



To enrich lives through effective and caring service

November 12, 2009



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission
FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director
SUBJECT: **SMALL CRAFT HARBOR COMMISSION AGENDA
NOVEMBER 18, 2009**

Enclosed is the November 18, 2009 meeting agenda, together with the minutes from your meetings of July 8, 2009 and September 9, 2009. Also enclosed are reports related to Agenda Items 3a, 3b, 5a, 5b, and 6a.

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

SHK:wm

Enclosures



To enrich lives through effective and caring service



**SMALL CRAFT HARBOR COMMISSION
AGENDA
November 18, 2009
9:30 A.M.**

Santos H. Kreimann
Director
Kerry Silverstrom
Chief Deputy

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

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes: Meetings of July 8 and September 9, 2009
3. **REGULAR REPORTS**
 - a. Marina Sheriff (DISCUSS REPORTS)
 - Crime Statistics
 - Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance with Liveaboard Permit Percentages
 - b. Marina del Rey and Beach Special Events (DISCUSS REPORT)
 - c. Marina del Rey Convention and Visitors Bureau (PRESENTATION BY BEVERLY MOORE, EXECUTIVE DIRECTOR OF MDR CVB)
4. **OLD BUSINESS**
 - a. None
5. **NEW BUSINESS**
 - a. 2010 Small Craft Harbor Commission Calendar (DISCUSS REPORT)
 - b. Approval of Option to Amend Lease Agreement to Facilitate Redevelopment - Parcel 8 (Bay Club Apartments) - Marina del Rey (RECOMMEND TO BOARD OF SUPERVISORS)

6. **STAFF REPORTS**

(DISCUSS REPORT)

- a. Ongoing Activities
- Board Actions on Items Relating to Marina del Rey
 - Regional Planning Commission's Calendar
 - Venice Pumping Plant Dual Force Main Project Update
 - Oxford Basin Project Update
 - Redevelopment Project Status Report
 - Unlawful Detainer Actions
 - Design Control Board Minutes
 - Parcel 49 and 77 Competitive Selection Process
 - Public Access on Strip of Land Between Ocean Front Walk and the Beach
 - Mast-Up Storage Rental Rate Comparison

7. **COMMUNICATION FROM THE PUBLIC**

8. **ADJOURNMENT**

PLEASE NOTE

1. The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles Code (Ord. 93-0031 ~ 2 (part), 1993, relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.
2. The agenda will be posted on the internet and displayed at the following locations at least 72 Hours preceding the meeting date:

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

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

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

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

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

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

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

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

**SMALL CRAFT HARBOR COMMISSION MINUTES
JULY 8, 2009**

Commissioners: Russ Lesser, Chairman, Dennis Alfieri, Vice-Chairman (excused), Vanessa Delgado, Commissioner, Albert Landini, Ed.D., Albert DeBlanc, Commissioner (un-excused)

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

County: Michael Tripp, Principal Planner Special Projects, Sergeant Escamillas and Deputy Rochford, Sheriff's Department

Call to Order and Pledge of Allegiance:

Chairman Lesser called the meeting to order at 9:35 a.m. followed by the pledge of allegiance.

Approval of Minutes:

Jon Nahhas commented that dialog was missing from the May 13, 2009 meeting, Item 5b, that should be included in the minutes. He submitted a written note to be attached to the minutes. Chairman Lesser asked the commission for approval and asked the Director if Mr. Nahhas' note could be added to the minutes. The Director stated that if the note is accurate it could be added. Chairman Lesser asked for a motion to approve the May 13 and June 10, 2009 minutes. Commissioner Delgado moved and Commissioner Landini seconded. The motion was unanimously approved.

Item 3 – Regular Reports

Sergeant Escamillas discussed the Crime Statistics Report and commented that there was nothing significant to report. He said that a summer enforcement team, which consists of a four person team and a sergeant, is now operating and doing surveillance in Marina del Rey.

Chairman Lesser asked that the quarterly report be submitted for the next meeting.

Deputy Rochford discussed the Liveaboard Report.

Dusty Crane reported on the Special Events. She discussed the Marina del Rey Summer Concert Series, Marina del Rey Movie Nights, Marina del Rey WaterBus, Marina del Rey Fourth of July Fireworks, and the Beach Events. She discussed that on June 1, 2009, a Community meeting was held and several good ideas were recommended for the park.

Jon Nahhas stated that he enjoyed the July 4th events and would like see the event showcased including a better reach out to more people in the community.

Carla Andrus commented on the liveaboard status.

Item 4a - FOLLOW-UP RE MARINA DEL REY SLIP SIZING STUDY AND MARINA DEL REY SLIP PRICING AND VACANCY STUDY

Paul Wong stated that the Slip Sizing Study and Slip Pricing and Vacancy Study were on the Commission's agenda of March 11, 2009, April 8, 2009 and May 13, 2009. On June 10, 2009 the Commission took no action due to the lack of a quorum. He said both consultants have completed their review of the public comments and updated their respective study reports to incorporate their responses.

Santos Kreimann stated that he met and discussed the reports with Commissioner Alfieri and he now has a good understanding of the reports. He asked that the Commission endorse the reports so it can be forwarded to Regional Planning so that they can forward their recommendation to the Coastal Commission.

Nancy Marino asked that this be rejected because the slip vacancy report is meaningless in the context of Marina Redevelopment. She said slips that are derelict and not leasable should not be included as well as vacant slips and slips that have arbitrary conditions placed on them other than seaworthiness requirements or footnoted in the report. Lastly, she asked why Esprit I was not included in this study.

Jon Nahhas said this deserves public participation. He said he has asked Director Kreimann for a list of people who participated in this study. He commented that this does not add up-having this report done in one month.

John Rizzo commented on the way pricing is done and commented on control pricing. He said about six months ago he gave Mr. Kreimann a folder with documents showing how price control was previously carried out in Marina del Rey.

Don Kinney, regional portfolio manager of the Essex Trust, commented on the content of a letter submitted by Gerry Kelly and said that they had their own market survey done in 2007 by an independent consultant Dornbusch and findings were similar. Vacancies have remained longer and smaller slips are widely available. He said they have not increased the rent of any of slips smaller than 40 foot or below. They have offered decreases to keep people, and offered incentives of up to \$1,000 in signing bonus to fill the slips. Lastly, he said they are advertising on Craigslist, the Argonaut, the Apartment Rental Magazine and company website.

Chairman Lesser said that he did research on Dornbusch Associates and the entity has no relationship with Los Angeles County. Their research is almost identical with the study done by the County.

Andy Bassett said the Commissioners knew that the slip sizing and pricing study are lies. He said important data and marinas have been left out of the study and that this is an injustice to the public.

Carla Andrus said the Commissioners are not doing their job and should have been finding the leases in default several years ago and that this is their responsibility. She said docks and small boating is being eliminated based on a trend. She complained about the living conditions at Holiday Harbor and concluded that this is a total violation of public trust.

Chairman Lesser asked Mr. Kreimann to look into the alleged violations Ms. Andrus mentioned at Holiday Harbor and to report back to the Commission.

Santos Kreimann commented that this study has been online since March 2009 and the public has plenty of opportunity to comment. He said he has not been provided with any alternatives or constructive information and has only received public attacks on this study. He said he is trying to accomplish a balance between small, medium and large boaters to provide small boater with alternative ways to help move their boats out of the water and for a less expensive way to store their boats on dry stack storage.

Commissioner Landini said the data is overwhelming and the category for boat slips are not consistent. The division line breakpoint is 29 feet. He said the accounting of the boat slips will defer overtime and asked where will they go as well as the parking spaces. He would like a statement of what their vote will do.

Santos Kreimann said it is not for the existing leases. Rather it's a planning guide for future renovation as the anchorage comes in to be renovated.

Vice-Chairman Delgado said there has been ample time since March for the community input and comments and said this has been accomplished. She said comments were received; oral communications have been heard, and believes the comments were helpful and that a decision should be made today.

Santos Kreimann said there is a trend for larger and wider slips and the notion to eliminate slips in order to intensify the landside development is not true. He said a balance has to be done to see what will work in 30 to 40 years and that both studies show a very good foundation. He said this will be transmitted in their response to Regional Planning.

Chairman Lesser asked for a motion to approve the Slip Sizing Study and Slip Pricing and Vacancy Study. Commissioner Landini stated that Mr. Kreimann should review the comments made by Commissioner Landini and asked that a policy be formulated when the documents are submitted to the Board of Supervisors. Commissioner Landini moved to endorse the studies and Vice-Chairman Delgado seconded. The motion was unanimously approved.

Item 4b – Dock Reconfiguration Plan for Chace Park Peninsula

Paul Wong gave an overview of the report.

Santos Kreimann said that this plan was developed with the public in mind and listened to the rowers and paddlers to see what they wanted to see at Marina Beach and at Chace Park. He is trying to provide a boating experience here for people who want to rent a sailboat or kayak to learn. This plan provides a unique opportunity for the County to provide and expand their public access to the water by providing a large dock at Parcel 77. He concluded that comments from Santa Monica Yacht Club was solicited. They have reviewed the plan and gave very important input.

Chairman Lesser, Commissioner Landini, Paul Wong and Santos Kreimann had a discussion relating to the redesign and loss of boat slips.

Santos Kreimann explained that currently the Marina Beach rowers' facilities are not ideal. The boathouse is in the process of being reconfigured and that particular facility has showers, lockers and a lot of amenities that the rowers and boaters do not have at Marina beach.

Nancy Marino said the public park plan is an abomination to the Coastal Commission's recommendation that there be not any reduction of the number of slips under 35ft.

Jon Nahas commented on ADA Compliance and DBAW Standards.

Andy Bassett said this dock reconfiguration plan showcases what can be achieved by government and developers through greed and corruption. He said every redevelopment has been to take away parking to use the land for other landside development to make more money.

William Vreszk commented on dry stack storage and busy crowded holidays, such as the fourth of July. He also stated fears of power boats getting stuck or damaged.

Tim Riley asked the County to consider increasing the amount of commercial operation opportunities. He commented on ways to increase small boat slips in Burton Chace Park.

Santos Kreimann commented that he doesn't believe it is appropriate to cross pollinate a commercial venture with a public amenity.

Carla Andrus said small boats have been discouraged. Burton Chace Park and Holiday Harbor should encourage small boaters.

Santos said the plan that is being proposed meets the standards that are developed in the slip mix study.

Chairman Lesser said this will be held over to the next meeting for commercial concept and input from the yacht club.

Item 5a – Department Fee Revisions and New Fees

Elayne Doucette gave an overview of the proposed fee revision and creation of new fees, which will apply to both Marina del Rey and various beaches. The proposed increases are based upon recent surveys and cost analyses.

Chairman Lesser commented on some of the proposed increases. He said he understood that the County is in need of funding, but people are hurting for money as well. He believes the public should have affordable access to the beaches.

Commissioner Landini commented on the parking ticket machines and said the tickets should be printed on both sides.

