

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD, SUITE 300
LONG BEACH, CA 90802-4325
VOICE (562) 590-5071
FAX (562) 590-5084



F13d

ADDENDUM

March 11, 2025

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM F13d, APPLICATION NO. 5-24-0471 (MBBT Repair Project) FOR THE COMMISSION MEETING OF FRIDAY, MARCH 14, 2025.**

This addendum is designed to provide minor corrections to the staff report, clarify special condition language following discussions with the applicant, and address potential impacts from proposed maintenance activities.

I. CHANGES TO STAFF REPORT

Commission staff recommends changes to the staff report dated February 28, 2025 to achieve the aforementioned goals of the addendum. Language to be added to the conditions and findings is shown in underlined text, and language to be deleted is identified by ~~strike out~~.

- a) Minor corrections and update to the Project Description on page 1:

Repair and realignment of MBBT bike trail, removal of approximately 371 feet of existing concrete, 150 tons of armor rock, and metal sheets, 275 cy of grading, removal of 165 cy of damaged path concrete, construction of 340 feet of new concrete path, 7,600 cy of channel grading, and installation of 130 linear feet of metal sheet piles to be buried in sand with reuse of excavated material on site, no proposed export of sediment, and routine maintenance of the channel after storm events.

- b) Changes to Special Condition 1.D, Length of Development Authorization, to add clarity and reduce redundancy:

D. One (1) year prior to the expiration of the subject permit term (i.e. by March 14, 2034) or within ninety one hundred and eighty (90-180) days of the bike

trail becoming unsafe for use, whichever occurs first, the permittee shall submit a new complete CDP application for the implementation of an adaptation plan for the subject segment of the Marvin Braude Bike Trail. The application materials shall include any reports required pursuant to Special Condition 2 of this permit. Failure to obtain a new CDP shall cause this development to be in violation of the terms and conditions of this coastal development permit.

- c) Changes to Special Condition 2, Revised Final Plans, to clarify requirements and eliminate redundancy:

Revised Final Plans. AT LEAST 30 DAYS PRIOR TO CONSTRUCTION, the permittee shall submit for review and written approval of the Executive Director, two hard copies and one electronic copy of each of the following final plans except that they shall be modified as required below:

- B. ~~At least two (2) weeks prior to the reuse of excavated material, the permittee shall provide evidence to the Executive Director of the location and method of disposal to an approved disposal location either outside of the coastal zone, or in the Santa Monica Channel banks. If the excavated material will be deposited in the Santa Monica Channel Banks, an engineer(s) or environmental professional(s), with appropriate qualifications acceptable to the Executive Director, shall: (1) within thirty (30) days, but no later than two (2) weeks, prior to each excavation operation, to conduct testing at the source site, and prepare and submit a Sampling and Analysis Plan for the review and approval of the Executive Director and (2) monitor the site during all sediment disposal activities. The Sampling and Analysis Plan shall be consistent with the following: A Final Outlet Maintenance Plan. The Maintenance Plan shall be consistent with the following:~~

1. Scope –The permittee shall submit a Final Outlet Maintenance Plan which shall include a description and schedule for outlet monitoring, a list of triggers for maintenance events, a detailed narrative of potential maintenance activities, and a map of potential maintenance vehicle access routes.
2. Extent - Channel maintenance and sand reuse shall be limited to the final approved project footprint.
3. Debris RemovalContent - At least two (2) weeks prior to construction or maintenance activities, the permittee shall provide evidence to the Executive Director of the location and method of debris disposal to an approved disposal location either outside of the coastal zone, or placement of excavated sediment on the Santa Monica Channel banks. If the excavated material will be reused in the Santa Monica Channel Banks, an engineer(s) or environmental professional(s), with appropriate qualifications acceptable to the Executive Director, shall: (1) within 30 days, but no less than two weeks, prior to each excavation operation, to estimate volume of material to be excavated, reused, and disposed for the review and approval of the Executive

Director and (2) monitor the site during all construction and maintenance activities. The monitor shall conduct a visual inspection of all excavated sediments that ~~meet the grain size thresholds and~~ are not determined to be contaminated prior to reuse on the channel banks. These inspections shall determine whether or not debris such as trash, woody debris, plant material, charcoal, or pockets of discolored sediment is present within the stockpiled material. If present, all such debris shall be separated from the sand material prior to reuse on site (by mechanical screening, manual removal or other means) and taken to a permitted disposal site outside of the coastal zone authorized to receive such material.

