

**CALIFORNIA COASTAL COMMISSION**

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



June 12, 2007

**MEMORANDUM**

TO: Commissioners and Interested Parties

FROM: John Ainsworth & Sherilyn Sarb, South Coast Deputy Director

SUBJ: **Addendum to Commission Meeting Thursday, June 14, 2007 at 9:00 am.**

<u>AGENDA</u>	<u>APPLICANT</u>	<u>DESCRIPTION</u>	<u>PAGE#</u>
<u>DEPUTY DIRECTOR'S REPORT:</u>			
TH11 (5-07-167)	Tidelands Oil Prod.	Change in the proj. desc.	1-2
<u>CONSENT PERMIT:</u>			
TH13g(5-07-081)	Fari Intl.	Correspondence	3-6
TH13k(5-07-137)	Johnson	Add spec. cond. #6	7-8
<u>NEW APPEAL</u>			
TH16a(A5-07-178)	AVP	Correspondence	9-13
		Applicant in agreement w/staff recom.	14
		Ex-parte Communication	15-16
<u>COASTAL PERMIT:</u>			
TH17a(5-06-093)	Co. of Orange	Add three spec. conds.	17-20
		Letter in opposition	21-38
		Letters in support	39-42
TH17b(5-07-082)	Pierce	Add spec. cond.#2	43-44
TH17c(5-07-152)	City of SC	Letter in support	45-46
TH17d(5-06-276)	Bubalo	Changes to staff report	47-48

**CALIFORNIA COASTAL COMMISSION**

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



**ADDENDUM**

Date: June 7, 2007

To: COMMISSIONERS & INTERESTED PERSONS

From: JOHN AINSWORTH, DEPUTY DIRECTOR  
SOUTH COAST DISTRICT STAFF

Subject: Commission Hearing of June 2007, **Item No. TH 11**, District Director's Report, Waiver no. 5-07-167 (Tidelands Oil Production) Wilmington, Los Angeles County.

In the project description and rational sections it incorrectly states that the oil facility is no longer in production. The Waiver should indicate that the facility is currently in production and will continue as an oil production facility.

(1)

(2)

Hem Th 13g

May 27, 2007

California Coastal Commission  
South Coast District  
P O Box 1450  
200 Oceangate 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

RECEIVED

CALIFORNIA  
COASTAL COMMISSION

From: Jane Farwell residence at 630 Via Lido Nord Newport Beach  
CA 92663

Re: Permit Number 5-07-081. Fari International and Gary Primm

Dear Sir:

After reviewing, on line, the text of the Permit, I am concerned about the build out of the dock to include 3 good sized boats. I looks to me as though Mr. Primm would own one of the boats and allow non-residents to utilize the other two slips.

If this is the case, this usage seems excessive as there is not off street parking, storage etc... for the guest boats.

Does this filling up of this water space restrict water flow so vital for keeping the bay clean?

I am not objecting, just concerned about the effect of the **size** and number of boats, **blockage of views** from neighbors that three boats would restrict, and additional **electrolysis**.

Sincerely

  
Jane Farwell  
949-646-4725

(3)

Item Th Bg

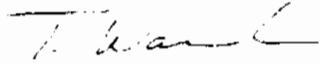
**M e m o r a n d u m**

**Date:** June 5, 2007

RECEIVED

**To:** Lilliana Roman  
California Coastal Commission  
200 Oceangate, Suite 1000  
Long Beach, CA 90802

**From:** Tony Warrington  
Regional Manager  
Marine Region  
Department of Fish and Game



**Subject:** Primm Residence Bulkhead and Dock System Project

Department of Fish and Game (Department) staff were recently contacted by Ms. Lisa Miller, Shellmaker, Inc., concerning replacement of an existing seawall, pier, gangway, and dock at the Primm residence, located at 618 Via Lido Nord, Newport Beach, Orange County, California, Coastal Development Application (CDP) No. 5-07-081. The proposed project will replace an existing 77-foot long concrete seawall along the same alignment. The applicant is building a new home on the lot and the current seawall does not meet current city building codes. The applicant will also replace an existing dock system with a new system consisting of a 12 foot by 14 foot pier, 4 foot by 30 foot gangway, and a double U-shaped floating dock consisting of two 4 foot by 57 foot fingers, one 4 foot by 40 foot finger, one 4 foot by 24.5 lobe and one 11 foot by 30 foot lobe. The new system will be supported by nine 14-inch concrete piles and will cover an additional 113 square feet of bay water. An eelgrass (*Zostera marina*) and *Caulerpa taxifolia* visual and scuba survey was conducted on January 11, 2007. No eelgrass or *Caulerpa taxifolia* was found. The Department has the following comments and recommendations on this project:

The eelgrass survey did not reveal any eelgrass in the immediate project area. However, the survey was done outside of the active growing season of March through October. According to the City's website (see <http://www6.city.newport-beach.ca.us/website/InteractiveMap/map.asp>) eelgrass habitat has been documented just a few lots to the southeast, bayward of 634 Via Lido Nord. Accordingly, the applicant should conduct a new eelgrass survey prior to construction during the active growing season (March through October). If eelgrass is found during the survey, the applicant would need to conduct two additional post construction surveys to determine if the new dock configuration and use would adversely impact eelgrass habitat in accordance with NOAA Fisheries' Southern California Eelgrass Mitigation policy (see section 2. 2. Boat Docks and Related Structures). The applicant will also need to complete another preconstruction survey for *Caulerpa taxifolia* of the project area not earlier than 90 days prior to planned construction and not later than 30 days prior to construction in accordance with NOAA Fisheries *Caulerpa* Control Protocol, developed by NMFS and the Department (see <http://swr.ucsd.edu/hcd/ccpv1.htm>).

(4)

Lillana Roman  
Page 2 of 2  
June 5, 2007

The Department questions the need for a larger dock and pier system. The new system will increase bay coverage by 113 square feet. As a consequence, there will be a loss of foraging habitat for sight foraging marine birds such as the state and federally listed California brown pelican (*Pelecanus occidentalis californicus*) and California least tern (*Sterna antillarum brownii*) which are found within the project vicinity. Pelicans and terns, as sight foraging birds, need to be able to see their prey (fish) in order to catch them. The addition of docks and associated facilities reduces the foraging area for pelicans and terns. It also limits the amount of light available to photosynthesizing organisms. Although the coverage of bay surface area habitat associated with this project may seem small, it is of concern to the Department because of cumulative impacts from these kinds of activities. Consequently, we recommend the applicant minimize the footprint of the new dock system as much as possible.

In conclusion, the Department concurs with the issuance of a CDP for the proposed project provided our concerns and recommendations are taken into consideration. We reserve the right to modify or change the above determination based on additional findings or other pertinent information concerning the above mentioned project.

As always, Department personnel are available to discuss our comments, concerns, and recommendations in greater detail. To arrange for a discussion please contact Ms. Marilyn Fluharty, Environmental Scientist, California Department of Fish and Game, 4949 Viewridge Avenue, San Diego, CA 92123, telephone (858) 467-4231.

cc: Ms. Lisa Miller  
Shellmaker  
2035 F. Placentia Avenue  
Costa Mesa, CA 92627

Ms. Jennifer Pettis  
NOAA Fisheries  
501 West Ocean Blvd, Suite 4200  
Long Beach, CA 90802-4213

Ms. Marilyn Fluharty  
San Diego, California

(5)

(6)

**CALIFORNIA COASTAL COMMISSION**

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

June 8, 2007

**Th13k****ADDENDUM**

**To:** Commissioners and Interested Parties

**From:** John Ainsworth, Deputy Director  
Teresa Henry, District Manager  
Charles Posner, Staff Analyst

**Re:** **Added Condition - Application 5-07-137 (Johnson: 2611 Ocean Front Walk, Venice).**

Special Condition Six is added.

6. Landscaping – No Invasive Plants

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.





**RESIDENTS FOR A QUALITY CITY**

P.O. Box 1882  
Manhattan Beach, CA 90267  
Phone 310-546-2085  
Fax 310-546-4965

**RECEIVED**  
South Coast Region

JUN 8 2007

CALIFORNIA  
COASTAL COMMISSION

June 8, 2007

Honorable Patrick Krueger, Chair  
and Members, Alternate Members and  
Non-voting Members of the  
California Coastal Commission

Th 16a

**Re: Appeal of Coastal Development Permit  
Approving Manhattan Beach Open Volleyball  
Tournament, Permit No. A-5-MNB-07-178  
Hearing Date: 6-14-07, Item No. Th 16a**

Dear Commissioners:

As I indicated in my letter of June 5, 2007, conditions imposed in coastal development permits issued for AVP sponsored events are consistently violated. On occasion, a city, such as the City of Manhattan Beach, which has local jurisdictional control of the event, amends its previously issued permit without allowing sufficient time for an appeal of the amendment to the Coastal Commission to be heard until after the event has already taken place.

With respect to the above referenced Coastal Development Permit the Manhattan Beach City Council has voted to reconsider its prior denial of the AVP's requests pertaining to grandstand seating and other issues and placed these issues for consideration by the city council at its July 3, 2007 meeting (see attached copy of newspaper article). Inasmuch as an appeal of any decision made at the July 3 hearing cannot be heard until after the event has already taken place, a finding that the present appeal does, in fact, raise a substantial issue is warranted if, for no other reason, so that the merits of the appeal can be heard prior to the August 9-12 event instead of afterwards when the Commission has been reluctant to act.

Sincerely yours,

*Bill Eisen*

Bill Eisen

encl. Copy of June 7, 2007 Beach Reporter article  
cc: Coastal Commission staff, South Coast Area Office

(9)

# City Council wrap

by Dawnya Pring

After a heated debate, the Manhattan Beach City Council voted to take another look at its current contract with the Association of Volleyball Professionals, with some council members citing that an earlier decision to tighten the city's control over the association's local volleyball event might have been too restrictive.

