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

T8b

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Commission Action:	

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-05-179

APPLICANT: Los Angeles County, Department of Beaches and Harbors

PROJECT LOCATION: 12503 Vista Del Mar, Dockweiler State Beach, Los Angeles

PROJECT DESCRIPTION: Construction of a two-story, 9,000 square foot aquatic youth center facility for the County's year round youth recreation programs. The facility will include a lobby, multipurpose/conference room, warming kitchen, administrative office area, restrooms, locker room, storage, stairs and ADA compliant access ramp to beach, and ground floor viewing terrace. The facility will be constructed into a bluff and will require 616 cubic yards of cut and 761 cubic yards of fill.

LOCAL APPROVALS RECEIVED: Approval in Concept

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed project with special conditions. These special conditions require: 1) Revised plans to limit encroachment on to public sandy beach; 2) an assumption of risk; 3) an agreement to install no future shoreline protective device; 4), limitation on the operation and use of the multi-purpose room during summer periods; 5) construction limitations during the summer and staging requirements;6) storage of construction materials and debris removal;7) Water Quality Management Plan; 8) Landscaping Plan; 9) Lighting plan; and 10) Western Snowy Plover roosting area protection.

Staff Note: The proposed project was scheduled for the February 2006 Commission hearing. The applicant requested their first postponement to address some of the Commission's staff concerns. The applicant has submitted a new coastal engineering report, *Storm Erosion and Wave Runup Analyses, and Beach Impact assessment for Aquatic Youth Center at Dockweiler Beach, California*, dated March 15, 2006, prepared by, Noble Consultants, Inc.

The Commission's coastal engineer, Lesley Ewing, has reviewed the report and her comments have been incorporated into the staff report.

SUBSTANTIVE FILE DOCUMENTS:

1. Joint Powers Agreement No. 25273 between the City of Los Angeles and the County of Los Angeles
2. Mitigated Negative Declaration, Dockweiler State Beach General Plan Amendment, by Los Angeles County Department of Beaches and Harbors, June 2004
3. *Coastal Engineering Analysis and Wave Run-Up Study*, by Concept Marine Associates, Inc., June 23, 2000; amended May 22, 2001.
4. *Storm Erosion and Wave Runup Analyses, and Beach Impact assessment for Aquatic Youth Center at Dockweiler Beach, California*, dated March 15, 2006, prepared by, Noble consultants, Inc.

I. STAFF RECOMMENDATION:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 5-05-179 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. Resiting of Structure

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, two full size sets of final project plans (i.e. site plan, elevations, cross-sections, grading, foundation, etc.) showing that the structure, including foundations, is sited to encroach no further seaward than the existing building (concession/restroom facility) immediately to the north, as generally depicted in Exhibit No. 7.

B. The permittees 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.

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. <u>No Future Shoreline Protective Device</u>

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. 5-05-179 including, but not limited to restrooms, concession stands, life guard towers, life guard substations, maintenance facilities, 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 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 restrooms, concession stands, life guard towers, life guard substations, maintenance facilities, and parking lots, 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 development authorized by this permit 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 portion of the structures are 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 development authorized by this permit without shoreline protection including, but not limited to, removal or relocation of portions of the structures. If the geotechnical report concludes that the development authorized by this permit or any portion of the development are unsafe, the permittee shall, in accordance with a coastal development permit, remove the threatened portion of the structure.

B) 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.

4. Summer Operation and Use of Multi-Purpose Rooms

By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, the facility's multi-purpose rooms will not be open or used for any private events on weekends and holidays during the peak summer period, from Memorial Day in May through Labor Day in September.

5. Beach and Recreation Area Closures, Maintenance of Public Access, and Project Staging Areas

In order to reduce adverse impacts on public access and recreation, A) **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, a final schedule and detailed plans which identify the specific location of demolition staging and equipment storage areas, areas where any 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. Construction at Dockweiler State Beach shall be limited during peak summer period (between Memorial Day weekend and Labor Day). During the peak summer period the following restrictions shall apply:

    - No construction of any kind shall take place during weekends or holidays

    - During construction the use of the parking lot for staging shall be limited to the minimum necessary. As construction progresses and the area demand for staging is reduced, the applicant shall require the contractor to reduce the staging area in order to free up parking or beach area, depending on the selection of the staging area.

b. During all times of the construction beach and recreation area closures shall be minimized and limited to areas immediately adjacent to the project area (within 50 feet of the project). 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).

d. During all times of the improvement project public access to and along the beach bicycle path shall be maintained or the path temporarily rerouted during the construction period. No sand area may be paved for any detour.

The detour plan approved by the Executive Director shall be implemented prior to closing the existing beach bicycle path.

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.

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.

6. <u>Storage of Construction Materials, Mechanized Equipment, and Removal of Construction Debris</u>

A) PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the construction project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated with construction to receiving waters. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

a. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal 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. Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters.
d. 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.
e. Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean
f. All construction materials, excluding lumber, shall be covered and enclosed on all sides.
g. If the debris 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.

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. The applicant shall 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.
b. The applicant shall develop and implement spill prevention and control measures.
c. The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50 feet away from a storm drain, open ditch or surface water.
d. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.
e. 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.
f. 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.
g. 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 sandy beach or any beach facility. If such residues are discovered in the beach area the residues and all contaminated sand shall be properly removed and disposed in an appropriate facility.
h. 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 sedimentation from the runoff waters during construction. The above requirements (Special condition No. 6) as well as the below requirements found in Special Condition No. 7 shall be attached to all final construction plans.

C) 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.

7. Water Quality Management Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed water quality professional, and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

Water Quality Goals

a. Appropriate structural and non-structural BMPs shall be designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site.

b. Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.

c. Runoff from all roofs, parking areas, maintenance areas, and driveways shall be collected and directed through a system of appropriate structural and/or non-structural BMPs. Filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.

B. Monitoring and Maintenance

All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season (between April 16 and October 14).

a. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.

b. 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. This report shall be submitted for the first three years following the completion of development, biannually thereafter unless the executive director determines that no additional reports are necessary.

c. It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification.

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.

8. <u>Landscaping Plan</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant will submit, for the review and written approval of the Executive Director, a landscaping plan prepared by a qualified biologist or licensed landscape architect. The plan shall include the following:

a. No invasive species will be employed on the site. Invasive plants are those identified in the California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled *<u>Recommended List of Native Plants for Landscaping in the Santa Monica Mountains,</u>* 1996 edition, California Exotic Plant Pest Council's Exotic Pest Plants of Greatest Ecological Concern in California, published in 1999, and those otherwise identified by the Department of Fish and Game or the United States Fish and Wildlife Service.
b. New vegetation planted on the site shall consist of native (Southern California coastal dunes and prairies) and may include ornamental non-invasive plant species. The applicant shall not incorporate invasive plant species anywhere on the project site.
c. The site shall be stabilized immediately with jute matting or other BMPs after any grading occurs to minimize erosion during the raining season (November 1 to March 31) if plantings have not been fully established.

B. The plan shall include, at a minimum, the following components:

a. A map showing the types, size, and locations of all plant materials that will be on the site, the temporary irrigation system, topography of the developed site, and all other landscape features;
b. A schedule for installation of native plants/removal of non-native plants;
c. An identification of seed sources and plant communities of the plants planned to be employed;

C. Five years from the date of approval for Coastal Development Permit No. 5-05-179 the applicant or successor in interest shall submit, for the review and approval of the Executive Director, a 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. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a 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.

D. 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.

9. <u>Lighting</u>

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, a lighting plan for the proposed facility. The Plan shall indicate that all lighting from the facility will be directed onto the facility and all light shielded from the surrounding beach area.

B) The permittee shall undertake development in accordance with the approved plans. Any proposed changes to the approved plans 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.

10. <u>Snowy Plover</u>

By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, that all center related educational and recreational activities will avoid the Western Snowy Plover winter roosting site, located just south of the hang gliding site, during the plover's roosting season between November 1 and February 29.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. <u>Project Description and Location</u>

The applicant proposes the construction of a two-story, 9,000 square foot aquatic youth center facility on Dockweiler State Beach for the County's year round youth recreation programs. The facility will include a lobby, multipurpose/conference room, warming kitchen, administrative office area, restrooms, locker room, equipment storage, stairs and ADA compliant access ramp to beach, and ground floor viewing terrace. The facility will be constructed into a bluff and will require 616 cubic yards of cut and 761 cubic yards of fill.

The bluff area adjacent to and south of the proposed construction site will be revegetated with native vegetation.

The aquatic youth center will be the headquarters for the County's Water Awareness, Training, Education, and Recreation (W.A.T.E.R.) Program. The W.A.T.E.R. program is a year-round youth recreation program for boys and girls ages 5-17. The program educates young people about ocean and beach safety by conducting organized recreational activities.

The proposed project site is located on a portion of bluff located immediately west of a 574 space public beach parking lot. The bluff is composed mostly of sand and silty sand. The bluff was created by the deposition of excavation spoil from the Hyperion Treatment Plant construction activity. Aerial photographs of the area indicate that the fill was there at least since 1972. The fill pushed the existing bluff edge, which was located adjacent to the road (Vista del Mar) that parallels the beach, approximately 300 feet seaward of its present location. The bluff rises to approximately 25 feet to an elevation of approximately 35 feet Mean Sea Level (MSL).

In 1990-91, the existing 574 parking lot was constructed (CDP No. 5-89-884) on top of the fill as a temporary employee parking lot for up-grade improvements to the Hyperion Treatment Plant. Once construction of the plant was completed the parking lot was converted over to a full time public beach parking lot operated by the County's Department of Beaches and Harbors. The parking lot was refurbished in 1997 and a concession stand/ restroom facility, hang glider training slope and picnic area was constructed, along with the realignment of a portion of the existing public bicycle path (South Bay Bike Trail) from the beach area to the top of the bluff to reduce conflicts with hang gliders (CDP No. 5-96-255).

