



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Montgomery and Members of the City Council

THROUGH: Richard Thompson, Interim City Manager

FROM: Laurie B. Jester, Acting Director of Community Development
Eric Haaland, Associate Planner

DATE: December 7, 2010

SUBJECT: Consideration of Planning Commission Approval of a Coastal Development Permit to Allow Routine Maintenance for Reconstruction of Segments of the Los Angeles County Beach Bike Path

RECOMMENDATION:

Staff recommends that the City Council receive and file the decision of the Planning Commission.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

DISCUSSION:

The Planning Commission, at its regular meeting of November 10, 2010, approved (5-0) a Coastal Development Permit for Los Angeles County to reconstruct or resurface eight segments totaling approximately 1,000 linear feet of concrete and asphalt surface for the portion of the county beach bike path to maintain adequate safety for bike riders. The County would demolish and replace these segments in the same locations, with no expansion or significant changes to the existing bike path.

The project was found to be in conformance with the City's Local Coastal Program in its intended improvement of safety and recreational opportunities pertaining to the beach bike path, while having minimal visible effects and no permanent obstructions to coastal access. The Planning Commission acknowledged that project construction would temporarily affect beach access, with specific concern for the beach bike path. Adequate pedestrian access to the coastline will be provided around construction areas, however, there was some discussion regarding temporary detours of the bike path.

The Commission confirmed that bike path traffic should not be detoured onto The Strand where pedestrian and bicycle conflicts are likely, and that summer and weekend bike path detours are not desirable. A County representative indicated that total construction time and cost would be decreased substantially if continuous detouring were allowed for a period including up to two weekends. This compressed construction schedule option of roughly 2 weeks, instead of more

than a month without weekend closures, was preferred by the Planning Commission, and provided for in the permit conditions. Additionally, adequate notice of the closures to the bicycling community would be provided.

The Planning Commission's proceeding was a noticed public hearing, but no public testimony was received. Staff reports and draft minutes excerpts are attached to this report for reference.

ALTERNATIVES:

The alternatives to the staff recommendation include:

1. Remove this item from the Consent Calendar, appeal the decision of the Planning Commission, and direct that a public hearing be scheduled.

Attachments:

- A. Resolution No. PC 10-08
- B. P.C. Minutes excerpt, dated 11/10/10
- C. P.C. Staff Report, dated 11/10/10

c: LA County Public Works Dept., Applicant
LA County Dept. of Beaches & Harbors
Jim Arndt, Public Works Director
Steve Finton, City Engineer

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RESOLUTION NO PC 10-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW RECONSTRUCTION OF SELECTED SEGMENTS OF CONCRETE AND ASPHALT BIKE PATH ON LOS ANGELES COUNTY BEACH PROPERTY ALONG THE ENTIRE LENGTH OF THE MANHATTAN BEACH COASTLINE (Los Angeles County Public Works)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on November 10, 2010, to consider an application for a coastal development permit for a bike path rehabilitation project on the public beach in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant for the Coastal Development Permit is the Los Angeles County Public Works Department, The property/beach is owned by Los Angeles County.
- D. The applicant proposes to reconstruct approximately 1,000 linear feet of concrete and asphalt county beach bike path, at selected segments along the entire Manhattan Beach Coastline.
- E. The property is located within Area Districts III & IV, and is zoned OS Open Space. The surrounding land uses consist of single and multiple family residences, and public beach.
- F. The General Plan designation for the property is Open Space, and the Local Coastal Program/Land Use Plan designation is also Open Space.
- G. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15301 and 15302 based on staff's determination that the project is a minor alteration or reconstruction of an existing facility, and will not have a significant impact on the environment.
- H. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- I. The project is in accordance with the objectives and policies of the Manhattan Beach Coastal Program, as follows:

EXHIBIT A
CC Mtg. 12/7/10

1. The proposed facility is consistent with the surrounding coastal zone area and complies with the applicable standards of the Manhattan Beach Coastal Zone Zoning Code.
 2. The facility shall not permanently obstruct accessways within the coastal zone. While construction will temporarily occupy some space on the beach, access from the Strand, and surrounding streets to the coastline and surrounding beach area shall remain available. The bikepath shall have temporary narrowing or detours at construction locations. Construction, obstructions, and detours shall not occur during the peak demand summer period.
 3. Any displacement of normal views or use of the space shall be temporary for the period of construction.
 4. Installation of the facility shall be subject to the restrictions (temporary access, vehicle traffic etc.) of this Coastal Development Permit.
- J. The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows:
- Section 30212 (a) (2): The proposed facility does not impact public access to the shoreline, and adequate public access is provided and shall be maintained along The Strand and intersecting streets .
- Section 30221: The project goal of improved bicycle safety along the beach will enhance coastal recreation opportunities.
- K. This Resolution upon its effectiveness constitutes the Coastal Development Permit for the subject project.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Coastal Development Permit subject to the following conditions:

Standard Conditions

1. *Compliance.* All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans and project description must be reviewed and approved by the Planning Commission.
2. *Expiration.* The Coastal Development Permit shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090.
3. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
4. *Inspections.* The Community Development Department Staff shall be allowed to inspect the site and the development during construction subject to 24-hour advance notice.

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5. *Assignment.* The permit may be assigned to any qualified persons subject to submittal of the following information to the Director of Community Development:
 - a. a completed application and application fee as established by the City's Fee Resolution;
 - b. an affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
 - c. evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
 - d. the original permittee's request to assign all rights to undertake the development to the assignee; and,
 - e. a copy of the original permit showing that it has not expired.
6. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
7. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030, and the City of Manhattan Beach Local Coastal Program - Implementation Program Section A.96.160 have expired; and, following the subsequent Coastal Commission appeal period (if applicable) which is 10 working days following notification of final local action.

Special Conditions

8. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.
9. The final construction plans shall be in substantial conformance with the plans submitted to the Planning Commission on November 10, 2010.
10. A final plan and construction schedule for bike path detours, and maintaining temporary pedestrian access to the beach, shall be submitted for approval by the Community Development Department prior to project construction. Bikepath detours to The Strand, or using stairways, shall be prohibited. Obstructions/detours from normal bikepath operation shall not be permitted on Saturdays or Sundays, or during the summer season between Memorial Day and Labor Day weekends. An exception from the Community Development Director may be granted for detours on a maximum of two weekends if they are consecutive, have substantial advance notice to the cycling community, and contribute to an overall shortened project work schedule. No more than one continuous bicycle detour east of The Strand shall occur at any one time.


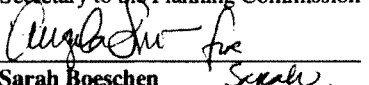
11. Project construction shall begin by May 1st, in order to avoid bike path obstructions during the summer season, or shall be delayed until after the following Labor Day holiday weekend.
12. All electrical, telephone, cable television system, and similar service wires and cables shall be installed in underground to the appropriate utility pole(s) in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department.
13. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department.
14. A Traffic Management Plan shall be submitted to the Community Development Department, to be approved by the Police and Public Works Departments prior to construction. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles. Project vehicles and equipment shall be prohibited from using or crossing over The Strand walkway; except concrete hoses shall be permitted to cross the Strand, if necessary and not obstructing pedestrian access, subject to the review of the City Engineer.
15. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
16. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

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SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of November 10, 2010 and that said Resolution was adopted by the following vote:

AYES: Andreani, Lesser, Paralusz
Seville-Jones, Chairman Fasola
NOES: None
ABSTAIN: None
ABSENT: None


LAURIE B. JESTER
Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary *Sarah Boeschen*

appellants will feel they have had a fair hearing of their arguments and will not pursue the issue further.

Chairman Fasola commented that he does not feel this is so clear cut. The statute of limitations has long passed to appeal the approval of the height of the existing structure. However, he indicated that he does have a concern based on the building valuation description in Exhibit F; the project seems to fall under the "major remodel" category. Also, that the project would be over 50 percent under the previous method of determining valuation when it was originally approved.

Commissioner Paralusz pointed out that the property owners withdrew their original permit that was submitted under the prior method for determining valuation, which they had a right to do. She said that the rules that apply are under the new building valuation guidelines that were in effect when the new application was submitted.

Commissioner Seville-Jones pointed out that the new method of valuation would apply even if the original application were not withdrawn because of the substantial revisions that were made to the plans.

Commissioner Lesser said that staff changed the method for determining valuations for reasons that were completely separate from this application.

Commissioner Andreani commented that the new method for determining valuation did apply to the revised plans for the more extensive remodel.

Action

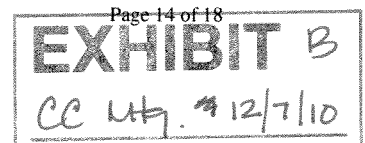
A motion was MADE and SECONDED (Lesser/Andreani) to Deny Two Appeals of the Acting Director of Community Development's Decision to Approve a Remodel Project for 3404 The Strand/3405 Ocean Drive

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None
ABSENT: None
ABSTAIN: None

Acting Director Jester indicated that the item will be placed on the City Council's Consent Calendar for their meeting of December 7, 2010.

