COASTAL DEVELOPMENT PERMIT APPLICATION NO. 10-04
FINAL STAFF REPORT

(Under authority of the California Coastal Act, California Public Resources Code §30600(b),
and Chapter 1, Article 2, §12.20.2 of the Los Angeles City Municipal Code)

I. PROJECT DESCRIPTION

Project Title: Venice Dual Force Main

Applicant: City of Los Angeles, Department of Public Works, Bureau of Engineering (BOE)

Project Location:
Council District: 11
Communities: Venice and Westchester - Playa del Rey
District: West Los Angeles

A. Project Description:

The proposed project is the construction and operation of a new 54-inch diameter force main sewer extending approximately two miles in length from the existing Venice Pumping Plant (at 140 Hurricane Street in the community of Venice) to a junction structure with an existing sewer in the community of Playa Del Rey on Vista Del Mar near Waterview Street (see Figure 1 and Figure 2). Wastewater that is conveyed by the Venice Pumping Plant originates from coastal areas to the north and east, including the Marina Del Rey community within the County of Los Angeles. From the Venice Pumping Plant, the force main sewer would proceed east under the Grand Canal along Marquesas Way, then southeasterly on Via Marina to a portion of LA County Parking Lot 13, and then under the Marina Del Rey and Ballona Creek channels to a point on the south side of Ballona Creek at Pacific Avenue. From there, the sewer would continue south along Pacific Avenue and Vista Del Mar to connect to a junction structure at the North Outfall Sewer (NOS) in Vista Del Mar near Waterview Street. This junction structure can route flow to the NOS or to the Coastal Interceptor Sewer (CIS). The new 54-inch line would be constructed mostly (along 90% of its length) using the micro-tunneling (boring) method with the cut-and-cover construction method used along approximately 900 feet of Vista Del Mar from the vicinity of Surf Street southeast to the junction structure at the NOS. The new force main sewer would be used in tandem with the existing 50-year old force main sewer that is located under Dockweiler State Beach.

The potential impacts resulting from the proposed project are construction related; no aspect of routine operations would result in physical impacts to the environment. Therefore, the critical aspects of the proposed project address the spatial extent of construction, the equipment and activity associated with it, and the duration of the activities from the start of construction until project completion. During the construction phase, temporary impacts will occur within the immediate and surrounding vicinity of the project alignment.
The two construction methods are: (1) Micro-tunneling (or “boring”), and (2) Cut-and-cover, which are described below:

**Small-Diameter Micro-Tunneling (Boring)**

Boring is a trenchless construction method which utilizes hydraulic jacks to push pipes through the ground behind a remotely operated tunnel boring machine (TBM). Unlike conventional trenching techniques that require excavation for the entire length of pipeline, excavation for tunneling is limited to the endpoints of each reach at designated launching (jacking) and receiving pits. The launching pit contains the hydraulic jacks used to push the pipes, and the receiving pit is used to recover the TBM at the end of each drive or reach.

The tunnel face is coated with a thick liquid (“slurry”), which is a mixture of the excavated soil (“muck”) and bentonite (a natural clay mineral). Keeping the slurry pressurized in a closed chamber behind the cutter-head of the TBM prevents groundwater and excess soil material from entering the TBM. This process also minimizes tunneling-induced ground settlements and associated damage to existing utilities and buildings along the tunnel alignment. A mixture of the excavated muck and slurry is pumped from the TBM to a slurry-processing plant on the surface, where soil particles are extracted from the slurry with vibrating screens and cyclones (air separators). The extracted soil is hauled away for disposal off-site, and the cleaned slurry is pumped (recycled) back to the TBM. The slurry-processing plant, remote control cabin for operating the TBM, as well as cranes and other construction equipment, are located near the jacking pit within a secured construction zone.

The equipment setup is site specific, depending on available space. The jacking pipe, which is made of reinforced concrete or steel, serves as a temporary tunnel liner. Upon completion of the tunnel reach, the carrier pipe will be inserted and the annular space between it and the jacking pipe will be filled with grout.

Each construction site will be enclosed with concrete k-rail and occupied with construction equipment or personnel continuously from the time the pit is excavated to the time that the pit is completed. Traffic lanes will not be re-opened during periods when construction shaft sites may be inactive but construction in the area has not been completed. However, construction shall be phased so that traffic controls are not required along the entire alignment at the same time. Jacking sites would be at least 30 feet wide (to accommodate a pit with a minimum pit length dimension of 20 feet and room for equipment movement) and an area of 10,000–12,000 square feet. Receiving sites would be at least 25 feet wide (to accommodate a pit with a minimum pit dimension of 15 feet and room for equipment movement) and an area of 5,000 square feet. See Figure 2 for the location of shaft sites and portions of the project that will be constructed using micro-tunneling.

