CALIFORNIA COASTAL COMMISSION
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Filed:	2/27/04
49th Day:	4/16/04
180th Day:	8/25/04
Staff:	AJP-LB
Staff Report:	6/22/04
Hearing Date:	7/14-16/04
Commission Action:	

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STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-04-080

APPLICANT: City of Los Angeles

PROJECT LOCATION: Del Rey Lagoon, Playa del Rey, City of Los Angeles

PROJECT DESCRIPTION: Del Rey Lagoon Park improvements including installation of storm water filter and debris separation units (CDS units), catch basins with debris filters, installation of landscaping along the lagoon shoreline and park area; resurfacing parking lots; and adding new walkways with ADA ramps.

LOCAL APPROVALS RECEIVED: City of Los Angeles CDP No. ZA 2003-3761

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission grant a permit for the proposed development with a condition regarding landscaping and landscape monitoring. As conditioned, the proposed development conforms with all applicable policies of the Coastal Act.

I. STAFF RECOMMENDATION:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 5-04-080 pursuant to the staff recommendation.***

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE THE PERMIT:

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

II. STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Lagoon Native Landscaping

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicants shall submit, for the review and written approval of the Executive Director, a final landscaping plan. The landscaping plan shall conform with the following requirements: (a) all plants shall be low water use plants as defined by the University of California Cooperative Extension and the California Department of Water Resources in their joint publication: "*Guide to estimating irrigation water needs of landscape plantings in California*". (b) The applicant shall not employ invasive, non-indigenous plant species, which tend to supplant native species as identified on the California Native Plant Society publication "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 " and/or by the California Exotic Pest Council, including the following plants:

I. Mexican Fan Palm (Wahingtonia Robusta)
II. Cajeput Tree (Melaleuca Quinqueneriva)
III. Pink Melaleuca (Melaleuca Nesophila)
IV. New Zealand Tea Tree (LePtospermum Scoparium)

(d) Use of California native plants indigenous to the Play Del Rey area is encouraged. (e) All required plantings 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 the landscape plan.

B. Five years from the date of issuance of Coastal Development Permit No. 5-04-080, the applicant shall submit for the review and approval of the Executive Director, a monitoring report, prepared by a licensed biologist, landscape architect or qualified resource specialist that assesses whether the on-site landscaping is in conformance with the submitted landscaping plan and provides no less than 80% coverage of planted area and resists invasion by exotic plant species as demonstrated by less than 25% coverage of weed species. The monitoring report shall include photographic

documentation of plant species, plant coverage and an evaluation of the conformance of the resultant landscaping with the requirements of this special condition.

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.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes water quality improvements to Del Rey Lagoon Park that include installation of a storm water filter and debris separation unit (CDS unit) to the existing storm drain located near the southeast portion of the lagoon, three to four new catch basins with debris filters, planting of native wetland transitional landscaping along the lagoon shoreline; resurfacing parking lots; and adding new walkways with ADA ramps. In addition, the children's play areas will be improved by removing the existing sand areas and installing a new level sand play area with resilient surfaces and new equipment. A new approximately 1.5 foot high seating wall will be added at the existing playground areas of the park. The wall will separate the play areas from the lagoon to reduce sand and other debris from migrating into the lagoon.

All proposed catch basins, filters and CDS units will be located along existing storm drain and drainage areas adjacent to the streets, parking lots, or edges of the park. There will be no grading or construction within the water line of the lagoon and activities along the shoreline will only involve native plantings to help stabilize the shoreline and prevent erosion and enhance the lagoon ecology. Non-native Pampas Grass established along the shoreline will be removed.

Del Rey Lagoon Park is located northwest of Culver Boulevard, between the streets of Pacific and Esplanade, in the community of Playa del Rey, in the City of Los Angeles. The 13-acre park includes a 5.7 acre lagoon, children's play areas, a basketball court, a baseball diamond, picnic tables, restroom facilities, passive recreational areas and parking lots. The lagoon is elongated in a northwest to southeast direction, paralleling Dockweiler State Beach. It is approximately 1,200 feet long and approximately 250 feet wide.

