

CALIFORNIA COASTAL COMMISSION

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

F12a

November 17, 2010

**ADDENDUM****To:** Commissioners and Interested Parties**From:** John Ainsworth, Deputy Director
Gary Timm, Coastal Program Manager
Jonna D. Engel, Ph.D., Ecologist
Charles Posner, Staff Analyst**Re:** **Appeal No. A-5-LOB-10-015 (Loynes, LLC – Sean Hitchcock), 6400 E. Loynes Drive, City of Long Beach.****I. Revised Special Condition**

Staff is recommending that Special Condition One of the permit be revised and clarified as follows. New text in the revised condition below is identified by **underlined bold text** and text being deleted is crossed-out (~~deleted text~~).

1. Site Restoration, Re-vegetation and Monitoring Plan

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and written approval of the Executive Director, a revised re-vegetation and monitoring plan for the portions of the project site that were disturbed by prior grading on March 19 and 20, 2009 (as shown on Exhibit #4 of the Staff Report dated November 3, 2010), and including the area covered with the fill imported pursuant to Emergency Permit 5-09-068-G. The revised re-vegetation and monitoring plan shall be prepared by a ~~licensed Landscape Architect or a~~ qualified Resource Specialist in consultation with the California Department of Fish and Game, the County of Los Angeles Department of Public Health (Environmental Health Solid Waste Management Program), and the South Coast Air Quality Management District (AQMD).

The revised re-vegetation and monitoring plan shall include all of the provisions contained in the plan entitled, Habitat Revegetation and Monitoring Plan, Loynes Drive Project, Long Beach, by LSA Associates, Inc., September 2010 and shall also include the following provisions:

- A. Native Plant List. All plants shall be Southern California native plants appropriate to the natural habitat type (transitional ~~scrub~~ grassland/**coastal scrub** – salt marsh to uplands). Appropriate native plants include, but are not limited to, ~~coastal sage, buckwheat, bunch~~ **forbs**, **grasses** and **small shrubs** annuals (~~e.g., lupin~~). All seeds and cuttings employed shall be from local sources in the Los Angeles and

Orange County coastal areas. Prior to the first planting cycle, the permittee shall provide the Executive Director with the quantities and sources of all plants used in the project.

- B. Native Plant Coverage. The re-vegetation plan shall indicate the location, number and distribution of native plants to be installed. **At the end of five years, a minimum of seventy-five percent (75%) of the disturbed area shall be covered with native plants and no more than ten percent (10%) of the disturbed area shall be covered with non-native plants.**
- C. Additional Fill. Installation of the plants shall not result in the exposure of trash or other materials from the underlying landfill. Additional soil shall be imported to create a minimum six-inch thick layer of soil for the new plants. Additional soil may be imported if it is deemed necessary to increase the thickness of the dump cap **if deemed necessary by the Los Angeles Department of Public Health (Environmental Health Solid Waste Management Program) or the South Coast Air Quality Management District (AQMD).**
- D. The storage or stockpiling of soil, silt, and other organic or earthen materials shall not occur where such materials could pass into coastal waters.
- E. Timing of Re-vegetation. Re-vegetation shall commence as soon as possible following removal of non-native plants and preparation of the soil. Installation of the native plants shall commence at the project site no later than ninety (90) days from the date of Commission approval of this permit, or within such additional time as the Executive Director may grant for good cause. The initial planting shall be completed no later than six weeks from the commencement of planting, in compliance with the re-vegetation and monitoring plan approved by the Executive Director.
- F. Removal of Non-native Plants. Prior to the installation of the native plants, the non-native weeds and grasses shall be removed from the area to be re-vegetated. Areas where Southern tarplant exists shall not be disturbed. ~~Existing non-native trees shall also be removed from the area to be re-vegetated, except for individual trees that have been determined by a qualified Resource Specialist to not have any adverse effect on the adjacent habitat area and surrounding environment.~~ Prior to the removal of non-native vegetation, a qualified Resource Specialist shall survey the project site and identify with flags all areas of existing native vegetation. The permittee shall ensure that the areas of existing native vegetation are protected from disturbance during the implementation of the approved project ~~and that adequate water is provided to keep the plants healthy.~~
- G. No grading or scraping is permitted. No heavy machinery may be used. Smaller mechanized vehicles ~~with rubber tires~~ (e.g. Bobcats) may be used to transport heavy loads between paved roads and work areas. No dead plants shall be left on site and no persistent chemicals shall be employed.
- H. No bird nests shall be disturbed at any time. Removal of non-native weeds, grasses and trees shall be done in compliance with the requirements of Special Condition Two of this permit.
- I. Irrigation. A temporary irrigation system may be installed in order to provide enough water to keep the native plants healthy. No runoff shall leave the project site. The irrigation system shall be removed from the project site at the completion of the required monitoring and/or certification by the applicant's ~~Landscape Architect or~~ Resource Specialist that the required re-vegetation plan has become successful.

- J. Invasive Plants. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, 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.
- K. Erosion Control. Prior to removing the non-native plants and preparation of the soil, the permittee shall **employ Best Management Practices (BMPs) to ensure that erosion does not occur.** ~~install silt curtains along the entire length of the property lines in order to prevent runoff and siltation in the adjacent drainages and waterways. Jute matting (with no plastic netting) shall be placed on all slopes immediately following the removal of the existing plant cover. In addition, the permittee shall implement the following temporary erosion control measures during the restoration project: temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, and additional silt fencing as needed.~~
- L. Maintenance. Native vegetation shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the re-vegetation plan.
- M. Disposal of Plant Matter. All cut plant material shall be disposed of at an appropriate off-site location within ten days of cutting. A separate coastal development permit will be required prior to the placement of any cut plant material in the coastal zone unless the Executive Director determines that no permit is required pursuant to the requirements of the Coastal Act and the California Code of Regulations.
- N. Monitoring. For at least five years following the initial planting, the permittee shall actively monitor the site, remove non-native plants and replant vegetation that has failed. The permittee shall monitor and inspect the site no less than once each thirty days during the first year that follows the initial planting. Thereafter, the permittee shall monitor the site at least once every ninety days. Each year, for a minimum of five years from the date of permit issuance, the permittee shall submit for the review and approval of the Executive Director, an annual re-vegetation monitoring report, prepared by a ~~licensed Landscape Architect or~~ qualified Resource Specialist that certifies the re-vegetation is in conformance with the approved re-vegetation plan. The annual monitoring report shall include photographic documentation of plant species and plant coverage. **At the end of five years, a minimum of seventy-five percent (75%) of the disturbed area shall be covered with native plants and no more than ten percent (10%) of the disturbed area shall be covered with non-native plants.** If the annual re-vegetation monitoring report indicates the re-vegetation is not in conformance with or has failed to meet the performance standards specified in the re-vegetation plan approved pursuant to this permit, the permittee shall submit a revised or supplemental re-vegetation plan for the review and approval of the Executive Director. The revised re-vegetation plan must be prepared by a ~~licensed Landscape Architect or~~ a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan. The permittee shall implement the supplemental re-vegetation plan approved by the Executive Director and/or seek an amendment to this permit if required by the Executive Director.

- O. Prior to any re-vegetation or disturbance of the site, the permittee shall file an 1150.1 (Excavation of Landfill Plan) with the South Coast Air Quality Management District.

The permittee shall implement the re-vegetation plan in accordance with the final plans approved by the Executive Director. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required pursuant to the requirements of the Coastal Act and the California Code of Regulations.

II. Corrections

The third paragraph on Page Fifteen of the staff report incorrectly states that Southern tarplant is a federally and state-listed endangered species. The report should state that Southern tarplant, *Centromadia parryi* ssp. *australis*, is listed as a 1B.1 rare plant by the California Native Plant Society.

In the fourth paragraph on Page Sixteen of the staff report (and in Part A of Special Condition One), coastal sage and buckwheat should not be included in the list of appropriate plants for this site because their deeper root systems could penetrate the dump cap. Appropriate native plants include, but are not limited to, forbs, grasses and small shrubs.

III. Correspondence

The attached correspondence is added to the staff report as an exhibit.



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RECEIVED
South Coast Region

NOV 10 2010

November 6, 2010

Dear Coastal Commissions, Staff, Alternates, and non voting members:

CALIFORNIA
COASTAL COMMISSION

We look forward to the California Coastal Commission De Novo hearing regarding our appeal, (A-5-LOB-10-105) on November 19. We realize you are probably overburdened by paper at the present time; therefore, we will make this brief. "Our Town-Long Beach" and Audubon as well as our biologist, Brenda McMillan's reports are all in the new staff report along with comments at the end—so they have not been included in this letter.

We do enclose pictures however, because we believe the old adage....a picture is worth a thousand words.

As appellants, who have been working toward resolution for a complete restoration of the site for over a year, we thought there would be a clear-cut solution to what transpired.

1. A developer, Sean Hitchcock, 2H Construction, went in and bulldozed a 9.3 acres of wetland in the Coastal Zone in March of 2009, destroying all vegetation, habitat and leveling the topography of the land. He had no permits.
2. His machinery went so deep that he unearthed a portion of a closed 40 year old landfill-releasing toxic methane.
3. The California Coastal Commission issued an emergency permit to 2 H Construction to import 1000 yards of cubic soil-not to exceed 50,000 square feet at a depth of 6 inches to cover the exposed trash. Converting cubic yards to square feet in this instance gives about one and ¼ acre. Instead Mr. Hitchcock covered the entire site that he graded—thus putting imported fill on a Wetland and diluting the fill on the exposed trash. Therefore, he should be denied his Coastal Development Permit as he violated the emergency permit.
4. After two Long Beach City Hearings, (Zoning and Planning), our appeal has finally made it to the California Coastal Commission. Our many queries regarding the staff reports were sent on to The staff.

A "restoration" by definition, is supposed to be the act of restoring to the former or original condition. In this case, the restoration plan turns out to be a total transformation! Subarea #23, lying next to the Los Cerritos Channel Estuary will no longer be wetlands, even though reserved as one for over 25 years, (SEADIP). It will be altered...into an "upland"! The hydric soils and wetland plant obligates found by all biologists on site, even after the grading will be ignored. And the original contouring of the site, so carefully thought out for drainage control will not be reestablished.

Worse, the LSA's HRMP report doesn't even plan to revegetate the entire site that was bulldozed and flattened but only a mere 1.15 acres. (See staff report.) Also, please see enclosed on pesticides LSA intends to use. Something is strangely amiss here.

We urge you to read the reports and view the enclosed pictures. Thank you for your concern in this matter.

Most Sincerely,

Joan Hawley McGrath, secretary for: "Our Town-Long Beach" Appellants
ourtownlb@hotmail.com Phone: 562-397-8004

California Coastal Commission
200 Oceangate
Long Beach, CA 90802

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South Coast Region

NOV 10 2010

Attn: Charles Posner and Staff

CALIFORNIA
COASTAL COMMISSION

From: Cindy Crawford

Re: My Comments on Revised Staff Report A-5-LOB-10-105 dated Nov 3, 2010

Comment Topic #1, Re-vegetation Area

1. Site Restoration, Re-vegetation and Monitoring Plan states:

"...a revised re-vegetation and monitoring plan for the portions of the project site that were disturbed by prior grading on March 19 and 20, 2009 (as shown on Exhibit #4 of the Staff Report dated November 3, 2010), and including the area covered with the fill imported pursuant to Emergency Permit 5-09-068-G..."

Restoration and Re-vegetation Plan (page 16 of the staff report) states:

"...Special Condition One requires the applicant to submit a revised re-vegetation plan for the portions of the project site disturbed by prior grading and by re-establishment of the dump cap. As currently proposed, the applicant's plan would re-vegetate a 50,000 square foot portion of the site where the fill was imported to cap the exposed dump. The area disturbed by the unpermitted grading in March 2009 is much larger than 50,000 square feet. In fact, photographs and eye witnesses verify that the area disturbed by heavy machinery in March 2009 covers most of the nine-acre site. An aerial photograph dated on May 25, 2009 shows the disturbed area that must be re-vegetated (Exhibit #4: Google Earth/USDA)..."

Comment:

Exhibit #4 shows approximately 8 acres of land which was graded, labeled as "Area of Disturbance". Above it states "a revised re-vegetation/monitoring plan for the portions of the project side that were disturbed by prior grading". I guess "disturbed" could be subject to interpretation by some. "Disturbed" meaning "bulldozer activity removing vegetation whether native or non-native". Or "disturbed" meaning removal of cap disturbing landfill and releasing methane? The staff report does in fact acknowledge the area disturbed is much larger than 50,000 sq ft (about 1 acre) but the permittee's proposal does not address the issue of the entire area of disturbance and the exact acreage of re-vegetation requirements outlined in this staff report are unclear.

I would hope Coastal would be concerned with the entire project area (all 8 acres bulldozed) from the aspect of protecting coastal waters from pollution alone. Landfill caps generally are designed with 3 layers, the top layer is vegetation to prevent erosion which appropriate plants of rooting depths that will not penetrate the bottom two soil layers of the cap should be used.

To protect coastal waters, the erosion control vegetative portion of the landfill cap should be designed and constructed properly for the entire dumpsite property known as "Subarea 23", not just a mere 1 acre or 50,000 sq ft portion. I would hope to see a re-vegetative design not only conforming to the Coastal Act and the LCP enhancing visual, habitat values and protecting coastal waters, but one that also is designed to the highest standards of other permitting Resource Agencies to protect both human health and the environment.

Comment Topic #2, Use of Herbicides and Pest Control

Under

2. Ongoing Maintenance: Weed Abatement and Tree Trimming

B. Weed Abatement

5. Weed abatement and removal of plant materials shall be done using only hand operated equipment only (e.g., machetes, weed whackers and chain saws). No herbicides shall be used unless it is specifically authorized by the Executive Director.

Comment:

The use of herbicides (grow/kill regiment in proposed restoration plan) does not sound like the proper way to restore a habitat especially given the fact this is next to a tidal channel/Alamitos Bay and the nearby ESA wetlands. Generally herbicides are last resort. And the staff report seems to indicate this. Grow/kill regiment described in the permittee's proposed plan (HRMT) has not been an acceptable or necessary method in any nearby weed abatement/restoration projects nor was "unless specifically authorized by Executive Director an option either in other area restoration/weed abatement projects (*), (**), (***)", (I've been a long term volunteer on some of those projects) and therefore herbicide should not be allowed on Subarea 23 for many of the same reasons—the areas surrounding Sub Area 23 have basically the same non-native species. In addition to concern of herbicides getting into the Los Cerritos Channel, they may also present a threat to existing native plants including the endangered Southern Tarplant reported found on the site. How the herbicide is used and adherence to the permit regarding the use of the herbicides would be of concern, safer just not to allow it. The proposed plan describes spraying in wind conditions of 5 mile an hour or less...any spraying should be unacceptable due the close proximity of Los Cerritos Channel.

The permittee's proposed plan states the herbicide to be used is Rodeo. The Material Data Safety Sheet on this herbicide states:

EMERGENCY OVERVIEW

Clear, pale yellow liquid. May cause eye irritation. Slightly toxic to aquatic organisms.

SYSTEMIC (OTHER TARGET ORGAN) EFFECTS: for a similar material, glyphosate, in animals, effect have been reported on the following organ: liver.

OSHA HAZARD COMMUNICATION STANDARD: This product is a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200

Below is a citation from a California native plant nursery on the use of herbicides:

Restoration of a California Native Plant Community by Las Pilitas Nursery states:

"...planting densities can be lower if the proper herbicides are use. On the other hand, the whole planting can die and the water courses can become polluted with the wrong herbicide on the wrong plant in the wrong area." (<http://www.laspilitas.com/advanced/advrevegetation.htm>)

* Addendum F9a, Coastal Development Permit Application 5-10-007 (Los Cerritos Well Abandonment), County of Los Angeles & Los Cerritos Wetlands Authority

** Coastal Permit Application E-10-011, Signal Hill Petroleum, Remove wetland and non-wetland vegetation from a storm water collection and retention system, and in areas surrounding oil production facilities and buildings, oil pumps, electrical poles and pipelines at Bryant Lease Oil Field.

*** W3b-4-2009, Application No. 5-08-348, Weed abatement, tree trimming, non-native tree removal, environmental enhancement, and ongoing maintenance of open space in the Los Cerritos Wetlands area

Pest Control

The permittee's proposed restoration plan also describes "pest control" it states "the Restoration Contractor shall treat any insect infestation as necessary to protect the health and establishment of the plant community..."

I've personally been involved in native plant restorations and have been a native plant gardener for over 3 years...the beauty of native plants is you don't have to use pesticides to control insects! Most native plant species are very resilient to bugs and left alone "pests" meaning insects balance out...good bugs will be attracted (such as certain wasp species) and other harmful bugs will be taken care of naturally. In addition birds are attracted to native plants and will eat the bugs...for the protection of the birds you really don't want to use pesticides! This is not a common practice at all in native plantings whether it be a backyard garden or a restoration project—and "pest control" is not used in any other native plant restorations projects near Subarea 23, this is an unnecessary use of yet another chemical substance. I urge Coastal not to allow this.

Comment Topic#3, Plant List in Permittee's Proposed Plan, Staff Report Exhibit#11

Under section titled "Seed" the proposed plan states "...all seed shall be collected within a 20 mile radius of the site...if available. All seed substitution decisions or alternative genetic sources shall be approved by the Resource Ecologist..."

First off a biologist knowledgeable of the native plants commonly found in South East Long Beach open space areas and other nearby coastal areas such as Bolsa Chica Ecological Reserve should make the decision as to what is appropriate to seed and plant in the area. Introducing even native plants that are not common to the area is not good, keeping in mind wetlands are all around Subarea 23 and seeds have the tendency to travel.

In my personal experience, many of the plants on the seed list I've never seen growing along coastal wetland upland areas or coastal bluffs, usually I observe many on the list in coastal foothills and canyons and even inland foothills. Some of the plants it is questionable if they are true natives, for example it is said Golden Yarrow is not really native to California, but a hybrid (only common yarrow is a true native).

On the dry or uplands areas of coastal wetlands within 20 miles, most plants I see are more like Seaside Heliotrope, Deerweed, White Sage, Black Sage, Coastal Prickly Pear, Bladderpod, Coyote Bush, Mulefat, Coast Goldenbush, Southern Tarplant, California Buckwheat and varieties of native sand verbena to name a few. Some portions of Subarea 23 do in fact have hydric soils (ref all 3 biologists reports) which could support water loving plants such as Salty Susan, Pickleweed, Alkali Heath, Alkali Mallow, etc. all which I've seen many times in other comparable nearby areas.

Since we do have a wetlands just across the river classified as an ESA, plus we have wetlands restorations further toward the South-East I strongly feel we should take extreme caution not to introduce any plant species to that do not belong in this area or are not found at Bolsa Chica either. To prevent plant selection mishaps and ensure the success of the restoration an experienced Los Cerritos Wetlands biologist should make the plant species determinations to ensure no negative impacts to the surrounding wetlands by plant species that shouldn't be here.

Comment Topic #4, Monitoring

(under Provisions)

N. Monitoring "...Each year, for a minimum of five years from the date of permit issuance, the permittee shall submit for the review and approval of the Executive Director, an annual re-vegetation monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist..."

Comment:

Isn't this like the fox guarding the henhouse? Will the Executive Director or qualified scientists pay a site visit to verify the accuracy of monitoring reports?

Comment Topic #5, Public Access

C. Recreation and Public Access

Most of the project site is fenced and provides no public access or recreation at this time. A service road/walkway that is used for walking by the public runs along the north bank of the Los Cerritos Channel (Alamitos Bay) along the water on the southern side of the property. This permit does not authorize the construction of any trails or roads, or the erection of any fence, gate or wall. Therefore, the proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, the proposed development conforms with the public access and recreation policies of the Coastal Act.

The statement should read "A service road/walkway that is ***illegally*** used for walking by ***some members*** of the public..." as this service road is not open to the public and still has a no trespassing sign as I've previously pointed out. The fine for trespassing is a minimum \$250 last I checked, I don't think this is valid criteria for determining public access conformance. It would be nice if the LA County Department of Public Works would allow the service road to be utilized for public access with no fines involved--is Coastal in a position to arrange something? If not, how will the public enjoy the wildlife watching, views of the ESA wetlands across the channel, or the sea life (such as sea lions) often found in the channel itself? Please consider, thanks!