Councilman Jim Aldinger, who is on the AVP subcommittee with Mayor Nick Tell, brought up the subject at the end of the council meeting when council members can ask for issues to be placed on future agendas. Aldinger said that he and Tell had had a meeting with officials from the AVP, and learned new information about the history of the Manhattan Beach Open, the event that the AVP holds, and the cost to the organization, arguing that the City Council should relook at the issue.

At a recent meeting, the City Council denied the AVP a series of requests that included changing the stadium seating configuration and the order in which sponsors could list their company's name.

Councilman Mitch Ward argued that the City Council should not reopen an issue that was already decided on and that it interfered with the integrity of the entire process. In the end, the City Council voted 4-1, with Ward voting no, to put the issue on the July 3 City Council meeting.



## RESIDENTS FOR A QUALITY CITY

P.O. Box 1882  
Manhattan Beach, CA 90267  
Phone 310-546-2085  
Fax 310-546-4965

Th16a

**RECEIVED**  
South Coast Region

JUN - 7 2007

CALIFORNIA  
COASTAL COMMISSION

June 5, 2007

Honorable Patrick Kruer, Chair  
and Members, Alternate Members and  
Non-voting Members of the  
California Coastal Commission

**Re: Appeal of Coastal Development Permit  
Approving Manhattan Beach Open Volleyball  
Tournament, Permit No. A-5-MNB-07-178  
Hearing Date: 6-14-07, Item No. Th 16a**

Dear Commissioners:

The staff report erroneously contends that no substantial issues have been raised with respect to the appeals of the Coastal Development Permit allowing the Association of Volleyball Professionals (AVP) to conduct a volleyball tournament on August 9-12-07 on the public beach adjacent to the Manhattan Beach pier. Our group's appeal (see enclosed copy of Exb. 8 of the staff report) specifically objected to the absence of provisions in the permit to enforce the 25% limitation on paid seating in compliance with the city's LCP and the Commission's previously adopted guidelines for sporting events held on our state's public beaches.

As noted in our appeal, the AVP has consistently violated the 25% limitation with impunity. Although the Coastal Development Permit for the 2007 Hermosa Beach Open, held on May 19-20, 2007, adhered to the 25% limitation on paid seating the event's promoters nevertheless increased the amount of paid seating to approximately 60% of total seating.

Several years ago the City of Manhattan Beach amended its Coastal Development Permit to approximately double the amount of grandstand seating allowed for the Manhattan Beach Open for that year. However, the amendment was not approved until only a few weeks before the scheduled event. And, although our group did appeal the amendment the appeal was not heard by the Commission until after the event took place. At the hearing on the appeal the Commission, after some discussion, indicated that provisions of the permit could not be enforced after the event had already taken place.

Therefore, without meaningful enforcement provisions, such as penalties for violations, permit restrictions or conditions become meaningless – a result not contemplated by the Coastal Act or by our city's LCP. I will be attending the Commission hearing on June 14 if you have any questions.

Sincerely yours,

*Bill Eisen*

Bill Eisen

Cc. Coastal Commission staff, South  
Coast Area Office

(11)

# WILLIAM VICTOR

Post Office Box 24A72  
Los Angeles, CA 90024

562-590-502  
2 Pages  
INCLUDING THIS

CALIFORNIA COASTAL COMMISSION  
200 Ocean Gate Ste 1000  
Long Beach, CA 90602

June 7, 2007

**RECEIVED**  
South Coast Region

JUN 8 2007

Re: Th 16a

CALIFORNIA  
COASTAL COMMISSION

Dear Coastal Commissioners:

It is a pathetic fact that the permit granted by the City of Manhattan Beach in this matter is not worth the paper it is printed on. If this Coastal Commission cared and wanted to do its job it would read the testimony, minutes and records and learn that the permit granted last year and many of the prior years were not complied with. Last year it is in the record and uncontroverted that the permit was not complied with by the AVP applicant and in effect it got the green light once again to "work the system" and complete an application knowing it did not matter if it was granted or not, it would not have to comply.

There was not even a site plan available to this moment that was sufficiently clear to show that the issues that concerned the City Council were dealt with such as access, viable parking plan compliance with the existing local coastal plan, signing before the program-

As has been the custom for the past number of years the AVP has timed this hearing to be heard so that it is unlikely to be (1) decided prior to the event and (2) in a location to close enough for most concerned participants and (3) unlikely to be enforced to protect the access for beach going public, excluding beach goers from parking in the prime parking lots for ten or more days during the height of the summer use period, failing to have an adequate parking plan which is also required by the LCP- the plan for this permit, if read carefully, requires only one bus with no specific size requirements to make a route every fifteen minutes to the remote parking area-anyone, for example, who takes the time to read the permit information can see that this is physically impossible-The Staff report does not provide sufficient information about the substantial issues to assist the Commission in diligently determining if there is a "substantial issue".

We have a situation where the City of Manhattan Beach is the joint venturer in this violation. The City has granted the permit to itself. This situation or dilemma where the wolf is guarding the hen house is part of what has inspired the origination of the Coastal Act and the reason for a Coastal Commission. There are numerous other negative results by sweeping this under the rug, violations of Section 5002 of the Public Resource Code which increased commercialization of the former Manhattan State Beach should initiate a reversion of this site to the State but the State is also ignoring its responsibilities.

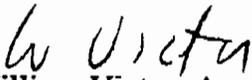
(12)

This Coastal Development Permit does not maximize access under Section 30210 of the Coastal Act and fails to assure visitors of lower cost recreational facilities by taking away the low cost parking for 10 or more of the days of the core of the summer and does not enforce the 75 per cent free seating by any enforceable plan and furthermore leaves enforcement review to weeks after the event.

For reasons set forth in the appeal and for reasons that should be permitted to be set forth in a hearing with all of the evidence before the Commission, the proposed permit fails to comply with the LCP policies of parking, access, adequate public transportation service and the other items set forth in the appeal already filed and to be presented if given the opportunity.

The Coastal Commission is respectfully requested to find that in fact there exists a substantial issue and in finding so permit the Coastal Act to be enforced and the intended beneficiaries be protected in accordance with the mandates of the Public Resource Code and the Coastal Act.

Respectfully yours,

  
William Victor, Appellant

Patrick Krueer, Chair  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105



June 8, 2007

**SUBJECT: Item Th16a  
A-5-MNB-07-178  
2007 AVP Manhattan Beach Open**

Dear Chairman Krueer,

The AVP has received the Staff Report and Recommendation regarding Appeal A-5-MNB-07-178 and is pleased to inform the Commission that we are in agreement with the staff recommendation of *No Substantial Issue*. We feel the staff has adequately addressed all contentions raised by the appellants and agree that the City's approval fully conforms to the Manhattan Beach certified LCP.

The certified LCP allows admission to be charged for entry to the event (as long as at least seventy-five percent of the total seating capacity at each court be reserved for the general public for free). As described in the staff report, *"Condition Ten of the local coastal development permit requires free admission for at least seventy-five percent of the total seating capacity at each court, and includes a provision requiring that the applicant document compliance with the requirement (Condition 10: Exhibit #4, p.3). The condition states that Club/VIP seating cannot be included in the seventy-five percent (75%) of the seating capacity that must be reserved for free public admission."*

The Manhattan Beach Open increases and promotes access to the beach, in addition to providing substantial benefits to the community. The event provides a low-cost recreational opportunity for fans, while creating economic benefits for local businesses. In addition, during the event, we will provide a free parking and shuttle program to all beach-goers (whether they attend the event or not), which will greatly improve public access.

Please support the staff recommendation of No Substantial Issue and allow the Manhattan Beach Open to go on as planned. We appreciate your time and consideration of this matter.

Sincerely,

*Dave Williams /ssw*

Dave Williams  
Director of Market Development

cc: California Coastal Commissioners  
South Coast District Staff

(14)

Thlba

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

RECEIVED

JUN 08 2007

CALIFORNIA COASTAL COMMISSION

Date and time of communication:

6-8-07

Location of communication:

COUNTY GOV. CENTER (S.L.O.)

(If communication was sent by mail or facsimile, indicate the means of transmission.)

TELEPHONE

Identity of person(s) initiating communication:

SUSAN MCCABE

Identity of person(s) receiving communication:

K.H. ACHADJIAN

Name or description of project:

Thlba A-5-MNB-07-178

8 FPa-D A.3-MCo 06 384

Description of content of communication:

(If communication included written material, attach a copy of the complete text of the written material.)

Thlba - agree with staff no substantial issue

FPa-b agree with County's zoning ordinance, LCP's North County land use plan

Questioning public Services ordinance at title 15 or is it 10

disagree that dental facility be publicly owned and operated, that is between the operator & the County, recommend removal of language page 17 of 26 footnote 6

6-8-07

Date

[Signature]

Signature of Commissioner

If communication occurred seven (7) or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven (7) days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven (7) days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.



**CALIFORNIA COASTAL COMMISSION**

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



# Th17a

## ADDENDUM

June 11, 2007

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO ITEM Th17a, COASTAL COMMISSION PERMIT APPLICATION #5-06-093 (Orange County) FOR THE COMMISSION MEETING OF June, 2007.

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### #1. Addition of Three New Special Conditions to Staff Report

Commission staff recommends the addition of three new Special Conditions on page 9 of the staff report and revisions to the supporting findings on page 14 of the staff report. The recommended special conditions are to address pending local agency project approvals and the use of PVC piping in the marine environment. New language is shown in **bold, underlined italic**.

