the Playa Vista mitigation program. In addition, the Playa Vista mitigation program includes improvements at key intersections along the Jefferson Boulevard corridor. However, capacity constraints at the Jefferson Boulevard/I-405 interchange limits the effectiveness of these improvements when it comes to connecting Jefferson Boulevard to the regional freeway system. Major widenings along Washington Boulevard and along Venice Boulevard were determined to be infeasible due to residential and commercial land use impacts.

Interstate 10 (Santa Monica Freeway) has been studied for the addition of high-occupancy vehicle (HOV) lanes. Further widenings to add mixed-flow lanes appears infeasible due to right of way impacts and costs. Computer model simulations of a widened I-10 indicated that the widened facility would not divert enough trips away from the central portion of the study area to relieve congestion in the Route 90 corridor. [Excerpt from: Caltrans Project Report on Route 90 between Mindanao Way and Centinela Avenue.] See also exhibit for an analysis of alternative east west routes from the Lincoln corridor to the 405 Freeway, all of which would have to be widened to achieve more capacity.

With respect the alternative of encouraging increased use of other modes of transportation, Caltrans indicates the (1) the present ridership of transit in this area and on this route, including traffic from the South Bay to the 405, is so low that there is little ability to encourage a modal shift that would result in reduced traffic in the near future. The Playa Vista Phase I EIR, as modified in 1995 anticipates that Phase I Playa Vista will generate 44,550 trips on a typical weekday; the evening peak hour trips generate would be 5,360

trips. With respect to transit the EIR states that there are currently 1,793 daily trips by transit in the corridors near Playa Vista (admitting that this number may be understated because not all bus companies have accurate ridership figures.) While up to 25% of commuters to downtown Los Angeles use transit of same kind, most commuters from the South Bay to down town and to Santa Monica do not use transit. This bridge is an improvement of a small segment of a route primarily used by automobiles to access the 405 Freeway. An alternative mode would have to divert commuters to another mode over several a long routes, from the South Bay or the Marina del Rey to either mid Wilshire or down town Los Angeles that converge on Route 90. Most travelers on this route come from Playa del Rey, the South Bay or Marina del Rey. There are already express busses serving downtown from these locations and traffic is currently at capacity. Transit planners consider the length of time that it takes a commuter to travel from his or her point of origin to his or her destinations the portal-to-portal time. Any transfers that are necessary during a trip drastically increase this time, and make automobile travel much more attractive. By their nature, express buses have relatively few stops. To encourage more people to ride these buses it would be necessary to speed up the collection and distribution system at either end of the line—and/or reduce the time of the trip itself. Considerable increases in investment in transit combined with disincentives to the use of cars; such as high parking fees can increase transit ridership, as it has in down town Los Angeles. The level of traffic that is now observed is the level of traffic after the adoption of parking disincentives at high-density destinations and the introduction of express buses. The construction of facilities to bring an additional modal shift about in this area, enough to reduce traffic along the Culver or Route 90 to 405 routes are a long way from being accomplished. Any express bus system would have to use one of these streets (either Culver or Route 90), and so would benefit from anything that speeded up traffic on either the Culver Boulevard or on Route 90.

Bus routes: Several public bus routes use Culver Boulevard and Route 90. One is a rush hour express from Marina del Rey to down town Los Angeles; the other connects Mid Wilshire with the airport and airport industrial areas. Ridership is light, and these bus lines use the Route 90 and Culver Boulevard.

Light rails. Light rail is not an alternative to this bridge. The greater Los Angeles area has three light rail routes in operation and/or nearing completion, none of which serve this area: (1) a line from down town Los Angeles to Long Beach (the Blue Line); (2) a line from Norwalk to the South Bay (the Green Line); and (3) a line from down town to East Los Angeles and Pasadena, which is nearing completion (the Gold Line.) The Metropolitan Transit District (MTA) has prepared an EIS for an east-west light rail along an abandoned rail right of way that extends from Santa Monica to down town (The Exposition Corridor). MTA has requested federal funding to design this line, but even if funded, this line would not be available for at least five years and would not serve Playa Vista or the South Bay area. If the Exposition line were eventually funded and constructed, it would connect to the Playa Vista and the South Bay projects only with a "feeder line," a bus or jitney, which must use Culver Boulevard. There has been some discussion of construction an extension of the Green Line to serve the Airport and Playa Vista. This extension has been discussed but has not been designed, studied or funded.

Enhancing this intersection would enhance bus service. Therefore there is no transit or alternate traffic route alternative that is achievable in the short run that would remove enough traffic from this intersection to be an alternative to the bridge.

Design alternatives. The Commission and the applicant have also investigated construction methods that would eliminate or significantly reduce wetland fill by either re-routing the ramps, or by placing the ramps on pilings.

In this case, Caltrans investigated several alternatives and determined that one alternative, the Modified East Alternative, would not result in fill or shading of the Marina Drain. By lowering the bridge and curving the ramps outward to the existing frontage roads, the modified east alternative, the third alternative presented by Caltrans avoids all fill of open water. The ramps are designed to curve down 30 feet from the level of the bridge to the level of the current roadway. The ramps are supported on earth fill. Some fill of the area dominated by sand spurrey and wetland facultative plants would occur where the berms supporting the ramps descends. With the addition of pilings under the ramp of this alternative it can avoid the 1700 sq. ft. patch of willows and mulefat. However, the ramps necessary to connect this alternative to the bridge would result in fill of 0.03 acres of the areas that are vegetated with sand spurrey area and additional other wetland facultative plants. The willow-mulefat area and additional vegetated areas would be shaded. Since this alternative also includes pilings, the installation of pilings, while avoiding the willow area, would also impact the area dominated by Picris and Melilotus, wetland facultative plants (polygons H and I.)

The chart below, prepared by the applicant, compares the impacts on the Marina Drain and the Willow area (identified as "wetland area") and on the sand spurrey area (identified as "vegetation area") by each of the various alternatives, including an alternative proposed by the opponents (the "North alternative".)

ROUTE 90 ALTERNATIVES ANALYSIS WETLAND AREA IMPACTS (Acres) (INITIAL ESTIMATE - MAY 17, 2002)										
Alternative	Modified East*		Bridge-Over-Wetland*		West		North*		Original Design	
	Fill	Shad ing	Fill	Shad ing	Fill	Shad ing	Fill	Shad ing	Fill	Shad ing
Original Delineated Wetlands				0.10		0.15	0.51		0.17	
Boat Storage Yard Wetlands		0.04		0.04		0.04			0.04	
Wetland Subtotal		0.04		0.14		0.19	0.51		0.21	
Boat Storage Yard Vegetation	0.03	0.57	0.08	0.81	0.08	0.75	0.08	1.11	1.14	0.11
Total	0.03	0.65	0.08	1.09	0.08	1.13	1.1	1.11	1.56	0.11
* Assumes that the Alternative "Bridges Over" the wetland and vegetation areas instead of fill whenever possible. Source: Caltrans staff										

Caltrans considered a Bridge Alternative. If the facultative plants had been considered wetlands, this alternative would result in the least amount of fill, at the cost of some shading. However, this alternative would have shaded the Marina Drain.

Opponents have suggested moving the ramp and the frontage road to the northern side of the median strip. This alternative would link the wetland area with Area C Playa Vista, which is owned by the state. Area C Playa Vista supports a small Salicornia marsh near the outlet of the Marina Drain. Caltrans indicates that this alternative would result in one half acre of wetland fill, much of it in open water areas. One group of opponents, the Ballona Wetland Land Trust argues that this fill could be justified if it resulted in a larger area of connected habitat. Caltrans has agreed to take a second look at its design to see if the width of the roadways, and consequent fill, could be reduced. However, Caltrans staff has indicated that this alternative would result in curves and stopping distances that are unsafe. Their detailed comments were not available when the staff report was ready to be released.

Caltrans also considered relocation of the roadway. Relocation of the road to the north or south would impact either existing developed areas or Area C Playa Vista. Area C is a 69-acre tract directly south of route 90 that is owned by the State of California and under

consideration for restoration and park use.⁹ Therefore there are no feasible alternative designs that would have less impact on wetlands.

E. MITIGATION MEASURES.

The applicant has proposed mitigation measures to mitigate shading and temporary indirect impacts on the wetland due to construction noise and equipment. (Exhibit 7). These mitigation measures are described in more detail in the section on biological productivity below. Basically the mitigation measures propose to remove invasive, introduced plants from the site, install new wetland and coastal sage scrub plants and to improve the filtration of runoff that enters the site from 4.8 acres of existing impervious road area and from the 2.3 acres of new pavement. The applicant proposes to monitor the installation, for five years.

The project is directly adjacent to Playa vista Area C, which is under consideration for retention as a park and restoration as habitat. South and west of area C are several other areas of playa vista that public and private agencies now either plan to restore, or that may potentially be acquired and restored as a natural habitat. If restored, one initial action of the restoration agency would be to remove existing invasive plants and replace them with native wetland, coastal prairie and coastal sage scrub plants that are common in the Ballona valley.

Removal of invasive plants is a crucial action in an area with planned restoration. Invasive plants can overwhelm existing habitat areas, and even more so a site such as this, that was recently cleared. This site is already degraded and not subject to inundation, and that is also near developed areas, where invasive ornamentals are common in public and private landscaping.

The Commission has received reports of restoration projects that were seriously compromised by invasive plants. Recently, the Commission reviewed reports concerning a site in Venice that was developed in 1982 (5-82-479). As part of the 1982 project, the canal bank was cleared and re-seeded with natives. The project was located adjacent to an area where an invasive plant, *Myoporum*, was used for landscaping. In subsequent years, the *Myoporum* has overwhelmed the plants that were initially installed. This, and similar experiences, leads the Commission to conclude when a proposed restoration area is adjacent to an area dominated by invasive plants, longer and more aggressive monitoring is necessary to assure that the area functions as proposed. One of these invasives, *Myoporum*, is found in Route 90 embankment outside the coastal zone, where Caltrans installed it in the 1970's. The removal of invasive plants from this area would enhance its biological productivity, as described below and would eliminate a source of invasive plants that are proliferating in the Ballona wetlands west of the site.

⁹ Area C is identified as 73 acres in the Marina Ballona LUP, but is also described as containing 69 acres. The difference is the area dedicated to the County within the present Culver Loop and to other roads. The undeveloped area in Area C is 69 acres.

In sum, this site includes two areas of wetland. The project does not involve fill in either wetland, but will shade 0.04 acres of a willow area. The project will result in temporary disturbance of the wetland areas as a result of noise and disturbance from construction. The Commission has imposed conditions to assure that construction equipment as planned stays out of the wetland areas, and as described below to prevent siltation into the wetlands or pollution of the wetlands from the road runoff after construction. The commission has also imposed conditions to assure that silt will not flow from the site during construction, as again into the wetland, as again further described below. As proposed and as concerned the proposed development is consistent with Section 30233 of the Coastal Act.

F. ENVIRONMENTALLY SENSITIVE HABITAT AREAS.

Section 30240 requires:

Section 30240 Environmentally sensitive habitat areas; adjacent developments

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

The upland portion of this median strip cannot be classified as an environmentally sensitive habitat area. Even the wetland is cut off from other wetlands and is degraded, although it should, like all wetlands be considered an environmentally sensitive habitat area, since wetlands by their nature are a type of environmentally sensitive habitat area. They have a unique role in the ecosystem, and have become increasingly rare, so that even degraded wetland must perform irreplaceable functions for migratory and water-dependent species.

However it is adjacent to an area that may become a park and to portions of Playa Vista Area C, parts of which may be considered environmentally sensitive habitat areas. As such, the project must be sited and designed so that impacts to vegetation in the median strip and in adjacent areas will be minimized and so that any development that would significantly degrade those areas will be prevented. Even when the vegetation is not unique or especially valuable, an area next to an environmentally sensitive habitat area can provide cover and food sources for animals found in the adjacent area. Removal of vegetation can cause siltation into adjacent areas; planting of invasive plants can encourage invasion of the adjacent sensitive area by those plants. The area has been surveyed in order to determine the boundaries of potential wetlands and to provide

information to the California Department of Fish and Game to process a Streambed Alteration Agreement (termed a 1601 permit).

The Streambed Alteration Agreement 5-265-00 approved by the Department of Fish and Game in June, 2001 indicates that while many birds and other animals found in the Route 90 median are typical upland birds found in nearby developed areas, others animals that use the site are dependent on adjoining Area C, Ballona Creek and the Ballona wetlands. These include raptors and the great blue heron. Roads near wetlands can have other impacts: noise and siltation during construction can disturb animals; siltation and runoff during and after construction can damage water quality. Moreover, the "Marina Drain" flows downstream into two other areas of the Ballona Wetlands, Areas A and C and Marian del Rey.

Invasive plants, silt and chemicals can travel downstream into areas identified for restoration. Seeds and plant fragments can move down the waterway and reinvade restoration areas. Caltrans has particularly mentioned iceplant (*Carpobrotus edulis*) and Pampas grass, which have invaded the wetland and upland areas on this and adjacent sites, but other introduced plants that are difficult to remove during restoration efforts are also found on the site. These include the Garland daisy, (*Chrysanthemum coronarium*) and Bermuda grass. For this reason, Caltrans has offered to remove invasive plants from this site and enhance the onsite wetlands.

Invasive plants can overwhelm habitat areas and undermine restoration projects. In nearby Ballona Lagoon, the initial restoration that was attempted in 1981 was overwhelmed by iceplant and garland daisies, which the City removed in a second restoration, funded by the California Coastal Conservancy in 1995-96. In areas adjacent to the Freshwater Marsh (approved by the Commission in CDP CDP-5-91-463), and other parts of Playa Vista Areas A, B and C, the extent of the areas covered with pampas grass and iceplant has increased in recent years.

Secondly, the waterway can carry chemicals and road discharges down stream. Therefore the Commission is also imposing conditions to protect the Marina Drain from discharges, runoff and siltation (see below in the Water Quality section). The Commission has further conditioned the project to assure that no fill or disturbance of wetland areas on the site, or siltation into them, will occur.

At hearings on a road-widening project in nearby Area C (5-01-382/A-5-PLV-00-417), the Commission received information indicating that lighting and noise associated with roads can have impacts on habitat areas (Substantive File Documents). Night lighting can disrupt the foraging and breeding of native reptiles, insects and amphibians. The Commission has therefore imposed conditions addressing lighting to protect the habitat on the site and on adjacent Area C so that lights from the road will not shine onto the wetland and habitat areas in the project areas and adjacent to it. The Commission has further conditioned the project to forbid night construction, and to require that during construction the applicant survey and avoid rare plants and nesting birds. The applicant acknowledges that the presence of a highway will have some impacts in terms of noise, lighting and

disturbance during construction and subsequent operation. As mitigation for those impacts, the applicant has proposed to enhance the habitat areas found on the site and to use native plants in the fill slopes that are compatible with the wetland and upland habitat now found on the site.

The applicant proposes to restore much of the area of the site. Opportunities to introduce additional water onto the site are limited, so the applicant plans to concentrate on removing invasives from this site and replacing the existing plants with suitable buffer plants.

Restoration plans concentrate on coastal prairie, on buffer plants and on enhancing water supply on the lower elevations of the site. The Marina Drain is fed by nuisance water. The swale in the boat yard collects water during the rainy season apparently due to a clay lens below it. The ability to increase the amount of inundated lands is limited on much of the site, especially on the former boat yard that is a distance from the Marina Drain. If more water were let into the site, there is no indication that it would circulate enough to provide oxygen for wetland dwelling plants and animals. One choice might be to grade the area to receive tidal flow from Area C if and when Area C was actually restored.

Bridging wetlands and creating shade can reduce the viability of plants that need sun, such as willows. The applicant states that when the bridge is narrow and 14 feet above grade as proposed for the ramps, a significant amount of sunlight will reach the plants under the bridge. Much of the value of the site, because it is fenced, is as a nesting area. As noted above, a killdeer and ground nesting birds such as doves were observed nesting.

The Commission has required, in Special Conditions 2, 4 and 5 that impacts of construction be limited, and in Special Condition 3, that the proposed enhancement be planned and designed consistent with nearby habitat and with the soils found on the project site. The Commission has also required that enhancement plantings be monitored intensively for five years, and thereafter, on a schedule that is consistent with Caltrans regular maintenance schedule, but no less often than once a year. As conditioned, the project's impacts on onsite and adjacent habitat areas will be minimized. The project itself should, buffer adjacent habitat area from impacts of nearby developed areas in the future. As proposed and as conditioned, the project is consistent with Coastal Act Sections 30233 and 30240 with respect to impacts on habitat and on adjacent parklands.

G. WATER QUALITY MARINE RESOURCES.

Section 30230 requires the protection of marine resources.

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.

Roads are major sources of pollutants that flow into water bodies. The new section of road proposed in the proposed project will drain to the Marina Drain, which drains into Playa Vista Area C, and then under Lincoln boulevard in a ditch along the northern boundary of Area A and ultimately to Marina del Rey. The upland source of water for the Marina Drain is surface runoff from Route 90, but also businesses and parking lots north of Route 90 along Mindanao and further north (Exhibits 10 and 11). In order to protect water bodies and water quality from polluted run-off, the applicant proposes a number of measures. Caltrans encourages trash removal programs and plans to design the freeway to reduce the discharge of polluted water. Caltrans indicates that it opposes use of fossil filters on highways because filters can clog during heavy rains, resulting in ponding on the road surface, and presenting a hazard to motorists.

On March 11, 2002, Caltrans submitted the "Post Construction Stormwater Quality Management Plan: Route 90 Improvements, Modified East Alternative" (WQMP) to Coastal Commission staff. The proposed WQMP meets water quality objectives outlined by staff. The WQMP proposes a treatment train approach to water quality protection through the use of grated trash inlets, trash and gross solids removal devices, bioswales, and energy dissipaters. The BMPs have been designed to 0.3" of rainfall, thus exceeding the 85th percentile standard in this area. In addition to filtering the 2.3 acres of new development, the BMPs will treat 4.8 acres of existing roadways. The WQMP as proposed is sufficient to meet the post-construction conditions in this permit.

The proposed Route 90 development will increase the impervious surfaces, and may increase the peak runoff rate from pre-development levels. In order to counteract any potential increases in peak runoff rate, the applicant has proposed bioswales and energy dissipating devices. Designed with a 9-minute residence time, the bioswales and the energy dissipating devices at the pipe outlets will ensure that the downstream erosion due to the development is insignificant.

For this project, the recently submitted Caltrans 2002 Water Quality Management Plan for this project includes the following:

- "Treatment train of BMPs including grated inlets, trash and gross solids removal devices, and bioswale systems
- Treats runoff from both existing and new impervious areas, as well as the road right-of-way
- Should result in improved water quality overall as compared to pre-project conditions due to the extensive amount of existing impervious areas that will be treated via bioswales.
- Meets and exceeds the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) and also the Caltrans Stormwater Management

Plan (SWMP) requirements." (See Exhibit 26 for a detailed description of Caltrans water quality control plan.)

While the Commission in the past has required fossil filters on residential and commercial projects, research conducted by Caltrans thus far has indicated that Drain Inlet Inserts (e.g. Fossil Filters) is an ineffective application for this type of highway project. In addition, Fossil Filters may present a safety hazard for the motoring public due to the potential for drain inlet failure, which would lead to flooding on the adjacent roadway. Several studies have been conducted by Caltrans in regards to their performance for use on some highway facilities.

The project drains into Area C Playa Vista, and from this area, via culverts, into Area A and into the Marina del Rey, an impaired water body. Its upland sources consists of the shopping center located between Mindanao and Lincoln Boulevard, with many impervious surfaces and at least a thousand parking spaces and two office structure and a bank located directly east of Mindanao and north of route ninety that has about 800 parking spaces. There is high density residential development is upstream of this development.

The RWQCB is investigating measures to improve the water quality of the Marina del Rey. Important bird, invertebrate and fish species live in the area and feed in these waters, and the area has high human recreational use. Therefore it is appropriate to employ as many measures as feasible to ensure that the water discharged from this project is improved in quality from its present condition or that is least no worse, after the increased automobile traffic that will be attracted by the bridge. The Commission has required in its conditions, measures to improve the quality of water discharged into the habitat. The Commission finds that it is possible to improve the quality of water discharged from the project by requiring 1) measures during construction to reduce runoff and siltation, and 2) on site filtration area in the median strip to filter road runoff before it enters the wetlands on the site, 3) requiring these measures to be effective in an 85th percentile storm.

The wetlands on site are essentially exposed portions of existing underground storm drains that serve industrial, commercial and residential areas of Venice. Because they are storm drains, they are already polluted. Moreover, run off from roads is polluted with oil and gasoline by-products.

In the past, undeveloped land in this area was for years used for unregulated dumping and for agricultural dumping. When Playa Capital excavated the freshwater marsh in Area B, they discovered that past oil drilling and industrial disposal had resulted in the disposal of contaminated soils near the surface. Caltrans asserts that it conducted tests in this area, and that no contaminated soils were revealed. Caltrans indicates that it has already carried out extensive onsite tests for contaminants.¹⁰ Reports show that consultants

¹⁰ See: Law, Crandall Inc., "Report of Lead Assessment, Playa Vista STIP Improvements, Lincoln Corridor and Marina Freeway Corridor, Los Angeles, California," prepared for Maguire Thomas Partners, Los Angeles, California, January 19, 1996; and Law, Crandall Inc., "Report of Phase I Environmental Assessment, Playa

conducted a literature search that showed no records of any contaminating industry on the site and two test borings at the edge of the present frontage road. If the tests are accurate, there is little chance of encountering contaminated sediments. If, during construction, the applicant discovers that the soils are contaminated, the Regional Water Quality Board has standards concerning appropriate methods of excavation and disposal of contaminated sediments. Therefore the Commission does not require any additional testing or disposal of sediments.

The most frequent soil contaminant found in road widening projects is aerially deposited lead from exhaust. Initial 1996 studies by Law, Crandall, on behalf of Maguire Thomas indicate that lead is present. (See Substantive File Documents; item 19, Law, Crandall for reference.) Caltrans normally disposes of lead contaminated sediments by burying them under roads. The Caltrans has a permit from the State Water Board to do this. The State Water Board requires that reburying lead take place a certain distance above ground water. This coastal development permit does not allow contaminated soils from offsite to be used for fill under the ramps.

Although the Commission has imposed standards to assure that the development does not add to pollutants of down stream waters, it does not require that the on site development "clean up" the stormwater that comes onto the property from upstream. Two correspondents, notably Heal the Bay and the Santa Monica Bay Keeper (Exhibits 24 and 25), have pointed out that the Marina del Rey, which is the receiving water body of the Marina Drain, is an impaired water body. They indicate that Caltrans may have an obligation to improve the water quality of any water coming down the drain before it leaves the site and discharges into the impaired water body. Caltrans has proposed BMP's, which they assert will improve the quality of water discharged from the site. Caltrans notes that it plans to install only 2.3 acres of roadway and impervious surfaces, but plans to treat the runoff from an existing 4.8 acres of roadways.

In addition, the Commission is requiring limits to the volume and velocity of runoff from the developed site. The applicant asserts that with the reduced pollutant load that it expects, that it should not also be required to avoid increasing the volume of runoff. An increase in impervious surfaces disrupts the natural attenuation of runoff by natural drainage features and surfaces, and causes an increased peak runoff rate and volume. This can cause erosion, scouring, disturbance of downstream habitats, and increased peak flood discharge. The Commission routinely requires that developments mitigate for the increased volume and velocity of runoff to prevent the degradation that it can cause. In this case the volume and velocity is held to no increase because of the proximity and sensitivity of the Ballona Wetlands and associated ecosystems. Moreover, the Commission has imposed requirements on the pollutant concentrations and mass loadings in runoff. With the increased amount of runoff from the developed site due to the increase in impervious surfaces, there can be a decrease in concentration of pollutants

per-unit water from pre-development levels, while still being an increase in the total amount of pollutants. Therefore the Commission is imposing conditions ensuring that both mass loading and concentration of pollutants are minimized. These measures will protect the water quality of receiving waters.

The City and County of Los Angeles are subject to RWQCB orders to cleanup their stormwater discharge, if necessary by addressing runoff from individual sites within their jurisdictions. As the City and County comply with these orders, the quality of the water entering this property and leaving it will gradually improve. It is not the Commission's responsibility to enforce citywide standards that are the responsibility of the RWQCB to develop, adopt and enforce. It is only responsible to assure that the development approved does not conflict with any of the policies in Chapter 3 of the Coastal Act. The Commission is requiring, as noted above, that the treatment for runoff from this site be sized to treat water discharged during an 85th percentile storm. The applicant asserts, as noted in Exhibit 26 that the BMP's that it plans to incorporate into its project will improve the quality of the water discharged from the site, although it states that the quantity discharged will be slightly more than the present quantity. In this way only a minimal amount of pollution attributable to this development will enter the Marina Drain. As conditioned the project is consistent with Coastal Act Sections 30230 and 30231 in terms of its potential impacts on water quality.

The Commission notes, however, that certain BMPs like hydroseeding or mulching may utilize plants that could be detrimental to the wetland or surrounding habitat by introducing plants, such as iceplant (*Carpobrotus edulis*) or Bermuda grass that can invade wetlands areas or displace native species. For that reason, the lists of species proposed for temporary slope stabilization or drainage swales must be provided as part of the landscaping plan for review and approval of the Executive Director to assure that no invasive species are used, and that, as much as possible native species are used. For that reason, other methods, such as jute matting may need to be employed to prevent siltation from graded slopes. The Commission therefore requires that the applicant shall use methods of erosion and sediment control that do not use introduced vegetation to stabilize the soils. As further conditioned to assure that the water quality protection BMPs also comply with standards adopted to protect habitat, the project complies with Coastal Act Sections 30230 and 3020 with respect to the effect on natural and marine resources.

H. PUBLIC SHORELINE ACCESS AND RECREATION.

Section 30210 requires that maximum access to the coast be provided. Section 30223 requires the reservation of upland that areas necessary to support coastal recreation. The project will allow increased speed and volume on an east-west traffic route that can deliver inner city and East County beach goers to the Venice and Playa del Rey beaches and to Marina del Rey. Although the project is designed to reduce commercial and commuter traffic loads on Lincoln Boulevard and on east-west routes during peak commuter hours, it can and will serve to improve vehicular access to the coast on weekends as well.

There is a bicycle lane in the median strip of Culver Boulevard east of the Coastal Zone boundary. The bicycle and jogging path extends from a park at Overland Avenue Culver City to the Culver City/Los Angeles boundary and from there to a point where a self-storage unit occupies the median strip, about two blocks east of Route 90. Project engineers state that the distance between the bridge supports is wide enough to accommodate additional traffic lanes and a bicycle lane on Culver Boulevard. The additional lanes, including the bicycle lane, would be located along Culver Boulevard and travel under the bridge. No recreation on the site is proposed or appropriate. As proposed, the project is consistent with the development of additional recreational facilities, will improve and enhance public access to the coast and is consistent with Sections 30210 and 30223 of the Coastal Act.

I. DEVELOPMENT.

The Coastal Act provides standards that the Commission must use in approving development. Section 30250 requires that most development be sited in existing developed areas to minimize development in relatively untouched rural areas. Section 30252 encourages investigations of non-automobile modes of travel to reduce competition for coastal access roads.

Section 30250.

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Section 30252.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Based on these provisions of the Coastal Act, the Commission and City of Los Angeles have approved coastal development permits for projects with relatively high levels of density in the immediate area of the proposed project. These include projects adjacent to Lincoln Boulevard (also see above and the Substantive File documents). All these projects, along with projects outside that Coastal Zone have individually and cumulatively, contributed to the increasing levels of traffic on Lincoln Boulevard, Culver Boulevard and the Marina Freeway. (Most notably the Commission found no substantial issue on two City of Los Angeles-approved projects: one that included a 334 unit (moderate income) apartment building, and a 166 unit building; the other included 800 (moderate income) apartments and two 16 story towers providing 512 condominiums on an 18.9 acre site. Both projects were located on Lincoln Boulevard. (See Substantive File documents above for the numbers of the two appeals.) The Commission has approved LUP's with similar impacts, notably the Marina del Rey Ballona LUP in 1984. In 1987 the Commission reiterated its approval of the Marina del Rey Ballona LUP in LUP's applying to the City and County areas of the Marina del Rey and Playa Vista (Marina del Rey LUP 1987, Playa Vista LUP, 1987.) In 1995 the Commission approved an amended LCP for the Marina del Rey that would result in 2,700 daily peak hour trips and would include multi-story development on most residential parcels. In effect, the Commission's assumption has been that development and the concentrated infrastructure to serve it would be located in Los Angeles and not elsewhere, in more remote areas along the coast. All of these approvals presumed that the infrastructure serving Lincoln Boulevard, including Lincoln, Culver, Jefferson, Washington and Venice Boulevards, would require road improvements. (Exhibits 24-26.) The plan approvals were granted before the courts issued the Bolsa Chica decision.

