



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 19, 2015

TO: Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Anita D. Gutierrez 
Special Projects Section

**SUBJECT: Additional Materials for Hearing
Project No. R2014-01462-(4)
Coastal Development Permit No. 201400003
RPC Meeting: February 25, 2015
Agenda Item: 7**

Please find attached additional correspondence for the above referenced project, which was received subsequent to hearing package submittal to the Regional Planning Commission.

- Letter from the Marina del Rey Lessees Association
- Letter from G & K Management Co., Inc.
- Letter from E & S Ring Management Corporation
- E-mail from David Levine (Shores & Marina Harbor Apartments)
- E-mail from Greg Schem
- Letter and e-mail Alicia Black (The Harbor at Marina Bay)
- E-mail from Susanne L. Cumming, Esq.
- Frequently Asked Questions handout from the City of Los Angeles

Additionally, please find attached draft findings for the above referenced project for your consideration.

If you need further information, please contact Anita Gutierrez at (213) 974-4813 or agutierrez@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

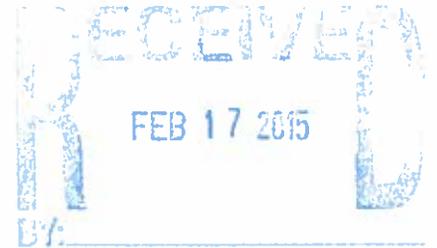
SD:AG

**Marina del Rey
Lessees Association**

C/o Mr. Timothy C. Riley, Executive Director
8537 Wakefield Avenue
Panorama City, CA 91402
Telephone: 818-891-0495; FAX: 818-891-1056

February 13, 2015

Regional Planning Commission
320 West Temple Street, 13th Floor
Los Angeles, CA 90012



**RE: Agenda Item #7, Wednesday, February 25, 2015
Project No. R2014-01462-(4)
Coastal Development Permit 201400003**

Dear Honorable Commissioners:

The Marina del Rey Lessees Association represents the leaseholders of anchorages, residential, commercial, marine and visitor-serving properties in unincorporated Marina del Rey. Many of the Marina's residential tenants are located in apartment complexes accessed by Via Marina, the proposed location for several of the City's construction shaft sites for the construction activities in connection with the Marina del Rey portion of the Venice Dual Force Main Project initiated by the City of Los Angeles.

The Association has several concerns about the negative impacts of proposed construction activities on the ability of residents to easily access their dwelling units from Via Marina and the mole roads of Marquesas Way, Tahiti Way and Bora Bora Way that intersect Via Marina. Additionally, the anchorages that are accessed on each mole road allows for residents and visitors alike to have use of the Marina's waters.

The City proposes to locate the construction shafts for the Venice Dual Force Main Project in close proximity to Via Marina's intersection with Marquesas Way, Tahiti Way and Bora Bora Way, as well as being proximate to the NW Passage entry to Mariner's Village. These shaft locations are extremely problematic in that they impede both the visual as well as driving access to the apartment complexes and anchorages located along these mole roads.

Relocating these construction shafts at a distance of approximately 100 feet away from any intersection would help to alleviate some of the inconvenience associated with the visual as well as driving access to the mole roads used daily by thousands of residents and boaters. The Commission should question the City Engineer and the City representatives about the location of these shafts. We have reason to believe that alternative locations, further removed from intersections, are entirely feasible and

achievable.

Of particular concern to the great number of residents and boaters trying to access Bora Bora Way and other areas to the south in the direction of the channel is the City's reduction of the traffic flow to one lane in each direction, without any turning lane. There is no southbound left turn lane on to Bora Bora Way. The left turn lane will be needed by the hundreds of residents, boaters and fuel trucks going to Del Rey Landing, and the lack of a left turn lane will create even greater traffic delays. This unacceptable condition has been created by the City's placement of the construction shaft in close proximity to the intersection with Bora Bora Way, unnecessarily reducing the width of the roadway. The City can reconfigure the location of the shaft to create the extra lane needed.

To alleviate the road condition near Bora Bora Way and to provide more protection to all properties impacted by the sewer project, Condition No. 23 should be revised to require a southbound left turn lane on to each mole road. Condition No. 23 is currently worded: "A minimum of one through-lane in each direction shall remain open on Via Marina at all times, throughout the duration of the project." Condition No. 23 should be revised and adopted as follows: "A minimum of one through-lane in each direction and a southbound left turn lane on to Marquesas Way, Tahiti Way, Bora Bora Way and NW Passage shall remain open on Via Marina at all times, throughout the duration of the project."

The location of the construction shaft adjacent to NW Passage creates an additional burden on residents and the traffic flow as the construction site is located on the east side of Via Marina adjacent to the apartment units. The City should be required to submit evidence as to the reasons the construction shaft may not be relocated to the west side of Via Marina somewhere else in the vicinity, thereby alleviating the negative impact of construction activity immediately adjacent to many apartment units.

With an exception of a small area on the City portion of Marquesas Way, the City has not provided for any contractor parking within the City limits, thus putting the entire burden on the County residents and boaters using Via Marina. As the County would not allow construction parking on Via Marina for workers for the County's own projects, why should the City not to adhere to the same requirements imposed on the County's own lessees?

County Parking Lot 13, which is only partially utilized the public at any given time, is being used for less than half of its available surface area for a construction shaft and contractor parking. At a minimum, more contractor parking and equipment storage could be placed on Lot 13, thereby reducing some impacts on Via Marina.

The City's Mitigation Monitoring Program (included in the RPC Package and posted on the Department of Regional Planning website) does not address public

safety issues. This is troubling because there is no indication in the Staff Report that either the Sheriff's Department or the Los Angeles County Fire Department has reviewed and approved the City's plan for emergency vehicle accessibility. Moreover, the lack of a left turn lane at Bora Bora Way should raise a serious issue of public safety as emergency vehicles will be seriously impeded by the unacceptable condition of reduced and inconvenient access. The County must insist on a better plan to protect the thousands of residents living in this part of Marina del Rey.

The City needs to adhere to the County's hours of operation of 8 a.m. to 5 p.m., Monday through Saturday. The County must insist that Conditions No. 29 and 30 must be followed, and that the existing language that permits the possibility for a requested deviation from these hours should be further conditioned to allow any deviation only for situations of extreme urgency and unforeseen circumstances in which all the named County departments would agree as a matter of immediate necessity.