Dockweiler State Beach is an approximately four-mile stretch of beach located between Playa Del Rey to the north and El Segundo and Manhattan Beach to the south. Dockweiler State Beach is one of the most visited State Beaches in California, with over 10.7 million visitors annually.[1] Major transportation corridors or regional connections including the 105 Freeway/Imperial Highway, Culver Boulevard, Manchester Avenue, and the coastal route, Vista del Mar, link inland areas directly to the State Beach. Dockweiler State Beach is bordered to the north by Ballona Creek and Venice, to the south by El Segundo and Manhattan Beach, to the east by Los Angeles International Airport (LAX) and Hyperion Treatment Plant, and to the west by the Pacific Ocean. The beach lies directly west of the Hyperion Treatment Plant.

B. Hazards and Shoreline Processes

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

[1] Design Narrative, Isidore B. Dockweiler State Beach General Refurbishment Program, by Gruen Associates, September 20, 2001

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.

Section 30253 of the Coastal Act states, in part, that 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.

a. <u>Wave Impact, Storm Events, and Flooding Hazards</u>

The subject property is located at the central portion the Santa Monica Bay, between the Marina del Rey entrance channel to the north and El Segundo and Manhattan Beach to the south (Exhibit No. 1). The subject beach varies in width from approximately 250 feet to over 450 feet in areas. The proposed project involves the construction of a 9,000 square foot two-story structure partially on a coastal bluff and the adjacent sandy beach. The toe of the coastal bluff is located approximately 400 feet from Mean Sea Level (MSL) Tide. The toe of the bluff has an elevation of approximately 15 feet above MSL. The bluff rises 25 feet to an elevation of 35 feet.

The wide 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.

The especially heavy wave action generated during the 1982-83 El Nino winter storms and again in 1988 caused extensive beach erosion throughout Southern California. In both years Dockweiler State Beach was eroded but wave action and water did not damage the beach facilities (restrooms, concession stand, and parking lots). Portions of the South Bay Beach Bike Trail, which is located seaward of most of the beach facilities, did sustain some damage from these severe storm events.

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 that 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 applicant has submitted a Wave Run-Up Study by Concept Marine Associates, Inc (April 12, 2004). The analysis used an extreme high water level for the shoreline (recorded during a 1982 El

Nino storm event) and included an additional 0.5 feet for possible sea level rise. The analysis concluded that the predicted wave run-up using a 25-year storm and an extreme water level for the Dockweiler shoreline is 15.4 feet using the National Geodetic Vertical Datum (NGVD).

The wave run-up analysis states that:

> *During the winter months, increase wage energy along this shoreline causes the profile along Dockweiler Beach to recede (beach recession). Beach recession along this area can range from 50 to 75 feet between winter and summer profiles, according to Wayne Schumaker of the LADBH...*
>
> *Long-term beach erosion can also result in the movement of the run-up level towards the bluff and proposed structure...*
>
> *Therefore, it will be important to consider the possible effects of both beach recession and erosion at the proposed Youth Center site. Monitoring of the annual recession and erosion should be conducted and correlate with observed run-up levels during high wave energy events. This will provide background information so that excessive levels of erosion or recession that could result in exposure of the facility can be identified and remedied.*

The report further states that:

> *...the predicted wave run-up extends to the existing toe of bluff along the proposed location for the facility. This will extend beneath portions of the current location for the lower level of the building and the associated concrete pad. However, the builiding is planned to have a finished floor elevation of 17 feet NGVD which is 1.6 feet above the design run-up level... Upon review of the building's position, proposed finished floor elevation and the run-up level, it has been determined that the proposed location can be maintained.*

The report states that portions of the concrete pad (ramp) and portions of the proposed building (southwest corner) are within the design wave run-up zone and could be exposed to wave uprush during extreme events. To minimize impacts of scour from the concrete pad, the report recommends that the edge of the concrete pad be extended to a depth of four feet below the design run up level of 15.4 feet NGVD and that a two-foot thick and five foot wide layer of rock and filter fabric be placed at the bottom of the pad extension. The report recommends for the building that the existing grade be raised up to the finished floor level, foundation be extended below the design run-up elevation, and the addition of a two-foot thick and five foot wide layer of rock with filter fabric beneath be placed along the foundation that is below the design run-up elevation.

According to the report the rock will only provide minimal protection to the toe of the concrete access pad and foundation where it will be placed. Its primary purpose is to provide a warning sign to maintenance personnel that erosion has reached a critical level and needs to be addressed. Although the size of the rock and area occupied by the rock may be small, the rock,

as well as the deepened concrete pad and foundation are designed and located to serve as a shoreline protective device. However, the applicant, after review of the Commission's staff report, prepared a second engineering report (Noble Consultants, Inc, 2006) to address possible risks from storm and wave attack to the proposed Aquatic Youth Center.

The recent report covers the potential impacts to the proposed Aquatic Youth Center from the conditions of storm waves, erosion and sea level rise that are likely to occur over the next 75 years. The anticipated rise in sea level that is used in the proposed analysis is for a 0.5-foot rise in sea level over the next 75-year period. The Noble Report notes that this is a conservative estimate since a linear extrapolation of the historic trend would result in a rise of 0.37 feet per century at Los Angeles Outer Harbor and 0.41 feet per century offshore of the Santa Monica area. The report states that:

> *The beach erosion induced by the three historical extreme storm events [1982, 1983 and 1988] was calculated to be less than 70 feet. Since the current beach berm width at the site is approximately 230 feet, it was concluded that Dockweiler Beach at the project site was not completely depleted by these historical storms. A beach erosion distance of 115 feet was calculated for a potential extreme storm event with a 75 year wave coinciding with a 75 year tide, the occurrence of which would exceed a 75 year storm event. It is therefore concluded that beach erosion will not exceed 115 feet, and the width of the remaining backbeach berm will be approximately 115 feet or wider during a 75-year storm event. The substantially wide berm remaining during the storm will protect the proposed Aquatic Youth Center from being undermined during severe storm events.*
>
> *The highest wave runup elevation during the historical storm events was calculated to be +12.7 feet, NGVD29, which occurred during the March 02, 1983 storm. The wave runup elevation for a potential storm with a 75-year wave and a 75-year tide was found to be +13.6 feet, NGVD29, and therefore the wave runup elevation during a 75-year storm event will not exceed +13.6 feet, NGVD29. The proposed finished first floor elevation for the Aquatic Youth Center is +16.56 feet, NGVD29. Therefore, the freeboard between the wave runup elevation and the proposed facility will be 3.0 feet or higher for both the historical storms and for the 75-year storm event.*
>
> *Wave runup is the maximum instantaneous water elevation with no wave action or water reaching the remaining beach that is above this wave runup elevation. Therefore, the proposed facility is expected to be 3 feet above the maximum water level that includes the tide, sea level rise and wave runup. The beach above this elevation is defined as the "dry beach". Based on the beach profile, the width of the "dry beach" was calculated to be 76 feet for the 75-year wave/75-year tide storm with a wave runup elevation of +13.6 feet, NGVD29. Therefore, the proposed Aquatic Youth Center will be at least 76 feet landward of the highest water line or wave action during the 75-year storm event.*

The report further states that:

> *The finished first floor elevation for the occupied space of the proposed Aquatic Youth Center is +16.56 feet, NGVD29 (+19.19 feet, MLLW), while the fronting non-essential concrete pad has a minimum elevation of +16.52 feet, NGVD29 (+19.15 feet, MLLW). Therefore, the wave runup will not reach the concrete pad or the main building, as the remaining backbeach berm and its elevation above the maximum wave runup elevation will preclude any wave uprush from reaching the proposed facility. The freeboard of approximately 3 feet (16.56 - 13.6 = 2.94) satisfies the typical requirement that the finished*

> *first floor elevation for the occupied space be a minimum of one foot above the maximum wave runup elevation. Therefore, the proposed Aquatic Youth Center will not be susceptible to storm wave attack and no fronting rock revetment is required.*

Based on the engineering reports and a reexamination of the project design, the County has indicated that the rock and filter fabric will not be necessary, and will be removed from the plans.

The Commission's Senior Coastal Engineer, Lesley Ewing, has reviewed the previous engineering report and the recent Noble report, and with regards to sea level rise and potential impacts to the proposed project, Ms. Ewing states (see Exhibit No 8 for complete response letter):

> *Most studies of global climate change are anticipating that, if there is a global warming trend, that there will be an acceleration of the current changes in sea level. There are no scientists who are claiming that sea level is completely static and that there is no long-term change in sea level. There are some scientists who do not believe there is any clear indication of an acceleration in the rise of sea level and that the historic trend can reasonable be used to extrapolate future sea level change. There are other scientists who are anticipating a rise in sea level of 1 to 3 feet over the next century and others who anticipate a rise of 10 to 20 feet, with rapid melting of most of the world's glaciers. The Commission has never set any guidelines for an acceptable estimate of possible sea level rise that should be used for analysis of new development; however, some estimate of future sea level rise has been included in the analysis of almost all new development along the shoreline or in low-lying areas. The proposed 0.5 foot estimate is one of the lower estimates we have been provided and we often are provided with estimates of future sea level change in the range of +0.75 foot to +1.0 foot over the next century. Since the anticipated change in sea level is normally expected, by those who believe an accelerated rise in sea level might occur, to increase slowly in the first half of this century and to then increase more quickly at the end of the century, the future change in sea level that has been considered in the most recent Dockweiler Study by Noble is acceptable for this analysis.*

Based on the information provided by the applicant and Ms. Ewing's review of the information, as sited, the proposed project will not be subject to wave hazards, flooding or erosion caused by storm events. However, although the project will be inland of the projected storm wave uprush area, the combination of large storm events and the seaward encroachment of the proposed project onto sandy beach will significantly reduce the amount of sandy beach area directly in front of the project site that would be available to the general public for beach recreation. This reduction in area may lead to other shoreline protection measures, such as enlargement of the shoreline groins or construction of seasonal sand berms to protect the remaining beach area. Such shoreline protection measures will have an impact to the marine habitat by temporarily or permanently replacing or altering the existing beach profile.