Dumping city-owned asphalt on subarea 23 3/20/09



F12a

David Robertson & Mary Suttie
331 Linares Avenue
Long Beach, CA. 90803

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NOV 9 - 2010

CALIFORNIA
COASTAL COMMISSION

November 4, 2010

Coastal Commission Exec. Director- Peter Douglas
Coastal Commission Chair - Bonnie Neely
Coastal Commission Vice-Chair - Mary K. Shallenberger
Coastal Commissioners - Steve Blank, Sara Wan, Dr. William A. Burke,
Steven Kram, Patrick Kruer, Ross Mirkarimi, Mark
W. Stone, Khatchik Achadjian, Richard Bloom,
Esther Sanchez, Lester Snow, John Chiang, & Dale
E. Bonner
Coastal Commission Staff Analyst - Charles Posner
All Coastal Commission Alternates

RE: Appeal No. A-5LOB-10-015 (2H Properties)
Destruction of Wetlands at 6400 Loynes Drive

Dear Commissioners:

On March 19 and 20, 2009, employees of 2H Construction Company began grading 9 acres located on the south side of Loynes Drive. We stopped by and asked the foreman if they had obtained the permits for this work. He said they did which was a deliberate lie. We questioned his story and tried to contact the appropriate the local coastal commission office.

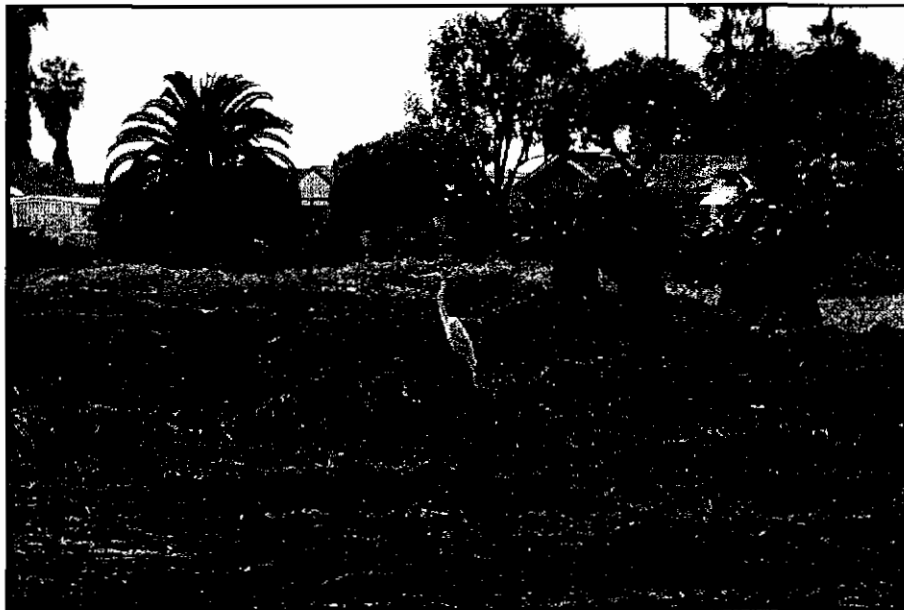
By the time City officials responded and stopped the illegal destruction of this degraded wetland area, a major wildlife habitat had been destroyed. The grading had penetrated the clay seal and an unhealthy large amount of methane and other gases were released into the adjacent residential neighborhood.

The AQMD quickly responded and required an emergency cap on the field to stop the poison gas release. The emergency action required an after the fact – City and Coastal Commission approval. Since that time, we have followed the course of the City and Coastal Commission's earlier staff reports as to what actions you would take in this matter. We have a lot of questions regarding Mr. Hitchcock's true motives.

Question #1 – Why did this happen?

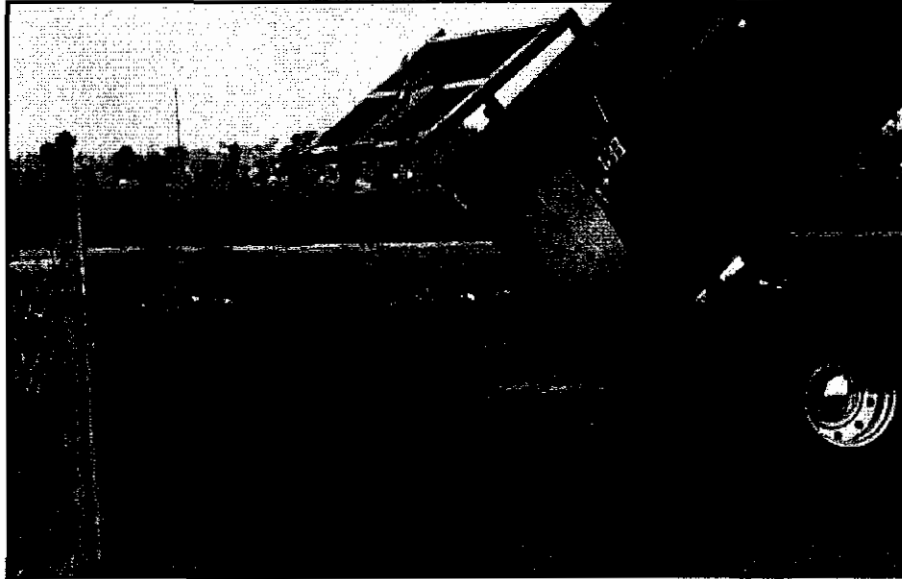
Mr. Hitchcock purchased this parcel on March 9, 2009. It was purchased from Bixby Long Beach LLC, a limited liability company controlled by a Mr. Tom Dean. The \$2,300,000 purchase was 100% financed by the seller. On March the 19th, ten days after purchasing this property, Mr. Hitchcock began destroying the wildlife habitat.

Mr. Hitchcock first indicated that he was acting in response to a “weed abatement requirement from the Fire Department”. Such weed abatement requires Coastal Commission approval, Coastal Commission oversight, and compliance with the Commission’s requirements protecting wildlife habitats. Weed abatement is typically required for the areas adjacent to housing. In this case, the weed abatement should occur next to the mobile home park on the right of the picture below. As shown in that picture, Mr. Hitchcock’s destruction of the habitat had nothing to do with protecting a residential area with a weed abatement program. This wild life destruction did not happen because of a weed abatement order.



So then Mr. Hitchcock stated that he desired to build a soccer field on the site. This excuse could be plausible, but Mr. Hitchcock, obtained a large amount of asphalt and was looking to pave the lot with asphalt, which was being furnished by a Mr. Mike Conway – head of the Public Works Department for the City of Long Beach. E-mails disclosed in a “freedom of information request,” indicated that a Mr. Dean requested Mr. Conway to redirect asphalt gravel to Mr. Hitchcock for use at the site. This gravel was provided to Mr. Hitchcock free of charge.

We would also note that the Subject site is built over an old dump site. The area is subject to land movement as observed on Loynes Drive and the nearby golf course. A level soccer field would be expensive to maintain with a continuing hazard of methane gas releases. Sounds like a great place for kids to play.



It would appear that the destruction of this wetland habitat was not to build an unpermitted soccer field.

So we are still looking for the answer to “Why” would Mr. Hitchcock take the risk of destroying a wildlife habitat with no permits or any other of the required approvals.

Well, the most basic answer can be found in the classic “**follow the money**”.

Mr. Hitchcock purchased the property with no money – 100% financed loan of \$2,300,000. For a property that is a known dump site, Mr. Hitchcock performed no due diligence in regards to studies of the property prior to the purchase. Given that a title holder is liable in part for the clean-up of the hazardous contamination from the dump underneath the site, that lack of any studies by any buyer is most unusual. Given the fact that Mr. Hitchcock is a licensed contractor, such disregard of any due diligence is even less likely.

But – not surprisingly - there was a re-sale of the property shortly after the destruction from Mr. Hitchcock to his 2H Property 4101 LLC on August 4, 2009 – but at a lower price of only **\$1,850,000**. What happened to the **\$2,300,000** loan that Mr. Dean carried back? What did Mr. Hitchcock do for an indicated **\$450,000** reduction in that loan amount owed to Mr. Dean?

It was also observed that Mr. Dean provided parking on adjacent wetland areas he still owned for Mr. Hitchcock’s earth moving equipment. Again we note that it was Mr. Dean who influenced the head of the Long Beach City Public Works Department - Mr. Conway - to redirect asphalt gravel for Mr. Hitchcock to use at the site, free of charge.

The answers are unknown, but these circumstances should raise questions as to Mr. Hitchcock’s credibility in this matter.

In any case, ignorance of the law is not an excuse for breaking the law. It is a fact that Mr. Hitchcock knowingly and deliberately broke the law in his destruction of the Loynes Drive wildlife habitat located on the Los Cerritos estuary and under the Coastal Commission's jurisdiction.

We highly recommend that this board of commissioners decide to fine Mr. Hitchcock for his deliberate illegal activities in an amount similar to the recent Mills case in Huntington Beach. We also recommend that the Commission require Mr. Hitchcock to fully restore this site. Not just back to the degraded habitat it was prior to the destruction on March 19 & 20 of 2009, but to completely remove all hazardous material from the prior dumping operations and provide a pristine, natural, and uncontaminated wetlands.

Sincerely,

David C. Robertson & Mary Suttie

David C. Robertson & Mary Suttie

Property Detail Report

Subject Property

Los Angeles County

Owner Info:

Owner Name: **2h Property 4101 Llc** Tax Billing Zip+4: **1830**
Mail Owner Name: **2H PROPERTY 4101** Recording Date: **08/04/2009**
LLC
Tax Billing Address: **2651 Walnut Ave** Annual Tax: **\$3,834**
Tax Billing City & State: **Signal Hill CA** County Use Code: **Pasture Irrigated-Vacant**
Tax Billing Zip: **90755** Universal Land Use: **Pasture**

Location Info:

Zoning: **Lbpd1*** TGNO: **826-E1**
Tract Number: **1779** Census Tract: **5776.02**
School District: **Long Beach**

Tax Info:

Tax ID: **7237-017-006** Total Assessment: **\$343,130**
Tax Year: **2008** Tax Area: **5517**
Annual Tax: **\$3,834** Legal Description: **Maps Nos 1 And 2 Of**
Portion Of Rancho Los
Alamitos Lot Com Sw On
Se Line Of Lot 3 Tract No
1779,130.64 Ft From Most E
Cor Of Sd Lot Th Se On Sw
Line Of Loynes Dr To Nw
Line Of Los Cerritos
Assessment Year: **2009** Lot Number: **2**
Land Assessment: **\$343,130**

Characteristics:

Lot Acres: **9.3899** Topography: **Rolling/Hilly**
Lot Sq Ft: **409,028**

Last Market Sale:

Recording Date: **08/04/2009** Deed Type: **Grant Deed**
Settle Date: **07/28/2009** Owner Name: **2h Property 4101 Llc**
Sale Price: **\$1,850,000** Seller: **Hitchcock Sean & Linda**
Document No: **1187311**

Sales History:

Recording Date: :	08/04/2009	03/09/2009	06/29/2005	05/18/2001
Sale Price: :	\$1,850,000	\$2,300,000	\$1,300,000	
Nominal: :				Y
Buyer Name: :	2h Property 4101 Llc	Hitchcock Sean & Bixby Long Linda	Beach Llc	Bixby Ranch Co
Seller Name: :	Hitchcock Sean & Bixby Long Linda	Beach Llc	Bixby Ranch	State Coastal Consrvancy
Document No: :	1187311	330965	1529012	857353
Document Type: :	Grant Deed	Grant Deed	Grant Deed	Quit Claim Deed
Multi/Split Sale Type: :			Multi	
Sale Type: :	Full	Full	Full	Unknown

Mortgage History:

Mortgage Date: :	03/09/2009
Mortgage Amt: :	\$2,300,000
Mortgage Lender: :	Bixby Long Bch Llc
Mortgage Type: :	Conventional

Courtesy of
SoCalMLS

The data within this report is compiled by First American CoreLogic from public and private sources. If desired, the accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

F12~

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South Coast Region

NOV 12 2010

CALIFORNIA
COASTAL COMMISSIO

FREDERICK E. AKERS
470 MARGO AVENUE
LONG BEACH, CA 90803
(562) 430 - 1249

November 8, 2010

Mr. Gary Timm, District Manager
Mr. Chuck Posner
California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802

RE: Appeal No. A-5-LOB-10-15 (2H Properties)

Dear Messrs. Timm and Posner:

I have read the Appeal and the recommendation for Approval from Coastal Commission Staff subject to various conditions for replanting and monitoring.

As a resident of over 30 years, living just a few blocks from the property that was illegally graded, I am very familiar with the property from walking around it and on it many times before it was graded. It used to be quite nice as it was fenced off from general public use and misuse, but there were holes in the fence through which you could gain access to observe flowers, plants, insects, and birds. I look forward to seeing the property restored to such a condition compared to the current parking lot.

I support the Appeal with the conditions for replanting and monitoring that Coastal Commission staff have recommended.

Yours truly,



Frederick E. Akers

FIZ
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South Coast Region

NOV 3 - 2010

Rev. Richard O. Moore
627 Leyden Lane
Claremont, CA 91711

CALIFORNIA
COASTAL COMMISSION

November 2, 2010

Mr. Gary Timm, District Manager
Mr. Chuck Posner
California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802

Dear Sirs:

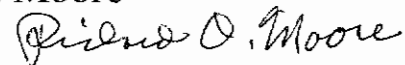
I write concerning Appeal No. A-5-LOB-10-15 (2H Properties, Long Beach.

I support the restoration and five-year monitoring of the parcel, a part of the Los Cerritos Wetlands, an Audubon Important Bird Area which provides important habitat for birds, butterflies, and other wildlife.

Your consideration of this matter is very important.

Sincerely,

Richard O. Moore



copy to El Dorado Audubon Society, Long Beach

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South Coast Region

NOV 8 - 2010

CALIFORNIA
COASTAL COMMISSION

F12a

Richard D. Green
267 Argonne Avenue
Long Beach, CA 90803

November 3, 2010

Mr. Gary Timm, District Manager
Mr. Chuck Posner
California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802

RE: Appeal No. A-5-LOB-10-15

Dear Commissioners:

As a member of the El Dorado Audubon Society, please be advised of my support of the restoration of the subject parcel and five year monitoring of the site, which is part of the Los Cerritos Wetlands. As you may know, the site is an Audubon important bird area, and provides important habitat for birds, butterflies and other wildlife.

Thank you for your consideration.

Very truly yours,

Richard D. Green

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NOV 8 - 2010

CALIFORNIA
COASTAL COMMISSION

Mr. Gary Tom
Mr. Chuck Rosner

Re. 17.9 Appeal N/A-5 LOB-10-15
(24 Properties)

I support the restoration
5 year monitoring of this
site. Our CA wetlands are
so few that corrective action
needs to be taken for the
remaining wetland habitats.
Please vote for this appeal.

Thank you

James Cameron
65 63rd Place
Long Beach CA
90803

Dear Mr. Timm,

NOV. 6, 2010 F12a

Habitat Destruction, SENDIP Subarea 23
Coynes Dr. near my home Appeal NO. A-5 LOB-10-15

I believe property values, & therefore, property taxes, will increase if this land is given back to creation. I realize money is the issue. I believe value is also the issue! We can combine value & money ~~by~~ by letting this land be maintained by the birds, sea life, tides & members of Los Cerritos Wetlands Land Trust.

If you are in doubt, pls. call me & we can take a walk through this property!

Thank you for your time ☺

Cheers,

Alison Rawitz

56 Alison Rawitz
331 Laurinda Ave
Long Beach, CA 90803

F12a

Re: Appeal No. A-5-
LOB-1015

Dear Manager Jimm,

I support
restoration and five
year monitoring of
the site. This
parcel is part of the
Los Cerritos Wetlands,
an Audubon Important
Bird Area and provides
habitat for birds and
other wild life.
We need open spaces
in So Cal.

Thank you,

Joyce Shuford

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NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

November 15, 2010

Dear California Coastal Commissioners:

I urge you to accept the report of your staff on Appeal # A-5-LOB-10-015 that outlines a plan to restore illegally graded land at Loynes + Studelaker. Please add 2 more important conditions:

- 1) The restoration plan must include a cap of impermeable soil ~~at~~ over the methane producing area of the old dump.
- 2) Additional soil must be imported to the site as it is necessary for the creation of and sustained growth of upland habitat.

Thank you for your attention to this matter.

Claire Youmans

California Coastal Commission
200 Ocean Gate, 10th Floor
Long Beach, CA 90802-4416

11/15/10
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NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

Commissioners:

Because of the risk of methane escaping from the old dump, I ask that you mandate a clay 'cap' of impermeable soil to contain that greenhouse gas and thereby protecting both human health and the ecosystem.

While it is altogether laudable that you accept the report prepared by your staff, that is Appeal No. A-5-LOB-10-015, which calls for remediation and restoration of the illegally graded land near Loynes and Studebaker, we urge, in addition, that you require additional importation of soil in an amount conducive to the creation of sustained growth in that habitat.

Many thanks, and continued support for all that you do to protect our sadly degraded resources.

truly,



Christopher Ward
Cal-Heights
Long Beach, CA 90807

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CALIFORNIA
COASTAL COMMISSION

November 15, 2010

California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Dear California Coastal Commission:

I urge you to accept the report of your staff on Appeal No A-5-LOB-10-015 that outlines a plan for remediation and restoration of the illegally graded land at Soyres and Studeraker in the City of Long Beach.

I also strongly urge the Commission to look at the historical ecology of the land to better inform the restoration plan and thereby assure the most appropriate restoration.

Sincerely,
Aimee Gustrom
4507 E Barker Way
Long Beach, CA 90814

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CALIFORNIA
COASTAL COMMISSION

6222 Beachcomber Dr,
Long Beach, CA 90803

Nov. 15, 2010

California Coastal Commission
2000 Ocean Gate, 10th Floor
Long Beach, CA

Commissioners:

I am a resident of the mobile home park that sits adjacent to an open space of land bordered by Loyes, Studebaker Co and a wet lands. Often I walked in this area and was impressed by the habitat's vegetation and small animal burrows.

In March, 2009, a number of mechanical vehicles appeared on this site. Needless to say, I have not walked in this now rather desolate area.

I want to join many of my senior citizens neighbors by personally urging you to require the agents and their crews who illegally graded this open space to restore this site to its state as of early 2009. I believe that this means adding a cap of impermeable soil over the methane producing dump region.

Cordially
David Bentley

NOV 16 2010

Nov 13, 2010

CALIFORNIA
COASTAL COMMISSION

To Whom It May Concern -

I am supportive of restoring the illegally graded land at Loynes + Studebaker. It was illegally graded + poses potential hazard in an area that has trapped methane gas below the soil.

Long Beach needs to be aware + become proactive protecting + enhancing wetlands + rare animal habitats. Once there are gone they will never be back. We have a true treasure in our "backyard".

Thank you,

Judith Hess
330 Laurinda Ave
Long Beach, CA 90803

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NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

Dear California Coastal Commissioners:

I urge you to accept the report of your staff on appeal No A-5-LOB-10-015 that outlines a fair yet robust plan for remediation and restoration of the illegally graded land at Loynes and Studabaker.

Benjamin Bouillon
6225 Golden Sands Dr
Long Beach 90803

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CALIFORNIA
COASTAL COMMISSION

November 15, 2010

California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, CA 90802-4416

Dear California Coastal Commissioners:

- 1) I urge you to accept the report of your staff on Appeal No. A-5-LOB-10-015 that outlines a fair yet robust plan for remediation and restoration of the illegally graded land at Loynes and Studebaker. But please add two important additional conditions:
- 2) That the restoration plan for the illegally graded land should include a properly engineered cap of impermeable soil over the methane-producing area of the old dump in addition to the soil called for in the staff report. It is important to require a cap of clay to ensure that harmful methane does not once again leak into the atmosphere and put at risk human health and that of the ecosystem.
- 3) We urge you to require that additional soil be imported to the site during the restoration process as it is shown to be necessary for the creation and sustained growth of upland habitat.

Regards,

William W. Nash

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South Coast Region

NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, CA 90802-4416

Dear California Coastal Commissioners:

I urge you to accept your staff's report on Appeal No. A-5-LOB-10-015 that outlines a fair, robust plan for the remediation/restoration of the illegally graded land at Loynes and Studebaker.

But please add two more important conditions:

1) In addition to the soil called for in the report, a properly engineered cap of impermeable clay soil be placed over the methane-producing portion of the old city dump.

2) Require additional soil be imported onto the site for the restoration and sustained growth of upland habitat.

