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CALIFORNIA COASTAL COMMISSION
SOUTH COAST DISTRICT OFFICE
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April 26, 2019

Permit Application No.: **5-17-1037**

COASTAL DEVELOPMENT PERMIT

On August 9, 2018, the California Coastal Commission granted to **City Of Long Beach** this permit subject to the attached Standard and Special conditions, for development consisting of **demolition of a one-story, 2,234 sq. ft. concession stand, and replacement with three new buildings (Building A, a 4,240 sq. ft., 27-ft. high concession stand and café with semi-enclosed ground floor deck for picnicking, roof deck, and game area; Building B, a 800 sq. ft., 12-ft. high public restroom and storage facilities; Building C, a 522 sq. ft., 12-ft. high recreational equipment rental facility), and addition of an approximately 5,500 sq. ft. outdoor recreation area (children's play area and game area), public promenade area, and improvements to Alamitos Beach public beach parking lot,** more specifically described in the application filed in the Commission offices.

The development is within the coastal zone at: **780 E. Shoreline Drive, Long Beach, Los Angeles County (APN: 7265021901)**

Issued on behalf of the California Coastal Commission by:

John Ainsworth
Executive Director

ZRehm

Zach Rehm
Coastal Program Analyst

ACKNOWLEDGMENT:

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

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

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

Date: 5/3/19 Signature T Resendez

STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Interpretation**. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment**. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land**. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

This permit is granted subject to the following special conditions:

1. **Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the permit application, subject to any special conditions. Any deviation from the approved project, including, but not limited to, improvements or alterations to the public decks in response to any requirements imposed because of the proposed alcohol service, must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

2. **Future Development.** This permit is only for the development described in coastal development permit (CDP) 5-17-1037. Pursuant to Title 14 California Code of Regulations (CCR) Section

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13253(b)(6), the exemptions otherwise provided in Public Resources Code (PRC) Section 30610(b) shall not apply to the development governed by the CDP 5-17-1037. Accordingly, any future improvements to this structure authorized by this permit shall require an amendment to CDP 5-17-1037 from the Commission or shall require an additional CDP from the Commission unless the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

3. **Conditions Imposed by Local Government.** This action has no effect on conditions imposed by the City of Long Beach (**Exhibit 3**) pursuant to an authority other than the Coastal Act. The permittee shall be responsible for satisfying all terms and conditions of this coastal development permit in addition to any other requirements imposed by other local government permit conditions. In the event of conflict between terms and conditions imposed by the local government and those of this coastal development permit, the terms and conditions of this coastal development permit shall prevail.

4. **Submittal of Final Revised Plans.**

   A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall submit, for the review and written approval of the Executive Director, two full-size sets of the following revised final plans, modified as required below.

      1. Signage Site Plan that conforms with the plans submitted to the Commission and received in the South Coast District offices on July 23, 2018, except that they shall be modified to add signs at the following locations:

         i. A sign shall be added near the entrance to the games counter informing the public of opportunities to use the games made available at the counter and listing operational details.

         ii. A sign shall be added at the ground-level entrance to the roof deck informing the public that the deck is open for visitation.

         iii. Language identifying the picnic area shall be added to the text on the promenade floor.

         The dimensions, material(s), text, and font of each sign and/or stencil shall be submitted along with the revised Signage Site Plan as part of the Public Areas Management Program (**Special Condition 5**).

      2. Tree Replacement Plan that conforms with the plans submitted to the Commission and received in the South Coast District offices on July 23, 2018, except that they shall be modified to add trees at on-site and/or off-site locations to meet, at a minimum, a 1:1 removal to replacement ratio, for the review and written approval of the Executive Director. The plan shall indicate that the trees to be planted will consist

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of the most mature native trees that can feasibly be planted in this location. None of the added trees shall be located on the beach.

