

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: CONSENT CALENDAR

Application No.: 5-18-0005

Applicant: Los Angeles World Airport, Environmental and Land Use Planning Division

Agent: Glen Lukos Associates

Location: El Segundo Dunes boundary within Los Angeles International Airport property, City of Los Angeles

Project Description: Remove and replace approximately 10,027 linear feet of 8 ft. high chain-link fence along the western and a portion of the southern boundaries of the 302-acre El Segundo Dunes between mid-October and mid-June to provide airport security and habitat protection.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION:

The proposed development includes the removal and replacement of approximately 10,027 linear feet of eight-foot high chain-link fencing adjacent to the El Segundo Dunes Preserve on property owned by Los Angeles World Airports in Playa Del Rey in the City of Los Angeles. The fencing exists to provide security for navigational aids associated with the Los Angeles International Airport, as well as, for sensitive species and habitat. Currently, the existing fence is failing due to corrosion in several areas.

The project site is immediately adjacent to the El Segundo Dunes Preserve (the Preserve) which is a designated environmentally sensitive habitat area which supports a wide variety of flora and fauna, including rare and endangered species like the state and federally listed endangered El Segundo blue butterfly (ESBB). Due to the sensitivity of protected species and habitat within the Preserve, including the El Segundo blue butterfly's host plant, coast buckwheat, staff is recommending

approval of the proposed coastal development permit with **Special Conditions 1, 2, and 3** which are required to 1) ensure that any future development shall be carefully reviewed to protect environmentally sensitive habitat area; 2) prohibit construction during the ESBB life stages which require active use of the coast buckwheat's foliage—adult flight season plus a week and a month allowing the late season larvae to hatch, develop, and burrow before construction resumes; and 3) protect the coast buckwheat and substrate beneath by requiring an appropriately trained resource specialist to place two-foot buffers around individual coast buckwheat plants within five feet of the fence prior to construction, hand-trim any coast buckwheat found to be growing through the existing fence before the fence is removed, train all on-site personnel before construction annually, and monitor construction to avoid direct disturbance of coast buckwheat plants and soil disturbance in proximity to coast buckwheat plants.

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APPENDICES

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EXHIBITS

[Exhibit 1 – Vicinity Map](#)

[Exhibit 2 – Site Plan](#)

[Exhibit 3 – Coast Buckwheat Location Map](#)

I. MOTION AND RESOLUTION

Motion:

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

Staff recommends a **YES** vote. Passage of this motion will result in approval of all of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

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. 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:

This permit is granted subject to the following 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 on which 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 of 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:

This permit is granted subject to the following special conditions:

1. **Future Development Restriction.** This permit is only for the development described in coastal development permit CDP No. 5-18-0005. Pursuant to Title 14 California Code of Regulations (CCR) Section 13252(a)(3), the exemptions otherwise provided in Public Resources Code (PRC) Section 30610(d) shall not apply to the development governed by coastal development permit CDP No. 5-18-0005. Accordingly, any future improvements to the permitted structure authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in PRC Section 30610(d) and Title 14 CCR Sections 13252(a)-(b), shall require an amendment to Permit No. 5-18-0005 from the Commission or shall require an additional coastal development permit from the Commission.
2. **Construction Timing.** To avoid adverse impacts on the El Segundo blue butterfly, construction shall not occur between mid-June and one month and one week after August 31. However, the permittee may undertake construction during this period upon obtaining a written statement of the Executive Director authorizing construction on specified dates. To obtain such a determination, the permittee must submit a declaration from California Department of Fish and Wildlife stating that construction on the specific dates proposed will not cause adverse impacts to any state or federally-listed sensitive, threatened, or endangered species. The declaration must contain an assessment of the timing of the flight season and larval development of the El Segundo blue butterfly found in the area and a statement that the construction activity on the specific dates proposed will not interfere with flight or larval development of the El Segundo blue butterfly.
3. **Biological Resources.**
 - A. An appropriately trained biologist or resource specialist shall:
 1. Identify Plants Subject to Potential Impacts. PRIOR TO CONSTRUCTION, all coast buckwheat plants within five feet of the existing and proposed fence line shall be reviewed to determine which individual plants would need to be trimmed. Where fence and fence post locations could result in disturbance of coast buckwheat, alternative fence locations shall be evaluated and the applicant shall select the least environmentally damaging location feasible. If there is a coast buckwheat plant that must be removed, it shall be replaced within the El Segundo Dunes Preserve with new coast buckwheat plants at a 3:1 ratio. In addition, the seeds from the impacted plant shall be collected and distributed within the El Segundo Dunes Preserve. A minimum buffer of two feet around each coast buckwheat plant within five feet of the fence line shall be marked using wooden laths with brightly colored flagging tape to avoid potential impacts to the plants, substrate, and associated duff.