John Rizzo commented on the beach access and stated that it is cut off from the public.

Chairman Lesser asked Santos Kreimann to research who owns the land between beach and Ocean Front Walk. Santos Kreimann replied that he was still doing research and would have the information available at the next meeting.

Vice-Chairman Delgado asked was there a reason the prices have to be increased this year, given the economic crisis.

Santos Kreimann said the Chief Executive Office requested the whole county, including Beaches and Harbors to look at all fees.

Chairman Lesser commented that at this economic time he would be opposed to raise any fees to discourage access to the beaches.

Jon Nahhas opposed to raise any fees. He commented that Mr. Kreimann wants to reconfigure parking lots NR, IR and GR and propose new developments. He stated the Mr. Kreimann, by doing this, can show the Coastal Commission that these parking lots are not being used.

Nancy Marino is also opposed to raising any fees.

Vice-Chairman Delgado asked would there be cuts in other areas if this is not approved.

Santos Kreimann said Beaches and Harbors' budget does not include the increased revenue and the Department continues to give back to the general fund.

Chairman Lesser motioned that no fees that adversely affect the cost of going to the beach or staying or coming and parking in the marina be raised at this economic time.

Santos advised Chairman Lesser to direct Beaches and Harbors to provide a letter to the Board of Supervisors Office.

Chairman Lesser requested a motion to oppose the new fees and that Beaches and Harbors provide a letter to the Board of Supervisors. Vice-Chairman Delgado moved and Commissioner Landini seconded to oppose the new fees.

Item 6 – Staff Reports

Paul Wong gave an overview of the Board actions on items relating to Marina del Rey and reported on the Regional Planning Commissions' calendar; provided an update on the City's Venice Pumping Plan Dual Force Main Project, updates on the Oxford basin Project Update, Redevelopment Project Status report, Unlawful Detainer Actions and the Design Control Board Minutes.

Nancy Marino spoke about free parking for the Regional Planning Commission's field trip and the Redevelopment Status Report.

Santos Kreimann said he will make himself available to anyone who wants to meet with him.

Carla Andrus said a master plan has been asked for consisting of an overview of major areas such as Burton Chace Park and Mother's Beach.

John Rizzo commented on the Venice Pipeline project and the need for clearer signage to public parking lots and the Oxford Basin signage.

Jon Nahhas commented on the Coastal Commission meeting that the LCP Comprehensive Update that was recommended should be postponed because of six pipeline projects. He stressed the need for having public input.

Santos Kreimann said he has been completely transparent with the community. He commented that Mr. Nahhas is referring to the roadmap for processing projects that require LCP Amendments through the Coastal Commission. He said the staff met and will submit the information which was discussed for next month's meeting.

Item 7 – Communication from the Public

Nancy Marino commented and discussed issues regarding the land and public use in the marina.

Santos Kreimann stated that he will work on having a presentation conducted by the developers. He also said that they are in the process of developing the RFP.

William Vreszk commented on the vacancy rate for Esprit I. He asked about the status of Esprit II, questions relating to the Woodfin project and Dry Stack Storage.

Jon Nahhas asked for clarification relating to the RFP. He also commented on a displacement or replacement plan on how the boaters will be asked to leave.

Santos Kreimann explained the entitlement process.

John Rizzo commented on the lawsuit filed four years ago regarding the land and pricing in Marina del Rey.

Chairman Lesser adjourned the meeting at 12:30 p.m.

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

**SMALL CRAFT HARBOR COMMISSION MINUTES
SEPTEMBER 9, 2009**

Commissioners: Russ Lesser, Chairman, Vanessa Delgado, Vice-Chairman (excused), Albert Landini, Ed.D., Dennis Alfieri, Commissioner, Albert DeBlanc, Commissioner (un-excused)

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

County: Michael Tripp, Principal Planner Special Projects, Sergeant Escamillas and Deputy Rochford, Sheriff's Department

Call to Order and Pledge of Allegiance:

Chairman Lesser called the meeting to order at 9:35 a.m. followed by the pledge of allegiance.

Approval of Minutes:

Jon Nahhas addressed the Commission.

Chairman Lesser asked for a motion to hold the minutes over until they are corrected. Commissioner Landini moved and Commissioner Alfieri seconded. The motion was unanimously approved.

Item 3 – Regular Reports

Sergeant Escamillas discussed the Crime Statistics Report and commented about boat burglaries in the last part of July. After the arrest of an individual, the burglary rate dropped.

Deputy Rochford discussed the Liveaboard Report, which indicated 85% compliance with permits for liveaboards.

Michael Kelly addressed the Commission.

Chairman Lesser asked Mr. Kreimann if any progress was being made in filling the vacant seats on the SCHC. Mr. Kreimann reported the various districts with openings on the SCHC are working to fill the vacancies.

Dusty Crane reported on Special Events. The waterbus had 40,000 passengers in two months. Upcoming events: October 11 is 'Discover Marina del Rey Day', September 19 is 'California Coastal Clean Up' hosted by Heal the Bay, Fisherman's Village concert events are listed in the report, as is the Santa Monica movie schedule. Mr. Kreimann reminded the audience about the L.A. County Fair, to be held on September 13.

Michael Kelly spoke about issues regarding Mast Up Storage. Chairman Lesser agreed to allow Mr. Kelly to speak out of sequence in consideration for his time constraint.

John Nahhas addressed the Commission.

Item 5a - MARINA DEL REY WATER CONSERVATION - Presentation by Department of Public Works, Melinda Barrett, Water Conservation Manager

Ms. Melinda Barrett made a presentation regarding water conservation in Marina del Rey, answered questions, distributed free hose nozzles to reduce water usage, and provided a phone number 1-800-675-HELP for people to call for conservation advices and to report water wasting incidents.

Jon Nahhas, Gary Friesen, John Rizzo, Tim Riley and Captain Alex Bacian addressed the Commission.

Mr. Kreimann informed the Commission about the Department's water conservation effort implemented prior to the mandatory water conservation requirement.

Item 5b – Marina del Rey Waterline Replacement Project - Presentation by Department of Public Works, Melinda Barrett, Water Conservation Manager

Ms. Barrett made a presentation regarding waterline replacement in Marina del Rey.

John Rizzo addressed the Commission.

Chairman Lesser commented on using recycled water in Marina del Rey.

Item 5c – Revised Calendar

The Department of Beaches and Harbors proposes to change SCHC meeting scheduled for November 11, which is Veteran's Day, to November 18.

John Nahhas addressed the Commission.

The November meeting is changed to November 18, 2009, starting 9:30 a.m. Chairman Lesser also asked that night meetings be planned for 2010.

Item 6 – Staff Reports

Mr. Kreimann highlighted the following items in the Staff Reports:

Mr. Gary Jones was appointed to the position of Deputy Director.

The Board of Supervisors considered and approved the Roadmap for Marina del Rey Local Coastal Program Amendment.

The Department of Regional Planning has two hearings scheduled: one meeting will be held on October 14, 2009, for the Woodfin Hotel project and the Neptune Marina Legacy Apartments, and the other is scheduled on October 21 to discuss the Oceania Retirement Facility and the Parcel 21 project.

The Department of Beaches and Harbors is working with the Department of Public Works on the Oxford Basin project. A presentation is scheduled on September 23 from 6 to 8 p.m., in Marina del Rey.

The Department researched the ownership of the land between Ocean Front Walk and the beach; the City of Los Angeles owns two parcels and the State of California owns one parcel.

The Department received excellent comments from the public meetings held regarding the Request for Proposals (RFP) for Parcels 49 and 77, which will be incorporated into the final RFP.

John Nahhas addressed the Commission.

Chairman Lesser stated the SCHC went on record not to increase fees in Marina del Rey due to the state of the economy and asked to see a chart showing the old rates against the new rates; and, the issue of opening up the land in front of Ocean Front Walk should remain in focus and should remain on future agenda.

Item 7 – Communication From the Public

William Vreszk, John Nahhas, Gary Friesen and John Rizzo addressed the Commission,

Commissioner Alfieri commented on the waiting list for mast up storage and associated issues.

Chairman Lesser adjourned the meeting at 11:50 a.m.

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



MARINA DEL REY HARBOR LIVEBOARD COMPLIANCE REPORT 2009



Liveboard Permits Issued

	September	October
New permits Issued:	4	4
Renewal Issued:	12	22
Total:	16	26
Notices to Comply Issued:	10	50

Totals:	September	October
Liveboard:	328	328
Current Permits:	258	276
Expired Permits:	43	25
No Permits:	27	27

Total reported vessels in Marina del Rey Harbor: 4690

Percentage of vessels that are registered liveboards 6.99%

Number of currently impounded vessel: 11

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- OCTOBER 2009



Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	0
Robbery: Strong-Arm	0	0
Aggravated Assault	0	1
Burglary: Residence	2	3
Burglary: Other Structure	0	1
Grand Theft	2	1
Grand Theft Auto	0	1
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	1	3
Boat Burglary	0	0
Petty Theft	0	0
Total	5	10

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

Source- LARCIS, **Date Prepared** NOVEMBER 2, 2009
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- OCTOBER 2009

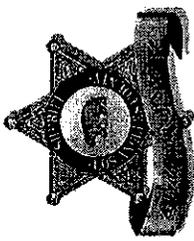


Part I Crimes	MARINA AREA (RD'S 2760- 2763)	EAST END (RD'S 2764- 2768)
Homicide	0	0
Rape	0	1
Robbery: Weapon	0	2
Robbery: Strong-Arm	2	1
Aggravated Assault	2	5
Burglary: Residence	3	8
Burglary: Other Structure	3	4
Grand Theft	16	9
Grand Theft Auto	2	3
Arson	0	1
Boat Theft	0	0
Vehicle Burglary	4	15
Boat Burglary	0	0
Petty Theft	7	4
Total	39	52

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

Source- LARCIS, **Date Prepared** –NOVEMBER 2, 2009
CRIME INFORMATION REPORT - OPTION B

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES OCTOBER 2009**



	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										0
Rape										0
Robbery: Weapon								1	1	2
Robbery: Strong-Arm	1	1						1		3
Aggravated Assault	2						1	1	3	7
Burglary: Residence	2			1	2		3	1	2	11
Burglary: Other Structure	1	2				1	1	1	1	7
Grand Theft	11	3		2	2	1	1	3	2	25
Grand Theft Auto	1	1					1		2	5
Arson								1		1
Boat Theft										0
Vehicle Burglary	4				1		3	6	5	19
Boat Burglary										0
Petty Theft	2	5				1		3		11
REPORTING DISTRICTS TOTALS	24	12	0	3	5	3	10	18	16	91

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

Source- LARCIS, Date Prepared **NOVEMBER 2, 2009**
CRIME INFORMATION REPORT - OPTION B



To enrich lives through effective and caring service

November 12, 2009



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

SUBJECT: **AGENDA ITEM 3b - MARINA DEL REY & BEACH SPECIAL EVENTS**

MARINA DEL REY

47th ANNUAL HOLIDAY BOAT PARADE

Saturday, December 12

6:00 p.m. – 8:00 p.m.