Part of the thinking in approving higher density development in some areas is the theory that higher density development could support transit alternatives as required in Section 30252. In addition to allowing high-density development and providing lists of road improvements, the Marina del Rey Ballona LUP (1984) and its successors required the development of mass transit alternatives. LUP policies required that some form of transit be part of the transportation improvement package. The 1987 Marina del Rey LUP and the related Playa Vista LUP require (1) development of jitney systems integrated between the City areas Playa del Rey, Palms and Venice, and the County area, which is the Marina del Rey proper, (2) development of park and ride lots for commuter express buses that would travel to Downtown Los Angeles, and (3) reservation of right-of-way along Lincoln Boulevard for a transit way. The City has also required jitneys within Playa Vista. However, the transportation improvements that the Commission has actually reviewed to date concentrate on road widening and on traffic management methods to increase vehicular speeds. Transit under consideration by the Department of Beaches and Harbors for the Marina del Rey consists of jitneys and other short haul buses, but no improvements that might accommodate the ten to fifteen mile work trip that the average Los Angeles resident makes. Playa Capital's traffic consultant, Kaku, indicates that it estimates that no more than 10% of job commuters in Playa Vista Phase I are likely to use transit. Culver Boulevard is the site of a former railroad right-of-way that extends west and south from Overland Avenue Culver City, through Area C, then through the wetlands and then south

through the South Bay.¹¹ Even though part of it is improved as a bikeway, there is no analysis of methods of using this older right-of-way for a dedicated transit way or for other alternative transportation. This bridge is wide enough to accommodate such a bikeway.

While the project itself is the road, not the development requiring the road. The Commission must consider whether approval of this project may commit the area to automobile transportation. There is a contention that wider and faster roads attract cars by improving the convenience of the automobile. Approval of this project does not commit the area to automobile-based transportation because the bridge is wide enough to accommodate bikeways or a bus lane. As designed the project is consistent with Section 30252 of the Coastal Act.

J. CERTIFIED LAND USE PLANS.

This bridge is one of the road-widening projects incorporated into the certified Land Use Plan for Playa Vista, even though it is technically outside of the study area. In 1984 the Commission approved the Marina del Rey/Ballona LUP. This bridge is adopted as part of the Circulation Element of the plan, even though Los Angeles County prepared the LUP and the roadway is owned by Caltrans and located in the City of Los Angeles (Exhibit 23.) Again in 1987, the Commission approved parallel LUP's for the Marina del Rey and, in the City of Los Angeles, the Playa Vista LUP that showed the identical transportation system measures, including the present project. The City of Los Angeles amended its Palms Mar Vista Del Rey Community Plan to conform with the land use designations and development standards of the certified Playa Vista LUP. No implementation ordinances have been approved for this plan.

As noted above, the Marina del Rey and Playa Vista LUP's, certified by the Commission in 1987, encourage the reservation of transit corridors and the adoption of shuttle programs. However, they rely on development caps and widened roadways to provide the transportation capacity necessary for the anticipated high-density development. All include high levels of density and multiple traffic impacts and provides for widened roadways. The plans provide for the extension of Admiralty Way to Culver Boulevard, widening Lincoln Boulevard to eight lanes, widening Culver and Jefferson Boulevards, widening other roads, and extending the Marina Freeway. The certified Playa Vista Land Use Plan shows Culver Boulevard as an alternative transportation corridor, and includes policies that provide for widening Culver Boulevard and extending the Marina Freeway. With respect to this project, Policy 4.18 of the Playa Vista LUP states:

Page 44, Policy 18. Extend the Marina Freeway, just east of Culver Boulevard, with a grade-separated interchange at their intersection.

¹¹ The South Bay comprises the Cities El Segundo, Manhattan Beach, Hermosa Beach and Redondo Beach and cities directly inland of them such as Lynwood and Lomita. They are directly inland of a bay extending from Ballona Creek to the Palos Verdes Peninsula.

Although these permit and LUP approvals seemed to assume that roadways to accommodate the development would be approved, until the local coastal program is fully certified, the standard of review for the roadways themselves is Chapter 3 of the Coastal Act. The Commission, faced with more detailed information about the impacts of the development conceptually approved in the Land Use Plans, is able to reexamine the effects of the development. A Land Use Plan is not binding on the Commission and any development listed in an LUP is subject to review based on the Coastal Act. The Commission has also noted that the standard of review for any amendments to the land use plans would be the policies of Chapter 3. Therefore, in the absence of a fully certified LCP, the Commission's earlier decisions that the "area" could accommodate high-density development does not commit the Commission to approving development that would not otherwise be approvable consistent with the policies of Chapter 3.

K. VISUAL IMPACTS.

Section 30251 requires that development be sited and designed to minimize visual impacts.

Section 30251.

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

The Controller of the State of California, as the custodian the land adjacent to this road, Playa Vista Area C, which is held in trust for the State of California, has clearly stated her intent to transfer the land to the Department of Parks and Recreation for development as a park. The area is not now a public park and will not be one until the Legislature acts to designate the land as a park. Nevertheless, in considering the design of public structures adjacent to the land, the Commission must consider the compatibility of the proposed development with a prospective public park and with public use of the area. In this instance, compatibility includes the impacts on views to and from the bridge and the compatibility of the bridge and its design with future recreational facilities.

The bridge will be elevated roughly 30 feet above roadway level. This will provide a view of Area C, but also will be visible from Area C. The bridge will be a standard concrete bridge. Caltrans plans three-foot high tapered concrete solid rails (type 736) that provide no views through the rails. There will be no view of either the development proposed on Area C or of the possible urban park from the bridge from compact cars, although the drivers and passengers in SUV's and other taller vehicles will be able to see over the rails. The bridge will have concrete pilings, which will be enlarged with tapered supports at the

head of the columns. The bridge will be relatively low and unobtrusive and will not be visually obtrusive from either public or private areas. If the rails provided views of the area, the bridge would also be more interesting visually. The ramps extending above the median will be lower than the bridge but will also be visible.

The bridge has no significant impacts on public views. It is adjacent to structures that range from 20 to 40 feet in height. It is low enough to be subordinate to its setting. The project is consistent with the view protection policies of the Coastal Act.

L. HAZARDS.

The Coastal Act provides that development shall be sited and designed to avoid hazards. Section 30253 requires, in part:

Section 30253.

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.

After the discovery of high levels of soil gas in Area D Playa Vista, the public has consistently expressed concern about the levels of soil gas in nearby areas. Tests conducted for a nearby project (Playa Vista Phase I, see substantive file documents) showed high levels of soil gas in an area south of Jefferson Boulevard. A report conducted by the City of Los Angeles City Legislative Analyst did not identify significant soil gas accumulations north of Ballona Creek. The present bridge and ramp work that is within the jurisdiction of the Commission is about half a mile north of the part of the Playa Vista project that has been shown to have high concentrations of soil gas. Caltrans sought an opinion from Gustavo Ortega, a Caltrans staff geologist, concerning the possible hazard of soil gas to this project. The geologist replied that methane is a potential hazard in confined spaces, but that there were no confined spaces proposed as part of the development of this bridge and ramp. Moreover, the Coastal Commission staff geologist, in an analysis of a proposal to expand Culver Boulevard, A-5-PLV-00-417, has indicated that soil gas does not pose a hazard to roads or the vehicles on them because soil gas does not accumulate where there are no enclosed structures.

The soils in this area are made up of sediments deposited by creeks and other water bodies. There is a relatively high groundwater table. The applicant's geologists have taken these conditions into account and designed to accommodate these potential

hazards. The project is not located in an area subject to other hazards, such as landslides or flooding. As such, the project is consistent with Section 30253 of the Coastal Act.

M. ARCHAEOLOGICAL, HISTORICAL AND PALEONTOLOGICAL DEPOSITS.

The part of this project outside the Coastal Zone is within an area that is described in confidential documents as encompassing LAN 54, a registered archaeological site. An adjoining property owner is required to recover the part of the site that is located on its property. Caltrans' archaeologist has reviewed these documents and disputes their conclusions; nevertheless, Caltrans plans to have a qualified archaeological monitor and a Native American monitor on the site during construction. Caltrans has not provided any statement from the State Historic Preservation Officer as to the absence of a site where the bridge and ramps are planned. Section 30244 of the Coastal Act requires:

Section 30244

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Caltrans has not provided evidence that the State Historic Preservation Officer (SHPO) has evaluated this site or that SHPO has confirmed that the site lies outside any known archaeological sites and would not impact such sites. Caltrans has not demonstrated that this project is consistent with Section 30244 of the Coastal Act. Only as conditioned to (1) evaluate the project in light of current confidential reports, and (2) obtain concurrence of the State Historic Preservation Officer with such evaluation can the Commission find this development consistent with Section 30244 of the Coastal Act. Pursuant to these requirements, the Commission is requiring a second review of the site in light of newly assembled information, and that a qualified archaeological monitor be on site during grading of those portions of the project that are located within the Coastal Zone. As is usually required, if any resources are discovered, work must stop to determine whether activities are necessary to preserve the resources and whether these activities require an amendment to this permit. As conditioned the proposed project is consistent with Section 30244 of the Coastal Act.

N. UNPERMITTED DEVELOPMENT.

Development has occurred on site without benefit of the required coastal development permit, including demolition of leased operations, which included the recreational vehicle storage facility, and a pottery store located within the coastal zone. Caltrans has also demolished an exercise facility located just outside of the coastal zone, originally described as part of this request. Consequently, the work that was undertaken inside the Coastal Zone constitutes development that requires a coastal development permit.

Consideration of the permit application by the Commission has been based solely on the consistency of the proposed development with the policies Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to the alleged unpermitted development, nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

O. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Section 13096 of the Commission's administrative regulations requires Commission approval of any coastal development permit application to be supported by a finding that the application, as conditioned by any conditions of approval, is 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 effects that the project may have on the environment.

In this case, this particular project is the result of the consideration of several alternatives. The applicant originally proposed to fill 0.23 acres of wetlands and to mitigate the fill on the site. The originally proposed project could have had significant adverse impacts, but the applicant has avoided those impacts by changing its project, relocating the ramps away from the wetland, and mitigating the remaining impacts through the implementation of the conditions proposed. After the Commission's initial hearing, the applicant proposed to avoid fill by bridging the wetlands, an alternative that would have left a tenth of an acre of wetlands in deep shade (Bridge Alternative). The applicant then considered a project that would avoid the fill and shading of the then identified wetlands altogether, and to enhance the resources of the site (Modified East Alternative). The applicant also considered an alternative proposed by the public, the North Alternative, which would relocate the traffic lanes to the inland side of the median because it would increase the ability of this site to be connected to the 69-acre state owned parcel in Area C, Playa Vista. Because this alternative would have resulted in fill of 0.50 acres the wetland area, the applicant rejected this fourth alternative. Finally, based on new information concerning wetlands on the site, the applicant further modified its project to reduce or eliminate wetland fill, even though this alternative would result in shading of wetlands. The final choice, the Modified East Alternative with an extended bridge over the willow-mulefat area is the least environmentally damaging alternative.

This traffic improvement is one that was long identified in regional planning documents, and that was designed to relieve congestion and increase safety on regional travel ways. The commission and the applicant also investigated alternative modes of transportation alternative routes, but found no feasible alternative that could be implemented in a time and manner so as to satisfy the objectives of this project.

There are no additional feasible alternatives or mitigation measures available that could substantially lessen any remaining significant adverse impact the activity may have on the

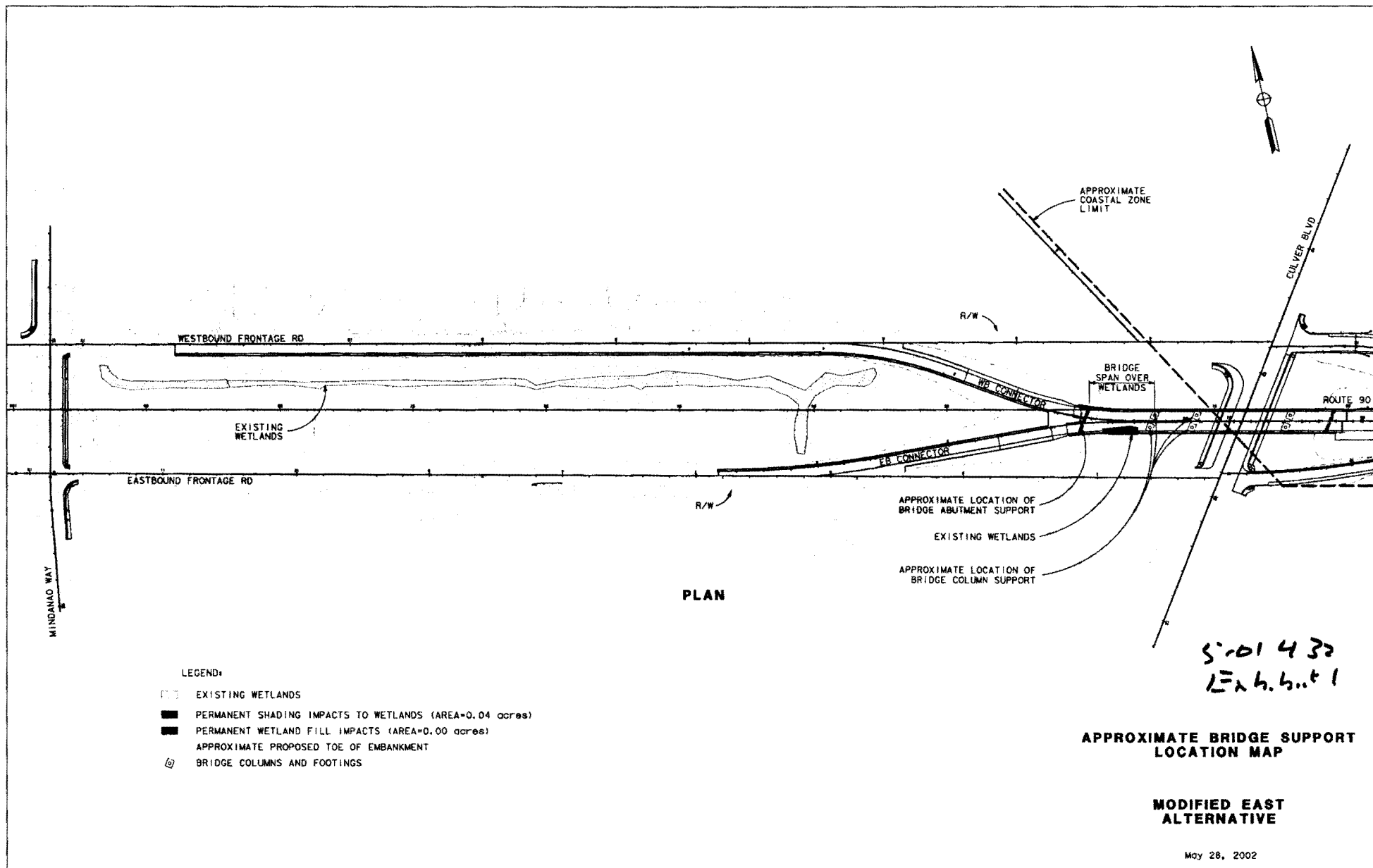
environment. Therefore, the proposed project is consistent with CEQA and the policies of the Coastal Act.

APPENDIX A
SUBSTANTIVE FILE DOCUMENTS:

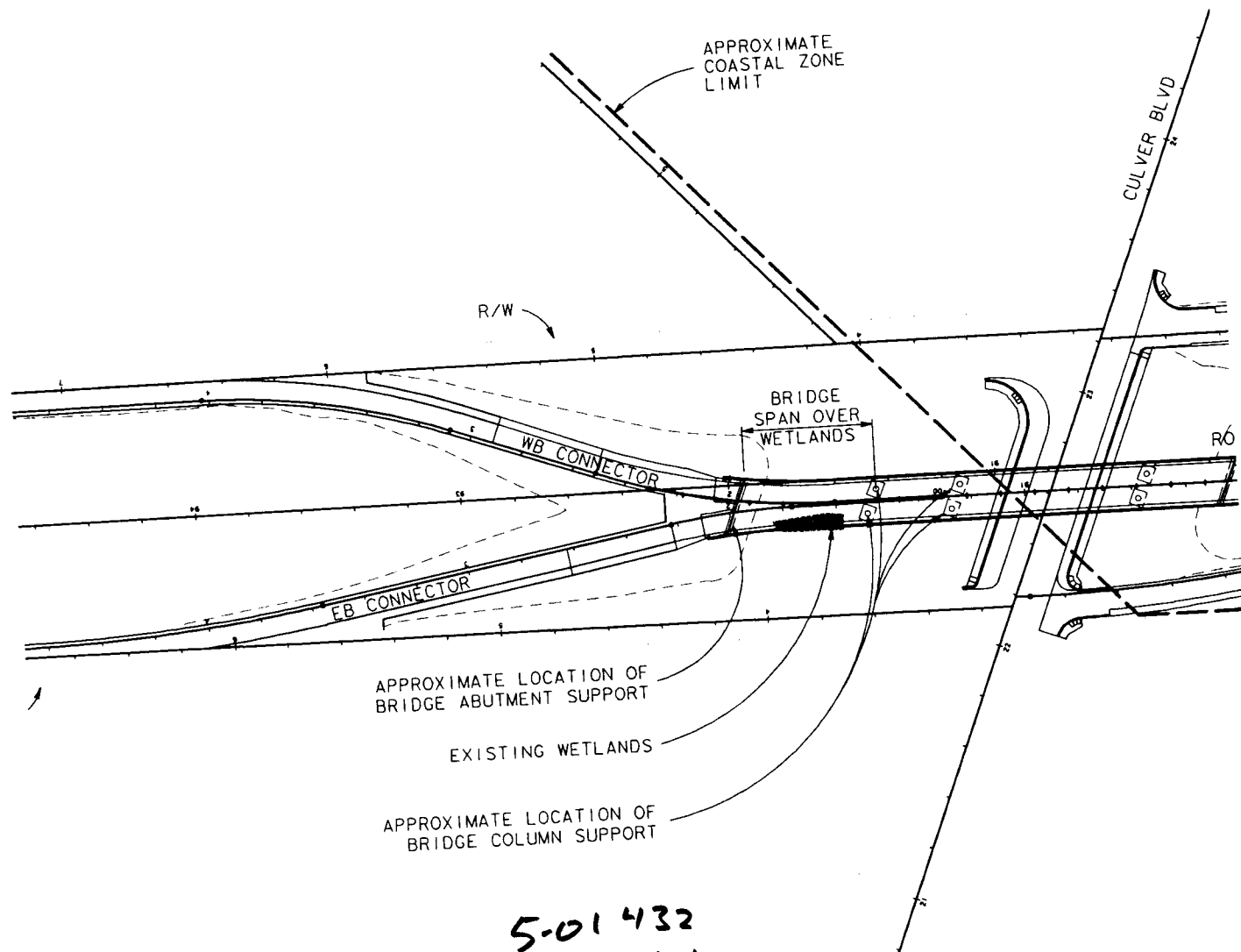
1. Environmental Impact Report, First Phase Project for Playa Vista, EIR No. 90-0200-SUB(c)(CUZ)(CUB) State Clearinghouse No. 90010510; Appendix D Mitigation and Monitoring Program; Mitigation Measures Tracts 49104 and 52092.
2. Haripal S. Vir, Senior Transportation Engineer, Department of Transportation, City of Los Angeles, Memorandum to Merryl Edelstein, Senior Planner "Initial Traffic Assessment and Mitigation Measures for the proposed Playa Vista Project at the Intersection of Lincoln Boulevard and Jefferson Boulevard, EIR no.90-0200 (C) (CUB) (CUZ) (GPA) (SUB) (VAC) (ZC), September 16, 1992
3. Haripal S. Vir, Senior Transportation Engineer, Department of Transportation, City of Los Angeles, Memorandum to Merryl Edelstein, Senior Planner "Playa Vista Project Phase I, Amendment to the Initial Traffic Assessment and Mitigation Letter dated September 16, 1992, EIR No.90-0200 (C) (CUB) (CUZ) (GPA) (SUB) (VAC) (ZC)," revised May 24, 1993.
4. City of Los Angeles Mitigation Monitoring and Reporting Program Exhibit "C "As Amended To Include Condition of Approval No. 96 as Required by Condition of Approval NO. 12 of Vesting Tentative Tract no. 49104 (Exhibit "B") and Condition of Approval No.'s 141, 141, 144, 145, 150, and 151 as Required by the Modification to VTTM 49104 Approved by the City Council on December 8, 1995 Exhibit "A".
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6. Playa Vista Entertainment Media and Technology District, Mitigated Negative Declaration, Playa Vista Plant Site (Addendum to Environmental Impact Report First Phase Project for Playa Vista), August 1995.
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8. Los Angeles County, Marina del Rey LUP, Certified 1987.
9. City of Los Angeles, Playa Vista LUP, Certified 1987.
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15. Caltrans: Alternatives analysis (1) and (2) regarding the Route 90 bridge.

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17. Robert Goodell, Chief, Advance Planning Branch, Caltrans District 7; Memorandum to Tom Loftus, State Clearinghouse, re DEIR Playa Vista Phase I 90-0200 SUB (C) (CUZ) (CUB), March 22, 1993.
18. Coastal Development Permits and Appeals: A-5-VEN-98-222 (EMC Snyder); A-5-90-653 (Channel Gateway); 5-91-463 (Maguire Thomas); 5-91-463A2, 5-91-463R; 5-91-463R2: 5-00-139W; extended (October 1997), currently expired; 5-91-463, 5-91-463A2, 5-91-463R, 5-95-148, permit waiver 5-00-139, 5-91-463, 5-98-164, A-5-PDR 99-130/5-99-151; 6-97-161, A-5-PLV-01-281/5-01-223; A-5-PV-00-417/5-01-382; 5-98-164; 5-98-164A, A-266-77, A-5-RPV-93-005; 5-82-479.
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22. Law, Crandall Inc., "Report of Phase I Environmental Assessment, Playa Vista STIP; State Route 90, (Marina Freeway), from Lincoln Boulevard to Centinela Avenue, Playa Vista Project;" prepared for Maguire Thomas Partners, Los Angeles, California, February 23, 1996.
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28. City of Los Angeles Department of Building and Safety, Memorandum of General distribution, #92, Methane Potential Hazard Zones, March 19, 1991.

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32. City of Los Angeles General Plan Palms, Mar Vista Del Rey District Plan, –Playa Vista Area C Specific Plan;
33. City of Los Angeles City Council: Conditions of Approval, Vesting Tentative Tract Map 49104 (As Revised December 8, 1995)
34. City of Los Angeles City Council: Conditions of Approval, Vesting Tentative Tract Map 52092 (December 8, 1995)
35. City of Los Angeles Tentative Tract Number 44668, Map and conditions of approval, May 4, 1987.
36. Regional Water Quality Control Board, Los Angeles Region: Clean up and Abatement Order 98-125.
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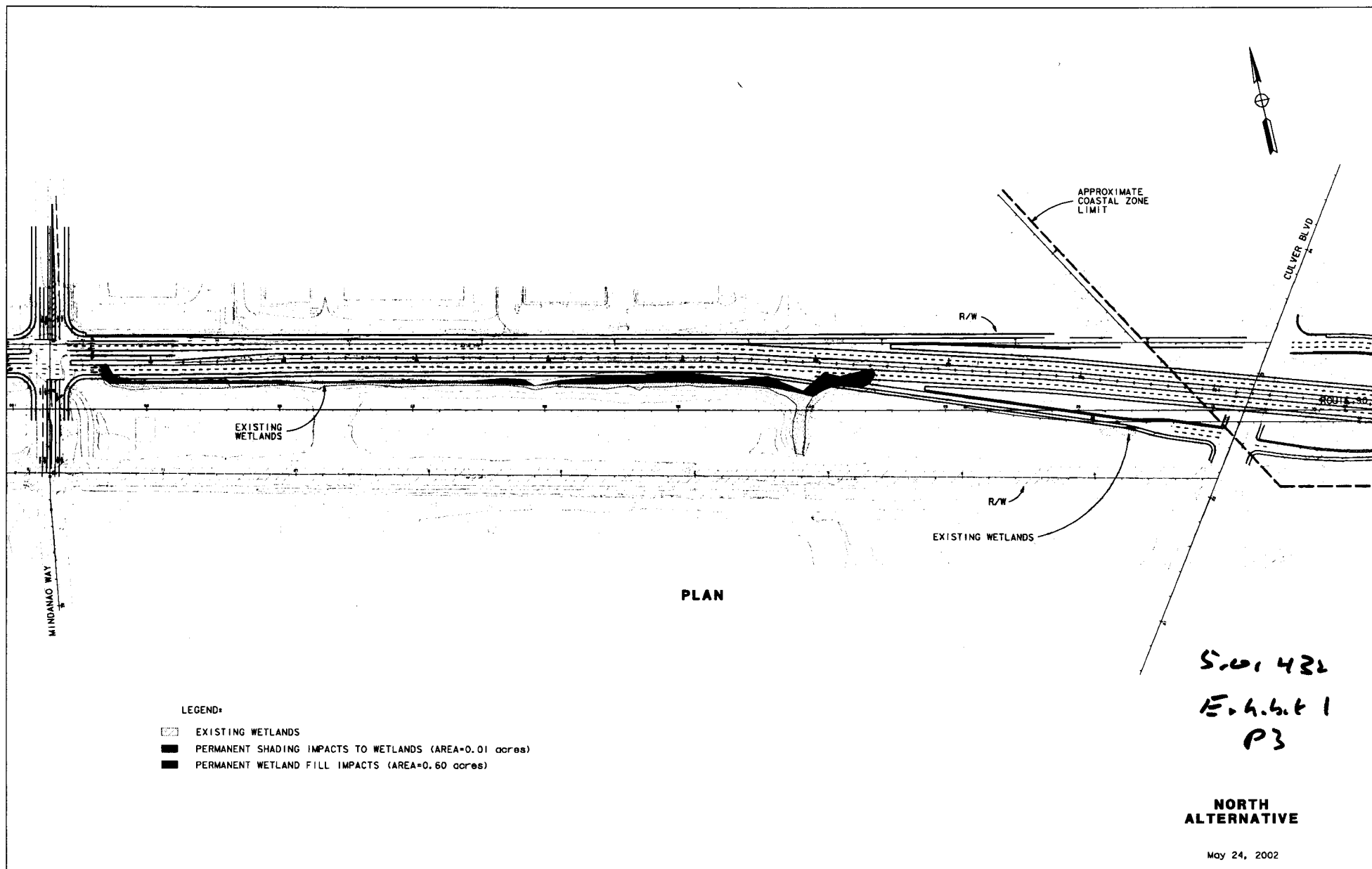
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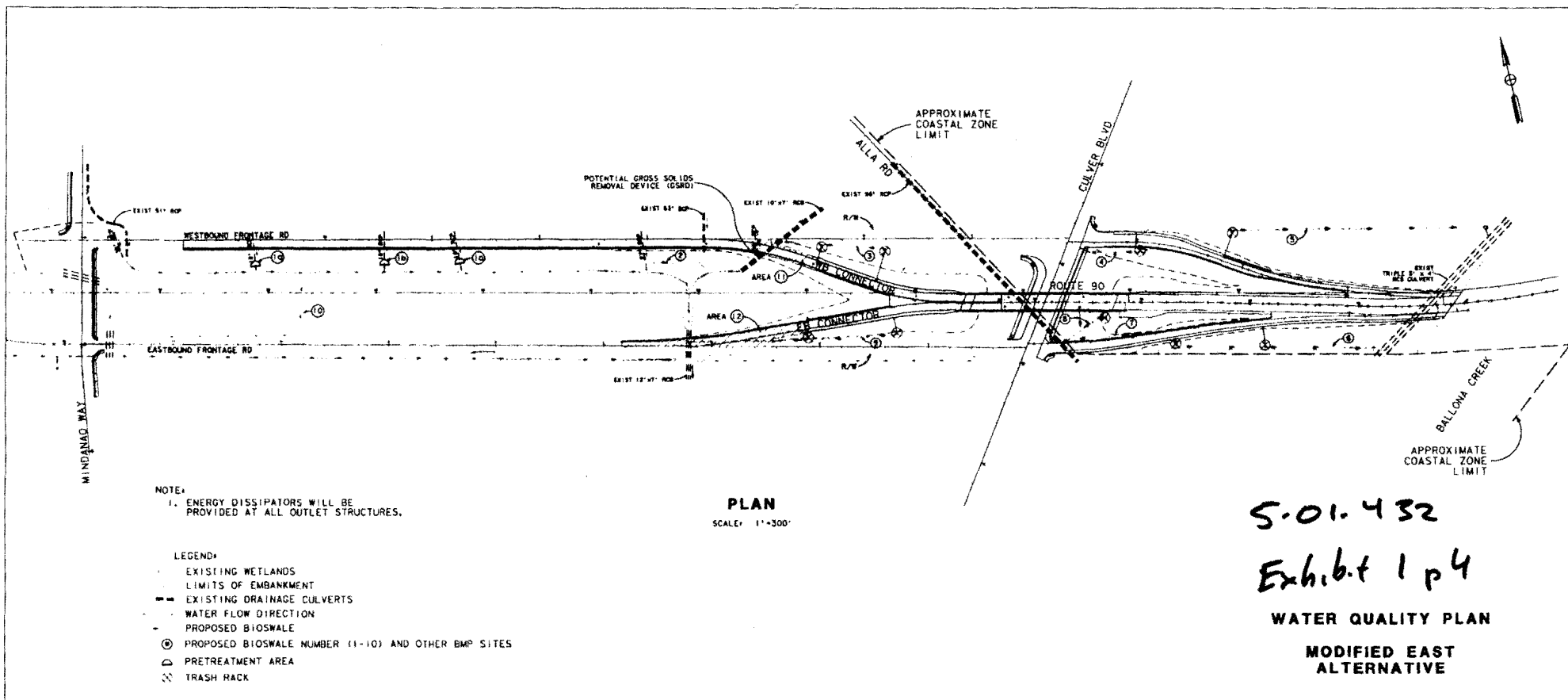
Exhibit 1

P2

Detail modified ear alternative







-
1. Jefferson Bl.
2. Washington Bl.
3. Venice Bl.
4. I-10 (Santa Monica Fwy)

EXHIBIT NO. 2

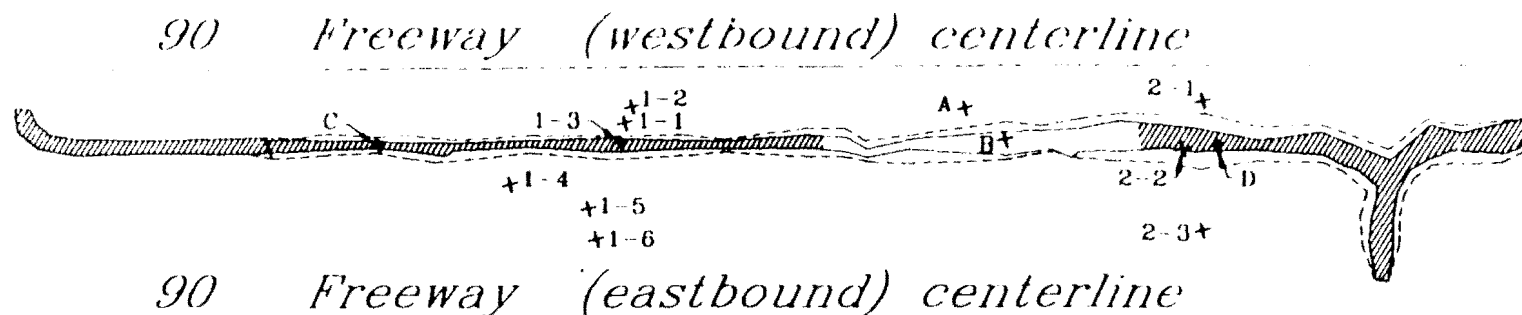
APPLICATION NO.

