

CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY

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Filed:	4/06/05
49th Day:	5/25/05
180th Day:	10/03/05
Staff:	AJP-LB
Staff Report:	4/21/05
Hearing Date:	5/11-13/05
Commission Action:	

**STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-05-141**APPLICANT:** Los Angeles County Department of Public Works**AGENT:** Michael Miranda**PROJECT LOCATION:** 810 Palisades Beach Road, Santa Monica

PROJECT DESCRIPTION: Replace approximately 160 feet of a 63-inch corrugated metal pipe drain and 200 feet of 24-inch corrugated metal pipe, that was storm damaged, with equivalent size reinforced concrete pipe along the beach. The project will include concrete collars and concrete piles to hold pipes in place, and repair of approximately 200 square feet of asphalt beach parking lot. Approximately 7,000 square feet (approximately 25-30 parking spaces) of the adjacent beach parking lot will be used for temporary staging. Construction will begin after July 4 lasting approximately three months and will be phased to reduce recreation and parking impacts.

SUBSTANTIVE FILE DOCUMENTS: Santa Monica certified Land Use Plan.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends **approval** of the proposed project with four special conditions regarding: 1) Phasing of construction, 2) Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris; 3) Location of debris disposal site; and 4) assumption of risk. As conditioned, the project can be found consistent with the Chapter three policies of the Coastal Act.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

MOTION: *I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative 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. Construction Phasing

As proposed by the applicant, the following will be done to reduce recreation and parking impacts:

- a. All construction shall be phased so that only a portion of the entire construction area will be closed to the public, including the segment of the bike path within the project area.
- b. As construction progresses, the applicant shall reduce the staging area within the public parking lot, and/or during the weekends material and equipment should be concentrated together to free up parking spaces for public use, if feasible.

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

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 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) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction related materials, sediment or contaminants associated with construction activity or release of sewage, shall be implemented prior to the onset of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project.
- (d) Debris shall be disposed at a debris disposal site outside the coastal zone, pursuant to Special Condition No. 2.

3. 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. The contractor shall be notified of this condition.

4. Assumption of Risk

A. By acceptance of this permit, the applicants acknowledge and agree: (i) that the site may be subject to hazards from seismic events, liquefaction, storms, waves, floods and

erosion; (ii) to assume the risks to the applicants 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.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to replace approximately 160 feet of a 63-inch corrugated metal pipe drain and 200 feet of 24-inch corrugated metal pipe, that are adjacent to and run parallel to each other, with equivalent size reinforced concrete pipe along the beach. The project will include concrete collars and concrete piles to hold the pipes in place; repair work to approximately 200 square feet of asphalt beach parking lot; and removal and replacement of approximately 30 linear feet of the 14 foot wide concrete bike path. Approximately 7,000 square feet (approximately 25-30 parking spaces) of the adjacent 209 space public beach parking lot will be used for temporary staging. Construction will begin after July 4, lasting approximately three months and will be phased to progressively reduce beach and parking area taken up by construction as construction goes on.

The project site is located at 810 Palisades Beach Road (Pacific Coast Highway), on the beach and adjacent beach parking lot within a 30 to 40 foot wide County storm drain easement. The existing corrugated metal drain lines were storm damaged in December 2004. The storm drain replacement will occur on the beach and extend approximately 200 feet from the western edge of the beach parking lot to an existing concrete collar that previously connected the corrugated metal pipe that is planned to be replaced with the existing concrete pipe. From the exiting concrete collar, the existing pipe, which is concrete at this point, continues for an additional 375 feet and terminates at an existing concrete beach drain outlet. As with the existing pipe, the new pipe will be buried under the sand and will vary from 1.5 to 3 feet below the sand surface.

The section of corrugated metal pipe to be replaced is a segment located between existing concrete pipe sections that run from the upland area east of Palisades Park,

under the existing parking lot, and outlets onto the beach. According to the County, this section of corrugated metal pipe has a tendency to blow out and damage the surrounding area (beach and parking lot) due to the force of runoff transitioning from the upland cement pipe into the corrugated section. To address this issue the applicant is proposing to replace the corrugated portion of pipe along this drain line, connecting the eastern and western cement segments to have one continuous cement pipe.

According to the County, construction must be completed before the next winter storm season to prevent further damage to the area. In order to complete the approximately three-month construction project, work needs to be started by July. To minimize public beach access and recreational impacts, the applicant is proposing to begin work after the July 4 weekend, and to phase the construction so that the entire pipe replacement area along the beach is not taken up during the entire three-month construction period. Once one section is completed, the area will be restored and opened to the public and work will begin along another portion of the line. The County indicates that work will start along the downstream portion of the line including the bike path and then move to the upstream portion, between the bike path and the parking lot. As proposed the beach area west of the bike path and the bike path itself will be impacted by construction for approximately the first month and a half. The beach bike path will be temporarily rerouted 25 to 50 feet around the construction zone with plywood sheets laid on the sand and then removed once construction is completed in the area of the bike path.

