

**CALIFORNIA COASTAL COMMISSION**

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# W16a

Filed: 09/18/21  
180<sup>th</sup> Day: 03/17/22  
Staff: D.Ziff-LB  
Staff Report: 11/19/21  
Hearing Date: 12/15/21

## STAFF REPORT: PERMIT AMENDMENT

**Application No.:** 5-12-263-A1  
**Applicant:** Los Angeles World Airports  
**Agent:** The Bay Foundation  
**Location:** 8901 S. Pershing Street, Los Angeles/El Segundo  
Dunes, Los Angeles County

**Description of Original Project Approved Pursuant to Permit No. 5-12-263:** Remove selected abandoned streets, including curbs, gutters, sidewalks, retaining walls, foundations, above ground utilities, all covering approximately 4 acres in area; repair curb and gutter along Vista del Mar; reduce non-native invasive plants; and plant approximately 6 acres of native coastal dune and coastal prairie vegetation within an approximately 48-acre area that was formally a residential subdivision.

**Description of Pending Permit Amendment No. 5-12-263-A1:** Implement a revised Ecological Landscape Plan and modify the landscaping condition of CDP No. 5-12-263 to continue habitat restoration and maintenance activities in the Coastal Dunes Improvement Project area and update restoration success criteria.

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## SUMMARY OF STAFF RECOMMENDATION

On January 10, 2013, the Commission acted on a coastal development permit (CDP) application by Los Angeles World Airports (LAWA) to remove selected abandoned streets, including curbs, gutters, sidewalks, retaining walls, foundations, above ground utilities, all covering approximately 4 acres in area; repair curbs and gutters along Vista del Mar; reduce non-native invasive plants; and plant approximately 6 acres of native coastal dune and coastal prairie vegetation within an approximately 48-acre area of the Los Angeles/El Segundo Dunes that was formally a residential subdivision.

As conditioned, the authorization required five years of restoration monitoring to evaluate the success of the restoration project and, if the project did not meet the success criteria, the permittee was to submit a revised landscaping plan for review and approval by the Executive Director. In a timely manner, LAWA submitted the required five-year monitoring report. Commission staff reviewed the report and determined that the restoration project was not conducted in full compliance with the approved ecological landscaping plan, did not meet the conditioned success criteria, and that a revised plan addressing the nonconformities would be required to comply with the special conditions of the underlying permit. Thus, LAWA and its consultant, The Bay Foundation (TBF), prepared a revised plan in consultation with Commission staff that includes deviations from the approved Ecological Landscape Plan and success criteria laid out in the underlying permit conditions that result in more appropriate plantings and project goals for the soil and habitat types that exist within the Dunes. The new plan also includes a proposal for continued monitoring, reporting, and long-term maintenance of the site to fulfill the underlying permit intent to successfully establish dune habitat in the restoration area. Thus, the applicant is proposing to amend the underlying permit to implement the Revised Ecological Landscape Plan.

The proposed amendment will allow for continued restoration and maintenance of the sensitive habitat area and improvement of the ecological conditions onsite. Therefore, Commission staff recommends the Commission **approve** the proposed changes to the underlying conditions of CDP No. 5-12-263 to implement the Revised Ecological Landscape Plan. The motion is on page 5. The standard of review is Chapter 3 of the Coastal Act.

**PROCEDURAL NOTE:** The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change, or
- 2) Objection is made to the Executive Director's determination of immateriality, and at least three Commissioners object to the executive directors' designation of immateriality at the next Commission meeting, or the Executive Director determines that the objection raises an issue of conformity with the Coastal Act or certified Local Coastal Program.

In this case, the Executive Director has determined that the proposed amendment is a material change that affects conditions required for the purpose of protecting a coastal resource or coastal access.

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## **APPENDICES**

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## **EXHIBITS**

Exhibit 1 – Project Location

Exhibit 2 – Conditions of CDP No. 5-12-263

Exhibit 3 – Revised Ecological Landscape Plan

## I. MOTION AND RESOLUTION

### Motion:

I move that the Commission **approve** Coastal Development Permit Amendment No. 5-12-263-A1 pursuant to the staff recommendation.

Staff recommends a **YES** vote. Passage of this motion will result in conditional approval of the permit amendment and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### Resolution:

The Commission hereby approves Coastal Development Permit Amendment No. 5-12-263-A1 on the grounds that the development as amended and subject to conditions will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit amendment complies with the California Environmental Quality Act because feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment.