**Cut-and-Cover Construction**

Cut-and-cover construction is a very common method of linear pipeline construction and replacement. The contractor would not start work in all areas on a cut-and-cover site at the same time, but rather would proceed with finishing and restoring relatively short segments- within the area. Underground utilities that conflict with the construction would be temporarily relocated or supported as necessary. It is assumed that the 54-inch pipe would be placed on a 1-foot gravel bed on top of a 1-foot concrete mud slab placed at the bottom of an approximately 8-foot wide and 15-foot deep trench. A shoring-installation crew would get a head-start driving sheet piles approximately 200 to 300 feet in front of the pipeline crew. The latter would excavate approximately 80 feet of trench every day and pour the concrete mud slab. The next day, 80 feet of pipe would then be installed and backfilled. This approach would yield an effective production rate of about 40 feet of completed pipe installation per day (i.e., 200 feet per week). Subsequent to pipe installation, a third crew would extract shoring, restore curbs and utilities, and repave about 600 feet of roadway every 3 weeks. With this approach, major construction activities could be limited to within relatively short segments of about 1,000 feet at any given time. This scenario is only proposed for an approximately 900-foot area on Vista Del Mar from around Surf Street southeast to the junction structure of the NOS (see Figure 2 for the portion of the project that will be constructed using cut-and-cover).
Extent of Project Construction

Construction of the project would occur in and along various streets and parking lots in the project area. Eleven micro-tunneling pits would be placed along the alignment, including Hurricane Street, Marquesas Way, Via Marina, Pacific Avenue, Culver Boulevard, and Vista Del Mar. Cut-and-cover construction would occur along Vista Del Mar. In addition, staging areas would be placed in public parking lots operated by the County of Los Angeles: County Lot 13 and the 62nd Street Lot.

Temporary Impacts to Public Access

Due to in-street construction activities, temporary impacts to public access within the immediate and surrounding vicinity of the project alignment will occur during the construction phase. Traffic circulation will be constrained but maintained during construction activities.

On-street parking is allowed on Hurricane Street and most of Pacific Avenue in Playa del Rey. Utilization of these spaces is high. The number of affected parking spaces includes approximately eight parking spaces on Hurricane Street east of Canal Court (immediately adjacent to the Venice Pumping Plant), which could be impacted for up to two years. As many as 18 spaces on Pacific Avenue could be impacted during construction in that area, which could also take twelve months.

Although there is a high demand for on-street parking in the project area, alternative parking and transit are available nearby.

Role of County of LA

The new sewer line would cross City and County boundaries. A portion of the project falls within the jurisdiction of the County of Los Angeles to issue a local coastal development permit, specifically a portion of Marquesas Way and Via Marina, south to County Lot 13 in Marina del Rey. A link to this CDP can be found in the Related Regulatory Actions section. As the sewer project is a Department of Public Works project, conditions of approval that apply to areas within the City of Los Angeles coastal development permit.

B. Project Purpose:

The Venice Pumping Plant’s existing 48-inch-diameter force main sewer, built in 1958, is a force main (pressurized pipeline) that conveys the plant’s wastewater flows to the Hyperion Treatment Plant. The existing force main sewer can handle only about 60 percent of the flows that could otherwise be pumped through the Venice Pumping Plant when all five of its pumps are running at full capacity (such as during peak wet weather flows). When flows into the pumping plant exceed flows out of the plant, wastewater would likely overflow directly into the Grand Canal and Ballona Lagoon, which are both designated as Environmentally Sensitive Habitat Areas (ESHAs). During heavy storms, such as those that occurred during the winters of 1994-95 and 2004-05, the excess wastewater at the plant came within minutes of overflowing into these sensitive bodies of water.

The focus of the project is to construct a second force main sewer to be used in tandem with the existing force main sewer for the purpose of fulfilling the three key objectives described below:

Sewage Conveyance Capacity

The Venice Pumping Plant is the largest pumping plant in the City of Los Angeles. It collects sewage from the coastal areas of the City and some communities within Los Angeles County and transports it to the Hyperion Treatment Plant in Playa Del Rey through an existing 48-inch pipeline. Over the years, the existing pipeline that conveys sewage to the treatment plant has gradually approached maximum capacity, placing substantial strain on the system and forcing the water level in the wet-well of the pumping plant basement to rise. This is especially pronounced during wet weather. During past wet weather events, the City of Los Angeles found that existing force main sewer could only handle approximately 60 percent of the flows that would otherwise run through the Venice Pumping Plant. In an effort to prevent a potential overflow of sewage during peak wet weather flows, the City has proposed to install an additional 54-inch pipeline to convey the flows from the pumping plant.
Pipeline Redundancy
In addition to the need to provide pipeline capacity to manage peak flows, the new 54-inch force main would be used to provide redundancy and reliability to the sewage conveyance system.

Ability to Perform Maintenance
The installation of the proposed 54-inch force main will allow repair and maintenance of the existing pipeline to occur, which is currently not possible while it is in operation.

C. Project Cost:

The project cost is estimated to be approximately $55 million.

D. Related Regulatory Actions:

The City of Los Angeles certified the Venice Dual Force Main Project EIR and adopted the Mitigation Monitoring Plan on January 12, 2010. A copy of these documents may be found here: http://eng.lacity.org/techdocs/emg/venice_pumping_plant.htm

The City of Los Angeles approved Local Coastal Development Permit 10-12 for the Venice Pumping Plant Discharge Manifold Replacement Project, which is currently under construction. Pursuant to Section 30624.7 of the Coastal Act, the Coastal Commission issued a waiver related to the project in March 2011.

