

CALIFORNIA COASTAL COMMISSION

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Filed: 1/30/02
49th Day: 3/20/02
180th Day: 7/29/02
Staff: AM-LB AM
Staff Report: 7/17/02
Hearing Date: Aug. 6, 2002
Commission Action:

STAFF REPORT: REVISED FINDINGS**APPLICATION NUMBER:** 5-01-262**APPLICANT:** Los Angeles County, Department of Beaches and Harbors**PROJECT LOCATION:** 8255 Vista del Mar, Dockweiler State Beach, City/County of Los Angeles

PROJECT DESCRIPTION: Improvements to Dockweiler State Beach that include demolition and reconstruction of restroom facilities, entry kiosk, public parking lots, access roads, two new lifeguard substations, and portions of a bike path; remodel and addition to the lifeguard and maintenance facility, one restroom facility, and a concession building; installation of 35 full utility hook-ups for an existing 117 space RV parking lot; and the use of 9,600 square feet (26 parking spaces) to house a temporary inner city youth water education program.

DATE OF COMMISSION ACTION: May 7, 2002

COMMISSIONERS ON PREVAILING SIDE: Commissioners Burke, Desser, Dettloff, Hart, Krueger, McClain-Hill, McCoy, Orr, Ruddock, Reilly & Wan

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following revised findings in support of the Commission's action of May 7, 2002 approving the Dockweiler State Beach improvements project. Staff had recommended approval of the proposed project with ten (10) special conditions. The special conditions on this project were required to protect water quality, marine resources, coastal recreation, public views and access along the shoreline.

At the May 7, 2002, hearing, the Commission deleted portions of special condition #1, #2, and #3 and deleted special condition #9 in its entirety. Special conditions #1b and #2b were deleted to remove the requirement to record a deed restriction if the subject land were to be conveyed to another party (**see top of page 25**). This portion of the conditions was deleted because the applicant (L.A. County Department of Beaches and Harbors) does not own the land (the County operates the beaches under a joint powers agreement

with the City of Los Angeles, which leases the land from State Parks) and therefore would not have the authority to execute and record a deed restriction on the property. Special condition #3A, second bullet point, which required the applicant to maintain the restroom facilities during peak summer time months, was deleted because the applicant proposed to provide portable restroom facilities that would adequately accommodate the demand generated by the presence of the public (**see top of page 18**).

Finally, staff agreed to delete special condition #9 in its entirety (**see pages 19-20 and pages 37-38**). Special condition #9 would have required the applicant to re-site the two proposed lifeguard substations landward of the existing bike path. After the applicant's presentation at the May 7, 2002, hearing, the staff agreed that the proposed lifeguard substations were designed to address public safety and that it was necessary to have such public improvements seaward of the bicycle path. The Commission agreed to delete Special condition #9.

LOCAL APPROVALS RECEIVED:

1. City of Los Angeles Zoning Administrator's Interpretation, Case No. 2001-3361(ZAI).

SUBSTANTIVE FILE DOCUMENTS:

1. Joint Powers Agreement No. 25273 between the City of Los Angeles and the County of Los Angeles
2. Final Initial Study/Mitigated Negative Declaration, Dockweiler State Beach Refurbishment Project, by EDAW, Inc., June 2001
3. Preliminary Geotechnical Investigation for the Proposed Dockweiler State Beach General Improvements, Project No. 1990051-01, by Leighton and Associates, April 22, 1999
4. Coastal Engineering Analysis and Wave Run-Up Study, by Concept Marine Associates, Inc., June 23, 2000; amended May 22, 2001
5. Coastal Development Permit No. 5-86-893 (LA County Beaches and Harbors)

I. MOTION, STAFF RECOMMENDATION, AND RESOLUTION:

The staff recommends that the Commission adopt the following motion and resolution:

MOTION:

"I move that the Commission adopt the revised findings in support of the Commission's action on May 7, 2002 in approving coastal development permit application 5-01-262 with conditions."

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote on the motion. Passage of this motion will result in the adoption of revised findings as set forth in this staff report. The motion requires a majority vote of the members from the prevailing side present at the **May 7, 2002** hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings.

RESOLUTION TO ADOPT REVISED FINDINGS:

The Commission hereby adopts the findings set forth below for **Coastal Development Permit application 5-01-261** on the ground that the findings support the Commission's decision made on **May 7, 2002** and accurately reflect the reasons for it.

STAFF NOTE:

Section 30600(b)(1) of the Coastal Act allows local government to assume permit authority prior to certification of a Local Coastal Program. Under this section, local government may establish procedures for the filing, processing, review, modification, approval, or denial of coastal development permits within its area of jurisdiction in the coastal zone. Section 30601 establishes that in certain areas, and in the case of certain projects, a permit from both the Commission and local government is required. Section 30602 states that an action taken by a local government on a coastal development permit application prior to the certification of a Local Coastal Program can be appealed by the Executive Director of the Commission, any person, or any two members of the Commission to the Commission within 20 working days from the receipt of the notice of City action.

In 1978, the City of Los Angeles opted to take its own action on coastal development permits. The Commission staff prepared maps that indicate the area in which Coastal Development Permits from both the Commission and the City are required. This area is commonly known as the "Dual Permit Jurisdiction." Areas in the coastal zone outside the dual permit jurisdiction are known as the "Single Permit Jurisdiction". The City assumes permit jurisdiction for projects located in the single permit jurisdiction. This project (5-01-262) is located within the "Dual Permit Jurisdiction." Therefore, an action on a coastal development permit must be taken from both the City of Los Angeles and the Coastal Commission prior to development.

The applicant received a City of Los Angeles Zoning Administrator's Interpretation, Case No. 2001-3361(ZAI), which allowed the applicant to apply directly to the Coastal Commission without receiving a coastal development permit from the City of Los Angeles.

The City of Los Angeles does not have a certified Local Coastal Program for the Playa del Rey area. The City of Los Angeles submitted its Local Coastal Program in March 1981.

The Commission denied the submitted LCP on December 18, 1981. The City has not planned the submittal of a revised LCP. Therefore, the standard of review is the Chapter 3 policies of the coastal Act.

II. **STANDARD CONDITIONS:**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. **Special Conditions**

1. **Assumption of Risk, Waiver of Liability and Indemnity**

A) By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm events, flooding, and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

B) PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a written agreement in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

2. No Future Shoreline Protective Device

A) By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-01-262 including, but not limited to restrooms, concession stands, life guard towers, life guard substations, maintenance facilities, parking lots, and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

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

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

B) PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a copy of a written agreement by the applicant, in a form and content acceptable to the Executive Director, accepting all of the above terms of subsection A of this condition.

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

A) **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, a final demolition schedule and detailed plans which identify the specific location of demolition staging and equipment storage areas, areas where any demolished structures and excavated soils are proposed to be temporarily stockpiled, and the access corridors to the project site. Said plans shall include the following criteria and limitations specified via written notes on the plan:

- a. In order to reduce adverse impacts on public access and recreation, the construction phase of the beach improvements project at Dockweiler State Beach shall be limited during peak summer time months (between Memorial Day weekend and October 31 of each year). During the peak summer time months the following restrictions shall apply:
 - No construction of any kind shall take place during weekends or holidays
 - During the demolition and reconstruction of the parking lots, the project shall be phased to ensure that one-half ($\frac{1}{2}$) of each of the five parking lots is open for public use.
- b. During non-peak winter months (from November 1 through the Thursday before Memorial Day weekend) at least one-half ($\frac{1}{2}$) of two (2) of the five (5) parking lots shall be available for public use. Staging areas shall not be included in the available half of the parking lot. One of the parking lots shall be located in the northern portion of Dockweiler State Beach and one shall be located in the southern portion of Dockweiler State Beach. If restrooms are not available at the open parking lots, chemical toilets shall be provided. Appropriate signage shall be posted at remaining lots where public access is not provided, which directs the public to available parking spaces in the open parking lots.
- c. During all times of the improvement project beach and recreation area closures shall be minimized and limited to areas immediately adjacent to the project area (within 50 feet of the project). All beach areas and recreation facilities outside of the 50-foot radius shall remain open and available for public use during the normal operating hours (unless they are closed pursuant to a Commission-approved coastal development permit or permit amendment).
- d. During all times of the improvement project public access to and along the beach bicycle path shall be maintained at all times, except for temporary interruptions (5 minutes or less) for truck and equipment crossing. In the

event that the bicycle path must be closed for periods longer than five minutes, the applicant shall submit, for review and approval of the Executive Director, a beach bicycle path detour to bypass the project site during demolition and construction. No sand area may be paved for any detour. The detour plan approved by the Executive Director shall be implemented prior to closing the existing beach bicycle path.

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

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

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

A) **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the construction project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated with construction to receiving waters. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- a. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- b. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction.
- c. Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters.

- d. All mechanized machinery shall be removed from the beach at the end of the working day. No storage of mechanized equipment is allowed on the beach.
- e. No disturbance or use of areas below the mean high tide line is permitted for the construction of the proposed development.
- f. Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean
- g. All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.
- h. If the debris disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

B) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:

- a. The applicant shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible.
- b. The applicant shall develop and implement spill prevention and control measures.
- c. The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50 feet away from a storm drain, open ditch or surface water.
- d. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.

- e. Temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence, snow fences, or hay bales, and silt fencing.
- f. Stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.
- g. Prior to final inspection of the proposed project the applicant shall ensure that no gasoline, lubricant, or other petroleum-based product was deposited on the sandy beach or any beach facility. If such residues are discovered in the beach area the residues and all contaminated sand shall be properly removed and disposed in an appropriate facility.
- h. These erosion control measures shall be required on the project site prior to or concurrent with the initial construction operations and maintained throughout the development process to minimize erosion and sedimentation from the runoff waters during construction. The above requirements (Special condition #4) as well as the below requirements found in Special Condition #5 shall be attached to all final construction plans.

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

5. Water Quality Management Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed water quality professional, and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

Water Quality Goals

- a. Appropriate structural and non-structural BMPs shall be designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site.

- b. Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- c. Runoff from all roofs, parking areas, maintenance areas, RV parking lots and driveways shall be collected and directed through a system of appropriate structural and/or non-structural BMPs. The filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.

Parking Lots, Vehicle and Equipment Service and Maintenance Areas

- a. The WQMP shall provide for the treatment of runoff from parking lots using appropriate structural and non-structural BMPs. At a minimum this must include a bioswale and/or filter designed specifically to minimize vehicular contaminants (oil, grease, automotive fluids, heavy metals), sediments, and floatables and particulate debris.
- b. The applicant shall regularly sweep all parking lots and vehicle maintenance surfaces and shall, at a minimum, sweep all parking lots on a weekly basis in order to prevent dispersal of pollutants that might collect on those surfaces.
- c. Impervious areas within the vehicle equipment and service maintenance area shall be properly contained with asphalt or cement berms to prevent spills from reaching the beach or receiving waters. In addition, a standing cover shall be placed over all fuel pumps located in the vehicle and maintenance area.
- d. The detergents and cleaning components used on site shall comply with the following criteria: they shall be phosphate-free, biodegradable, and non-toxic to marine wildlife; amounts used shall be minimized to the maximum extent practicable; no fluids containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye shall be used.
- e. The applicant shall not spray down or wash down the parking lot unless the water used is directed through the sanitary sewer system or a filtered drain.

RV Hook-ups

- a. The applicant shall design and implement BMPs to ensure sewage or other pollutants from the 35 new RV hook-ups do not come into contact with storm water runoff or nuisance flow and do not contaminate receiving waters.

BMPs shall include, but are not limited to, berms around the hook-up lines to contain spills if they occur; spill prevention, containment, and clean-up measures; education of RV hook-up users about the proper methods of use and pollution prevention; regular monitoring and maintenance at a frequency described in the WQMP; regular inspection of hook-ups to ensure any spills are contained as soon as possible.

Kiosks and Food Stands

- a. If located outdoors, wash down areas for equipment and accessories shall be covered, paved, have primary containment, and be connected to the sanitary sewer.
- b. The applicant shall use trash and recycling containers that, if they are to be located outside or apart from the principal structure, are fully enclosed and watertight in order to prevent storm water contact with waste matter, which can be a potential source of bacteria, grease, and other pollutants in runoff.
- c. When feasible, the above restriction on kiosks and food stands shall be incorporated into a lease agreement with the concessionaire or operator of such facilities so that such requirements are binding to them.

B. Monitoring and Maintenance

All BMPs shall be operated, monitored, and maintained for the life of the project. At a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, at the following minimum frequencies: (1) prior to October 15th of each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season (between April 16 and October 14).

- a. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- b. All inspection, maintenance and clean-out activities shall be documented in an annual report submitted to the Executive Director no later than June 30th of each year. This report shall be submitted for the first three years following the completion of development, biannually thereafter unless the executive director determines that no additional reports are necessary.
- d. It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification.

C. The permittee shall undertake development in accordance with the approved final plan and schedule and other requirements. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal

development permit unless the Executive Director determines that no amendment is required.

6. **Permanent Construction Material**

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

7. **Riprap Construction**

The applicant shall not remove, replace, or add additional riprap to the existing sloped area of the revetment wall located above Ballona Creek. The only revetment work authorized by this Coastal Development Permit is the construction of a 2-foot by 2-foot key at the top of the existing slope that conforms to the existing riprap surface (as shown on page C124 of the submitted project plans).

8. **Landscaping Plan**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant will submit, for the review and written approval of the Executive Director, a landscaping plan prepared by a qualified biologist or licensed landscape architect. The plan shall include the following:

- a. No invasive species (with the exception of existing landscaping left in place) will be employed 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 Plant Pest 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.
- b. New vegetation planted on the site shall consist of a mixture of native (Southern California coastal dunes and prairies) and ornamental non-invasive plant species. The applicant shall not incorporate removed invasive plant species (e.g., *Washingtonia robusta*) anywhere on the project site.
- c. The site shall be stabilized immediately with jute matting or other BMPs after any grading occurs to minimize erosion during the raining season (November 1 to March 31) if plantings have not been fully established.

B. The plan shall include, at a minimum, the following components:

- a. A map showing the types, size, and locations of all plant materials that will be on the site, the temporary irrigation system, topography of the developed site, and all other landscape features;
- b. A schedule for installation of native plants/removal of non-native plants;

- c. An identification of seed sources and plant communities of the plants planned to be employed;

C. Five years from the date of approval for Coastal Development Permit No. 5-01-262 the applicant or successor in interest shall submit, for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

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

9. **Inner City Youth Water Education Program**

This permit authorizes the use of 9,600 square feet of parking (up to 26 spaces) to erect one double-wide trailer and three storage containers for the W.A.T.E.R (inner city youth water education program) for no more than two years from the date of approval for coastal development permit 5-01-262. The area shall only be used for the W.A.T.E.R. program. No other storage or office use besides that which is required by the W.A.T.E.R program is authorized. After the two year period the applicant shall remove all containers, trailers, and equipment and restore the area for public parking, unless an extension of time is approved by the Commission as an amendment to this permit.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The proposed project is a major beach facilities improvement to Dockweiler State Beach (Exhibit #1 & #2). Dockweiler State Beach is an approximately four mile stretch of beach located between Playa Del Rey to the north and El Segundo and Manhattan Beach to the south. The beach facilities include 5 separate restrooms, a concession building, 5 separate parking lots (including an R.V. parking facility) with a total of 1,831 parking spaces, access roadways, an entry kiosk, lifeguard headquarters and maintenance building, and two lifeguard substations (as further discussed below) (Exhibit #3).