3. Bird Strike Prevention Plan that conforms with the plans submitted to the Commission and received in the South Coast District offices on July 23, 2018, except that they shall be modified to show the location, design, height, and materials of oceanfront deck railing systems, fences, screen walls, gates, windows and the like for the review and written approval of the Executive Director. Said plan shall include, at a minimum, the following requirements:

    i. Oceanfront deck railing systems, screen walls, doors, and windows and the like that are subject to this permit shall use materials designed to minimize bird-strikes with the deck railing, screen wall, door or similar feature. Such materials may consist of partially-frosted glass, Plexiglas, or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or Plexiglas may be installed only if it contains UV-reflective glazing that is visible to birds or is used with appliqués (e.g. stickers/decals) designed to reduce bird-strikes by reducing reflectivity and transparency. Any appliqués used shall be installed to provide coverage consistent with manufacturer specifications (e.g. one appliqué for every 3 foot by 3 foot area). Use of opaque or partially opaque materials is preferred to clear glass or Plexiglas and appliqués. All materials and appliqués shall be maintained throughout the life of the development to ensure continued effectiveness at minimizing bird strikes and shall be maintained at a minimum in accordance with manufacturer specifications.

    ii. Within 30 days of the completion of the development authorized by CDP No. 5-17-1037 (not prior to issuance), the applicant shall submit evidence in the form of a narrative report, for the review and written approval of the Executive Director, showing that all deck railing systems, fences, screen walls, gates, and windows, or other features covered by this condition installed subject to this permit were installed in accordance with this condition.

B. The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

5. **Public Areas Management Program**

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall submit a public areas management program, subject to the review and approval of the Executive Director, that protects the rights of the public to enter and use the ground level

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public viewing and picnic deck, roof deck, and games corner and associated amenities. That program shall incorporate the following:

1. Public Access Signage Plan. The signage plan shall clearly describe, at a minimum, the dimensions, material(s), text, and font of each sign and/or stencil and a site plan depicting the location of each sign and/or stencil consistent with **Special Condition 4.A.1**. The signs shall facilitate, manage, and provide public access to the approved project, including identification of all public features that will be provided on the site (public picnic decks, games corner, play area, etc.) and allowable uses of the public areas. The signs shall be conspicuously sited to maximize visibility from the southeast end of Marina Green Park, the regional bicycle and pedestrian route, and the Alamitos Beach public beach parking lot and be designed to provide clear information to beach goers, park visitors, and bike path and pedestrian path users without adversely impacting public views and visual resources.

   The final plans shall provide a mechanism for the Executive Director to review and approve minor sign changes. Changes may only be granted if such changes will not adversely impact, and/or will enhance coastal resources, including coastal access (e.g., modifying the signage to be clearer to the public and/or more aesthetically pleasing).

2. Concession/café hours. The concession stand and/or café shall be:

   i. Open weekends year-round from morning until evening (exact timing guided by peak use hours)

   ii. Open weekdays through the summer and fall months

   iii. Open to the greatest extent feasible during weekdays through the winter and spring months

3. Parking Requirements.

   i. All parking spaces within the public beach parking lots shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis. There shall be no exclusive use of parking spaces or reserved parking spaces within a public beach parking lot by any person or group other than the general public (handicapped and electric vehicle spaces excluded). This condition does not prohibit the City from requiring a City-issued parking permit, available to the general public.
   ii. No parking validations, or any other preferences not available to the general public, shall be granted to customers or employees of the commercial uses.

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4. Menu. The concession stand and/or café shall provide and maintain a take-out window, shall offer food items that can be easily carried out, and shall stock relatively inexpensive snack items as proposed by the applicants.

5. Seating. The general public shall be allowed to visit and picnic at all seating areas on the outdoor decks including both levels of the ground-level deck and the roof deck. There shall be no full-table service in these areas.

6. Security. Hired security staff shall not prevent the public from visiting the rooftop deck or ground-level deck and shall not prevent the public from using the available games and amenities.

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

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

6. **Geotechnical Recommendations**. All recommendations of the geotechnical report titled "Alamitos Beach Concessions Buildings," prepared by AESCO and dated May 30, 2017 shall be adhered to including recommendations for site preparation, structural fills, compaction standards, seismic design parameters, foundation design, pavement subgrade preparation, drainage, and all other recommendations. Foundations shall be designed to facilitate removal and/or relocation of the structure and its foundation in the future. The applicant shall submit evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans, including foundations, grading and drainage plans, and certified that each of those final plans is consistent with all of the recommendations specified in the above referenced plan.

