

**CALIFORNIA COASTAL COMMISSION**

South Coast District Office  
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Date: November 5, 2014

Permit Application No. 5-13-1292

**COASTAL DEVELOPMENT PERMIT**

On June 13, 2014, the California Coastal Commission granted to **County of Los Angeles Department Of Public Works** this permit subject to the attached Standard and Special Conditions, for development consisting of **Oxford Retention Basin Multiuse Enhancement Project to: excavate 3000 cubic yards of sediment from the bottom of the Basin; in-kind replacement of two existing tide gates; construct two-foot high parapet wall along the northern and western side of the basin; reconstruct existing 7-foot-wide catch basin; remove and replace existing valves in four catch basins with flap gates; remove and replace existing non-native vegetation; excavate 6,700 cubic yards of contaminated sediment along the perimeter of the Basin; construct a circulation berm between the two existing tide gates; modify existing headwall for the low-flow diversion at the east end; modify tide gate programming to allow an additional 1.5 vertical feet of tidal exchange; install irrigation system; construct a boat ramp at the east end; construct a vehicular access ramp; install steel-grated landing above the two tide gate inlet structures replace existing perimeter chain link fence with 4 to 8-foot high tubular steel fence; construct six-foot wide decomposed granite walking trail; install wildlife friendly perimeter lighting; construct six observation areas with park benches; install wildlife interpretive signage; install a vegetated parkway buffer along Admiralty Way; and reconstruct 400 linear feet of the slope along Admiralty Way** more specifically described in the application filed in the Commission offices.

The development is within the coastal zone **Between Washington Blvd and Admiralty Way, Marina del Rey, Los Angeles County**

Issued on behalf of the California Coastal Commission by

CHARLES LESTER,  
Executive Director

A handwritten signature in black ink, appearing to read "Matt Stone".

Matt Stone  
Coastal Program Analyst

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**ACKNOWLEDGMENT:**

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part of that: "A Public entity is not liable for injury caused by the issuance... of any permit..." applies to the issuance of this permit.

**IMPORTANT:** THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGEMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).

Date: 11/5/14

Signature 

*Christian Lim, Associate Civil Engineer*

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### 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. **Future Development.** This permit is only for the development described in Coastal Development Permit No. 5-13-1292. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. 5-13-1292. Accordingly, any future improvements to Oxford Basin authorized by this permit, 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), shall require an amendment to Permit No. 5-13-1292 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
2. **Native Landscaping, Drought Tolerant Non-Invasive Plants.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant will submit, for the review and

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written approval of the Executive Director, a landscaping plan prepared by a qualified biologist or licensed landscape architect. The plan shall include the following:

- a) Vegetated areas shall only consist of plants native to brackish wetland, transitional wetland/upland, and upland habitats typically occurring in southern California or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall primarily be low or very low water plants as identified by California Department of Water Resources for South Coastal Region 3. (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).
  - b) Native trees (e.g. California sycamore, *Platanus racemosa var. racemosa*; black cottonwood, *Populus balsamifera ssp. trichocarpa*; Fremont cottonwood, *Populus fremontii ssp. fremontii*; white alder, *Alnus rhombifolia*) shall be added to the planting plan (see LS-4.4) in the northeast corner of Oxford Basin to create additional wading bird roosting and nesting habitat.
  - c) 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;
  - d) A schedule for installation of native plants/removal of non-native plants;
  - e) The site shall be stabilized immediately with jute matting or other BMPs after any grading occurs to minimize erosion during the raining season (November 1 to March 31) if plantings have not been fully established.
3. **Biological Surveys and Monitoring.** By acceptance of this Coastal Development Permit, the applicant agrees to retain the services of a qualified independent biologist or environmental resource specialist with appropriate avian survey and noise monitoring qualifications acceptable to the Executive Director. The qualified biologist or resource specialist will conduct surveys of trees on and adjacent to the project site (within 300 feet of any construction activities), just prior to any construction activities and once a week upon commencement of construction activities that include grading/dredging or use of other heavy equipment, and that will be carried out between December 1st and September 30th, inclusive. Such surveys shall identify the presence, nests, and eggs or young, of black-crowned night herons, snowy egrets, great egrets, great blue herons or other sensitive species in or near the project site. All surveys shall be submitted to the Executive Director of the Coastal Commission. In the event that the surveys identify any black-crowned night herons, snowy egrets, great egrets, great blue herons

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or other sensitive species exhibiting reproductive or nesting behavior on or adjacent to the project site (within 300 feet of any construction activities), the following measures shall be implemented:

- a) A qualified biologist shall be present at all weekly construction meetings and during all significant construction activities including pile driving, jack hammering (concrete demolition) or other hardscape demolition, to ensure that nesting birds are not disturbed by construction related noise.
  - b) The qualified biologist shall be onsite monitoring birds and noise every day at the beginning of the project during the concentrated heavy equipment use.
  - c) The qualified biologist shall review the 2006 guidance issued by the USFWS for estimating the effects of auditory and visual disturbance to northern spotted owls and marbled murrelets. Should more recent guidance be available from the USFWS on this issue, however, the qualified biologist shall review and rely on the most recent guidance instead of the 2006 version.
  - d) The following list of variables, considered critical by the USFWS, shall be monitored by the qualified biologist assigned to this project: types of sound sources, distances from the sound sources to the birds, level of ambient noise in the environment, levels of anthropogenic (human-generated) noise, sound-modifying features of the environment, visual cues correlated with the noise, and behaviors associated with sound sources including startle movements, changes in foraging or reproductive rituals, interruption feeding young, nest abandonment, etc.
4. **Heron and Egret Noise Impact Minimization.** Noise generated by construction including, but not limited to, pile driving, shall not exceed ambient noise levels at the construction site and in NO CASE shall construction noise exceed 85 dB(A) at any active nesting site. If construction noise exceeds 85 dB(A) sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of muffler, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce noise levels, construction within 300 feet of the nesting trees shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete. Construction staging areas or equipment shall not be located under any nesting trees and construction employees shall be prohibited from bringing pets (e.g., dogs and cats) to the construction site. Bright upward shining lights shall not be used during construction.
5. **Lighting.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, a lighting plan for the proposed facility. The Plan shall indicate that all lighting from the facility will be directed onto the facility and all light shielded from the surrounding beach area. The permittee shall undertake development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the

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proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

**6. Stockpiling, Staging, Avoidance of Siltation, Erosion Control.**

A. Applicant shall not allow discharge of silt or debris into coastal waters as a result of this project. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall agree in writing to require that the final plans shall minimize construction impacts of the project and that all contracts and other written materials shall include the requirements listed below. The applicant shall further agree that the final plans shall identify acceptable locations for stockpiling and staging of materials; and shall include plans for control of erosion, stockpiled earth from trenches, and cement; as well as plans for the disposal of construction materials. The plans shall contain the following:

- 1) A delineation of the areas to be disturbed by grading or construction activities including any temporary trenches, staging and stockpile areas.
- 2) The plan shall include source control Best Management Practices as part of a written plan designed to control dust, concrete, demolition pavement or pipe removed during construction, and/ or construction materials, and standards for interim control and for clean-up. All sediment waste and debris should be retained on-site unless removed to an appropriate approved dumping location outside the coastal zone. Contractors and County Inspectors shall monitor and contain oil or fuel leaks from vehicles and equipment.
- 3) 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: filling or covering all holes in roadways such that traffic can continue to pass over disturbed areas, stabilization of all stockpiled fill, disturbed soils and trenches with shoring, sand bag barriers, silt fencing, temporary drains and swales and sediment basins. These temporary erosion control measures shall be monitored and maintained at least on a weekly basis until grading or construction operations resume.

B. Prior to commencement of construction the applicant and its contractor(s) shall provide for the review and approval of the Executive Director final plans and plan notes that conform with the requirements of item A above. No work shall take place until the Executive Director approves the plans in writing.

C. Conformance with plans. All work shall take place consistent with the plans submitted in compliance with A above.

**7. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris.**

The permittee shall comply with the following construction-related requirements:

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- a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
  - b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
  - c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
  - d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
  - e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
  - f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
  - g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
  - h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
  - i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
  - j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
  - k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
  - l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
  - m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
8. **Basin Inspection and Maintenance Program.** Throughout the life of the development approved by this permit, the applicants shall exercise due diligence in periodically inspecting (at least once a year) the basin facilities that are subject to this coastal development permit. The permittee shall immediately undertake any repairs necessary to maintain the structural integrity of the berm, inlet and outlet, and to ensure that pieces of unattached plastic or other

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debris do not enter the marine environment. If the inspections confirm that the use of the plastic or other material used in the marina is harming marine resources, the use of such materials shall be stopped, and less harmful materials shall be used. Any change in the approved project shall be submitted to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

9. **Public Access.** The adjacent public bicycle path shall remain open to the public during the construction period except for temporary disruptions that may occur during construction. Signs shall be posted to inform the public of the construction and the continued availability of the pathway.
  
10. **U.S. Army Corps of Engineers Approval.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall provide to the Executive Director a copy of the final permit issued by U.S. Army Corps of Engineers, or letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director of any changes to the project required by the U.S. Army Corps of Engineers. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is required.