The Los Angeles County Regional Planning Commission approved Local Coastal Development Permit No. 201400003 on February 25, 2015 for the Venice Dual Force Main Project. Portions of the project, specifically Marquesas Way and Via Marina and County Lot 13 north of the Marina del Rey Channel, are in the unincorporated County territory Marina del Rey. The California Coastal Commission has received the notice of local action on March 16, 2015, and the action will become final on March 30, 2015 if no appeal is filed. A copy of the approval package and related documents from Los Angeles County can be found here: http://planning.lacounty.gov/case/view/r2014-01462/.

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In addition, it is anticipated that a coastal development permit will need to be obtained from the state coastal commission for the project areas that cross under water bodies, including the Grand Canal, Marina del Rey Channel, and Ballona Creek Channel.

II. REGULATORY BASIS FOR REVIEW

A. Local (City of Los Angeles) Coastal Development Permits

PRC § 3600(b) allows local governments to assume authority to issue coastal development permits within its jurisdiction before certification of its local coastal program, and the project is within the City Engineer’s jurisdiction (LAMC § 12.20.2 et seq.). The application filed with the City Engineer was deemed adequate.

Section 30601(1) of the Coastal Act requires any development receiving a local coastal development permit to also obtain a second (or dual jurisdiction) coastal development permit from the Coastal Commission for any proposed “developments between the sea and first public road parallel to the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.” Portions of this project are within this area requiring the issuance of dual permits from both the City of Los Angeles and the Coastal Commission. In addition, portions of the project are located within the County of Los Angeles and require a Coastal Development Permit from the County.

The City of Los Angeles implements the provisions of the Coastal Act under Section 30600(b) of that act and LAMC, Chapter 1, Article 2, § 12.20.2 et seq.

The LAMC, Chapter 1, Article 2, § 12.20.2B, specifies in relevant part:

"Coastal Zone" means that land and water area within the City of Los Angeles as specified on maps prepared by the California Coastal Commission, copies of which are on file with the Department of City Planning and the Office
of City Engineer. Such “coastal zone” extends seaward to the City’s outer limit of jurisdiction, and generally extends inland 1000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone extends inland 1000 yards.

“Development” means, on land, ... the placement or erection of any solid material or structure; ... change in the density or intensity of use of land ...change in intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility....

“Local Coastal Program” (LCP) means the City’s land use plans and other applicable general plan elements, zoning ordinances, zoning district maps, and proposed implementing actions, which when taken together, meet the requirements of, and implement the provisions and policies of, the California Coastal Act of 1976.

“Public Project” means, any development initiated by the Department of Public Works or any of its bureaus, any development initiated by any other department or agency of the City of Los Angeles...which is required to obtain a local government permit.

“Sea” means the Pacific Ocean and all harbors, bays, channels, canals, estuaries, salt marshes, sloughs and other areas subject to tidal action through any connection with the Pacific Ocean, excluding nonestuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

The LAMC, Chapter 1, Article 2, § 12.20.2C, specifies in relevant part:

Where the particular coastal project requires a coastal development permit from the Commission in addition to the one obtained from the City, no development may be commenced until both permits have been obtained, and both have become final.

As discussed, this project crosses multiple jurisdictions and portions of the project are within the area requiring the issuance of permits from both the City of Los Angeles and the Coastal Commission, as well as a separate permit from the County of Los Angeles.

The project is within the coastal zone and constitutes a development within the meaning of the Coastal Act; therefore, the project must be authorized by coastal development permit(s) processed pursuant to the requirements of the LAMC and the California Coastal Act of 1976.

B. Coastal Guidelines

In accordance with the provisions of Section 30620 of the Public Resources Code; and, in order to sustain the findings contained in Section 12.20.2-G(c) of the Municipal Code which requires a review and consideration of “...Interpretative Guidelines for Coastal Planning and Permits...”, the State Coastal Commission has issued Interpretative Guidelines for the South Coast Region of Los Angeles including certain subareas of the City of Los Angeles. These subareas are defined as Pacific Palisades, Venice, Playa Del Rey, San Pedro and Wilmington. However, following prevailing case law (e.g., Pacific Legal Foundation v. Coastal Commission (1982) 33 Cal.3d 158), the City Engineer’s determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations.

C. Issues of Legal Adequacy of the Application

None.

III. STAFF FINDINGS

Six findings are required in order for a Coastal Development Permit to be issued. The six findings are:

(1) That the development is in conformity with Chapter 3 of the California Coastal Act of 1976 (commencing with Section 30200 of the California Public Resources Code).
(2) That the permitted development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

(3) That the Interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making its determination.

(4) That the decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.

(5) If the development is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, that the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

(6) Any other finding or findings as may be required for the development by the California Environmental Quality Act.

Staff finds as follows:

1. The project, as conditioned, is in conformity with Chapter 3 of the California Coastal Act of 1976 (commencing with Section 30200 of the California Public Resources Code).

