

CALIFORNIA COASTAL COMMISSION

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

Permit Application No. 5-05-189

August 25, 2005

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**F3b**

RECORD PACKET COPY

ADMINISTRATIVE PERMIT**APPLICANT:** City of Long Beach (Long Beach Energy)**PROJECT DESCRIPTION:** Install 700-foot long underground natural gas line, and repair the concrete surface of the bike path.**LOCATION:** 101 S. Golden Shore Avenue, City of Long Beach, Los Angeles County.**EXECUTIVE DIRECTOR'S DETERMINATION:** The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Friday, September 16, 2005, 9:00 a.m.**Wharfinger Building**

1 Marina Way

Eureka, CA 95501**IMPORTANT** - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS

Executive Director

By:  Charles R. PosnerTitle: Coastal Program Analyst

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 term or 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.

SPECIAL CONDITIONS: See Pages Four and Five.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Project Description

The City of Long Beach (Long Beach Energy) proposes to install an underground natural gas line beneath the existing ten-foot wide bike path that runs along the northern end of the Golden Shore Marine Preserve in Downtown Long Beach (See Exhibits). Several holes would be cut and excavated along the proposed pipeline alignment (concrete bike path) in order to allow a boring machine to bore a small tunnel beneath the bike path for the installation of seven hundred linear feet of two-inch diameter pipe. Approximately eighty percent of the pipeline had already been installed prior to submittal of this coastal development permit

application. Once the entire gas line is installed and connected to the existing main line, the City proposes to refill and repair the holes cut into the concrete and restore the smooth surface of the bike path. The City has provided a list of Best Management Practices (BMPs) that will be implemented in order to prevent adverse impacts to the adjacent wetlands in the Golden Shore Marine Preserve (See Exhibit #4).

The project site is on State Tidelands within the City of Long Beach, near the east bank of the Los Angeles River Estuary, immediately north of the Golden Shore Marine Reserve, a protected wetland (Exhibit #2). The Golden Shore Recreational Vehicle Resort is situated immediately north of the bike path and proposed pipeline alignment. All of the proposed work, including small stock piles of the excavated material (approximately one hundred cubic yards) will occur on the paved surface of the bike path and within the paved area next to the Los Angeles County Seaside Pump Station (Exhibit #3). The proposed project allows for uninterrupted public access along the bike path during construction.

The proposed gas line is necessary to provide fuel for the new natural gas powered stormwater pumps housed within the Los Angeles County Seaside Pump Station on the east bank of the Los Angeles River at the project site (Exhibit #3). The new natural gas powered pumps replace the old diesel-powered pumps housed within the County's 2,500 square foot pump station building [See Coastal Development Permit 5-05-185 (Los Angeles County)].

B. 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. As conditioned, the Commission finds that the development conforms with Sections 30230 and 30231 of the Coastal Act.

C. Habitat

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act

D. Recreational Marine Resources

The proposed development, as conditioned, does not interfere with public recreational use of coastal resources. The proposed development, as conditioned, protects coastal areas suited for recreational activities. Therefore, the Commission finds that the proposed development, as conditioned, is in conformity with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities.

E. Public 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.

F. Unpermitted Development

Prior to Commission action on this coastal development permit application, unpermitted development occurred on the site without the review or approval of the Commission. The unpermitted development includes the installation of approximately six hundred feet of underground pipeline on the project site, and the placement of fill and asphalt in excavated boring holes. Although development has taken place prior to Commission action on this coastal development permit application, consideration of the application by the Commission is based solely upon Chapter 3 policies of the Coastal Act. Commission action on this coastal development permit application does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit.

G. Local Coastal Program

A coastal development permit is required from the Commission for the proposed development because it is located on tidelands within the Commission's area of original jurisdiction. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance. The Commission certified the City of Long Beach LCP on July 22, 1980. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

H. California Environmental Quality Act (CEQA)

As conditioned, 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 conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

SPECIAL CONDITIONS:

1. Permit Compliance

All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

2. **California Least Tern**

In order to minimize adverse impacts on least tern foraging the waters adjacent to the project site during the least tern nesting season, no work shall occur during the period commencing March 15 and ending September 1.

