

Item TU 11f

STATE OF CALIFORNIA - THE RESOURCES AGENCY

GRAY DAVIS, Governor

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Filed: 7/19/03
49th Day: 9/6/03
180th Day: 1/15/04
Staff: Carey *for*
Staff Report: 9/18/03
Hearing Date: 10/7-10/03
Commission Action:



RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-03-066

APPLICANT: California State Lands Commission

PROJECT LOCATION: Las Tunas County Beach (19324-19562 Pacific Coast Highway), City of Malibu, Los Angeles County

PROJECT DESCRIPTION: The removal of five corroded steel sheetpile groins using an excavator, construction of two temporary access ramps with 100 cu. yds. of sand, redistribution of sand ramps as beach replenishment, and cutting underwater groin fragments with a torch.

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit 4-93-209 (State Lands Commission).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with Special Conditions regarding construction responsibilities and timing of work. The project is proposed to remove the potential hazard of jagged steel groin remnants that remain from groins constructed in 1929. The proposed project will be carried out on State Lands so the proposed project is within the retained permit jurisdiction of the Commission. As conditioned, the proposed project is consistent with Sections 30230, 30231, and 30210 of the Coastal Act.

STAFF RECOMMENDATION

I. Approval with Conditions.

MOTION: *I move that the Commission approve Coastal Development Permit 4-03-066 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date 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 bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Construction Responsibilities And Debris Removal

By acceptance of this permit, the applicant agrees not to store any construction materials or waste where it is subject to wave erosion and dispersion. The applicant shall remove all groin material and debris from the beach to the bluff area and shall store such materials in appropriate containers. All groin or other materials and debris shall be properly disposed of and all fencing and construction equipment completely removed from the site at the completion of the removal work.

2. Construction Timing.

By acceptance of this permit, the applicant agrees that the groin removal authorized in Permit 4-03-066 shall occur only in the period after Labor Day and before Memorial Day, with such exceptions as may be granted by the Executive Director for good cause.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant proposes the removal of five corroded steel sheetpile groins ("Euddwood" Groins 1,3,4, and 5 as well as the "Call" Groin) using an excavator, construction of two temporary access ramps with 100 cu. yds. of sand, redistribution of sand ramps as beach replenishment, and cutting underwater groin fragments with a torch on Las Tunas County Beach within the City of Malibu. The proposed project will be carried out on State Lands so the proposed project is within the retained permit jurisdiction of the Commission.

The applicant is not proposing to remove Buddwood Groin 2 at this time. This groin is shorter in length than the others and is anchored at its seaward end to a large rock. While deteriorated, Groin 2 is much more intact than the other groins. The applicant will place concrete over exposed sections of metal on Groin 2 to reduce the potential hazard that exists and will not remove this groin at this time. Commission staff has previously determined that the placement of concrete on Groin 2 is a repair and maintenance activity that does not require a permit.

Six groins were constructed along Las Tunas County Beach in 1929. The groins originally consisted of pile driven steel sheets with a concrete cap over the steel. Over time, the concrete cap deteriorated and the steel sheets corroded. By the 1970's, most of the groins were no longer retaining sand.

The Commission has previously granted Permit 4-93-209 (State Lands) for the removal of four of the groins ("Buddwood" Groins 1,3,4,and 5). By that time, what remained of these four groins were jagged metal fragments that were a safety hazard to members of the public walking or swimming at Las Tunas Beach. The proposed method of removal was to utilize a backhoe lowered to beach level with a crane. The applicant proposed to excavate around each groin to a depth of approximately 6 feet and break off or pull out the groin segments. At that time, the applicant did not propose to remove the "Call" Groin. In 1994, the contractor removed the exposed groin fragments using a backhoe to pull out or break off each steel sheetpile segment. However, the backhoe was not powerful enough to pull out the whole sheetpile in each section down to bedrock. Therefore, pieces of the four groins still remained. At this time, jagged steel spikes are now once again exposed in several areas.