Temporary signs will be installed notifying the public of the construction and bike path detour. Furthermore, the staging area within the adjacent 209 space parking lot will be reduced in area, if possible, as construction progresses to free up parking spaces that are taken up by the staging, or during the weekend when construction is not occurring, the applicant will try to concentrate work equipment and supplies to free up parking for the weekend (during the weekday the parking lot is underutilized and staging should have no significant impact on the public's ability to find available parking in the public lot).

The project will not be impacted by wave run up creating water quality concerns because the width of the beach is over 500 feet wide and the location of work will encroach no closer than 300 feet from the mean high tide line.

Improving the overall water quality of runoff from this storm drain is not being proposed at this time with this project. However, although summer runoff is not considered significant for this particular storm drain, the City of Santa Monica is currently working on plans for a low-flow diversion project for this storm drain as part of the City's storm water improvement program. It is estimated the diversion project will be finalized early next year. The diversion project will be located east of the Palisades bluffs along Ocean Avenue.

B. Access

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. Water Quality

The proposed work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

D. Assumption of Risk

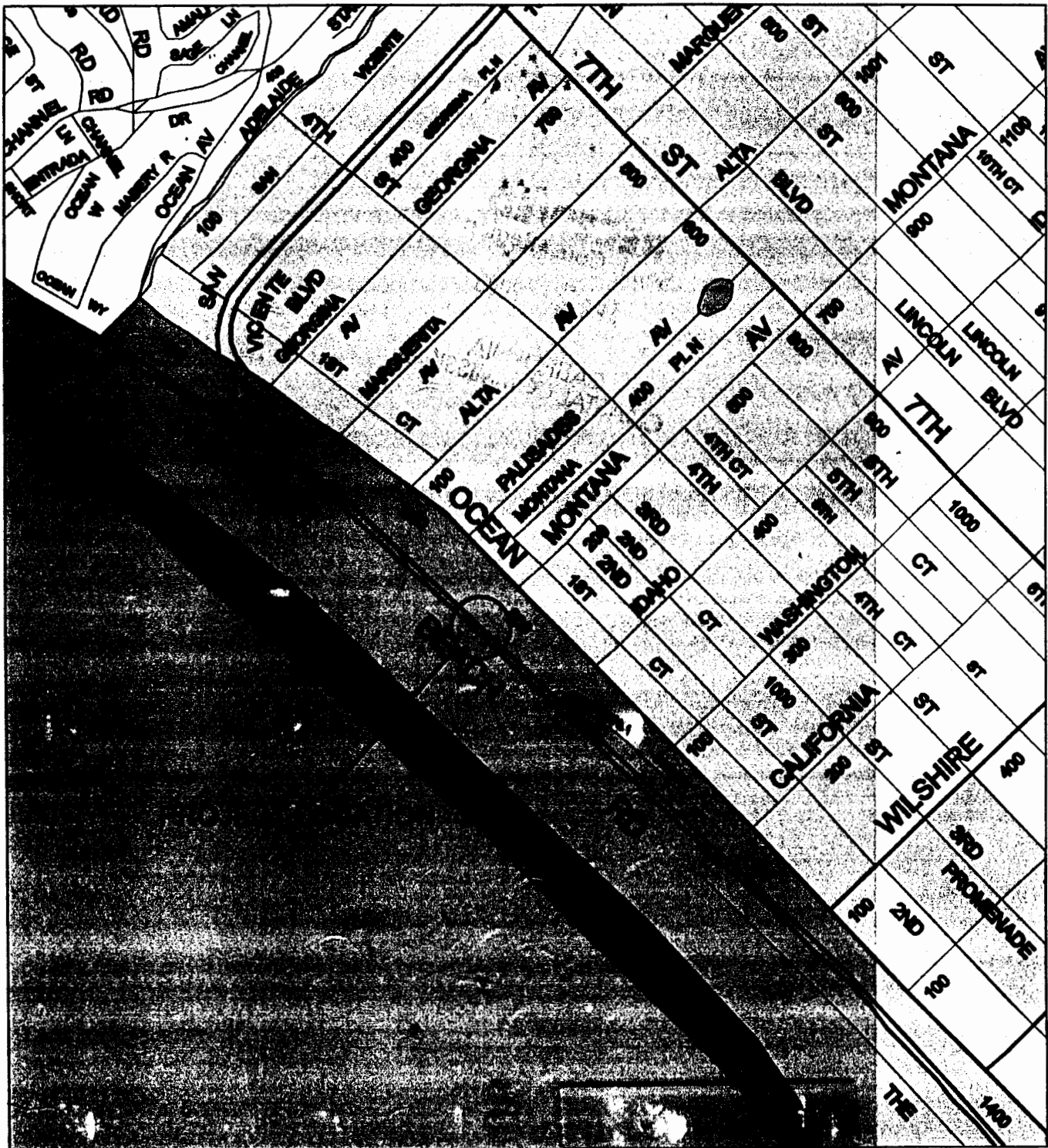
The Coastal Act recognizes that certain types of development, such as the proposed project, may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to determine who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property. As such, the Commission finds that due to the unforeseen possibility of storm waves, surges, and erosion, the applicant shall assume these risks as a condition of approval. The applicant's assumption of risk will demonstrate that the applicant is aware of and appreciates the nature of the hazards which exist on the site and which may adversely affect the stability or safety of the proposed development. As conditioned, the Commission finds that the development conforms with Sections 30253 of the Coastal Act.

