To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

February 4, 2010

TO: Small Craft Harbor Commission

FROM: Kerry Silverstrom for Santos H. Kreimann, Director

SUBJECT: **SMALL CRAFT HARBOR COMMISSION AGENDA FEBRUARY 10, 2010**

Enclosed is the February 10, 2010 meeting agenda, together with the minutes from your meeting of January 13, 2010. Also enclosed are reports related to Agenda Items 4a, 4b, 6a, 6b, 6c, 6d and 7a.

Please feel free to call me at (310) 305-9522 if you have any questions or need additional information in advance of the meeting.

SHK:ms
Enclosures

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6315 • internet: http://marinadelrey.lacounty.gov

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

SMALL CRAFT HARBOR COMMISSION
AGENDA
February 10, 2010
9:30 A.M.

BURTON W. CHACE PARK COMMUNITY ROOM
13650 MINDANAO WAY
MARINA DEL REY, CA 90292

1. Call to Order and Pledge of Allegiance

2. Approval of Minutes: Meeting of January 13, 2010

3. **COMMUNICATION FROM THE PUBLIC**

   This is the opportunity for members of the public to address the Commission on items that are not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation.

4. **REGULAR REPORTS**

   a. Marina Sheriff (DISCUSS REPORTS)
      - Crime Statistics
      - Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance with Liveaboard Permit Percentages

   b. Marina del Rey and Beach Special Events (DISCUSS REPORT)

5. **OLD BUSINESS**

   a. None

6. **NEW BUSINESS**

   a. Approval of Amendment No. 1 to Amended and Restated Lease No. 5491 to Update Insurance Provisions – Parcel 30S (Del Rey Yacht Club) (RECOMMEND TO BOARD OF SUPERVISORS)

   b. Approval of Amendment No. 9 to Lease No. 6001 to Update Insurance Provisions – Parcel 22R (Foghorn Inn) (RECOMMEND TO BOARD OF SUPERVISORS)

c. Marina del Rey Local Coastal Program – Periodic Review Update (PRESENTATION)

d. New State Citizens Redistricting Commission (PUBLIC INFORMATION)

7. STAFF REPORTS (DISCUSS REPORT)

a. Ongoing Activities
- Board Actions on Items Relating to Marina del Rey
- Regional Planning Commission's Calendar
- Venice Pumping Plant Dual Force Main Project Update
- Oxford Basin Project Update
- Redevelopment Project Status Report
- Unlawful Detainer Actions
- Design Control Board Minutes
- Parcel 49 and 77 Competitive Selection Process
- Diversion of Ballona Creek Dry Weather Flow to Hyperion
- Public Access on Strip of Land Between Ocean Front Walk and the Beach
- Channel Shoaling at North Entrance

8. ADJOURNMENT

In memory of Harley Searcy, a long-time Commissioner and former Chairman of the Small Craft Harbor Commission

PLEASE NOTE

1. The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles Code (Ord. 93-0031 ~ 2 (part), 1993, relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.

2. The agenda will be posted on the internet and displayed at the following locations at least 72 Hours preceding the meeting date:

   Department of Beaches and Harbors Website Address: http://marinadelrey.lacounty.gov

   Department of Beaches and Harbors
   Administration Building
   13837 Fiji Way
   Marina del Rey, CA 90292

   MdR Visitors & Information Center
   4701 Admiralty Way
   Marina del Rey, CA 90292

   Burton Chace Park Community Room
   13650 Mindanao Way
   Marina del Rey, CA 90292

   Lloyd Taber-Marina del Rey Library
   4533 Admiralty Way
   Marina del Rey, CA 90292

3. The entire agenda package and any meeting related writings or documents provided to a Majority of the Commissioners (Board members) after distribution of the agenda package, unless exempt from disclosure Pursuant to California Law, are available at the Department of Beaches and Harbors and at http://marinadelrey.lacounty.gov

Si necesita asistencia para interpreter esta informacion llame al (310) 305-9586.

ADA ACCOMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (310) 305-9590 (Voice) or (310) 821-1734 (TDD).

SMALL CRAFT HARBOR COMMISSION MINUTES
JANUARY 13, 2010

Commissioners: Russ Lesser, Chairman; Dennis Alfieri, Vice Chairman; Vanessa Delgado, Commissioner; Albert DeBlanc, Commissioner (un-excused absence)

Department of Beaches and Harbors: Santos Kreimann, Director; Paul Wong, Chief of Asset Management Division; Dusty Crane, Chief of Community and Marketing Service Division.

County: Thomas Faughnan, Principal Deputy County Counsel; Detective Hazelwood; Deputy Rochford and Lieutenant Gautt, Sheriff's Department; Michael Tripp, Regional Planning.

Call to Order and Pledge of Allegiance:

Chairman Lesser called the meeting to order at 9:49 a.m. followed by the pledge of allegiance.

Chairman Lesser reminded members of the public to complete a speaker card if they wished to speak on an item.

Approval of Minutes:

Chairman Lesser asked for a motion to approve the November 18, 2009 minutes. **Moved by Commissioner Delgado; seconded by Commissioner Alfieri; unanimously approved.**

Item 3 – Regular Reports

Detective Hazelwood presented the monthly Crime Report and statistics. Crime is down across the board, crimes against persons are down. Residential burglaries, grand thefts and vehicle burglaries are down. There were several grand thefts of bicycles but those, too, are down, primarily due to the apprehension and conviction of eight individuals during a sting operation. Biggest problem is theft from vehicles because valuable items are clearly visible. Deputy Rochford reported an increase in expired permits–and gave a briefing on the November boat fire case. The cause of the fire is arson; there were no victims found onboard or any where. There was an extensive search of the surrounding area with no results. Owner of boat is still missing.

John Rizzo-commented that the biggest problem is people leaving valuables and not locking their cars and suggested that lessee's security guards leave notes on windshields to warn people to hide their valuables and to lock their cars.

Chairman Lesser asked Santos Kreimann for more Commissioners to fill the vacancies and he said he is continuing to work with the board office on it, speaking to them on a weekly basis.

Jon Nahhas stated he had contacted the District 2 Supervisor's and Supervisor Yaroslavsky's offices and requested a letter be written from the Chairman to urge District 2 to appoint a commissioner.

Russ Lesser said there is an abandoned boat on the beach with a fence around it and asked how long before it can be removed. Paul Wong said it should take 3 to 4 months and the process has started.

Hans Etter complained that the crime report does not cover white collar crime and the Sheriffs look the other way when rich people commit the crime. Santos Kreimann responded that we cite rich people also. Russ Lesser objected to the comment about the Sheriffs.

Dusty Crane reported on Special Events: Fisherman's Village Weekend Concerts continue, there are no other activities planned.

Item 5a – Election or Commission Officers

Commissioner Delgado suggested waiving the Bylaws to extend the Chairman's term. John Nahhas opposed. He suggested the Rules be updated to correct gender bias. Carla Andrus stated the commission should attract people to the Marina, not just deal with leases or doing parking lot studies to turn them over to development. She suggested a farmers' market and other activities to attract the public.

Chairman Lesser stated that his job as Chairman is not a lifetime deal and that he agrees with many items brought up by public speakers but that the Commission is not a Marketing Committee and that we will revitalize the community if we are doing a good job approving the proper projects. Commissioner Alfieri agreed that the Rules should be updated to correct gender bias.

Commissioner Delgado made a motion to waive the bylaws to extend the term of office for the Chairman and nominated Chairman Lesser and Vice Chairman Alfieri for another term. **Moved by Commissioner Delgado; seconded by Chairman Lesser; unanimously approved.**

Item 5b – Approval of Amendment No. 4 to Lease No. 12157-Parcels 94R (Parking Lot)–Marina Del Rey

Paul Wong explained this amendment is to increase the security deposits paid, modernize insurance coverage, and adjust the minimum rent due the County.

Carla Andrus asked how much revenue was generated by vending/subleasing the Art Show, and suggested other ideas such as a farmers' market.

Paul Wong reported that $360 was collected from art shows for the entire fiscal year.

Santos Kreimann indicated that he had spoken to farmers' market organizers and they felt it was not feasible; however, he remains open to suggestions for alternate uses for this parking lot. Thomas Faughnan stated that we would need to amend the LPC to allow for a farmers' market. Chairman Lesser asked the cost of an LCP amendment to allow for a farmers' market. Santos Kreimann suggested this could be piggy-backed with the Map and Text Amendment.

Commissioner Delgado made a motion to add a farmers' market use to the Map and Text Amendment. **Moved by Commissioner Delgado; seconded by Commissioner Alfieri; unanimously approved.**

Item 5c – Parking Lot Right Sizing Study

Anita Gutierrez and Michael Tripp gave an overview of the project. Chairman Lesser and Commissioner Delgado asked questions on the presentation and Santos Kreimann and Michael Tripp provided answers.

Carla Andrus stated that according to current land use designations these areas are considered open space and parks. She asked about the signs at Mothers Beach that prohibit camping and asked if there is no more camping in Lot FF.

Santos Kreimann stated that because of a large number of RVs parking in that lot, existing parking rules that RVs must be contained to one parking space have been enforced. He also stated that RVs should be parked near public amenities and that there is RV parking at the Public Launch and at Dockweiler Beach.

Chairman Lesser stated that Fisherman's Village needs to be updated and that will bring in more people. Vice Chairman Alfieri asked if Lot FF will retain adequate parking for campers under this study. Jon Nahhas stated that we need to see all the planning not just the parking study. With the Promenade and Bike Path completed there will be an increased need for parking. Chairman Lesser said that there is plenty of parking according to the study. Hans Etter said the study is made to make the developers look good, the study is bogus, no one wants to pay for parking, that is why no one is parking here.

Item 6a – Staff Reports

Santos Kreimann presented the staff report.

Jon Nahhas said that there are a lot of unanswered questions about the Bay Club's dock replacement project. The money from Marina del Rey needs to stay in the harbor instead of going downtown. He asked for an annual tally of unlawful detainer law suits. Chairman Lessee commented that the monthly unlawful detainer reporting is adequate. It was to determine if people have been evicted because of discrimination as claimed, but he has yet to see any eviction other than for failure to pay rent or other monetary obligations.

Bill Vreszk complained of bicycles on the Promenade. The bathrooms are dirty and docks are poorly lit. Chairman Lesser said that the problem is bicyclists are riding on the pedestrian paths. Signs should be posted and enforced. The Sheriffs will do a presentation on this next month.

John Rizzo asked if the County is opposed to the Dual Force Main Project and if the project is still in negotiations. Will the public have access to the strip of land between Ocean Front Walk and the Beach? He will make this a priority and will be lobbying the Councilman's office.

Carla Andrus stated that the public promenade has no public restrooms; there is a serious problem on Parcel 21 with people using the boaters' bathrooms instead of public bathrooms; the Promenade at Mother Beach is ugly gravel, maybe it should be paved with glitter or sand. She also requested the broken swing be fixed.

Hans Etter said the trash should be taken out of Ballona Creek.

Item 7- Communication from the Public

Alan Egusa stated that the boat wash needs to be fixed so that it does not turn off after one minute; he asked why there are no new boats coming into the mast-up storage.

Santos Kreimann stated the short cycle was a water conservation driven decision and it will stay. No new boats enter the mast-up storage space because we have excess capacity. We have gone through our wait list and there are no more people interested in renting.

Bill Vreszk asked for a re-cap on the boat fire and questioned Doug Ring's death. He wanted to know the results of the toxicology report.

Chairman Lesser stated this commission does not delve into those matters.

Carla Andrus asked about Doug Ring being asked to pay one million dollars and if payments are current, the occupancy rate of Esprit, and who is taking over the lease at Esprit.

Paul Wong stated that the lease at Esprit is current; it is controlled by an LLC with Doug Ring named as the Managing Partner. The LLC is in the process of replacing the Managing Partner and its contract is current. Chairman Lesser added that the occupancy rate is over 50%.

Jon Nahhas asked that the swing be fixed, also asked about the status of Commission vacancies. He reiterated the point that there is a responsibility to fill the vacancies on the Commission.

Chairman Lesser explained that this is an advisory board created by the Board of Supervisors and asked what would happen if there is no quorum for meetings for four to six months.

Thomas Faughnan stated that in that case the Board of Supervisors would make their decisions without the Commission's input.

Patricia Raye stated that her civil rights had been violated and that the Constitution needs to be defended.

Chairman Lesser adjourned the meeting at 11:36 a.m.

*A compact disc of the recorded meeting can be purchased from the Commission's secretary immediately following the meeting.

MARINA DEL REY HARBOR
LIVEABOARD COMPLIANCE REPORT
2010

Liveaboard Permits Issued		
	December	**January**
New permits Issued:	**4**	**1**
Renewal Issued:	**24**	**20**
Total:	**28**	**21**
Notices to Comply Issued:	**20**	**11**

Totals:	**December**	**January**
Liveaboard:	**326**	**322**
Current Permits:	**211**	**223**
Expired Permits:	**115**	**99**
No Permits:	**16**	**18**

Total reported vessels in Marina del Rey Harbor:	**4615**
Percentage of vessels that are registered liveaboards	**6.98%**
Number of currently impounded vessel:	7

Monday, February 01, 2010

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES JANUARY 2010

	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										0
Rape										0
Robbery: Weapon							1			1
Robbery: Strong-Arm							1			1
Aggravated Assault									2	2
Burglary: Residence	1				1		3	7	3	15
Burglary: Other Structure	1	2					2			5
Grand Theft	10	3					3	1	1	18
Grand Theft Auto	5	1					1	1	1	9
Arson										0
Boat Theft										0
Vehicle Burglary	4	2			1		3		2	12
Boat Burglary	1			1						2
Petty Theft	4	1					1	2	2	10
REPORTING DISTRICTS TOTALS	**26**	**9**	**0**	**1**	**2**	**0**	**15**	**11**	**11**	**75**

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, **Date Prepared February 2, 2010**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- JANUARY 2010

Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	1
Robbery: Strong-Arm	0	1
Aggravated Assault	0	0
Burglary: Residence	1	3
Burglary: Other Structure	0	2
Grand Theft	0	3
Grand Theft Auto	0	1
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	1	3
Boat Burglary	0	0
Petty Theft	0	1
Total	**2**	**15**

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, **Date Prepared FEBRUARY 2, 2010**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- JANUARY 2010

Part I Crimes	MARINA AREA (RD'S 2760-2763)	EAST END (RD'S 2764-2768)
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	1
Robbery: Strong-Arm	0	1
Aggravated Assault	0	2
Burglary: Residence	1	14
Burglary: Other Structure	3	2
Grand Theft	13	5
Grand Theft Auto	6	3
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	6	6
Boat Burglary	2	0
Petty Theft	5	5
Total	36	39

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, **Date Prepared –February 2, 2010**
CRIME INFORMATION REPORT - OPTION B

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

February 4, 2010

TO: Small Craft Harbor Commission

FROM: Kerry Silverstrom for Santos H. Kreimann, Director

SUBJECT: **AGENDA ITEM 4b - MARINA DEL REY AND BEACH SPECIAL EVENTS**

MARINA DEL REY EVENTS

FISHERMAN'S VILLAGE WEEKEND CONCERTS
Sponsored by Pacific Ocean Management, LLC
All concerts are from 1:00 p.m. – 4:00 p.m.

Saturday, February 6
Jimbo Ross & The Bodacious Blues Band, playing Jazz & Blues

Sunday, February 7
Sullivan Hall Band, playing Soul Review

Saturday, February 13
Hound Dog Dave & The Mel-Tones, playing Blues & American Roots

Sunday, February 14
2 AZZ 1 Body & Soul Band, playing Smooth Jazz with Vocals

Saturday, February 20
Shakey Pete & The Fault Line, playing Blues

Sunday, February 21
Floyd & The Fly Boys, playing Soul Review

Saturday, February 27
Richard Davis Quintet, playing Standards & Jazz

Sunday, February 28
Susie Hansen Latin Band, playing Hot Latin Jazz

For more information call: Pacific Ocean Management at (310) 822-6866

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HOUSEHOLD HAZARDOUS WASTE AND E-WASTE ROUNDUP
Saturday, February 27, 2010
9:00 a.m. – 3:00 p.m. (approximately)
Dock 52 Parking Lot – 13483 Fiji Way

The County of Los Angeles Department of Public Works and the Sanitation District, in conjunction with the County of Los Angeles Department of Beaches and Harbors, are sponsoring the annual Household Hazardous Waste and E-Waste Roundup for the proper disposal of environmentally harmful household substances and electronic waste.

For more information call: Los Angeles County Sanitation District at (800) 238-0172 or visit website at www.lacsd.org.

BEACH EVENT

2010 POLAR PLUNGE
Saturday, February 27, 2010
10:00 a.m.
Zuma Beach – Lifeguard Tower 9
29700 Pacific Coast Hwy, Malibu

Participate in the Polar Plunge to benefit Special Olympics Southern California athletes. Brave men, women and children will take the plunge to raise money, win rewards, and have a good time.

For more information call: Los Angeles County Sheriff's Department at (818) 878-1808 or the Los Angeles Police Department at (213) 485-5950 or visit website at www.zumapolarplunge.com.

GI JOE PIER-TO-PIER WALK/RUN
Hermosa Beach Pier
Saturday, March 6, 2010
7:00 a.m. – 10:00 a.m.

Approximately four-mile sand run for everyone of all fitness levels. Bring your family and friends and experience the challenge and the fun together.

For more information visit: Joe Charles at jcactivity@ca.rr.com

SHK:DC:cm

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

February 4, 2010

To: Small Craft Harbor Commission

From: Santos H. Kreimann, Director

Subject: **ITEM 6a - APPROVAL OF AMENDMENT NO. 1 TO AMENDED AND RESTATED LEASE NO. 5491 TO UPDATE INSURANCE PROVISIONS PARCEL 30S (DEL REY YACHT CLUB) – MARINA DEL REY**

Item 6a on your agenda pertains to Amendment No. 1 for Parcel 30S (Del Rey Yacht Club), which will update the lease's insurance provisions.

Amendment No. 1 does not adjust the anchorage percentage rent, as the rate is stipulated in the Amended and Restated Lease, nor does it adjust non-anchorage percentage rental rates, as the existing rates are consistent with the rates for comparable leases in the Marina. The minimum rent is not due for an automatic adjustment until July 1, 2010.