The applicant now proposes to utilize the more powerful excavator to remove the remaining segments of the groins. This machinery will be used to excavate along one side of each groin, to vibrate the steel sheet, and then pull the steel sheet out of the bedrock. This method is proposed to be employed for all onshore groin segments. For any remaining segments offshore, divers will cut any exposed steel with a torch. In addition, the applicant now proposes to remove the "Call" Groin using the same methods.

However, the excavator is too heavy to be deployed to the beach with a crane as the applicant did in 1994. In order to deploy the excavator to beach level, the applicant proposes to construct two temporary ramps from the bluff area adjacent to Pacific Coast Highway down to the beach. The applicant estimates that each ramp will be 12 feet wide and less than 30 feet long, descending 10 feet with a 2:1 slope. The applicant proposes to construct both ramps from approximately 100 cu. yds. of sand that matches the grain size of the sand on Las Tunas Beach. After completion of the project, this sand will be redistributed along the beach as sand nourishment.

B. Marine Environment and Public Access.

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 states that:

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

Section 30210 of the Coastal Act states that:

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.

The Commission has, in past permit decisions, recognized that the construction of groins has both short and long term impacts on the marine environment. The groins themselves may cover over rocky or sandy bottom habitat areas and the trapped sand may alter the type of habitat. In this case, the applicant proposes to remove steel remnants that remain from the earlier attempt to remove four groins, as well as the deteriorated "Call" groin (not a part of the earlier removal project).

In the long term, the proposed project will improve the beach and marine environment by removing the remaining groin remnants. Some short term impacts, like increased turbidity may be expected in the area of each groin during the removal project. Additionally, the construction of the temporary ramps and the use of heavy equipment on the beach may also have short term impacts. Bluffs are typically vegetated with native species and provide habitat for birds and small animals. However, in this case, the "bluff" that descends from the parking area at street level to the beach below consists primarily of fill material placed by Caltrans to protect Pacific Coast Highway and utility lines. This is not a naturally vegetated bluff. As such, the construction of two temporary access ramps will not adversely impact any bluff habitat. The proposed access ramps will be constructed of approximately 100 cu. yds. of imported clean sand fill. The sand grain size will be consistent with the grain size that is on Las Tunas Beach. After completion of the project, the applicant will distribute the sand from the ramps along the beach where it can provide a small amount of beach nourishment. As such, the ramp construction and removal will minimize impacts to the beach and marine resources. In order to ensure that groin material and debris and any other construction material or equipment is not introduced to the marine environment, the Commission finds it necessary to require the applicant to remove all such material from the beach, to

store it in appropriate containers, and to completely remove it from the project site when the removal project is complete. **Special Condition No. 1** requires that the applicant to ensure that no construction materials or waste are stored where it could be subject to wave erosion or dispersion.

With regard to public access, the proposed project will increase public access opportunities in the long term. Although the area is already a public beach, the existing groin remnants present both an obstacle to lateral beach access and a potential hazard to beach users. Obviously, great care needs to be taken walk along the beach or swim in the water with the jagged groin remnants present.

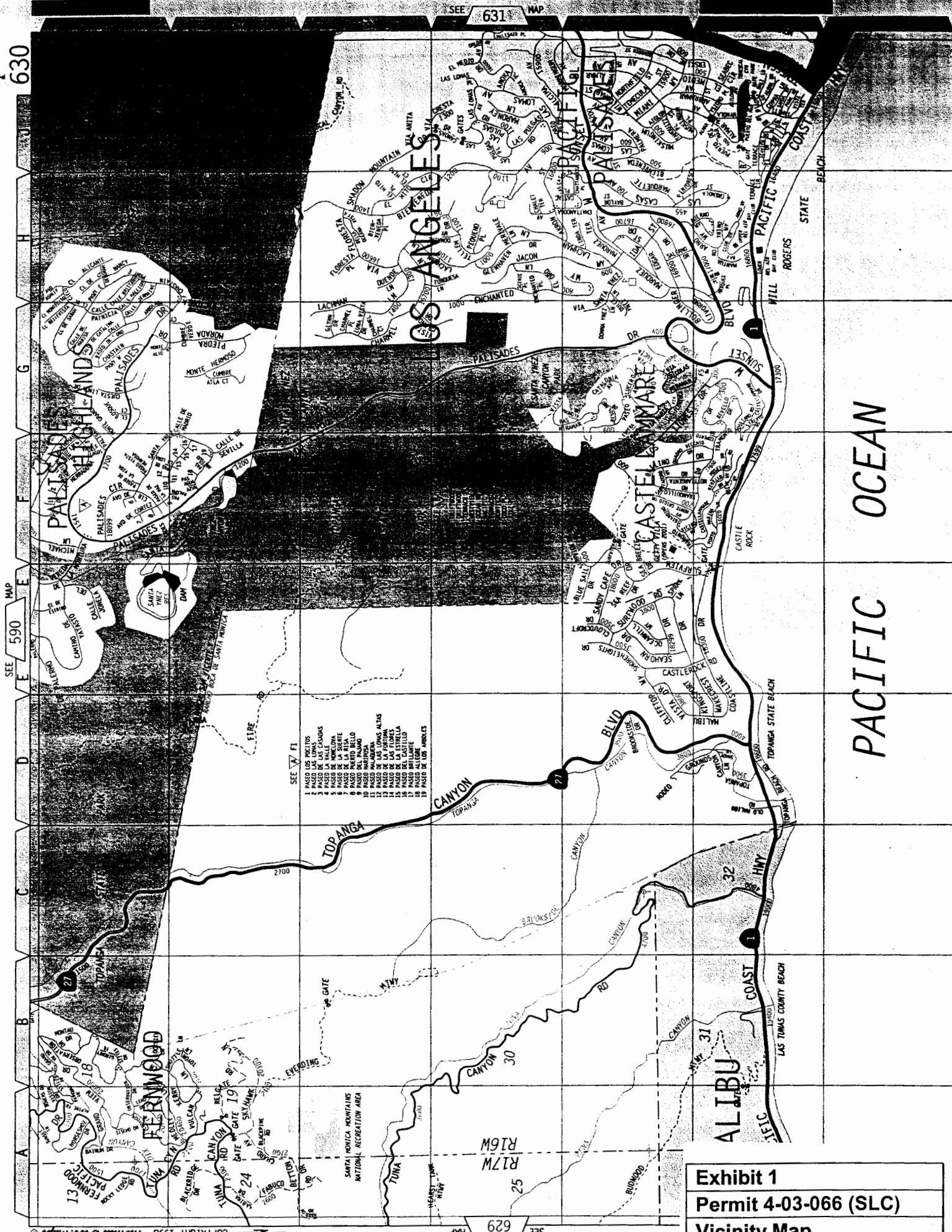
In the short term, there is a potential for impacts to public access as a result of the removal project. The use and storage of equipment on the bluff will reduce the parking area available to the public. Additionally, the use of the equipment will make it unsafe and therefore impossible for the public to access the beach during construction. In order to ensure that the removal operations and the storage of equipment at the site do not interfere with public access, the Commission finds it necessary to require the applicant to carry out the removal project during the off-season for beach use, between Labor Day and Memorial Day. Because of the importance of removing the hazard of the groin remnants, if the project is begun and weather or other unavoidable factors delay the completion of the project, this period may be extended. **Special Condition No. 2** sets forth these requirements.

As conditioned to properly store and dispose of groin material and debris, and to carry out the removal project outside of the summer beach season, the proposed project will minimize impacts to marine resources and public access, consistent with Sections 30230, 30231 and 30210 of the Coastal Act.

C. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application 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 Commission finds that, the proposed project, as conditioned, will not have any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.