On page 9 of the staff report after Special Condition 10, add:

#### 11. South Coast Water District Approval:

**PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, applicant shall provide to the Executive Director a letter from the General Manager of the South Coast Water District indicating that the project as approved by the Commission meets their requirements for discharge to the South Coast Water District's sewer system. The applicant shall inform the Executive Director of any changes to the project required by the South Coast Water District. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.**

#### 12. Alternatives to Plastic

**By acceptance of this permit, the applicant agrees to submit an application for an amendment to this permit or a new coastal development permit if new information becomes available that indicates that plastic has harmful effects on the marine environment, and that environmentally superior, feasible alternative(s) are available. The amendment or new coastal development permit shall include**

(17)

**measures to eliminate or significantly reduce the adverse impacts of the plastic including, if necessary, the replacement of the pipe.**

**13. PVC Pipe Monitoring Plan**

- A. Unless removed pursuant to Special Condition (3), the permittee shall maintain the PVC pipe attached to the residential bulkhead in good condition throughout the life of the development. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit a Monitoring Plan, for the review and approval of the Executive Director. The permittee shall be responsible for carrying out all provisions of the approved Monitoring Plan for as long as the PVC pipe remains in place. The monitoring plan, at a minimum, shall provide for:**
- 1. Regular inspections by a qualified person familiar with PVC piping who is able to document via photos and provide written descriptions based on personal observation of whether any portion of the pipe exhibits any cracks, breaks or deterioration. These inspections shall be performed at least every year.**
  - 2. The inspections shall examine the exposed portions of the PVC pipe for signs of weakness or possible failure, including, but not limited to cracking, bending, splitting, splintering, or flaking. All weak or potential failure areas should be marked on dated photographs and provide text to explain the nature and extent of each weakness.**
- B. If deterioration is observed pursuant to subsections A.1 and A.2 above, then the PVC pipe shall be inspected by a qualified, licensed engineer. Based on a thorough inspection, the engineer shall draw conclusions and make recommendations regarding the continued stability of the PVC pipe and any measures necessary to arrest and/or repair deterioration of the plastic. The engineer's conclusions and recommendations shall be forwarded to the Executive Director of the Coastal Commission.**
- C. Inspection reports shall be prepared and conveyed to the Executive Director within 30 days of the inspection work. These reports shall provide information on and photographs from the date of the inspection, the name and qualifications of the person performing the inspection, and an overall assessment of the continued integrity of the PVC pipe. If the inspection identifies any areas where the pipe has been damaged, the report shall identify alternatives to remedy the damage.**
- D. In the event that any sections of the PVC pipe are damaged or flaking, the permittee shall notify the Commission within 10 days; and in such event, within 30 days of such notification, submit to the Commission a complete application for any coastal development permit amendment, or new permit, necessary for the repair or replacement of the pipe.**

(18)

On page 11 of the staff report, after the first paragraph, add:

**The applicant received Regional Water Quality Control Board 401 Certification on May 22, 2007 and amended on June 6, 2007. The Army Corps of Engineers issued a Denial without Prejudice letter on June 6, 2006 for the County application for Nationwide Permits 7, 18 and 33 pending submittal of the recently issued 401 Certification. State Lands Commission approval is not required as indicated in a letter to the County of Orange dated December 2006. A California Department of Fish and Game Streambed Alteration Agreement application was filed by the County of Orange, but would only be necessary if dredging for the proposed pilings is approved by the Coastal Commission. Staff is recommending approval of the permit application without the proposed pilings. A copy of the agreement between the Orange County Transit Authority (OCTA) and the County of Orange has been provided as the proposed UV treatment facility would be constructed on OCTA railroad right-of-way. The City of Dana Point & City of San Clemente provided a project Approval-in-Concept.**

**An agreement between the applicant and the South Coast Water District (SCWD) for the discharge of the backwash waste from the proposed project to the SCWD sewer system is pending. An agreement specifying the quantity and timing of the backwash to the sewer system would be incorporated in the proposed UV Light Treatment Facility operations protocol. The Commission imposes Special Condition (11) requiring a copy of the permit, letter of agreement or evidence that no permit is required from the South Coast Water District prior to the issuance of a Coastal Development Permit.**

On page 14 of the staff report:

The applicant has previously indicated agreement to Special Condition (2) but requests allowance to build the project as bid and awarded to the contractor with the 8" diameter PVC pipeline attached to the residential bulkhead. This would facilitate any possible future changes to the water outfall location should the applicant deem a permit amendment is necessary due to continued bacteria levels exceeding State requirements at Poche Beach. This pipeline would be attached to an existing residential bulkhead and would not interfere with public access at this location. Special Condition (3) therefore allows for the installation of the pipe and specifies the need for a permit amendment for actual use of the pipe for a new water outfall. The condition further requires the removal of the pipeline if the new outfall is not deemed necessary within five (5) years after its installation.

**The proposed use of a PVC pipe that would be placed in the marine environment raises the question of whether chemicals from the plastic leach into the marine waters and environment and raises the issue of plastic debris breaking off of structures placed in marine waters and circulating in the marine environment.**

(197)

**Aside from the adverse visual impacts of plastic debris in the water, it raises the additional, more significant concern of ingestion by marine animals. Documentation of the impacts to marine life stemming from such ingestion is well established.**

**Information regarding the use of plastic in the marine environment indicates, with regard to the potential for leaching into marine waters, that the evidence does not support a determination that the use of PVC piping in the aquatic environment would be hazardous to human or ecological health. Organotins, the primary leachates of concern, constitute 1% of the PVC chemical make-up. Studies have shown that even though the leaching of organotins does occur, the leachates tend to break down quickly and do not accumulate to levels approaching the reported effective concentrations for the biological indicators used. Based on current scientific evidence, it appears that leaching does not create adverse impacts on marine resources. However, scientific opinion is constantly evolving. It is possible that new information may become available in the future that reaches a different conclusion. In order to be most protective of marine resources, the Commission has found in past actions that it can only approve the long-term use of plastic in the marine environment if the applicant agrees to submit a permit amendment or a new permit application in the event new information becomes available indicating that plastic does have significant adverse impacts on marine resources.**

**The question of plastic debris in the marine environment also remains a significant concern. However, as the proposed PVC pipe would be attached to an adjacent wood bulkhead that is perpendicular to the shore and not subject to constant direct wave attack, the likelihood that pieces would break off is dramatically reduced. Nevertheless, the possibility is not eliminated entirely. In the past, the Commission has found that it can only approve the proposed use of plastic if the applicant agrees to monitor the pipeline periodically to assure it remains intact and, if breakage is discovered, to implement remedial action. Therefore, the Commission imposes Special Condition (12) which requires that future alternatives to the use of plastic be considered if an environmentally superior alternative becomes available in the future and Special Condition (13) which requires a PVC pipe monitoring plan. Only as conditioned can the proposed project be found to be consistent with Sections 30230 and 30231 of the Coastal Act.**

## #2. Letter in Opposition to the Project as Conditioned

The attached letter from Mr. Richard Gardner in opposition to Coastal Commission Permit Application #5-06-093 was received on June 8, 2007. Mr. Gardner's comments and concerns are outlined below:

- A request that the application not be considered by the Commission until after a major epidemiology study currently underway by the County of Orange and other stakeholders is complete. The study is to determine if high bacterial levels that result from avian and other natural sources actually have a significant health effect on the beach going public.
- Inadequate CEQA process
- Local approvals still pending

(20)

- Trends indicate that water quality along the coast has steadily improved since the early part of the decade.
- The proposed project is not the optimal solution to address coastal pollution; rather, the optimal solution is a reduction of urban runoff from the upper watershed or capturing it and reusing it for irrigation.
- A discussion of the use of catch basin inserts at storm drains to improve water quality at the beach, including a copy of a UCLA study titled "Catch basin inserts to reduce pollution from storm water"

Mr. Gardner's request that the Commission not consider this application for a Coastal Development Permit (CDP) until after the results of an epidemiology study are available is not possible due to the Permit Streamlining Act requirements. This item requires Commission action by August 25, 2007 unless the applicant grants the Commission a 90 day extension. The study and possible implications it may have on regulations related to AB 411 environmental health beach postings will not be finalized and available before Commission action is required on this permit application.

The County of Orange is the lead agency for purposes of CEQA compliance, not the Coastal Commission. A Mitigated Negative Declaration was prepared for this project in 2002. If the Executive Director feels additional environmental information is needed to meet Coastal Act requirements, that information can be requested.

Mr. Gardner's statement that all of the local agency approvals have not yet been acquired is correct. The County and City of San Clemente have communicated with the South Coast Water District (SCWD) Board of Directors over the past year. The SCWD has provided comments on the proposed project as the backwash waste from the proposed UV Light Treatment Facility would need to be discharged to the SCWD sewer collection system. An agreement that specifies the quantity and timing of the backwash to the sewer system is pending. The agreed upon specifics will be incorporated in the proposed UV Light Treatment Facility operations protocol. The Commission imposed Special Condition (11) requiring a copy of the permit, letter of agreement or evidence that no permit is required from the South Coast Water District prior to the issuance of a Coastal Development Permit. All other agency approvals have been acquired.

The long-term solutions proposed by Mr. Gardner to reduce, capture or improve water quality of urban runoff are beyond the scope of the proposed project under Commission consideration. The County of Orange proposes the project as an interim treatment system Best Management Practice (BMP) to improve water quality at Poche Beach and the adjacent coastline in the short-term while other mandated pollutant source control measures are evaluated, funded and implemented in the Prima Desecha Cañada watershed. The solutions proposed by Mr. Gardner should be considered in the comprehensive analysis of the entire watershed that the County, property owners, and respective local governments will be evaluating and implementing.

### #3. Letters in Support of the Project as Conditioned

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Three letters in support (attached) have been received for Coastal Commission Permit Application #5-06-093.

- A letter from the City of San Clemente was received on June 11, 2007. The City of San Clemente has entered into an agreement with the applicant, the County of Orange to provide a portion of the funding for initial construction and ongoing operation/maintenance of the proposed project.
- A letter from the Capistrano Bay Community Services District was received on June 11, 2007.
- An e-mail from Mr. Jack Tarr, resident of 35841 Beach Road, Capistrano Beach (adjacent to Poche Beach) was also received on June 11, 2007.