11/10/10-4 Consideration of a Coastal Development Permit to Allow Reconstruction of Selected Segments of Concrete and Asphalt Bike Trail on Los Angeles County Beach Property Along the Entire Length of the Manhattan Beach Coastline

Associate Planner Haaland summarized the staff report. He stated that the proposal is for a County project to rehabilitate 1,000 linear feet of existing beach bike path within the City as part of an overall 7-plus mile upgrade. He said that the project would involve detours on the bike path for 8 segments within the City. He commented that the largest detour proposed is along Vista Del Mar from El Segundo through the El Porto parking lot. He indicated that staff is suggesting that bicycle traffic be routed onto Ocean Drive for other portions of the upgrading rather than detouring bicycles onto The Strand. He indicated that there would be limitations of access and use of the bike path during the construction period but the project's intent is to



improve long term access and safety. He stated that staff is recommending approval with conditions that a final bicycle detour plan be prepared for review by the City Engineer and Planning staff; that there be no detours on the bicycle path during the summer or on weekends; that no detours be done through The Strand or beach stairs; and that a single detour be done if more than one segment is being done at one time rather than having separate detours.

Commissioner Lesser asked regarding the feasibility of not allowing detours on weekends when significant sections of pavement would be torn up as part of the renovations.

Associate Planner Haaland said that Community Development staff would not typically be able to inspect and enforce that the bicycle paths would remain open and usable on the weekends during construction. He commented, however, that the City Engineer feels that it would be feasible to avoid having detours on weekends with fast setting concrete.

Commissioner Lesser commented that he would like further details regarding how the bicycle detour would be done along Vista Del Mar.

In response to a question from Commissioner Lesser, Associate Planner Haaland indicated that the properties along The Strand have been notified of this hearing. He indicated that staff does not yet have details regarding the notice that would be provided to bicyclists of the detours. He commented that it is possible to add language regarding the notice that is provided to the bicyclists.

Acting Director Jester commented that staff has also worked closely with the South Bay Bicycle Coalition and the Bicycle Master Plan Group. She indicated that those groups can provide emails to their members regarding the detours.

Commissioner Andreani said that she does have a major concern with rerouting bicyclists along 45th Street and onto Vista Del Mar in the City of El Segundo. She commented that Vista Del Mar becomes a 45 mile per hour driving zone and there is no bicycle lane or shoulder. She asked if it would be appropriate to discuss the use of the bicycle path for bicyclists only.

Chairman Fasola commented that the issue of the bicycle path being used by bicyclists only is not part of the present application.

Chairman Fasola commented that he would prefer that the renovations to all of the sections be done at one time. He pointed out that repairing one section at a time would result in the construction taking much longer to complete and would disrupt the bicycle path for a longer period.

Steve Malesky, representing the County, said that the County is able to comply with any conditions that are imposed for the project. He indicated that no rights-of-way would be altered as a result of the project, and the path will not be changed apart from being upgraded. He commented that it is possible that an unforeseen circumstance could result in the use of the bike path being disrupted during weekends. He indicated that the plan, however, would be for construction to occur on Monday and Tuesdays with the concrete then curing for an additional three days. He said that the sections to be renovated were chosen according to the constraints of the County's budget. He indicated that the project would require approximately ten days of work if they work as rapidly as possible and are permitted to detour bicycle traffic on weekends. He said that the work would take approximately six to eight weeks if the work is segmented. He stated that the work would be completed more quickly if the condition were removed restricting detours on weekends.

In response to a question from Commissioner Seville-Jones, **Mr. Malesky** said that prohibiting detours on weekends would increase the cost by less than double, and the project would take 6-8 weeks to complete. If work is allowed on two consecutive weekends, the project could be completed in about two weeks.

Chairman Fasola said that he would be in favor of the improvements being done as quickly as possible.

Chairman Fasola opened the public hearing.

There being no one in the audience wishing to speak on the issue, Chairman Fasola closed the public hearing.

Commission Discussion

In response to a question from Commissioner Lesser, Associate Planner Haaland said that the City Engineer did recommend prohibiting detours on the weekends. He said that the City Engineer felt that the increased use of the bicycle path makes it worthwhile to avoid having detours on weekends.

Commissioner Lesser said that he is sensitive that people want to be able to use the bicycle path on weekends.

Commissioner Paralusz said that she feels it is important that the Coastal Development Permit be approved in terms of providing safety. She commented that she is sensitive to having the bike path remain open on weekends but is also sensitive that the cost of the project would be increased if no detours are permitted on weekends. She said that having bicycle traffic on Vista Del Mar would impact traffic. She indicated, however, that motorists would be noticed about the additional bicycle traffic along the street during construction.

Commissioner Andreani stated that she would agree with recommending that the project be done as quickly as possible and that work be permitted to occur on weekends. She commented that she is sensitive to disruption of the bicycle path; however, she feels that having the work completed as quickly as possible is the best option. She said that she would recommend that a lane be devoted to bicycles along Vista Del Mar in El Segundo during construction. She pointed out that closing only a portion of the lane would make it more dangerous for bicyclists.

Commissioner Seville-Jones commented that she is struggling as to whether she would support allowing detours of the bicycle path on weekends.

Chairman Fasola said that it would be preferable to close the bike path and have all of the construction done at one time rather than for the sections to be done separately with each requiring a detour.

Commissioner Paralusz pointed out that compressing the schedule would also result in less of a chance that the project would be delayed due to weather.

Commissioner Lesser said that he has a concern with changing the language of Special Condition 10 on page 3 of the draft Resolution without the Traffic Engineer having an opportunity to provide further input.

Chairman Fasola said that he has considered the input from staff and the County and is prepared to vote on the Resolution.

Commissioner Seville-Jones requested that the County avoid closing a lane of traffic on Vista Del Mar during the morning commuting hours.

In response to a question from Commissioner Seville-Jones, Associate Planner Haaland said that an option would be to allow the County to have the bicycle path closed for two weekends provided that extensive prior notice is given of the closure.

Commissioner Lesser said that he would also suggest that multiple signs be posted along the bike path regarding the closures.

Acting Director Jester said that signs could be posted along The Strand prior to the construction to provide bicyclists with advance notice of the days the path would be closed.

Chairman Fasola suggested that the language of Special Condition 10 be revised to delete the portion after the first sentence and to instead simply include language stating that construction shall be prohibited during the summer months.

Commissioner Paralusz indicated that she would not support allowing bicyclists to use the walking path along The Strand as a detour and would not support deleting the second sentence of Special Condition 10.

Mr. Malesky pointed out that the plan would be for bicyclists to be instructed to walk rather than ride their bicycles on the detours along The Strand.

Commissioner Paralusz commented that she still would not support allowing people walk their bicycles along The Strand as a detour, as it would significantly increase the amount of pedestrian traffic along The Strand.

Commissioner Lesser pointed out that his recollection is that bicycle traffic was detoured onto Ocean Drive while the sewer project was being completed.

Commissioner Seville-Jones said that people may still be tempted to ride even if they are instructed to walk their bikes along The Strand. She said that she agrees with Commissioner Paralusz that it would not be appropriate to detour bicycles along The Strand.

The Commissioners agreed to revise the language of the third sentence of Special Condition 10 to generally indicate that obstructions/detours from normal bikepath operations will not be permitted on any Saturday or Sunday other than once for two consecutive weekends weather permitting with substantial advance notice, and provided the weekend detours contribute to an overall shortened project work schedule.

Action

A motion was MADE and SECONDED (Seville-Jones/Lesser) to **APPROVE** Coastal Development Permit to Allow Reconstruction of Selected Segments of Concrete and Asphalt Bike Trail on Los Angeles County Beach Property Along the Entire Length of the Manhattan Beach Coastline with the revised language to Special Condition 10 on page 3 of the draft Resolution to generally indicate that obstructions/detours from normal bikepath operations will not be permitted on any Saturday or Sunday other than once for two consecutive weekends

weather permitting with substantial advance notice, and provided the weekend detours contribute to an overall shortened project work schedule.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None
ABSENT: None
ABSTAIN: None

Acting Director Jester indicated that the item will be placed on the City Council's Consent Calendar for their meeting of December 7, 2010.

F. DIRECTORS ITEMS

Acting Director Jester said that the City Attorney suggested that staff bring back a draft Resolution to the Commission to verify their decision to deny the appeal for the project at 3404 The Strand/3405 Ocean Drive. She indicated that the regular meeting of November 24 is not scheduled to take place, as it is the day before Thanksgiving. She stated that she will let the Commissioners know if a special meeting will be scheduled for approval of a Resolution.