The Association recognizes that the existing force main sewer built in 1960 is aging and in need of the additional sewage capacity to be provided. We appreciate that micro-tunneling helps to alleviate some of the construction impacts. Nevertheless, we urge the Regional Planning Commission, in consultation with County departments, to identify and implement additional mitigations that will lessen the burdens placed on the residents and boaters of our community.

Thank you for your consideration of our suggestions to minimize the inconvenience to the thousands of residents and boaters that will occur over an extended period of time during the construction activities for the Venice Dual Force Main Project.

Sincerely,

A handwritten signature in cursive script that reads "David O. Levine /m". The signature is written in dark ink and is positioned above the typed name and title.

David O. Levine
President



February 13, 2015

Regional Planning Commission
320 West Temple Street 13th Floor
Los Angeles, Ca. 90012

Re: Agenda Item #7, Wednesday, February 25, 2015
Project No. R2014-01462-(4)
Coastal Development Permit 201400003

Dear Honorable Commissioners,

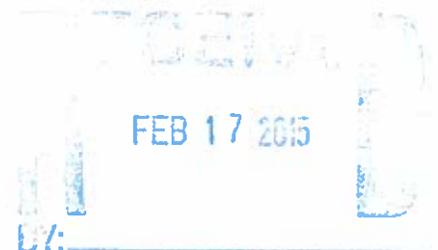
This letter is being written on behalf of Goldrich & Kest and the residents and boaters of our communities located at 13900, 13924, 13953 and 13970 Panay Way in Marina Del Rey. We would like to voice our concerns regarding the traffic mitigation during the Venice Dual Force Main Project. While the actual construction proposed is further down Via Marina from Panay Way, there is the potential for a negative impact at our location due to the decreased traffic lanes and lack of dedicated turn lanes at Marquesas Way, Tahiti Way and Bora Bora Way. This will cause the traffic to slow or stop and affect all areas of Via Marina. Additionally, our residents utilize the Dell Avenue alley for ingress and egress to the property which will also be limited by the construction. We would like to see a revised plan that would ease the potential traffic pile up and delays along Via Marina especially during the critical rush hours.

Thank you in advance for addressing our concerns,

Respectfully,



Susan Pardon
Regional Manager
G&K Management, Co., Inc.





February 16, 2015

Regional Planning Commission
320 West Temple Street, 13th Floor
Los Angeles, CA 90012

RE: Agenda Item #7, Wednesday, February 25, 2015
Project No. R2014-01462-(4)
Coastal Development Permit 201400003

Dear Honorable Commissioners:

E&S Ring Management Company manages 2,347 apartment homes in Marina del Rey, specifically off Via Marina, Marquesas, Bora Bora and Tahiti. We house approximately 4,515 people in our communities. As such, the purpose of this letter is to express our concern for our residents, boaters, guests of the Marina and future residents as it relates to the City of Los Angeles' plans for the Venice Dual Force Main construction project.

Current plans impact the residents in multiple ways that include the below.

- Traffic delays – we are concerned that each mole road will not have a southbound turn lane, particularly, for example, the location of the construction shaft near the intersection of Bora Bora Way. This shaft will reduce the traffic flow to one lane in each direction, without any turning lanes. There is no southbound left turn lane on to Bora Bora in the plans. The left turn lane will be needed by our residents, boaters and guests.
- Construction Shafts – the shafts impact the Marina Harbor residents' visibility and enjoyment of their home. Could these shafts be moved closer to the vacant land vs. being directly in the line of sight for our residents?
- Emergency Vehicle Access – we have an aging population as well as a number of children at our communities. We are very concerned about the ability for emergency vehicles to quickly respond to situations. And, there is a Fuel Dock at the end of Bora Bora Way—the same road on which we have over 500 apartments and hundreds of boat slips.
- Safety Concerns – we are unsure about any safety concerns that may impact our residents as well as our properties.
- Parking – parking is a valued commodity in the area. Events and lifestyle bring people to Marina del Rey, helping us all in successfully running our businesses. If parking is occupied by contractors, it burdens the residents and boaters of the area. Could County parking Lot 13 be used for construction staging and parking to lessen the impact on Via Marina?

Los Angeles Corporate Office
6601 Center Drive W, Suite 600
Los Angeles, California 90045
T (310) 337-5400
F (310) 641-7859

San Jose Corporate Office
950 South Bascom Avenue, Suite 1016
San Jose, California 95128
T (408) 703 2374
F (408) 971-2390

- Noise and Nuisance – the noise factor is a concern for our residents. We hope that the County will take a hard stand to ensure that construction hours are from 8 AM to 5 PM to minimize the impact to the larger population. Keep in mind, however, that we have many Internet commuters who will be impacted and are likely to reach out to the County to express their concerns.

In addition to the above but for the same reasons expressed, the project, which is slated to run 20 months, may impact our ability to quickly lease apartments homes resulting in losses to our company.

We hope that the County will speak on behalf of these residents and urge the City to consider changes that will improve the overall impact to, not only our 4,515 residents but, the thousands of residents located near and around our buildings.

Thank you for reviewing our concerns and for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dana David', written in black ink.

Dana David
President

Anita Gutierrez

From: David O. Levine [dlevine@shoresmdr.com]
Sent: Friday, February 13, 2015 10:13 AM
To: Anita Gutierrez
Cc: 'Napolitano, Steve'; 'Englund, Nicole'; Tim Riley; Gary Jones; John Kelly; Michael Tripp
Subject: Shores & Marina Harbor Objection to Venice Dual Force Main Permit
Attachments: Memo to LA DWP re Force Main 11-4-2014.pdf

I am writing on behalf of the Marina Harbor Apartments and Anchorage complex (966 apartments and 319 boat slips located on Tahiti Way, Via Marina, and Bora Bora Way) and Shores Apartments (544 apartments on Via Marina between Panay Way and Marquesas Way) to express our anger and frustration at the City of Los Angeles' plans for the Venice Dual Force Main construction project, and to urge the County of Los Angeles to impose strict mitigation requirements on the City in order to minimize the disruption which will be caused to our close to 2000 residents and boaters at the above-mentioned complexes alone.

I have been on record in opposition to this route and to the City's plans for many years. I appreciate the County's efforts to fight the City's designation of Via Marina as the route for this project, and was greatly disappointed by the County's loss in court.

Since last fall, I have been trying to convince the City to take several common-sense measures to minimize the impact of this construction on our residents, but to no avail. Attached please find an email exchange I had with the City following a meeting on November 4, 2014. None of the concerns I expressed in my follow-up email to the City have been addressed adequately since that meeting. I submitted testimony to the City's recent Permit hearing as well.