7. **Construction Timing and Sensitive Bird Species Surveys.** For any construction activities, including tree removal, between February 15th and September 1st, the applicant shall retain the services of a qualified biologist or environmental resource specialist (hereinafter, "environmental resources specialist") to conduct nesting bird species surveys in order to determine the presence of sensitive bird species including, but not limited to, black-crowned night herons, great blue herons, and snowy egrets. The environmental resources specialist shall also monitor project operations. At least 30 calendar days prior to commencement of any project operations, the applicant shall submit the name and qualifications of the environmental resource specialist, for the review and approval of the Executive Director. The environmental resources specialist shall ensure that all project construction and operations shall be carried out consistent with the following:

A. The applicant shall ensure that a qualified environmental resource specialist with experience in conducting nesting bird surveys shall conduct the surveys 30 calendar days prior to the construction activities, including any tree removal, to detect any active bird nests in all trees

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within 500 feet of the project (including, but not limited to, Indian Laurel Fig trees). A follow-up survey must be conducted 3 calendar days prior to the initiation of clearance/construction and nest surveys must continue on a monthly basis throughout the nesting season or until the project is completed, whichever comes first.

B. If an active nest of any song bird is found within 300 ft. of the project, or an active nest for any raptor species is found within 500 ft. of the project, the applicant shall retain the services of a qualified biologist with experience conducting bird and noise surveys, to monitor bird behavior and construction noise levels. The nest shall not be removed or disturbed. The biological monitor shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The biologist monitor shall monitor birds and noise every day project commencement at the beginning of the project and during all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below a peak of 65 dB at the nest(s) site. If construction noise exceeds a peak level of 65 dB at the nest(s) site, sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigations measures do not reduce noise levels, construction shall cease and shall not recommence until either new sound mitigation can be employed or the birds have fledged.

C. If an active nest of a federally or state-listed threatened or endangered species or bird species of special concern is found within 300 ft. of the project, or an active nest for any species or raptor is found within 500 ft. of the project, the applicant will notify the appropriate State and Federal Agencies within 24 hours, and appropriate action specific to each incident will be developed. The applicant will notify the California Coastal Commission by e-mail within 24 hours and consult with the Commission regarding determinations of State and Federal agencies.

D. The environmental resource specialist shall be present during all tree removal activities and shall be present during all subsequent construction activities during the bird nesting/breeding season if an active nest is identified, until the birds have fledged.

E. The environmental resource specialist shall require the applicant to cease work should any breach in compliance with this condition occur, or if any unforeseen sensitive habitat issues arise. The environmental resource specialist(s) shall immediately notify the Executive Director if activities outside of the scope of the subject Notice of Impending Development occur. If significant impacts or damage occur to sensitive habitats or to wildlife species, the applicant shall be required to submit a revised or supplemental program to adequately mitigate such impacts.

8. **Landscape Requirements**

A. Any future landscaping of the site shall be consistent with the following:

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1. Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf).

2. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.

9. **Construction and Pollution Prevention Plan**

A. PRIOR TO CONSTRUCTION, the applicant shall submit, for the review and written approval of the Executive Director, a final Construction and Pollution Prevention Plan prepared and certified by a qualified licensed professional, that demonstrates that all construction, including, but not limited to, clearing, grading, staging, storage of equipment and materials, or other activities that involve ground disturbance; building, reconstructing, or demolishing a structure; and creation or replacement of impervious surfaces, complies with the following requirements:

1. Construction Site Map and Narrative Description. The Construction and Pollution Prevention Plan shall include a construction site map and a narrative description addressing, at a minimum, the following required components:

i. A map delineating the construction site, construction phasing boundaries, and the location of all temporary construction-phase BMPs (such as silt fences, inlet protection, and sediment basins).

ii. A description of the measures that will be implemented to ensure that bike and pedestrian access along the east-west regional bicycle and pedestrian route is maintained during construction activities. If temporary closure of the bicycle and pedestrian path is necessary during construction, a 5-minute interruption of traffic on the pedestrian and bicycle route is authorized with a flagman or woman to stop bicycle and pedestrian traffic.

iii. A description of the BMPs that will be implemented to minimize land disturbance activities, minimize the project footprint, minimize soil compaction, and minimize damage or removal of non-invasive vegetation. Include a construction phasing schedule, if applicable to the project, with a description and timeline of significant land disturbance activities.