5-01-432

General Location

**Locations of Route 90
Traffic Alternatives Studied**

Mindanao Way



Legend

- - Corps jurisdictional waters of U.S. & CDF&G jurisdictional wetland (0.99 acs)
- - CDF&G jurisdictional streambed (1.73 acs)
- ▨ - Corps jurisdictional wetland (0.78 acs)
- + - Sample plot site

SCALE
1" = 250'

EXHIBIT NO. **33**

APPLICATION NO.

5-01-432

Wetlands/1st

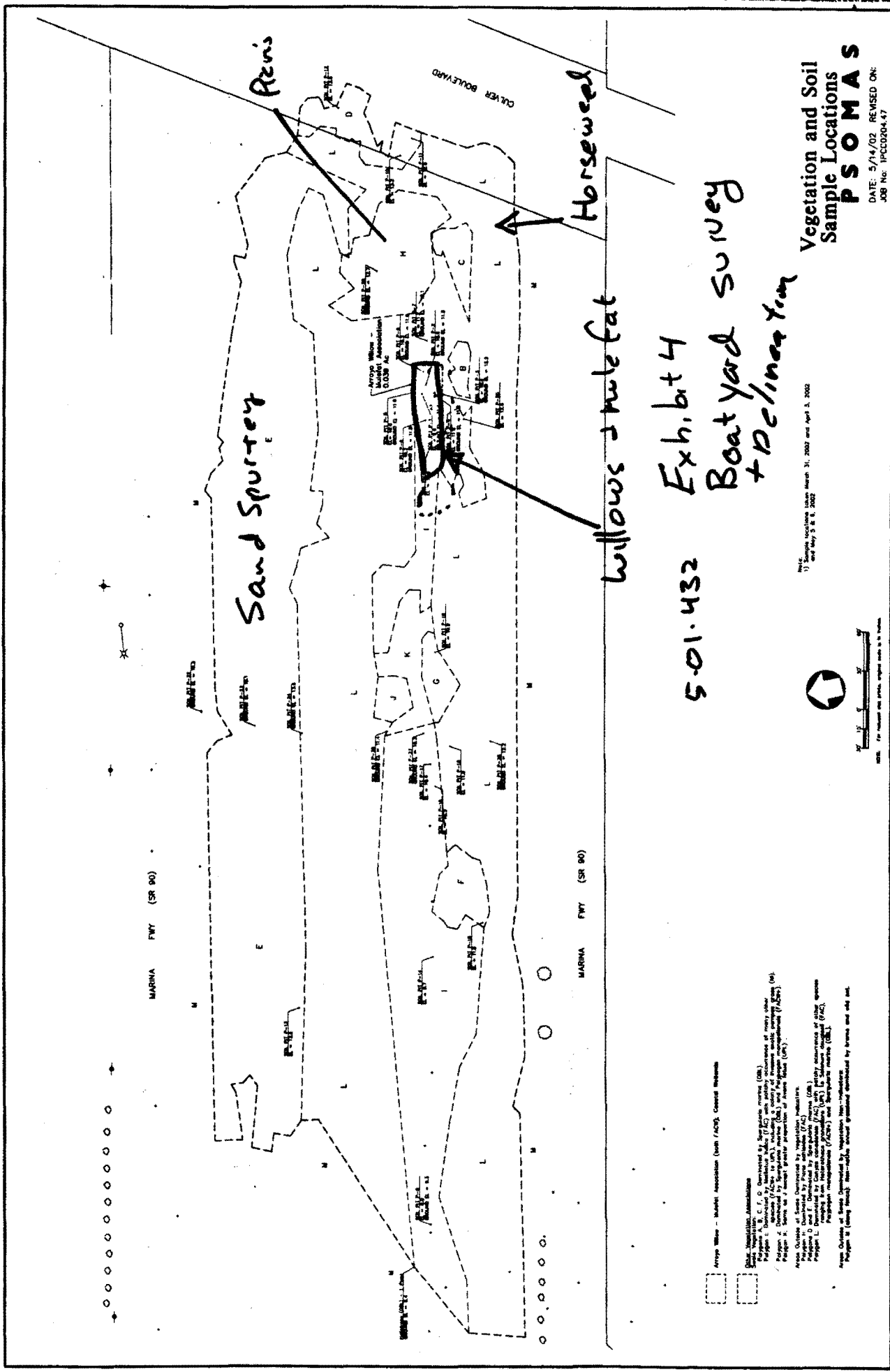
delmatoba

STATE ROUTE 90/CULVER BLVD. FLYOVER
WETLANDS DELINEATION
MAP 2: JURISDICTIONAL AREAS

PSOMAS

Peonias & Associates-Costa Mesa
3187 Red Hill Avenue, Suite 250
Costa Mesa, California 92626
714/751-7373

Engineers
Surveyors
Planners



5-01-432
Exhibit 4
Boatyard survey
+ delineation

Vegetation and Soil
Sample Locations
PSOMAS
DATE: 5/14/02 REVISED ON:
JOB No: 1PCC00447

ADDENDUM TO DELINEATION OF VACATED STORAGE YARD – DRAFT
05-08-2002

PURPOSE

The purpose of this addendum is to update a previous delineation (Read and Winfield, 2002) of a vacated storage yard located in the median between the eastbound and westbound lanes of the Marina (90) freeway, west of Culver Boulevard in Marina del Rey. Details of the project location and historical site conditions were described in that report. Additional field data requested by staff of the California Coastal Commission consisted of:

- A map showing polygons of more-or-less homogenous vegetation where more than 50 percent of the dominant species consist of FAC, FACW, and/or OBL plant species;
- Complete plant species list for each polygon and visual estimate of species' percent cover;
- Completed field data forms.

METHODS

Field work was conducted by Drs. Winfield and Read on May 5, 2002. The requested vegetation information was supplemented with data from eight additional five ft² plots, bringing the total sample size for the site to 28. Vegetation polygons were surveyed by Psomas surveyors on May 6, 2002 under the direct supervision of Dr. Read.

Rationale for selection of the additional plot locations was two-fold, namely: 1) obtain a more detailed cross-section along a single transect that extended from the north side of the site to the south side of the site, which provided a representative range of ground elevations that include the swale; 2) obtain a sample from a vegetation polygon on the site that was not represented in the previous sample.

Distinguishing polygons in the field that consisted of "more-or-less homogenous" vegetation, beyond what was identified in our previous report, was by no means a straightforward process. In our previous report, we distinguished a small polygon dominated by arroyo willow/mulefat that we concluded was a coastal wetland, and larger polygons in which sand spurrey (*Spergularia marina* – OBL) was the dominant species in terms of both frequency (number of individuals) and percent cover, but which we concluded not to qualify as coastal wetland based on absence of wetland hydrology and soil. These polygons essentially constituted the entirety of what were visually homogenous stands of OBL and/or FACW vegetation distinct from one another, and in which more than 50 percent

Exhibit 4 p 2
5.01 432
Marat v. survey

of the dominant species consisted of OBL or FACW species¹. The current work described in this report takes those previous distinctions a step further and attempts to distinguish stands of vegetation in which FAC species are included in the visual estimation of dominance along with FACW and OBL species. In order to help compensate for the fact that such estimations are highly season dependent, and the fact that this year resulted in poor growth of annual species in general due to below normal rainfall, seedlings as well as last year's growth and this season's mature plants were included in the visual estimation of dominance.

RESULTS AND DISCUSSION

The attached topographic map shows the additional plot and vegetation polygon locations. An aerial photograph of the site, taken by helicopter in April of 2002, is attached for visual reference. An updated table summarizing the plot data, an updated plant list, and completed field data forms are also included.

The field investigation recognized three vegetation associations that were not distinguished in the previous work, representing roughly homogenous stands where at least two species of FAC or wetter status were clearly observed to co-dominate. Descriptions of these new polygons and the previously recognized vegetation associations (Read and Winfield 2002) are elaborated upon as follows:

Arroyo Willow – Mulefat. We previously identified this association as a potential Coastal Act wetland and this interpretation remains unchanged. Young arroyo willow (*Salix lasiolepis*) and mulefat (*Baccharis salicifolia*), both FACW species, comprise at least 50 percent of the areal cover of this polygon, with sourclover (*Melilotus indica* - FAC) a subdominant in the understory along with various other weedy herbaceous species, including sand spurrey (*Spergularia marina* - OBL). As explained at length in our previous report, soil characteristics in the upper 18 inches of profile are marginally suggestive of periods of saturation that would qualify the location as a coastal wetland.

Monotypic Stands of Sand Spurrey. These stands are labeled "A" through "G" on the map, and were identified in the previous report. Few, if any, other species occupy these areas or if they do so, they are not dominant (areal cover << 20%). These stands appear to be associated with exposed aggregates of coarse sand and shell debris, and are not associated with any pattern of clay lenses, depressions, or other features that would retain water.

¹ The exclusion of FAC species is allowed by the Corps of Engineers' standard three-parameter methodology for delineating wetlands in cases where there is some question as to the reliability of FAC species as wetland indicators.

Exhibit 4 p 3

5.01 432

Dout Yard survey

ADDENDUM TO DELINEATION OF VACATED STORAGE YARD – DRAFT
05-08-2002

Picris – Melilotus Association. This vegetation is densely congregated at the east end of the site and has been added to the map with the label "H". Both species have FAC status and together comprise at least 80 percent of the vegetation cover within this polygon. Soil data from plot #28 within this polygon did not reveal any distinctive features.

Melilotus – Conyza Association. This vegetation occupies the swale that was described at length in the previous report, and in some areas extends slightly outside of the swale. The vegetation is represented by two polygons added to the map, both labeled "I" to indicate the similarity of the two areas. While *Melilotus* and *Conyza* (both FAC species) are dominants and together comprise at least 60 to 80 percent of the areal cover, there are numerous other species present, as shown on the attached plant list. A stand of an invasive exotic, pampas grass, has colonized the west side of this area. The new survey revealed the presence of one heliotrope plant (*Heliotropium curassavicum* – OBL) in the northwestern section of the swale. This location is marked on the map. Soil data from plots in this swale did not reveal any distinctive features except for localized clay lenses that would tend to retain water somewhat longer than the profiles observed outside of the swale, thus accounting for the relatively taller growth of the *Melilotus*. However, as we concluded previously, we did not observe any features in the upper soil horizon comparable to those that we identified in the Arroyo Willow – Mulefat polygon, or otherwise indicative of prolonged periods of saturation.

Spergularia – Polypogon Association. This vegetation occupies an open section of the swale near the center of the site. The vegetation is represented by the polygon labeled "J" added to the map. Soil data collected in plot #25 near the polygon were typical of all other plots along this cross-section.

Ruderal. While all of the above vegetation associations except for the arroyo willow-mulefat can also be classified as ruderal, this label on the map applies to all areas on the site in which the vegetation was heterogeneous and without distinctive boundaries. Species include horseweed (*Conyza canadensis* – FAC), telegraph weed (*Heterotheca grandiflora* -- UPL), sourclover (*Melilotus indica* – FAC), and (along the fence) upland oat and brome grasses (*Avena fatua*, *Bromus diandrus*) mixed with a wide variety of other FAC and UPL species (please refer to attached plant list for details). It was attempted, but found impossible, to determine boundaries or homogenous stands of this heterogeneous vegetation by any reliable or consistent method and therefore these areas simply retained the label "ruderal" from our previous map. As discussed in our previous report, there are widely scattered individuals of young mulefat (*Baccharis salicifolia* --FACW) and arroyo willow (*Salix lasiolepis*) across the mid-western section of the site that also extend into the swale (*Melilotus* – *Conyza*

Exhibit 4 p 4
5.01.472

Boatyard survey⁵

ADDENDUM TO DELINEATION OF VACATED STORAGE YARD – DRAFT
05-08-2002

association), but these plants are not dominant and do not form homogenous stands.

In summary, the plot data did not yield any new information that would change our previous interpretation of the site conditions. With the exception of the small wetland delineated previously, soils in the upper 18 inches clearly consist of sandy fill, with shell fragments and cobbles. There is no pattern of soil or hydrologic features with respect to distribution of plant species that have been assigned FAC, FACW, or OBL status in the California regional list of Plant Species That Occur in Wetlands (Reed 1988; USFWS 1997).

CONCLUSIONS

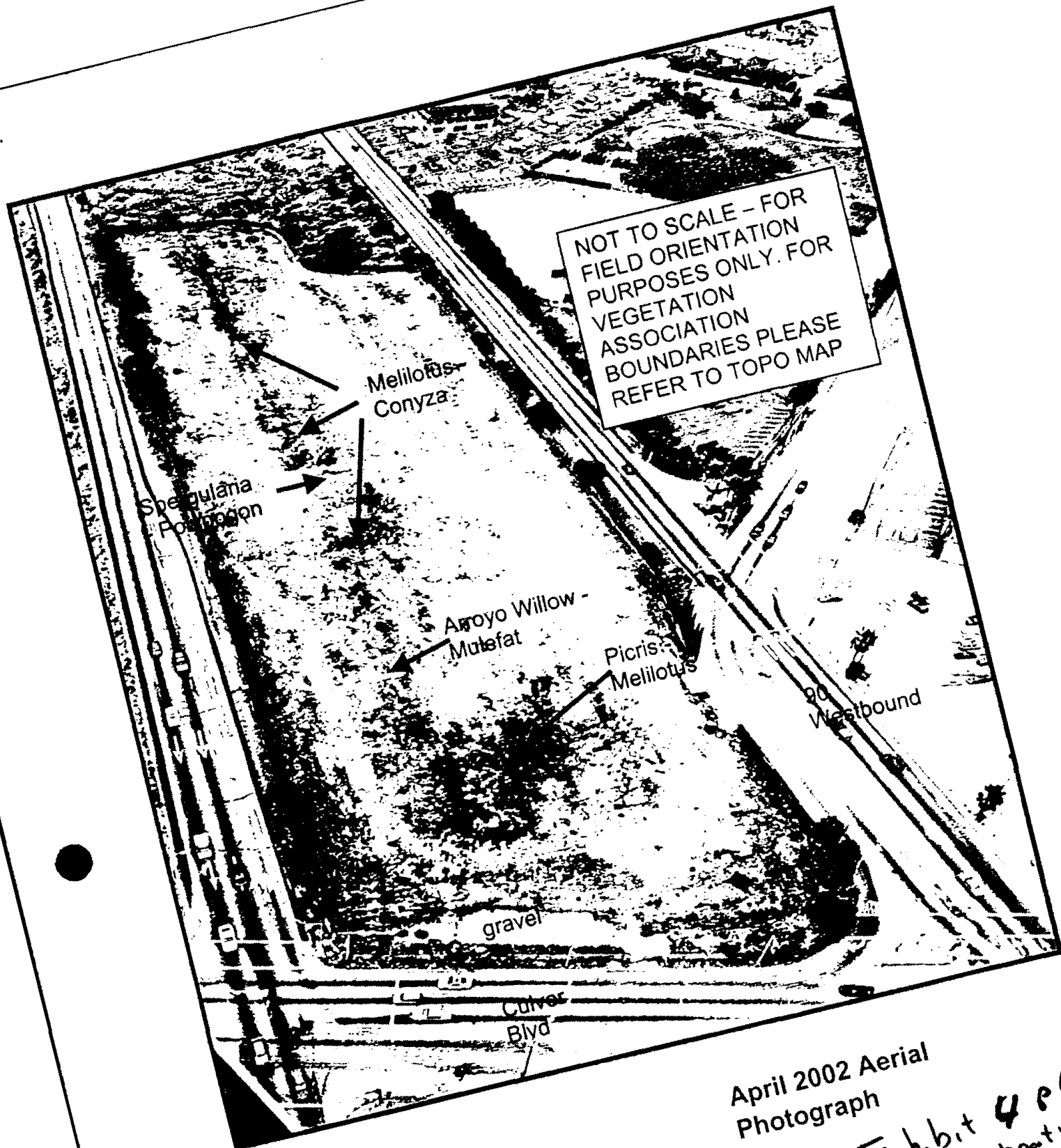
Additional field data collected for this addendum are consistent with our previous findings. As described in our previous report, the surface of the site is relatively "young", having been exposed only about 1.5 years ago (November 2000). The species present at the site are evidently successful as pioneer species. The data collected from the 28 plots of this study add to the growing body of evidence for this coastal region that plant species at the drier end of the hydrophytic spectrum (FAC) are unreliable as wetland indicators, especially if the species in question also happen to be weedy in nature and capable of colonizing any newly exposed or disturbed site, regardless of hydrologic regime. In the case of two species listed as OBL (sand spurrey -- *Spergularia marina*, heliotrope -- *Heliotropium curassavicum*), and at least two species listed as FACW (mulefat -- *Baccharis salicifolia* and rabbitsfoot grass -- *Polypogon monspeliensis*), all appear to be inaccurately classified for this region or at least should not be relied upon as indicators under disturbed conditions. For all of the above reasons, we believe soils provide a more reliable measure of the presence/absence of reducing conditions and therefore our previous opinion, that the potential coastal wetland is limited to the Arroyo Willow – Mulefat association, remains unchanged.

LITERATURE CITED

Read, E. and T. Winfield, 2002. Jurisdiction Evaluation of Vacated Vehicle Storage Yard Site, in the Median Between LA-90 Eastbound and Westbound, West of Culver Boulevard in Marina del Rey (Coastal Development Permit Application No. 5-01-432). Prepared for Caltrans, Draft report dated April 18, 2002.

Reed, B. 1988. National List of Plant Species That Occur in Wetlands: 1988 National Summary.

Exh. b. 4 p 5
5.01-432
Beattyard
Survey



April 2002 Aerial
Photograph

Exhibit 4 p 6
aerial / boatyard
survey &
delmeat

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



5-01432
Exh. 6 & 7's
p'

MEMORANDUM

FROM: John Dixon, Ph.D.
TO: Pam Emerson & Alex Helperin
SUBJECT: Wetland Delineation for LA-90 project
DATE: May 24, 2002

Site information considered for this memo:

Read, E. & T. Winfield. Jurisdictional evaluation of vacated vehicle storage yard site, in the median between LA-90 eastbound and westbound, west of Culver Boulevard in Marine Del Rey (Coastal development permit application No. 5-01-432). A draft document prepared for Caltrans dated April 18, 2002.

Read, E. & T. Winfield. Addendum to Jurisdictional evaluation of vacated vehicle storage yard site, in the median between LA-90 eastbound and westbound, west of Culver Boulevard in Marine Del Rey (Coastal development permit application No. 5-01-432). A draft document prepared for Caltrans dated May 8, 2002

PSOMAS. Revised map entitled "Vegetation and Soil Sample Locations" dated May 14, 2002, with a modified delineation of wetlands based on the May 13, 2002 site visit.

Site visit on Monday, May 13, 2002 with Drs. Read and Winfield and Caltrans representatives.

The Coastal Act defines wetlands as "...lands within the coastal zone which may be covered periodically or permanently with shallow water...." The definition adopted by the Commission and codified in Section 13577(b)(1) of Title 14 of the California Code of Regulations defines wetland as, "...land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes...." In discussing boundary determinations, the same section of the Regulations specifies that wetlands have a "predominance" of hydrophytic cover or a "predominance" of hydric soils. Although the definition is based on inundation or shallow saturation long enough for anaerobic reducing conditions to develop within the root zone¹, in practice hydrology is the most difficult wetland indicator to demonstrate. In California, a predominance of hydrophytes or a predominance of hydric soils is taken as evidence that the land was "wet enough long enough" to develop wetland characteristics. How is such "predominance" demonstrated?

No delineation methods or protocols are included in California law. Given this void, delineators rely on methods developed in the context of various Federal laws, including the Clean Water Act

¹ As demonstrated by the definitions of hydric soils and hydrophytes: "A hydric soil is a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part." National technical committee for hydric soils, October 18, 1994; A hydrophyte is, "Any macrophyte that grows in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content...." Environmental Laboratory. 1987. Corps of Engineers Wetland Delineation Manual. U.S. Army Corps of Engineers, Washington, D.C.

and the Food Security Act, and on other pertinent scientific works². The Army Corps of Engineers (Corps), the Environmental Protection Agency, and the Natural Resources Conservation Service have developed generally science-based delineation protocols within the context of their governing laws and regulations. These federal procedures generally require positive evidence of all three wetland criteria: wetland hydrology, hydric soils, and a "prevalence"³ of hydrophytes. The indicators of wetland hydrology and hydric soils are conceptually straightforward and generally independent of the other two factors. This is not always the case for indicators of the presence of hydrophytic vegetation.

There are two elements necessary for demonstrating that a community is comprised predominantly of wetland vegetation. First, one must identify those species that are growing as hydrophytes. Second, one must demonstrate that those hydrophytic species make up a predominance (>50%) of the dominant plant species in the community. The latter is generally a simple exercise following the protocols in the 1987 Corps Manual. Identifying hydrophytes is less standard⁴, but under federal regulations also is generally a matter of following written protocols, although professional judgement is sometimes required. Most protocols make use of plant lists produced by federal agencies. The U.S. Fish and Wildlife Service in cooperation with other federal agencies, developed lists of plant species that occur in wetlands⁵. Based on descriptions in state and regional floras and the opinions of regional ecologists, plant species known to occur in wetlands in at least some areas were assigned to one of five categories, depending on the estimated probability of occurring in a wetland⁶. Under federal procedures, species listed as OBL, FACW, or FAC are defined as "hydrophytes," despite the fact that for any individual species the percent of occurrences in upland will actually be between <1% and 66%. However, this causes no conflict because even those FAC species that commonly occur in uplands, can be assumed to be growing as "hydrophytes" where the presence of hydric soils and indicators of hydrology provide independent evidence of wetness⁷. Under the Coastal Act, OBL, FACW, and FAC species are also presumptively "hydrophytic" and, in general, a preponderance of those species is presumptive evidence of a wetland. The strength of this test

² For example: Tiner, R.W. 1999. Wetland indicators. A guide to wetland identification, delineation, classification, and mapping. Lewis Publishers, Boca Raton, FL. 392 pages; Richardson, J.L. and M.J. Vepraskas. 2001. Wetland soils. Genesis, hydrology, landscapes, and classification. Lewis Publishers, Boca Raton, FL. 417 pages; Cronk, J.K. and M. S. Fennessy. 2001. Wetland plants. Biology and ecology. Lewis Publishers, Boca Raton, FL. 462 pages; National Research Council. 1995. Wetlands. Characteristics and boundaries. National Academy Press, Washington, D.C. 308 pages.

³ "Prevalence" and "predominance" are equivalent. According to the 1987 Corp of Engineers Delineation Manual, the "prevalent vegetation" has the character of the majority of the dominant plant species in the community and "Dominant species" are those that define the character of the community because of their high relative ground cover, basal area, or other measure of standing stock.

⁴ "Interpretation of plants as wetland indicators vary (sic) according to the approach taken for wetland delineation." Tiner, 1999, op. cit., page 78.

⁵ Reed, P.B. Jr. 1988. National list of plant species that occur in wetlands: California (Region 0). U.S. Fish and Wildlife Service Biological Report 88 (26.10). 135 pages.

⁶ "Obligate Wetland (OBL) - > 99% of occurrences in wetlands under natural conditions; Facultative Wetland (FACW) - 67-99% of occurrences in wetlands; Facultative (FAC) - 34-66% of occurrences in wetlands; Facultative Upland - 1-33% of occurrences in wetlands; Obligate Upland (UPL) - > 99% of occurrences in uplands under natural conditions within the region, but occurs in wetlands elsewhere.

⁷ The distinction between being included in a list of species that occur in wetlands or being defined by the Corps as a "hydrophyte" for methodological purposes and actually growing as a hydrophyte is an important one. This is clear in the following discussion of wetland indicator plants (Tiner, 1999, op. cit., page 80): "FACU species (plants that are typically found in nonwetlands) are more contentious as wetland species, since by definition they occur more in uplands than in wetlands. The national list of wetland plant species includes about 1400 FACU species (21% of the list)(Tiner, 1991). Some species are quite common in wetlands and when growing under such conditions are hydrophytic." The reverse situation may occur with species that are typically found in wetlands, and a finding that they are not growing as "hydrophytes" is similarly contentious but nevertheless sometimes justifiable.

is greater where most dominant wetland indicator species are classed as OBL or FACW⁸. However, where the wetland character of a site is demonstrably ambiguous because of the presence of substantial upland features, characterizing a species as "hydrophytic" requires professional judgment⁹ in addition to a demonstration that the species is included on a list of plant species that occur in wetlands. In such situations, rote application of the Corps' protocol for identifying hydrophytic vegetation outside the context of the 3-parameter test for which it was developed could potentially result in wrongly categorizing some "uplands" as "wetlands," especially where FAC species comprise a significant portion of the vegetation¹⁰. The subject site presents such a situation based on the substantial evidence presented in the applicant's reports.

The proposed project site is currently a difficult site to delineate for at least four reasons. First, the topography has been substantially altered over the years by agriculture and later by fill and grading. Second, it is an atypical situation because it was used for many years as a vehicle storage yard and was covered with asphalt until November 2000. Therefore, all the vegetation is recent and the vegetative characteristics of the site will continue to undergo successional changes for several years. Third, it is a problem situation because November 2001 through April 2002 was a period of extreme drought (3.98 inches of rainfall compared to the long-term average of 11.33 inches¹¹). Finally, it is a problem situation because the soil is comprised of fill from elsewhere, so soil color and redoximorphic features¹² are not necessarily reliable indicators of hydric soils.