I hope and trust the County will stand up for itself and its residents and force the City to listen to the thousands of residents in Marina del Rey the City is inconveniencing just so the City's own (and far fewer in number of) residents are not affected by this work.

The construction shafts are located in close proximity to the intersections at Marquesas Way, Tahiti Way and Bora Bora Way, as well as being proximate to NW Passage. The locations of these shafts create access and visual impacts for residents and boaters that would be avoided by moving these shafts 100 feet away. We have reason to believe there is no reason the shafts could not be relocated.

This is of particular concern to us at Marina Harbor Apartments and Anchorage because the City's plans call for the location of the construction shaft near the intersection of Via Marina and Bora Bora Way, which, according to the City, will reduce the traffic flow to one lane in each direction, without any turning lanes. There is no southbound left turn lane on to Bora Bora Way. The left turn lane is used by hundreds of Marina Harbor residents and boaters, as well as boaters and fuel trucks going to Del Rey Landing fuel dock, and the lack of a left turn lane will create even greater traffic delays.

Is this situation really acceptable to the County Fire Department and Sheriff's Department? Public safety is in jeopardy—because of the inflexibility of the City.

At the very least, the City should reconfigure the location of the planned shaft and traffic management plans along Via Marina to create the extra lane needed. The County's Condition #23 should be revised and strengthened to require a southbound left turn lane on to each mole road. Condition No. 23 is currently worded: "A minimum of one through-lane in each direction shall remain open on Via Marina at all times, throughout the duration of the project." This Condition should be revised to "A minimum of one through-lane in each direction and a southbound left turn lane on to Marquesas Way, Tahiti Way, Bora Bora Way and NW Passage shall remain open on Via Marina at all times, throughout the duration of the project."

With an exception of a small area on the City portion of Marquesas Way, the City has not provided for any contractor parking within the City limits, thus putting all the burden on the County residents and boaters using Via Marina. County Parking Lot 13, which is only partially utilized at any given time, is being used for less than half of its available surface area for a construction shaft and contractor parking. At a minimum, more contractor parking and equipment storage could be placed on Lot 13, thereby reducing some impacts on Via Marina. The County would not allow construction parking on Via Marina for workers for the County's own projects; why would the City be allowed not to have to adhere to requirements imposed on the County's own lessees?

Similarly, the County should require the city to adhere to the County's hours of operation of 8 a.m. to 5 p.m., Monday through Saturday.

As you can see from the attached communication I sent to the city on November 4, 2014, I have consistently voiced these concerns. I hope the County will impose meaningful restrictions and conditions on the city's plans so that the inconvenience to thousands of residents and boaters will be taken into consideration and minimized.

Thank you for your consideration.

David O. Levine
dlevine@shoresmdr.com
Phone: 310-823-5384
Shores & Marina Harbor Apartments and Anchorage
Office of Jerry B. Epstein
4201 Via Marina
Marina del Rey, CA 90292

David O. Levine

From: David O. Levine
Sent: Tuesday, November 04, 2014 5:56 PM
To: 'Danielle Sevilla'; 'Abid.Chowdhry@lacity.org'; 'Jan.Green.Rebstock@lacity.org'; 'FERNANDO.GONZALEZ@LACITY.ORG'; Isabel Sciommeri; Sue Kohan; Rene Romero
Cc: John Kelly; 'Steve Napolitano'; Michael Tripp
Subject: RE: Venice Dual Force Main project

I very much appreciate the courtesy shown by having key members of the Venice Dual Force Main team meet with my Shores and Marina Harbor managers and me this afternoon. I hope the City team felt that our discussion about my experience with the recent Shores construction was helpful to you.

My team and I expressed our primary concerns, especially about:

--traffic management (where will the workers park?),

--whether the construction/dig location will create a hardship for Shores residents who depend on ingress and egress to/from the Dell Avenue alley, and

--whether the construction/dig site can be moved away from the intersection of Via Marina and Bora Bora Way so as not to impede both visual as well as driving access to Marina Harbor, since the locations of the construction pits appear to be somewhat flexible and even movement 50 fifty feet one way or the other along Via Marina would make a huge difference.

It is early enough in the entitlement and permit process that the City of LA and the Contractor can make the accommodations necessary to avoid these problems.

I also expressed skepticism that it is fair to create the impression that it will be feasible to realize a 20-month construction schedule, if such a schedule depends on beginning at 7 AM on weekday mornings. It seems to me that even public works jobs should have to adhere to the same mitigation requirements for schedule, noise abatement, etc. as other construction projects.

Please keep me posted.

David

David O. Levine
dlevine@shoresmdr.com
Phone: 310-823-5384
Shores & Marina Harbor Apartments and Anchorage Office of Jerry B. Epstein
4201 Via Marina
Marina del Rey, CA 90292

-----Original Message-----

From: Danielle Sevilla [mailto:danielle@murakawacommunications.com]
Sent: Tuesday, November 04, 2014 2:44 PM
To: David O. Levine; Isabel Sciommeri
Cc: Sue Kohan; Rene Romero; Robert Warrington
Subject: RE: Venice Dual Force Main project

Fernando Gonzalez, Jan Green Rebstock, Abid Chowdry, Tonya Durrell and Trisha Murakawa .

From: David O. Levine [dlevine@shoresmdr.com]
Sent: Tuesday, November 4, 2014 12:38 PM
To: Danielle Sevilla; Isabel Sciommeri
Cc: Sue Kohan; Rene Romero; Robert Warrington
Subject: RE: Venice Dual Force Main project

If you are not coming, who is coming from the project?

David O. Levine

-----Original Message-----

From: Danielle Sevilla [mailto:danielle@murakawacommunications.com]
Sent: Tuesday, November 04, 2014 12:34 PM
To: David O. Levine; Isabel Sciommeri
Cc: Sue Kohan; Rene Romero; Robert Warrington
Subject: Re: Venice Dual Force Main project

Good afternoon:

I hope that the meeting goes well today for your team and that you are able to get as much information as you need as well as have your questions answered. While I will not be at the meeting myself today, please feel free to continue to follow up with me if I'm able to be of service to you as things move forward.