Dockweiler State Beach is one of the most visited State Beaches in California, with over 10.7 million visitors annually.¹ Major transportation corridors or regional connections including the 105 Freeway/Imperial Highway, Culver Boulevard, Manchester Avenue, and the coastal route, Vista del Mar, link inland areas directly to the State Beach. Dockweiler State Beach is bordered to the north by Ballona Creek and Venice, to the south by El Segundo and Manhattan Beach, to the east by Los Angeles International Airport (LAX), and to the west by the Pacific Ocean. The beach lies directly under the flight path of LAX.

The applicant has stated that the beach facilities are old and in need of repair and replacement due, in part, to the age of the beach facilities, in some cases approximately 50 to 60 years old. The improvement project, for simplicity's sake, can be divided into nine sections: 62nd St. Parking Lot/Culver Restroom, Gillis Restroom, Life guard and Maintenance Facility, Parking Lot #3, Deauville Restroom, Parking Lot #1 and #2, Kilgore Restroom/Concession Stand, Main Entrance, and R.V. Parking Lot (Exhibit #3). Below is a summary of the proposed beach improvements by section, from the northern boundary of the proposed project to the southern boundary.

- **62nd St. Parking Lot/Culver Restroom**
 - Remove and replace 18" wide strip of pavement above existing riprap (above Ballona Creek) for a new curb.
 - Remove and replace wheel stops
 - Reslurry and repave existing parking lot
 - Add riprap wingwall on top of existing riprap (not on the sloped portion of the revetment wall)
 - Remove and replace roof of existing restroom and remove 880 square feet of paving and a power pole wall surrounding the restroom
 - Demolish a 2-level lifeguard substation with an approximately 200 square foot footprint and construct a new two-level, approximately 22-foot high lifeguard substation (approximately 650 square foot footprint) with a heater room, two

¹ Design Narrative, Isidore B. Dockweiler State Beach General Refurbishment Program, by Gruen Associates, September 20, 2001

shower rooms, a restroom, and garage on the first level and a lookout tower and deck on the second level (approximately 2,500 total square feet)

- Gillis Restroom
 - Demolish and reconstruct the restroom facility further inland of existing location
 - Repave access road
 - Pave sidewalks connecting the access road and bike path to the restroom facility
 - Remove power pole wall surrounding restrooms and landscaping and construct a 16" high seat wall
 - Relocate existing palm trees
- Lifeguard and Maintenance Facility
 - Interior remodel to the existing lifeguard headquarters/offices and maintenance facilities
 - Add 10 new parking spaces and two-space lifeguard garage
 - Demolish and repave the maintenance yard
 - All remodel and additions are located within the existing facility and no increase in existing height
- Parking Lot #3
 - Demolish the existing parking lot and access road and repave and add nine new handicapped parking spaces
- Deauville Restroom
 - Demolish the access road, paved walkways, and restroom facility seaward of the existing bike path and construct a new restroom, access road, and sidewalk inland of the existing bike path
- Parking Lot #1 and #2
 - Demolish and repave entire parking lot #2 and access road and demolish and repave portions of parking lot #1
- Kilgore Restroom/Concession Stand
 - Demolish restroom facility and paving and construct a new restroom facility
 - Demolish the roof of the concession facility and construct a new roof and remodel interior of the existing concession facility
 - Construct nine tables with chairs for public/concession eating area, a new playground area, landscaping, paving, and a 16" high seat wall
 - All new facilities are proposed within the existing restroom/concession stand area
- Main Entrance/Imperial Lifeguard Substation
 - Demolish entry and access way, entry gate, and entry kiosk and construct a new entry and access way and new kiosk
 - Construct a new 18-foot high entry monument sign

-Demolish a two-level lifeguard substation with an approximate footprint of 200 square feet and construct a new two-level, approximately 22-foot high, lifeguard substation (approximately 830 square foot footprint) including a garage, bathroom, 2 locker rooms, 2 showers rooms, and heater room on the first level and an observation tower and deck (approximately 2,500 total square feet)

- R.V. Parking Lot

- Demolish existing restroom and surrounding concrete and construct a new restroom

- Demolish approximately 200 feet of the existing bike path and construct the bike path in a similar location

- Upgrade the remaining 35 R.V. spaces with full utility hook-ups (currently 82 of the 117 spaces have full utility hook-ups)

B. Public Access

Sections 30210, 30211, 30213, and 30220 of the Coastal Act require that new development provide maximum public access and recreation and avoid interference with the public's right of acquired access

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

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

Section 30213 of the Coastal Act states, in part:

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

Section 30220 of the Coastal Act states:

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

As stated previously, Dockweiler State Beach is one of the most visited State Beaches in California, with over 10.7 million visitors annually. Regional connectors, such as the 105 Freeway/Imperial Highway, Culver Boulevard, Manchester Avenue, and Vista del Mar link inland areas directly to the beach (Exhibit #2). There are currently 1,831 public parking spaces located in five separate parking lots adjacent to the beach. The beach contains restroom and concession facilities, playground areas, volleyball courts, fire rings, and a regional bike path. The regional bike path, the Marvin Braude Bicycle Trail, connects Torrance Beach to the Pacific Palisades, crossing every coastal city/town in Santa Monica Bay. The proposed project includes major structural and grading work along this stretch of Dockweiler State Beach. The proposal includes demolition of restroom facilities, parking lots, access roads, and a 200-foot portion of the bike path located on or adjacent to the beach. The project also includes removing and replacing the roof on an existing concession stand and restroom and the remodel and addition to the lifeguard headquarters and maintenance facility. The project will temporarily disrupt public access to this recreational area by the demolition of beach facilities and the stockpiling of debris and equipment storage. The anticipated schedule for the proposed improvements project is approximately 11 months.

The Commission requires special conditions for this project to limit the disruption and ensure that public access to this beach remains open and clear for recreational uses. The peak beach use season runs through the summer from May to October (typically from the start of Memorial Day weekend to October 31). As previously stated, the proposed project requires the demolition or repair of portions of all the beach facilities. Mechanized equipment is required for the project, as well as disposal routes and staging and stockpile areas. It is anticipated that construction staging will take place immediately adjacent to each construction site or, within the first five months of the project, primarily in the R.V. parking lot.² Therefore, during the construction phase of the project there would be a temporary impact to public access.

The applicant has stated that the construction phase will take approximately 11 months and that it is necessary to continue construction through the summer months. The Commission has, in past permit approvals, limited construction during the peak summer months. The applicant has stated that ceasing construction during the peak summer months would greatly increase the cost of the project, making it infeasible to complete. They have, however, stated that they are willing to stage the project so that there would be continued beach access (public parking, open bike trails, restroom facilities, etc...) throughout the peak summer months. Therefore, in order to reduce the project's impacts on coastal access and limit the disruption of the recreational uses at Dockweiler State Beach a condition of approval that restricts demolition and construction is required.

Special Condition #3 requires the applicant to submit a final demolition schedule and detailed plans identifying the specific location of demolition staging and storage areas and stockpile fill areas. Special condition #3 also limits the construction period during both peak summer months and non-peak winter months. During the peak summer months

² Final Initial Study/Mitigated Neg. Dec., Dockweiler State Beach Refurbishment Project, by EDAW, Inc., June 2001

(between Memorial Day weekend and October 31) no construction of any kind shall take place during the weekends or holidays. The applicant has stated that they will provide portable restroom facilities if such permanent facilities are demolished or unavailable for public use during the peak summertime months. Also, during the demolition and construction of parking lots, the project shall be phased to ensure that one-half of each of the five parking lots is open for public use. This allows the applicant to continue constructing half of each of the parking lots while maintaining public beach parking in the other half. The portion of the lot available for public use shall not be used for storage or stockpiling of construction material or equipment.

Between November 1 and the Thursday before Memorial Day weekend (non-peak winter months) at least one-half of two of the five parking lots shall be available for public parking. One of the lots shall be located in the northern section of Dockweiler State Beach and the other parking lot shall be located in the southern section of Dockweiler State Beach. Therefore, no more than three of the lots at any given time could be completely restricted from the public. The two remaining parking lots would then only need to provide one-half the existing parking spaces. This would allow for adequate parking for winter demand for this area as, through staff observation, these parking lots are underutilized during the non-peak winter months. Appropriate signage shall then be posted directing the public to available parking spaces in open parking lots. In addition, during the non-peak winter months, chemical toilet facilities shall be placed at open parking lots if existing restrooms are not available.

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

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

surfaces. These areas shall be fenced-off to prevent any encroachments of equipment or debris within 100 feet of the mean high tide line

- Truck and heavy equipment access corridors to the project site shall be located in a manner that has the least impact on public access and existing public parking areas.

The applicant is proposing to demolish the existing Culver and Imperial lifeguard substations, which have a footprint of approximately 200 square feet. The applicant has proposed to construct two new lifeguard substations in the same location, including restrooms, showers, locker rooms, storage rooms, and garages. The proposed footprint of the Culver substation would be 650 square feet and the proposed footprint of the Imperial substation would be 830 square feet. The proposed siting of the two lifeguard substations was found to be the superior alternative for several public safety and public improvement purposes that would benefit the recreational experience at Dockweiler State Beach.

The applicant first reviewed the alternatives of relocating the substations inland of the existing locations. Dockweiler State Beach is a wide sandy beach with widths of up to approximately 400 feet. In addition, the beach profile slopes steeply at the water's edge. Both the wide beach and the steep sloping beach profile create a difficult situation for lifeguards to adequately monitor beach safety. Re-siting the substations further landward of the existing location would make it difficult to monitor the shoreline and near-shore waters for public safety purposes. If the substations were located, for example, behind the existing bike path the line of sight from the substation to the water would be blocked by the wide beach and the drop in elevation at the water's edge. However, the proposed location would allow lifeguard personnel to adequately monitor the shoreline for public safety.

The other alternative reviewed by the applicant and Commission staff was to rebuild the substations using the same footprint of approximately 200 square feet. The proposed project includes demolishing the existing substations and constructing new substations with approximately 650 and 830 square foot footprints, respectively. The reason for the large increase in the footprints is to allow for the construction of restroom, shower, locker room, and first aid facilities as well as an enclosed garage in each of the two lifeguard substations. The applicant has stated that the existing substations were not constructed to allow for long-term daily use during all weather conditions. During winter time and non-peak beach use periods the only staffed lifeguard towers are the two lifeguard substations. Therefore, there would only be two towers to monitor the approximately four-mile stretch of beach. The applicant has stated, and the Commission concurs, that allowing the increase in footprint to provide amenities to the lifeguard substation would benefit public safety and recreation by creating an all-weather station that can be staffed at all times, including during periods of inclement weather and non-peak beach use periods. In addition, the proposed lifeguard substations would include hot, running water and an emergency first aid room. Hot water is one of the only treatments for sting ray injuries. The applicant has stated that sting ray injuries frequently occur during the busy summer time months.

For the above reasons, the Commission finds that the proposed lifeguard substations located in the location of the existing substations would benefit public safety and recreation at Dockweiler State Beach.

The applicant has also requested to use 9,600 square feet (26 spaces) for the temporary location of the County's inner city youth water education program (W.A.T.E.R Program). Currently the program is housed in Marina del Rey. The applicant has stated that the proposal allows room for expansion of the youth program. The facility would include one double-wide trailer and three storage containers. The placement of these facilities in the public beach parking lot would reduce the total number of parking available. However, the selected parking lot contains a total of 475 spaces. The reduction of 26 spaces will leave a total of 449 public parking spaces in this parking lot and an overall parking supply of 1,824 spaces in Dockweiler State Beach. In addition the education program will allow inner city youth to experience and enjoy this coastal area that otherwise may not be available without the facility.

As indicated above, the inner city youth water education program would decrease the number of available public parking spaces. The facility would also allow inner city youth to enjoy and experience Dockweiler State Beach. However, the program could impact public access. Therefore, the Commission imposes Special Condition #10, which authorizes the use of 9,600 square feet of parking (up to 26 spaces) to erect one double-wide trailer and three storage containers for the W.A.T.E.R (inner city youth water education program) for no more than two years from the date of approval of coastal development permit 5-01-262. Special condition#10 further requires that the area only be used for the W.A.T.E.R. program and no other storage or office use besides that which is required by the W.A.T.E.R program is authorized. After the two year period the applicant shall remove all containers, trailers, and equipment and restore the area for public parking, unless an extension of time is approved by the Commission as an amendment to this permit.

Therefore, only as conditioned to reduce the impacts that temporary construction of the beach improvements project and the temporary W.A.T.E.R. Program would have on public access and recreation is the proposed project consistent with Section 30210, 30211, 30213, and 30220 of the Coastal Act.

C. Hazards/Future Shoreline Protective Devices

Section 30253 states in part:

New development shall:

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

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding

area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Wave Impact, Storm Events, and Flooding Hazards

The subject property is located at the central portion the Santa Monica Bay, between the Marina del Rey entrance channel to the north and El Segundo and Manhattan Beach to the south (Exhibit #1 & #2). The subject beach varies in width from approximately 250 feet to approximately 375 feet. The proposed project is an extensive beach improvement project that includes most all of the amenities at Dockweiler State Beach. The width of the beach provides this area a measure of protection from wave hazards. However, beach erosion is seasonal and is subject to extreme storm events that may expose the project to wave up-rush and subsequent wave damage.

The especially heavy wave action generated during the 1982-83 El Nino winter storms and again in 1988 caused extensive beach erosion throughout Southern California. In both years Dockweiler State Beach was eroded but wave action and water did not damage the beach facilities (restrooms, concession stand, and parking lots). Portions of the Marvin Braude Bike Trail did sustain some damage from these severe storm events.

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

Section 30253 requires applicants to site projects to lessen the risks due to hazards. In this case those risks are from waves, storm events, erosion, and flooding. The project includes demolishing four existing restrooms and constructing new restrooms, remodeling an existing restroom, remodeling an existing concession stand, demolishing and repaving parking lots, and demolishing and constructing two new lifeguard substations. The applicant has submitted a Coastal Engineering Analysis and Wave Run-Up Study by Concept Marine Associates, Inc. The analysis used an extreme high water level for the shoreline (recorded during a 1982 El Nino storm event) and included an additional 0.75 feet for possible sea level rise. The analysis concluded that the predicted wave run-up using a 25-year storm and an extreme water level for the Dockweiler shoreline is 13.28 feet using the National Geodetic Vertical Datum (NGVD). Of the eight buildings located on Dockweiler State Beach that are a part of this project two lie below the predicted run-up level, the Culver restroom and the Kilgore concession stand. The Culver restroom is located at elevation 11.70 feet (NGVD) and the Kilgore concession stand is located at 13.20 feet (NGVD). However, the applicant has proposed only to remove and replace the roof and remodel the interior of both the restroom and concession stand and not to demolish and reconstruct them. The wave run-up analysis concludes:

The predicted wave run-up using a 25-year storm and extreme water level for this shoreline was found to be 13.28 feet NGVD. This run-up level was found to be higher than two of the existing structures that are planned to remain at their current locations and elevations. However, the construction of protective sand berms throughout the winter and the location of the building back from the beach face has allowed them to exist for 30 years without structural damage having been observed. It is recommended that the construction of the sand berms be continued to assist in the protection of low-lying improvements along Dockweiler State Beach. Due to the occurrence of significant beach recession that varies from year to year, it is further recommended that the Lifeguard Substations be constructed with pile foundations. This is due to the need to place these structures on the top of the beach face which is susceptible to beach recession.³

The Commission's coastal engineer has reviewed the wave run-up study and concurs with the analysis.

