



May 16, 2022

**VIA ELECTRONIC MAIL**

RE: PLUM Agenda Item #11 May 17th 2022  
Re: Council Files Nos. 21-0829 and 21-0829S1

Dear Councilmember Marqueece Harris-Dawson, Chair, Councilmember Gilbert A. Cedillo, Councilmember Bob Blumenfield, Councilmember John S. Lee and Councilmember Monica Rodriguez:

The Venice Canals Association, an organization made up of over 450 friends of the Venice Canals, strongly opposes this proposed project as it puts our residents, visitors and environmentally sensitive habitat of the Historic Venice Canals at risk.

From the outset, we have called attention at every hearing to the sensitivity of the environmental challenges and weak infrastructure of the Venice Canals. It is a system that has been failing and unable to hold water. Efforts to repair have been unsuccessful. Engineers at BOE warned of water escaping the canal system that may potentially result in a sinkhole on Washington Blvd., the parallel thoroughfare to Venice Blvd. and the beach. Should both streets be out of commission due to construction or erosion, the public will have no access to the beach, nor will residents be able to come and go to their homes.

The Venice Land Use Plan, Coastal Act, and CEQA should be in place to protect the Environmentally Sensitive Habitat Area of the Venice Canals. Yet, developers are ignoring these safeguards and environmental review altogether through new legislation out of Sacramento targeting only LA (AB1197) that never should be applied to the Coastal Zone and to commercial uses.

The project, joining 40 lots would require sensible protections to ensure the safety of the community, its visitors and the environment.

**The Bureau of Engineering, in a memorandum dated 12/12/19 identifies the Tentative Subdivision Map Report as “unsatisfactory”. (See attached - 2102 S. Pacific Ave VTT82288.pdf)**

Among other problems, the memorandum speaks of concerns re: “Draining to canal water way in Canal Street requires approval of the California Coastal Commission, The California Department of Fish and Wildlife, The State of California Los Angeles Regional Water Quality Control board and the US Army Corp of Engineers before approval of Bureau of Engineering”. We have seen no such approvals.

**While the City is having Seminars discussing preparation for Tsunamis and providing plans for escape in such an event, simultaneously, the City is removing Tsunami warning signs from Venice Blvd. North as developers plan to house 420 most vulnerable residents in a Flood Zone, Tsunami Zone and Escape Route, in a high water table with sea level rise.**

The team assembled for the Seminar to discuss Tsunami Preparedness on April 14, 2022, was not prepared to answer the question asked about how projects are being monitored so not to be placing massive developments in harms way in known Tsunami zones (the Venice Median Project specifically mentioned). FEMA has designated this area as a flood zone and has ordered all residents to get flood insurance. Yet the City is willing to risk our tax dollars on a project that could be unusable for the duration of it's projected lifetime.

The lack of transparency throughout the planning process has been neglectful and disconcerting.

**Mike Bonin recently processed an ordinance related to trespass penalties in the Venice Canal Environmentally Sensitive Habitat Area ("ESHA") that, inconsistent with adopted Coastal Commission documents and findings, excluded from the ESHA the portion of Grand Canal between North and South Venice Boulevard at the project site.**

The California Coastal Commission and other relevant regulatory agencies identify the Venice Canals, including the portion at the most northern point between North and South Venice Boulevards to be Environmentally Sensitive Habitat Area ("ESHA"). Despite this fact, recently Councilmember Mike Bonin processed an ordinance to criminalize trespasses into the Venice Canals that impact its sensitive bottom and plantings.