2. Hand Trim Sensitive Vegetation. PRIOR TO CONSTRUCTION, any coast buckwheat plants growing though the fence shall be hand pruned. Any seeds removed shall be collected and distributed within the El Segundo Dunes Preserve. Trimming of coast buckwheat plants shall only occur when necessary to remove the existing fence.
3. Train Contractors. PRIOR TO CONSTRUCTION, a training shall be conducted for all personnel working on the subject project to make all personnel aware of the El Segundo blue butterfly and host coast buckwheat plant species and to ensure that adverse impacts to the coast buckwheat and substrate beneath the plants are avoided. The training shall occur before the initial construction and again when construction resumes after each flight and larval development season of the El Segundo blue butterfly.
4. Monitor Construction. To avoid disturbance to sensitive species and habitat area, at a minimum, monitoring shall occur once a week during any week in which construction occurs. Daily monitoring shall occur during development which could significantly impact biological resources such as construction within 50 feet of coast buckwheat plants that could result in disturbances to the sensitive species in the area. Based on field observations, the biologist shall advise the applicant regarding methods to minimize or avoid significant impacts, which could occur upon sensitive species or habitat areas.

- B. The applicant shall not undertake any activity that would disturb sensitive species or habitat area unless specifically authorized and mitigated as required by this coastal development permit or unless an amendment to this coastal development permit for such disturbance has been obtained from the Coastal Commission.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION & DESCRIPTION

The proposed development includes the removal and replacement of approximately two miles of eight-foot high, plus barbed wire strands, chain-link security fencing adjacent to the approximately 302-acre El Segundo Dunes Preserve along Vista Del Mar Boulevard to the west, Imperial Highway to the south, and South Pershing Drive to the east on property owned by Los Angeles World Airports in Playa del Rey, City of Los Angeles ([Exhibit 1](#)). More specifically, the proposed project would replace steel post supports, associated concrete footings, and chain-link fencing for two fence segments—one approximately 8,346 linear feet in length along Vista Del Mar between Napoleon Street and Imperial Highway and another approximately 1,681 linear feet along Imperial Highway between Vista Del Mar and rounding the corner of Pershing Drive. No development is proposed along the northern boundary line (previous fence replacement under permit A-5-PDR-01-442/5-02-008) or the majority of the eastern portion along Pershing Drive. The segment along Vista Del Mar at the western property line breaks at Vista Del Mar Park which is surrounded by a three-foot high chain-link fence. Vista Del Mar, the first public road inland of the Pacific Ocean, is a scenic boulevard with expansive, unobstructed ocean views, and the access road to El Segundo Beach, Dockweiler State Beach, and Playa Del Rey Beach (also known as Toes Beach).

The location of the existing and proposed replacement fence encloses the airport property containing the El Segundo Dunes Preserve (Preserve). The Preserve, owned and managed by Los Angeles World Airports, is the only remnant of the once extensive El Segundo Dunes which historically covered 36 square miles of coastline between Playa Del Rey and San Pedro and is the largest remaining coastal dune ecosystem in Southern California where this habitat type is extremely rare. On November 12, 1985, the Commission made findings that these dunes are environmentally sensitive habitat (ESHA) which supports a wide variety of flora and fauna, including rare and endangered species like the state and federally-listed endangered El Segundo blue butterfly (ESBB), *Euphilotes battoides allyni*. The ESBB host plant is *Erigonum parvifolium*, coast buckwheat, which supports all life stages of the El Segundo blue butterfly (ESBB). The ESBB flight season generally occurs between mid-June and late August, during which the adults hatch, feed, and mate on the coast buckwheat plants. Females lay their eggs in the buckwheat. Approximately one week later, the larva emerges and proceeds to feed and grow for approximately one month before it burrows in the substrate and/or duff beneath the coast buckwheat until the next year's flight season.