With one exception, the narrative descriptions in the reports and the depictions in the data sheets matched what we observed on the ground¹³. The site has been graded to create a east-west swale in the middle portion of the median strip. The swale slopes down to the west (with about a 4-foot fall) and delivers water to a man-made catchment that drains off the property to the south. The site may receive some freeway runoff at the western half of the property. There, the roadway abuts a broad mowed strip that slopes onto the site. The eastern half of the

⁸ While both OBL and FACW species are universally recognized as useful indicators of wetlands, FAC and FACU are not reliable wetland indicators and their use in wetland delineation has been contentious (see 56 Federal Register 40446-40480, August 14, 1991). Since they occur in wetlands with some frequency and may even dominate certain types, they have the potential to be hydrophytes...." Tiner, 1999, op. cit., page 78.

⁹ Professional judgement takes into account such factors as recent rainfall patterns, topography, drainage patterns, soil characteristics, technical indicators of hydrology or hydric soils, adjacency to obvious wetland areas, number of associated FACW or OBL species, and presence of facultative adaptations to inundation such as adventitious roots. However, despite the importance of considering factors related to hydrology and soil characteristics in this process of assessing whether a species is growing as a "hydrophyte," demonstrating the presence of hydric soils or wetland hydrology according to the Corps' rules is not required, i.e., such judgement does not convert the one parameter requirement into a two or three parameter requirement.

¹⁰ In this context, it is worth pointing out that there is no perfect wetland definition or delineation method. For example, the Corps approach risks underestimating the extent of seasonal wetlands in Mediterranean or arid climates because hydrology indicators and vegetation indicators may be seasonally absent. On the other hand, the California approach risks overestimating the extent of seasonal wetlands because of the environmental plasticity of some wetland indicator plants. Professional judgement is usually required.

¹¹ Rainfall data for Los Angeles International Airport from Western Regional Climate Center.

¹² Redoximorphic features, such as "rust"-like concentrations, result from the reduction, translocation, and oxidation of iron and manganese oxides in, at least periodically, saturated soils.

¹³ An exception was sample site P-21. Mulefat was an unrecorded dominant in the shrub layer and the soil had redoximorphic characteristics in the root zone that had not previously been noted. Dr. Winfield dug a series of soil pits west from P-21. Based on the additional data from these pits and the continued presence of mulefat, we agreed that the western boundary of the wetland area characterized in the reports as "Arroyo willow - mulefat association" should be moved west along the swale approximately 20 m. The boundary was subsequently re-surveyed by PSOMAS.

property appears to be slightly higher than the adjacent roadways¹⁴. The land adjacent to the roadways on the north and south is lower and there is a ditch along the southern roadway, so much of the freeway runoff appears to be directed offsite. The primary source of water is probably direct precipitation. There were no standard Corps indicators of wetland hydrology at any of the sample stations. However, there were patchy areas in the swale where there apparently was a higher clay content in the surface soils and the soils had cracked and curled forming concave surfaces. These characteristic mud cracks are caused by drying and shrinkage of wet soil, indicating previous ponding or surface saturation.

The texture of the soil in the upper 12 inches was generally a fine sandy loam or coarser material, which one would expect to be highly permeable. At half the sample sites (in no particular spatial pattern) there was a deeper layer of clay loam or clay, generally between 12 and 24 inches below the surface. This will act as a confining layer and tend to perch water. The remaining soil pits had coarse materials from the surface to the depth of the hole, which was generally 18 inches. It is possible that these locations also had a deeper clay layer at unknown depth¹⁵. The confining layer may roughly follow the surface contours, in which case water would tend to move horizontally toward the swale at the depth of the confining layer. Only one of the 28 widely scattered sample sites had evidence of hydric soils according to the Corps' protocols¹⁶. Generally, any redoximorphic characteristics were too deep to be diagnostic of hydric soils. In this regard, it should be noted that hydric features present now, with the possible exception of oxidized root channels, would have developed during the period prior to the asphalt being laid on the site. Without detailed knowledge of the land-altering activities that took place subsequent to agricultural usage, it is very difficult to interpret the current soil conditions. In addition, there has been insufficient time since the asphalt was removed for the soil to reflect the new existing conditions; therefore, the soil features present are useful for the wetland delineator only to the extent that current conditions reflect the conditions present prior to the addition of the asphalt pavement.

The pattern of the herbaceous vegetation is confusing and bears little relationship to the topography of the site. Throughout the site, many areas are dominated by species that are designated as OBL, FACW, or FAC in the list of plant species that occur in wetlands. Of the 8 dominant herbaceous species present in the samples, 6 are FAC or drier. However, the remaining two are *Spergularia maritima* (OBL), an annual herb and *Polypogon monspeliensis* (FACW+), an annual grass. *Spergularia* occurs throughout the site and probably has the greatest ground cover of any species, but particularly dominates the higher, apparently drier areas. The swale, which one would expect to be wetter, is dominated by FAC herbaceous species. *Polypogon* occurs in single clumps or small patches throughout the site. A portion of the swale also supports arroyo willow (FACW) and mulefat (FACW), which are dominants in the shrub layer. Except in patches of nearly 100% *Spergularia*, the wetland indicator species are intermixed with 30 species of mostly weedy, upland plants, all but two of which occur only as subdominants.

The vegetation is also puzzling because of the rainfall pattern. Given the extremely low rainfall, the highly permeable nature of the surface soils, and the depth of the confining layers, it seems very unlikely that these soils were saturated long enough to develop anaerobic reducing conditions within the root zone at anytime during the winter of 2001-2002. Nevertheless, the annual plants *Spergularia* (OBL) and *Polypogon* (FACW+) germinated and grew to become dominant species during that time. Notwithstanding these observations, I think that *Polypogon*, and probably *Spergularia*, are properly classified for the region. This presents the paradox that

¹⁴ Based on the elevations on the map entitled "Draft Vegetation and Soil Sample Locations" dated 5/8/02 and contained in the Addendum cited above.

¹⁵ Two of 5 deeper holes, with no confining layer in the upper 18 inches, had a deeper confining layer.

¹⁶ Chroma of 1 was not considered a reliable indicator because the soils are fill and low chroma color may be an artifact of previous conditions elsewhere.

an OBL and FACW+ species were apparently not growing as hydrophytes at this site during this last winter season. I hypothesize that, in the absence of competition¹⁷, these species are capable of growing under a greater variety of environmental conditions than suggested by their observed distribution under natural conditions. In fact, many wetland species do not require saturated soil conditions, but rather have evolved adaptations that enable them to tolerate such conditions. This provides them with a spatial refuge from upland species which are unable to survive under conditions of saturation and oxygen deficit. The occasional presence of such wetland indicator species in an upland situation would not be surprising.

The winter of 2000-2001 was a very different situation. That was a wet winter (Nov-Apr rainfall of 14.37 inches compared to the 11.33 inch average). It is much more likely that the soil saturated in various areas and perhaps ponded in the swale during that time. Based on their height distribution, that was the year when the arroyo willow and mulefat must have recruited. We have no knowledge of the annual herbaceous vegetation prior to this year.

It is clear that no areas on this site would delineate as wetlands under the Corps' regulations due to the absence of hydrology indicators and the general absence of hydric soil indicators. However, the preponderance of dominant species throughout most of the site were OBL, FACW, and FAC wetland indicator species, which meets the Corps' vegetation criterion. However, since there was also substantial evidence of upland environmental conditions, it was necessary to assess whether the predominant species were growing as hydrophytes and were therefore indicative of a wetland. In the above mentioned reports, it is concluded that the area that was dominated by arroyo willow and mulefat in the shrub layer and that had a relatively shallow clay confining layer with redoximorphic features in or near the root zone is a wetland under the Coastal Act. I agree with that conclusion and with the boundaries, as modified during our site visit and shown in the revised map referenced above. The reports also concluded that none of the rest of the site qualified as wetland. I also agree with that conclusion, but in the narrow sense that those areas did not have wetland characteristics in 2002.

Such a caveat is unusual in a recommendation. In a natural area under normal circumstances during a drought year, one would use professional judgement to adjust for the shortage of rainfall and make a wetland determination that would try to capture the wetland boundaries under usual conditions. Even in the case of seasonal wetlands, there would be evidence of prior conditions in the soils and the perennial vegetation present. One might also be able to examine aerial and ground level photographs from recent years with more normal rainfall and talk to local residents with knowledge of the site. With the return of normal weather conditions, the site would tend to return to its average mix of wetland and upland hydrology and vegetation. At the subject site, this approach is not possible because the usual condition has been that of an asphalt-covered parking lot. One can only look at the current condition, during an extreme drought, and perhaps guess at the community trajectory. If the soil characteristics of the upper north and south slopes are similar to those immediately west of the fence that defines the western edge of the previously paved area, then one would expect that the vegetation would eventually take on similar upland shrub characteristics. On the other hand, the presence of a shallow, clay-rich confining layer over portions of the site provides a soil environment characteristic of many wetlands and demonstrates wetland potential. In fact, I think it more likely than not that some areas in or near the swale but outside the boundaries of the delineated wetland will develop wetland characteristics over a period of years with normal rainfall. However, there is no factual basis for delineating additional areas at this time. Because of the unique situation at this site, identifying such areas would require observations during the rainy season of a normal rainfall year, or a significant experimental study of hydrology and soil characteristics.

¹⁷ Competition would be unlikely at this recently exposed site because it had no vegetation in November 2000 and was probably still relatively unvegetated at the beginning of the 2001-2002 wet season. Compared to nearby areas, it still has considerable open space.

CALIFORNIA DEPARTMENT OF FISH AND GAME
4949 Viewridge Avenue
San Diego, California 92123

Notification No. 5-265-00

Page 1 of 4

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereinafter called the Department, and Aziz Elattar of the California Department of Transportation, District 7, 120 South Spring Street, Los Angeles, CA 90012, hereinafter called the Operator, is as follows:

WHEREAS, pursuant to Section 1601 of California Fish and Game Code, the Operator, on the 8th day of November 2000, notified the Department that they intend to divert or obstruct the natural flow of, or change the bed, channel, or bank of, or use material from the streambed(s) of, the following water(s): that portion of an unnamed tributary to Ballona Creek located between the eastbound and westbound lanes of State Route 90 from Culver Blvd. to Midanao Ave., near the unincorporated community of Marina Del Rey, Los Angeles County, California, Section Township 2S Range 15W (Venice Quad.).

WHEREAS, the Department (represented by Pam Beare through a site visit on the 7th day of February, 2001) has determined that such operations may substantially adversely affect those existing fish and wildlife resources within unnamed tributary to Ballona Creek, specifically identified as follows: birds: great blue heron (*Butorides striatus*), barn swallow (*Hirundo rustica*), Allen's hummingbird (*Calypste anna*), American goldfinch (*Carduelis tristis*), northern mockingbird (*Mimus polyglottos*), and mourning dove (*Zenaida macroura*); riparian vegetation which provides habitat for those species: mulefat (*Baccharis salicifolia*), tall flâtsedge (*Cyperus eragrostis*), cattail (*Typha* sp.), and all other aquatic and wildlife resources, including that riparian vegetation which provides habitat for such species in the area.

THEREFORE, the Department hereby proposes measures to protect fish and wildlife resources during the Operator's work. The Operator hereby agrees to accept the following measures/conditions as part of the proposed work.

If the Operator's work changes from that stated in the notification specified above, this Agreement is no longer valid and a new notification shall be submitted to the Department of Fish and Game. Failure to comply with the provisions of this Agreement and with other pertinent code sections, including but not limited to Fish and Game Code Sections 5650, 5652, 5937, and 5948, may result in prosecution.

Nothing in this Agreement authorizes the Operator to trespass on any land or property, nor does it relieve the Operator of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated Agreement does not constitute Department of Fish and Game endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This Agreement becomes effective the date of Department's signature and terminates December 31, 2002 for project construction only. This Agreement shall remain in effect for that time necessary to satisfy the terms/conditions of this Agreement.

EXHIBIT NO.	C
APPLICATION NO.	
5-01-432	
1601 pt. p1	

Exhibit 6
5-01-432
1601

STREAMBED ALTERATION CONDITIONS FOR NOTIFICATION NUMBER: 5-265-00

1. The following provisions constitute the limit of activities agreed to and resolved by this Agreement. The signing of this Agreement does not imply that the Operator is precluded from doing other activities at the site. However, activities not specifically agreed to and resolved by this Agreement shall be subject to separate notification pursuant to Fish and Game Code Sections 1600 et seq.

2. The Operator proposes to alter the streambed to extend the freeway section of State Route 90 (SR-90) to just west of Culver Boulevard (KP R2.8), near the community of Marina Del Rey, in Los Angeles County.

3. The agreed work includes activities associated with No. 2 above. Specific work areas and mitigation measures are described on/in the plans and documents submitted by the Operator, including the Planting Plan and Plant List, which are attached to this agreement, and the Natural Environmental Study Report; mitigation measures shall be implemented as proposed unless directed differently by this agreement.

4. The Operator shall not impact more than 1639 ft² (.41 acre). Approximately 1275 ft² (.32 acre) are permanent impacts; approximately 364 ft² (.09 acre) are temporary impacts.

5. The Operator shall submit a Revegetation/Mitigation plan for Department review within 60 days of signing this Agreement and shall receive Department approval prior to project initiation/impacts. The plan shall include a complete description of the mitigation plan including: identification of one or more specific, onsite habitat restoration (0.73 acres) areas as well as a description of the enhancement areas (0.61 acre); the revegetation plan, including success criteria; and a long-term maintenance and monitoring plan. Revegetation shall use only endemic species.

All mitigation shall be installed as soon as possible, but no later than December 31, 2002.

6. An annual report shall be submitted to the Department by Jan. 1 of each year for 5 years after planting. This report shall describe the status of the revegetation and include, at a minimum, percent cover, the number of plants replaced by species, an overview of the revegetation effort, and the method used to assess these parameters. Photos from designated photo stations shall be included.

7. If after 3 years of monitoring the mitigation meets the 5-year success criteria, AND the Department reviews and approves the mitigation status in writing, the Operator may consider the sites have been successful and cease monitoring.

8. The Operator shall not remove vegetation within the stream from March 1 to August 15 to avoid impacts to nesting birds. However, the Operator may remove vegetation during this time if a qualified biologist conducts a survey for nesting birds within one week of the work, and ensures no nesting birds shall be impacted by the project. If nesting birds are present, no work shall occur until the young have fledged and will no longer be impacted by the project.

9. Access to the work site shall be via existing roads and access ramps.

10. The perimeter of the work site shall be adequately flagged to prevent damage to adjacent riparian habitat.

11. Structures and associated materials not designed to withstand high seasonal flows shall

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be removed to areas above the high water mark before such flows occur.

12. Staging/storage areas for equipment and materials shall be located outside of the stream.

13. Spoil sites shall not be located within a stream/lake, where spoil shall be washed back into a stream/lake, or where it will cover aquatic or riparian vegetation.

14. Precautions to minimize turbidity/siltation shall be taken into account during project planning and implementation. This may require that the work site be isolated and/or the construction of silt catchment basins, so that silt, or other deleterious materials are not allowed to pass to downstream reaches. The placement of any structure or materials in the stream for this purpose, not included in the original project description, shall be coordinated with the Department. Coordination shall include the negotiation of additional Agreement provisions.

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

16. The Operator shall comply with all litter and pollution laws. All contractors, subcontractors and employees shall also obey these laws and it shall be the responsibility of the operator to ensure compliance.

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

18. Any equipment or vehicles driven and /or operated within or adjacent to the stream/lake shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.

19. The Operator shall **provide a copy of this Agreement to all contractors, subcontractors, and the Operator's project supervisors. Copies of the Agreement shall be readily available at work sites at all times during periods of active work** and must be presented to any Department personnel, or personnel from another agency upon demand. **All project personnel shall comply with all terms and conditions of this agreement.**

20. The Department reserves the right to enter the project site at any time to ensure compliance with terms/conditions of this Agreement.

21. The Operator **shall notify the Department, in writing, at least five (5) days prior to initiation of construction (project) activities and at least five (5) days prior to completion of construction (project) activities.** Notification shall be sent to the Department at 4949 Viewridge Avenue, CA 92123, Attn: Pam Beare.

22. It is understood the Department has entered into this Streambed Alteration Agreement for purposes of establishing protective features for fish and wildlife. The decision to proceed with the project is the sole responsibility of the Operator, and is not required by this agreement. **It is further agreed all liability and/or incurred cost related to or arising out of the Operator's project and the fish and wildlife protective conditions of this agreement,**

STREAMBED ALTERATION CONDITIONS FOR NOTIFICATION NUMBER: 5-265-00

remain the sole responsibility of the Operator. The Operator agrees to hold harmless the State of California and the Department of Fish and Game against any related claim made by any party or parties for personal injury or any other damages.

23. The Department reserves the right to suspend or cancel this Agreement for other reasons, including but not limited to the following

- a. The Department determines that the information provided by the Operator in support of the Notification/Agreement is incomplete or inaccurate;
- b. The Department obtains new information that was not known to it in preparing the terms and conditions of the Agreement;
- c. The project or project activities as described in the Notification/Agreement have changed;
- d. The conditions affecting fish and wildlife resources change or the Department determines that project activities will result in a substantial adverse effect on the environment.

24. Before any suspension or cancellation of the Agreement, the Department will notify the Operator in writing of the circumstances which the Department believes warrant suspension or cancellation. The Operator will have seven (7) working days from the date of receipt of this notification to respond in writing to the circumstances described in the Department's notification. During the seven (7) day response period, the Operator shall immediately cease any project activities which the Department specified in its notification. The Operator shall not continue the specified activities until that time when the Department notifies the Operator in writing that adequate methods and/or measures have been identified and agreed upon to mitigate or eliminate the significant adverse effect.

CONCURRENCE

California Department of Transportation

California Department of Fish and Game

Ron Kosinski 6-21-01
(signature) (date)

C.F. Raysbrook 06/27/01
(signature) (date)

RON KOSINSKI DEPUTY DIST. DIR.
(Type or print name and title)

C.F. Raysbrook, Regional Manager

Native Revegetation and Enhancement Program

LA-90 Improvement Project

DRAFT

March 7, 2002

Purpose of Revegetation and Enhancement

The current plan for the LA-90 Improvement Project (Project) would avoid existing federal and state delineated wetlands, located parallel to (but south and outside of) the westbound lanes and westbound connector. The purpose of the Revegetation and Enhancement Program is to improve the diversity of existing native habitat and water quality over existing conditions. These objectives are achieved for the existing wetland by removing exotic plants and replacing them with native wetland species. In addition, pampas grass in the upland median between the westbound and eastbound lanes will be removed and replaced with upland native vegetation.

Program Elements

Following an overview described in the first section, this Program consists of the following elements:

1. Exotics Removal;
2. Habitat Enhancement for the Existing Wetland;
3. Median Native Landscaping;
4. Bioswale Native Landscaping;
5. Irrigation;
6. Implementation and Schedule;
7. Performance Objectives;
8. Monitoring and Maintenance;
9. Reporting.

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COASTAL COMMISSION

EXHIBIT NO.	7
APPLICATION NO.	
	5-01-432
	General revegetation Plan

Program Overview

This section provides a brief summary of the Program's approach for each element.

Exotic Removal and Native Replacement

Pampas grass is the dominant exotic species and will be the primary focus of exotic removal. Other highly invasive perennial exotics such as castor bean and iceplant will also be removed as encountered. All removal of exotic plants will be conducted in an environmentally sensitive manner. Due to dense interconnected growth of pampas grass and native saltbush, some impacts to native saltbush may occur in the course of removing the pampas grass but these impacts will be offset by planting of native vegetation. Spot application of a systemic herbicide such as Roundup, applied to freshly cut stems or root stumps of exotics, may be required for effective eradication, but this approach will be used only as a last resort if removal by hand or machine proves infeasible. No pesticides are anticipated to be needed or used.

For all areas, only native species known to occur or believed to occur historically in the Playa Vista region will be planted in place of the exotics.

Wetland Enhancement

The existing wetland is supported by urban runoff via culverts, particularly one at the corner of Mindinao and the westbound 90, and probably by incidental runoff from a small nursery adjacent to that intersection. It is possible that less water will be available if the nursery at the upstream (west) terminus of the wetland vacates the property in future, but on the other hand more water will become available to native plants after the competing pampas grass (a large water consumer) is removed. For purposes of this Program, it is assumed that on balance sufficient water for 0.73 acre of enhancement will be available. This water is expected to continue to come primarily from nuisance runoff via the existing (off-site) storm drain system. The water will flow (as it does now) along the base of an artificial unlined storm channel and ultimately enter the Marina Drain. The geometry of the ditch that supports the existing wetland will not be altered.

Habitat values of vegetation along both banks of the wetland will be enhanced by removing exotics (primarily pampas grass and ice plant) and replacing these with native riparian species. Existing native vegetation along the banks (saltbush) will be retained as much as possible to provide habitat transition between riparian and upland vegetation types, but as stated above, dense interconnected growth of pampas grass and saltbush may necessitate some impacts to the saltbush in order to remove the pampas grass. Existing native wetland vegetation along the base of the channel will be augmented with additional native wetland species, where exotics are removed and space is exposed. The existing acreage of wetland area will not change.

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Median

Like the wetland, the existing median between the westbound and eastbound lanes has been invaded by pampas grass. This pampas grass will be removed and replaced with upland native species. Native shrubs already present, such as saltbush, will be retained and integrated into a planting plan that emphasizes a natural-looking landscape.

Bioswales

Bioswales are vegetated, shallow linear depressions that are designed to improve water quality as low flows pass over them. Bioswales along the improved roadways will be planted with low-growing, native perennial grass species over a substrate of native soil topped with clean gravel.

Planting Schedule, Irrigation, Maintenance, Monitoring

Planting of natives will take place after exotics have been removed. Prior to planting, a temporary irrigation system will be installed. Irrigation will be used to accelerate establishment of the native plants in the event that natural rainfall is insufficient during the first two or three growing seasons. After plants are established at the end of the second or third growing season (depending on growth rates), irrigation will be phased out gradually. The objective is to have native, low-maintenance vegetation that can be self-sustaining on a combination of natural rainfall and summer landscape runoff. The five-year monitoring program is designed to ensure effective exotic removal, high survivorship, and high establishment success of native plantings.

Performance Objectives and Reporting

The existing site is highly degraded with high proportion of exotic species that have potential to disperse seed material (and probably are dispersing such material) into native habitats of the region. Therefore, any removal of these exotics and enhancement via planting of native species can be viewed as a significant benefit of the project. In order to document this benefit, the performance objectives for the Program at five years include three principal parameters: native vegetation canopy cover, native canopy height, and cover by invasive exotics. Annual reports, describing progress of the project, survivorship of plantings, and problems (if any) will be submitted in each of Years 1-4, with a final report addressing the performance objectives submitted at the end of Year 5.

1. Exotics Removal

Exotics removal applies to the wetland enhancement area and the median native landscape area.

Removal of exotics will focus on the following species, in order of priority:

- Pampas grass
- Iceplant
- Umbrella Sedge
- Other Weeds: castor bean, cocklebur, yellow star thistle, garland chrysanthemum

The three top priority species have high potential to persist on the project site or reinvade from other areas unless strictly controlled. Pampas grass is especially dominant and able to outcompete native wetland and upland species by rapidly consuming large amounts of water within the root zone. Iceplant is less abundant than pampas grass but may become a severe problem once the pampas grass is removed. Iceplant is a common slope landscaping plant that can invade a site via floating "rafts" that break off from upstream landscaping, often during storm events. The umbrella sedge is currently a relatively minor threat but, like the iceplant, may become a problem when other competing exotic species are removed. Umbrella sedge is commonly used to decorate pond gardens, but often disperses out of these artificial features and naturalizes in native areas.

The other weeds, such as castor bean, do not presently occur on the site in large numbers but do occur abundantly in the local area and therefore remain a potential threat once areas are cleared of other exotic vegetation.

Pampas grass will be removed by first placing a large tarp over any flowering/fruiting stalks (inflorescences) and securing the tarp to prevent seeds from dispersing during removal. The inflorescences will then be cut at their base, carefully removed with the tarp, and placed in a haul truck. After the inflorescences are removed, the vegetative part of the plant will be dug out with a backhoe and/or cut at its base (depending on size of the plant) and, for larger plants that cannot be entirely removed by hand or machine, the cut stumps will be treated immediately with systemic herbicide. Herbicide will be applied either with brush or small hand sprayer, depending on the sizes of the plants. Herbicide application will be conducted at the direction of the project biologist, on a calm day and in a manner that prevents any herbicide from entering the wetland.

Iceplant will be removed manually or, if feasible, by machinery working from the road shoulder. Umbrella sedge will be removed by hand as encountered along the drainage ditch. Castor bean will be removed manually unless it is well-established, in which case the method used for pampas grass will be used. Exotic herbaceous weeds will be removed manually.

All exotic plant material will be hauled off site and disposed of appropriately.

7. Habitat Enhancement

Habitat enhancement will be conducted for 0.73 acre of channel along the existing

Site Preparation

Based on field observations of surface material and knowledge of historical disturbances, soils of the project site contain dredge materials from construction of the marina and therefore may have higher salinities or pH than many freshwater wetland and riparian native species tolerate. Prevalence of saltbush in the area may be suggestive of this condition. Prior to planting, soils of the channel banks will be tested to determine whether amendments are necessary to plant riparian species. Tests of the existing wetland soils along the base of the channel will probably not be necessary due to the fact that freshwater wetland species are already present and therefore soils can be presumed suitable.

Planting Plan

Wetland (Base of Channel)

This plant list reflects dual objectives of enhancing native biodiversity while maintaining storm flow capacity of the channels. The selected species are relatively low growing structurally weak, meaning that they will tend to lay flat when impacted by high flows.

- 1-gallon containers
- 24" on center
- Plant as "infill" only where exotics are removed -- retain existing native vegetation

<i>Cyperus eragrostis</i>	sedge
<i>Eleocharis macrostachya</i>	common spike-rush
<i>Scirpus californicus</i>	tule
<i>Juncus balticus</i>	rush

Riparian (channel banks)

Riparian species (arroyo willows) already exist in small numbers along the northern bank of one of the channels. This riparian vegetation will be expanded, and biodiversity enhanced, via planting of cottonwoods and additional willow species that are smaller in height. Perennial grass (wild rye) introduces a low, herbaceous understory that not only improves diversity but, with a spreading growth via underground stems, provides bank stability and erosion control functions. Wild rye can be lightly mowed or cut periodically if needed to maintain visual access.

- Keep native saltbush along south upper banks as transition between riparian along channel and upland vegetation in median;
- Trees, willows 10 feet on center with wild rye and mulefat planted in a natural pattern between trees and willows along low- and mid-bank area; wild rye only along top of bank below road shoulder to allow views of habitat from roadway;

- Avoid planting cottonwoods along northern upper banks where incidental breakage of limbs from (eventually) mature trees during high winds may cause traffic hazard.

<i>Populus fremontii</i>	cottonwood (lower northern bank; all along southern bank as appropriate)	5-gallon container
<i>Salix goodingii</i>	Gooding's willow	1-gallon container
<i>Salix exigua</i>	narrow-leaved willow	1-gallon container
<i>Leymus triticoides</i>	wild rye	1-gallon container
<i>Baccharis salicifolia</i>	mulefat	1-gallon container

3.0 Median Native Landscape

This element applies to area between the wetland and the eastbound lanes of SR-90, focusing on locations where pampas grass is removed.

Site Preparation

Site preparation methods will be the same as for the Habitat Enhancement area except that soil tests will focus on the areas occupied by pampas grass, and include an evaluation of soil compaction/drainage. If high soil compaction is a potential problem, soil will be ripped before planting. Amendments will be added if soil tests indicate that they are necessary.

Planting Plan

Upland (median)

The appropriate plant palette for the median will depend on results from soil tests. Currently, saltbush is the dominant native shrub in the median. In general, saltbush tends to occupy a more alkaline soil type and microhabitat than other upland shrubs such as laurel sumac. While it would be desirable to augment existing low-diversity saltbush vegetation with additional native shrub and herbaceous species, it may be more practical to simply plant additional saltbush, particularly if soil tests reveal that addition of substantial amounts of soil amendments would be needed to plant other species.

However, in the event that soil tests indicate that soil salinity, pH, and/or drainage can be brought within tolerance levels of other native species in a manner that is still compatible with retaining the existing saltbush vegetation, species from the following list will be planted. Native grasses will be emphasized where motorist visibility is important. The grass and wildflower species are expected to re-seed and eventually provide good native groundcover.