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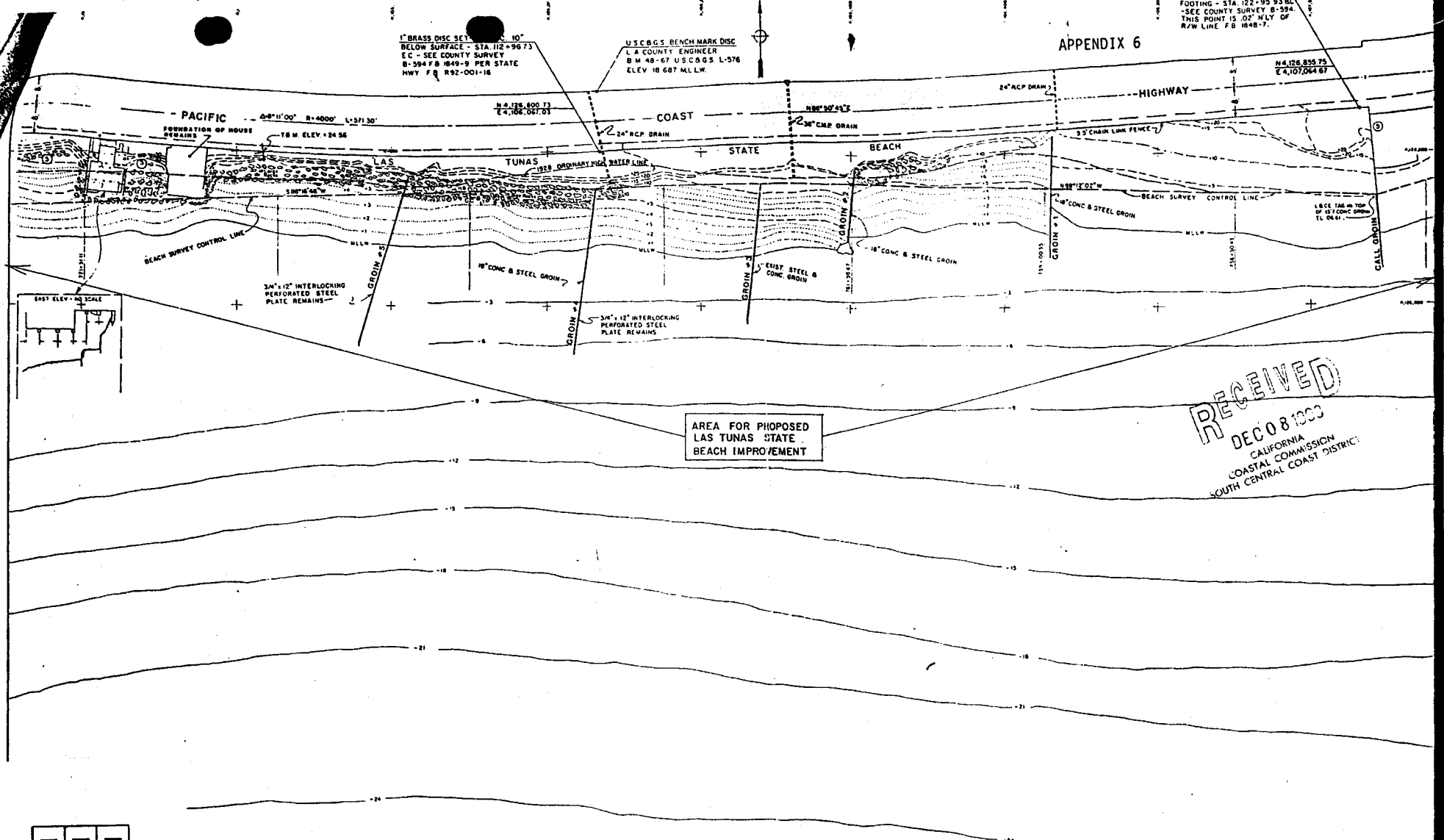
SEE 590 MAP

SEE 631 MAP

SEE 629 MAP

Exhibit 1
Permit 4-03-066 (SLC)
Vicinity Map

APPENDIX 6



RECEIVED
DEC 8 1963
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

AREA FOR PROPOSED
LAS TUNAS STATE
BEACH IMPROVEMENT

NOTES:

1. ALL CONTOUR LINES ARE INDICATED IN FEET.
2. MLLW CONTOURS AND ABOVE BASED ON "LAS TUNAS BEACH, OWNERSHIP MAP" LOS ANGELES COUNTY ENGINEERS OFFICE, 16 JANUARY 1952.
3. DEPTH CONTOURS BEGINNING AT MINUS 5 FEET MLLW BASED ON "SHALOW CREEK TO BALLONA CREEK, SURVEY OF 1961 CORPS OF ENGINEERS, 24 AUGUST 1962, P.M. 2365.
4. GRID SYSTEM IS CALIFORNIA LAMBERT, ZONE 1.
5. PROPOSED ACQUISITION PROPERTIES

LEGEND:

- EXISTING CONCRETE AND STEEL SHEET - PILE GROIN.
- LARGE ROCKS.
- EXISTING GRAIN CULVERTS.

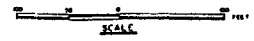
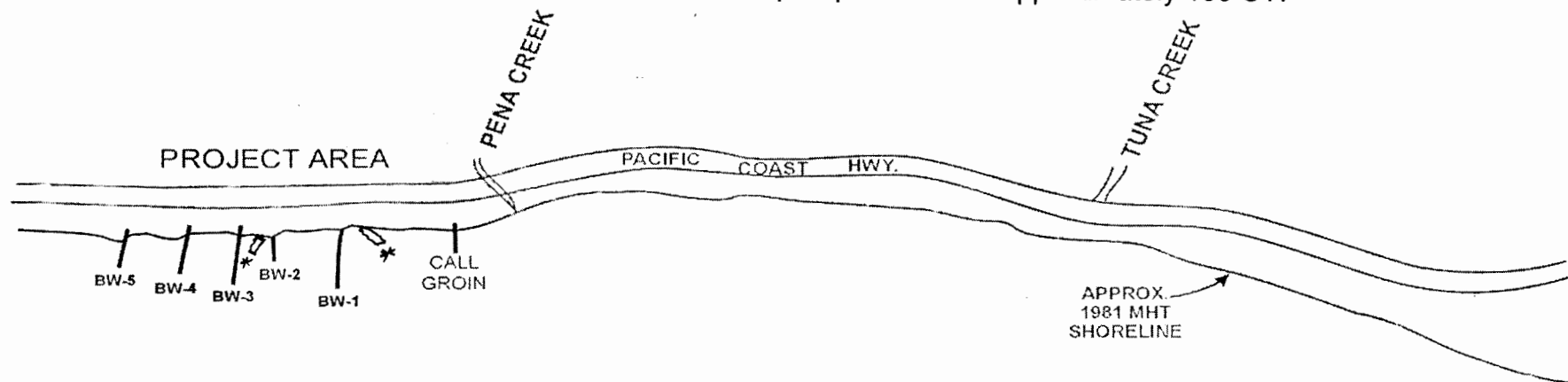
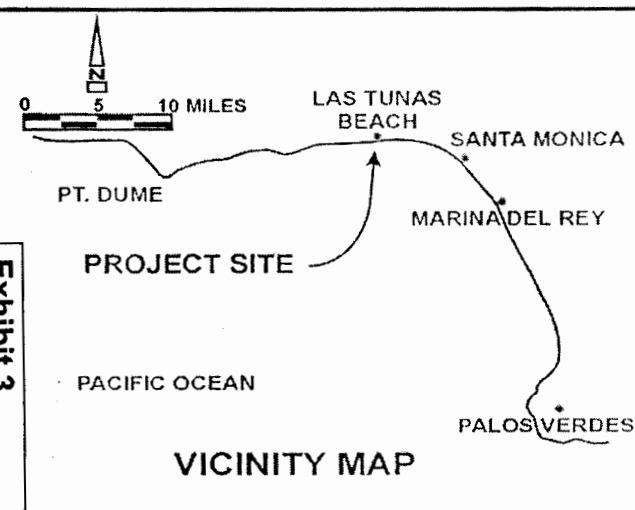


Exhibit 2
Permit 4-03-066 (SLC)
Location of Groins

*Proposed two temporary construction ramps from native soil.
Each ramp requires a fill of approximately 100 CY.



LOCATION MAP



VICINITY MAP

Malibu Buddwood Groins and Call Groin

LEGEND

BW-1: BUDDWOOD GROIN NO. 1
LOCATIONS OF GROINS AND 1981
MEAN HIGH TIDE SHORELINE
LOCATION OBTAINED FROM
WINZLER AND KELLY (1985)

LOCATION:
LAS TUNAS BEACH, MALIBU
LOS ANGELES COUNTY

Exhibit 3
Permit 4-03-066 (SLC)
Ramp Locations