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iv. A description of the BMPs that will be implemented to minimize erosion and sedimentation, control runoff and minimize the discharge of other pollutants resulting from construction activities. Include calculations that demonstrate proper sizing of BMPs.

v. A description of the BMPs that will be implemented to minimize energy use and minimize light spillage onto adjacent areas resulting from construction activities.

vi. A description and schedule for the management of all construction-phase BMPs (including installation and removal, ongoing operation, inspection, maintenance, and training). Identify any temporary BMPs that will be converted to permanent post-development BMPs.

2. Minimize Erosion and Sediment Discharge. During construction, erosion and the discharge of sediment off-site or to coastal waters shall be minimized through the use of appropriate Best Management Practices (BMPs), including:

   i. Land disturbance during construction (e.g., clearing, grading, and cut-and-fill) shall be minimized, and grading activities shall be phased, to avoid increased erosion and sedimentation.

   ii. Erosion control BMPs (such as mulch, soil binders, geotextile blankets or mats, or temporary seeding) shall be installed as needed to prevent soil from being transported by water or wind. Temporary BMPs shall be implemented to stabilize soil on graded or disturbed areas as soon as feasible during construction, where there is a potential for soil erosion to lead to discharge of sediment off-site or to coastal waters.

   iii. Sediment control BMPs (such as silt fences, fiber rolls, sediment basins, inlet protection, sand bag barriers, or straw bale barriers) shall be installed as needed to trap and remove eroded sediment from runoff, to prevent sedimentation of coastal waters.

   iv. Tracking control BMPs (such as a stabilized construction entrance/exit, and street sweeping) shall be installed or implemented as needed to prevent tracking sediment off-site by vehicles leaving the construction area.

   v. Runoff control BMPs (such as a concrete washout facility, dewatering tank, or dedicated vehicle wash area) that will be implemented during construction to retain, infiltrate, or treat stormwater and non-stormwater runoff.

3. Minimize Discharge of Construction Pollutants. The discharge of other pollutants resulting from construction activities (such as chemicals, paints, vehicle fluids,

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petroleum products, asphalt and cement compounds, debris, and trash) into runoff or coastal waters shall be minimized through the use of appropriate BMPs, including:

i. Covering stockpiled construction materials, soil, and other excavated materials to prevent contact with rain, and protecting all stockpiles from stormwater runoff using temporary perimeter barriers.

ii. Cleaning up all leaks, drips, and spills immediately; having a written plan for the clean-up of spills and leaks; and maintaining an inventory of products and chemicals used on site.

iii. Proper disposal of all wastes; providing trash receptacles on site; and covering open trash receptacles during wet weather.

iv. Prompt removal of all construction debris from the beach.

v. Detaining, infiltrating, or treating runoff, if needed, prior to conveyance off-site during construction.

4. Fueling and maintenance of construction equipment and vehicles shall be conducted off site if feasible. Any fueling and maintenance of mobile equipment conducted on site shall not take place on the beach, and shall take place at a designated area located at least 50 feet from coastal waters, drainage courses, and storm drain inlets, if feasible (unless those inlets are blocked to protect against fuel spills). The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Equipment that cannot be feasibly relocated to a designated fueling and maintenance area (such as cranes) may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills.

5. Minimize Other Impacts of Construction Activities. Other impacts of construction activities shall be minimized through the use of appropriate BMPs, including:

   i. Soil compaction due to construction activities shall be minimized, to retain the natural stormwater infiltration capacity of the soil.

   ii. The use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) shall be avoided, to minimize wildlife entanglement and plastic debris pollution.

6. A delineation of the areas to be disturbed by grading or construction activities including any temporary trenches, staging, and stockpile areas. No construction equipment or materials (including debris) shall be allowed at any time on the sandy beach.