While the area immediately inland of the fence may be subject to foot traffic by personnel including the project biologist, **Special Conditions 1, 2, and 3** are required to 1) ensure that any future development shall be carefully reviewed to protect ESHA; 2) prohibit construction during the ESBB life stages which require active use of the coast buckwheat's foliage—adult flight season plus a week and a month allowing the late season larvae to hatch, develop, and burrow before construction resumes; and 3) protect the coast buckwheat and substrate beneath by requiring an appropriately trained resource specialist to place two-foot buffers around coast buckwheat individuals prior to construction, hand-trim any coast buckwheat found to be growing through the existing fence before the fence is removed, train all on-site personnel before construction annually, and monitor construction to avoid direct disturbance of coast buckwheat plants and soil disturbance in proximity to coast buckwheat plants. The applicant identified two individual coast buckwheat plants that, at the time of the initial survey in May of 2017, would need to be hand pruned ([Exhibit 3](#)). No coast buckwheat plants are proposed to be uprooted; however, if the removal of individual coast buckwheat plants cannot be feasibly avoided after the applicant's evaluation of alternative fence placement, then **Special Condition 3** also requires 3:1 replacement of removed coast buckwheat plants within the El Segundo Dunes Preserve. The staff ecologist, Dr. Jonna Engel, has reviewed the project and determined that the general replacement ratio for sensitive terrestrial plant species of 3:1 is appropriate mitigation for potential impacts to coast buckwheat near the project site. As previously stated, because the endangered El Segundo blue butterfly is known to exist in the coast buckwheat found near the project location, the inland habitat is considered ESHA. In addition, to further protect ESHA, no work or personnel shall be allowed beyond the five-foot construction boundary.

The replacement of the existing rusty, 8-foot tall (plus barbed wire), chain-link fence is necessary for the protection of Los Angeles International Airport's aircraft navigation equipment and sensitive species and habitat from automobile, bicycle, and foot traffic along the neighboring roads. The existing fence, which is failing in several locations, would be replaced with a similar chain-link fence of the same massing and design ([Exhibit 2](#)). The new fence would also be 8 feet high, plus barbed wire strands, and would be coated in green vinyl to prevent future rusting and to blend in with the upland dune habitat. The work is expected to occur between Spring 2018 and June 2020 with construction moratoria during the El Segundo blue butterfly flight and larval development

season (between mid-June and early-October). As proposed, a bobcat would be used for the majority of the fence removal and replacement. Most of the work would be conducted in the clearance between the curb and the fence. Where there would be insufficient clearance, work would be performed from the street. This would require temporary closure of the north-bound right lane on Vista Del Mar during construction hours, 6:00 am to 4:00 pm; however, there are currently two north-bound lanes and all public beach access points will remain open during construction.

B. OTHER AGENCY APPROVALS

On December 20, 2017, the City of Los Angeles determined that the proposed development meets all zoning requirements and needs no local permits other than building permits. In addition, the project was found to be categorically exempt (Class 1 – Existing Facilities) from CEQA requirements as repair of existing facilities.

C. ENVIRONMENTALLY SENSITIVE HABITAT AREA

The project is not proposed to take place within environmentally sensitive habitat area, but has the potential to impact adjacent upland environmentally sensitive habitat area. Therefore, to reduce the potential for construction-related impacts to biological resources, the permit imposes **Special Conditions 1, 2 and 3** to limit the timing of construction and to identify binding mitigation measures to avoid and minimize potential impacts to coast buckwheat and the El Segundo blue butterfly. As conditioned, the development will not harm the El Segundo blue butterfly or disturb the butterfly's habitat, will not significantly degrade adjacent coast buckwheat habitat, and is compatible with the continuance of those habitat areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

D. VISUAL RESOURCES

As proposed, the development is replacing the existing chain-link fence within a similar chain-link fence of the same massing and design. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

E. PUBLIC ACCESS AND RECREATION

The proposed development will not negatively affect the public's ability to gain access to and/or use the coast and nearby recreational facilities. Therefore, as proposed and as conditioned, the project conforms to Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

F. LOCAL COASTAL PROGRAM (LCP)

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program (LCP) that conforms to Chapter 3 policies of the Coastal Act:

(a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal

Program that is in conformity with the provisions of Chapter 3(commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3(commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The proposed project is located in the Airport Dunes planning subarea of the City of Los Angeles. At this time the Airport Dunes subarea of the City of Los Angeles does not have a certified Local Coastal Program.

In December 1985, the Commission first considered the City's LCP for the Airport Dunes. The LCP included a proposal for a 27-hole golf course and recreation facility covering the majority of the 302-acre site. The Commission found that the dunes supported a wide variety of native dune flora and fauna, including a number of rare and/or endangered species. The Commission denied the plan, finding that the dunes were environmentally sensitive habitat under the Coastal Act, and that the golf course plan was not consistent with Section 30240 of the Coastal Act. In May 1992, the City submitted a second LCP proposal that included a 200-acre nature preserve and a golf course covering approximately 100 acres in the northern portion of the property. The LCP proposal was deemed incomplete. Subsequently, the submittal was withdrawn.

As conditioned to address environmental resources, visual resources and public access, approval of the proposed development, with conditions, will not prejudice the City's ability to prepare a local coastal program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project, as conditioned, is consistent with the provisions of Section 30604 (a) of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

Appendix A - Substantive File Documents

- Los Angeles International Airport El Segundo Blue Butterfly Report (Richard A. Arnold, 2014)