- 1-gallon containers and or (for grasses) plugs
- 5 feet on center

Shrubs:

<i>Baccharis pilularis</i>	Coyote bush
<i>Rhus integrifolia</i>	lemonadeberry
<i>Malosma laurina</i>	laurel sumac

Perennial Grasses:

<i>Poa secunda</i>	bluegrass
<i>Nassella cernua</i>	nodding needlegrass

Wildflower mix:

<i>Eschscholtzia caespitosa</i>	dwarf California poppy
<i>Gnaphalium californicum</i>	everlasting
<i>Lasthenia californica</i>	goldfields
<i>Lupinus bicolor</i>	miniature lupine

4. Bioswale Native Landscape

Bioswales will be established to improve quality of low-flow runoff entering the enhancement areas. The bioswales will be planted with native perennial grasses that are low-growing and low maintenance, but which are also compatible with the native herbaceous component of the median landscape plan.

<i>Poa secunda</i>	bluegrass
<i>Nassella cernua</i>	nodding needlegrass

5. Irrigation

A temporary irrigation system will be installed in the riparian and upland vegetation areas prior to planting that is designed to accelerate establishment of new plants and provide a source of water if natural rainfall is insufficient. It is expected that once the vegetation is established, irrigation frequency will be reduced gradually to allow natural rainfall to sustain the upland vegetation, and rainfall/runoff to sustain the wetland/riparian vegetation.

6. Implementation and Schedule

Exotics will be removed prior to installation of the temporary irrigation system and native landscaping. If heavy equipment such as a backhoe is necessary for removing pampas grass, an access route from the upland south side of the project (number one eastbound lane) will be established.

Native planting will be scheduled as much as possible to take advantage of winter rainfall.

7. Performance Objectives

Overall performance of the project will be evaluated in Year 5, by which time the native vegetation is expected to have established and become independent of irrigation. The project is expected to achieve the following objectives:

- Eradication of pampas grass and other highly invasive exotics;
- At least 80% cover by native vegetation;
- Minimum average tree height of 15 feet.

8. Monitoring and Maintenance

The native landscaping is designed to be low maintenance and self-sustaining over the long term. Consequently, it is anticipated that intensive monitoring and maintenance will be limited to the first five years after planting, which is considered more than sufficient to ensure that the habitats are well established, as shown by the following sequence of tasks. Monitoring and maintenance will be conducted in consultation with a qualified biologist or native revegetation specialist.

Tasks

6 Months (after planting)

- Once monthly, or more frequently if needed, closely monitor invasives and remove as necessary;
- At least every two weeks, or more frequently if needed, monitor survivorship of native plants, replant and adjust irrigation as needed.

6 Months – Year 3

- Once quarterly, monitor invasives and remove as necessary;
- Once quarterly, monitor survivorship of native plants, replant and adjust irrigation as needed. If one or more plant species have consistently weak growth or otherwise appear to not favor the site conditions, replant with other native species that are performing well on the site;
- At the beginning of Year 3, begin a program of gradual reduction in irrigation frequency and amount, with a goal of eliminating irrigation by Year 5.

Years 4-5

- Continue same tasks as Years 1-3 but with added focus on reducing dependence of vegetation on irrigation, and complete elimination of irrigation, by Year 5.

9. Reporting

An annual report will be prepared and submitted by December 31 of Years 1-4 that documents progress of exotic removal, survivorship of native plantings, and remedial actions (e.g. replanting) that were necessary. A final report will be submitted by December 31 of Year 5 that documents all of the above plus evaluation of the site in comparison to the performance objectives.



Ballona Wetlands Land Trust

May 22, 2002

RECEIVED
South Coast Region

MAY 22 2002

TO: Pam Emerson, California Coastal Commission
Via electronic mail and facsimile

FR: Sabrina Venskus, Ballona Wetlands Land Trust

CALIFORNIA
COASTAL COMMISSION

RE: Caltrans CDP 5-01-432-Route 90/Culver Boulevard Bridge

Dear Pam,

The Ballona Wetlands Land Trust met with Caltrans Senior Staff yesterday, 5/21/02. We were heartened to gain consensus that the North Alternative would be the ecologically superior project if the Commission agreed to allow an impact to wetlands on the magnitude of .5 acres instead of .4 acres, as contemplated by the Modified East Alternative.

The North Alternative would impact .5 acres of wetlands, in the form of fill, while the modified East alternative impact .4 acres in the form of shading (in the boat yard area where mature willow trees currently grow). But the value of connecting the remaining habitat at issue in this project to Ballona Wetlands Area C would exponentially outweigh the cost associated with impacting an extra .1 acre of wetlands.

The Ballona Wetlands Land Trust would support the North Alternative even with the impact to .5 acres of wetlands since it would facilitate the connection of the remaining habitat with the 73 acre State-owned parcel of the Ballona Wetlands, thus bringing that habitat into the greater Ballona Wetlands ecosystem and, in turn, increasing the ecological function and value of both habitat areas.

The benefits of connecting the two wetland habitat parcels (Area C and Marina Freeway median) into one complete functioning system are indisputable. By connecting the wetland and associated upland habitat parcels, we believe that wetland acreage would actually increase substantially over time, well beyond the .5 acres filled in the North Alternative proposal. This is a priceless opportunity to reconnect and restore parcels of disconnected habitat that can once again be reconnected and returned to one functioning system. We believe that the sacrifice of .1 acre of wetlands that would result from adopting the North Alternative instead of the Modified East Alternative, is well worth the price.

Sincerely,

Sabrina Venskus
Ballona Wetlands Land Trust

EXHIBIT NO. 8
APPLICATION NO. 01
5-01-432
Opponent

subsection

FAX FOR PAM EMERSON

BALLONA ECOSYSTEM EDUCATION PROJECT

**TO PAM EMERSON IN RESPONSE TO COASTAL DEVELOPMENT PERMIT
NUMBER 5-01-432 -ROUTE 90/CULVER BLVD. BRIDGE**

May 22, 2002

Dear Pam:

I want to update you on the discussion we had with the staff at CalTrans on May 21st, 2002. While they agreed to redraw their rendering of the North Alternative to have the smallest possible footprint, and therefore minimize impacts on wetlands, we believe that there is a desire by Caltrans to retain control of this median for future freeway widening purposes which is not stated in their application before the Commission but remains, like an invisible proverbial elephant in the living room, as a huge obstacle to consideration of any project except their preferred project.

The impression we got from senior CalTrans staff is that they agreed that the north alternative was the best from an environmental perspective except as it relates to impacts on existing wetlands. While we disagree with their mapping and reiterate that the north alternative causes no wetland fill, the big picture is that our alternative allows almost 20 acres of wetland-filled median to be restored in its entirety and connected to the state-owned 73-acre Ballona Parcel C and the future state-owned 140-acre Parcel A with direct connection to the ocean.

WHY IS CALTRANS RESISTANT TO GIVING FAIR CONSIDERATION TO THE NORTH ALTERNATIVE?

The North alternative proposes to reconnect the 73 acre State-owned Ballona Wetlands parcel C and a 20 acre parcel of State owned wetland and uplands in the current 330 foot wide by 1/4 mile long freeway median which by CalTrans' own admission will not be used for transportation uses.

Do they still intend to use the median for more freeway lanes, instead of habitat restoration or parkland, in contradiction to the statement on page 18 of the Staff's April 2002 report "According to the applicant, the restored wetland and habitat will remain in place and will not be removed as a result of the construction of subsequent phases of the planned Expressway"?

What we learned at our May 21, 2002 meeting with CalTrans staff is that CalTrans wants to keep flexibility in order to widen this project from two through lanes in each direction to three lanes in each direction sometime in the future. This is in direct conflict to their publicly stated goal of restoring the median as natural habitat.

THE NORTH ALTERNATIVE IS FEASIBLE AND MOST PROTECTIVE OF COASTAL RESOURCES

We have proposed as a "feasible" and "least damaging" alternative to the Route 90 bridge project one which will accomplish CalTrans' goal of bridging over Culver Blvd., and also accomplish goals of the Coastal Act and our goal of maximum protection of remaining natural habitat in the Ballona Wetlands area, all using funding that exists today in the State Highway budget for this project. CalTrans' plan is contrary to the Coastal Act's mandate that the Coastal Commission "must consider the compatibility of the proposed development with a prospective public park (Ballona Parcel C) and with public use of the area". By constructing a freeway

EXHIBIT NO. 9
APPLICATION NO.
5-01-432
opponent alter - natural

RECEIVED
South Coast Region
MAY 22 2002
CALIFORNIA
COASTAL COMMISSION

bridge and berm to support the bridge squarely in the path of the only connection between the wetlands in the median and the State-owned Parcel C, CalTrans would forever disconnect these two state-owned wetlands parcels with many tons of concrete and a multi-story structure. In the Coastal Commission staff report from April 2002 it is stated on page 29 that "no recreation on the site is proposed or appropriate." How was this conclusion reached? We don't know, and there is no explanation anywhere in the administrative record.

CALTRANS FAULTY ANALYSIS OF ALTERNATIVES

CalTrans plans are a moving target. In their plans presented to the Coastal Commission in February 2002 their bridge had a narrow median. After we proposed the North alternative they decided the median needed to be 22 feet wide, much wider than in their original plans. They have added phantom lanes which are not for vehicle use, but which cumulatively add at least 30 feet to the width of the North alternative and bring the lanes closer to, or on top of existing wetlands. These are not in our proposal because they were not in Caltrans' proposal. CalTrans renderings of the north alternative so far merely serve to create a threatened impact on wetlands in order to rule out our proposal, claiming ours has a more detrimental impact on wetlands than their plan. This question needs to be asked, "Why does CalTrans normally allow so many exceptions to their standard lane widths throughout the local highway system, except here?" Why is a twelve foot vehicle lane mandatory on this road when CalTrans has allowed nine and ten foot lanes elsewhere? Why is a 22 foot wide median mandatory when CalTrans has allowed approximately 6 foot wide medians elsewhere? This insistence on the widest possible lanes creates an imaginary impact on wetlands.

CONSISTENCY WITH COASTAL ACT SECTION 30233

A table which CalTrans has prepared entitled "Wetland and Vegetation Area Impacts" has added another way to attack our proposal. While recently CalTrans has become concerned with impacts to wetlands, they are now alleging that the north alternative would cause shading to 1.11 acres of vegetation area. CalTrans has not been concerned with vegetation area impacts before in this project and, in fact, their project would fill much more acreage of unpaved vegetated areas than the north alternative. If the only negative impact to wetlands in the north alternative is the filling of 0.5 acres (which is erroneous as the north alternative does not fill wetlands) their plan by their own admission severely shades 0.4 acres of wetlands that were discovered recently in the eastern end of the median. The real differences between the CalTrans plan and the north alternative is that the north alternative makes the entire median more biologically productive and connects it the wetlands in the region.

CalTrans previously considered the filling of .23 acres of wetlands in the first version of this project to be acceptable. In the project's staff report dated 1/18/02, page 18, it is stated "The applicant, the Department of Transportation, (CalTrans) contends that the purpose of the project is for public service, which they assert is an allowable purpose for wetland fill under Section 30233.

In fact, the Court's ruling supports our position, not Caltrans'. Under the *Bolsa Chica Land Trust v. Superior Court* 71 Cal. App. 4th 493, 517 (1999) the Court ruled that roadway expansions into wetlands would be allowable if the expansion is necessary to maintain existing traffic capacity. The fill of a tiny amount of wetlands which CalTrans alleges would occur under the north alternative is, in fact, allowable under Section 30233 of the Coastal Act because moving the existing east bound roadway is not creating a new roadway, expanding roadways or

Exhibit 912
5-01 432
Opponent
alternatives

causing growth. Therefore, it would be allowable under Section 30233 and balanced against the huge beneficial effect of reconnecting the median to the rest of the Ballona Wetlands. On the other hand, CalTrans' bridge project, which will severely shade wetlands in the far east end of the median, therefore killing the wetland trees that are there, is a traffic growth inducing expansion of the roadway system. It allows greater capacity on the roadway system and pours many tons more of concrete between the median and the rest of the Ballona Wetlands. This is the main difference between the two proposals. If wetland fill is the major issue here, CalTrans project would damage wetlands to expand the roadway capacity while the north alternative would fill (if you agree with their mapping) wetland merely to maintain existing traffic capacity and provide an enormous benefit to wetlands in the region.

THE ISSUE IS: WHICH PLAN IS BETTER?

Coastal Commission Staff say on page 22 of their April 2002 report that the on-site wetlands are "man-made and degraded." Granted, these are not untouched, pristine wetlands. So the question is, do these wetlands need to be protected from the alleged and miniscule negative impacts of an environmental restoration alternative which is so environmentally superior as ours? The standard of review should be, on balance, what plan is better?

CONNECTING THE SEPARATE BALLONA WETLANDS PARCELS IS THE MOST IMPORTANT GOAL IN RELATION TO WETLAND IMPACTS

Is our proposal biologically viable? To quote the April 2002 staff report, from page 23, "Extensive research on the viability of habitat preserves emphasize that large contiguous parcels provide more productive habitat than small scattered, narrow parcels that are interspersed with other uses." The freeway median, despite degradation and vehicle noise, supports a number of wetland bird species, according to the Department of Fish and Game, including the great blue heron, barn swallows, Allen's hummingbirds, American goldfinches, northern mocking birds and mourning doves. Therefore, permanently cutting off the wetland-filled median from the rest of the Ballona Wetlands with more roads and concrete will lead to a loss of biological productivity. And conversely, merging these two wetland parcels by relocating the freeway road will greatly improve wildlife habitats.

THERE IS A READY SOURCE OF FRESHWATER RUNOFF WHICH MAKES RESTORATION OF WETLANDS ON THE EAST END OF THE MEDIAN POSSIBLE

The Alla Road storm drain runs directly under the east end of the median and drains 245 acres of developed area. The median's restored wetlands could filter this runoff, which currently pours untreated into Ballona Creek. This would only be possible under the north alternative.

HOW WILL THE TRAFFIC SYSTEM WORK IF THE EASTBOUND ROADWAY IS MOVED TO THE NORTH SIDE OF THE MEDIAN?

The north alternative accomplishes the same goals of the original project and it does not alter any existing traffic patterns. All traffic movements and access points would still be available. The relocated east bound roadway will still connect to Culver Boulevard via a one-lane underpass. Also, by eliminating one intersection at Mindanao Way and the eastbound Route 90, traffic backup that now blocks access to the residential neighborhood on La Villa Marina

Exhibit 9
501432
Opponent
alternative

could be eliminated, because there would be an additional 330 feet of cueing distance for vehicles turning from northbound Mindanao Way to the eastbound Route 90.

Thank You for your consideration,

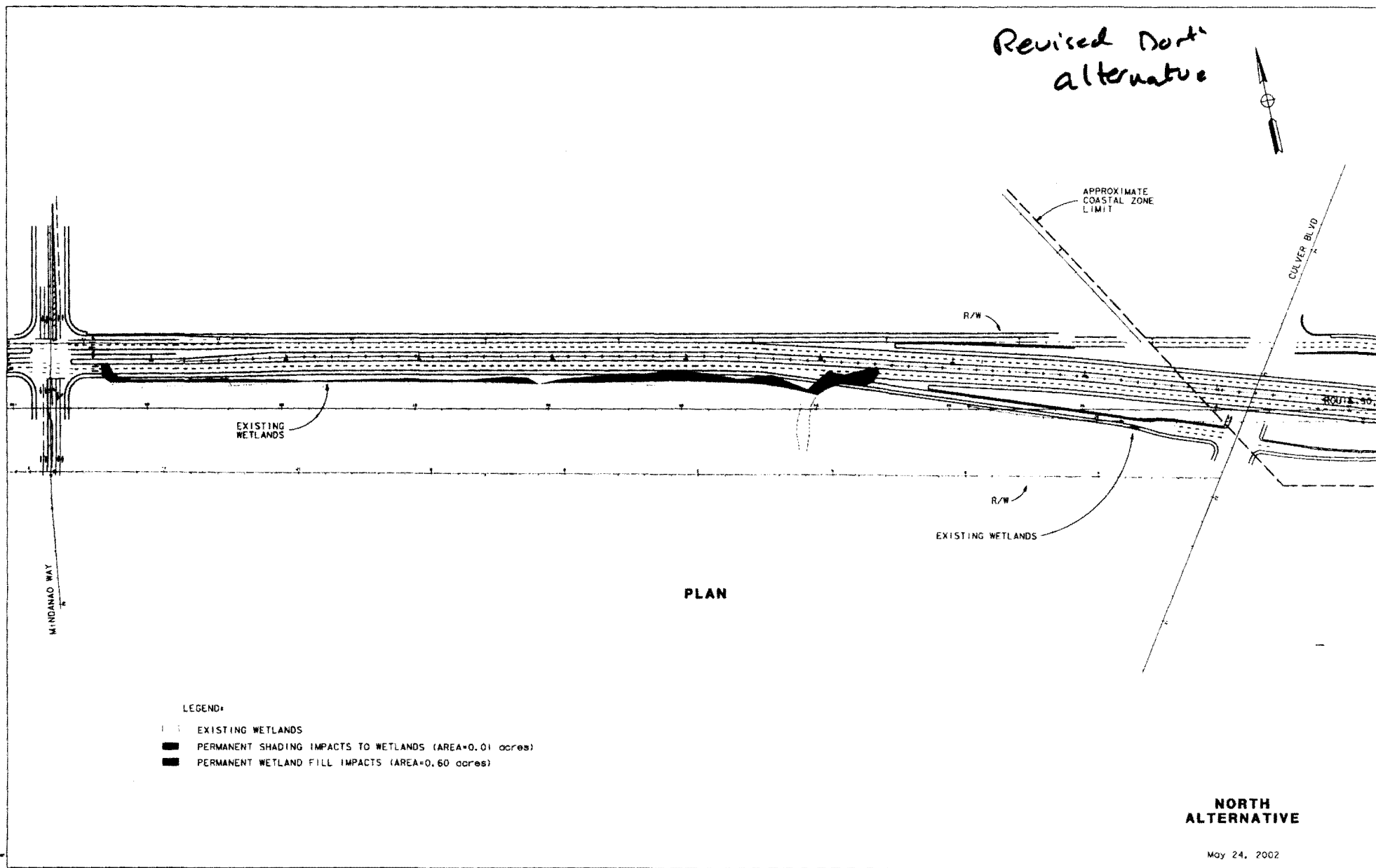
Rex Frankel
Rex Frankel, President, Ballona Ecosystem Education Project
6038 west 75th Street
Los Angeles, CA 90045
email: ballona.free.press@juno.com
Phone: 310-215-3774

"BEEP Route 90 Plan 5-21-02"

Exhibit 9
5-01 432
Opponent
alternative

5-01 432

Revised North
alternative



LEGEND:

- EXISTING WETLANDS
- PERMANENT SHADING IMPACTS TO WETLANDS (AREA=0.01 acres)
- PERMANENT WETLAND FILL IMPACTS (AREA=0.60 acres)

NORTH
ALTERNATIVE

May 24, 2002

APPLICATION NO.

5.01 432

HS-0101PH

409 Acres

196 Acres

244 Acres

292 Acres

PSOMAS & ASSOCIATES - 1MTP0104.10

FLAYA VISTA HYDROLOGY

BEFORE DEVELOPMENT CONDITIONS

DRAINAGE SYSTEM	AREA	Line No.	TRIBUTARY AREA		
			Off-site	On-Site	Total

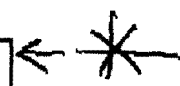
AREAS SOUTH OF BALLONA CREEK CHANNEL

Centinela Ditch	D	D1E	244 ac	318 ac	562 ac
Jefferson Storm Drain	D	D2E	196 ac	171 ac	367 ac
AREA "D" TRIBUTARY TOTAL:			440 ac	489 ac	929 ac
Lincoln Storm Drain South	B		85 ac	0 ac	85 ac
Area B-East	B		44 ac	119 ac	163 ac
Area B-South	B		135 ac	50 ac	185 ac
Area B-North	B		28 ac	170 ac	198 ac
AREA "B" TRIBUTARY TOTAL:			292 ac	339 ac	631 ac
AREAS SOUTH OF BALLONA CREEK CHANNEL TOTAL:			732 ac	828 ac	1560 ac

AREAS NORTH OF BALLONA CREEK CHANNEL

Alla Storm Drain	C		246 ac	0 ac	246 ac
Lincoln Storm Drain North	C		0 ac	8 ac	8 ac
Ballona Creek Inflows - Area "C"	C		0 ac	7 ac	7 ac
Ballona Creek Inflows - Area "A"	A		0 ac	6 ac	6 ac
BALLONA CREEK NORTH TRIBUTARY TOTAL:			246 ac	21 ac	267 ac
Marina Storm Drain - Area "A"	A	A1E	0 ac	128 ac	128 ac
Marina Storm Drain - Area "C"	C	C1E	163 ac	66 ac	229 ac
BASIN "H" TOTAL:			163 ac	194 ac	357 ac
AREAS NORTH OF BALLONA CREEK CHANNEL TOTAL:			409 ac	215 ac	624 ac

Look!



PLAYA VISTA TOTAL BY AREAS

AREA "A" TOTAL:	0 ac	134 ac	134 ac
AREA "B" TOTAL:	292 ac	339 ac	631 ac
AREA "C" TOTAL:	409 ac	81 ac	490 ac
AREA "D" TOTAL:	440 ac	489 ac	929 ac
PLAYA VISTA TOTAL:	1141 ac	1043 ac	2184 ac

Revision Date: 8/5/92

8/15/92

TRIBUTARY AREA SUMMARY

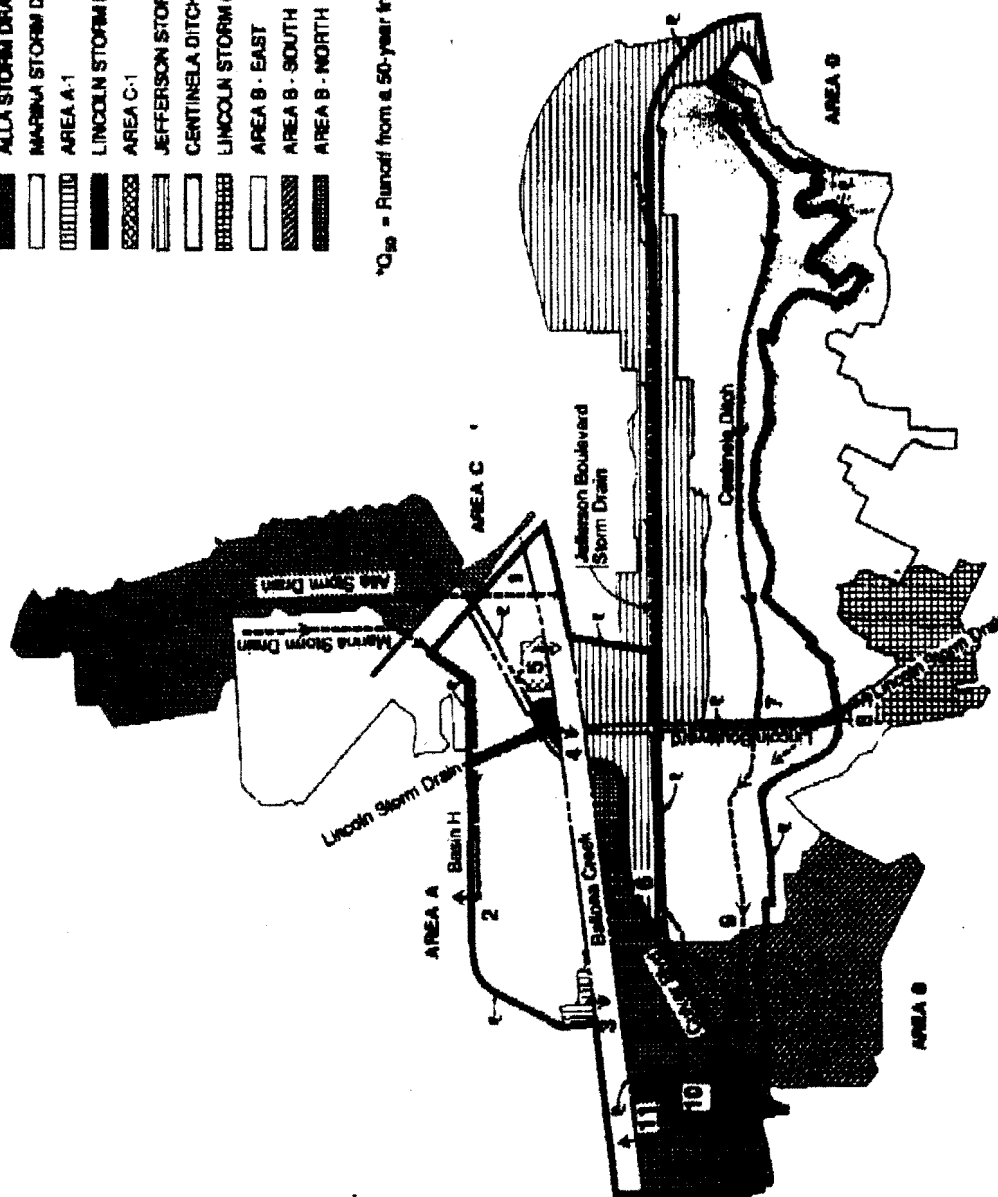
Table 1.0-1

009815

S-01 432
Exhibit 11 p2
hydrology

SYMBOL	TRIBUTARY AREA NAME	OUTLET #	$Q_{50}(cfs)^*$
	ALLA STORM DRAIN	1	440
	MARINA STORM DRAIN	2	450
	AREA A-1	3	14
	LINCOLN STORM DRAIN (NORTH)	4	26
	AREA C-1	5	14
	JEFFERSON STORM DRAIN	6	460
	CENTINELA DITCH	7	630
	LINCOLN STORM DRAIN (SOUTH)	8	210
	AREA B - EAST	9	420
	AREA B - SOUTH	10	960
	AREA B - NORTH	11	1310

* Q_{50} = Runoff from a 50-year frequency flood



**Camp
Dresser
& McKee** | **Planning
Consultants
Research**

Source: Peatman & Associates

SITE BOUNDARY

SCALE IN FEET



**Figure V.C.1-1
PLAYA VISTA EXISTING
STORM DRAIN SYSTEM**

5-61 432
Exhibit 11 p3
Hydrology

EXHIBIT NO. 12
APPLICATION NO.
S.O. 432
Alternative.

ROUTE 90 IMPROVEMENTS
MODIFIED EAST ALTERNATIVE

March 5, 2002

Description, Project Impacts and Analysis

The Modified East Alternative (See Modified East Alternative Exhibit) retains the original East Alternative horizontal alignment but includes specific design modifications to eliminate design exceptions that previously made the original East Alternative alignment unacceptable to Caltrans for safety reasons. The primary difference is that the Modified East Alternative redesigns the Culver Blvd Undercrossing ("UC") Bridge profile to include a vertical curve, which increases the stopping sight distance along the Connector Ramps to meet required design standards. Like the original East Alternative, the Modified East Alternative would not require any filling or shading impacts to the existing wetlands.

The advantage of the Modified East Alternative is the elimination of the stopping sight distance exceptions that were needed for the original East Alternative and what makes the alternative acceptable for safety reasons. The one disadvantage to the Modified East Alternative is that the Culver Blvd UC Bridge would require at least a partial, if not a full, redesign. There will be an increase in costs for the redesign effort. In addition, the project schedule will have to be extended to allow for the necessary redesign, review and approval periods.

Background of Alternatives Development

The Modified East Alternative is a result of a series of alternatives developed, in lieu of the original design, to explore all feasible means of avoiding impacts to the wetlands. The original design was developed to meet acceptable design safety standards and to avoid impacts to major existing utility lines (230kV electrical line and 96" Alla Storm Drain). The original design (See Original Design Concept Exhibit) included bridging the freeway over Culver Blvd and then splitting the freeway via Connector Ramps to merge with the eastbound and westbound frontage roads on either side of the wide median. However, the original design impacted the existing wetlands with 0.23 acres of fill. The Coastal Commission requirements mandate that no wetlands can be filled within the coastal zone limits, unless it is demonstrated that there is no less environmentally damaging alternative. Consequently, the project design required an alternatives analysis to be performed.

Three alternatives were developed. The original East Alternative modified the design of the Connector Ramps by squeezing them between the originally designed Culver Blvd UC Bridge and the existing wetland. The West Alternative moved the Connector Ramps further to the west towards Mindanao Way. This alternative would have resulted larger wetland impacts and higher cost. Subsequently, the West Alternative was eliminated from further consideration. Finally, the third alternative kept the original design except that the Connector Ramps were designed to bridge over the wetlands instead of filling them.

The "Bridge over Wetland" Alternative (See Bridge-Over-Wetland Alternative Exhibit) was deemed more favorable than the original design because it eliminated any fill impacts to the existing wetlands. However, the close vertical proximity of the bridges to the wetlands created shading impacts.