3. **Construction Responsibilities (BMPs)**

- a) No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wind, or rain erosion and dispersion.
- b) Stabilize any stockpiled fill with plastic covers or other appropriate cover, and close and stabilize open trenches as soon as possible.
- c) Place sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system.
- d) Construction debris and sediment shall be properly contained and secured on site with BMPs or removed from construction areas each day that construction occurs to prevent the accumulation and/or unintended transport of sediment and other debris by wind, rain or tracking.
- e) Spill prevention and control measures shall be implemented to ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible.
- f) Prior to final inspection of the proposed project, the applicant shall ensure that no gasoline, lubricant, or other petroleum-based product was deposited on the surface. If such residues are discovered, the residues and all contaminated sand shall be reported to the Executive Director in order to determine if the removal and disposal of the contaminated matter shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

4. **Public Access along the Waterway**

The proposed project shall not interfere with public access and use of the Los Angeles River bike path that runs along the western and southern sides of the project site.

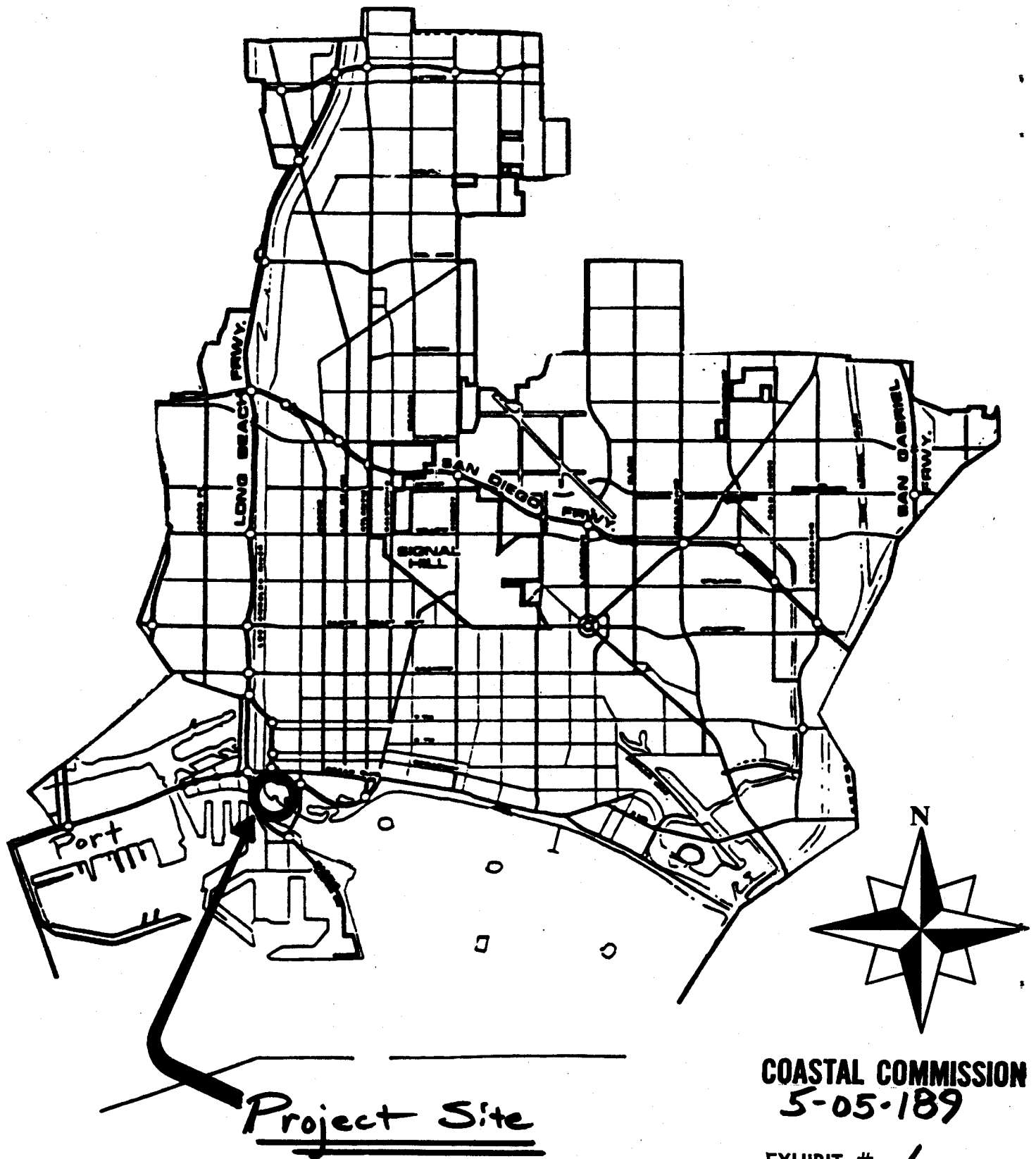
ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