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7. The plan shall include source control Best Management Practices as part of a written plan designed to control dust, concrete, demolition pavement, or pipe removed during construction, and/or construction materials, and standards for interim control and for clean-up. Tarps or other devices shall be used to capture debris, dust, oil, grease, rust, dirt, fine particles, and spills to protect the quality of coastal waters. All sediment waste and debris should be retained on-site unless removed to an appropriate approved dumping location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place. Contractors shall monitor and contain oil or fuel leaks from vehicles and equipment.

8. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: filling or covering all holes in roadways such that traffic can continue to pass over disturbed areas, disturbed soils and trenches with shoring, sand bag barriers, silt fencing, temporary drains and swales, and sediment basins and stabilization of all stockpiled fill. These temporary erosion control measures shall be monitored and maintained at least on a weekly basis until grading or construction operations resume.

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

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

10. **Post-Development Runoff Plan**. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and written approval of the Executive Director, a final Post-Development Runoff Plan that demonstrates that the project complies with the following requirements:

A. Low Impact Development Strategies. The project shall comply with the following Low Impact Development standards:

1. Maintain or enhance appropriate on-site infiltration of runoff to the greatest extent feasible. Use strategies such as amending soil if needed to enhance infiltration and installing an infiltration Best Management Practice (BMP) (e.g., a vegetated swale, rain garden, or bio retention system).

2. Where feasible, increase the area of pervious surfaces in re-development. Use strategies such as minimizing the footprint of impervious pavement; and installing a permeable pavement system where pavement is required.

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3. Disconnect impervious surface areas from the storm drain system, by interposing permeable areas between impervious surfaces and the storm drain system. Design curbs, berms, and similar structures to avoid isolation of vegetative landscaping and other permeable areas, and allow runoff to flow from impervious pavement to permeable areas for infiltration. Use strategies such as directing roof-top runoff into permeable landscaped areas; directing runoff from impervious pavement into distributed permeable areas (e.g., turf, medians, or parking islands); installing a vegetated swale or filter strip to intercept runoff sheet flow from impervious surfaces; and installing a rain barrel or cistern to capture and store roof-top runoff for later use in on-site irrigation.

4. Where on-site infiltration is not appropriate or feasible, use alternative BMPs to minimize post-development changes in runoff flows, such as installing an evapotranspiration BMP that does not infiltrate into the ground but uses evapotranspiration to reduce runoff (e.g., a vegetated "green roof," flow-through planter, or retention pond); directing runoff to an off-site infiltration facility; or implementing BMPs to reduce runoff volume, velocity, and flow rate before directing runoff to the storm drain system.

B. Implement Source Control BMPs. Appropriate and feasible long-term Source Control BMPs, which may be structural features or operational practices, shall be implemented to minimize the transport of pollutants in runoff from the development by controlling pollutant sources and keeping pollutants segregated from runoff. Use strategies such as covering outdoor storage areas; using efficient irrigation; proper application and clean-up of potentially harmful chemicals and fertilizers; and proper disposal of waste.

C. Avoid Adverse Impacts from Stormwater and Dry Weather Runoff. The adverse impacts of discharging stormwater or dry weather runoff flows to coastal waters, intertidal areas, beaches, bluffs, or stream banks shall be avoided, to the greatest extent feasible. The project shall comply with the following requirements:

1. Runoff shall be conveyed off-site or to drainage systems in a non-erosive manner.

2. The discharge of dry weather runoff to coastal waters shall be minimized, to the greatest extent feasible. Use strategies such as efficient irrigation techniques that minimize off-site runoff.

D. Manage BMPs for the Life of the Development. Appropriate protocols shall be implemented to manage BMPs (including ongoing operation, maintenance, inspection, and training) to keep the water quality provisions effective for the life of the development.

E. Use the following kitchen BMPs.

1. Control Outdoor Washing Activities. All equipment, including floor mats, shall be washed indoors to ensure the wastewater is collected via floor drains or sinks and

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disposed of in the sanitary sewer. On a weekly basis, the applicant shall, sweep impervious surfaces to remove litter, sediment, and other debris.

2. Sweep Sidewalks and Parking Lots. Restaurant parking lots and sidewalks should be swept regularly. Hose or pressure wash water shall be collected and discharged into the sanitary sewer.