(22)

California Coastal Commission

Hyatt Vineyard Creek Hotel & Spa  
170 Railroad St, Santa Rosa, CA

Subject: Coastal Permit Application, 5-06-093  
Poche watershed treatment plant

**RECEIVED**  
South Coast Region

JUN 08 2007

CALIFORNIA  
COASTAL COMMISSION

Commissioners and Staff,

I strongly oppose granting the application for the subject project. Although I commend staff for identifying several very negative aspects of the original application such as the discharge pipe on the beach, other basic problems exist.

The county and other stakeholders are currently involved in a major epidemiology study to determine if high bacterial levels that result from birds and other natural sources actually have a significant health effect on the beach going public. Recent studies in Mission Bay near San Diego indicate less pathogenic affect than was previously thought. Even if the bacteria in the urban runoff are killed, the remaining constituents in the water may not be recommended for recreational use. This application should not be considered until after the epidemiology study is complete.

The following discussion is added to further substantiate the denial or tabling of this application;

The CEQA process has been weak and not fully adhered to. The original project was conceived in the early part of this decade. The County of Orange includes on its website ([http://www.ocwatersheds.com/watersheds/pdfs/ndsupinfo poche\\_04.pdf](http://www.ocwatersheds.com/watersheds/pdfs/ndsupinfo poche_04.pdf)) an outdated mitigated negative declaration from 2002. The county was responding to AB411 (1999) legislation that required posting of beaches that contained high levels of bacteria. The sterilizer, brute force, engineering solution is inefficient and wasteful. The website also includes the early Clean Beaches Grant application ([http://www.ocwatersheds.com/watersheds/prima\\_projects\\_grants\\_poche\\_beach.asp](http://www.ocwatersheds.com/watersheds/prima_projects_grants_poche_beach.asp)) that states: "There also, exist very strong local activist groups such as the Surfrider Foundation and City Community Committees that will be included in the project strategy and implementation phases." The county does not have the endorsement of any environmental committee and has not conducted significant public involvement. If this project had received adequate environmental review the county would have considered the question; "If the water from the storm channel is treated and discharged to the beach, won't the scour pond and channel become anaerobic from lack of water flushing, and create a terrible noxious smell in the pedestrian tunnel?"

The application should be denied because the local approvals are pending and the agreement to discharge backwash to the sewer is not complete.

Furthermore, the reason for requiring this engineering solution to bacterial contamination was the large number of postings in 2000 and 2001. The Heal the Bay website, <http://www.healthebay.org/brc/gradehistory.asp?beach=238>, indicates that Poche hasn't had a single failing score since Nov 2006 and water quality along the southern California

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coast has been improving steadily since the early part of this decade! Maybe there has been less runoff from rain but even the dry weather readings are improving! Maybe some of the other BMP's are helping. Either way these trends indicate that the treatment plant could wait.

The County of Orange has not evaluated many other alternatives for projects that will reduce urban runoff and thereby reduce the amount of pollutants reaching the beach. The primary remedy for coastal pollution is to REDUCE URBAN RUNOFF. Neither the County nor the City of San Clemente has seriously addressed this problem.



Figure #1

This is one of several irrigation pipes that are constantly leaking into the ground.

Attached to this letter, (email) are two video files that show a city parkway with water pouring off, Poche018, and the large flow entering the stormdrain, Poche017. The plants that are being grossly over watered by the city are drought tolerant and need no water. The source of this water is in fact the city of San Clemente! They are charging the community to over water and they will charge the community to operate the Poche Treatment Plant!

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Figure #2

The County of Orange contracted Weston Solutions to provide a study entitled, Prima Deshecha Canada Watershed Poche Beach Bacterial Source Tracking Investigation.

The conclusions of the study were:

1. The bacteria were found to be NOT of human origin.
2. Greater than 75% of the bacteria originate in the upper watershed.
3. The biofilm on the concrete floor is not the source of bacterial contamination.
4. Over-irrigation from the top of the watershed is the source of the bacterial loading.
5. The Cascadita channel (near the mouth) contributes less than 1% of the bacteria.

It is very clear that reducing the runoff from the upper watershed or capturing it and reusing it for irrigation purposes is the optimum solution.

Another simple low-cost BMP that could improve water quality would be the addition of catch basin inserts at some of the largest contributing storm drains. A UCLA study entitled: Catch basin inserts to reduce pollution from stormwater (attached) clearly concludes that these filters can significantly reduce pollution yet they are not being used in the upper Poche watershed in the new community of Forester Ranch. It should be noted that in the neighboring city of Dana Point, every catch basin has an insert filter installed!

Finally, aesthetically pleasing, more efficient water quality improvements have been recommended to the officials of the County and the City. These options involve "daylighting" the existing low flow urban runoff through the Shorecliffs Golf Course. Before the residential development in the upper watershed, the Poche Creek traveled through the golf course above ground. Much of the water percolated into the ground or

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was taken up by the vegetation that grew in and around the creek. When the new housing tracts were built, the creek was confined to the rectangular concrete box channel (for flood control purposes). The golf course still has the vegetative, above ground, creek that handles rain water that flows across the fairways. If some of the urban runoff was directed to this creek, vegetation and wildlife like birds would find additional habitat and the golf course might even add a pond that could lower its need for potable water for irrigation. (The El Niguel Golf Course in Laguna Niguel has a pond that receives urban runoff from the surrounding community and pumps it for fairway irrigation. The Pacific Golf course which uses reclaim water in San Clemente spent about \$31,000 this month for irrigation water so the potential savings to Shorecliffs Golf course, which does not have a reclaimed water source, is substantial.)

The County of Orange continues to pursue this costly (~\$2,000,000) treatment plant which has high operations and maintenance costs (~\$150,000 to \$250,000 per year) because it has received the Clean Beaches Grant money. The county does not have the authority or jurisdiction to require storm drain improvements or to provide a capture and reuse project. Furthermore, it is probable that if the application is approved with the requirements of III. Special Conditions paragraph 3, the levels of bacteria in the scour pond could rise do to gulls or regrowth. The county will then apply to use the outfall pipe on the beach. The outfall pipe would require a sign that would read, "Urban Runoff, may be harmful, do not drink or wash". This sign would replace the sign that occasionally is posted that says, "High Bacteria,..."

There are no supporters of this end of the pipe treatment plant. There probably are no letters of support in your staff report. We the beach going community strongly support clean beaches and clean unpolluted ocean water but this is the wrong project at the wrong time!

Thanks for considering this letter.

Richard Gardner  
949-240-4804

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## Catch basin inserts to reduce pollution from stormwater

S-L. Lau\*, E. Khan\*\* and M.K. Stenstrom\*

\*Civil and Environmental Engineering Department, University of California, Los Angeles, 4173 Engr. I, Los Angeles, 90095-1593 California, USA

\*\*Civil and Environmental Engineering Department, Polytechnic University, Six Metro Center, Brooklyn, NY, 11201, USA

**Abstract** Stormwater contamination represents the largest source of contaminants to many receiving waters in the United States, such as Santa Monica Bay in Los Angeles, California. Point sources to these same waters generally receive secondary or better treatment before they are released, and they are usually discharged through outfalls that diffuse the wastewater plume to prevent it from contacting the shoreline. Stormwaters receive no treatment and reach the receiving waters through a variety of ways, but most enter through catch basins or inserts to storm drains that terminate at the beach or in shallow coastal areas. Under these conditions, the stormwater discharge may have greater impact on the quality and utility of the receiving water than the treated wastewater discharges. One method of reducing pollution is to equip catch basins with an insert that can capture pollutants. A number of commercially available devices exist but few have been evaluated by independent parties in full-scale applications. A series of tests using bench and full-scale devices under both laboratory and field conditions were conducted to evaluate their ability to remove trash and debris, suspended solids and oil and grease in stormwaters. The results presented in the paper should provide a basis for future insert development and application.

**Keywords** Best management practice; catch basins; litter; stormwater; urban runoff

### Introduction

Most industries and municipalities in the United States have full secondary wastewater treatment, and some have nutrient removal and filtration. As a consequence of these reductions in water pollution, stormwater now represents the greatest threat to aquatic habitats in the United States. Stormwater quality has been largely ignored in many areas, although there is usually concern for BOD control and BOD damage prevention. As a result, we have stormwater management systems that prevent BODs at the expense of environmental protection.

Los Angeles is a good example of an area that has emphasized flood control at the expense of environmental protection. In this highly urbanized area there is little opportunity to reduce stormwater pollution through traditional means. The average imperviousness is more than 60% in many cases. Land values are such that it is prohibitively expensive to retro-fit storage basins or infiltration zones. This paper addresses a potential best management practice for such urbanized areas. The stormwater system has been constructed with catch basins, which may be several cubic meters in volume. These catch basins can be retro-fit with devices, called inserts, to capture pollutants. A number of commercially available devices exist, but few have been evaluated by independent parties in full-scale applications. The authors conducted a series of tests using bench and full-scale devices to remove trash and debris, suspended solids (TSS) and oil and grease (O&G). Field tests were also performed with boards, screens and baskets to observe their ability to remove or prevent debris from entering storm drains. The results are sufficiently promising to suggest additional testing with a variety of devices.