Sincerely,

--

Danielle Sevilla
Project Leader
Murakawa Communications
310-710-3264
danielle@murakawacommunications.com

-----Original Message-----

From: Danielle Sevilla [mailto:danielle@murakawacommunications.com]
Sent: Monday, November 03, 2014 10:47 AM
To: David Levine
Cc: Sue Kohan; Rene Romero; Isabel Sciommeri; Robert Warrington
Subject: RE: Venice Dual Force Main project

Good morning Mr Levine and team,

I have an additional team member on my end who would like to join us. This changes our availability, The best option for us would be Tuesday at 3 p.m.. Please let me know if this works for you. If it is too short of notice, we will look at availability for next week.

Again, thank you for your time and consideration. We look forward to meeting with you.

Sincerely,

Danielle

From: David O. Levine <dlevine@shoresmdr.com>
Sent: Friday, October 31, 2014 11:16 AM
To: Danielle Sevilla
Cc: Sue Kohan; Rene Romero; 'Isabel Sciommeri'; Robert Warrington
Subject: RE: Venice Dual Force Main project

Danielle:

Thank you for your willingness to meet with my staffs and me to discuss the impact of the project.

Sue Kohan and Rene Romero are with Shores—which is the new project located at the corner of Via Marina and Marquesas Way. Isabel Sciommeri and Robert Warrington are with Marina harbor Apartments and Anchorage, which is on Via Marina between Tahiti Way and Bora Bora Way.

I would like to take you up on your offer and ask you to meet with these four folks.

Please “reply all” with a couple of possible dates and times.

Thanks,

David

David O. Levine
dlevine@shoresmdr.com
Phone: 310-823-5384
Shores & Marina Harbor Apartments and Anchorage Office of Jerry B. Epstein
4201 Via Marina
Marina del Rey, CA 90292

From: Danielle Sevilla [mailto:danielle@murakawacommunications.com]
Sent: Thursday, October 30, 2014 11:51 AM
To: David O. Levine
Subject: Venice Dual Force Main project

Good morning Mr. Levine-

Per my voice mail, I'm checking in with you to see if you would be interested in having a briefing with us so that we can answer any questions or concerns that you may have regarding our project. I know per our previous voice mail exchange that you have not just The Shores but an additional property that will be impacted by the project, so we want to provide you with an opportunity to meet with us and discuss the project.

Please email or call me and let me know if you would like to schedule a meeting. We could do a one-on-one briefing with you, or if you would like us to meet with a group of your staff or whom ever you deem appropriate, we are also happy to do a group presentation.

Thank you for your time and attention.

Sincerely,

Danielle Sevilla

Project Leader

Murakawa Communications

310-710-3264

danielle@murakawacommunications.com<mailto:danielle@murakawacommunications.com>

Anita Gutierrez

From: Greg Schem [greg@hregllc.com]
Sent: Monday, February 16, 2015 10:53 AM
To: Anita Gutierrez
Cc: Tim Riley; David O. Levine
Subject: Venice Dual Force Main Project

Anita:

Although I will be out of town on the date of the hearing for the above referenced project, I wanted to emphasize how important it will be to minimize the roadway impact at the intersection of Via Marina and Bora Bora Way. As you may know, Del Rey Landing, located at the terminus of Bora Bora Way, is the only marine fueling station for the entire harbor. We provide fuel for both recreational, commercial, and Coast Guard vessels. There are no other facilities north of San Pedro or south of Ventura County that can handle these fueling requirements. All of our fuel deliveries are done by truck which must make the left hand turn at the above referenced intersection on a daily basis during times of peak demand and we share this access with the Marina Harbor residents and boaters. It has come to my attention that the location of the tunneling shafts are such that the left hand turn lane will be removed despite the fact that less impactful shaft locations are possible.

I just wanted to make it clear as I have in previous discussions on this matter that interruptions of fuel delivery to Del Rey Landing will be very disruptive to all vessel operations in the Marina. I had been reassured by on numerous occasions that this would not occur yet it appears that unless we act forcefully to mitigate the locations of these tunneling shafts it is likely that fuel deliveries will be impacted. I would very much appreciate your assistance in helping us to have the shafts relocated and the left hand turn lane onto Bora Bora Way maintained. Thanks for your help on this.

Best,
Greg

Anita Gutierrez

From: Alicia_Black@avalonbay.com
Sent: Wednesday, February 18, 2015 10:06 AM
To: Anita Gutierrez
Subject: Agenda Item #7, Wednesday, Feb. 25 - Project No. R2014-01462-(4)
Attachments: 20150218100133672.pdf

Anita,

Please find my email to be attached to the DRP Board package for the February 25th meeting.

February 18, 2015

Regional Planning Commission

320 West Temple Street, 13th Floor

Los Angeles, CA 90012

RE: Agenda Item #7, Wednesday, February 25, 2015

Project No. R2014-01462-(4)

Coastal Development Permit 201400003

Dear Honorable Commissioners:

The residents, boaters and guests of Avalon Marina Bay and the Harbor at Marina Bay equate to about 1,000 persons at all times. Due to this, in parallel with the Venice Dual Force Main Project, the proposed plan will inevitably create an egress and ingress issue for all persons boating, visiting and living at our parcel.

Our communities, along with others on Tahiti Way, foresee several concerns associated with the construction activities on Via Marina and the shafts situated within Tahiti Way and would like to ensure this letter gets to the necessary parties in order to guarantee the persons living, visiting and/or boating on Tahiti Way are able to travel safely to their prospective destinations.

The primary foreseeable hazard would be the construction shafts that are to be erected in close proximity to the Tahiti Way entrance. This exposure would not only create ingress and egress problems for all the various persons mentioned above to get to and from our facilities via car or bike, but it would also create a visual eyesore. I would recommend either relocating the shafts 100 feet away from the main Tahiti Way entrance and/or relocating the shaft to the west side of Via Marina.

The secondary hazard would be the current stipulation for Condition No. 23 which should be revised to require a southbound left turn lane on to each mole road. Condition No. 23 is currently worded: "A minimum of one through-lane in each direction shall remain open on Via Marina at all times, throughout the duration of the project." This Condition should be revised to "A minimum of one through-lane in each direction and a southbound left turn lane on to Marquesas Way, Tahiti Way,

Bora Bora Way and NW Passage shall remain open on Via Marina at all times, throughout the duration of the project."

I understand the work that needs to be done for this project, but I think certain provisions can be met to better accommodate all of the lives that could potentially be negatively affected by these plans. Spring is upon us and the Marina del Rey area is going to be fully activated shortly with more visitors, boaters and permanent residents within my parcel and the other parcels on Tahiti Way. Safety and visibility of our locations is vital, and therefore, we would seek to create a compromise that would not only protect all persons affected by the construction, but additionally aid in expediting the construction process to result in a safer and more effective plan of action for the Venice Dual Force Main Project.

Thank you for your consideration of the suggestions presented to aid in minimizing the inconveniences set forth by the Venice Dual Force Main Project. The residents, boaters, employees and visitors that occupy my parcel also thank you in hopes their lives and well being will not be dramatically altered.

Sincerely,

Alicia Black
Community Manager, The Harbor at Marina Bay (Parcel 8)
14015 Tahiti Way, Marina del Rey CA 90292
(310) 821-2542 –Phone (310) 827-7844 –Fax

Alicia Black
Community Manager

Avalon Marina Bay and the Harbor at Marina Bay
14015 West Tahiti Way, Marina del Rey, CA 90292
Phone: (310) 821-8881 | (310) 821-2542
Fax: (310) 827-7844
Alicia_Black@avalonbay.com

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February 18, 2015

Regional Planning Commission

320 West Temple Street, 13th Floor

Los Angeles, CA 90012

RE: Agenda Item #7, Wednesday, February 25, 2015

Project No. R2014-01462-(4)

Coastal Development Permit 201400003

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Thank you for your consideration of the suggestions presented to aid in minimizing the inconveniences set forth by the Venice Dual Force Main Project. The residents, boaters, employees and visitors that occupy my parcel also thank you in hopes their lives and well being will not be dramatically altered.

Sincerely,

A handwritten signature in black ink, appearing to read "Alicia Black". The signature is fluid and cursive, with the first name being more prominent than the last.

Alicia Black
Community Manager, The Harbor at Marina Bay (Parcel 8)
14015 Tahiti Way, Marina del Rey CA 90292
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Anita Gutierrez

From: jami [jami222@gmail.com] on behalf of Susanne Cumming [cumming@earthlink.net]
Sent: Wednesday, February 18, 2015 5:40 PM
To: DRP Marina del Rey
Cc: snapolitano@lacbos.org
Subject: Venice Dual Force Main Project - 2-25-15

RE: VENICE DUAL FORCE MAIN PROJECT - CDP HEARING 2-25-2015

Deja vu.

To my surprise, while reading 1970's issues of the *ARGONAUT*, I found many stories covering the controversy of where to put the Venice Dual Force Main Sewer. Many meetings were held, and there were heated discussions about the pros and cons of placing it down Via Marina, Pacific Avenue, or the beach. Safety, traffic, disruption, cost and other concerns were analyzed. Finally, it was decided that the beach route was the best alternative.

Today, almost fifty (50) years later, this controversy is before us once again. The same concerns, now magnified due to increased population, vehicular traffic, and development, present themselves once again. We all agree that a new sewer line is needed. The City of Los Angeles wishes to move forward placing it down Via Marina. It is choosing the most unsafe, most disruptive and most costly of the three (3) alternatives. The City of Los Angeles, I have read, says that it has invested much time into making these plans and does not want to stop now. Certainly, it would give more workers and more engineers more jobs during almost two (2) years of construction.

Apparently, the City of Los Angeles disregarded independent studies of the beach route, and did not seriously consider it. A sewer line down the beach, near the current one, could be completed quickly, in a fraction of the time of the Via Marina route and at a fraction of the cost. It would be safer and less disruptive. It would be fiscally responsible. Environmentalists agree that environmental concerns could be addressed satisfactorily. I request that the CDP permits be denied for the reasons stated above and due to inadequate study of the alternative beach route. It would be the wisest choice once again.

Yours truly,
Susanne L. Cumming, Esq.
14010 Captain's Row #350
Marina del Rey, CA 90292

Venice Dual Force Main Project Frequently Asked Questions

- *How was this alignment chosen?*

Alternative alignments and construction methods were studied in the EIR. The three routes analyzed for the northern part of the alignment include: 1) Dockweiler Beach, 2) Pacific Avenue, and 3) Via Marina.

The Via Marina alignment was chosen for the following reasons:

1. **Agency Input** – In consultation regarding the Draft EIR, the California Coastal Commission (CCC) submitted letters urging the City to choose a route that avoided the beach and minimized disruption of public access to and use of the beach. Concerns related to the rising sea level and increased coastal erosion over the life of the sewer were also cited. Potential impacts to the endangered California Least Tern nesting area caused concern as well. In consideration of the Final EIR, representatives of the Los Angeles Regional Water Quality Control Board, U.S. Environmental Protection Agency, Santa Monica Bay Restoration Commission, Santa Monica Baykeeper and the Department of Public Works Bureau of Sanitation testified before the LA City Council Public Works Committee that a spill on the beach would be much more difficult to contain. Placement of the sewer as far as possible from the beach and other waterways would minimize risks to human health and water quality.
2. **Proximity to the existing sewer line** - Co-locating the new sewer alongside the old sewer diminishes the benefit of redundancy for system reliability and adds the risk that a threat to one sewer could also cause a failure in the nearby second sewer. As the existing force main is located on the beach, constructing an additional line some distance away from the existing one was considered prudent in the event of a natural disaster, such as an earthquake or tsunami event.
3. **Traffic** - While all of the alternatives have traffic impacts, the Via Marina route was the only option that allowed through traffic at all times and maintained access to driveways of residences and businesses. With the narrower Pacific Avenue alignment, some private driveways would have been blocked, full closure of two intersections would have occurred, and extensive detours would have been required, adversely affecting school buses and public transit.
4. **Cost** – The Final EIR found that the large-diameter tunnel method along the Pacific Avenue alignment from the Venice Pumping Plant to the LAX dunes was the environmentally superior alternative, with the least impacts to environmental resources and reduced impacts during the construction phase. However, this alternative was not selected because of its significantly greater cost (\$68 million in 2008 dollars). The construction cost of the current project is approximately \$55 million.
5. **Hazards** - The Via Marina corridor contains the fewest soil contamination sites and oil/gas wells, therefore the Via Marina alternative has the lowest risk of accidental hazardous material spills.

6. **Overall considerations** – The City's reasons for selecting the Via Marina alternative are explained in the Venice Dual Force Main EIR Findings and Statement of Overriding Considerations and Addendum and are based on consideration of all potential environmental impacts along with economic, legal, social, and technological benefits.

- *When will construction begin and how long will it last?*

Once the final permits are issued, it is expected that construction will begin approximately 12 to 15 months later (a winter 2016 timeframe is expected). While construction is anticipated to be completed within 36 months, the duration will be re-evaluated once the permitted working hours throughout the alignment are known and a construction contractor has been selected and consulted. Initially, the portion of the project in Marina del Rey was expected to be completed within 20 months. However, with the proposed LA County CDP permit restrictions on working hours, the construction duration could likely be extended an additional four (4) to six (6) months or more. The project specifications require the construction contractor to use two microtunneling machines concurrently in order to minimize the time needed to construct the sewer.

- *What are the construction impacts?*

During construction, the public should expect the following impacts related to traffic, noise, and aesthetics:

Traffic: For the County portion of the alignment, traffic impacts include lane closures on Via Marina although one lane of access in each direction will be available at all times. Temporary parking reductions at County Lot 13 will occur and 73 of the 136 spaces will remain available. Large trucks will be visible on the road conveying construction materials, equipment, and soil removed from the construction sites and follow a designated haul route. Pedestrian and bike access will be maintained although alternative routes may be identified by signage. A few public transit stops (five) will be relocated within .25 miles of the original location.

Noise: Noise from construction equipment and activities will occur. Many mitigation measures related to noise control will be applied including equipment, hours, working methods, and the use of temporary sound wall barriers at shaft sites. The on-site construction supervisor shall be responsible for responding to and resolving noise complaints and signage containing hotline contact information to address noise concerns shall be posted at work sites.

Visual/aesthetics: The project requires the removal of five trees (three Italian stone pine and two paper bark) in County Lot 13. The trees will be replaced with 48-inch box specimens of the same species upon completion of construction. No trees elsewhere along the alignment, including the Silver Strand area, will be affected.

Aesthetic impacts also include the use of tall noise barriers (that will look similar to walls of plywood) around construction shafts to dampen construction noise.

- *Was a geotechnical study performed for this project and if so, what were the findings?*
As the northern part of the project passes through the abandoned Playa del Rey Oil Field, geotechnical investigations were conducted in 2008 and 2014 to evaluate the potential for encountering any abandoned oil and gas wells along the project alignment. Based on information from these studies and consultation with the California Division of Oil, Gas and Natural Resources, City staff adjusted the project alignment to avoid known and potential wells during construction. A sealed construction method shall also be used during microtunneling to prevent the release of any gases that may be naturally occurring or related to prior oil field operations.

- *The project has been on hold for the last five years. Does the City need to recertify the EIR? Why or why not?*
The project has been on hold for the last five years because the County of Los Angeles sued the City of Los Angeles over issues related to the project alignment. After decisions made by the California Supreme Court and lower trial courts, with the most recent one in February 2014, the City is now moving forward with permitting the alignment on Via Marina.

The Final EIR was adopted in 2010 and remains valid. There have been no major changes to the project design as described in the approved EIR. As the project moves through the permit phase, any additional environmental concerns related to construction activities shall be addressed through construction best practices and regulatory permit restrictions.

- *What are the construction hours? If you're tunneling underground 50 or more feet deep, can you work 24 hours and on weekends to complete the project early? Why or why not?*
Mitigation measure NOI-1 in the certified EIR included the working hours of Monday - Friday from 7:00 a.m. to 9:00 p.m. and Saturdays, 8:00 a.m. – 6p.m., in compliance with the City of LA Noise Ordinance. No work is permitted on Sundays or legal holidays. Based on feedback during the City's CDP process, construction hours in the City of LA portion of the alignment (south of the Marina del Rey and Ballona Creek Channels) will likely be Monday through Friday, 7:00 a.m. to 7:00 p.m. and Saturday, 8:00 a.m. to 6:00 p.m.

The proposed LA County CDP permitted construction hours in the County portion of the alignment north of the Marina del Rey Channel are Monday through Saturday from 8:00 a.m. to 5:00 p.m. with no work on Sundays or legal holidays. The City of LA understands that these hours are typical of County of LA public works projects. Using this standard, the duration of construction in the County portion based on these hours is expected to be 24 to 26 months or more. If construction work hours are

extended to match the City of LA hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday, the duration of construction activities may be reduced by four (4) to six (6) months.

The exception to these work hour restrictions is for microtunneling operations under the Marina del Rey and Ballona Creek Channels where it is possible that the contractor could request to work 24 hours (round the clock) to avoid greater environmental risks. The City would only allow these work hours to occur at Pits 4 and 5 (those closest to the channels) if requested by the contractor, and only for underground microtunneling activities. All hauling and excavating activities at these locations would need to occur within the normal working hours. As discussed in the LA County Regional Planning Staff Analysis portion of the hearing package, LA County Staff have designed a deviation process to consider and evaluate the City's request should extended working hours need to occur while tunneling under the Channels.

The analysis in the approved EIR does not support 24 hour construction operations throughout the entire alignment.

- *How will emergency services operate?*
Before construction activities begin, the City shall coordinate with emergency service providers (police, fire, ambulance and paramedic services) to provide advance notice of lane closures, construction hours, and changes to local access routes for pedestrians, bikes and vehicles.

In the Via Marina portion of the alignment, south of Marquesas Way, traffic control design provides a minimum of one lane in each direction. Emergency vehicles will have access to the opposing lane of traffic if needed, but also to closed sections of the roadway in case there are vehicles in the opposing lane. The areas available for emergency vehicle access are notated in blue on the traffic control exhibits contained in the Venice Dual Force Main Project CDP hearing package.

- *What is the impact during construction to the fueling dock?*
None. Fueling trucks will have access during construction.
- *Will my home or business have unimpeded access?*
Yes, access to homes and businesses will be maintained throughout construction. Access to driveways will be maintained at all times.

- *What type of public outreach has been done to support the coastal development permitting process?*

Since September 2014 the City of LA has:

- Hosted public project briefings/open houses during evening hours at the Burton Chace Park Community Room in Marina del Rey, the Westchester Senior Center, and the Venice Library;
- Provided direct mail notices of these events to more than 5000 owners and occupants along the project alignment including those on mole roads in Marina del Rey that are beyond 500 feet of the project;
- Sent notices to individual units and not just managers of the various residential buildings;
- Placed newspaper notices of the events in the local paper, the *Argonaut* and supplemented these notices with email reminders to available addresses;
- Conducted the City CDP hearing near the project site during evening hours; and
- Presented at more than ten (10) project briefings with stakeholder groups including the Small Craft Harbor Commission, Design Control Board of the Small Craft Harbor Commission, Marina del Rey Lessees Association, The Shores and Marina Harbor Apartments, The Marina City Club, the Marina Affairs Committee of the LAX Coastal Chamber of Commerce and three City of LA local area neighborhood councils.

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**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01462-(4)
COASTAL DEVELOPMENT PERMIT NO. 201400003**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Coastal Development Permit No. 201400003 ("CDP") on February 25, 2015.
2. The permittee, City of Los Angeles ("permittee" or "City"), requests the CDP pursuant Los Angeles County Code ("County Code") section 22.46.1110 to authorize the construction of a new 54-inch diameter force main sewer line through the unincorporated County community of Marina del Rey ("Project"). The Project will require the construction and installation of approximately 0.75 miles of sewer line within unincorporated County territory, through portions of Marquesas Way and Via Marina, and within County Parking Lot 13 north of the Marina del Rey Channel. The Project is a component of a larger sewer construction project being conducted by the permittee, stretching approximately two miles from the Venice Pumping Plant within the City of Los Angeles to south of the Marina del Rey Channel entrance and Ballona Creek. The CDP request is to authorize construction of that portion of the sewer line within unincorporated County territory only.
3. The Project site is approximately 0.75 miles in length within the public right-of-way along portions of Marquesas Way and Via Marina, and within County Parking Lot 13 (collectively, "Project Site"). The Project Site is linear in shape as it follows the roadway (Marquesas Way and Via Marina) and is developed with a four lane roadway with center median divider and a 136 space public parking lot.
4. The Marina del Rey Land Use Policy Map depicts the Project Site within the area identified as public right-of-way for that portion of the Project Site within Marquesas Way and Via Marina, and within the Parking land use category for that portion of the Project Site within County Parking Lot 13.
5. The Project Site is located within the Playa del Rey Zoned District and is zoned Specific Plan within the Marina del Rey Local Coastal Program ("LCP"), which was certified by the California Coastal Commission in 2012. The LCP is comprised of two components, the Marina del Rey Land Use Plan ("LUP") and the Local Implementation Plan ("LIP"). The LIP is also referred to as the Specific Plan.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: Residential IV and Residential V
 - South: Water
 - East: Residential IV/Residential V/Hotel and Open Space
 - West: Open Space/Public Parking and City of Los Angeles

7. Surrounding land uses within a 500-foot radius include:

North: Multi-family apartments
South: Main Channel
East: Multi-family apartments and vacant land
West: Single-Family residential and Multi-family residential

8. The sewer line crosses City and County boundaries. Previous actions for the Project by the City, include: certification of the Environmental Impact Report (EIR) for the entire sewer line, including the Project, on January 12, 2010; and a coastal development permit application pending before the City Engineer for the landside portions of the sewer line within the City's jurisdiction. Additionally, the City will be required to obtain a coastal development permit from the California Coastal Commission for portions of the sewer line which will be located under the water. The City has not filed its coastal development permit application with the California Coastal Commission as of the making of these findings.
9. The site plan for the Project depicts five (5) jacking sites (areas of construction) at least 30 feet wide, which includes a total of five (5) pits (also referred to as shafts) to be located in the unincorporated County territory. Each pit would be 16 to 20 feet in diameter. The pits are to be located as follows: 1) intersection of Marquesas Way and Via Marina, 2) on Via Marina near Tahiti Way, 3) Via Marina just north of Bora Bora Way, 4) Via Marina near Via Dolce; and 5) in County Parking Lot 13 near Via Marina. The construction timeframe for the entire sewer line is estimated at 36 months, which includes approximately 20 months for the Project in the unincorporated County territory.
10. The Project Site is accessible via Marquesas Way and Via Marina to the north. Primary access to the Project Site will be Via Marina.
11. The County Department of Public Works ("Public Works") recommends approval of this Project and has recommended conditions of approval regarding road conditions, construction, grading, drainage and traffic. The County Fire Department ("Fire Department") recommends approval of this Project and has recommended a condition of approval to require the City or the City's construction contractor to notify the Station 110 of the Fire Department at least 3 days in advance of any street closures or water service interruption due to the proposed improvements within the Marina del Rey area. The conditions recommended by Public Works and the Fire Department are incorporated into the conditions of approval for the Project.
12. The City certified the EIR for the sewer line, including the Project, on January 12, 2010. The City is the "lead agency" for the Project pursuant to the California Environmental Quality Act ("CEQA"), and the County is a "responsible agency" for the Project. Acting on behalf of the County as responsible agency, the Commission has considered the environmental effects of the Project as analyzed in the EIR prior to reaching a decision on the Project.

13. Pursuant to the provisions of County Code sections 22.60.174 and 22.60.175, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting, library posting, and DRP website posting. Approximately 4,500 notices were sent out.
14. Prior to the Commission's public hearing, the Department of Regional Planning ("Regional Planning") staff received eight (8) letters in opposition to the Project. All of the letters opposed the Project route and requested alternative routes be pursued. Additionally, four of the letters express concern regarding retaining existing left turn pocket lanes at various intersections along Via Marina, and requested that construction shafts be shifted away from intersections. After discussion with the City the left turn pocket lanes will be incorporated into the traffic control plan.
15. The Commission finds that the Project is an infrastructure project intended to provide conveyance capacity, pipeline redundancy and maintenance opportunities to ensure wastewater is adequately treated. The continued maintenance and conveyance capacity of the sewer system is necessary to provide adequate sewer service to existing development in Marina del Rey and for the future build-out of Phase II development (defined in LCP as all development authorized under the 2012 LCP) .
16. The Commission finds that the Project would assist in providing a well maintained, functioning sewer system that provides for sewer capacity for existing and anticipated development in Marina del Rey. The Commission further finds, therefore, that the Project is consistent with the land use designations on the Project Site.
17. The Commission finds that the Project would be constructed using a micro-tunneling (boring) method with tunneling ranging from approximately 50 to 70 feet below the ground surface. Boring is a trenchless construction method which utilizes hydraulic jacks to push pipes through the ground behind a remotely operated tunnel boring machine (TBM). Unlike conventional trenching techniques that require excavation for the entire length of the pipeline, excavation for tunneling is limited to the specific designated endpoints referred to as launching (jacking) and receiving pits. The launching pit contains the hydraulic jacks used to push the pipes, and the receiving pit is used to recover the TBM at the end of each drive.
18. The Commission finds based on the evidence in the record that the micro-tunneling method proposed to be used by the City for the majority of the Project is the least environmentally impactful method of Project construction.
19. Prior to the Commission's public hearing on the Project, the Project design was reviewed by the Marina del Rey Design Control Board ("DCB"). The DCB reviewed the City's landscape proposal, which identified five (5) trees to be removed and replaced within County Lot 13.
20. The Commission finds that the DCB recommendations were addressed by the requirement of the permittee to replace the five (5) impacted trees in County Parking Lot 13 with minimum 48" box specimens of the same species. The DCB

recommended boxing and replanting the removed trees in place to minimize impacts, however that was subsequently deemed infeasible as the trees would not likely survive removal, boxing, and re-planting due to their size or in the event the trees survived, they were not likely to retain their structural integrity and could fall due to severely impacted root systems.

21. The Commission finds that the Project is located within the public right-of-way and a portion of a County parking lot, that the intended use for rights-of way are public infrastructure, and that there are no development standards set forth in Title 22 of the County Code ("Zoning Code") which are applicable to the Project.
22. The Commission finds that the Project conforms to the requirements of the certified LCP. The construction and operation of a new force sewer main line is consistent with the certified LCP because its operation will provide needed wastewater conveyance capacity that will help avoid impacts to biological and water resources. The Commission further finds that design, construction, and operation of the Project will conform to applicable policies set forth in the certified LCP.
23. The Commission finds that the Project conforms to the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code (California Coastal Act). The Project is located in the public right-of-way within the first public road nearest the sea. The Commission further finds that the Project is appropriately conditioned to require the permittee to submit a traffic control plan to the Los Angeles County Department of Public Works for review and approval, which will minimize impacts to pedestrians, bicyclists, transit, and vehicular access and circulation during construction activities.
24. The Commission finds that the Project would result in the following significant and unavoidable adverse impacts after mitigation: 1) Oxides of nitrogen (NOx) produced during construction would exceed the thresholds for significance established by the South Coast Air Quality Management District (SCAQMD); 2) Tunneling and the need to construct the sewer under water bodies, could damage or destroy archaeological and paleontological resources; 3) Construction activities could cause noise impacts to sensitive receptors, such as residents in the vicinity of construction sites; and 4) Construction activities will have a short-term but significant adverse effect on visual and aesthetic resources.
25. The Commission finds that that the Project has specific environmental social, technological, and other benefits that outweigh the Project's unavoidable adverse environmental effects. The Project's benefits include: 1) The Project will provide additional conveyance capacity from Venice Pumping Plant needed to manage peak flows of effluent. The potential adverse public health and environmental consequences of effluent overflows are severe, including potential raw sewage spillage into Ballona Lagoon, and the avoidance of such environmental consequences clearly outweigh the adverse impacts associated with construction and operation of the project. 2) The Project will provide additional protection against the risk of system failure in a critical link in the wastewater conveyance system that serves unincorporated community of Marina del Rey and other communities.

Avoiding the potential adverse consequences on public health and the environment of system failure, which include disruption in service and a raw sewage spillage, clearly outweighs the adverse impacts associated with construction and operation of the project. 3) The Project will allow the existing force main sewer to be bypassed for inspection, maintenance and repair. 4) The Project will maintain the City's compliance with the National Pollution Discharge Elimination System, which requires that the City maintain its current sanitary sewer systems in order to prevent accidental discharges. Without the Project, the existing sanitary sewer system cannot be adequately maintained without disrupting service to the public. The Commission further finds that the forgoing Project benefits outweigh the Project's significant adverse effects on the environment, and warrant the adoption of a Statement of Overriding Considerations pursuant to Public Resources Code section 15093.

26. The Commission finds that, to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the grant term of the CDP to five (5) years.
27. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Marina del Rey community. On January 21, 2015 a total of 4,500 Notices of Public Hearing were mailed to all property owners/tenants as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as twenty-two (22) notices to those on the courtesy mailing list for the Playa Del Rey Zoned District and to any additional interested parties.
28. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
29. The Commission finds that a mitigation monitoring and reporting program ("MMRP") has been prepared in conformance with CEQA Section 21081.6 and that the intent of the MMRP is to: 1) verify satisfaction of the required mitigation measures of the EIR, 2) identify monitoring responsibility, 3) establish administrative procedures for the clearance of mitigation measures; and 4) establish the frequency and duration of monitoring. In addition to the City's MMRP, the County has prepared a separate MMRP to enforce the mitigation measures within the County territory.
30. The Commission finds that the MMRP, prepared in conjunction with the EIR, and the separate County prepared MMRP identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Commission further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and MMRP.

31. The Commission after having reviewed and considered the MMRP, prepared in conjunction with the Final EIR finds that it sufficiently mitigates potential adverse impacts to the environment from the Project. The Commission further finds that the County MMRP sufficiently mitigates potential adverse impacts to the environment from the Project within the County territory and appropriately identifies monitoring agencies as well frequency and duration of monitoring.
32. The Commission finds that the MMRP, prepared in conjunction with the Final EIR and the separate County prepared MMRP identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project and that it is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.
33. The Commission finds that the Draft EIR, Final EIR volume, MMRP, Statement of Overriding Considerations, Findings of Fact and appendices constitute the complete Final EIR ("Final EIR").
34. The Commission, after having reviewed and considered the Final EIR along with its associated MMRP, and Findings of Fact and Statement of Overriding Considerations for the Project, all prepared in accordance with CEQA (SCH No. 2003031001) and certified by the City as lead agency finds that they reflect the independent judgment of the Commission. The Findings of Fact and Statement of Overriding Considerations are incorporated herein by this reference, as though set forth in full.
35. The location of the documents and other materials constituting the record of proceedings upon which the Commission decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed development is in conformity with the certified Marina del Rey Local Coastal Program; and,
- B. Any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

THEREFORE, THE REGIONAL PLANNING COMMISSION :

1. Acting on behalf of the County as responsible agency pursuant to the CEQA, and having reviewed and considered the EIR (SCH No. 2003031001) prepared for the project and certified by the lead agency, City of Los Angeles, adopt the CEQA Findings and Statement of Overriding Considerations and the County's Mitigation Monitoring and Reporting Program prepared for the Project.
2. Approves Coastal Development Permit No. 201400003, subject to the attached conditions.

ACTION DATE: February 25, 2015

SD:ADG
2/19/15

c: Each Commissioner, Zoning Enforcement, Building and Safety