The ordinance environmental review, project description, and ordinance can be found in the **City Council File at 20-0645 (Ordinance # 186924 see attached)**

Although the trespass ordinance had an appropriate intent contrary to the Project description in the environmental review document, the City Attorney, in conjunction with Mr. Bonin, presented an ordinance that included a definition of the Venice Canal ESHA to NOT include the portion of the Grand Canal between North and South Venice Boulevard. This change in the Project was not disclosed to the public by the City Attorney report or any other document during its processing before City Council. In other words, **Mr. Bonin failed to inform this City Council that the text of the ordinance the City Council approved, created a conflict between City of Los Angeles laws and the Coastal Commission records.**

**The Venice Canals Association recently filed notification to Coastal Commission as to the City's failure to comply with a Coastal Permit requiring seven parking spots for access to the public boat launch.** To date, the area designated for this

parking is locked after the Maintenance crew leaves for the day and deprives public access for visitors. Signage for the launch area has also been removed. The disregard of the importance of the Canals as public recreation for all is alarming, and the future project will further obstruct this access. Current plans reduce available launch parking to 2 spots in the West Tower to allow for a trailer to be parked. No access will be provided from the Venice Blvd. North, as it is now, to drive a trailer to the ramp.

The City of Los Angeles has fallen into noncompliance with multiple Coast Development Permits, and the Coastal Commission informs us that it has issued notices of violation to the City.

Another telling example of how local residents and visitors to Venice Beach are being disregarded, is the pseudo parking/traffic study for the project.

**Dell Avenue, the very street for which the Project is now named as the “Venice Dell Project” (after having to change the name from the Reese Davidson Community when Arthur Reese’s granddaughter objected to the project ) - has never been evaluated in a traffic study.**

Dell Avenue is the narrow one way street and the only inlet and outlet to the Venice Canals. It’s also the narrow street adjacent to the eastern side of the proposed project with small colorful cottages marking the narrow sidewalks. Congestion on a normal beach day where Dell Ave. meets Venice Blvd. is impossible to navigate. Aside from losing the basic ability to come and go from residences in the Canals, visitors circling the beach looking for parking will be tied up for hours on Dell Ave. and access for emergency vehicles will be completely blocked.

By now you’ve heard (and ignored) our concerns of taking over a 100-year-old historic bridge, changing it’s use to eliminate automobiles, bikes and limit pedestrian beach access to the beach and sandwich it between two massive buildings and limit use to a design feature of the project, connecting the two buildings- rather than honoring the historic landmark that is meant to be used and enjoyed by all.

This proposed project is exceptional due to the location, size, complexity and cost. It is opposed by many of Mike Bonin’s possible successors, as well as the Venice Neighborhood Council and should be stayed until Mr. Bonin’s successor takes office.

Thank you,

Mark Galanty  
President  
Venice Canals Association

Marjorie Weitzman  
Environmental Chair  
Venice Canals Association

**BUREAU OF ENGINEERING**  
**MEMORANDUM**  
**TENTATIVE SUBDIVISION MAP REPORT**

To: Edmond Yew, Group Manager  
Land Development Group, STOP #901  
201 N. Figueroa St., Suite 200  
Los Angeles, CA 90012

Subdivision Map No: VTT82288  
Date: December 23, 2019  
Location: Between North Venice Boulevard and  
South Venice Boulevard, and between  
Pacific Avenue and Dell Avenue  
CD: 11 WLA#: 1618 District Map: 106-5A145

From: Michael Patonai, District Engineer  
West Los Angeles Engineering District  
Bureau of Engineering

**GENERAL**

Tract / Parcel Layout is: ☐ Satisfactory ☒ Unsatisfactory

☐ Recommend Disapproval

**Remarks:** Project Address: 2102-2120 S Pacific Ave, 116-302 E North Venice Blvd, 2106-2116 S Canal St, 319 E South Venice Blvd.

Project Description: 140 units condominium building.

Reported by: Hisashi Kobayakawa

- ☐ The prior recordation of subdivision, \_\_\_\_\_ may be required to provide (access, sewer service, drainage).
- ☒ Submit street plans prior to recordation.
- ☐ Street alignment should be adjusted as follows: \_\_\_\_\_
- ☐ Profiles for the future extension of \_\_\_\_\_ may be required.
- ☐ Slope easements are required at \_\_\_\_\_.