G. PLANNING COMMISSION ITEMS

H. TENTATIVE AGENDA December 8, 2010

I. ADJOURNMENT

The meeting was adjourned at 11:20 p.m. to Wednesday, November 24, 2010, in the City Council Chambers, City Hall, 1400 Highland Avenue

SARAH BOESCHEN
Recording Secretary

ATTEST:

LAURIE JESTER
Acting Community Development Director

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Planning Commission

FROM: Laurie B. Jester, Acting Director of Community Development

BY: Eric Haaland AICP, Associate Planner

DATE: November 10, 2010

SUBJECT: Coastal Development Permit to Allow Reconstruction of Selected Segments of Concrete and Asphalt Bike Trail on Los Angeles County Beach Property Along the Entire Length of the Manhattan Beach Coastline (Los Angeles County Public Works)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT THE PUBLIC HEARING, DISCUSS** the proposal, and **APPROVE** the request.

APPLICANT

Los Angeles County Department of Public Works
900 S. Fremont Ave. 11th Floor
Alhambra, CA 91803

LOCATION

Location

L.A. County Beach west of The Strand (See Site Location Map).

Area District

III & IV

LAND USE

General Plan

Open Space

Zoning

OS, Open Space

Land Use

Existing

Proposed

Public Beach w/ bikepath

No change

Neighboring Zoning/Land Uses

North

Beach & Power Plant – El Segundo

South

Beach & Hermosa Ave. – Hermosa Beach

East

RM & RH/Residential

West

OS/Public Beach & Ocean

	<u>Proposed</u>	<u>Requirement (Staff Rec)</u>
Building Floor Area:	None	N/A.
Pavement Area:	Appr. 15,000 linear feet	N/A
Vehicle Access	Bikepath via 45 th St./ 36 th St /Marine/MBB/1 st St./Hermosa Ave..	N/A

BACKGROUND

The subject sites are the designated segments of existing concrete or asphalt bike path on the sandy beach just west of The Strand running the length of the County beach within the Manhattan Beach City limits. The purpose of the project is to restore or replace those segments identified by the County as requiring more than routine repair and maintenance. Construction occurring at a beach location such as this requires Planning Commission approval of a Coastal Development Permit, which is appealable to the State Coastal Commission.

DISCUSSION

The applicant/County proposes to reconstruct or resurface eight segments totaling approximately 1,000 linear feet of concrete and asphalt surface for the portion of the County beach bike path within the City of Manhattan Beach. This is a portion of an overall 7.7 mile beach bike path rehabilitation project for Los Angeles County. Staff understands this work to be necessary repairs and improvements to maintain adequate safety for bike riders.

The largest segment of work in Manhattan Beach is asphalt slurry sealing north of 41st Street leading into the City of El Segundo. Slurry sealing is a fairly routine street maintenance activity, and is expected to be less disruptive than the concrete work at other locations. This segment will involve a substantial bicycle detour onto Vista Del Mar in El Segundo for a short period of time.

The remaining 10- to 200-foot long work segments in Manhattan Beach would involve removal and pouring of new concrete. Each of these segments would involve multiple days of construction. Some concrete segments are proposed to maintain passage for bikes by doing work on only half the path width at a time. Two-way bike traffic would be managed into a single lane by signs and flagmen. Other segments would involve detouring bicycles up to City streets, where access is available. Such detours can be disruptive creating more conflicts between cyclists, pedestrians, and automobiles than normal. The attached maps submitted by the County show some of these detours using pedestrian routes such as The Strand and beach stairways.

The Planning Commission has previously expressed concerns with bike path detours for beach construction coastal permits. Recent utility projects adjacent to Bruces' Beach were prohibited from using The Strand for bicycle detours. The City Engineer has also commented that The Strand and stairways should not be used for bicycle detours. Staff has included a similar condition in the attached draft Resolution prohibiting use of the Strand or stairways, and requiring Staff review of the final bicycle detour plan. The City Engineer also believes it is feasible and appropriate to avoid any

bicycle detours during weekends when bike path use is higher, and such a condition has been included.

Required Findings:

Section A.96.150 of the Local Coastal Program establishes that certain findings be made by the Planning Commission in granting coastal development permit approval. Staff believes that those findings can be made for the amendment proposal as follows:

- A. The project conforms with the certified Manhattan Beach Local Coastal Program in that it is a public works project benefiting coastal access and recreation that involves minimal visible changes necessary to achieve that goal.
- B. The project is in conformity with the public access and recreation policies of the California Coastal Act since it enhances the safety and longevity of the bike path, which is considered a valuable coastal resource that provides access and recreational opportunities in the coastal zone.

Staff has included additional conditions supporting these findings (similar to previous beach projects) in the attached Resolution including the following:

- Construction shall not occur during the peak summer beach season
- Construction shall begin prior to May 1st to prevent unfinished work from extending past Memorial Day.
- A construction traffic management plan shall be submitted to limit disruptions.

ENVIRONMENTAL REVIEW

The Project is Categorical Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 & 15302, based on staff's determination that the project is a minor alteration and replacement of existing beach bike path facility, and will not have a significant impact on the environment.

CONCLUSION

Staff supports the request finding that the proposal provides for improved coastal access and recreational opportunities with reasonable temporary construction disruption, and conforms to the City's Local Coastal Program

A draft Resolution of approval is attached, which would act as the actual Coastal Development Permit, if the project is approved by the Commission with no further appeal.

Several standard conditions typically included in a separate coastal permit document have been placed in the resolution as well as the special conditions discussed above.

Attachments:

A. Draft Resolution No. PC 10-

B. Applicant material

c: LA County Public Works Dept., Applicant

LA County Dept. of Beaches & Harbors

Jim Arndt, Public Works Director

Steve Finton, City Engineer

RESOLUTION NO PC 10-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW RECONSTRUCTION OF SELECTED SEGMENTS OF CONCRETE AND ASPHALT BIKE TRAIL ON LOS ANGELES COUNTY BEACH PROPERTY ALONG THE ENTIRE LENGTH OF THE MANHATTAN BEACH COASTLINE (Los Angeles County Public Works)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on November 10, 2010, to consider an application for a coastal development permit for a bike path rehabilitation project on the public beach in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant for the Coastal Development Permit is the Los Angeles County Public Works Department, The property/beach is owned by Los Angeles County.
- D. The applicant proposes to reconstruct approximately 1,000 linear feet of concrete and asphalt county beach bike path, at selected segments along the entire Manhattan Beach Coastline.
- E. The property is located within Area Districts III & IV, and is zoned OS Open Space. The surrounding land uses consist of single and multiple family residences, and public beach.
- F. The General Plan designation for the property is Open Space, and the Local Coastal Program/Land Use Plan designation is also Open Space.
- G. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15301 and 15302 based on staff's determination that the project is a minor alteration or reconstruction of an existing facility, and will not have a significant impact on the environment.
- H. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- I. The project is in accordance with the objectives and policies of the Manhattan Beach Coastal Program, as follows:
 - 1. The proposed facility is consistent with the surrounding coastal zone area and complies with the applicable standards of the Manhattan Beach Coastal Zone Zoning Code.
 - 2. The facility shall not permanently obstruct accessways within the coastal zone. While construction will temporarily occupy some space on the beach, access from the Strand, and surrounding streets to the coastline and surrounding beach area shall remain

available. The bikepath shall have temporary narrowing or detours at construction locations. Construction, obstructions, and detours shall not occur during the peak demand summer period.

3. Any displacement of normal views or use of the space shall be temporary for the period of construction.
 4. Installation of the facility shall be subject to the restrictions (temporary access, vehicle traffic etc.) of this Coastal Development Permit.
- K. The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows;

Section 30212 (a) (2): The proposed facility does not impact public access to the shoreline, and adequate public access is provided and shall be maintained along The Strand and intersecting streets .

Section 30221: The project goal of improved bicycle safety along the beach will enhance coastal recreation opportunities.

- L. This Resolution upon its effectiveness constitutes the Coastal Development Permit for the subject project.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Coastal Development Permit subject to the following conditions:

Standard Conditions

1. *Compliance.* All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. *Expiration.* The Coastal Development Permit shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090.
3. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
4. *Inspections.* The Community Development Department Staff shall be allowed to inspect the site and the development during construction subject to 24-hour advance notice.
5. *Assignment.* The permit may be assigned to any qualified persons subject to submittal of the following information to the Director of Community Development:
 - a. a completed application and application fee as established by the City's Fee Resolution;
 - b. an affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;

- c. evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
 - d. the original permittee's request to assign all rights to undertake the development to the assignee; and,
 - e. a copy of the original permit showing that it has not expired.
6. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
 7. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030, and the City of Manhattan Beach Local Coastal Program - Implementation Program Section A.96.160 have expired; and, following the subsequent Coastal Commission appeal period (if applicable) which is 10 working days following notification of final local action.

