

**CALIFORNIA COASTAL COMMISSION**

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



RECORD PACKET COPY

**Th 11b**

Filed: 10/22/02  
49th Day: 12/10/02  
180th Day: 4/20/03  
Staff: AM-LB  
Staff Report: 12/19/02  
Hearing Date: January 9, 2003  
Commission Action:

**STAFF REPORT: MATERIAL AMENDMENT****APPLICATION NUMBER:** 5-00-199-A1**APPLICANT:** Los Angeles County, Department of Beaches and Harbors**PROJECT LOCATION:** 879 Paseo de la Playa, Torrance Beach, City of Torrance**DESCRIPTION OF PROJECT PREVIOUSLY APPROVED (5-00-199):**

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

**DESCRIPTION OF AMENDMENT (5-00-199-A1):**

Construction of riprap dissipators at the terminus of two existing storm drain outlets (30-inch and 18-inch, respectively) that discharge on the sandy beach area.

**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending that the Commission grant a coastal development permit amendment for the proposed development with five (5) Special Conditions to 1) assume the risk of the proposed development; 2) submit a final construction schedule and detailed plans which identify the specific location of staging and equipment storage areas, areas where any structures and excavated soils are proposed to be temporarily stockpiled, and the access corridors to the project site, 3) require the applicant to be responsible for future maintenance of the two riprap dissipators authorized by this permit amendment and remove dislodged or migrating rocks or other riprap material from the beach; and 4) ensure that the two riprap dissipators are covered with beach sand consistent with the surrounding beach contours prior to Memorial Day weekend.

The sand shall be at a depth of one foot over the riprap dissipators or an amount that matches the surrounding beach contours, whichever is greater. Special Condition #1 carries over all Regular and Special Conditions attached to coastal development permit 5-00-199. Such conditions imposed in this permit amendment are required by the Commission to ensure the project's consistency with Section 30210, 30211, 30213, 30220, 30235, and 30253 of the Coastal Act. Projects consistent with Section 30210, 30211, 30213, 30220, 30235, and 30253 of the Coastal Act must protect public beach access and recreational resources, protect public beaches endanger from erosion, and limit the risk of development from hazards.

The subject property is located on Torrance Beach in the City of Torrance. The proposed project is the construction of two riprap dissipators that will be located at the terminus of a 30-inch and 18-inch diameter storm drain outlet. The dissipator seaward of the 30-inch storm drain would cover an area of 600 square feet of beach area and would be located approximately 180 feet landward of the water line. A 243.8 square foot dissipator would be constructed seaward of the 18-inch storm drain and would be located approximately 150 feet landward of the water line.

#### **SUBSTANTIVE FILE DOCUMENTS:**

- 1) Coastal Development Permit No. 5-00-199
  - 2) Torrance Beach Riprap Calculation Assumptions, 10/13/02, by HNTB
- 

#### **PROCEDURAL NOTE**

##### **A. Coastal Development Permit Amendments**

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

The subject application is being forwarded to the Commission because the proposed amendment affects conditions required under the original permit for the purpose of protecting coastal resources and coastal access. Therefore, the proposed amendment is determined to

be a material change and is required for the purposes of protecting coastal resources or coastal access.

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

Staff recommends that the Commission make the following motion and adopt the following resolution:

**MOTION:** *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 5-00-199 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE A PERMIT AMENDMENT:**

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

**II. Standard Conditions**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

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

### III. Special Conditions

#### 1. **Prior Conditions**

Unless specifically altered by this amendment, all Regular and Special Conditions attached to coastal development permit 5-00-199 remain in effect (Exhibit #5)

#### 2. **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.

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

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, a final construction schedule and detailed plans which identify the specific location of staging and equipment storage areas, areas where any 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 storm drain dissipator project at Torrance Beach shall not be permitted during peak summer time months (between Memorial Day weekend and October 31 of each year).
- b. Stockpiled rock and excavated soils shall not impede public access to or across Torrance Beach and shall be located more than 100 feet landward of the mean high tide line.

**4. Future Maintenance Activities**

By acceptance of this permit amendment, the applicant shall be responsible for future maintenance of the two riprap dissipators authorized by this permit amendment. The applicant shall comply with the following requirements:

- a. The applicant shall remove from the beach any rocks or other material that has become dislodged from the riprap structures or migrated/expanded from the original footprint as shown on the approved final plans. The applicant may retrieve and replace rocks to the riprap dissipator within the footprint of the approved final plans. No new rock may be used to repair the two riprap dissipators.
- b. Repair activity shall be prohibited between the Memorial Day weekend and October 31 of every year unless the Executive Director determines that such repair activity to replace material dislodged from the riprap dissipators is necessary to remove materials that would otherwise interfere significantly with public use of the beach. The Executive Director may allow minor placement of sand, which is suitable for beach nourishment over the riprap dissipators, to occur during all times of the year.
- c. An annual report shall be submitted for the review of the Executive Director describing all repair activities and incorporating all requirements of Special Condition #4. The report shall include a survey of the location of the two riprap dissipators and a comparison of the surveyed location to the original footprint as shown on the approved final plans. If the survey shows that rocks or other riprap material have migrated from their original footprint, such rocks or other riprap material must be removed from the beach area and/or replaced to their original location.

**5. Sand Replenishment and Hazards Signage**

A) Prior to Memorial Day weekend, the applicant shall ensure that the two riprap dissipators are covered with beach sand consistent with the surrounding beach

contours. The sand shall be at a depth of one foot over the riprap dissipator or an amount of sand that matches the surrounding beach contours, whichever is greater.

B) If, during the summertime months (between Memorial Day weekend and October 31) the sand coverage is not consistent with Special Condition 5A. above, the applicant shall replenish such area(s) so that all requirements in Special Condition 5A. above have been met.

C) Upon completion of the storm drain dissipators, the applicant shall erect signs in a conspicuous location (in close proximity to the two storm drain dissipators) alerting the public of the riprap dissipators, the approximate extent of the rocks, the possibility of rocks being covered by beach sand, and the dangers presented by the submerged and/or exposed rock.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

##### **A. Project Description and History**

At its August 7, 2001 meeting, the Commission approved coastal development permit 5-00-199 for beach improvements throughout Torrance Beach that included: resurfacing and restriping the existing 347 space public bluff-top parking lot; demolition of an existing restroom facility and construction of a new restroom facility; remodeling the concession stand and adding new storage area; demolition and relocation of a pedestrian access ramp and construction of a new emergency vehicle access ramp from the parking lot to the beach; demolition and reconstruction of the Miramar Park stairs and sidewalk; replacement and upgrading of the drainage system and adding filtration devices; removal of storage containers located at the south end of the beach; removal of the existing chain link fence around the parking lot; 1,914 cubic yards of graded cut, 2,826 cubic yards of fill, and 23,000 cubic yards of civil overexcavation (removal and recompaction); and revegetation of disturbed areas with native plant species of the Malaga bluffs. The Commission approved the improvements project with 10 Special Conditions (Exhibit #5). The Special Conditions were required to protect water quality, marine resources, coastal recreation, public views, and access along the shoreline.