Chapter 3 of the California Coastal Act of 1976 provides:

a) MARINE ENVIRONMENT (Article 4, of Chapter 3 of Public Resources Code, Sections 30230 through 30237)

Sections 30230 through 30236 of the Public Resources Code address the maintenance, enhancement, and where feasible, restoration of marine resources within the coastal zone (30230), maintenance of biological productivity and quality of coastal waters (30231), protection from spillage of hazardous substances (30232), allowable diking, filling, dredging of open coastal water, as well expansion of expansion related to boating facilities (30233), protection of facilities for commercial fishing and recreational boating industries (30234), protection of fishing activities (30234.5), the permitting of marine structures to serve coastal-dependent uses or to protect existing structures or public beaches (30235), and allowable channelization or alterations to rivers and streams (30236).

The project would improve the ability of the City to safely convey wastewater generated in the coastal area (within the service area of the Venice Pumping Plant). The project would result in improved environmental protection by minimizing the potential for untreated wastewater to enter the Grand Canal and Ballona Lagoon (both an ESHA) during peak wet weather conditions.

No work would occur in the Grand Canal or Ballona Lagoon. To protect water quality, mitigation measures during construction activities related to management of stormwater runoff and dewatering discharge shall be employed. Mitigation measures to protect foraging of the least tern by monitoring turbidity during tunneling activities have also been adopted through the EIR and mitigation monitoring program. The proposed project will not adversely affect water quality or marine resources. Regarding construction noise impacts on coastal birds, it is expected that the mitigation measures applied to reduce noise impacts to sensitive receptors (residents), such as noise shields and mufflers on construction equipment, will also benefit the local bird populations. Therefore, the project as conditioned is consistent with the marine environment policies of the Coastal Act.

b) LAND RESOURCES (Article 5 of Chapter 3 of Public Resources Code, Sections 30240 through 30244)

Sections 30240 and 30244 state:

Section 30240.

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of
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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.

Section 30244.

Where development would adversely impact archeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

As discussed, no work would occur within the Grand Canal or Ballona Lagoon, both considered an ESHA. See Finding 1 (a) above for further discussion related to protection of water quality and habitat.

Regarding archeological and paleontological resources, adopted mitigation measures and the conditions of approval CR-3A – CR-6, along with PAL-1A – PAL-6A address how cultural or paleontological resources shall be collected, identified, evaluated, and treated if deemed significant.

c) DEVELOPMENT (Article 6 of Chapter 3 of Public Resources Code, Sections 30250 through 30255)

Coastal Act Sections 30251, 30252, 30253 and 30254 state:

Section 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and

Recreation and by local government shall be subordinate to the character of its setting.

No above-ground facilities are part of the project, so there are no impacts to aesthetics as part of project operations. However, during construction five mature trees at LA County Lot 13 on Via Marina must be removed in order to construct pit 5. When construction activities are completed, the three Italian Stone Pine trees and two Paper Bark trees shall be replaced with 48-inch boxed specimens of the same species.

Section 30252. The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The project has no effect on public access except during construction activities. During construction, public access would be maintained but temporarily constrained, especially on roadways along the project alignment. Pedestrian, bicycle, and transit access shall be maintained during construction and signage shall be used when alternate routes are required. For further discussion regarding traffic and parking impacts during construction activities, please refer to Finding 5 sections (a) public access and (b) recreation.

Section 30253. New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
(2) Assure stability and structural integrity, and neither create not contribute significantly to
erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural land forms along the bluffs and cliffs.

(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

(4) Minimize energy consumption and vehicle miles traveled.

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The project would not affect flood or fire risks (30253(1) (2)), would not conflict with any requirements of the State Air Resources Control Board or South Coast Air Quality District (30253(3)), would not affect energy consumption and vehicle miles traveled (30253(4)), and would not permanently affect the local community (30253(5)).

Regarding geological concerns during construction, the project involves tunneling through the abandoned Playa del Rey Oil Field. Geotechnical investigations were conducted in 2008 and 2014 to evaluate the potential for encountering any abandoned oil and gas wells along the project alignment. Based on information from these studies and consultation with the California Division of Oil, Gas and Natural Resources, City staff adjusted the project alignment to avoid known and potential wells during construction. A sealed construction method shall also be used during microtunneling to prevent the release of any gases that may be naturally occurring or related to prior oil field operations.

d) INDUSTRIAL DEVELOPMENT (Article 7 of Chapter 3 of Public Resources Code, Sections 30260 through 30265.5)

The proposed project does not involve the development or expansion of industrial developments as addressed in Article 7, and as such, Sections 30260 through 30265.5 are not applicable to the proposed project.

2. The project, as conditioned, will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

Much of the project site is located outside the geographic boundaries of a Local Coastal Program Land Use Plan of the City of Los Angeles, but a small portion is located in the Venice Local Coastal Program Land Use Plan, which is an amendment to the Venice Community Plan. Another applicable Community Plan is the Westchester – Playa Del Rey Community Plan. These plans contain land use policies and programs for development within the planning areas. In addition, the northern portion of the project is located in the County of Los Angeles Marina Local Coastal Program.

The two City of Los Angeles Community Plans primarily provide land use policies and objectives related to residential, commercial, and industrial developments. However, the plans also identify policies related to coastal resources and public improvements. The most relevant coastal resources goal of the Westchester – Playa Del Rey Community Plan in relation to the project is Goal 18:

Goal 18. Protect Westchester-Playa Del Rey's unique coastal qualities by maintaining the coastal zone in an environmentally sensitive manner and preserving the scenic views of the area, while ensuring access and public use of coastal resources.

