

CALIFORNIA COASTAL COMMISSION

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W3c

Filed: 5/7/2007
49th Day: 6/25/2007
180th Day: 11/3/2007
Staff: Charles Posner - LB
Staff Report: 7/19/2007
Hearing Date: August 8, 2007
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

APPLICATION NUMBER: 5-07-159

APPLICANT: City of Long Beach Department of Public Works

AGENTS: Jorge M. Magaña, Project Development Division
Rafael Holcombe, Project Engineer for Tetra Tech, Inc.

PROJECT LOCATIONS: Alamitos Bay - Three locations: 1) 32-42 Rivo Alto Canal, 2) 5913 Corso di Napoli – 7 Vista del Golfo, 3) 6201 Appian Way (Long Beach Yacht Club), City of Long Beach, Los Angeles County.

PROJECT DESCRIPTION: Repair two segments of existing vertical concrete seawall by coring four-inch diameter holes and installing soil anchors, with storage of temporarily-displaced boat docks at the Long Beach Yacht Club Long Dock.

LOCAL APPROVAL: Long Beach Planning Dept. Approval in Concept, 4/24/2007.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach certified Local Coastal Program (LCP), 7/22/1980.
2. Eelgrass Survey Report for Long Beach Yacht Club Long Dock in Alamitos Bay Marina, by Long Beach Fire Dept. 6/26/2007.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to the project timing and the protection of marine resources, public access and water quality. The applicant agrees with the recommendation. **See Page Two for the motion.**

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

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

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

I. Resolution: Approval with Conditions

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 of the Coastal Act. 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. Permit Compliance

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

2. Project Timing

The approved development shall occur only during the period commencing September 15 and ending May 15.

3. Public Access To and Along the Water

The applicant and the development shall not interfere with public access along the shoreline in the project areas, except for the temporary disruptions that may occur during the completion of the permitted development.

4. Construction Responsibilities and Debris Removal

- A. No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wave, wind, or rain erosion and dispersion.
- B. Any and all construction material shall be removed from the site within ten days of completion of construction and disposed of at an appropriate location.
- C. Machinery or construction materials not essential for project improvements are prohibited at all times in the subtidal or intertidal zones.
- D. Where permitted, disturbance to the ocean bottom and intertidal areas shall be minimized.
- E. No anchoring shall be permitted within fifty feet of eelgrass beds.
- F. Floating booms will be used to contain debris discharged into coastal waters and any debris discharged will be removed as soon as possible but no later than the end of each day.
- G. Divers will recover non-buoyant debris discharged into coastal waters as soon as possible after loss.
- H. Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control 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 ocean and a pre-construction meeting to review procedural and BMP guidelines.
- I. The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
- J. At the end of the construction period, the permittee shall inspect the project area and ensure that no debris, trash or construction material has been left on the shore or in the water, and that the project has not created any hazard to navigation.

5. Resource Agencies

The permittees shall comply with all requirements, requests and mitigation measures from the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project that may be required by the above-stated agencies shall be submitted 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.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The proposed project is the repair of two segments (about six hundred linear feet) of Naples Island's existing vertical concrete seawalls (See Exhibits). The proposed repairs, which will be conducted from the waterside of the seawalls, involve the installation of several 32.5-foot long steel soil anchors into four-inch diameter holes that will be drilled through the existing concrete seawalls (Exhibit #5). Minor concrete spalling and crack repairs will also be conducted where needed. There will be no fill, dredging or excavation, and nothing is proposed to be discharged into the waters of Alamitos Bay. Workers' access to the seawalls during the repairs will require the temporary relocation of the private floating boat docks that exist along the seawalls. The temporarily-displaced boat docks will be stored at the Long Beach Yacht Club Long Dock (Exhibit #2). The street ends of Vesuvian Walk and Savona Walk will be used as the two project staging and equipment storage areas (Exhibits #3&4).

The proposed project, which is expected to be completed in less than three months, is scheduled to occur during the fall and winter (between September 15 and May 15) in order to avoid conflicts with public recreation activities during the busy summer season. The public accessways that exist along the landside of the seawalls will remain open during the project.

The location of the proposed temporary dock storage has been surveyed for eelgrass beds. A June 26, 2007 eelgrass survey, conducted by the Long Beach Fire Department, found no eelgrass at the Long Beach Yacht Club Long Dock where the floating docks will be stored temporarily (less than three months) before being returned to their original locations next to the seawalls. Therefore, with the implementation of the proposed best management practices (BMPs) and the recommended conditions of approval, eelgrass and other marine resources will not be adversely affected by the project. The applicant has applied for a Section 401 Certification from the California Regional Water Quality Control Board, and has received a preliminary approval from the U.S. Army Corps of Engineers. Therefore, as conditioned, the proposed project will have no negative effects on marine resources or coastal access. The proposed project, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act.

B. Recreational Marine Resources

The proposed development is the improvement of a small boat marina, which promotes recreational boating and is an encouraged marine related use. No fill of coastal waters is proposed. The proposed development will not have any significant adverse effect on sensitive marine resources, such as eelgrass. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Section 30224 of the Coastal Act.

C. Water Quality

The proposed work will be occurring on, within, or adjacent to coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be discharged into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

D. Public Access

The public currently has unrestricted pedestrian access along the shoreline at the project sites. The proposed project will not interfere with public access along the shoreline, except for the temporary disruptions that may occur during the completion of the permitted development. As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

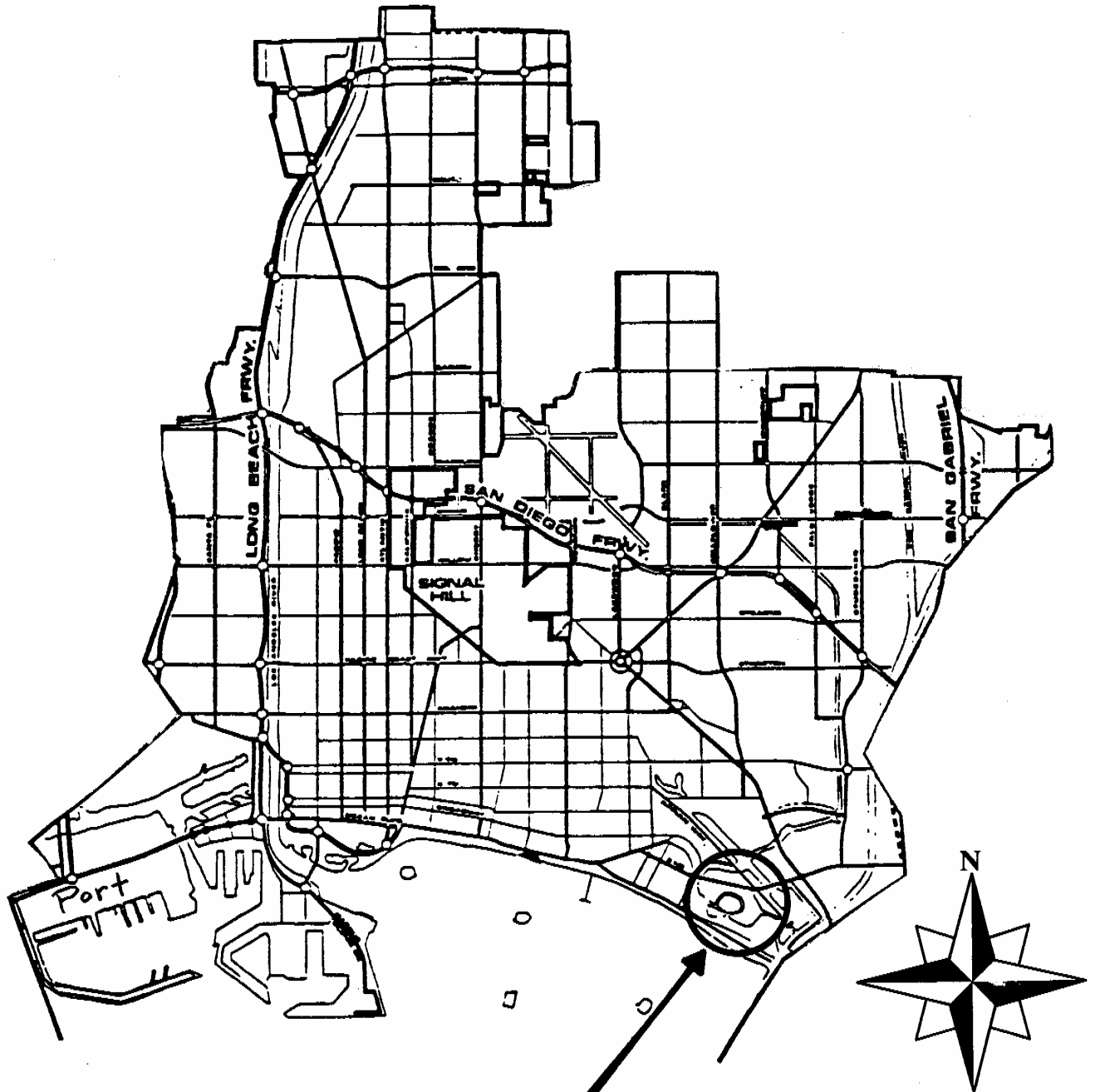
E. Local Coastal Program

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

F. California Environmental Quality Act (CEQA)

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

City of Long Beach



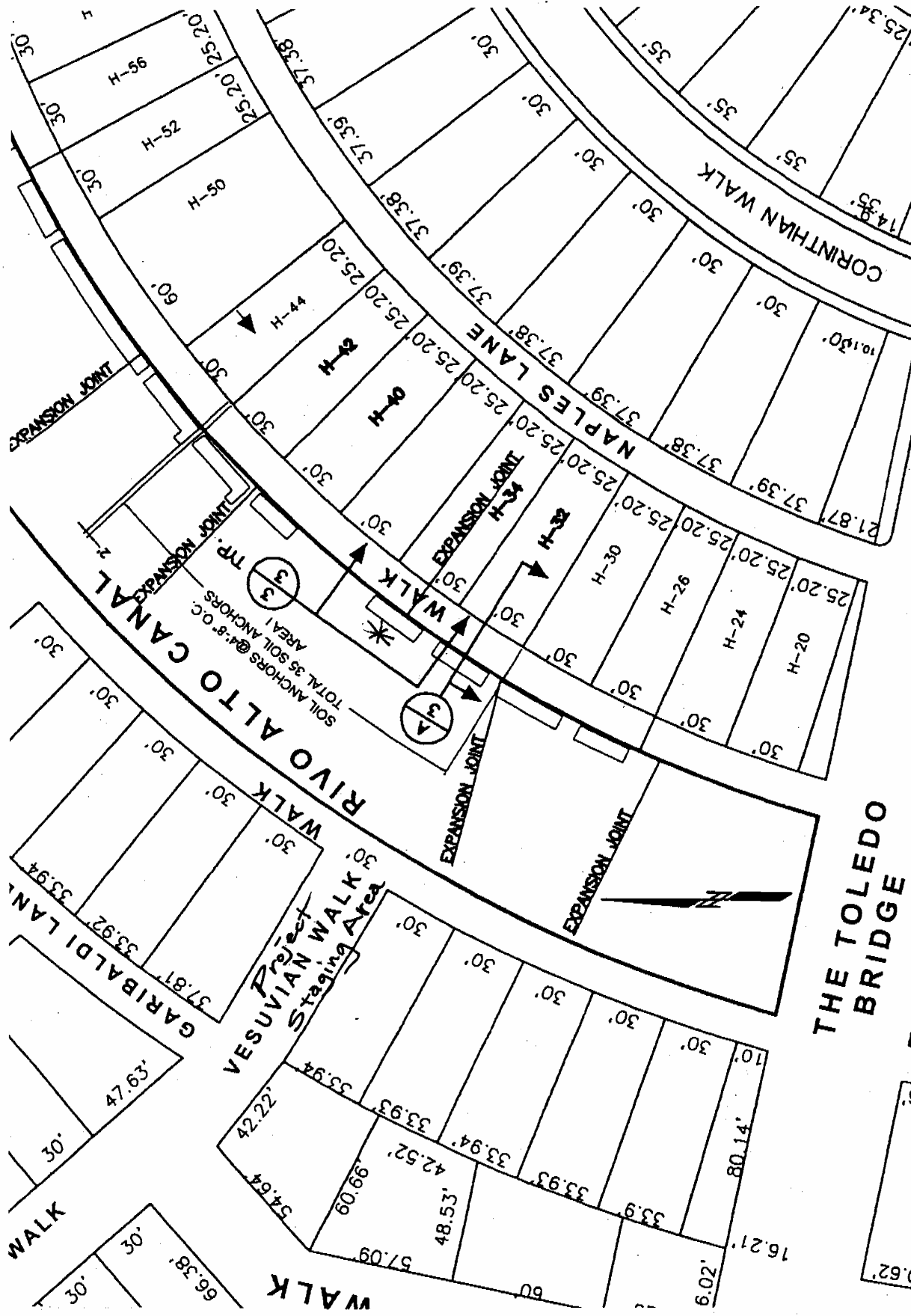
Site - Naples Is.

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EXHIBIT # 1

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Project Site - AREA I *Temporarily-displaced dock floats to be stored at the Long Beach Yacht Club Long Dock

B

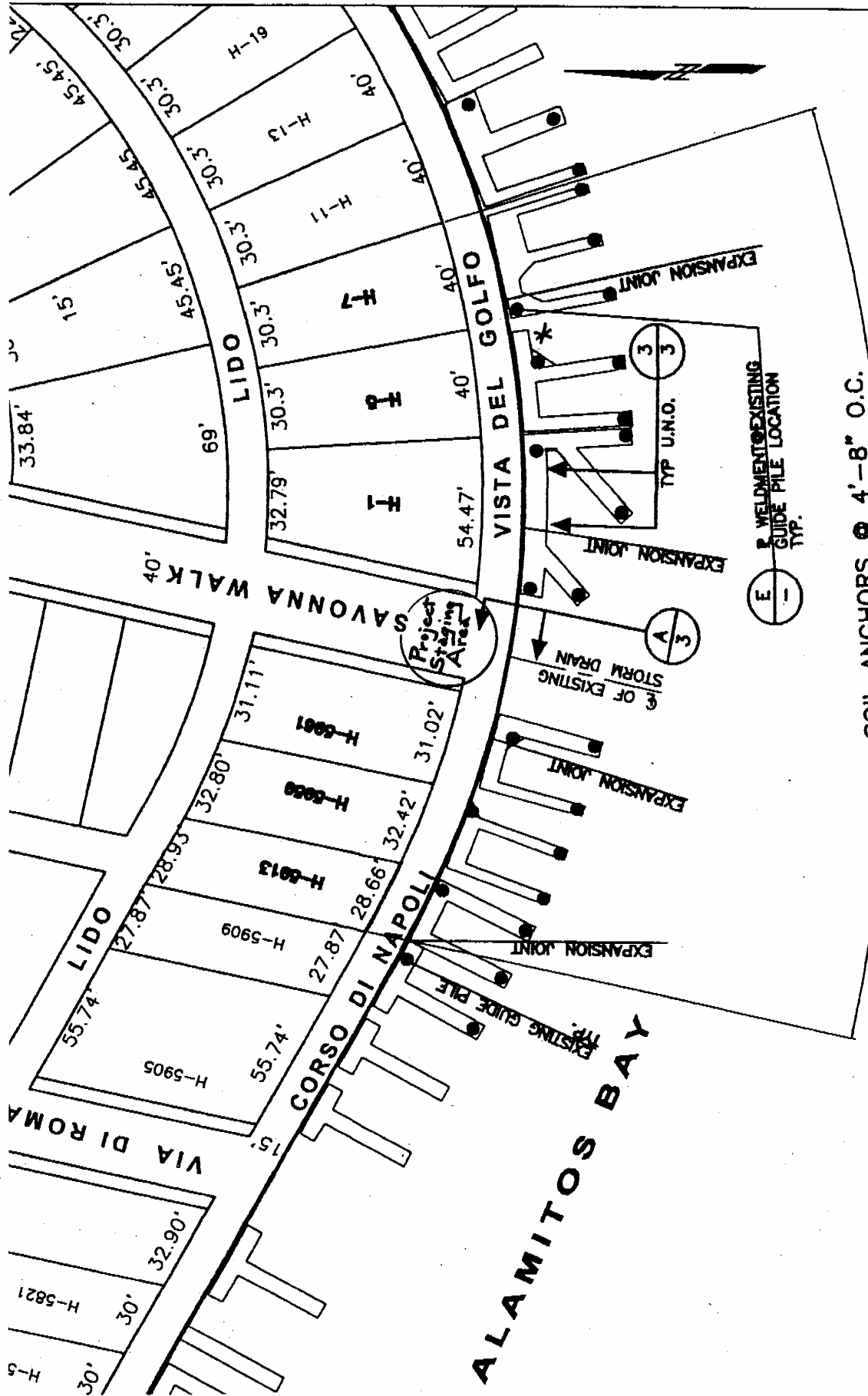
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EXHIBIT # 3

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SCALE: 1"=40'



* Temporarily-displaced dock floats to be stored at the Long Beach Yacht Club Long Dock

SOIL ANCHORS @ 4'-8" O.C.
TOTAL 60 SOIL ANCHORS
AREA II

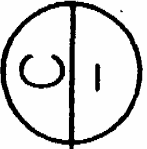
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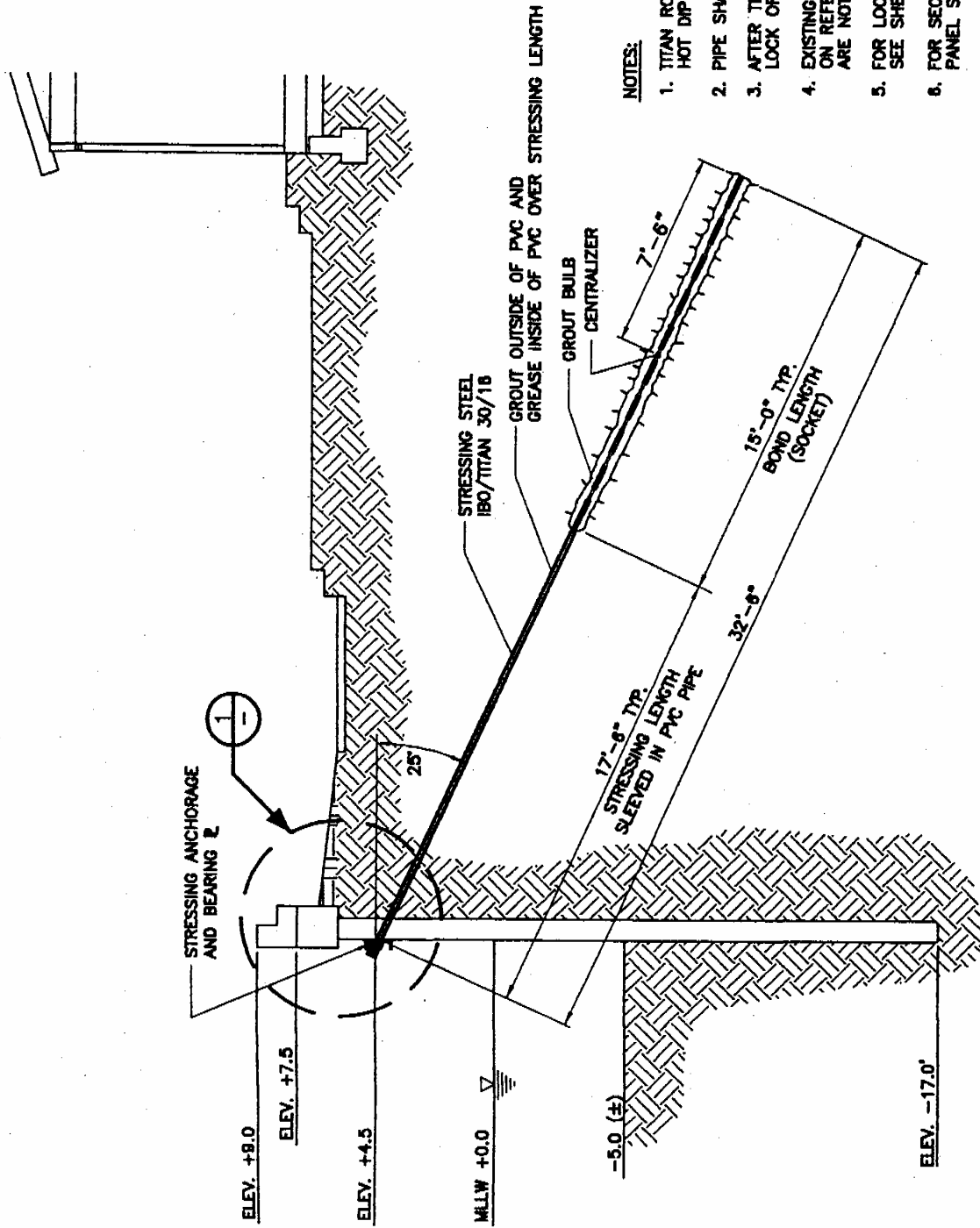
EXHIBIT # 4

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Project Site - AREA II

SCALE: 1"=40'



NOTES:

1. TITAN ROD AND HARDWARE TO BE HOT DIP GALVANIZED.
2. PIPE SHALL BE SCHEDULE 40 PVC
3. AFTER TENSIONING THE ROD AND LOCK OFF, FILL WITH NEAT CEMENT
4. EXISTING SHEET PILES ARE SHOWN ON REFERENCE DWG. No. 1, LOCATIONS ARE NOT VERIFIED.
5. FOR LOCATIONS OF NEW SOIL ANCHORS SEE SHEET 2.
6. FOR SECTION OF EXISTING SHEET PILE PANEL SEE DETAIL B ON SHEET 3.

SECTION

SCALE: 1/4"=1'-0"



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EXHIBIT # 5

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