The proposed project is a request to amend the underlying permit to allow for two storm drain dissipators. The dissipators, or riprap aprons, would require the placement of 600 square feet and 243.8 square feet of rocks seaward of the 30-inch and 18-inch storm drains, respectively (Exhibit #2 & #3). As cited above, the 30-inch diameter storm drain was extended seaward approximately 30 feet and the 18-inch diameter storm drain was a combination of two 12-inch diameter storm drains into one. As authorized under Coastal Development Permit 5-00-199, the storm drains will continue to discharge on the sandy beach prior to reaching the ocean.

The proposed project is located on Torrance Beach, between the City of Redondo Beach and the City of Palos Verdes Estates, in the southern portion of the Santa Monica Bay (Exhibit #1). The sandy beach in this location is approximately 300 to 350 feet wide. Directly inland of the beach is a 40- to 50-foot high bluff that continues south, forming the beginning of the Palos Verdes peninsula. Currently, there is a 15-foot wide pedestrian and bicycle pathway adjacent to toe of the bluffs (Exhibit #3). This lateral access route terminates at Will Rogers State Park in Pacific Palisades and at Torrance Beach, adjacent to the concession stand and Lifeguard Headquarters.

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

Page 12 of the Commission's adopted findings for Coastal Development Permit No. 5-00-199 states:

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

The applicant has indicated that, while the 30-inch storm drain outlet was extended 30 feet, as authorized by the underlying permit 5-00-199, the amount of runoff from this drain, as well as the 18-inch storm drain outlet, will continue to create pooled water and large cuts on and across the sandy beach (Exhibit #6).

When the Commission approved the prior project for improvements to the existing beach facilities (CDP No. 5-00-199), which included the storm drains subject to this application for

amendment, it imposed Special Condition #2. Special Condition #2 states, in part, "By acceptance of this permit, the applicant agrees... that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-00-199". Nevertheless, staff has accepted this application for amendment because the purpose of this protective device is not to protect the new beach facilities from storm attack (authorized under CDP No. 5-00-199), but to reduce erosion of the beach by freshwater storm runoff.

The applicant has requested to place two storm drain dissipators seaward of the existing 30-inch and 18-inch drains, respectively, to lessen the amount of cut and pooling on and across the beach. The rocks would slow the velocity of runoff water and spread the energy over a larger area, thus lessening the scouring across the beach. The dissipators are not protective devices in that they are not proposed for the protection of the storm drain outlets themselves. Rather, they are intended to protect this public beach area from continued erosion that impacts public access and recreation.

#### **B. Public Access/Recreation**

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 indicated above, the existing 30-inch and 18-inch storm drain outlets discharge onto the sandy beach. The 30-inch storm drain outlets approximately 250 landward of the waterline and the 18-inch storm drain outlets approximately 150 feet landward of the waterline. The applicant has provided evidence (Exhibit #6) and Commission staff has confirmed that during rainstorms, water runoff exiting the storm drains produce deep cuts across this stretch of Torrance Beach. In lighter rain events when runoff is not as intense, pools form at the drain outlets and stagnate behind natural berms created by wave up rush.

In the underlying permit, 5-00-199, the Commission authorized a 30-foot extension to the existing 30-inch storm drain and the combination of two, 12-inch storms drains into one 18-inch storm drain. A third 12-inch storm drain was abandoned. The applicant requested and the Commission approved this aspect of the project to improve public access across the beach by decreasing the amount of storm drains that outlet onto the beach and extending the largest storm drain 30 feet so that the discharge point is closer to the shoreline in an attempt to lessen beach scour.

While the extension of the 30-inch storm drain and the combination of two drains into one would benefit public access by decreasing some of the beach scour, the applicant states that there will continue to be large cuts in the beach after storm events created by water runoff exiting the two storm drain outlets. The proposed project is the construction of two storm drain dissipators that would be placed seaward of the 30-inch and 18-inch storm drain outlets respectively. A 600 square foot dissipator would be constructed seaward of the 30-inch storm drain outlet and a 243.8 square foot dissipator would be constructed in front of the 18-inch storm drain outlet. The dissipators are intended to slow the velocity of water runoff and disperse the energy of water runoff over a larger area, thereby reducing the amount of scour. The runoff will "fan" across the beach area rather than in a concentrated area where cuts are much deeper. Therefore, by construction of the two dissipators, large, canyon-like features across the beach would be lessened and public access improved

The dissipators are intended to benefit public access and the recreational resources of Torrance Beach. However, if not properly maintained and monitored, the dissipators could produce negative impacts on the public access and recreational resources they were intended to protect. Such impacts include dislodged material scattering across the beach, hazards from exposed rock riprap during peak beach use, and maintenance activities occurring during peak beach use.

### **Summertime Sand Replenishment**

The applicant states that the dissipators are intended to protect the beach profile during the winter storm season. The applicant also states that it is their intent to bury the dissipators with sand during the summer season when the public use of the beach is much higher. Leaving the riprap structure exposed or partially exposed during peak beach use when their use is not critical to the protection of the public beach would create impacts to both the public's access across the sandy beach and the public's enjoyment of this recreational resource. Therefore, the Commission requires, in Special Condition #5, that the applicant ensures that the two riprap dissipators are covered with beach sand consistent with the surrounding beach

contours. Special Condition #5 requires the applicant to implement this measure prior to Memorial Day weekend (the beginning of the summer season). The sand shall be at a depth of one foot over the riprap dissipator or an amount that matches the surrounding beach contours, whichever is greater. Burying the dissipators with beach sand will create more beach area for recreation and will alleviate impediments to lateral beach access.

Special Condition #5 also requires the applicant to monitor the beach sand coverage over the two dissipators between Memorial Day weekend and October 31 every year to make certain that at least one-foot of coverage or coverage that is consistent with the surrounding beach profile (whichever is greater) is maintained. If it is found that an area is not consistent with the requirements in Special Condition #5A., the applicant must replenish such an area with beach sand.

Finally, Special Condition #5 requires the applicant to erect signs in a conspicuous location (in close proximity to the two storm drain dissipators) alerting the public of the riprap apron, the approximate extent of the rocks, the possibility of rocks being covered by beach sand, and the dangers presented by the submerged and/or exposed rock.

#### **Monitoring and Maintenance of Dissipators**

The applicant has proposed two storm drain dissipators with areas of 600 square feet and 243.8 square feet, respectively. The rocks that make up the riprap apron would be bonded together with cement grout. While the applicant states that the grout will hold the rocks together through extreme storm events, unexpected events (such as construction error, erosion, or age of the structure) may dislodge or spread the rocks across the sand and impede or prevent access across the beach. Therefore, the Commission imposes Special Condition #4, which requires the applicant to be responsible for future maintenance of the two storm drain dissipators. Special Condition #4 requires the applicant to remove from the beach any rocks or other material that becomes dislodged from the riprap structures or moved seaward from the original footprint as shown on the approved final plans. The applicant may retrieve and replace rocks to the storm drain dissipators. However, no new rock could be used to repair the two riprap dissipators. Such repair activity is prohibited between the Memorial Day weekend and October 31 of every year unless the Executive Director determines that such repair activity to replace material dislodged from the riprap dissipators is necessary to remove materials that would otherwise interfere significantly with public use of the beach. The Executive Director may allow minor placement of sand, which is suitable for beach nourishment over the riprap dissipator, to occur during all times of the year.