4. ~~Contaminants - Based on U.S. EPA Tier I analyses results, Tier II bulk chemical analysis shall be conducted on representative composite samples of each source proposed for channel bank reuse. The material shall be analyzed for consistency with EPA, ACOE, SWRCB, and RWQCB requirements for beach replenishment. At a minimum, the chemical analysis shall be conducted consistent with the joint EPA/Corps Inland Testing Manual. If the permittee or any resource agency, such as the ACOE, EPA, SWRCB, or RWQCB, determine that water quality or sediment the sample(s) exceed safety limits Effects Range Medium (ER-M) contaminant threshold levels according to the NOAA Screening Quick Reference Tables (SQUIRTs), these materials shall not be reused on the channel banks and shall be exported to an authorized disposal site. If in the coastal zone additional permits may be required.~~

5. ~~Confirmation - The analysis shall include confirmation by the U.S. Army Corps of Engineers and California Regional Water Quality Control Board that the material proposed for reuse meets the minimum criteria necessary for placement adjacent to the channel.~~

5. Reporting - Annual reporting from the inspections, noting damage to the path, placement of sand (number of events, volume of sand and placement location), sampling results, beach width estimates and the location and timing of any observed scour areas, edge waves, rip channels, etc. Biological survey results including the dates of surveys, any nesting birds, grunion, or native dune vegetation found, how each biological resource was protected during project activities, and the state of the resource post-project completion shall be included. Reports shall be submitted to the Executive Director no later than May 1st of each year and with any application for a new or amended coastal development permit.

6. Impacts - ~~If any the proposed routine maintenance activity is deemed to have a potential risk of adverse environmental impacts by the Executive Director, then the permittee shall apply for that maintenance activity under a separate coastal development permit or through an amendment to this permit.~~

~~C. A Construction Staging Plan that avoids habitat areas, minimizes use of public beach parking spaces, and provides for storage of any mechanized equipment off the public beach and in accordance with best management practices to avoid water quality impacts during initial construction and approved maintenance activities detailed in Special Condition 5.~~

d) Changes to Special Condition 3, Final Public Access Plan, to clarify no in water staging, clarify what types of activities it applies to, and eliminate redundancy.

3. Final Public Access Plan. AT LEAST 30 DAYS PRIOR TO CONSTRUCTION, the permittee shall submit for review and written approval of the Executive Director a Final Public Access Plan for implementation during construction and maintenance events that shall include, at a minimum, the following components:

A. Identification of the location and size of a staging area that minimizes impacts to public access, including minimizing use of public parking spaces. The minimum number of public parking spaces that are required. The number of public parking spaces utilized shall be the minimum necessary to implement the project.

B. No overnight storage of equipment or materials shall occur outside the designated work area. There shall be no staging or storing of heavy machinery or construction materials on the beach or in the intertidal zone or within the river or creek channel.

...

~~G. Identification of the location and size of a staging area that minimizes impacts to public access, including minimizing use of public parking spaces.~~ H. The staging site shall be removed and restored immediately following completion of the development.

e) Changes to Special Condition 4, Habitat and Sensitive Species Protection Measures to include grunion and snowy plover protections:

4. Habitat and Sensitive Species Protection.

A. In-water work shall be minimized to the maximum extent feasible.

B. Grunion Protection Measures, including the following:

a. Should sand placement activities be necessary below the high tide line during the general time periods outlines in the annually published California Department of Fish and Wildlife (CDFW) expected grunion run schedule, the County shall avoid impacts to mature and/or spawning grunion and to grunion eggs. The applicant shall retain the services of a biologist with appropriate qualifications. A grunion protection plan shall, at a minimum, include:

1) Construction sites on the beach shall be monitored for grunion runs beginning at least two weeks prior to commencement of construction activities, and throughout the period of any work from March 1 through May 28. Monitoring is not necessary in areas where there is no sand,

such as areas supporting 100% cobble or bluff backed beaches with no sand exposed during high tide.