The project would install a new sewer in the coastal zone to safely convey wastewater generated in the service area for subsequent treatment. The project would minimize the potential for future spills of untreated wastewater during peak wet weather conditions, and would provide redundancy and reliability for the sewer system. Based on this, the project would help maintain the coastal environment in the project area. The project is therefore not in conflict with these policies.

Several policies in the Venice LCP Land Use Plan and Community Plan are relevant to the project.
Policy V.A.3 (Venice LCP Land Use Plan)
Infrastructure. New sewer, storm drain, and water lines shall be installed using the least environmentally disturbing method feasible.

Public Works I. (Community Plan) Public works improvements in the study area shall be designed to protect sensitive habitat resources, accommodate new development permitted in the area and provide for future public access needs.

Policy 18-1.2 (Community Plan) The protection of estuaries and wetlands and the restoration and protection of the Venice Canals.

The project includes the installation of a new force main sewer in the Coastal Zone that would be largely constructed through micro-tunneling, which is considered one of the least disruptive construction methods (as opposed to open trenching).

The project would provide additional wet weather conveyance capacity downstream of the Venice Pumping Plant in order to reduce the potential for untreated wastewater spills to the Grand Canal and Ballona Lagoon (during peak wet weather conditions). The Grand Canal and Ballona Lagoon are considered sensitive habitat areas.

Based on the discussions above, the project as conditioned would be constructed in an environmentally sensitive manner, designed to protect sensitive habitats, and would not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act and amendments.

3. The Interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 (as amended December 16, 1981) and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making the City Engineer's determination.

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As noted in the preceding Sections, the California Coastal Commission’s interpretive guidelines (State and Regional) for the Venice area have been reviewed and considered in preparation of these findings and recommendations. However, following prevailing case law (e.g., Pacific Legal Foundation v. Coastal Commission (1982) 33 Cal.3d 158), the City Engineer’s determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations.

Interpretive Guidelines
The Statewide Interpretive Guidelines were adopted by the California Coastal Commission pursuant to Public Resources Code Section 30620 (b) and are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied in the coastal zone prior to certification of local coastal programs. The guidelines should assist in applying various Coastal Act policies to permit decisions; they in no case supersede the provisions of the Coastal Act nor enlarge or diminish the powers or authority of the Commissions or other public agencies.

The Statewide Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated December 16, 1981 have been reviewed, analyzed, and considered in light of the individual project in making the City Engineer’s determination.

The project does not involve development of bluffs or cliffs or public trust lands, including tidelands and submerged lands. It does not include housing, including condominium or stock cooperative conversions, or other new development. The project consists of installing a new underground sewer in the project area. Because the sewer would be underground, it would not result in access restrictions or blockages of views of the coast or shoreline.

In addition, the project would not affect the concentration of development in the project area, as development would be subject to local land use policies and deliberative processes.

Therefore, the project is consistent with the policies of the Coastal Act as set forth in the Statewide Interpretive Guidelines.
In addition, the Los Angeles County Interpretive Guidelines were adopted by the California Coastal Commission to supplement the Statewide Guidelines. As with the statewide guidelines, the Regional Interpretive Guidelines are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied in the coastal zone prior to certification of local coastal programs. The guidelines should assist in applying various Coastal Act policies to permit decisions; they in no case supersede the provisions of the Coastal Act nor enlarge or diminish the powers or authority of the Commissions or other public agencies.

The Regional Interpretive Guidelines for the South Coast Region, Los Angeles County adopted October 14, 1980 were reviewed, analyzed, and considered in light of the individual project in making the City Engineer’s determination. The Guidelines primarily provide development guidelines for residential and commercial land uses or structures within specific geographic areas, namely Malibu, Pacific Palisades, Santa Monica, Venice, and Marina Del Rey. The project would be located in portions of Venice and Marina Del Rey.

The project is not inconsistent with the policies of the Coastal Act as set forth in the Regional Interpretive Guidelines.

4. The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.

The decision of the permit granting authority, as evidenced in the staff report of this project, has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.

5. Portions of the project alignment would include the nearest public roadway to a shoreline but would not result in physical development that could impede access to the coast. The development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

a) PUBLIC ACCESS (Article 2, of Chapter 3 of the Public Resources Code, Sections 30210 - 30214).

Section 30210 of the Public Resources Code states:

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

Operation of the completed project would not interfere with any existing coastal access roadways, bikeways, pedestrian paths or walkways. The project would involve the installation of a belowground public utility and is not expected to interfere with any pedestrian access to the coast in the vicinity.

Construction activities will have a temporary effect on coastal access. Portions of the southern project area encompass the first public road next to the sea (Pacific Avenue between 66th Avenue and Culver Boulevard and Vista Del Mar between Surf Street and Waterview Street); however, the construction would not require complete closure of streets (a detour onto Speedway is available at Pacific Avenue and 66th Avenue) and would not be a physical barrier to coastal access.