## STREET DESCRIPTION

### Existing:

Street Name: North Venice Boulevard

Street Classification: Boulevard II

### TOTAL DIMENSIONS

Right-of-way Width: 50'

Improvement Plan: D-1554

Roadway Width: 38'

### EXISTING HALF DIMENSIONS AND CONDITIONS ADJACENT TO THE SITE

Half R/W: 25'      Half Road: 19'      Half Island: n/a      Border: 6'

SW Width: 5.5'      SW Offset: n/a      Gutter Width: 2'      CF: 7"

The adjacent half roadway is improved with asphalt concrete. Its condition is fair.

☐ No additional access ramps are needed.

To be relocated / removed if widening is recommended:

Street Tree(s): 0      Age:      Mean Diameter:      Type: None

Bus Pad(s):      Bus Stop/Shelter(s):

Street Light(s):      Utility Pole(s): 3      Fire Hydrant(s): 1

Catch Basin(s): 2      Traffic Signal(s): 1      Street Sign(s): 6

Retaining Wall:      Guard Rail: 40' at canal      Other:

☐ DOT concurrence with the widening recommendation.

### Recommendations:

Dedication: Dedicate 2.5-ft wide along property frontage to complete 27.5-ft, the half right-of-way for one side of Divided Boulevard II. Submit dedication plan to WLA BOE for review and approval.

Improvement: Remove existing 5.5-ft wide concrete sidewalk and construct a full width concrete sidewalk abutting the new property line. Close unused driveways. Remove and replace any broken, damaged, or off grade adjacent pavements and integral concrete curb and gutter per the City and ADA standard. Remove existing access ramp at Southeast corner of North Venice Boulevard and Pacific Avenue intersection and construct a new ADA access ramp per current City standard plan S-442. Install street trees and tree wells with root barriers to the satisfaction of the Urban Forestry Division of the Bureau of Street Services. All these improvements shall transition suitably and shall be constructed to the satisfaction of the City Engineer per B-permit.



North Venice Blvd (S/S), looking Easterly.



North Venice Blvd (S/S), looking Westerly.

## STREET DESCRIPTION

### Existing:

Street Name: South Venice Boulevard

Street Classification: Boulevard II

### TOTAL DIMENSIONS

Right-of-way Width: 40'+Various

Improvement Plan: D-1717

Roadway Width: 38'

### EXISTING HALF DIMENSIONS AND CONDITIONS ADJACENT TO THE SITE

Half R/W: <u>20'</u>	Half Road: <u>28'</u>	Half Island: <u>n/a</u>	Border: <u>within PL</u>
SW Width: <u>7' to 8.5'</u>	SW Offset: <u>within PL</u>	Gutter Width: <u>2'</u>	CF: <u>7"</u>

The adjacent half roadway is improved with asphalt concrete. Its condition is fair.

☐ No additional access ramps are needed.

To be relocated / removed if widening is recommended:

Street Tree(s): 12    Age: unknown    Mean Diameter: 1'    Type: unknown

Bus Pad(s): 0    Bus Stop/Shelter(s): 0

Street Light(s): 2    Utility Pole(s): 1    Fire Hydrant(s): 1

Catch Basin(s): 0    Traffic Signal(s): 1    Street Sign(s): 2

Retaining Wall:    Guard Rail: aprx 205'    Other: 2 stairs

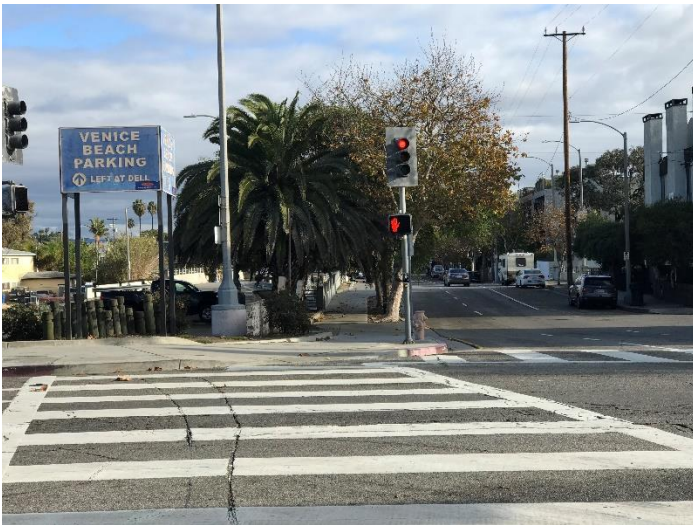
☐ DOT concurrence with the widening recommendation.