- 2) Grunion monitoring shall be conducted by a qualified biologist for 30 minutes prior to, and two hours following, the predicted start of each daily spawning event. Sufficient qualified biologists shall be employed to ensure that the entire proposed construction area on the beach is monitored during the predicted grunion run. The magnitude and extent of a spawning event shall be defined in 300-foot segments of beach using the Walker Scale (Exhibit 7). Every individual fish (males and females) shall be counted to determine the Walker Scale value (e.g. 0, 1, 2, 3, 4, or 5) of each 300-foot segment within the proposed work area. Construction activities shall be modified according to the following plan: A. If a grunion run consisting of 0-100 individual fish per 300-foot segment (Walker Scale 0 or 1) is reported within two weeks prior to, or during, construction activities, the applicant does not need to take any avoidance action for grunion eggs. No mature grunion may be buried or harmed as a result of construction activities.
- b. Within two weeks prior to proposed work, if a grunion run consisting of 100 or more individual fish per 300-foot segment (Walker Scale 2, 3, 4, or 5) is reported, the applicant shall avoid work on the respective beach segment(s) and truck route and additionally, shall avoid a 100-foot buffer on either side of the segment(s) and route, for a minimum of two weeks, to ensure that no grunion eggs are buried or disturbed¹. These areas shall be memorialized through multiple GPS coordinates, and marked with irrigation flags for a minimum of two weeks when the next scheduled grunion run will be monitored. The applicant shall adapt the construction schedule to avoid operations on such beach segments and their associated buffers. No mature grunion may be harmed as a result of construction or maintenance activities.
- c. If construction or maintenance activities have already commenced, and a grunion run consisting of 100 to 500 individual fish, in one or more 300-foot segment (Walker Scale 2) in the work area is reported, the applicant shall avoid impacts to grunion eggs to the greatest extent feasible and then shall minimize impacts to grunion eggs through such measures as alteration of the truck route and relocation of construction activities.
- d. If construction or maintenance activities have already commenced, and a grunion run consisting of 500 or more individual fish per segment (Walker Scale 3, 4, or 5) is reported, the applicant shall avoid work on the respective beach segment(s) and truck route and additionally, shall avoid a 100-foot buffer on either side of the segment(s) and route, for a minimum of two weeks, to ensure that no grunion eggs are buried or disturbed. These areas shall be memorialized through multiple GPS coordinates, and marked with irrigation flags for a minimum of two weeks when the next scheduled grunion run will be monitored. The applicant shall adapt the construction schedule to avoid operations on such beach

segments and their associated buffers. No mature grunion may be harmed as a result of construction activities.

B. Avian Monitoring and Avoidance Measures, including the following:

a. Construction activities that occur during western snowy plover breeding season (March 1 to August 31) and California least tern breeding season (April 1 to September 15) will take the following steps to mitigate impacts to these species. A designated avian biological monitor with stop-work authority will conduct pre- and during construction surveys as needed within the project area and within 500 feet of the work area to determine the location of any active special status avian roosting and nesting areas. If western snowy plovers or California least terns are observed during any survey, the following measures will be implemented:

1) If western snowy plovers or California least terns are observed exhibiting nesting behaviors (scraping, territorial displays or calls, false brooding, etc.) during the breeding season, no project-related activities will occur within 500 feet of these areas until subsequent monitoring indicates that western snowy plovers or California least terns are no longer present.

2) If an active western snowy plover or California least tern nest (nest containing eggs or an empty or partial nest with western snowy plovers or California least terns actively exhibiting breeding behaviors) occurs within 500 feet of the proposed construction area, the following measures will be implemented:

i. The biological monitor with stop-work authority will report the nest to the U.S. Fish and Wildlife Service. After initial identification of the nest, the biological monitor will not approach within 50 feet of an active western snowy plover or California least tern nest. Nest monitoring will occur with binoculars. The biological monitor will use the distance to the project limits and local topography to determine if construction activities are likely to damage a nest or significantly disturb nesting activities. Signage will be installed to deter people from entering any area with an active nest.