W. Calvetti
Long Beach, CA
11/15/2010

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South Coast Region

NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

Roger Reid
363 Newport Ave, 107
Long Beach, CA 90814
Nov. 15, 2010

California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, Ca 90802-4416

Dear Coastal Commission:

I urge you to approve the restoration
of the illegally graded land at Toyner and
Stadelhaber in Long Beach.

Sincerely,

Roger Reid

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South Coast Region

NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

259 Bennett Ave.
Long Beach, CA 90803

California Coastal Commission
2000 Ocean Gate, 10th Floor
Long Beach, CA 90802-4416

Dear Commissioners:

I urge you to accept the report of your staff on Appeal No. A-5-LOB-10-015 concerning remediation of the illegally graded land at Loynes and Stridestake in Long Beach.

In addition to the recommendations of your staff I urge you to require suitable re-planting to match the alkali-meadow-type ecology present before the illegal grading.

Thank you for your attention to correcting this destruction.

Sincerely,
John Fries
JOHN FRIES

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South Coast Region

NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

Calif. Coastal Comm,

Dear Commissioners:

Please require additional soil be placed
on the site during restoration as it is
necessary!!

I really miss seeing the great
blue heron out there, also all
of the other birds that have disappeared
& the occasional visit from the Coyote!

Sincerely,
Fergie Henderson
6284 E Marine View Dr.

Nov 12, 2010

Dear Coastal Commission —

Please, Please, Please
consider your Staff report and
proceed with restoration of the
"illegally graded" land @ Hoynes &
Studebaker —

Thank you —

Ken Kroff
1005 Crestview Ave.
Seal Beach, CA.

90740

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NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

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South Coast Region

NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

Dagmar MuDnamia
2838 Palo Verde
Long Beach, CA 90815

November 15, 2010

California Coastal Commission
200 Ocean Gate, 10th Floor
Long Beach, CA 90802

Dear Coastal Commissioners,

Please accept the staff report on Appeal
NO-5-LOB-10-05 that outlines a fair and robust
plan for remediation and restoration in
the illegally graded ~~land~~^{land} at Leynes + Studabaker.

However, please add:

- 1) The restoration plan should include a properly engineered cap over the methane producing area of the old dump.
- 2) Also, please require additional soil to be brought to the site during the restoration process.

Sincerely,
Dagmar MuDnamia

2402 Vuelta Grande Ave
Long Beach CA 90815
15 November 2010

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South Coast Region

NOV 16 2010

Dear California Coastal Commissioners, CALIFORNIA
COASTAL COMMISSION

1) I urge you to accept your staff report on
Appeal No. A-5-NOB-10-1015 that outlines a fair
and robust remediation and restoration of the
illegally graded land @ Loyne and Studebaker
Please add two additional conditions.

2) That the restoration plan include a properly
engineered cap of impermeable soil over the methane
generating area of the old dump in addition to the soil
recommended in the staff report. Continued methane
release will harm human health and ecosystems and
degrade air quality.

3) I urge you require additional appropriate
soil be imported to the site during restoration.
It is needed to create and then sustain growth
of upland habitat.

I am a professor of Life Science at Long Beach
City College and have taught environmental classes at
LBC and Cal State Long Beach. I am a graduate of
the Environmental Science and Engineering at UCLA.

Thank you Dr. Elizabeth Terei Rosh

11-15-10

Dear California Coastal Commissioners:

I urge you to accept the report of your staff on Appeal No. A-5-LOB-10-015 that outlines a plan for restoring the illegally graded land at Loynes and Studebaker.

Please add the condition of adding soil over the site and importing additional soil to sustain habitat growth in this area.

RECEIVED
South Coast Region

NOV 16 2010

CALIFORNIA
COASTAL COMMISSION

Sincerely,
Cynthia Schutz
6223 E. Seabreeze Dr.
Long Beach, CA 90803



F12a

Cox, Castle & Nicholson LLP
2049 Century Park East, 28th Floor
Los Angeles, California 90067-3284
P 310.277.4222 F 310.277.7889

November 15, 2010

VIA FEDERAL EXPRESS
SUBMITTED CONCURRENTLY TO CCC STAFF

File No. 61360

Hon. Bonnie Neely (Chair)
California Coastal Commission
825 Fifth Street, Room 111
Eureka, CA 95501

Gary E. Timm
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4416

Charles R. Posner
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4416

RECEIVED
South Coast Region

NOV 15 2010

Re: Appeal Number A-5-LOB-10-015
Hearing date November 19, 2010
Agenda Item No. F12a
6400 E. Loynes Drive, Long Beach, CA

CALIFORNIA
COASTAL COMMISSION

Dear Chairperson Neely and Members of the Commission:

We represent Sean Hitchcock, the applicant for the coastal development permit ("CDP") which is the subject of this appeal. Mr. Hitchcock is the managing member of Loynes LLC, the record owner of the 9 acre triangular vacant land located at 6400 E. Loynes Drive (the "Property") fronting the Los Cerritos Channel in the City of Long Beach ("City").

Mr. Hitchcock seeks approval of the CDP to reestablish and maintain the cap on an exposed landfill and for revegetation and ongoing weed abatement activities on the Property. The staff report recommends approval, conditioned on compliance with the Habitat Revegetation and Monitoring Plan (the "LSA Plan") prepared by LSA Associates, Inc. (Staff Report, p. 1.) A detailed analysis of the Property, the opponents' allegations, and the proposed permit (the "LSA Report") is attached as Exhibit 1.

It is beyond the scope of the Commission's authority to order revegetation of the entire site. The Commission may only require that the property be returned to its pre-disturbance state. (See Pub. Res. C. ("PRC"), § 30811; 14 Cal. Code Regs. ("CCR"), § 13190.) Mr. Hitchcock submitted the LSA Plan, which is recommended in the staff report with the exception of the area to be revegetated.

Mr. Hitchcock disagrees with the size of the revegetation area proposed in the staff report. (LSA Report, pp. 4-5.) The revegetation should be limited to the disturbed area where vegetation

was cleared and the remedial landfill cap was placed (the "Proposed Revegetation Area," approximately 50,000 square feet). (*Id.*)

The alternatives proposed by opponents, such as vernal pools or a brackish pond, cannot be implemented. The Los Angeles Regional Water Quality Control Board ("Regional Board") formally opined on November 9, 2010 that standing water on the closed landfill site poses a significant risk of pollution to surface and groundwaters and would not be consistent with the policies and practices of the Regional Board. (Opinion Letter from Regional Board dated November 9, 2010 ("Regional Board Opinion Letter", attached as Exhibit 2.) As acknowledged by the staff report, revegetation with the native plant palette referenced in the LSA Report is the only feasible option for the Property. (Staff Report, pp. 15-16.)

Therefore, Mr. Hitchcock asks the Commission to approve the CDP, conditioned on compliance with the LSA Plan. The project should be limited to the Proposed Restoration Area because the impacts of the disturbance were minimal and majority of the site has either improved or revegetated naturally. (LSA Report, pp. 4-5.)

I. BACKGROUND FACTS

The Property was known as City Dump & Salvage No. 3 (Vacant Lot) until it was capped in 1956. In March 2009, Mr. Hitchcock used machinery to remove weeds on a portion of the Property in order to comply with a weed abatement order issued by the Long Beach Fire Department. He did not grade the site. This weed abatement disturbed the landfill cap and some of the underlying trash was exposed, releasing small amounts of methane. After area residents raised concerns and Mr. Hitchcock learned for the first time that a CDP was required, he immediately filed an application for an emergency permit with the CCC.

On April 7, 2009, the Commission approved Emergency Permit number 5-09-068-G ("Emergency Permit"). Pursuant to the Emergency Permit, Mr. Hitchcock imported 1,000 cubic yards of clean fill dirt to create a six-inch cap covering a 50,000 square foot area. Since then, the California Integrated Waste Management Board ("CIWMB") has regularly inspected the site and determined the landfill is properly capped. (CIWMB's Closed Site Inspection Reports, attached as Exhibit 3.)

Mr. Hitchcock submitted to the City a biological evaluation and U.S. Army Corps of Engineers ("ACOE") wetlands delineation prepared by SWCA Environmental Consultants on May 28, 2009 (the "SWCA Report"), attached as Exhibit 4. The City obtained an independent peer review of the SWCA Report and an ACOE wetlands delineation from PCR on September 9, 2009 (the "PCR Report"), attached as Exhibit 5. The City approved after-the-fact CDP number 0904-15 on December 3, 2009, and this appeal followed. The Commission determined there was a substantial issue in March 2010.

II. THE LSA PLAN SHOULD BE APPROVED

A. The Commission Cannot Require The Applicant To Revegetate The Entire Site

The Commission is limited in its ability to order revegetation and monitoring of the site. The Coastal Act and its implementing regulations are clear that restoration of damaged coastal property can require no more than returning the property to its pre-disturbance state. (PRC, § 30811; 14 CCR, § 13190.) Section 38011 enables the Commission to “order restoration of a site if it finds that the development has occurred without a coastal development permit...and the development is causing continuing resource damage.” (PRC, § 30811.) The regulations specify that conditions imposed to restore a site “shall be for the purpose of restoring the property affected by the violation to the condition it was in before the violation occurred.” (14 CCR, § 13196(e).) Photographs of the site before and after the disturbance are attached as an exhibit to the LSA Report. (See Exhibit 1.) The applicant proposes to revegetate the affected portion of the site with native species, despite the fact that it is undisputed the Property has long been dominated by the exotic plants which have already repopulated the site. (LSA Report, p. 2; SWCA Report, p. 6; PCR Report, p. 2.) There is no legal basis for the Commission demanding native plant vegetation for a larger area.

B. The Property Does Not Contain Wetlands Nor An ESHA

Expert biologists at LSA, PCR, and SWCA agree with the conclusion that the site does not contain wetlands, nor an ESHA. (See Staff Report, p. 14; LSA Report, pp. 3-4; PCR Report, p. 1; SWCA Report, p. 11; Longcore Report, p. 7.) The City’s peer review and Army Corps of Engineers’ wetlands delineation report concludes there are no wetlands onsite. (PCR Report, p. 1.) Even opponents’ biologist Longcore concedes this. (Longcore Report, p. 7.) There is simply no basis for the speculative and inaccurate statements in the Longcore Report, which relies on unsupported anecdotal hearsay to claim the Property contained wetlands or an ESHA before the disturbance. (*Id.*, pp. 8-9.)

The site is a ruderal upland habitat dominated by nonnative, non-wetland vegetation. (Staff Report, p. 15; LSA Report, p. 2.) The staff report acknowledges there is no evidence to support the allegations that the Property contained wetlands prior to the disturbance. (Staff Report, p. 14.) LSA biologists were personally involved with preparing a comprehensive biological evaluation, wetlands delineation, and vegetation map of the site in the 1990s. (LSA Report, pp. 2-3.) LSA concluded then and now, that the Property is not wetlands. In 1996, the site was an upland habitat of nonnative plants that occur at higher elevations than hydrophytic, wetland-indicator plants. (LSA Report, p. 3.) The site was and remains a relatively flat plateau with a few small depressions where water pooling could possibly occur. (*Id.*) Finally, the fact that the Property was previously a landfill precluded it from being classified as wetlands. The elevation of the Property is much higher than nearby areas which support wetlands species. The distance between the ground surface and the water table is simply too far to support predominately hydrophytic vegetation onsite. (*Id.*) The only substantiated evidence proves that the topography and soil of the site made it impossible to support wetlands either in the 1990s or today. (*Id.*)

The Property was never an ESHA. (LSA Report, p. 4.) The site is not designated as such in the LCP, and the staff report correctly concluded that no ESHA exists. (Staff Report, pp. 14-15.) The site does not meet the statutory definition of an ESHA. (PRC, § 30107.5.) There is no evidence that the site contained plants or wildlife that are either rare or especially valuable due to their special status or role in the ecosystem. (LSA Report, p. 4.) The applicant did not violate the Migratory Bird Treaty Act during weed abatement. There is no evidence that bird nests were destroyed—the disturbance only cleared low growing shrubs and weeds, which are not typical bird nesting areas. (LSA Report, pp. 2-3.) Despite Longcore's allegations of harm to foraging wildlife, the CIWMB, the Regional Board, the South Coast Air Quality Management District ("AQMD"), and the Los Angeles County Department of Public Health ("LADPH") inspected the site and did not find a single animal injured during weed abatement.

LSA agrees with the staff report that the site should be revegetated with native plants suitable for its upland plant habitat. (Staff Report, p. 15; LSA Report, p. 4.) The LSA Plan calls for revegetation that protects the limited native species currently found onsite, such as southern tarplant, which thrive in disturbed areas and may not have even been present prior to the disturbance. (LSA Report, p. 4.) The LSA Plan mandates that portions of the site containing tarplant or any other native species be preserved during revegetation and subsequent weed removal. (LSA Plan, p. 12-13.)

C. The Is No Biological Basis for Requiring Revegetation Of The Entire Site

As noted earlier, there are no legal grounds for the Commission to require revegetation of the entire Property because most of the site has been restored or substantially restored to its condition prior to the weed abatement. (LSA Report, p. 1.) Staff recommends revegetation of virtually all of the site. The applicant proposes revegetation of the area, as shown in the LSA Report, where the landfill was recapped pursuant to the Emergency Permit. (LSA Report, p. 5.) The remainder of the site does not require revegetation because while some vegetation was disturbed, it was not removed and the pre-existing nonnative plants that dominated the site prior to weed abatement have already repopulated the area. (*Id.*) The LSA Report addresses the biological justification for this Proposed Revegetation Area in detail at pages 4 and 5.

III. THE CDP IS CONSISTENT WITH APPLICABLE COASTAL ACT POLICIES

A. The CDP Is Consistent With The Certified LCP

Mr. Hitchcock concurs with the staff report's conclusion that the CDP is consistent with the certified LCP for the reasons set forth therein. (Staff Report, pp. 10-12.)

B. The CDP Is Consistent With Coastal Act Policies

The CDP is exempted from the public access requirement under Section 30210(b)(5) because the project involves repairs and improvements that do not adversely impact public access. (PRC, § 30210(b)(5).) Some opponents mistakenly claim the Property should be opened to the public. It is undisputed that the Property has been and will remain inaccessible. (Staff Report, p. 19.) Mr. Hitchcock cannot be required to open his Property for coastal access because it would

amount to an unconstitutional taking. (See *Nollan v. Cal. Coastal Com.* (1987) 438 U.S. 825, 837-838.)

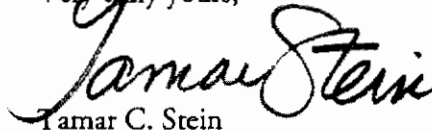
The CDP is in accordance with the development mandates of the Coastal Act, which require coastal projects to minimize risks to life and property in areas of fire hazard, limit erosion, and comply with air pollution controls. (PRC, § 30253.) Ongoing site maintenance will permit compliance with the Long Beach Fire Department's weed abatement order and minimize the risks of fire. The CDP also allows the applicant to continue ensuring the landfill is properly capped, as required by the CIWMB and the AQMD.

Mr. Hitchcock concurs with the staff report's discussion and conclusion that the project is consistent with Coastal Act Policies.

IV. CONCLUSION

For the foregoing reasons, the applicant respectfully requests approval of the CDP, conditioned on revegetation and monitoring of the Proposed Revegetation Area in accordance with the LSA Plan and discussed in extensive detail in the LSA Report (see pages 4-5).

Very truly yours,


Tamar C. Stein

TCS/KJP
Attachments

Exhibits:

- 1 LSA Report
- 2 Los Angeles Regional Water Quality Control Board Opinion Letter
- 3 CIWMB Closed Site Inspection Reports
- 4 SWCA Report
- 5 PCR Report

DISTRIBUTION LIST

Commissioners:

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Board of Supervisors
County Government Center
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Alternate Commissioners:

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Stanford Law School
Env't'l & Nat'l Res. Law & Policy
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Board of Supervisors
1055 Monterey Street, Room D-430
San Luis Obispo, CA 93408

Councilman Richard Bloom
Santa Monica City Council's Office
P.O. Box 2200
Santa Monica, CA 90407

Councilmember Esther Sanchez
Oceanside City Council
300 North Coast Highway
Oceanside, CA 92054

Mayor Mary Ann Reiss
City of Pismo Beach
760 Mattie Road
Pismo Beach, CA 93449

Pam O'Connor
45 Fremont Street
Suite 2000
San Francisco, CA 94105

Sharon Wright
315 Spencer Avenue
Santa Rosa, CA 95404

EXHIBIT 1

LSA

LSA ASSOCIATES, INC.
20 EXECUTIVE PARK, SUITE 200 IRVINE, CALIFORNIA 92614 949.553.9656 TEL. 949.553.8076 FAX

BERKELEY
CARLSBAD
FORT COLLINS

FRESNO
PALM SPRINGS
POINT RICHMOND

RIVERSIDE
ROCKLIN
SAN LUIS OBISPO
SOUTH SAN FRANCISCO

November 15, 2010

Ms. Tamar C. Stein
Cox Castle and Nicholson LLP
2049 Century Park East, Suite 2800
Los Angeles, CA 90067

RECEIVED
South Coast Region

NOV 15 2010

CALIFORNIA
COASTAL COMMISSION

Subject: Biological Review for Coastal Development Permit (CDP) Appeal (A-5-LOB-10-015) – 6400 E. Loynes Drive, Long Beach, California

Dear Ms. Stein:

In June 2010, LSA Associates, Inc. (LSA) was retained by Cox Castle and Nicholson LLP to assist with the Coastal Development Permit (CDP) processing for the grading remediation at 6400 Loynes Drive in the City of Long Beach (Figure 1; all figures attached). Part of this assistance is LSA's preparation of a Habitat Mitigation Plan (HMP) for the establishment of native vegetation on the graded portion of the site identified by the Applicant. In addition, LSA is providing this letter assessment of the characteristics of the property, with consideration of previous assessments, including those conducted for the Applicant by SWCA, assessments provided by Land Protection Partners (Longcore and Rich), and the Coastal Commission (CCC) staff reports. In addition to previous assessments by others, LSA has reviewed its own biological assessment and wetland delineation of the larger, former Bixby Ranch property, which included the Loynes Drive site.

SUMMARY

Based on previous site assessment and inspection of the disturbance area, LSA concludes, in accordance with the staff report, that there were no wetlands in the portions of the property that were disturbed. Similarly, LSA finds that the predominantly nonnative vegetation on the property did not constitute Environmentally Sensitive Habitat Area (ESHA). Finally, LSA recognizes that the disturbance on portions of the property was substantial and that restoration of these areas with a native upland plant community is an appropriate remedy, as identified by the Staff report. However, other portions of the disturbance area identified in the Staff report were much less severely affected and have essentially recovered to the predisturbance conditions. Therefore, these areas do not require additional restoration measures.

These conclusions and recommendations are discussed in more detail in the following sections, which address the Appellants' broad biological issues. Another issue, "Violation of Laws," is best addressed by Cox Castle and Nicholson, but relevant LSA opinion is noted as appropriate.

DOCUMENT REFERENCES

Biological Setting of the Bixby Ranch Company Oil Field Property in the Los Cerritos Wetlands, LSA Associates, Inc., 7/8/1998.

11/15/10 «P:\CCN1001\Loynes response1.doc»

Wetlands/Jurisdictional Waters Delineation: Bixby Ranch, Los Cerritos Wetlands, LSA Associates, Inc., 1/17/1997.

Biological Resources Evaluation and Jurisdictional Waters Delineation for Assessor's Parcel Number (APN) 7237017006, by Ty M. Garrison, SWCA Environmental Consultants, 5/28/2009.

Comments on Illegal Development and Retroactive Permit to Remediate at 6400 Loynes Drive, Long Beach, by Travis Longcore, Ph.D. and Catherine Rich, J.D., M.A., Land Protection Partners, 10/8/2009.

Coastal Commission Staff Report (Appeal A-5-LOB-10-015), 11/3/2010.

PREVIOUSLY EXISTING CONDITIONS

Before addressing the specific issues raised by Longcore and others, it is useful to provide information about the previous condition of the property based on LSA's firsthand observations, as opposed to "hearsay" evidence presented by Longcore.