Special Conditions

8. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.
9. The final construction plans shall be in substantial conformance with the plans submitted to the Planning Commission on November 10, 2010.
10. A final plan for bike path detours, and maintaining temporary pedestrian access to the beach, shall be submitted for approval by the Community Development Department prior to project construction. Bikepath detours to The Strand, or using stairways shall be prohibited. Obstructions/detours from normal bikepath operation shall not be permitted on any Saturday or Sunday, or during the summer season between Memorial Day and Labor Day weekends. No more than one bicycle detour east of The Strand shall occur at any one time.
11. Project construction shall begin by May 1st, in order to avoid bike path obstructions during the summer season, or shall be delayed until after the following Labor Day holiday weekend.
12. All electrical, telephone, cable television system, and similar service wires and cables shall be installed in underground to the appropriate utility pole(s) in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department.
13. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department.
14. A Traffic Management Plan shall be submitted to the Community Development Department, to be approved by the Police and Public Works Departments prior to construction. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of

construction related vehicles. Project vehicles and equipment shall be prohibited from using or crossing over The Strand walkway; except concrete hoses shall be permitted to cross the Strand, if necessary and not obstructing pedestrian access, subject to the review of the City Engineer.

15. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
16. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of November 10, 2010 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURIE B. JESTER

Acting Secretary to the Planning Commission

Sarah Boeschen

Recording Secretary



MARVIN BRAUDE BIKE TRAIL REHABILITATION 45TH STREET TO 41ST STREET MAP 1 OF 4



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EXHIBIT B
PC MTG 11-10-10



MARVIN BRAUDE BIKE TRAIL REHABILITATION 40TH STREET TO 35TH STREET MAP 2 OF 4



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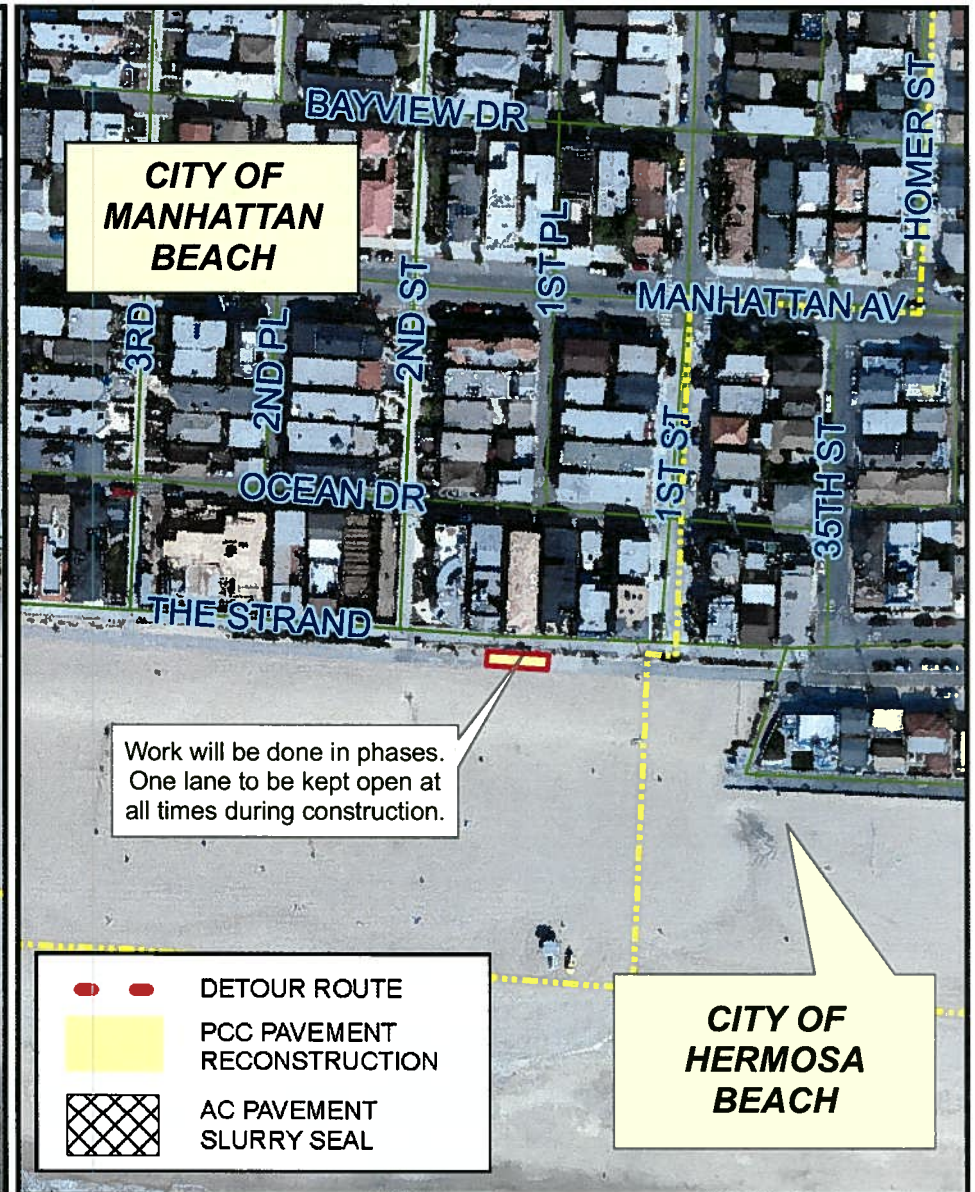
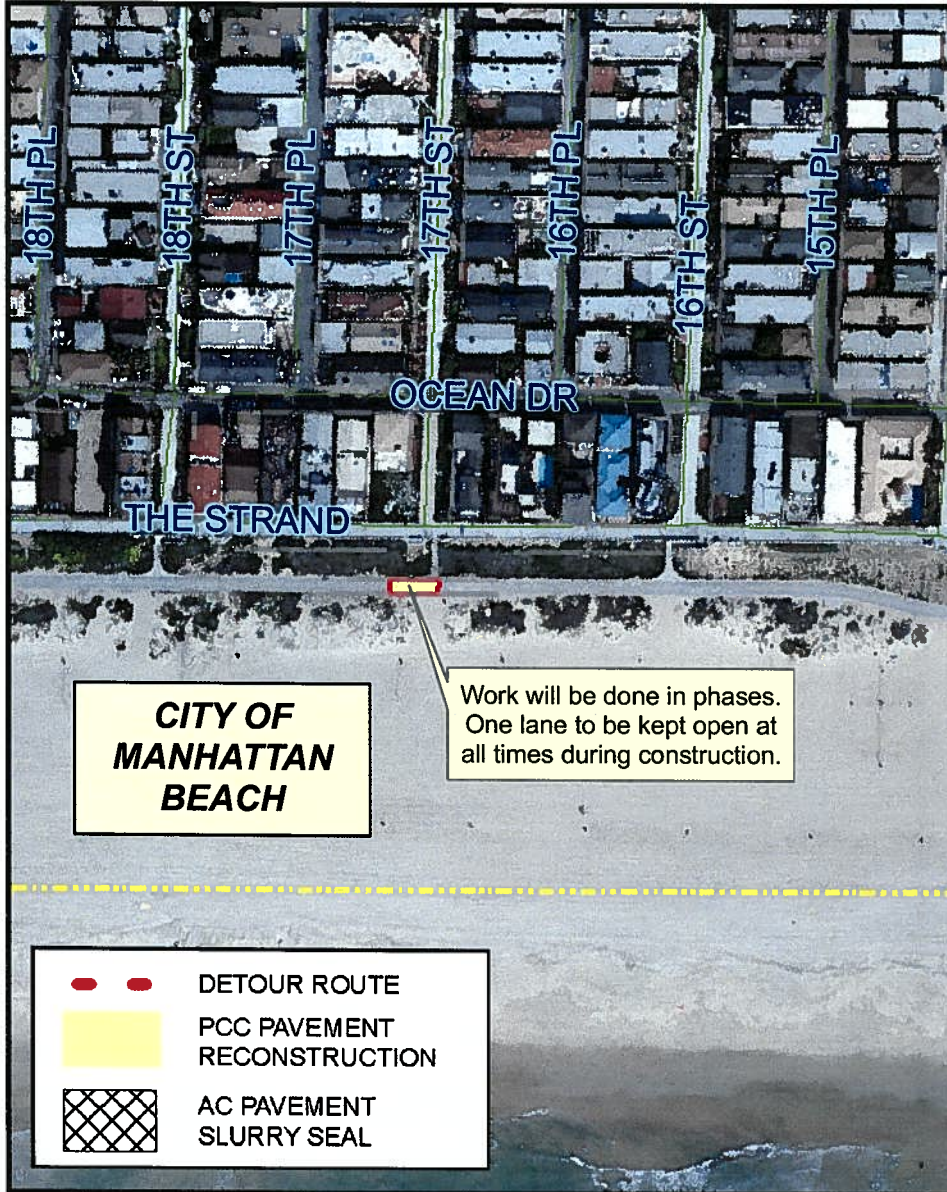
MARVIN BRAUDE BIKE TRAIL REHABILITATION 24TH STREET TO 21ST STREET MAP 3 OF 4



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MARVIN BRAUDE BIKE TRAIL REHABILITATION 18TH STREET TO 1ST STREET MAP 4 OF 4



**BIOLOGICAL TECHNICAL REPORT
FOR THE MARVIN BRAUDE BIKE TRAIL
REHABILITATION PROJECT**

Task Order: EP09-039 Contract: PW13245

Prepared for:

**LOS ANGELES COUNTY
DEPARTMENT OF PUBLIC WORKS**
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December 14, 2009

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SECTION 1.0 – INTRODUCTION

Chambers Group, Inc. was retained by the Los Angeles County Department of Public Works (LACDPW) to conduct a literature review and a reconnaissance-level biological survey along the Marvin Braude Bike Trail (project site) located in the community of Playa Del Rey in the City of Los Angeles, and the Cities of El Segundo, Manhattan Beach, and Redondo Beach, in Los Angeles County, California. The purpose of this report is to document the current biological diversity and biological resources present during the survey.