ii. Where damage or disturbance of any western snowy plover or California least tern nest(s) is likely, the designated biological monitor will implement further measures to avoid the likelihood of nest destruction or disturbance, including: temporarily halting construction activities until the nest fails or until at least 10 days after the young fledge from the nest, with construction activities directed to other areas further than 350 feet from the active nest(s) or where activities will not disturb the active net(s), as directed by the biological monitor.

iii. The biological monitor will monitor nest progress, construction activity, and protective fencing to minimize potential construction-

related disturbance and will submit a weekly nest status report to the U.S. Fish and Wildlife Service. A post-construction report will be submitted to the U.S. Fish and Wildlife Service summarizing the weekly nest status report and outcomes within 6 months of project completion.

b. No activities are allowed within 100 feet of active roost areas for the western snowy plover or California least tern unless measures are implemented to minimize the noise and disturbance to those adjacent birds until subsequent monitoring indicates that western snowy plover and California least tern are no longer present. If these conditions cannot be met, the following measures will be implemented:

1) The biological monitor with stop-work authority will report the roost site to the U.S. Fish and Wildlife Service. After initial identification of the roost, the biological monitor will not approach within 50 feet of roosting western snowy plover or California least terns. Roost monitoring will occur with binoculars. The biological monitor will use the distance to the project limits and local topography to determine if construction activities are likely to damage a nest or significantly disturb nesting activities. Signage will be installed to deter people from entering any area with an active nest.

2) Where damage or disturbance of any western snowy plover or California least tern roosting is likely, the biological monitor will implement further measures to avoid the likelihood of roost disturbance, including temporarily halting construction activities until the birds depart for the season, with construction activities directed to other areas that will not disturb the roost, as directed by the designated biological monitor.

3) A biological monitor will monitor the roost and construction activity to minimize potential construction-related disturbance and will submit a weekly nest status report to the U.S. Fish and Wildlife Service. A post-construction report will be submitted to the U.S. Fish and Wildlife Service summarizing the weekly nest status report and outcomes within 6 months of project completion.

c. All participants and contractors for the project will receive educational training concerning special status species within the project area. The program will be conducted during all project phases and will cover the potential presence of listed species; the requirements and boundaries of the project; the importance of complying with avoidance, minimization, and compensation measures; and problem reporting and resolution methods. The designated project biologist and/or other qualified project proponent shall conduct the training and provide a sign-in sheet for each training activity to ensure all participants and contractors are educated on the environmental conditions and associated constraints.

A. C. No more than seventy-two (72) hours prior to any project activities, a qualified Resource Specialist, approved by the Executive Director, shall survey the project site and identify with flags, stakes, or other markers all areas of existing native vegetation. Avoidance measures shall be implemented for native dune vegetation in areas where these species exist as a natural community and in areas where these species co-occur with non-native species at a minimum buffer of twenty-five (25) feet. Where 25-foot buffers are infeasible due to existing public amenities, including parking lots, sidewalks, and the bike trail, the maximum feasible buffer shall be provided.

B. D. The limits of development work shall also be clearly demarcated to identify the boundaries of the construction area and habitat area.

C. E. An appropriately trained biologist, approved by the Executive Director, shall monitor during all project activities for disturbance to sensitive species or habitat area. Based on field observations, the biologist shall advise the permittee regarding methods to minimize or avoid significant impacts, which could occur upon sensitive species or habitat areas. The biological monitor shall stop work if any adverse impacts to sensitive species at the project site and/or within the project vicinity could result from continuation of the proposed development. The permittee shall not undertake any activity that would disturb sensitive species or habitat area unless specifically authorized and mitigated under this coastal development permit or unless an amendment to this coastal development permit for such disturbance has been obtained from the Coastal Commission.

f) Changes to Special Condition 8, Watershed Study:

Within five (5) years from the date of approval of this CDP (i.e., before March 14, 2030), the permittee or its successor shall submit to the Executive Director an integrated watershed study ~~utilizing a Driving force-Pressure-State-Impact-Response (DPSIR) framework~~ that analyzes the land use and engineering challenges of managing floodwaters in the Santa Monica Canyon branches draining to the outlet over the next 75 years. At minimum, the study should identify pinch points, existing areas of flooding, extent of nonconformities in open permeable space, and relevant stakeholders. The study shall also provide recommendations for measures that could be implemented to minimize future damage to the existing public infrastructure and beach at the subject site. ~~cross-jurisdictional coordination necessary to implement watershed-wide adaptation measures.~~

g) Changes to Special Condition 5, Storage of Construction Materials, Mechanized Equipment, and Removal of Construction Debris, to add a measure that protects water quality during tidal conditions that may inundate work areas:

5. Storage of Construction Materials, Mechanized Equipment, and Removal of Construction Debris. The permittee shall comply with the following construction and maintenance related requirements:

...