Finally, Special Condition #4 requires the applicant to submit an annual report for the review of the Executive Director describing all repair activities and incorporating all requirements of Special Condition #4. The report will include a survey of the location of the two riprap dissipators and a comparison of the surveyed location to the original footprint as shown on the approved final plans. If the survey shows that rocks have migrated from their original footprint, such rocks must be removed from the beach area and/or replaced, to their original location.

**Construction Phase Beach Closures, Maintenance of Public Access, Project Staging**

The proposed project will require construction activity, including mechanized equipment, access routes and staging and stockpile areas. It is anticipated that construction staging will take place immediately adjacent to each construction site or just landward of the project location. Therefore, during the construction phase of the project there will be a temporary impact to public access and recreation.

The Commission has, in past permit approvals (CDP Nos. 5-01-261 and 5-01-262), limited construction during 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 Torrance Beach a condition of approval that restricts demolition and construction is required.

Special Condition #3 requires the applicant to submit to the Executive Director for review and written approval, a final construction schedule and detailed plans which identify the specific location of staging and equipment storage areas, areas where any structures and excavated soils are proposed to be temporarily stockpiled, and the access corridors to the project site. The plans shall include the following criteria and limitations specified via written notes on the plan:

- In order to reduce adverse impacts on public access and recreation, the construction phase of the storm drain dissipator project at Torrance Beach shall not be permitted during peak summer time months (between Memorial Day weekend and October 31 of each year).
- Stockpiled rock and excavated soils shall not impede public access to or across Torrance Beach and shall be located more than 100 feet landward of the mean high tide line.

Therefore, only after imposing Special Condition #3, #4, and #5 does the Commission find the proposed project consistent with Sections 30210, 30211, 30213, and 30220 of the Coastal Act.

**C. Protection of Public Beaches from Erosion**

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.*

Special Condition #2 of Coastal Development Permit No. 5-00-199 states, in part:

*By acceptance of this permit, the applicant agrees, ... that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-00-199 including, but not limited to ... storm drain outlets, ... 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, ... any rights to construct such devices that may exist under Public Resources Code Section 30235.*

The proposed project is the construction of two storm drain dissipators that are intended to protect Torrance Beach from continued erosion caused by storm water runoff discharging across the beach. During strong rain storms water rushes out of the storm drains and quickly begins to scour the beach. After continuous storms a canyon-like feature is created (often times measuring approximately 15 feet deep). In other instances, when rainfall is not as heavy, deep pools are created on the beach, filling the ravines to form a lagoon-like feature, which can stagnate behind the natural beach berms created by wave run-up. Only after these berms are breached by heavy water runoff or continued evaporation, do these pools leave the beach.

When the Commission approved the prior project for improvements to the existing beach facilities (CDP No. 5-00-199), which included the storm drains subject to this application for amendment, it imposed Special Condition #2. Special Condition #2 of 5-00-199 states, in part, "By acceptance of this permit, the applicant agrees... that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-00-199". Nevertheless, staff has accepted this application for amendment because the purpose of this protective device is not to protect the new beach facilities from storm attack. Rather, the storm drain dissipators are, in this particular case, required to protect a public beach in danger from erosion.

The Commission's senior staff engineer, Lesley Ewing, has reviewed the project and concludes that these two particular storm drain dissipators are not intended to protect the storm drains but are, in fact, for the protection of Torrance Beach from erosion by the water that the storm drains discharge onto the beach. As noted above, the water discharged by these pipes carve ravine in the beach, which can fill with water, creating a potential hazard to the public. The dissipators will diffuse the storm water over a wider area and prevent the creation of a channel or lagoon on the beach. .

Therefore, the proposed project is consistent with Section 30235 because the storm drain dissipators are, in this particular case, required to protect a public beach in danger from erosion.

**D. Hazards**

Section 30253 states, in part:

*New development shall:*

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The subject property is located at the southern portion of the Santa Monica Bay, just north of the Palos Verdes Peninsula (Exhibit #1). The subject beach varies in width from approximately 300 feet to approximately 350 feet. The proposed project would be located between 250 feet and 150 feet landward of the high water line (during a typical summertime beach profile). 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.

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 the construction of two storm drain dissipators that will be located seaward of a 30-inch and 18-inch storm drain outlet, respectively. Because the project site may be subject to significant wave hazards, storms, flooding, and/or erosion if conditions change (e.g. sea level rise, beach erosion, extreme storm events, etc.) Special Condition #2 requires the applicant to acknowledge and agree that the project site (Torrance 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.

**E. Local Coastal Program**

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

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

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

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

**F. 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 public recreation and access policies of the Coastal Act. The proposed development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. There are no feasible alternatives or mitigation measures available that will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with CEQA and the policies of the Coastal Act.