### Background

Santa Monica Bay is the receiving water for a major portion of the City of Los Angeles

metropolitan area. The watershed is 1072 km<sup>2</sup>, and is largely urbanized, serving a proportion of the three million people in Los Angeles and more than 11 million people in the metropolitan area. Only two wastewater treatment plants discharge directly into the bay; the largest is the Hyperion Treatment Plant (~1.3 · 10<sup>6</sup> m<sup>3</sup>/day). This plant has recently achieved full secondary treatment, and discharges secondary treated wastewater via an 11 km outfall. The second source is a petroleum refinery that has advanced wastewater treatment. Another source is Los Angeles County's Joint Water Pollution Control Plant (~1.3 · 10<sup>6</sup> m<sup>3</sup>/day, ~60% secondary), which discharges outside of the bay, and is upgrading to secondary treatment. Currents carry the partially treated wastewater into the bay.

The improved treatment has decreased pollutant discharge to the bay by more than an order of magnitude during the past 20 years. As a result, non-point sources now contribute an increased fraction of the total pollutant mass to the Bay (Wong *et al.*, 1997). The non-point contribution is already the major source for many pollutants, e.g. heavy metals, and will become the major source for many more pollutants as full secondary treatment is achieved. Reclamation and water conservation will further reduce point source contamination to the bay.

Various agencies, cities and environmental advocacy groups have proposed structural methods for reducing stormwater pollution. These methods are all difficult to employ because they are small-scale solutions that must be applied to a very broad area, across many jurisdictions with varying interests in controlling stormwater pollution. One proposed method for controlling discharges is to use catch basin inserts.

Catch basin inserts are devices that can be placed into a catch basin or stormwater insert, which will in some way reduce pollutant discharge to the receiving water. A variety of devices have been proposed and marketed, but very few have been evaluated by independent sources, or have been used long enough to create a record of performance. In order to establish credible performance of insert devices, a consortium composed of the Santa Monica Bay Restoration Project and 14 other Santa Monica area jurisdictions funded a two-year study to determine if inserts are a viable method for controlling stormwater pollution. The results of this initial study (WCC, 1998) were sufficiently promising to warrant additional laboratory testing and a field study.

Objectives were established for testing and insert development. These were based in part upon environmental impact of the pollutants, but in greater part upon the ability of a hypothetical device to remove the pollutant in the constrained volume of a catch basin (generally only a few cubic meters). Litter (trash, debris, etc.), particulates and oil and grease were selected as pollutants of concern. Litter was selected because of its interest to regulators and its high visibility with the public. Total Daily Maximum Discharge Limits (TMDLs) will soon be applied to the Santa Monica Bay Watershed, and litter will be among the first. Particulates, as measured by total suspended solids (TSS) are especially important because a large fraction of the heavy metals in stormwater are adsorbed to their surfaces. Oil and grease, especially oil and grease from vehicular areas, is important because it may contain many anthropogenic compounds that may be toxic to aquatic life.

The approach was divided into two parts: dry and wet weather. This was required because of the seasonal rainfall and the desire to collect litter during the long dry period (generally April to November). It was envisioned that controls would be used in dry weather that would be removed in the wet season. Additionally, public agencies were adamant not to increase flood risks. The approximate cost of installation should be no more than US\$ 500; cleaning should be infrequently required. A survey of the member cities suggested that, on average, catch basin cleaning occurred no more frequently than once every two months for beach communities, and approximately once per year for Los Angeles County, as a whole. A problem-solving, practical approach was required. The inserts should not

increase flood risk and should only marginally change the way stormwater is removed from streets, without increasing the accumulation on streets. Safety considerations such as avoiding confined space entries were important. The public agencies responsible for managing the inserts would soon tire of them if they could not be conveniently, economically and safely maintained.

A sampling program was conducted and differed from previous programs in that samples were collected directly from stormwater on street surfaces, just prior to entry into catch basins. Litter was not measured in the water quality program but was measured during the dry periods as accumulation in the catch basins.

**Sampling program**

Four locations were selected and sampled during the storm events of the 1997-1998 wet season. This was significant in that it is an El Nino year, and rainfall was at least 200% greater than normal. Table 1 shows the sites and information about them. They were all in the City of Santa Monica and within 4 km of each other.

Samples were taken by scooping 100 to 200 ml at a time until 8 l samples were collected. For short storms only one such sample was collected. For longer storms, three samples were collected and averaged. The oil and grease concentrations were measured by solid phase extraction (Lau and Stenstrom, 1995) and do not include the oil adsorbed to suspended solids. Table 2 shows the mean and standard deviation of conventional water quality parameters for 14 storm events between October 1997 and February 1998. Generally, water quality is worse for Site 1, although the variability tends to make statistical significance

**Table 1** Site description

Site number	Land use type	Area (m <sup>2</sup> )
1	Commercial (parking lot)	14,000
2	Commercial (streets with small businesses, shops, restaurants, etc.)	7,000
3	Single and multifamily residential	23,000
4	Single and multifamily residential	18,000

**Table 2** Stormwater quality (mean followed by standard deviation)

Water quality parameter	Concentration							
	Site 1		Site 2		Site 3		Site 4	
	Average	Std. dev.	Average	Std. dev.	Average	Std. dev.	Average	Std. dev.
TSS (mg/l)	55.1	71.6	38.6	32.3	32.7	33.0	34.1	38.2
VSS (mg/l)	38.5	60.5	21.6	14.7	18.5	18.2	18.1	17.7
Turbidity (NTU)	21.2	24.4	14.4	11.3	11.4	8.2	12.0	10.4
Conductivity (mmho/cm)	153.3	199.4	155.2	163.3	180.3	144.2	151.4	146.0
pH	6.4	0.4	6.7	0.4	6.8	0.5	6.9	0.6
Alkalinity (mg/l as CaCO <sub>3</sub> )	19.1	13.2	22.5	13.0	27.8	16.7	26.0	15.6
Hardness (mg/l as CaCO <sub>3</sub> )	38.8	42.4	37.8	33.8	41.3	31.1	44.9	41.2
COD (mg/l)	171.7	205.0	100.9	119.3	106.0	102.5	111.3	116.3
SPE oil and grease (mg/l)	7.4	10.3	5.5	5.7	5.3	5.2	5.8	8.0
Ammonia (mg/l as NH <sub>3</sub> -N)	1.3	1.1	1.0	1.0	1.6	1.3	0.9	0.8
Cl <sup>-</sup> (mg/l)	26.6	36.0	25.6	28.8	24.7	20.9	20.7	19.2
NO <sub>3</sub> <sup>-</sup> (mg/l as NO <sub>3</sub> -N)	0.1	0.2	0.1	0.1	0.3	0.4	0.2	0.2
DOC (mg/l)	40.1	57.1	31.4	44.9	26.8	29.1	26.3	28.8

Av. =average; Std. dev.=standard deviation

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**Table 3** Selected total metals and percent adsorbed to suspended solids

Metal	Concentration							
	Site 1		Site 2		Site 3		Site 4	
	µg/l	%	µg/l	%	µg/l	%	µg/l	%
Aluminium	2235	96	1141	91	1335	91	678	76
Copper	103	53	42	6	52	8	40	11
Lead	45	93	4	33	7	46	11	17
Nickel	75	83	24	61	38	56	39	71
Zinc	2601	70	2062	63	2377	74	1321	70

% = percentage of particulate phase

**Table 4** Size fraction of TSS from site 1

Size distribution (µm)	Distribution (%)
> 150	26
150 – 75	13
75 – 45	11
< 45	50

testing difficult. Trash and debris were not quantified, but trash and debris from the commercial sites was obviously greater. Table 3 shows the results for selected metals (only four storm events), as a total concentration and the distribution that was adsorbed onto the suspended solids. These results tended to confirm that metals were associated with the suspended solids.

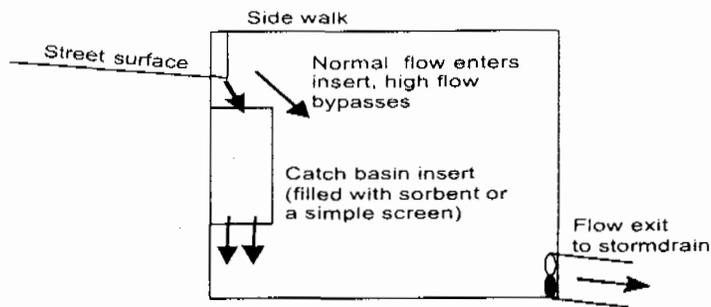
Toward the end of the sampling period, various insert devices had been evaluated, and it became apparent that the devices could remove larger particles. Therefore additional sampling was performed to determine the size of the particles that compose the TSS. Site 1 was monitored for three storms and the TSS was determined by bailing several hundred litres of water through sieves. Particle sizes are shown in Table 4. These results suggest, for example, that a device that could remove particles larger than 75 µm could remove 39% of the TSS.

### Insert evaluation

A survey of all commercially available inserts was performed. At the time of the survey (1997–1998), no devices were found that met all the criteria. A number of promising technologies were found that could treat stormwater, but not for the most common catch basin geometry used in greater Los Angeles. After some review, a concept was developed for a basket that could be inserted and removed through the opening of the catch basin, as shown in Figure 1. Several manufacturers offered prototypes featuring this general concept. This device has the advantage of being useful for both dry and wet weather applications. This design has the advantage of easy installation. An insert that is flexible, or is no greater in width than the opening in the curb, can be inserted and removed from the street. Two chains or cables to the curb support the insert. Workers do not need to enter the catch basin, which in some places is considered a confined space. Alternatively, if worker entry to the catch basin is permissible, the inserts can be installed by bolting to the interior wall. Additionally, high flows are directed around the insert, and flood risk is not increased. Additional material including photographs is available elsewhere (WCC, 1998).