Attached is a copy of the Board letter that explains the details of the proposed amendment. Your Commission's endorsement of the recommendation to the Board of Supervisors to approve the proposed amendment as contained in the attached letter is requested.

SHK:ks
Attachment

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

March 9, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

APPROVAL OF AMENDMENT NO. 1 TO AMENDED AND RESTATATED LEASE NO. 5491 TO UPDATE INSURANCE PROVISIONS PARCEL 30S (DEL REY YACHT CLUB) - MARINA DEL REY (FOURTH DISTRICT) (4 VOTES)

SUBJECT

This Board letter requests approval of a Marina lease amendment for Parcel 30S (Del Rey Yacht Club) that updates the insurance provisions.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed lease amendment is categorically exempt under the California Environmental Quality Act pursuant to Class 1(r) of the County's Environmental Document Reporting Procedures and Guidelines.

2. Approve and authorize the Chair of the Board to sign the attached Amendment No. 1 to Amended and Restated Lease No. 5491 – Parcel 30S (Del Rey Yacht Club), Marina del Rey, which updates the insurance provisions for a five-year term ending June 30, 2013.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Most Marina del Rey leases provide for the periodic review of leasehold rents and liability insurance coverage to ensure that the rental rates payable to the County are maintained at current fair market levels and that the amount of general liability insurance is adequate to protect the County's interests. County rents are typically computed as the greater of either a fixed minimum rent or the total of varying percentages of the lessee's gross receipts from the leasehold's uses.

The anchorage percentage rent at Parcel 30S (Del Rey Yacht Club) is stipulated in the amended and restated lease, whereas other percentage rents are to be reviewed for adjustment on July 1, 2003 and every fifth anniversary thereafter. The existing non-anchorage percentage rents of Parcel 30S are in line with the rents of comparable Marina leases. The parties, therefore, have agreed to keep all percentage rents unchanged.

Amendment No. 1 incorporates changes to the indemnity clause, insurance requirements, and miscellaneous insurance provisions to conform them to the new and more stringent requirements of the Chief Executive Office's Risk Management Branch.

Implementation Of Strategic Plan Goals

Preservation of current percentage rental rate levels, as well as the recommended action to incorporate new insurance provisions in the Parcel 30S amended and restated lease to protect the County's interests, are in fulfillment of Strategic Plan Goal No. 1, "Operational Effectiveness", Strategy 1, "Fiscal Sustainability".

FISCAL IMPACT/FINANCING

There will be no fiscal impact from your Board's approval of Amendment No. 1.

Operating Budget Impact

There is no operating budget impact as a result of this action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Commonly known as the Del Rey Yacht Club, Parcel 30S consists of 483,100 square feet of water area and 149,014 square feet of land improved with 287 boat slips and a two-story clubhouse building in Marina del Rey. The extended 85-year ground lease between the County and the lessee terminates in 2047.

This Amendment has been approved as to form by County Counsel. At its meeting of February 10, 2010, the Small Craft Harbor Commission _____ the Director's recommendation that your Board approve and execute Amendment No. 1.

ENVIRONMENTAL DOCUMENTATION

The proposed Amendment No. 1 is exempt under the California Environmental Quality Act pursuant to Classes 1(r) of the County's Environmental Document Reporting Procedures and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on other current services from your Board's approval of Amendment No. 1.

CONCLUSION

Please have the Chair of the Board of Supervisors sign all three copies of Amendment No. 1 and have the Executive Officer of the Board return two executed copies, as well as a copy of the adopted Board letter to the Department of Beaches and Harbors.

Respectfully submitted,

Santos H. Kreimann
Director

SHK:KS:GJ:PW:SP:ks

Attachment

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

AMENDMENT NO. 1 TO AMENDED AND RESTATED LEASE NO. 5491

PARCEL NO. 30S - MARINA DEL REY

THIS AMENDMENT TO LEASE is made and entered into this _____ day of _____, 2010 (the "Effective Date").

BY AND BETWEEN **COUNTY OF LOS ANGELES hereinafter referred to as "County",**

AND **DEL REY YACHT CLUB., a California non-profit corporation, hereinafter referred to as "Lessee".**

W I T N E S S E T H:

WHEREAS, County and Lessee's predecessors in interest entered into Lease No. 5491 under the terms of which County leased to Lessee's predecessors in interest that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, now commonly known as Parcel 30S, which leasehold premises (the "Premises") are more particularly described as Exhibit "A" attached to and incorporated in said lease, as amended (the lease and all amendments are collectively hereafter referred to as the "Lease"); and

WHEREAS, Section 4 of said Lease provides that as of July 1, 2003, and as of July 1 of each fifth anniversary of said date, the rates for percentage rentals and liability insurance requirements (collectively, the "Adjusted Rentals") shall be readjusted by Lessee and County in accordance with the standards established in said Section 4;

WHEREAS, Section 4 further provides that Adjusted Rentals may be determined by Lessee and County by mutual agreement at any time; and

WHEREAS, the parties agree not to adjust the rates for percentage rentals for the five-year period commencing July 1, 2008 (the "2008 Rental Adjustment Date"); and

WHEREAS, the parties hereto have agreed to adjust insurance coverage for the five-year period commencing 2008 Rental Adjustment Date; and

WHEREAS, the parties have reached agreement with respect to the amount of liability insurance required to be maintained by Lessee for the five (5) year period commencing on the 2008 Rental Adjustment Date;

NOW, THEREFORE, in consideration of the mutual agreements, covenants and restrictions contained herein, the parties, and each of them, agree as follows:

1. INSURANCE PROVISIONS. Commencing as of the Effective Date, Section 9 of said Lease is deleted in its entirety and following substituted therefor:

"9. INSURANCE.

9.1 Lessee's Insurance. Without limiting Lessee's indemnification of County, during the Term of this Lease, Lessee shall provide and maintain the following insurance issued by companies authorized to transact business in the State of California by the Insurance Commissioner and having a "general policyholders rating" of at least A-VII (or such higher rating as may be required by an Encumbrance Holder) as set forth in the most current issue of "A.M. Best's Key Rating Guide" or an equivalent rating from another industry-accepted rating agency.

9.1.1 General Liability insurance (written on ISO policy form CG 00 01 or its equivalent) and endorsed to name County as an additional insured, with limits of not less than the following:

General Aggregate:	$10 million
Products/Completed Operations Aggregate:	$10 million
Personal and Advertising Injury:	$ 5 million
Each Occurrence:	$ 5 million

9.1.2 Automobile Liability insurance (written on ISO form CA 00 01 or its equivalent) with a limit of liability of not less than $2 million for each accident and providing coverage for all "owned", "hired" and "non-owned" vehicles, or coverage for "any auto." If valet parking or any parking services are provided on premises, Lessee also shall provide Garagekeeper's Legal Liability coverage, (written on ISO form CA 99 37 or its equivalent) with limits of not less than $3 million for this location.

9.1.3 Workers Compensation and Employers' Liability insurance providing workers compensation benefits, as required by the Labor Code of the State of California and for which Lessee is responsible and shall also include Employers' Liability coverage with limits of not less than the following:

Each Accident:	$1 million
Disease - policy limit:	$1 million
Disease - each employee:	$1 million

9.1.4. Liquor Liability Insurance. If the manufacture, distribution or service of alcoholic beverages occurs in the Premises, Lessee shall provide Liquor Liability insurance (written on ISO policy form CG 00 33 or 34 or their equivalent) with a liability limit of not less than Five Million Dollars ($5,000,000) per occurrence and an annual aggregate of Ten Million Dollars ($10,000,000). If written on a "claims

made" form, the coverage shall also provide an extended two (2) year reporting period commencing upon the expiration or earlier termination of this Agreement.

9.1.5 Marina Operator's Liability. If operating a marina, berthing, docking and/or launching of boats and/or pleasure crafts, and/or use of floating docks, piers and/or ramps, Lessee shall provide Marina Operator's Liability insurance with a liability limit of not less than Five Million Dollars ($5,000,000) per occurrence and an annual aggregate of Ten Million Dollars ($10,000,000). If written on a "claims made" form, the coverage shall also provide an extended two (2) year reporting period commencing upon the expiration or earlier termination of this Agreement.

9.1.6 Commercial Property insurance covering damage to the Premises, including improvements and betterments, from perils covered by the Causes-of-Loss Special Form (ISO form CP 10 30) or its equivalent, excluding earthquake, and including Ordinance or Law Coverage, written for the full replacement value of the property, with a deductible no greater than $250,000 or 5% of the property value, which ever is less, and also including business interruption, including loss of rent, equal to two (2) years annual minimum rent, with proceeds payable to Lessee and County as their interests may appear and utilized for repair and restoration of the Premises and Improvements.

9.2 Provisions Pertaining to Property Insurance. The insurance coverage required in Sections 9.1.6 shall name the County as an additional insured and any Encumbrance Holder as loss payee. In the event of a loss, Lessee shall be obligated to rebuild or replace the destroyed or damaged buildings, structures, equipment, and Improvements.

9.3 General Insurance Requirements. Subject to the immediately following grammatical paragraph, a duplicate policy or policies (or certificates of insurance) evidencing the insurance coverage required under this Article 9, in such form as shall be reasonably acceptable to County, shall be filed with Director no later than the Effective Date. All certificates of insurance shall (a) specifically identify the Lease; (b)

clearly evidence all coverages required under the Lease; (c) identify any deductibles or self-insured retentions exceeding $25,000; and (d) evidence all other requirements under this Article 9. The policy or policies of insurance shall provide that such insurance coverage will not be canceled or reduced without at least thirty (30) days prior written notice to Director or ten (10) business days in case of cancellation for failure to pay the premium. At least ten (10) business prior to the expiration of such policy, a certificate showing that such insurance coverage has been renewed shall be obtained by Lessee and filed with Director.

In lieu of submitting a copy of the policy or policies evidencing the above insurance, Lessee may submit in a form reasonably acceptable to County a certificate of insurance.

Any insurance coverage may be issued in the form of a blanket policy insuring other properties, in form, amount and content reasonably satisfactory to County such that such coverage provides the same protection as required under this Article 9 as if the insurance had been procured on an individual property basis.

9.4 Additional Required Provisions. Lessee's insurance policies required by this Article 9 shall be for a term of not less than one year and shall additionally provide:

(a) that County and its respective Board of Supervisors and members thereof, and County's officers, agents, employees and volunteers, shall be named as additional insureds under any liability insurance policy or policies;

(b) that the full amount of any losses to the extent property insurance proceeds are available shall be payable to additional insureds notwithstanding any act, omission or negligence of Lessee which might otherwise result in forfeiture of such insurance;

(c) in any property insurance policy, a waiver of all right of subrogation against County and its respective Board of Supervisors and

members thereof, and County's officers, agents, employees and volunteers with respect to losses payable under such policies;

(d) in any property insurance policy, that such policies shall not be invalidated should the insured waive, prior to a loss, any or all right of recovery against any party for losses covered by such policies;

(e) the property and commercial general liability insurance policies shall provide coverage on a primary and non-contributory basis with respect to the additional insureds, regardless of any other insurance or self-insurance that such additional insureds may elect to purchase or maintain;

(f) that losses, if any, shall be adjusted with and payable to Lessee, County and Encumbrance Holders, if any, pursuant to a standard mortgagee clause;

(g) that the commercial general liability insurance shall apply separately to each insured against whom a claim is made, except with respect to the overall limits of said insurer's liability; and,

(h) that the property and commercial general liability insurance policies shall contain no special limitations on the scope of protection afforded to the additional insureds, and no failure to comply with the reporting provisions of such policies shall affect the coverage afforded to such additional insureds.

9.5 Failure to Procure Insurance. If Lessee fails to procure or renew the herein required insurance and does not cure such failure within five (5) business days after written notice from County, in addition to the other rights and remedies provided hereunder, County may, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith. All monies so paid by County shall be repaid by Lessee, with interest thereon at the Applicable Rate, to County within five (5) business days after Lessee's receipt of written demand therefor.

9.6 Adjustment to Amount of Liability Coverage. The amounts of liability insurance required under this Article 9 shall be subject to renegotiation as of each fifth (5th) anniversary of the Effective Date (each, an "Insurance Renegotiation Date"). In no event shall the amounts of liability insurance be decreased without County's approval.

9.7 Notification of Incidents, Claims or Suits. Lessee shall report to County any accident or incident on or about the Premises which involves injury or property damage which might reasonably be thought to result in the filing of a claim or lawsuit against Lessee and/or County. Such report shall be made in writing within 72 hours of Lessee's knowledge of such occurrence."

3. **Miscellaneous.** Except as herein specifically amended, all terms, conditions and provisions of the Lease shall be and continue to remain in full force and effect and are unmodified, and each of the parties hereto reaffirms and reacknowledges its respective obligations under the Lease as amended hereby.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, caused this Amendment to Lease to be subscribed by the Chairman of said Board and attested by the Executive Officer thereof, and the Lessee, by its duly authorized representative, has executed the same.

COUNTY OF LOS ANGELES

By:_____
Chair, Board of Supervisors

ATTEST:

SACHI A. HAMAI
Executive Officer-Clerk of the
Board of Supervisors

By:_____
Deputy

LESSEE:

DEL REY YACHT CLUB

By: [signature]

Its: Commodore

By: Phyllis Fliegel

Its: Secretary

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By_____
Deputy

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

February 4, 2010

To: Small Craft Harbor Commission

From: Santos H. Kreimann, Director

Subject: **ITEM 6b – APPROVAL OF AMENDMENT NO. 9 TO LEASE NO. 6001 TO UPDATE INSURANCE PROVISIONS – PARCEL 22R (FOGHORN INN) – MARINA DEL REY**

Item 6b on your agenda pertains to Amendment No. 9 for Parcel 22R (Foghorn Inn), which will update the lease's insurance provisions for a ten-year term ending May 31, 2017.

The Amendment does not adjust the percentage or minimum rental rates as all rates at this leasehold are comparable with other Marina del Rey leases.

Attached is a copy of the Board letter that explains the details of the proposed amendment. Your Commission's endorsement of the recommendation to the Board of Supervisors to approve the proposed amendment as contained in the attached letter is requested.

SHK:KS:GJ:jt:ks
Attachment

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

March 9, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

APPROVAL OF AMENDMENT NO. 9 TO LEASE NO. 6001
TO UPDATE INSURANCE PROVISIONS
PARCEL 22R (FOGHORN INN) - MARINA DEL REY
(SUPERVISORIAL DISTRICT FOUR)
(4 VOTES)

SUBJECT

This Board letter requests approval of a Marina lease amendment for Parcel 22R (Foghorn Inn) that updates the insurance provisions.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed Amendment No. 9 to Lease No. 6001 is categorically exempt under the California Environmental Quality Act pursuant to Class 1(r) of the County's Environmental Document Reporting Procedures and Guidelines.

2. Approve and authorize the Chair of the Board to sign the attached Amendment No. 9 to Lease No. 6001 adjusting the insurance provisions for a ten-year term ending May 31, 2017.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Most Marina del Rey ground leases provide for the periodic review of leasehold rents and liability insurance coverage to ensure that the rental rates payable to the County are maintained at current fair market levels and that the amount of general liability insurance is adequate to protect County's interests. County rents are typically computed as the greater of either a fixed minimum rent or the total of varying percentages of the lessee's gross receipts from uses of the leasehold.

The Parcel 22R lease (Foghorn Inn) requires review of rent and insurance provisions on June 1, 1997 and every tenth anniversary thereafter. Based upon comparable rates at other Marina leaseholds, the parties have agreed to keep all percentage rental rates unchanged.

Amendment No. 9 incorporates changes to the indemnity clause, insurance requirements and miscellaneous insurance provisions to conform them to the Chief Executive Office's Risk Management Branch's new and more stringent requirements.

Implementation of Strategic Plan Goals

Preservation of current percentage rental rate levels, as well as the recommended action to incorporate new insurance provisions to protect the County's interests, are in fulfillment of Strategic Plan Goal No. 1, "Operational Effectiveness", Strategy 1, "Fiscal Sustainability".

FISCAL IMPACT/FINANCING

The recommended action will have no fiscal impact.

Operation Budget Impact

The recommended action will have no operating budget impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Commonly known as Foghorn Inn, Parcel 22R is improved with a 27-unit hotel, a dry cleaner, a fast food/liquor store, and The Cheesecake Factory restaurant and occupies approximately 1.8 acres of land in Marina del Rey. The 60-year ground lease was executed in 1962.

Amendment No. 9 has been approved as to form by County Counsel. At its meeting of February 10, 2010, the Small Craft Harbor Commission _____ the Director's recommendation that your Board approve and execute Amendment No. 9.

ENVIRONMENTAL DOCUMENTATION

The proposed Amendment No. 9 is categorically exempt under the provisions of the California Environmental Quality Act pursuant to Class 1(r) of the County's Environmental Document Reporting Procedures and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current services from your Board's approval of Amendment No. 9.

CONCLUSION

Please have the Chair of the Board of Supervisors sign all three copies of Amendment No. 9 and have the Executive Officer of the Board return two executed copies, as well as a copy of the adopted Board letter to the Department of Beaches and Harbors.

Respectfully submitted,

Santos H. Kreimann
Director

SHK:KS:GJ:PW:ks

Attachment

c: Chief Executive Office
County Counsel
Executive Officer, Board Supervisions

AMENDMENT NO. 9 TO LEASE NO. 6001

Parcel No. 22R – MARINA DEL REY SMALL CRAFT HARBOR

THIS AMENDMENT TO LEASE is made and entered into this _____day of _____, 2009 (the "Effective Date"),

BY AND BETWEEN **COUNTY OF LOS ANGELES hereinafter referred to as "County,"**

AND **MARINA PROPERTIES COMPANY, a partnership, hereinafter referred to as "Lessee."**

WITNESSETH:

WHEREAS, County and Lessee's predecessor in interest entered into Lease No. 6001 under the terms of which County leased to Lessee's predecessor in interest that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, now commonly known as Parcel 22R, which leasehold premises (the "Premises") are more particularly described in Exhibit "A" attached to and incorporated in said lease, as amended (the lease and all amendments are collectively hereafter referred to as the "Lease"); and

WHEREAS, Section 15 of said Lease provides that as of June 1, 1997, and as of June 1st of every tenth (10th) year thereafter (the "Rental Adjustment Date"), the square foot rental, all categories of percentage rentals, and liability insurance requirements (collectively the "Adjusted Rentals") shall be readjusted by Lessee and County in accordance with the standards established in said Section 15; and

WHEREAS, Section 15 further provides that such readjustments shall be accomplished by agreement of the parties and in the event such agreement cannot be reached, the readjustments shall be settled by binding arbitration in the manner set forth at length in said Section 15; and

WHEREAS, the parties hereto have determined that there shall be no adjustment to the square foot rental or any category of percentage rental and have reached

agreement with respect to the liability insurance requirements for the remaining part of the ten (10) year period commencing on June 1, 2007 (the "2007 Rental Adjustment Date");

NOW, THEREFORE, in consideration of the mutual agreements, covenants and restrictions contained herein, the parties, and each of them, agree as follows:

1. **Insurance.** Commencing as of the Effective Date, Sections 25 through 28 of said Lease are deleted in their entirety and the following substituted therefor:

25. INDEMNITY CLAUSE.

Lessee shall indemnify, defend and hold the County, its Special Districts, elected and appointed officers, employees and agents harmless from and against all liability, including, but not limited to, demands, claims, actions, fees, costs and expenses (including attorney and expert witness fees), arising from or connected with Lessee, its members, agents and invitees, operations and use of the Premises.

26. INSURANCE REQUIREMENTS.

Without limiting Lessee's indemnification of County and during the term of this Lease, Lessee shall provide and maintain the following insurance specified in this Lease. Such insurance shall be primary to and not contributing with any other insurance or self-insurance programs maintained by County, and such coverage shall be provided and maintained at Lessee's own expense.

A. General Liability insurance (written on ISO policy form CG00 01 or its equivalent) and endorsed to name County as an additional insured, with limits of not less than the following:

General Aggregate:	$5 million
Products/Completed Operations Aggregate	$5 million
Personal and Advertising Injury:	$5 million
Each Occurrence:	$2 million

B. Automobile Liability insurance (written on ISO form CA 00 01 or its equivalent) with a limit of liability of not less than $1 million for each

accident and providing coverage for all "owned", "hired" and "non-owned" vehicles, or coverage for "any auto". If and when valet parking services are provided at the Premises, Lessee shall provide Garagekeeper's Legal Liability coverage (written on ISO form CA 99 37 or its equivalent) with limits of not less than $3 million for this location.

C. Workers' Compensation and Employers' Liability insurance providing workers compensation benefits, as required by the Labor Code of the State of California and for which Lessee is responsible. If Lessee's employees will be engaged in maritime employment, coverage shall provide workers compensation benefits as required by the U.S. Longshore and Harbor Workers' Compensation Act, Jones Act or any other federal law for which Lessee is responsible.

In all cases, the above insurance shall also include Employers' Liability coverage with limits of not less than the following:

Each Accident:	$1 million
Disease - policy limit:	$1 million
Disease - each employee:	$1 million

D. Commercial Property Insurance. Such insurance:

(1) Shall cover damage to Premises, including improvements and betterments, from perils covered by the Causes-of-Loss Special Form (ISO form CP 10 30 or its equivalent), including earthquake (if Lessee deems it reasonable), Ordinance or Law Coverage and Business Interruption equal to two (2) years' annual rent;

(2) Shall be written for the full replacement value of the property, with a deductible no greater than $250,000 or 5% of the property value, whichever is less; and

(3) Upon the occurrence of any loss, the proceeds of such insurance shall be held by County in trust for the named insureds as their interests appear. In the event of such loss, Lessee shall be obligated to rebuild or replace the destroyed or damaged buildings, structures, equipment and improvements to the full satisfaction of the County. Said obligation to rebuild or replace is not dependent upon the existence of insurance. County shall

reimburse Lessee for said rebuilding or replacement out of and to the full extent of the proceeds of said insurance as payments are required for said purposes. Any surplus proceeds after said rebuilding or replacement shall be distributed to the named insureds as their interests may appear.

E. Liquor Liability insurance if and when the manufacture, distribution or service of alcoholic beverages occurs in the Premises, Lessee also shall provide Liquor Liability insurance (written on ISO policy form CG 00 33 or 34 or their equivalent) with limits of not less than $5 million per occurrence and $10 million aggregate. If written on a "claims made" form, the coverage shall also provide an extended two (2) year reporting period commencing upon the expiration or earlier termination of this Lease, or replacement coverage shall be maintained until such time.

27. MISCELLANEOUS INSURANCE PROVISIONS.

A. Waiver of Subrogation: Lessee shall obtain appropriate endorsements upon all insurance policies waiving subrogation by the insurer(s) against County.

B. Evidence of Insurance: Certificate(s) or other evidence of coverage satisfactory to County shall be delivered to County prior to the Effective Date. Such certificates or other evidence shall:

(1) Specifically identify this Lease.

(2) Clearly evidence all coverages required in this Lease.

(3) Contain the express condition that insurer will use its best efforts to give written notice by mail to County at least thirty (30) days in advance of cancellation for all policies evidenced on the certificate of insurance.

(4) Identify any deductibles or self-insured retentions exceeding $25,000.

C. Review of Insurance Requirements: Throughout the term of this Lease and upon notice to Lessee, County may review and adjust at any time the types and limits of insurance required under this Lease to a commercially reasonable level. Insurance is to be provided by insurers acceptable to the

County with an A.M. Best rating of not less than A:VII, unless otherwise approved by County.

D. Failure to Maintain Coverage: Failure by Lessee to maintain the required insurance, or to provide evidence of insurance coverage acceptable to County, shall constitute a material breach of this Lease.

E. Notification of Incidents, Claims, or Suits: Lessee shall report to County any accident or incident relating to services performed under this Lease that involves injury or property damage, which might reasonably be thought to result in the filing of a claim or lawsuit against Lessee and/or County. Such report shall be made in writing within 72 hours of Lessee's knowledge of such occurrence.

F. Compensation for County Costs: In the event that Lessee fails to comply with any of the indemnification or insurance requirements of this Lease, and such failure to comply results in any costs to County, Lessee shall pay full compensation for all reasonable costs incurred by County.

28. [INTENTIONALLY OMITTED.]

2. **Miscellaneous.** Except as herein specifically amended, all terms, conditions and provisions of the Lease shall be and continue to remain in full force and effect and are unmodified, and each of the parties hereto reaffirms and reacknowledges its respective obligations under the Lease as amended hereby.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, caused this Amendment to Lease to be subscribed by the Chairman of said Board and attested by the Executive Officer thereof, and the Lessee, or its duly authorized representative, has executed the same.

LESSEE:

MARINA PROPERTIES COMPANY, a partnership

By: Charles E. McGuire

Its: PARTNER

COUNTY OF LOS ANGELES

By: _____
Chair, Board of Supervisors

ATTEST:

SACHI A. HAMAI,
Executive Officer of the
Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By_____
Deputy

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

February 4, 2010

To: Small Craft Harbor Commission

From: Kerry Silverstrom for Santos H. Kreimann, Director

Subject: **ITEM 6c – MARINA DEL REY LOCAL COASTAL PROGRAM - PERIODIC REVIEW UPDATE – MARINA DEL REY**

Item 6c on your agenda provides an update on the Regional Planning Department's effort to review and respond to the Marina del Rey Local Coastal Program Periodic Review findings and recommendations of the California Coastal Commission. A member of the Department of Regional Planning will be at the meeting to address your Commission.

Attached for your information is the current draft of the County's responses as developed by the Department of Regional Planning. Because the drafting process is ongoing, a final and complete report on this matter is not available at this time.

SHK:ks
Attachment

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Attachment to

ITEM 6c – MARINA DEL REY LOCAL COASTAL PROGRAM - PERIODIC REVIEW UPDATE – MARINA DEL REY

A copy of the County's draft response is available for viewing online at:

http://beaches.co.la.ca.us/BandH/MdRLCPPerReviewCountyDraftResponses.pdf

Or
Visit http://beaches.co.la.ca.us/BandH/Main.htm
and select
MARINA DEL REY LOCAL COASTAL PROGRAM – PERIODIC REVIEW-
COUNTY'S DRAFT RESPONSES

Please consider the environment prior to printing

COUNTY RESPONSES

This section contains detailed comments for each California Coastal Commission (CCC) recommendation.

Recreational Boating

1) CCC Recommendation: The County should require an updated comprehensive boater use, slip size, and slip distribution study which is no more than five years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Harbor as a whole.

   County Position: Support with modification.

   Comment: The County has completed two studies, the Marina del Rey Slip Sizing Study and Marina del Rey Slip Pricing and Vacancy Study. Both studies considered public comment and were endorsed by the Small Craft Harbor Commission at its July 2009 meeting after discussions on the matter at three previous meetings in March, April and May 2009. The finalized reports will serve as the Marina-wide guideline for future dock redevelopment projects.

2) CCC Recommendation: Through the development review process and through improvements to existing facilities, continue to provide a mix of small, medium and large boat slips which is based on updated information from the comprehensive study discussed in recommendation 1 above.

   County Position: Support with modification.

   Comment: The County supports utilizing the Marina del Rey Slip Sizing Study, which recommends that Marina del Rey as a whole should maintain a slip mix for small, medium and large boat slips as follows: 50 percent of all slips should be for smaller boats 35 feet and under; 39 percent for the medium sizes, and 11 percent for the larger sizes. The Study does not recommend creating additional boat berth slips under 30 feet in length. The average slip length for Marina del Rey as a whole should not exceed 40 feet. Additionally, the Study provides a separate guideline for the redevelopment of individual marinas which allows for deviation from the aforementioned percentages as long as each marina's average slip size does not exceed 44 feet in length, unless there is justification.

3) CCC Recommendation: Section A3, Recreational Boating, Policy and Action e2, regarding the "Funnel Concept" for boat slip expansion, should be deleted as a policy and action from the Land Use Plan. The County should investigate other alternatives to increase recreational boating within the Marina, assure lower cost boating opportunities and adopt policies requiring implementation of such other alternatives as are found to be appropriate. Other alternatives that should be considered, but are not limited to:
   - creating additional slips along the main channel, end ties, or other areas, where feasible;
   - maintaining a mix of boat slip lengths throughout the Marina;
   - increasing day-use rentals;
   - encouraging boating membership programs;
     requiring marinas that reduce the number or proportion of slips to provide public access to affordable lower cost boating opportunities for the general public through such mechanisms as: contributing fees to develop new boating

programs for youths, including disadvantaged youths, development of new lower cost boating facilities for all members of the general public; and encouraging boating membership programs; or similar mechanisms; continue to monitor existing launch ramp facilities, estimate projected increases in demand and develop measures to increase capacity where needed;

- providing additional boat storage facilities, including areas for small non-motorized personal watercraft (i.e. kayaks, canoes and dinghies).

County Position: Support.

Comment: The County is committed to maintaining a proper mix of boat slip length that is responsive to the demands from small, medium and large boats. The proposed Chace Park peninsula dock replacement project will provide increased opportunities for small boat storage and day-use rentals. This proposed project also provides additional boat storage facilities, for motorized and non-motorized personal watercraft such as rowing shells, kayaks, canoes, small sailboats and dinghies.

The Department of Beaches and Harbors (DBH) requires proponents of dock replacement projects to provide opportunities for low cost boating accommodations whenever possible. For example, marinas that reduce the number of slips are required to provide public access to affordable low cost boating by contributing fees to develop or expand existing boating programs for youths, including disadvantaged youths. Wherever practical, boating membership programs or other similar mechanisms will be encouraged. DBH continues to monitor the existing launch ramp facilities to ensure their continued availability to the public and is seeking funding to improve and lengthen their useful life. Additionally, the creation of an additional dock on the north side of the existing launch ramp docks for the public to tie up for staging/rigging as well as for short term visits to nearby landside visitor-serving facilities is being studied. This additional dock, if approved, will further enhance the capacity and functionality of the existing launch ramp by providing additional dock space for boats to be prepared without blocking the launch/retrieval areas of the launch ramps themselves.

4) CCC Recommendation: Through the development review process and through improvements to existing facilities, provide short-term day use docks at or in close proximity to visitor-serving facilities, such as parks, Fishermen's Village, and restaurants.

County Position: Support.

Comment: The proposed Chace Park peninsula dock replacement project will increase the short term, day-use berthing capacity for transient use. There will also be a 140-foot side tie dedicated for four-hour use and an additional 142-foot side tie that can be used for short-term purposes should there be demand for it. Marina-wide, DBH has secured arrangements with the various anchorages to provide a network of docks for water taxi landings that provide convenient access to visitor-serving facilities in the Marina, including parks and Marina Beach.

4A) CCC Recommendation: No reduction in total boat slips and no reduction in slips 35 feet or less in length.

County Position: Oppose.

Comment: Due to many factors, including current building standards, Americans with Disabilities Act access requirements, State design guidelines, and policy decisions such as the abandonment of the Funnel Concept, it is impossible not to lose any slips in the

redevelopment process. Additionally, it is not practical to continue developing small wet slips that have historically suffered the highest vacancy rates and for which options exist for dry storage, while there is a shortage of larger boat slips which do not have viable alternative storage options. However, the County will endeavor to create more dry-stack storage along with other options to help offset the loss of wet slips due to the various factors affecting the redevelopment projects and will endeavor to ensure a sufficient supply of boat slips in 35-foot-or-less category by following the guidelines set forth in the Marina del Rey Slip Sizing Study.

Marine Resources / Water Quality

5) CCC Recommendation: Development shall maintain, enhance and where feasible restore marine resources, including wetlands, submerged aquatic vegetation, or other important aquatic habitat areas as designated by local, state, or federal governments, consistent with Coastal Act Sections 30230 through 30233.

   County Position: Support with modification.

   Comment: Submerged aquatic vegetation and aquatic habitat areas are more appropriately regulated by the Coastal Commission.

6) CCC Recommendation: The LCP should be amended to require that all development that involves disturbance to shallow water marine substrate provide a pre-construction survey to determine the presence of eelgrass (*Zostera marina*) taken during the active growth period. If eelgrass is present within the project site, the project shall be redesigned to avoid impacts to eelgrass. If nearby eelgrass is impacted it shall be mitigated in conformance with "Southern California Eelgrass Mitigation Policy" Revision 8 adopted by the National Marine Fisheries Service.

   County Position: Support with modification.

   Comment: This issue is more appropriately regulated by the Coastal Commission.

7) CCC Recommendation: The LCP should be amended to require that all development that involves disturbance to marine water substrate within the marina and other shallow waters (up to approx. 250 ft. depth) shall provide a survey for the presence of *Caulerpa taxifolia* (*C. taxifolia*) consistent with the survey protocol required by the Southern California Caulerpa Action Team, SCCAT. If *C. taxifolia* is found within or in close proximity to the project site, it shall be eradicated prior to the commencement of the project.

   County Position: Support with modification.

   Comment: Disturbance to marine water substrate is an issue more appropriately regulated by the Coastal Commission.

8) CCC Recommendation: The LCP should be amended to update the policies, procedures and requirements associated with reducing polluted runoff and water quality impacts resulting from development. The update should revise policies and ordinances to ensure that Sections 30230, 30231, 30232, and 30240 of the Coastal Act, related provisions of the LCP, the County's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, adopted Total Maximum Daily Loads (TMDLs), State Nonpoint Source Control Plan, and Contaminated Sediment Task Force recommendations are integrated.

County Position: Support.

Comment: While the County's Low Impact Development Ordinance, effective January 2009, addresses some of the issues, others will be addressed in a future LCP update.

9) CCC Recommendation: The LCP should be updated consistent with the following principles and criteria, and to carry out the following provisions where applicable:

All development must address water quality by incorporating Best Management Practices into the development that are designed to control the volume, velocity and pollutant load of stormwater and dry weather runoff from the site during the construction phase and in the post-development condition. All new development and redevelopment projects shall integrate Low Impact Development principles designed to capture, treat and infiltrate runoff. Specific types of BMPs to be included in all development projects include site design and source control measures. In addition, treatment control BMPs shall be incorporated into all development and redevelopment types categorized as "Priority Development," under the Regional Water Quality Control Board-issued Los Angeles County Municipal NPDES Stormwater Permit and related Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, and where otherwise necessary to protect water quality in accordance with LCP marine resource and water quality related policies and provisions. The specific information necessary for an individual project will vary depending upon site characteristics and the kind of development being proposed.

County Position: Support with modification.

Comment: The County's Low Impact Development Ordinance, effective January 2009, requires the use of BMPs to manage stormwater and dry weather runoff. However, due to Marina del Rey's geology, utilizing BMPs that are designed for infiltration must be carefully sited, and used only when technically feasible and safe to do so. When infiltration of all excess volume is not technically feasible, on-site storage, reuse, or other water-conservation uses of the excess volume is required. Also, the County's SUSMP has no project type that is categorized as "Priority Development".

10) CCC Recommendation: LCP policies should be revised to assure that at the time of application, development proposals will be reviewed for conformance with the requirements contained in the Los Angeles County Municipal NPDES Stormwater permit and SUSMP requirements, any adopted TMDLs, applicable provisions of the Santa Monica Bay Restoration Plan, State Nonpoint Source Control Plan, Contaminated Sediment Task Force recommendations, and applicable standards and requirements contained in the Marina Del Rey LCP.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation; however, the issues brought forth in this recommendation are already addressed in the County's comments to Recommendations 8 and 9.

11) CCC Recommendation: LCP policies should be revised to ensure that as part of the development review process:

A. All developments that require a Coastal Development Permit (CDP) are required to document site design and/or source control BMPs within drainage, landscaping or other site plans, and include sufficient detail for a determination that those are the appropriate BMPs for the project, are located in the appropriate areas of the project

and have adequate mechanisms in place to assure that the BMPs are effective for the life of the project.

Development or reconstruction of impervious surfaces, where a CDP is required, shall include source control or treatment control BMPs, such as permeable pavement, bioinfiltration or drainage to landscaping to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Development or reconstruction of landscaping, where a CDP is required, shall use site design, source control and treatment control BMPs, such as "smart" irrigation systems and bioinfiltration to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Plans that include infiltration BMPs should be reviewed by a geotechnical engineer if site stability issues are a concern.

B. All developments that require a CDP and are categorized as "Priority Development" pursuant to the County SUSMP shall incorporate site design, source control, and treatment control BMPs, which are designed to eliminate dry weather runoff except those exempt under the Los Angeles County Municipal Stormwater permit and to treat runoff from the 85th percentile storm event. Such features and BMPs shall be documented in a Water Quality Management Plan (WQMP) or equivalent technical plan designed by a licensed water quality professional or civil engineer. The plan shall be sufficiently detailed for evaluation purposes, and shall include all necessary supporting calculations, descriptive text as well as graphics depicting amount, location of BMPs, as well as design and maintenance details associated with the BMPs or suite of BMPs.

C. All BMPs implemented should be monitored to ensure that the performance achieved is at least the 75th percentile for BMP performance on the United States Environmental Protection Agency (EPA) and American Society of Civil Engineers (ASCE) National BMP database.

County Position: Support with modification.

Comment: Sub-item A has been implemented via the County's Low Impact Development Ordinance, Chapter 12.84, effective January 2009. The Ordinance includes various BMPs intended to distribute stormwater and urban runoff across development sites to help reduce adverse water quality impacts and help replenish groundwater supplies. Strategies include structural devices, engineered systems, vegetated natural designs, and education to replenish groundwater supplies, improve the quality of surface water runoff, stabilize natural stream characteristics, preserve natural site characteristics, and minimize downstream impacts.

The County supports the intent of sub-item B; however the County's SUSMP has no project type that is categorized as a "Priority Development".

Sub-item C may be problematic in that it imposes an extra burden on the County and property owners to ensure a certain degree of BMP performance. The effort required to demonstrate BMP efficiency would involve conduct of water quality sampling at both the inlet and outlet of a BMP. BMPs selected at the time of permit application should be reviewed for the adequacy of design and would be expected to have minimum pollutant removal efficiencies for their type, size and design. An alternative to this recommendation would be to establish a maintenance protocol for newly constructed BMPs with a self-certification program supported by spot inspections. The 75th percentile performance seems to be a random suggestion. To date, the State Water Resources Control Board has only studied the idea of numeric limits for discharges of storm water, particularly as

tied to BMP performance. Since there is nothing based in regulation to require a specific level of BMP performance, the County opposes this recommendation.

12) CCC Recommendation: The LCP should be revised to ensure that development projects will be designed in accordance with the following principles and guidelines. All projects should be designed to:

A. Prohibit the discharge of pollutants that may result in receiving water impairment or exceedance of State water quality standards. Projects should be designed to reduce post-development peak runoff rates and average volumes over pre-development levels or to maintain such rates and volumes at similar levels to pre-development conditions, through such measures as infiltration, evapotranspiration, and storage/reuse.
B. Maintain natural drainage courses and hydrologic patterns.
C. Preserve and where possible, create or restore areas that provide important water quality benefits.
D. Reduce the amount of directly connected impervious area, and total area of impervious surface from traditional approaches; consider and implement alternatives to impervious material for hardscaping plans, such as porous pavement, crushed gravel, and/or concrete grid designs.
E. Minimize irrigation and the use of fertilizers and other landscaping chemicals. Water conservation measures, such as smart irrigation systems, shall be required, and water recycling and reuse should be encouraged.
F. Where site constraints allow, incorporate on-site retention and infiltration measures to slow and reduce the amount of runoff discharged from the site.
G. Properly design outdoor material storage areas (including the use of roof or awning covers) to minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids and other pollutants from entering the stormwater conveyance system.
H. Incorporate roof or awning covers over trash storage areas and implement other trash-control devices, such as full capture BMPs, to prevent off-site transport of trash and related pollutants from entering the storm water conveyance system. Where appropriate, include cigarette butt receptacles to reduce this common source of beach and ocean pollution.
I. Design streets and circulation systems to reduce pollutants associated with vehicles and traffic resulting from development.
J. Incorporate those BMPs that are the most effective at mitigating pollutants of concern associated with the development type or use.
K. Include requirements consistent with other recommendations contained herein, to inspect, maintain and repair as necessary the BMPs associated with the project to ensure proper and effective functioning for the life of the development. All approved Coastal Development Permit applications which involve the use of BMPs shall include such requirements.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation, as many of the items brought forth are already addressed in the County's Low Impact Development, Drought-tolerant Landscaping and Green Building Ordinances. However, any measures that incorporate infiltration of stormwater and dry weather runoff must be consistent with safety standards and should be reviewed by a geotechnical engineer if site stability issues are a concern.

13) CCC Recommendation: The LCP should be revised to incorporate updated guidelines for marina development/redevelopment projects, containing a list of BMPs, management measures and standards appropriate for marina development, to aid the County in its review and permitting of marina development projects. In doing so, the County should utilize resources containing the most updated information and recommendations concerning environmentally sound marina development and operation practices, including but not limited to, the California Clean Marina Toolkit (California Coastal Commission, 2004), a publication of the California Coastal Commission's Boating Clean and Green Campaign.

County Position: Support.

Comment: No comment.

14) CCC Recommendation: The LCP should be revised to require that in the development or redevelopment of individual marinas or launch facilities, Best Management Practices (BMPs) for marinas and recreational boating activities shall be implemented to reduce, to the maximum extent practical, the release of pollutants to surface waters. Any coastal development application for reconstruction, modification or redevelopment of marina or launch facilities shall include a Marina Water Quality Management Plan (MWQMP) that includes BMPs to control water quality impacts at each marina or launch. The MWQMP shall include the following components, as applicable, and shall be reviewed for conformance with the set of guidelines for marina related development/use to be developed by the County pursuant to Recommendation No. 13, and the following criteria, as applicable:

A. Measures to control stormwater and dry-weather runoff from development during the construction phase and in the post-development condition, consistent with all applicable provisions outlined in Recommendations 5 through 14 of this report [Marine Resources/Water Quality section], and consistent with State and Regional Water Quality Control Board NPDES requirements.
B. A MWQMP component that includes provisions to adequately control impacts from boating sewage, vessel cleaning and maintenance, oil and fuel discharges, fish cleaning and trash generation/disposal. Vessel sewage disposal shall be controlled by: 1) installing a fixed point dockside pumpout facility; or 2) installing slip side pumpouts; or 3) for smaller marina operators, evidence of a cooperative agreement with an adjacent marina to provide joint waste management facilities or services. The MWQMP shall also provide that adequate restrooms and portable toilet dump stations for marinas with slips for smaller boats are installed. In addition, adequate trash, recycling and cigarette butt receptacles shall be placed in convenient locations around the Marina, and should be covered and frequently serviced. The operations and maintenance component shall provide measures for marina operators to regularly inspect and maintain facilities.
C. A component for implementing boater education measures, including signage.
D. A component for protection against the spillage of crude oil, gas, petroleum products or hazardous substances in relation to any development or transportation of such materials.
E. A monitoring and assessment component to evaluate the effectiveness of the MWQMP.
F. Material used for construction of piers, pilings, docks, dolphins, or slips shall not include timber preserved with creosote, (or similar petroleum-derived products.) Pilings treated with Ammoniacal Copper Arsenate (ACA), Ammoniacal Zinc Arsenate (ACZA) or Chromated Copper Arsenate (CCA) shall be used only if wrapped or coated

prior to installation with a water tight plastic sleeve, or similar sealant. To prevent the introduction of toxins and debris into the marine environment, the use of plastic wrapped pilings (e.g. PVC Pile wrap) and reinforced plastic for pilings (e.g. high density polyethylene (HDPE) pile armor), shall conform to the following requirements:

i. The material used shall be durable and a minimum of one-tenth of an inch thick.
ii. All joints shall be sealed to prevent leakage.
iii. Measures shall be taken to prevent ACA, CCA and/or ACZA from dripping over the top of plastic wrapping into State Waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping.
iv. The plastic sleeves shall extend a minimum of 18 inches below the mudline.
v. Plastics used to protect concrete or timber piers and docks or for flotation shall be subject to regular inspection to prevent sloughing of plastics into the waterway. A comprehensive inspection and maintenance plan shall be a requirement of any approval for projects involving plastic/or similar material wrapped piles.
vi. The lessee shall be made responsible for removal of failed docks or materials.
vii. If federal or state regulatory agencies, through new or better scientific information, determine that environmentally less damaging materials or methods are available for new piles or piling replacement, the least environmentally damaging materials and/or methods should be required for such projects, where feasible.

County Position: Support with modification.

Comment: The County does not agree with requiring a monitoring and assessment component to evaluate the effectiveness of a MWQMP. In addition, in-water development is the responsibility of the Coastal Commission to regulate and monitor.

New Development / Circulation

15) CCC Recommendation: (A) Although redevelopment of the 1994 DKS transportation model is not recommended as part of this review, any changes to the cap system (that is based on the DKS study), if proposed, should be based on a revised model or equivalent comprehensive traffic analysis. (B) Amend LIP section 22.46.1180.A.11.b to reflect the County's current traffic study guidelines and its requirement that studies be based on and consistent with the most recent studies of major projects in the area, including models prepared for the Airport LAX expansion and Playa Vista Phase II traffic models.

County Position: Support with modification.

Comment: The County is not proposing to exceed the total p.m. peak hour trip cap on traffic; therefore, the only issue is reallocation of that trip cap throughout the Marina. This is best accomplished through a detailed traffic study, rather than a model, regardless of whether adjustments are proposed in the "cap system", so long as the total cap is not exceeded. The County retained a traffic consultant to conduct a comprehensive traffic study of all developments and roadway improvements that require plan amendments. The traffic study utilized information from recent pertinent traffic models, including those prepared for the Airport LAX expansion and Playa Vista Phase II, as well as models prepared by cities and local agencies. The study included the impact of all surrounding development projects and infrastructure projects that affect the transportation system.

16) CCC Recommendation: The County should consider options for funding a bus/shuttle system. Such funding could be used to support a regional bus/shuttle system operated by

a regional or local government transit agency that serves Marina del Rey. The County should amend sections 22.46.1100.C. 2 and 22.46.1190.A.3 and A.5 to require an ongoing assessment to support shuttle buses as part of all retail, residential and hotel development, as a Category 1 improvement. If funding is required as part of a lease extension, the amount contributed should be acknowledged in the issuance of the coastal development permit. Consider additional assessments for all projects.

County Position: Oppose.

Comment: The County supports funding alternative transportation programs to the greatest extent possible, and a shuttle currently operates on summer weekends. The County supports the expansion of the shuttle system in Marina del Rey, with the goal to ultimately provide year-round service, provided there is sufficient demand for the service and the funding is available.

However, the County and the Metropolitan Transit Authority (MTA) agree that, at this time, the Marina del Rey shuttle service primarily serves recreational, shopping and other non-commuter trips, and that shuttle service will not reduce commuter peak-hour demands, which is required for a Federal grant called the Jobs Access and Reverse Commute, administered by MTA. Nor has the County determined that a shuttle system will effectively mitigate the traffic impacts caused by new development along internal roadways within Marina del Rey. The County expects a shuttle system will be more effective if implemented in conjunction with a light rail transit system.

The LCP's Category 1 improvements are funded by one-time developer fees. Since the primary expenses of a shuttle system are operating and maintenance costs, Category 1 fees could not fund an ongoing shuttle system. Category 1 fees are $1,592 per peak-hour trip, yielding a total of $4,378,000 for the buildout of the LCP. Based on a conservative estimate of $500,000 per year to operate a shuttle system, the Category 1 fees could not fund a shuttle system for an extended period of time. Therefore, funding a shuttle using these developer fees is not sustainable for its ongoing operation costs.

Rather than focusing on a shuttle/bus system for commuter purposes, there should be greater support of the WaterBus and other visitor-serving transportation options. Commuter shuttle services are not within the scope of the County to support without the existence of a regional transportation solution.

17) CCC Recommendation: The County should amend LCP Ordinances Sections 22.46.110.B, 22.46.1060, and 22.46.1190A.3, 5, 9 and 15 to require improvements or proportional contributions that would enhance non-automotive transportation from all development: pedestrian and alternative traffic modes; widened sidewalks; jitney stops; stops for water taxi; and dinghy tie-ups as part of site plan review.

County Position: Support with modification.

Comment: The County encourages a range of options for improving non-automotive transportation inside and near the Marina where feasible, and is working on several transit projects to enhance non-automotive transportation. The options include improving pedestrian access by widening sidewalks where possible, improving the South Bay Bike Trail through the Marina, extending the Playa Vista shuttle to establish shuttle service in the Marina to the extent justified, maintaining bus service into the Marina, providing water taxi service and stops, and adding pedestrian crossings where feasible (for instance, crossings of Admiralty Way at Mindanao Way and at the library were added). The County is also actively participating on the Lincoln Corridor Task Force to plan a dedicated traffic

lane along Lincoln Boulevard for bicycles and buses for the short term and light-rail transit for the long term. Development projects are currently required to increase public access by way of bicycle path and pedestrian promenade to the maximum extent possible considering the size of the parcel. DBH is also preparing dock plans for the Chace Park peninsula that include dinghy tie-ups. Additionally, developments are being required to include dinghy tie-ups, as appropriate. However, the Category 1 fee assessment does not currently include these types of improvements. The County will revise the County Code to require that these features be included as part of a site plan.

18) CCC Recommendation: The County should amend LCP Ordinance Sections 22.46.1050, 22.46.1100.B.2 and Appendix G to include the improvement of pedestrian access across and along thoroughfares as part of roadway design.

County Position: Support.

Comment: The County Department of Public Works (DPW) has instituted new requirements that all new development, where feasible, widen sidewalks along their frontage to provide eight-foot sidewalks on the public roads and five-foot sidewalks on the mole roads.

The County will amend Appendix G to reflect the status of various Category 1 improvements, which have been proposed by DPW to mitigate the internal traffic impacts of development within Marina Del Rey. Development-specific traffic studies have determined various lane configurations, which are intended to provide improved traffic signal operations and overall circulation while still achieving the same level of service expected from the original Category 1 improvements. In addition, the County has identified various Category 1 improvements which are either infeasible due to right-of-way constraints or have already been implemented and should be removed from the list.

18A) CCC Recommendation: In preparation for amending its LCP the County should undertake a comprehensive LCP update of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies and other facilities identified through a community planning process.

County Position: Support.

Comment: The County will batch current LCP Amendments (LCPA) into a single amendment supported by a cumulative impact assessment of all LCPAs as well as all reasonably foreseeable projects.

19) CCC Recommendation: Revise the LCP to require that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use to a private use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public serving and park uses in the Marina.

County Position: Support.

Comment: A Draft Right-Sizing Parking Study based on the pending project-driven LCP amendments has been prepared to determine demand for public parking within Marina del Rey boundaries, resulting in the right-sizing of public parking spaces for specific activity areas. All parking calculations in the LCP will be reconciled to the Right-Sizing Parking Study in the batched map and text amendment.

20) CCC Recommendation: The County should amend its LCP to include development standards that would incorporate the design elements in the Asset Management Strategy (similar to many of the LCP policies concerning public access and site design). For example:

- Maintain the visibility of public spaces;
- Integrate the building with open space and access areas; and, identify the County agency best qualified to undertake this review

County Position: Support with modification.

Comment: The County supports including policy statements in the LCP that guide development design with respect to maintaining the visibility of public spaces and integrating the building with open space and access areas. The County does not support placing specific development design standards into the LCP.

21) CCC Recommendation: The County should revise the LCP in order to include incentives to provide priority to free or lower cost public uses on waterfront parcels designated for residential use but developed with mixed uses, including visitor serving commercial and public facility uses.

County Position: Support with modification.

Comment: This is not an issue in the Marina. Only two residentially-designated waterfront parcels contain mixed uses (Parcels 15 and 18), and both are visitor-serving. The County agrees with providing incentives for free or lower-cost public uses on waterfront parcels that contain residential uses and that can accommodate mixed-use development. In fact, there are existing requirements to provide view corridors and promenade access when leases for residential developments are renewed. In addition, Beaches & Harbors uses its best efforts during the lease negotiation process to involve lessees in other public improvements, such as Marina Beach enhancements. The County does not intend, however, to adopt a policy of eliminating residential uses in favor of free or lower-cost public uses.

22) CCC Recommendation: The County should amend the LCP to strengthen development standards to preserve existing public and lower cost recreation facilities including free facilities; assure that these facilities and public rights to them are maintained.

County Position: Support with modification.

Comment: This recommendation cannot be supported in its current form because it is too vague. To the extent the Recommendation is aimed at preserving and/or enhancing park space, the County has identified areas it wishes to expand or add for open public use, such as Chace Park and Oxford Basin.

23) CCC Recommendation: The County should amend LCP Definitions to define "hotel" and should evaluate opportunities to protect the availability of, and encourage additional, short-term overnight accommodations in the Marina. To protect and maximize public access, LUP and LIP definitions and development standards should exclude private fractional ownership of hotel/motel rooms on publicly owned land designated for visitor or public uses. And for areas not designated for visitor use, in any hotel, motel or similar project that includes timeshare or fractional or condominium ownership components, the County shall address, among other factors, peak use demands in the summer, availability of units to the general public and operational provisions to require hotel/motel management of a facility. LCP Standards should ensure that such projects maximize public access in operation of

the hotel/motel, including restrictions on the percentage of units privately [individually] owned and length of stay.

County Position: Support with modification.

Comment: The County does not believe the inclusion of fractional or timeshare ownership concepts are inconsistent with the Coastal Act or current LCP so long as operational parameters ensure the facility treats hotel and timeshare/fractional visitors in the same manner.

24) CCC Recommendation: In-Lieu Fees for Lower Cost Overnight Visitor Accommodations. The County should update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost. The in-lieu fee would be required as a condition of approval of a coastal development permit in order to provide significant funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Los Angeles County. The fee would be based on the per bed "mid-range" land acquisition and construction costs to build a lower cost overnight visitor accommodation in the coastal zone of Los Angeles County for 25% of the total number of proposed overnight visitor accommodations in the new development. The fee (i.e. $30,000 in 2007) shall be adjusted annually to account for inflation according to increases in the Consumer Price Index – U.S. City Average.

The required in-lieu fees should be deposited into an interest-bearing account, to be established and managed by one of the following entities approved by the Executive Director of the Coastal Commission: Los Angeles County, Hostelling International, California Coastal Conservancy, California Department of Parks and Recreation or a similar entity. The purpose of the account should be to establish lower cost overnight visitor accommodations, such as new hostel beds, tent campsites, cabins or campground units, at appropriate locations within the coastal area Los Angeles County. The entire fee and accrued interest would be used for the above-stated purpose, in consultation with the Executive Director, within ten years of the fee being deposited into the account. Any portion of the fee that remains after ten years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities in a Southern California coastal zone jurisdiction or other organization acceptable to the Executive Director. Required mitigation shall be in the form of in-lieu fees as specified herein or may include completion of a specific project that is roughly equivalent in cost to the amount of the in-lieu fee and makes a substantial contribution to the availability of lower cost overnight visitor accommodations in Los Angeles County.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation, and aims to provide lower cost overnight visitor accommodations, including campsites and hostel accommodations near Marina del Rey; however, the proposed in-lieu fee scheme is too onerous. While adjusting the in-lieu fee annually to account for inflation is reasonable, the amount proposed in the Recommendation is not. In addition, the County could not agree to release to the State or non-profit entities the in-lieu fees collected as mitigation for Marina projects.

25) CCC Recommendation: The County should amend Section 22.46.1180 12(a), which specifies the contents of the revised final plans which are submitted to the Design Control Board to include all elements subject to the Design Control Board's review and all design elements listed in the Asset Management Strategy:

... The design control board, as a condition of its approval, may require the applicant to return with final plans for approval of signage, landscaping, color site plans, onsite open space and project features that facilitate public uses, including parking and nonautomotive transportation including tram stops *and other details.*

If the County amends the LCP to assign site plan review to the regional planning commission, the amended language should provide authority to the regional planning commission to evaluate site plan designs for consistency with the LCP, including how well "onsite open space and project features that facilitate public uses" will provide public access.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation; however, the County believes the newly approved amendment covering the role of the Design Control Board, effective in 2009, addresses Coastal Commission's concerns and should not be further modified.

26) CCC Recommendation: The County should promote "green building" design and construction practices that reduce the negative environmental impacts of buildings and improves occupant health and well-being consistent with State or Nationally recognized programs, such as the Leadership in Energy and Environmental Design (LEED) system.

County Position: Support.

Comment: All new development is required to meet the Countywide Green Building Ordinance, effective January 2009, which includes both State and nationally recognized programs, including LEED.

Recreation and Visitor Facilities

27) CCC Recommendation: The County should revise the LCP to design locate public parking in areas that provide easy access to the recreation and visitor-serving facilities located throughout the Marina (see also suggested Recommendations 39 and 40). The County should revise the LCP to prohibit relocation of public parking lots to the periphery of the marina unless 1) equivalent public parking is also reserved in priority locations as part of development projects and 2) an effective internal transportation system, such as a shuttle bus system or other equivalent transportation system has been fully funded for long-term operation (25+ years) and available for use.

County Position: Support with modification.

Comment: The County agrees that having a shuttle program in concert with well-situated parking structures is desirable. The County has instituted two new transportation programs – the Beach Shuttle (land) and the WaterBus (water). The Beach Shuttle, which functions half-hourly from Memorial Day to Labor Day and serves Playa Vista, Marina del Rey and Venice Beach, will expand as needed and to the extent funding is available. The County opposes this recommendation only to the extent of the shuttle system for residents, which has been demonstrated to lack demand. With our response, the County is including information on the various other forms of public transit mentioned above. Parking demand and locations, however, will be determined by the Right-Sizing Parking Study.

28) CCC Recommendation: Because the LCP ordinance Section 22.46.170 requires the replacement of any public parking, public park or boating facility before it is relocated, consider a 2:1 replacement ratio for displaced parks or lower cost facilities, unless the park or lower cost facility is to be replaced on the waterfront.

County Position: Oppose.

Comment: Due to the Right-Sizing Parking Study, the County now has a long-term understanding of the projected parking needs in Marina del Rey up to the year 2030. The Right-Sizing Parking Study determined the ultimate parking needs and locations in Marina del Rey. As the Study shows, a 2:1 replacement is not rationally related to actual need. There is no proposal to move public parking away from the waterfront if it is currently located there.

The County recommends a 1:1 replacement for displaced parks, meaning that the same acreage of park should replace any relocated park. The County does not believe the loss of low- or no-cost visitor facilities is a critical issue in the Marina, but recognizes that any potential loss calls for careful consideration.

29) CCC Recommendation: The County should encourage individual leaseholds that are not being redeveloped to upgrade and improve, on or off-site, public access along the waterfront consistent with LCP requirements for new development in order to provide a uniform and contiguous pathway throughout the marina.

County Position: Support.

Comment: The County agrees to this recommendation to the extent that "encourage" means good-faith efforts as opposed to regulation. The County cannot interfere with current leasehold rights and can only solicit the cooperation of lessees without any real leverage. Further, this provision currently exists in the LCP.

30) CCC Recommendation: The County should update the LCP to include a uniform signage plan for the marina that is developed to link all recreational facilities (i.e., trails, bikepaths, parks, and viewing areas) throughout the marina. Such signage should be located along the main thoroughfares and at, or along, the recreational sites.

County Position: Support with modification.

Comment: The County intends to expand its uniform signage plan for the marina to include links to all recreational facilities (i.e. trails, bike paths, parks and viewing areas) throughout the marina following approval of Phase II developments. Such signage should be located along the main thoroughfares and at, or along, the recreational sites. However, all signage along the public roads maintained by the Department of Public Works is subject to Public Works guidelines.

31) CCC Recommendation: Policy A.2.e.5, that addresses mitigation for non-coastal priority or non-marine related uses through the contribution to a Coastal Improvement Fund, should be modified as follows:

i. 2.e.5. Any new proposal for construction of facilities in the existing Marina that is a non-coastal priority or non-marine related use shall require offsetting mitigation. Mitigation shall be accomplished by contribution to a Coastal Improvement Fund. This Fund is primarily intended to finance construction of local park facilities. Uses exempt from this policy requirement include hotels, visitor-serving commercial, ~~office~~ and marine commercial uses.

County Position: Support.

Comment: The County agrees that office uses should not be exempt from this contribution requirement.

32) CCC Recommendation: The Coastal Improvement Fund implementing ordinance, Section 22.46.1950 and 22.46.1970, should be similarly modified to ensure that all non-visitor-serving uses and non-marine related uses are required to contribute to the Coastal Improvement Fund, and the fee should be adjusted annually based on the consumer price index to reflect increased construction costs for local park facilities.

County Position: Support.

Comment: The County agrees that non-visitor serving uses and non-marine related uses should contribute to the Coastal Improvement Fund.

33) CCC Recommendation: Although the LCP requires parking areas be attractively designed with a buffer of landscaping, berms or other screening materials, buffering should be designed and maintained as to not impact the public's view of the water from public streets, trails, or bike paths (Policy A.2.e.7).

County Position: Support.

Comment: The County agrees with this recommendation and the LCP currently requires parking areas be attractively designed with a buffer of landscaping, berms or other screening materials, and should be designed to the extent possible and maintained as to not impact the public's view of the water from public streets, trails, or bike paths. However, it should be noted that providing attractive landscaping to buffer the view of parking lots, while concurrently providing view corridors or views over public parking lots, are sometimes mutually-exclusive endeavors.

34) CCC Recommendation: Through the development review process and through improvements to existing facilities, the bikepath should be developed and located along the waterfront wherever feasible and when it can be designed to minimize conflicts with safe pedestrian access.

County Position: Support.

Comment: Although the County supports this recommendation, the challenge to narrow parcels in accommodating both the promenade, which also must be along the waterfront, and the bike trail must be recognized. At times, there is insufficient depth to accomplish this and still produce a visitor-serving project. There are plans to widen and install bicycle lanes along Fiji Way by early 2011. The County works to ensure the maximum safety for pedestrians and cyclists in Marina del Rey.

35) CCC Recommendation: The LCP should be revised to maximize public views of the coastal waters in the development of recreational facilities.

County Position: Support with modification.

Comment: This County supports the intent of this recommendation; however, it is a bit unclear. Recreational facilities in Marina del Rey are primarily parks and beaches. With the exception of Yvonne B. Burke Park and Oxford Basin, these facilities are all on the water. The public's views are made available from trails, but support buildings (such as restrooms and maintenance buildings) and landscaping can obstruct views for a short

time. It is not known what is intended by this recommendation beyond what is already accomplished in the Marina. This wording can be added to the LCP if it is revised to make clear that service facilities, landscaping, and safety considerations that require public accessways to be away from the water are excluded from this requirement, and that the place from which the views are going to be preserved is clearly stated (e.g., from the promenade looking toward the water).

Public Access

36) CCC Recommendation: In order to assure maximum access the LCP requirements for provision of public access should be implemented even in minor projects that impact public access. The LUP and Section 22.46.1110 should be modified to ensure adequate consideration of access in all development projects, such as adding to 22.46.1110(B):

B. In Marina del Rey, all land is owned by the County of Los Angeles and all leaseholders hold leases subject to an obligation to provide for active public use, and maximum public enjoyment of the public recreational land. Private rights have been granted by contracts, which in some cases limit public use of the parcels. Existing public accessways are identified in Existing Shoreline Access Map (Map 2) of this Specific Plan (see Map 2 at the end of Part 3 of this chapter), and it is the policy of the County that all development preserve existing access to the Marina, to its bulkhead walkways and to its waters. Where development will increase the numbers of residents or guests (including users of any commercial development) *on the parcel, this Specific Plan identifies additional bulkhead access and identifies that a public access corridor or other public accommodations in that location would benefit the public, said additional access, including vertical access, shall be guaranteed by the leaseholder of that parcel pursuant to subsection A of this section.* Where development does not increase the numbers of residents or guests on the parcel but extends the life of existing development that has unmitigated public access impacts, public access enhancements shall be required.

County Position: Support with modification.

Comment: In order to assure maximum access, the LCP requirements for provisions of public access should be implemented where feasible only in projects pursuant to lease extensions, whether or not the numbers of residents or guests on the parcel increase.

37) CCC Recommendation: In order to assure maximum access, the LCP requirements for provisions of public access should assure that where public access and public safety conflicts are raised by proposed new development, alternative siting and design of the development shall be considered in order to provide shoreline access without creating a safety conflict. And, where a proposed project would restrict shoreline access, and where no feasible alternatives exist to provide shoreline access in conjunction with the project, if the project is to be approved, alternative access enhancements are required, such as provision of signage, benches, or viewpoints. (Section 22.46.1160 Access Restrictions and 22.46.1120 Findings).

22.46.1160 Access Restrictions. *A. Public access may be restricted in certain locations around the Marina, such as in front of the sheriffs station and near launch hoists, in the interest of pedestrian safety,* provided there are no feasible alternatives for siting, designing or managing development to provide safe pedestrian shoreline access. *Necessary restrictions and management may consist of, but are not limited to, the following:*

-- Construction of fences, guard rails or other barriers to prevent the public from

entering areas where hazardous activity is occurring;
-- Limiting public access to certain hours of the day or days of the week when hazardous activities are not in operation;
-- Posting of warning signs which notify the public of potential safety hazards;
-- Relocation of the public access to ensure pedestrian safety.
B. Any restrictions deemed necessary by the authority supervising a site determined to be hazardous shall be reviewed for incorporation into the conditions of a coastal development permit for new development in these areas. In addition, in cases where public access is restricted by or in connection with development, the developer shall provide alternative public enhancements elsewhere in the development zone such as provision of alternative access, interpretive enhancements, benches, or viewpoints as mitigation for the access impacts of the development.
C. Where access standards of a different width or location are necessary to avoid demolition of existing structures, to set access ways back from existing development, or to avoid hoists and staging areas, the applicant may provide access ways of a different width or location that are sensitive to the development if such access provides continuous connection to other bulkhead access ways, as well as maximum public benefit. In no event shall access provided be less than ten feet in width. (Ord. 95-0058 § 1. 1995: Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)
22.46.1120 Access -- Findings.
In order to make the appropriate findings to impose vertical or lateral access requirements, the County shall:
A. Base all findings on factual evidence obtained at the public hearing, submitted by the applicant or interested parties, or discovered during the staff's investigation;
B. Evaluate the individual and cumulative impacts of the proposed development on public access and recreation opportunities;
C. Identify the access-related problems associated with the development;
D. Cite the specific Coastal Act provisions that are impacted by the development;
E. Evaluate feasibility of alternatives and *[e]xplain and how the proposed conditions would solve the access problem created by the development and are related in the nature and extent to the impacts of the development on the public's right to access the Marina.*

County Position: Support.

Comment: The County agrees with the objective of this recommendation. The County can adjust the LCP to exclude boatyards, launch facilities and yacht clubs with launch facilities from the shoreline promenade requirement so long as a lateral trail and parkette are established at the site. In order to be clear, the County shall identify those areas on a map that will be excluded from the promenade requirement and show generally where the access will be.

38) CCC Recommendation: The LCP should be updated to incorporate new policies and standards in the Access Component designed to identify and implement the California Coastal Trail (CCT). The LCP should include revisions consistent with the following:

a. Identify and define the CCT as a continuous trail system traversing the length of the state's coastline and designed and sited to include a continuous lateral trail and connecting with contiguous trail links in adjacent jurisdictions.

b. Provide that the trail be designed and implemented to achieve the following objectives:
- Provide a continuous walking and hiking trail as close to the ocean as possible;
- Provide maximum access for a variety of non-motorized uses
- Maximize connections to existing and proposed local trail systems;

- Maximize ocean views and scenic coastal vistas; and,
- Provide an educational experience where feasible through interpretive facilities.

c. Provide that the trail be sited and designed to be located along the shoreline where physically and aesthetically feasible.

d. Provide that the trail be designed and located to: 1) avoid any significant disruption of habitat values in, or significantly degrade, environmentally sensitive habitat areas to the maximum extent feasible, and, 2) incorporate existing waterfront paths and support facilities of shoreline parks and beaches to the maximum extent feasible.

e. The LCP Access Component should be amended to incorporate any plans and designs for locating and implementing the CCT within the Marina, including mapped alignment with linkages and parking staging areas.

f. The LUP Policy 13 on Directional Signs should be revised to integrate future signage in Spanish and in English related to the California Coastal Trail, when available, with Marina visitor signage programs:

> *13. Public awareness of shoreline access ways and public areas* <u>including the California Coastal Trail,</u> *shall be promoted by the provision of appropriate signs, outdoor exhibits and brochures. All development in the existing Marina shall be required to incorporate the following informational features to improve the public's awareness of access opportunities and the coastal environment:*
>
> *a) Outdoor maps indicating the location and type of public access ways and parks* <u>including the California Coastal Trail</u>*;*
> *b) Identifying and directional signs;*
> *c) As appropriate, facilities for brochures and other informational aids: and*
> *d) Outdoor exhibits describing historical, biological and recreational aspects of the Marina, coast, wetlands and other aspects of the coastal environment, which should be coordinated and integrated with similar such exhibits which may be established in other areas of the Playa Vista project. (LUP 1996 p.1-8)*

<u>County Position</u>: Support with modification.

<u>Comment</u>: The County supports the Coastal Trail to the extent its current alignment is already accommodated by the existing bike trail and promenade, each of which will be improved to the extent feasible as redevelopment of the Marina occurs. The language of the directional signs should be consistent with other directional signage, as addressed in comments to Recommendation 30.

39) <u>CCC Recommendation</u>: The County should incorporate into the LCP Access Component a Comprehensive Parking Management Plan that:

- Evaluates the overall parking resources needed to support not only planned development uses but also the planned public access promenade, open space parks, viewpoints, public boating and recreation areas. Such a comprehensive plan should provide for siting and designing new parking to support future public facilities and maximize access to those facilities.
- Monitors buildout of redevelopment projects for adequacy of parking and if necessary updates existing parking standards and parking replacement requirements.
- Ensures public parking adjacent to waterfront lots for beach and boating use is protected and maximized where feasible;
- Considers shared management of parking to provide additional parking for the public;

- Expands opportunities for peripheral parking with possible shuttle system for visitors to commercial and recreational areas; and,
- Ensures that new development is phased so that adequate parking and/or shuttle system from peripheral parking is in place before new development is approved.

County Position: Support.

Comment: The Right-Sizing Parking Study has been prepared and is completely responsive to this recommendation. The results of the Study will be placed in the batched map and text amendment.

40) CCC Recommendation: Revise filing requirements to require that new development include a parking plan showing 1) all existing parking onsite for all designated uses; 2) all parking spaces for proposed development; 3) parking alternatives for proposed development that maximizes potential demand for boater and promenade/park use parking on site; and 4) its share of the public parking needed for Marina-wide general recreation facilities (such as the Promenade and public parks). The parking plan should ensure that development does not reserve all parking on the site for only marina residents, customers, or guests.

County Position: Support with modification.

Comment: The County can accommodate this recommendation to the extent it conforms to existing filing requirements pursuant to both the LCP and the County Planning and Zoning Code. The County cannot support the recommendation to the extent it accommodates public use parking at residential leaseholds, which the County believes is neither necessary nor effective. Public parking is either already available or being pursued at convenient and meaningful access points to the promenade and recreation facilities.

The filing requirements should be revised to require that new development include a parking plan showing: 1) All existing parking on-site for all designated uses; 2) All parking spaces for proposed development; and, 3) Parking alternatives for proposed redevelopment that maximizes potential demand for boater parking on-site.

41) CCC Recommendation: Any applicable revisions to the Specifications and Minimum Standards of Architectural Treatment and Construction (1989) that have been adopted since update of the LCP or are adopted in the future should be submitted for review as a proposed amendment to the LCP Appendix C.

County Position: Oppose.

Comment: Standards regulating the visual features, or "look", of structures do not belong in an LCP.

42) CCC Recommendation: Sections 22.46.1060 Community Design Guidelines and 22.46.1180(A)(1) Filing Requirements should be modified to provide that development applications shall include project plans that show all proposed public access improvements, including lateral and vertical access and turnout areas for future shuttle and/or transit stops where appropriate.

County Position: Support.

Comment: This is already done in all plans but can be made a part of the filing requirements.

Biological Resources and Environmentally Sensitive Habitat Areas

The Coastal Commission recommends:

> "Revise the LCP to include a new Section 5-1 to incorporate policies and implementing standards to ensure assessment, identification and designation of sensitive resources and ESHA as part of project review. The policies and standards should address the following..." (Page 36, Periodic Review)

County Position on Environmentally Sensitive Habitat Areas: The County does not support the reintroduction of ESHA policies into the Marina del Rey Local Coastal Program (LCP) for all of the following reasons:

- All of the resources in the LCP area were known at the time the California Coastal Commission (CCC) eliminated the ESHA section from the LCP in 1996 as documented in the Commission's own findings in 1996. The fact that the herons have moved around is in the nature of their behavior. But, herons were present at the time the Commission made its determinations in 1996. In terms of wetlands, given the very high historic profile of the Ballona wetlands, including at the time of LCP certification, it is difficult to believe this was not taken into consideration. Nonetheless, policies for wetlands and attention to the Oxford Basin are in the LCP and the 1996 findings.
- The County knows of no reason to designate any of the resources in Marina del Rey as ESHA and appreciates the notation by staff that even occupied trees in a marina have not been so considered. In this regard, the County believes a common misconception of resources in an ESHA determination context stems from the impression that nothing can be done to protect or mitigate for the resource unless it is designated ESHA. The County believes that the Conservation and Management Plan being prepared for inclusion in the LCP is sufficient protection of these resources under the Coastal Act.
- The County has no objection to recognizing that sensitive resources need to be devoted attention in the County's CEQA process, for which the County believes it routinely applies aggressive CEQA-level mitigation. This approach could generate a considerable amount of funding and mitigation for both the Marina and adjacent resources.
- The Oxford Flood Control Basin (Parcel P) is adequately addressed in the LCP. Moreover, the County has agreed to adopt wetland characterizations not only for Parcel P, but also for a portion of Parcel 9. With respect to the small portion of Parcel 9 containing a wetland, the County has already conducted an extensive study of this area. Even though not required by the LCP, the County caused the proposed development project on the parcel to be redesigned to avoid the wetland. The County has also worked for many years with the CCC and other regulatory agencies on protecting this resource.
- The County continues to work with surrounding agencies toward mutual goals on resource protection. The County does not believe an additional overlay of policy is necessary in the Marina to address the salutary objectives of environmental protection under CEQA or the Coastal Act.

For all of these reasons, the County strongly disagrees that the LCP lacks adequate safeguards, particularly when combined with the County's CEQA and consultation process.

43) CCC Recommendation: As the LUP already contains a definition of ESHA, add a definition of Wetland consistent with Section 30121 of the Coastal Act and Section 13577(b) of Title 14 of the California Code of Regulations. Any areas that meet the definition of Wetland shall be protected consistent with the policies of the LCP and Coastal Act.

County Position: Support with modification.

Comment: The County concurs with this recommendation to the extent that it applies only to the non-flood control portion of Parcel P and a portion of Parcel 9, the only undeveloped property in the Marina and where a wetland has been identified on a small part.

44) DELETED.

45) CCC Recommendation: Assess the resources on a site and determine the presence of any Environmentally Sensitive Habitat Areas based on the best available information, including current field observation, biological reports, and additional resources from the Department of Fish and Game and the U.S. Fish and Wildlife Service. At a minimum areas identified in Exhibit 13 should be assessed. Modify the LUP Filing requirements (Section 5-1 and LIP section 2246.1180) to require, as part of application requirements, that on sites that potentially contain sensitive habitat, for example, trees that support nesting and roosting herons and egrets, protected bird species or wetlands or upland resource areas, new development:

a. shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, or potential impact on biological diversity or productivity of adjacent Environmentally Sensitive Habitat Areas, a detailed biological study shall be required through the development review process. Such assessment should include site-specific biological assessments of whether a habitat area provides an ecologically valuable habitat for sensitive species, including bird species that nest, forage and roost in the marina area and the adjacent Ballona wetlands and the proposed development's impact on the biological productivity of any biological resource within and adjacent to the site. The biological study should also include mitigation measures for any negative impacts to the habitat.

b. Where the required initial site inventory indicates the presence or potential for wetland species or indicators, the County shall, in addition to the submittal of a detailed biological study of the site, require delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils, a preponderance of hydrophytic vegetation, or evidence of wetland hydrology will be considered presumptive evidence of wetland conditions. The delineation report will include at a minimum a (1) a map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points, and (2) a description of the surface indicators used for delineating the wetland polygons. Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by the consultant doing the delineation.

County Position: Oppose unless modified.

Comment: The County supports the sub-item a. recommendation to require a biological inventory as part of application requirements and to require mitigation measures for impacts to sensitive biological resources. The County does not support sub-item b., as the County does not recognize that there are wetland areas in Marina del Rey other than those that have been identified on the non-flood control portion of Parcel P and a portion of Parcel 9.

46) CCC Recommendation: Accessways located within or adjacent to ESHAs shall be sited to minimize impacts to ESHAs to the maximum extent feasible. Measures, including but not limited to, signage and fencing should be implemented as necessary to protect ESHAs.

County Position: Support with modification.

Comment: The County does not recognize any ESHAs in Marina del Rey. The County does recognize, however, that there may be restored habitat areas in the flood control portion of Parcel P, and in the wetlands portion of Parcel 9, and that accessways adjacent to these restored resources should be sited to minimize impacts.

47) CCC Recommendation: Protection of ESHAs and public access shall take priority over other development standards. Accordingly, where there is any conflict between general development standards and ESHAs and/or public access protection, the LCP should make clear that the allowable use(s) of the area and the development regulations applicable in the area are governed by the ESHAs and public access standards.

County Position: Oppose.

Comment: The County does not recognize ESHAs in Marina del Rey. Protection of public access is addressed in the County's comments to the New Development/Circulation section recommendations. While the County supports the concept that public access has priority over general development standards should conflicts arise, issues such as public safety and the operation of marine commercial facilities must also be taken into consideration.

48) CCC Recommendation: Degraded coastal resources or habitat areas shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

County Position: Support with modification.

Comment: The County supports this Recommendation to the extent that native vegetation planted in conjunction with new development and indicated on a landscaping plan included with the project's application, is not subject to restoration or mitigation requirements if removed in the future.

49) CCC Recommendation: New development should be sited and designed to avoid adverse impacts to ESHAs. If there is no feasible alternative that can avoid adverse impacts through implementation of siting and design alternatives adverse impacts should be fully mitigated.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey.

50) CCC Recommendation: Development in the Marina should be sited and designed to minimize impacts to sensitive species or habitat values of areas adjacent to the Marina including Area A, and the Ballona wetlands, or areas which may be designated as State Ecological Reserves, to the maximum extent feasible. The siting and design of structures in the Marina should take into account areas planned for future habitat restoration. Development should consider measures to minimize spillover impacts on adjacent resources and habitat areas including, but not limited to, impacts to resources from sources such as night lighting, building height, run-off and noise.

County Position: Support with modifications.

Comment: The County supports the intent of this recommendation and believes that with the CEQA process and working in coordination with the Department of Fish and Game, in addition to current Green Building and Standard Urban Stormwater Mitigation Plan requirements, the issue of how projects are sited and designed in relation to sensitive species or areas is addressed. However, this issue shall be addressed more clearly in a future LCP update.

51) CCC Recommendation: Mitigation measures for impacts to wetlands or other ESHAs that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the County annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. However, if after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

County Position: Oppose.

Comment: As there are no ESHAs in Marina del Rey and the wetlands designation applies only to the non-flood control portion of Parcel P and a small portion of Parcel 9, the County will provide guidelines for habitat enhancement on these parcels separate from the LCP.

52) CCC Recommendation: Update the LCP to incorporate an Environmentally Sensitive Habitat (ESHA) component through an LCP Amendment. The County should undertake a biological assessment of tree stands within Marina del Rey to determine which stand of trees provide important nesting and roosting habitat for birds protected by the Fish and Game Code, the Migratory Bird Treaty Act and all species of concern. Tree stands identified as nesting and roosting habitat for these bird species shall be designated as ESHA. The LCP amendment should incorporate policies and standards to ensure long term protection of the marina heron and egret rookeries consistent with the following:
A. The assessment should consider the Marina area resources in relation to the wetlands in Area A and Ballona. It should look at availability of habitat throughout the wetlands and the Marina to support protected bird species and identify any Marina habitat that may be needed to provide habitat for protected species. It should identify any active or historic nesting and roosting areas.
B. Measures should be developed to protect the active or historic nesting and roosting areas by appropriate means, which may include, but are not limited to, restrictions on timing of construction, restrictions on tree trimming or tree removal, setbacks, fencing, signage, and seasonal access restrictions.
C. Policies and standards for mitigation may incorporate the County Policy No. 23 "Tree Pruning in Marina Del Rey and on County Beaches in Accordance with Native Bird Breeding Cycles", dated12/5/06, if modified to ensure the long-term protection of the heron rookery and the modified Policy is adopted into the LCP through an LCP amendment. Any tree pruning policy should include at a minimum, protection for all species of concern and include specifications and standards for approval of pruning during breeding season and removal of dead palm fronds with attached nests and other activities. The County may develop and approve a programmatic coastal development permit for the tree pruning

program. However, the removal of any tree determined to be ESHA shall require a separate coastal development permit and shall only be allowed if necessary to protect public health and safety and shall require 1:1 mitigation with specimen sized trees. Tree removal shall only be done during the non-nesting season.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County is committed to protecting tree stands that provide important nesting and roosting habitat for birds. Practices for protecting such trees will included and referenced in the LCP update.

53) CCC Recommendation: The use of insecticides, herbicides, rodenticides or any toxic chemical substance within and adjacent to ESHAs should only be used as part of an integrated pest management program and to the maximum extent possible, avoid the use of these substances except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey.

54) CCC Recommendation: The use of insecticides, herbicides, rodenticides or other toxic substances by County employees and contractors in construction and maintenance of County facilities should be implemented through an integrated pest management plan which minimizes the use of these substances.

County Position: Support with modification.

Comment: The County agrees with minimizing the use of these and other toxic substances and will be evaluating whetherguidelines for using toxic substances in construction and maintenance of facilities could be developed and implemented in a future LCP update.

55) CCC Recommendation: LUP Landscaping requirements (LUP p.9-7 #12, LIP Appendices pp. C-14 #G and LIP pp.5 22.46.1060) should be modified to ensure that vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation is not permitted in any area designated as wetlands or ESHAs. Landscaping plans should preclude use of plant species listed as "noxious weed" by the State of California or listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council or as may be identified from time to time by the State of California. Habitat restoration and invasive plant eradication may be permitted if designed to protect and enhance habitat values.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey. However, the County supports the Recommendation in that the use of "noxious weeds" and invasive species for habitat restoration should be prohibited in the non-flood control portion of Parcel P and a portion of Parcel 9, as well as within landscape plans for new development.

56) CCC Recommendation: Development adjacent to wetlands or ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Buffer areas shall be determined based on specific site characteristics and resource values, and shall be of sufficient width to protect the biological functions of the resources they are designed to protect. While wetland buffer widths of 100 feet are preferred, if site

constraints preclude such buffer width and no siting and design alternatives are feasible to allow for such a buffer, a lesser buffer width may be allowed.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County is supportive of minimizing development impacts to habitat values or sensitive species within the non-flood control area of Oxford Basin and the wetland portion of Parcel 9, to the maximum extent feasible.

57) CCC Recommendation: Any area mapped as wetland or ESHAs or otherwise identified as a biological resource area shall not be deprived of protection, as required by the policies and provisions of the LCP, on the basis that the habitat has been illegally removed, filled, degraded, or that species of concern have been illegally eliminated.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County supports the Recommendation as it applies to the non-flood control portion of Parcel P and a portion of Parcel 9.

58) CCC Recommendation: The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes may be permitted in accordance with all policies of the LCP, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the uses specified in Section 30233 of the Coastal Act.

County Position: Support with modification.

Comment: The County supports this recommendation as it applies to the wetlands designated on the non-flood control portion of Parcel P and a portion of Parcel 9.

59) CCC Recommendation: Where any dike or fill development is permitted in wetlands in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of a similar type. Adverse impacts will be mitigated at a ratio of 3:1 for seasonal wetlands or freshwater marsh, and at a ratio of 4:1 for saltmarsh. The County shall coordinate with the California Department of Fish and Game, U.S. Army Corps of Engineers, U. S. Fish and Wildlife Service, and other resource management agencies, as applicable, in review of development applications.

County Position: Support with modification.

Comment: The County believes the requirements of the various agencies should be harmonized on a case-by-case basis with respect to wetlands on the non-flood control portion of Parcel P and a portion of Parcel 9 and not predetermined in an LCP.

60) CCC Recommendation: Habitat enhancement and restoration of the Oxford basin should be identified as a goal in a future LCP amendment. Although the Oxford Basin is a flood control basin it has restoration potential as a transitional upland/wetland area for wading birds. To the extent feasible, the Oxford Basin area should be restored to provide habitat for wading birds and for passive public recreation while maintaining its function as a flood control facility. A restoration/enhancement plan should be prepared for the area and designed to improve the water quality of runoff entering the basin and should include specific measures to filter and infiltrate runoff. The plan should include an interpretive

signage program and any public trails through the area should be sited and designed to minimize disturbance to nesting birds. Any dredging of the basin for routine maintenance or habitat enhancement purposes shall comply with the Water Quality Policies of the LCP, Regional Water Quality Control Board requirements, California Department of Fish and Game Regulations, and Army Corps and US Fish and Wildlife Regulations.

County Position: Oppose.

Comment: The Department of Public Works has already begun planning an Oxford Basin improvement project, the Oxford Retention Basin Flood Protection Multiuse Enhancement Project, which includes water quality and habitat enhancement concepts, as well as aesthetic enhancement and passive recreation features. Coastal Commission staff should consider a broader description of habitat enhancement rather than limiting it to wading birds. Large bird populations may have a negative impact on water quality within the Basin despite all efforts otherwise to address such an impact through Basin redesign. Identification of pollutants coming from natural sources, and particularly birds, will not likely relieve the Flood Control District and/or the County from associated water quality regulatory compliance. From a technical perspective, infiltrating runoff in the Basin is not feasible due to the high level of ground water.

61) CCC Recommendation: As part of a LCP comprehensive update, the County shall incorporate findings of Commission ecologist, Dr. Jonna Engel, (memorandum, entitled, "Status of nonnative tree stands serving as multi-species heronries in Marina del Rey", dated December 10, 2007) of the ESHA status of the tree stands in the marina, and designate such sites as ESHA. For additional areas a site-specific biological assessment should be undertaken by a qualified biologist of the plant and animal species present on a project site to determine the presence of any additional ESHA, as defined in the LUP, based on the best available information, including current field observation, biological reports, and additional resources from the Department of Fish and Game and the U.S. Fish and Wildlife Service. Development within and adjacent to subsequently identified ESHA shall be consistent with the ESHA Resources Protection policy below.

County Position: Oppose.

Comment: The County will not support the recommendation for ESHA.

62) CCC Recommendation: Environmentally Sensitive Habitat Areas (ESHA) designated within the Marina, as determined through a site specific biological assessment of a project site, these shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

County Position: Oppose.

Comment: The County will not support the recommendation for ESHA.

Cultural Resources

63) CCC Recommendation: The LCP Policies B.7-1-6 and Ordinances 22.46.1180(5) and 22.46.1190(2) should be updated to revise noticing, consultation and measures to protect traditional tribal cultural places, features, and objects consistent with the Government Code and Office of Planning and Research Guidelines pursuant to SB 18.

County Position: Support.

Comment: The County will address this provision in a future LCP update.

64) CCC Recommendation: Modify LUP Policy B.7-4 that, if any resource is discovered during any phase of development construction that involves earth moving operations including grading, excavation and site preparation, a professional archaeologist and appropriate Native American consultant(s) shall be retained to monitor any earth-moving operations in the study area. A halt-work condition shall be in place in the event of cultural resource discovery during construction.

County Position: Support.

Comment: The County will address this provision in a future LCP update.

Hazards

65) CCC Recommendation: The LCP ordinances for required geotechnical analysis and conditions of approval should be updated to update names of applicable agencies and to ensure that projects for coastal development permits implement any new requirements of state or locally adopted Hazard Mitigation Plans related to tsunami and runup hazards and should require new development be constructed to resist lateral movement due to the effect of water loading from the maximum expected event, to the greatest extent feasible.

County Position: Support.

Comment: The County is preparing a revision to Los Angeles County Zoning Code, Title 22, Section 22.46.1180 that accommodates both the seismic acceleration correction, and tsunami hazard requirements.

Procedures

66) CCC Recommendation: The determination that a development is exempt from coastal development permit requirements under Section 22.56.2290 of the County code should be accompanied by a written project description and an indication of the reasons that the work is exempt. Such log concerning exemptions shall be kept on file and available for public inspection at the Department of Regional Planning, or if feasible, available electronically.

County Position: Support.

Comment: The County will address this provision in a future LCP update.

67) CCC Recommendation: Land Use Plan Policy C.8 -10 that addresses affordable housing should be modified to include language that encourages the protection of existing and provision of new affordable housing within the coastal zone of Marina del Rey.

County Position: Support with modification.

Comment: The County has adopted an Affordable Housing Policy for Marina del Rey under which all new residential development in Marina del Rey complies with the Mello Act by preserving existing affordable housing supplies (replacements units) and creating new affordable housing units (inclusionary units). The number of replacement units required is based on the results of an income survey that sets the replacement units on a like-for-like basis as determined by the income level of existing tenants whose income level triggers the replacement requirement. The number of inclusionary units is calculated as 15 percent of the net new incremental units to be constructed as part of the project with one-third reserved for very low-, one-third reserved for low-, and one-third reserved for moderate-income persons and families.

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

February 4, 2010

To: Small Craft Harbor Commission

From: Kerry Silverstrom for Santos H. Kreimann, Director

Subject: **ITEM 6d – NEW STATE CITIZENS REDISTRICTING COMMISSION**

Item 6d on your agenda pertains to the State of California's effort to form the first Citizens Redistricting Commission.

To ensure the Los Angeles County region has its fair share of representation on this new State Commission, on January 19, 2010, the Board of Supervisors directed the County Chief Executive Officer to work with other partners in promoting an outreach plan to help identify candidates for the new Citizens Redistricting Commission. Toward this end, we urge every eligible citizen to consider applying for this Commission.

After the federal census is taken every ten years, California must redraw the boundaries of its State Senate, Assembly and Board of Equalization districts to reflect the new population data. Previously in California, these boundaries were drawn by lawmakers. When voters passed Proposition 11 (the Voters FIRST Act) in the November 2008 general election, that responsibility transferred to the people in the form of a new Citizens Redistricting Commission. The 14-member Commission will be comprised of five Democrats, five Republicans, and four members registered with other political parties or independent.

Log onto http://www.wedrawthelines.ca.gov to view the application and find out more about this important role and process vital to California's future. **Interested parties should submit applications promptly as applications are due by Friday, February 12, 2010.**

SHK:KS:GJ:PW:ks

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

February 4, 2010

TO: Small Craft Harbor Commission

FROM: Kerry Silverstrom for Santos H. Kreimann, Director

SUBJECT: **ITEM 7a - ONGOING ACTIVITIES REPORT**

BOARD ACTIONS ON ITEMS RELATING TO MARINA DEL REY

On January 12, 2010, the Board of Supervisors adjusted the water rate for Marina del Rey for calendar 2010 to pass through wholesale water rate increases from the West Basin Municipal Water District, the wholesale water agency serving the Marina del Rey Water System. The wholesale weighted average rate increased from $667 in 2009 to $863 in 2010, for an effective wholesale percent rate increase of 29.4%.

On January 19, 2010, the Board of Supervisors approved a resolution authorizing the Sheriff to accept and sign a $24,000 grant award agreement from California Department of Boating and Waterways, with a 10% County match of $2,400, for the removal, storage and/or disposal of abandoned recreational watercraft within the Marina del Rey Sheriff's Station jurisdiction, for the period of November 1, 2009 through October 31, 2010.

REGIONAL PLANNING COMMISSION'S CALENDAR

The Regional Planning Commission (RPC) has set April 7, 2010 for the Parcels OT (Oceana Retirement Facility) and 21 (Holiday Harbor) projects to return to the RPC for reconsideration.

On February 3, 2010, the RPC continued the hearings for the proposed projects on Parcels 9U (Woodfin Hotel) and 10/FF (Neptune Marina/Legacy Apartments) to March 10, 2010.

VENICE PUMPING PLANT DUAL FORCE MAIN PROJECT UPDATE

On January 12, 2010, the Los Angeles City Council unanimously approved the project. On January 26, 2010, the Board of Supervisors directed County Counsel to file a writ in Superior Court challenging the City's approval of the Venice Dual Force Main sewer project.

OXFORD BASIN PROJECT UPDATE

The Oxford Basin Multiuse Project is now in the engineering design phase. A biological survey is currently underway, and analysis of sediment and water quality is nearing completion. The environmental review process will begin within the next couple months, and another public meeting will be held to update the community and gather additional input.

REDEVELOPMENT PROJECT STATUS REPORT

The updated Marina del Rey Redevelopment Projects Descriptions and Status of Regulatory/Proprietary Approvals report is attached.

UNLAWFUL DETAINER ACTIONS

For the month of February, there are two unlawful detainer lawsuits reported by the lessees. Both are for failure to pay rent or other monetary obligations.

DESIGN CONTROL BOARD MINUTES

The minutes from the December 2009 meeting of the Design Control Board are attached.

PARCELS 49 AND 77 COMPETITIVE SELECTION PROCESS

The selection committee, as outlined in the Request for Proposals, is in the process of reviewing the proposed projects.

DIVERSION OF BALLONA CREEK DRY WEATHER FLOW TO HYPERION

As provided at last month's meeting, the County's Department of Public Works (DPW) has opined that diverting Ballona Creek's dry weather flow to Los Angeles City's Hyperion Sewer Treatment Plant is technically feasible. However, the County does not presently have a budget to pursue this project, which will include but not be limited to a full environmental impact report, review of rights of way needed for the various project alternatives, and a contract with the City of Los Angeles to discharge the diverted flow to the Hyperion plant.

PUBLIC ACCESS ON STRIP OF LAND BETWEEN OCEAN FRONT WALK AND THE BEACH

Per your Commission's request to show the alignment of a proposed bike path/walkway, attached is a rough sketch showing a walkway along the north jetty connecting Via

Marina to the beach. There is a sign prohibiting bicyclists posted at the entrance to the walkway; the sign was posted to reduce the accident potential between pedestrians and bicyclists.

The sketch also shows the City of Los Angeles' original plan to extend the Marvin Braude Bike Path southerly along the beach to the North Jetty. However, once opposition was expressed by residents whose property fronts the beach alignment, a subsequent route branching off from Washington to Via Dolce, then onto Marquesas Way and Via Marina was proposed. With respect to this second alignment, the County's Department of Public Works agreed that Via Marina could be improved to accommodate bicycle lanes, which would require Via Marina to be widened and/or the raised median modified. The City was, therefore, informed that if it wished to proceed with this project, it would need to be City funded. The County agreed to cooperate by expediting the required agreement, plans and permits.

CHANNEL SHOALING AT THE NORTH ENTRANCE

Because of an elevated sand bar at Marina del Rey's north entrance (about 25 feet from the north jetty), the Harbormaster has installed shoaling buoys to warn boaters of the condition and has issued a warning through the United States Coast Guard's system, "Local Notice to Mariners" (attached). The north entrance is open with approximately 100 yards' clearance. If boaters stay outside of the aids to navigation buoys (green buoys) and the hazard buoys (white buoys), the channel bottom should be clear of the shoaling with a minimum of 10' depth at low tide. Boaters are advised to use caution when navigating through the area as conditions do change and buoys can move.

SHK:GJ:ks
Attachments (4)

Marina del Rey Redevelopment Projects
Descriptions and Status of Regulatory/Proprietary Approvals
As of January 8, 2010

Map Key	Parcel No. -- Project Name/Lessee	Lessee Name/ Representative	Redevelopment Proposed	Massing and Parking	Status	Regulatory Matters
1	7 -- Tahiti Marina/K. Hakim	Kamran Hakim	* Building refurbishment and relocating landside boating facilities * Docks will not be reconstructed at this time	Parking -- Possible slight reduction of parking due to relocation of landside boating facilities. Impact is currently unknown.	Proprietary -- Board action on term sheet on 9/29/09 Regulatory -- Initial Study received by Regional Planning in May 2009	No Variance proposed
2	8 -- Bay Club/ Decron Properties	David Nagel	* Building refurbishment, no new construction * Docks will be reconstructed	Massing -- Two 43' tall 3-story residential buildings over parking Parking -- 315 residential parking spaces and 172 slip parking spaces	Proprietary -- Term sheet action by BOS August 2008; lease extension option approved by BOS 12/8/09 Regulatory -- DCB continued from July 2008 with concept approval August 2008. Site Plan Review application filed with DRP on 12/4/08. The 30-day public review period of the MND ended 11/9/09 and was adopted by BOS 12/8/09.	No Variance proposed
3	9 -- Woodfin Suite Hotel and Vacation Ownership/ Woodfin Hotels	Ben Ryan	* 19-story, 288-room hotel (152 hotel rooms and 136 timeshare suites) * 6-story, 360-stall parking structure * New public transient docks * 28 foot-wide waterfront promenade * Wetland park	Massing -- 19-story hotel with 5-story parking structure, 225' tall, on northern half of parcel with view corridor and wetland park on southern half Parking -- All parking required of the project to be located on site	Proprietary -- Term sheet action by BOS February 2007 Regulatory -- DCB initial hearing May 2006, approved in concept June 2006; Regional Planning application filed November 2006; RP Commission continued the item from 10/29/08, and on 10/14/09 requested a DCB review for promenade improvements prior to item returning to the Commission on 2/3/10; DCB approval on 12/17/09.	Timeshare component Wetland Variance for enhanced signage and reduced setback adjacent to waterfront promemande
4	10/FF -- Neptune Marina/ Legacy Partners	Sean McEachern	* 526 apartments * 161-slip marina + 7 end-ties * 28 foot-wide waterfront promenade * Replacement of public parking both on and off site	Massing -- Four 55' tall clustered 4-story residential buildings over parking with view corridor Parking -- 103 public parking spaces to be replaced off site	Proprietary -- Term sheet action by BOS August 2004; lease documents approved by BOS August 2008 Regulatory -- DCB initial hearing May 2006, approval in concept June 2006; Regional Planning application filed November 2006; RP Commission continued the item from 10/29/08, and on 10/14/09 requested a DCB review for promenade improvements prior to item returning to the Commission on 2/3/10; DCB approval on 12/17/09	LCP amendment to allow apartments on Parcel FF, remove Open Space category, and to transfer development potential from other development zones Parking permit to allow 103 replacement public parking spaces off site Variance for enhanced signage and reduced setbacks
5	100/101 -- The Shores/ Del Rey Shores	Jerry Epstein/ David Levine	* 544-unit apartment complex * 10 new public parking spaces	Massing -- Twelve 75' tall 5-story residential buildings Parking -- All parking required of the project to be located on site plus 10 public beach parking spaces	Proprietary -- Lease extension Option approved by BOS December 2006. 18-month extension of Option approved by BOS on 12/15/09. Regulatory -- Regional Planning approval June 2006; BOS heard appeal February 2006; and approved project March 2007. Per court order, EIR redone as to grading; BOS approved EIR 12/16/08; Plancheck application filed	Variance for enhanced signage
6	95/LLS -- Marina West Shopping Center/Gold Coast	Michael Pashaie/ David Taban	*23,500 square feet of commercial/retail/restaurant and public park component.	Massing -- Single story buildings Parking -- All parking required of the project to be located on site	Proprietary -- New Term sheet to be negotiated Regulatory -- To be determined	No Variance proposed
7	145 -- Marina International Hotel/ IWF Marina View Hotel	Dale Marquis/ Mike Barnard	* Complete refurbishment	Massing -- 40' existing and proposed max height Parking -- To be determined	Proprietary -- Term sheet initialed on Regulatory -- DCB initial hearing November 2008; conceptual approval granted January 2009. Initial Study received by Regional Planning May 2009	No Variance proposed
8	OT -- Oceana Retirement Facility/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	* 114-unit congregate care units plus ancillary uses * 5,000 square feet of retail space * Replacement public parking both on and off site * Public accessway from Washington to Admiralty	Massing -- One 5-story residential (senior) building over ground-floor retail and parking, 65' tall Parking -- All required project parking to be located on site; 92 public parking spaces to remain on site, 94 public parking spaces to be replaced off site near Marina Beach	Proprietary -- Lease documents approved by BOS July 2008. Regulatory -- DCB conceptual approval August 2005; Regional Planning application filed May 2006. DEIR public review period from 9/3 - 10/19/09. RP Commission continued the project during the 10/21/09 hearing to 12/16/09 where staff was directed to finalize the EIR prior to returning to the Commission on 4/7/10	LCP amendment to create Active Seniors Accommodations Land Use Category and rezone OT from Parking to Active Seniors Accommodations with Mixed Use Overlay Zone, and transfer development potential between Development Zones Parking permit for senior retirement facility and to allow some replacement public parking off site. No Variance proposed
9	33/NR -- The Waterfront	Ed Czuker/Derek Jones	* 292 apartments * 32,400 square-foot restaurant/retail space * Rooftop observation deck * Replacement public parking both on and off site	Massing -- Three 5-story mixed use residential/retail buildings (two 44' tall and one 61' tall) with view corridor Parking -- All required project parking to be located on site; 69 public parking spaces to be replaced on site.	Proprietary -- Lease documents in process and economic terms being negotiated Regulatory -- DCB concept approval August 2004; revised project to DCB on August 2008, then December 2008 where it was continued	LCP amendment to add Residential V and a Mixed Use Overlay Zone to Pol 33, and rezone NR from parking to Visitor Serving/Commercial with a Mixed Use Overlay Zone. Parking permit to allow some replacement public parking off site No Variance proposed
10	IR -- Marriott Residence Inn/ Pacifica Hotels	Dale Marquis/ Mike Barnard	* 147-room hotel * Replacement of public parking both on and off site * Marina Beach Promenade	Massing -- Two hotel buildings above parking, 45' tall, with view corridor Parking -- 197 public parking spaces to remain on site, 20 or 89 public parking spaces to be replaced off site depending on intersection project	Proprietary -- Lease documents approved by BOS Oct 2006. Lessee has withdrawn its project. Regulatory -- DCB approved in concept February 2006	LCP amendment to rezone site from Parking to Hotel Parking permit to allow some replacement public parking off site.
11	21 -- Holiday Harbor Courts/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	Phase 1 * 5-story, 29,300 square-foot mixed-use building (health club, yacht club, retail, marine office) * 92-slip marina * 28 foot-wide waterfront promenade and pedestrian plaza Phase 2 (Parcel C) * Westernmost portion of land to revert to County for public parking	Massing -- One 56' tall commercial building with view corridor Parking -- All parking required of the project to be located on site, including 94 replacement spaces from OT and Parcel 20 boater parking	Phase 1 Proprietary -- Lease option documents approved by BOS July 2008. Option has expired. Regulatory -- DCB conceptual approval obtained August 2005; Regional Planning application (landside) filed September 2006. DEIR public review period from 9/3 - 10/19/09. RP Commission continued the project during the 10/21/09 hearing to 12/16/09 where staff was directed to finalize the EIR and to have the DCB review promenade improvements prior to returning to the Commission on 4/7/10 Phase 2 (Parcel C) DCB hearing March and April 2006, item continued.	LCP Amendment to transfer parking from OT to 21 CDP for landside from Regional Planning CDP for waterside from Coastal Commission No Variance proposed
12	42/43 -- Marina del Rey Hotel/ IWF MDR Hotel	Dale Marquis/ Mike Barnard	* Complete refurbishment and dock replacement	Massing -- 36' tall hotel building Parking -- 372 Parking spaces	Proprietary -- Term sheets initialed; Parcel 42 on 9/7/09 and Parcel 43 8/31/09. Regulatory -- To be determined	No Variance proposed
13	44 - Pier 44/Pacific Marina Venture	Michael Pashaie/ David Taban	* Build 5 new visitor serving commercial and dry storage buildings * 91,090 s.f. visitor serving commercial space * 143 slips + 5 end ties and 234 dry storage spaces	Massing -- Four new visitor-serving commercial buildings, maximum 36' tall and one dry stack storage building, 65'5" tall. 771.5 linear feet view corridor proposed Parking -- 381 at grade parking spaces will be provided with shared parking agreement (402 parking spaces are required)	Proprietary -- Term sheet to be negotiated Regulatory -- Initial DCB review during the October 2008 meeting, but project will be revised.	Shared Parking Agreement No Variance proposed
14	52/GG -- Boat Central/ Pacific Marina Development	Jeff Pence	* 345-vessel dry stack storage facility * 30-vessel mast up storage space * 5,300 s.f. Sheriff boatwright facility	Massing -- 81.5' high boat storage building partially over water and parking with view corridor Parking -- All parking required of the project to be located on site, public parking to be replaced on Parcel 56	Proprietary -- Term sheet action by BOS on July 2006; SCHC approved Option March 2007; BOS approved Option May 2007. BOS granted extension and modification of Option on 11/10/09. Regulatory -- DCB, on May 2007 (continued from March 2007 meeting; April meeting cancelled) DISAPPROVED project. Regional Planning application filed December 2008. Screencheck Draft EIR received July 2009.	LCP amendment to rezone site to Boat Storage and to transfer Public Facility use to another parcel. Variance for reduced setbacks and Architectural Guidelines requiring that structures be within 15 ft. of bulkhead
15	55/56/W -- Fisherman's Village/ Gold Coast	Michael Pashaie/ David Taban	* 132-room hotel * 65,700 square foot restaurant/retail space * 30-slip new marina * 28 foot-wide waterfront promenade	Massing -- Nine mixed use hotel/visitor-serving commercial/retail structures (eight are 1 or 2-story and one 60' tall hotel over ground floor retail/ restaurant), parking structure with view corridor Parking -- All parking required of the project to be located on site; must include parking for adjacent Parcel 61 lessee (Shanghai Reds) and replacement parking from Parcel 52	Proprietary -- Lease extention Option approved by BOS December 2005. Option expired Regulatory -- DCB hearing May 2006, item continued; approved in concept July 2006. Regional Planning application filed May 2007. Screencheck DEIR in review.	Shared Parking Agreement Variance for reduced setbacks (side and waterfront)
16	64 -- Villa Venezia/ Lyon	Peter Zak	* Complete refurbishment	Massing -- Existing 224 units in 3 stories with portions over parking Parking -- All parking located on site	Proprietary -- New term sheet initialed 12/31/09. Regulatory -- To be determined. Project has changed. Refurbishment rather than redevelopment now proposed.	No Variance proposed

Note: Height information for projects will be shown as information becomes available.

DRAFT

MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD

December 17, 2009 2:00 p.m.