Fireworks kicking off the start of the parade will be shot off the south jetty at 5:55 p.m. Beautifully lighted and decorated boats will participate in the event that is free to the public. The theme of this year's parade is "Christmas In Paradise". Boat owners will compete for numerous prize packages, including a trip to Hawaii.

Best spots for viewing the boat parade are Burton Chace Park, located at 13650 Mindanao Way, and Fisherman's Village, located at 13755 Fiji Way, where spectators can see and hear the parade free of charge.

Parking is available in County lots throughout Marina del Rey.

For more information call: The Holiday Boat Parade at (310) 670-7130 or visit the website at mdrboatparade.org

FISHERMAN'S VILLAGE WEEKEND CONCERT SERIES

Sponsored by Pacific Ocean Management, LLC

All concerts from 2:00 p.m. - 5:00 p.m.

Saturday, November 14

LA CAT, playing Reggae

Sunday, November 15

2 AZZ 1 Body & Soul Band, playing Smooth Jazz with Vocals & Sax

Saturday, November 21

Spare Time, playing Smooth Jazz

Sunday, November 22

Bernie Meisinger Band, playing Jazz Standards & American Song Book

Saturday, November 28

Moondance, playing Big Band Swing

Sunday, November 29

Susie Hansen Latin Jazz Band, playing Latin Jazz

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

BEACH EVENTS

MALIBU INTERNATIONAL MARATHON 2009/HEALTH & FITNESS EXPO

Zuma Beach

30500 Pacific Coast Highway, Malibu

November 13th, 11:00 a.m. – 7:00 p.m.

November 14th, 9:00 a.m. – 5:00 p.m.

November 15th, 7:00 a.m. – 1:30 p.m.

The Malibu International Health and Fitness expo will have a variety of cutting edge exhibitors. Take advantage of the expo experience - try on running gear, sample electrolytes, water and energy bars and listen to health experts give tips on running and nutrition. All racers are required to attend the Health & Fitness Expo.

For more information visit: [website malibuintmarathon.com](http://website.malibuintmarathon.com)

GI JOE PIER-TO-PIER WALK/RUN

Hermosa Beach Pier

Saturday, November 14

7:00 a.m. – 10:00 a.m.

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

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

SAND SNOWMAN CONTEST

Hermosa Beach Pier
Saturday, December 12
9:00 a.m. to 12:00 p.m.

The weatherman says it's nothing but Sand! Sand! Sand! Bring your family and friends, shovels, scarves and mittens, because in Hermosa Beach, they are making SAND SNOWMEN! This unique holiday tradition is open to all ages and abilities. Come early and mark your spot for the best Sand Snowman! Event check-in begins at 8:45 a.m. with sand sculpting beginning at 9:00 a.m.

For more information call: Community Resources Department at (310) 318-0280

SHK:DC:ks



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November 12, 2009

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission
FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

SUBJECT: **ITEM 5a - 2010 COMMISSION CALENDAR**

The Small Craft Harbor Commission meetings are usually held on the 2nd Wednesday of each month (at 9:30 a.m., unless otherwise noted) at Burton Chace Park Community Building, 13650 Mindanao Way, Marina del Rey, California

In keeping with the Small Craft Harbor Commission's September 2009 request that some night-time meetings be scheduled, a survey has been completed, and it was determined that evening meetings in April and December are possible. The schedule below lists the dates and times for all the meetings tentatively scheduled for 2010.

Date	Day of Week	Time
January 13, 2010	Wednesday	9:30 am
February 10, 2010	Wednesday	9:30 am
March 10, 2010	Wednesday	9:30 am
April 13, 2010	Tuesday	6:00 pm to 8:30 pm
May 12, 2010	Wednesday	9:30 am
June 9, 2010	Wednesday	9:30 am
July 14, 2010	Wednesday	9:30 am
August 11, 2010	Wednesday	9:30 am
September 8, 2010	Wednesday	9:30 am
October 13, 2010	Wednesday	9:30 am
November 10, 2010	Wednesday	9:30 am
December 14, 2010	Tuesday	6:00 pm to 8:30 pm

We respectfully submit this 2010 calendar for your consideration and approval.

SHK:GJ:PW.ks



To enrich lives through effective and caring service



November 12, 2009

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission
FROM: *Kerry Silverstrom for*
Santos H. Kreimann, Director

SUBJECT: ITEM 5b – APPROVAL OF OPTION TO AMEND LEASE AGREEMENT TO FACILITATE REDEVELOPMENT – PARCEL 8 (BAY CLUB APARTMENTS) - MARINA DEL REY

Item 5b on your agenda pertains to an Option to Amend the Parcel 8 lease (Bay Club Apartments) for the renovation of the existing 205 apartment units and the complete redevelopment of the marina with 207 slips and 11 end ties.

Attached is a copy of the Board letter that explains the details of the proposed option agreement. A copy of the proposed Option to Amend Lease Agreement to Facilitate Redevelopment is attached as an exhibit to the Board letter.

Your Commission's endorsement of the Director's recommendation to the Board of Supervisors to approve the proposed Option as contained in the attached letter is requested.

SHK:GJ:ks
Attachment (1)

DRAFT

November 18, 2009

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

Dear Supervisors:

**DEPARTMENT OF BEACHES AND HARBORS: APPROVAL OF OPTION TO AMEND
LEASE AGREEMENT TO FACILITATE REDEVELOPMENT – BAY CLUB
APARTMENTS (Parcel 8T at 14015 Tahiti Way)
MARINA DEL REY
(4th DISTRICT-- 4 VOTES)**

SUBJECT

Request for adoption of the Mitigated Negative Declaration and approval of an option agreement to extend the term of the existing Bay Club Apartments and Marina lease (Parcel 8T) for the renovation of the existing 205 apartment units and the complete redevelopment of the marina with 207 slips and 11 end ties. Exercise of the option is contingent upon Lessee's receipt of entitlements and fulfillment of other conditions required therein.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Mitigated Negative Declaration for the Marina Bay Club Apartments and Marina lease extension and renovation project together with any comments received during the public review period, find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board and adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation, find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, and adopt the Mitigated Negative Declaration.
2. Approve and authorize the Chairman of the Board to sign the Option to Amend Lease Agreement granting to the current lessee, NF Marina, LP, a California

limited partnership, upon fulfillment of stated conditions, the right to extend the term of its existing ground lease on Parcel 8T by 30 years.

3. Approve and authorize the Chairman of the Board to sign the new lease in substantially similar form to Exhibit B attached to the Option, upon confirmation by the Director of the Department of Beaches and Harbors that the NF Marina, LP has fulfilled the Option conditions.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Your Board previously approved assignment of the Bay Club Apartments and Marina to its current Lessee, NF Marina, LP, a California limited partnership ("Lessee"), on September 27, 2005. Lessee thereafter entered into negotiations with the Department of Beaches and Harbors ("Department") to extend the lease term for Parcel 8T. The proposed term sheet that resulted from these negotiations provides for an option in favor of the Lessee to extend the lease term by 30 years from its current June 7, 2021 expiration date to June 7, 2051. Lessee will pay an option fee of \$100,000 upon grant of the option and has agreed to spend no less than \$20.0 million in renovations and replacement on both the land- and waterside improvements, which will include, among other things, renovation of all existing apartment buildings to include apartment unit interiors, building facades, club house, interior and exterior common areas, landscaping, hardscape, replacement of the existing marina, and upgrading of the waterfront promenade to current Marina del Rey standards. Lessee will demolish the existing 230-slip and 11-end-tie marina on Parcel 8 and construct a new 207-slip and 11-end-tie marina on Parcel 8. The newly constructed marina will be able to accommodate boats from 24 feet to 60 feet.

In addition, Lessee has agreed to pay the County percentage rent for apartment units at 14.5 percent for the entire term of the extended lease, subject to certain offsets during the first 20 years of the term. A summary of the proposed terms for the lease extension are set forth in Attachment A. Due to Lessee's agreement to pay the percentage rent for apartment units, there will be no additional extension fee beyond the \$100,000 option fee. Since the project is a renovation rather than a redevelopment, the Mello Act and the County's Marina del Rey affordable housing policy do not apply. Upon stabilization of the rent in 2015, County rents are projected to be \$1,250,000 per year, an increase of approximately \$418,000 per year over current rents received from the parcel (for 2008-2009).

The Department of Regional Planning has prepared an Initial Study for the proposed project in compliance with the California Environmental Quality Act ("CEQA") and along with the Department, recommends your Board's adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Attachment B). If

adopted, Lessee must thereafter obtain all regulatory approvals and exercise the Option to Amend Lease Agreement ("Option") (Attachment C) within 12 months following grant of the Option, subject to discretion of the Director of the Department of Beaches and Harbors ("Director") to grant up to two 6-month extensions if Lessee is delayed in the receipt of approvals despite its diligent efforts.

Due to the current economic environment, the Department has included in the Option an economic *Force Majeure* provision that allows Lessee to extend the time to exercise the Option on the condition that Lessee is pursuing project financing in good faith, but cannot obtain financing due to the economic downturn. The Department has obtained an appraisal that confirms the returns to the County from the lease extension for Parcel 8T are equivalent to, or greater than, fair market value.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

In furtherance of County Goal #1, "Service Excellence" and Goal #4, "Fiscal Responsibility", the recommended action will allow the Department to implement that portion of its Strategic Plan that enhances strategic partnerships with existing and prospective lessees through proactive implementation of the Marina del Rey Asset Management Strategy toward enhancing public access to and enjoyment of the Marina through property redevelopment and modernized lease provisions.

FISCAL IMPACT/FINANCING

The draft Amended and Restated Lease for the renovation of Parcel 8T reflects the County's current market rate percentage rents for all relevant categories. They will produce the following fiscal benefit to the County: 1) an option fee; and 2) revenue increases due to renovation of the apartment buildings and replacement of the marina. Each component is discussed in detail below.

Option Fee

Lessee shall pay a non-refundable (except in the case of a default by County) fee of \$100,000 for the Option, due upon execution of the option agreement.

Revenue Increase Due to Project Redevelopment

The total revenue derived from Parcel 8T during 2008-09 was approximately \$832,000. After stabilization in 2015, the new project will increase annual County rent by \$418,000 to approximately \$1,250,000.

OPERATING BUDGET IMPACT

Upon your Board's approval of the Option, the Department of Beaches and Harbors operating budget will include the one-time \$100,000 Option Fee stated above. This revenue has been included in the 2008-09 Final Adopted Budget.

Costs of consultants and primary County staff involved in the negotiation and development of the Option and Amended and Restated Lease are being reimbursed by the Lessee.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The existing 60-year lease for Parcel 8T expires on June 7, 2021. The current improvements on Parcel 8T consist of 205 apartments and 230 existing slips plus 11 end ties. Parcel 8T has frontage on Tahiti Way and is located west of Tahiti Marina (Parcel 7) and east of Parcel 9.