The climate in Southern California presents a special opportunity for dry weather control. The litter that accumulates during the spring and summer, if not removed from catch

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**Figure 1** Elevation view of the model catch basin insert developed in this study. Typical minimum basin dimensions are 1 m tall by 0.75 m deep by 1 m wide. The minimum opening is typically 0.15 m

basins, is swept into the bay by the first large storm of the season. To mitigate this problem, the basins are cleaned in September or October. One community has routinely covered catch basins (curbside inlet only) in the dry season to prevent litter build up, insect and rodent problems. Street sweepers then remove the litter, and street sweeping is routinely practiced in these locations. The cover consisted of a plywood board, extending the entire length of catch basin with a gap of 10 cm between the bottom of the board and the pavement to allow for nuisance water to enter the basin. The covers or boardovers are used only for catch basins in sensitive or high litter-producing areas, and must be removed prior to the rainy season.

To better understand the utility of this practice, two catch basins were covered with plywood and two with wire screens with 2.5 cm square openings. Trash accumulation was monitored. The screens and boards provided roughly equal performance, preventing more than 95% of the build-up in the catch basin, as compared to controls with no covers. Tests were conducted with conventional street sweepers to show that they were capable of removing material that accumulated at the bottom of the covers, and that the sweeper did not destroy the covers. The covers are especially useful in areas with high pedestrian traffic.

Tests to evaluate the inserts' ability to remove contaminants from flowing stormwater were conducted in phases at different scales. Bench scale tests, full-scale laboratory tests and field tests were conducted. Field tests were conducted primarily during the second year of the study. The majority of the testing evaluated oil and grease removal. Many commercially available inserts or stormwater treatment devices claimed that sorbents could be used to remove the oil and grease from stormwater. Previous tests by the authors (Lau and Stenstrom, 1995) also suggested that this might be promising.

Tests were first conducted in columns with 5 cm diameter and height of 5 cm, with mixtures of used motor oil (to simulate the oil and grease in stormwater from commercial areas) and tap water using many different types of sorbents. The oil and grease concentration was generally set to approximately 25 mg/l, which is higher than found in this study, but closer to concentrations of oil and grease found in earlier studies by the author (Stenstrom *et al.*, 1984; Fam *et al.*, 1987). Emulsified oil was produced by intensely blending used motor oil with 1 l of tap water to produce a thick mixture, which was then further diluted when pumped to the column. Free oil and grease was produced by pumping oil and grease using a syringe pump into a mixing tank which was then applied to the columns. The combined flow was allowed to trickle through the loosely packed column.

Table 5 shows some of the results. The reported efficiencies are for the period when the sorbent remains fresh or unexhausted. As the sorbent is saturated, its efficiency will decline. The mass of adsorbed material per unit mass of sorbent, analogous to  $Q/Q_0$  or  $Q/M_0$  for activated carbon isotherms, is an important parameter for overall operation. It

**Table 5** Removal efficiencies of various sorbents

Sorbent type	Oil and grease type	Removal efficiency (%)
OARS polymer	Emulsified	3
Activated carbon	Emulsified	11
Aluminium silicate (e.g., perlite, Xsorb)	Emulsified	-0
Straw	Emulsified	-0
Compost	Emulsified	-0
OARS polymer	Free	88, 91
Aluminium silicate (e.g., perlite, Xsorb)	Free	88, 91, 94, 89
Compost	Free	28, 49
Polypropylene (type 1)	Free	86, 92
Polypropylene (type 2)	Free	78, 85

**Table 6** Summary of OARS insert device tests

Test no.	Prototype no.	Sorbent condition	Q (l/min)	Influent O&G conc. (mg/L)	Removal efficiency (%)	Final M** (g)
A	1	New	56	20.7	91	11
B	2	New	56	14.1	74	6
1	2	Used in the field*	56	8.4	73	40
2	2	Used from test 1	56	24.7	79	172
3	2	Used from test 2	132	10.7	62	275
4	3	New	132	19.0	78	233
5	3	Used from test 4	132	14.0	65	374
6	3	Used from test 5	132	10.9	46	452
				Inf. TSS (mg/l)		Mesh size
8	3	From test 6		66	99	40
				66	96	60
				66	78	100
				200	91	Average
				PAHs (nominal conc. 50 µg/l)		
9	3	New		Acenaphthene	34	
				Fluorene	31	
				Phenanthrene	33	
				Anthracene	61	
				Fluoranthene	33	
				Pyrene	42	
				Chrysene	26	
				Benzo(a)pyrene	16	

\* does not include oil and grease removed in the field;

\*\* M = total mass of O&G absorbed (g)

determines the sorbent replacement frequency and therefore the economics of operation. Further work in our laboratory is ongoing to determine these parameters. The sorbents shown in Table 5 are similar, or very similar, to commercially marketed products. The polypropylene materials are used in oil spill control pads and booms. The straw is also used for oil spill clean-up.

None of the sorbents was effective in removing the emulsified oil and grease in this type of experiment. The polypropylene sorbents were evaluated in other tests with 8 to 12 hour contact times and were able to remove 40% to 60% of the oil and grease. If tightly packed

into columns, they will remove emulsified oil and grease from waters pumped through under high pressure, but this filtration procedure is not economically feasible for stormwater.

A new series of tests was performed in the full-scale catch basin simulator. This simulator is composed of a stilling chamber, a 0.6 m wide flume that simulates street surface, and a catch basin with a 0.9 m wide opening. Contaminants are released into the flume at controlled rates to produce the desired concentrations. Tap water is used for stormwater. This size is the same as the smallest catch basin routinely constructed by the Los Angeles County Department of Public Works. It was constructed of plywood and cement and built above grade to allow easy access. The 0.9 m opening could accommodate a variety of types of inserts. The inserts were temporarily clamped to the walls of the catchbasin and were easily changed and refitted, as needed.

Two prototype designs were extensively tested. The first used OARS sorbent, which was placed in metal boxes with open tops and screened bottoms. Stormwater flows from the top, through the OARS sorbent, which has a particle size from 500  $\mu\text{m}$  with a density of 0.22 g/ml (our measurements, not the manufacturer's specifications). The internal arrangement of the box traps suspended solids and trash. This allows the box to perform as oil and grease, suspended solids, and trash removal device. It also means that in installations where high trash and suspended solids are present, the box may clog before the oil sorption capacity is reached. The second insert extensively tested used polypropylene cloth as a sorption/filtration media. The cloth is supported by a geotextile used for stabilizing soils. The cloth is available in different weights. The geotextile has openings of approximately 1 cm by 8 cm. The prototype inserts have a metal collar at the top, which forms the support for the geotextile. The insert is flexible and can be compressed for insertion through an opening smaller than its height. This design has all the previously cited advantages, and can also be easily constructed in custom sizes.

Tables 6 and 7 show the results for both sorbents. The oil and grease removal efficiency ranged from 40% to more than 90%, depending upon sorbent condition and influent concentration. Removal efficiency was generally higher with higher influent concentrations. The media used in tests 1 and 2 for OARS had been used in the field for four months and represented partially used sorbent. Several tests (Figures 2 and 3) were conducted using the same media, in an attempt to exhaust the media.

Also shown in Tables 6 and 7 are test results for TSS and PAH removal. For the case of TSS, sand particles were sieved and recombined to produce an evenly divided mixture, by mass of sand with US standard meshes of 40, 60, and 100 (approximately 400 to 120  $\mu\text{m}$ ). The box removed 99% of the large particles and 78% of the smallest particles. PAH removal was measured by spiking tap water with known masses of PAHs and then measuring effluent concentrations. The removal efficiency ranged from 16% to 61%. Again, the total capacity of the insert was not determined, so the mass of solids or PAHs that can be removed before maintenance is not known. This is the subject of further testing in our laboratory, and should be evaluated in the field as well.

### Field tests

Field tests were conducted in the second year of the project at commercial and residential sites. Six sites were initially selected. Three used the polypropylene style insert (two in commercial areas) with double thickness liners, two used the OARS containing insert (one in a commercial area), and one used a simple wire mesh basket (~1 cm opening, in a residential area) with no sorbent or filter media. The inserts were observed to bypass flow at the greatest runoff condition and gradually bypassed more flow as they became clogged. After about two months of active rainfall, the bypassing became more frequent and the polypropylene sorbents were replaced with medium screens (see test 14 in Table 7).

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**Table 7** Summary of a polypropylene insert device tests

Test no.	Liner type	Sorbent condition	Q (l/min)	Influent O&G conc. (mg/l)	Removal efficiency (%)	Final M* (g)
1	12 oz	New	473	13.5	65	121
2	12 oz	New	283	28.8	82	200
3	12 oz	New	56	37.0	86	54
4	12 oz	New	720	12.7	53	145
5	12 oz	used from test no. 2	283	26.3	78	569
6	12 oz	used from test no. 5	283	21.4	79	714
7	12 oz	used from test no. 6	283	30.2	70	1400
8	12 oz	used from test no. 7	283	23.9	58	2058
9	12 oz	New	283	8.1	56	157
10	12 oz	New	283	17.6	63	366
11	12 oz	New	283	30.5	59	578
12	8 oz	New	283	8.1	49	133
13	Double bag	New	283	11.0	74	274
			TSS (mg/L)		Mesh size	
14	Screen	New	283	66	34	40
				66	2	60
				66	0	100
				200	12	Average
15	12 oz	New	283	66	98	40
				66	96	60
				66	95	100
				200	96	Average
			PAHs (50 ug/l)			
16	Double bag	used from test 13		Acenaphthene	55	
				Fluorene	51	
				Phenanthrene	58	
				Anthracene	88	
				Fluoranthene	61	
				Pyrene	56	
				Chrysene	82	
				Benzo(a)pyrene	69	

\*M = total mass of O&G absorbed (g)

Testing ended for the OARS type sorbents. When stormwater bypassed the insert, there was no change in street runoff rate or increased accumulation on the street surface; the clogged insert had no impact on stormwater removal rate from the street. Sampling was performed as before, except that effluent samples were also collected.