The applicant has indicated that they did investigate a number of alternative sites along Dockweiler Beach. Other sites were rejected either because of inadequate infrastructure (parking, utilities), or they conflicted with other beach access or uses, such as beach volleyball courts, hang gliding or bicycling. As the only potential site for the proposed center, the project must be conditioned to mitigate adverse impacts and minimize risks to life and property consistent with Sections 30235 and 30253 of the Coastal Act.

Therefore, Special Condition No. 1 is necessary and requires the applicant to relocate the proposed structure approximately 45 feet further inland to no further seaward than the existing concession/restroom facility located immediately to the north of the proposed project site (see Exhibit No 6). By limiting the encroachment onto the beach, the potential for wave impacts to the proposed structure will be significantly reduced.

To limit seaward encroachment the applicant would need to redesign the structure and either design the structure to extend laterally along the bluff or extend into the existing public parking lot. As measured from the seaward edge of the bluff top bike path to the most seaward extent of the concession facility, a redesigned project would have a building area that would extend approximately 50 feet seaward. Although the building area would be limited to approximately 50 feet out from the top of the bluff, the building area could be increased by extending laterally along the bluff or inland into the parking lot. By extending into the parking lot, parking spaces may be impacted and the bike trail on top of the bluff would need to be rerouted. Although the loss of public parking spaces could have an adverse impact on public access, the amount of parking lost could be limited to 10 to 12 spaces that are directly behind the project site. However, the parking lot could be restriped and any impacted spaces could be relocated to other areas of the parking lot. Furthermore, since the Hyperion plant is no longer using the parking lot and the private pedestrian bridge located in the northeast corner of the parking lot, that served as access to the parking lot for the Hyperion plant across Vista del Mar, will be removed (CDP No. 5-05-270), the County can redesign the area and provide additional parking in that area if the redesign of the project impacts parking and the County needs to recover some of the impacted parking.

Although Special Condition No. 1 requires the project to reduce seaward encroachment, the project will still be located on the beach and in an area that may be subject to future wave hazards due to unusual storm events. Therefore, Special Condition No. 2 requires the applicant to acknowledge and agree that the project site (Dockweiler State 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. In the event that the property is conveyed to another party, the applicant must record an assumption-of-risk deed restriction on the property.

b. <u>No Future Shoreline Protective Device</u>

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.*

The Coastal Act limits construction of protective devices because they have a variety of negative impacts on coastal resources including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach and coastal access. Under Section 30235 of the Coastal Act, a shoreline protective structure must be approved if: (1) there is an existing principal structure in imminent danger from erosion; (2) shoreline altering construction is required to protect the existing threatened structure; and (3) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply.

Section 30235 of the Coastal Act requires the Commission to approve shoreline protection for development only for existing principal structures. The construction of a shoreline protective device to protect new development would not be required by Section 30235 of the Coastal Act. In the case of the current project, the design has been modified from the original proposal and eliminates the placement of rock and filter layer at the base of the concrete pad and structure's foundation as a means to protect portions of the proposed development. However, it is not possible to completely predict what conditions the proposed structure may be subject to in the future. Consequently, it is conceivable the proposed structure may be subject to wave run-up hazards that could lead to a request for a protective device. Shoreline protective devices can result in a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, shoreline protective devices can cause changes in the shoreline profile, particularly changes in the slope of the profile resulting from a reduced beach berm width. This may alter the usable dry beach area. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual beach area in which the public can pass and recreate on.

The second effect of a shoreline protective device on access is through a progressive loss of sand as shore material is not available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. A loss of area between the mean high water line and the actual water is a significant adverse impact on public access to the beach.

Third, shoreline protective devices such as revetments and bulkheads cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. As set forth in earlier discussion, this portion of Dockweiler State Beach is currently characterized as having a wide sandy beach; however, the width of the beach can vary, as demonstrated by past severe storm events. The Commission notes that if a seasonal eroded beach condition occurs with greater frequency due to the placement of a shoreline protective device on the subject site, then the subject beach would also accrete at a slower rate. The Commission also notes that many studies performed on both oscillating and eroding

beaches have concluded that loss of beach occurs on both types of beaches where a shoreline protective device exists.

Fourth, if not sited in a landward location that ensures that the shoreline protective device is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy. Finally, revetments, bulkheads, and seawalls interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events, but also potentially throughout the winter season.

Section 30253 (2) of the Coastal Act states that new development shall neither create nor contribute to erosion or geologic instability of the project site or surrounding area. Therefore, if the proposed structure requires a protective device in the future it would also be inconsistent with Section 30253 of the Coastal Act because such devices contribute to beach erosion (as mentioned above).

To further ensure that the proposed project is consistent with Sections 30235, 30253, and the access and recreation policies of the Coastal Act, and to ensure that the proposed project does not result in future adverse effects to coastal processes, the Commission imposes Special Condition No. 3 which requires the applicant to agree that no future shoreline protective device will ever be constructed to protect any portion of the proposed project 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. Special Condition No. 3 also requires the applicant to remove the development authorized by this permit 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.

Finally, Special Condition No. 3 requires that in the event the shoreline recedes to within 10 feet of the development authorized by this permit, 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. The report shall address whether any portion of the structures are threatened by wave, erosion, storm conditions, or other natural hazards. If the geotechnical report concludes that the development authorized by this permit or any portion of the development are unsafe, the permittee shall, in accordance with a coastal development permit, remove the threatened portion of the structure.

In past Commission action, public agencies that are required to assume the risk of development in a hazardous area (Special Condition No. 2) and agree to a no future shoreline protective device condition (Special Condition No. 3) were required to also agree to execute and record a deed restriction on the subject property if such property were to be conveyed to another entity. In this case however, the Commission does not impose such a condition on the applicant because the applicant does not own the land. Dockweiler State Beach, the land subject to this permit, is owned by the State of California and leased

to the City of Los Angeles. The applicant, Los Angeles County Department of Beaches and Harbors, maintains Dockweiler State Beach under Joint Powers Agreement No. 25273 between the City of Los Angeles and the County of Los Angeles. Therefore, the applicant does not hold title to the land and could not record a deed restriction on the subject property.

As conditioned, the development will be consistent with Section 30235 and 30253 of the Coastal Act.

C. Access

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.

1. Beach Access

As stated previously, Dockweiler State Beach is one of the most visited State Beaches in California, with over 10.7 million visitors annually. Regional connectors, such as the 105 Freeway/Imperial Highway, Culver Boulevard, Manchester Avenue, and Vista del Mar link inland areas directly to the beach (Exhibit No.2). There are currently 1,831 public parking spaces located in five separate parking lots adjacent to the beach. The aquatic center will be located

adjacent to a 574 space public parking lot operated by the County. The surrounding beach contains restroom and concession facilities, playground areas, volleyball courts, fire rings, and a regional bike path. The regional bike path, the South Bay Bike Trail, connects Torrance Beach to the Pacific Palisades, crossing every coastal city/town in Santa Monica Bay.

The proposed 9,000 square foot building will include a 3,000 square foot multi-purpose room, 128 square feet of administrative offices, warming kitchen, restrooms, locker room, equipment storage, stairs and ADA compliant access ramp to beach, and ground floor viewing terrace.

The facility will be the headquarters for the County's Water Awareness, Training, Education, and Recreation (W.A.T.E.R.) Program. The W.A.T.E.R. program is a year-round youth recreation program for boys and girls ages 5-17. The program educates young people about ocean and beach safety by conducting organized recreational activities.

As proposed, the project will extend approximately 25 to 30 feet from the toe of existing bluff and approximately 45 seaward from the adjacent exisiting concession facility. This encroachment will occupy approximately 900 square feet of sandy beach. Although the Dockweiler State Beach is a wide beach, varying from 250 to 450 feet in width, and contains limited development, the loss of sandy beach due to development encroachment onto the sandy beach and continued loss of sandy beach due to sea level rise and storm events, will have an adverse impact on public access. According to the Noble report:

> *The induced short-term beach erosion under a factitious storm event, that has a 75-year return wave height (see Table 2-4) coinciding with a 75-year return tidal stage (see Table 2-2) including a sea level rise of 0.5 feet over the next 75 years, was estimated to be 115 feet (see Table 5-1). This translates to a remaining berm width of 115 feet (230 - 115 = 115).*

This potential loss of half the beach width and slow recovery of the lost beach area could have an adverse short or long-term impact to public beach access in this area. By resiting the development further inland to limit the encroachment onto the sandy beach, loss of public beach through encroachment of future need for shoreline protective devises will be minimized. Therefore, by conditioning (Special Condition No. 1) this permit to limit the seaward encroachment to a stringline drawn from the adjacent concession facility and parallel to Vista del Mar, the occupation of sandy public beach is reduced and the impact to public beach access will be minimized.

2. Parking

According to the County the maximum occupancy of the facility is 350 persons and would require a parking allocation of approximately 110 spaces. In addition, since the WATER program is for children between the ages of 5-17 most program participants arrive by bus, van, or carpool, thus reducing the demand for on-site parking during peak use periods. However, according to the County, the multi-purpose room space would be used for:

> *...daytime classroom instruction, public event staging (e.g.., program registration, Junior Lifeguards, etc.), and as a retreat for outdoor classes during periods of inclement weather... The multi-purpose community room has a total capacity of 187 persons, or 62 persons when divided into three separate rooms, which allows the W.A.T.E.R. program and other users to utilize multiple program venues simultaneously.*
>
> *The segmented rooms and adjacent warming kitchen are designed to accommodate other public and private venues on a reservation (fee) basis, i.e. weddings, parties, etc., to generate revenue and help pay maintenance/operation costs.*

The County did not conduct a parking survey of the parking lot and provide a parking analysis based on hourly parking counts. The County's parking analysis was based on known turnover rate (3 times per day per space) and revenue generation to determine the utilization of the lots. The County indicates that since the lot has been turned over to the County in early 2000 and operated as a public lot, the lot has not been heavily used. And based on revenue generation it was determined by the County that there has been a utilization increase ranging from 2% to 11% each year, for an average of approximately 5% over the last 5 years. Based on this information the County determined that there is adequate parking to support the uses of the facility.