The park is surrounded by residential land uses and Dockweiler State Beach beyond to the west, Ballona Creek and the Marina Del Rey entrance channel to the north, residential land uses and the Ballona Wetlands beyond to the east, and residential areas to the south.

B. Environmentally Sensitive Resources

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 30240(a) 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 those resources shall be allowed within those areas.*

The Del Rey Lagoon is considered an environmentally sensitive habitat area. The lagoon is connected to the Ballona Creek and the Marina Del Rey entrance channel to the north by a manually operated tide gate. The lagoon provides foraging area for various bird species, including the California least tern, and provides potential habitat for benthic invertebrates and fish species.

The lagoon experiences sedimentation from bank erosion and the nearby playgrounds, and urban runoff problems from the adjoining streets and parking lots. Currently, seven surface water inlets carry storm water directly into the lagoon from nearby streets. The lagoon enhancements will include the installation of four CDS Technologies storm water filter and debris separation units, and three new catch basins with debris filter/traps.

These proposed improvements will reduce the amount of storm water pollutants that currently flow into the lagoon. The storm water filters will trap debris and sediments in a separation chamber and screen them through hydraulic action. Oils and grease are expected to be removed at efficiency levels of 80-90% by adding sorbent to the units. Regular maintenance will be conducted by Department maintenance staff. The CDS units will be cleaned out approximately 2-4 times per year and the catch basin filters will be cleaned 4-6 times a year and prior to major storms.

In addition to the urban runoff improvements, the project will include planting of native landscaping along the shoreline to help stabilize it. According to the Initial Study and Proposed Mitigated Negative Declaration that was prepared for this project, the existing plant communities on site are primarily non-native ornamental (see Exhibit No. 4). Turf grasses within the park are dominated by Bermuda grass. Palm trees and other ornamental tree and shrub species are located throughout the site. The majority of existing native plant species are located along the existing beach of the lagoon to just

above the ordinary high water mark. Species in this are include Salt Grass (Distichlis spicata), Pickleweed (Salicornica viginica), and Jaumea (Jumea carnosa). Although these species are dominant, they are not found in large populations and are scattered intermittently along the shoreline.

The applicant has submitted a landscape plan for the lagoon shoreline area and park area. The applicant is proposing to use all native vegetation along the shoreline to help stabilize the bank and reduce erosion and sedimentation. Selected plants include Salt Grass (Distichlis Spicata), Fleshy Jaumea (Jaumea Carnosa), and Pickleweed (Salicornia Virginica). California Sage Brush (Artemisia Californica) will be planted along the mid-slope areas.

In the park area, which is currently landscaped, a mix of native and non-native plants will be used consistent with the existing mix of plants that are found throughout the park. As stated, the existing park landscaping contains a majority of non-native plants. Some of these non-native plants are invasive, such as, Castor bean (Ricnis communis), Giant reed (Arundo donax) and Pampas grass (Cortaderia selloana). Since the main propose of the project is to improve the water quality of the lagoon by controlling and improving runoff from the park and surrounding streets, and the park area is an established urban park, the applicant is not proposing to remove any of the existing vegetation, except for Pampas grass that is growing along the shoreline. However, although existing vegetation within the park consists of various non-native plants, because of the sensitive nature of the lagoon and the nearby Play del Rey dunes and Ballona Wetland areas to the east, new non-native invasive plants should be minimized in the proposed landscaping or contained to minimize spreading. The proposed landscaping plan includes a number of non-native invasive plants (Cajeput Tree, Pink Melaleuca, New Zealand Tea Tree, and Mexican Fan Palm) that are considered noxious weeds and could supplant native plants in the nearby dunes and wetland areas. Although non-native and invasive plants, such as the Mexican Fan Palm, is common in the surrounding area, planting additional invasive plants will increase the potential spread of these plants in other sensitive areas. Other non-native invasive plants, such as Star Jasimine (Trachelospermum Jasminoides), is appropriate to use as proposed, since the plant, which spreads through roots and tendrils, will be contained in a planter in the parking lot areas. However, to ensure that the plant palette will not contain non-native invasive plants that tend to supplant native species and adversely impact surrounding sensitive areas, the applicant shall submit a new landscaping plan, for review and approval by the Executive Director, and implement the approved plan.

Furthermore, because the applicant is proposing to landscape within an ESHA, the proposed native landscaping along the shoreline should be monitored to ensure that the planting becomes established and conforms to the standards established in the landscaping condition of this permit. The applicant has indicated that the new landscaping will be monitored by the selected contractor for approximately one year after the planting to ensure survival of the plants. Unsuccessful plants will be replaced to guarantee at least a 70% overall survival rate. For landscaping projects within or adjacent to ESHAs, the Commission has consistently required a monitoring report after five years from the date of

the permit issuance to ensure that the plants have established and that the plantings provide at least 80% coverage. Therefore, as a special condition the applicant shall provide a monitoring report to the Commission five years from the issuance of this permit.

The proposed improvements will help reduce fish kills and the growth of weeds and algae, and increase the diversity of marine and terrestrial fauna. The proposed improvements will not involve any excavation or fill within the submerged lands of Del Rey lagoon. Some proposed grading will occur along the western shoreline to accommodate access walkways to the boathouse and picnic area. This walkway will provide Americans with Disabilities Act (ADA) required access and reduce the haphazard entrance trails leading from the parking lot and currently contributing to increased sedimentation into the lagoon. The applicant will incorporate Best Management Practices, such as sandbagging and tarping, during construction to ensure that sediment will not enter into the lagoon.

The proposed project will not change the existing use of the park, but will improve existing facilities and improve runoff and reduce sedimentation into the lagoon, whereby improving the lagoon's water quality and habitat. The Commission, therefore, finds that, as conditioned, the proposed project will be consistent with Section 30231 and 30240 of the Coastal Act.

C. Local Coastal Program

Section 30604 (a) of the Coastal Act states that:

> *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.*

The Del Rey Lagoon Specific Plan, which encompasses the Westchester-Playa del Rey area, was approved by the General Plan Advisory Board of the City of Los Angeles on May 21, 1980. Revisions were incorporated into the plan based on comments from Citizen Advisory Committee meetings on July 9, 1980 and October 21, 1980, a public meeting on July 22, 1980, and a City Planning Commission hearing on October 27, 1980. The policy portion of the plan was reformatted into a District Plan Amendment and approved by the General Plan Advisory Board on March 4, 1981. The Commission reviewed and approved with modifications the Del Rey Lagoon LUP, however, the City did not accept the Commission's approval. Neither the Land Use Plan nor the Implementation Plan portions of the Local Coastal Program are certified.

The proposed development as conditioned is consistent with the public access, recreation, and community character policies of Chapter Three of the Coastal Act. The Commission finds that approval of the proposed development, as conditioned, will not prejudice the

City's ability to prepare a certified Land Use Plan or a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

D. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment.

As conditioned, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

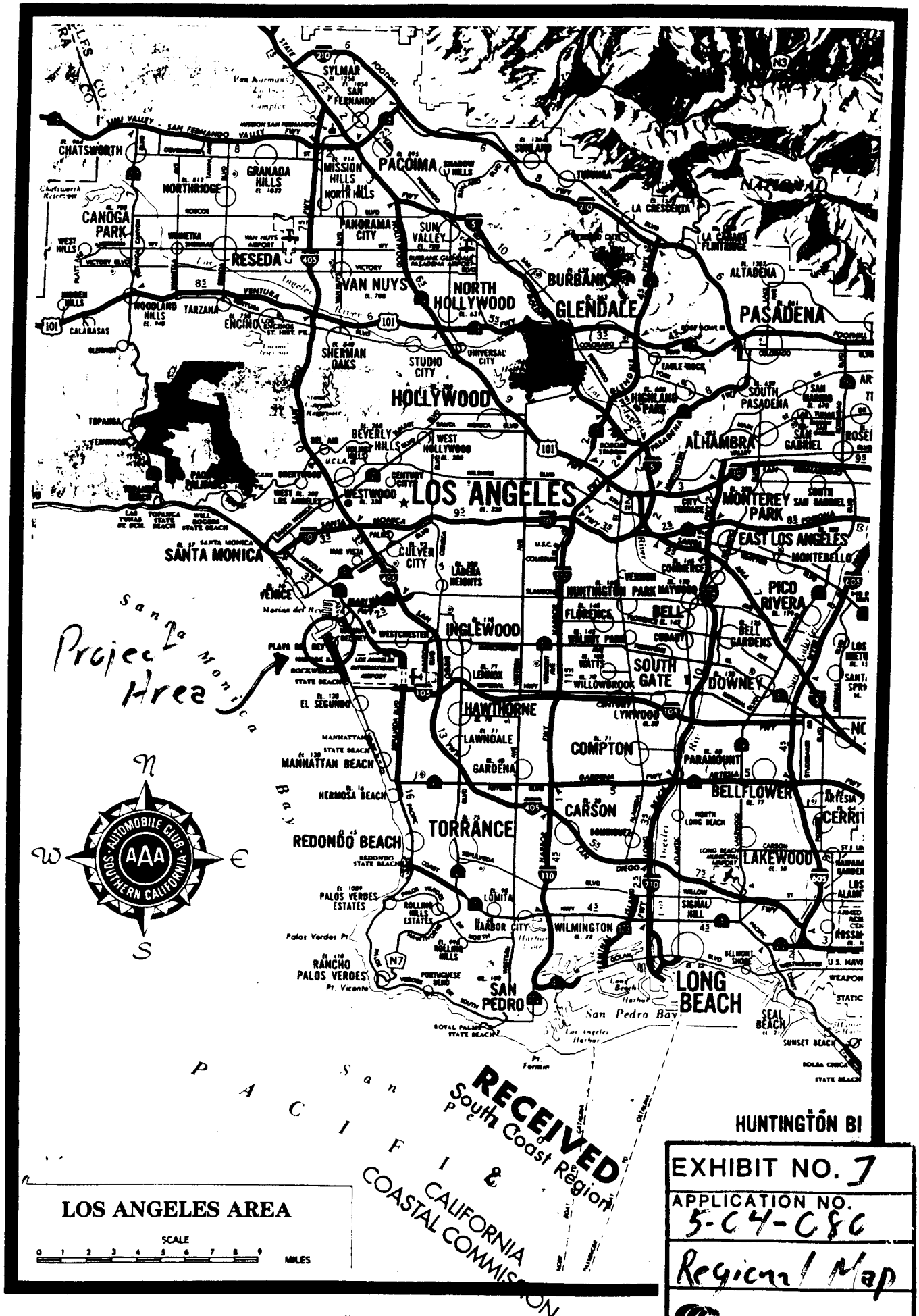


EXHIBIT NO. 1

APPLICATION NO. 5-C4-C&C

Regional Map

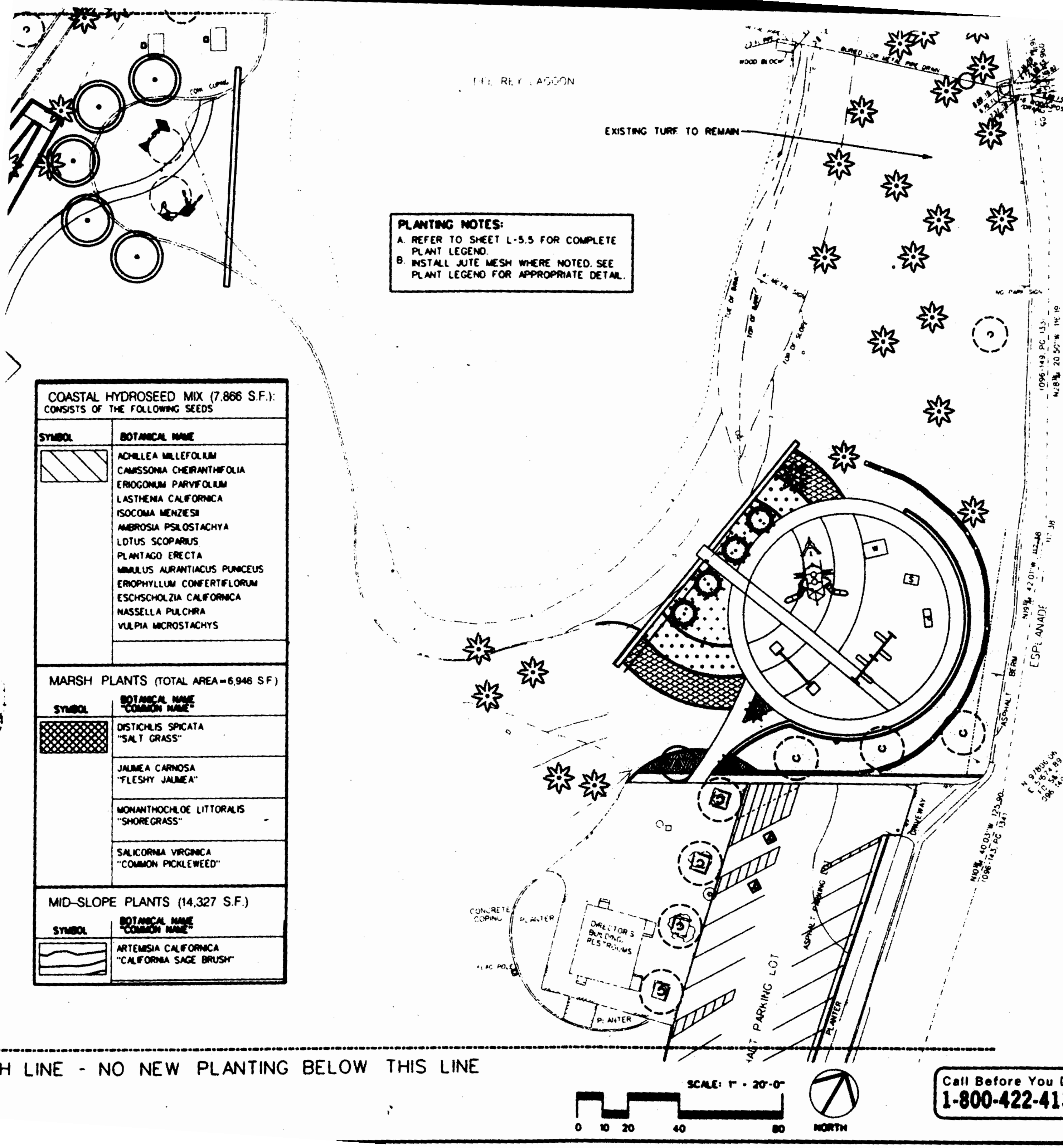
California Coastal Commission

Table 3-1. Plant Species Observed at Del Rey Lagoon Park

Scientific Name	Common Name
Aizoaceae	
Carpobrotus edulis	Sea fig
Mesembryanthemum crystallinum	Common ice plant
Mesembryanthemum edule	Hottentot fig
Arecaceae	
Phoenix canariensis	Date palm
Washingtonia filfera	California fan palm
Asteraceae	
Baccharis pilularis ssp. *consanguinea*	Coyote brush
Haploppapus ericoides	Mock heather
Heterotheca grandiflora	Telegraphweed
Jaumea cretica	Jaumea
Boraginaceae	
Heliotropium curassavicum var. *oculatum*	Seaside heliotrope
Cryptantha intermedia	Large-flowered popcorn flower
Brassicaea	
Brassica nigra	Black mustard
Sisymbrium irio	London rocket
Chenopodiaceae	
Atriplex semibaccata	Australian saltbush
Bassia hyssopifolia	Five-hooked bassia
Salicornia subterminalis	Glasswort pickelweed
Salicornia virginica	Common pickleweed
Suaeda californica	Sea-blite
Euphorbiaceae	
Ricnis communis	Castor-bean

EXHIBIT NO. 4
APPLICATION NO.
5-04-080
Existing Plan

Scientific Name	Common Name
Fabaceae	
Erytrhina bidwilli	Coral tree
Lauraceae	
Umbellularia californica	California laurel
Magnoliaceae	
Magnolia sp.	Magnolia
Plantaginaceae	
Plantago major	Common plantain
Poaceae	
Avena fatua	Wild oats
Arundo donax	Giant reed
Cortaderia selloana	Pampas grass
Cynodon dactylon	Bermuda grass
Distichlis spicata	Saltgrass
Solanaceae	
Nicotiana glauca	Tree tobacco



PLANTING NOTES:

A. REFER TO SHEET L-5.5 FOR COMPLETE PLANT LEGEND.
B. INSTALL JUTE MESH WHERE NOTED. SEE PLANT LEGEND FOR APPROPRIATE DETAIL.

COASTAL HYDROSEED MIX (7,866 S.F.):
CONSISTS OF THE FOLLOWING SEEDS

SYMBOL	BOTANICAL NAME
(hatch)	ACHILLEA MILLEFOLIUM CAMISSONIA CHEIRANTHIFOLIA ERIOGONUM PARVIFOLIUM LASTHENIA CALIFORNICA ISOCOMA MENZIESII AMBROSIA PSILOSTACHYA LOTUS SCOPARIUS PLANTAGO ERECTA MIMULUS AURANTIACUS PUNICEUS ERIOPHYLLUM CONFERTIFLORUM ESCHSCHOLZIA CALIFORNICA NASSELLA PULCHRA VULPIA MICROSTACHYS

MARSH PLANTS (TOTAL AREA = 6,946 S.F.)

SYMBOL	BOTANICAL NAME "COMMON NAME"
(crosshatch)	DISTICHLIS SPICATA "SALT GRASS"
	JAUMEA CARNOSA "FLESHY JAUMEA"
	MONANTHOCHLOE LITTORALIS "SHOREGRASS"
	SALICORNIA VIRGINICA "COMMON PICKLEWEED"

MID-SLOPE PLANTS (14,327 S.F.)

SYMBOL	BOTANICAL NAME "COMMON NAME"
(wavy lines)	ARTEMISIA CALIFORNICA "CALIFORNIA SAGE BRUSH"

TREES:

SYMBOL	BOTANICAL NAME "COMMON NAME"
	MELALEUCA NESOPHILA "PINK MELALEUCA"
	MELALEUCA QUINQUENERVIA "CAJEPUT TREE"
	METROSIDEROS EXCELSUS "NEW ZEALAND CHRISTMAS TREE"
	WASHINGTONIA ROBUSTA "MEXICAN FAN PALM"
	EX. PALM TREE TO REMAIN
	EX. TREE TO REMAIN

SHRUBS & GROUNDCOVERS:

SYMBOL	BOTANICAL NAME "COMMON NAME"
	ARCTOSTAPHYLOS UVA-URSI 'POINT REYES' "POINT REYES BEARBERRY"
	CEANOTHUS GRISEUS HORIZONTALIS 'YANKEE POINT' "CARMEL CEANOTHUS SELECTION"
	SAME AS ABOVE
	CISTUS SALVIIFOLIUS "SAGELEAF ROCKROSE"
	HELICTOTRICHON SEMPERVIRENS "BLUE OAT GRASS"
	HEMEROCALLIS X MOND "STARBURST RED DAYLILY"
	LEPTOSPERMUM SCOPARIUM 'RED ENSIGN' "NEW ZEALAND TEA TREE"
	TRACHELOSPERMUM JASMINOIDES "STAR JASMINE"
	TURF SEED
	TURF TO BE REPAIRED, AS NEEDED

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...S. DEPARTMENT OF RECREATION AND PARKS, 200 NORTH MAIN STREET, ROOM 709, LOS ANGELES, CALIFORN...

...G PLAN

LAGOON OUTDOOR IMPROVEMENTS

...ANADE PL., PLAYA DEL REY, CA

EXHIBIT NO. 5

Application Number

5 04 080

Proposed Plan

List...