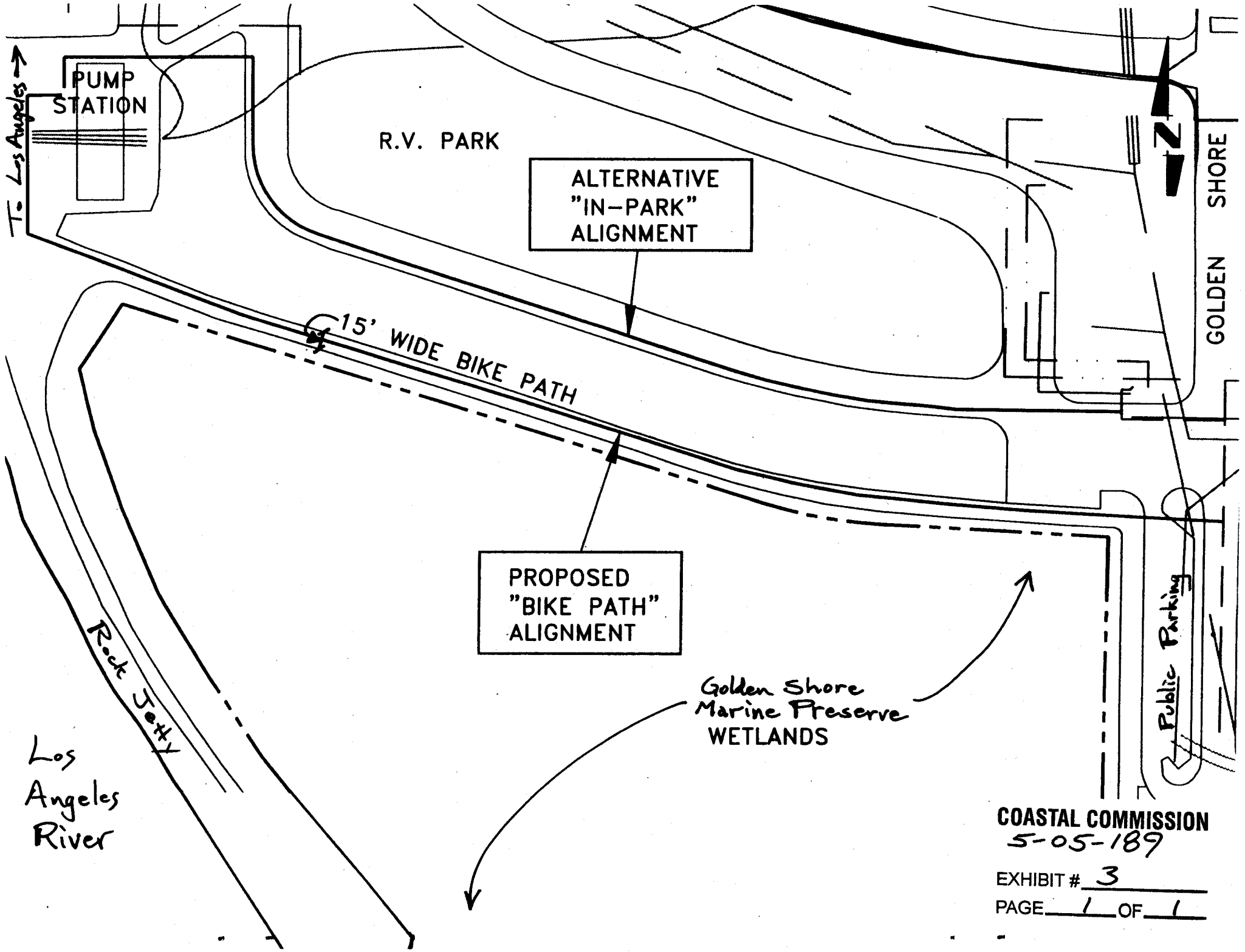
Date of Signing

City of Long Beach



COASTAL COMMISSION
5-05-189

EXHIBIT # 1
PAGE 1 OF 1



R.V. PARK

ALTERNATIVE
"IN-PARK"
ALIGNMENT

15' WIDE BIKE PATH

PROPOSED
"BIKE PATH"
ALIGNMENT

Los
Angeles
River

Rock
Jetty

Golden Shore
Marine Preserve
WETLANDS

Public
Parking

GOLDEN
SHORE

COASTAL COMMISSION
5-05-189

EXHIBIT # 3
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RECEIVED
South Coast Region

JUL 20 2005

CALIFORNIA
COASTAL COMMISSION

July 19, 2005

California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

Dear Sirs:

Subject: Application 5-05-189

Property Location: Golden Shore Ave / City of Long Beach Bike Path
(LA County Public Works Seaside Pump Station)

Long Beach Energy (LBE) proposes installing a Gas service for the LA County Public Works Seaside Pump Station.

LBE has reviewed two alignments to provide LA County Public Works with natural gas for emergency generators for their Storm Drain Lift Station. The lift station provides flood protection for the adjacent neighborhoods. The alignments are shown on the enclosed document.

The first alignment that LBE proposed was through the adjacent Recreational Vehicle Park. LBE contacted the City Attorney of Long Beach to try to accomplish providing gas service through the Campground / Trailer Park and was advised by the City Attorney that this was not possible due to clauses in the lease stating additional monies would be required.

LBE then reviewed the Bike Path alignment and pursued a search for the as-built drawings and permission for use. After review, the bike path alignment was chosen as the preferred alignment.

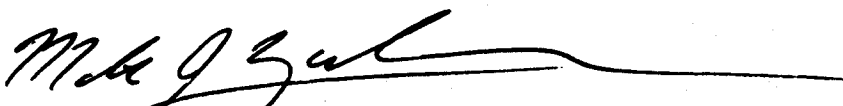
Long Beach Energy actively meets or exceeds the city's NPDES permit for storm water and our practices always includes specific procedures to prevent construction debris and polluted runoff from entering any storm water drains.