The purpose of the project is to reconstruct approximately 7.7 miles of selected segments of the bike trail. Damaged Portland cement concrete (PCC) and asphalt concrete (AC) pavement are to be removed and reconstructed in kind with slurry and crack sealing of existing pavement. Most of the curved segments within the City of Los Angeles will be realigned to 21 feet to eliminate sharp curves. Construction within areas south of Grand Avenue will be limited to crack repair on the existing paved bike trail and impacts to any vegetation is not proposed. All asphalt segments between Culver Boulevard and Calle Miramar which are not being reconstructed will be slurry-sealed.

The project site begins where Culver Boulevard intersects Vista Del Mar in the City of Los Angeles to where Esplanade becomes Calle Miramar in the City of Redondo Beach. The site runs parallel to Marine Avenue or Vista Del Mar through the Cities of Los Angeles and El Segundo. The site then parallels The Strand (a pedestrian walkway) in the Cities of Manhattan Beach, Hermosa Beach, and Redondo Beach. Surrounding land uses include commercial or residential buildings to the east of the site and Dockweiler Beach and the Pacific Ocean to the east of the site.

SECTION 2.0 – METHODOLOGY

2.1. LITERATURE REVIEW

Prior to performing the field survey, existing documentation relevant to the project site was reviewed. The most recent records of the California Natural Diversity Database (CDFG 2009) and the California Native Plant Society Electronic Inventory of Rare and Endangered Vascular Plants of California (CNPS 2009) were reviewed for the quadrangles including and surrounding the project site (Redondo Beach and Venice, California USGS 7.5-minute topographic quadrangles). These databases contain records of reported occurrences of federal- and state-listed threatened and endangered species, species proposed for listing as threatened or endangered, former Federal Species of Concern (FSC), California Special Concern Species (CSC), and otherwise sensitive species or habitats that may occur within or in the immediate vicinity (5 miles) of the project site. From these sources, lists of sensitive plant and wildlife species with the potential to occur within the project site were compiled.

2.2. SURVEY

The reconnaissance-level survey was conducted on November 20, 2009 by Chambers Group biologists Heather Clayton and Shannan Shaffer between the hours of 8:15 a.m. and 3:45 p.m. The objective of the reconnaissance survey was to identify the vegetation communities and the distribution and relative abundance of general and sensitive wildlife habitats on the project site. The survey was conducted by walking along the project site and the adjacent areas and recording plant and wildlife observations.

2.2.1 Vegetation

All plant species within the proposed realignment were noted. Plant communities were determined in accordance with the categories set forth in Holland (1986) and qualitatively described. Plants of uncertain identity were collected and subsequently identified from keys, descriptions, and illustrations in Hickman (1993) and Munz (1974). Plant nomenclature follows that of *The Jepson Manual: Higher Plants of California* (Hickman 1993). A list of the plant species observed during the survey is presented in Appendix A.

2.2.2 Wildlife

All wildlife and wildlife sign observed and detected, including tracks, scat, carcasses, burrows, nests, eggs, larvae, excavations, and vocalizations, were recorded. Additional survey time was spent in those habitats most likely to be utilized by wildlife (undisturbed native habitat, wildlife trails, etc.) or in habitats with the potential to support state- and/or federal-listed or proposed listed species. Notes were made on the general habitat types, species observed, and the conditions of the site. A list of the wildlife species observed during the site visit is included as Appendix B.

2.2.3 Sensitive Species

A sensitive species is considered a potential inhabitant of the project site if its known geographical distribution encompasses part of the project site or if its distribution is near the site and if general habitat requirements or environmental conditions (e.g. soil type, elevation, vegetation assemblage, etc.) required for the species are present at the time of the survey. The potential for each sensitive species to occur on the project site was assessed during the literature review and field survey. A potential for occurrence (PFO) is based on the criteria listed in Table 1.

Table 1 – Criteria for Evaluating Potential for Occurrence of Sensitive Species

PFO	Criteria
Absent	Species was not observed during reconnaissance or focused surveys conducted at an appropriate time for identification of the species or species is restricted to habitats or environmental conditions that do not occur within the project site.
Low	Historical records for this species do not exist within the immediate vicinity (approximately 5 miles) of the project site and/or habitats or environmental conditions needed to support the species are of poor quality.
Moderate	Either a historical record exists of the species within the immediate vicinity of the project site (approximately 5 miles) and marginal habitat exists on the site or the habitat requirements or environmental conditions associated with the species occur within the project site, but no historical records exist within the vicinity.
High	Both a historical record exists of the species within the project site or its immediate vicinity (approximately 5 miles) and the habitat requirements or environmental conditions associated with the species occur within the project site.
Present	Species was observed or detected within the project site at the time of the survey.

Historical information on the location of some sensitive species is not available; therefore, for survey purposes, the presence of environmental conditions or habitats associated with species occurrence requirements may be considered sufficient to give a species a potential for occurrence. Sensitive species and their potential for occurrence on the project site are discussed later in this document.

SECTION 3.0 – RESULTS

3.1. LITERATURE REVIEW

3.1.1 Status Codes

Federal

- FE = Federally listed; Endangered
- FT = Federally listed; Threatened
- FC = Federal Candidate for listing
- FSC = Federal Species of Special Concern

State

- ST = State listed; Threatened
- SE = State listed; Endangered
- RARE = State-listed; Rare (Listed "Rare" animals have been re-designated as Threatened, but Rare plants have retained the Rare designation.)
- CSC = State Species of Special Concern

CNPS

- List 1A = Plants presumed extinct in California.
- List 1B = Plants rare and endangered in California and throughout their range.
- List 2 = Plants rare, threatened or endangered in California but more common elsewhere in their range.
- List 3 = Plants about which we need more information; a review list.

Extensions

- 0.1 = Seriously endangered in California (greater than 80 percent of occurrences threatened/high degree and immediacy of threat).
- 0.2 = Fairly endangered in California (20-80 percent occurrences threatened).
- 0.3 = Not very endangered in California (less than 20 percent of occurrences threatened).

Based on the results of the database searches, the following sensitive species that may have the potential to occur in the project vicinity include:

3.1.2 Sensitive Species

Plants

- aphanisma (*Aphanisma blitoides*) – CNPS List 1B.2;
- Ventura Marsh milk-vetch (*Astragalus pycnostachyus* var. *lanosissimus*) – FE, SE, CNPS List 1B.1;
- coastal dunes milk-vetch (*Astragalus tener* var. *titi*) – FE, SE, CNPS List 1B.1;
- South Coast saltscale (*Atriplex pacifica*) – CNPS List 1B.2;
- Parish's brittle scale (*Atriplex parishii*) – CNPS List 1B.1;
- Lewis' evening-primrose (*Camissonia lewisii*) – CNPS List 3;
- southern tarplant (*Centromadia parryi* ssp. *australis*) – CNPS List 1B.1;
- Orcutt's pincushion (*Chaenactis glabriuscula* var. *orcuttiana*) – CNPS List 1B.1;
- San Fernando Valley spineflower (*Chorizanthe parryi* var. *fernandina*) – FC, SE, CNPS List 1B.1;
- beach spectaclepod (*Dithyrea maritima*) – ST, CNPS List 2.1;
- many-stemmed dudleya (*Dudleya multicaulis*) – CNPS List 1B.2;
- island green dudleya (*Dudleya virens* ssp. *insularis*) – CNPS List 1B.2;
- vernal barley (*Hordeum intercedens*) – CNPS List 3.2;
- Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*) – CNPS List 1B.1;
- prostrate vernal pool navarretia (*Navarretia prostrata*) – CNPS List 1B.1;
- Brand's star phacelia (*Phacelia stellaris*) – FC, CNPS List 1B.1; and
- Ballona cinquefoil (*Potentilla multijuga*) – CNPS List 1A.

Wildlife

- western pond turtle (*Actinemys marmorata*) – CSC;
- burrowing owl (*Athene cucularia*) – CSC;
- western snowy plover (*Charadrius alexandrinus nivosus*) – FT, CSC;
- El Segundo blue butterfly (*Euphilotes battoides allyni*) – FE;
- Palos Verdes blue butterfly (*Glaucopteryx lygdamus palosverdesensis*) – FE;
- California black rail (*Laterallus jamaicensis coturniculus*) – ST;
- south coast marsh vole (*Microtus californicus stephensi*) – CSC;
- Belding's savannah sparrow (*Passerculus sandwichensis*) – SE;
- California brown pelican (*Pelecanus occidentalis californicus*) – FE;
- Pacific pocket mouse (*Perognathus longimembris pacificus*) – FE, CSC;
- coastal California gnatcatcher (*Poliophtila californica californica*) – FT, CSC;
- southern California saltmarsh shrew (*Sorex ornatus salicornicus*) – CSC; and
- California least tern (*Sternula antillarum browni*) – FE, SE.

3.2. SURVEY

Weather conditions during the survey included partly cloudy skies with cover up to 20 percent at times, and temperatures ranging from 66.7° to 79.1° Fahrenheit. Wind speeds ranged from 0.0 to 3.0 miles per hour. Vegetation communities on and adjacent to the project site were identified and qualitatively described. Biological resources on the project site were inventoried and the potential for the presence of sensitive plant and wildlife species and sensitive habitats was assessed, focusing on those species listed as threatened or endangered by the state and federal agencies. In addition, a preliminary

assessment of potential USACE and CDFG jurisdictional waters was conducted. Notes were made of the general vegetation types, species observed, and potential plant and wildlife habitats existing on the property.

3.2.1 Vegetation

At the time of the survey, the actual project footprint within the areas where the realignment is proposed was very sparsely vegetated. The bike trail itself is completely devoid of vegetation and only small sections adjacent to the trail within the proposed realignment had disturbed native vegetation present. This vegetation can be characterized as Disturbed Southern Dune Scrub. The remainder of the areas that will be impacted by realignment activities are bordered by unvegetated beach sand or already developed paved areas. Representative site photographs were taken to document areas along the route where a major change in project footprint are proposed (Appendix C).

3.2.2 Vegetation Communities Descriptions

Southern Dune Scrub

Southern Dune Scrub habitat consists of scattered shrubs, subshrubs, and herbs, generally less than 3 feet in height and often developing considerable cover (Holland 1986). This community, considered sensitive by the California Department of Fish and Game (CDFG), has been mapped within the vicinity of the project site on the El Segundo Dune, west of the Los Angeles International Airport runways (CDFG 2009). Southern Dune Scrub is typically farther from the coast than Southern Fore-dune habitat and similar to Central Dune Scrub, but plants are somewhat shorter and often somewhat succulent.

Southern Dune Scrub habitat is present east of the project site near the Recreational Vehicle park south of where Imperial Highway intersects with Vista Del Mar to the pedestrian bridge at the Hyperion Wastewater Treatment Plant in the City of El Segundo. A section of restored Southern Dune Scrub stretches for approximately 3,000 feet from this point south to an area frequented by Hang Gliders on the Beach. Another section of restored Southern Dune Scrub is found at Avenue I near Calle Miramar in the City of Redondo Beach. Each of these restored areas is dominated by seacliff buckwheat (*Eriogonum parvifolium*) with beach-bur (*Ambrosia chamissonis*), beach evening primrose (*Camissonia cheiranthifolia*), and quail brush (*Atriplex lentiformis*) also present. All of these areas are not presumed to be impacted by realignment activities.

Only small patches of Southern Dune Scrub vegetation are present within the actual project footprint. These patches are considered disturbed due to the frequency of foot traffic and because they are comprised of a minimum of 25 percent of the total cover of non-native Bermuda grass (*Cynodon dactylon*). The patches range in size from 4 to 50 linear feet by approximately 1 to 3 feet in width. Although the species present within these patches are characteristic of Southern Dune Scrub habitat, the species themselves do not constitute a functional community for wildlife, and do not have the potential to support a variety of plant species. Areas within the project footprint in which native Southern Dune Scrub vegetation is present, include the areas west of Grand Avenue in the City of Los Angeles at several locations: (1) Curve G, (2) between Curve G and Curve H, (3) Curve P, (4) Curve S, and (5) Curve V. Curve information corresponds to the engineering diagrams provided by LACDPW. Only Curves G, H, and V will be impacted by realignment activities. Plant species found within the project footprint within these patches include: sea-fig (*Carpobrotus chilensis*), Bermuda grass, Mexican fan palm (*Washingtonia robusta*), beach evening primrose, and beach-bur.

Ornamental Landscaping

Ornamental Landscaping includes areas where the vegetation is dominated by non-native horticultural plants (Gray and Bramlet 1992). Typically, the species composition consists of introduced trees, shrubs, flowers and turf grass.

Ornamental Landscaping dominated by non-native sea-fig is present adjacent to the bike trail at the north end of the project site ranging from 50 to 300 feet east of where the proposed realignment will occur. The landscaping occurs on the slopes that begin near where Waterview Street intersects with Vista Del Mar and end where Imperial Highway intersects Vista Del Mar in the City of Los Angeles. Areas dominated by sea-fig are also present on the slopes adjacent to the project site in the City of Redondo Beach from the Torrance Loop to Avenue I. Additional areas of Ornamental Landscaping planted with a variety of non-native shrubs and trees are found from El Segundo Boulevard in the City of El Segundo to First Street in the City of Manhattan Beach. None of these areas are proposed to be impacted by realignment activities.

3.2.3 Wildlife

Wildlife species observed or detected during the site survey were characteristic of the existing conditions. A list of the wildlife detected within the project area is included in Appendix B. No sensitive species were observed during the survey.

3.2.4 Sensitive Species

Sensitive Plant Species

Twelve of the 17 sensitive plant species have the potential to occur in coastal scrub or on coastal dune habitats, however, due to the disturbed nature of the Southern Dune Scrub vegetation present within the project footprint, these species are not likely to occur onsite. Furthermore, the patches of the disturbed Southern Dune Scrub vegetation are fragmented, exhibit very low vegetative cover, and have a native species richness of only two species. It is highly unlikely that any sensitive species have an active population within the seed bank of the areas in the project footprint. No further surveys are recommended for any of the 17 sensitive plant species identified in the literature review due to a lack of habitat present within the project footprint.

Sensitive Habitats

Southern Dune Scrub is considered a sensitive plant community by the CDFG. This community is present offsite beyond the limits of construction activities and impacts to this community are not expected. The disturbed Southern Dune Scrub vegetation present within the project footprint does not constitute functional habitat for sensitive plants or wildlife species and therefore does not afford special protection by CDFG. No other sensitive communities were mapped within the vicinity of the project site.

Sensitive Wildlife Species

Thirteen sensitive species were identified by the literature review as having a potential to occur on the project site. Five of the 13 sensitive species identified, western pond turtle, California black rail, south coast marsh vole, Belding's Savannah sparrow, and southern California saltmarsh shrew, require the presence of permanent flowing streams, wet meadows, or saltwater marshes with the presence of low,

dense vegetation. Due to the absence of these habitat requirements within the project footprint, these species are considered absent from the site.

The Pacific pocket mouse inhabits narrow coastal plains and is typically found in fine alluvial sands near the ocean. Due to the absence of alluvial sands within the project footprint, this species is considered absent from the site.

Coastal California gnatcatcher has habitat requirements that are directly associated with coastal sage scrub and/or sparse mixed chaparral. Burrowing owl requires open, dry annual or perennial grasslands, deserts and scrublands characterized by low growing vegetation. Palos Verdes blue butterfly has a known habitat restricted to the seaward facing side of the Palos Verdes hills and requires Santa Barbara milkvetch (*Astragalus trichopodus* var. *lonchus*) as a host plant. Due to the absence of these habitat types and requirements, these species are considered absent from the site.

California brown pelicans nest in colonies on offshore islands that are free of mammalian predators and human disturbance, are of sufficient elevation to prevent flooding of nests, and are associated with an adequate and consistent food supply. Although this species was observed within the vicinity of the project area during surveys, the project footprint does not support nesting habitat for this species and nesting colonies are considered absent from this site.

El Segundo blue butterfly is restricted to remnant coastal dune habitat and requires seacliff buckwheat as its host plant. The larvae feed only on the flowers and seeds and it is used by adults as a major nectar source. A restoration area for the El Segundo blue butterfly is located adjacent to the project footprint in the City of Redondo Beach toward the southern end of the bike trail. This area is outside of the project footprint and no other habitat for this species is present within the project area. Therefore, this species will not be impacted by the project and is considered absent from the project footprint.

The western snowy plover is Federally-listed as threatened and is a California State Species of Concern. It nests on barren to sparsely vegetated sand beaches, dry salt flats in lagoons, dredge spoils deposited on beach or dune habitat, levees and flats at salt-evaporation ponds, and river bars. The California least tern is both Federally- and State-listed as endangered. This species usually forms colonies on bare or sparsely vegetated sand or dried mudflats along coasts or rivers, but also on sandy or shell islands and gravel and sand pits. Both species have a limited potential to occur within the project footprint specifically in the areas where realignment of the bike path is proposed. It is recommended the construction activities within the areas of the proposed realignment be conducted outside of the nesting season (April 1 - September 1) for western snowy plover and California least tern. Or, if the nesting season cannot be avoided, it is recommended that a biological monitor be present onsite during the realignment to reduce potential for impacts during construction.

SECTION 4.0 – CONCLUSIONS AND RECOMMENDATIONS

4.1. RIPARIAN/RIVERINE, WETLAND, AND VERNAL POOL HABITATS

The Marvin Braude Bike Trail project site does not appear to contain any wetlands or waters of the United States subject to the regulatory jurisdiction of the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act. Pursuant to the 2001 *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers* decision, isolated waters are not considered subject to the regulatory jurisdiction of the USACE. The project site does not support riparian or vernal pool vegetation. A formal jurisdictional delineation is not required for this project.

4.2. SENSITIVE SPECIES

4.2.1 Sensitive Vegetation

Two native species common in Southern Dune Scrub communities were present within the project footprint; however these species are not considered sensitive and do not constitute a functional vegetation community. Therefore, it is highly unlikely that any sensitive plant species will be found within the project footprint. Due to the lack of suitable vegetation communities within the project footprint for the 17 sensitive plant species identified in the literature review, focused plant surveys are not required for these species. If construction activities are limited to the realignment and crack repairs proposed in the engineering diagrams, Southern Dune Scrub as a sensitive plant community will not be impacted. Furthermore, slurry-sealing of the project areas which are not being reconstructed will not impact any sensitive plant species or sensitive vegetation communities as long as activities remain on existing pavement.

4.2.2 Sensitive Wildlife

Based on the presence of usable habitat within the project footprint and known occurrences of western snowy plover and California least tern within the vicinity of the project site, these two species have a low to moderate potential to occur within the project footprint. Chambers Group recommends that the construction activities within the areas of the proposed realignment (from where Culver Boulevard intersects with Vista del Mar to where Grand Avenue intersects with Vista del Mar) be conducted outside of the nesting season (April 1 - September 1) for western snowy plover and California least tern. If the nesting season cannot be avoided, Chambers Group recommends that a biological monitor be present onsite to reduce the potential for impacts to these sensitive bird species during construction. The process of slurry-sealing other areas along the project route south of Grand Avenue will not impact any sensitive wildlife species provided that construction activities are restricted to already paved areas.

SECTION 5.0 – REFERENCES

California Native Plant Society (CNPS)

- 2009 Inventory of Rare and Endangered Plants (online edition, v7-09d). Rare Plant Scientific Advisory Committee, California Native Plant Society, Sacramento, California. Accessed on November 18, 2009 from <http://www.cnps.org/inventory> for *Redondo Beach* and *Venice*, California, USGS 7.5-minute quadrangles.

California Department of Fish and Game (CDFG)

- 2009 Natural Diversity Database. RareFind Version 3.1.0. Database Query for the *Redondo Beach* and *Venice*, California, USGS 7.5-minute quadrangle. Wildlife and Habitat Data Analysis Branch. Version Dated October 3, 2009.

Hickman, J.C. (ed.)

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APPENDIX A – PLANT SPECIES OBSERVED ONSITE



Appendix A

Plant Species Observed on the Marvin Braude Bike Trail Project Site

Scientific Name	Common Name
ANGIOSPERMS (DICOTYLEDONS)	
AIZOACEAE	FIG-MARIGOLD FAMILY
<i>Carpobrotus chilensis</i> * †	sea-fig
ASTERACEAE	SUNFLOWER FAMILY
<i>Ambrosia chamissonis</i> †	beach-bur
CHENOPODIACEAE	GOOSEFOOT FAMILY
<i>Atriplex lentiformis</i>	quail brush
CRASSULACEAE	STONECROP FAMILY
<i>Crassula argentea</i> *	jade plant
ONAGRACEAE	EVENING PRIMROSE FAMILY
<i>Camissonia cheiranthifolia</i>	beach evening primrose
POLYGONACEAE	BUCKWHEAT FAMILY
<i>Eriogonum parvifolium</i>	seacliff buckwheat
ANGIOSPERMS (MONOCOTYLEDONS)	
AGAVACEAE	AGAVE FAMILY
<i>Agave</i> sp. *	agave
ARECACEAE	PALM FAMILY
<i>Washingtonia robusta</i> * †	Mexican fan palm
POACEAE	GRASS FAMILY
<i>Cynodon dactylon</i> * †	Bermuda grass

Note: * Non-Native Species

† Likely to be Impacted by Project

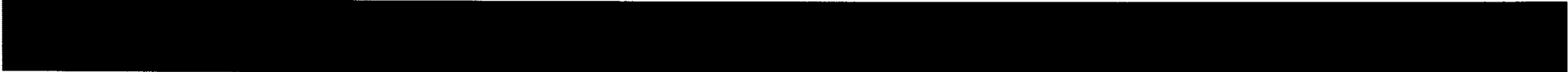
Appendix B

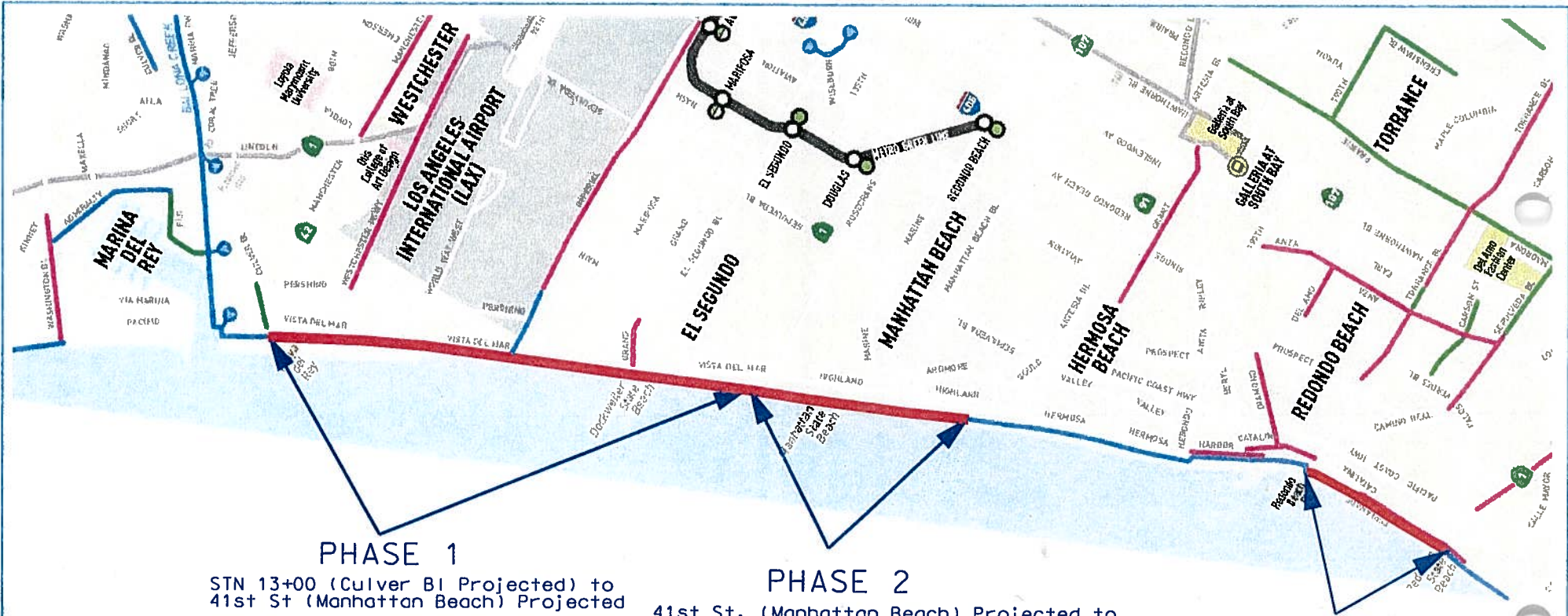
Wildlife Species Observed on the Marvin Braude Bike Trail Project Site

Scientific Name	Common Name
CLASS AVES	BIRDS
PELECANIDAE	PELICANS
<i>Pelecanus occidentalis</i>	brown pelican
ANATIDAE	DUCKS, GEESE, SWANS
<i>Melanitta perspicillata</i>	surf scoter
SCOLOPACIDAE	SANDPIPERS
<i>Calidris alba</i>	sanderling
<i>Catoptrophorus semipalmatus</i>	willet
LARIDAE	SKUAS, GULLS, TERNS, SKIMMERS
<i>Larus californicus</i>	California gull
<i>Larus delawarensis</i>	ring-billed gull
<i>Larus occidentalis</i>	western gull
<i>Sterna caspia</i>	Caspian tern
COLUMBIDAE	PIGEONS & DOVES
<i>Columba livia</i>	rock dove
TROCHILIDAE	HUMMINGBIRDS
<i>Calypte anna</i>	Anna's hummingbird
TYRANNIDAE	TYRANT FLYCATCHERS
<i>Sayornis saya</i>	Say's phoebe
CORVIDAE	JAYS & CROWS
<i>Corvus brachyrhynchos</i>	American crow
FRINGILLIDAE	FINCHES
<i>Carpodacus mexicanus</i>	house finch
PASSERIDAE	OLD WORLD SPARROWS
<i>Passer domesticus</i>	house sparrow

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APPENDIX B – WILDLIFE SPECIES OBSERVED/DETECTED ONSITE





PHASE 1

STN 13+00 (Culver Bl Projected) to 41st St (Manhattan Beach) Projected

PHASE 2

41st St. (Manhattan Beach) Projected to 1st St (Manhattan Beach) Projected

PHASE 3

George Freeth Way Projected to End of Project (Calle Miramar)

BIKE PATH (CLASS 1) WITHIN PROJECT LIMITS

MARVIN BRAUDE BIKE TRAIL PROPOSED DETOUR PHASING

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Illustration 5.

Facing north between 34th and 35th Streets in the City of Manhattan Beach. Only minor crack repair is proposed within this area. No native vegetation is present within this stretch.



Illustration 6.

Facing east toward a section of restored Southern Dune Scrub found at Avenue I near Calle Miramar in the City of Redondo Beach. Area outside project footprint.



Illustration 3.

Facing east at Curve G in the City of Los Angeles. Photo depicting area vegetated by non-native sea-fig, fan palm trees, and Bermuda grass. No impacts to native plant species are expected in this area.

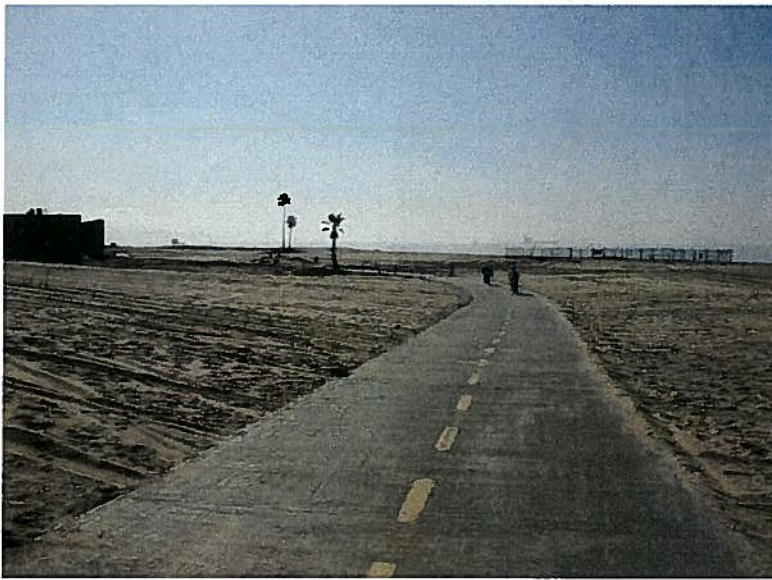


Illustration 4.

Facing south at Curve V in the City of Los Angeles. Photo depicting area to the east of the trail dominated by non-native Bermuda grass with occasional native beach-bur plants also present.

APPENDIX C

SITE PHOTOGRAPHS

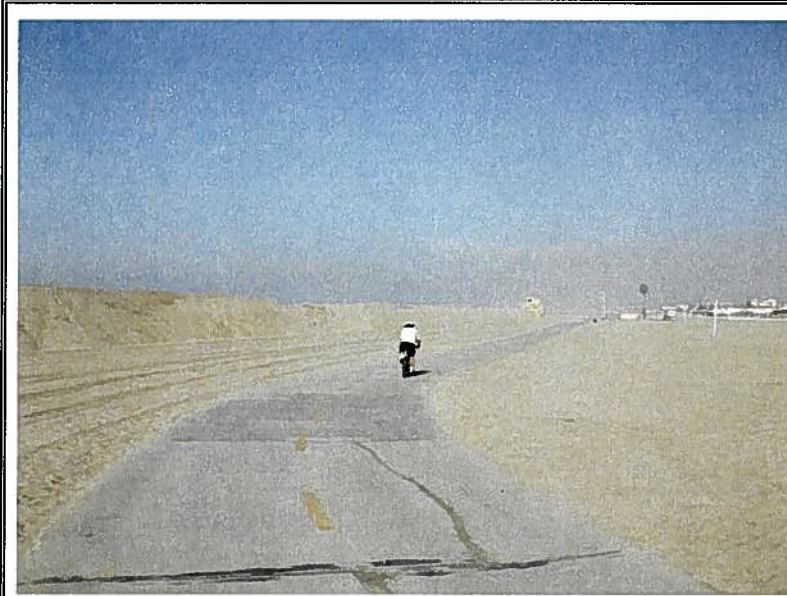


Illustration 1.

Facing north at the start of the bike trail just south of Culver Boulevard in the City of Los Angeles. Notice the unvegetated berm to the west of the trail.

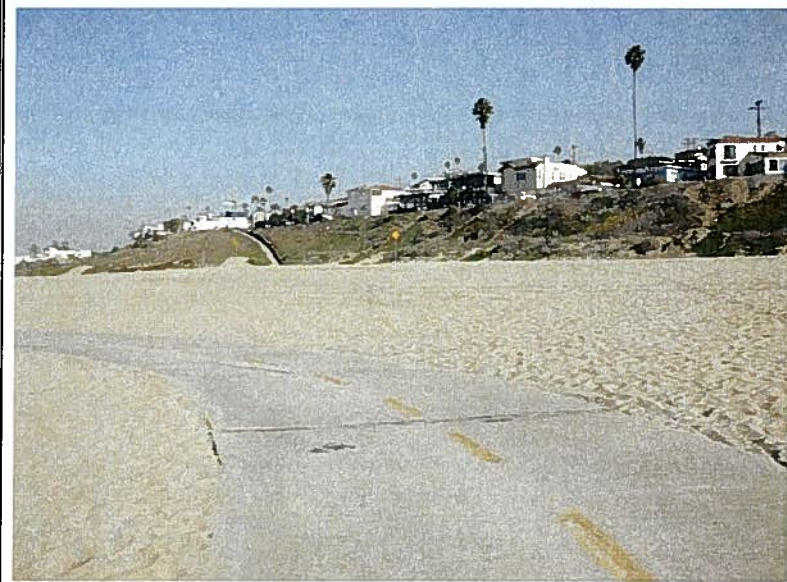


Illustration 2.

Facing northeast at Curve E in the City of Los Angeles. Photo depicting unvegetated beach sand typical of the majority of the northern portion of the project site to Grand Avenue. Notice the Ornamental Landscaping slope to the east of the site planted with non-native sea-fig.

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APPENDIX C – SITE PHOTOGRAPHS



ATTACHMENT 4

Other Information

1 copy of biological survey is attached.

1 copy of Zoning Map is attached.

1 copy of detour phasing.

Detailed Project Description:

The project is located in the community of Playa Del Rey in the City of Los Angeles, and the Cities of El Segundo, Manhattan Beach, and Redondo Beach. The project involves reconstructing approximately 7.7 miles of selected segments of the bike trail. Damaged Portland Cement Concrete (PCC) and Asphalt Concrete (AC) pavement are to be removed and reconstructed in kind, with slurry and crack sealing of existing pavement. Most of the curved segments within the City of Los Angeles will be realigned to decrease the severity of the curves. The bike trail may need to be closed for the project. If construction staging is planned on the trail or the trail closed, a detour will be provided. The detour is proposed in three phases, as shown in the attached Detour Phasing description and plan. Pedestrian access across the bike path will be restricted in the work zones but the zones will not exceed 1,000 feet and generally be less than 300 feet. Slurry sealing in El Segundo between 45th Street and Grand Avenue will block pedestrian access for a day but the refinery limits the number of pedestrians in that area.

Marvin Braude Bike Trail Rehabilitation
Detour Phasing

Phase 1: Culver Boulevard Projected to 41st Street Projected (Los Angeles and El Segundo)

The bicycle path should be closed from Culver Boulevard (start of the project Station 13+00) to approximately Station 134+50. Through this stretch there is an existing service road north of the bicycle path should be used for the detour route. In order to use this route a connector bicycle path will have to be constructed to connect bicyclists back to the bike trail from the access road at approximately Station 134+50 where the service road ends, just south of Imperial Highway.

West of Grand Avenue a 40-foot long section PCC pavement is to be reconstructed. In order to keep the bike trail open at this location it is recommended that reconstruction of this segment is completed one half width of the bike path at a time. Bicyclists will be asked to walk their bikes through this section during construction. High-early-strength concrete should be to reduce the length of the bike path closure.

Phase 2: 41st St. Projected to 1st St Projected (Manhattan Beach)

Ocean Boulevard should be used as the detour route for this phase. The bicycle path should not be fully closed from 41st St to 1st St because work is at specific locations. Closure of the bike path will only take place at locations where work is ongoing. Bicyclists should be rerouted back to the bike path at the next available access after passing the work area.

Phase 3: George Freeth Way Produced to End of Project (Redondo Beach)

The detour route for the bicycle lane on this segment is its adjacent walkway. Similar to Phase 2, this segment of the bicycle lane does not need to be closed from end to end. Rather, closure should occur only where work is ongoing.