### Recommendations:

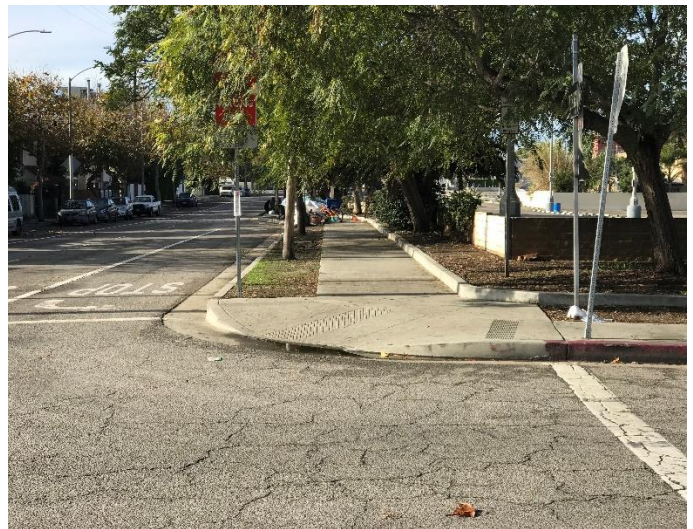
Dedication: Dedicate 20-ft wide along property frontage to encompass existing street improvement including roadway and boarder. Dedicate extra 6-ft (26-ft total) where the existing stairs are constructed for access to Canal Street sidewalk. Dedicate extra 11-ft (total 31-ft) where the existing left hand turn lane is constructed at West of Dell Avenue. Submit dedication plan to WLA BOE for review and approval.

Improvement: Remove existing sidewalk and construct full width concrete sidewalk to abut both the new property line and curb. Close unused driveway. Remove and replace any broken, damaged, or off grade adjacent pavements and integral concrete curb and gutter per the City and ADA standard. Remove existing access ramp at Northeast corner of South Venice Boulevard and Pacific Avenue intersection, and Northwest corner of South Venice Boulevard and Dell Avenue intersection and construct new ADA access ramps according to the current City standard plan S-442. Install new street trees and tree wells with root barriers to the satisfaction of the Urban Forestry Division of the Bureau of Street Services. All these improvements shall transition suitably and shall be constructed to the satisfaction of the City Engineer per B-permit.





**South Venice Blvd (N/S), looking Easterly.**



**South Venice Blvd (N/S), looking Westerly.**

## STREET DESCRIPTION

### Existing:

Street Name: Pacific Avenue

Street Classification: Avenue II

### TOTAL DIMENSIONS

Right-of-way Width: 45'

Improvement Plan: P-1475

Roadway Width: 44'

### EXISTING HALF DIMENSIONS AND CONDITIONS ADJACENT TO THE SITE

Half R/W: 22.5'

Half Road: 31.5'

Half Island: n/a

Border: within PL

SW Width: 10'

SW Offset: within PL

Gutter Width: 2'

CF: 6"

The adjacent half roadway is improved with asphalt concrete. Its condition is fair.

☐ No additional access ramps are needed.