The original East Alternative was developed specifically to avoid impacts to the existing wetlands. The disadvantage of this alternative was that it failed to meet some of Caltrans' mandatory safety design standards relative to stopping sight distance and it would have created potentially hazardous driving conditions.

Development of the Modified East Alternative from the East Alternative

The goal of the original East Alternative was to develop a design that would result in no permanent or temporary impacts to the existing wetlands. The East Alternative assumed two primary constraints: 1) Due to the complex design of the Culver Blvd UC Bridge in order to avoid impacts to an existing 230kV electrical line and 96" storm drain that were infeasible to relocate, the bridge was assumed to remain as a constraint at the east end of the Connector Ramps. 2) The second constraint, on the west end, was that the Connector Ramps would be designed to avoid any fill or shading impacts to the existing wetlands. With the East Alternative design squeezed between these two constraints, a series of exceptions to standard Caltrans design requirements would require approval. These exceptions included stopping sight distance for both crest and sag vertical curves, superelevation rate, as well as less significant exceptions for superelevation transition rates and runoff lengths, length of vertical curves, and the algebraic difference in pavement cross slopes. The critical design exceptions, that made this alternative unacceptable to Caltrans were those related to sight distance which posed a significant driver safety issue.

Based on conversations with Caltrans Design Oversight, it was determined that the required design exceptions for stopping sight distance as related to the vertical curves would most likely not be approved due to driver safety concerns. Therefore, the Modified East Alternative was developed to meet the critical stopping sight distance standards. In order for this new design to meet this goal, the bridge design that had been used as a constraint from the East Alternative design would need to be adjusted.

5.01. 482
Exhibit 3, 2

Since avoiding impacts to the wetlands is the primary focus of this alternative, that constraint (the wetlands) had to remain "fixed". Therefore, the only option left was to consider a redesign adjusting the Culver Blvd Bridge.

Originally, modifications to the Culver Blvd UC Bridge to meet stopping sight distance standards were not pursued because standard bridge design elements (namely a straight slope from the east end to the west end of the bridge) would have required the eastern relocation of the Bridge columns, which was not possible because of the location of the existing 96" storm drain and the electric line. However, the Modified East Alternative incorporates an enhanced bridge column design that allows the bridge profile to include a "vertical curve" that does not require the relocation of the Bridge columns in a manner incompatible with the 96" storm drain and the electric line. Allowing this vertical curve in the bridge increases the horizontal distance available for the Connector Ramps to make the vertical transition from the bridge to the frontage roads. This, in turn, allows for the provision of a sufficient stopping sight distance that meets the design standard for both Connector Ramps.

The revised Connector Ramp profiles and the related redesign of the Culver Blvd Bridge constitute the primary differences between the original East Alternative and the Modified East Alternative. The need for approval of some non-critical design exceptions still remains for the Modified East Alternative. However, based on conversations with Caltrans Design Oversight, those remaining design exceptions initially appear to be relatively minor and similar to exceptions accepted on other similar Caltrans projects, therefore this Modified East Alternative appears approvable.

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-5266

FAX (916) 654-6608

TTY (916) 654-4086

*Flex your power!
Be energy efficient!***EXHIBIT NO.** 13**APPLICATION NO.**

5-01-432

Application letter

March 4, 2002

Mr. Peter Douglas
Executive Director
California Coastal Commission
45 Fremont Street
San Francisco, CA 941

RECEIVED
South Coast Region

MAR 12 2002

CALIFORNIA
COASTAL COMMISSION

Dear Mr. Douglas,

I am writing today to request that the application relating to Route 90 be considered in April 2002, and that the application relating to Route 1 be considered in June 2002. As explained below, this schedule will allow departmental applications to be considered in a timely manner so as to not jeopardize budgeted funding that has been allocated for these projects.

As you are aware, the California Department of Transportation (Department) has filed applications for improvements to the Marina Freeway, Route 90 (application 5-01-432), Lincoln Boulevard, LA 1 phase I (application 5-01-184), and Lincoln Boulevard, LA 1 phase II (application 5-01-450) projects. At its February 6, 2002 meeting, the Coastal Commission voted to continue consideration of applications 5-01-432 and 5-01-184 to a future date. The Department filed a 90-day waiver to allow the Commission to exceed the Permit Streamlining Act timeline requirements.

The Department is working on design changes that will result in dual-purpose, environmentally superior projects that would enhance natural resources and address and improve existing problems along these important corridors. These regionally significant projects will address traffic congestion, safety concerns, emergency access constraints, and local community impacts. They will also enhance wetlands, improve water quality, provide new non-motorized access opportunities, restore tidal action, and protect wildlife.

In order to retain budgeted funding for these projects, the Department must obtain Coastal Development Permits by June 30, 2002. As noted above, we request that Route 90 be considered in April 2002 because much of the information required to address concerns raised by the public and commissioners has been completed. Approval in April would give the Department approximately two months to obtain the required permits from the

Peter Douglas
March 4, 2002
Page 2


Coastal Commission. Although it would be preferable from a timing standpoint that the Route 1 applications also be considered in April 2002, we request that they be considered in June 2002 because additional information needs to be developed and submitted to fully provide answers to the Commission's questions.

We anticipate that the Department will be able to obtain an extension from the California Transportation Commission of the June 30, 2002 deadline, if a Coastal Commission approval is obtained. Only one such extension is available under California Transportation Commission requirements.

The Department is committed to working closely with your staff and the Commission to address all issues raised and to develop projects to benefit coastal resources and the general public while providing the traffic improvements the local communities and region need. The Department will also send your staff a package that explains the Department's funding process and schedule more fully and for inclusion in your commissioner's briefing packages.

Should you have any questions, please do not hesitate to contact Doug Failing, Chief Deputy District 7 Director, at (213) 897-0362.

Sincerely,


TONY V. HARRIS
Chief Deputy Director

cc: Honorable Members of the
California Coastal Commission

Exhibit 13
p 2
5-01-432

Funding Information for State Route 90 Project
March 15, 2002

Funds programmed during the 1996 State Transportation Improvement Program (STIP) cycle on State Route 90 are available for allocation until the end of this fiscal year (June 30, 2002).

Following is a breakdown of the cost for the State Route 90 project

During the 1996 STIP cycle, allocation for the State Route 90 totaled \$12,336,000.

Projects in the STIP may include projects on State highways, local roads, intercity rail, or public transit systems. The Regional Transportation Planning Agencies (RTPAs) propose 75 percent of STIP funding for regional transportation projects in their Regional Transportation Improvement Programs (RTIPs). The California Department of Transportation (Caltrans) proposes 25% of STIP funding for interregional transportation projects in the Interregional Transportation Improvement Program (ITIP). The current STIP was adopted by the CTC June 1998.

The cost breakdown is as follows:

- Capital Outlay \$7.63 million (Grandfather STIP Funds).
- Capital Support \$4.91 million, includes review and coordination throughout project development, and construction administration (Grandfather STIP Funds)

These funds are only available until the end of this fiscal year (June 30, 2002). As such, the Department needs to secure all permits (including the Coastal Development Permit) prior to this date.

If however, all permits for this project can not be secured prior to the end of the fiscal year, the Department has an opportunity to request a one-time extension which may be granted at the discretion of the California Transportation Commission if they feel there is a compelling reason for the extension.

Exhibit 13, 3
5-01-432

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, 120 SO. SPRING ST.
LOS ANGELES, CA 90012-3806
TDD (213) 897-6610
(213) 897-0703

EXHIBIT NO. 14

APPLICATION NO.

5-01-432

1st. for appl.

GRAY DAVIS, Governor



September 19, 2001

SEP 21 2001

CALIFORNIA
COASTAL COMMISSION

Ms. Pam Emerson
California Coastal Commission
South Coast District
200 Oceangate, 10th Floor
Long Beach, CA 90802-4325

RE: Proposed Culver Boulevard Project at State Route 90 (Marina Del Rey Freeway), Los Angeles, CA
(CDP 5-01-038)

Dear Ms. Emerson,

Per your request, the following paragraph and supporting documents should fulfill your request for more information regarding funding for the proposed Culver Boulevard Project at State Route 90 (Marina Del Rey Freeway), Los Angeles County, CA.

Budgetary Information

Attached is the budgetary information for the above-mentioned project. These two sheets (one for EA 169311 is for the portion of the project to modify the Centinela Avenue Interchange, which is mostly outside of the Coastal Zone; one for EA 169321 is for the portion of the project to construct the undercrossing at Culver Boulevard, which is inside the Coastal Zone). Please note that the Fund Source 1 of 1 indicates that the money will be from the State Transportation Improvement Program (STIP, see attached sheets explaining this funding program). As mentioned, the California Transportation Commission adopted the STIP in June 1998. If another funding source (including, but not limited to local government agencies) would be identified on this form. No other funding source is identified, therefore, the STIP is the only funding source for this project. In addition, we are providing two diagrams explaining the STIP Fund Allocation and the STIP Process.

Definition of LA-90

As defined in Section 390 in the Streets and Highways Code, Route 90 is from Route 1 northwest of the Los Angeles International Airport to Route 91 in Santa Ana Canyon passing near La Habra (see attached sheets).

Legislative History of the Road

Route 90 was added to the State Highway System in 1947 and is called the Marina Expressway (access controlled) from Route 1 (Lincoln Boulevard) to Ballona Creek. Route 90 was designed and built by State Funding by contracts administered by the State with work by General Contractors (some Federal funding may have been used). The California Department of Transportation owns, operates and maintains the short segment of Route 90 from Route 1 to Slauson Avenue. However, we question the relevance of this request.

Ms. Pam Emerson
September 19, 2001
Page 2 of 2

Caltrans justification
Exhibit 14
14 p 2

Caltrans Plan for This Roadway Segment

Caltrans has no specific master plan for this or any freeway / expressway. Caltrans' process indicates that as needs are identified, they are forwarded to the California Transportation Commission (CTC) for prioritization and funding. Because of the need generated by work and recreational congestion, this project has been funded as a highly needed project by the CTC. In addition, Caltrans is not in the real estate business, and is legally mandated by law to dispose of unnecessary real estate. This area was designated as needed for this project since it was built in 1972.

Ambient Growth in Area

The Southern California Association of Governments growth projections indicate that a minimum of two percent per year of growth is expected in this area. The project is needed to maintain the current traffic capacity by accommodating continuing growth. Caltrans will continue to pursue more traffic growth information, and will provide it in the immediate future.

Project Alternatives

A full range of alternatives were considered, prior to selecting this alternative which was considered the Least Environmentally Damaging Practicable Alternative.

Your assistance in bringing this project before the Coastal Commission in October 2001 is greatly appreciated. If you have any questions or require additional information, please contact me at (213) 897-0703.

Sincerely,



Ronald J. Kosinski
Deputy District Director
Division of Environmental Planning
Caltrans District 7



JAMES A. NOYES, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

March 18, 2002

IN REPLY PLEASE
REFER TO FILE T-0Ms. Pam Emerson
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302**RECEIVED**
South Coast Region

MAR 19 2002

CALIFORNIA
COASTAL COMMISSION

Dear Ms. Emerson:

**ROUTE 90 (MARINA DEL REY) COASTAL DEVELOPMENT
APPLICATION 5-01-4-432 (EA1693U1)**

Public Works supports Caltrans' Route 90 project to build a bridge on the Route 90 overcrossing of Culver Boulevard.

Traveling along the Lincoln Boulevard corridor and the access to the Marina has become increasingly difficult due to increased traffic from developments and ambient traffic growth in and around the general area. As you know, to meet this challenge, we and other cities and agencies formed the Lincoln Corridor Task Force (LCTF) to improve mobility in the Lincoln Boulevard corridor. Projects such as this are compatible with the goals of the LCTF.

We strongly support transportation projects that improve access to Marina del Rey for the benefit of visitors and residents of the Marina and the area. Caltrans' Route 90 would improve access to the Marina by reducing traffic congestion at the two intersections of Route 90 and Culver Boulevard. Accident statistics indicate there have been 60 accidents at the Route 90/Culver Boulevard intersections over a five-year period. This is because of the potential conflict of an expressway crossing a high-volume major highway at grade. A bridge crossing would greatly reduce the number of accidents there.

Please consider these factors to arrive at a favorable recommendation for this project to the California Coastal Commission.

5-01 4-22

Exhibit 15 p1

Exhibit 15 p1

Ms. Pam Emerson
March 18, 2002
Page 2

If you have any questions, please contact Mr. Barry Kurtz of our Traffic and Lighting Division at (626) 300-4724.

Very truly yours,

JAMES A. NOYES
Director of Public Works



T. M. ALEXANDER
Deputy Director

BK:ay
PTLPUBWPPFILESFILEBKKROUTE 80

cc: Caltrans (Doug Failing)
Department of Beaches and Harbors (Stan Wisniewski)

5-01432
Exhibit 15

BOARD OF PUBLIC WORKS
MEMBERS

ELLEN STEIN
PRESIDENT
VALERIE LYNNE SHAW
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CITY OF LOS ANGELES

CALIFORNIA



RICHARD J. RIORDAN
MAYOR

January 17, 2001

DEPARTMENT OF
PUBLIC WORKS

BUREAU OF
ENGINEERING

VITALY B. TROYAN, P.E.
CITY ENGINEER

650 SOUTH SPRING ST., SUITE 200
LOS ANGELES, CA 90014-1911

RECEIVED
FEB - 2 2001

CALIFORNIA
COASTAL COMMISSION

Stephanie Reeder
Coastal Commission Liaison
CalTrans District 7
120 S Spring St
Los Angeles, CA 90012-3606

Dear Ms. Reeder:

PLAYA VISTA PHASE IA TRANSPORTATION MITIGATION MEASURES - SR90 E/O CENTINELA AVE TO
E/O MINDANAO WY (CITY ENGINEER COASTAL PERMIT CDP01-01, WORK ORDER BD401335)

The City of Los Angeles issues Coastal Development Permits for development within the City's coastal zone under authority of the California Coastal Act, Section 30600(b) of the California Public Resources Code and under Chapter 1, Article 2, Section 12.20.2 of the Los Angeles Municipal Code. However, Municipal Code Section 12.20.2.C.1. states in part that, "The provisions of this Section shall not apply to . . . any development by a public agency for which a local permit is not otherwise required . . ."

It appears that a local permit is not otherwise required for the work shown on the "Project Plans for Construction on State Highway in Los Angeles County in Los Angeles from 0.4 km east of Centinela Avenue Undercrossing to 0.3 km east of Mindanao Way." Therefore the work does not require a Coastal Development Permit from the City of Los Angeles. For purposes of any review by the California Coastal Commission, we herewith give our conceptual approval.

If you have any questions in this matter, please contact Mr. Jim Doty at (213) 847-8694.

Sincerely,

James E. Doty
Environmental Supervisor II
Environmental Group

JD:CDP0101_nonjurisdiction.doc

Enclosed: 1" Sheet of Plans marked "Approved in Concept"

Cc (with copy of plans): Pam Emerson
California Coastal Commission
South Coast Area
200 Oceangate, 10TH Floor
Long Beach, CA 90802-4416

Cc: Catherine Tyrrell, Playa Vista Capital LLC
12555 W Jefferson Blvd., Ste 300
Los Angeles, CA 90066

EXHIBIT NO. 16
APPLICATION NO.
5-01-432
Letter to C.C.C.

16

ADDRESS ALL COMMUNICATIONS TO THE CITY ENGINEER

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

Recyclable and made from recycled waste

5.01-432

V. PROJECT TRANSPORTATION IMPACT

EXHIBIT NO.
APPLICATION NO.
5.01-432
Exhibit 17

Traffic
discussion p1

INTERSECTION LEVEL OF SERVICE

Capacity calculations have been performed at the thirteen study intersections to determine the traffic impacts of project traffic resulting from the proposed tract modification and to compare those impacts to the previously approved VTTM 49104. Three sets of calculations are shown. The first set repeats the "Future Background Traffic Without Project" conditions as discussed earlier in this report. The second includes the previously approved Playa Vista Phase 1 development (i.e., with the approved land uses for Subphase 1F). The third set of calculations replaces the previously approved Subphase 1F land uses with the EMT District uses proposed for the modification of Subphase 1F.

The capacity calculation results are shown in Table 8 which indicate that, prior to mitigation, the land uses which comprise the previously approved VTTM 49104 have a significant impact on all thirteen study intersections in both the morning and afternoon peak hour. The third analysis shows that the proposed EMT uses associated with the tract modification would significantly impact twelve of the thirteen intersections in the morning peak hour and twelve of the thirteen intersections in the afternoon peak hour.

Chapter VI of this report discusses the traffic mitigation measures required in the Phase 1 EIR for VTTM 49104 and calculates the intersection level of service effect of these mitigations on both the previously approved VTTM 49104 and the proposed tract modification.

BICYCLES AND PEDESTRIANS

There is no change to the overall bicycle and pedestrian impacts as a result of the proposed tract modification. A continuous bicycle lane will be provided within the EMT District and this

TABLE 8

TRAFFIC IMPACT ANALYSES RESULTS
LEVEL OF SERVICE COMPARISONS

traffic Entertain
Media
traffic

SCENARIO A - FUTURE BACKGROUND TRAFFIC (WITH REVISED RELATED PROJECTS)					
INTERSECTION	AM PK HOUR		PM PK HOUR		
	V/C	LOS	V/C	LOS	
Marina Fwy EB & Culver	1.469	F	1.201	F	
Marina Fwy WB & Culver	0.989	E	1.308	F	
Lincoln Bl & Jefferson Bl	1.211	F	1.228	F	
Lincoln Bl & Teale St	1.034	F	1.072	F	
Centinela & Marina Fwy EB	0.682	B	0.681	B	
Centinela & Marina Fwy WB	0.989	E	0.901	E	
Centinela & Jefferson	1.044	F	0.967	E	
Inglewood & Jefferson	0.924	E	0.879	D	
Teale St & Centinela	0.641	B	0.764	C	
Mesmer & Jefferson	0.523	A	0.602	B	
Sepulveda & Centinela	1.456	F	1.332	F	
I-405 NB Ramps & Jefferson	0.856	D	0.977	E	
I-405 SB Ramps & Jefferson	0.751	C	0.769	C	
SCENARIO Ba - FUTURE BACKGROUND PLUS PHASE I APPROVED PROJECT TRAFFIC					
INTERSECTION	AM PK HOUR		PM PK HOUR		DELTA
	V/C	LOS	V/C	LOS	AM PM
Marina Fwy EB & Culver	1.509	F	1.217	F	0.040 0.016
Marina Fwy WB & Culver	1.002	F	1.361	F	0.013 0.053
Lincoln Bl & Jefferson Bl	1.402	F	1.383	F	0.191 0.155
Lincoln Bl & Teale St	1.168	F	1.179	F	0.134 0.107
Centinela & Marina Fwy EB	0.821	D	0.871	D	0.139 0.190
Centinela & Marina Fwy WB	1.263	F	0.961	E	0.274 0.060
Centinela & Jefferson	1.754	F	1.482	F	0.710 0.515
Inglewood & Jefferson	1.248	F	1.143	F	0.324 0.264
Teale St & Centinela	0.974	E	1.048	F	0.333 0.284
Mesmer & Jefferson	0.796	C	0.763	C	0.273 0.161
Sepulveda & Centinela	1.678	F	1.417	F	0.222 0.085
I-405 NB Ramps & Jefferson	1.158	F	1.333	F	0.302 0.356
I-405 SB Ramps & Jefferson	0.913	E	1.065	F	0.162 0.296
SCENARIO Bp - FUTURE BACKGROUND PLUS PHASE I TRAFFIC WITH PROPOSED 1F EMT USE					
INTERSECTION	AM PK HOUR		PM PK HOUR		DELTA
	V/C	LOS	V/C	LOS	AM PM
Marina Fwy EB & Culver	1.491	F	1.209	F	0.022 0.008
Marina Fwy WB & Culver	0.994	E	1.335	F	0.005 0.027
Lincoln Bl & Jefferson Bl	1.385	F	1.361	F	0.174 0.133
Lincoln Bl & Teale St	1.182	F	1.168	F	0.148 0.096
Centinela & Marina Fwy EB	0.761	C	0.789	C	0.075 0.108
Centinela & Marina Fwy WB	1.195	F	0.923	E	0.206 0.022
Centinela & Jefferson	1.433	F	1.391	F	0.389 0.424
Inglewood & Jefferson	1.278	F	1.169	F	0.354 0.290
Teale St & Centinela	0.806	D	0.918	E	0.165 0.154
Mesmer & Jefferson	0.758	C	0.781	C	0.235 0.179
Sepulveda & Centinela	1.609	F	1.353	F	0.153 0.057
I-405 NB Ramps & Jefferson	1.151	F	1.288	F	0.295 0.311
I-405 SB Ramps & Jefferson	0.857	D	1.016	F	0.106 0.249

VI. MITIGATION

EXHIBIT NO. 18
APPLICATION NO. S-201-4122
Playa Vista
EMT Mitigation

Exhibit 18

The tract modification, if approved, will still require the implementation of every mitigation measure that was required for the Phase 1 VTTM 49104 development. However, because Subphase 1F (the EMT District) may be developed as the second implementation phase of the Phase 1 development rather than the sixth step, the implementation phasing for mitigation measures will change. This chapter describes those phasing changes. It then compares the effectiveness of the mitigation program to mitigate the traffic impacts of the previously approved VTTM 49104 as compared to the proposed tract modification.

MITIGATION IMPLEMENTATION PHASING

Because Subphase 1F of the Phase 1 Playa Vista development may come as the second implementation step rather than the sixth, some changes to the approved Phase 1 Mitigation Program must be made. This is necessary because, for example, Subphase 1F called for the widening of Jefferson Boulevard east of the intersection of Jefferson/Centinela. However, this improvement only "fit" because an earlier phase had called for the improvement of the intersection of Jefferson/Centinela. Therefore, to fit the pieces of the overall Mitigation Program together, some phasing changes must be made in the Phase 1 Mitigation Program.

Table 9 shows the proposed changes to the Playa Vista Phase 1 Mitigation Program. In almost all cases, the implementation of project mitigation has been accelerated.

The wording on the condition for the Marina Freeway/Culver Overpass has been revised to limit the total amount of commercial and/or residential development that could be constructed in Phase 1 prior to bridge opening. This new wording takes into account the early implementation of Subphase 1F and limits Phase 1 development to approximately the same generation of total trips as the previous implementation schedule prior to bridge opening.

EXHIBIT NO. 14

APPLICATION NO.

SD-432 p2

Playa Vista

18
p2
TABLE 9
MITIGATION IMPLEMENTATION PHASING

Corrections and Additions -- Technical Appendices

Table 6-2(b) Revised 8/7/95 to Reflect Playa Vista Studios

ATTACHMENT 'K' (Revised May 13, 1993 Due to Alternate Mitigations)
TRANSPORTATION IMPROVEMENTS SUBPHASING PLAN
PLAYA VISTA FIRST PHASE MITIGATIONS

Subphase	Location	Program	Intersection/Street Improvements
1A	West end of Area D, South of Jefferson Boulevard	800 du 5,000 nsf retail 10,000 nsf office 15,000 sq.ft. community serving	<ul style="list-style-type: none"> Connect northbound Lincoln to eastbound Culver - Widen Ballona Creek Bridge (a portion of east side) Improve Culver between new Culver/Lincoln connection and the Marina Freeway Complete construction of Bay Street between Jefferson Boulevard and existing Teale Street. If connection cannot be made to Teale Street, alternative improvements will be the construction of Lincoln/Jefferson Intersection to ultimate design standards as described in DOT letter of September 16, 1992. Lincoln/Jefferson (northeast and southeast quadrants only) Provide funding for design of ATSAC and pre-emption systems for Lincoln Boulevard Transit Enhancement Program At grade improvements to Culver/Marina Freeway westbound At grade improvements to Culver Marina Freeway eastbound
1B	West end of Area D, north and south of Jefferson Boulevard	800 du 10,000 nsf retail 10,000 nsf office 25,000 sq.ft. community serving	<ul style="list-style-type: none"> Widening of Lincoln Boulevard to provide 4 northbound and 4 southbound lanes between Hughes Terrace and Jefferson Boulevard Lincoln/Jefferson (Complete Intersection Improvements as required in September 16, 1992 letter) Widening of Jefferson Boulevard between Lincoln Boulevard and Bay Street Provision and operation of beach shuttle service Culver/Jefferson La Tijera/I-405 Freeway northbound (cash contribution) Main/Rose

ph. 1 mitigation
playa vista
5.01.432

Table 6-2(b)

ATTACHMENT 'K' (Revised May 13, 1993 Due to Alternate Mitigations)
TRANSPORTATION IMPROVEMENTS SUBPHASING PLAN
PLAYA VISTA FIRST PHASE MITIGATIONS

Subphase	Location	Program	Intersection/Street Improvements
1C	West end of Area D, north and south of Jefferson Boulevard	800 du 5,000 nsf retail 10,000 nsf office	<ul style="list-style-type: none"> • Widening of Lincoln Boulevard to provide 4 northbound and 3 southbound lanes between north of Jefferson Boulevard and Ballona Creek Bridge • Add a third northbound lane on Lincoln Boulevard between Culver Connector and Fiji Way • Complete construction of Bay Street between "new" Teale Street and "B" Street • Complete construction of "new" Teale Street between Lincoln Boulevard and Bay Street • Widening of Jefferson Boulevard between Bay Street and west of Beethoven • Complete funding of ATSAC and pre-emption systems for Lincoln Boulevard Transit Enhancement Program • Culver/Nicholson • Culver/Vista del Mar • Lincoln/M. ndanao
1D	West end of Area D, north and south of Jefferson Boulevard	846 du 20,000 nsf office 25,000 sq.ft. community serving	<ul style="list-style-type: none"> • Widening and addition of fourth northbound lane on Lincoln between La Tijera and Hughes Terrace • Construction of "new" Teale Street between Bay Street and the terminus east of 7th Street within First Phase west end • Provision and operation of two transit vehicles for Lincoln corridor (plus a spare bus) • Centinela/Marina Freeway eastbound • Centinela/Marina Freeway westbound • Jefferson/I-40 Freeway--westbound right turn improvements at the existing northbound on-ramp • Jefferson/I-405 Freeway--eastbound right turn improvements at the existing southbound on-ramp

5-01-432

TABLE 9 (Continued)
MITIGATION IMPLEMENTATION PHASING

Exhibit ~~4~~ 4 LF p 4

Corrections and Additions -- Technical Appendices

Playa Vista Phase I
Mitigation

Table 6-2(b)


ATTACHMENT "K" (Revised May 13, 1993 Due to Alternate Mitigations)
TRANSPORTATION IMPROVEMENTS SUBPHASING PLAN
PLAYA VISTA FIRST PHASE MITIGATIONS

Subphase	Location	Program	Intersection/Street Improvements
1E	West end of Area D, north of Jefferson Boulevard	350,000 nsf office 5,000 nsf of retail <i>park</i>	<ul style="list-style-type: none"> • Provide funding and design for ATSAC on Jefferson Boulevard between Beethoven and Centinela • Provision and operation of two additional transit vehicles for Lincoln corridor • Provide a Caltrans approved project study report (PSR) for the grade separated improvement at Culver and Marina Freeway • Construction of Bay Street bridge over Ballona Creek and Bay Street between B Street and Culver • Widening of Centinela Avenue between Jefferson Boulevard and northerly of Juniette Street • Centinela/Culver • Centinela/Short • Culver/Inglewood • Manchester/Pershing • Marina Freeway eastbound/Mindanao • Marina Freeway westbound/Mindanao • Centinela/Jefferson (complete Intersection Improvements)

18
5-01-432 p6
Exh. b. + #18 p6
Playa Vista ph. 1 mitigation

Table 6-2(b)

ATTACHMENT "K" (Revised May 13, 1993 Due to Alternate Mitigations)
TRANSPORTATION IMPROVEMENTS SUBPHASING PLAN
PLAYA VISTA FIRST PHASE MITIGATIONS

Subphase	Location	Program	Intersection/Street Improvements
1F	East end of Area D	1,370,000 gsf of studio and studio-related office 	<ul style="list-style-type: none"> • Option B Improvements to Centinela Avenue between the Marina Freeway and Juniette Street • Complete construction of "E" Street from 9th Street to Centinela before occupancy of any office space in 1F • Construction of Centinela Avenue south between Jefferson Boulevard and E Street • Construction of Teale Street between 11th Street and existing Centinela Avenue connection to Major Street • Widening of existing Centinela Avenue between Jefferson and Mesmer Avenue • Widen Jefferson between Centinela and I-405 Freeway • Guarantee the westbound portion of the grade separation at Culver/Marina Freeway prior to occupancy of any office space in 1F and complete construction of the westbound grade separation prior to occupancy beyond 1,000,000 gr. sq.ft. of non-residential space or 2,401 dwelling units in Area D • Centinela/La Cienega • Centinela/La Tijera • All Intersection Improvements along Sepulveda Boulevard between Howard Hughes Parkway and Lincoln Boulevard • Major/Mesmer

- Notes: 1. For a complete description of transportation improvements, refer to DOT letters dated September 16, 1992 and May 13, 1993, corresponding drawings, and attachments.
2. Where appropriate, as determined by DOT, revisions may be made to this Sub-Phasing Plan.
3. For Transportation Demand Management (TDM) Program, refer to DOT letter dated September 16, 1992.