## II. CHANGES TO CONDITIONS

Unless specifically altered by this amendment, all regular and special conditions attached to Coastal Development Permit 5-12-263, as amended up through amendment number 5-12-263-A1, and reflected in **Appendix B**, remain in effect. Language to be deleted is shown in ~~strike-out~~ and new language is shown in **bold, underlined**.

### Special Condition 1, Landscaping Plan

- A. **By acceptance of this permit amendment, the permittee agrees to implement the Revised Ecological Landscape Plan dated April 2021 including, but not limited to the following:** ~~PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT~~, the applicant will submit, for the review and written approval of the Executive Director, a plan for landscaping that is compatible with habitat restoration within the El Segundo Blue Butterfly preserve. A qualified biologist or licensed landscape architect, with expertise in dune restoration, shall prepare the plan. The plan shall include the following:
1. Vegetation planted on the site will consist of native plants typically found in **southern foredune, southern dune scrub, and coastal sage scrub habitats** ~~California coastal dunes and prairies~~. The seeds and cuttings employed shall be from sources in and adjacent to the El Segundo Dunes. If other Southern California sources are used, the locations of the seed/cutting sources and the approximate number of plants and/or amount of seeds/cuttings from each source shall be reported to the Executive Director.

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2. No non-native or invasive species will be employed on the site. ~~Invasive plants are those identified in the California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled Recommended List of Native Plants for Landscaping in the Santa Monica Mountains. January 20, 1992, those species listed by the California Exotic Plant Pest Council on any of their watch lists as published in 1999, and those otherwise identified by the Department of Fish and Game or the United States Fish and Wildlife Service.~~
3. Planting will maintain available views of the beach and ocean.
4. ~~The site will be stabilized immediately with jute matting, straw wattles, or other BMPs to minimize erosion during the raining season (November 1 to March 31) if plantings have not been fully established.~~
5. No permanent irrigation system shall be allowed. Temporary above ground irrigation to allow the establishment of the plantings is allowed if a temporary above ground irrigation system is used, then once all plantings have been established, the temporary irrigation system shall be removed.

~~B. The plan shall include, at a minimum, the following components:~~

- ~~1. A map showing the types, size, and locations of all plant materials that will be on the site, the temporary irrigation system, topography of the developed site, and all other landscape features;~~
- ~~2. A schedule for installation of native plants/removal of non-native plants;~~
- ~~3. An identification of seed sources and plant communities of the plants planned to be employed;~~

C. **An ecological monitoring report shall be prepared by a qualified resource specialist and submitted to the Executive Director annually for a minimum of three**

**Five years from the date of issuance of Coastal Development Permit Amendment No. 5-12-263-A1 or until the success criteria listed in the Revised Ecological Landscape Plan are met. Upon meeting all the success criteria,** the applicant **permittee** shall submit for the review and approval of the Executive Director, a **final** monitoring report, prepared by a licensed biologist, landscape architect or qualified resource specialist that assesses whether the on-site landscaping is in conformance with the landscaping plan approved pursuant to this special condition ~~and provides no less than 80% relative coverage of planted area and resists invasion by exotic plant species.~~ The monitoring report shall include photographic documentation of plant species, plant coverage and an evaluation of the conformance of the resultant landscaping with the requirements of this special condition.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a

licensed landscape architect or a qualified resource specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

- D. The permittee shall undertake development in accordance with the approved final plan and schedule and other requirements. **Long-term maintenance of the site is authorized pursuant to the approved Revised Ecological Landscape Plan.** Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

### **Special Condition 3, Future Development**

By the acceptance of this permit the applicant agrees that this permit is only for the development described in coastal development permit No. 5-12-263 **and amendment No. 5-12-263-A1.** Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(b) shall not apply to any of the parcel, generally depicted in Exhibit No. 3 **of the staff report for CDP No. 5-12-263 dated 12/18/12.** Accordingly, any future improvements to the property, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), which are proposed within the area shall require an amendment to Permit No. 5-12-263 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

## **III. FINDINGS AND DECLARATIONS**

### **A. Project Background and Description**

The proposed project is located in a 48.25-acre area within the 307-acre Los Angeles/El Segundo Dunes area within the City of Los Angeles (**Exhibit 1**). The dunes, which are generally bounded by Waterview St. on the north, Imperial Highway on the South, Pershing Blvd. on the east, and Vista del Mar on the west, are a remnant of a larger dune habitat area that once covered approximately 4.5 square miles of coastline, between Westchester south to the base of Palos Verdes Peninsula and from the Pacific Ocean inland for approximately one-half mile. The subject approximately 48-acre area, located in the northern portion of the Dunes and is bounded by Waterview Street, Rindge Avenue and Napoleon Street to the north, Pershing Drive to the east; Sandpiper Street to the south, and Vista Del Mar to the west, was formerly a residential subdivision that was purchased by the applicant and cleared of residential structures between 1966 and 1972. For the next approximately 50 years, the site included small residential road segments and patches of native habitat.