Approval of the Option is without prejudice to the County's full exercise of its regulatory authority in the consideration of the land use entitlements required for the possible exercise of the Option.

Entering into leases of the County's Marina del Rey real property is authorized by Government Code sections 25907 and 25536. The lease terms are in conformance with the maximum 99-year period authorized by California law.

At its meeting of November 18, 2009, the Small Craft Harbor Commission _____ the recommendations to approve the Option and the Amended and Restated Lease for Parcel 8T in the form attached (Attachment C). County Counsel has approved the documents as to form.

ENVIRONMENTAL DOCUMENTATION

In compliance with CEQA, an Initial Study was prepared for the proposed project. The Initial Study identified potentially significant effects of the project on noise, water quality, air quality, biota, and utilities. Prior to the release of the proposed Mitigated Negative Declaration ("MND") and Initial Study for public review, revisions in the project were made or agreed to which would avoid the significant effects or mitigate the effects to a point where clearly no significant effects would occur.

The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the County, that the project as revised may have a

significant effect on the environment. Based on the Initial Study and project revisions, an MND was prepared for this project (Attachment B). The proposed Mitigation Monitoring and Reporting Program, included with the MND was prepared to ensure compliance with the environmental mitigation measures included as part of the final MND relative to these areas during project implementation. There have been no changes to the proposed project since circulation of the environmental document.

Public Notice was published in The Argonaut on October 8, 2009, pursuant to Public Resources Code Section 21092 and posted pursuant to Section 21092.3. During the 30 day comment period, a written responses were received from the California Department of Fish and Game. In addition, three written responses were received from the public. All comments received, as well as responses to the comments, are contained in the final MND (Attachment B) and have been sent to those who provided comments.

The location of the documents and other materials constituting the record of the proceedings upon which your Board's decision is based in this matter is the County of Los Angeles Department of Regional Planning, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials is Anthony Curzi, County of Los Angeles Department of Regional Planning.

The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon your Board's adoption of the MND, the Department will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code with the Lessee's payment of the required filing and processing fees with the Registrar-Recorder/County Clerk in the amount of \$1,993.

CONTRACTING PROCESS

Lessee acquired the leasehold interest to Parcel 8T as a result of their assumption of the assigned lease as of September 27, 2005. The Lessee thereafter entered into negotiations with the Department to extend the lease term for Parcel 8T. The Amended and Restated Lease for Parcel 8T will be available to the Lessee upon the proper exercise of the Option. Upon Lessee's demonstration that it has satisfied the conditions for exercise of the Option and has received all planning, zoning, environmental and other entitlement approvals required to be obtained from governmental authorities for the construction of the development projects associated with that option, we will return to your Board with final confirmation that the conditions and approvals for exercise contained in the Option have been satisfied and will at that time request execution of the Amended and Restated Lease for Parcel 8T in substantially similar form to Exhibit B attached to the Option.

The Honorable Board of Supervisors
November 18, 2009
Page 6

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no impact on other current services or projects.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors send two copies of the executed Option to the Department of Beaches and Harbors.

Respectfully submitted,

Santos H. Kreimann, Director

SK:GJ:PW:mk

Attachments (2)

c: County Counsel

Attachment "A"
 Proposed Terms for Lease Extension
 Parcel 8T

BOARD POLICY ITEM	TERMS
<p>REDEVELOPMENT Development of new improvements</p>	<ul style="list-style-type: none"> • Renovation of the existing 205-unit apartment building, to include upgrade of all apartment unit interiors, building façades, club house, interior and exterior common areas, landscaping, hardscape, promenade, and provide all required parking on-site and replacement of all 230 existing slips with 11 end ties with 207 new slips and 11 end ties in a configuration and design according to current marina standards. Dock replacement to be in accordance with mutually acceptable phasing program concluding no later than 5 years from the date of exercise of the option. Construction, except for the phased dock replacement, to be completed within 3 years of Lessee's exercise of the Option, exclusive of <i>Force Majeure</i> which in no event shall exceed 5 years. • Total development cost of not less than \$20.0 million in 2009 dollars. • Starting in the sixth year following Completion of Construction, a Capital Improvement Fund to be funded annually by Lessee in the amount of 2.0% of Lessee's total gross revenues derived from the leasehold will be maintained during the term of the lease. The Capital Improvement Fund must be fully expended for Permitted Capital Expenditures by 10 years prior to the expiration date of the lease. All Permitted Capital Expenditures are subject to prior approval by the Director, not to be unreasonably withheld. • Starting in the sixth year following Completion of Construction, a Renovation Fund to be funded annually by Lessee in the amount of 1.0% of Lessee's total gross revenues derived from the leasehold, will be maintained during the remaining term of the lease. 20 years from the exercise of the Option, the Renovation Fund must be fully expended to physically reposition the project to then current market requirements. All Renovation Fund Expenditures are subject to prior approval by the Director, not to be unreasonably withheld.
<p>EXTENSION/LEASE TERM</p>	<ul style="list-style-type: none"> • Option to extend lease on Parcel 8T by 30 years, from a termination date of 6/07/2021 to 6/07/2051. • Option fee of \$100,000, payable immediately prior to Board approval of the Option. The option fee payment is non-refundable.
<p>EXTENSION FEE Fee equal to or commensurate with value of the extension</p>	<ul style="list-style-type: none"> • Option fee shall be credited against the Extension fee upon exercise of the Option.

BOARD POLICY ITEM	TERMS
<p>MARKET RATE RENTS Ensure fair market rents</p>	<ul style="list-style-type: none"> • Minimum annual rent to be reset upon grant of lease extension and every 3 years after exercise of lease extension option equal to 75% of the previous 3 years' average annual total rent paid to County but in no event shall the minimum rent be reduced below that in effect prior to the date of adjustment. • Percentage rents: <ul style="list-style-type: none"> Apartments: 14.5% of gross receipts. Boat Slips: 25% of gross receipts. Parking: 20% of gross receipts. Cable/internet/satellite/telecommunications: 5% of gross receipts. Dry Storage: 20% of gross receipts. Office: 12.0% of gross receipts. Laundry/dry cleaning: 5% commissions Telephone/vending: 25% commissions Misc.: 5.0% of gross receipts. • Adjustment of fair market percentage rental on the 20th anniversary date of exercise of lease extension option and each 10th anniversary date thereafter for all percentage rents other than apartment rents, which shall remained fixed at 14.5% for the entire remaining term, subject to rent credits provided below. • Lessee shall be entitled to a rent credit in the form of a reduction in the percentage rent factor for: a) apartment rents from 14.5% to 12.7% during the first 20 years following the Completion of Construction; and b) boat slips by 1.7% from 25% to 23.3% for the first 20 years following Completion of Construction.
<p>PARTICIPATION IN SALE AND REFINANCE Secure County participation in sale and refinance of leasehold</p>	<ul style="list-style-type: none"> • Sale Participation: Greater of (1) The lesser of (a) the amount by which Gross Proceeds exceeds the applicable investment basis or (b) 5% of the Gross Proceeds or (2) 20% of Net Proceeds upon assignment or other direct or indirect transfer of leasehold. Notwithstanding the above, the first sale during the first 10 years after Completion of Construction shall be equal to the greater of (1) The lesser of (a) that amount by which Gross Proceeds exceeds the applicable investment basis or (b) 2% of the Gross Proceeds of (2) 8% of Net Proceeds. All subsequent sales, including sales other than the first sale that occur during the first 10 years after Completion of Construction, shall not be subject to the above exception. • Refinance Participation: 20% of net loan proceeds not reinvested in leasehold.

BOARD POLICY ITEM	TERMS
COUNTY ADMIN. COSTS Ensure payment for County costs for lease extension	<ul style="list-style-type: none"> • Lessee agrees to reimburse County for costs associated with lease negotiations and Option and lease preparation, including all appraisal and consultant and legal costs.
COUNTY INCOME CONTINUITY Ensure County revenue flow during development	<ul style="list-style-type: none"> • Current minimum rent (in effect one year prior to the commencement of construction) and percentage rent to remain in place during construction. The adjustment of percentage for the apartment rentals shall occur at the Completion of Construction.
RIGHT TO RECAPTURE	<ul style="list-style-type: none"> • County has the right to purchase the leasehold interest if Lessee desires to either assign or sell the leasehold or a controlling interest in Lessee.
ARBITRATION	<ul style="list-style-type: none"> • Arbitration will use rent-a-judge procedure. "Baseball" type arbitration provision.
LEASE ASSIGNMENT - DISCLOSURE ISSUES	<ul style="list-style-type: none"> • Lease assignment and ownership disclosure requirements in accord with standard County policy.
DOCKMASTER	<ul style="list-style-type: none"> • Lessee to maintain a full-time dockmaster to manage anchorage.
PROMENADE	<ul style="list-style-type: none"> • Lessee to construct promenade subject to County's reasonable approval of plans.
APPRAISAL	<ul style="list-style-type: none"> • The Department has obtained an independent appraisal confirming the return to the County from the lease extension and new lease is equivalent to, or greater than, fair market value.

BOARD POLICY ITEM	TERMS
ENTITLEMENTS: SITE COVERAGE, HEIGHT & LAND USES	<ul style="list-style-type: none"> • Lessee must obtain all regulatory approvals within 12 months of grant of option by Board of Supervisors. If Lessee is unable to obtain all of the necessary approvals within the 12-month requirement, the Director may grant two 6-month extensions if Lessee can demonstrate it has diligently pursued those approvals. The foregoing 12-month (or up to 24-month) period is subject to a litigation and appeal tolling provisions that shall in no event extend past 3 years after the date of the grant of the option. • Density, site coverage, open space, view corridor, building height, entitlement and land uses are subject to Lessee obtaining all planning and entitlement approvals.

Additional Matters

OTHER TERMS	<ul style="list-style-type: none"> a) Ten years prior to expiration of lease, Lessee to structure funding for removal of improvements (at County's election). b) Maintenance standards for improvements to conform to Marina del Rey standards as set forth in the new lease document. c) Lease administrative items include: a) late fee of 6% plus interest at prime plus 3% for any late payments; b) security deposit equal to three months' minimum rent; c) insurance levels set upon execution of the lease and renegotiated every five years thereafter; d) County approval rights over all construction plans and specifications; and e) enhanced audit and record-keeping standards. d) Liquidated damages of \$100 per day (adjusted for inflation) for each cited maintenance deficiency at each parcel that remains uncured after a specified cure period, to be assessed against the security deposit.
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COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

EXHIBIT B

MITIGATED NEGATIVE DECLARATION

PROJECT NUMBER: Parcel 8T/Lease No. 4985/R2008-01776/RENV200800101

1. DESCRIPTION:

Applicant proposes an Option to Amend Lease Agreement with the County of Los Angeles ("Lease"). The proposed Lease provides for the renovation of 205 existing apartment units, the public waterfront promenade, a club house and an approval in concept for the replacement of the marina. The existing apartment buildings will undergo interior and exterior rehabilitation with new facades, refurbished interiors, and renovated hardscaping and landscaping. The number of dwelling units will not be increased, nor will the square footage of the existing buildings. The public promenade will be improved through the installation of new lighting, fencing, and paving materials. The existing marina will be demolished and replaced with a new 207-slip marina that will meet the requirements of the Americans with Disabilities Act and California Department of Boating and Waterways requirements. This Mitigated Negative Declaration has been prepared by the Department of Regional Planning on behalf of the Department of Beaches and Harbors.