Memorandum

5-01.432

To : Mr. Tom Loftus
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

Date : March 22, 1993

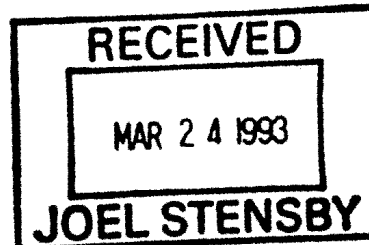
File No.:

IGR/CEQA
City of Los Angeles
DEIR
PLAYA VISTA PHASE
90-0200
SUB (C) (CUZ) (C)
Vic. LA-1, 90, 4

From : Robert Goodell - District 7
DEPARTMENT OF TRANSPORTATION

Subject : Project Review Comments

SCH No. 90010510



Caltrans has reviewed the above-referenced Playa Vista Phase draft EIR and Vesting Tentative Tract Map No. 49104, which includes 3,246 dwelling units; 1,250,000 square feet of new office space; 35,000 square feet of neighborhood retail space; and 300 hotel rooms.

This memorandum is to modify and clarify the comments in our memorandum of December 29, 1992 regarding the Playa Vista Phase I-DEIR. Pages two and three of the original memorandum have been modified to reflect mitigation changes discussed in meetings between Maguire Thomas Partners, Caltrans, and the City of Los Angeles on February 17, 1993 and March 11, 1993.

The following is our modified DEIR response:

We have concerns about the capability of the roadway pavement and the adequacy of the existing traffic lanes to accommodate the additional traffic generated by this project on our transportation facilities.

Designs based on twenty year traffic projection data (including percentage of trucks) should be provided to mitigate the impact of this project on the existing State highways, including Route 1 (Lincoln Blvd.), Route 90 (Marina Freeway), Route 105 (Manchester Blvd.) and Route 405 (San Diego Freeway).

This project, along with numerous other projects in the vicinity of the Marina, have the cumulative effect of adding approximately 40,000 to 50,000 peak hour trips to the system. Expansion of activity at LAX is estimated to add an additional 4,000 to 6,000 peak hour trips to the area system. Volume/capacity ratios would be as high as 1.86 on the Route 405 Freeway, if all these projects are implemented. Proportional share mitigation measures for Playa Vista Phase I, as well as for all other traffic generating projects in this region, need to be implemented prior to or simultaneous with the construction of these projects.

Caltrans
Comments
Playa Vista
Mitigation

EXHIBIT NO. 19
APPLICATION NO.
5-01 432
Caltrans

1e Her

Mr. Tom Loftus
March 22, 1993
Page Two

This draft EIR proposes to provide primary access to the project from Jefferson Boulevard from its interchange with the I-405 freeway. This access is dependent upon modification of the interchange section, primarily to the northbound on and off-ramps. This proposal contains many nonstandard design features and approval is doubtful.

Caltrans believes that a more feasible approach is to utilize an improved Marina Freeway (Rte. 90) and provide primary access to the development via improved connections at Centinela Ave. and Culver Blvd. An improved Culver Blvd. will cause a significant diversion of traffic from the Centinela/Jefferson route thereby reducing existing through traffic within the project area on Jefferson Blvd. To do this will require widening Culver Blvd. to at least four lanes between Lincoln Blvd. (Rte. 1) and Bay Street and six lanes plus left and right turn channelization between Bay Street and Marina Freeway (Route 90). Also construct connections from N/B Lincoln Blvd. to eastbound Culver Blvd. and construct a double left turn from W/B Culver Blvd. to the proposed Bay Street, which will carry four lanes of traffic south from Culver Blvd. to Teale Street.

THE TRAFFIC MITIGATIONS WE RECOMMEND FOR PHASE I ARE AS FOLLOWS:

ON LINCOLN BOULEVARD (RTE. 1):

Among the Phase I mitigations being proposed on Lincoln Boulevard is the removal of raised channelization islands between Loyola Boulevard and Teale Street and just south of Fiji Way and the Marina Expressway (Rte. 90). The purpose of the island removal is to create a fourth northbound through lane. This would create a potential for high severity right angle and approach turn type collisions on Lincoln Boulevard within the affected segments. Left turning vehicles egressing driveways on Lincoln Boulevard and attempting to access the same would conflict with high volume straight through traffic on Lincoln Boulevard. The operational benefits which are to accrue are rather questionable due to the increased accident potential and because only one direction is benefited. Also, substandard ten-foot through lanes would be employed. We do not feel that the trade-off of marginal operational benefits at the expense of safety is justified.

Instead, we propose that from La Tijera Boulevard to Hughes Terrace, a 60/40 signal timing split be provided in lieu of increasing the northbound lanes from 3 to 4 by removing the traffic islands. From Hughes Terrace to Fiji Way widen to 4 lanes in each direction. Provide more intersection capacity at Jefferson Boulevard and construct the southeast quadrant of the separated interchange at Culver Boulevard. Also, construct a four lane section of Bay Street from Culver Boulevard to Teal Street in the location shown on the "Playa Vista Master Plan".

Mr. Tom Loftus
March 22, 1993
Page Three

Exh. b.1

19 p3

ON THE MARINA FREEWAY (Rte. 90):

- a) Extend the full six lane freeway section of the Marina Freeway east of Ballona Creek, over Culver Boulevard. Continue Route 90 as a six lane expressway, with channelization, west of Culver Blvd. moving the E/B roadway, north, adjacent to the W/B roadway and as a six lane expressway in the northerly portion of the right-of-way. This should join a realigned six lane expressway at Lincoln Boulevard (Route 1).
- b) Construct a full Diamond Interchange at Culver Boulevard. The westbound off-ramp and the eastbound on-ramp providing three lanes each.
- c) Maintain existing access for Alla Road to and from W/B Marina Freeway and Culver Boulevard.

ON THE SAN DIEGO FREEWAY (I-405):

- a) Construct a collector road for the westbound Route 90 connector to northbound Route 405 freeway and the eastbound Route 90 connector to the northbound Route 405 freeway. This will become the fifth lane of the northbound Route 405 freeway.
- b) Widen to two lanes and upgrade the geometrics on the southbound Route 405 (San Diego Freeway) connector to the westbound Marina Freeway.

As mentioned previously, mitigation measures are essential and must be implemented with or prior to the Phase I project if a reasonable level of traffic service for this region is to be maintained.

OTHER MITIGATIONS WE RECOMMEND FOR PHASE I ARE AS FOLLOWS:

Caltrans requires 30 feet set-back for large trees planted in a speed zone that is higher than 35 miles per hour. Planting street trees along Lincoln Boulevard should have sufficient set-back. Because Lincoln Boulevard is the border of the proposed wetland mitigation site, as transition, native wetland trees such as *Populus fremontii*, *Alnus rhombifolia*, *Platanus racemosa* or native oaks should be planted instead of palms or Morston Bay Fig.

The trees planted along Lincoln Boulevard should be maintained by local agencies.

Some of the trees listed in the selection matrix are categorized wrong, such as *Pittosporum*, *Tristania conferta*, *Eucalyptus ficifolia* etc.

Mr. Tom Loftus
March 22, 1993
Page Four

5-01.425

Exh. 6.4

1994

Modifications of Route 90 have the potential for adverse impacts on Centinela Creek and an indirect negative impact on Ballona wetlands. The Caltrans Environmental Planning Branch should be kept apprised of those aspects of the Ballona restoration effort which may have an effect on the State Highway system in this area.

Under the proposed mitigation, Lincoln Boulevard would be adjacent to a freshwater wetlands. This would need to be taken into account in future planning efforts for any modifications to Lincoln Boulevard along the section south of the Jefferson Boulevard intersection. Coordination with Maguire Thomas Partners would be required if restoration work is conducted in Caltrans right-of-way.

There is a need for early contact with Caltrans on hazardous waste matters to enable the applicant to be familiar with Caltrans standards before construction.

The predicted noise levels, from traffic activity, for locations #12, 21, and 23 in the vicinity of Lincoln Boulevard and locations #18 and 19 in the vicinity of Centinela Avenue and the Marina Freeway were reviewed (see Vol. XI, Fig. 7, Noise Monitor Locations).

- a) Location #18, east of Centinela Avenue and Sepulveda intersect near Riggs Place has been predicted at a noise level of 69.4 dBA (Leq). Although no single family residences are affected in the immediate vicinity, the Pacifica Hotel may have 1st floor residents who may be impacted by increased future peak noise levels.
- b) Location #21, north of Jefferson Blvd. and east of Allard (in D) has a internal noise level predicted at 68.8 dBA (Leq). The site receptor is far removed from Lincoln Boulevard to the west.
- c) There is no information in the Noise Impact Study for Area 'C' (residential) vis-a-vis future noise level for the Marina Freeway (Rte. 90).

Any work or construction to occur within State right-of-way, as well as any mitigation measures such as signalization, grading, widening, drainage or freeway mainline or ramp improvements which involve State right-of-way or costs which exceed \$300,000 will require a Project Studies Report and Encroachment Permit. Any measure which cost less than \$300,000 will require a Caltrans Encroachment Permit.

Final contract plans for work within the State Highway right-of-way must be reviewed by Caltrans Permits office early in the development process.

Any transport of heavy construction equipment which requires the use of oversize transport vehicles on State Highways will require a Caltrans Transportation Permit. We recommend that truck trips be limited to off-peak commute periods.

Mr. Tom Loftus
March 22, 1993
Page Five

5.01.15
Exh. 6.14
19 p5

The CMP Transportation Impact Analysis Program and Deficiency Plan should include all State (Freeways and Highways) and an identification of deficiencies below the established level-of-service standards.

Other considerations should be given to mitigation for congestion relief, such as ridesharing, park-and-ride lots, and staging areas.

Also, we recommend that a Traffic Management Plan be developed, such as: construction traffic, parking, detours, lane closure, and alternate routes.

In general, prior to development application approval, the applicant will be required to submit a Transportation Demand Management Plan and a Focused Traffic Study for review and approval by the Director of Planning, and the Traffic Engineer, as appropriate, to determine the necessary improvements for impacts to State transportation facilities generated by the project.

If you have any questions regarding this response, please call Wilford Melton at (213) 897-1338.


ROBERT GOODELL, CHIEF
Advance Planning Branch

attachment: Proposed Mitigation Measures

cc: Richard Takase, City Planner
L.A. City Planning Department
Room 505, City Hall
200 N. Spring Street
Los Angeles, CA 90012

nh\10002MXX

LA 90 (EA 1693u1)
TRAFFIC ALTERNATIVES

EXHIBIT NO. 10
APPLICATION NO.
5-01-432
P. T. T. T. T.

COASTAL COMMISSION

The objectives of the proposed Route 90/Culver Project are to reduce existing and future congestion levels and congestion-related accidents along Route 90 within the project area, increase emergency access in and out of Los Angeles International Airport, thereby improving access between the San Diego Freeway and the coastal zone. No viable project traffic alternatives, other than the proposed Project, have been identified that would satisfy the project objectives. As discussed below, traffic alternatives were studied; however, they were determined to have greater right of way and/or environmental impacts or to provide less benefit relative to the proposed Project.

Under the "No Project" alternative, the interchange at Culver Boulevard would not be built, resulting in a continuation of the at-grade signalized expressway intersections at this location. The objectives of the project (i.e., congestion relief, mitigation of approved land development, and safety improvement) would not be realized. Congestion levels are projected to increase substantially under this alternative.

Modal alternatives to the Project were evaluated and determined to not provide sufficient modal shift to obviate the need for the proposed Project. Rather, both transit improvements and the proposed Project in combination (not one as an alternative to the other) were found to be needed to accommodate approved development.

Additional system-level alternatives to the Project were evaluated during project development that involved improvements to existing parallel streets and/or freeways. No other opportunities were found to develop a new east-west route within the study area because of right of way, land use, and topographical constraints.

The alternative routes investigated for widening, the locations of which are illustrated on Figure 1, included Jefferson Boulevard, Washington Boulevard, and Venice Boulevard. Jefferson Boulevard will be widened from Route 1 to Centinela Avenue as part of the Playa Vista mitigation program. In addition, the Playa Vista mitigation program includes improvements at key intersections along the Jefferson Boulevard corridor. However, capacity constraints at the Jefferson Boulevard/I-405 interchange limits the effectiveness of these improvements when it comes to connecting Jefferson Boulevard to the regional freeway system. Major widenings along Washington Boulevard and along Venice Boulevard were determined to be infeasible due to residential and commercial land use impacts, and neither provides a direct connection to the San Diego Freeway.

Interstate 10 (Santa Monica Freeway) has been studied for the addition of high-occupancy vehicle (HOV) lanes. Further widenings to add mixed-flow lanes appears infeasible due to right of way impacts and costs. Computer model simulations of a widened I-10 indicated that the widened facility would not divert enough trips away from the central portion of the study area to relieve congestion in the Route 90 corridor.

In summary, when compared to the proposed Project, each of the project traffic alternatives would have greater right of way impacts on residential and commercial uses while providing less congestion relief.

Exhibit
20 p2

EXHIBIT NO. 157
APPLICATION NO. 5-01-132

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JAN 12 1992

ROUTE 90 TRANSIT PROVISIONS

The question has been asked as to why the SR 90 improvements do not reserve a corridor for transit through the project length. CALIFORNIA COASTAL COMMISSION

RESPONSE

The SR 90 corridor is surrounded by long-range transit proposals and therefore does not include a specific transit element. A summary of the transit plans in the area follows:

Rail

The 30-Year Plan of the MTA does not include any additional rail considerations in the SR 90 corridor. Instead, east-west light rail service already exists in the I-105/LAX areas and a new east-west line is planned in the Exposition Corridor, approximately 3.5 miles north of SR 90.

No additional east-west service is planned for the area.

The MTA does own an abandoned rail right-of-way that follows Culver Boulevard northeast of the SR 90 improvements considered in this project. However, the right-of-way does not reach all the way to SR 90 in that there is an industrial park separating SR 90 from the right-of-way. Culver City and Los Angeles have developed a bicycle path and pedestrian path in the right-of-way and the two cities are now working on tying that path to the Ballona Creek Bike Path.

North-south rail service in the area is being reviewed as part of numerous transportation planning studies currently underway. The Lincoln Boulevard Corridor Task Force, Sepulveda Boulevard Corridor Task Force, the Westchester Community Plan Update Program and the Coastal Corridor Transportation Study are all evaluating potential north-south transit connections. Playa Vista has reserved a 25-foot wide right-of-way along the east side of Lincoln Boulevard to accommodate future rail. This alignment could be used to connect the Green Line terminus in the LAX Lot C to the Exposition Line. This alignment is not now funded or approved by MTA, rather it is just one of the options being studied in the planning efforts now underway.

Bus

The main bus improvements focus on north-south traffic and not on increased service along SR 90. Santa Monica Big Blue Bus and the Culver City Bus both provide bus service in the area. Neither now uses SR 90 as part of their route structure.

Santa Monica has discussed adding articulated bus service to their Lincoln Boulevard route. Culver City is improving the existing transit terminal at Fox Hills Mall. New bus transit centers are proposed as part of the Playa Vista project. These would most likely

be located along the Lincoln and Centinela corridors at the east and west ends of the project, not along SR 90.

Playa Vista has also committed to an internal shuttle bus system to better connect its jobs and housing to the regional transit system.

Non-Motorized Transportation

The information submitted to the California Coastal Commission includes a map that summarizes the on- and off-street bicycle facilities in the area. Numerous bike paths and lanes are interconnected to offer the public good opportunities for both recreation and commuting. Since the Ballona Creek bike path provides an off street facility paralleling the SR 90 facility, no additional bike facilities are warranted in the SR 90 corridor.

6 pound 9/10 tons

or
Rex Frankel
Route 90
Bridges

Relaxation Eastbound
No Highway Roadway
Here

A musical score for the piece "The Way" by J. S. Bach. The score is written on a treble and bass staff. The title "The Way" is written in a large, stylized font across the top of the page. The composer's name "J. S. Bach" is written in a smaller font below the title. The score includes handwritten musical notation, including notes and rests, and a circular logo at the top right corner.



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS



STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

March 15, 2002

Ms. Pam Emerson
California Coastal Commission
South Coast District Office
200 OceanGate, 10th Floor
Long Beach, CA 90802-4302

Dear Pam:

ROUTE 90 (MARINA DEL REY) CDPA No. 5-01-4-432 (EA1693U1)

This letter will convey our ongoing support for Caltrans' Route 90 project to bridge the Route 90 over Culver Boulevard. Traffic along the Lincoln Boulevard corridor and access to Marina del Rey have become increasingly difficult due to increased traffic from development and ambient traffic growth in the general area of the Marina. To meet this challenge, the County joined with various cities and agencies to form the Lincoln Corridor Task Force (LCTF) with a goal to improve mobility in the Lincoln Boulevard corridor; projects such as this are compatible with the goals of the LCTF.

This project is not within the Marina del Rey Local Coastal Plan boundary; however, studies have shown that the benefits from such an improvement project would extend beyond the project area, making it consistent with the LCP by improving traffic flow on the approach roads to the Marina. We strongly support transportation projects that improve access to Marina del Rey for the benefit of our visitors, businesses, and residents. These planned modifications would also ease the movement of trailered boats to and from the Marina, thus improving coastal access for the boating public.

We also join with our County Public Works Department by reminding you that selected improvements to Route 90 would improve access to the Marina by reducing traffic congestion at the two major intersections where Route 90 crosses Culver Boulevard at grade. Additionally, bridging over Culver Boulevard would greatly reduce the number of accidents that occur there.

Please consider these factors in making a favorable recommendation to your Commission. If you have any questions, please call me at (310) 305-9533.

Very truly yours,
STAN WISNIEWSKI, DIRECTOR

Joseph Chesler
Joseph Chesler, AICP
Chief, Planning

SW:JJC:lh

cc: Doug Failing, Caltrans
Jay Kim, LADOT

Fax: (310) 821-8345
(310) 305-9503 13837 FLU WAY, MARINA DEL REY, CALIFORNIA 90292
INTERNET: <http://beaches.co.la.ca.us/>

EXHIBIT NO. 22
APPLICATION NO.
5-01 432
County Letter

local coastal program

5-01-432 marina del rey/ballona

map 36

CIRCULATION IMPROVEMENT PLAN

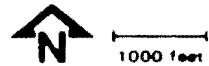
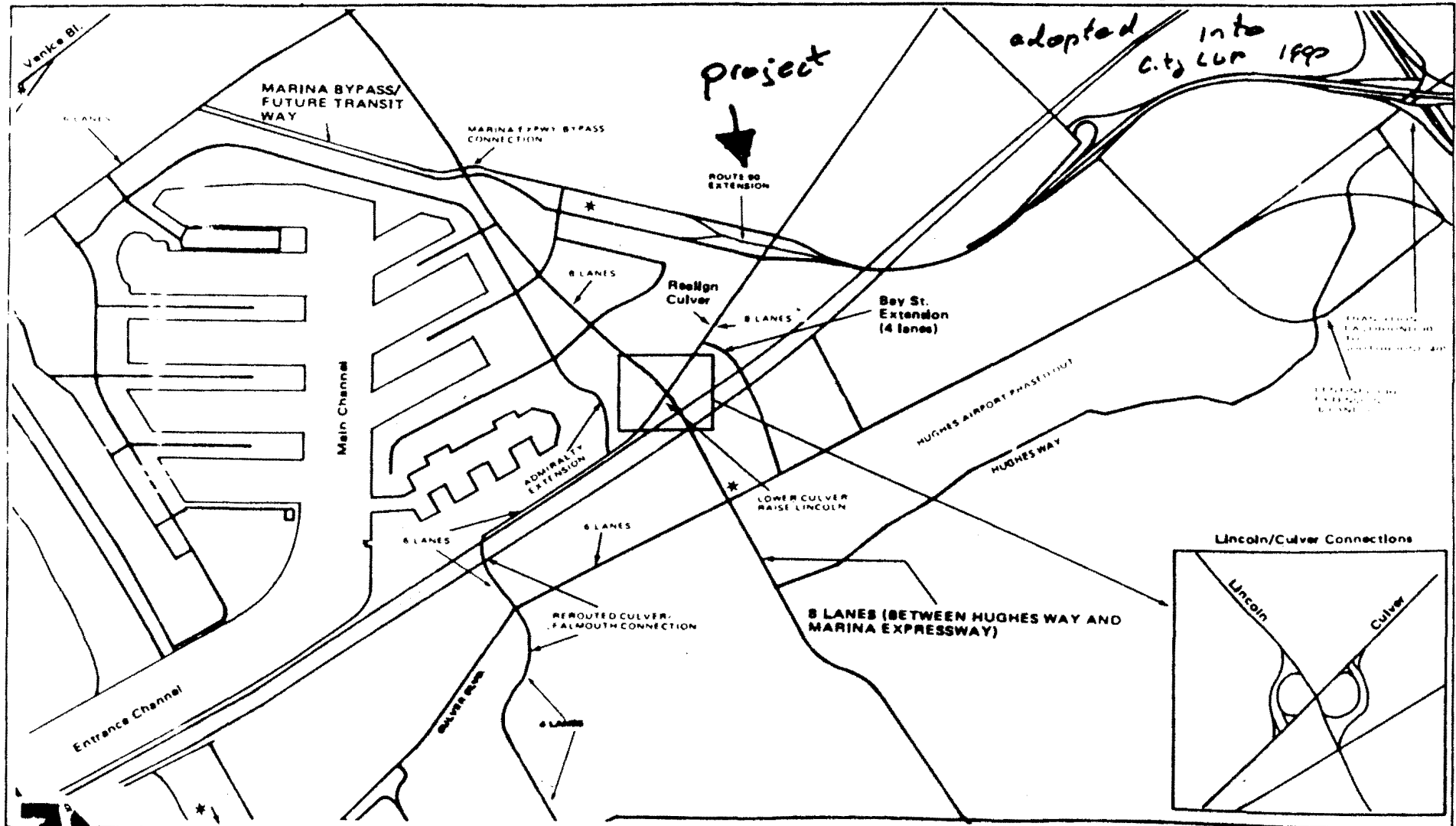


Exhibit 23

*Potential Park and Ride/
Shuttle Connection Lots

Traffic Improvements
certified MDR Ballona LUP



Areas A, B and C

19. Realign and extend Culver Blvd. as a six-lane divided road. The County Road Department has proposed that the sharp "S" curve on Culver just west of Lincoln be eliminated and a new bridge be constructed across Ballona Creek (west of the existing bridge). Jefferson would then intersect Culver at a right angle. Six lanes will be provided between the Culver-Lincoln Blvd. interchange and Jefferson Blvd. with eight lanes from Lincoln to Route 90. At the suggestion of the Natural History Museum, water flow under Culver Blvd. will be increased by additional culverts in order to improve the natural functioning of the wetlands.
20. Design and construct new roads in an environmentally sensitive manner which recognizes the preservation of the Ballona Wetlands and other significant habitat areas.
21. Extend Admiralty Way on a curved alignment to the new Culver Boulevard when the Area A basin is developed.
22. Extend Falmouth Avenue as a four-lane secondary highway to join Culver and intersect Jefferson Blvd. This extension shall be elevated on pilings to insure maximum movement of water and organisms (including mammals and avian species) and clearance to permit periodic maintenance to remove debris, silt, etc., while maintaining water flow. The specific design standards necessary to meet these objectives will be set forth in the Local Implementation Plan.
23. At the Culver-Lincoln Blvd. interchange, Culver will be lowered to an at-grade level with Lincoln bridged over it; and, the following ramps shall be provided:
- A loop ramp in the southeast quadrant accommodating eastbound Culver Blvd.-to-northbound Lincoln Blvd. flow.
 - A straight ramp in the southeast quadrant accommodating northbound Lincoln-to-eastbound Culver Blvd. flow.
 - A loop ramp in the northwest quadrant accommodating westbound Culver-to-southbound Lincoln Blvd. flow.
 - A straight ramp in the northwest quadrant accommodating southbound Lincoln-to-westbound Culver Blvd. flow.
24. Widen Lincoln Blvd. to provide an eight-lane facility between Hughes Way and Route 90.
25. Jefferson Blvd. will be developed as a basic six-lane facility, with an additional eastbound lane between Lincoln Blvd. and Centinela Ave.
26. Reserve right-of-way for a transit way linkage in the Lincoln Blvd. corridor.
- 27. Extend the Marina Freeway just west of Culver Blvd. with a grade separated interchange at their intersection.
28. Extend Bay St. north of Ballona Channel as a basic four-lane facility constructing a bridge across the channel.
29. During at least the evening peak hours, on-street parking will be prohibited on the south side of Jefferson Blvd. east of Centinela to Mesmer Ave. to provide a third eastbound travel lane.

confidential
MOR/Ballona
LCP

II-148

EXHIBIT NO. 23p2
APPLICATION NO.
5-01 432



3220 Nebraska Avenue
Santa Monica CA 90404
310 453 0395
fax 310 453 7927
info@healthebay.org
www.healthebay.org

February 04, 2002

California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, CA 94105-2219

RECEIVED
South Coast Region
FEB 6 2002
CALIFORNIA
COASTAL COMMISSION

RE: Agenda item W 21n; Application Number:5-01-432

Dear Coastal Commissioners:

Heal the Bay is a non-profit environmental group with over 10,000 members dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy again for people and marine life. We have reviewed the staff report for the Caltrans Route 90 project. Our concerns regarding this project pertain to the lack of a long-term monitoring and maintenance schedule for the proposed wetland restoration and the lack of numeric goals for the water quality monitoring components.

1) A five-year monitoring and maintenance requirement for wetland restoration is inadequate.

The staff recommends a five-year monitoring program of the wetland restoration, yet provides no scientific justification or examples to support why this duration was selected. Heal the Bay believes that five years of monitoring and maintenance is completely unacceptable to ensure the long-term restoration of a wetlands. Long-term wetland restorations typically fail due to poor hydrological design and/or a change in hydrology in the restored area often due to sediment deposition. In addition, long-term pollutant loadings into restored wetlands can effect long-term viability. As currently proposed, the Commission's Special Conditions will not ensure long-term success of the restored wetlands because there are no requirements for further monitoring and maintenance. How will the Commission ensure that after five-years the wetlands is a self-sustaining, functioning wetlands? What if Caltrans monitoring indicates that the restored wetland is not self-sustaining during the five-year period?

Because wetland functionality is largely dependent on maintaining design hydrology that is dependent on many parameters that can change over time (future development, changing weather patterns, etc.), Heal the Bay strongly recommends long-term monitoring and maintenance of the restored wetlands. Caltrans should be required to commit to monitoring and maintenance of the wetlands in perpetuity, or to transfer this long-term monitoring and maintenance program to a Commission approved entity such as Playa Vista Capital, Friends of Ballona Wetlands, Ballona Wetlands Foundation, or Wetlands Action Network.

EXHIBIT NO. 24
APPLICATION NO.
501 432
Heal the Bay



Caltrans shall be required to provide tri-annual (every three-years) monitoring reports on the performance of the wetland restoration in perpetuity.

2) Water quality parameters lack numeric goals.

We commend the Commission for requiring Best Management Practices (BMPs) to protect the restored wetlands and Marina del Rey (the receiving waterbody). However, as currently drafted, the Special Conditions requiring BMPs do not include any mechanisms to ensure appropriately designed BMPs are installed, that the BMPs implemented will be adequately maintained to meet a desired objective, or that implemented BMPs are effective in protecting the wetlands and the Marina. Marina del Rey is currently listed as an impaired water-body on the States 303-(d) list for heavy metals, pesticides, and toxicity. How will the Commission determine the effectiveness of the proposed BMPs if there are no numeric water quality objectives to protect the restored wetlands?