Each residential site was ~12,000 m<sup>2</sup> in area, and the three commercial sites had areas ~5000 m<sup>2</sup> each. Table 8 shows the average water quality for the second year of the study. The values are similar to those shown in Table 2. The standard deviations are high, which is typical for stormwater. Site 2 in Table 2 is similar to the commercial sites used in the second year. The residential sites in the two studies are similar in land use and housing density. The high standard deviations mask water quality comparisons; however, turbidity, COD, DOC, chloride, SPE oil and grease and are higher in the commercial sites (one-tailed test at = 0.15).

The water quality data shown in Table 8 serves as the influent for an efficiency test of the inserts. Effluent samples were collected from the insert using a cup on a stick. Samples were collected when the inserts were not bypassing. Removals for the polypropylene insert

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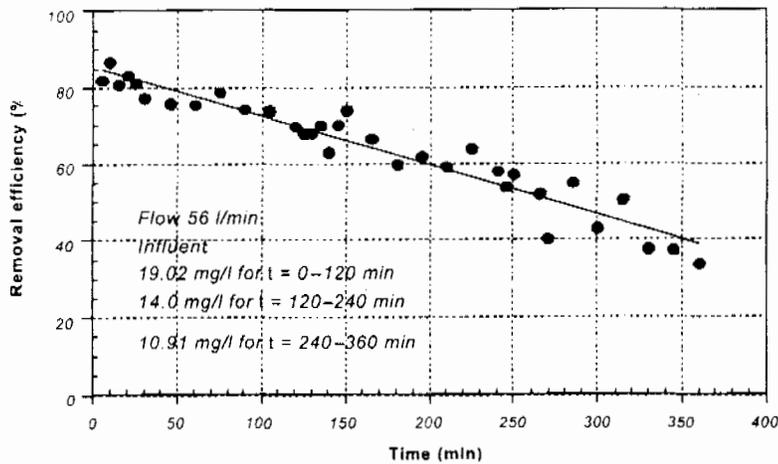


Figure 2 Oil and grease removal efficiency versus time for an insert using OARS sorbent

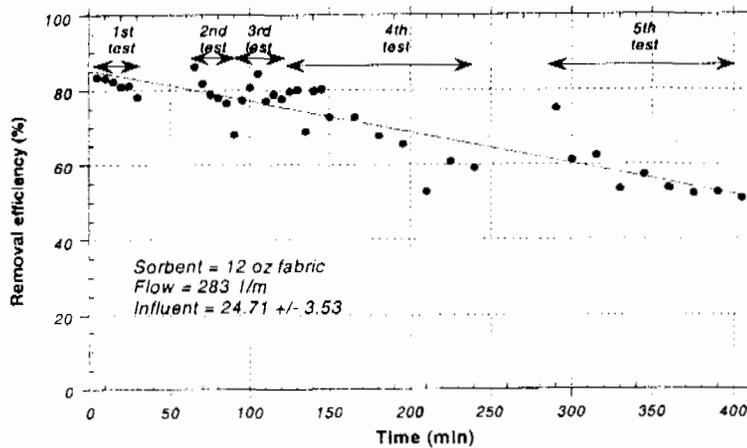


Figure 3 Oil and grease removal efficiency versus time for an insert using polypropylene sorbent

averaged 21, 36 and 34% for TSS, VSS and turbidity, respectively. The OARS device averaged 21, 9 and 12% for the same parameters. The variability in oil and grease removal rates precludes making any conclusion. Table 4 suggested that 26% of the sediment in stormwater might be removed by a filter that captures solids greater than 150  $\mu$ m. The removals in actual field test are below this prediction, but are not too much different, especially considering the highly variable nature of stormwater. The TSS procedure captures 100% of all particles greater than 0.8  $\mu$ m; the majority of the material that composes suspended solids is less than the size that can be removed by insert filters.

At the end of the study, the polypropylene bags and screens were removed and the contents were air dried. The material smaller than 12,700  $\mu$ m (0.5 in) was weighted, screened and reweighed. Table 9 shows the results from the first part of the study. The inserts at the two commercial sites tended to recover smaller particles. Table 10 shows the results for the second part of the study. This study used a much coarser mesh screen, but still recovered many small particles. Again, there is much more finer material at the commercial sites.

The final data reduction was to calculate an equivalent concentration of captured material per unit of runoff volume. This is similar to an event mean concentration, in that the total runoff volume can be multiplied by the coefficients to produce an expected mass of

**Table 8** Water quality parameters for the second year. Number of observations = 16 for commercial sites and 14 for residential sites

Water quality parameter	Commercial		Residential	
	Mean	Std. dev.	Mean	Std. dev.
TSS (mg/l)	54.9	41.7	43.2	39.4
VSS (mg/l)	23.5	18.4	20.0	15.7
Turbidity (NTU)	32.5	23.7	15.6	10.0
Conductivity (mmho/cm)	136.5	95.1	118.8	61.8
pH	6.9	1.1	7.1	0.8
Alkalinity (mg/l as CaCO <sub>3</sub> )	27.4	22.0	28.7	16.7
Hardness (mg/l as CaCO <sub>3</sub> )	37.9	29.5	35.9	17.5
COD (mg/l)	147.6	113.5	103.6	66.7
DOC (mg/l)	36.4	33.0	22.9	11.5
SPE Oil and Grease (mg/l)	16.6	21.7	5.4	3.5
Ammonia (mg/l as NH <sub>3</sub> -N)	1.1	2.1	0.5	0.6
Cl <sup>-</sup> (mg/l)	13.7	10.4	7.2	6.0
NO <sub>2</sub> <sup>-</sup> (mg/l as NO <sub>2</sub> -N)	0.1	0.1	0.1	0.0
NO <sub>3</sub> <sup>-</sup> (mg/l as NO <sub>3</sub> -N)	0.7	0.6	0.7	0.4
SO <sub>4</sub> <sup>2-</sup> (mg/l)	9.3	9.6	7.3	4.7

**Table 9** Sieve results for the first part of the study

Sieve opening (µm)	Percentage finer than based on total sample		
	Commercial 1	Commercial 2	Residential
12,700	100.0	100.0	100.0
6,350	56.6	69.0	93.4
3,175	38.2	57.1	82.6
1,999	24.1	40.5	64.3
841	23.5	39.8	60.5
419	15.5	24.9	32.8
249	10.8	14.6	14.8
150	7.6	8.9	5.5
74	4.8	4.4	1.9
Pan	2.2	1.2	0.6

**Table 10** Sieve results for the second part of the study

Sieve opening (µm)	Percentage finer than based on total sample								
	Commercial 1					Residential 1			
	1	2	3	4	5	1	2	3	
12,700	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	
6,350	49.7	42.4	33.9	79.6	65.9	97.0	49.1	29.8	
3,175	38.5	32.8	25.5	66.7	55.1	89.5	31.1	19.1	
1,999	25.1	24.3	19.1	53.4	44.9	76.0	20.8	11.0	
841	24.1	23.3	18.9	51.0	37.3	72.3	19.7	10.6	
419	13.3	21.3	14.7	30.3	20.1	43.6	9.4	7.1	
249	7.2	17.8	10.4	14.2	15.6	17.8	3.3	3.9	
178	3.7	12.4	7.4	5.8	9.7	6.3	1.2	1.8	
150	2.2	8.5	5.9	3.2	6.3	2.8	0.5	1.0	
74	1.6	6.5	5.0	2.3	4.7	1.6	0.3	0.7	
Pan	0.5	2.1	2.6	0.8	1.3	0.3	0.1	0.2	

(mg)

**Table 11** Unit loading rates of collected material (kg/m<sup>3</sup> of runoff)

Size ( $\mu\text{m}$ )	Commercial					Residential		
	1	2	3	4	5	1	2	3
> 12,700	0.92	1.24	2.06	0.68	0.82	0.62	0.17	0.11
12,700 – 6,350	0.20	0.21	0.26	0.43	0.26	0.22	0.03	0.28
6,350 – 3,175	0.25	0.18	0.20	0.44	0.24	0.13	0.02	0.50
< 3,750	0.46	0.52	0.60	1.79	1.08	0.25	0.03	2.84
<b>Total</b>	<b>1.83</b>	<b>2.15</b>	<b>3.12</b>	<b>3.34</b>	<b>2.40</b>	<b>1.22</b>	<b>0.25</b>	<b>3.73</b>

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captured litter and particles. Table 11 shows these results. The coefficients are shown in units of kg/m<sup>3</sup>. Note that the solids larger than 12,700  $\mu\text{m}$  are included. These coefficients were calculated using the catchment area for each site, rainfall observed during the study, and runoff coefficients of 0.39 for residential and 0.607 for commercial sites. These totals include material swept or blown into the catch basin during non-rainy periods, which in Southern California is the majority of the time. The coefficients in Table 11 will have two systematic errors. The coefficients will be lower than the actual load, since the insert devices are imperfect and bypass at high flow. The coefficients are higher than the actual load carried by stormwater, due to the flux of material in dry weather. The coefficients can be used as a first-order approximation of the litter and debris to be expected from commercial and residential sites in urban areas in climates similar to Los Angeles.

### Conclusions

This manuscript has briefly described the results of laboratory and field tests to determine the opportunities for using catch basin inserts to remove specific pollutants (oil and grease, litter and suspended solids). The inserts have the advantage of using the existing urban infrastructure to remove stormwater pollutants at low cost. The estimated cost of each insert is less than US\$ 500. An insert design has been proposed that is easy to install and does not require workers to enter the catch basin. Observations during storms showed that they do not create flooding problems, even when they are clogged. Laboratory testing has showed that free oil and grease (simulated by used automobile crankcase oil) can be removed by a variety of sorbents in simple flow-through contactors. Emulsified oil can generally not be removed. Oil and grease removal in field tests was inconclusive. Laboratory testing showed that particles can be removed down to a size of 100  $\mu\text{m}$ , and field results showed that much smaller particles can also be trapped. Laboratory testing showed that the sorbents can remove dissolved PAHs with efficiencies ranging from 16 to 88%. Additional testing is needed to further demonstrate the utility of these inserts. The removal capacities for oil and grease and suspended solids, which will dictate maintenance frequency and cost, need to be determined. The results presented in this paper are preliminary and should be applied with caution. The authors hope that they will stimulate others to develop catch basin insert technology.