Staff agrees with the County that the parking lot has been underutilized in the past during the weekday and non-summer weekends and that there is adequate parking to support the County's WATER program and other daily activities operated out of this facility during the weekday. However, as one of the most visited State beach in California, during peak summer periods and summer holidays, weekend parking demand could be significant within this parking lot and space availability could be significantly impacted by beach goers during this time. Although the main use of the facility will be for the County's youth WATER program, the County indicates that the facility will also be used for other community events. The use of the facility during the summer for non-beach recreational purposes, such as weddings, meetings, and community events could significantly reduce availability of parking for beach and recreational use within this parking lot and have an adverse impact on coastal access in the area. Therefore, Special Condition No. 4 requires that the facility will not be open or used for any private events on weekends and holidays during the peak summer period, from Memorial Day in May through Labor Day in September.

The Commission requires special conditions for this project to limit the disruption and ensure that public access to this beach remains open and clear for recreational uses. The peak beach use season runs through the summer from May to September (typically from the start of Memorial Day weekend in May to labor Day in September). Mechanized equipment is required for the project, as well as disposal routes and staging and stockpile areas. It is anticipated that construction staging will take place immediately adjacent to the construction within the parking lot or on the adjacent beach. Therefore, during the construction phase of the project there would be a temporary impact to public access.

The applicant has stated that the construction phase will take approximately 12 months and that it is necessary to continue construction through the summer months. The Commission has, in past permit approvals, limited construction during the peak summer

months. The applicant has stated that ceasing construction during the peak summer months would greatly increase the cost of the project, making it infeasible to complete. They have, however, stated that they are willing to stage the project so that there would be continued beach access (public parking and open bike trail) throughout 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 Dockweiler State Beach a condition of approval that restricts construction is required. Special Condition No. 5 requires the applicant to submit detailed plans identifying the specific location of staging and storage areas and stockpile fill areas. Special Condition No. 5 also limits the construction period during both peak summer months. During the peak summer months (between Memorial Day weekend and Labor Day) no construction of any kind shall take place during the weekends or holidays.

In order to further reduce the temporary impacts to public access and recreation Special Condition No. 5 requires the following:

- During all times of the improvement project beach and recreation area closures shall be minimized and limited to areas immediately adjacent to the project area (within 50 feet of the project). 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).

- During all times of the improvement project public access to and along the beach bicycle path shall be maintained or the bike path temporarily rerouted. The applicant shall submit, for review and approval of the Executive Director, a beach bicycle path detour plan to bypass the project site during demolition and construction. No sand area may be paved for any detour. The detour plan approved by the Executive Director shall be implemented prior to closing the existing beach bicycle path.

- 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.

As conditioned the project will be consistent with Sections 30210, 30211, 30213, 3020 of the Coastal Act.

D. <u>Environmentally Sensitive Habitat and Marine Resources</u>

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 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 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.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

1. <u>Bluffs and Plant Life</u>

As stated above the bluff, in which the project is located, was created by the deposition of excavation spoil from the Hyperion Treatment Plant construction activity. The fill pushed the existing bluff edge, which was located adjacent to the road (Vista del Mar) that parallels the beach, approximately 300 feet seaward to its present location. The top of the bluff is developed with a paved parking lot and bike path. The face of the bluff is basically undeveloped with the exception of a concession facility in the northern end of the bluff and a landscaped area in the southern end used for hang gliding. The area between these two developments measures approximately 700 feet in length. According to the Mitigated Negative Declaration, the undeveloped bluffs have become overgrown with vegetation, both native and non-native. The proposed construction site is sparsely covered with ice-plant.

The applicant is proposing to landscape the bluffs between the proposed development and the hang gliding area to the south, with all California native plants including coastal sage scrub, and will remove all non-native vegetation from the bluffs. The proposed landscaping plan will enhance the native habitat value of the bluff. However, if not properly conducted and monitored, re-landscaping the bluff could cause erosion impacts and increase site runoff due to soil disturbance, removal of existing vegetation, and unsuccessful plantings. Therefore, to ensure that the applicant takes appropriate measures to minimize erosion and site runoff, Special Condition no. 8 is necessary to require the applicant to incorporate Best Management Practices to minimize erosion. Furthermore, to ensure that erosion will be minimized, it is necessary to require that the new plantings will establish and that there is adequate vegetation coverage of at least 80% of the proposed planting coverage. The applicant shall submit a landscaping

monitoring report five (5) years from the date of the approval for Coastal Development Permit No. 5-05-179. If the report concludes that the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director.

Furthermore, the condition requires that all landscaping will be done with native non-invasive plants to ensure that the project does not contribute to the spread of non-natives in the surrounding area. The Commission, therefore, finds that only as conditioned to require appropriate landscaping will the proposed project be consistent with Section 30231 and 30240 of the Coastal Act.

2. <u>Sensitive Species</u>

Sections 30230 and 30231 of the Coastal Act mandate that marine resources and coastal water quality shall be maintained and where feasible restored, protection shall be given to areas and species of special significance, and that uses of the marine environment shall be carried out in a manner that will sustain biological productivity of coastal waters.

According to the Department of Fish and Game, species of potential concern along Dockweiler Beach include the State and Federally endangered California least tern (Sterna antillarum brownii), and California grunion (Leuresthes tenuis). The United States Fish and Wildlife Service (USFWS) has also indicated the presence of the Western Snowy Plover.

a. California least tern

The California least tern (Sterna antillarum brownii) nests at nearby Venice Beach (1/2 miles to the north from northern most storm drain line, Project 513-Line A). The Least tern is a migratory species usually arriving at southern California breeding sites in late March or early April and departing by mid-September. The closest breeding colony is at Venice Beach, just north of the Marina del Rey entrance channel. Dockweiler beach is separated from the breeding colony area by the marina's entrance channel. Because of the distance of over a mile from the breeding colony and distance from the water that could be used for foraging, the project is not expected to have a significant impact on the least terns by interfering with nesting and/or foraging activities.

b. California Grunion

The California grunion is a small fish in the silversides family and is extremely unusual among fish in its spawning behavior. The grunion spawn on the sandy beaches in the project vicinity immediately following high tides from March to August. The eggs are incubated in the sand until the following series of high tide conditions, approximately 10 to 15 days, when the eggs hatch and are washed into the sea. California grunion is a species of concern due to its unique spawning behavior. They are carefully managed as a game species.

According to DFG all beaches are potential grunion spawning habitat. Dockweiler beach has supported grunion runs in the past. The proposed project is located approximately over 300 feet from Mean High Tide line. Because of the distance construction will not adversely impact

grunion spawning activities. However, lighting from the facility could have an adverse impact on grunions. Although the facility will be over 400 feet from the intertidal area, lighting from structures onto the beach during the night could deter grunion from coming up on the beach and spawning, whereby reducing the amount of spawning habitat available for grunion. Therefore, to minimize the potential lighting impacts, Special Condition No. 9 requires that all lighting from the facility be directed onto the facility and all light shielded from the surrounding beach area.

c. <u>Western Snowy Plover</u>

According to the USFWS the area south of the Hang gliding area, which is located approximately 1,500 feet to the south of proposed project site, is a winter roosting site for the Western snowy plover. The Pacific Coast population of Western snowy plover (*Charadrius alexandrinus nivosus*) are small, sand colored shorebirds that use sandy beaches for nesting and roosting from southern Washington to Baja California. The Snowy plover forages on invertebrates in the wet sand, amongst surf-cast kelp, on dry sandy areas above the high tide, on salt pans, on spoil sites, and along the edges of salt marshes, salt ponds, and lagoons (USFWS 20001). Snowy plovers breed primarily above the high tideline on coastal beaches, sand spits, dune-backed beaches, sparsely-vegetated dunes, beaches at creek and river mouths, and salt pans at lagoons and estuaries. They tend to be site faithful, with the majority of birds returning to the same nesting location in subsequent years (USFWS 2001 citing Warriner et al. 1986). The breeding season for Snowy plovers along the Pacific coast extends from early March to mid-September. The majority of California's wintering Snowy plovers roost and forage in loose flocks on sand spits and dune-backed beaches, with some occurring on urban and bluff-backed beaches, which are rarely used for nesting (USFWS 2001). Roosting Snowy plovers usually sit in small depressions in the sand, or in the lee of kelp, other debris, or small dunes (USFWS 2001 citing Page et al 1995).

The Snowy plover was listed by the U.S. Fish and Wildlife Service (USFWS) as a threatened species in March 1993. Subsequently USFWS designated 180 miles of coastline in California, Oregon, and Washington as critical habitat in 1999. Critical habitat is a specific designation that identifies areas that are essential to conservation of an endangered species. The USFWS has released a *Draft Recovery Plan for the Pacific Coast Population of Western Snowy Plover* (May 2001). According to the USFWS the area south of the Hang gliding area is a winter roosting site between November 1 and February 29.

Because of the distance from the project site, the USFWS is not concerned about impacts during construction. They have expressed concern about educational and recreational activities taking place in the vicinity of the roosting site, however, according to the County because of the distance, and location of the hang gliding site, no activity associated with the aquatic center will take place in the general vicinity of the roosting site. Special Condition No. 10 places the County on Notice that all educational and recreational activities operated by the center shall avoid the roosting area during the plover's roosting season.

Conclusion

For the aforementioned reasons, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

E. Visual Quality

Section 30251 of the Coastal Act states:

> *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas.*

The Coastal Act protects the visual quality of scenic coastal areas. In this case the proposed project is on and adjacent to Dockweiler State Beach, a heavily visited beach area. The scenic and visual qualities that must be protected in this area consist of the views to and along the beach, the public views from Vista del Mar (the major coastal route directly above and parallel to this stretch of beach) to the beach and ocean, and the views across the beach to the ocean. Currently, the immediate area is developed with a 574 space parking lot, a 4,500 square foot concession/restroom facility cut into the bluff, bike path, and beach volleyball courts. Further to the north along the beach are restroom facilities, two two-level lifeguard substations located on the sandy beach, a lifeguard headquarters and maintenance yard, an R.V. parking lot administration building and laundry facility and main entrance building, eight parking lots, bike path, volleyball courts and six rock groins and storm drains.