Because the project site may be subject to significant wave hazards, storms, flooding, or erosion if conditions change (e.g. sea level rise, beach erosion, extreme storm events, etc.) Special Condition #1 requires the applicant to acknowledge and agree that the project site (Dockweiler State Beach) and improvements are located in an area that may be subject to flooding and wave run-up hazards and to assume the risks to the applicant and the property subject to this permit. With this standard waiver of liability condition, the applicant is also notified that the Commission is not liable for such damage as a result of approving the permit for development. In the event that the property is conveyed to another party, the applicant must record an assumption-of-risk deed restriction on the property.

No Future Shoreline Protective Device/Ballona Creek Revetment

Section 30235 of the Coastal Act states:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

The Coastal Act limits construction of protective devices because they have a variety of negative impacts on coastal resources including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach and coastal access. Under Section 30235 of the Coastal Act, a shoreline protective structure must be approved if: (1) there is an

³ Coastal Engineering Analysis and Wave Run-Up Study, by Concept Marine Associates, Inc., June 23, 2000

existing principal structure in imminent danger from erosion; (2) shoreline altering construction is required to protect the existing threatened structure; and (3) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply.

Section 30235 requires the Commission to approve shoreline protection for development only for existing principal structures. The construction of a shoreline protective device to protect new development would not be required by Section 30235 of the Coastal Act. In the case of the current project, the applicant does not propose the construction of any shoreline protective device to protect the proposed development. It is not possible to completely predict what conditions the proposed structure may be subject to in the future. Consequently, it is conceivable the proposed structure may be subject to wave run-up hazards that could lead to a request for a protective device.

Shoreline protective devices can result in a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, shoreline protective devices can cause changes in the shoreline profile, particularly changes in the slope of the profile resulting from a reduced beach berm width. This may alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on public property.

The second effect of a shoreline protective device on access is through a progressive loss of sand as shore material is not available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. A loss of area between the mean high water line and the actual water is a significant adverse impact on public access to the beach.

Third, shoreline protective devices such as revetments and bulkheads cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. As set forth in earlier discussion, this portion of Dockweiler State Beach is currently characterized as having a wide sandy beach. However, the width of the beach can vary, as demonstrated by severe storm events. The Commission notes that if a seasonal eroded beach condition occurs with greater frequency due to the placement of a shoreline protective device on the subject site, then the subject beach would also accrete at a slower rate. The Commission also notes that many studies performed on both oscillating and eroding beaches have concluded that loss of beach occurs on both types of beaches where a shoreline protective device exists.

Fourth, if not sited in a landward location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy. Finally, revetments,

bulkheads, and seawalls interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events, but also potentially throughout the winter season.

Section 30253 (2) of the Coastal Act states that new development shall neither create nor contribute to erosion or geologic instability of the project site or surrounding area. Therefore, if the proposed structure requires a protective device in the future it would also be inconsistent with Section 30253 of the Coastal Act because such devices contribute to beach erosion (as mentioned above).

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

To further ensure that the proposed project is consistent with Sections 30235, 30253, and the access and recreation policies of the Coastal Act, and to ensure that the proposed project does not result in future adverse effects to coastal processes, the Commission imposes Special Condition #2 which requires the applicant to agree that no future shoreline protective device ever be constructed to protect any portion of the proposed project including, but not limited to restrooms, concession stands, life guard towers, life guard substations, maintenance facilities, parking lots, and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. Special Condition #2 also requires the applicant to remove the development authorized by this permit, including restrooms, concession stands, life guard towers, life guard substations, maintenance facilities, and parking lots, if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site.

Finally, Special Condition #2 requires that in the event the shoreline recedes to within 10 feet of the development authorized by this permit, but no government agency has ordered that the structures not be occupied, a geotechnical investigation shall be prepared by a licensed coastal engineer and geologist retained by the permittee. The report shall address whether any portion of the structures are threatened by wave, erosion, storm conditions, or other natural hazards. If the geotechnical report concludes that the development authorized by this permit or any portion of the development are unsafe, the permittee shall, in accordance with a coastal development permit, remove the threatened portion of the structure.

In past Commission action, public agencies that are required to assume the risk of development in a hazardous area (Special Condition #1) and agree to a no future shoreline protective device condition (Special Condition #2) were required to also agree to execute and record a deed restriction on the subject property if such property were to be conveyed to another entity. In this case however, the Commission does not impose such a condition on the applicant because the applicant does not own the land subject to Coastal Development Permit 5-01-262. Dockweiler State Beach, the land subject to this permit, is owned by the State of California and leased to the City of Los Angeles. The applicant, Los Angeles County Department of Beaches and Harbors, maintains Dockweiler State Beach under Joint Powers Agreement No. 25273 between the City of Los Angeles and the County of Los Angeles. Therefore, the applicant does not hold title to the land and could not record a deed restriction on the subject property.

Ballona Creek Revetment

The applicant has also proposed to construct a new concrete curb and paving adjacent to the existing revetment above Ballona Creek. The proposal includes the construction of a riprap and wingwall that will match the existing surface of the 62nd Street parking lot. No work is proposed on the existing slope of the riprap revetment above Ballona Creek. To ensure that no removal, replacement, or addition to the existing slope of the riprap occurs the Commission imposes Special Condition #7. Only as conditioned to restrict any removal or additions to the existing riprap slope is the project found consistent with Section 30235.

Lifeguard Substations

The Commission must find that the proposed project minimizes risks to life and property in areas of high geologic, flood, and fire hazard and assures stability and structural integrity, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area. The applicant proposes to demolish two, two-level lifeguard substations (the Culver substation and Imperial substation) and construct two larger, two-level lifeguard substations in the locations on the sandy beach that they presently occupy (Exhibit #6). The wave run-up analysis submitted by the applicant states:

Due to the need for the lifeguard substation to be positioned near to the shoreline, they (sic) substations have been placed at the top of the initial beach slope. Although this placement results in elevations well above the predicted run-up level, the prominent location of these structures results in an increased exposure to storm, wind and wave attack. Due in part to the increased wave energy and water levels present during a typical winter, the beach along Dockweiler has been observed to recede, as discussed above. This beach recession varies from year to year and poses a slight risk to the lifeguard substations placed along the top of the beach face. Due to the possibility of loosing the soils surrounding the foundations of the substations it is recommended that these structures be placed on piles to assist in the prevention of structural damage due to the possible beach recession.

The applicant is proposing to demolish the existing Culver and Imperial lifeguard substations, which have a footprint of approximately 200 square feet. The applicant has proposed to construct two new lifeguard substations in the same location, including restrooms, showers, locker rooms, storage rooms, and garages. The proposed footprint of the Culver substation would be 650 square feet and the proposed footprint of the Imperial substation would be 830 square feet.

As indicated in the wave run-up study submitted by the applicant, the two proposed lifeguard substations would be susceptible to possible wave run-up. The applicant has not proposed any protective devices for the proposed project and has indicated that they will not request protective devices for the proposed project at any time. To further ensure that no protective devices are constructed for the proposed project, the Commission imposes Special Condition #2, which requires the applicant to agree that no future shoreline protective device will ever be constructed to protect any portion of the proposed project including, but not limited to, restrooms, concession stands, life guard towers, life guard substations, maintenance facilities, parking lots, and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future.

Also, the lifeguard substations may be subject to flooding hazards from sea level rise, beach erosion, and extreme storm events. Therefore, Special Condition #1 requires the applicant to acknowledge and agree that the project site (Dockweiler State Beach) and improvements are located in an area that may be subject to flooding and wave run-up hazards and to assume the risks to the applicant and the property subject to this permit.

Erosion Control Measures

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion via rain, surf, tide, or wind could result in possible acceleration of erosion of the beach. Special Condition #4 requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. The applicant shall follow both temporary and permanent erosion control measures to ensure that the project area is not susceptible to excessive erosion.

Therefore, the Commission imposes Special Condition #4, which requires the applicant to incorporate construction-related Best Management Practices (BMPs) prior to or concurrent with any development. Such requirements are discussed in more detail in the Water Quality section below.

Therefore, by imposing Special Conditions #1, #2, #4, and #7, which address development in a hazardous area, future protection devices, erosion control, the disposal of materials outside of the coastal zone, and limiting revetment repair above Ballona Creek, the Commission finds that the project is consistent with Section 30253, 30235, and the access and recreation policies of the Coastal Act.

D. Water Quality

Section 30230 of the Coastal Act states:

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

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

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

The subject property is located at the middle point along the Santa Monica Bay shoreline. Santa Monica Bay has received recognition as an estuary of ecological importance. Under the Clean Water Act, 1977 and the Water Quality Act, 1987 Congress established the National Estuary Program (NEP). The Santa Monica Bay is an estuary participating in this program which provides a mechanism for coordination action. The Santa Monica Bay Restoration Program (SMBRP) was created to develop a Comprehensive Conservation and Management Plan for the Bay. The Plan addressed habitat and water quality concerns within the Bay through a long-term watershed management strategy.

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

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

Construction Impacts to Water Quality

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain, surf, tide, or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of machinery in coastal waters not designed for such use may result in the release of lubricants or oils that are toxic to marine life. Sediment discharged to coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, Special Condition #4 outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris.

Special Condition No. 4 requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. This condition requires the applicant to submit a Construction Best Management Practice Plan. Special Condition #4 requires the applicant to include the following requirements:

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

- Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction.
- Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters.
- All mechanized machinery shall be removed from the beach at the end of the working day. No storage of mechanized equipment is allowed on the beach.
- No disturbance or use of areas below the mean high tide line is permitted for the construction of the proposed development.
- Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean
- All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

In addition, Special Condition #4 requires the implementation of Best Management Practices designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity prior to the onset of construction. Such measures include the following:

- The applicant shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible.
- The applicant shall develop and implement spill prevention and control measures.
- The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50 feet away from a storm drain, open ditch or surface water.

- The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.
- Temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence, snow fences, or hay bales, and silt fencing.
- Stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.

Water Quality Management Plan

The proposed project includes the demolition of parking lots, four restroom facilities, two lifeguard substations, and paving and construction of new parking lots, restrooms, and lifeguard substations and the remodel and addition to one restroom, a concession stand, and a lifeguard headquarters and maintenance facility.

As stated previously, the beach facilities at Dockweiler State Beach are approximately 50 years old and, as stated by the applicant, in need of repair. Most of the beach facilities would be demolished and rebuilt. Currently, water runoff drains in sheet flows across the beach facilities onto the beach and into the ocean. Since these beach facilities were constructed decades ago, the project site is lacking in water quality measures to treat or filtrate storm water runoff that leaves the site and enters the coastal waters. Typically, runoff from parking lots and maintenance yards contain high concentrations of oils, grease, heavy metals, and other automobile fluids, as well as trash and particulate debris. Currently, there is no storm drain or water quality filtration infrastructure in the parking lots. Also, runoff from R.V. hookup areas may contain bacteria or pathogens. When contaminated runoff drains through sand, the pollutants may still reach ocean waters; therefore, it is necessary to treat or filter the water runoff prior to discharging into sandy areas.

The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require Special Condition #5. This special condition requires the incorporation of Water Quality

Management Plan designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site. The Water Quality Management Plan (Special Condition #5) requires the implementation of appropriate Best Management Practices for all aspects of the project including parking lots, R.V. parking lots, access roads, concession stands, restrooms, and the vehicle and maintenance yard.

Critical to the successful function of post-construction structural BMPs in removing pollutants in storm water to the Maximum Extent Practicable (MEP) is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small in scale. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost. Therefore, post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.

The Commission notes that BMPs are very new in design and some are still in the experimental stage and the applicant may determine that another method is more effective after the completion of the project. A key factor in the continued effectiveness of structural BMPs is regular and adequate maintenance and monitoring of the implemented system. Also, by implementing a monitoring program the applicant can ensure, through an annual report submitted to the Executive Director for no less than three years, that the proper type and design of BMPs were selected to comply with the Water Quality Management Plan (Special Condition #5).

Special Condition #5 requires that all BMPs be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and when necessary, repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season. Debris and other water pollutants removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner. Where feasible and appropriate provisions addressing the kiosks and concession stands shall be incorporated within the concessionaires lease agreement. This may not be possible until a new lease is required (as late as 2005). At this time such provisions shall be incorporated into the new lease agreement.

Permanent Construction Material

The applicant has proposed to remove power pole walls and construct concrete seat walls. In addition, the applicant has proposed to construct benches, playground areas, walkways, lifeguard substations, restrooms, and other beach facilities located on or adjacent to the sandy beach. However, during construction certain construction materials are used that were unforeseen during project development. In some cases items such as telephone

poles, railroad ties, and other oil based materials are used. Water and sand contact could leach out contaminants from such items and direct them into the ocean. According to the California Department of Fish and Game, the use of any petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, or carbonaceous materials is typically prohibited for use in State Waters. Creosote is included in this category. Special Condition #6 prohibits the applicant to use any of the following materials in the proposed structures: petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, including creosote, or carbonaceous materials or substance.

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

E. Project's Relation to the Airport Dunes and Ballona Wetlands
Environmentally Sensitive Habitat Areas

Section 30107.5 of the Coastal Act defines Environmentally Sensitive Habitat Areas as:

Environmentally sensitive area" means 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.

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

Dockweiler State Beach is an approximately four mile stretch of beach that consists of public parking lots, restroom and concession facilities, lifeguard towers, and maintenance facilities. The beach extends from Ballona Channel (to the north) to El Segundo and Manhattan Beach (to the south). The beach and beach facilities are located below an approximately 20-foot high bluff that was created for the construction of sewer lines and Vista del Mar. This bluff is vegetated with predominantly invasive grasses and ice plant. Landscaping surrounding the beach facilities consists of turf grass, ornamental shrubs, and several mature Mexican Fan Palms (*Washingtonia robusta*). Directly landward of the project are the El Segundo Dunes ("Airport Dunes"), which contain sensitive dune habitat,

and the Playa Vista wetlands, which are located less than one mile inland from the northern end of Dockweiler State Beach and contain both wetlands habitat and coastal dune species. Both the El Segundo dunes and the Playa Vista wetlands are considered Environmentally Sensitive Habitat Areas (ESHA).