The following standard work practices and special provisions will be applied to this project:

- All bell holes in existing concrete surfaces will saw cut using a vacuum recovery unit for the water waste and dust, and the collected dust and water with concrete sawing trails will be removed from site per AQMD guidelines
- All Concrete and soil removed for construction will be hauled off site daily, with no stockpiles on site
- All soil brought on site for backfilling will be washed sand that is compacted to a 95% compaction
- All trash /refuse for construction removed daily
- Access to the bike path will be restricted to approximately 50% of the 12 foot path, with notification both to the north and south of the construction area
- The pipeline will be completed by utilization of a self-contained, self-reciprocating air driven "mole," thereby created no water waste or run-off
- Our normal work schedule is modified to adhere to the Campground's Quite Time request, no work begun until 9AM
- All excavations, after soil compaction is obtained, are filled with temporary asphalt and compacted. Concrete will replace the temporary asphalt at completion of this project or as required for public safety
- All area storm drains and waste water reception points that access the Marine Reserve will be blocked and all waste water vacuumed and removed from site
- These instructions will be passed on to Sully Miller, our paving replacement contractor, for their compliance as well
- The only heavy equipment that will be used would be a backhoe for the removal and placement of the steel plates and excavation spoil. It may also be used to deliver the backfill material to the excavation points. This time will be limited per the Quiet Time agreement with the trailer park and the limited necessity for its use.

I hope this answers all your questions and concerns, if you have any additional, please do not hesitate to call me at 562.570.2038.