The northern portion of the project (north of the Marina Del Rey Channel) would be constructed within Hurricane Street, Marquesas Way, and Via Marina. These streets are removed from the beach, and the construction pits would not impede beach access. Access for residents and visitors on Via Marina would be reduced, as the siting of construction shafts 6, 7, 8 and 9 require the reduction of four lanes down to two lanes, with access maintained in one lane in each direction. Access to all mole roads that intersect Via Marina shall be maintained, including Marquesas Way (and Dell Avenue Alley), Tahiti Way, Bora Bora Way, Northwest Passage, and Captain’s Row. Driveway access to residents and businesses shall be maintained at all times.
No on-street parking is allowed along Via Marina between Marquesas Way and the Channel, or on Vista Del Mar between Surf Street and Water View Street. On-street parking is allowed on Hurricane Street, Marquesas Way and most of Pacific Avenue in Playa del Rey, as well as the west side of Vista Del Mar between Waterview Street and Napoleon Street. Utilization of these spaces is high. The actual number of spaces that would be unavailable during construction is uncertain, pending final design and approval of work areas and construction traffic management plans, but the number of affected parking spaces in any one area is expected to be low – varying from about eight on Hurricane Street and on Marquesas Way to as many as 18 parking spaces on Pacific Avenue. In most cases the affected parking would be unavailable for twelve months or more. A loss of approximately eight parking spaces on Hurricane Street east of Canal Court (immediately adjacent to the Venice Pumping Plant) could occur for up to two years.

Although there is a high demand for on-street parking in the project area, the impact of on-street construction activities for the proposed project would not be significant considering the limited number of spaces affected, the duration would be short-term, and alternative parking and transit are available nearby. The temporary loss of on-street parking is not expected to substantively affect coastal access in the project area. Following construction, no roadway or on-street parking limitations would occur.

Construction of the project would temporarily affect off-street parking at County Lot No. 13 (north of the Marina Del Rey Channel) and the two parking lots on 62nd Street and Pacific Avenue (south of Ballona Creek, boarding the Pacific Avenue bridge). Project construction at Lot 13 would temporarily reduce the number of parking spaces to 73 from the current 136 (temporary loss of 63 spaces). Project construction at the 62nd Street Parking Lots would temporarily remove a total of approximately 65 spaces. The temporary loss of 63 spaces at Lot 13 and 65 spaces at the 62nd Street Parking Lots would temporarily increase competition for parking in the project area, but would still allow for public access to coastal resources in the project area due to either remaining off-street parking and/or on-street parking opportunities. For example, the existing parking lot at Pacific and 65th Avenue, which has approximately 50 spaces, would still be available for beach visitors. In addition, the parking strip along Pacific Avenue, Culver, and Vista Del Mar is still available to residents and beach visitors, which has approximately 75 spaces or more. Transit connections in the area will also still be maintained. Once completed, the project would not affect any off-street parking spaces.

At the south side of Ballona Creek near the 62nd Street parking lot, Construction Pit 4 would be placed in the vicinity of the existing pedestrian bridge. Barriers would separate the pit from the surrounding area, and the bridge and bikeway would remain open for pedestrian and recreational use.

In addition, due to the location of Construction Pit 3, a portion of Pacific Avenue between 66th Avenue and 65th Avenue would be temporarily closed during construction, but a detour onto Speedway would be provided to maintain vehicular access in each direction.

Section 30211 of the Public Resources Code states:

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

As discussed above, the project would require construction in the coastal zone, which would temporarily restrict traffic circulation and some on and off-street parking in the area. Although parking opportunities would be temporarily reduced, remaining off-street and on-street parking and transit connections would still provide parking opportunities to park in close proximity to coastal resources, and the public’s right to access the sea would not be interfered with.

The relevant portions of Section 30212 of the Public Resources Code states:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal
resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Although the project would construct a new sewer line in limited portions of roadways nearest the shoreline, the sewer would be underground and once constructed would not restrict access to the beach or coastal resources.

Although during construction there would be temporary impacts to traffic circulation and parking, access to residences and coastal resources would remain. No aspect of the projects operation would result in physical or long-term impacts to the environment. Therefore the project is consistent with the public access policies of the Coastal Act.

b) RECREATION (Article 3, of Chapter 3 of Public Resources Code, Sections 30220 through 30224)

Sections 30220 through 30224 of the Public Resources Code address the protection of recreational uses of coastal areas suited for water-oriented recreation (30220), ocean front land (30221, 30222.5), land suitable for visitor-serving commercial recreational facilities (30222), upland areas necessary to support coastal recreational uses (30223) or recreational boating (30224).

Upon construction, the project would not interfere with or impair any oceanfront or other land suitable for water-oriented recreational activities. The project would improve the ability of the City to safely convey wastewater generated in the coastal area (within the service area of the Venice Pumping Plant). The project would result in improved public health and safety, as well as environmental protection, and would contribute to the public enjoyment of coastal resources.

During construction, while vehicular access on Via Marina will be reduced from four lanes to two lanes, access to nearby marinas on connecting mole roads shall be maintained. Traffic management plans for the area accommodate vehicles with trailers pursuing recreational boating opportunities. In addition, traffic controls are sized to maintain access for fuel delivery trucks to the fuel dock on Bora Bora Way which services area boaters. Pedestrian and bicycle access will be maintained within the project area.