As part of a comprehensive analysis of biological/wetland resources and restoration potential of the approximately 200-acre (ac) Bixby Ranch Property, LSA conducted a site visit and mapped the habitat present on the subject parcel in 1996. At that time, the habitat was mapped as "ruderal upland" (Figure 2), described in LSA's report as follows:

"Ruderal upland is primarily composed of non-native, annual grasses (e.g., *Avena barbata*, *Bromus* spp., *Hordeum murinum* ssp. *leporinum*, *Lolium multiflorum*, *Polypogon monspeliensis*) and ruderal forbs (e.g., *Bassia hyssopifolia*, *Sonchus* spp., *Taraxacum officinale*, *Cressa truxillensis*, *Melilotus* spp., *Raphanus* spp.). This upland plant community occurs at higher elevations than the hydrophytic plant communities in the Study Area. As a result, the soil, which is often fill material, is much drier and non-hydric."

Although LSA would not conclude absence of all native species from the property prior to the impact in 2009, we can state that in 1996 native species were not present in sufficient enough quantities for any of the habitat to be classified as native. LSA evaluated the site again on 6/30/10 (following the impacts) and recorded all plant species that were present on site. A total of 48 plant species were recorded. Of the 48 species recorded, only 7 species are native to the area. None of the native species recorded were widespread across the site. All of the native species observed are consistent with a "ruderal" habitat, and are often found in disturbed sites. This includes southern tarplant (*Centromadia parryi australis*), which is often associated with disturbed sites. Some of these native species may not have been present prior to the disturbance and may only now be present because of the disturbance.

Based upon the observed condition of the site prior to impact (1996) and following impact (2010), it is the opinion of LSA that, prior to impact, the site was dominated by nonnative, nonwetland vegetation. Also, in reference to the Longcore allegations of "probable" Migratory Bird Treaty Act violation, it must be noted here that the unpermitted actions may have occurred during the typical bird nesting season, and it is *possible* that active nests were destroyed; however, it is far from probable

that the relatively sparse, low-growing vegetation on the disturbed portion of the site harbored nesting birds.

Longcore also implies the probable existence of substantial topographic relief on the property, with high mounds and depressions that accumulate water. The topographic map that was used in LSA's studies from the 1990s (Figure 3) demonstrates that this was not the case. With the exception of some relatively steep slopes and depressions around the edges of the property, which remain today, the earlier topography shows gradual upward slopes to a relatively flat plateau in the center portion of the property, with occasional gradual mounds of approximately 1 foot (ft) in height.

ALLEGATIONS OF DESTRUCTION OF SIGNIFICANT BIOLOGICAL RESOURCES

Under this broad category, *Longcore* discusses alleged effects to wetlands and ESHA, which are discussed separately in the following subsections.

Wetlands

LSA concurs with the Staff determination that there is no substantial evidence of the existence of wetlands on the site prior to the unpermitted activity. The allegations of wetlands formerly occurring in the disturbed areas seem to be based on reports of occasional ponded water and visible depressions in the portions of the site that were not disturbed. As additional evidence, both the Longcore and McMillan reports cite the existence of hydrophytic plant species on the property. However, these reports do not discuss whether hydrophytic vegetation is dominant on any significant portion of the site.

During LSA's recent inspection of the property, there were several small depressions noted, with sporadic occurrences of plants that are usually considered hydrophytic. LSA notes that these species often occur in nonwetland conditions, as they are very adaptable. LSA's assessment of observed conditions is that there are small microtopographic features that collect moisture and sustain very small clusters of species that typically require more water than the upland weeds that dominate the site. This assessment is supported by the biological evaluation and wetland delineation of the property that was conducted by LSA from 1995 to 1996 (reports completed in 1998 and 1997, respectively). This was a very detailed, comprehensive delineation, which included careful vegetation mapping and hydrology monitoring over an 8-month period. As noted above, no portion of the Loynes site was mapped as predominantly hydrophytic vegetation, whereas hydrophytic vegetation was widespread on much of the Bixby Ranch property.

Similarly, areas of groundwater near the surface and surface water ponding were commonly mapped on other portions of the Bixby Ranch property, but not on the Loynes Drive parcel. It should be noted that no groundwater monitoring wells were installed on the Loynes Drive property because the surface elevation of the site was so much higher than the suspected elevation of the groundwater table. The groundwater was ultimately determined to range from -2 to +2 ft in elevation, 7 ft lower than the lowest elevation on the Loynes Drive property. Finally, examination of the topographic map from the 1997 and 1998 studies show relatively small depressions on the Loynes Drive property only in those areas where such depressions are evident today, outside of the disturbance limits.

ESHA

Based on an assessment of remnant and surrounding vegetation, the Longcore report states that the site should be considered an ESHA. The existence of one species that was not listed in the SWCA report (*Heliotropium curassavicum*) is cited as partial support for this opinion, as is the existence of a few nonnative weedy species, on a site that is clearly dominated by nonnative species. The Longcore report also discusses the “unusual” lack of saltgrass (*Distichlis spicata*) and the potential existence of southern tarplant. LSA’s study of 1998 corroborates the Longcore observation of the dominance by nonnative species; during that study, the entire Loynes Drive property was mapped as ruderal upland. Interestingly, southern tarplant was observed by LSA in August, including in areas that were disturbed by the weed removal activities. LSA biologists do not find this surprising, because this species is well adapted to disturbed conditions. In fact, its presence there now could have been enhanced, either through the removal of other competing vegetation or through the introduction of seed with the imported soil. Based on the assessment of existing conditions and previous site evaluations, LSA finds no evidence that the unpermitted activity adversely affected vegetation that would be considered rare or especially valuable because of its role in the ecosystem. Furthermore, this vegetation is not easily disturbed or degraded by human activities and developments. In fact, the vegetation that occurs on the site, including the southern tarplant, is actually enhanced by disturbance. It should also be noted that this species does not occur in the numbers that have typically been considered substantial by the CCC.

With respect to wildlife, the Longcore report discusses the documented or likely occurrence of a number of fairly common bird species and possible foraging by the Belding’s savannah sparrow. With the exception of Belding’s savannah sparrow, none of the species cited as actually occurring on the site are rare, nor is the habitat on site especially valuable for these species. Belding’s savannah sparrow is known to forage in a variety of upland habitats, including the type of vegetation that occurs on the site. The limiting habitat for this species is high quality pickleweed marsh, which occurs in the tidal wetlands to the south of the Loynes Drive property. Thus the habitat on the site is not especially valuable, and as documented by Longcore, the disturbance that occurred did not discourage the observed savannah sparrows from foraging on the property.

REMEDY

LSA concurs with the Staff recommendation that the appropriate habitat goal for restoration efforts is a native upland community that is suited to the site conditions, with measures to protect the existing native species. As noted in the Staff report, the restoration plan proposed by LSA would include an area of approximately 50,000 square feet (sf), which was intended to conform with the area where additional cover material was imported to cap the old landfill. The limits of this area were derived from information provided by the Applicant, and field studies confirmed that the vegetation on this portion of the site was indeed sparser than other areas. The much larger area proposed by staff is based on the maximum limits of disturbance derived from an aerial photograph. However, we respectfully request a variance from the Staff’s recommended restoration area on the following basis:

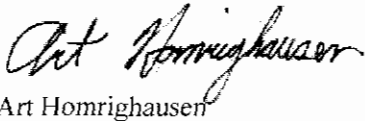
1. The impacts identified by staff are the loss of wildlife foraging area, loss of vegetation cover, and potential adverse impacts to water quality resulting from erosion of the disturbed dump cap. In fact, much of the disturbed area has already returned to predisturbance conditions, and all of the area has revegetated to some extent; thus, there is no loss of either wildlife foraging area or vegetation cover in those areas. Similarly, there is no evidence of erosion or water quality impacts

because of the regrowth and the fact that nearly all of the vegetation around the perimeter of the property was not disturbed at all.

2. As demonstrated in Figure 4, much of the vegetation was disturbed, but clearly not removed. Due to the composition of this weedy vegetation, which has developed over decades, with similar periodic disturbance events, it has already recovered. This is demonstrated on Figure 5, which shows ground-level views of the property before the disturbance (from Google Maps) compared with current views from approximately the same vantage points.
3. The entry road, previously sparsely vegetated, has now developed substantially more vegetative cover than existed prior to the disturbance.
4. The proposed restoration area of approximately 50,000 sf is characterized by somewhat more sparse and less diverse vegetation than other portions of the site. It is primarily on the central portion of the site, which appears to be where the greatest disturbance occurred. It is likely that the initial soil disturbance was much deeper here, and the subsequent import of additional cap material further compromised the existing vegetation by burying the remaining seed bank. Of course, restoration with appropriate native plants will improve those values compared to the original conditions. In contrast, the less disturbed portions of the site have already returned to predisturbance conditions and habitat values.

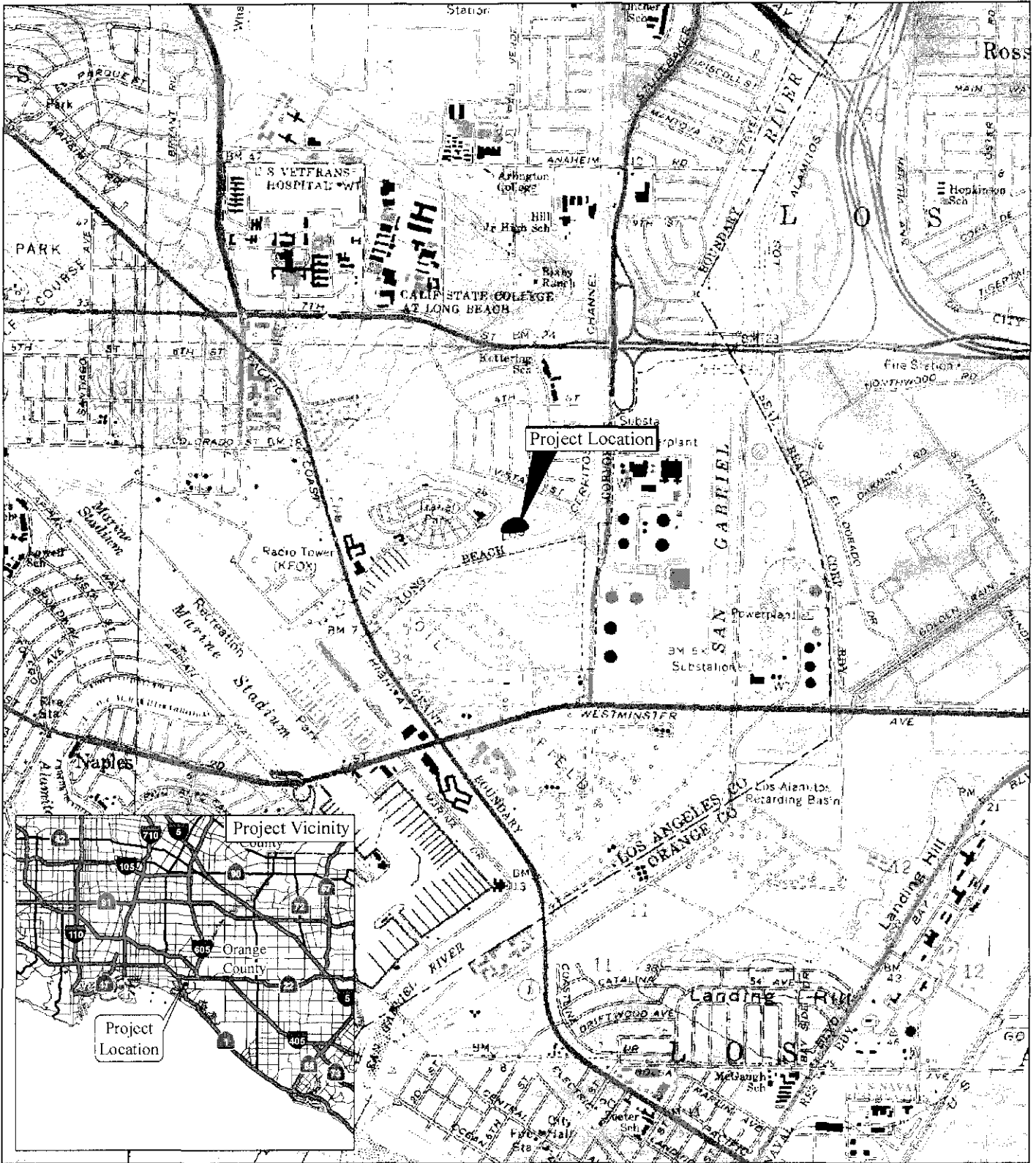
Sincerely,

LSA ASSOCIATES, INC.



Art Homrighausen
Principal

Attachments: Figure 1: Project Location Map
Figure 2: Bixby Ranch Vegetation – 1996
Figure 3: Topographic Map
Figure 4: Proposed Restoration Area
Figure 5: Comparative Street Views – Key View Location Map



LSA

LEGEND


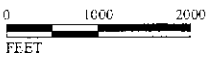
 Project Location

FIGURE 1



SOURCE USGS 7.5' QUAD - LOS ALAMITOS (81)

Esccn100\FGIS\Fig1.mxd (8/17/2010)

Loynes Drive Revegetation
Project Location Map

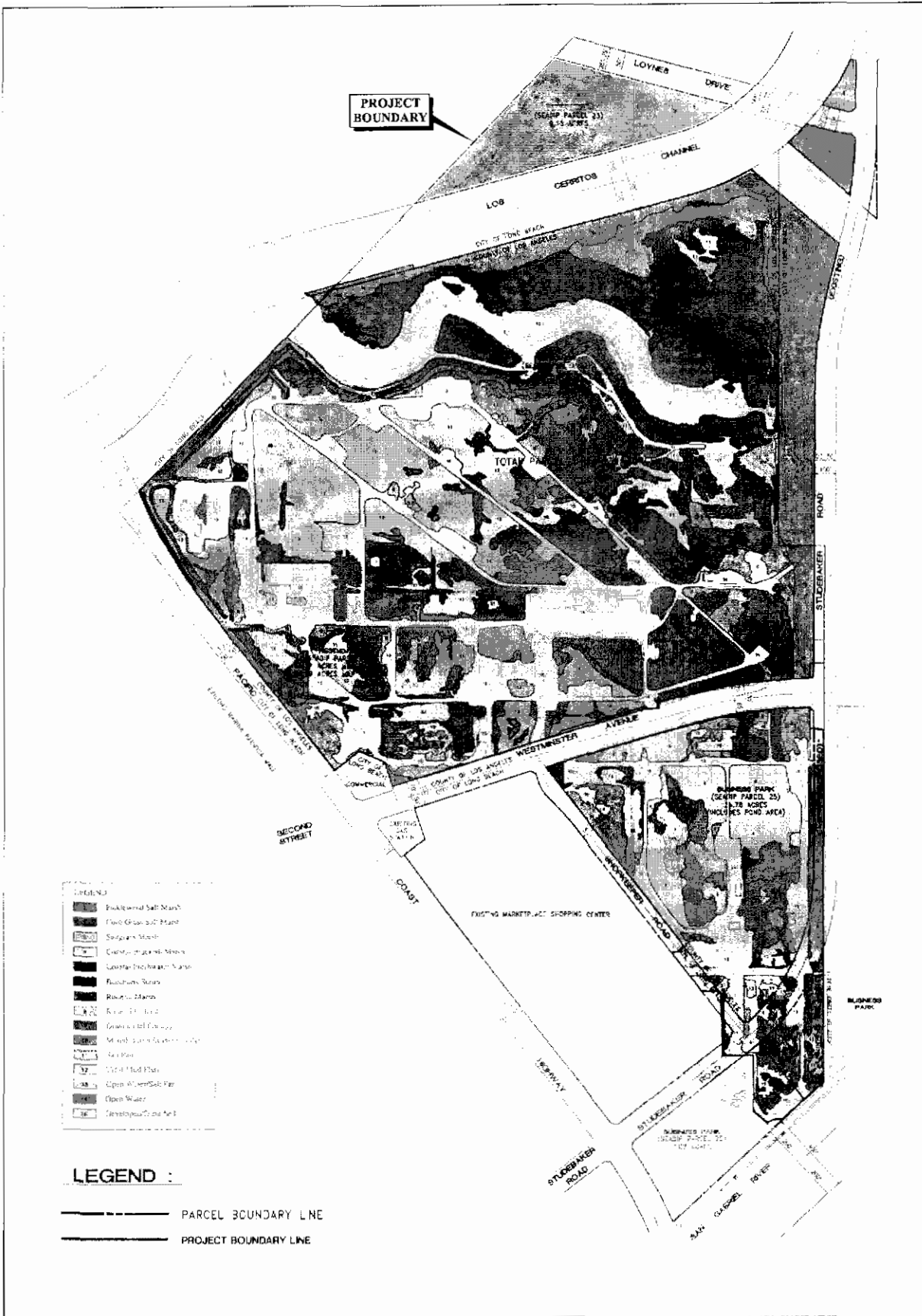
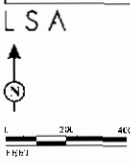
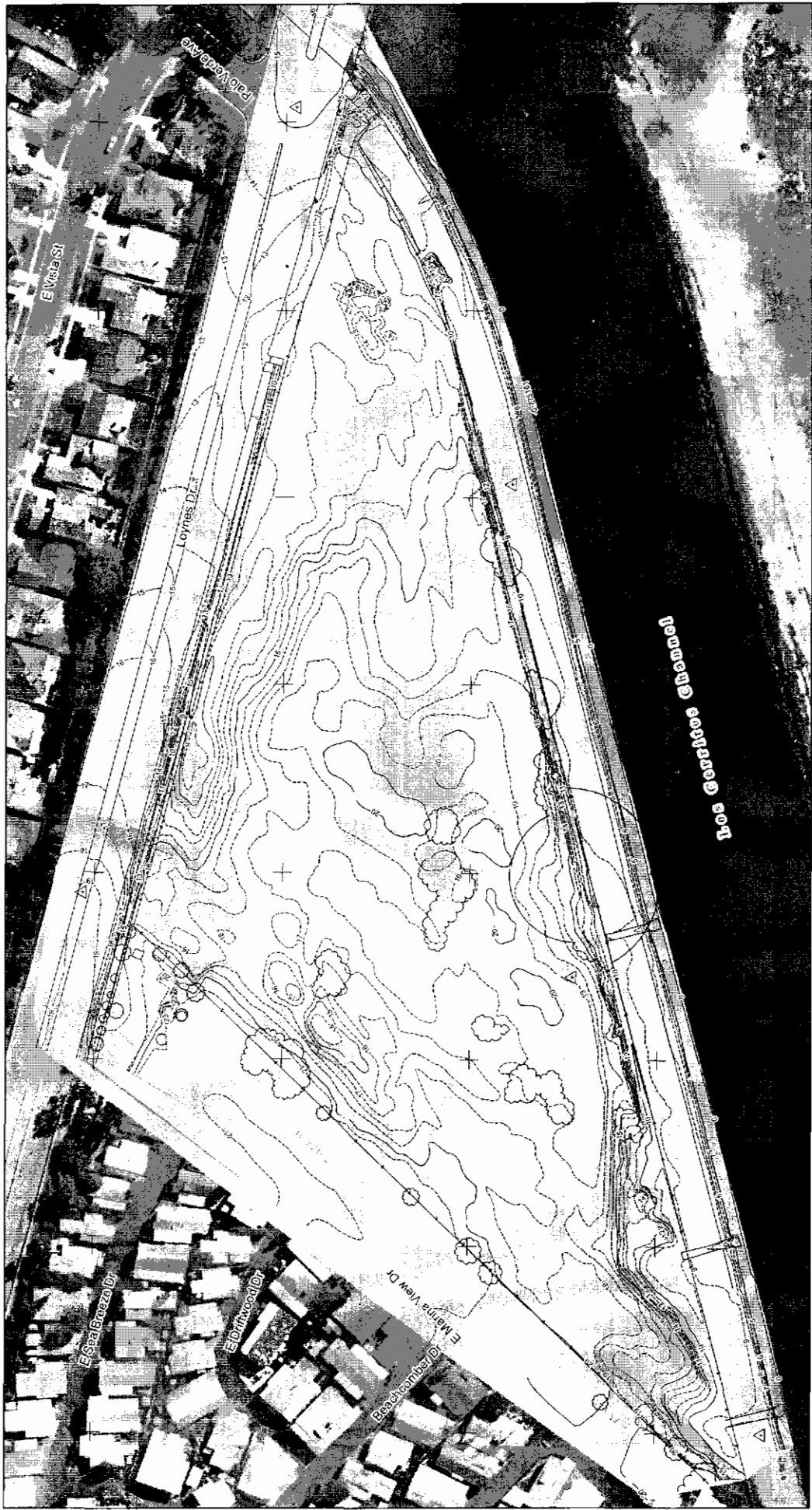


FIGURE 2



Loynes Drive Revegetation
Bixby Ranch Vegetation - 1996



LSA

FIGURE 3

Loymes Drive Revegetation
Topographic Map

SOURCE: Bing Maps (2008); Boby Ranch (1995).
 Licensed GIS Staffing, updated 11/12/2010



FIGURE 4

Loyves Drive Revetigation
Proposed Restoration Area

LEGEND
 Proposed Restoration Area
 Coastal Commission Area of Disturbance

0 50 100
 FEET
 SOURCE: Bing Maps (2009)
 L:\scn\001\GIS\Proposed_Restoration_Area.mxd / 11/13/09



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Cal/EPA Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

November 9, 2010

EXHIBIT 2

Ms. Tamar C. Stein
Cox, Castle & Nicholson LLP
2049 Century Park West, 28th Floor
Los Angeles, CA 90067-3284

OPINION ON PROPOSED POST-CLOSURE LAND USE OF CITY DUMP & SALVAGE NO. 3, 6400 E. LOYNES DRIVE, LONG BEACH CALIFORNIA (FILE NO. 56-110)

Dear Ms. Stein,


We are in receipt of your letter dated November 1, 2010 (copy attached), requesting an opinion letter from the Los Angeles Regional Water Quality Control Board (Regional Board) staff regarding whether the proposed use of a closed landfill at the subject location, referred to as the City Dump & Salvage No. 3 (Property), as a brackish pond would be consistent with the policies and practices of the Regional Board. Your letter indicates that the Property is approximately 9 acres, within the Coastal Zone, adjacent to the Los Cerritos Channel, and was used as a landfill until 1958.

Our records indicate that the Regional Board adopted Resolution No. 56-35 on October 18, 1956, prescribing requirements for City Dump & Salvage Company for the disposal of refuse east of the Pacific Coast Highway and north and west of the Los Cerritos Channel in Long Beach. Based on the location described in an aerial photo attached to your letter, the Property is part of the area that was permitted to accept household and commercial refuse as described in Resolution No. 56-35.

Municipal solid wastes contain various pollutants, such as metals, nutrients, volatile and semi-volatile organic compounds. When submerged to water, such pollutants may be leached out of the wastes and cause pollution to surface and ground waters. Any land use of a closed landfill that submerge municipal wastes under water would not be consistent with the policies and practices of the Regional Board, which is the state regulatory agency responsible for protecting water quality in Los Angeles and Ventura Counties, including the Property.

If you have any questions, please call Dr. Wen Yang, Chief of Land Disposal Unit, at 213-620-2253 or send an email to him at wyang@waterboards.ca.gov.

Sincerely,


Samuel Unger, P.E.
Executive Officer

Enclosure

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COASTAL COMMISSION

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.



Cox, Castle & Nicholson LLP
2049 Century Park East, 28th Floor
Los Angeles, California 90067-3284
P 310.277.4222 F 310.277.7889

Tamar C. Stein
310.284.2248
tstein@coxcastle.com

November 1, 2010

File No. 61360

VIA E-MAIL AND U.S. MAIL

Mr. Samuel Unger
Executive Officer
Los Angeles Regional Water Quality Control Board
320 West Fourth Street, Suite 200
Los Angeles, CA 90013
sunger@waterboards.ca.gov

Re: 6400 E. Loynes Drive, Long Beach
Permitted Uses of Closed Coastal Landfill

Dear Executive Officer Unger:

We represent Loynes LLC, the owner of property at 6400 E. Loynes Drive, in the City of Long Beach (the "Property"). The Property is approximately 9 acres, within the Coastal Zone and adjacent to the Los Cerritos Channel, which empties directly into Alamitos Bay. The Property was previously used as a landfill until it was closed in 1958. An aerial photograph of the Property is attached hereto.

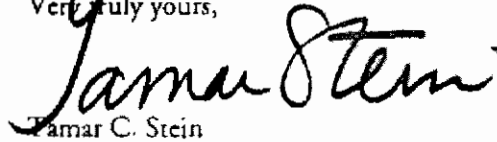
The property owner has an application pending before the California Coastal Commission ("CCC") seeking a coastal development permit for restoration and revegetation of the Property with native plants. This application does not seek to change the use of the Property. The matter is before the CCC on Friday, November 19, 2010.

Under the City of Long Beach's Southeast Area Development and Improvement Plan, the Property is designated as the future site of an 8.3 acre brackish pond. However, given the underlying landfill, we believe use as a brackish pond would be inappropriate and seriously risks contamination of both the groundwater and surface waters, particularly in the adjacent Los Cerritos Channel. The property owner has no plans to develop the site in the foreseeable future and intends for it to remain revegetated open space, rather than a brackish pond. However, it has been asserted to the CCC that construction of a brackish pond on the Property would be a reasonable restoration.

Mr. Samuel Unger
Los Angeles Regional Water Quality Control Board
November 1, 2010
Page 2

We respectfully request an opinion letter from the Regional Board regarding whether use of the Property as a brackish pond would be consistent with the policies and practices of the Regional Board. Please do not hesitate to contact my colleague Kate Paradise or me with any questions or concerns, or if you would like additional information regarding this matter.

Very truly yours,



Tamar C. Stein

TCS/KJP
Attachment

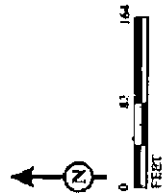
cc: Mr. Wen Yang, RWQCB (wyang@waterboards.ca.gov)
Kathryn J. Paradise, Esq.



Project area (2004).

LSA

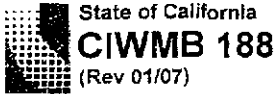
FIGURE I



SOURCE: Bing Maps (2004)

1:CCN1001/GA/Amrit, 2004, edit (10/28/10)

Loynes Drive Revegetation
Project Area (2004)



California Integrated Waste Management Board

Closed Disposal Site Inspection Report

Blue or Black Ink Pen

Enforcement Agency: <u>County of Los Angeles - SWMP</u>		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) <u>19 - AK - 5003</u>		INSPECTION DATE (MM/DD/YYYY) <u>07 23/2010 /</u>	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In:	Inspection Time 5 HRS.
Time Out:		<input type="checkbox"/> Attachments On File (Not Scanned)	
Facility Name <u>City Dump & Salvage No. 3 (Vacant Lot)</u>		Received By (Operator) Signature <u>US Mail/Email</u>	
Facility Location <u>South of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803</u>		Owner Signature (if present) <u>NA</u>	
Inspector <u>Tom White</u>	Inspector Signature	Also Present (Name) <u>NA</u>	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR). THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	20820 - DRAINAGE/EROSION	<input type="checkbox"/>	<input type="checkbox"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
21190 - POSTCLOSURE LAND USE	<input type="checkbox"/>	<input type="checkbox"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20790 - LEACHATE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20918 - EXEMPTIONS	<input type="checkbox"/>	<input type="checkbox"/>	20830 - LITTER CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20919 - GAS CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	21160 - LF GAS CONTROL/LECHATE CONTACT	<input type="checkbox"/>	<input type="checkbox"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	20530 - SITE SECURITY	<input type="checkbox"/>	<input type="checkbox"/>
20923 - MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	21135 - SECURITY AT CLOSED SITES	<input type="checkbox"/>	<input type="checkbox"/>
20925 - PERIMETER MONITORING NETWORK	<input type="checkbox"/>	<input type="checkbox"/>	21137 - STRUCTURAL REMOVAL	<input type="checkbox"/>	<input type="checkbox"/>
20931 - STRUCTURE MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="checkbox"/>	<input type="checkbox"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="checkbox"/>	<input type="checkbox"/>
20933 - MONITORING FREQUENCY	<input type="checkbox"/>	<input type="checkbox"/>	21170 - RECORDING	<input type="checkbox"/>	<input type="checkbox"/>
20934 - REPORTING	<input type="checkbox"/>	<input type="checkbox"/>	21200 - CHANGE OF OWNERSHIP	<input type="checkbox"/>	<input type="checkbox"/>
20937 - CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="checkbox"/>	<input type="checkbox"/>
20650 - GRADING OF FILL SURFACES	<input type="checkbox"/>	<input type="checkbox"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>
21140 - FINAL COVER	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
21142 - FINAL GRADING	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
21145 - SLOPE STABILITY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

3rd Quarter 2010 Closed Site Inspection

Conditions: Temperature = 74°F, Partly Cloudy, Wind (From West at 4 mph), Humidity = 64%

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation or accumulation of litter. ^{Surface methane} gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at time of inspection.

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INSTRUCTIONS ON BACK

Correct: ● Incorrect: ○ ⊗ ⊕

EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Enforcement Agency: County of Los Angeles - SWMP		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) 19 - A K - 5 0 0 3		INSPECTION DATE (MM/DD/YYYY) 04 06/2010 /	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In:	Inspection Time 2.5 HRS.
Facility Name City Dump & Salvage No. 3 (Vacant Lot)		Time Out:	<input type="radio"/> Attachments On File (Not Scanned)
Facility Location South of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803		Received By (Operator) Signature US Mail/Email	
Inspector Tom White		Owner Signature (if present) NA	
Inspector Signature		Also Present (Name) NA	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR).

THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21190 - POSTCLOSURE LAND USE	<input type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20780 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20830 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20919 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21160 - LF GAS CONTROL/LEACHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20530 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20933 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20934 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20937 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21890 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20650 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

2nd Quarter 2010 Closed Site Inspection

Conditions: Temperature = Low 70's, Clear Skies, Moderate Wind

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation, accumulation of litter, or pooling of water.

No gas measurements taken at this time, due to precipitation within last 72 HRS.

Conclusions: No significant violations observed at time of inspection.

INSTRUCTIONS ON BACK

Correct: Incorrect:

EXAMPLE 123

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Closed Disposal Site Inspection Report

Blue or Black Ink Pen

Enforcement Agency: County of Los Angeles - SWMP		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) 19 - AK - 5003		INSPECTION DATE (MM/DD/YYYY) 01/05/2010 /	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In: _____ Time Out: _____	Inspection Time 5 HRS.
Facility Name City Dump & Salvage No. 3 (Vacant Lot)		Received By (Operator) Signature US Mail	
Facility Location South of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature	Also Present (Name) NA	

Received Date

Attachments On File (Not Scanned)

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR). THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	20820 - DRAINAGE/EROSION	<input type="checkbox"/>	<input type="checkbox"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
21190 - POSTCLOSURE LAND USE	<input type="checkbox"/>	<input type="checkbox"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS:			20790 - LEACHATE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20918 - EXEMPTIONS	<input type="checkbox"/>	<input type="checkbox"/>	20830 - LITTER CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20818 - GAS CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	21160 - LF GAS CONTROL/LECHATE CONTACT	<input type="checkbox"/>	<input type="checkbox"/>
20819.5 - EXPLOSIVE GAS CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	20530 - SITE SECURITY	<input type="checkbox"/>	<input type="checkbox"/>
20923 - MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	21135 - SECURITY AT CLOSED SITES	<input type="checkbox"/>	<input type="checkbox"/>
20925 - PERIMETER MONITORING NETWORK	<input type="checkbox"/>	<input type="checkbox"/>	21137 - STRUCTURAL REMOVAL	<input type="checkbox"/>	<input type="checkbox"/>
20931 - STRUCTURE MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	RECORDS		
20832 - MONITORED PARAMETERS	<input type="checkbox"/>	<input type="checkbox"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="checkbox"/>	<input type="checkbox"/>
20933 - MONITORING FREQUENCY	<input type="checkbox"/>	<input type="checkbox"/>	21170 - RECORDING	<input type="checkbox"/>	<input type="checkbox"/>
20934 - REPORTING	<input type="checkbox"/>	<input type="checkbox"/>	21230 - CHANGE OF OWNERSHIP	<input type="checkbox"/>	<input type="checkbox"/>
20937 - CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="checkbox"/>	<input type="checkbox"/>
20850 - GRADING OF FILL SURFACES	<input type="checkbox"/>	<input type="checkbox"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>
21140 - FINAL COVER	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
21142 - FINAL GRADING	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
21145 - SLOPE STABILITY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

1st Quarter 2010 Closed Site Inspection

Conditions: Temperature = 72°F, Sunny (Visibility - 10 miles), Wind (From North at 2 mph), Humidity = 19%

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation or accumulation of litter. Surface methane gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at time of inspection.

INSTRUCTIONS ON BACK



EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Enforcement Agency: <u>County of Los Angeles - SWMP</u>		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) <u>19-AK-5003</u>		INSPECTION DATE (MM/DD/YYYY) <u>10/21/2009</u>	
PROGRAM CODE (Select only one code) <input type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input checked="" type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In:	Inspection Time <u>1.5 HRS.</u>
Facility Name <u>City Dump & Salvage No. 3 (Vacant Lot)</u>		Received By (Operator) Signature <u>US Mail</u>	
Facility Location <u>South of Laynes Dr. @ Palo Verde Ave., Long Beach, CA 90803</u>		Owner Signature (if present) <u>NA</u>	
Inspector <u>Tom White</u>		Also Present (Name) <u>NA</u>	
Inspector Signature		<input type="radio"/> Attachments On File (Not Scanned)	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR). THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="radio"/>	<input checked="" type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input checked="" type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE LAND USE	<input type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20790 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20820 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20819 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21180 - LF GAS CONTROL/LEACHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20530 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20933 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20934 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20937 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20550 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/P/C MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

- Received complaint referral from AQMD involving erosion of cap. Investigation revealed no exposed trash on site. Cap appears to be completely intact. During complaint investigation, the following Areas of Concern were noted:

- 1) 20750 (Site Maintenance) - Observed small amount of litter at Northeast corner of site.
- 2) 20820 (Drainage/Erosion) - Observed small pool of standing water, just outside perimeter fence, at Northeast corner of site.

- Surface methane gas measurements were taken at various locations, throughout site (All were non-detectable).

INSTRUCTIONS ON BACK



EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow



Enforcement Agency: County of Los Angeles - SWMP		For Official CIWMB Use Only	
FACILITY FILE NUMBER (499-xx-9999) 19 - AK - 5003		INSPECTION DATE (MM/DD/YYYY) 10/07/2009 /	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA - Periodic <input type="radio"/> CIWMB - Closed Sites <input type="radio"/> CIWMB - Focused <input type="radio"/> LEA - Focused <input type="radio"/> CIWMB - Enforcement Agent <input type="radio"/> CIWMB - Periodic		Time In:	Inspection Time 5 HRS.
Facility Name City Dump & Salvage No. 3 (Vacant Lot)		Received By (Operator) Signature US Mail	
Facility Location South of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature JL	Also Present (Name) NA	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR).

THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	20820 - DRAINAGE/EROSION	<input type="checkbox"/>	<input type="checkbox"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
21190 - POSTCLOSURE LAND USE	<input type="checkbox"/>	<input type="checkbox"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20790 - LEACHATE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20918 - EXEMPTIONS	<input type="checkbox"/>	<input type="checkbox"/>	20830 - LITTER CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20919 - GAS CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	21160 - LF GAS CONTROL/LEACHATE CONTACT	<input type="checkbox"/>	<input type="checkbox"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	20530 - SITE SECURITY	<input type="checkbox"/>	<input type="checkbox"/>
20923 - MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	21135 - SECURITY AT CLOSED SITES	<input type="checkbox"/>	<input type="checkbox"/>
20925 - PERIMETER MONITORING NETWORK	<input type="checkbox"/>	<input type="checkbox"/>	21137 - STRUCTURAL REMOVAL	<input type="checkbox"/>	<input type="checkbox"/>
20931 - STRUCTURE MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	PLANS		
20932 - MONITORED PARAMETERS	<input type="checkbox"/>	<input type="checkbox"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="checkbox"/>	<input type="checkbox"/>
20933 - MONITORING FREQUENCY	<input type="checkbox"/>	<input type="checkbox"/>	21170 - RECORDING	<input type="checkbox"/>	<input type="checkbox"/>
20934 - REPORTING	<input type="checkbox"/>	<input type="checkbox"/>	21200 - CHANGE OF OWNERSHIP	<input type="checkbox"/>	<input type="checkbox"/>
20937 - CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21890 - CERTIFICATION OF CLOSURE	<input type="checkbox"/>	<input type="checkbox"/>
20650 - GRADING OF FILL SURFACES	<input type="checkbox"/>	<input type="checkbox"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>
21140 - FINAL COVER	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
21142 - FINAL GRADING	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
21145 - SLOPE STABILITY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

4th Quarter 2009 Closed Site Inspection

Conditions: Temperature = High 70's, Clear Skies, Moderate Wind

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation or accumulation of litter. Surface methane gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at time of inspection.

INSTRUCTIONS ON BACK



Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

EXAMPLE 1 2 3



Enforcement Agency: County of Los Angeles - SWMP		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) 19 - AK - 5003		INSPECTION DATE (MM/DD/YYYY) 07 21/2009 /	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA - Periodic <input type="radio"/> CIWMB - Closed Sites <input type="radio"/> CIWMB - Focused <input type="radio"/> LEA - Focused <input type="radio"/> CIWMB - Enforcement Agent <input type="radio"/> CIWMB - Periodic		Time In: _____	Inspection Time 4 HRS.
Time Out: _____		<input type="radio"/> Attachments On File (Not Scanned)	
Facility Name City Dump & Salvage No. 3 (Vacant Lot)		Received By (Operator) Signature US Mail	
Facility Location South of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature _____	Also Present (Name) NA	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR).

THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	20820 - DRAINAGE/EROSION	<input type="checkbox"/>	<input type="checkbox"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
21190 - POSTCLOSURE LAND USE	<input type="checkbox"/>	<input type="checkbox"/>	MONITORING AND CONTROL SYSTEMS:		
GAS MONITORING AND CONTROL SYSTEMS:			20790 - LEACHATE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20918 - EXEMPTIONS	<input type="checkbox"/>	<input type="checkbox"/>	20830 - LITTER CONTROL	<input type="checkbox"/>	<input type="checkbox"/>
20918 - GAS CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	21160 - LF GAS CONTROL/LECHATE CONTACT	<input type="checkbox"/>	<input type="checkbox"/>
20918.5 - EXPLOSIVE GAS CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	SECURITY:		
20921 - GAS MONITORING AND CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	20530 - SITE SECURITY	<input type="checkbox"/>	<input type="checkbox"/>
20923 - MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	21135 - SECURITY AT CLOSED SITES	<input type="checkbox"/>	<input type="checkbox"/>
20925 - PERIMETER MONITORING NETWORK	<input type="checkbox"/>	<input type="checkbox"/>	21137 - STRUCTURAL REMOVAL	<input type="checkbox"/>	<input type="checkbox"/>
30931 - STRUCTURE MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	RECORDS:		
20932 - MONITORED PARAMETERS	<input type="checkbox"/>	<input type="checkbox"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="checkbox"/>	<input type="checkbox"/>
20933 - MONITORING FREQUENCY	<input type="checkbox"/>	<input type="checkbox"/>	21170 - RECORDING	<input type="checkbox"/>	<input type="checkbox"/>
20934 - REPORTING	<input type="checkbox"/>	<input type="checkbox"/>	21200 - CHANGE OF OWNERSHIP	<input type="checkbox"/>	<input type="checkbox"/>
20937 - CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	CLOSURE PLANS:		
GRADING/FINAL COVER:			21880 - CERTIFICATION OF CLOSURE	<input type="checkbox"/>	<input type="checkbox"/>
20650 - GRADING OF FILL SURFACES	<input type="checkbox"/>	<input type="checkbox"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="checkbox"/>	<input type="checkbox"/>
21140 - FINAL COVER	<input type="checkbox"/>	<input type="checkbox"/>	OTHER:		
21142 - FINAL GRADING	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
21145 - SLOPE STABILITY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

3rd Quarter 2009 Closed Site Inspection

Conditions: Temperature = 86°F, Sunny (Visibility - 10 miles), Wind (From South at 3 mph), Humidity = 28%

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation or accumulation of litter. Surface methane gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at time of inspection.

INSTRUCTIONS ON BACK



Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

EXAMPLE 1 2 3

Closed Disposal Site Inspection Report

Enforcement Agency: <u>County of Los Angeles - SWMP</u>		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) 19 - AK - 5004		INSPECTION DATE (MM/DD/YYYY) 05/01/2009	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In: _____ Time Out: _____	Inspection Time 3 HRS.
Facility Name City Dump & Salvage No. 4 (Vacant Lot)		Received By (Operator) Signature US Mail	
Facility Location West of Studebaker Rd. @ Loynes Dr., Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature <i>[Signature]</i>	Also Present (Name) NA	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 80 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR).

THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

	V	A		V	A
POSTCLOSURE			DRAINAGE AND EROSION CONTROL		
20750 - SITE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21190 - POSTCLOSURE LAND USE	<input type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20790 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20830 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20919 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21180 - LF GAS CONTROL/LECHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20530 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20933 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20934 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20937 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20950 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

2nd Quarter 2009 Closed Site Inspection

Conditions: Temperature = Mid 70's, Clear Skies, Moderate Wind

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation or accumulation of litter. Surface methane gas measurements were taken at various locations, (throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at time of inspection.

INSTRUCTIONS ON BACK

Correct: ● Incorrect:

EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Enforcement Agency: <u>County of Los Angeles - SWMP</u>		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) 19 - AK - 5003		INSPECTION DATE (MM/DD/YYYY) 04 / 29 / 2009	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In: _____ Time Out: _____	Inspection Time 3 HRS.
Facility Name City Dump & Salvage No. 1&3 (Vacant Lot)		Received By (Operator) Signature US Mail	
Facility Location South of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature 	Also Present (Name) NA	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR).
 THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

	V	A		V	A
POSTCLOSURE			DRAINAGE AND EROSION CONTROL		
20750 - SITE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21190 - POSTCLOSURE LAND USE	<input type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20780 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20818 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20830 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21160 - LF GAS CONTROL/LEACHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20530 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20933 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20934 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20937 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20850 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

2nd Quarter 2009 Closed Site Inspection

Conditions: Temperature = High 70's, Clear Skies, Moderate Wind

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation or accumulation of litter. Methane gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at this time.

INSTRUCTIONS ON BACK

Correct: ● Incorrect: ○

EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Closed Disposal Site Inspection Report

Enforcement Agency: <u>County of Los Angeles - SWMP</u>		For Official CIWMB Use Only	
FACILITY FILE NUMBER (98-xx-9999) <u>19 - A K - 5017</u>		INSPECTION DATE (MM/DD/YYYY) <u>04 / 15 / 2009</u>	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In:	Inspection Time <u>3 HRS.</u>
Time Out:		<input type="radio"/> Attachments On File (Not Scanned)	
Facility Name <u>City Dump & Salvage No. 2 (Vacant Lot)</u>		Received By (Operator) Signature <u>US Mail</u>	
Facility Location <u>N'y of PCH & San Gabriel River, Long Beach, CA 90803</u>		Owner Signature (if present) <u>NA</u>	
Inspector <u>Tom White</u>	Inspector Signature <u>[Signature]</u>	Also Present (Name) <u>NA</u>	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR). THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

	V	A		V	A
POSTCLOSURE			DRAINAGE AND EROSION CONTROL		
20750 - SITE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE LAND USE	<input type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20790 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20830 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21180 - LF GAS CONTROL/LEACHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20918.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20530 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20933 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20934 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20937 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20650 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

2nd Quarter 2009 Closed Site Inspection

Conditions: Temperature = High 60's, Clear Skies, Moderate Wind

Observations: No significant land use changes since last inspection. Observed no obvious signs of differential settlement or pooling of water. Methane gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at this time.

INSTRUCTIONS ON BACK

Correct: ● Incorrect: ⊗ ⊕ ⊖

EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Enforcement Agency: County of Los Angeles - SWMP		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) 19-AK-5003		INSPECTION DATE (MM/DD/YYYY) 03/26/2009	
PROGRAM CODE (Select only one code) <input type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input checked="" type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In:	Inspection Time 3 HRS.
Facility Name City Dump & Salvage NO. 1&3 (Vacant Lot)		Received By (Operator) Signature US Mail	
Facility Location South of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature	Also Present (Name) Min Sue - AQMD	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 36 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR). THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input checked="" type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21190 - POSTCLOSURE LAND USE	<input checked="" type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20790 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20830 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20919 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21160 - LF GAS CONTROL/LEACHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20530 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20933 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20934 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20937 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLAN		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20650 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/P C MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

March 26, 2009 Closed Site Complaint investigation

Conditions: Mid 70's, Sunny, Moderate Wind

Observations: Observed large area containing exposed trash near center of site and several small areas containing exposed trash at various locations, throughout site. South Coast Air Quality Management District obtained methane gas measurements of up to 7700 ppm in areas containing exposed trash. Also observed large pile of imported fill (Appropriate documentation provided). Operator was in process of removing fill at time of investigation. Owner was given verbal directive to cover expose trash at once (Provided all necessary approvals/permits, from any agencies with jurisdiction over site, have been obtained).

Conclusions: See Addendum

INSTRUCTIONS ON BACK



EXAMPLE 1 2 3

Top White - CIWMB Middle Pink - LEA Bottom - Yellow

California Integrated Waste Management Board
Addendum To Inspection Report

Enforcement Agency: County of Los Angeles - SWMP		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999)		INSPECTION DATE (MM/DD/YYYY)	
19 - A K - 5003		03 / 26 / 2009	
Facility Name		Received Date	
City Dump & Salvage No. 1&3 (Vacant Lot)			
Facility Location		<input type="checkbox"/> Attachments On File (Not Scanned)	
South Of Loynes Dr. @ Palo Verde Ave., Long Beach, CA 90803			
Inspector	Inspector Signature		
Tom White			

Comments:

Conclusions: You are hereby directed to:

- 1) Discontinue all operations involving construction, grading, remediation at once, until any/all necessary permits have been obtained.
- 2) Properly cover any/all areas containing exposed trash at once. It is the responsibility of the owner to obtain any/all necessary permits from any agencies with jurisdiction over this site before commencing with mitigation. This report does not constitute approval to proceed with construction, grading, or remediation project.

INSTRUCTIONS ON BACK




EXAMPLE 123

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Closed Disposal Site Inspection Report

Enforcement Agency: <u>County of Los Angeles - SWMP</u>		For Official CIWMB Use Only	
FACILITY FILE NUMBER (99-xx-9999) 19 - AK - 5003		INSPECTION DATE (MM/DD/YYYY) 01/06/2009	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> CIWMB Focused <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In:	Inspection Time 5 HRS.
Facility Name City Dump & Salvage No. 1&3 (Vacant Lot)		Received By (Operator) Signature US Mail	
Facility Location South of Loynes Dr. @ Palo Verde Ave. Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature 	Also Present (Name) NA	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 39 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR). THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21190 - POSTCLOSURE LAND USE	<input type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20790 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20818 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20830 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20819 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21160 - LF GAS CONTROL/LEACHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20919.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20930 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20832 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20833 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20834 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20837 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20850 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/PC MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

1st Quarter 2009 Closed Site Inspection

Conditions: Temperature = 65°F, Partly Cloudy, Wind (From NE at 4 mph), Humidity = 42%

Observations: No significant land use changes since last inspection. Observed no overgrown vegetation or accumulation of litter. Surface methane gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at time of inspection.

INSTRUCTIONS ON BACK

Correct: ● Incorrect:

EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

Enforcement Agency: County of Los Angeles - SWMP		For Official CIWMB Use Only	
FACILITY FILE NUMBER (89-xx-9999) 19 - A K - 5 0 1 7		INSPECTION DATE (MM/DD/YYYY) 10 / 09 / 2008	
PROGRAM CODE (Select only one code) <input checked="" type="radio"/> LEA Periodic <input type="radio"/> CIWMB Closed Sites <input type="radio"/> LEA Focused <input type="radio"/> CIWMB Enforcement Agent <input type="radio"/> CIWMB Periodic		Time In: _____	Inspection Time 3 HRS.
<input type="radio"/> CIWMB Focused <input type="radio"/> CIWMB Periodic Time Out: _____		<input type="radio"/> Attachments On File (Not Scanned)	
Facility Name City Dump & Salvage No. 2 (Vacant Lot)		Received By (Operator) Signature US Mail (Berger-Dean)	
Facility Location N'y of PCH & San Gabriel River, Long Beach, CA 90803		Owner Signature (if present) NA	
Inspector Tom White	Inspector Signature <i>[Signature]</i>	Also Present (Name) NA	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR). THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

POSTCLOSURE	V	A	DRAINAGE AND EROSION CONTROL	V	A
20750 - SITE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	20820 - DRAINAGE/EROSION	<input type="radio"/>	<input type="radio"/>
21180 - POSTCLOSURE MAINTENANCE	<input type="radio"/>	<input type="radio"/>	21150 - DRAINAGE/EROSION CONTROL	<input type="radio"/>	<input type="radio"/>
21100 - POSTCLOSURE LAND USE	<input type="radio"/>	<input type="radio"/>	MONITORING AND CONTROL SYSTEMS		
GAS MONITORING AND CONTROL SYSTEMS			20760 - LEACHATE CONTROL	<input type="radio"/>	<input type="radio"/>
20918 - EXEMPTIONS	<input type="radio"/>	<input type="radio"/>	20830 - LITTER CONTROL	<input type="radio"/>	<input type="radio"/>
20919 - GAS CONTROLS	<input type="radio"/>	<input type="radio"/>	21160 - LF GAS CONTROL/LEACHATE CONTACT	<input type="radio"/>	<input type="radio"/>
20918.5 - EXPLOSIVE GAS CONTROL	<input type="radio"/>	<input type="radio"/>	SECURITY		
20921 - GAS MONITORING AND CONTROLS	<input type="radio"/>	<input type="radio"/>	20530 - SITE SECURITY	<input type="radio"/>	<input type="radio"/>
20923 - MONITORING	<input type="radio"/>	<input type="radio"/>	21135 - SECURITY AT CLOSED SITES	<input type="radio"/>	<input type="radio"/>
20925 - PERIMETER MONITORING NETWORK	<input type="radio"/>	<input type="radio"/>	21137 - STRUCTURAL REMOVAL	<input type="radio"/>	<input type="radio"/>
20931 - STRUCTURE MONITORING	<input type="radio"/>	<input type="radio"/>	RECORDS		
20932 - MONITORED PARAMETERS	<input type="radio"/>	<input type="radio"/>	21130 - EMERGENCY RESPONSE PLAN	<input type="radio"/>	<input type="radio"/>
20933 - MONITORING FREQUENCY	<input type="radio"/>	<input type="radio"/>	21170 - RECORDING	<input type="radio"/>	<input type="radio"/>
20934 - REPORTING	<input type="radio"/>	<input type="radio"/>	21200 - CHANGE OF OWNERSHIP	<input type="radio"/>	<input type="radio"/>
20937 - CONTROL	<input type="radio"/>	<input type="radio"/>	CLOSURE PLANS		
GRADING/FINAL COVER			21880 - CERTIFICATION OF CLOSURE	<input type="radio"/>	<input type="radio"/>
20650 - GRADING OF FILL SURFACES	<input type="radio"/>	<input type="radio"/>	21890 - REVISION OF APPROVED PLANS FOR C/P MAINTENANCE	<input type="radio"/>	<input type="radio"/>
21140 - FINAL COVER	<input type="radio"/>	<input type="radio"/>	OTHER		
21142 - FINAL GRADING	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>
21145 - SLOPE STABILITY	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>

Comments: (Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)

4th Quarter 2008 Closed Site Inspection

Conditions: Temperature = 70°F, Partly Cloudy (Visibility - 8 miles), Wind (From S at 3 mph), Humidity = 73%, Windchill = 70°F

Observations: No significant land use changes since last inspection. Observed no obvious signs of differential settlement or accumulation of litter.

Surface methane gas measurements were taken at various locations, throughout site (All were non-detectable).

Conclusions: No significant violations regarding methane gas emissions (Title 27 CCR) observed at time of inspection.

INSTRUCTIONS ON BACK

Correct: ● Incorrect:

EXAMPLE 1 2 3

Top White - CIWMB

Middle Pink - LEA

Bottom - Yellow

EXHIBIT 4



SWCASM

ENVIRONMENTAL CONSULTANTS

Sound Science. Creative Solutions.

Pasadena Office
625 Fair Oaks Avenue, Suite 190
South Pasadena, CA 91030
Tel 626.240.0587 Fax 626.240.0607
www.swca.com

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South Coast Region

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CALIFORNIA
COASTAL COMMISSION

May 28, 2009

Mr. Sean Hitchcock
2651 Walnut Avenue
Signal Hill, CA 90755

RE: Biological Resources Evaluation and Jurisdictional Waters Delineation for APN 7237017006

Dear Mr. Hitchcock:

This letter reports the findings of the biological resources evaluation and wetlands and jurisdictional waters delineation conducted by SWCA Environmental Consultants in April of 2009.

Introduction

This letter reports on the biological conditions and jurisdictional waters determination found on Assessor's Parcel Number (APN) 7237017006 located west of the intersection of Studebaker Road and Loynes Drive in Long Beach, California (Figure 1). Per your statement, the property was recently subject to weed abatement activities conducted with a bulldozer. This activity resulted in complaints from local residents, resulting in your request that SWCA Environmental Consultants investigate two subject areas: the general biological conditions of the site, including the potential for the site to support sensitive biological resources; and a wetland and jurisdictional waters delineation. To adequately characterize the site, SWCA also investigated the land use history of the site. This letter describes the investigative methodology, results, context, and conclusions.

Survey Methodology

Pedestrian surveys were conducted on the site on April 13 and 20, 2009, by SWCA senior biologist Ty Garrison. On April 13, Mr. Garrison met with property owner Sean Hitchcock and City of Long Beach representative Russel Laker prior to conducting the site survey. Heavy equipment consisting of a bulldozer, water truck, and several dump trucks was working near the center of the site, depositing and compacting new fill earth over the exposed portion of the sanitary landfill. Mr. Garrison surveyed the entire site on foot, concentrating on the periphery of the site where vegetation remained, taking notes on the species observed and photographing the on-site conditions. The center portion of the site, where the vegetation had been removed and where the equipment was still working, was cursorily surveyed.

At the conclusion of the survey, Mr. Garrison noted that Mr. Hitchcock and Mr. Laker were meeting with Mr. Ken Wong and Ms. Melanie Stadler of the U.S. Army Corps of Engineers (USACE) and joined the conversation. In that conversation, Mr. Wong noted that USACE would need to make a jurisdictional determination regarding the potential presence of wetlands or jurisdictional waters of the U.S. on the site. To make that determination, USACE would require a wetland and jurisdictional waters of the U.S. delineation. USACE would determine if any violation

of the Clean Water Act had occurred based on the result of the jurisdictional determination and the extent of the activities that had occurred on the site. Mr. Garrison returned to the site on April 20, 2009, to conduct the wetland delineation. For that survey, he concentrated on determining if there were any water courses or drainages areas on the site, or whether any water entered the site from off-site locations. He also continued to search for any wetland indicator plant species.

Because the site has a history of varied uses, and because the site is clearly not at its original elevation, a brief historical review of the site was conducted by SWCA historian Shannon Carmack. Ms. Carmack searched newspaper records at the Long Beach Public Library and located historic aerial photographs and topographic maps from commercial sources. In addition, her personal library contained copies of some historic planning documents from the City of Long Beach. The historic record presented in this report was developed from these sources.

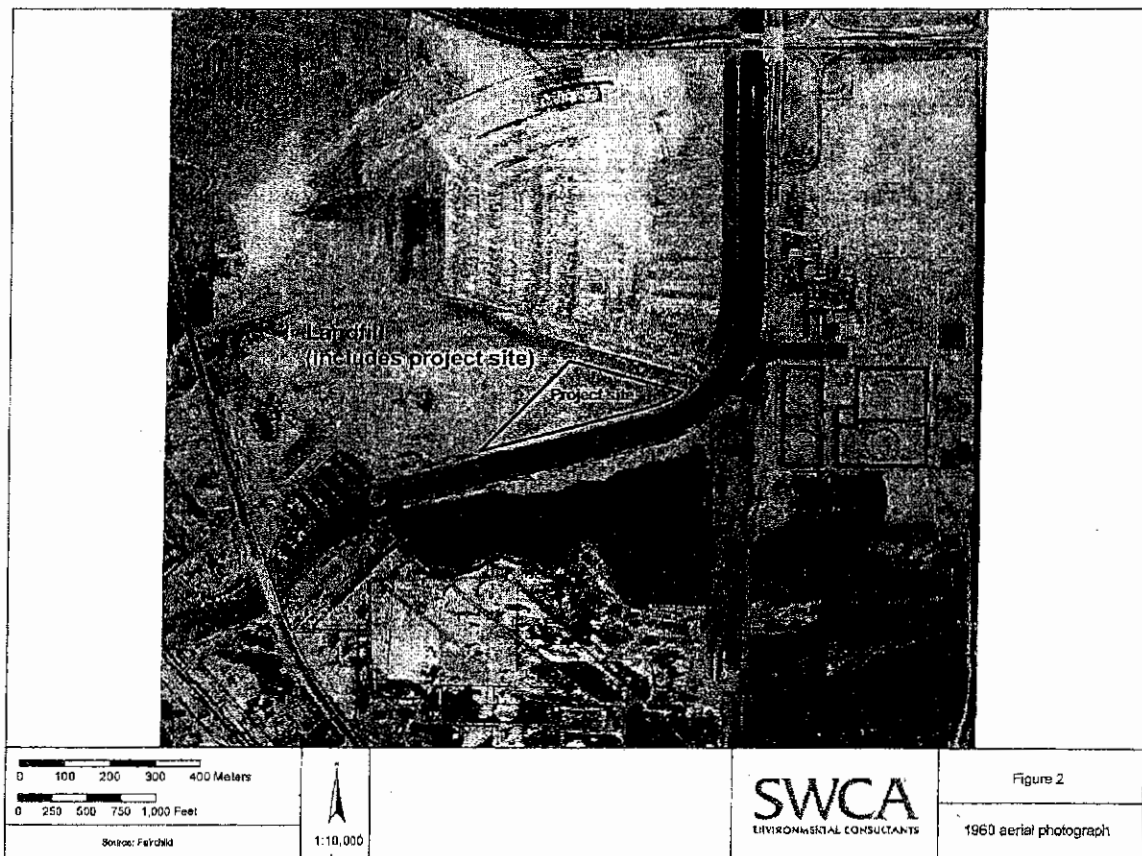


Historical Context

The history of the site is important because the site is clearly not in a natural state. The site was originally part of the Los Alamitos–Los Cerritos tidal estuary system. The elevation of the site at that time would have been between sea level and about 4 feet above mean sea level (msl).

- 1899 and 1902— U.S. Geological Survey (USGS) “Downey” topographic maps do not ascribe an elevation to the project area, but illustrate the site as coastal marshland.
- 1925— USGS “Long Beach” topographic map illustrates the construction of the Naples neighborhood and the marine stadium, which undoubtedly altered the natural flow characteristics of the site somewhat. However, the site is still shown as marsh land.
- 1947—Aerial photographs show the Los Cerritos channel has been constructed, causing freshwater to bypass the on-site marsh and flow directly into Alamitos Bay. Based on aerial photographs, it appears that the site still supports a tidally influenced marsh habitat. Oil extraction operations are also encroaching onto adjacent properties to the west.
- 1948—Long Beach Press Telegram (8/18) article notes the beginning of landfill operation on an area that includes the project site. At this time, the landfill is actually located to the west of the project site. The site is described as “tideland...of soft mud into which heavy objects sink.... Most of the area is covered with ocean water that rises and falls with the tide, but the owners have the material on hand for a dam to seal off the tide.” The article also states that the operator has a 10-year contract to cut and cover 62 acres with 4 feet of earth. The article later states that that it takes “an average of 20 feet of rubbish packed down by machine to create the fill.”
- 1949— USGS topographic map, Los Alamitos quad, shows the construction of the Cerritos Channel but still shows the project site as marshland.
- 1953—Aerial photographs show the sanitary landfill in operation to the west of the project site, east of Pacific Coast Highway; oil operations are also getting closer to the site. A berm has been built along the western boundary of the site, which is also the City/Grant Line/County boundary. This berm effectively removes the site from tidal connection and begins drying the site.
- 1955—Los Angeles Times 2-24-55 reports that off-shore disposal of rubbish may be required because the dump is too close to the Veteran’s Administration (VA) Hospital, Long Beach State College, high-class residential, and the new marina. The article also states that City Councilman Patrick Ahern considered the site “an eyesore and a menace to health, declaring it a breeding place for flies and mosquitoes.”
- 1955—Los Angeles Times? 2-26-55. George Weeks reports that the City health officer inspected the site and concluded that it is not a threat to health. The article states that

"pollution of subsurface water is not a problem, since the site is in a salt-water marginal area." [Of course, at the time pollution to drinking water was the only concern.] The article goes on to state that "An average of two feet of topsoil is being placed over fill as rapidly as compaction will allow. An average of 1,100 loads of dirt is deposited at the site monthly; to be used a sealing topsoil cover." The article concludes that the site is located "in a swamp area which is being rapidly converted to a useful purpose."



- 1960—Aerial photographs show the entire site encompassed by the landfill. The neighborhood to the north is under construction, as is Loynes Drive.
- 1964—Present—USGS topographic map, Los Alamitos quad, shows the ground surface of the site as being approximately 20 feet above msl. The neighborhood to the north and trailer park to the west have both been developed.

- 1976—The Southeast Area Development Plan (SEADIP) Environmental Impact Report (EIR), Department of City Planning, Long Beach:
 - illustrates the site as an upland area and specifically does not identify the site as low-lying or seasonal freshwater marsh
 - illustrates the site as Sanitary Landfill
 - illustrates the site as proposed RV Storage
 - illustrates the site as open field, described as consisting [sic] “principally of annuals, perennials, forbs, grasses and limited herbaceous materials. Vegetation has been subjected to periodic disruption due to grading operation...”
 - illustrates the site as zoned R-1 Residential
 - notes that the site was zoned low density residential in the 1961 General Plan
 - Dproposes a generalized land use as industrial
- 1980—The Local Coastal Plan (LCP) is produced.
 - The SEADIP Plan is incorporated by reference into the Local Coastal Plan (LCP)
 - LCP illustrates the site as a future park dedication area
 - LCP illustrates the site as proposed Active/Passive Park. Map and key in LCP excerpted from adopted SEADIP Plan
- 1997—Long Beach General Plan revised and reprinted. The site is zoned PD (Planned Development).
- **Unknown Date**—Long Beach Green Vision Map denotes the site as part of the Los Cerritos Wetlands. The map states: “This map has been developed as a general planning tool through on-going collaboration between the City of Long Beach, Department of Parks, Recreation, and Marine, conservation organizations and agencies, and community groups.” The map is not a scientific evaluation of the site.
- 2006—Long Beach Wetlands Study Group includes the site in their vision for the Los Cerritos wetlands.
- 2008—Southeast Area Development Plan Update:
 - illustrates the site as PD-1, Planned Development
 - identified the site as Subarea 23. The plan states: “The two wetland concepts generally outlined shall include a 8.3 acre brackish pond on Area 23 provided that the Executive Director of the California Coastal Commission determines (i) in addition to the setback for buffer, the elevation and setbacks between development and wetland edge shall be sufficient to ensure stability during liquefaction events caused by the maximum credible earthquake; (ii) that the location and operation of the proposed wetland are acceptable to the Regional Water Quality Control Board, the State Department of Health and to the Local Mosquito Abatement District.”

Biological Characteristics

Due to the recent weed clearing by scraping activity, the on-site biological resources are limited. Most of the center of the site is now unvegetated ground. This is partly due to the removal of vegetation as part of the weed-clearing operation and partly because additional fill material was imported to cap the exposed portion of the landfill that underlies most, or all, of the site.

Floral Components

Nonnative ruderal species dominate the entire site, comprising 94% of the plants noted there. These are species that are able to quickly recruit and become established in areas of ground disturbance and then out-compete many native species. Based on the interpretation of recent aerial photographs and extrapolation of existing floral characteristics of the site, it is assumed that the recently cleared portions of the site were dominated by nonnative vegetation similar to that currently present there. It is likely that the center portions of the site were more heavily populated by halophytes than the periphery of the site, where the remaining vegetation is dominated by less salt-tolerant ruderal species. However, these areas still support a substantial halophyte component. The two dominant species on the site are nonnative iceplants—hotentot fig (*Carpobrotus edulis*) and small-flowered iceplant (*Mesembryanthemum nodiflorum*). Small-flowered iceplant is highly salt tolerant and has a very similar appearance to pickleweed (*Salicornia* sp.). The small-flowered iceplant is likely the species that dominated the center portions of the site where aerial photos indicate areas of very light soil that may be interpreted as salt encrusted. The western edge of the site, near the mobile home park, is dominated by hotentot fig and a variety of landscape species that are either escapees from the residences or were intentionally planted. These landscape species include Japanese black pine (*Pinus thunbergii*), Brazilian pepper (*Schinus terebinthifolius*), southern magnolia (*Magnolia grandiflora*), avocado (*Persea americana*), and numerous South American cactus species, among others. Garland chrysanthemum (*Chrysanthemum coronarium*) is also quite abundant on the site and is dominant along the northern boundary. A complete floral list is attached at the end of this report.

Faunal Components

There is very little wildlife on the site, and with the exception of the western fence lizard, all of the wildlife species noted on the site are common urban residents or locally common coastal birds. A southern alligator lizard noted near the western edge of the site was the only other reptile species observed. Native bird species noted on the site at the time of the surveys were the mourning dove, white crowned sparrow, house finch, and northern mockingbird. Nonnative species on the site were the rock dove (pigeon) and house sparrow. A brown pelican, great blue heron, and mallard flew over the site during the surveys. California ground squirrels and brush rabbits were the only mammals noted, though several small rodent species are expected to occur on-site. The lack of wildlife present on the site could be attributed to the removal of habitat and equipment working on the site at the time of the initial survey, and to the relative lack of vegetation onsite during the next site survey.

Although no extensive directed survey was conducted for breeding birds on the site, there was some indication that locally common bird species, including the northern mockingbird and house finch, might be nesting on the site. Adults of these two species were exhibiting furtive behavior typical of adults with a nest in the vicinity. These birds were located near the western edge of the site and could be nesting on the property or in the adjacent mobile home park.

Regulatory Environment

For the purposes of this report the regulatory environment consists of the regulations over wetlands, waters of the U.S, and state waters, and the agencies having jurisdiction over them. These are the Regional Water Quality Control Board (RWQCB), USACE, and the California Department of Fish and Game (CDFG).

Jurisdictional Overview

Under provisions of the Clean Water Act, the USACE administers the day-to-day activities required by Section 404. These include the individual permit decisions, jurisdictional determinations, developing policy and guidance, and enforcing provisions of Section 404. The USACE has jurisdiction over the waters of the U.S., which is defined in 33 Code of Federal Regulations (CFR) Part 328 as including all waters whose alteration could or does influence interstate or international commerce, including migratory bird habitat. These waters include navigable waters, interstate waters, intrastate lakes, rivers, streams (including ephemeral streams), mud flats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, and natural ponds that could affect interstate or foreign commerce. Also included are waters that are defined in Section 10 of the Rivers and Harbor Act of 1899 as all navigable waters, which includes the territorial seas and those waters of the U.S. that are subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or are presently used or have been used in the past, or may be susceptible to use to transport interstate or foreign commerce. Waters of the U.S. do not include prior converted cropland.

The CDFG asserts jurisdiction over the bed and bank of a stream and associated wildlife and habitats as established in California Fish and Game Code Sections 1600–1616. In accordance with Section 1602 of the Code (Streambed Alteration), the CDFG regulates activities which will “substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake” and requires notification prior to such activities. In addition, Section 1603 of the Code states that “after the notification is complete, the department shall determine whether the activity may substantially adversely affect an existing fish and wildlife resource;” and a Streambed Alteration Agreement may be pursued. These regulations were established to protect the wildlife resources that are associated with the riparian habitats that occur within and adjacent to ephemeral to year-round drainage systems.

The California RWQCB regulates discharge of waste in any region that could affect the waters of the State under the California Porter-Cologne Water Quality Act or waters of the U.S. under Section 401 of the Federal Clean Water Act. Under the Porter-Cologne Act, a Report of Waste Discharge must be submitted prior to discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the State (California Water Code Section 13260). Waste Discharge Requirements (WDRs) or a waiver of WDRs will then be issued by the RWQCB. Waters of the State are defined as any surface water or groundwater, including saline waters, that are within the boundaries of the state (California Codes: Public Resource Code Section 71200). This differs from the Clean Water Act definition of waters of the U.S. by its inclusion of groundwater and waters outside the ordinary high water mark in its jurisdiction. Whereas all waters of the U.S. also fall under the category of waters of the State, some waters of the State may be identified beyond the delineation of waters of the U.S., and the RWQCB may exert authority to regulate waste discharge into these waters even if the waters do not fall under USACE federal jurisdiction. All projects that have a federal component and may affect waters of the U.S., including those that require a Section 404 permit from the USACE, must also comply with Section 401 of the Clean Water Act. If discharge into waters of the U.S. is being proposed, a 401 water quality certification from the RWQCB is required (Sections 3830 through 3869, Title 23 of the California Code of Regulations) in addition to obtaining WDRs for impacts to waters of the State.

Determination of Wetlands

To determine if waters of the U.S. qualify as wetlands, there must be a positive confirmation of each of the three diagnostic environmental characteristics associated with wetlands: hydrophytic vegetation, hydric soils, and wetland hydrology.

Hydrophytic Vegetation

Hydrophytic vegetation occurs in areas where the soil characteristics are affected by frequent or sustained inundations that lead to periods of soil saturation that influences the plant life that is present. These periodic events must occur for sufficient duration to result in anaerobic soil conditions. Species that are indicators of wetlands have been classified in the U.S. Fish and Wildlife Service (USFWS) *National List of Plant Species That Occur in Wetlands: 1996 National Summary*. Frequency of a species occurrence in wetlands has been divided into five categories:

- Obligate Wetland (OBL): Occurs almost always (estimated probability >99%) under natural conditions in wetlands.
- Facultative Wetland (FACW): Usually occurs in wetlands (estimated probability 67%–99%), but occasionally found in non-wetlands.
- Facultative (FAC): Equally likely to occur in wetlands or non-wetlands (estimated probability 34%–66%).

- Facultative Upland (FACU): Usually occurs in non-wetlands (estimated probability 67%–99%), but occasionally found in wetlands (estimated probability 1%–33%).
- Obligate Upland (UPL): Occurs in wetlands in another region, but occur almost always (estimated probability >99%) under natural conditions in non-wetlands in the region specified.

The USACE considers species that fall into the OBL, FACW, and FAC categories as being positive indicators of wetland vegetation. The prevalent vegetation that occurs in a wetland may be associated with more than one community and is characterized by the dominant species. Determining the dominant species is done using the 50/20 Rule, which states that the dominant plant comprises 50% of the species found in the stratum of the community, along with another species that makes up 20% of the stratum. (HQ USACE, 6 Mar. 1992)

Hydric Soils

Hydric soils are formed under conditions of saturation, flooding, or ponding for long enough duration during the growing season to develop anaerobic conditions in the upper layers. The concept of hydric soils includes soils developed under sufficiently wet conditions to support the growth and regeneration of hydrophytic vegetation. Soils that are sufficiently wet because of artificial measures are included in the concept of hydric soils. Soils that were historically hydric until the hydrology that created that condition was artificially altered, resulting in the classification of the soil as non-hydric, are still considered hydric soils. Some series, designated as hydric, have phases that are not hydric depending on water table, flooding, and ponding characteristics.

There are a number of field indicators of hydric soils, including an organic composition that is greater than 50%, the presence of sulfides, gleyed soil, mottled soil, and certain soil color ranges. These will not be described in further detail because the site history makes them irrelevant.

Wetland Hydrology

Wetland hydrology includes all the hydrologic characteristics of areas that are periodically inundated or have soils saturated to the surface for some duration of the growing season. Areas with evident characteristics of wetland hydrology are those where the presence of water has an overriding influence on characteristics of hydrophytic vegetation and reduced soils. Numerous factors, such as precipitation, stratigraphy (rock layers), topography, soil permeability, and plant cover affect the moisture content of an area. Indicators of wetland hydrology may include, but are not necessarily limited to, the following: drainage patterns, drift lines, sediment deposition, watermarks, stream gage data, flood predictions, historic records, visual observation of saturated soils, and visual observation of inundation.

Jurisdictional Waters Delineation

ACOE

As explained earlier, wetland determination requires three parameters, dominant hydrophytic vegetation, hydrology, and hydric soils. The project site has none of these indicators.

Hydrophytic Vegetation

As described above and indicated in the attached floral compendium, only two of the species found on the site, rabbits-foot grass (*Polypogon monspeliensis*) and broad-leaved peppergrass (*Lepidium latifolium*), are wetland indicators. Each of these species is listed as facultative wetland and is uncommon on the site. The vast majority of the species on the site, more than 96%, are upland species. Upland species have an even greater dominance when considered by biomass or population because the two facultative wetland species on the site are uncommon.

Hydrology

The site is relatively flat and at a higher elevation than most of the surrounding area, preventing offsite runoff from entering the site. Most of the trailer park to the west is slightly higher than the site, but there are no points or drains along this boundary that would allow concentrated water flows to enter the property. There are a few low areas along the western edge of the site that are not contiguous with any channels or drainage areas. These low areas are also covered with deep hotentot fig iceplant. The north side of the site, along Loynes Drive, is bounded by an off-site concrete drainage ditch that prevents any runoff from the street from entering the site. The southern edge of the site drops off steeply to the adjacent maintenance road along the Los Cerritos Channel. These combined circumstances indicate that the site does not have any wetland or streamcourse hydrology.

Hydric Soils

As noted in the site history, there is a well-documented history of the site's use as a landfill, including the importation of the fill earth required to seal the landfill daily. At present, the ground elevation of the site is approximately 16 to 20 feet above the natural marsh that was present at the location until the 1940s. Large quantities of shell fragment and sand on the surface of the site indicate that dredge materials from the adjacent Los Cerritos Channel may also have been deposited on the site. The presence of these fill materials makes the question of whether the on-site soils are hydric or not irrelevant because they did not originate there.

Non-wetland Jurisdictional Waters of the U.S.

Other jurisdictional waters of the U.S in this situation would be indicated by the presence flow indicators such as a swale or stream with an ordinary high water mark. If there were an on-site stream or other indicator of flowing water, it would require a significant nexus with a "traditionally navigable water" to be considered jurisdictional. There are no indicators of flow on the property

and there is no connection to any "traditionally navigable water," the nearest of which is the adjacent Los Cerritos Channel.

RWQCB

There are no indicators of water flows onto or across the site, nor does any surface water originate on the site. Site history leads to the conclusion that there would be groundwater at an undetermined depth below the site but probably near sea level.

CDFG

There are no indications of a river, stream, or lake on the property. There is no riparian habitat on the project site.

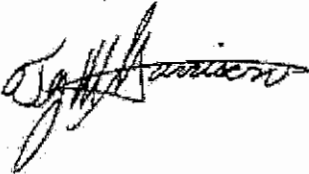
Conclusions

Nesting birds are the only protected natural resource currently occupying the project site. An after-the-fact site survey cannot accurately assess whether there were any impacts to nesting birds on the project site. If any nesting birds were disturbed by the vegetation-clearing activities, it is likely that they would have been common cosmopolitan species like those noted on the site. Based on the information presented above, there are no state or federally listed or otherwise special-status species occupying the project site.

There are no wetlands or jurisdictional waters of the U.S. or waters of the state or riparian habitats under the jurisdiction of the CDFG or RWQCB on the site. If proposed activities on the site were to involve dewatering, that is, the removal of groundwater, or if they involved the addition of enough water to cause runoff from the site, the RWQCB would have jurisdiction over these activities. The recent vegetation-clearing and importation of fill material did not involve these activities; thus, there is no RWQCB jurisdiction.

I'm sure that this letter report will satisfy the requirements of the City and of the USACE. If you have any questions or require further assistance, please feel free to call.

Sincerely,



Ty M. Garrison
Senior Biologist
SWCA Environmental Consultants
tgarrison@swca.com

Vascular Plants

*/@	Scientific Name	Common Name	Federal Wetland List
PINACEAE - PINE FAMILY			
*@	<i>Pinus thunbergii</i>	Japanese black pine	No entry
AIZOACEAE - ICEPLANT FAMILY			
*	<i>Carpobrotus edulis</i>	Hottentot-fig	No entry
*	<i>Mesembryanthemum crystallinum</i>	Common ice plant	FAC
*	<i>Mesembryanthemum nodiflorum</i>	Small-flowered ice plant	FAC
ANACARDIACEAE - SUMAC FAMILY			
*@	<i>Schinus terebinthifolius</i>	Brazilian pepper-tree	NI
ASTERACEAE - SUNFLOWER FAMILY			
	<i>Ambrosia psilostachya</i>	Western ragweed	FAC
*	<i>Centaurea melitensis</i>	Tocalote	No entry
*	<i>Chrysanthemum coronarium</i>	Garland chrysanthemum	No entry
*	<i>Conyza canadensis</i>	Horseweed	FAC
	<i>Heterotheca grandiflora</i>	Telegraph weed	No entry
*	<i>Lactuca serriola</i>	Prickly lettuce	FAC
*	<i>Silybum marianum</i>	Milk thistle	No entry
*	<i>Sonchus oleraceus</i>	Common sow-thistle	NI*
BRASSICACEAE - MUSTARD FAMILY			
*	<i>Brassica nigra</i>	Black mustard	No entry
*	<i>Lepidium latifolium</i>	Broad-leaved peppergrass	FACW
	<i>Lepidium nitidum</i>	Common peppergrass	FAC
*	<i>Raphanus sativus</i>	Wild radish	UPL
*	<i>Sisymbrium irio</i>	London-rocket	No entry
CACTACEAE - CACTUS FAMILY			
@	Multiple South American cactus species as escapees from adjacent tract		
CHENOPODIACEAE - GOOSEFOOT FAMILY			
*	<i>Atriplex semibaccata</i>	Australian saltbush	FAC
*	<i>Bassia hyssopifolia</i>	Five-hooked bassia	FAC
*	<i>Beta maritima</i>	Sea beet	No entry
*	<i>Salsola tragus</i>	Russian-thistle	FACU
CRASSULAGEAE - STONECROP FAMILY			
*@	<i>Crassula ovata</i>	Jade plant	No entry
FABACEAE - PEA FAMILY			
*	<i>Medicago polymorpha</i>	Bur-clover	FACU-
*	<i>Melilotus indicus</i>	Yellow sweet-clover	FAC
GERANIACEAE - GERANIUM FAMILY			
*	<i>Erodium cicutarium</i>	Red-stemmed filaree	No entry
*	<i>Pelargonium sp.</i>	Ornamental geranium	No entry
LAURACEAE - LAUREL FAMILY			
*@	<i>Persea americana</i>	Avocado	No entry

Vascular Plants, Continued

*/@	Scientific Name	Common Name	Federal Wetland List
MAGNOLIACEAE-MAGNOLIA FAMILY			
*@	<i>Magnolia grandiflora</i>	Southern magnolia	N/A
MALVACEAE-MALLOW FAMILY			
*	<i>Malva parviflora</i>	Cheeseweed	No entry
*	<i>Malva sylvestris</i>	High mallow	No entry
MYRSINACEAE-MYRSINE FAMILY			
*	<i>Anagallis arvensis</i>	Scarlet pimpernel	FAC
MYRTACEAE-MYRTLE FAMILY			
*	<i>Eucalyptus sp.</i>	Gum tree	No entry
OLEACEAE-OLIVE FAMILY			
*@	<i>Fraxinus uhdei</i>	Evergreen ash	No entry
OXALIDACEAE-WOOD-SORREL FAMILY			
*	<i>Oxalis pes-caprae</i>	Bermuda-buttercup	No entry
SAPINDACEAE-SOAPBERRY FAMILY			
*@	<i>Cupaniopsis anacardioides</i>	Carrotwood tree	No entry
SOLANACEAE-NIGHTSHADE FAMILY			
	<i>Solanum douglasii</i>	Douglas' nightshade	FAC
ARECACEAE-PALM FAMILY			
*@	<i>Phoenix canariensis</i>	Date palm	No entry
*@	<i>Washingtonia robusta</i>	Mexican fan palm	No entry
LILIACEAE-LILY FAMILY			
*@	<i>Aloe sp.</i>	Aloe	No Entry
*@	<i>Yucca aloifolia</i>	Spanish bayonet	N/A
POACEAE-GRASS FAMILY			
*	<i>Avena barbata</i>	Slender wild oat	No entry
*	<i>Bromus diandrus</i>	Ripgut grass	No entry
*	<i>Bromus madritensis var. rubens</i>	Red brome	No entry
*	<i>Cynodon dactylon</i>	Bermuda grass	FACU
*	<i>Hordeum murinum</i>	Hare barley	UPL
*	<i>Parapholis incurva</i>	Sickle grass	OBL
*	<i>Phalaris canariensis</i>	Annual canarygrass	FACU
*	<i>Polypogon monspeliensis</i>	Rabbit's-foot grass	FACW-

* Nonnative; @ Ornamental/Landscape.

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EXHIBIT 5

EXHIBIT 5



September 9, 2009

Mr. Jeff Winklepleck, Planner
LONG BEACH DEVELOPMENT SERVICES
333 West Ocean Blvd.
Long Beach, CA 90802

Re: **PEER REVIEW OF THE BIOLOGICAL RESOURCES EVALUATION AND
JURISDICTIONAL WATERS DELINEATION FOR APN 7237017006**

Dear Mr. Winklepleck:

PCR Services Corporation (PCR) conducted a peer review of the May 28, 2009 Biological Resources Evaluation and Jurisdictional Waters Delineation for APN 7237017006 report prepared by SWCA Environmental Consultants (SWCA), for the "project site" located west of the intersection of Studebaker Road and Loynes Drive, Long Beach (the "City"), Los Angeles County, California. The primary purpose of this peer review was to ensure that it meets the requirements of a jurisdictional delineation as warranted by the U.S. Army Corps of Engineers (ACOE), California Department of Fish and Game (CDFG), and Regional Water Quality Control Board (RWQCB) survey and reporting standards.

PCR Senior Wetland Ecologist, Richard Haywood, conducted an assessment of the project site on July 20, 2009 to confirm the project site's conditions. Upon reviewing SWCA's Biological Resources Evaluation and Jurisdictional Waters Delineation for APN 7237017006 (May 28, 2009) and based on the findings of the site visit conducted by PCR, PCR was able to confirm that the findings in the SWCA report are consistent with the ACOE, CDFG, and RWQCB survey and reporting standards. No "waters of the U.S.," "waters of the State," or CDFG jurisdictional waters occur on the project site.

PCR also researched the project site to determine if it is subject to any regulations by the California Coastal Commission (CCC) through the City's Local Coastal Program (LCP). The project site is within the City's Southeast Area Development and Improvement Plan (SEADIP). The City's LCP does not identify the project site as an environmentally sensitive habitat area (ESHA).¹

The CCC defines wetlands slightly differently than the ACOE. Whereas the ACOE utilizes a "three parameter definition," that requires the presence of wetland hydrology, hydric soils and a plant community with a predominance of hydrophytic vegetation, the CCC uses a "one parameter" definition requiring evidence of only one of the above-mentioned parameters in order for it to qualify as a wetland. Based on the initial site assessment conducted on July 20, 2009 PCR determined that the project site did not support a plant community with dominance of wetland indicator plant species, and lacked indicators of sufficient hydrology to support a wetland system.

¹ *City of Long Beach Department of Planning and Building. 1980. City of Long Beach Local Coastal Program, An Element of the City General Plan. Includes Conditions and Amendments through January 1994. Reprinted 2003.*

Vascular Plants, Continued

*/@	Scientific Name	Common Name	Federal Wetland List
MAGNOLIACEAE-MAGNOLIA FAMILY			
*@	<i>Magnolia grandiflora</i>	Southern magnolia	N/A
MALVACEAE-MALLOW FAMILY			
*	<i>Malva parviflora</i>	Cheeseweed	No entry
*	<i>Malva sylvestris</i>	High mallow	No entry
MYRSINACEAE-MYRSINE FAMILY			
*	<i>Anagallis arvensis</i>	Scarlet pimpernel	FAC
MYRTACEAE-MYRTLE FAMILY			
*	<i>Eucalyptus sp.</i>	Gum tree	No entry
OLEACEAE-OLIVE FAMILY			
*@	<i>Fraxinus uhdei</i>	Evergreen ash	No entry
OXALIDACEAE-WOOD-SORREL FAMILY			
*	<i>Oxalis pes-caprae</i>	Bermuda-buttercup	No entry
SAPINDACEAE-SOAPBERRY FAMILY			
*@	<i>Cupaniopsis anacardioides</i>	Carrotwood tree	No entry
SOLANACEAE-NIGHTSHADE FAMILY			
	<i>Solanum douglasii</i>	Douglas' nightshade	FAC
ARECACEAE-PALM FAMILY			
*@	<i>Phoenix canariensis</i>	Date palm	No entry
*@	<i>Washingtonia robusta</i>	Mexican fan palm	No entry
LILIACEAE-LILY FAMILY			
*@	<i>Aloe sp.</i>	Aloe	No Entry
*@	<i>Yucca aloifolia</i>	Spanish bayonet	N/A
POACEAE-GRASS FAMILY			
*	<i>Avena barbata</i>	Slender wild oat	No entry
*	<i>Bromus diandrus</i>	Ripgut grass	No entry
*	<i>Bromus madritensis var. rubens</i>	Red brome	No entry
*	<i>Cynodon dactylon</i>	Bermuda grass	FACU
*	<i>Hordeum murinum</i>	Hare barley	UPL
*	<i>Parapholis incurva</i>	Sickle grass	OBL
*	<i>Phalaris canariensis</i>	Annual canarygrass	FACU
*	<i>Polypogon monspeliensis</i>	Rabbit's-foot grass	FACW+

* Nonnative; @ Ornamental/Landscape.



The plant species and plant communities observed on the project site were consistent with the species identified in the SWCA report, and are typical of disturbed areas. While many of these species are classified as facultative wetland indicator species, they are often considered weed species which are common in upland, disturbed areas. Further, most vegetated areas of the project site had plant communities with an herbaceous component, a large percentage of which was comprised of upland grass species including red brome (*Bromus madritensis*), Ripgut brome (*Bromus diandrus*), and wild oat (*Avena barbata*), or exotic species such as Russian thistle (*Salsola tragus*), iceplant (*Mesembryanthemum crystallinum*), and star thistle (*Centaurea* sp.). The presence of these and other upland species precluded the presence of a plant community with a predominance of wetland indicator plant species.

The hydrology of the project site appeared limited to precipitation and street runoff from Loynes Drive, which appears to discharge local street runoff onto the northern portion of the project site via two concrete v-ditches. PCR did not review the project site's location within its local watershed, or the effects (if any) of tidal influence, or groundwater movement through the area. As such, we cannot determine if the Los Cerritos Channel (the "Channel"), located parallel to the southern boundary of the project site, approximately 65 feet to the south, may influence local hydrology on the project site. However, an existing gravel road, located between and directly abutting both the Channel and the project site, as well as the ground surface on the project site itself, lacked any visible evidence of surface flow or flooding that could be attributed to the Channel. As such, PCR concluded that if the Channel were to influence the surface hydrology on the project site it would likely occur at such an infrequent and irregular occurrence interval that it would not support a wetland system on the project site. The potential effect of ground water is addressed in the soils discussion, below.

To determine if hydric soils were present on the project site PCR conducted a second site inspection on August 18, 2009.² To assess the soils on the project site PCR took several soil cores throughout the project site. Because the majority of the project site has undergone significant earthwork, the areas targeted for these soil cores are located around the perimeter of the project site, which appeared relatively undisturbed from recent activities. One soil core was taken in the interior of the project site, but because of the aforementioned earthwork no sample could be accurately obtained. Please note that due to the history of the project site, as outlined in the SWCA report, the entire site was considered likely to have disturbed soils.

² Please note that this determination is based upon a two site visits that occurred within a period of approximately one month. If the channel regularly overtops its banks resulting in local flooding, and if corrective measures are regularly undertaken to repair related flooding damage from the Channel, PCR is not aware of them, and therefore the conclusions reached in this discussion may need to be revised. However, no evidence of flooding or flow attributable to the Channel was observed on the project site.



Soil Core 1

Location: Along southern boundary, just west of center of the boundary line. Approximately 12 feet from the fence.

Texture: very fine sand (silt loam):

0" - 6"	2.5Y 6/3 (100%)	1% high chroma (no color recorded);
6" - 10"	2.5Y 6/3 (90%) / 2.5Y 7/1 (10%)	1% high chroma;
10" - 16"	2.5Y 6/3 (60%) / 2.5Y 7/1 (40%).	

While Soil Core 1 becomes a depleted matrix at a depth of 10 inches this is too deep and lacks sufficient redoximorphic features (mottles) to be considered a hydric soil as either an F3 Depleted Matrix or a S5. Sandy Redox soil, and is therefore considered an upland soil.

Soil Core 2

Location: Along southern boundary, near westernmost corner. Approximately 10 feet from the fence. Within small, local depression approximately 54'x33' in size.

Texture: silt loam:

0" - 3"	10YR 3/1 ((70%) / 2.5Y 4/2 (30%)	1-2% high chroma (no color recorded); oxidized rhizospheres present;
3" - 8"	10YR 5/1 (60%) / 10YR 7/1 (40%)	<1% high chroma (no color recorded).

Texture: silt loam, some clay:

8" - 12"	2.5Y 4/2 (100%)	2% high chroma (10YR 4/4).
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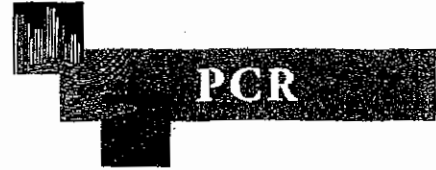
Refusal at 12" 'tight' silt/clay layer.

Soil Core 2 should be classified as a F3 Depleted Matrix soil due to its low chroma and redoximorphic features. Therefore, this should be considered a hydric soil.

Soil Core 3

Location: Along western boundary, approximately 1/3 distance north from southern boundary. Approximately 25 feet from the property line. Within a natural depression at the edge of earthwork.

Texture: very fine sand (silt loam):



0" – 6"	2.5Y 6/3 (100%)	2% hi chroma (no color recorded); 4% low chroma (2.5Y 7/1 (7/2));
6" – 10"	2.5Y 6/3 (80%) / 2.5Y (7/1) (20%)	5% high chroma (no color recorded);
10" – 11"	coarse construction fill	10% high chroma (no color recorded).

Refusal at 11".

Soil Core 3 should be considered an upland soil. Although significant redoximorphic features were identified the primary soil matrix color is too bright (chroma of 3).

Soil cores 1 and 3 should not be considered hydric soils due to a lack of sufficient hydric soil indicators observed. However, some indicators suggest either ground water or possibly subsurface water, originating from precipitation and stormwater runoff collected on the project site which subsequently percolates down into the soil column from the surface and moves (horizontally) through the project site.

Soil Core 2 was the only hydric soil identified on the project site. Its location within a small depression likely allows water to pool during seasonal rains for a duration long enough to generate anaerobic conditions within the surface soil horizons, and therefore creating a hydric soil. A thin siltation layer (3-4 mm thick), and some salt crust build up, produced through evaporation, further support this determination. The lack of a predominantly hydrophytic plant community precludes the area as being considered an ACOE wetland; however, under the CCC one parameter rule this area may be considered jurisdictional. However, because of the distinct separation of the project site from the Los Cerritos Channel, and because of the local topography within which the hydric soil was identified it is likely that these hydric soils developed independently from any coastal influence.

Thank you for the opportunity to assist you with reviewing the project site's biological resources. If you have any questions, please contact Rick Haywood at (949) 753-7001 or r.haywood@pcrnet.com.

Sincerely,
PCR SERVICES CORPORATION

Handwritten signature of Rick Haywood in black ink.

Rick Haywood
Senior Wetland Ecologist/Certified Arborist

Handwritten signature of Stephanie Gasca in black ink.

Stephanie Gasca
Senior Regulatory Specialist II

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South Coast Region

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CALIFORNIA
COASTAL COMMISSION

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Los Angeles, California 90067-3284
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Tamar C. Stein
310.284.2248
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November 16, 2010

File No. 61360

**SUBMITTED CONCURRENTLY TO STAFF
SUPPLEMENT TO APPLICANT'S SUBMISSION**

Hon. Bonnie Neely (Chair)
California Coastal Commission
825 Fifth Street, Room 111
Eureka, CA 95501

Charles R. Posner
California Coastal Commission
South Coast Area Office
200 OceanGate, Suite 1000
Long Beach, CA 90802-4416

Re: Appeal No. A-5-LOB-10-015
Hearing date November 19, 2010
Agenda Item No. F12a
6400 E. Loynes Drive, Long Beach, CA

Dear Chairperson Neely and Members of the Commission:

As you know, we represent Sean Hitchcock, the applicant for the coastal development permit ("CDP") which is the subject of the appeal described above. This submission supplements Mr. Hitchcock's proposed Habitat Revegetation and Monitoring Plan (the "LSA Plan") for 50,000 square foot area landfill cap area. Mr. Hitchcock and his consultant LSA still strongly believe this plan is appropriate. Nevertheless, Mr. Hitchcock and LSA have continued working and formulated an alternative plan to further address concerns set forth in the staff report.

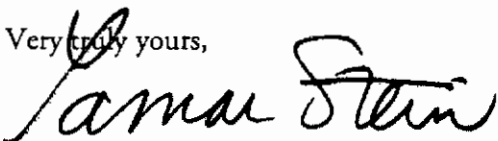
Mr. Hitchcock would, pursuant to the terms of the submitted LSA Plan (which is supported by the staff report except as to area), revegetate approximately 2.5 acres of the site where vegetation arguably has not returned to its pre-disturbance state. As shown by photos and analysis in LSA's supplemental report (Exhibit 1, attached) this 2.5 acre area is clearly demarcated biologically from the balance of the site, for which the staff report recommends revegetation.

This plan significantly improves the site compared to its pre-disturbance state, beyond what the Coastal Act would otherwise require and addresses all arguably disturbed areas of the site (See Pub. Res. C., § 30811; 14 Cal. Code Regs., § 13190).

Hon. Bonnie Neely (Chair)
Charles R. Posner
November 16, 2010
Page 2

We look forward to presenting this proposal at the Commission's hearing on Friday, November 19, 2010.

Very truly yours,

A handwritten signature in black ink that reads "Tamar Stein". The signature is written in a cursive, flowing style.

Tamar C. Stein

TCS/KJP
Attachment

November 16, 2010

EXHIBIT 1

Ms. Tamar C. Stein
Cox Castle and Nicholson LLP
2049 Century Park East, Suite 2800
Los Angeles, CA 90067

Subject: Supplement to Biological Review for Coastal Development Permit (CDP) Appeal
(A-5-LOB-10-015) – 6400 E. Loynes Drive, Long Beach, California

Dear Ms. Stein:

This letter is a supplement to the biological review that was provided on November 15, 2010. As discussed in that letter, the restoration plan provided by LSA proposed restoration of a 50,000-square-foot (sf) area in the central portion of the property. This area was based on information provided by the Applicant and is consistent with the area described in the emergency permit for the import and placement of additional landfill cap. Given the natural revegetation that has already taken place throughout the disturbed area, the restoration of the 50,000 sf area with native vegetation will provide substantially more habitat value on the property than existed prior to the unauthorized activity. Nevertheless, California Coastal Commission (CCC) Staff is recommending native restoration of the entire area that was disturbed, including areas for which there is no apparent difference between the pre-disturbance and post-disturbance condition.

Due to the difference between the original proposal for restoration of 50,000 sf and the Staff recommendation to restore an area of approximately 5 acres (ac), LSA is also recommending that the Applicant and the CCC consider an intermediate restoration project of approximately 2.5 ac, as shown in Figure 1. The boundary of this area is based on an observable difference in the type and density of vegetation that has reestablished on the site following the disturbance. This difference is illustrated in Figure 2, which shows ground-level photos of the area that would be restored under this scenario next to the area that has naturally returned to its pre-disturbance condition. In contrast, the photos in Figure 3 demonstrate that the remainder of the disturbed area (which is recommended for restoration by CCC Staff) is virtually identical to the undisturbed area around the perimeter of the property. This difference in vegetation indicates that the degree of disturbance in the outer area was much less than in the 2.5 ac area identified in the central portion of the site. The lesser disturbance is also evident in the aerial photograph of Figure 1, which clearly shows substantial vegetation remaining after the disturbance. On the other hand, the area within the central portion of the property likely has less vegetation due to the deeper soil disturbance and/or the placement of soil that buried the seed bank.

I hope this supplemental analysis is useful in finding an acceptable resolution of the differences between the Applicant and Staff.

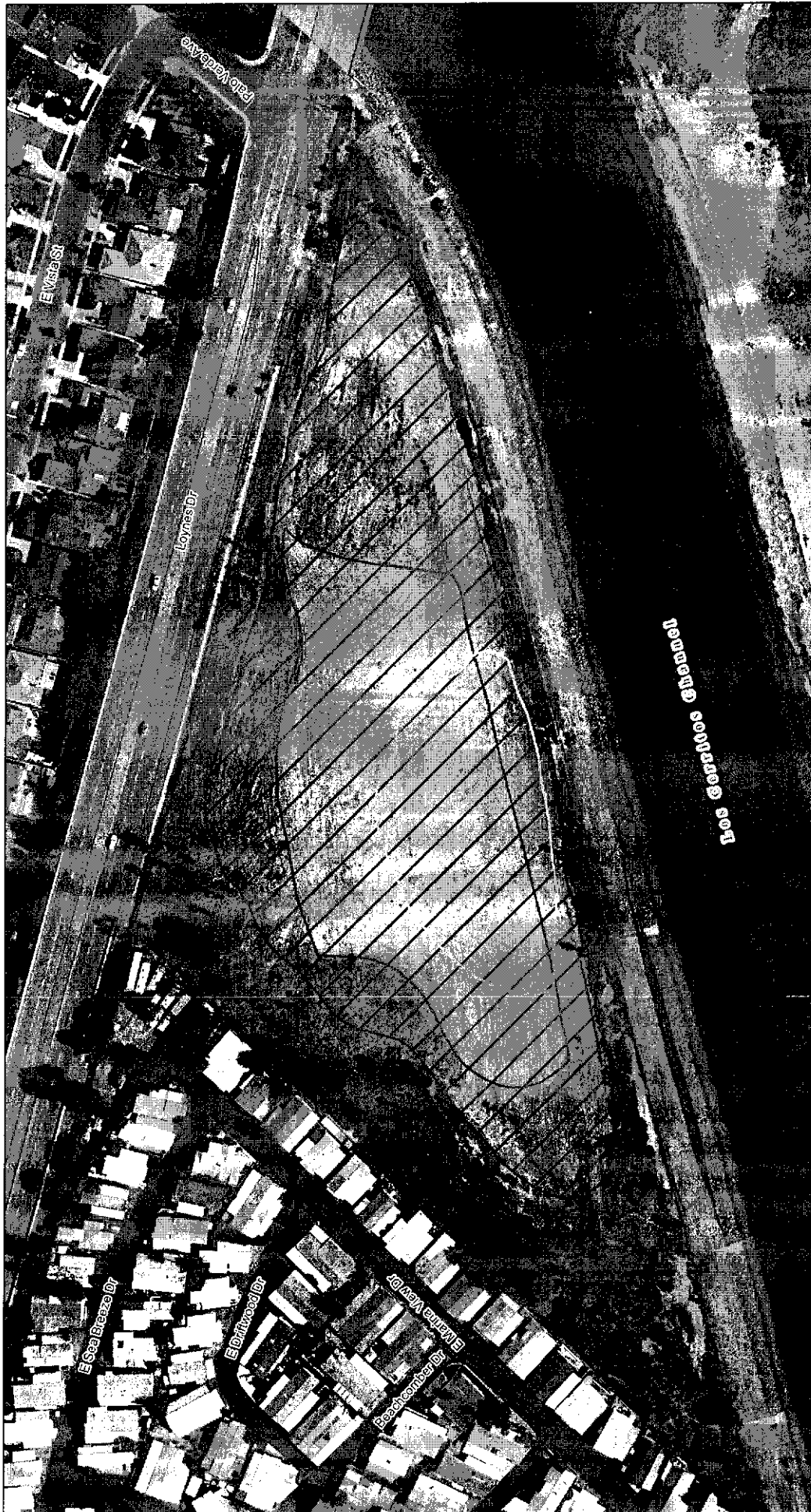
Sincerely,

LSA ASSOCIATES, INC.



Art Homrighausen
Principal

Attachments: Figure 1: Proposed Restoration Areas
Figure 2: Photos of Alternative Restoration Boundary
Figure 3: Photos of Disturbance Area Limit



LSA

LEGEND

- Proposed Restoration Area
- Alternative Restoration Area
- Coastal Commission Area of Disturbance

Scale: 0 50 100 Feet

SOURCE: Google Earth, 2009

1. Coastal GIS Proposed Restoration Area 2.04v1 (11/16/2010)

Los Serranos Channel

Proposed Restoration Area

Los Serranos Channel

FIGURE 1