To be relocated / removed if widening is recommended:

Street Tree(s): 0 Age: Mean Diameter: Type: None

Bus Pad(s): 10'x144' Bus Stop/Shelter(s): 0

Street Light(s): 3

Utility Pole(s): 1

Fire Hydrant(s): 0

Catch Basin(s): 0

Traffic Signal(s): 2

Street Sign(s): 6

Retaining Wall:

Guard Rail:

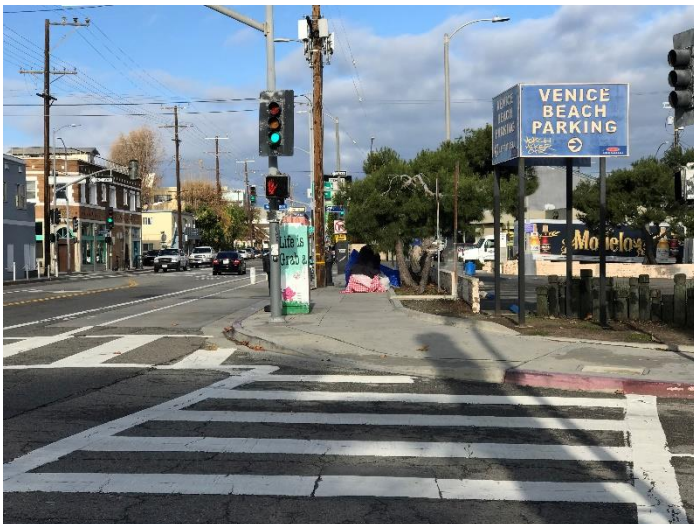
Other:

☐ DOT concurrence with the widening recommendation.

### Recommendations:

Dedication: Dedicate 20.5-ft along frontage to complete 43-ft wide standard half right-of-way for the Avenue II. Also, two corners, at Pacific Avenue and North Venice Boulevard, and Pacific Avenue and South Venice Boulevard need to be dedicated for 20-ft radius corner dedication.

Improvement: Remove existing 10-ft wide sidewalk and construct new full width concrete sidewalk abutting new property line after dedication. Remove and replace any broken, damaged, or off grade adjacent pavements and integral concrete curb and gutter per the City and ADA standard. Remove existing access ramps at Southeast corner of North Venice Boulevard and Pacific Avenue, and Northeast corner of South Venice Boulevard and Pacific Ave and construct new ADA access ramps at the corner according to the current City standard plan S-442. Install new street trees and tree wells with root barriers to the satisfaction of the Urban Forestry Division of the Bureau of Street Services. All these improvements shall transition suitably and shall be constructed to the satisfaction of the City Engineer per B-permit.



Pacific Ave (E/S), looking northerly.



Pacific Ave (E/S), looking Southerly.



## STREET DESCRIPTION

### Existing:

Street Name: Canal Street

Street Classification: Local Street

### TOTAL DIMENSIONS

Right-of-way Width: 60'

Improvement Plan: P-2082

Roadway Width: 0

### EXISTING HALF DIMENSIONS AND CONDITIONS ADJACENT TO THE SITE

Half R/W: 30'

Half Road: 0

Half Island: n/a

Border: 10'

SW Width: 6'

SW Offset: 4'

Gutter Width: 0

CF: n/a

There is canal water way instead of roadway.

☐ No additional access ramps are needed.

To be relocated / removed if widening is recommended:

Street Tree(s): 0 Age: \_\_\_\_\_ Mean Diameter: \_\_\_\_\_ Type: None

Bus Pad(s): \_\_\_\_\_ Bus Stop/Shelter(s): \_\_\_\_\_

Street Light(s): \_\_\_\_\_ Utility Pole(s): \_\_\_\_\_ Fire Hydrant(s): \_\_\_\_\_

Catch Basin(s): \_\_\_\_\_ Traffic Signal(s): \_\_\_\_\_ Street Sign(s): \_\_\_\_\_

Retaining Wall: along sidewalks Guard Rail: along canal Other: Bridge over canal

☐ DOT concurrence with the widening recommendation.

### Recommendations:

Dedication: The bridge over Canal Street will only be used by the subject property and does not provide access to the public. Dedicate sufficient easement area for the City maintenance crew and vehicles to access the bridge for maintenance and necessary repair. Submit new map to show proposed easement for the City crew access.