3. Kitchen Grease. Kitchen Grease shall be handled using a grease trap or interceptor. Grease traps and interceptors shall be cleaned and inspected regularly for leaks and replaced, if necessary. Tallow bins, grease traps and interceptors shall be pumped by a grease hauler on a regular schedule.

4. Seal and Maintain Trash/Recycling Containers. Lids shall be provided for trash, recycling cans, and other outdoor containers. Outdoor trash and recycling containers shall be inspected before it rains to make sure the lids are closed, and dumpsters shall be inspected regularly for leaks and for trash piling up around the dumpsters. The amount of liquids disposed of in dumpsters shall be minimized.

5. Oversee All Cleaning Service Contractors. Contractors shall be prohibited from disposing of cleaning solvents or waste into a storm drain. Contractors shall be tasked with cleaning floor mats, exhaust filters, garbage cans, carts, and/or tray racks.

6. Prevent Spills. Spill containment kits shall be kept in convenient locations, such as near dumpsters and unloading areas in case of a spill. Rags or absorbents shall be disposed of in the trash, and spills shall not be hosed into the storm drain. Employees shall be trained in the proper use of spill clean-up materials. Any spills that could enter a storm drain shall be reported to the City's Stormwater Pollution Prevention Service at (562) 570-3867.

F. Site Plan and Narrative Description. The Post-Development Runoff Plan shall include a site plan and a narrative description addressing, at a minimum, the following required components:

1. A site plan, drawn to scale, showing the property boundaries, building footprint, runoff flow directions, relevant drainage features, structural BMPs, impervious surfaces, permeable pavements, and landscaped areas.

2. Identification of pollutants potentially generated by the proposed development that could be transported off the site by runoff.

3. An estimate of the proposed changes in (1) impervious surface areas on the site, including pre-project and post-project impervious coverage area and the percentage of the property covered by impervious surfaces; (2) the amount of impervious areas that drain directly into the storm drain system without first flowing across permeable areas; and (3) site coverage with permeable or semi-permeable pavements.

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4. A description of the BMPs that will be implemented, and the Low Impact Development approach to stormwater management that will be used. Include a schedule for installation or implementation of all post-development BMPs.

5. A description and schedule for the ongoing management of all post-development BMPs (including operation, maintenance, inspection, and training) that will be performed for the life of the development, if required for the BMPs to function properly.

The permittee shall undertake development in accordance with the approved Post-Development Runoff Plan, unless the Commission amends this permit or the Executive Director determines issues a written determination that no amendment is legally required for any proposed minor deviations.

11. **Assumption of Risk, Waiver of Liability and Indemnity.** BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant acknowledges and agrees: (i) that the site may be subject to hazards, including but not limited to storms, flooding, landslide, erosion, and earth movement, many of which will worsen with future sea level rise; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

12. **No Future Shoreline Protection Device**

A. By acceptance of this Permit, the applicant agrees, on behalf of itself and all successors and assigns, that no bluff or shoreline protective device(s) shall be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-17-1037 including, but not limited to, replacement of a one-story concession stand with a new concession stand/café, recreational rental facility, restroom facility, public picnic area, public promenade area, and public play area, including in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, liquefaction, bluff retreat, landslides, or other coastal hazards in the future, and as may be exacerbated by sea level rise. By acceptance of this Permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under applicable law.

B. By acceptance of this Permit, the applicant further agrees, on behalf of itself and all successors and assigns, that the landowner shall remove the development authorized by this Permit if any government agency has ordered that the structures are not to be occupied due to

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any of the hazards identified above, or if any public agency requires the structures to be removed. The approved project may be constructed and used consistent with the terms and conditions of this permit for only as long as it remains safe for occupancy. The permittee shall obtain a coastal development permit for removal of approved development unless the Executive Director provides a written determination that no coastal development permit is legally required.

C. Prior to removal/relocation, the permittee shall submit two copies of a Removal/Relocation Plan to the Executive Director for the review and written approval. The Removal/Relocation Plan shall clearly describe the manner in which such development is to be removed/relocated and the affected area restored so as to best protect coastal resources, including the Pacific Ocean.