M. All equipment shall be removed from the beach areas overnight and during any tidal condition that may inundate work areas. The permittee may not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion. In addition, no machinery may be placed, stored or otherwise located in the intertidal zone at any time, except for the minimum necessary to perform the approved repair and maintenance.

N. All BMPs shall be maintained in a functional condition throughout the duration of construction and maintenance activity.

- h) Addition to Section IV. A, Project Description and Background, paragraph 2 on page 15 as follows:

The proposed project is located on a sandy beach approximately 300 ft in width at the outlet of Santa Monica Canyon in the Pacific Palisades segment of the City of Los Angeles...

- i) Addition to Section IV. A, Project Description and Background, immediately following paragraph 1 on page 17 as follows:

On January 5, 2023, ... as they became dislodged.

In March 2023 a follow-up to Emergency CDP G-5-23-0004 was submitted and filed on August 23, 2023. On March 21, 2024, the County withdrew its application after additional damage to the trail occurred, necessitating a revised design plan. The repair plans submitted with the current CDP application have been revised from the previous application and informed by an additional scour report analysis, prepared by Geosyntec Consultants for the applicant on March 5, 2025. The Bike trail sustained additional damage in February 2024 that undermined a section of the trail leading up to the bridge deck above the channel. The County expects the repairs requested under this current permit application to be sufficiently protected by the metal sheet piles and channel grading in the near term to have sufficient time to develop and implement a more robust trail realignment. Proposed as part of this permit is the complete removal of the remaining riprap and metal plates that were authorized under the original ECDP.

- j) Modify Section IV. E, Water Quality, on page 23 as follows:

E. Water Quality and 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.

J) Modify subsection Construction and Maintenance Impacts to Water Quality & Biological Productivity on page 24 as follows:

The biological assessment report states that a few native birds can be expected to nest within 300 feet of the study area and are provided protection under the provisions of the Migratory Bird Treaty Act and Fish and Game Code. It is possible some construction or maintenance activities may need to take place during nesting season (generally February through August) as they may occur during the rainy season (generally November through March). Heavy machinery has the potential to create additional sedimentation in the channel and ocean waters as well as leak hazardous material that can negatively impact water quality and biological productivity. Additionally, some sensitive natural communities were observed within the study area, and seven special-status wildlife species have a low to moderate potential to occur within the project area. Considering the 10-year authorization of maintenance activities, sensitive species may be encountered during project activities during the authorized time. Therefore, the Commission imposes **Special Condition 4**, which requires implementation of habitat and species protection measures including grunion monitoring and avoidance measures and requirements that in-water work be minimized, a qualified resource specialist to survey the project area prior to any project activities and identify with flags, stakes, or other markers all areas of existing native vegetation, and maintenance of buffers between work and habitat in order to take appropriate avoidance measures. The special condition further requires an appropriately trained biologist to monitor all project activities for disturbance to sensitive species or habitat area and stop work if any adverse impacts to sensitive species at the project site and/or within the project vicinity could result from continuation of the proposed development. Furthermore, Special Condition 4 requires implementation of Avian Monitoring and Avoidance measures since the timing of construction and maintenance activities overlap with breeding and nesting seasons of the Western Snowy Plover (March 1 to August 31) and California least tern (April 1 to September 15). Additionally, **Special Condition 6**, details necessary BMPs to follow during construction and maintenance activities to reduce the risk of harmful environmental impacts from construction machinery, materials, and debris.

k) Addition to Appendix A Substantive File Documents

- Scour Report Marvin Braude Bike Trail Repair Will Rogers State Beach, California Prepared by Geosyntec Consultants, Inc. for Los Angeles County Public Works Dated March 5, 2025

I) Addition of Exhibit 7 Walker Scale

WALKER SCALE GRAPHIC



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