2. LOCATION:

14015 and 14035 West Tahiti Way, Marina Del Rey

3. PROPONENT:

*David Nagel
NF Marina, LP
6222 Wilshire Boulevard, Suite 650
Los Angeles, CA 90048*

4. **FINDINGS OF NO SIGNIFICANT EFFECT:**

BASED ON THE ATTACHED INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH MODIFICATION AS IDENTIFIED ON THE PROJECT CHANGES/CONDITIONS FORM INCLUDED AS PART OF THE INITIAL STUDY.

5. **LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS**

**THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS MITIGATED NEGATIVE DECLARATION IS BASED IS:
DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012**

PREPARED BY: Anthony Curzi AC

DATE: October 8, 2009

STAFF USE ONLY

LEASE PARCEL: 8T/LEASE NO. 4985
PROJECT NUMBER: R2008-01776
CASES: RENV200800101



**** INITIAL STUDY ****

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING

GENERAL INFORMATION

I.A. Map Date: 09/24/2008

Staff Member: Anthony Curzi

Thomas Guide: Page 701/702, Grid J1/A1

USGS Quad: Venice

Location: 14015 and 14035 West Tahiti Way, Marina del Rey, County of Los Angeles Marina Del Rey
Lease Parcel: 8T Assessors parcels: 4224-002-900, 8940-759-849, 8940-370-029

Description of Project: See Project Description Attachment

Gross Area of Site: 85,640 sf structure footprints, 92,850 sf paving and hardscape, 20,960 sf landscaping and 302,100 sf submerged land.

Environmental Setting:

- a. The project site is located in a developed area in Marina del Rey in the County of Los Angeles. The approximately 11.5 acre site is currently developed with two linear, 3-story apartment buildings (including at-grade parking) and a two-story clubhouse with attached penthouse and pool located between the two apartment buildings. A total of 205 residential units are located on the site. The site and surrounding area contain landscaping, including ornamental trees. Specifically, vegetation consists of largely ornamental non-native landscaping typically associated with residential and parking uses, including King and Queen Palms, Mexican Fan Palms and an umbrella tree. (The King and Queen Palms would be boxed and replanted as feasible). The land portion of the project site is relatively flat. The site also contains 230 boat slips (plus 11 end ties), located directly north of the apartment buildings. The Boat slips are located in Marina del Rey Basin B. The Marina del Rey Channel and Ballona Wetlands are located south of the site.

Zoning: SP (Specific Plan)

General Plan: N/A

Community/Area Wide Plan: R III (Residential III-35 du/ac—Marina Del Rey Community Plan)

Major projects in area:

<u>Project Number</u>	<u>Description & Status</u>
<u>R2006-03647</u>	<u>Neptune Marina Parcel 10R in the northwest corner of Basin B. Proposed construction of a 400-unit apartment complex, and 174 boat slips (pending).</u>
<u>R2006-03652</u>	<u>Neptune Marina Parcel FF, in the Southwest corner of Basin C. Proposed development of a 126-unit apartment complex (pending).</u>
<u>R2006-03643 / R2006-03644</u>	<u>Woodfin Suite Hotel and Timeshare Resort located on parcel 9U North (proposed construction of 288 hotel and timeshare suites) and the development of a public wetland and upland park on the southern portion of Parcel 9U (pending).</u>
<u>TR 067861</u>	<u>Nineteen story building with 136 timeshare units and 152 hotel rooms (pending).</u>
<u>TR 068098</u>	<u>Four condominium buildings with 216 condominium units (in same development with 262 for-lease units) (pending).</u>

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- None
- Regional Water Quality Control Board
 - Los Angeles Region
 - Lahontan Region
- Coastal Commission
- Army Corps of Engineers
- _____

- State Parks
- _____
- _____
- City of Los Angeles
- _____
- _____
- _____

Special Reviewing Agencies

- None
- Santa Monica Mountains Conservancy
- National Parks
- National Forest
- Edwards Air Force Base
- Resource Conservation District of the Santa Monica Mtns.

Trustee Agencies

- None
- State Fish and Game

Regional Significance

- None
- SCAG Criteria
- Air Quality
- Water Resources
- Santa Monica Mtns Area

- Walnut Valley Water District

County Reviewing Agencies

- Subdivision Committee
- Public Works: Traffic & Lighting, Geotechnical & Materials Engineering,

Environmental Programs, Waterworks/Sewer Maintenance

- Public Health: Environmental Hygiene
- Sanitation Districts _____
- Sheriff and Fire Department
- Beaches and Harbors Department

IMPACT ANALYSIS MATRIX

		ANALYSIS SUMMARY (See individual pages for details)			
		Less than Significant Impact/No Impact			
		Less than Significant Impact with Project Mitigation			
		Potentially Significant Impact			
CATEGORY	FACTOR	Pg	<input type="checkbox"/>	<input type="checkbox"/>	Potential Concern
HAZARDS	1. Geotechnical	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Flood	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Fire	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Noise	12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Construction within the Marina – standard mitigation</i>
RESOURCES	1. Water Quality	14	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Construction within the Marina – standard mitigation</i>
	2. Air Quality	16	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Construction – standard mitigation</i>
	3. Biota	19	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Construction within the Marina, marine life impacts</i>
	4. Cultural Resources	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Mineral Resources	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	26	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SERVICES	1. Traffic/Access	28	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Sewage Disposal	30	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Education	31	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Fire/Sheriff	32	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Utilities	33	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Recycling – standard mitigation.</i>
OTHER	1. General	35	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Environmental Safety	36	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Land Use	38	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Pop./Hous./Emp./Rec.	39	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Mandatory Findings	41	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

MITIGATED NEGATIVE DECLARATION, inasmuch as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant."

At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by: Anthony Curzi *Anthony Curzi* Date: 10/7/09

Approved by: Paul McCarthy *Paul McCarthy* Date: 10-7-09

This proposed project is exempt from Fish and Game CEQA filing fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

Determination appealed--see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone?

The project site is not located within a currently established Alquist-Priolo Earthquake Fault Zone. No active or potentially active faults are known to pass directly beneath the project site.

- b. Is the project site located in an area containing a major landslide(s)?

The site is located in a developed area in Marina del Rey. The site is surrounded by residential and commercial land uses. The land portion of the site is relatively flat. According to the Los Angeles County Seismic Safety Element, the project site is not within an area identified as having a potential for landslides.

- c. Is the project site located in an area having high slope instability?

The project site is located in a developed portion of Marina del Rey. The site, which is occupied with residential uses and associated parking areas, is relatively flat as is the land surrounding the site. Therefore the site is not located in an area having high slope instability.

- d. Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?

Groundwater: The site is occupied with apartment buildings, associated parking, and boat slips. Under the proposed project, renovations would be made to the existing residential uses and the public waterfront promenade as well as the boat slips. Only minor earthmoving would occur in connection with landscaping; the landside portion of the project involves renovation, not new construction and there are no below grade structures. Implementation of the proposed project is anticipated to result in less than significant impacts to groundwater.

Liquefaction: The project site is located in a developed portion of Marina del Rey. According to the Marina del Rey Land Use Plan of the County of Los Angeles General Plan, Marina del Rey is considered to be highly susceptible to liquefaction. The Los Angeles General Plan Seismic Safety Element includes Marina del Rey in a "Potential Liquefaction Zone." These areas are considered to be subject to liquefaction, acceleration to active landslides, and original movement of rock material.

As stated above, the site is relatively flat. The site is occupied with residential uses that were constructed in 1971. The channel portion of the site is occupied with boat slips. Under the proposed project renovations would be made to the existing residential uses and the boat slips would be replaced. No substantial ground-breaking activities would occur and no new structures would be introduced onto the landside of the site. Consequently, no significant changes to existing site conditions or uses, or increase in population exposed to potential hazards, would occur with the proposed project. The existing land mass within the marina area has been covered with fill material from channel construction and developed with residential and commercial buildings similar to the residential building that occupies the site.

Subsidence and hydrocompaction: As stated above, the landside of the site is occupied with residential uses that were constructed in 1971. The channel portion of the site is occupied with boat slips. Under the proposed project, renovations would be made to the existing residential uses and the boat slips would be replaced. No substantial ground-breaking activities would occur and no new structures would be introduced onto the

landside of the site.

- e. Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
The project would include the renovation of a residential use historically located on the project site, which can be considered a sensitive use. The project site is located in an area subject to liquefaction. The project would renovate existing buildings resulting in the same number of units as currently exist; buildings would be brought up to current codes as applicable. Consequently, no significant changes to existing site conditions or uses, or increase in population exposed to potential hazards, would occur with the proposed project.
- f. Will the project entail substantial grading and/or alteration of topography including slopes of more than 25%?
Renovation/construction activities proposed under the project would not include substantial grading and excavation at the site (only minor grading in connection with landscaping). The site is relatively flat, is currently paved and is occupied with structures and parking areas. The proposed project would not alter the topography and would not require the import of fill.
- g. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
Under the proposed project, no substantial ground-breaking activities would occur. Renovations would occur to the existing residential units and to the existing public waterfront promenade. Existing boat slips would also be replaced. The project would also include an Option to Amend Lease Agreement for the project site. Consequently, no significant changes to existing site conditions or uses or increase in population exposed to potential hazards would occur with the proposed project.
- h. Other factors? _____

STANDARD CODE REQUIREMENTS

Building Ordinance No. 2225 C Sections 308B, 309, 310 and 311 and Chapters 29 and 70.

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design Approval of Geotechnical Report by DPW

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

Potentially significant Less than significant with project mitigation Less than significant/No impact

HAZARDS - 2. Flood

SETTING/IMPACTS

Yes No Maybe

- a. Is a major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site?

A portion of the project site is located in Marina del Rey Basin B and is occupied by 230 boat slips (plus 11 end ties). Under the proposed project, the boat slips would be improved and replaced with 207 slips (plus 11 end ties), resulting in an overall reduction of boat slips. The landside portion of the site is developed with urban residential uses.

- b. Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone?

The project site is located in a developed area of Marina del Rey. The number of residential units on-site would not increase. The first residential level is located above the ground floor. According to the LA County Flood Zone Map, the project site and the surrounding area are identified as within a flood zone. Additionally, the County of Los Angeles Safety Element identifies the unincorporated area of Marina del Rey at risk for tsunami hazards. The proposed project would comply with any applicable County of Los Angeles regulations related to the renovation of a development located in flood zones. http://planning.lacounty.gov/generalplan/gp/gp2008/gp_web/gp-web-ch08.pdf; accessed November 1, 2008.