Department of Beaches and Harbors
Burton Chace Park
Community Building – 13650 Mindanao Way
Marina del Rey, CA 90292

Members Present:	Peter Phinney, A.I.A., Chair, Fourth District Helena Lin Jubany, First District Tony Wong, P.E., Fifth District
Members Absent:	Simon Pastucha, Vice-Chair, Third District David Abelar, Second District
Department Staff Present:	Santos Kreimann, Director Gary Jones, Deputy Director Charlotte Miyamoto, Chief, Planning Division Ismael Lopez, Planner Teresa Young, Secretary
County Staff Present:	Tom Faughnan, Principal Deputy County Counsel Michael Tripp, Department of Regional Planning
Guests Testifying:	Aaron Clark, Armbruster Goldsmith & Delvac, LLP Gin D. Wong, Wong & Associates Ben Ryan, The Hardage Group Justin Wortman, Gin Wong & Associates Aram Chahdazian, Architect for Legacy Partners Sean McEachern, Legacy Partners

1. **<u>Call to Order, Action on absences and Pledge of Allegiance</u>**
   Mr. Phinney called the meeting to order at 2:02 p.m. and Mr. Wong led the Pledge of Allegiance

   Mr. Wong (Phinney) moved to excuse Mr. Pastucha and Mr. Abelar from the meeting {Unanimous consent}

2. **Approval of the DCB minutes**
   Mr. Wong (Phinney) moved to approve November 19, 2009 minutes with the following changes (underlined):
   - On page one of the minutes **Mr. Phinney is the Chair** of the Design Control Board and **Simon Pastucha is the Vice-Chair**

3. **Design Control Board Reviews**
   A. Parcel 50 - Marina West Center - DCB #09-018
   Approval of the record of the DCB October 22, 2009 action continued from the November 19, 2009 meeting approving signage for Affordable Portables, a new tenant

   Mr. Wong (Jubany) moved to approve DCB Review #09-018 as submitted {Unanimous consent}

   B. Parcel 95 - Marina West Center - DCB #09-017-B
   Approval of the record of the DCB November 19, 2009 action approving permanent signage for Images Furniture Warehouse, a new tenant

   Mr. Wong (Jubany) moved to approve DCB Review #09-017-B as submitted {Unanimous consent}

   C. Parcel 7 - Tahiti Marina - DCB #09-019
   Approval of the record of the DCB November 19, 2009 action approving new dock gates

   Ms. Jubany (Wong) moved to approve DCB Review #09-019 as submitted {Unanimous consent}

4. **Consent Agenda**
   None

5. **Old Business**
   A. 2010 DCB Meeting Schedule
   Further consideration of the 2010 DCB Meeting Schedule

   Ms. Miyamoto stated that alternative meeting times were reviewed and due to scheduling conflicts some of the DCB members had, the best alternative was the third Wednesday of each month with meetings beginning between noon and 2 p.m.

   Public Comments
   None

   Board Comments
   Mr. Phinney expressed appreciation for staff's work in assembling the proposed schedule to work around his teaching schedule and Mr. Abelar's evening meeting conflicts. He then suggested 12:30 p.m. as the starting time

Mr. Wong suggested the approval of the calendar with the condition the two absent Board members have the opportunity to review the schedule

Mr. Wong (Jubany) moved to approve the 2010 DCB schedule as submitted with meetings on the third Wednesday, starting at 12:30 p.m., subject to review by absent DCB members {Unanimous consent}

B. Parcel 9 - Woodfin Hotel and Timeshare Resort - DCB #04-015-C
Further consideration of waterfront pedestrian promenade

Mr. Lopez gave an overview of the project

Mr. Ryan commented on the Regional Planning Commission meeting on October 14, 2009 where they were asked to present promenade improvements. He also provided details about the development's amenities and Variance to eliminate the 10-foot setback from the promenade

Mr. G. Wong described promenade improvements

Public Comments
None

Board Comments
Mr. Wong suggested the Applicant incorporate green building features, such as solar panels

Mr. Ryan, Mr. Clark and Mr. G. Wong noted that solar panels would be considered and that the project would meet the County's new green building ordinance

Ms. Jubany asked that when the Applicant returns to the DCB for final design review following entitlement approvals, they clearly delineate all new amenities including water taxi gate and shading improvements. The water taxi gateway canopy should cantilever over the water without obstructing water views and without surcharging the sea wall. This will extend the visual impact of the 28'-wide promenade. She added that paving, lighting, furniture and railing design needs to be coordinated with the parcels on either sides

Mr. Phinney asked Mr. Tripp to convey to the Regional Planning Commission the DCB's appreciation for sending the projects back to the DCB for architectural input

Mr. Phinney requested the Applicant and staff to research other agency water taxi stops and consider a unifying element such as a banner that could be used at all water taxi stops

Mr. Phinney concurred with Ms. Jubany's comments on the cantilever of the canopy and the coordination of the promenade paving and improvements with the adjacent parcels. He suggested a small canopy on the promenade with a larger canopy built on the dock

Mr. Phinney noted that palm trees are typically not approved by the DCB or Coastal Commission because many species are not drought tolerant

Mr. G. Wong commented that palm trees were proposed instead of tree species with canopies that may interfere with the Fire Department's access on the promenade

Ms. Jubany said she would like the DCB to review the Board Review of this item before it is submitted to Regional Planning

Ms. Miyamoto indicated the Board Review will be detailed

Mr. Tripp advised that the Regional Planning Commission wanted the promenade to be more welcoming

Mr. Wong (Jubany) moved to approve the project as submitted on DCB #04-015-C with the condition that the Applicant return post entitlement for final approval of landscape, lighting, signage, color and materials {Unanimous consent}

C. Parcels 10/FF - Neptune Marina - DCB #04-014-C
Further consideration of waterfront pedestrian promenade

Mr. Lopez gave an overview of the project

Mr. McEachorn discussed additional details considered for the promenade including sitting areas and planters

Mr. Chahdazian described the promenade improvements

Public Comments
None

Board Comments
Ms. Jubany noted the promenade paving pattern where vehicles have access should be differentiated to alert pedestrians

Ms. Jubany raised questions about the raised planter and asked they be reduced in height and scale so as to eliminate the notion of a barrier plus provide informal seating for the pedestrian. She expressed liking the unshaded benches that could be more of a sculpture and therefore beautiful and iconic. Ms. Jubany reiterated the need for coordination of the paving design where the promenade terminates at the adjacent parcels. She appreciated the proposed promenade furniture and light fixtures, but suggested establishing a creative design theme that is not cartoonish

Mr. Phinney commented on the elevation of the courtyards in relation to the promenade and accessibility to the public

Mr. Phinney asked that the porthole windows at the base of the buildings be rethought

Mr. Wong (Jubany) moved to approve DCB #04-014-C with the condition that a final design be submitted post-entitlement {Unanimous consent}

6. **New Business**

A. Board Review Approval Process
Discuss alternatives to the existing Board Review approval process

Ms. Miyamoto gave an overview of the project

Public Comments
None

Board Comments
Mr. Phinney noted that this process was an attempt to streamline the approval of all projects beginning in January 2010 whereby before the end of the meeting, staff would restate the DCB's motion and conditions of approval for those items selected by the Board

Ms. Miyamoto advised this would eliminate the 30-day wait period for the Board Reviews, as currently processed. The Board may elect to have any Board Review return the following meeting for consideration

Ms. Jubany (Wong) moved to approve the new Board Review process as suggested by Mr. Phinney {Unanimous consent}

7. **Staff Reports**
All Staff Reports were received and filed

Mr. Wong left the Design Control Board meeting at 3:40 pm and the quorum was lost

Ms. Miyamoto commented on the Local Coastal Program Periodic Review noting that the County is continuing to prepare the response document that is planned for submittal to the Coastal Commission by April 29, 2010

Mr. Tripp noted that the redevelopment project proposed for Parcels OT and 21 would return to DCB for additional review of pedestrian connections and promenade details, respectively before returning to the Planning Commission on April 7, 2010

Mr. Phinney suggested revisions to the Development Project Status Report to include the number of the projects in the Project Report Key Map on the waterside for waterfront projects listed, especially numbers 14 and 16

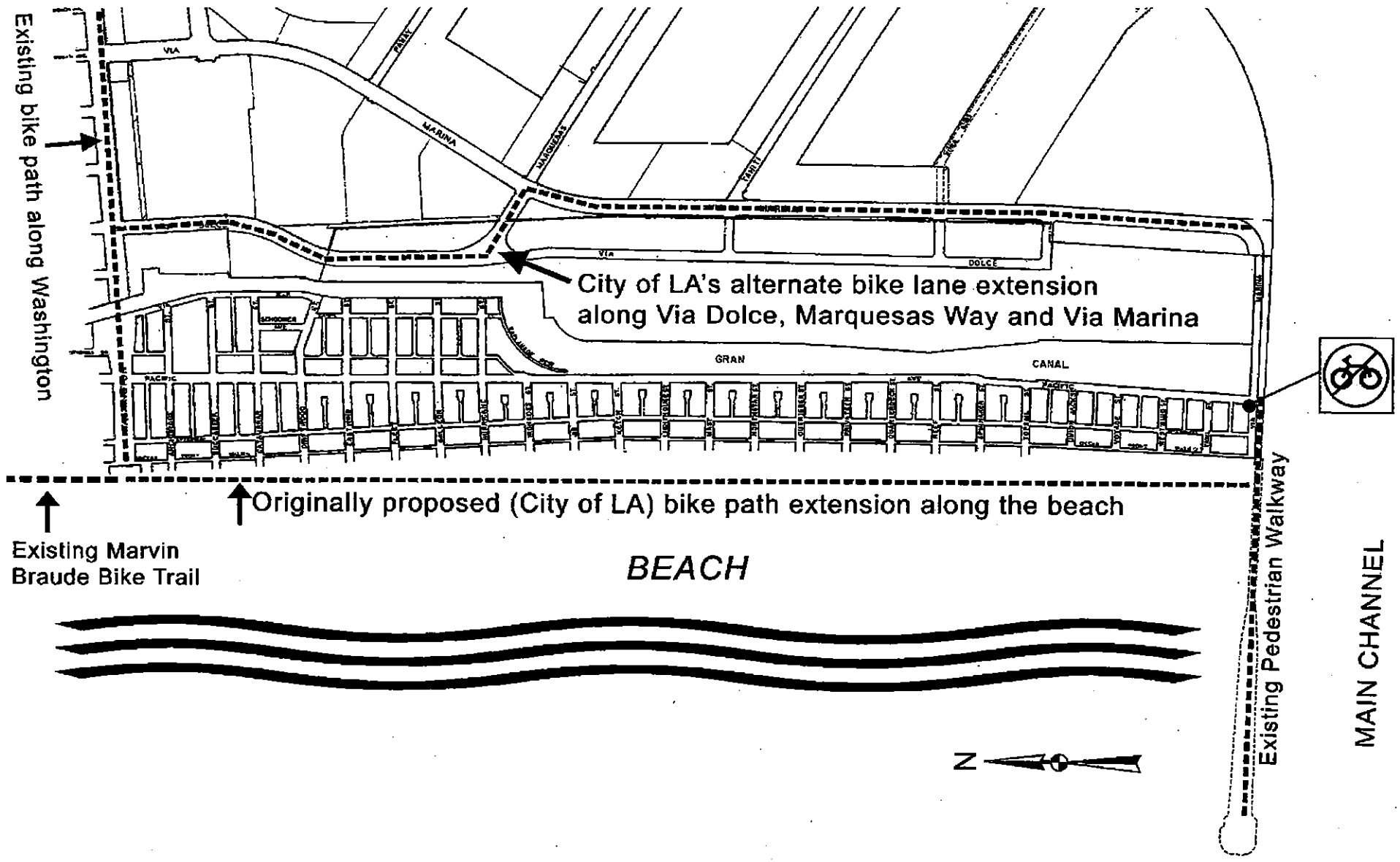
8. **Public Comments**
None

Adjournment

Mr. Phinney (Jubany) moved to adjourn the Design Control Board meeting at 3:46 p.m. {Unanimous consent}

Respectfully Submitted,

Teresa Young
Secretary for the Design Control Board


Existing bike path along Washington
City of LA's alternate bike lane extension along Via Dolce, Marquesas Way and Via Marina
Originally proposed (City of LA) bike path extension along the beach
Existing Marvin Braude Bike Trail
BEACH
Existing Pedestrian Walkway
MAIN CHANNEL
N
VIA
MARINA
MARQUESAS
TAHITI
DOLCE
GRAN
CANAL
PACIFIC

U.S. Department
of Homeland Security
United States
Coast Guard

LOCAL NOTICE TO MARINERS

District: 11 **Week: 05/10**

SEND CORRESPONDENCE TO:
COMMANDER
DISTRICT ELEVEN (DPW)
COAST GUARD ISLAND BUILDING 50-2
ALAMEDA, CA 94501-5100

BROADCAST NOTICE TO MARINERS - Information concerning aids to navigation and waterway management promulgated by BNM 0069-10 to BNM 0087-10 has been incorporated in this notice if still significant.

ABBREVIATIONS

A through H

ACOE - Army Corps of Engineers
ADRIFT - Buoy Adrift
AICW - Atlantic Intracoastal Waterway
Al - Alternating
B - Buoy
BKW - Breakwater
bl - Blast
BNM - Broadcast Notice to Mariner
bu - Blue
C - Canadian
CHAN - Channel
CGD - Coast Guard District
C/O - Cut Off
CONT - Contour
CRK - Creek
CONST - Construction
DBN/Dbn - Daybeacon
DBD/DAYBD - Dayboard
DEFAC - Defaced
DEST - Destroyed
DISCON - Discontinued
DMGD/DAMGD - Damaged
ec - eclipse
EST - Established Aid
ev - every
EVAL - Evaluation
EXT - Extinguished
F - Fixed
fl - flash
Fl - Flashing
G - Green
HAZ - Hazard to Navigation
HBR - Harbor
HOR - Horizontal Clearance
HT - Height

I through O

I - Interrupted
ICW - Intracoastal Waterway
IMCH - Improper Characteristic
INL - Inlet
INOP - Not Operating
INT - Intensity
ISL - Islet
Iso - Isophase
kHz - Kilohertz
LAT - Latitude
LB - Lighted Buoy
LBB - Lighted Bell Buoy
LHB - Lighted Horn Buoy
LGB - Lighted Gong Buoy
LONG - Longitude
LNM - Local Notice to Mariners
LT - Light
LT CONT - Light Continuous
LTR - Letter
LWB - Lighted Whistle Buoy
LWP - Left Watching Properly
MHz - Megahertz
MISS/MSNG - Missing
Mo - Morse Code
MSLD - Misleading
N/C - Not Charted
NGA - National Geospatial-Intelligence Agency
NO/NUM - Number
NOS - National Ocean Service
NW - Notice Writer
OBSCU - Obscured
OBST - Obstruction
OBSTR - Obstruction
Oc - Occulting
ODAS - Anchored Oceanographic Data Buoy

P through Z

PRIV - Private Aid
Q - Quick
R - Red
RACON - Radar Transponder Beacon
Ra ref - Radar reflector
RBN - Radio Beacon
REBUILT - Aid Rebuilt
RECOVERED - Aid Recovered
RED - Red Buoy
REFL - Reflective
RRL - Range Rear Light
RELIGHTED - Aid Relit
RELOC - Relocated
RESET ON STATION - Aid Reset on Station
RFL - Range Front Light
RIV - River
s - seconds
SEC - Section
SHL - Shoaling
si - silent
SIG - Signal
SND - Sound
SPM - Single Point Mooring Buoy
SS - Sound Signal
STA - Station
STRUCT - Structure
St M - Statute Mile
TEMP - Temporary Aid Change
TMK - Topmark
TRLB - Temporarily Replaced by Lighted Buoy
TRLT - Temporarily Replaced by Light
TRUB - Temporarily Replaced by Unlighted Buoy
W - White
Y - Yellow

Additional Abbreviations Specific to this LNM Edition: None

SOUTHERN CALIFORNIA-NAVAL TRAINING EXERCISE-SAN DIEGO

The U.S. Navy will conduct continuous training until 22 Jan 10 through 22 Apr 10 in the following areas located between 700 yds and 7000 yds east of San Diego Lighted Buoy 8.

Location 1
32-40-13N 117-12-41W
32-40-14N 117-11-48W
32-41-13N 117-11-49W
32-41-12N 117-12-41W
Location 2
32-40-01N 117-11-36W
32-39-49N 117-11-20W
32-40-32N 117-10-33W
32-40-45N 117-10-49W
Location 3
32-37-57N 117-08-33W
32-37-42N 117-09-12W
32-37-26N 117-09-04W
32-37-40N 117-09-27W
Location 4
32-38-31N 117-12-28W
32-38-24N 117-12-47W
32-38-55N 117-13-08W
32-39-02N 117-12-48W
Location 5
32-38-04N 117-12-02W
32-37-17N 117-11-18W
32-36-50N 117-11-58W
32-37-36N 117-12-43W

Mariners are advised to use caution when transiting the area. For more details or comments contact Brayden Duryee at 619-206-7026.

Chart 18772 LNM: 43/09

SOUTHERN CALIFORNIA-PILE DRIVING-SAN PEDRO BAY

Manson Construction will conduct continuous pile driving operations until 26 Feb 10 at Berth 143-145 in the Port of Los Angeles. D/B VALKYRIE will monitor VHF-FM Chan. 13, 16, and 66. Mariners are advised to transit the area with caution. For more details or comments contact Manson Construction at 310-521-1302.

Chart 18749 LNM: 52/09

SOUTHERN CALIFORNIA-SHOALING-MARINA DEL REY

There is a report of severe shoaling in the Marina Del Rey North Entrance Channel. The shoal was reported at low tide to be 16 inches and 2 to 3 feet at high tide in some places. Several buoys have been established to mark the shoaling. Mariners are advised to use caution while transiting the area. For more details or comments contact LA County Sheriffs Department at 310-482-6000.

Chart 18744 LNM: 05/10

SOUTHERN CALIFORNIA-SUBMERGED OBJECTS-SAN DIEGO

The U.S. Navy has placed ten submerged objects for training until 22 Apr 10, in the following positions:

32-40-59N 117-21-42W at 600 ft below surface.
32-40-26N 117-21-20W at 550 ft below surface.
32-41-04N 117-20-54W at 500 ft below surface.
32-40-58N 117-20-52W at 500 ft below surface.
32-39-50N 117-20-45W at 300 ft below surface.
32-40-22N 117-20-19W at 350 ft below surface.
32-41-05N 117-20-24W at 300 ft below surface.
32-39-24N 117-20-05W at 300 ft below surface.
32-37-49N 117-15-55W at 160 ft below surface.
32-37-29N 117-15-53W at 160 ft below surface.

Mariners are advised to use caution when transiting the area. For more details or comments contact Brayden Duryee at 619-206-7026.

Chart 18740 LNM: 43/09

SECTION VIII - LIGHT LIST CORRECTIONS

An Asterisk *, indicates the column in which a correction has been made to new information

(1) No.	(2) Name and Location	(3) Position	(4) Characteristic	(5) Height	(6) Range	(7) Structure	(8) Remarks	
85	*Scripps Offshore CCE-1 Research Buoy* *	33-29-00.000N 122-32-00.000W	Fl Y 4s			Yellow disk with skeleton tower. *	Private aid.	05/10