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While most of the Dunes had been restored,<sup>1</sup> the northern portion of the dunes that contained the patchwork of abandoned roads and habitat area had not. Thus, in 2012, LAWA proposed to remove selected abandoned streets, including curbs, gutters, sidewalks, retaining walls, foundations, and above ground and below ground utilities, all covering approximately 4 acres in area; repair curbs and gutters along Vista del Mar; reduce non-native invasive plants; and plant approximately 6 acres of native coastal dune and coastal prairie vegetation (CDP Application No. 5-12-263). On June 24, 2013, the Commission issued the permit for this work subject to three special conditions that required preparation and implementation of landscaping and erosion control plans that were approved by the Executive Director prior-to-issuance (**Exhibit 2**). Special Condition 1.C requires the site be monitored for five years to evaluate the success of the restoration project, and, if the project does not meet the success criteria, LAWA must submit a revised landscaping plan for review and approval by the Executive Director.

In accordance with these conditions, on June 21, 2018, LAWA submitted a five-year monitoring report to evaluate compliance with the approved Ecological Landscape Plan (April 2013) and restoration success criteria listed in Special Condition 1.C. Upon review of the report, prepared by The Bay Foundation (TBF) and titled: the Los Angeles International Airport Coastal Dunes Improvement Project Ecological Monitoring Report (June 2018), the Executive Director determined that the restoration efforts were not in conformance with or failed to meet the performance standards specified in the approved Ecological Landscape Plan and Special Condition 1.C of CDP No. 5-12-263. The specific non-conforming report findings will be described in more detail in the following subsection of this staff report.

In order to comply with Special Condition 1, the applicant provided a revised ecological landscape plan in May 2019 designed to remedy the non-conformities identified. As requested by Commission staff on December 4, 2018, the revised plan included an updated plant palette, revised plan for habitat establishment, and an invasive species control and monitoring plan. Commission staff, LAWA staff, and TBF staff worked together to ensure that the revised plan met the intent of the underlying permit conditions and provides latitude for LAWA to continue to improve the habitat value of the area in ways not identified in the underlying permit. The revisions include changes to the approved final plans and the success criteria listed in Special Condition 1.C. Thus, LAWA is proposing to amend the underlying permit to incorporate a final Revised Ecological Landscape Plan (April 2021; **Exhibit 3**) with new success criteria and modify Special Condition 1 to implement that plan.

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<sup>1</sup> Including restoration approved through CDP Nos. 5-88-777, 5-90-1149, and 5-92-131.

This area is within the uncertified<sup>2</sup> Airport Dunes segment of the City of Los Angeles Local Coastal Program. Chapter 3 of the Coastal Act is the standard of review.

## **B. Biological Resources**

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 those resources shall be allowed within those 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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The Los Angeles/El Segundo Dunes (Dunes) support a wide variety of native dune flora and fauna. The entire 307-acre El Segundo dunes is considered an Environmentally Sensitive Habitat Area (ESHA). The Dunes provide habitat for the El Segundo Blue Butterfly, a federally listed endangered species endemic to the El Segundo Dunes, and many other rare species of insects, reptiles, mammals and plants that are endemic, rare, or of limited distribution. Section 30240 of the Coastal Act requires that areas, like the Dunes, be protected against disruption of habitat values. In its approval of CDP No. 5-12-263, the Commission found that, as conditioned to ensure: 1) species compatibility with existing native vegetation, 2) the planting becomes established and conforms to the standards in the landscaping condition, and 3) erosion during construction, including removal of road segments, is controlled, the restoration project is consistent with Coastal Act Section 30240.

Special Condition 1 of the underlying CDP required a landscaping plan be approved by the Executive Director prior to issuance of the CDP. As approved consistent with Special Condition 1, the Ecological Landscape Plan (April 2013) and revised plant palette (June 2013) included a plant palette consistent with native coastal dune and coastal prairie grassland habitat and success criteria that would be used to determine the success of the project. The success criteria (as listed in Special Condition 1.C) were: 1) that the planted area have no less than 80% relative plant coverage, and 2) the site be resistant to invasion by exotic species. Special Condition 1 also required that the restoration activities be conducted in conformance with the approved final plans.