The El Segundo Dunes, also known as the Airport Dunes, cover approximately 302 acres. The dunes are a remnant of a larger dune habitat area that once covered approximately 4.5 square miles of coastline, between Westchester south to the base of Palos Verdes peninsula and from the Pacific Ocean inland for approximately one-half mile (*El Segundo Blue Butterfly Draft Recovery Plan*, September 1997). The El Segundo dunes system was not disturbed until the turn of the Century when beach communities in the area began to develop. Following residential construction, power plant construction, construction of a refinery and the Hyperion Wastewater Treatment Plant, only about 346 acres of the dune system was left, located directly north of Hyperion and west of the airport.

The dunes and El Segundo Blue Butterfly have been protected since 1986 as part of an ongoing City plan developed and operated by the Los Angeles World Airports (LAWA). The Commission has approved five habitat restoration projects since this time. The Commission's most recent action was the approval for the planting of native vegetation and removal of 90 *Washingtonia robusta*, slender palm trees that grow to a height of 100 feet, within a 2.4 acre area of the 302-acre El Segundo dunes site, owned by the Los Angeles World Airport (LAWA) (CDP No. A-5-PDR-01-442 & 5-02-008). The entire 302-acre El Segundo Dunes is considered an Environmentally Sensitive Habitat Area (ESHA).

"The Dunes provide habitat for the El Segundo Blue Butterfly, a federally listed endangered species endemic to the El Segundo Dunes, and many other rare species of insects, reptiles, mammals and plants that are endemic, rare, or of limited distribution. According to the El Segundo Blue Butterfly (ESB) Recovery Plan (approved and published by the U.S. Fish and Wildlife Service, 1998) the El Segundo Dunes supports a number of unique species, including: Lange's El Segundo Dune Weevil, Dorothy's El Segundo Dune Weevil, Belkin's Dune Tabanid Fly, Henne's Eucosman Moth, Busck's Gall Moth, and the Coastal Little Pocket Mouse."⁴

Dockweiler State Beach is separated from the sensitive habitat areas by a 20-foot high bluff, an approximately 100-foot wide street and sidewalk, and residences. Therefore, because of the distance between the beach and the sensitive area and the financial burden of removing a multitude of invasive palm trees, there is not a pressing need to remove established *Washingtonia robusta* or other invasive plant species from the Dockweiler beach area. However, because *Washingtonia robusta* and other invasive plant species can spread via wind, bird or burrowing animal, it is crucial for the protection of the sensitive habitat areas near Dockweiler State Beach that no new invasive plant species be planted anywhere in the project location. In addition, all invasive plants that are removed from the project site should not be replanted in the Dockweiler State Beach area.

⁴ Coastal Development Permit A-5-PDR-01-442 & 5-02-008 staff report, by Al Padilla, March 7, 2002

As mentioned in the previous paragraphs, Dockweiler State Beach contains several mature palm trees (*Washingtonia robusta*). *Washingtonia robusta* is a slender palm and grows to a height of approximately 100 feet. The palm propagates through seed dispersal. Although the seeds are rather large, and are not dispersed great distances by the wind, seeds could be dispersed into adjacent areas, and could easily be carried and dropped within the designated ESHA by birds and other animals. The future seedlings produced by this dispersal would have the potential to adversely impact native flora and fauna through direct competition for space and through the trees providing habitat for pest species, such as starlings and rodents, that adversely impact the native habitat through increased competition and increased predation of native species.⁵

The Commission has found that these trees are invasive and can supplant native habitat areas by spreading their seeds via wind or by animal. The applicant has proposed a landscaping plan that includes new *Washingtonia robusta*. In addition, the landscaping plan includes the removal of existing *Washingtonia robusta* and relocation in other locations of the project site. Some of the trees will remain in their existing location.

Sensitive habitat areas are highly susceptible to invasive plant species that could supplant the established native plant communities and spread to others. While Vista del Mar separates Dockweiler State Beach from the El Segundo Dunes and the Playa Vista wetlands, invasive plant species that are spread via wind, birds or burrowing animals can transport their seeds into the sensitive areas.

Because Dockweiler State Beach is located in close proximity to both the El Segundo dunes and Playa Vista wetlands sensitive habitat, the Coastal Act requires that the sensitive areas be protected against disruption of habitat values, that the development is designed to prevent impacts to the surrounding area, and is compatible with the continuance of those habitat values. The planting of *Washingtonia robusta* (either new planting or transplanted from on site) and other invasive plant species will have an adverse affect on the sensitive habitat found in the El Segundo Dunes and Playa Vista. As noted above, the Commission does not require the applicant to remove any established landscaping that is not proposed to be removed and relocated, even if they are invasive.

Therefore, the Commission requires a revised landscaping plan for the entire project area to ensure the protection of the sensitive habitat located adjacent to Dockweiler State Beach. Special Condition #8 requires the applicant to submit revised landscaping plans that incorporate no invasive species 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 Plant Pest 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. In addition, all new landscaping shall consist of a mixture of native (Southern California coastal dunes and prairies) and ornamental non-invasive plant species. The

⁵ Al Padilla, March 7, 2002

landscaping plan shall not incorporate removed invasive plant species (e.g., *Washingtonia robusta*) anywhere on the project site.

The site shall also be stabilized immediately with jute matting or other BMPs to minimize erosion during the raining season (November 1 to March 31) if plantings have not been fully established. To further ensure the continued viability of the landscaping plan, the applicant shall submit a landscaping monitoring report five (5) years from the date of the approval for Coastal Development Permit No. 5-01-262. If the report concludes that the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director.

Therefore, only as conditioned to submit a revised landscaping plan incorporating no invasive plant species and the use of native and ornamental non-invasive plant species can the Commission find that the proposed project is consistent with Section 30240 of the Coastal Act.

F. Visual Quality

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas.

The Coastal Act protects the visual quality of scenic coastal areas. In this case the proposed project is on and adjacent to Dockweiler State Beach, a heavily visited beach area. The scenic and visual qualities that must be protected in this area consist of the views to and along the beach, the public views from Playa del Rey and Vista del Mar (the major coastal route directly above and parallel to this stretch of beach) to the beach and ocean, and the views across the beach to the ocean. Currently, there are six restroom facilities (five of which are subject to the proposed project) approximately 9 to 10 feet high, two two-level lifeguard substations located on the sandy beach, a lifeguard headquarters and maintenance yard, an R.V. parking lot administration building and laundry facility, a main entrance building, eight parking lots (five of which are subject to the proposed project), a bike path, volleyball courts and six rock groins and storm drains.

There currently exist long stretches of open sandy beach area between the beach facilities. Dockweiler State Beach and the beach facilities are located below an approximately 20-foot high artificial fill slope. Above this fill slope lies Vista del Mar, the first public road before the beach area (Exhibit #3). The project entails several beach improvements. The five-restroom facilities that are a part of the proposed project currently

have a flat roof and are approximately 9 to 10 feet high. The proposed restroom design includes a pitched roofline increasing the height of the restrooms by approximately four (4) feet (Exhibit #4). The applicant has also proposed to remove and replace the roof of the existing concession stand. The new roof would also have a pitched roofline and would increase by approximately five (5) feet with an additional four-foot high cupola above the roofline (Exhibit #7). Finally, the applicant has proposed to demolish two existing two-level (with a 200 square foot footprint) lifeguard substations and construct two new, two-level, 2,500 square foot (with 650 square foot and 830 square foot footprints respectively) substations (Exhibit #6). These lifeguard substations would be located in the locations on the sandy beach that they presently occupy.

Temporary Construction Related Impacts

The complete project will benefit the public and will lead to an overall improvement to this scenic coastal area, as the current facilities are 50 to 60 years old and in need of repair. However, there will be temporary impacts to the visual quality of the area during the construction phase of the project. The project will require the use of heavy equipment and will entail the removal of an extensive amount of paving and building materials. To offset some of the impacts during the construction phase of the project the Commission requires Special Condition #3, which, in part, prohibits any development from taking place during the peak summer months (start of Memorial Day weekend through October 31) (see Section B Public Access). The two proposed lifeguard substations, as noted below, would have visual impacts to this coastal area.

Post Construction Impacts

The height, location, and siting of the proposed project could have an effect on the visual and scenic values of this coastal area. The Coastal Act states that development shall be sited and designed to protect views to and along the ocean and scenic coastal areas. The proposed project would increase the height of the restroom facilities and concession stand by adding a pitched roofline instead of the existing flat roof. The increase in height would be approximately four feet for the restroom facilities and five feet for the concession stand. While this increase would add to the bulk of the structure it would not block existing views from the roadway above or along the sandy beach. Thus, the increase would not lead to a negative visual impact to the overall scenic value of this coastal area.

The applicant has not proposed an increase in the height or size of the lifeguard headquarters and maintenance yard (Exhibit #5). In addition, the applicant has proposed to relocate two of the five restrooms further inland from the current location. The Gillis restroom will be located approximately 70 feet inland of its existing location and the Deauville restroom, which is currently located seaward of the bike path, would be located inland of the bike path, approximately 80 feet inland of its previous location, which, in both cases, would reduce the negative visual impact along the sandy beach and to the ocean. All other restrooms are proposed behind the bike path. The only proposed facilities seaward of the bike path are the two, two-level, 2,500 square foot lifeguard substations.

The proposed restrooms, concession stand, and lifeguard headquarters and maintenance yard would not block public views from Playa del Rey or Vista del Mar, the coastal route located above Dockweiler State Beach. Since the beach is located below an approximately 20-foot high artificial bluff, the proposed restrooms, concession stand, and lifeguard headquarters and maintenance facility would not impact views to the beach or ocean. In addition, the proposed restrooms, concession stand and lifeguard headquarters and maintenance facility are all located landward of the existing bike path. Therefore, views to and along the beach are not impeded or impacted from the bike path or the sandy beach area.

Finally, the height of the restroom facilities and concession stand will increase to allow for a pitched roofline (the lifeguard headquarters and maintenance facility would not increase from the existing height). Views to portions of the beach and ocean from directly landward of these facilities would be blocked. However, these views would only be blocked if standing or driving in the parking lot or on the access roads and not from the sandy beach area. While adding the pitched roofline would block a small portion of the view to the ocean, the proposed restroom and concession building would not impact the scenic and visual qualities of this coastal area.

The proposed lifeguard substations at the Culver restroom and at Imperial Avenue are located seaward of the bike path (Exhibit #6). The applicant has stated that these facilities must be located in this area to better conduct lifeguard safety measures. Currently there are two lifeguard substations in these locations. The existing substations take up approximately 200 square feet of sand and contain a restroom on the first floor and an observation tower and deck on the second floor. The proposed lifeguard substation at the Culver substation would have a footprint of approximately 650 square feet and the Imperial substation would have a footprint of 830 square feet. The Culver substation would contain two shower rooms, a heater room, a restroom, and a garage on the first floor and an observation tower and deck on the second floor. The Imperial substation would contain two locker rooms, two shower rooms, a restroom, and garage on the first floor and an observation tower and deck on the second floor. Each of the substations would have an overall square footage (including the observation tower and deck) of approximately 2,500 square feet. The height of the proposed substations would be consistent with the existing substations.

To approve this proposal, the Commission must find that the proposed project is sited and designed to protect views to and along the ocean and scenic coastal area and is visually compatible with the character of the surrounding areas. In addition, the scenic and visual qualities of the coastal area must be protected as a resource of public importance. As discussed in Section B. Access, page 19-20 of this staff report, the lifeguard substations are necessary to ensure public safety and enjoyment of Dockweiler State Beach. The heights of the proposed lifeguard substations are consistent with the existing substations and would not impact the scenic and visual quality of the four mile stretch of Dockweiler State Beach. The Commission finds that the proposed lifeguard substations are sited and designed to protect views to and along the ocean and coastal area, do not present a significant impediment to scenic resources in comparison to the size of the beach, and are

compatible with other lifeguard towers on the beach. Therefore, the Commission finds the proposed project consistent with Section 30251 of the Coastal Act.

G. Local Coastal Program

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

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

The City of Los Angeles does not have a certified Local Coastal Program for the Playa del Rey area. The City of Los Angeles submitted its Local Coastal Program in March 1981. The Commission denied the submitted LCP on December 18, 1981. The City has not planned the submittal of a revised LCP. As conditioned, to address the visual quality, sensitive habitat, and access and recreational issues, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

Based upon the findings presented in the preceding section, the Commission finds that the proposed development, as conditioned, will not create adverse impacts on coastal resources. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

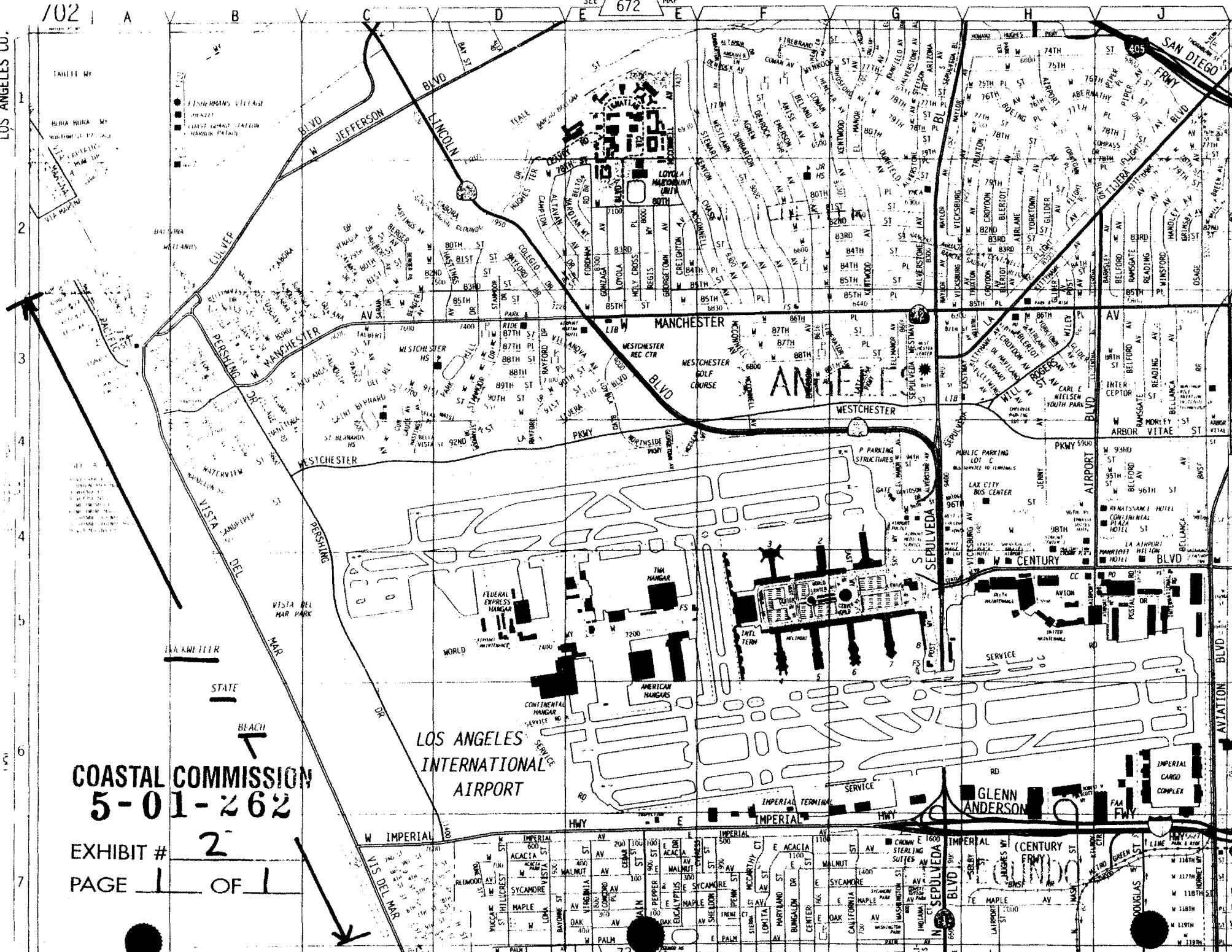
H. California Environmental Quality Act (CEQA)

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would

substantially lessen any significant adverse effect that the activity may have on the environment.

