

CALIFORNIA COASTAL COMMISSION

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

Permit Application No. **5-12-197**

September 20, 2012

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Th5b

ADMINISTRATIVE PERMIT

APPLICANT: City of Los Angeles Department of Water and Power (LADWP)

PROJECT DESCRIPTION: Improve an existing unpaved service road, including installation of reflective posts and a 3,048-foot long vinyl sheet pile wall along the levee of Haynes cooling channel, and the addition of two inches of gravel along 3,800 feet of roadway.

LOCATION: 6801 E. 2nd Street (Haynes Channel: south of 2nd Street & east of the San Gabriel River), City of Long Beach, County of Los Angeles.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Thursday, October 11, 2012, 9:00 a.m.
Oceanside City Council Chambers
300 North Coast Highway
Oceanside, CA 92054

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

CHARLES LESTER
Executive Director

By: Charles R. Posner
Title: Coastal Program Analyst

SPECIAL CONDITIONS: See Page Five.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Project Description and Background

The applicant proposes to improve an existing unpaved service road that runs along the northwest levee of Haynes Channel. The proposed project includes the installation of a 3,048-foot long vinyl sheet pile wall between the road surface and the channel, and the addition of two inches of gravel along 3,800 feet of roadway (Exhibit #3). Reflective posts will be installed along the sides of the road. No vegetation removal is proposed, and no work is proposed within the channel.



San Gabriel River and Haynes Channel, Long Beach, CA (2012) Copyright © 2012 Microsoft Corp.

Haynes Channel is a man-made canal that conveys seawater between an intake in Alamitos Bay and the Haynes Generating Station, a LADWP natural gas-fired steam electrical generating facility (c.1962).

The electrical generating station uses the seawater to cool its generators. Underground pipes connect the intake structure in Alamitos Bay to the cooling channel. The underground pipes convey the seawater (one-way) below the San Gabriel River and Pacific Coast Highway, and into the one-mile long cooling channel. LADWP operates locks that control the volume of seawater that enters the cooling system. The generating station discharges the circulated seawater into the San Gabriel River.

The unpaved service road that is the subject of this permit runs between Pacific Coast Highway and 2nd Street, along the northwest levee of Haynes Channel. Locked gates prevent the public from driving on the service road, but the western end of the fenced channel is a popular fishing hole (visitors park vehicles in a pull-out on the inland side of Pacific Coast Highway). The proposed project does not propose any changes that would affect public access to the project area.

The project site is part of an uncertified area within the City of Long Beach (Los Cerritos Wetlands); in Subarea 27 of the City's Planned Development District One (SEADIP: Southeast Area Development and Improvement Plan). Commission staff determined that the proposed work does not qualify for a repair and maintenance exemption under the provisions of Section 30610 of the Coastal Act, or Section 13252 of Title 14 of the California Regulations, because the proposed work involves a risk of substantial adverse impact due to its proximity to wetlands and marine habitat. The proposed road improvements are necessary, according to the applicant, to re-establish the original roadway width (17') and to improve the safety of workers using the road as they perform routine operations associated with the generating station. The proposed vinyl sheet pile wall, which extends a few inches above the road elevation, is also necessary to reinforce the levee and reduce erosion. This is an after-the-fact permit, as the first phase of the proposed project (installation of the sheet pile wall) has already occurred. The second phase (addition of gravel and reflective posts) has not yet occurred.

As part of the permit application, the applicant has prepared and submitted a survey to identify and mitigate any potential biological impacts associated with the proposed project (Exhibit #4). The applicant's consulting biologist (Scott Crawford) prepared specific mitigation measures to address the concerns of Dr. Eric Zahn, the biologist supervising the nearby state-funded wetland restoration efforts of the Los Cerritos Wetlands Authority. The applicant's survey notes that Belding's Savannah Sparrows are known to nest in Zedler Marsh, a tidal wetland adjacent to the service road.

In order to minimize the potential for any adverse environmental impacts, the applicant has agreed to implement the proposed project as follows:

- Construction activities will not occur during the Belding's Savannah Sparrow nesting season (February to September).
- The vinyl sheet piles have been installed using a crane and a press, thus avoiding loud noises that would occur with hammer-driven steel piles.
- No vegetation removal will occur.
- Silt fencing will be installed between work areas and the water.

The conditions of this permit include these provisions. As proposed and conditioned, the proposed project will have no adverse impacts on marine resources.

B. Environmentally Sensitive Habitat Areas

As conditioned, the proposed development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Executive Director hereby determines that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

C. Water Quality

The proposed work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Executive Director imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction.. As conditioned, the Executive Director determines that the development conforms with Sections 30230 and 30231 of the Coastal Act.

D. Public Access and Recreation

The proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the Executive Director determines that the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

E. Local Coastal Program

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

F. California Environmental Quality Act (CEQA)

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

SPECIAL CONDITIONS:

1. **Approved Development - Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for the permit, subject to the special conditions of this permit. Any proposed change or deviation from the approved plans shall be submitted to the Executive Director to determine whether a permit amendment is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a permit amendment unless the Executive Director determines that no permit amendment is required.
2. **Construction Responsibilities.** By acceptance of this coastal development permit, the permittee agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs:
 - A. No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to wave, wind, or rain erosion or dispersion.
 - B. Any and all construction material shall be removed from the site as soon as possible (within two days of completion of construction) and disposed of at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
 - C. All trash generated by construction activities within the project area shall be disposed of at the end of each day, or sooner if possible.
 - D. All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.
 - E. Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters or onto the beach, and more than fifty feet away from a storm drain, open ditch or surface waters.
 - F. Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: Silt fencing shall be installed between work areas and the water to prevent runoff/sediment transport into the channel.
 - G. All construction equipment and materials shall be stored and managed in a manner to minimize the potential for discharge of pollutants. Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
 - H. During construction of the proposed project, no runoff, site drainage or dewatering shall be directed from the site into any bay, harbor, street or drainage unless specifically authorized by the California Regional Water Quality Control Board.
 - I. In the event that hydrocarbon-contaminated soils or other toxins or contaminated material are discovered on the site, such matter shall be stockpiled and transported off-site only in accordance with Department of Toxic Substances Control (DTSC) rules and/or Regional Water Quality Control Board (RWQCB) regulations.

The permittee shall undertake the approved development in accordance with this condition.

3. **Protection of Nesting Birds.** Construction activities shall not occur during the Belding's Savannah Sparrow nesting season (February to September). The vinyl sheet piles will be installed using a crane and a press, thus avoiding loud noises that would occur with hammer-driven steel piles.
4. **Conformance with the Requirements of the Resource Agencies.** The permittee shall comply with all permit requirements and mitigation measures of the California Department of Fish and Game, Regional Water Quality Control Board, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service with respect to preservation and protection of water quality and marine environment. Any change in the approved project which is 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.
5. **Assumption of Risk, Waiver of Liability and Indemnity Agreement.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any term or 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.

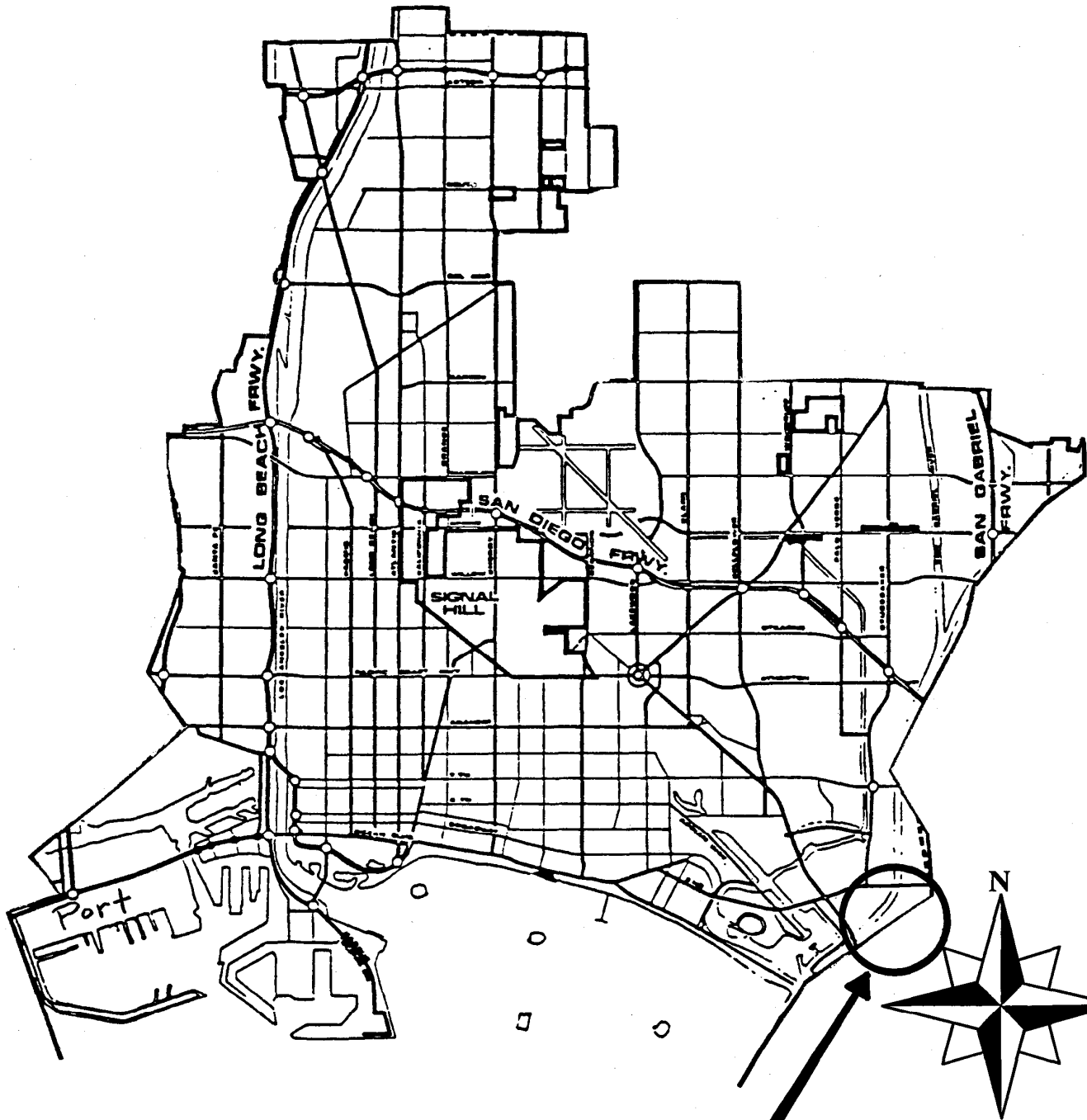
ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

City of Long Beach



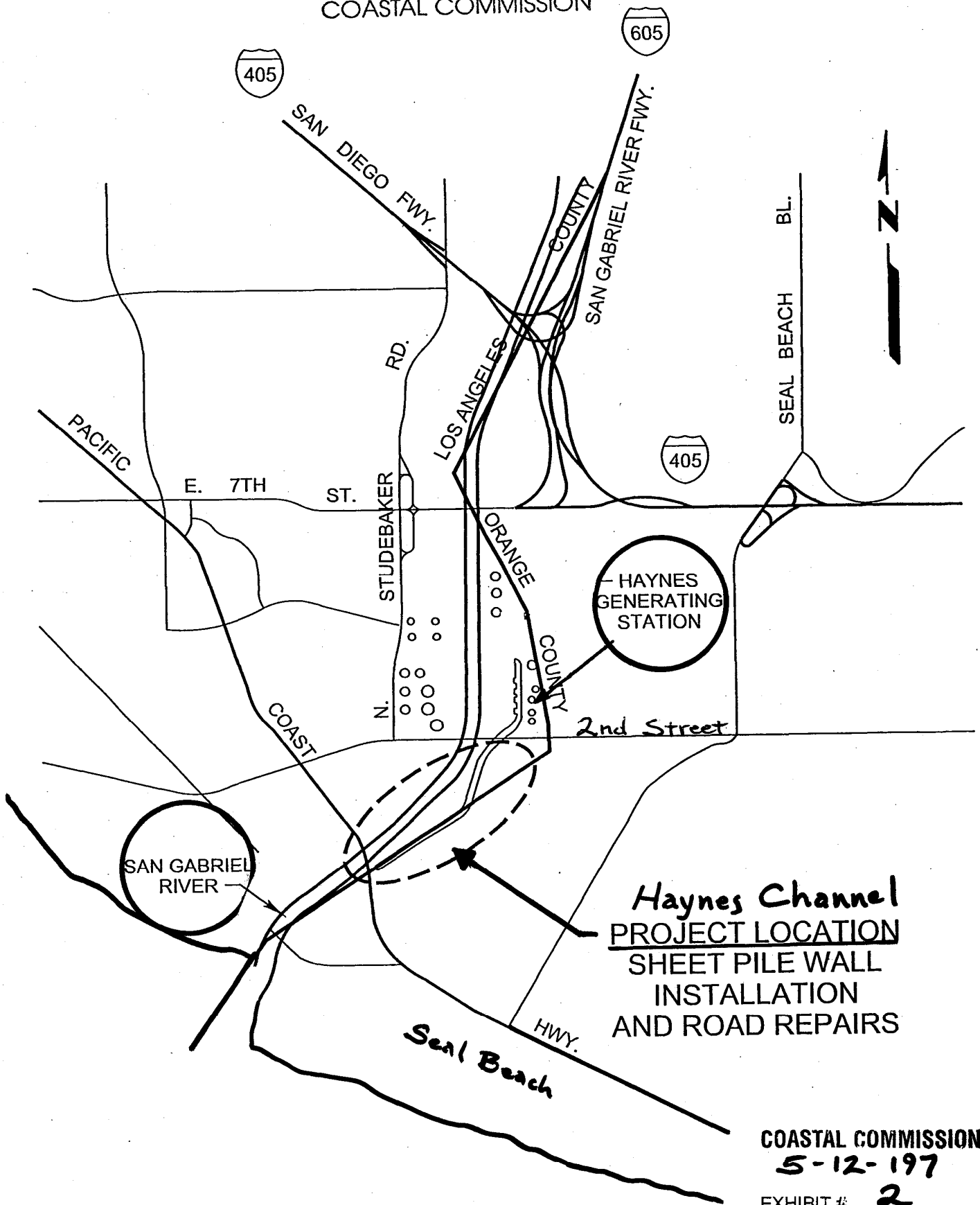
Project Site

COASTAL COMMISSION
5-12-1977

EXHIBIT # 1

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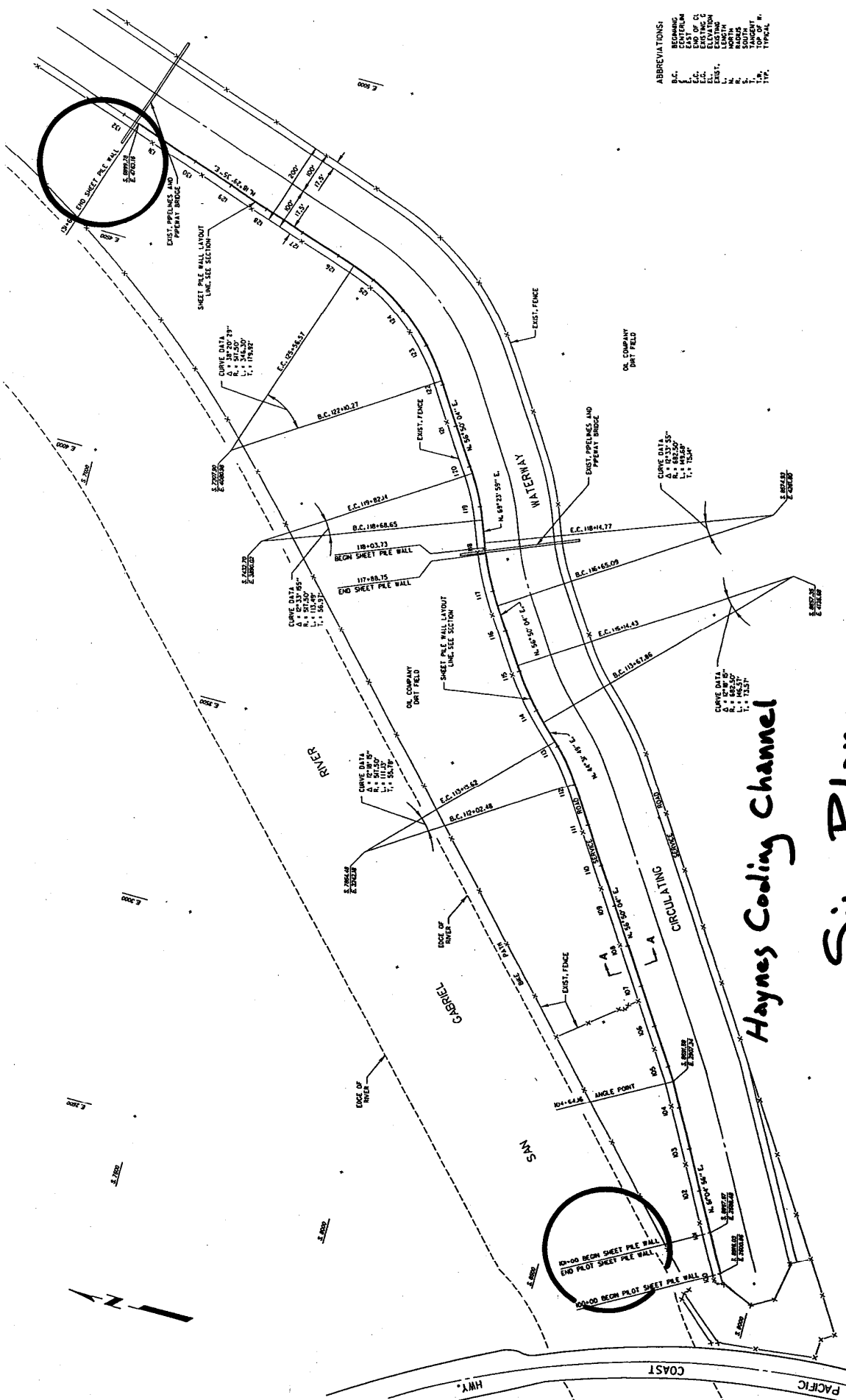
COASTAL COMMISSION



Haynes Channel
PROJECT LOCATION
SHEET PILE WALL
INSTALLATION
AND ROAD REPAIRS

VICINITY MAP

COASTAL COMMISSION
5-12-197
EXHIBIT # 2
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ABBREVIATIONS:
 B.C. BEGINNING
 C. CENTERLINE
 E.C. END OF CURVE
 I.C. INTERSECTION
 I.P. INTERSECTION
 L. LENGTH
 N. NORTH
 P. POINT
 R. RADIUS
 T. TANGENT
 T.P. TOP OF H.
 W.P. WYPOINT

SEE S-CARDS FOR VERTIC MAP SECTION A-A AND GENERAL NOTES.
 DATUM: NAD 83 - COORDINATE, HAYNES GENERATING STATION COORDINATES

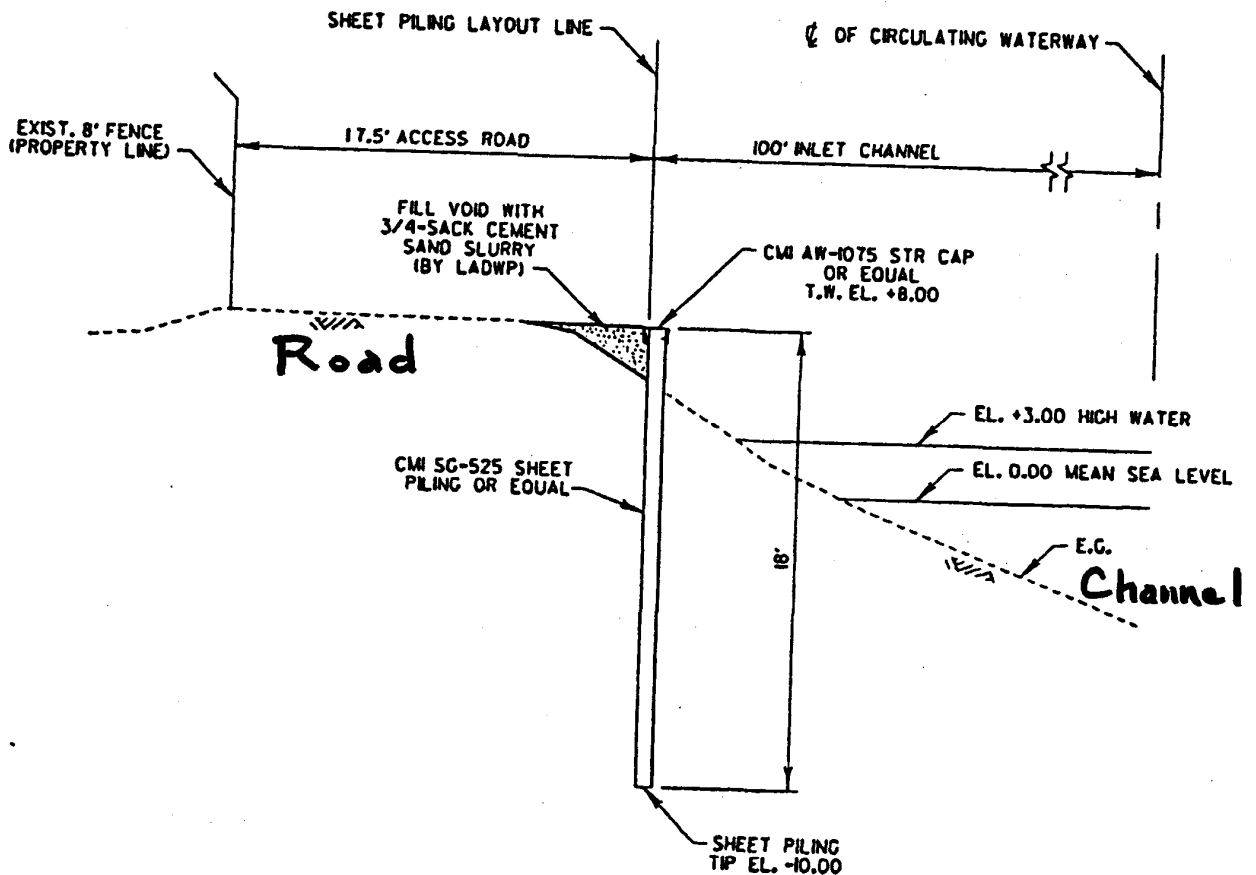
**PLAN - CIRCULATING WATERWAY SHEET PILE
 HAYNES GENERATING STATION
 6801 WESTMINSTER AVENUE, LONG BEACH**

PROJECT NO. 1000000000
 SHEET NO. 3 OF 3
 DATE: 3/25/00
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 DESIGNED BY: [Signature]

REGISTRATION NO. []
 PLAN AND PROFILE []
 PLAN AND PROFILE []
 PLAN AND PROFILE []

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EXHIBIT # **3**
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SECTION A-A
 SCALE: NONE
 ISE-CA167)

Sheet Pile Wall

COASTAL COMMISSION

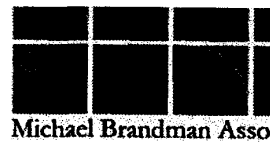
5-12-197

EXHIBIT # 3

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South Coast Region

JUL 24 2012



January 20, 2012

CALIFORNIA
COASTAL COMMISSION

Thomas Dailor
Environmental Services Division
Los Angeles Department of Water and Power
111 North Hope Street, Room 1449
Los Angeles, CA 90012-2607

559.4
714.51
Palm
760.3
Sacramento
916.4
San Bernardino
909.8
San Diego
925.8

Subject: **Results of an Initial Consultation Meeting with Los Cerritos Wetland Authority Staff at the Los Cerritos Wetland in the City of Long Beach, Los Angeles County, California**

Dear Mr. Dailor:

At the request of the Los Angeles Department of Water and Power (LADWP), Michael Brandman Associates (MBA) conducted a site visit and initial consultation with Los Cerritos Wetland Authority staff to identify specific issues of concern with regard to the Vinyl Sheet Pile Installation along the Haynes GS Inlet Channel in the City of Long Beach, Los Angeles County, California. The survey was conducted in order to document the existing conditions within the wetland and identify any potentially significant biological resource issues associated with the construction activities.

Project Site Location

The project site is generally located north of the Pacific Ocean, south of State Route (SR) 22, and east of SR 1, and west of Interstate 405. The site is specifically located north of 1st Street, south of Westminster Avenue, east of SR 1, and west of Seal Beach Boulevard. The site is depicted on the Los Alamitos, California, United States Geological Survey (USGS) 7.5-minute topographic map. General land use in the vicinity of the site consists of previous disturbed oil drilling facilities and restored wetland areas, residential development to the south and northeast, the Haynes GS Facility to the north, and commercial development to the southwest.

Project Description

The proposed project consists of the installation of vinyl sheet piles along the western side of the existing Haynes GS inlet channel. The vinyl sheet piles are driven into the ground with the use of a crane and a press. Several other vehicles are also necessary for the operation of the equipment. The sheet piles are required to protect the adjacent lands from a break in the levee. Installation of the sheet piles will reinforce the existing levee and significantly reduced the affects of the current erosion problems.

Methodology

MBA biologist Scott Crawford conducted a site visit and consultation at the project site on January 20, 2012, between the hours of 0900 and 1000. Weather conditions included a temperature of approximately 57 degrees Fahrenheit, winds of 1 to 2 miles per hour, and cloudy skies. The site visit started within an introduction of the meeting attendees, which included Thomas Dailor, Josh Fong, Gloria Wu of Los Angeles Department of Water and Power, and Eric Zahn of the Los Cerritos Wetland Preserve. Following the introduction, Eric Zahn provided a brief synopsis of his concerns regarding the project. He then proceeded to give a tour of the 60-acre portion of the wetland preserve located on the western side of the inlet channel. A final summary of construction activities and recommended actions were discussed once the site visit was completed.

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ENVIRONMENTAL SERVICES ■ PLANNING ■ NATURAL RESOURCES MANAGEMENT

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EXHIBIT # 4

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Summary of Findings

The project site is located immediately adjacent to the grounds of the Los Cerritos Wetland Preserve. This property is owned and operated by the Los Cerritos Wetland Authority, which is a joint powers authority composed of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, State Coastal Conservancy, City of Long Beach, and City of Seal Beach. The meeting began at 9:00 at the north end of the preserve, just south of Westminster Avenue. Eric Zahn, introduced himself and explained the main concerns the Los Cerritos Wetland Authority had with the project activities. The main issues included:

- There has been no previous contact from LADWP prior to project initiation
- The Los Cerritos Wetland Preserve is being used for vehicle access without notifying Preserve Staff.
- Potentially significant impacts associated with Belding's Savannah Sparrow and Burrowing Owl.
- There are concerns about Los Cerritos Wetland staff working in the vicinity of the project site, specifically regarding overhanging equipment or other construction related issues immediately adjacent to the preserve.

Once Mr. Zahn explained his concerns, he proceeded to tour the wetland preserve and identify the ongoing restoration efforts near the project site. The portion of the Preserve that is immediately adjacent to the project site is approximately 24 acres of land between the Haynes GS Inlet Channel and the San Gabriel River Channel. Approximately 2 acres of the preserve consisted of high quality brackish water marsh dominated by pickleweed (*Salicornia bigelovii*) and coast golden bush (*Isocoma menziesii*). There was also a number of non-native species including Mexican fan palm (*Washingtonia filifera*) and short-podded mustard (*Hirschfeldia incana*). The purpose of the site visit was not to identify all of the plant species on site, but to ascertain the quality of the habitat on site.

Based on the site visit, the only portion of the project site that contains high quality habitat is the tidal wetland located in the northern portion of the Preserve. Many native waterfowl including American widgeon, black phoebe, Say's phoebe, and great egret was observed within this portion of the project site. Immediately adjacent to the wetland area is a mix of disturbed areas, coastal scrub habitat, and restoration areas. This area consists of approximately 6 acres of moderate to high quality scrub habitat. The remaining 16 acres consists of highly-disturbed areas associated with oil production activities. These areas have little to no vegetation and are often covered with compacted gravel or asphalt material.

The overall habitat quality within the project site is considered low to moderate, but will likely improve over time. However, due to the extensive nature of the previous disturbance within the Preserve Area, unless soil amendments or soil remediate efforts are utilized, the restoration efforts will continue to progress unsatisfactorily.

Belding's Savannah Sparrow was observed along the southern portion of the Preserve property within a highly disturbed area near the oil production facility equipment. Approximately four individuals were observed foraging within the property. The birds flew across the channel to the east and continued foraging on the adjacent property.

Based on the existing conditions, Erik Zahn's recommendations, and type of construction activities, the following recommendations were presented and agreed upon by all parties.

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Thomas Dailor
January 20, 2012
Page 3

The project will avoid the Belding's Savannah Sparrow potential nesting areas by constructing the portion of the project immediately adjacent to the potentially nesting areas prior to the nesting season. As a result, construction activities will finish up January 20, 2012 at the current location. Starting Monday morning (January 23, 2012), construction activities will begin at the northern portion of the project site and work to the south. This will allow the construction activity to proceed beyond the known nesting location for Belding's Savannah Sparrow prior to the beginning of the nesting season.

LADWP staff will contact Erik Zhan, or any other appropriate staff member of the Los Cerritos Wetland Authority prior to accessing the Los Cerritos Wetland Preserve. Typically, work within the project site occurs from 0800 hours to 1630 hours Monday through Friday. Project Engineers will provide a calendar of the anticipated milestones for the project, so everyone is on the same page with regard to access and project completion dates. The time-line will provide Los Cerritos Wetland Authority staff with estimated dates of construction activity areas in order to avoid construction areas when the general public is accessing the Los Cerritos Wetland Preserve.

Since the proposed project is located within the disturbed access road along the existing levee, no suitable habitat will be removed during project installation. Therefore, it is highly unlikely that any individual Belding's Savannah Sparrow will be impacted during installation. Due to the disturbed nature of the project site, on-site construction monitoring is not recommended at this time. However, if construction activity occurs within 250 feet of known Belding's Savannah Sparrow nesting habitat in the typical nesting season (end of February to the end of August), construction monitoring may be required.

If you should have any questions regarding this letter or the findings, please call me at 714.508.4100.

Sincerely,



Scott Crawford, Section Manager of Natural Resources
Michael Brandman Associates
220 Commerce, Suite 200
Irvine, CA 92602

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