Upon review of the required five-year monitoring report that was provided in a timely manner and prepared by qualified resource specialists, Commission staff found that the hydroseed mixes used were not in complete conformance with approved final plant palette (species were added to the coastal prairie/grassland hydroseed mix, and there was an increase in amount of bush sunflower used in the coastal dune hydroseed mix), the planting area did not meet the criterion for invasive plant species resistance, and

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<sup>2</sup> See description in Subsection C of this staff report.

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there was not sufficient evidence of the project's conformance with the approved establishment of both coastal dune and coastal prairie/grassland habitat types. Therefore, Commission staff recommended that, as required in Special Condition 1.C, a revised or supplemental ecological landscape plan be prepared that would include an updated plant palette, a revised plan for habitat establishment, and an invasive species control and monitoring plan.

During the process of preparing the revised landscaping plan, LAWA, TBF, and Commission staff acknowledged that deviations from the approved Ecological Landscape Plan and success criteria laid out in the Special Condition 1 were appropriate given the soil and habitat types that exist within the Dunes. These changes include modifying the target habitat types to eliminate coastal prairie/grassland habitats and strengthen the coastal dune habitats (southern foredune, southern dune scrub, and coastal sage scrub), adjusting the plant palettes accordingly, and revising the success criteria and monitoring plan. The 2013 success criterion that required 80% relative plant cover in the restoration area is not typical of dune-related habitat, which is mostly sand with low vegetation cover (under 25% for southern foredune). Instead, the applicant proposes success criteria that are based on an assessment of the habitat—percent cover, species richness overtime, and percent bare ground—compared to healthy reference sites within the Dunes. As proposed, to be considered successful, each plant community would need to achieve absolute native plant cover and species richness similar to the mean of values measured in reference sites for the corresponding habitat type, achieve absolute non-native plant cover that is similar to or less than the mean of values measured in reference sites for the corresponding habitat, and include no plants listed as “zero tolerance”<sup>3</sup> in the Revised Ecological Landscape Plan (April 2021).

In addition, the revised plan includes a monitoring plan that will quantify the restoration efforts, document growth photographically, survey for rare plants, vertebrates, and invertebrates, and inform adaptive management. As proposed, an ecological monitoring report that includes, at least, a summary of planting, weeding, and monitoring activities over the year, the results of compliance and other monitoring, a discussion of progress towards (or lack of progress towards) success criteria, a summary of lessons learned including from adaptive management activities, and next steps that will help lead to project success will be prepared annually for a minimum of three years or until the success criteria are met. Furthermore, LAWA is proposing to maintain the site after the success criteria are met through opportunistic weeding, seeding, and planting. As proposed, the Revised Ecological Landscape Plan reflects best available science on dune habitats and is consistent with the intent of the underlying CDP to ensure species compatibility with existing native vegetation and establishment of the habitat areas without invasive species typically found in the general project vicinity.

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<sup>3</sup> The “zero tolerance” invasive species are *Acacia cyclops* (wattle), *Carpobrotus spp.* (iceplant), *Ehrharta calycina* (perennial veldt grass), *Ehrharta erecta* (upright veldt grass), and *Nicotiana glauca* (tree tobacco).

**Special Condition 1** of the underlying CDP is modified to require implementation of the April 2021 Revised Ecological Landscape Plan and maintain the underlying requirements that protect views of the beach and ocean and prohibit permanent irrigation. Special Condition 2 of the underlying permit required preparation of an erosion control plan prior to issuance of the permit. That plan was submitted, approved, and implemented during the removal of the road segments and initial plantings. Given that the proposed planting, weeding, and monitoring will be done by hand and, if erosion onsite becomes an issue (not anticipated), the authorization would allow for implementation of adaptive management erosion control techniques such as jute matting and straw wattle, no changes to underlying Special Condition 2 are required. **Special Condition 3**, which requires future proposed development at this site to be processed as a permit amendment or new CDP, is modified to clarify that any changes from the development approved pursuant to this permit amendment are also subject to that condition.

Therefore, as proposed and conditioned, the permit amendment is consistent with Sections 30240, 30251 (visual resources), and 30253 (minimizing impacts and assuring stability) of the Coastal Act.

### **C. Local Coastal Program**

Section 30604 (a) of the Coastal Act states:

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.

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, approval of the proposed permit amendment 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

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proposed project, as conditioned, is consistent with the provisions of Section 30604(a) of the Coastal Act.