Improvement: Remove and reconstruct existing 6-ft wide sidewalk along the canal water way on both sides per current City standard and ADA standard. Replace any broken or off grade adjacent pavements, retaining walls, and guard rails. Install new street trees with root barriers to the satisfaction of the Urban Forestry Division of the Bureau of Street Services. All improvements shall transition suitably and shall be constructed to the satisfaction of the City Engineer per B-permit.



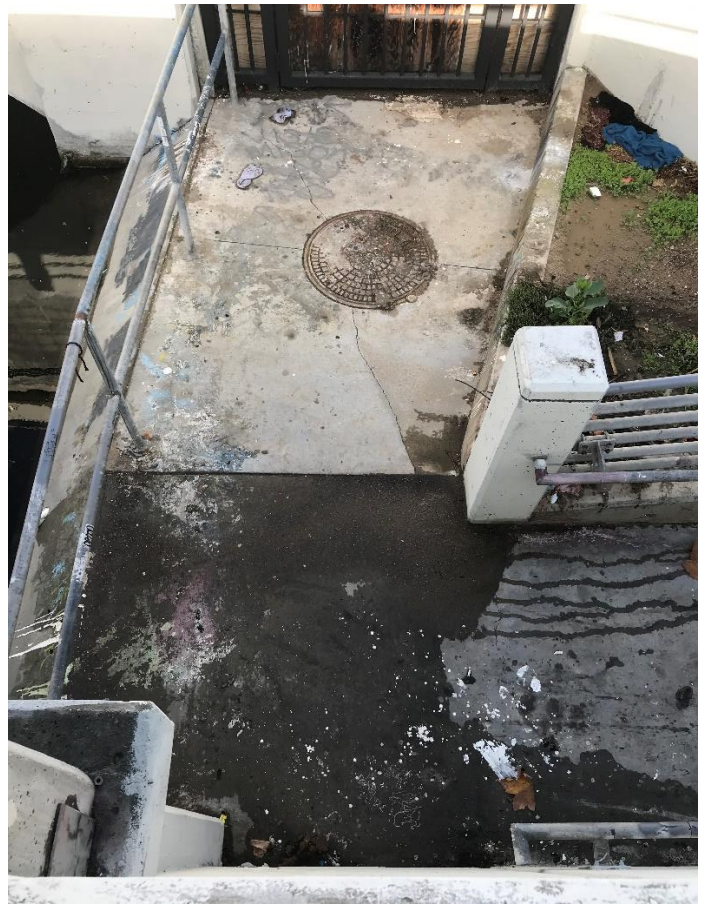
Canal St (E/S), looking Southerly



Canal St (W/S), looking Southerly



Canal St (W/S), looking Northerly



Canal St (E/S), looking Northerly



## STREET DESCRIPTION

### Existing:

Street Name: Dell Avenue

Street Classification: Local Street

### TOTAL DIMENSIONS

Right-of-way Width: 40'

Improvement Plan: n/a

Roadway Width: 35'

### EXISTING HALF DIMENSIONS AND CONDITIONS ADJACENT TO THE SITE

Half R/W: <u>20'</u>	Half Road: <u>20'</u>	Half Island: <u>n/a</u>	Border: <u>within PL</u>
SW Width: <u>4.5'</u>	SW Offset: <u>within PL</u>	Gutter Width: <u>2'</u>	CF: <u>8"</u>

The adjacent half roadway is improved with asphalt concrete. Its condition is fair.

☐ No additional access ramps are needed.

To be relocated / removed if widening is recommended:

Street Tree(s): 0	Age:	Mean Diameter:	Type: None
Bus Pad(s):		Bus Stop/Shelter(s):	
Street Light(s): 1		Utility Pole(s): 0	Fire Hydrant(s): 0
Catch Basin(s): 0		Traffic Signal(s): 0	Street Sign(s): 2
Retaining Wall:		Guard Rail:	Other: USPS Box

☐ DOT concurrence with the widening recommendation.