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

End/am



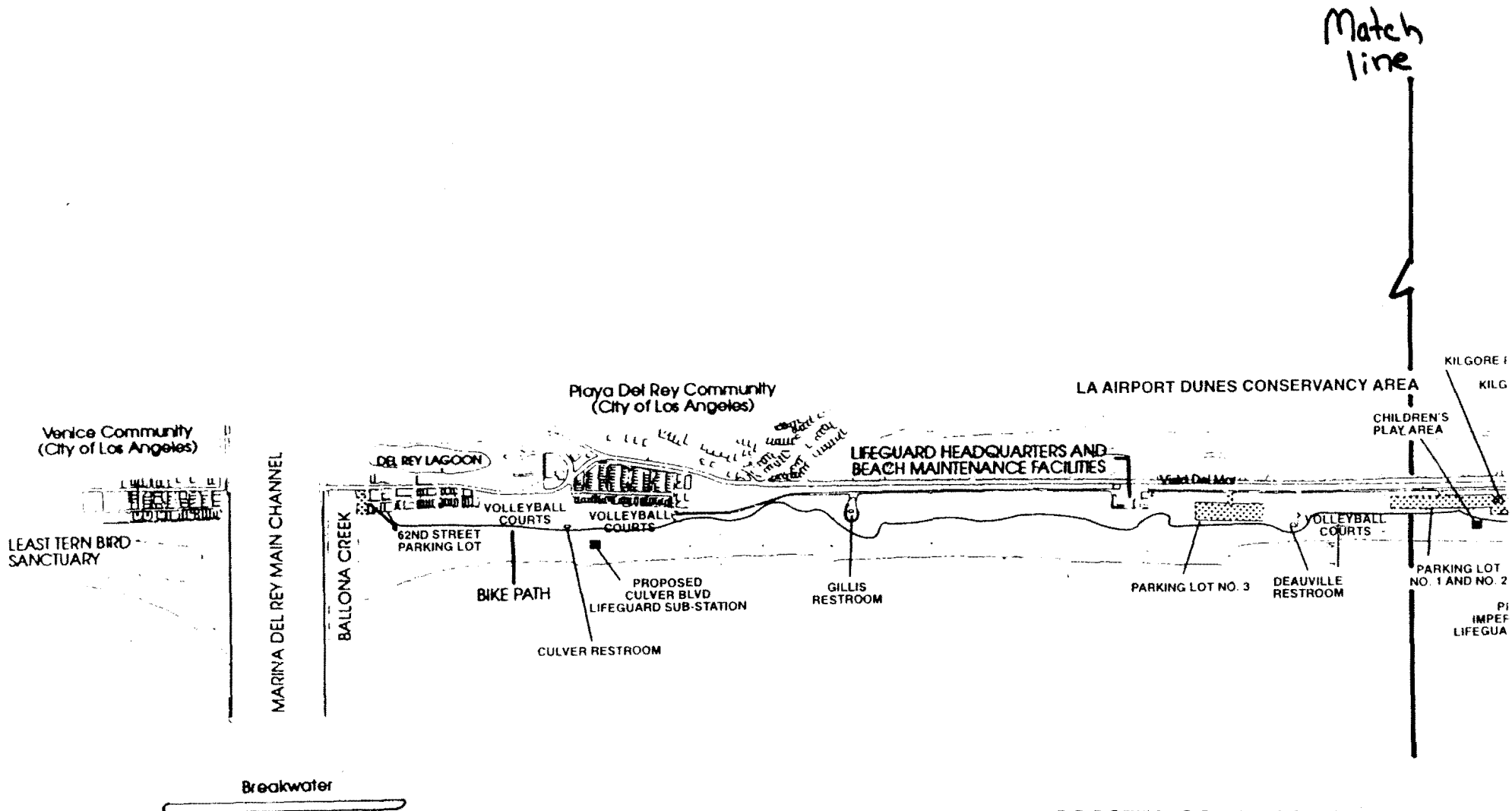
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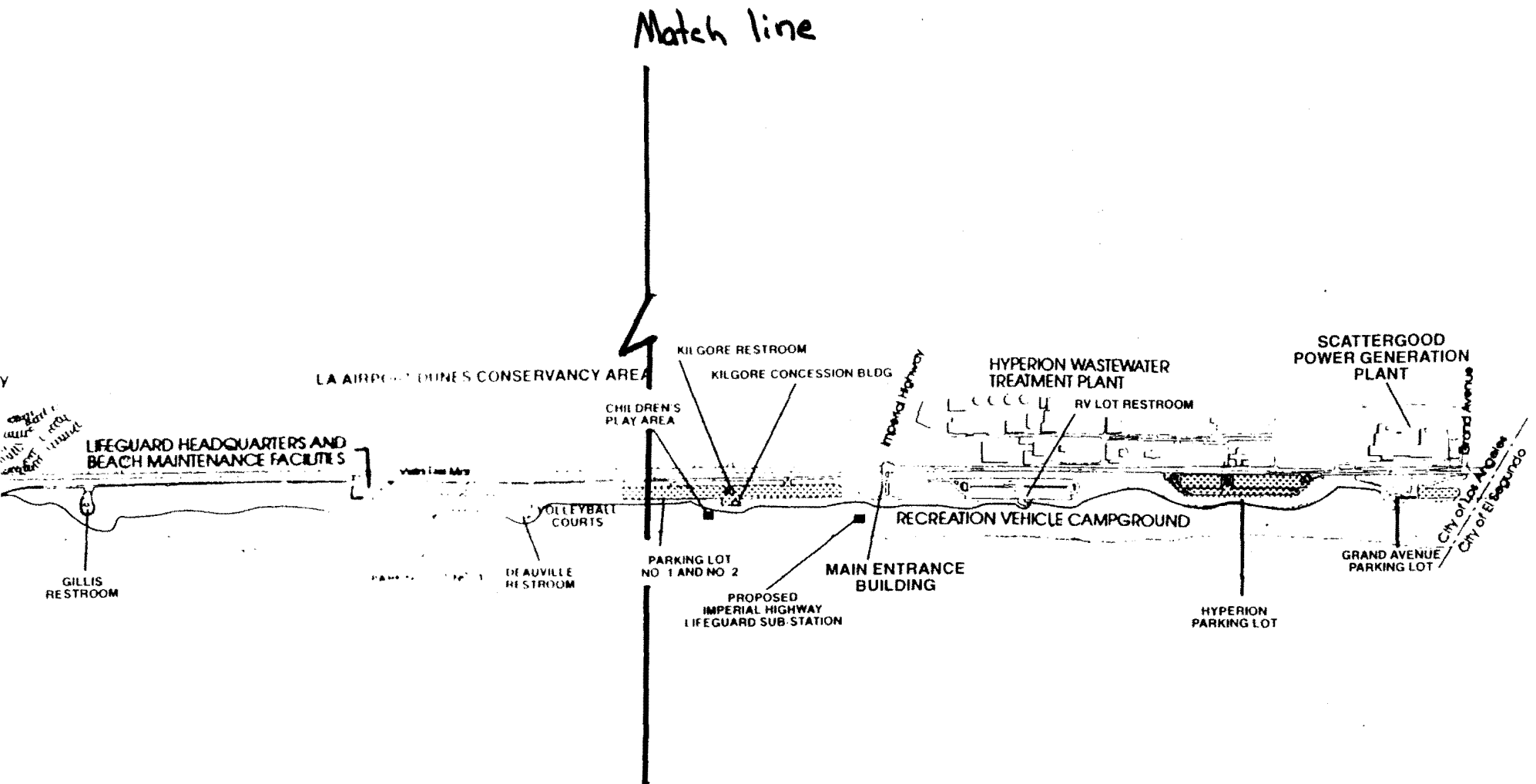
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EXHIBIT # 3

PAGE 1 OF 2



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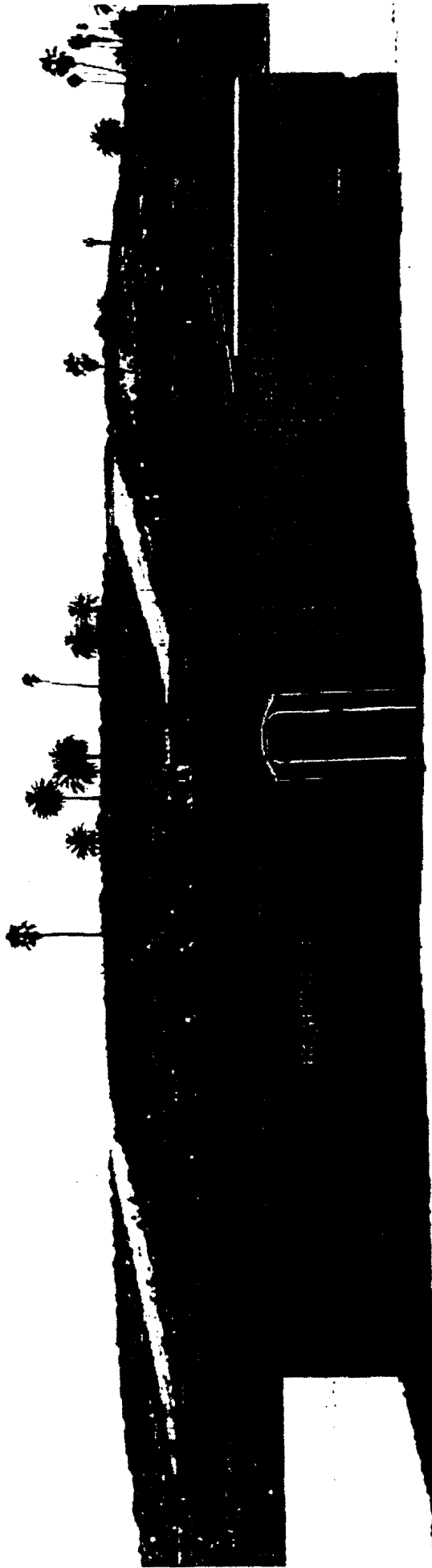
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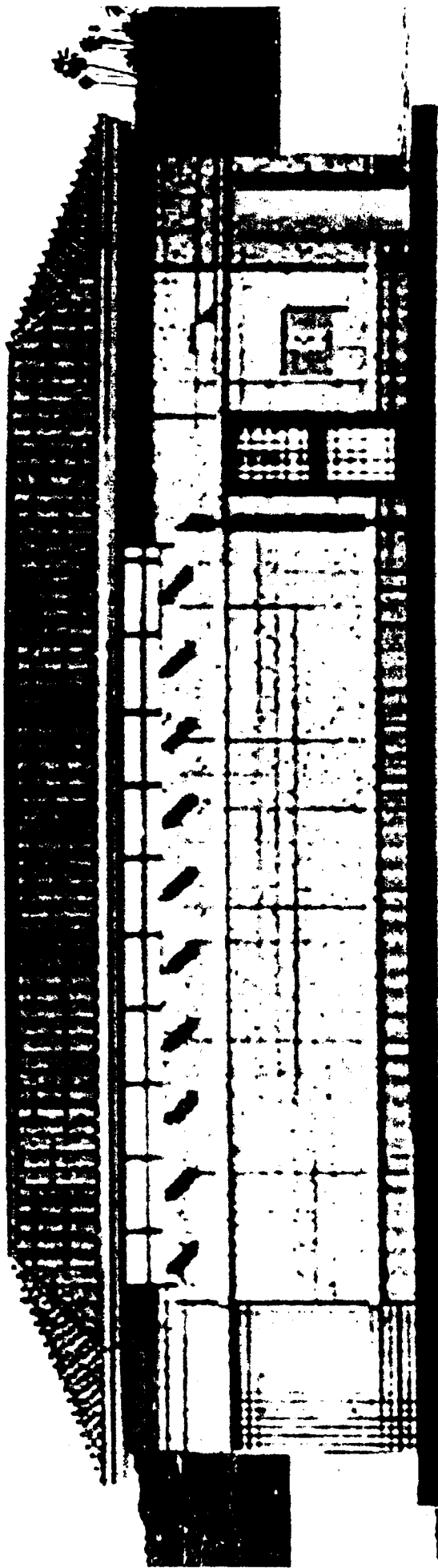


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EXHIBIT # 4
PAGE 1 OF 6

DOCKWEILER TYPICAL RESTROOM

NO DE RESTROOM



COASTAL COMMISSION

5-01-262

EXHIBIT #

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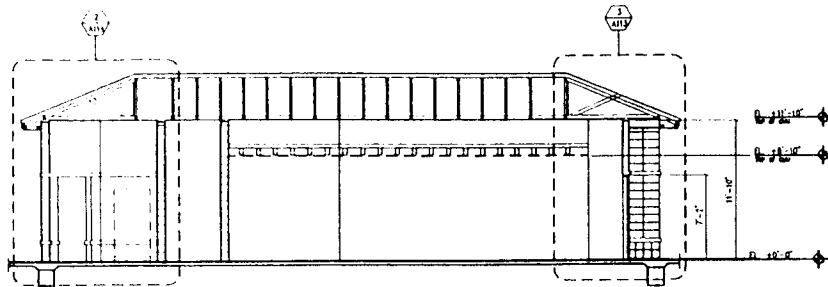
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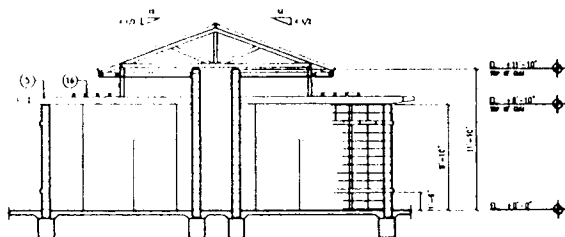
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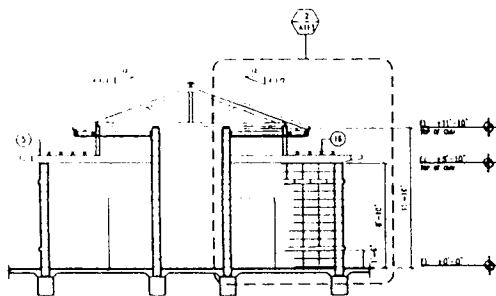
DOCKWEILER TYPICAL RESTROOM