There currently exist long stretches of open sandy beach area between the beach facilities. Dockweiler State Beach and the beach facilities are located below an approximately 15 to 25-foot high artificial fill slope. Above this fill slope lies Vista del Mar, the first public road before the beach area (Exhibit No. 2 & 3). Because of the limited development and location of Vista del Mar above the beach, Dockweiler State Beach offers uninterrupted ocean views along most of its length.

The height, location, and siting of the proposed project could have an effect on the visual and scenic values of this coastal area. The Coastal Act states that development shall be sited and designed to protect views to and along the ocean and scenic coastal areas.

The proposed project as designed will be built into the bluff and have a height of approximately 36 feet from the sand level and rise 8 feet above the top level of the bluff and adjacent parking lot area. The project will be located immediately south of the two-story concession/restroom facility, which is also built into the bluff. The adjacent concession/restroom facility is 32 feet in height, as measured from the toe of the bluff and extends approximately 15 feet above the top of the bluff. As designed, with a limited

height of 8 feet above the top of the bluff the proposed project will not have a significant impact on views. By resiting the project further inland into the bluff to reduce beach encroachment, as conditioned by this permit, development will be consistent with existing development and the structure can continue to maintain the low profile above the bluff, whereby reducing view obstructions.

By placing the structure further into the bluff the applicant would need to redesign the structure so that the structure extends laterally along the bluff. This may create a wider profile along the bluff as viewed from Vista del Mar; however, by continuing to maintain the low roof height above the bluff and maintaining a development string line as drawn from the adjacent development, the visual impact will be minimized.

The Commission finds that the proposed development, as conditioned to resite the structure further inland to reduce seaward encroachment, will be sited and designed to minimize view impacts to and along the ocean and coastal area and does not present a significant impediment to scenic resources in comparison to the size of the beach. Therefore, the Commission finds the project, as conditioned, consistent with Section 30251 of the Coastal Act.

F. Water Quality

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 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 30232 of the Coastal Act states:

> Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Section 30240 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 such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Sections 30230, 30231, 30232, and 30240 of the Coastal Act require that marine resources be maintained, enhanced, and restored in a manner that will sustain the biological productivity of all species of marine organisms in coastal waters, and that the biological productivity and water quality of coastal waters (in this case the Santa Monica Bay) be maintained and restored by controlling polluted runoff.

The subject property is located at the middle point along the Santa Monica Bay shoreline. Santa Monica Bay has received recognition as an estuary of ecological importance. Under the Clean Water Act, 1977 and the Water Quality Act, 1987 Congress established the National Estuary Program (NEP). The Santa Monica Bay is an estuary participating in this program which provides a mechanism for coordination action. The Santa Monica Bay Restoration Program (SMBRP) was created to develop a Comprehensive Conservation and Management Plan for the Bay. The Plan addressed habitat and water quality concerns within the Bay through a long-term watershed management strategy.

The Santa Monica Bay supports a wide array of species. The Bay provides habitat for marine mammals, waterfowl, shorebirds and endangered species, such as the California gray whale and the California least tern. The Bay also provides several water-related recreational activities such as fishing, boating, swimming, surfing, and scuba diving. Because of the extensive coastal recreation activities and the sensitivity of the Bay habitat, water quality issues are essential in the review of this project.

Pollutants such as sediments, toxic substances (e.g., grease, motor oil, heavy metals, and pesticides), bacteria, and trash and particulate debris are often contained within urban runoff entering via the storm water system or directly into the ocean. The discharge of polluted runoff into the Santa Monica Bay would have significant adverse impacts on the overall water quality of the Bay and Pacific Ocean.

<u>Construction Impacts to Water Quality</u>

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain, surf, tide, or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of

machinery in coastal waters not designed for such use may result in the release of lubricants or oils that are toxic to marine life. Sediment discharged to coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, Special Condition No.6 outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris.

Special No. 6 requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. This condition requires the applicant to submit a Construction Best Management Practice Plan. Special Condition No. 6 requires the applicant to include the following requirements:

- No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction.
- Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters.
- 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.
- No disturbance or use of areas below the mean high tide line is permitted for the construction of the proposed development.
- Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean.

In addition, Special Condition No. 6 requires the implementation of Best Management Practices designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity prior to the onset of construction. Such measures include the following:

- The applicant shall 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.

- The applicant shall develop and implement spill prevention and control measures.

- The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50 feet away from a storm drain, open ditch or surface water.

- The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.

- 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.

- 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.

Water Quality Management Plan

According to the Mitigated Negative Declaration, a drainage concept/SUSMP plan will be prepared to assess any drainage related impacts and determine any additional mitigation measures to handle runoff. To ensure that drainage mitigation is incorpared into the project and is consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require Special Condition No. 7. This special condition requires the incorporation of Water Quality Management Plan designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site. The Water Quality Management Plan requires the implementation of appropriate Best Management Practices for all aspects of the project.

The Commission notes that BMPs are very new in design and some are still in the experimental stage and the applicant may determine that another method is more effective after the completion of the project. A key factor in the continued effectiveness of structural BMPs is regular and adequate maintenance and monitoring of the implemented system. Also, by implementing a monitoring program the applicant can ensure, through an annual report submitted to the Executive Director for no less than three years, that the proper type and design of BMPs were selected to comply with the Water Quality Management Plan.

Special Condition No. 7 requires that all BMPs be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and when necessary, repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season. Debris and other water pollutants

removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner.

Only as conditioned to comply with construction related requirements, dispose of all debris at an approved disposal site, incorporate and maintain Best Management Practices during construction and after construction, and forbid the use of structures containing petroleum based material is the proposed project consistent with the water quality provisions of the Coastal Act.

G. 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 (commencing with Section 30200).*

The City of Los Angeles does not have a certified Local Coastal Program for the Playa del Rey area. The City of Los Angeles submitted its Local Coastal Program in March 1981. The Commission denied the submitted LCP on December 18, 1981. The City has not planned the submittal of a revised LCP. As conditioned, to address hazards, scenic resources, sensitive habitat, and access and recreational issues, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

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).

H. California Environmental Quality Act

Section 13096 of the California Code of Regulations requires Commission approval of 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)(i) 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 impact which the activity may have on the environment.

There are feasible design and site alternatives available which would substantially lessen any significant adverse impact which the activity may have on the environment. The proposed