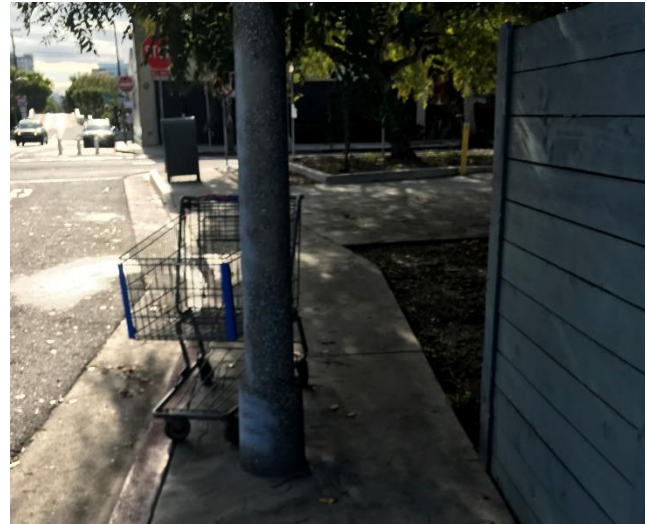
### Recommendations:

Dedication: Dedicate 10-ft along the property street frontage to complete 30-ft wide standard half right-of-way for the local street. Also, dedicate a 20-ft property line radius corner at intersection with South Venice Boulevard.

Improvement: Remove existing 4.5-ft wide sidewalk and construct a new 5-ft wide concrete sidewalk abutting the new property line. Close unused driveway. Remove and replace any broken, damaged, or off grade adjacent pavements and integral concrete curb and gutter per the City and ADA standard. Remove existing access ramp at North West corner of South Venice Boulevard and Dell Avenue and construct a new ADA access ramp according to the current City standard plan S-442. Install new street trees with root barriers to the satisfaction of the Urban Forestry Division of the Bureau of Street Services. All these improvements shall transition suitably and shall be constructed to the satisfaction of the City Engineer per B-permit.



Dell Ave (W/S), looking Northerly.



Dell Ave (W/S), looking Southerly.

## **DRAINAGE**

- ☒ The property is located on Drainage Map No. 561.
- ☐ (Hydrology and hydraulic) calculations (may, will, will not) be required, and drainage plans (may, will, will not) be required prior to recordation.
- ☐ Storm Drain construction (may, will, will not) be required at \_\_\_\_\_.
- ☐ Flood protective facilities (may, will, will not) be required \_\_\_\_\_, and off-site drainage facilities (may, will, will not) be required at \_\_\_\_\_.
- ☐ The property is located in Drainage District \_\_\_\_\_, and Drainage District Fee (may, will, will not) be required. The Drainage District Fee is \$\_\_\_\_.
- ☐ Los Angeles County Department of Public Works (Flood Control District) requirements: \_\_\_\_\_.
- ☐ (Retention basin, Debris basin) (may, will, will not) be required \_\_\_\_\_, and maintenance fees (may, will, will not) be required \_\_\_\_\_.
- ☐ Drainage easements will be required \_\_\_\_\_.
- ☐ Findings for Flood Hazard Management Specific Plan are attached.
- ☒ Other: Roof and site drainage shall be sent to street via drain pipe with minimum 2% slope to curb drain. Draining to canal water way in Canal Street requires approval of The California Coastal Commission, The California Department of Fish and Wildlife, The State of California Los Angeles Regional Water Quality Control board, and The US Army Corps of Engineers before approval of Bureau of Engineering.

