

CALIFORNIA COASTAL COMMISSION

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Hearing Date: November 3, 2011
Commission Action:



Th12b

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-10-278

APPLICANT: LCW Partners, LLC **AGENT:** John McKeowin

PROJECT LOCATION: Los Cerritos Wetlands (situated south of 2nd Street & west of San Gabriel River), City of Long Beach, Los Angeles County.

PROJECT DESCRIPTION: Remove gravel fill (an unpermitted road) from a coastal wetland and restore its previous elevation and hydrological conditions; and plant the affected area (approx. 1,307 sq. ft.) with local pickleweed (*Salicornia virginica*) and saltgrass (*Distichlus spicata*).

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program (LCP), 7/22/80.
2. Coastal Development Permit 5-08-348 (Los Cerritos Wetlands, Weed Abatement).
3. Coastal Development Permit 5-10-007 (LCWA/L.A. Co. – Well Abandonment).
4. Coastal Development Permit 5-10-204 (Los Cerritos Wetlands Authority, Zedler Marsh).
5. Emergency Coastal Development Permit E-10-002-G (LCW Partners Pipeline Relocation).
6. Conceptual Temporary Road Removal and Habitat Restoration Plan, by Glenn Lukos Associates, Inc., February 2, 2011 (Exhibit #3).

SUMMARY OF STAFF RECOMMENDATION

The proposed project would restore a disturbed area within a wetland (mudflat/alkali meadow) in southeast Long Beach. The proposed project, which is within the Los Cerritos Wetlands, will enhance the existing native plant communities and improve wetland habitat. The City of Long Beach certified Local Coastal Program (LCP) does not cover the project area, and the project site is within the Commission's retained permit jurisdiction. The Commission's standard of review for the development is the Chapter 3 policies of the Coastal Act.

Staff is recommending that the Commission **APPROVE** the coastal development permit for the proposed restoration project consistent with the terms set forth in the Special Conditions. Special Condition One ensures that the proposed project will not adversely affect native plants and animals or their habitat, as follows: road removal will take place outside of marsh bird nesting season, no bird nests will be disturbed, all native plants will be from local sources, and the project will be monitored for at least three years to ensure its success. As conditioned, the proposed development is consistent with the Chapter 3 policies of the Coastal Act. The applicant agrees with the recommendation. **See Page Two for the motion to carry out the staff recommendation.**

STAFF RECOMMENDATION:

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

MOTION: *"I move that the Commission approve with special conditions Coastal Development Permit 5-10-278 per the staff recommendation."*

The staff recommends a **YES** vote. Passage of the motion will result in **APPROVAL** of the coastal development permit application with special conditions, and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of Commissioners present.

I. Resolution: Approval with Conditions

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Site Restoration and Monitoring Plan

Coastal Development Permit 5-10-278 authorizes only the development expressly described in Exhibit #3 of the staff report dated October 13, 2011 (Conceptual Temporary Road Removal and Habitat Restoration Plan, by Glenn Lukos Associates, Inc., February 2, 2011) and conditioned herein. All development must occur in strict compliance with the proposal as set forth in the staff report, subject to the following provisions:

- A. No bird nests shall be disturbed at any time. The road removal shall take place outside of marsh bird nesting season, which is February 1 through August 31.
- B. Removal of unpermitted road fill. The topography and hydrology of the site (where the temporary road was constructed) shall be restored to its previous condition. The fill (gravel road) shall be removed with minimal disturbance to the wetland and surrounding vegetation. The permittee shall ensure that the areas of existing native vegetation are protected from disturbance (e.g., using silt fences) during the implementation of the approved project. An excavator may be used to remove the temporary road, but it shall be limited to the temporary road to remove fill, working eastward from the western end of the temporary road. The use of mechanized equipment is prohibited in marsh and mudflat areas.
- C. Disposal of Fill Material. The temporary storage or stockpiling of soil, silt, and other organic or earthen materials shall not occur where such materials could pass into coastal waters or wetlands. All material removed from the site shall be disposed of at an appropriate off-site location within 24 hours of excavation. A separate coastal development permit will be required prior to the placement of any 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.
- D. Native Plants. Planting shall commence immediately following the removal of the temporary road. All vegetation planted on the site will consist of native plants found in the Los Cerritos Wetlands. The seeds and cuttings employed shall be from sources in the Los Cerritos Wetlands. Irrigation will be done by hand. Temporary fencing may be installed to protect new plants from herbivores.
- E. 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.
- F. No herbicides or persistent chemicals shall be employed.
- G. Monitoring. 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 restoration plan. For at least three years following the initial planting, the permittee shall employ a

qualified Wetlands Ecologist to actively monitor the restoration area, remove non-native plants, and replant native vegetation that has failed. The qualified Wetlands Ecologist shall monitor and inspect the site no less than once each thirty days during the first year that follows the initial planting. Thereafter, the qualified Wetlands Ecologist shall monitor the site at least once every ninety days. Each year, for a minimum of three years from the date of permit issuance, the qualified Wetlands Ecologist shall submit for the review and approval of the Executive Director, an annual monitoring report that describes the status of the restoration plan. The annual monitoring report shall include photographic documentation of plant species and plant coverage. If the annual monitoring report indicates the project area has not been successfully restored and colonized by native plants as anticipated, the permittee shall submit a revised or supplemental restoration plan for the review and approval of the Executive Director. The revised restoration plan must be prepared by a qualified Wetlands Ecologist and shall specify measures to restore the project area with native vegetation. The permittee shall implement the supplemental restoration plan approved by the Executive Director and/or seek an amendment to this permit if required by the Executive Director.

The permittee shall undertake development in accordance with the approved restoration plan. Any proposed changes to the approved restoration plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and Title 14, Division 5.5 of the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Implementation within Ninety Days

Implementation of the approved restoration plan (i.e., removal of the temporary road and commencement of planting) shall commence as soon as possible following the issuance of the coastal development permit, and no later than thirty (30) days from the date of Commission approval of this permit, or within such additional time as the Executive Director may grant for good cause. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

3. Resource Agencies

The permittee shall comply with all requirements, requests and mitigation measures from the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project that may be required by the above-stated agencies shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The proposed project, which is in the Los Cerritos Wetlands, is necessary to remove gravel fill (a 93-foot long road) from a coastal wetland and restore the site to its previous flat elevation and hydrological conditions (See Exhibit #3). Once the road is removed, the affected area (approx. 1,307 sq. ft.) will be planted with local pickleweed (*Salicornia virginica*) and saltgrass (*Distichlus spicata*). The project site, which is owned by the City of Long Beach, is a mudflat/alkali meadow on the west side of the western levy of the San Gabriel River (Exhibit #2). The 93-foot long road was installed in early 2010 by the applicant, who formerly owned the property, at the direction of the U.S. Environmental Protection Agency (EPA) in order to gain temporary vehicle access to a power pole and transistor that had to be removed to remediate a potential environmental hazard. The surrounding wetland area is an oil producing area with several active wells. The City has granted the applicant permission to carry-out the proposed restoration project, which is expected to commence in November 2011.

B. Marine Resources and Environmentally Sensitive Habitat Areas (ESHA)

The Coastal Act contains policies that protect marine resources, water quality and sensitive habitat areas from the adverse impacts of development. The following Coastal Act policies apply to the proposed project because the project site contains marine resources including wetlands and sensitive habitat area.

Section 30230 of the Coastal Act states:

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

Section 30231 of the Coastal Act states:

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

Section 30233 of the Coastal Act states, in part:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- 1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- 2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- 3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- 4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- 5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- 6) Restoration purposes.
- 7) Nature study, aquaculture, or similar resource dependent activities.

Section 30240 of the Coastal Act states:

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

The entire Los Cerritos Wetlands area is part of the historic delta of the San Gabriel River. The project site is a wetland situated between oil field access roads that cross the wetlands on the west side of the western levy of the San Gabriel River (Exhibit #2). The project site is referred to as a mudflat/alkali meadow in the Conceptual Temporary Road Removal and Habitat Restoration Plan by Glenn Lukos Associates, Inc. (Exhibit #3). Direct rainfall and local run-off keep the project site wet for part of the year. The 1,307 square foot restoration area was formerly vegetated with pickleweed (*Salicornia virginica*) and saltgrass (*Distichlus spicata*)

before the fill was placed on it for the temporary road. Approximately two-thirds of the site, however, was a sparsely vegetated mudflat. The project site provides habitat for common shorebirds and water fowl (Exhibit #3, p.4).

The gravel placed in the wetland for a temporary road is proposed to be removed by an excavator working backwards from the western end of the temporary road, and proceeding eastward towards the permanent roadbed. Silt fencing will be installed prior to the gravel removal in order to reduce impacts to the surrounding wetland. Following removal of the gravel fill, the applicant proposes to plant 0.01 acre of the impacted area with saltgrass (*Distichlus spicata*). Local pickleweed (*Salicornia virginica*) from the surrounding wetland is expected to naturally colonize the disturbed area. Native plant materials will be obtained from cuttings and seeds taken in the adjacent wetlands. The proposed project includes ecological monitoring for three years, as required by Special Condition One. Special Condition One also ensures that the proposed project will not adversely affect native plants and animals or their habitat, as follows: road removal will take place outside of marsh bird nesting season, no bird nests will be disturbed, and all native plants will be from local sources, and the project will be monitored for at least three years to ensure its success.

Special Condition Two requires the permittee to carry out the approved restoration plan within thirty days of Commission action on this application. In addition, Special Condition Three requires the permittee to comply with all permit requirements and mitigation measures of the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Only as conditioned will the proposed project ensure that marine resources and water quality be protected as required by the resource protection policies of the Coastal Act.

Section 30240(a) of the Coastal Act requires that environmentally sensitive habitat areas (ESHA) shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Special conditions (e.g., timing of the project, protection of native plants, etc.) are being imposed on the project in order to prevent impacts that would significantly disrupt the ESHA in the project area. The proposed project, as conditioned, will enhance the existing native plant communities and improve wetland habitat. The proposed project will not result in the loss of any wetland area. Seeds and cuttings will be collected from native plants within the impacted area and from other plants within the Los Cerritos Wetlands and used to restore native vegetations within the project area. The proposed project is a habitat restoration project that is permitted in ESHA. Therefore, the Commission finds that the project, as conditioned, is consistent with Section 30240 of the Coastal Act because the proposed development, as conditioned, has been sited and designed to prevent impacts which would significantly degrade sensitive habitat areas, and will be compatible with the continuance of such habitat areas.

Section 30233(a) of the Coastal Act limits the diking, filling, or dredging of wetlands to specific permitted uses, and only where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. The project site falls within a portion of the Los Cerritos Wetlands, but the proposed project will not result in the loss of any wetland area. No wetland fill is proposed - only the removal of unpermitted fill that was placed in the wetland as a temporary road. The proposed removal of the fill sediment from the wetland can be considered a type of "dredging"

under a broad definition of the term. The purpose of the project is to restore the project area by removing the fill and enhancing the area with the re-establishment of native species. One of the uses allowed under Section 30233(a)(6) is "Restoration Purposes". Therefore, for the reasons stated above, the Commission finds that the proposed wetland restoration project, as conditioned, is consistent with Section 30233 of the Coastal Act. There is no feasible less environmentally damaging alternative and feasible mitigation measures have been provided to minimize adverse environmental effects.

The proposed project, as conditioned, is also consistent with Sections 30230 and 30231 of the Coastal Act because it will enhance marine resources and improve the biological productivity of wetlands. All adverse environmental effects of the proposed project have been minimized by the proposed habitat restoration plan and the special conditions of approval. For the reasons discussed above, the Commission finds that the project, as conditioned, is consistent with Sections 30230, 30231, 30233 and 30240 of the Coastal Act.

C. Public Access and Recreation

One of the basic goals stated in the Coastal Act is to maximize public access to and along the coast. The Coastal Act has several policies that protect public access along the shoreline and public recreational opportunities.

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30213 of the Coastal Act states:

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

The proposed development will not interfere with public access or any existing public recreation uses of coastal resources as the project site is not open for public access at this time. The proposed development is about two hundred feet west of the San Gabriel River and the public bicycle route that runs along the west bank of the river. The proposed development will not eliminate any potential future recreational uses at or near the site. Therefore, the Commission finds that the proposed development, as conditioned, does not conflict with any of the public access or recreation provisions of the Coastal Act.

D. Unpermitted Development

The development subject to this permit application occurred without the required coastal development permit. The unpermitted development includes placement of gravel fill for a temporary road. Implementation of the approved restoration plan required by Special Condition Two shall commence as soon as possible following the issuance of the coastal development permit, and no later than thirty days from the date of Commission approval of this permit, or within such additional time as the Executive Director may grant for good cause. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

Although development has taken place prior to Commission action on this permit application, consideration of the application by the Commission is based solely upon the policies contained in Chapter 3 of the Coastal Act. Commission action on this permit application does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit or permit amendment.

E. Local Coastal Program

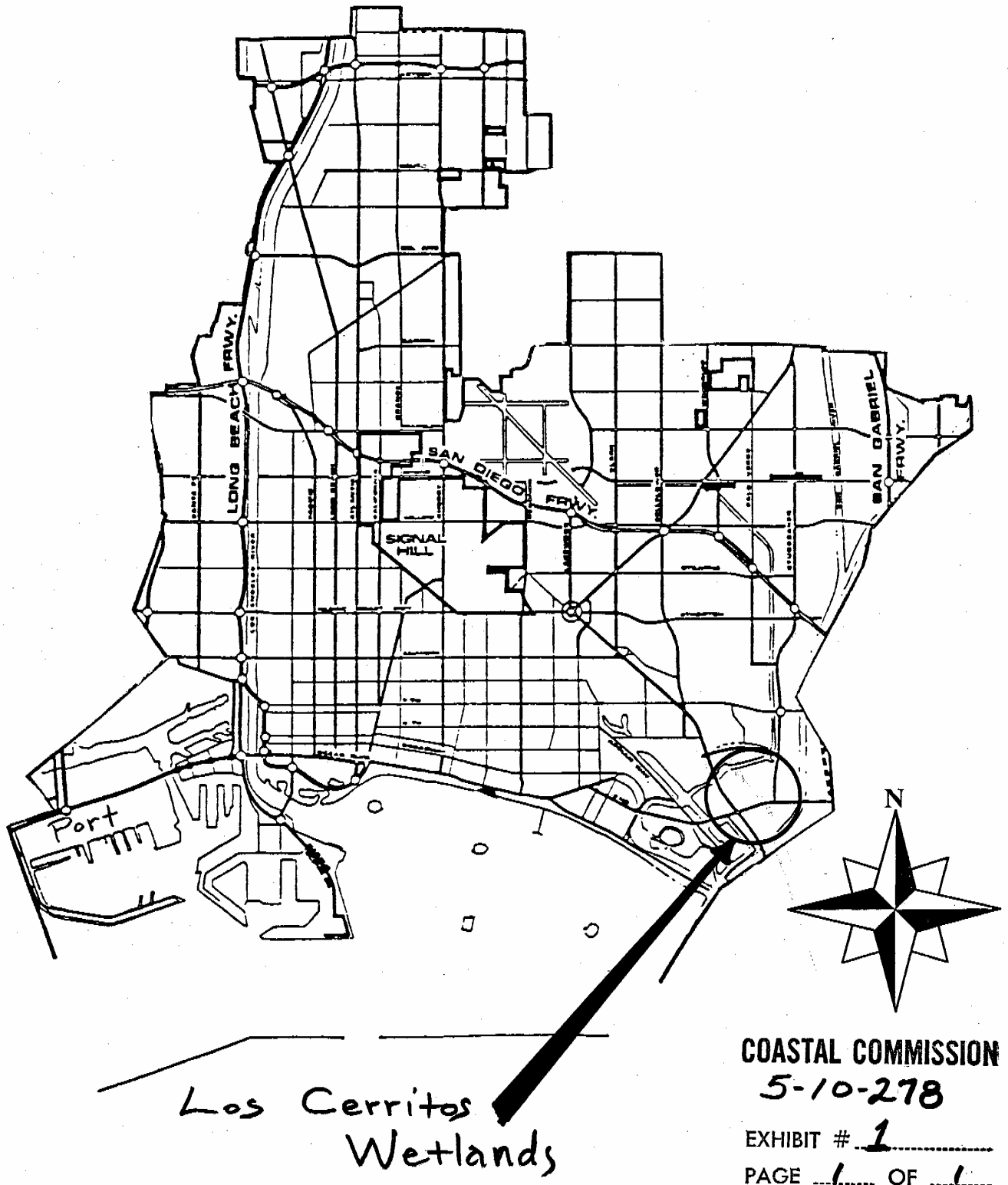
A coastal development permit is required from the Commission for the proposed development because it is located within the Commission's area of original jurisdiction. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

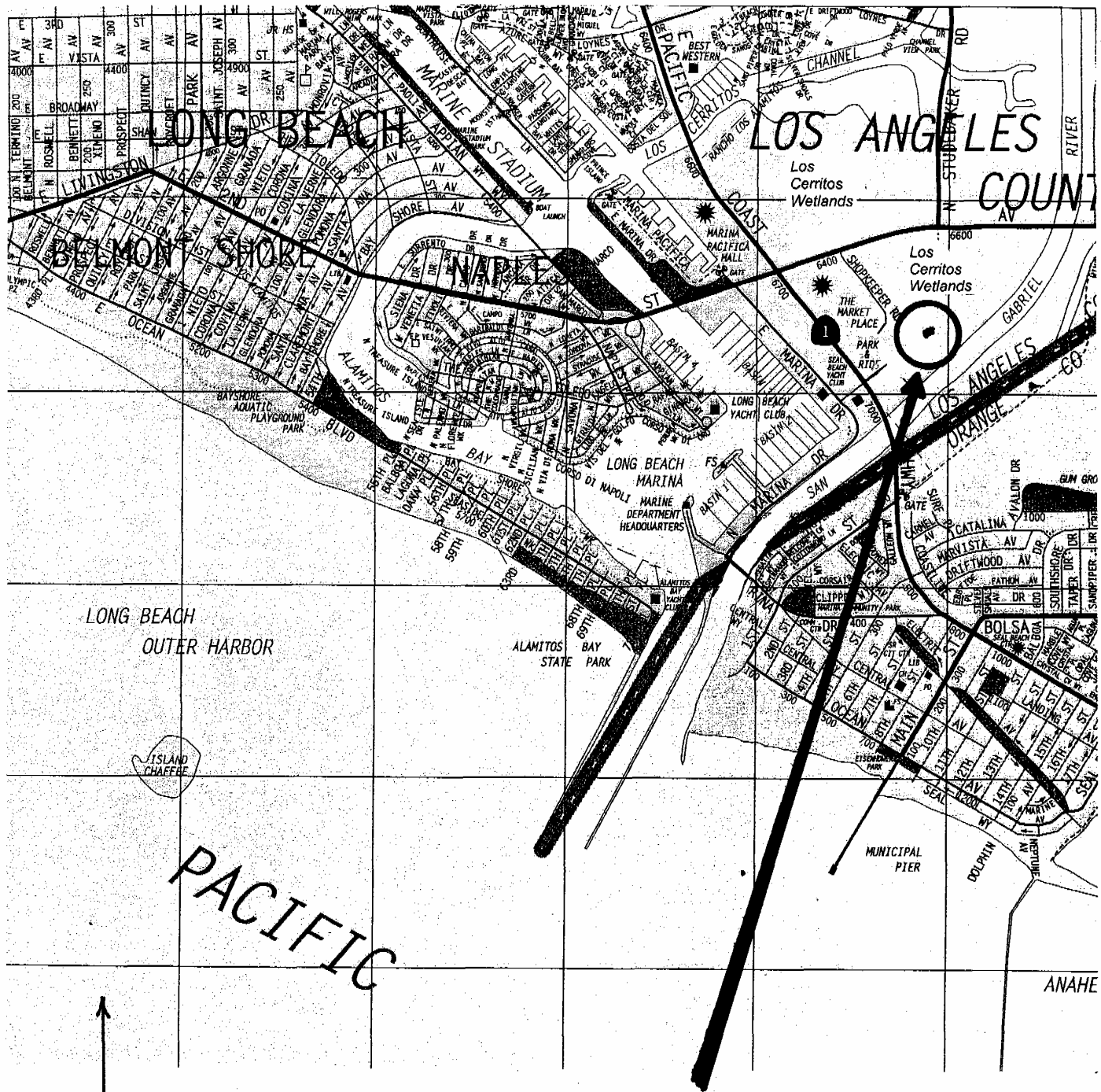
F. California Environmental Quality Act (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized by the recommended conditions of approval and there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the requirements of the Coastal Act and CEQA.

City of Long Beach





Project Site

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EXHIBIT # 2

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**CONCEPTUAL TEMPORARY ROAD REMOVAL
AND HABITAT RESTORATION PLAN**

**BIOLOGICAL SUPPORT FOR COASTAL DEVELOPMENT
PERMIT APPLICATION 5-10-278
ROAD REMOVAL/MARSH RESTORATION
PROJECT
FOR THE
LOS CERRITOS WETLANDS**

**CITY OF LONG BEACH
ORANGE COUNTY, CALIFORNIA**

February 2, 2011

Prepared for:

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5-10-278**

**EXHIBIT # 3
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I. PROJECT DESCRIPTION and SUMMARY

This report describes the conceptual road removal and marsh restoration plan associated with the (LCW PARTNERS, LLC) Road Removal and Marsh Restoration Project (the Project) located in the city of Long Beach, Los Angeles, California [Exhibits 1 and 2]. The Applicant proposes to remove a temporary gravel road and to restore the impacted wetland habitat in the Los Cerritos Wetlands, located south of Second Street in Southeast Long Beach, on the southwestern portion of the property. LCW PARTNERS, LLC proposes to implement a focused excavation program in implementing the road removal process, providing for restoration of the marsh to its previous hydrologic and habitat functions [Exhibit 3].

In association with the Project, the proposed restoration plan will provide for (1) removal of temporary gravel road; (2) restoration of approximately 0.02 acre of mudflat to pre-project conditions; and (3) restoration of 0.01 acre of alkali meadow dominated by common pickleweed (*Salicornia virginica*) and saltgrass (*Distichlus spicata*) to pre-project conditions [Exhibits 4 and 5].

This plan has been prepared pursuant to the California Coastal Commission's (CCC) requirement set forth in the December 20, 2010 "status letter" that the applicant (LCW PARTNERS, LLC) submits a coastal development permit application in order to resolve a case of unpermitted development. Additional information materials may be submitted no later than February 25, 2011 per Coastal Development Permit Application 5-10-278. Included in this plan is the information set forth in items 2, 3, and 4 of the status letter:

2. Biological Survey. Please provide a survey, prepared by a qualified resource specialist, which documents the species of flora and fauna that exist, or have historically existed, at the project site.

3. Detailed Restoration Plan. Please provide project plans, including a site plan that shows the existing and proposed topography, a plant list, and a planting schedule. Please describe the methods proposed to be used to remove the road and restore the site.

4. Hydrology. Please provide a detailed plan for any proposed modifications to the existing hydrology of the marsh.

A. Location of Project

The Los Cerritos Wetlands project site is located in the City of Long Beach, Los Angeles, California [Exhibit 1]. The site contains no blue-line drainages as depicted on the U.S. Geological Survey (USGS) topographic map Los Alamitos, California [Exhibit 2]. The Project site is bounded by Second Street to the north, Pacific Coast Highway to the west, North Marina Drive to the south, and the San Gabriel River to the east.

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EXHIBIT # 3
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B. Brief Summary of Overall Project

The Applicant proposes to remove a temporary gravel road and to restore the impacted wetland habitat in the Los Cerritos Wetlands to its previous condition.

The temporary road, consisting of clean fill soil and gravel was originally installed by the Applicant and approved by the U.S Environmental Protection Agency to gain temporary vehicle access to a power pole in order to remediate a potential environmental hazard located on the southwest portion of the property. The 0.03 acre temporary road will be removed by use of an excavator, which will begin gravel removal at the west end of the road, thereby proceeding backward towards the east establishment of the road head. Silt fencing will be installed around the outer edges of the road in order to capture any side-cast that could potentially reach the adjacent wetland areas.

Following road removal, restoration of the impacted area will include wetland plantings of common pickleweed (*Salicornia virginica*) and saltgrass (*Distichlus spicata*) with quarterly on-site monitoring over the next year.

C. Responsible Parties

Applicant: LCW Partners, LLC c/o Jeff Berger

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Contact: Tony Bomkamp

D. Project Impacts

The Project will restore approximately 0.02 acre of mudflat and 0.01 acre of alkali meadow, for a combined area of 0.03 acre. The alkali meadow supports a mix of obligate and facultative wetland plants, among which, two plant species dominate. These include approximately 60 percent common pickleweed (*Salicornia virginica*, OBL), and 40 percent saltgrass (*Distichlus spicata*, FACW).

E. Type(s) and Functions of the Areas to be Directly and Indirectly Impacted

The temporary access road is located near the southwestern property boundary, adjacent to The San Gabriel River, which begins at an existing dirt road and extends approximately 93 linear feet towards the west edge of the property. The temporary access road was created in order to gain access to a power pole.

Hydrologic Functions

The area affected by the temporary access road has been part of an active oil field for many decades and has been cut off from tidal influence. Hydrology is provided to this area from direct rainfall and local runoff. The area exhibits standing water during average and above average rainfall years.

Functions Related to Habitat

The area provides habitat for common wetland plants as well as common shorebirds and waterfowl.

The alkali meadow/marsh habitat is largely vegetated with low-growing (mostly native) vegetation similar to the adjacent wetland areas that are associated with the oil field. Based on the adjacent vegetation and historic aerial photographs, the area covered by the temporary access road supported areas of wetland vegetation including common pickleweed (*Salicornia virginica*, OBL), saltgrass (*Distichlus spicata*, FACW), and annual saltmarsh aster (*Aster subulatus*, FACW). Wetland plants on the other positions of the site include saltmarsh bulrush (*Scirpus maritimus*, OBL), heliotrope (*Heliotropium curassavicum*, OBL), and shoregrass (*Monanthochloe littoralis*, OBL); however these do not occur in areas immediately adjacent to the temporary access road and were not affected during its installation.

The adjacent areas support a variety of common shorebirds and migratory waterfowl including willets, western sandpipers, great herons, great basin egrets, killdeer, mallards, cinnamon teals, and shovelers. Raptors such as red-tailed hawks and ospreys have historically used the area, as well as the Belding's savannah sparrow, red-winged blackbirds, common yellow throats, and other passerines.

II. GOAL OF RESTORATION

A. Type(s) of Habitat to be Restored

Restoration at the Project site will include the following components: (1) removal of temporary gravel road; (2) restoration of approximately 0.02 acre of un-vegetated mudflat; and (3) restoration

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of 0.01 acre of alkali meadow dominated by common pickleweed (*Salicornia virginica*) and saltgrass (*Distichlus spicata*).

Approximately 0.03 acre of existing alkali meadow and mudflat habitat will be restored to its previous condition with implementation of the restoration program. Removal of the temporary road will allow for successful replanting of common pickleweed (*Salicornia virginica*) and saltgrass (*Distichlus spicata*) in the area. Prior to road construction, this habitat was supported by direct rainfall and local run-off. Following road removal, direct rainfall and local run-off will continue to support emergent wetland vegetation and un-vegetated mudflat habitat.

B. Functions and Values of Habitat to be Restored

Hydrologic Functions

The area will be restored to its previous elevation and previous hydrologic conditions.

Functions Related to Habitat

The area will be restored to its previous habitat functions.

C. Time Lapse

The Restoration Plan would be implemented concurrent with Road Removal which will begin within 30 days of receipt of the CCC permit, weather permitting

III. FINAL SUCCESS CRITERIA

A. Target Functions and Values

Wetland restoration efforts will result in provision of short-term storage of surface water, long-term storage of surface water, subsurface storage of water, removal of imported elements and compounds, retention of particulates, and habitat for wildlife.

B. Target Hydrological Regime

Wetland creation efforts will create areas of seasonally ponded water and long-term soil saturation sufficient to support wetland vegetation. Storage of water as surface ponding and saturation will provide for the establishment and maintenance of the target vegetation.

IV. IMPLEMENTATION PLAN

A. Rationale for Expecting Implementation Success

The 0.03- acre area will be restored to original contours followed by planting of vegetation within areas previously dominated by pickleweed and saltgrass. Habitat within the area will be supported by seasonal ponding and soil saturation as a result of restored hydrology.

B. Responsible Party

(LCW PARTNERS, LLC) will be the responsible party.

C. Site Preparation

1. Protection

Prior to road removal, the 0.03-acre project area will be lined with silt fence in order to capture any side-cast that could potentially reach the adjacent wetland areas.

2. Equipment/Methods

The 0.03-acre temporary access road (consisting of clean fill soil and gravel), will be removed by use of an excavator, which will begin gravel removal at the west end of the road nearest the subject telephone pole, and moving toward the east. As material is removed it will not be necessary for equipment to disrupt any areas of adjacent wetland

3. Weed removal

Prior to planting, any additional exotic/invasive weeds will be removed manually from the 0.03-acre site so as not to inhibit proposed plant growth and natural mudflat conditions.

4. Planting Types

Wetland plantings would be obtained from on-site cuttings

5. Irrigation Methodology

No irrigation will be used.

6. Timing

Vegetation will be planted in October to take advantage of the rainy season to ensure optimum survival of plantings.

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D. Planting Plan

The restored wetland area will be planted with components of the adjacent alkali meadow plant community consisting of 60 percent pickleweed (*Salicornia virginica*) and 40 percent saltgrass (*Distichlis spicata*) as set forth in Table 2. The cuttings will be planted in a natural mosaic within the targeted 0.01-acre area using information gathered during site visits and from general knowledge of local plant communities.

E. Plant Palette

All of the plants included in the planting palette are able to tolerate dry summer conditions, taking advantage of inundation or saturated soil conditions during the winter and spring rainy season. Initial plantings will be accomplished during October, to take full advantage of the rainy season during the first year of the restoration program.

Table 1. Plant Palette for Marsh Restoration Within the Los Cerritos Wetlands

Plant Species	Cutting Size	Number per 0.01- Acre/ Planting Rate
Common Pickleweed <i>Salicornia virginica</i>	1 stem	523 stems
Saltgrass <i>Distichlis spicata</i>	1 stem	348 stems
Total		871 stems

* Note: The number per 0.01-acre planting rate is doubled based on assumptions of unknown survival rates

F. As-Built Conditions

The applicant will submit a report (including site photographs and a narrative that addresses the creation activities) to the California Coastal Commission (CCC) within 12 weeks of completion of site preparation and planting, describing as-built status of the creation project.

V. MAINTENANCE AND MONITORING PERIOD

A. Maintenance Activities

The purpose of this program is to ensure the success of the restoration program. Maintenance will be conducted for one year to ensure that the restoration is on an acceptable trajectory. As the weed eradication and plant installation is completed, the habitat restoration specialist will schedule a meeting with key members of the landscape maintenance crew in order to identify proper maintenance procedures. The following tasks will be performed as general maintenance duties:

1. Exotic Vegetation Control

Weeding will be conducted monthly during the first six months of the project and quarterly during the last six months, or as necessary and as directed by the Project Restoration Specialist. Any exotic/invasive species found in creation areas will be eradicated through hand clipping or pulling.

2. Plant Replacement

Dead or damaged plants will be replaced during the first year as necessary to ensure compliance with the performance standards. It is important to note that cuttings will be planted a density double the requirement, as some mortality is expected. Replacement of cuttings would only occur if mortality rates reach 50 percent or higher.

3. Trash Removal

Trash removal will be conducted during weeding and other maintenance visits.

4. Special Protection

None of the species selected are expected to require special protection

B. Responsible Parties

LCW PARTNERS, LLC or its successors (e.g., a property owners association) will be responsible for financing and carrying out maintenance activities. LCW PARTNERS, LLC may assign the maintenance responsibilities to an appropriate contractor, but will retain ultimate responsibility for maintenance of the creation site.

C. Schedule

Monthly weed control maintenance will be necessary for at least the first 12 months of project life. Uncontrolled weeds would quickly out-compete many of the desired native plant species. As the year passes into the summer and fall, the weed problem is expected to decrease and, depending on the health and spread of the desired plants, the weed maintenance schedule will not be necessary by the end of one year.

VI. MONITORING PLAN

A. Performance Criteria

The success of creation is defined as the restoration of a functional ecosystem. Success is usually measured by percent coverage by target species. While a fully successful creation plan might be viewed as one that results in 100-percent coverage, such coverage is unlikely. Natural habitats rarely exhibit 100-percent coverage, but rather include a considerable proportion of open spaces. While this monitoring program uses percent coverage criteria, it is noted that determination of successful coverage is expected to be relative to other similar native habitats typical of the region.

The means of determining successful enhancement for this site will be through a series of measurements for natural recruitment, exotic species cover, and cover by native species. All of these, except non-native species cover, should increase over time. Cover by non-native species should be the opposite; it should decrease with time, particularly because one of the primary goals of the project is to substantially reduce or eliminate non-native species from the site.

After the initial non-native species eradication and associated planting effort has been completed, the restoration site will be monitored by the project monitor on a quarterly basis for the remainder of the monitoring period. Qualitative surveys, consisting of a general site walkover and habitat characterization, will be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed persistence/establishment, mortality, and drought stress, will be noted in each site walkover. The Project Monitor will determine remedial measures necessary to facilitate compliance with performance standards.

Quantitative data will be collected for the last quarter of the year using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition.

In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriately sized cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as soil tests and excavations of failed plantings to examine root development) to determine causes of failure. If substantial non-compliance with the performance occurs, LCW PARTNERS, LLC will consult the CCC to determine whether corrective measures and an extension of the one-year monitoring period will be necessary.

This program proposes restoration of 0.03- acre within the area disturbed by the temporary access road. The area will be clearly marked with appropriate signage to prevent accidental disturbances to habitat in the area.

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1. Standard Vegetation Monitoring Success Criteria

First-Year Monitoring

Success Standard: Survival of cuttings to exceed 50 percent at approximately 60:40 ratio
No more than 5-percent coverage by non-native plant species

B. Monitoring Methods

Qualitative monitoring will be conducted quarterly for the first three quarters and quantitatively for the final quarter.

1. Photo-Documentation

Several permanent stations for photo-documentation will be established. Photos shall be taken each quarter from the same vantage point and in the same direction each year, and shall reflect material discussed in the final monitoring report.

2. Final Success Criteria Resolution

If the project meets all success criteria at the end of the one-year monitoring period, the re-vegetation will be considered a success. If not, the maintenance and monitoring program will be extended one full year at a time and a specific set of remedial measures, approved by the CCC, will be implemented until the standards are met. Only those areas that fail to meet the success criteria will require additional work. This process will continue until all year-one standards are met or until the CCC determine that other re-vegetation measures are appropriate.

C. Annual Reports

At the end of each monitoring period, an annual report will be prepared for submittal to the CCC. This report will assess both attainment of target criteria and progress toward final success criteria. This report will include the following:

- a list of names, titles, and companies of all persons who prepared the content of the annual report and participated in monitoring activities for that year
- an analysis of all qualitative monitoring data
- copies of monitoring photographs
- maps identifying monitoring areas, transects, planting zones, etc. as appropriate.

D. Schedule

Annual Reports will be submitted by December 31 of each year for the year in which quantitative sampling was performed.

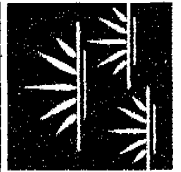
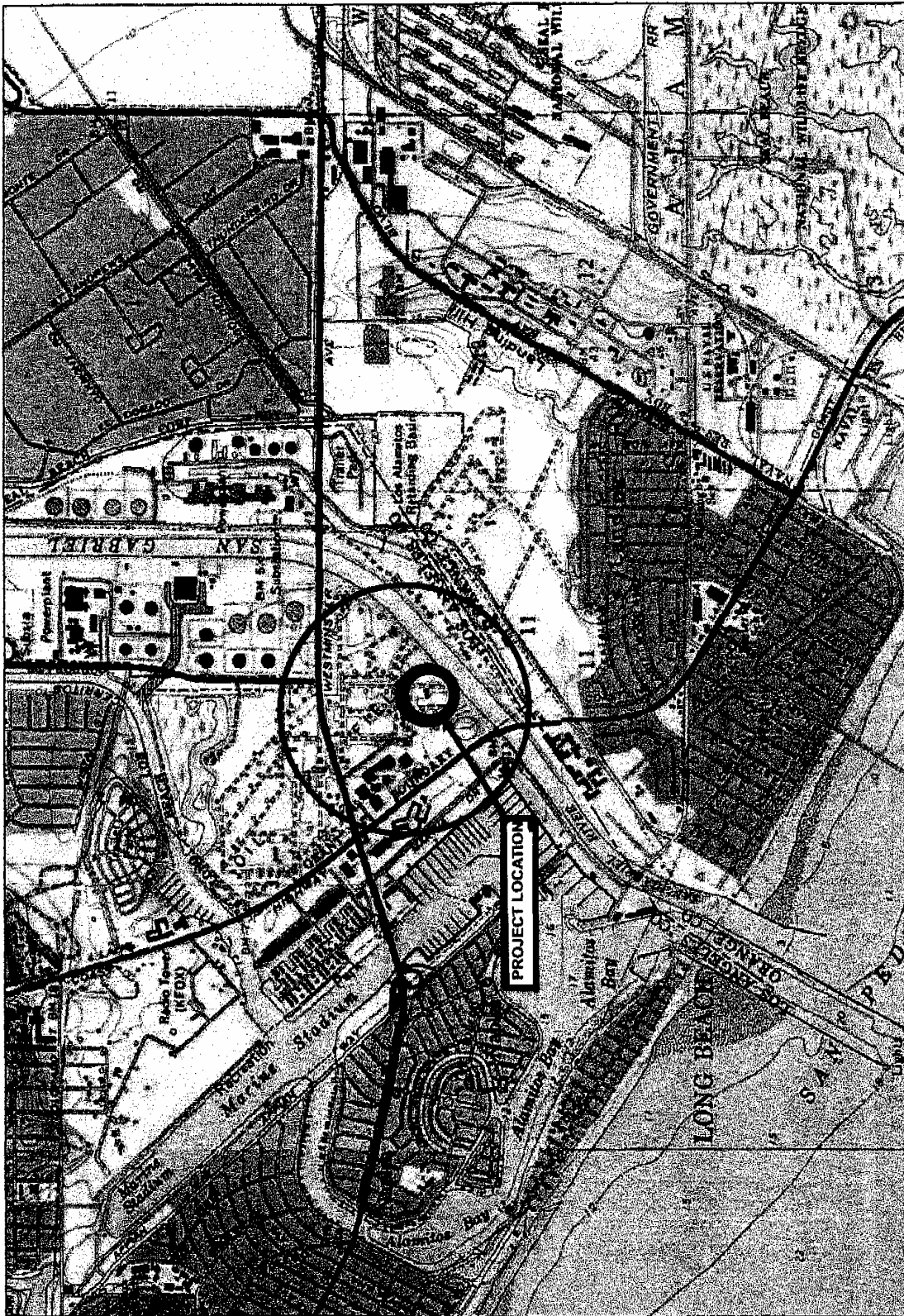
VII. COMPLETION OF CREATION

A. Notification of Completion

When the initial monitoring period is complete, and if the applicant believes final success criteria have been met, the applicant will notify the CCC when submitting the annual report that documents this completion.

B. Agency Confirmation

Following receipt of the final report, the applicant will, at the request of the CCC, provide access and guidance through the project site to confirm the adequate completion of the creation effort.



GLENN LUKOS ASSOCIATES

Exhibit 2

**ROAD REMOVAL AND
MARSH RESTORATION PLAN**

Vicinity Map

Adapted from USGS Los Alamitos, CA quadrangle

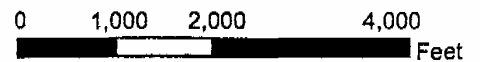
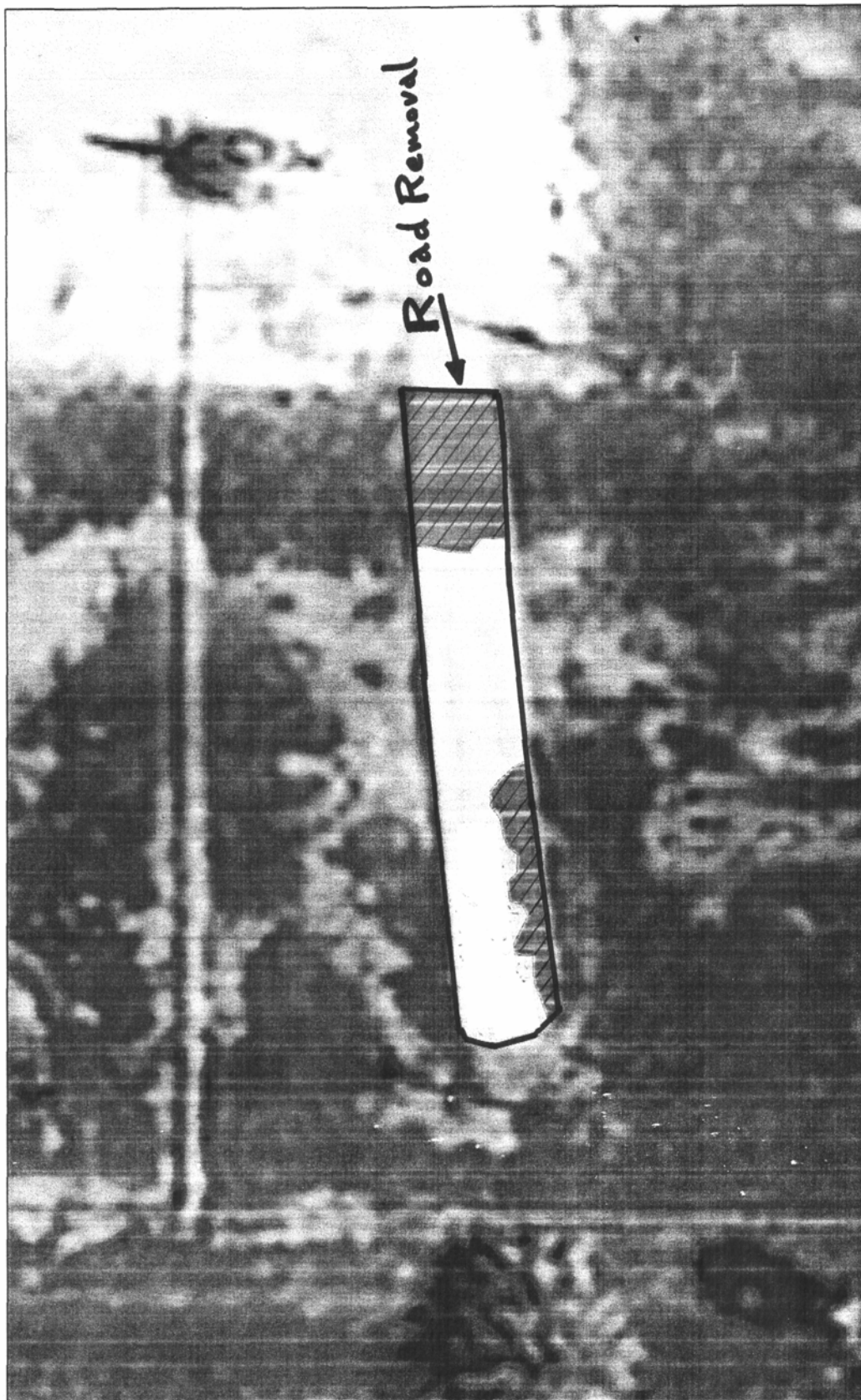


EXHIBIT # 3
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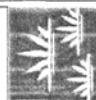
Legend

- 60% Pickleweed/40% Saltgrass
- Mudflat

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ROAD REMOVAL AND MARSH RESTORATION PLAN

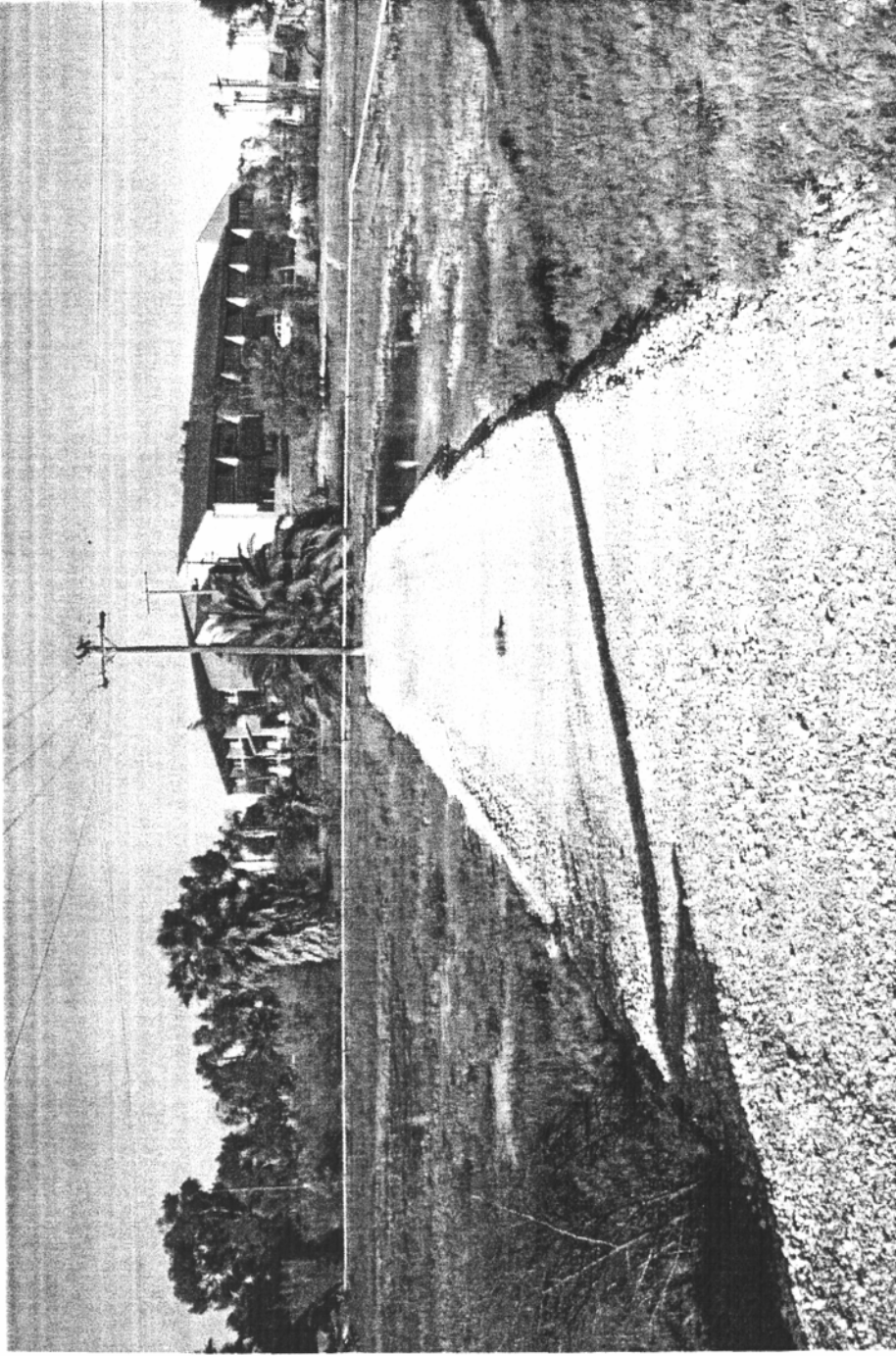
Restoration Proposal



GLENN LUKOS ASSOCIATES

Exhibit 4

FIGURE 4-2-11



PHOTOGRAPH 2: View of site following construction of temporary access road

Road Removal
and Marsh Restoration Plan

COASTAL COMMISSION

5-10-278

EXHIBIT # 4

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