project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

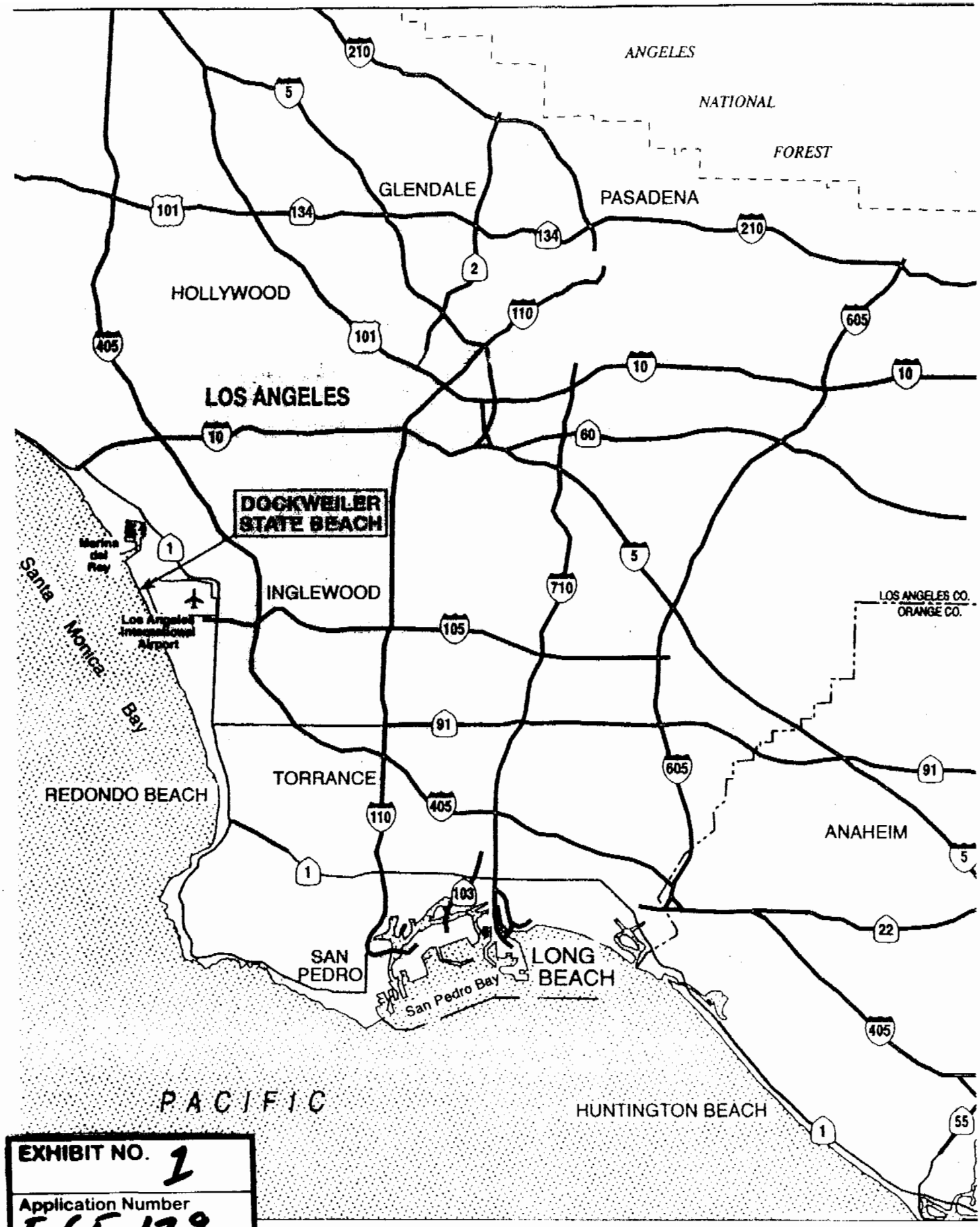


EXHIBIT NO. 1

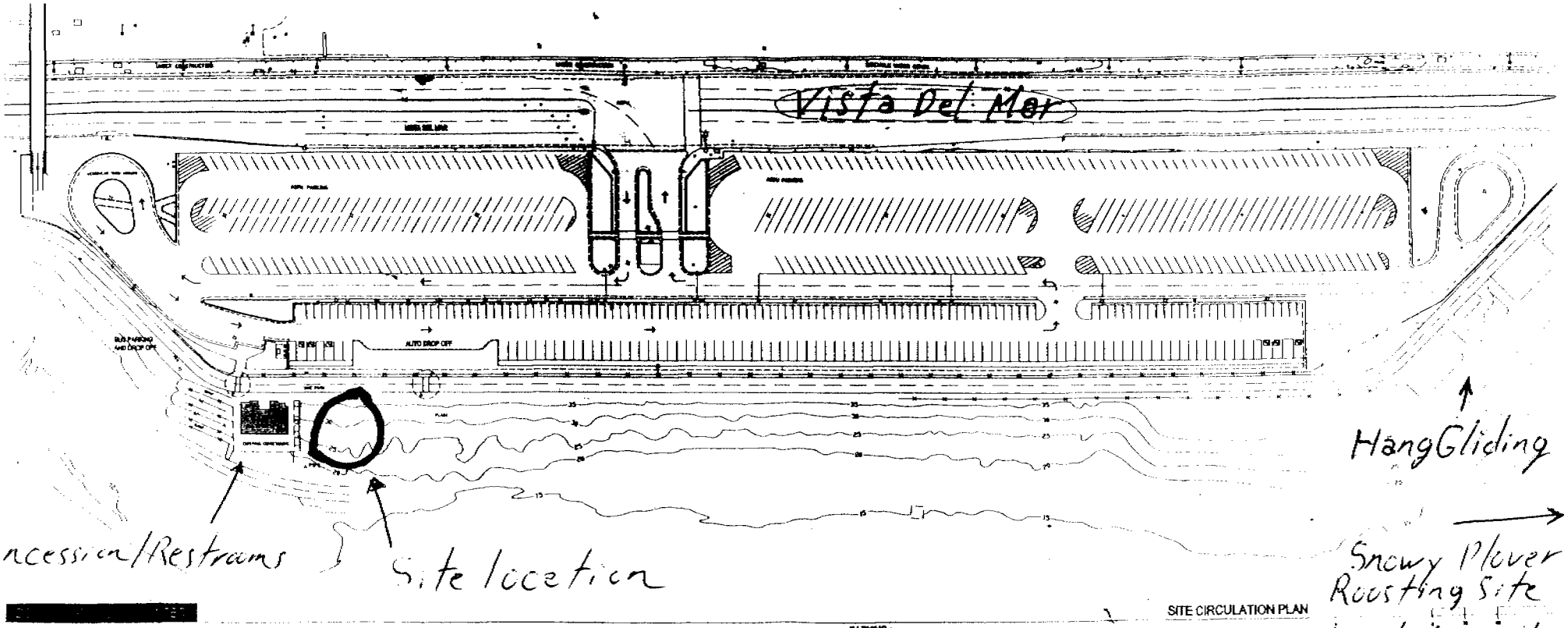
Application Number 5-05-179

Regional Map

California Coastal Commission

Miles

Figure 1
Regional Map



SITE CIRCULATION PLAN

GRUEN ASSOCIATES

→ TRAFFIC CIRCULATION

SIGNALIZED PEDESTRIAN CROSSING AT BIKEPATH

PARKING :	
STD. PARKING SPACES :	567
HC. PARKING SPACES :	7
TOTAL PARKING SPACES :	574

Proposed Conceptual Site & Parking Lot Circulation Plan

FIGURE

EXHIBIT NO. 2
Application Number 5-05-179
Area Map
California Coastal Commission

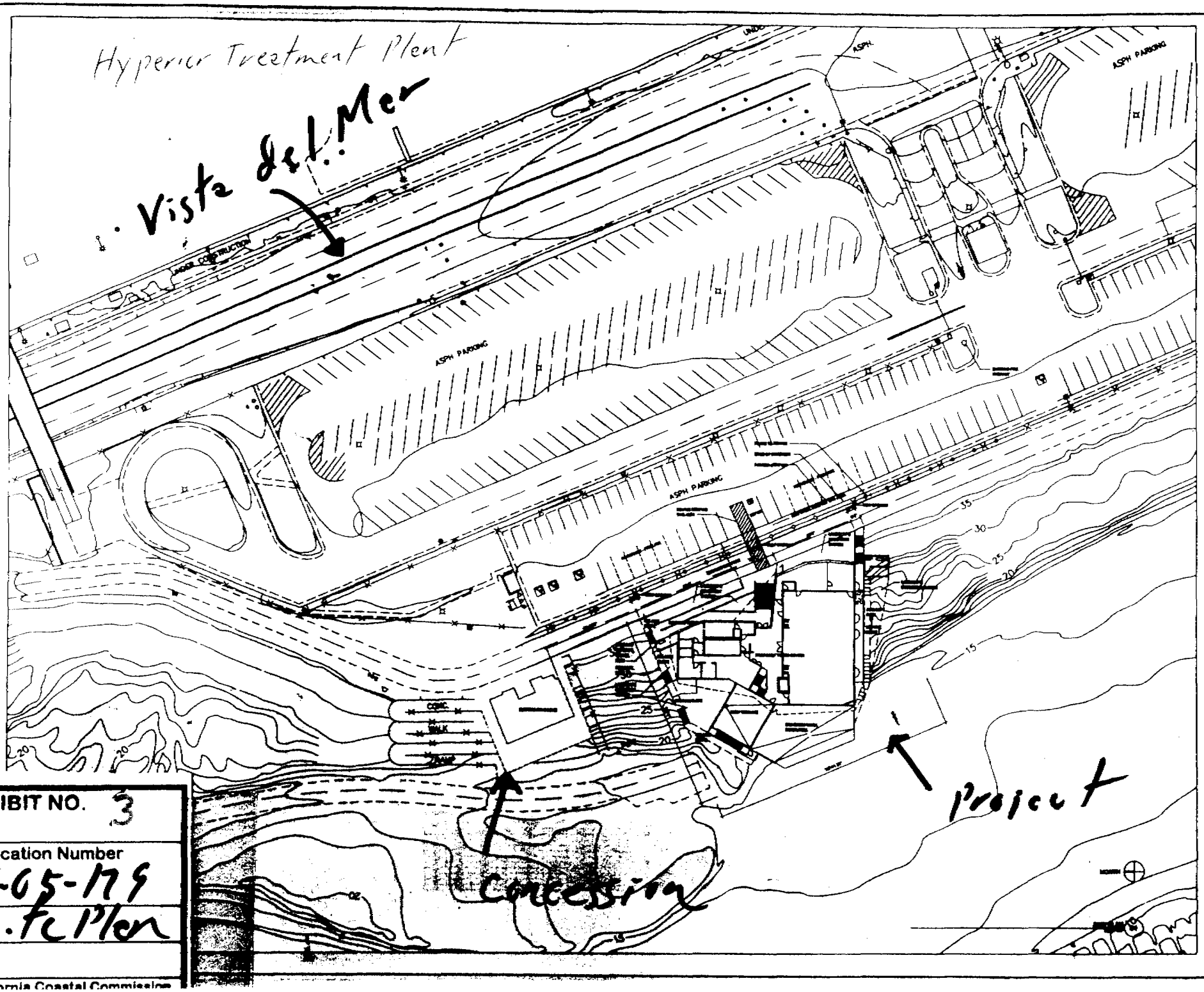


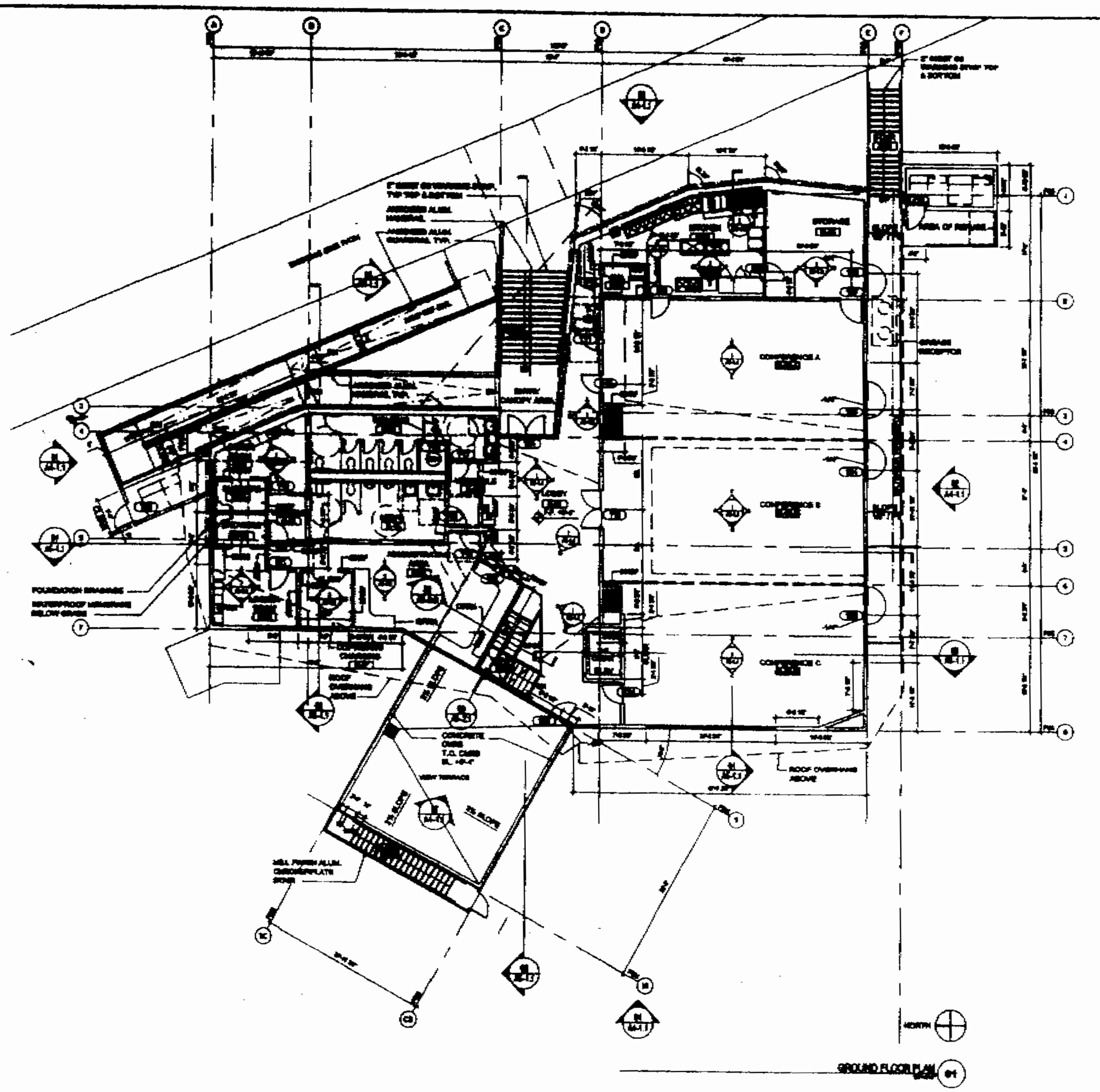
EXHIBIT NO. 3

Application Number

5-05-179

S. Fe Plan