SEE MAP

792

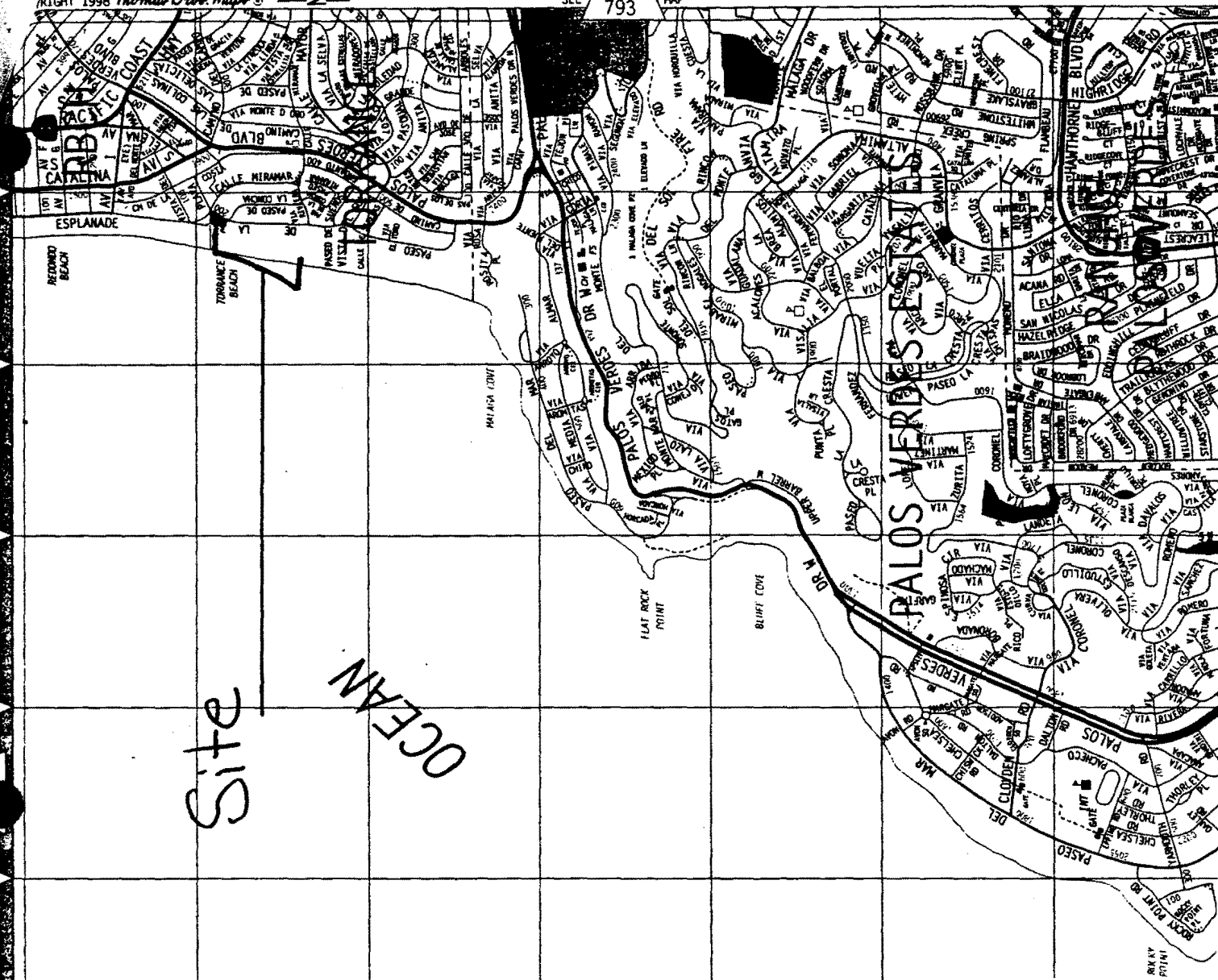
SEE MAP

Site  
OCEAN

PACIFIC

COASTAL COMMISSION

Exhibit #1  
5-00-199-A1  
Page 1 of 1







**RECEIVED**  
South Coast Region

JUL 19 2002

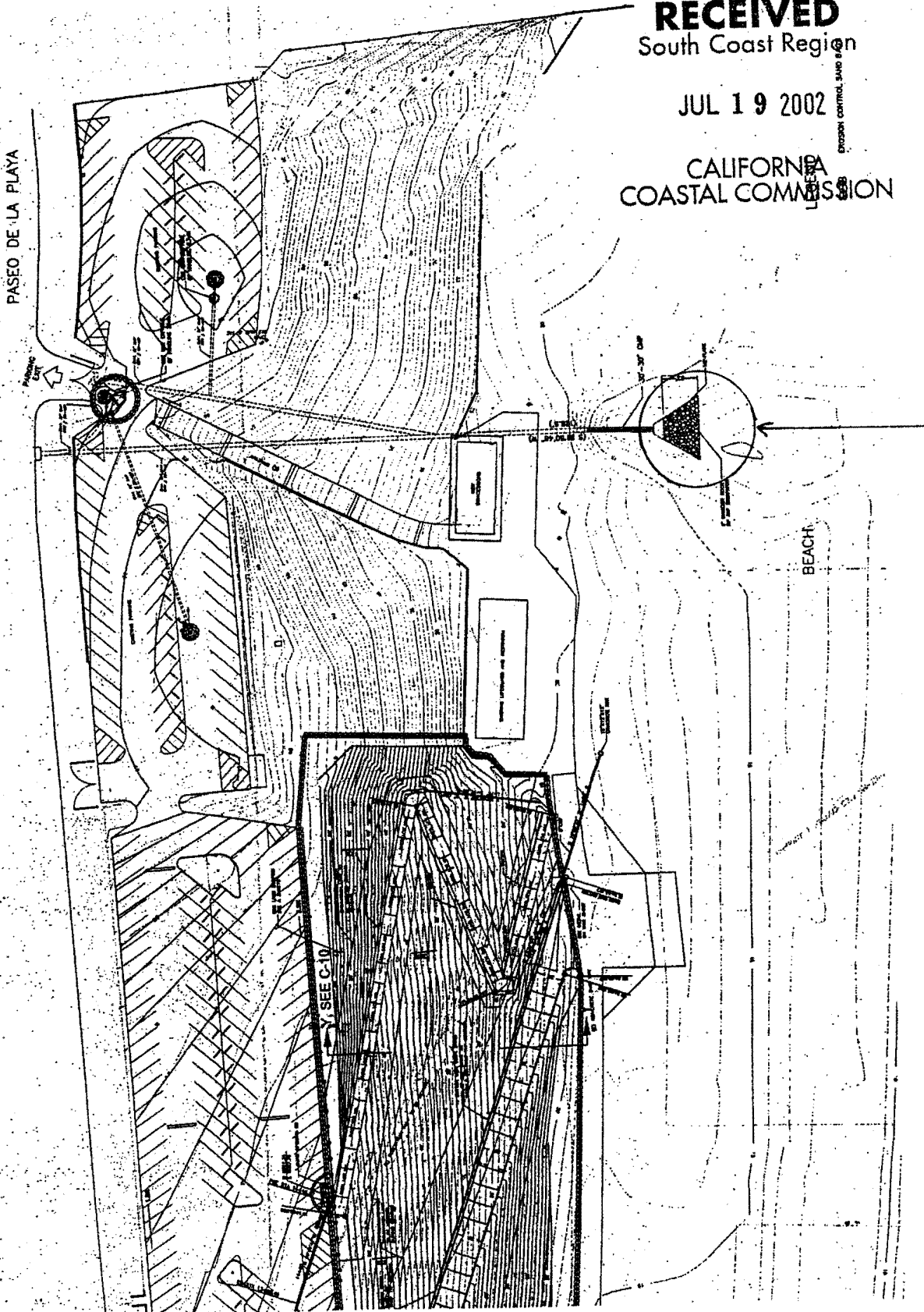