E. Local Coastal Program

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. In August 1992, the Commission certified, with suggested modifications, the land use plan portion of the City of Santa Monica's Local Coastal Program, excluding the area west of Ocean Avenue and Neilson way (Beach Overlay District), and the Santa Monica Pier. On September 15, 1992, the City of Santa Monica accepted the LUP with suggested modifications. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project 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 of the Coastal Act.

F. California Environmental Quality Act.

There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as submitted, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

MONTANA AVENUE DRAIN REPAIR

DEPARTMENT OF PUBLIC WORKS
900 S. Fremont Ave.
Alhambra, CA 91803

Mapping & Property Mgmt. Division
Mapping & GIS Services Section

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EXHIBIT NO. 1

APPLICATION NO.

5-05-141

Vicinity Map



16 PST 2005)



VED
Region
2005

5-05-141

CORNIA
MISSION

Beech

OCEAN

PACIFIC

State of California
City of Santa Monica
Ordinance No. 118
Page 10, Chapter 18

Section to
be Replaced

Area of Penetration

Bike Path

Parking
Lot
7

RANCHO SAN VICENTE Y SANTA MONICA

P.3-30 & 31

144

PACIFIC

COAST

HIGHWAY

Palisades
NO. 1367-76
LOT A

TRACT

7718

DOR 22074-222
D. 2416-106
D. 106-2207-70
City of Santa Monica

Southwesterly prolongation of the north-
westerly line of Montana Avenue.

LOT B

AVENUE

OCEAN

MONTANA AVENUE

EXHIBIT NO.