- c. Is the project site located in or subject to high mudflow conditions?

The project site is located within an existing developed area and is surrounded by residential and commercial uses, as well as boat slips. Due to the urbanized nature of the site and the surrounding area, as well as the site's topography, which does not include any significant slopes, the proposed project would not be subject to mud flow hazards.

- d. Could the project contribute or be subject to high erosion and debris deposition from run off?

The project site is currently paved and developed with residential and parking uses. No new structures would be introduced onto the landside of the site under the proposed project. Proposed renovations would not include substantial ground-breaking activities, or substantial alteration to the footprint of the existing structures. The footprint of the clubhouse would be reduced in size to accommodate a widened driveway, but alterations would be minimal and are not expected to have a significant impact. The applicant is required to comply with applicable permit requirements through the incorporation of design features and use of best management practices (BMPs) appropriate and applicable to the project. All development shall include measures consistent with the Santa Monica Bay Restoration Plan and the programs of the Department of Public Works to reduce contaminated runoff into bay and Ballona Creek waters, including filtration of low flows, control and filtration of runoff from parking lots and roofs, reduction of impervious surfaces, provision of pump out facilities, and other necessary measures to reduce harmful pollutants from storm drain waters prior to these waters entering the marina. The County of Los Angeles will review the project plans for compliance. Accordingly, less than significant impacts are anticipated.

- e. Would the project substantially alter the existing drainage pattern of the site or area?

The proposed development would not include substantial grading and excavation activities, or substantially alter the footprint of the existing structures. The footprint of the clubhouse would be reduced in size to accommodate a widened driveway, but alterations would be

minimal and are not expected to have a significant impact. Additionally, no new structures would be introduced to the landside of the site, which is currently occupied with residential and parking uses. The proposed project would include renovations to existing uses, and would also include an Option to Amend Lease Agreement for the project site.. Included in these proposed renovations is the replacement of existing boat slips located on the site, which would not substantially alter the existing drainage pattern of the site. The project would not substantially change the percentage of impervious surface area on the project site, and therefore, would not substantially alter the existing drainage pattern on the project site.

- f. Other factors (e.g., dam failure)? The Los Angeles County Seismic Safety Element indicates that the project site is not located within the inundation boundaries of, or up gradient of, dams or reservoirs.

STANDARD CODE REQUIREMENTS

- Building Ordinance No. 2225 C Section 308A Ordinance No. 12,114 (Floodways)
 Approval of Drainage Concept by DPW

MITIGATION MEASURES / **OTHER CONSIDERATIONS**

- Lot Size Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)?
The project site is located within a developed area of Los Angeles County that is not designated a Very High Fire Hazard Severity Zone (Fire Zone 4). No increase in units is proposed on the site. As such, no impact would occur, and no mitigation measures would be required. (Source: LA County Safety Element – Wildland and Urban Fire Hazards Map.)
- b. Is the project site in a high fire hazard area and served by inadequate access due to lengths, widths, surface materials, turnarounds or grade?
The project site is not located in a high fire hazard area. The project site is developed with adequate access for fire fighting equipment. Project access would not change under project implementation. No new structures would be introduced onto the landside of the site; no additional units are proposed. The proposed project would include renovations to existing residential units and the waterfront promenade. Boat slips would be replaced under the proposed project.
- c. Does the project site have more than 75 dwelling units on a single access in a high fire hazard area?
The project proposes renovations to existing residential units. No change in the number of units (205 units) would occur under the proposed project. The project site is not served by a single access and the project site is not located within a high fire hazard area.
- d. Is the project site located in an area having inadequate water and pressure to meet fire flow standards?
The water system serving the project site is maintained by the Los Angeles County Waterworks District # 80. District # 80 serves the Marina del Rey area, which includes the project site. The proposed project would include renovations to existing residential units. No new structures or new residential units would be constructed under the proposed project. The site is not located in an area having inadequate water and pressure to meet fire flow standards. The applicant would comply with all applicable regulations and policies of Waterworks District #80 and the Los Angeles County Fire Department (LACFD).
- e. Is the project site located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?
The project site is not located in close proximity to potential dangerous fire hazard conditions or uses. The project site is surrounded by various residential uses and boat slip marinas. No industrial uses are located in the immediate vicinity of the project site.
- f. Does the proposed use constitute a potentially dangerous fire hazard?
The proposed project would include renovations to existing residential uses and to the public waterfront promenade. Additionally, the proposed project would include the replacement of the existing boat slips, and would also include an Option to Amend Lease Agreement for the project site. No new uses would be introduced to the site. The proposed uses do not constitute a potentially dangerous fire hazard. This would be considered a less than significant impact.
- g. Other factors? _____

STANDARD CODE REQUIREMENTS

Water Ordinance No. 7834 Fire Ordinance No. 2947 Fire Regulation No. 8

Fuel Modification/Landscape Plan

MITIGATION MEASURES / **OTHER CONSIDERATIONS**

Project Design

Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

Potentially significant Less than significant with project mitigation Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site located near a high noise source (airports, railroads, freeways, industry)?

The project site is not located in close proximity to any high noise sources such as airports, railroads, freeways or industrial uses. The immediate area includes numerous boat slips characteristic of a marina. Residential and commercial uses are located in the area surrounding the site. The site is approximately 4 miles north of Los Angeles International Airport and not within the flight path. The project involves renovations to, and continuation of, existing uses, and would also include an Option to Amend Lease Agreement for the project site.

- b. Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity?

The project proposes renovations to residential uses, which are generally considered sensitive uses. No changes to this historically established use are proposed. Existing sensitive uses in close proximity to the project site include additional residential uses located adjacent to the site immediately to the north and single- and multi-family residences to the west, south and east.

- c. Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project?

The use of construction equipment during renovation activities would have the potential to temporarily substantially increase ambient noise levels in the surrounding area (see below). Noise generated by renovation activities would be required to comply with the County of Los Angeles Noise Ordinance and all applicable codes and regulations for noise control.

The site is currently occupied with residential uses and boat slips. Existing noise sources at the site include noise associated with residential uses and noise typically associated with the operation of boats. On-going noise would result from the continued operation of residential uses and boating-related uses with no substantial changes to these sources. The proposed project would reduce the number of boat slips by 23, which would result in a reduction in the noise associated with the operation of boats.

- d. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?

Noise generated by construction/renovation activities would be required to comply with the County of Los Angeles Noise Ordinance and all applicable codes and regulations for noise control. However, the noise generated by pile driving associated with the boat slip renovations would temporarily substantially increase noise levels. Pile driving would occur in three phases, each phase would result in drilling 36 piles; each pile takes about 30 minutes to drill, with up to 5 piles drilled per day. Noise levels could reach as high as 105 dBA as each pile is struck. The project would use noise shrouds that would reduce noise levels about 20 dBA below this level. Noise shrouds together with the short duration of this impact result in this impact being considered less than significant. During project operation, noise associated with the continued operation of residential uses and boats would occur.

- e. Other factors? _____

STANDARD CODE REQUIREMENTS

Noise Ordinance No. 11,778

Building Ordinance No. 2225--Chapter 35

MITIGATION MEASURES / **OTHER CONSIDERATIONS**

Lot Size

Project Design

Compatible Use

The project applicant shall ensure that noise shrouds are used during pile driving activities.

Any stationary, or semi-stationary piece of equipment that operates under full power for more than sixty minutes per day shall have a temporary 3/4 inch plywood screen if there is a direct line of sight from the equipment to any potentially occupied residential bedroom window.

Noisy construction activity should be restricted to between the hours of 8:00 a.m. to 5:00 p.m. in order to minimize disturbance on surrounding residences and commercial land; pile driving shall be limited to the hours between 8:00 a.m. and 4:30 p.m.

The contractor shall ensure that all construction equipment, fixed and mobile, is regularly maintained and in proper operating condition and fitted with standard silencing devices. Proper engineering noise controls shall be implemented when necessary on fixed equipment.

Engine idling shall be minimized to reduce noise (as well as emissions of particulate matter and greenhouse gases).

Noise levels of mobile sources will be monitored periodically as part of the Mitigation Monitoring and Reporting Program.

The applicant will notify residents in the surrounding area (within 1,000 feet of construction activity) of the anticipated duration of construction and anticipated activities prior to the start of construction. The notice will provide a phone number where neighbors can register questions and complaints. A log of questions and complaints will be maintained and reasonable efforts shall be made to respond to questions and address complaints.

The applicant shall post a notice at the construction site indicating the type of project, duration of construction activities and the phone number where questions and complaints can be registered.

Staging and delivery areas shall be located as far as feasible away from existing residences. Deliveries and hauling activities shall be scheduled between 9:00 a.m. and 4:00 pm. to the extent feasible to minimize disturbance of residents in the area.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by noise?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site located in an area having known water quality problems and proposing the use of individual water wells?
No water wells are located on the site. The water system serving the project site is maintained by the Los Angeles County Waterworks District #80. District #80 serves the Marina del Rey area, which includes the project site. The proposed project would include renovations to existing residential uses and to the adjacent waterfront promenade in addition to the replacement of boat slips, and would also include an Option to Amend Lease Agreement for the project site.. No new uses would be included under the proposed project. Therefore, the project is not proposing the use of local groundwater sources or individual water wells. As such, a less than significant impact would occur and no mitigation measures would be required. The Marina has water quality issues; Best Management Practices and compliance with NPDES would be required and implemented during construction.
- b. Will the proposed project require the use of a private sewage disposal system?
The County of Los Angeles Department of Public Works currently provides sanitary sewer service to the project site and would continue to serve the project. The project would discharge to the existing sewage system and the number of residential units and anticipated sewage generation would not change; no private sewage disposal system is required. (Boat wastewater – which is minor -- would go into the sanitary sewer, which does not occur under existing conditions.) Impacts are anticipated to be less than significant and no mitigation would be necessary.
- If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the project proposing on-site systems located in close proximity to a drainage course?
Not applicable (see above).
- c. Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies?
Implementation of the proposed project would include renovations to existing residential units, the existing public waterfront promenade and replacement of the existing boat slips. The proposed project would comply with applicable regional policies, permits and regulations. The County of Los Angeles will review the project plans for compliance with NPDES requirements as part of the project review and approval process. (See also Hazards – Flood 2. d. above.)
- d. Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies?
The developed site is occupied with residential uses and associated uses. No new structures would be introduced onto the landside of the site under the proposed project. The proposed development would not substantially change the percentage of impervious surface area on the project site, introduce new uses or expand the existing building footprint. Additionally, the proposed project would not substantially increase storm water runoff from the site. The project shall comply with the California Regional Water Quality Control Board and the County National Pollutant Discharge Elimination System (NPDES)

e. permit discharge requirements.
Other factors? _____

STANDARD CODE REQUIREMENTS

- Industrial Waste Permit Health Code Ordinance No. 7583, Chapter 5
 Plumbing Code Ordinance No. 2269 NPDES Permit Compliance (DPW)

MITIGATION MEASURES / **OTHER CONSIDERATIONS**

- Lot Size Project Design

To reduce impacts to water quality during construction, the following actions included in the project and BMPs would be implemented:

- Silt curtains shall be deployed when practicable to contain the spread of turbid waters beyond the project area.
- Spill kits and cleanup materials will be available at all locations of pile driving. Equipment used shall be leak-free.
- Hammers and other hydraulic attachments will be protected from run-on and run-off by placing them on plywood and covering them with plastic or a comparable material prior to the onset of rain.
- Sandbag barriers will be placed around the staging areas to control sediment and prevent run-off.
- Employees and subcontractors will implement the appropriate measures for storage and use of materials and equipment.
- All debris and trash shall be disposed in appropriate trash containers on land or on construction barges by the end of each construction day.
- Discharge of hazardous materials into the study area shall be prohibited.
- Any dredge material will be tested and disposed of in accordance with applicable regulations -- at sea if clean or at an appropriate landfill if found to be contaminated.