6. Any other finding or findings as may be required for the development by the California Environmental Quality Act (CEQA).

The potential environmental effects of the Venice Dual Force Main Project were considered pursuant to the California Environmental Quality Act (CEQA) in the Venice Dual Force Main Environmental Impact Report (EIR) that was certified by Los Angeles City Council on January 12, 2010. Mitigation measures, described in the adopted mitigation monitoring program, have been incorporated into the proposed project.

IV. PUBLIC COMMENT

A public hearing regarding CDP application 10-04 was held on January 21, 2015 at the Westchester Senior Citizens Center located at 8740 Lincoln Boulevard. Over 45 people attended, 19 people provided oral comments and 20 comment letters were received. Issues raised include concerns regarding the chosen project alignment and the following issues related to the construction phase: emergency vehicle access, traffic impacts to residents, boaters, visitors, and businesses, noise impacts, pedestrian and bicycle access, construction hours, tree removals, impacts to street tree roots, geological issues; and coordination of the construction schedule with other projects and events in the area.

These issues are adequately addressed through adopted CEQA mitigation measures, the following recommended permit conditions as part of CDP 10-04, adopted County of LA CDP 201400003 permit conditions, and existing technical studies. Information regarding County of LA CDP 201400003 permit conditions can be found here:
Regarding traffic impacts during construction, construction traffic mitigation plans and work site traffic control plans have been prepared and shared with the public and relevant agencies for review and input. Due to public and agency comments received, these plans have recently been revised to highlight access areas for emergency vehicles and to maintain southbound left-turn pocket lanes on Via Marina during construction. Permit conditions TRA-9, TRA-10, and TRA-11 include measures to address traffic concerns during construction and complement the adopted Mitigation Monitoring Plan.

Regarding noise and vibration impacts during construction, CEQA mitigation measures NOI-1 through NOI-12 address these impacts. In addition, permit conditions NOI-1A, NOI-1B, and NOI-1C provide complimentary and additional measures.

Prior to the public hearing, community briefings and open houses were held the evenings of October 22, 2014 at Burton Chase Park in Marina del Rey, November 19, 2014 at the Westchester Senior Citizens Center, and January 8, 2014 at the Venice Library. These meetings, along with the public hearing on January 21, 2015, were noticed in the local paper The Argonaut. Direct mail notices were also sent to a mailing list of over 5,000 stakeholders; and stakeholder presentations were made at the Venice, Westchester-Playa del Rey, and Del Rey, Neighborhood Councils, along with the Small Craft Harbor Commission, Design Control Board of the Small Craft Harbor Commission, Marina Lessees Association, and others.

On February 3, 2015, a request regarding consideration of extended construction work hours was made to the board members of the Westchester-Playa del Rey Neighborhood Council (WPDR NC). The WPDR NC voted 13 to 1 to allow construction to occur 7:00 am – 7:00 pm Monday - Friday and 8:00 am to 6:00 pm on Saturdays –since this would shorten the duration of construction activities. The following permit conditions related to noise, traffic, work hours, and aesthetics reflect the input of project stakeholders.

V. STANDARD CONDITIONS OF APPROVAL

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 City Engineer’s Office.

2. Expiration. If development has not commenced, the permit will expire two years from the permit date as reported from the Coastal 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 condition will be resolved by the City Engineer.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the City Engineer 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 City Engineer and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

6. Other approvals. Additional coastal development permits for other portions of the project are needed from Los Angeles County and the State Coastal Commission. The project must also demonstrate compliance with the California Environmental Quality Act through implementation of the approved Mitigation Monitoring Programs from the City of Los Angeles and County of Los Angeles.
VI. STAFF RECOMMENDATIONS

Based on the preceding analysis and the comments received, we recommend that the City Engineer adopt the staff findings as stated above and issue a Local Coastal Development Permit for this project with the following conditions of approval. The conditions correspond with mitigation measures included in the Final EIR for the project. Conditions are intended to augment approved mitigation measures and are in some cases more restrictive to further protect public access during construction activities and natural and cultural resources:

NOI-1A: Construction activities shall be limited to the hours between 8:00 a.m. to 5:00 p.m. Monday through Saturday, excluding Sundays and national holidays. For construction activities on the project alignment South of the Marina del Rey and Ballona Creek Channels, work hours may be extended to 7:00 am to 7:00 pm, Monday through Friday and 8:00 am to 6:00 pm on Saturdays to help reduce the duration of construction activities along Pacific Avenue and Vista del Mar. Construction activities beyond these working hour limits within the City of Los Angeles shall only occur if allowed by the regulating agency (e.g. the Los Angeles Police Commission in the City of Los Angeles) and are required to avoid greater environmental risk. All work, including but not limited to the prepping or warming up of heavy equipment, shall fall within the prescribed time period.

NOI-1B: The contractor shall implement all noise mitigation measures listed in the Mitigation Monitoring Program and comply with the following noise thresholds set forth in Title 12 Section 12.08.440 of the Los Angeles County Code: 80 dBA for multifamily residential and 75 dBA for single family residential during normal permitted working hours.