## **D. California Environmental Quality Act**

Section 13096 of 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 Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available for the habitat restoration proposal that would substantially lessen any significant adverse effect the development may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to implement the Revised Ecological Landscape Plan for restoration and maintenance of the subject habitat area, is the least environmentally damaging feasible alternative, has no remaining significant environmental effects, and complies with the applicable requirements of the Coastal Act to conform to CEQA.

### **Appendix A: Substantive File Documents**

- 5-12-263 adopted staff report (includes permit conditions)

### **Appendix B: Standard and Special Conditions Pursuant to CDP No. 5-12-263 through CDP Amendment No. 5-12-263-A1**

NOTE: This Appendix B provides a list of all standard and special conditions imposed pursuant to Coastal Development Permit 5-12-263, as approved by the Commission in its original action and modified and/or supplemented by CDP Amendment No. 5-12-263-A1. Any additions, pursuant to amendment A1, from the previously approved special conditions are shown in **bold**. Thus, this Appendix B provides an aggregate list of all currently applicable adopted special conditions.

#### **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 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.

#### SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. Landscaping Plan.

A. **By acceptance of this permit amendment, the permittee agrees to implement the Revised Ecological Landscape Plan dated April 2021 including, but not limited to the following:**

1. Vegetation planted on the site will consist of native plants typically found in **southern foredune, southern dune scrub, and coastal sage scrub habitats**. The seeds and cuttings employed shall be from sources in the El Segundo Dunes. If other Southern California sources are used, the locations of the seed/ cutting sources and the approximate number of plants and/or amount of seeds/cuttings from each source shall be reported to the Executive Director.
2. No non-native or invasive species will be employed on the site.
3. Planting will maintain available views of the beach and ocean.
4. No permanent irrigation system shall be allowed. Temporary above ground irrigation to allow the establishment of the plantings is allowed if a temporary above ground irrigation system is used, then once all plantings have been established, the temporary irrigation system shall be removed.

B. [DELETED]

C. **An ecological monitoring report shall be prepared by a qualified resource specialist and submitted to the Executive Director annually for a minimum of three years from the date of issuance of Coastal Development Permit Amendment No. 5-12-263-A1 or until the success criteria included in the**

**Revised Ecological Landscape Plan are met. Upon meeting all the success criteria**, the **permittee** shall submit for the review and approval of the Executive Director, a **final** monitoring report, prepared by a licensed biologist, landscape architect or qualified resource specialist that assesses whether the on-site landscaping is in conformance with the landscaping plan approved pursuant to this special condition. The monitoring report shall include photographic documentation of plant species, plant coverage and an evaluation of the conformance of the resultant landscaping with the requirements of this special condition.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed landscape architect or a qualified resource specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

- D. The permittee shall undertake development in accordance with the approved final plan and schedule and other requirements. **Long-term maintenance of the site is authorized pursuant to the approved Revised Ecological Landscape Plan.** Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

## 2. Erosion Control.

- A. Prior to Issuance of the Coastal Development Permit, the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and drainage control.
- 1) Erosion and Drainage Control Plan
    - a. The erosion and drainage control plan shall demonstrate that:
      - During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties, undisturbed native vegetation areas, and surrounding public streets.
      - The following temporary erosion control measures shall be used during construction: temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.

- Permanent erosion and drainage control measures shall be installed, if necessary, to ensure the stability of the site, adjacent properties, and public streets.
  - All drainage shall be directed toward the street into suitable collection and discharge facilities.
- b. The plan shall include, at a minimum, the following components:
- A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
  - A site plan showing the location of all temporary erosion control measures.
  - A schedule for installation and removal of the temporary erosion control measures.
  - A written review and approval of all erosion and drainage control measures by the applicant's engineer and/or geologist.
  - A written agreement indicating where all excavated material will be disposed and acknowledgement that any construction debris disposed within the coastal zone requires a separate coastal development permit.
- c. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils, and cut and fill slopes with geotextiles and/or mats, sand bag barriers, and/or silt fencing; and include temporary drains and swales and sediment basins. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Future Development. By the acceptance of this permit the applicant agrees that this permit is only for the development described in coastal development permit No. 5-12-263 and amendment No. 5-12-263-A1. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(b) shall not apply to any of the parcel, generally depicted in Exhibit No. 3 of the staff report for CDP No. 5-12-263 dated 12/18/12. Accordingly, any future improvements to the property, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14

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California Code of Regulations Sections 13252(a)-(b), which are proposed within the area shall require an amendment to Permit No. 5-12-263 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.