CONCLUSION

Considering the above information, could the Project have a significant impact (individually or cumulatively) on, or be impacted by, **water quality** problems?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

Yes No Maybe

- a. Will the proposed Project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential uses or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for nonresidential uses)?
The proposed project would include renovations to existing apartment units and the public waterfront promenade, and would also include an Option to Amend Lease Agreement for the project site. The project would not increase units or change the existing density on the site; boat slips would also be replaced and the total number of slips would be reduced.
- b. Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?
The proposed project would include the renovation of existing apartment units as well as the replacement of boat slips in Basin B in Marina del Rey, and would also include an Option to Amend Lease Agreement the project site. The site is currently occupied with apartment buildings that were constructed in 1971. The site is surrounded by residential and commercial uses. No freeway or heavy industrial use is located in the immediate area.
- c. Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure, or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook?
The site is currently occupied with multi-family residential uses and associated parking. Implementation of the proposed project would not increase the number of residential units or introduce new structures onto the landside of the site. Existing boat slips would also be replaced under the proposed project. Specifically, boat slips would be reduced from 230 slips (plus 11 end ties) to 207 slips (plus 11 end ties) and associated trip generation would be similarly reduced. Despite the reduction in the number of boat slips, in order to comply with new County Code parking ratio requirements, the project would use compact spaces to add 3 additional parking spaces to the existing parking area of the site (increasing the number of parking stalls from 484 to 487). While the number of spaces would be increased, the number of boat slips would be reduced. Therefore, implementation of the proposed project is not anticipated to increase local emissions due to vehicle or boat traffic.
- d. Will the project generate or is the site in close proximity to sources, which create obnoxious odors, dust, and/or hazardous emissions?
The project site is not located in close proximity to sources of obnoxious odors, dust, and/or hazardous emissions; surrounding land uses are residential and commercial in nature. During renovation/construction, the project could periodically generate minor odors, dust and/or hazardous emissions (for example paint fumes). No obnoxious odors, dust and/or hazardous emissions would be generated during project operation. This would be considered a less than significant impact with mitigation.
- e. Would the project conflict with or obstruct implementation of the applicable air quality plan?
The project involves renovation of residential uses and replacement of boat slips in three phases; demolition debris from the boat docks and apartments would require 1 to 4 trucks removing debris (4 to 8 one way truck trips) each day (with a peak of about 9 loads per day or 18 one-way truck trips) during the demolition period of each phase (about four to

five weeks). Material delivery would result in about 2 to 4 deliveries per day during boat slip assembly and apartment renovation (approximately five to six months per phase). Project implementation would include the continued operation of residential uses that occupy the site, however as apartments and boat slips are renovated in three phases, approximately one third of the apartments (68 units) and boat slips (76 boat slips) would be unoccupied (with associated trips and air emissions not occurring on the site) as the renovations occur. On completion, no change in use or density would occur under the proposed project. Therefore, project implementation is expected to be compliant with the AOMP.

f. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

See response to e. above; the landside of the project would involve renovation activities only. The marina side would include boat slip replacement. Activities would be split into three phases, with net daily activity below levels that could exceed SCAQMD thresholds.

g. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The project site is located within the South Coast Air Basin, which is currently in non-attainment for ozone (which is not directly emitted into the air but instead forms through NO_x and VOCs), PM₁₀ and PM_{2.5}. See above discussion of construction activity; the net increase in emissions would be below levels that SCAQMD would consider to be cumulatively considerable.

h. Other factors: _____

STANDARD CODE REQUIREMENTS

Health and Safety Code Section 40506

MITIGATION MEASURES / OTHER CONSIDERATIONS

Project Design

Air Quality Report

To reduce emissions during construction, the following actions included in the project and BMPs would be implemented:

- Construction parking shall be configured to minimize traffic interference.
- Construction activities that affect traffic flow on the arterial system shall be scheduled at off-peak hours as permitted.
- Truck deliveries will be consolidated when possible.
- Maintain equipment and vehicle engines in good condition and in proper tune according to manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions.
- Suspend use of construction equipment during second stage smog alerts.
- Use electricity from power poles rather than temporary diesel- or gasoline powered generators.
- Use methanol- or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
- Use propane- or butane-powered on-site mobile equipment instead of gasoline if readily available at

competitive prices.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **air quality**?

Potentially significant Less than significant with Project mitigation Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?

The project site is not located within a SEA, SEA Buffer, or coastal Sensitive Environmental Resource area. SEA #29 (Ballona Creek) is located approximately one mile to the southeast. The project site, which is located within a developed area of Marina del Rey, has been developed with residential uses since 1971 and contains no areas that could be considered undisturbed. A survey of the submerged land where the boat slips are located was undertaken, and neither eel grass nor Caulerpa were detected. The survey is available for review at Regional Planning, Environmental Review Section.

- b. Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas?

No natural habitat areas occur on the project site. The project site is occupied with apartment buildings, associated parking and boat slips. A survey of the submerged land where the boat slips are located was undertaken, and neither eel grass nor Caulerpa were detected. The proposed project would not introduce any new structures onto the landside of the site, significantly alter the footprint of the structures or include substantial grading activities. The footprint of the clubhouse would be reduced in size to accommodate a widened driveway, but alterations would be minimal and are not expected to have a significant impact. The project site is presently developed and surrounded by residential and commercial uses; implementation of the proposed project would not remove substantial natural habitat areas.

- c. Is a major drainage course, as identified on USGS quad sheets by a blue, dashed line, located on the project site?

The boat slips are located in Marina del Rey Basin B, immediately north of the apartment buildings located on the site. As such, a less than significant impact would occur and no mitigation measures would be required

- d. Does the project site contain a major riparian or other sensitive habitat (e.g., coastal sage scrub, oak woodland, sycamore riparian woodland, wetland, etc.)?

The project site, which is presently fully developed, does not contain a major riparian or other sensitive habitat. No coastal sage scrub, oak woodland, sycamore riparian woodland or wetland habitats are present on-site. Additionally, no sensitive habitats are present in the immediate area. A survey of the submerged land where the boat slips are located was undertaken and neither eel grass nor Caulerpa were detected.

- e. Does the project site contain oak or other unique native trees (specify kinds of trees)?

The project site contains no live oak trees. Vegetation consists of largely ornamental non-native landscaping typically associated with residential and parking uses, including King and Queen Palms (proposed to be boxed and replanted as feasible), Mexican Fan Palms and an umbrella tree. Under the proposed project, appropriate drought tolerant landscaping would be provided.

f. Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?

The project site, which is located within a developed area in Marina del Rey, does not contain habitat for any known sensitive species. The project site is currently developed with residential uses, associated parking, and boat slips. The apartment buildings have occupied the site since 1971. A survey of the submerged land where the boat slips are located was undertaken and neither eel grass nor Caulerpa were detected; in addition a reconnaissance to identify potential sensitive birds was undertaken and none were observed.

g. Other factors (e.g., wildlife corridor, adjacent open space linkage)?

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design Oak Tree Permit ERB/SEATAC Review

To ensure that the project will not adversely affect eelgrass beds or result in the dissemination of invasive algae, the applicant will conduct pre-construction surveys for eelgrass no more than 60 days prior to construction and for Caulerpa no less than 30 days and no more than 90 days prior to construction during the period of active growth (i.e., March 1 to October 31). It is anticipated that neither species will be detected in the study area. In the unlikely event that eelgrass is detected, focused dive surveys will be performed to map the location and area of eelgrass beds and determine turion densities within patches. Locations of beds will be mapped using a GPS unit, and areal coverage will be determined by measuring the dimensions of the beds with transect tapes. If eelgrass is detected, the following Best Management Practices (BMPs) would be implemented to minimize adverse effects to eelgrass:

- The locations of eelgrass beds will be marked with buoys by the project marine biologists prior to conducting renovations;
- The project marine biologist will meet with construction crews to show areas where eelgrass occurs and discuss BMPs;
- Vessel operation in the vicinity of eelgrass will be limited to tides higher than +2 to +4 feet mean lower low water (MLLW); and
- Vessels shall avoid anchoring over eelgrass beds.

Upon completion of dock renovations, a post-project eelgrass survey will be conducted within 30 days to evaluate impacts to eelgrass. The survey will be repeated annually for two years to quantify the extent of eelgrass loss due to shading effects as required by the Southern California Eelgrass Mitigation Policy (NMFS 1991).

If losses of eelgrass is observed at the end of the two-year monitoring period, then the applicant will be required to mitigate for losses at a ration of 1.2 to 1 either on site or at another site within Marina del Rey.

In the unlikely event that Caulerpa are identified within the study area during preconstruction surveys, NMFS or CDFG contacts will be notified within 24 hours of the discovery. Within 96 hours of notification, the extent of the infestation will be documented. Caulerpa eradication will be performed using the best available technologies under the guidance of NMFS and CDFG contacts. Following eradication, surveys will be conducted to determine the effectiveness of treatments prior to approval of the project.

As required by the Migratory Bird Treaty Act and California Fish and Game Code Section 3500 (et seq.) it is recommended that pre-construction nesting bird surveys be conducted no more than 72 hours prior to the

commencement of construction activities. The applicant will be required to include the following measures to ensure that there is no substantial adverse effect on any nesting habitats or wildlife foraging areas within the study area for residential and migratory species.

• A qualified biologist will conduct a nesting bird and raptor survey prior to any vegetation clearing activities. For these purposes, a qualified biologist would be any individual with sufficient education and field experience in local California ecology and biology to adequately identify plant and wildlife species. Surveys will be performed no earlier than 72 hours prior to the initiation of construction activities to document that no occupied passerines and/or raptor nests would be impacted.