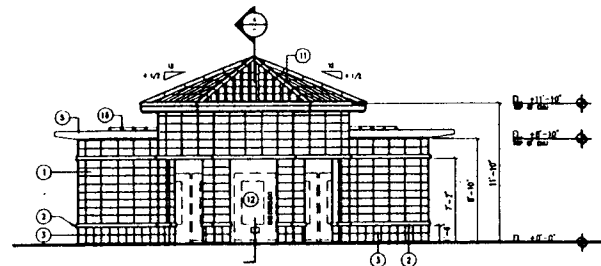
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TYPICAL RESTROOM
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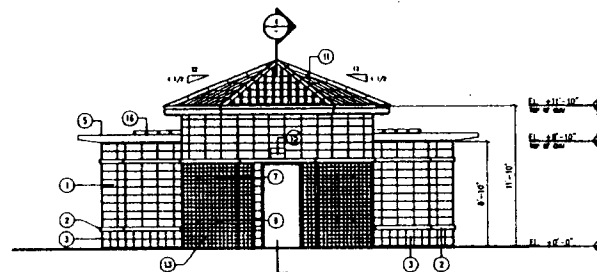
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TYPICAL RESTROOM
1/4" = 1'-0"



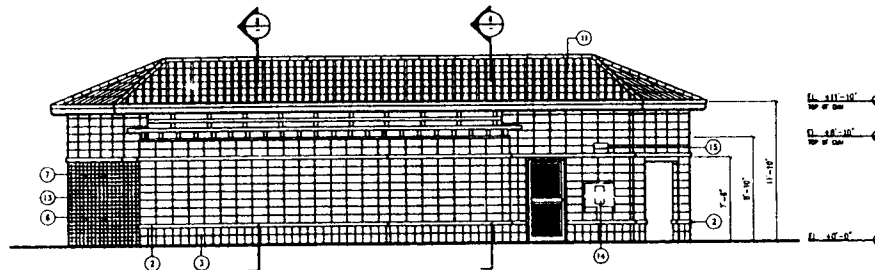
6 SECTION THRU
TYPICAL RESTROOM
1/4" = 1'-0"



1 FRONT ELEVATION
TYPICAL RESTROOM
1/4" = 1'-0"



2 REAR ELEVATION
TYPICAL RESTROOM
1/4" = 1'-0"



3 SIDE ELEVATION
TYPICAL RESTROOM
1/4" = 1'-0"

KEYNOTES:

- 1 8" x 16" PRECISION BLOCK
- 2 1" x 16" PRECISION CAP
- 3 8" x 16" PRECISION SPIT FACE BLOCK
- 4 BASE COLOR - GREY
- 5 4" x 8" WOOD TRILLS PAINTED
- 6 SHOWER HEAD (LOW)
- 7 SHOWER HEAD (HIGH)
- 8 WOOD CORNER PAINTED
- 9 HOLDUP METAL DOOR & FRAME PAINTED
- 10 ALUMINUM RAILING PAINTED
- 11 FIBER-GLASS TILE (BODY HEAD) OVER ROOFING FELT WATERPROOFING MEMBRANE & EXTERIOR GRADE PLTWOOD SHALING-30 YEAR WARRANTY
- 12 SHOWER BENCHES (ALC.)
- 13 1" x 4" TILE
- 14 TELEPHONE (ALC.)
- 15 SECURITY LIGHT
- 16 2" x 4" WOOD TRILLS

NOTES:

- 1 ONCE SLOPE SO THAT 1'-0" HORIZONTAL DIRECTION OF THE CAKE IS MAINTAINED

ISIDORE B. DOWLER
STATE
GENERAL REFURBISHMENT PROJECT

FOR
LOS ANGELES COUNTY
DEPARTMENT OF BEACHES AND HARBORS
13011 PLAZA
MIRAMAR, CALIFORNIA 92023

GRUEN ASSOCIATES
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APPROVED/ SHOWN SEA
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SPECIFICATION NUMBER
5343

APPROVED:

URBAN DEPARTMENT DATE

MANAGER A/E DESIGN

HEAD, A/E DESIGN & REVIEW SECTION

PROJECT MANAGER

PROJECT ARCHITECT/ENGINEER

NO. DATE REVISION

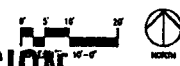
TYPICAL BUILDING
ELEVATIONS/ SECTIONS @
GILLIS, DEANVILLE, KILGORE
& RV LOT RESTROOM

PROJECT NO. 7251
DATE 09/10/01
DRAWN BY MK
CHECKED BY JB
SCALE 1/4" = 1'-0"
FILE NAME A112

A112

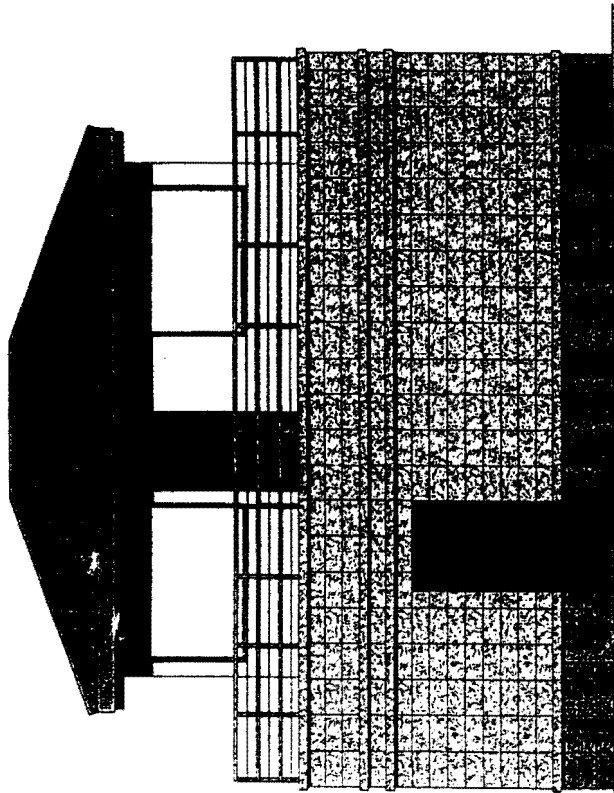
COASTAL COMMISSION
5-01-262

EXHIBIT # 4
PAGE 3 OF 6



L105

EXHIBIT # 4
PAGE 4 OF 6

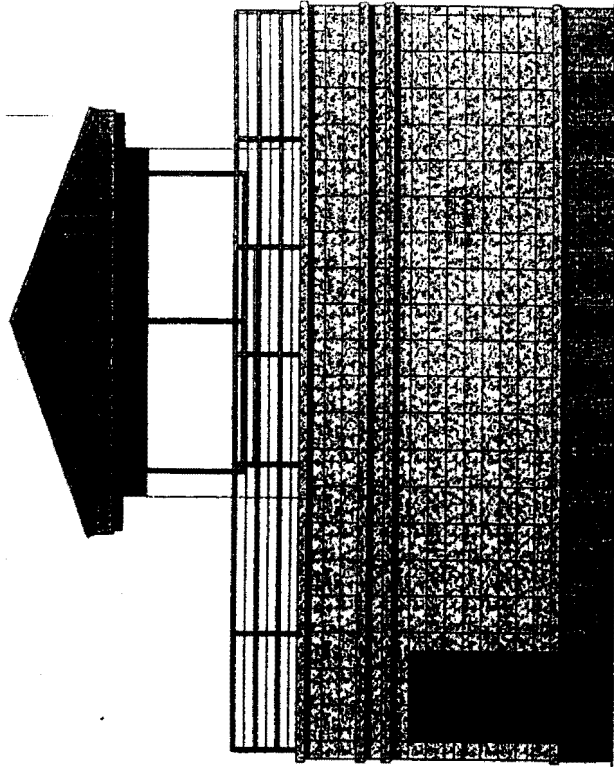


NORTH

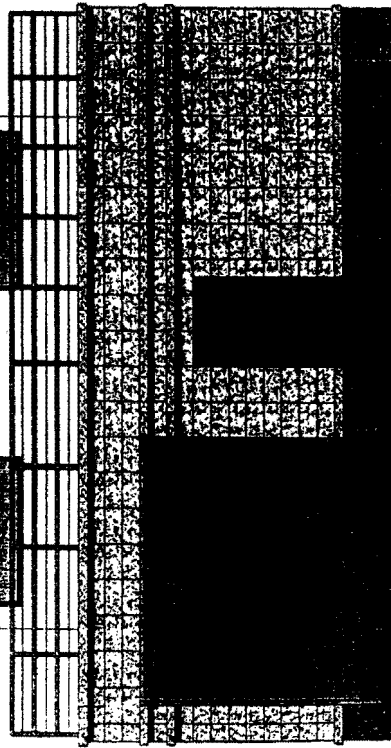
←

22'

→



WEST



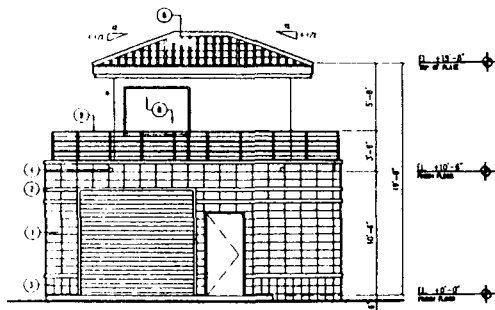
WEST

DOCKWEILER STATE BEACH LIFEGUARD SUBSTATION ELEVATIONS

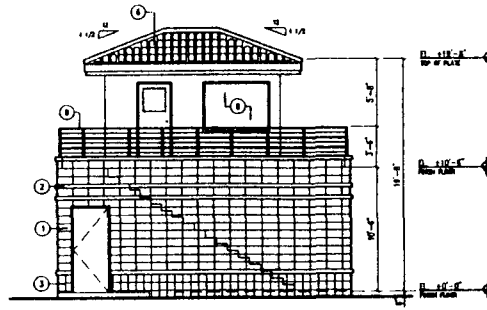
COASTAL COMMISSION
5-01-282

GRUEN ASSOCIATES

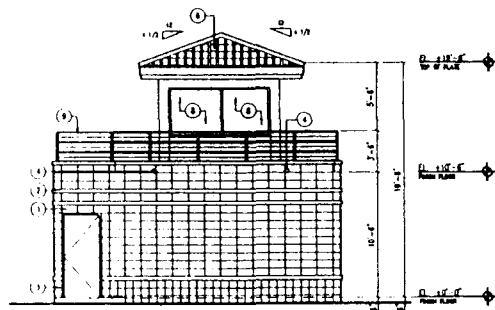
EXHIBIT # 6
PAGE 1 OF 5



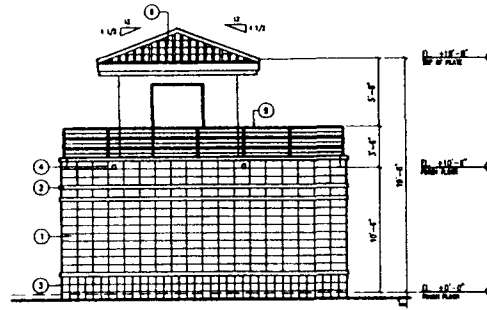
4 SOUTH ELEVATION
1/4" = 1'-0"



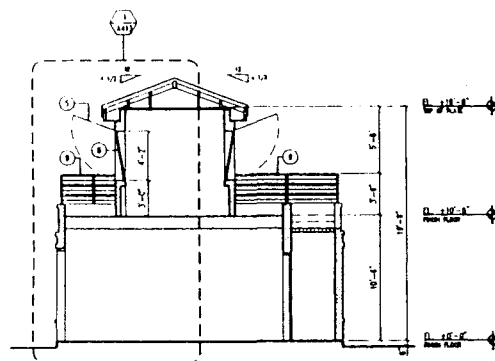
1 NORTH ELEVATION
1/4" = 1'-0"



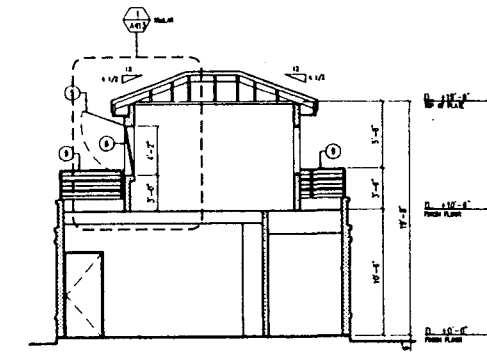
5 WEST ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"



6 SECTION
1/4" = 1'-0"



3 SECTION
1/4" = 1'-0"

KEYNOTES:

1. 8" x 16" PRECISION BLOCK
COLOR -
2. 4" x 8" PRECISION CAP
COLOR -
3. 8" x 16" PRECISION BLOCK BASE
COLOR -
4. SCUPPER
5. FLIP-UP SECURITY SHUTTER
6. FIBER-CEMENT TILE (KORU 3442) OVER
ROOFING W/ HYPOCOTIC LEAKING &
ELEVATOR GRADE PLYWOOD SHEATHING -
50 YEAR WARRANTY
NOT USED
7. ALUMINUM WINDOW (PAINTED)
8. ALUMINUM RAILING (PAINTED)

ISOORE B. KWEILER
STARCH
GENERAL REPRESENTATIVE PROJECT

FOR
LOS ANGELES COUNTY
DEPARTMENT OF BEACHES AND HARBORS
1347 PL. NAT.
MARINA DEL REY, CALIFORNIA 90291

GRUEN ASSOCIATES
ARCHITECTURE - PLANNING - INTERIORS

1400 Ave. of the Stars, Suite 200, Los Angeles, California 90069-1400
TELEPHONE: (213) 412-1000 FAX: (213) 412-1001

PROJECT/ SHEET NO.
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SPECIFICATION NUMBER
5343

APPROVED:

USBA DEPARTMENT, DATE:

MANAGER A/E DIVISION:

HEAD, A/E DESIGN & REVIEW SECTION:

PROJECT MANAGER:

PROJECT ARCHITECT/ ENGINEER:

NO. DATE REVISION

BUILDING
ELEVATIONS/
SECTIONS

PROJECT NO. 7211
DATE 08/10/01
DRAWN BY JH
CHECKED BY JH
SCALE 1/4" = 1'-0"
FILE NAME A412

A412

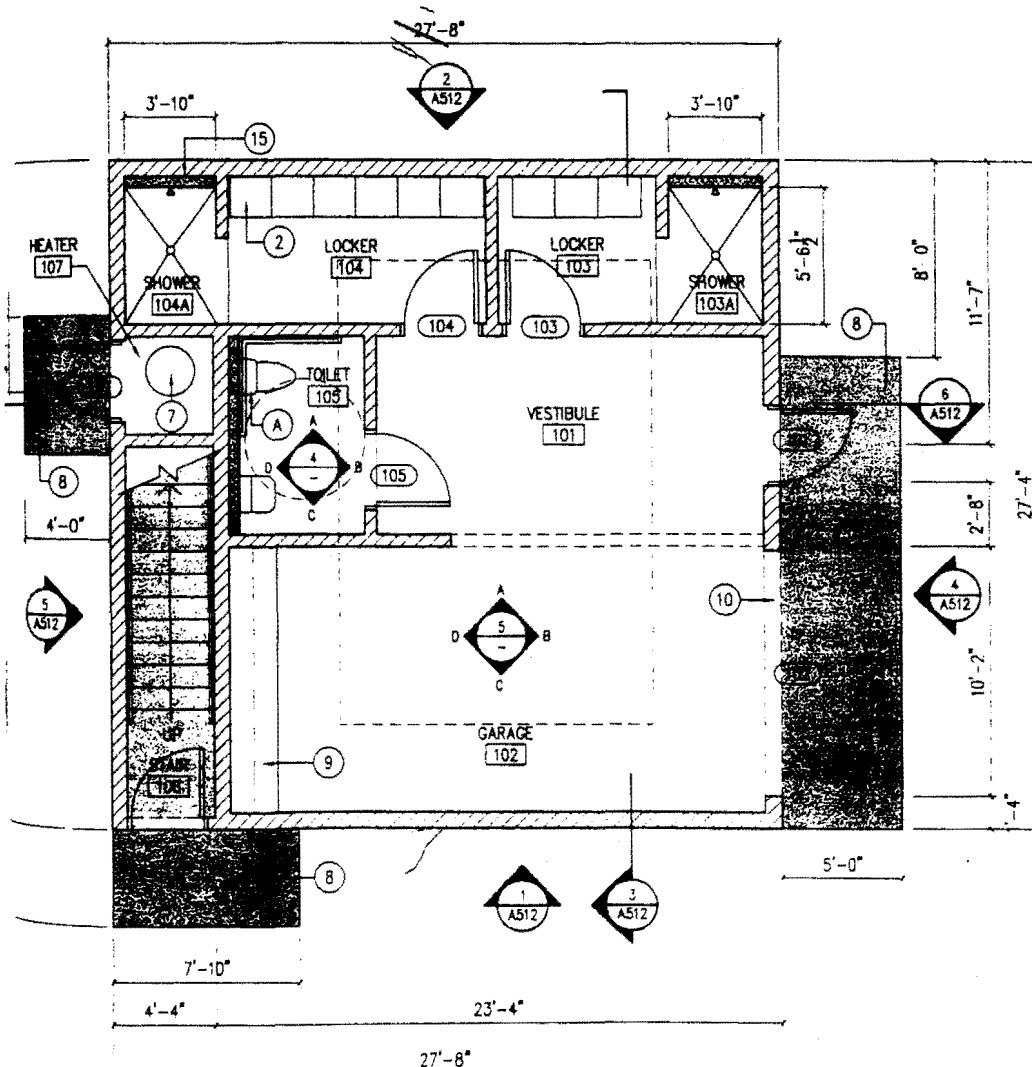
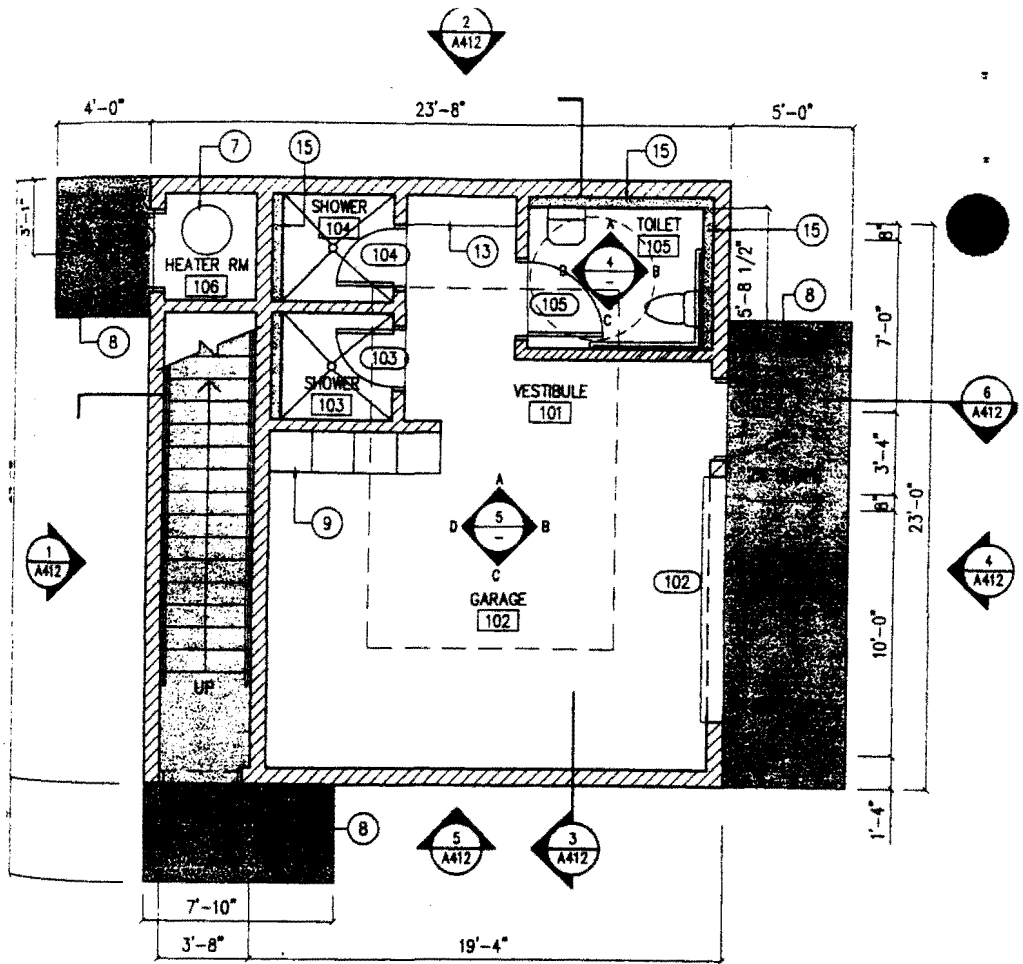
COASTAL COMMISSION
SCALE 1/4" = 1'-0"

5-01-262

EXHIBIT # 6

PAGE 2 OF 5

Culver
Substation
1st floor

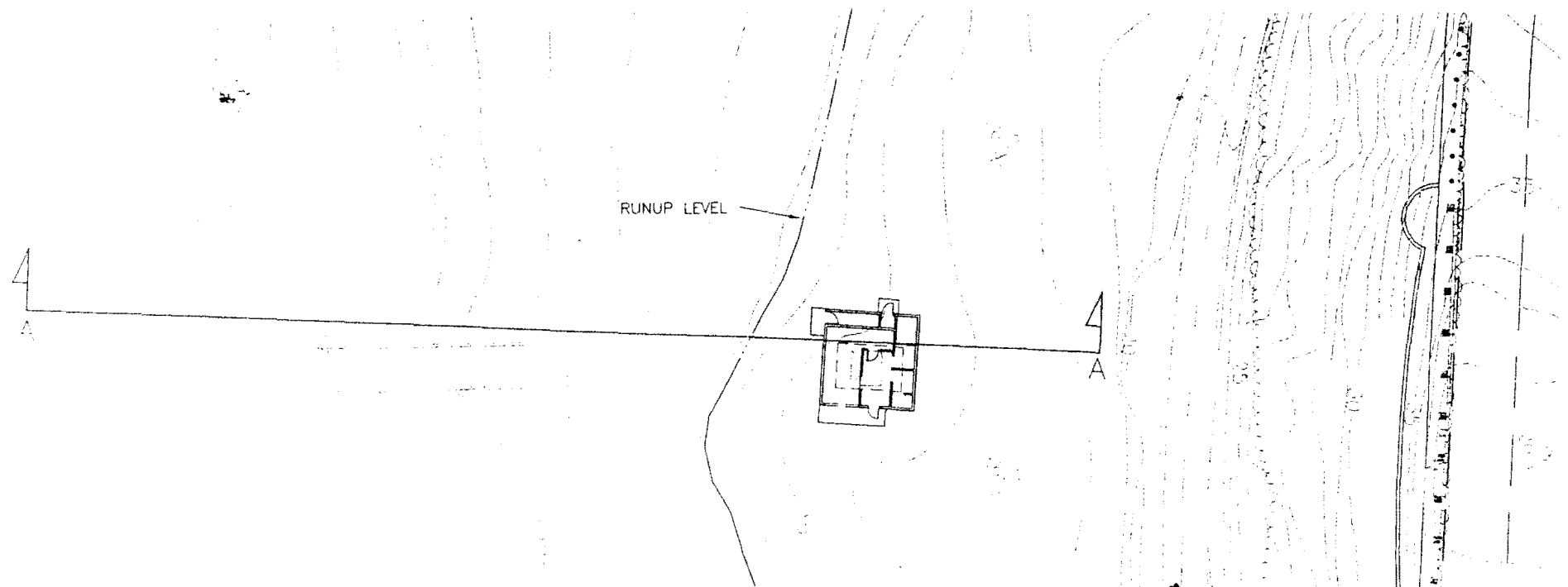


Imperial
Substation
1st floor

COASTAL COMMISSION
5-01-265

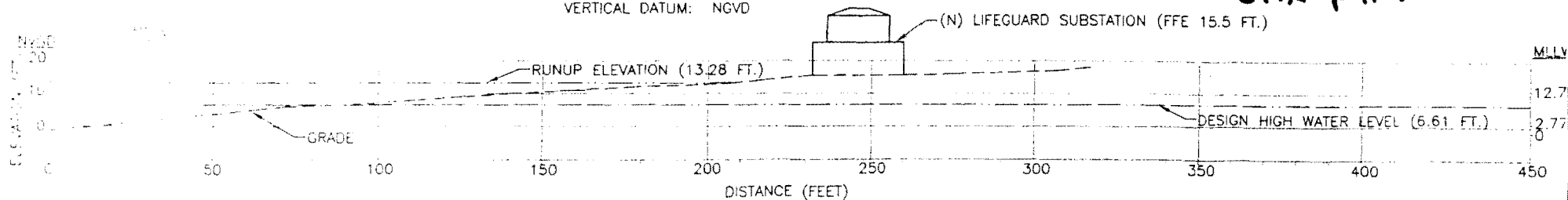
EXHIBIT # 6

PAGE 3 OF 5



PLAN VIEW

SCALE: 1" = 30'
VERTICAL DATUM: NGVD



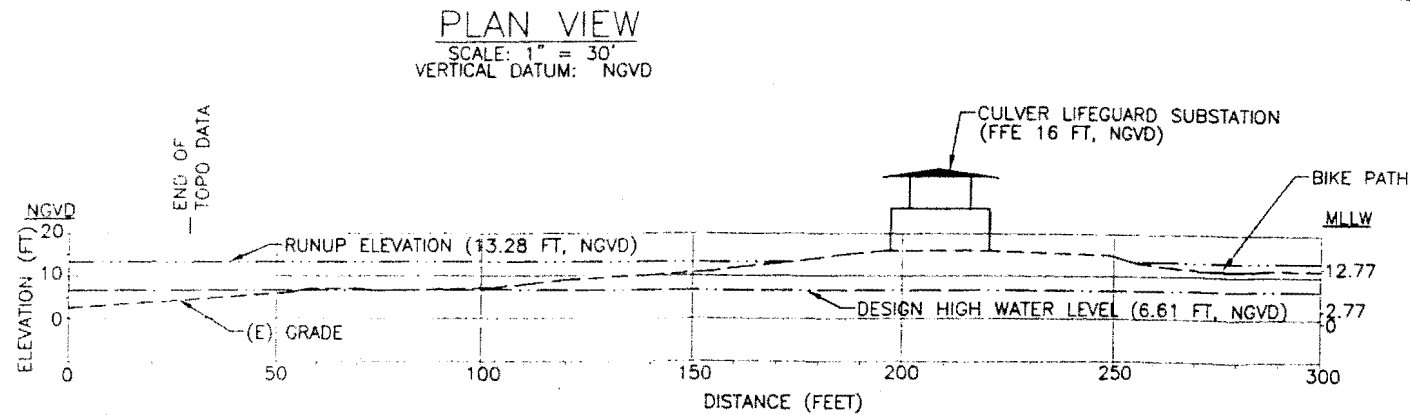
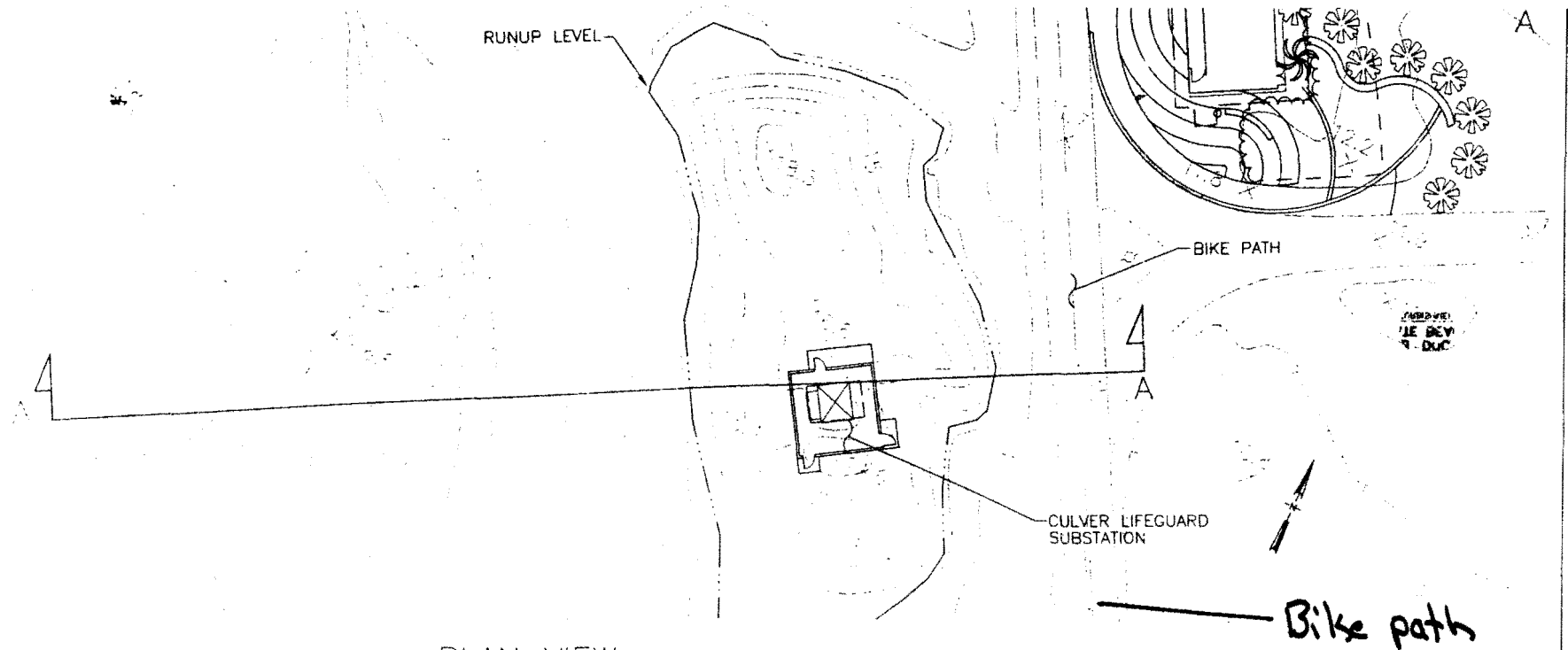
SECTION A-A