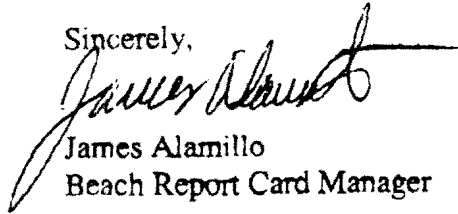
Heal the Bay recommends using the standards listed in the California Toxics Rule for the pollutants of concern (metals and pesticides). The project must not cause or contribute to exceedances of water quality standards. If the BMPs insure that water quality standards are met, then the project will have achieved this requirement. Water quality standards provide a way to measure the effectiveness of the BMPs and whether the maintenance of the BMPs is adequate. Finally, the Commission should require a water quality monitoring program that adequately captures both dry and wet weather conditions. Caltrans should be required to provide an annual report to the Commission detailing the results from the monitoring program, and where numeric water quality standard exceedances exist, explain what actions or BMP modifications will be implemented to prevent future exceedances of standards in the wetlands.

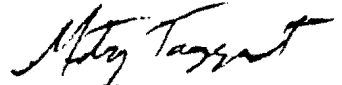
We recognize the Special Conditions include a numeric target for Total Suspended Solids (TSS). However, as currently drafted, there is no data provided on existing conditions compared to post-construction TSS loading estimates. It is impossible to determine if Section 3A, subsection 2c is less or more protective of the water quality and wetland viability than Section 3A, subsection 2b. Controlling TSS loading is imperative for protecting the biological resources because such loadings are usually associated with heavy metals and pesticides. In addition, wetland restorations often fail due to changes in hydrology that occur because of excessive TSS loadings. With no data provided, we recommend the Commission require Caltrans to meet the requirements of Section 3A, subsection 2b—to reduce post-development loadings of Total Suspended Solids (TSS) so that the average annual TSS loading are no greater than pre-development loadings, and delete from the Special Conditions Section 3A, subsection 2c. Based on Caltrans monitoring and maintenance program for the restored wetland, if excessive siltation is determined to be impeding the ability of the wetland to function, the Commission must require Caltrans to modify their BMPs to protect the resource.

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p2
5-01-432

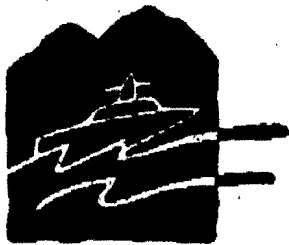
Thank you for the opportunity to comment, and if you have any questions please feel free to call me at (310) 453-0395 ext.123.

Sincerely,


James Alamillo
Beach Report Card Manager


Mitzy Taggart
Staff Scientist

24, P:
Exh. b. v. 3003
501-432
Health Bar



Via Facsimile
(619) 767-2384

EXHIBIT NO. 25
APPLICATION NO.
15-01 432
Baykeeper

RECEIVED

FEB 05 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

SANTA MONICA
BAYKEEPER

Protecting Our Bay
in cooperation with
The Frank G. Wells
Environmental Law Clinic &
the Water Keeper Alliance

W 21b/
W 21n

February 4, 2002

California Coastal Commission
San Diego, CA

RE: Santa Monica BayKeeper's Comments on Route 90 Expansion, Item 21N
and 21B.

Dear Coastal Commission:

On behalf of Santa Monica BayKeeper, I write to provide the following written comments regarding Caltrans' applications for permits for road projects relating to the expansion of the Route 90 Freeway and Lincoln Blvd. in Marina Del Rey, to be heard by the Coastal Commission on February 6 as items 21N and 21B.

The BayKeeper is a non-profit organization dedicated to the preservation and restoration of Santa Monica Bay, San Pedro Bay, and adjacent coastal waters, including the Ballona Creek, the Ballona Creek Estuary, and the Ballona Wetlands (collectively referred to as the "Ballona Watershed"). The BayKeeper's mission includes the monitoring and protection of the region's waters, including local watersheds, marine sanctuaries, rivers, coastal estuaries, wetlands and bays from illegal dumping, hazardous spills, toxic sources and other pollution, including polluted runoff. When water quality violations or habitat destruction threaten the region's waters, the BayKeeper pursues compliance efforts and remediation.

In general, we do not believe these projects can be approved as they are currently proposed. In particular, BayKeeper believes that the Commission must require compliance with Water Quality Standards for any discharge from the development. We also believe subsequent environmental review is warranted.

BayKeeper agrees with staff that "roads are a major source of pollutants that flow into water bodies." Many studies support this position. However, BayKeeper believes that the current proposal and staff report fall short of achieving the objectives of the Coastal Act and, in particular, violate the requirements of Public Resources Code Sections 30230 and 30231.¹ This is especially troubling given the current condition of the Ballona Creek and wetlands.²

¹ Public Resources Code Section 30230 requires that:

BayKeeper feels that in the absence of a definitive statement requiring compliance with currently defined water quality standards, local water resources cannot and will not be maintained and enhanced, nor will they be restored, as required by both 30230 and 30231.

As the Commission is aware, various state and federal standards have been set to ensure that surface water quality and discharges to those waters meet the level necessary to support and sustain various beneficial uses. For example, the United State Environmental Protection Agency promulgated in 2001 the California Toxics Rule, 40 CFR 131.38, to protect aquatic life. In addition, the State Water Resources Control Board has promulgated localized plans such as the Ocean Plan, the Inland Surface Water Plan, and Basin Plans. By their very nature these standards are designed to achieve the level of

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, recreation, scientific, and educational purposes.

Second, Public Resources Code Section 30231 requires that:

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 [and], controlling runoff

² Presently, the Los Angeles Regional Water Quality Control Board ("LARWQCB") identifies the Ballona Creek Watershed as having the following beneficial uses: Ballona Creek: Existing beneficial uses: Non-contact recreation, Wildlife habitat. Potential: drinking water, contact recreation, and warm freshwater habitat. Ballona Creek Estuary: Existing: Navigation, contact recreation, non-contact recreation, commercial and sport fishing, Estuarine Habitat, Marine Habitat, Wildlife Habitat, Rare, Threatened & Endangered Species, Migration of Aquatic Organisms, Spawning, Reproduction and/or Early Development, Shellfish Harvesting. Ballona Wetlands: Existing: Contact Recreation, Non-contact Recreation, Estuarine Habitat, Wildlife Habitat, Rare, Threatened & Endangered Species, Migration of Aquatic Organisms, Spawning, Reproduction and/or Early Development, Wetland Habitat.

Moreover, Ballona Creek is recognized as a Significant Ecological Area ("SEA") by the LARWQCB. See LARWQCB Basin Plan (1994) pages 1-17. The SEAs designated by LARWQCB are analogous to environmentally sensitive areas under the California Coastal Act which are "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." Public Resources Code ("PRC") Section 30107.5.

Unfortunately, notwithstanding these beneficial uses and the watershed's ecological importance, levels of the following toxic and other pollutants found in the Ballona Creek Watershed already exceed federal and state water quality standards: arsenic, cadmium, copper, DDT, lead, PCBs, ChemoA, chlordane, dieldrin, silver, tributyltin, zinc, enteric viruses, and trash. See LARWQCB 1998 303(d) List of Impaired Waterbodies, pages 67-68. Many of these pollutants are toxic to aquatic life and harmful to humans.

Exh. b. 1 25
P 3
5.01.452
Bay Keeper

water quality necessary to sustain aquatic life and other beneficial uses of our coastal waters. These standards are commonly referenced in municipal stormwater permits by the State Water Resources Control Board and the Regional Water Quality Control Boards. However, agencies like the Coastal Commission rather than the local Regional Water Quality Control Boards are best situated to ensure these conditions are met as part of any development approval. Moreover, ensuring compliance with these requirements is well within the mandates of Sections 30230 and 30231.

In the absence of requiring compliance with these standards, BayKeeper fails to understand how the current proposal is "sustain[ing] the biological productivity of coastal waters" and "maintain[ing] healthy populations of all species..." as required by Section 30230. We believe it does not. Further, BayKeeper does not believe it is possible to provide water quality at a level "appropriate to maintain optimum populations of marine organisms" or "that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreation, scientific, and educational purposes" in the absence of compliance with water quality standards. BayKeeper also believes that there is no evidence in the record to support a conclusion to the contrary.

Again, by definition, these standards are what ensure water quality discharges are at a level necessary to protect these beneficial uses.

Meanwhile, Caltrans makes mention of current information on the efficacy of structural Best Management Practices, as well as the alleged inefficiency of some of these technologies in controlling runoff. However, the Coastal Commission should be aware that Caltrans is in the midst of completing a multi-year, multi-million dollar project studying BMPs and methods for reducing polluted runoff from roadways as a result of litigation brought in 1993 by the Natural Resources Defense Council and Santa Monica BayKeeper. For Caltrans to be making representations at this time about the efficacy of these devices in the absence of this completed study is not only a prejudgment of the issues subject to this litigation, but is misleading to the Coastal Commission. It is also important to note that these studies by Caltrans have been focused on the application of structural BMP technologies to highway retrofit projects, not new construction. In this vein, the Coastal Commission must recognize that it is easier to properly develop new road projects during the design phase than it is to retrofit existing structures.³

For these reasons, BayKeeper proposes the following condition for inclusion into these projects:

³ BayKeeper would like to remind the Commission that during the establishment of the Standard Urban Stormwater Mitigation Plans, The SUSMPs are not designed to "enhance" water quality above predevelopment levels and they are not designed to "restore" water quality. Instead, they merely attempt to "maintain" water quality at a pre-development level, and even that becomes difficult in the absence of a requirement to prohibit any increased pollutant loading from pre-development conditions.

Exhibit 25
p 3
S-01-432

- There shall be no net increase in stormwater pollution loading to waters of the state from the final project relative to pre-project conditions.
- Caltrans shall install BMPs necessary to ensure compliance with applicable water quality standards, including the California Toxics Rule.⁴
- Prior to the issuance of this permit, Caltrans shall provide a written report to Commission staff identifying applicable water quality standards for this project.

Lastly, BayKeeper must object to the issuance of these permits under the guise they are somehow related to "incidental public services" as provided under Public Resources Code Section 30233. This is hard to believe given that the 21N staff report alone makes reference to the Playa Vista project no less than 61 times (excluding the bibliography and appendices).⁵ As it seems obvious (and unfortunate) that this project is in large part, if not entirely, designed to facilitate the Playa Vista development, we hereby incorporate by reference, as if set forth fully herein, our comments of November 13, 2001 (on file with the Commission), relating to various Playa Vista road improvements and the need for subsequent environmental review under the California Environmental Quality Act for all these road projects. We believe the same type of comprehensive and coordinated subsequent environmental review is necessary for these aspects of the Playa project as well. Only then will the public, this Commission, and all other reviewing agencies have a true and adequate understanding of the current and future impacts of the development.

Thank you for your consideration of these comments.

Sincerely,

Steve Fleischli
Executive Director

⁴ Caltrans' municipal stormwater permit already provides that "[t]he discharge of storm water from a facility or activity that causes or contributes to the violation of water quality standards or water quality objectives (collectively WQs) is prohibited. ORDER NO. 99-06 - DWQ NPDES NO. CAS000003. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT STATEWIDE STORM WATER PERMIT AND WASTE DISCHARGE REQUIREMENTS (WDRs) FOR THE STATE OF CALIFORNIA. DEPARTMENT OF TRANSPORTATION (CALTRANS). BayKeeper merely asks that this condition be reflected in the Coastal Commission permit requirements.

⁵ Even more telling may be the fact that Coastal Commission staff seem to think this is part of the Playa Vista Project - as is evidenced by the fact that they have filed this staff report under their internal computer coding of H:\playa vista\caltransroad\5-01-432.culver3.caltrans.doc. See Staff Report at 49.

Exhibit 25
p 4
5-01-432

Post-Construction Stormwater Quality Management Plan

Route 90 Improvements, Modified East Alternative



Prepared for:

California Department of Transportation
120 South Spring Street
Los Angeles CA 90012

Prepared by:



GeoSyntec Consultants
333 SW Fifth Avenue, Suite 600
Portland, OR 97204-1743
(503) 222-9518

11 March 2002

EXHIBIT NO. 26
APPLICATION NO.
5-01-432
epc - water qual. h plan

POST-CONSTRUCTION WATER QUALITY MANAGEMENT PLAN

Post-Construction Best Management Practices- (BMPs)

1.0 Introduction and Listing of BMPs

This is a brief overview of the water quality management plan for the Route 90 Improvements project, Modified East Alternative. The water quality plan for the Route 90 Improvements, as designed, will result in a system that:

- 1) utilizes a treatment train of BMPs including grated inlets, trash and gross solids removal devices, and bioswale systems,
- 2) treats runoff from both existing and new impervious areas, as well as the road right-of-way,
- 3) should result in improved water quality overall as compared to pre-project conditions due to the extensive amount of existing impervious areas that will be treated via bioswales, and
- 4) meets and exceeds the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) and also the Caltrans Stormwater Management Plan (SWMP) requirements.

The project includes the lengthening of Route 90 and addition of an east-bound and west-bound connectors. The attached Water Quality Plan (Exhibit 1) shows the areas where Route 90 will be improved along with planned water quality enhancements. The project area includes existing jurisdictional wetlands within the existing drainage system. These wetlands were likely established due to urban runoff from an extensive system that is routed through this area. They currently perform water quality treatment of these offsite runoff flows and will continue to do so in the future. The Stormwater Management Program for the Route 90 Project will treat the additional 2.3 acres of impervious surfaces resulting from the project, and will also treat 4.8 acres of existing Rt. 90 impervious surfaces that were not subject to treatment prior to entering the existing wetland system (west of Culver) or one of the piped drainages (east of Culver). Eight bioswales will be created to treat runoff from various portions of the right-of-way prior to discharge to the existing wetlands, the Alla storm drain, the Marina drain and a storm drain in the eastern portion that discharges to Playa Vista Area C. In addition, a ninth location acts as a natural bioswale (area 10) and will treat runoff from this area.

Attachment A of this plan provides a description of how the elements of this plan meet the intent of the February 2002 Coastal Commission proposed post-construction BMP conditions for the Route 90 project.

EXHIBIT NO. 262
APPLICATION NO.
5-01-432
Water quality

applicant's proposal

2.0 OPTIONS FOR STORMWATER TREATMENT AND CHOICE OF SYSTEM

A number of options have been identified to provide treatment of stormwater, including the use of catch basin filter inserts for all inlets, commercial treatment systems such as CDS Units or StormCeptors, and media filters, such as sand and/or compost. The bioswale system was chosen because of 1) its expected high effectiveness in achieving good stormwater effluent quality (EPA/ASCE National Data Base on BMP performance, www.bmpdatabase.org; Low-Impact Design Strategies, An Integrated Design Approach, Prince George's County, Maryland 2000), 2) Caltrans has found that this type of BMP is effective and is acceptable to them, and 3) because of the fact that a land area was available for such facilities in the right-of-way. When practical, aboveground facilities are preferable to below ground, as they typically have improved performance via more and enhanced removal mechanisms (e.g., for example, photo-degradation of pollutants such as hydrocarbons, more contact with plants and soils, etc.). Additionally, above ground areas are more visible and accessible for maintenance operations. Furthermore, the use of native plants will provide habitat value, primarily for birds and small mammals.

The table below presents information on the 12 areas that have been identified as separate drainage areas within the Route. 90 project both within and outside the coastal zone.

Table 1. Route 90 Stormwater Management Program

Area	Stormwater Treatment Strategy
1 a, b, c (drains to wetland/swale area)	Trash management, stormwater pretreatment area
2	Trash management, bioswale
3	Trash management, bioswale
4	Trash management, bioswale
5	Trash management, bioswale
6	Trash management, bioswale
7	Trash management, bioswale
8	Trash management, bioswale
9	Trash management, bioswale
10	Existing bioswale
11	Trash management
12	Trash management

The pretreatment areas for 1a, 1b, and 1c will be designed to allow initial settling of sediments and treatment of oil and grease to ensure that the delineated wetlands will be protected from maintenance (sediment removal) needs. These pre-treatment areas will

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Exhibit 2 P3
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Appl. water 2. proposed

involve cutting back into the slope, exposing the existing storm drain further upstream of the wetland and then creating a flared headwall. These areas will then contain some initial gravels to serve as energy dissipation and then soils that will be planted with native grasses. The soils and grasses, along with the slowing and spreading of flows will serve the pre-treatment functions prior to discharge to the existing delineated wetlands.

After the project is completed, runoff will be conveyed either via primarily pipe systems with some limited overland flow to the bioswales. The bioswales will spread flow out, allow contact time with plants and soils, and provide sedimentation time for runoff. The primary pollutant removal mechanisms would include settling, filtration, and adsorption onto soils and plant materials.

It is expected that a good portion of the runoff would be retained and released via evapotranspiration, thereby reducing the amount of runoff that would have occurred if other non-moisture adsorbant systems (e.g., concrete) had been employed. These types of systems have been found to be quite effective for removal of total suspended solids, heavy metals such as copper, zinc, and lead, as well as floatables, oil and grease, and other pollutants. The bioswales will be designed to treat 0.3" per hour of rainfall in a manner that achieves good treatment. All bioswales will have trash racks or equivalent trash removal systems. Oil and grease removals will be achieved via the use of natural adsorption in the initial areas of swale treatment. Where possible, all entries to the swales will include an initial area where flows will be spread out to maximize contact with soils and plants to enhance oil and grease adsorption and then photodegradation.

The design standard of treating 0.3" per hour will exceed the Los Angeles County Standard Stormwater Mitigation Plan Requirements (SUSMP) of 0.2" per hour significantly. Caltrans guidance will be used in design of the bioswales, including limiting the depth of flow for the design flow rate to less than the grass heights (or less than 4") and by ensuring that flows have at least a 9-minute residence time in the swales. If needed, small weirs will be employed to ensure that this objective is achieved. In addition, the system includes significant pre-treatment via the trash racks located on the pipe systems as they discharge to the bioswales as well as the oil adsorbing materials that will be included in the bioswale design (e.g., oil adsorbing soils/mulches). The trash racks will consist of either grating structures within the pipes (with provisions for high flow releases) or the use of bags on the ends of outfalls. These bags have been tested by Caltrans in their studies of trash and debris controls. This kind of "treatment train" is not required by SUSMP and therefore will also result in an exceedance of the minimum SUSMP requirements.

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Exhibit 280

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program

3.0 INSPECTION, MONITORING, AND MAINTENANCE

Normal inspection and maintenance frequencies for the BMPs being incorporated in this project generally range between six to twelve months. Caltrans proposes to incorporate Gross Solid Removal Devices (e.g. trash racks), oil adsorption, bioswales, and pretreatment areas to improve water quality and to meet the requirements of the Trash Total Maximum Daily Load (TMDL) for the Regional Water Quality Control Board.

Caltrans proposes the facilities be inspected every 30 days during the rainy season for the first year of operation after construction is complete, and just prior to the rainy season and at the end of the dry season thereafter. Caltrans will provide the inspection and maintenance services indicated. Maintenance should be performed as follows:

Trash racks: These trash racks will be designed for annual clean up.

Oil Adsorption: If visual observations note that soils and plants are overly oily then maintenance will be performed to remove these. Maintenance could include some addition of oil adsorptive materials.

Bioswales: These typically require maintenance on an every 2 to 10 year basis for removal of sediments. When inspections reveal that more than about 10 percent of the capacity of the swales has been filled in, the material should be removed and properly disposed of. If one of the inlets has material build up of more than 6 inches of sediments, then it should be cleaned individually. The need for trash removal should be minimal due to the use of trash racks.

Pretreatment Areas, 1a, 1b, and 1c: These areas will likely need to be maintained on an annual basis. When inspected, if the areas are more than 20 percent filled in, then removal of sediments will occur.

After the first year, Caltrans proposes to adjust the frequency of inspections and maintenance efforts that are needed based upon observations. It is anticipated that the inspections and maintenance will be needed on a semi-annual basis.

4.0 SUMMARY

In summary, the proposed stormwater quality BMPs for this project has been designed to address the pollutants of concern for Marina del Rey, Ballona Creek and Estuary. With the opportunity to improve runoff water quality from existing roadway drainages, there will be an improvement in water quality over existing conditions. The size and effectiveness of the proposed bioswale system is greater than that required by the Los Angeles County SUSMP requirements (although not required of Caltrans it is a useful

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water quality

measure of the standard in the community) and in addition is a much more robust treatment system than other systems allowed (e.g., the effectiveness of the bioswale systems would be much greater than currently accepted SUSMP BMPs such as catch basin filters). In addition, the inclusion of trash racks or other trash treatment systems to "pre-treat" runoff prior to entering the bioswales will further enhance the performance of these bioswales. The system will treat runoff from existing road and other paved surfaces that today receive little formal treatment prior to discharge to the existing wetlands in the western portion of the project or the other drainages. Therefore the water quality of stormwater discharged from the existing areas will be improved. The new areas of pavement will be treated to a high level by the planed BMPs, exceeding standards (SUSMP) that have been found to be protective of water quality.

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Exhibit 28 p 6
applicant's
water quality
assessment

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Exhibit 28

Parcels

MARINA

Playa Capital

Area C
Controller

FWY

(SP 92)

San Diego

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, 120 SO. SPRING ST.
LOS ANGELES, CA 90012-3406
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September 10, 1993

Mr. Con Howe
City of Los Angeles
Planning Department
City Hall - Room 561
200 North Spring Street
Los Angeles, CA 90012

Post-It™ brand fax transmittal memo 7871		# of pages >	
Doug Gardner		Frank Blackard	
Maguire Thomas		City Planning	
510 827 1073		713 287 1986	

Dear Mr. Howe:

This letter is to notify the City of Los Angeles Planning Department, Planning Commission, and the Planning and Land Use Management Committee (P.L.U.M.) of Caltrans' present position concerning the appeal of the Playa Vista Phase I Development and Tentative Tract Map No. 49104.

As of September 1, 1993, Caltrans staff has met with McGuire Thomas Partnership (M.T.P.) and the City of Los Angeles Department of Transportation to review new plans that reflected the mitigation agreed upon in our meeting with M.T.P. Senior Partner Nelson Rising and staff on August 19th.

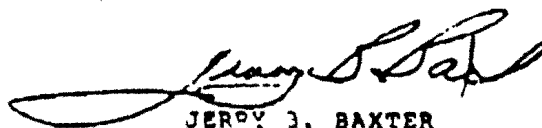
We have all agreed to the Route 90/Culver Boulevard interchange concept with minor modifications to Culver Boulevard and with the condition that the Route 90 bridge over Culver Boulevard will span the ultimate master plan width of Culver Boulevard (approximately 122'). This plan included restriping the Route 90 bridge over Balboa Creek to 6 lanes.

Also, the M.T.P. Plan to signal control the Culver Boulevard loop ramp to northbound Lincoln and provide three lanes both northbound and southbound on Lincoln Boulevard was unanimously agreed upon.

The present environmental document ties the completion of Culver Boulevard/Route 90 partial interchange to the completion of Playa Vista Phase I. We have agreed to support this timing for the revised (agreed upon) Route 90/Culver Boulevard interchange.

Based upon these discussions, it has been concluded that Caltrans' concerns have been adequately met. Contingent upon the City of Los Angeles agreement to the terms discussed in these meetings, it is Caltrans intent to rescind its appeal of the Playa Vista Phase I Project.

Sincerely,



JERRY B. BAXTER
District Director

cc: Hal Bernson
Councilman
Nelson Rising
MTP

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EXHIBIT NO.	3
APPLICATION NO.	
5-01 432	

Kaku Associates, Inc.

EXHIBIT NO. 7
APPLICATION NO.
5-01-432
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South Coast Region 12/19/01

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ROUTE 90/CULVER
RESPONSES TO COASTAL COMMISSION STAFF REPORT
TRAFFIC-RELATED ISSUES

CALIFORNIA
COASTAL COMMISSION

Route 90/Culver Staff Report Comment 1

Present levels of service have acutely improved over 1990 levels of service reported by the Playa Vista Consultant, Kaku Associates, even without changes to the intersection.

Response to Comment 1

It is not true that there have not been changes to the intersection. Review of the 1990 LOS calculations versus more recent calculations indicates the following changes:

- Striping modification on EB Culver approach to EB 90 on-ramp.
- Implementation of City of Los Angeles' ATSAC signal control system (resulting in 7% capacity increase).
- Also, although not a physical or operational change in the field, the more recent calculations utilize the LOS CMA methodology as refined and utilized by LADOT.

LOS actually worsened in the PM peak hour from the 1990 conditions reported in the Playa Vista First Phase EIR to the 1998 conditions reported in Route 90/Culver Project Report, even with the intersection changes noted above (see Table 1). In the AM peak hour, the reported LOS improved. The AM peak hour improvement was due to a combination of the changes at the intersection noted above and a reduced traffic count.

More recent counts conducted in 2001 indicate that poor levels of service of E and F are continuing, during both the PM peak hour and during the Sunday afternoon peak hour of coastal recreational traffic (see Table 1). The end result is that the Route 90/Culver intersections were and are near and over capacity during peak periods in 1990, 1998, and 2001.

For clarification, the traffic analysis in the Playa Vista First Phase EIR (including the 1990 LOS and 1997 projections) were prepared by Barton-Aschman Associates, not Kaku Associates.

Route 90/Culver Staff Report Comment 2

The staff report notes that the Playa Vista First Phase EIR estimates that traffic would increase by 4% per year from 1990 to 1997, including ambient growth and related projects, and yet the levels of service have actually improved since 1990.

Response to Comment 2

See response to comment 1 re changes in reported LOS since 1990.

Regarding why the level of growth projected in the Playa Vista First Phase EIR did not materialize by the time the more recent (1998) calculations were done, the most likely reason is

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Exhibit 10-2 p 11 p 2 30

the recession of the mid-1990s. The Playa Vista First Phase EIR was prepared during a time (late 1980s, early 1990s) when development growth had been rampant and was expected to remain so, and this expectation is likely reflected in the projected traffic growth rates utilized in the First Phase EIR.

However, development essentially came to a halt for many years during the recession. Experience in many areas of Los Angeles indicate that traffic volumes remained relatively constant during the 1990s, and in some cases even declined. Subsequent to that time, development activity and traffic levels have begun increasing.

Route 90/Culver Staff Report Comment 3

No information has been provided regarding traffic re-routing or change in mode alternatives.

Response to Comment 3

Modal alternatives were evaluated and determined to not provide sufficient modal shift to obviate the need for the proposed Project. Rather, both transit improvements and the proposed Project in combination (not one as an alternative to the other) were found to be needed to accommodate approved development. For this reason, the Lincoln Boulevard Corridor Transit Enhancement Project is a part of the Playa Vista mitigation program.

Additional system-level alternatives to the Project were evaluated during project development that involved improvements to existing parallel streets and/or freeways. No other opportunities were found to develop a new east-west route within the study area because of right of way, land use, and topographical constraints.

The alternative routes investigated for widening included Jefferson Boulevard, Washington Boulevard, and Venice Boulevard. Jefferson Boulevard will be widened from Route 1 to Centinela Avenue as part of the Playa Vista mitigation program. In addition, the Playa Vista mitigation program includes improvements at key intersections along the Jefferson Boulevard corridor. However, capacity constraints at the Jefferson Boulevard/I-405 interchange limits the effectiveness of these improvements when it comes to connecting Jefferson Boulevard to the regional freeway system. Major widenings along Washington Boulevard and along Venice Boulevard were determined to be infeasible due to residential and commercial land use impacts.

Interstate 10 (Santa Monica Freeway) has been studied for the addition of high-occupancy vehicle (HOV) lanes. Further widenings to add mixed-flow lanes appears infeasible due to right of way impacts and costs. Computer model simulations of a widened I-10 indicated that the widened facility would not divert enough trips away from the central portion of the study area to relieve congestion in the Route 90 corridor.

In summary, when compared to the proposed Project, each of the project traffic alternatives would have greater right of way impacts on residential and commercial uses while providing less congestion relief.

TABLE 1
EXISTING INTERSECTION LEVEL OF SERVICE COMPARISON
CULVER/90 RAMP INTERSECTIONS

Intersection	Peak Hour	1990 Conditions (from 1992 PV 1st Phase EIR) [a]		1998 Conditions (from 2000 Project Report) [b]		2001 Conditions (based on new counts) [b]	
		V/C	LOS	V/C	LOS	V/C	LOS
Route 90 EB Ramps & Culver Bl.	Weekday AM	1.323	F	0.90	D	0.70	C
	Weekday PM	0.943	E	0.95	E	0.95	E
	Saturday PM	n/a		n/a		0.80	D
	Sunday PM	n/a		n/a		0.77	C
Route 90 WB Ramps & Culver Bl.	Weekday AM	0.834	D	0.79	C	0.90	D
	Weekday PM	1.036	F	1.13	F	1.01	F
	Saturday PM	n/a		n/a		0.77	C
	Sunday PM	n/a		n/a		0.93	E

Notes:

- a. Before lane reconfiguration on EB Culver approach to EB on-ramp and implementation of ATSAC.
- b. 1998 and 2001 conditions incorporate lane reconfiguration at Culver/EB ramps and credit for ATSAC.
- c. For illustrative purposes.

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