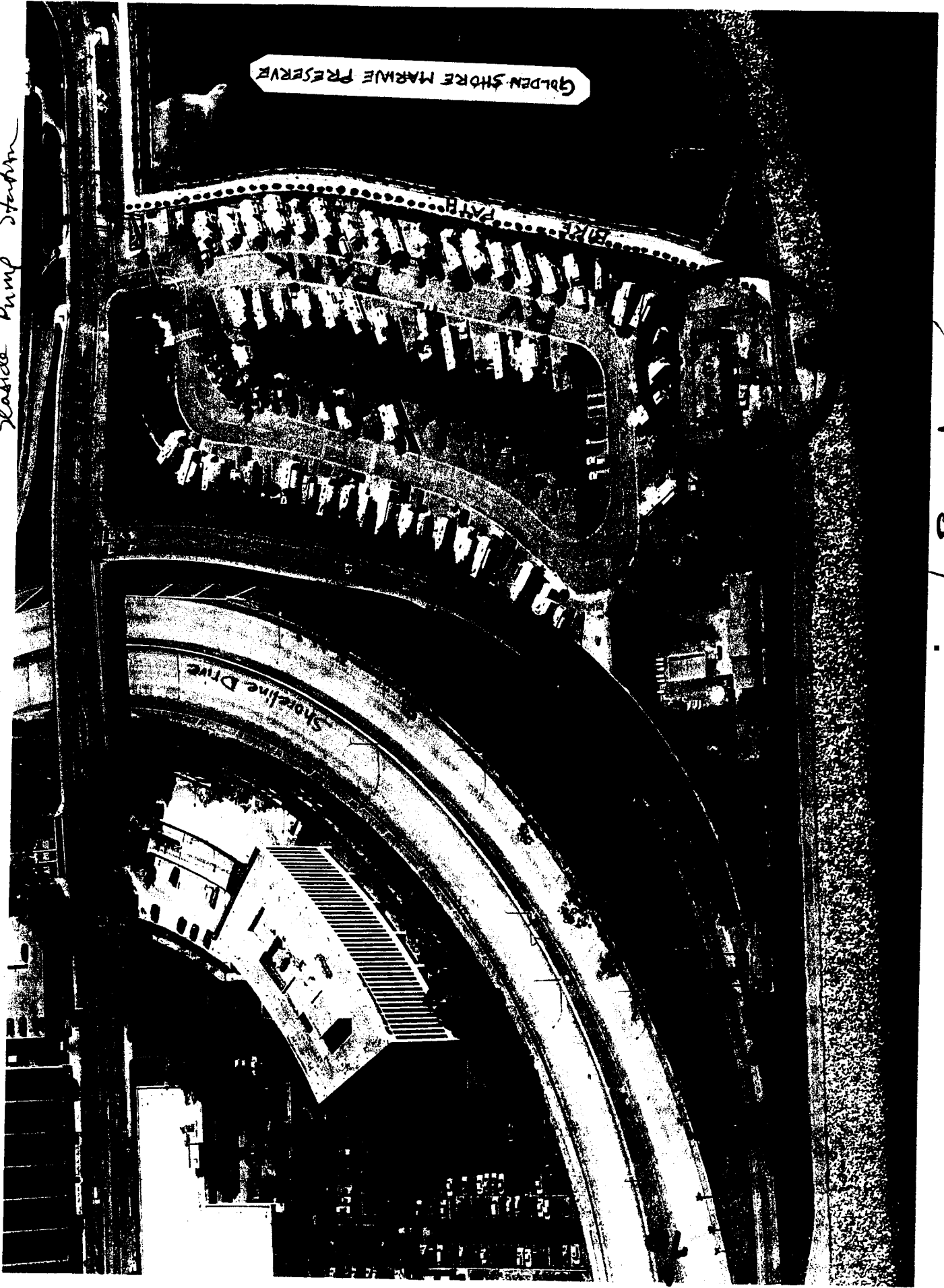
Sincerely,


Mike J. Zukoski, PE
 Senior Civil Engineer

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EXHIBIT # 4
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Seaside Pump Station



North / Proposed Pipeline:.....

Exhibit #5