2

Application Number

5-05-141

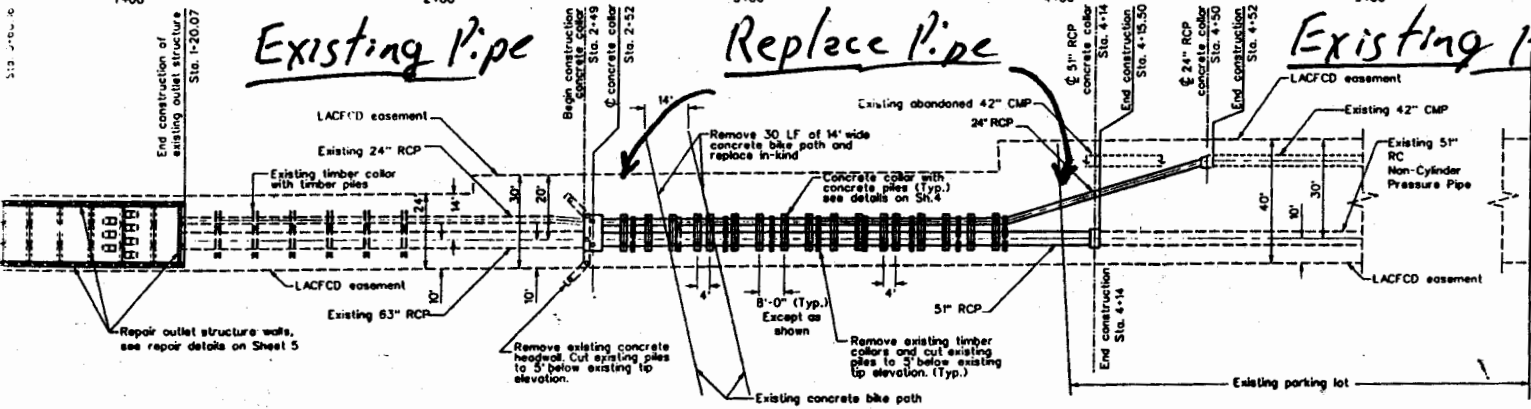
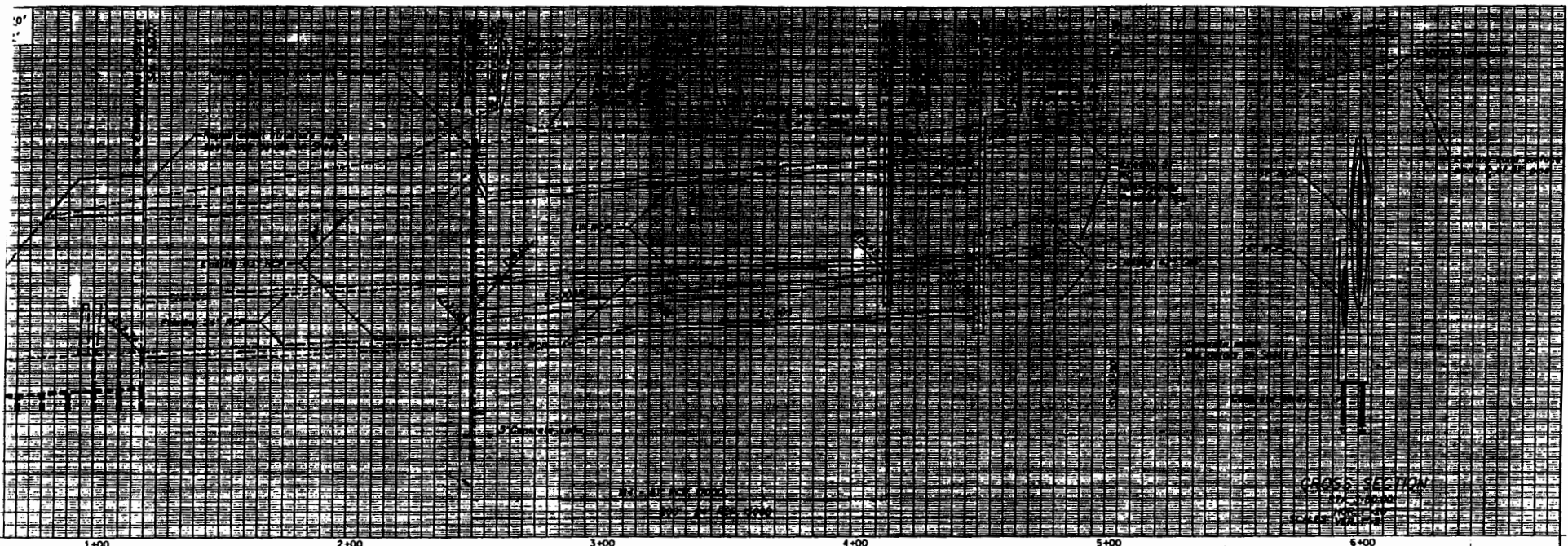
Parcel Map

California Coastal Commission

ALL IN THE CITY OF SANTA MONICA

PREPARED	REFERENCES	REVISED	LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
R. K.	C.I.F.	11-17-81	PROJECT 248
B.A.R.	181-248-ML 1 (COND.)	8-30-83	MONTANA AVENUE DRAIN
W.A.R.	181-248-ML 2 (COND.)	10-17-83	OCEAN
		2-7-84	TO
			OCEAN AVENUE
APPROVED	RECOMMENDED	APPROVED	
E.A. Wichers	W.A. R.	W.A. R.	
DIVISION CHIEF	SENIOR ASSISTANT CHIEF		
DATE 3-1-55	NO. 181-248-RW		

F.M. 20655-1



Palisades Beach Rd.

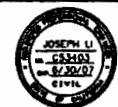
Batch Mark
 CP +5
 FDL & DPM Tag 2.5 W/O
 East Edge Conc Bikeway
 & +/- 80' W/O Lifeguard Tower +8
 Along Bikeway Path
 P.W.L.B. 213 pg 38

Los Angeles County
 Department of Public Works
 The Mountain View Station is
PRELIMINARY
 Unchecked Subject to Change

EXHIBIT NO.	3
Application Number	5-05-141
Site Plan	
California Coastal Commission	

Concrete collars to be field by the engineer so that concrete is a minimum of 24" o.c. away from timber piles.

DATE	BY	DESCRIPTION



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS	
PROJECT NO. 248	
MONTANA AVENUE STORM DRAIN	
PLAN AND PROFILE:	
51" LINE	STA 2+49.00 TO STA 4+14.00
24" LINE	STA 2+49.00 TO STA 4+50.00
FCC0000982 JOB X5005503 DWG NO. 181-248-07.3 SHEET 3 OF 5	