### Acknowledgements

This work was supported in part by a US-EPA funded Watershed project, the Santa Monica Bay Restoration Project and a consortium of local cities, led by the City of Santa Monica. Additional funding was provided by two manufacturers. The patents or potential patents that cover these products are not known to the authors. There is no financial or business relationship between the authors, UCLA and any insert or sorbent manufacturer. We are thankful to Lee-Hyung Kim, Ed Zaruba, Ruta Skirrus, and the Woodward-Clyde team for their assistance.

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Office of Mayor and City Councilmembers

Phone: (949) 361-8322 Fax: (949) 361-8283

Website: <http://ci.san-clemente.ca.us>

E-mail: [CityCouncil@san-clemente.org](mailto:CityCouncil@san-clemente.org)

Jim Dahl, Mayor  
Joe Anderson, Mayor Pro Tem  
Lori Donchak, Councilmember  
G. Wayne Eggenston, Councilmember  
Steve Goss, Councilmember  
South Coast Region

JUN 11 2007  
George Scarborough, City Manager

CALIFORNIA  
COASTAL COMMISSION

June 6, 2007

California Coastal Commission – South Coast District  
P.O. Box 1450  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4416

Agenda No. Th 17a  
Application No. 5-06-093  
In FAVOR of proposed permit

**Subject: Permit No. 5-06-093 – Poche Beach Runoff Treatment Facility**

Dear Members of the California Coastal Commission:

As a beach community, the City of San Clemente is particularly aware of the importance of protecting and improving coastal water quality. To this end the City has an active and progressive surface water quality protection program with a dedicated funding source to support numerous activities to help prevent urban runoff and stormwater pollution discharges. A cornerstone project in this initiative is the Poche Beach Treatment Project, which will greatly improve coastal water quality at this heavily used beach by reducing bacteria counts to below State Health recreation contact standards. The City has been coordinating with the County of Orange (the project lead) for several years, and has committed significant funding for initial construction and ongoing operation and maintenance of the project. The City also continues to pursue activities to help reduce runoff and bacteria from reaching the beach in the first place.

The City of San Clemente strongly supports the proposed Poche Beach Runoff Treatment Project and respectfully requests that you approve the proposed Coastal Permit for this project. Thank you for your consideration of this matter.

Sincerely,

Jim Dahl  
Mayor

- Cc: Liliana Roman, CA Coastal Commission – South Coast District
- Larry McKenney, County of Orange
- Nardy Drew, County of Orange
- James Volz, County of Orange

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# CAPISTRANO BAY DISTRICT

35000 Beach Road Capistrano Beach, CA 92624 Phone: (949) 496-6576 Fax: (949) 487-9224 Email: cbd@capbay.org

Board of Directors

J. Southwell, Pres.  
R. Elliott, Vice Pres.  
A. Morrison  
L. Laster  
K. Bell

Manager  
D.S. Russell

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South Coast Region

JUN 11 2007

CALIFORNIA  
COASTAL COMMISSION

June 11, 2007

California Coastal Commission  
South Coast District  
PO Box 1450  
Long Beach, CA 90802-4416  
% Liliana Roman

**Re: Letter in Support of Agenda Item Th 17a  
Coastal Development Permit No. 5-06-093  
Construction of Ultraviolet Disinfection Facility at Poche Beach**

Dear Honorable Coastal Commissioners,

On behalf of the Capistrano Bay Community Services District ("District"), this letter is being submitted to express the District's unanimous support for the proposed project and the recommendation of the Commission's staff in approving Coastal Development Permit application No. 5-06-093.

The District is located adjacent to the Poche Beach Prima Descheca Flood Control Channel and has been carefully watching the progress with this proposed program for the past few years and is therefore extremely interested in its success.

Your action to approve the permit application will result in an improvement in the quality of the runoff that currently discharges onto the beach at this location. Thank you.

Sincerely,

Donal S. Russell, General Manager  
Capistrano Bay Community Services District

(40)

**Liliana Roman**

---

**From:** Jack Tarr [tarr@cox.net]  
**Sent:** Monday, June 11, 2007 4:04 PM  
**To:** Liliana Roman  
**Subject:** Item 17a; Permit Number: 5-06-093; Poche

**Importance:** High

As an daily observer of Poche Beach conditions and neighboring homeowner of the area known as Deshecha Channel (M01) outlet at Poche Beach, I am supportive of the above Permit Application and respectfully request that the California Coastal Commission cast a vote in favor of granting the application with the conditions as set forth by Staff. The applicant has diligently and patiently worked with the many directly connected stakeholders to gain consensus for the proposed solution.

Thank you.

Jack Tarr  
(949) 240-2482  
35841 Beach Road  
Capistrano Beach, California 92624

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~~Governor~~**CALIFORNIA COASTAL COMMISSION**

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

**ADDENDUM**

Date: June 11, 2007

To: COMMISSIONERS & INTERESTED PERSONS

From: JOHN AINSWORTH, DEPUTY DIRECTOR  
SOUTH COAST DISTRICT STAFF

Subject: Commission Hearing of June 14, 2007, **item TH 17b** of  
Commission agenda, permit no. 5-07-082 (Pierce) Playa del Rey,  
Los Angeles County.

To minimize the potential impact of the spread of non-native plants to the nearby dunes and Ballona wetlands, the following should be added as a Special Condition:

2. Landscaping – No Invasive Plants

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

(43)

(44)

Ham Th/7c

Prescott E. Cogswell

304 Poco Paseo  
San Clemente CA 92672  
(949) 361-2345  
May 29, 2007

California Coastal Commission  
South Coast District  
P. O. Box 1450  
LONG BEACH CA 90802-4416

Re: Permit No. 5-07-152

Dear Commission:

I wish to express my support for this permit, which is mainly on my neighbor's lot, with a small portion of in on our property. The existing situation presents a hazard to the structure on our property, and to the canyon below.

Yours truly,

Prescott E. Cogswell  
Prescott E. Cogswell

(AS)

(46)

**CALIFORNIA COASTAL COMMISSION**

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

**TH 17d****ADDENDUM**

June 11, 2007

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO **ITEM TH 17d**, COASTAL COMMISSION PERMIT APPLICATION #5-06-276-(Bubalo) FOR THE COMMISSION MEETING OF **June 14, 2007**.

**Changes to Staff Report**

Commission staff recommends modifications and additions to Section III (Special Conditions) and Section IV (Findings and Declarations) of the staff report for clarification purposes. Language to be added is shown in **bold, underlined italic** and language to be deleted is in ~~strike-out~~, as shown below

1] Page 5 – Modify Special Condition No. 4, as follows:

4. **FUTURE REMOVAL OF STRUCTURES AND LAND OWNED BY SURFSIDE COLONY, LTD.**

By acceptance of this permit, the applicants agrees, on behalf of themselves and all other successors and assigns, that in the event that Surfside Colony, Ltd., **or any of its successors and assigns** would seek shoreline protection measures for the herein approved patio and/or decks ~~and not for the principal structure on the applicants' property~~, the applicants and any successors in interest shall ~~agree~~ to remove the permitted patio and/or decks.

2] Page 9 – Modify Section IV.B.1., as follows:

*...No intervening changes...*

Although the applicants' report indicates that the site is safe for development at this time, beach areas are dynamic environments, which may be subject to unforeseen changes. Such changes may affect beach processes, including sand regimes. The mechanisms of sand replenishment are complex and may change over time, especially as beach process altering structures, such as jetties, are modified, either through damage or deliberate design. Therefore, the presence of a wide sandy beach at this time does not preclude wave uprush damage and flooding from occurring at the subject site in the future. The width of the beach may change, perhaps in combination with a strong storm event like those which occurred in 1983, 1984 and 1998, resulting in future wave and flood damage to the proposed development. In order to address this situation

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with respect to Coastal Act policy, **FOUR (4) THREE (3) SPECIAL CONDITIONS** are necessary.

...No intervening changes...

3] Pages 11-12 – Modify Section IV.B.1.b., as follows:

To further ensure that the proposed project is consistent with Sections 30251 and 30253 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. 2**, which prohibits any future shoreline protective devices. This condition is necessary because it is impossible to completely predict what conditions the proposed structure may be subject to in the future. By imposing this Special Condition, the Commission requires that no shoreline protective devices shall ever be constructed to protect the development approved by this permit in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions or other natural hazards in the future.

**In addition, because portions of the patio/decks permitted by this permit will be constructed on or over property not owned by the applicant, the Commission imposes SPECIAL CONDITION NO. 4, requiring that the applicant remove this patio/deck should Surfside Colony, Ltd. ever seek shoreline protective devices to protect these structures.** The Commission also requires that the applicants remove **any the structures permitted by this permit** if any government agency has ordered that the structure be removed due to wave uprush and flooding hazards. In addition, in the event that portions of the development are destroyed on 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.

...No intervening changes...

CONCLUSION

To ensure that the proposed project does not result in future adverse effects to coastal processes, **FOUR (4) THREE (3) SPECIAL CONDITIONS** have been imposed. **SPECIAL CONDITION NO. 1** requires an assumption of risk. **SPECIAL CONDITION NO. 2** prohibits any future shoreline protective devices, **and SPECIAL CONDITION NO. 4 requires removal of the patio/decks should Surfside Colony seek shoreline protective measures to protect these structures.** **SPECIAL CONDITION NO. 3** states that any future improvements to the single-family house authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government. Only as conditioned, the Commission finds that the proposed project is consistent with Sections 30251 and 30253 of the Coastal Act.

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