CALIFORNIA  
COASTAL COMMISSION

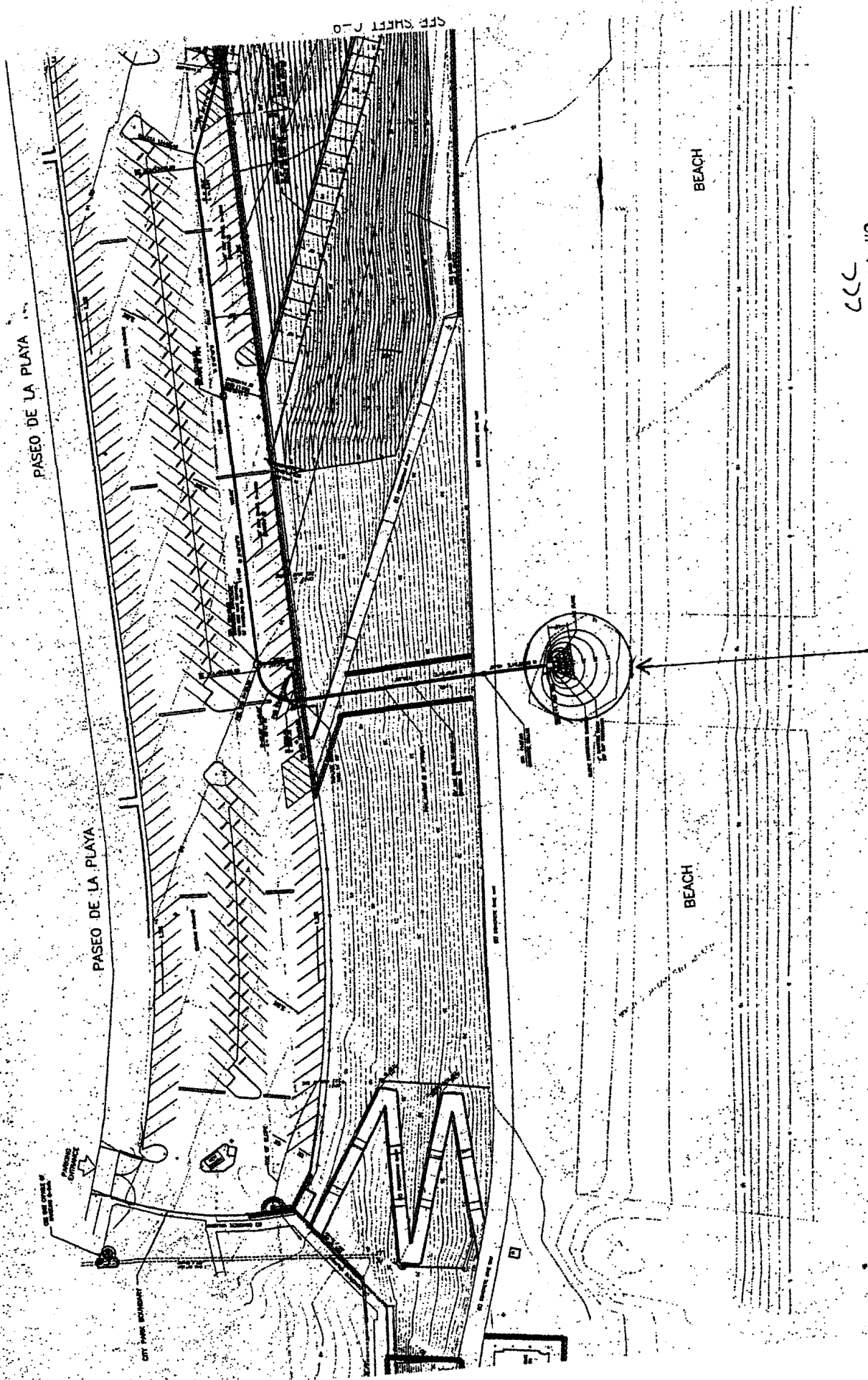
DESIGN CONTROL, SAME AS

CCC  
Exhibit #2  
5-00-199-A1  
Page 1 of 2

Storm drain  
dissipator

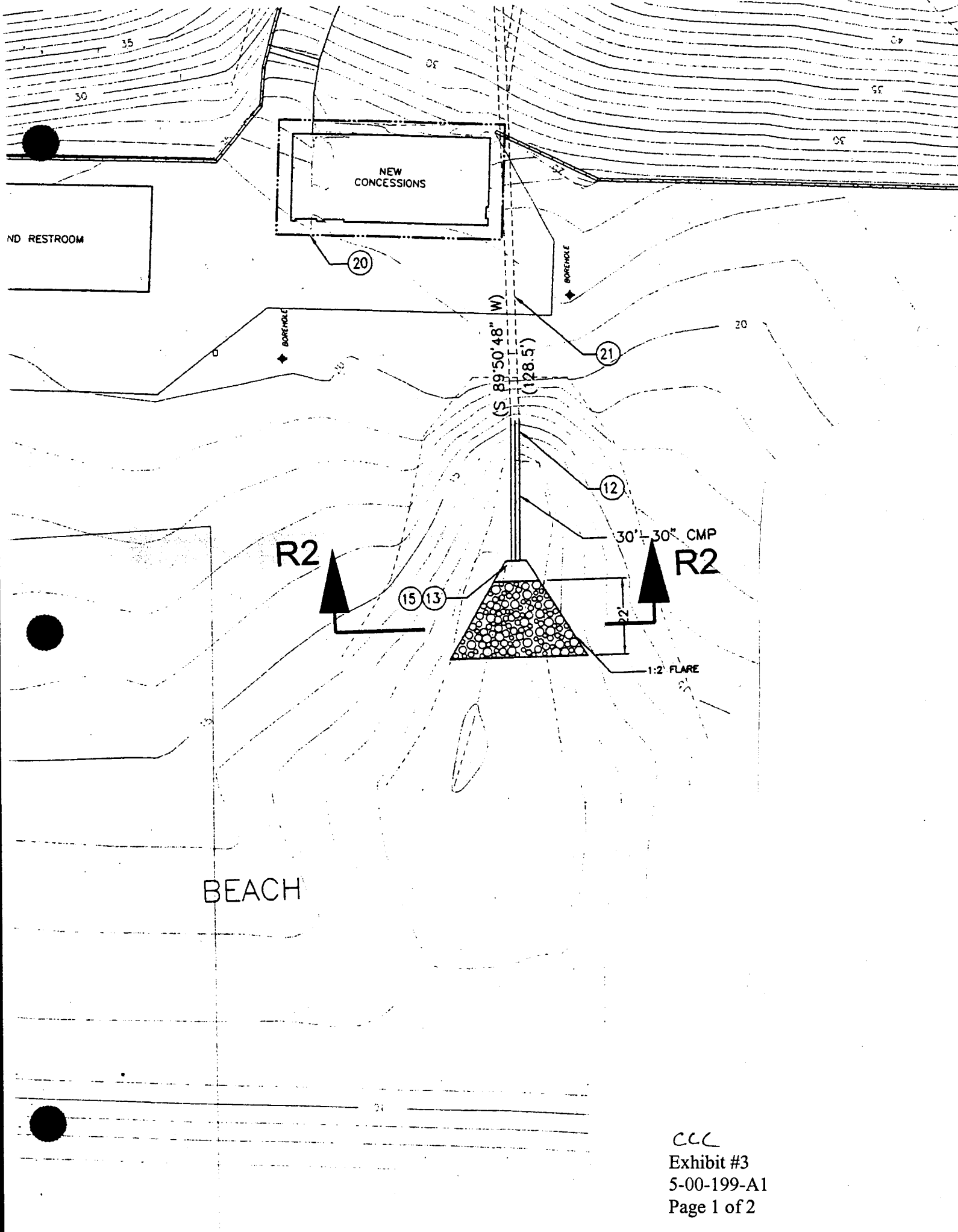
PLAN  
Scale 1"=30'

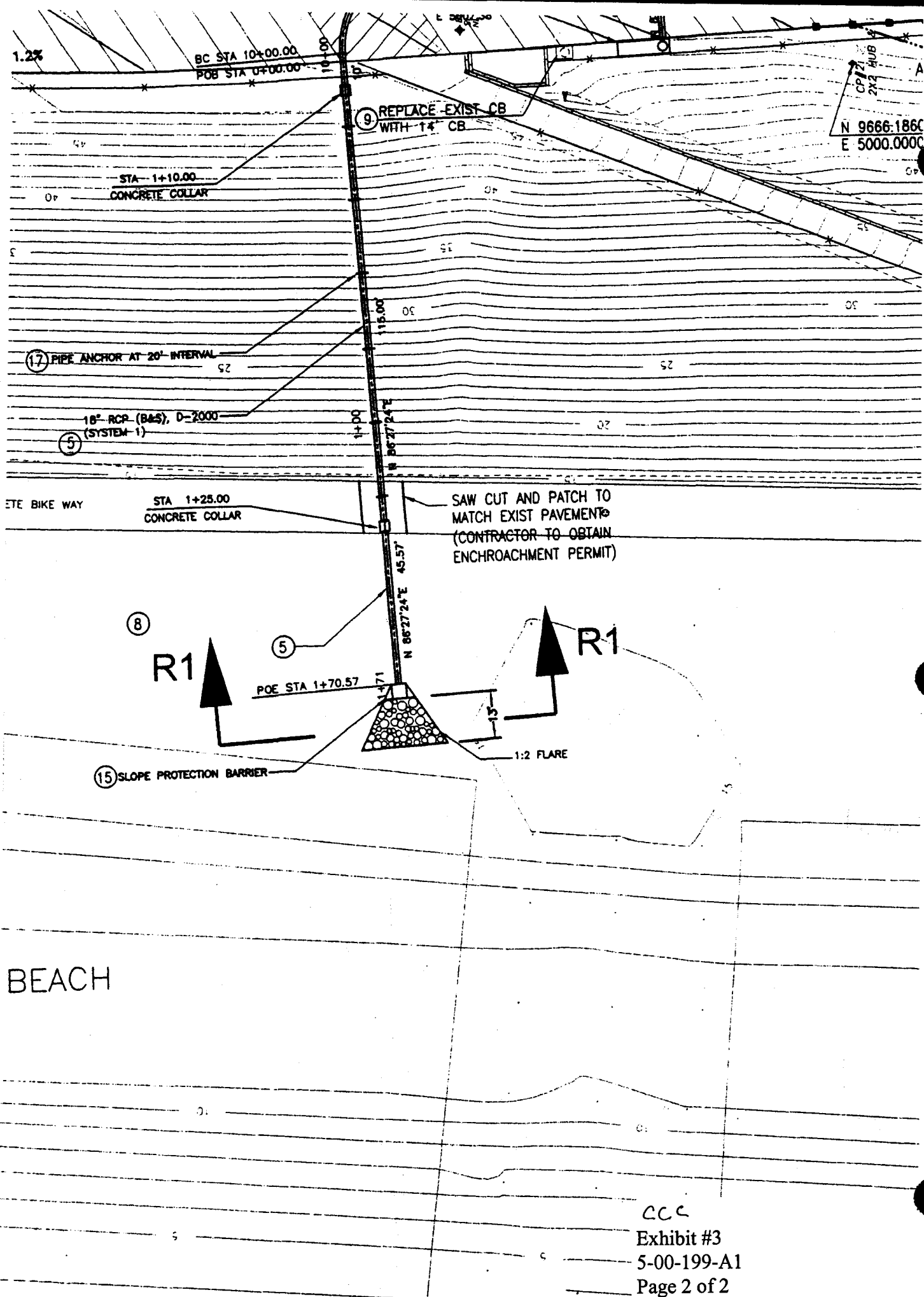




CCC  
Exhibit #2  
5-00-199-A1  
Page 2 of 2

Storm drain  
dissipator





## Final Riprap Blanket Design Summary

Replace Culvert, SBd-38 PM 7.5, EA#358410

Culvert Alternative: 18" CRP

Caltrans Riprap Class: No. 3

Riprap Thickness (mm): 0.70 ft = 215 mm

$L_{sp}$  = 13.0 ft = 4.00 m

$W_1$  = 15.0 ft = 4.60 m

$W_{sp}$  = 22.5 ft = 6.90 m

Total area of riprap = 243.8 sq.ft. = 23.00 m<sup>2</sup>

Total volume of riprap = 170.6 cu.ft. = 4.95 m<sup>3</sup>

where:

$L_{sp}$  is the length of the riprap blanket.

$W_1$  is the width at the upstream end of the blanket.

$W_{sp}$  is the width at the downstream end of the blanket.

Other notes or instructions:

Q = 8 cfs(25 year storm), see Hydraulics Report.

CCC  
Exhibit #4  
5-00-199-A1  
Page 1 of 2

## Final Riprap Blanket Design Summary

Replace Culvert, SBd-38 PM 7.5, EA#358410

Culvert Alternative: **30" CMP**

Caltrans Riprap Class: **1/4 T**

Riprap Thickness (mm): **2.70 ft** = 825 mm

$L_{sp}$  = **20.0 ft** = 6.10 m

$W_1$  = **20.0 ft** = 6.10 m

$W_{sp}$  = **40.0 ft** = 12.20 m

Total area of riprap = 600.0 sq.ft. = 55.82 m<sup>2</sup>

Total volume of riprap = 1620.0 cu.ft. = 46.05 m<sup>3</sup>

where:

$L_{sp}$  is the length of the riprap blanket.

$W_1$  is the width at the upstream end of the blanket.

$W_{sp}$  is the width at the downstream end of the blanket.

Other notes or instructions:

**Q = 8 cfs(25 year storm), see Hydraulics Report.**

CCC  
Exhibit #4  
5-00-199-A1  
Page 2 of 2

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(2) 590-5071

Page 1 of 11

Date: May 28, 2002

Permit No: 5-00-199

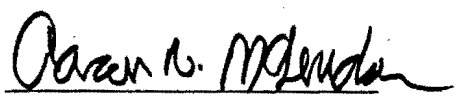
**COASTAL DEVELOPMENT PERMIT**

On August 7, 2001, the California Coastal Commission granted to Los Angeles County Department Of Beaches & Harbors Coastal Development Permit 5-00-199, subject to the attached Standard and Special Conditions, for development consisting of: Torrance Beach facilities improvements including: remove top 2 inches of asphalt and repave and restripe existing 347 space public beach parking lot; demolish existing restroom facility and construct new restroom facility with showers; remodel existing concession stand and add new storage area; demolish one existing pedestrian access ramp leading from parking lot to beach, construct new emergency vehicle access ramp and ADA compliant pedestrian access ramp from parking lot to beach, close existing vehicle access ramp with bollards and signs (remaining open for public access), demolish and rebuild Miramar Park stairs and sidewalk; remove two existing storm drain inlets and construct curb opening catch basins, install four storm drain intercept clarifiers, install three new CDS units in catch basins in the Torrance Beach parking lot and two new CDS units in catch basins in Miramar Park, each with petroleum absorbent pads; abandon a 12-inch diameter storm drain pipe that exits onto the beach, enlarge a second 12-inch diameter storm drain to an 18-inch diameter storm drain, extend an existing 30-inch diameter storm drain 30 feet seaward with new headwall (below grade); remove existing storage containers located at the south end of the beach; remove existing chain link fence around parking lot; approximately 1,914 cubic yards of graded cut and 2,826 cubic yards of fill for access ramps; and revegetate disturbed areas with existing landscaping (iceplant) except in the area between the new emergency access road and the new ADA access ramp where native plant species of the Malaga bluffs will be planted. More specifically described in the application file in the Commission offices.

The development is within the coastal zone in Los Angeles County at 879 Paseo Del La Playa, Torrance.

Issued on behalf of the California Coastal Commission on May 28, 2002.

PETER DOUGLAS  
Executive Director

By:   
Title: Coastal Program Analyst

**RECEIVED**  
South Coast Region

JUL 19 2002

CALIFORNIA  
COASTAL COMMISSION

CCC  
Exhibit #5  
5-00-199-A1  
Page 1 of 11

# COASTAL DEVELOPMENT PERMIT

No. 5-00-199

Page 2 of 11

CCC

Exhibit #5

5-00-199-A1

Page 2 of 11

## ACKNOWLEDGMENT

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part, that: "A public entity is not liable for injury caused by the issuance . . . of any permit . . ." applies to the issuance of this permit.

**IMPORTANT:** THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 CAL. ADMIN. CODE SECTION 13158(a).

---

Date

---

Signature of Permittee

Please sign and return one copy of this form to the Commission office at the above address.

## 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 on which the Commission voted on the application. 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



## COASTAL DEVELOPMENT PERMIT

No. 5-00-199

Page 3 of 11

bind all future owners and possessors of the subject property to the terms and conditions.

### SPECIAL CONDITIONS:

1. Assumption of Risk, Waiver of Liability and Indemnity

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

B) Prior to any conveyance of the property that is the subject of this coastal development permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection (A) of this condition. The restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

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

2. No Future Shoreline Protective Device

A) By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-00-199 including, but not limited to restrooms, concession stands, storm drain outlets, parking lots, and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to

# **COASTAL DEVELOPMENT PERMIT**

**No. 5-00-199**

**Page 4 of 11**

CCC  
Exhibit #5  
5-00-199-A1  
Page 4 of 11

construct such devices that may exist under Public Resources Code Section 30235.

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

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

B) Prior to any conveyance of the property that is the subject of this coastal development permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection (A) of this condition. The restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

C) **Prior to issuance of the coastal development permit**, the applicant shall submit a copy of a written agreement by the applicant, in a form and content acceptable to the Executive Director, accepting all of the above terms of subsection A of this condition.

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

A) **Prior to issuance of the coastal development permit**, the applicant shall submit to the Executive Director for review and written approval, a final demolition schedule and detailed plans which identify the specific location of: demolition staging and equipment storage areas, areas where

# COASTAL DEVELOPMENT PERMIT

No. 5-00-199

Page 5 of 11

CCC

Exhibit #5

5-00-199-A1

Page 5 of 11

any demolished structures and excavated soils are proposed to be temporarily stockpiled, and the access corridors to the project site. Said plans shall include the follow criteria and limitations specified via written notes on the plan:

- a. In order to reduce adverse impacts to public access and recreation, the reconstruction of the northern portion of the parking lot, including the new vehicular ramp and new pedestrian ramp, shall be completed prior to Memorial Day weekend. Construction of other project elements, including, but not limited to, the restroom and Miramar Park stairs, may be done between Memorial Day and Labor Day, as long as the impact of said construction on public access is minimized and mitigated, e.g., chemical toilets are provided for public use while the restroom is under construction.
- b. To protect the public from potential injury on the construction site, project elements under construction shall be fenced. To minimize and limit the impact of these closures on public access and recreation, fencing shall not be erected more than 50 feet from any project element. All beach areas and recreation facilities outside of the 50-foot radius shall remain open and available for public use during the normal operating hours (unless they are closed pursuant to a Commission approved coastal development permit or permit amendment).
- c. Public access to and along the beach bicycle path shall be maintained at all times that construction does not pose a potential threat to public safety. At those times when construction is adjacent to the bike path, and there is a potential danger to the public, the bike path shall be terminated at the Avenue I ramp. No detour shall be created on the sand, as the existing bike path terminates at the concession building on Torrance Beach. Terminating the bike path at Avenue I will temporarily reduce the length of the bike path by less than one mile.
- d. Staging areas, equipment and materials storage areas, and soil stockpiles shall be located within the southern portion of the parking lot, which includes the southernmost exit and the existing vehicle ramp. In the event that staging areas, equipment and materials storage areas, and soil stockpiles are temporarily needed adjacent to project elements on the beach, they shall be at least 100 feet from the mean high tide line. These areas shall be fenced and maintained to prevent hazards to public safety and encroachment of equipment and debris within 100 feet of the mean high tide line.
- e. Truck and heavy equipment access corridors to the project site shall be located in a manner that has the least impact on public access and existing public parking areas.

# COASTAL DEVELOPMENT PERMIT

No. 5-00-199

Page 6 of 11

CCC  
Exhibit #5  
5-00-199-A1  
Page 6 of 11

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

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

A) The permittee shall comply with the following construction-related requirements:

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

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

- a. Temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence, snow fences, or hay bales, and silt fencing.

# COASTAL DEVELOPMENT PERMIT

No. 5-00-199

Page 7 of 11

CCC

Exhibit #5

5-00-199-A1

Page 7 of 11

- b. Stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.
- c. Any spills of construction equipment or fluid or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
- d. These erosion control measures shall be required on the project site prior to or concurrent with the initial construction operations and maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction.

## 5. Location of Debris Disposal Site

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

## 6. Storm Drain/Structural Best Management Practices

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

B. **Prior to Issuance of the Coastal Development Permit**, the applicant shall submit a Drainage Plan to the Executive Director for review and approval. The Plan shall provide for the installation of four Pollution Removal Devices, with sorbent material specifically designed to remove vehicular contaminants and other typical urban runoff pollutants<sup>1</sup> more efficiently than a standard silt and grease trap.

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

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

# **COASTAL DEVELOPMENT PERMIT**

**No. 5-00-199**

**Page 8 of 11**

CCC  
Exhibit #5  
5-00-199-A1  
Page 8 of 11

mechanisms) shall be sized according to the specifications identified in the California Storm Water Best Management Practice Municipal Handbook (California Storm Water Management Task Force, March 1993).

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

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

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

## **7. Maintenance/Monitoring of Storm Drain Extension**

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

B. If, at any time, 10 feet or more of any storm drain is exposed and unsupported by sand, such portion shall be removed. Alternatively, if, at any time, 10 feet or more of the storm drain is exposed and unsupported by sand, the applicant shall implement a beach nourishment program to sufficiently cover the exposed section of the storm drain and restore the section of the beach in this area. The sand shall come from an approved beach nourishment site.

## **8. Construction Material**

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

# COASTAL DEVELOPMENT PERMIT

No. 5-00-199

Page 9 of 11

CCC

Exhibit #5

5-00-199-A1

Page 9 of 11

9. Landscaping/Habitat Restoration Plan

**A. Prior to issuance of a Coastal Development Permit**, the applicant shall submit a landscaping plan prepared by a professionally licensed landscape architect or resource specialist, for review and approval by the Executive Director implementing vegetation native to the Malaga Bluffs. Upon completion of construction, the applicant shall landscape the slope south of the existing vehicle ramp (behind the concession building), with native plants intended to provide a "safe haven" for the El Segundo Blue butterfly. All other disturbed areas shall be planted to control erosion and slope instability. The plan shall include, at a minimum, the following components: a statement of goals for the restoration project, a map showing the type, size, and location of all plant materials that will be on the developed site, the topography of the developed site, all other landscape features, and a schedule for installation of plants.

If construction of the project disturbs more than one-third of the area between the proposed ADA access ramp and the proposed emergency access ramp the applicant shall revegetate this area with native plant species of the Malaga bluffs (see Exhibit #2). The landscaping shall be in accordance with the above components of the landscaping plan.

The landscaping plan shall show all existing vegetation. The plan shall incorporate the following criteria:

- a. The subject site shall be planted and maintained for slope stability, erosion control, and native habitat enhancement purposes. The landscaping shall be planted within sixty (60) days after the completion of grading along the bluffs.
- b. The site shall be planted solely with native plant species of the Malaga bluffs, as listed in Exhibit #6. The landscaping shall be planted using accepted planting procedures required by a professionally licensed landscape architect or resource specialist.
- c. A large component of the native landscaping shall consist of *Eriogonum parvifolium* and *Lupinus chamissonis* for the safe harbor of the Federally listed El Segundo Blue butterfly.
- d. All *carpobrotus* (ice plant) and any other invasive, non-native plant species shall be removed from the native landscaping location (between the proposed ADA pedestrian access ramp and the proposed vehicular access ramp (see Exhibit #2). The applicant shall also remove all airborne invasive plant species from the entire project site. The removal of all non-native and invasive plant species shall be conducted in accordance with the consulting landscape architect or resources specialist.

# **COASTAL DEVELOPMENT PERMIT**

**No. 5-00-199**

**Page 10 of 11**

CCC  
Exhibit #5  
5-00-199-A1  
Page 10 of 11

- e. The applicant shall include a maintenance program report that shall include the continued removal of ice plant and airborne invasive plant species.
- f. The landscaping shall be maintained in good growing condition throughout the life of the project and whenever necessary shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements in the landscaping plan. Watering of new plants shall be conducted during the first two years of the restoration as needed until root systems have expanded to prevent excessive plant mortality.

## **B. Monitoring**

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

- a. Records shall be made of the species, quantities and location of all vegetation, as well as methods used. Potential problems, such as unsuitable soils, or weed infestations shall be documented. A photographic record of the site shall be kept every three months from the time of the initial planting through the end of the monitoring program. These records shall be provided yearly to the Executive Director.
- b. For the second year, the applicant shall inspect within two weeks of major rainfalls. If the inspection reveals that invasive plants have established, or that installed plants have failed, the applicant shall report to the Executive Director the proposed remediation measures and shall implement such measures after the approval of the Executive Director.
- c. For the third and fourth years, the applicant shall inspect, as noted above. At the end of the first rainy season the applicant shall provide the Executive Director with records that no fewer than 50% of the installed plants have survived and that coverage is 80% of that observed on nearby hills. The applicant shall replace, as necessary, all native plant material that did not survive with similar native species.



# COASTAL DEVELOPMENT PERMIT

No. 5-00-199

Page 11 of 11

CCC

Exhibit #5

5-00-199-A1

Page 11 of 11

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

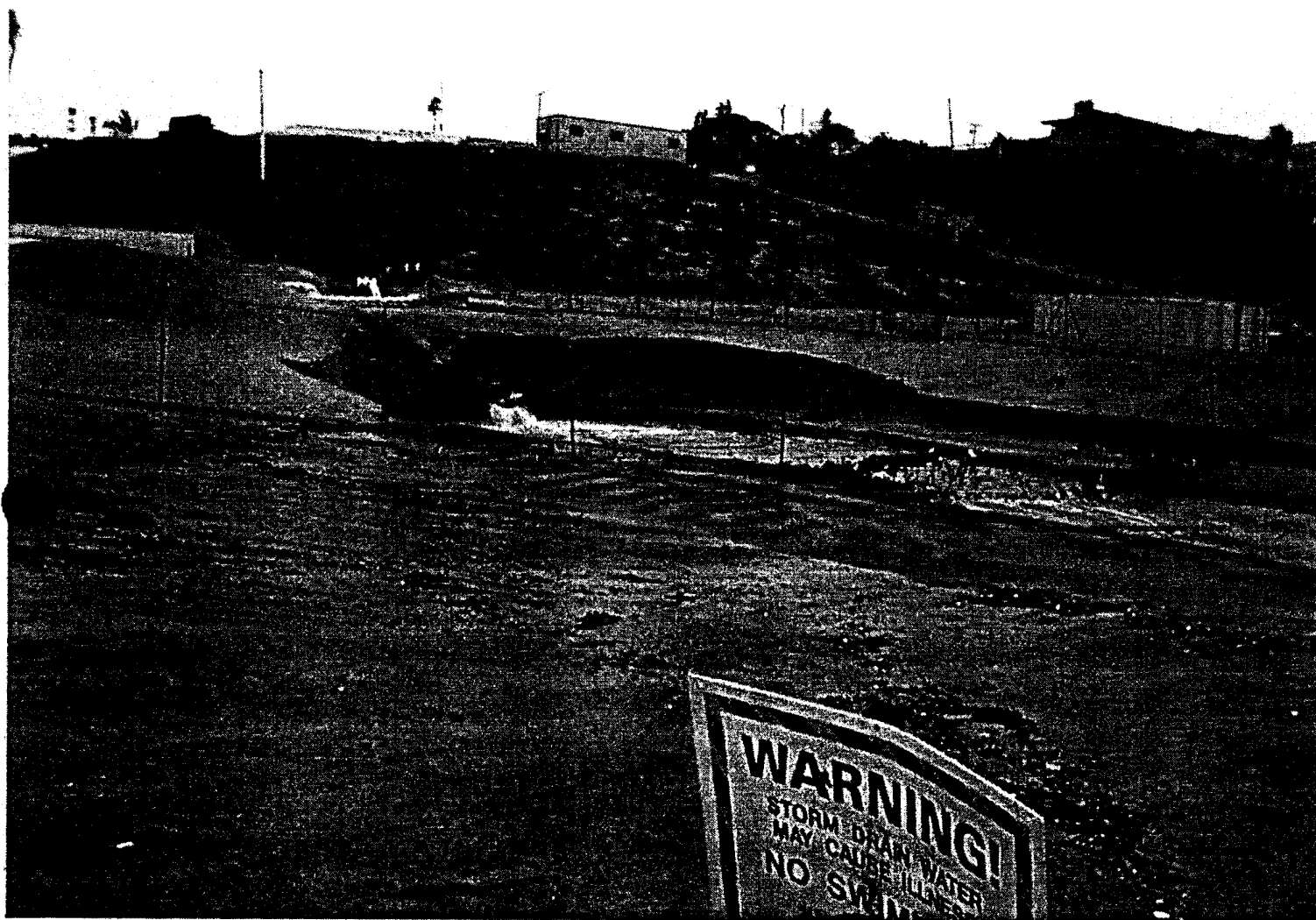
C. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless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

## 10. Conformance of Design and Construction Plans to Geotechnical Report

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

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





Photograph taken December 16, 2002, after one day of heavy rain.



Photograph taken on December 16, 2002 after one day of heavy rain.