NOI-1C: As stated in NOI-11, the onsite construction supervisor shall have the ability to receive and resolve noise complaints. In addition, a phone number shall be provided for residents to call with any concerns and the construction supervisor shall be required to maintain a call log so that the City can track the nature and resolution of any noise complaints. The call log shall contain the name and address (if available) of the complainant, contact info, time and reason for the call, and status of response. The log shall be provided to the City and County of LA upon request and on a bi-weekly basis during construction. Residents shall also be informed of the onsite construction supervisor's contact information by posting of the phone number on the construction site in a location visible from the public right-of-way and in the leasing offices of residential developments along the project alignment, including Via Marina and Pacific Avenue.

TRA-9: During construction, a minimum of one through lane in each direction shall be maintained on Via Marina; In addition, a southbound turn lane on Via Marina on Marquesas Way, Tahiti Way, Bora Bora Way, and Northwest Passage shall be provided at all times.

TRA-10: All driveway entrances and exits on Marquesas Way, Via Marina, and Pacific Avenue shall remain unobstructed at all times throughout the duration of the project. Access to Dell Alley shall also be maintained.

TRA-11: Once construction has commenced, the contractor shall conduct quarterly meetings with the City, County of Los Angeles Public Works, and other County agencies as needed to review the effectiveness of traffic control plans and determine if changes are needed.

AES-1A: Mature street trees along Via Marina shall be protected in place. Prior to construction activities, the contractor shall consult with a registered consulting
arborist with American Society of Consulting Arborists to ensure protection and preservation of street trees along Via Marina during construction, including trees located in the Silver Strand Triangle near construction Pit 9.

AES-1B: Contractor shall replace the five trees in County Lot 13 near Pit 5 (three Italian Stone Pine and two Paper Bark trees) with 48-inch box specimens of the same species within 60 days upon completion of construction activities in County Lot 13.

AES-6: If nighttime lighting is needed during construction, lights shall be shielded from the sky and directed away from resident windows.

CR-3A: If previously unknown cultural resources are encountered during site clearance and preparation, or during project construction, and they cannot be avoided, then contingency measures must be in place to react promptly to protect the resources and reduce impacts to less than significant.

CR-4A: Monitor all construction in the vicinity of the CA-LAN-66 site located in Vista Del Mar by an Archaeologist qualified to recognize and assess both prehistoric and historical resources.

CR-5A: A contingency plan shall be developed by the City before project construction activities; the plan shall address unanticipated new discoveries of cultural resources in the project area, evaluate and report any findings.

CR-6: If significant cultural resources are found during Project construction activities, they shall be recovered from the Project site, curated by an archaeologist recommended by the City and offered to an area museum whose collection is available for reviewing by the public.

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PAL-1A: Prior to construction, the services of a qualified vertebrate paleontologist approved by the City of Los Angeles and the Los Angeles County Museum of Vertebrate Paleontology will be retained to monitor earth-moving activities that affect the Palos Verdes Sands.

PAL-2A: The paleontologist will develop a formal agreement with a recognized museum repository, regarding the final disposition and permanent storage and maintenance of any fossil remains and the archiving of associated specimen data and corresponding geologic and geographic site data that might be recovered, and the level of treatment (preparation, identification, curation, cataloguing) of the remains that would be required.

PAL-3A: The qualified monitor will provide information to the contractor regarding lead agency requirements for the protection of paleontological resources. Contractor personnel also will be briefed on procedures to be followed in the event that a fossil site or remains are encountered by earth-moving activities, particularly when the monitor is not on site. The briefing will be presented to new contractor personnel as necessary. Names and telephone numbers of the monitor and other appropriate mitigation program personnel will be provided to the appropriate contractor personnel.

PAL-4A: Earth-moving activities will be monitored by the qualified monitor as specified in the Final EIR. Recovery of vertebrate fossil specimens would occur as specified in the Final EIR. The location and proper geologic context of any fossil occurrence will be documented, as appropriate. Any recovered rock sample will be processed as specified in the Final EIR.

PAL-5A: All fossil specimens recovered from the Project site will be treated (prepared, identified, curated, and
cataloged) in accordance with designated museum repository requirements, as specified in the Final EIR.

PAL-6A: A final technical report of results and findings will be prepared by the paleontologist in accordance with City of Los Angeles requirements.

Staff recommends that the City Engineer approve a Local Coastal Development Permit for this project with the above conditions.

DOCUMENT APPROVED BY:

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Manager
Environmental Management Group

DOCUMENT PREPARED BY:

Dr. Jan Green Rebstock  Date
Environmental Supervisor II
Environmental Management Group

VII. REFERENCES

California Coastal Act – Public Resources Code Division 20, Section 30000 et seq.

California Coastal Commission. Regional Interpretive Guidelines. South Coast

Coastal Development Permit No. 10-04  March 2015
Region. Los Angeles County. October 14, 1980


City of Los Angeles. LAMC. Section 80.58.


City of Los Angeles. Venice Dual Force Main Project Plans. 2014.

County of Los Angeles. Marina Del Rey Land Use Plan. A Component of the Los Angeles County Local Coastal Program. February 8, 1996.