California Coastal Commission



DOOR SCHEDULE
GROUND LEVEL

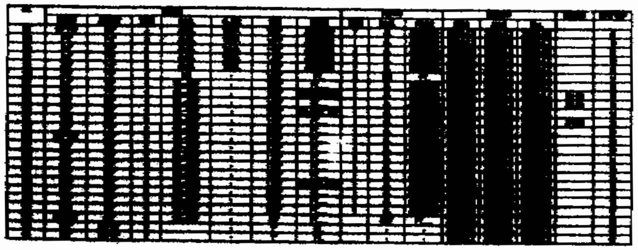


EXHIBIT NO. 4

Application Number
5-05-179
Floor Plan

California Coastal Commission

REVISIONS

SHEET TITLE
GROUND
FLOOR PLAN

APPROVALS

STAMP

CONSULTANT
randall stout
architects, inc.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
PROJECT MANAGEMENT DIVISION
900 SOUTH FREMONT AVENUE
6TH FLOOR
ALHAMBRA, CA 91803-1331

PROJECT
DOCKWEILER BEACH
YOUTH CENTER
50% Construction Docs.
NOT FOR CONSTRUCTION

SPEC. NO.
CP NO.
DATE: 3/16/06
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DRAWN BY:
CHECKED BY:
JOB: 6301
SHEET NO.
A2-1.2
OF SHEETS

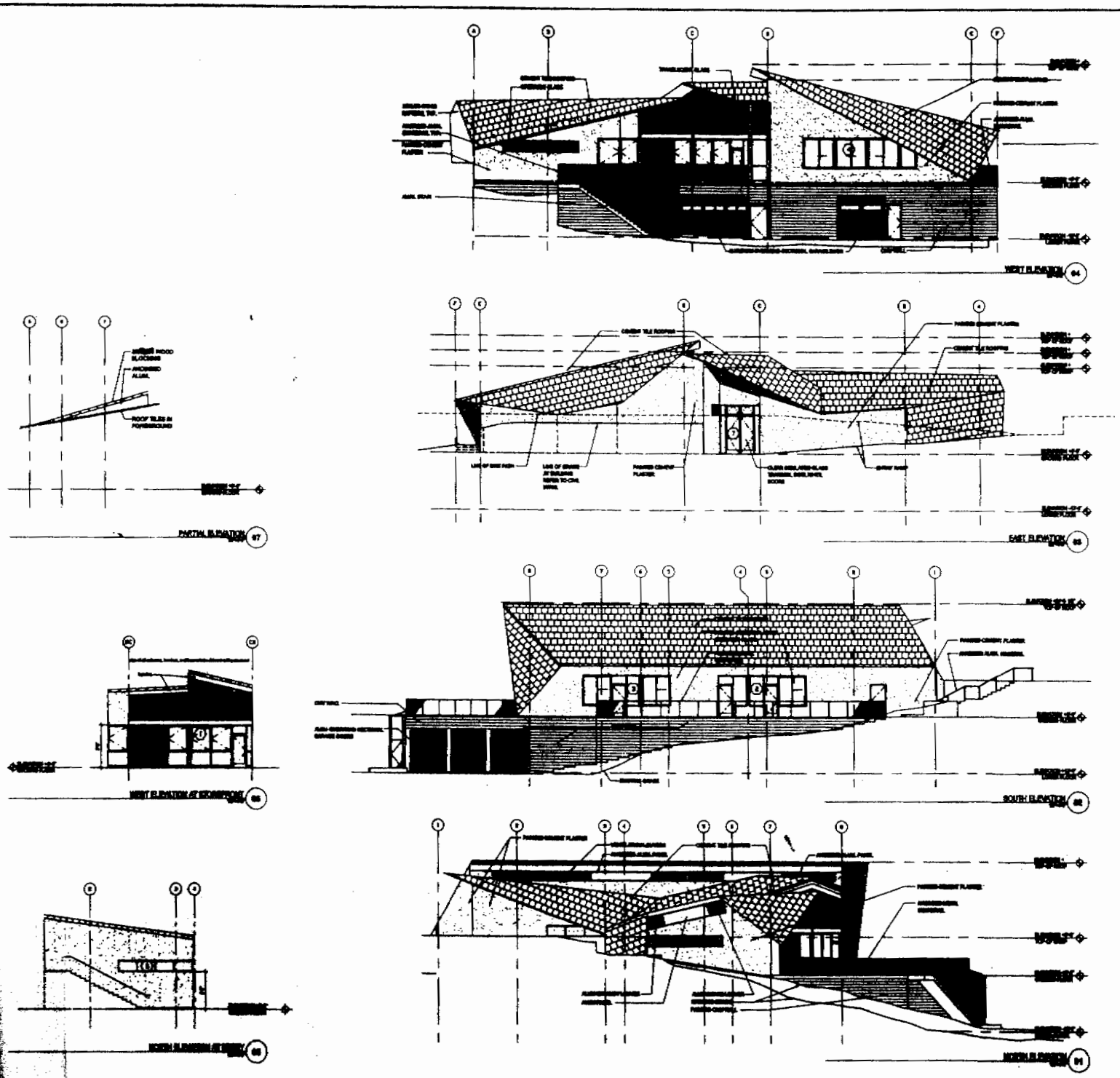
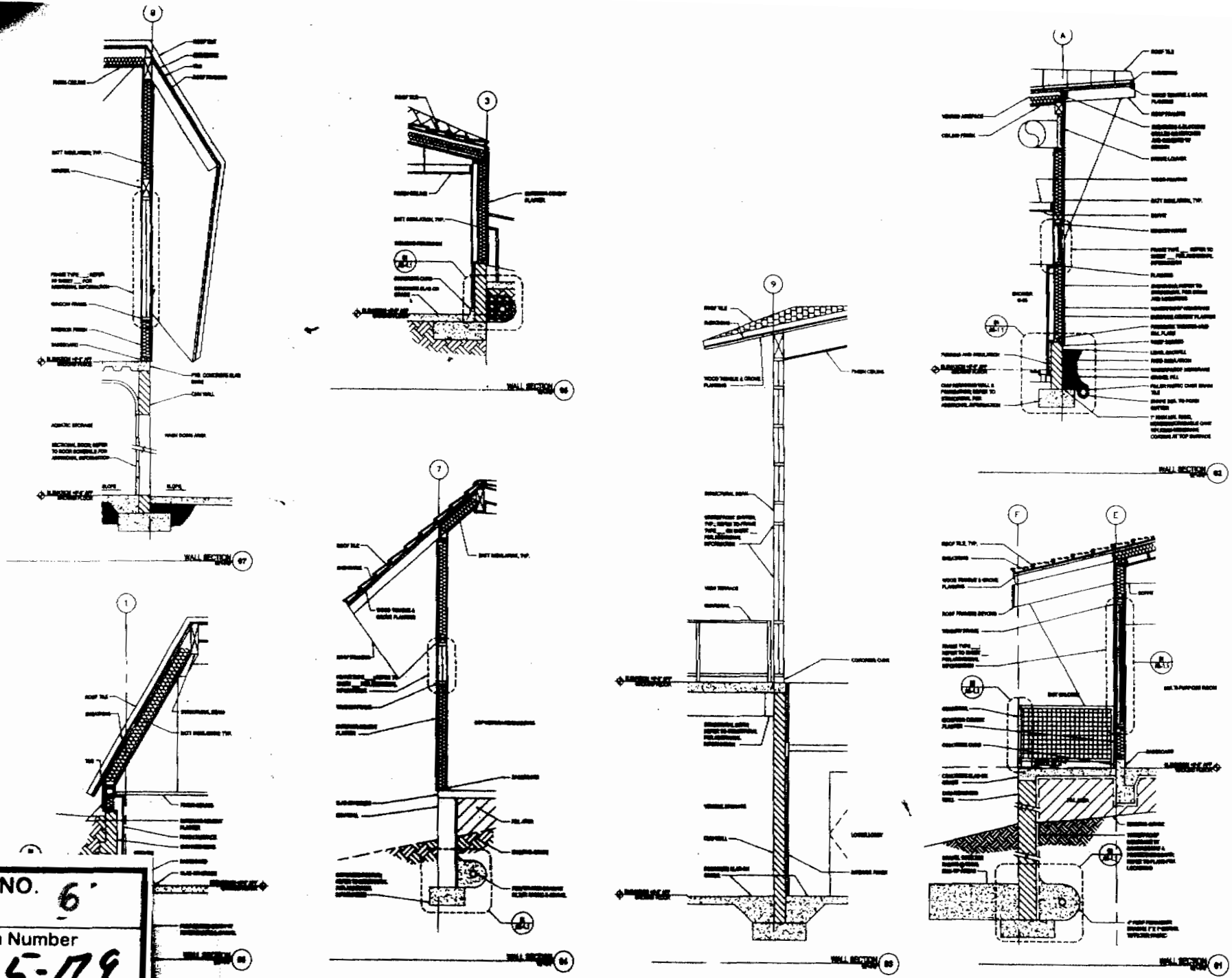