• Vegetation clearing activities, if applicable, will be completed prior to the onset of the avian breeding season beginning in March, to the maximum extent practicable, in order to greatly reduced or avoid adverse impacts to avian species. The clearing of vegetation prior to commencement of the development activities would deter the majority of individuals from selecting nesting or breeding sites within the development areas.

• Upon detection of an active nest within the study area or on immediately adjacent lands, a buffer zone from occupied nests will be maintained during construction activities. Once it is determined that nesting ceased, the buffer may be removed.

In the event that noise-sensitive biota, specifically special status avian and marine mammalian species, are observed in the project area during preconstruction surveys and construction monitoring, the use of acoustic shrouds can be employed around the pile driving rig to reduce noise levels.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **biota**?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 4. Archaeological / Historical / Paleontological

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) which indicate potential archaeological sensitivity?
- The project site is located in a developed area in Marina del Rey. The site is surrounded by residential uses and the public waterfront promenade. The site is occupied by apartment buildings that were constructed in 1971 and with 230 boat slips (plus 11 end ties). The project site is not known to contain archaeological resources or contain features such as springs, rock outcroppings or oak trees, which indicate potential archaeological sensitivity.*
- The proposed project would include improvements to existing residential units and the replacement of 230 boat slips (plus 11 end ties) with 207 slips (plus 11 end ties), and would also include an Option to Amend Lease Agreement for the project site. In addition to the proposed renovations of the residential units and the boat slip replacements, the proposed project would replace the promenade landscaping and fixtures. No new substantial ground disturbance would occur under the proposed project and existing subsurface conditions would be unchanged. Therefore proposed renovations and improvements included under the proposed project are not anticipated to encounter significant archeological resources.*
- b. Does the project site contain rock formations indicating potential paleontological resources?
- The project site is located in a developed area of Marina del Rey and is occupied by two apartment buildings, a clubhouse and boat slips. The project site does not contain any rock formations that indicate potential paleontological resources. As described above, no substantial ground disturbance is proposed under the proposed project. As no surface grading and shallow excavations are proposed for the site, it is unlikely to encounter significant vertebrate fossils as existing subsurface conditions would be unchanged.*
- c. Does the project site contain known historic structures or sites?
- The existing structures on the project site, which were constructed between 1970 and 1972, are not considered historic resources. No known historically significant events have occurred on the project site. The project site does not contain known historic structures or sites.*
- d. Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?
- The site is not known to contain historical or archaeological resources. The existing land mass located within the marina area has been covered with fill material from channel construction and developed with commercial and residential uses. No substantial ground-breaking activities would occur under the proposed project. Existing residential units would be renovated and existing boat slips would be replaced. The exterior of the apartment buildings would receive a cosmetic upgrade. Additionally the existing public waterfront promenade would be renovated. No impact to historical or archaeological resources is expected to occur.*
- e. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- No paleontological resources or unique geologic features are known to exist on the*

project site. As previously stated no substantial ground-breaking activities would occur under the proposed project. Existing residential units would be renovated and existing boat slips would be replaced. Additionally the existing public waterfront promenade would be renovated. The proposed project would not directly or indirectly destroy a unique paleontological resource or unique geologic feature.

f. Other factors? _____

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design Phase I Archaeology Report

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical, or paleontological** resources?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

Yes No Maybe

- a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The project site, which is currently developed with apartment buildings, a clubhouse and boat slips, is not located within a locally important mineral resource discovery site and project implementation would not result in the loss of availability of a known mineral resource. (Source: United States Geological Survey, "Mineral Resources On-Line Spatial Data," <http://mrdata.usgs.gov/website/MRData-US/viewer.htm>. 2008.)

- b. Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?

According to the Draft Los Angeles County General Plan, the project site, which is currently developed with residential and boat slip uses, is not located within a locally important mineral resource area. Mineral resource areas include existing surface mining activities, areas identified or to be identified as containing significant mineral resources by the State Mining and Geology Board, and areas suitable for the production of energy resources, including crude oil and natural gas.

(Source: http://planning.co.la.ca.us/generalplan/gp/gp2008/gp_web/gp-web-ch06.pdf, October 28, 2008.)

- c. Other factors? _____

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

Yes No Maybe

- a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is located in a developed area in Marina del Rey. Two apartment buildings, a clubhouse, boat slips and associated parking currently occupy the project site.

- b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is zoned SP (Specific Plan) and is designated R-III by the Marina del Rey Community Plan. The project site is historically developed with non-agricultural uses including residential uses, boat slips, and associated parking. Under the proposed project the existing apartments would be renovated and the existing waterfront promenade would be improved, and the project would also include an Option to Amend Lease Agreement for the project site. No Williamson Act contract applies to the Project Site. Therefore, the project would not conflict with existing zoning for agricultural uses.

- c. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

The project site is bordered by residential and commercial uses. The site also contains 230 boat slips (plus 11 end ties) located directly north of the apartment buildings. No agricultural uses are present on the project site or in the project area and the project would not result in the conversion of farmland to non-agricultural use.

- d. Other factors? _____

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on agriculture resources?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

Yes No Maybe

- a. Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?
The project site is located in a developed area in Marina del Rey. According to the Conservation and Open Space Element of the Draft County of Los Angeles General Plan, the project site is not located along a scenic highway as shown on the LA Adopted and Eligible Scenic Highways Map. The site is not located within a scenic corridor. Renovations included under the proposed project would not be substantially visible from a scenic highway: <http://planning.lacounty.gov/generalplan/gp/gp2008/> accessed November 1, 2008.
- b. Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail?
The project site is located in a developed area in Marina del Rey. The site is currently occupied by two apartment buildings, a clubhouse, boat slips, and associated parking areas. The proposed project would include renovations of the apartment units, the clubhouse and the adjacent public waterfront promenade and the replacement of the boat slips, and would also include an Option to Amend Lease Agreement for the project site. Proposed improvements would not diminish or obstruct existing views. No visual impacts related to the obstruction of views from a regional riding or hiking trail would occur.
- c. Is the project site located in an undeveloped or undisturbed area, which contains unique aesthetic features?
The project site, which is presently developed with two apartment buildings including at-grade parking, a clubhouse and boat slips. The landside portion of the site is completely paved and is not located within, nor does it contain, an undeveloped or undisturbed area. The project vicinity is already developed with a mix of residential and commercial uses. The project would not affect any undeveloped or undisturbed areas or any unique aesthetic features.
- d. Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?
The project would not introduce any new structures or uses onto the landside of the site. The existing residential structures would be renovated and the exterior dimensions of the structures would not be expanded. Similarly, the existing boat slips would be replaced. Improvements proposed for the waterfront promenade include new landscaping and replacement of the pavement, fencing and light fixtures (which could be considered an improvement in aesthetic conditions). These proposed renovations would not be out-of-character in comparison to adjacent residential and commercial uses.
- e. Is the project likely to create substantial sun shadow, light or glare problems?
The site is currently occupied by two 3-story apartment buildings with attached clubhouse, at grade parking and boat slips. Implementation of the proposed project would include renovations to residential units, replacement of boat slips and improvements to the existing public waterfront promenade. The project would also include an Option to Amend Lease Agreement for the project site. No modifications to building height or footprint which could increase existing shadows would occur with the project. Improvements proposed for the promenade would include the replacement of existing light fixtures. No new structures would be introduced onto the landside of the site and existing

heights of the apartment buildings or clubhouse would not be altered. Renovated lighting fixtures will be comprised of focused lighting designed to reduce excess glare. A further description of the materials used to renovate the exterior of the project structures, and the materials used to rebuild the boat slips is included in the attached project description. It is not anticipated that these new materials will cause any light or glare problems. Therefore, the proposed project would not create substantial sun shadow, light, or glare problems.

f. Other factors (e.g., grading or land form alteration):

MITIGATION MEASURES / OTHER CONSIDERATIONS

Lot Size Project Design Visual Report Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on **scenic** qualities?

Potentially significant Less than significant with project mitigation Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

Yes No Maybe

- a. Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)?

The project site contains 205 existing multi-family residential units that would be renovated under the proposed project. The project would also include an Option to Amend Lease Agreement for the project site. No additional residential units would be constructed under the proposed project. Additionally, no new uses would be developed on the site. The site is located in a developed area of Marina del Rey. Site access would not be altered under the proposed project. Additionally, the number of boat slips would be reduced from 230 slips (plus 11 end ties) to 207 slips (plus 11 end ties), which is anticipated to reduce overall trips. Due to the fact that no additional residential units would be proposed and the number of boat slips would be reduced, implementation of the proposed project is not anticipated to result in traffic congestion problems.

- b. Will the project result in any hazardous traffic conditions?

The design of the proposed project would not alter existing access to the site. Existing residential and associated parking uses would continue to operate under implementation of the proposed project. No new structures would be introduced onto the landside of the site. Renovations would occur to existing apartment buildings and to the public waterfront promenade. Accordingly, the project design would not result in hazardous conditions for vehicles entering and/or exiting the project site.

- c. Will the project result in parking problems with a subsequent impact on traffic conditions?

The project would include an Option to Amend Lease Agreement for the project site. The proposed project would also include landside renovations to existing residential uses. Under the proposed project renovations would be made to existing apartment units, the clubhouse and to the existing public waterfront promenade. No new residential units would be introduced onto the site.

The marina component of the proposed project would include the replacement of boat slips. Overall parking areas would remain in their existing condition however, to comply with current boat slip parking ratio requirements, the applicant proposes to use compact spaces to increase the total number of parking spaces located on the site by 3 stalls. Parking requirements for slips have increased from 0.67 parking stalls per slip to 0.75 parking stalls per slip. Although the parking requirement for each slip has increased, the number of slips would be reduced (by 23 slips) under the proposed project. Therefore, in order to comply with current requirements, the project would only need to create 3 additional parking stalls through the use of compact parking spaces. These proposed components of the project would not result in parking problems with a subsequent impact on traffic conditions.

During dock assembly the project would temporarily use one public boat ramp as well as adjacent parking to assemble the docks; docks would then be floated into place.

- d. Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area?

No modifications to existing project site access and on-site circulation are proposed that would result in problems for emergency vehicles or residents/employees in the area. Building and site plans will be provided to the Los Angeles County Fire Department. No

new structures would be introduced onto the landside of the site under the proposed project. The project does propose to increase the width of the existing driveway leading from Tahiti Way to the promenade by 8 feet, which would enhance access to the promenade and the waterside of the residential structures. Project access would continue to be adequate in the event of an emergency.

- e. Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?

The project would not result in an increase in trips and, due to the reduction in the number of boat slips, trips would actually be slightly reduced.

- f. Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The proposed project would include the continued operation of residential uses along with the continued operation of boating uses. Renovations of the existing public waterfront promenade, which promotes walking and biking in the surrounding area, would also occur under the project. These proposed improvements would not conflict with adopted policies, plans or programs supporting alternative transportation.

- g. Other factors? _____

MITIGATION MEASURES / OTHER CONSIDERATIONS

- Project Design Traffic Report Consultation with Traffic & Lighting Division

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **traffic/access** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact