

**CALIFORNIA COASTAL COMMISSION**

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Filed: 5/13/2009  
49th Day: 7/1/2009  
180th Day: 11/9/2009  
Staff: Charles Posner - LB  
Staff Report: 6/18/2009  
Hearing Date: July 9, 2009  
Commission Action:



# Th3a

## STAFF REPORT: CONSENT CALENDAR

**APPLICATION NUMBER:** 5-08-209

**APPLICANT:** City of Long Beach

**AGENT:** Anneke VanGelder, Department of Public Works

**PROJECT LOCATION:** Marine Stadium (5413 Appian Way), City of Long Beach, Los Angeles County.

**PROJECT DESCRIPTION:** Repair eroded areas (using gravel, rocks and grout) along 500 linear feet of the existing riprap embankment at the Marine Stadium East Launch Ramp, repair and seal the existing public boat launch ramp, construct a 500-foot long walkway along the water (between the embankment and paved parking area), and install six public benches and three four-foot high entry signs.

**LOCAL APPROVAL:** City of Long Beach Approval in Concept

### **SUBSTANTIVE FILE DOCUMENTS:**

1. City of Long Beach certified Local Coastal Program (LCP), 7/22/1980.
2. Coastal Development Permit 5-08-144 (L.A. Co. Termino Drain Project).

### **SUMMARY OF STAFF RECOMMENDATION**

Pursuant to Section 30519 of the Coastal Act, development located within the Commission's area of original jurisdiction requires a coastal development permit from the Commission. The Commission's area of original jurisdiction includes tidelands, submerged lands, and public trust lands, whether filled or unfilled. The proposed project is situated on filled tidelands. The Commission's standard of review for the proposed development in its area of original jurisdiction is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance.

Staff is recommending that the Commission **APPROVE** a coastal development permit for the proposed development with special conditions that minimize adverse impacts to water quality and sensitive habitat areas in Alamitos Bay. **See Page Two for the motion to carry out the staff recommendation.** The applicant agrees with the recommendation.

**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. 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. Protection of Marine Resources

The permittee shall implement the following project staging and construction best management practices in order to minimize adverse environmental impacts and the unpermitted deposition, spill or discharge of any liquid or solid into coastal waters:

- A. Construction staging activities and equipment and materials storage areas shall not be located on any beach, wetland or environmentally sensitive habitat area.
- B. Sandbag barriers shall be placed around the staging and storage areas and around drainage inlets to control sediment and prevent run-off/sediment transport into the water (Alamitos Bay).
- C. The storage or stockpiling of soil, silt, other organic or earthen materials, or any materials and chemicals related to the construction, shall not occur where such materials/chemicals could pass into coastal waters. Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
- D. No mechanized equipment or vehicles are permitted in the water.
- E. In order to protect the subtidal and intertidal habitat areas on the embankment, no work is permitted below elevation +1.68' MLLW.
- F. Spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible. Disposal within the coastal zone shall require a coastal development permit
- G. Construction equipment and vehicles shall be inspected daily to ensure there are no leaking fluids. If there are leaking fluids, the construction equipment shall be serviced immediately. Equipment and machinery shall be serviced, fueled, maintained and washed only in confined areas specifically designed to control runoff and prevent discharges into coastal waters. Thinners, oils or solvents shall not be discharged onto the ground or into sanitary or storm sewer systems.
- H. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than fifty feet away from all stormdrains, open ditches and surface waters.
- I. All floatable debris and trash generated by construction activities within the project area shall be disposed of at the end of each day, or as soon as possible.
- J. All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.

The City shall include the requirements of this condition on all plans and contracts issued for the project. The permittee shall implement and carry out the project staging and construction plan during all construction, staging and cleaning activities.

2. Conformance with the Requirements of the Resource Agencies

The permittee shall comply with all permit requirements and mitigation measures of 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 which 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 City of Long Beach proposes repairs and public access improvements at the Marine Stadium East Launch Ramp (See Exhibits). Several eroded holes along Marine Stadium's existing riprap embankment will be repaired using gravel, rocks and grout. The five hundred foot long area of slope repairs is north of the public launch ramp. The 75-foot wide concrete launch ramp will also be repaired and sealed. In order to protect the subtidal and intertidal habitat areas on the lower part of the riprap embankment, the proposed repairs will be limited to the part of the slope above the line of thriving intertidal habitat at elev. +1.68' MLLW (Exhibit #4, p.3). No work will occur in the water.

The proposed project also includes six new concrete benches that will be installed along a new eight-foot wide concrete walkway that will be constructed along five hundred feet of waterfront between the embankment and paved parking area (Exhibit #4). The area where the new walkway will be built is currently part of the asphalt parking area. Another segment of ADA-compliant sidewalk (and ramp) will be built at the pedestrian entrance to the launch area at the bottom of the Appian Way Bridge. Finally, three new four-foot high entry signs will be installed at the three vehicular entrances to Marina Stadium (Exhibit #4, p.1). No changes are proposed to the launch ramp's paved parking area.

Marine Stadium is a City park with both land and water recreational facilities (Exhibit #2). The mile-long portion of Alamitos Bay, constructed as the rock-lined Marine Stadium in the 1920s, was a rowing venue during the 1932 and 1984 Olympic Games. Marine Stadium remains a popular venue for boating activities and special events, including rowing competitions, festive regattas, water skiing, and power boat races. The recreational facilities at Marine Stadium include a boathouse and docks for rowing teams, a public boat launch ramp, dry boat storage, a sandy public beach, and public parking lots that can hold up to two thousand vehicles. The City prohibits swimming in most of Marine Stadium because of the boating activities.

**B. Marine Resources**

The Coastal Act contains policies that address development in or near coastal waters and Environmentally Sensitive Habitat Areas (ESHA). The proposed project is located adjacent to the coastal waters of Alamitos Bay (Exhibit #2). The standard of review for proposed development is the Chapter 3 policies of the Coastal Act, including the following ESHA and marine resource policies.

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Sections 30230 and 30231 of the Coastal Act require the protection of biological productivity, public recreation and marine resources.

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project involves public access improvements at the Marine Stadium East Launch Ramp and repairs to a five hundred foot long segment of eroded riprap embankment. Water quality and biological productivity in the canals will not be adversely affected by the proposed project because the proposed project includes provisions to minimize the adverse impacts of the proposed construction activities. These mitigating construction measures include standard best management practices to protect the waters of Alamitos Bay from polluted runoff. Special Condition One requires the permittee to implement the best

management practices. No eelgrass beds or other sensitive habitat will be affected by the proposed project. No work will occur in the water. No fill is proposed. In order to protect the subtidal and intertidal habitat areas on the lower part of the riprap embankment, the proposed repairs will be limited to the part of the slope above the line of thriving intertidal habitat at elev. +1.68' MLLW (Exhibit #4, p.3).

Special Condition Two requires the City to comply with all permit requirements and mitigation measures of 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. The special conditions of approval adequately address and mitigate any potential adverse impacts to the environment caused by the proposed project.

The proposed development is the improvement of a small boat launching facility, which promotes recreational boating and is an encouraged marine related use. No fill of coastal waters is proposed. The proposed development has been conditioned to minimize any significant adverse effect the project may have on the environment by avoiding or mitigating impacts upon sensitive marine resources, such as eelgrass. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30240, 30230, and 30231 of the Coastal Act. There are no feasible less environmentally damaging alternatives available. As conditioned, the project will not significantly adversely impact eelgrass beds and will not contribute to the dispersal of the invasive aquatic algae, *Caulerpa taxifolia*.

### **C. Public Access and Recreation**

One of the basic goals stated in the Coastal Act is to maximize public access and recreation along the coast. The proposed project must conform with the following Coastal Act policies which protect and encourage public access and recreational use of coastal areas.

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The proposed development is the improvement of a small boat launching facility, which promotes recreational boating and is an encouraged marine related use. The impacts of the project on public access and recreation will be minor and temporary. Therefore, the proposed project will not have a substantial negative effect on the public's ability to access the coast, and is consistent with the public access and recreation policies of the Coastal Act.

**D. Visual Resources**

Section 30251 of the Coastal Act states:

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

Section 30251 of the Coastal Act requires that the scenic and visual resources of coastal areas be considered and protected as a resource of public importance. In addition, public views to and along the ocean and scenic coastal areas shall be protected. The proposed project will not have any significant adverse impacts on public views or visual resources.

**E. Hazards**

The Coastal Act states that new development must minimize risks to life and property and not create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

Section 30253 of the Coastal Act states, in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The proposed project will not contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. Therefore, the proposed project is consistent with Section 30253 of the Coastal Act.

**F. Local Coastal Program**

Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a coastal development permit from the Commission. The Commission's area of original jurisdiction includes tidelands, submerged lands, and public trust lands, whether filled or unfilled. In the City of Long Beach, the Chapter 138 Line and the actual mean high tide line (MHTL) generally differentiate the Commission's area of retained (original) jurisdiction from the landward area for which the City of Long Beach has accepted coastal development permit jurisdiction pursuant to the City of Long Beach certified Local Coastal Program (LCP). The City of Long Beach LCP was certified by the Commission on July 22, 1980.

The Commission's standard of review for the proposed development in its area of original jurisdiction 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 certified LCP policies for Marine Stadium, as set forth in the LCP's Marine Stadium Resource Management Plan (RMP), state:

A. General Policy

Commercial aquatic events will be permitted, provided adequate controls are enforced to preclude adverse impact on recreational uses and adjacent residential neighborhoods. Conservational considerations are minimal. Educational uses would primarily be aquatic skills development.

B. Guidelines

1. Management Responsibility

Overall management of Marine Stadium will be vested in the Marine Department (see Alamitos Bay).

2. Water Quality

- a. Servicing of power boats will be controlled to minimize toxic metals and petroleum products reaching the water.
- b. New development will be precluded from discharging surface water into the stadium.

3. Public Access

- a. A sand beach, if feasible, will be developed at the northwest end of the stadium.
- b. The publicly owned land north of Marine Stadium to Colorado Street will be developed as a public park providing for field sports, and active and passive recreational uses. Additional parking to serve the park and beach will be a combination of hardtop and grass overflow. The grass parking area shall be used only for major Marine Stadium activities. The boat storage area at the northeast end of the Marine Stadium will be eliminated when this area is converted into public park usage.
- c. No additional paved parking areas will be created at Marine Park.
- d. Usage of Marine Stadium for rowing activities will be encouraged.

4. Maintenance

Existing restroom facilities at the northwest end of the stadium must be accessible to the beach and park users.

In this case, the proposed project does not conflict with any of the above-stated LCP provisions. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

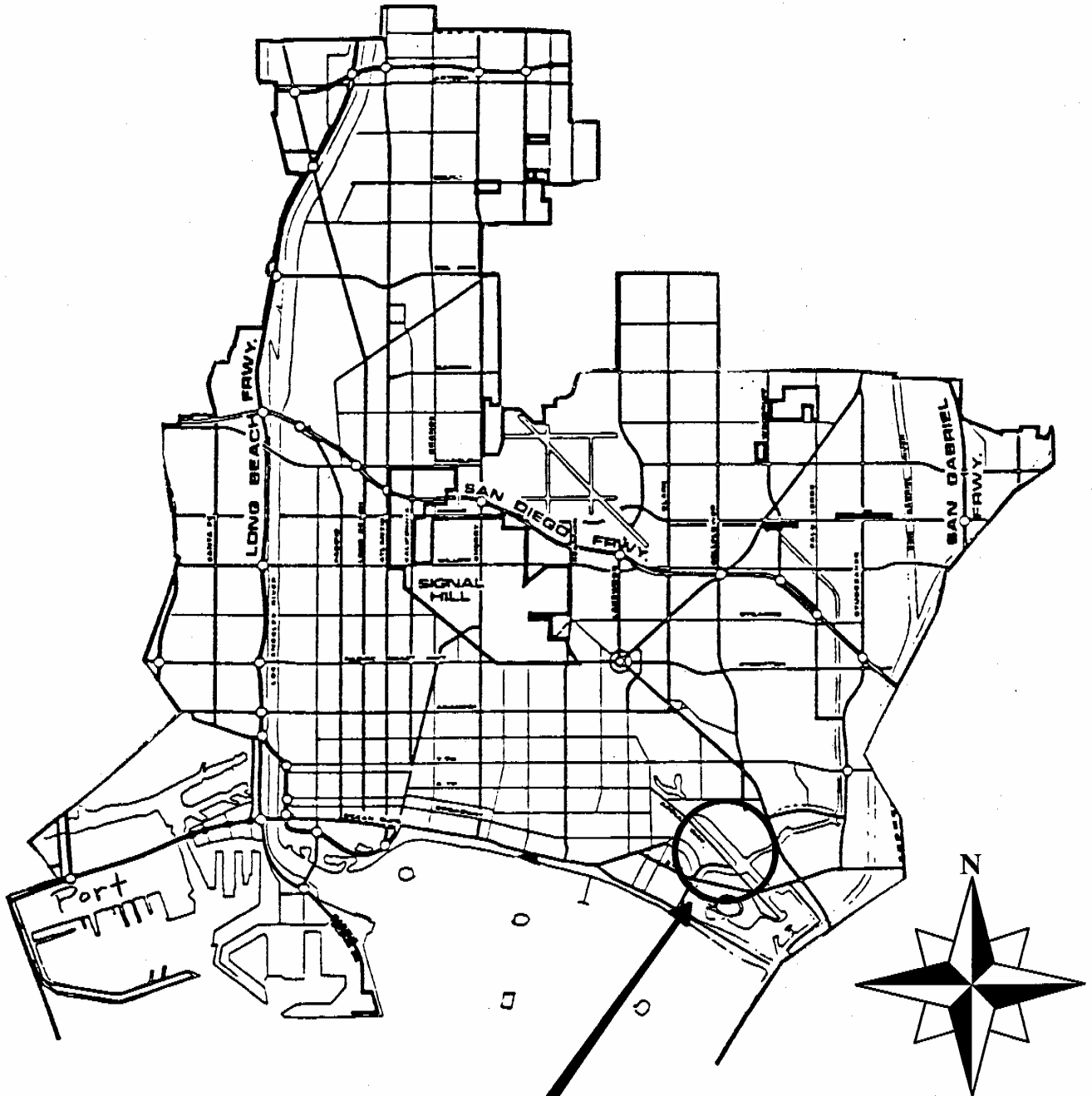


**G. California Environmental Quality Act (CEQA)**

Section 13096 of the California Code of Regulations requires Commission approval of coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or additional 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 complies with the applicable requirements of the Coastal Act to conform to CEQA.

# City of Long Beach



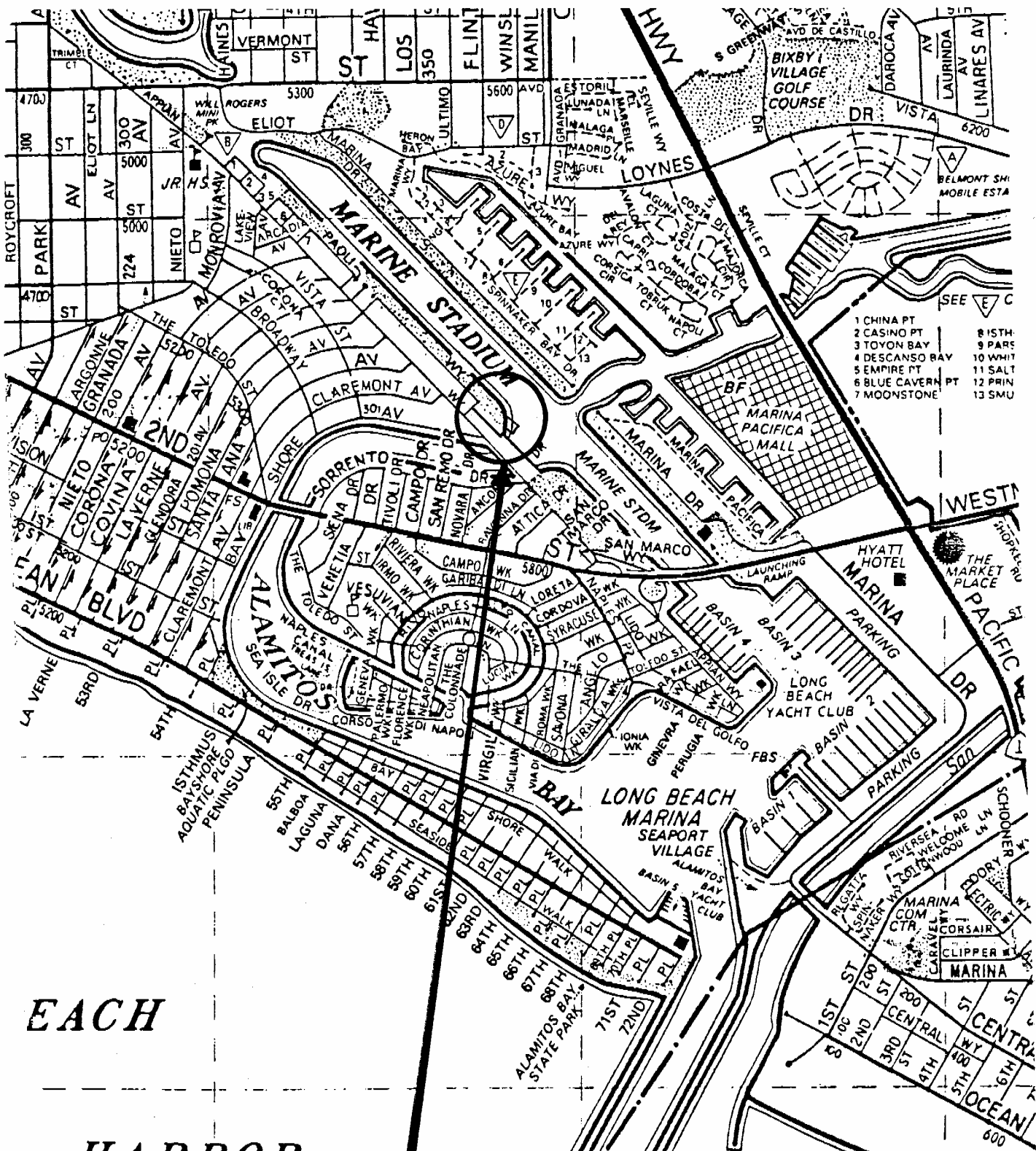
Marine Stadium

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EXHIBIT # 1

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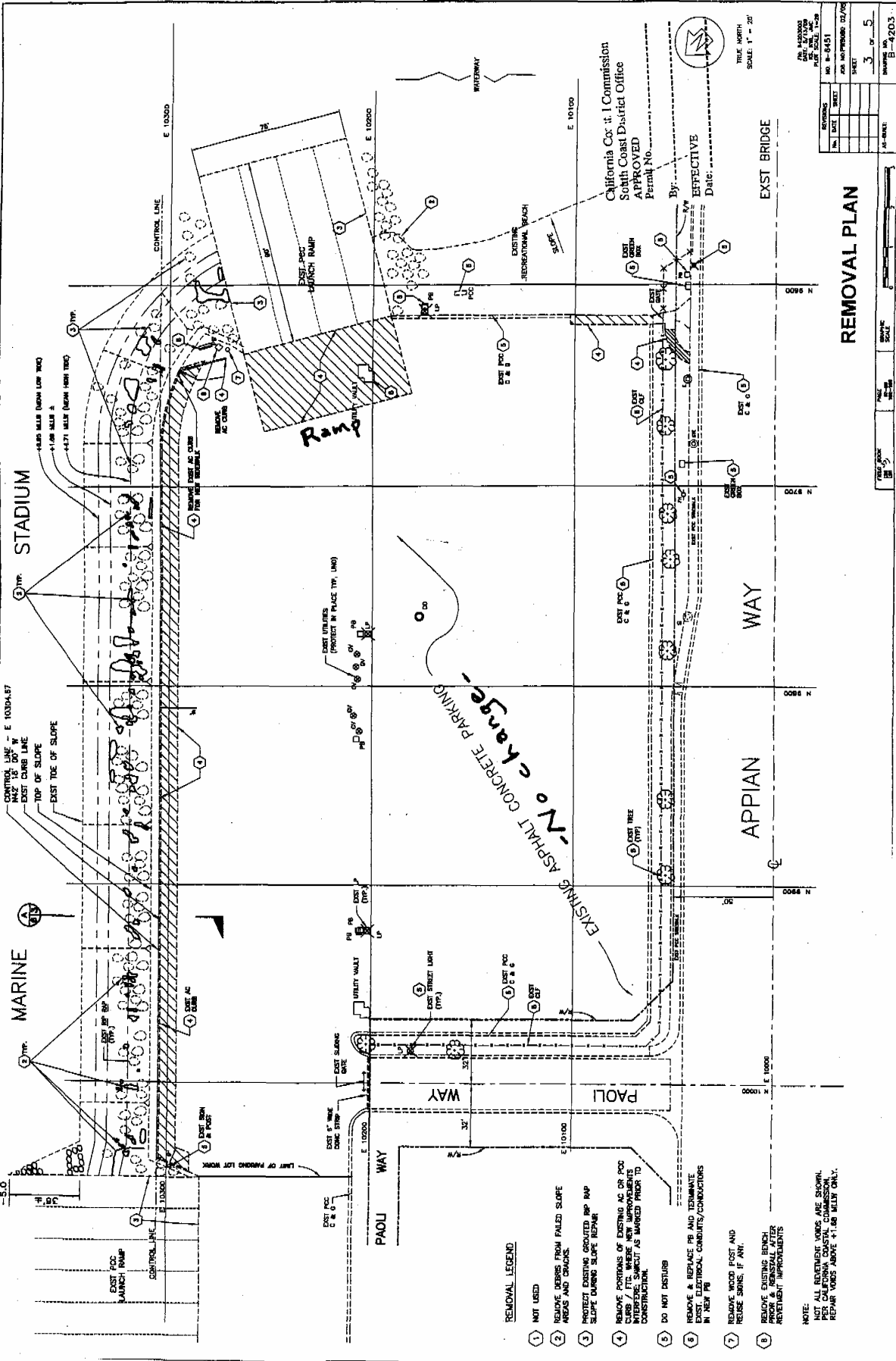
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- 2 CASINO PT
- 3 TOYON BAY
- 4 DESCANSO BAY
- 5 EMPIRE PT
- 6 BLUE CAVERN PT
- 7 MOONSTONE
- 8 15TH
- 9 PARS
- 10 WHIT
- 11 SALT
- 12 PRIN
- 13 SMU

**EACH**

**HARBOR**

Project Site

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California Coastal Commission  
 South Coast District Office  
 APPROVED  
 Permit No. \_\_\_\_\_  
 By: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 EFFECTIVE

**REMOVAL PLAN**

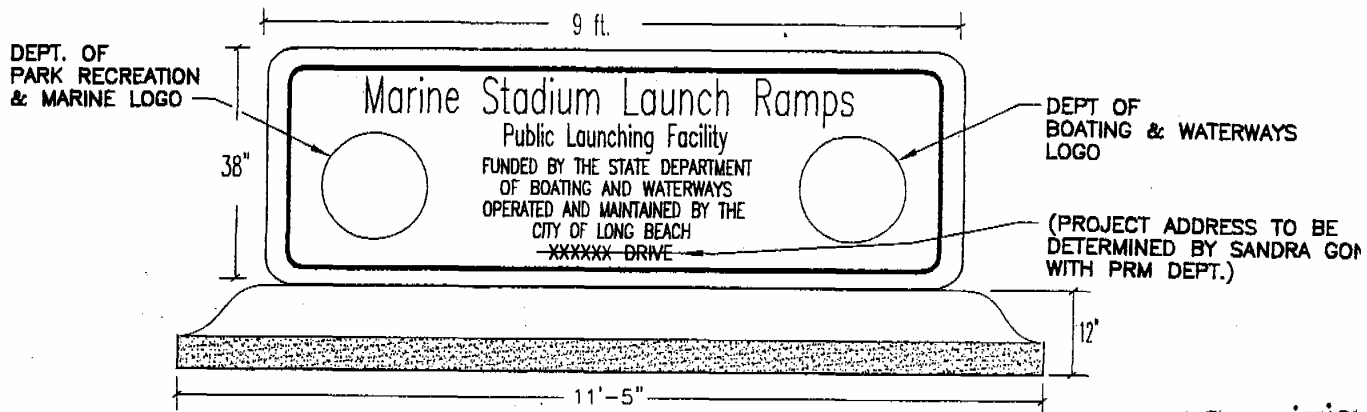
NO. 1	DATE	SHEET
NO. 2	DATE	SHEET
NO. 3	DATE	SHEET
NO. 4	DATE	SHEET
NO. 5	DATE	SHEET

**REMOVAL LEGEND**

- 1 NOT USED
- 2 REMOVE DEBRIS FROM PAILED SLOPE AREAS AND CHAINS.
- 3 REMOVE EXISTING CONC. RAMP SLOPE TURNING SLOPE REPAIR.
- 4 REMOVE PORTIONS OF EXISTING AC OR PCC CURB / FTS. WHERE NEW IMPROVEMENTS INTERFERE SHORTLY AS MARKED PRIOR TO CONSTRUCTION.
- 5 DO NOT DISTURB
- 6 REMOVE & REPLACE PB AND TERMINATE EXIST. ELECTRICAL CONDUITS/CONDUCTORS IN NEW PB
- 7 REMOVE WOOD POST AND REUSE SONS, IF ANY.
- 8 REMOVE EXISTING BENCH PRIOR & REINSTALL AFTER REVENUE IMPROVEMENTS

NOTE: ALL EXISTING WORKS ARE SHOWN FOR INFORMATION ONLY. ALL EXISTING WORKS ARE TO BE REPAIRED TO ORIGINAL CONDITION. REPAIR WORK ABOVE #1 AND BELOW ONLY.

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# New Signs

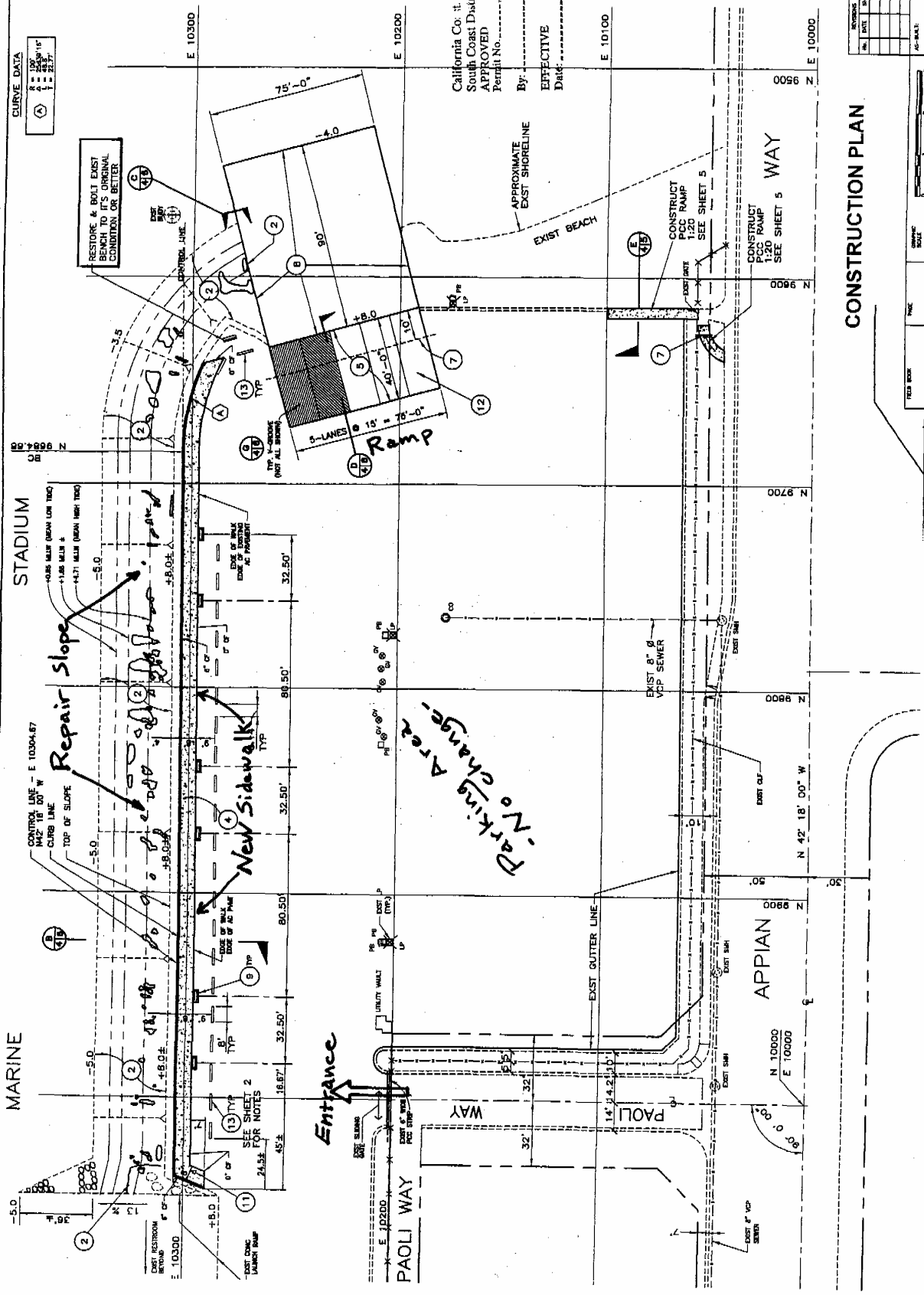
## CONSTRUCTION LEGEND



- ① CONSTRUCT PCC CURB, SIMILAR TO TYPE A1-150(8) PER CLB STANDARD PLAN #GB-120.  $f_c = 2500$  PSI.
- ② REPAIR EMBANKMENT SLOPE PER DETAIL B ON PLAN SHEET 6.
- ③ NOT USED.
- ④ CONSTRUCT 4 INCHES THICK PCC SIDEWALK ON 6 INCHES CMB (APPLY SOIL STERILANT.)
- ⑤ CONSTRUCT 12 INCHES PCC APRON ON 6 INCHES CMB (APPLY SOIL STERILANT & LIME STONE TREATED SOIL). INSTALL RAISED NON-REFLECTIVE LANE MARKERS ON PCC APRON AT 24 INCHES O.C.  $f_c = 4500$  PSI. LANE MARKERS TO MATCH EXISTING AT NORTH LAUNCH RAMP.
- ⑥ NOT USED.
- ⑦ INSTALL 2 INCHES DIA PVC CONDUIT FOR FUTURE WIRING OF LIGHT FIXTURES 30" BELOW FINISHED GRADE. EXTEND CONDUIT 2 FEET MINIMUM EACH SIDE OF PCC APRON. INSTALL CAUTION BURRIED ELECTRICAL TAPE 12 INCHES BELOW FINISHED GRADE ABOVE CONDUIT. PROVIDE WATERTIGHT END PLUGS AT CONDUIT AND PROVIDE A NYLON PULL CHORD.
- ⑧ SANDBLAST AND CLEAN CRACKS ON EXISTING RAMP AND SEAL WITH TYPE "A" SEALANT (TWO-PART POLYURETHANE SEALANT). SEALANT TO BE IMPERVIOUS TO ROT, MILDEW AND DEGRADATION ASSOCIATED WITH MARINE ORGANISMS, TO BE SALT WATER COMPATIBLE, TO WITHSTAND CONTINUOUS IMMERSION IN SALT WATER AND TO BE SUITABLE FOR INCIDENTAL FOOD CONTACT. PROTECT EXISTING RAISED MARKERS ON RAMP.
- ⑨ INSTALL 6 FEET CONCRETE BENCH QUICK CRETE Q2CAL72B (6 TOTAL), SEE SHEET 4 FOR LOCATIONS. PROVIDE PAD FTG PER DETAIL F ON SHEET 6.
- ⑩ INSTALL NEW ENTRY SIGNS (3 REQUIRED), SEE SHEET 5. LOCATIONS NOT SHOWN ON PLAN. LOCATIONS TO BE DETERMINED AT THE SITE BY THE ENGINEER.
- ⑪ NOT USED.
- ⑫ ADJUST UTILITY VAULT COVER TO GRADE.
- ⑬ INSTALL CONCRETE WHEEL STOP PER DETAIL E ON PLAN SHEET 6.
- ⑭ REMOVE EXISTING INTERFERING ROOTS BY MINOR ROOT SHAVING ONLY.
- ⑮ TREMIE GROUT SHALL BE 650-E-3250(P).

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CURVE DATA  
 R = 1000.00'  
 Δ = 180°  
 L = 3141.59'



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 By: \_\_\_\_\_  
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 Date: \_\_\_\_\_

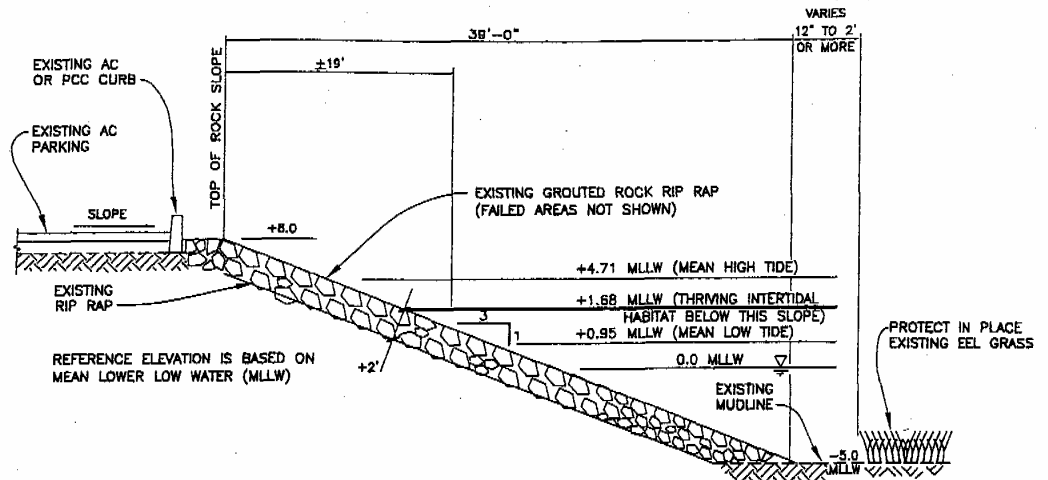


SCALE : 1" = 20'  
 TRUE NORTH

NO.	DATE	SHEET	FOR NO. PERMITS	BY/DATE
1				
2				
3				
4				
5				
6				

CONSTRUCTION PLAN

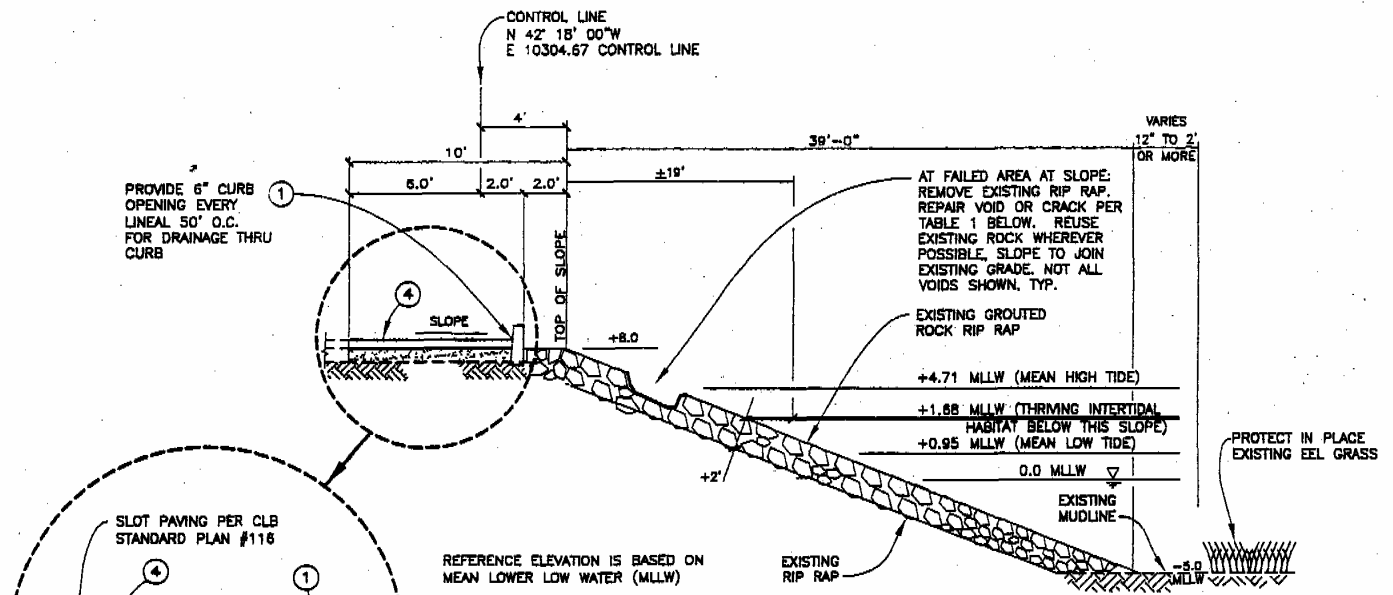
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SECTION OF EXISTING GROUDED  
RIP-RAP EMBANKMENT

NO SCALE

A  
3/8



SECTION OF PROPOSED  
GROUDED RIP-RAP  
EMBANKMENT REPAIR

NO SCALE

B  
4/8

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