EXHIBIT NO. 5

Application Number

5-05-179

Elevations



SHEET TITLE
WALL SECTIONS

APPROVALS

STAMP

CONSULTANT
randal stout architects, inc.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
PROJECT MANAGEMENT DIVISION
900 SOUTH FREMONT AVENUE
9TH FLOOR
ALHAMBRA, CA 91803-1331

PROJECT
DOCKWEILER BEACH YOUTH CENTER
80% Construction Docs.
NOT FOR CONSTRUCTION

SPEC. NO.
CP NO.
DATE: 3/16/99
SCALE: 1/2"=1'-0"
DRAWN BY:
CHECKED BY:
JOB: 0391
SHEET NO.
A5-2.1
OF SHEETS

EXHIBIT NO. 6

Application Number
5-05-179
Foundation

California Coastal Commission

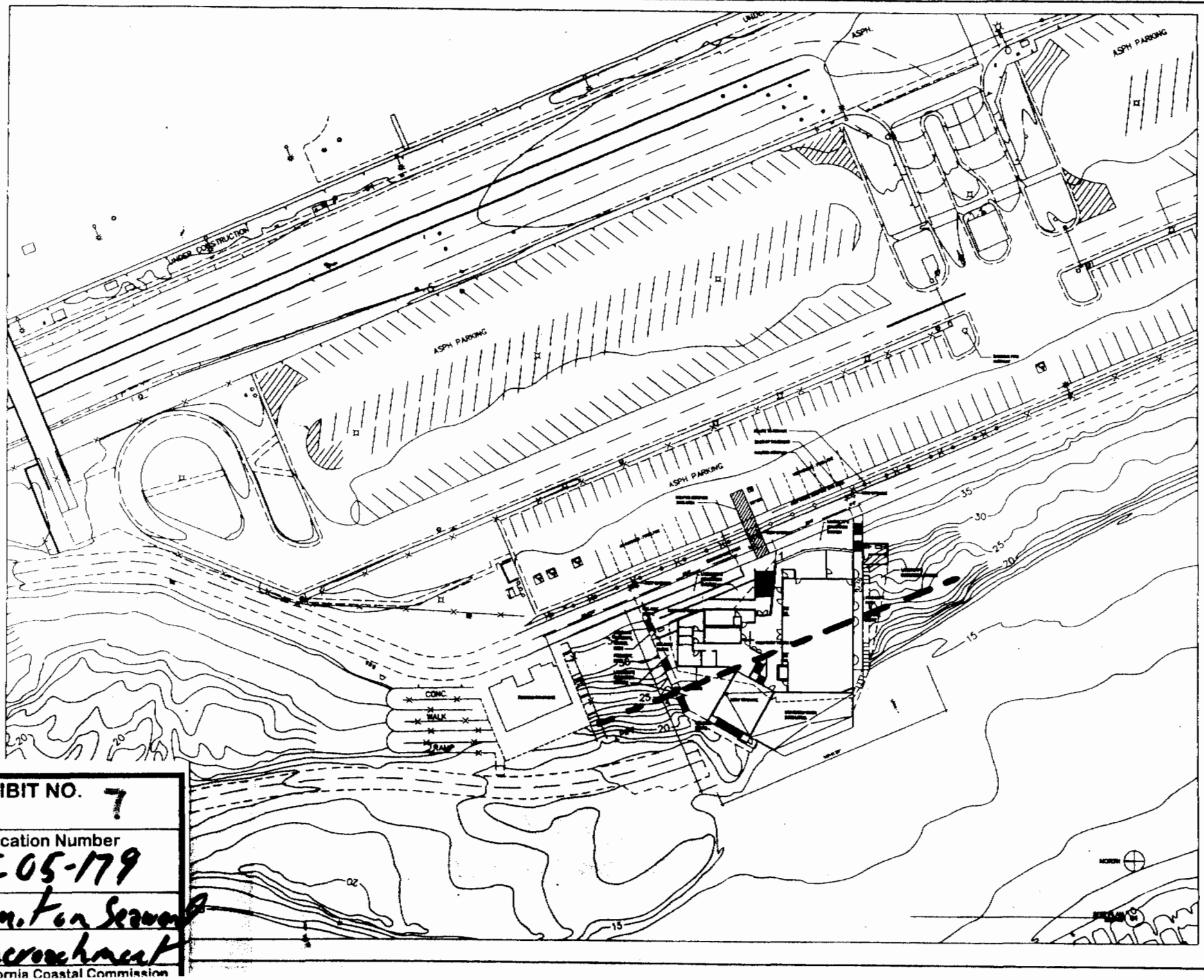


EXHIBIT NO. 7

Application Number

5-05-179

Lim. for Seawall Encroachment

California Coastal Commission

STATE OF CALIFORNIA – THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

EXHIBIT NO. 8
Application Number
5-05-179
Letter from
Commission Coastal Eng
California Coastal Commission

March 28, 2006

TO: Al Padilla, Coastal Program Analyst

FROM: Lesley Ewing, Sr. Coastal Engineer

SUBJECT: Dockweiler Beach, Aquatic Youth Center
Storm Erosion and Wave Runup Analyses, and Beach Impact Assessment for Aquatic Youth Center at Dockweiler Beach, California, prepared by Noble Consultants, March 15, 2006

Following preparation of a staff report on the proposed Aquatic Youth Center at Dockweiler Beach, the Department of Beaches and Harbors, County of Los Angeles contracted with Noble Consultants for the preparation of a detailed examination of possible risks from storm and wave attack to the proposed Aquatic Youth Center to be located on Dockweiler Beach, adjacent and seaward of an existing snack bar facility. This report supplements the coastal processes, erosion and wave impact analyses previously provided by the applicant. This report states that Coastal Commission staff requested further analysis to address the adequacy of the winter backbeach berm and long-term beach conditions. As part of my review of the proposed project, my comment letter did expressed concerns about the adequacy of the previous reports for use with the proposed Aquatic Youth Center; however, as a point of clarification, I never made a request of the applicant that they undertake the preparation of the provided report. My only contact with the applicant with respect to this report had been a very short conversation with their hired representation, Ms. Andi Culbertson, when she told me that Mr. Ron Noble had been hired to respond to my comment letter. To repeat and add to my earlier comment, I did not request that Mr. Noble be hired to prepare this report, nor did I request that additional technical research or reports be undertaken by the applicant.

The recently prepared report by Noble Consultants covers the potential impacts to a proposed Aquatic Youth Center from the conditions of storm waves, erosion and sea level rise that are likely to occur over the next 75 years. The anticipated rise in sea level that is used in the proposed analysis is for a 0.5-foot rise in sea level over the next 75-year period. The Noble Report notes that this is a conservative estimate since a linear extrapolation of the historic trend would result in a rise of 0.37 feet per century at Los Angeles Outer Harbor and 0.41 feet per century offshore of the Santa Monica area.

Most studies of global climate change are anticipating that, if there is a global warming trend, that there will be an acceleration of the current changes in sea level. There are no scientists who are claiming that sea level is completely static and that there is no long-term change in sea level. There are some scientists who do not believe there is any clear indication of an acceleration in the rise of sea level and that the historic trend can reasonable be used to extrapolate future sea level change. There are other scientists who are anticipating a rise in sea level of 1 to 3 feet over the next century and others who anticipate a rise of 10 to 20 feet, with rapid melting of most of

the world's glaciers. The Commission has never set any guidelines for an acceptable estimate of possible sea level rise that should be used for analysis of new development; however, some estimate of future sea level rise has been included in the analysis of almost all new development along the shoreline or in low-lying areas. The proposed 0.5 foot estimate is one of the lower estimates we have been provided and we often are provided with estimates of future sea level change in the range of +0.75 foot to +1.0 foot over the next century. Since the anticipated change in sea level is normally expected, by those who believe an accelerated rise in sea level might occur, to increase slowly in the first half of this century and to then increase more quickly at the end of the century, the future change in sea level that has been considered in the most recent Dockweiler Study by Noble is acceptable for this analysis.

The earlier Coastal Process Report by Concept Marine for this project also used a rise in sea level of 0.5 feet. However, since the storm conditions used in the wave analysis used a 25-year design storm event, it was assumed that the 0.5 foot rise in sea level was for the same time period; no specific time period was provided in the previous report for the anticipated rise in sea level. There is great uncertainty associated with any long-term projection of sea level change and there is no single methodology for developing a likely estimate of future sea level. The rise in sea level that Noble considered to be "conservative" is actually closer to the current trend than to a conservative estimate. I am not requesting that the applicant undertake or contract for any further analysis that would use a rise in sea level greater than the 0.5 foot. I am hoping to make clear that the value used in this report is acceptable, but not "conservative".

Aside from the concern about the anticipated rise in sea level that was used in the recently prepared report on coastal conditions at Dockweiler Beach, the study examines likely changes to the shoreline from storms and the probably wave run-up during severe storm and high still water conditions. The 75-year wave and 75-year tide conditions were used for design purposes and the modeling effort indicates that the anticipated run-up elevation will be 3 feet below the lowest part of the proposed building and that the inundation limit will be 76 feet seaward of the proposed building location.

The report notes that there will be no need for any type of shore protection of special building foundation. The report does not provide any information about or explanation of the rock that is apparently still part of the project design. My earlier memo discussed this rock and there is no information in the Noble Report that changes my earlier comments.