SCALE: 1" = 30'

COASTAL COMMISSION
5-01-262

DOCKWEILER STATE BEACH
WAVE RUN-UP
PROFILE AT IMPERIAL
LIFEGUARD SUBSTATION
Concept Marine Associates, Inc.
JOB No. 19815 MAY 22, 2001

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PAGE 4 OF 5



COASTAL COMMISSION
5-01-262

EXHIBIT # 6

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DOCKWEILER STATE BEACH
WAVE RUN-UP
PROFILE AT CULVER
LIFEGUARD SUBSTATION
Concept Marine Associates, Inc.
JOB No. 19815 MAY 22, 2001

- 1 FURCE-CEMENT TILE (2000 x 2000) OVER
ROOFING SANDWICHING INSULATION &
EXTERIOR GRADE FIBROUS SHEATING
30 YEAR WARRANTY
- 2 EXISTING CONCRETE FLT-UP WALL
TO REMAIN
- 3 EXISTING ROOF SHEATING TO REMAIN
- 4 ROLL-UP METAL DOOR & FRAME PAINTED
- 5 EXTERIOR WALL - PAINTED COLOR A
- 6 EXTERIOR WALL - PAINTED COLOR B
- 7 (K) ROLL-UP DOOR TO REMAIN
- 8 NEW PAINTED STRIP OVER (1) EXTERIOR
PLASTER OVER JOIST WALL
- 9 EXISTING BEAM & DAYS TO REMAIN
- 10 EAVES (1) 11
LABS

FOR
LOS ANGELES COUNTY
DEPARTMENT OF BEACHES AND HARBORS
1257 JEFFERSON
SANTA MONICA, CALIFORNIA 90401

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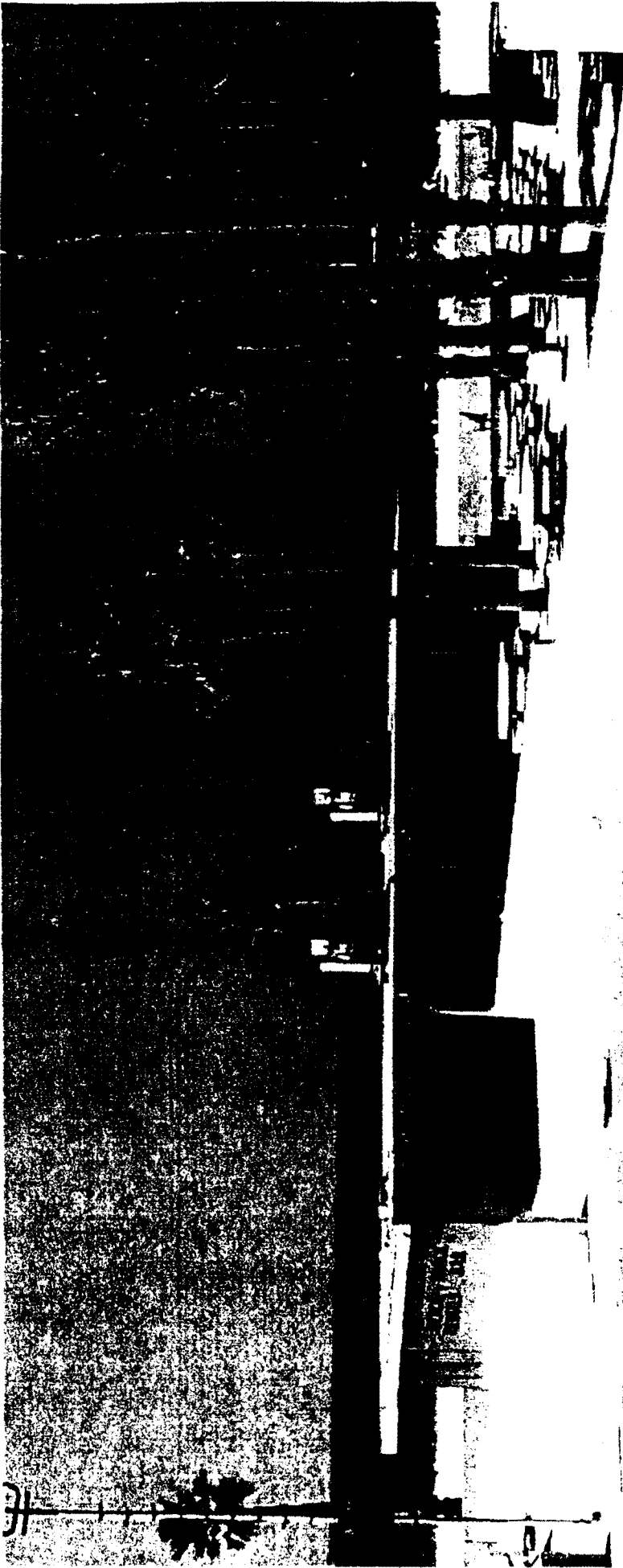
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BUILDING ELEVATIONS/
SECTIONS @
KILGORE CONCESSION

PROJECT NO.	7211
DATE	08/10/01
DRAWN BY	AK
CHECKED BY	JB
SCALE	1/4" = 1'-0"
FILENAME	A312

COASTAL COMMISSION
5-01-262 A312

EXHIBIT # 7
PAGE 2 OF 4



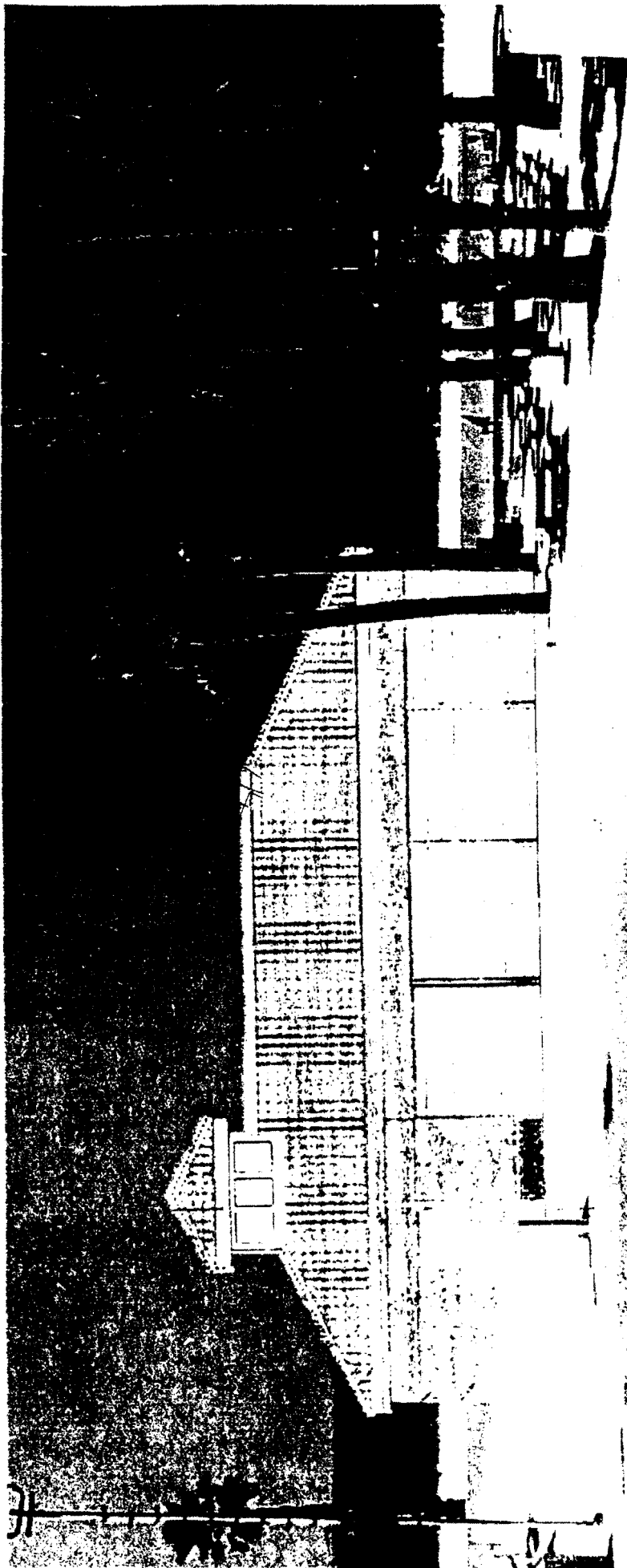
COASTAL COMMISSION

5-01-262

EXHIBIT # 7

PAGE 3 OF 4

OLD CONCESSION - DOCKWEILER



COASTAL COMMISSION
5-01-262

EXHIBIT # 7
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NEW CONCESSION BLDG - DOCKWEILER

COASTAL COMMISSION
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EXHIBIT # 8

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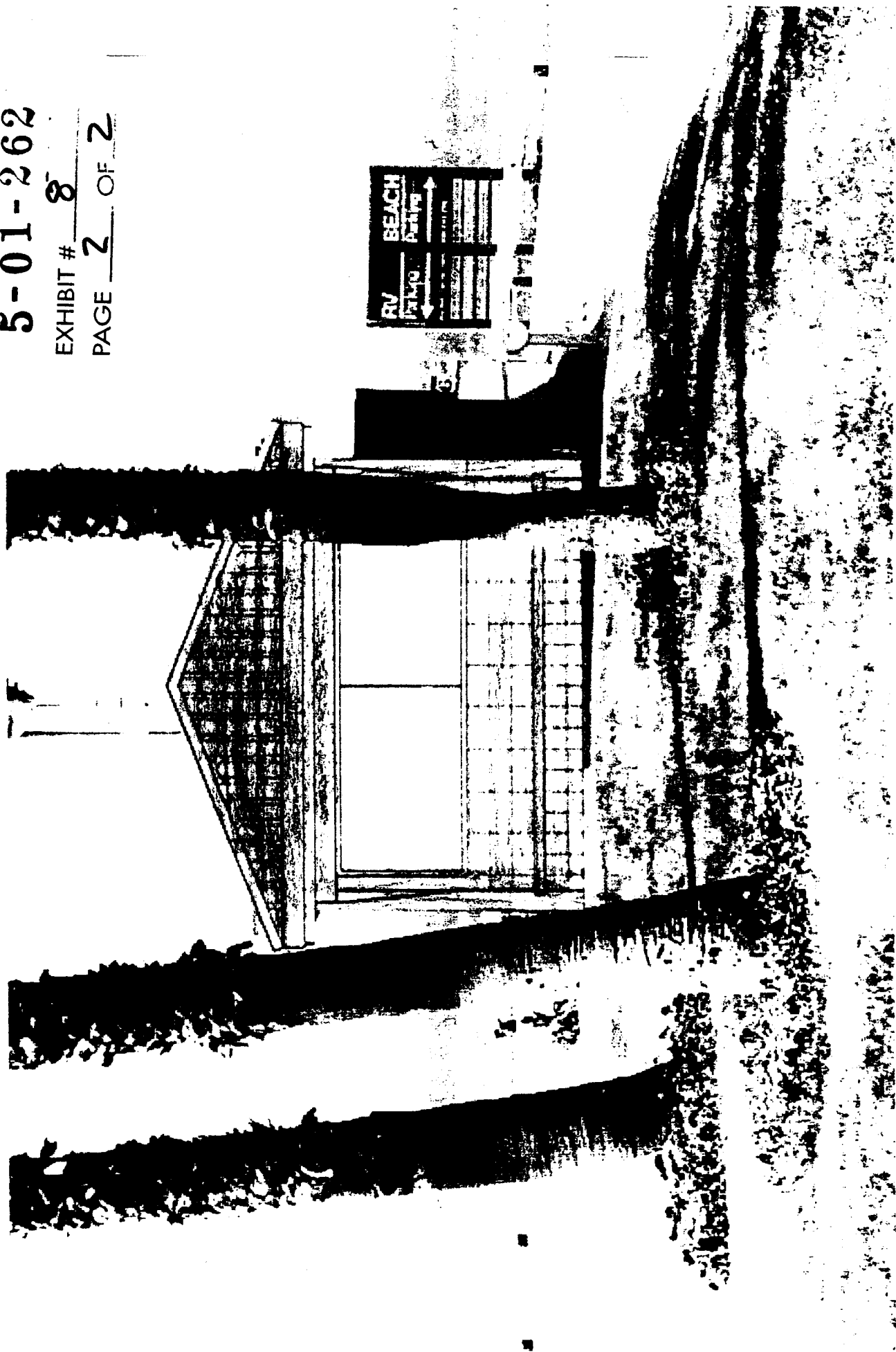


EXISTING ENTRANCE KIOSK - DOCKWEILER

COASTAL COMMISSION
5-01-262

EXHIBIT # 8

PAGE 2 OF 2



NEW ENTRANCE KIOSK - DOCKWEILER

DOCKWEILER STATE BEACH

	Old Count	New Count
Dockweiler Bluff Lot		
Regular Spaces	468	468
Handicapped Spaces	7	7
Total Spaces	475	475
R.V. Lot		
Regular spaces	113	113
Handicapped Spaces	4	4
Total	117	117
Imperial Entrance		
Regular Spaces	9	4
Handicapped Spaces	0	1
Total spaces	9	5
Lot # 3		
Regular Spaces	406	406
Handicapped Spaces	0	9
Total Spaces	406	415
Lot #1 & #2		
Regular Spaces	824	824
Handicapped Spaces	0	18
Total	824	842

WILL ROGERS STATE BEACH

	Old Count	New Count
Lot #1	145	145
	4	4
	149	149
Temescal Ent.	598	598
	0	0
	598	598
Castle Rock	51	20
	1	1
	52	21
Main Entrance	10	10
	0	3
	10	13

COASTAL COMMISSION
5-01-262

EXHIBIT # 9

PAGE 1 OF 1

San Diego Region

DEC 24 2001

DOCKWEILER STATE BEACHCALIFORNIA
COASTAL COMMISSION**Area Analysis- Paved Area**

	Existing (Sq. Ft)	Proposed (Sq. Ft)
CULVER		
Restroom	1274	3000
Lifeguard Substation		147
GILLIS		
Restroom	623	4060
LIFEGUARD/ MAINTAINANCE FACILITY	5945	6709
DEAUVILLE		
Restroom	555	7215
KILGORE		
Restroom	10494	6575
Concession Stand	11041	5673
IMPERIAL ENTRY		
Entry Kiosk	782	2828
Lifeguard Substation		151
RV LOT		
Restroom	4074	7468
TOTAL	34,788	43,826

COASTAL COMMISSION
5-01-262EXHIBIT # 10
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