## SEWERS

### SERVICE

- ☒ The property is located on Sewer Wye Map No: 7187-5.
- ☐ This subdivision is connected to existing sewer(s) in \_\_\_\_\_.
- ☒ The nearest available sewer(s) are located in North Venice Blvd, South Venice Blvd, Pacific Ave, and Canal St.
- ☐ A sewer outlet (is assured, will be located) at \_\_\_\_\_.
- ☐ The existing sewer in \_\_\_\_\_ does not have adequate capacity to serve the subdivision.
- ☒ Submit sewer plans prior to recordation.
- ☒ Other: Sewer Capacity Availability Request (SCAR) is required.

### CONSTRUCTION

- ☐ No Additional sewer construction (may, will, will not) be required.
- ☒ Construct house connection sewer(s) to serve the subdivision. See Detail at "Other" below.
- ☐ Construct house connection sewer(s) to serve lot/parcel nos. \_\_\_\_\_.
- ☐ Construct on-site sewers to serve the subdivision.
- ☐ Construct off-site sewer(s) to serve the subdivision; an easement (may, will, will not) be required. See attached sketch.
- ☒ Extend existing house connection(s) serving the subdivision to the new property line.
- ☐ Extend existing house connection(s) serving lot/parcel nos. \_\_\_\_\_ to the new property line.
- ☐ City construction of \_\_\_\_\_ must be completed with an agreement with the City.
- ☒ Sewer easements may be required \_\_\_\_\_.
- ☒ Other: Installing new sewer lateral pipe and extension of existing sewer lateral pipe to new property line shall be included in the B-permit for public right-of-way improvements.



## SEWERS CONTINUED

### FEES

- ☐ Accept Sewerage Facilities Charge deposit of \$\_\_\_\_\_ based on \$\_\_\_\_\_ / (lot, acre, SFD).
- ☐ Accept Sewerage Facilities Charge deposit based on \_\_\_\_\_% of the normal charge since this property is within the County Sanitation District.
- ☐ Do not accept Sewerage Facilities Charge deposit at this time; the project should construct the necessary off-site sewers to serve the development.
- ☐ Revenue from future bonded sewer fees, house connection sewer construction charges, and Sewerage Facilities Charges (along the off-site) will be \$\_\_\_\_\_. (Required when off-site sewer cost exceeds Sewerage Facilities Charge by a 10:1 ratio or the City's obligation is over \$50,000).
- ☐ Bonded sewer fee of \_\_\_\_\_ (may, will, will not) be required prior to recordation.
- ☐ Based on the deposit of \$\_\_\_\_\_, additional Sewerage Facilities Charges (may, will, will not) be required at such time as permits for connections are issued for buildings constructed or when buildings are altered.

### EXEMPTIONS

- ☐ (All, A portion) of the tract area is exempt from the Sewerage Facilities Charge for technical reasons such as: street vacation, reversion to acreage, or condominium conversion \_\_\_\_\_.
- ☐ Remarks: \_\_\_\_\_.

### CREDITS (S.F.C.)

- ☐ (All, A portion) of the subdivision area will receive a credit towards the Sewerage Facilities Charge as follows: \_\_\_\_\_.  
(shown on the attached sketch)
- ☐ A connection Charge for Outlet Facilities was paid on \_\_\_\_\_ for the following described property: \_\_\_\_\_.
- ☐ An outlet Sewer Charge was paid on \_\_\_\_\_ under the following subdivision: \_\_\_\_\_.

## SEWERS CONTINUED

- ☐ A Sewerage Facilities Charge was paid on \_\_\_\_\_ under the following subdivision: \_\_\_\_\_.
- ☐ Sewerage Facilities Charge of \$\_\_\_\_\_ was paid on \_\_\_\_\_ with Certificate No. \_\_\_\_\_. (Additional Sewerage Facilities Charge deposit (may, will, will not) be required at the map recordation).
- ☐ A Sewerage Facilities Charge credit will be available after removal of existing structures.
- ☐ The property is already connected to the public sewer.
- ☐ Other: \_\_\_\_\_.

### CREDITS (B.S.F.)

- ☐ Participated in existing sewer(s) in \_\_\_\_\_ previously constructed under permit.
- ☐ Participated in existing sewer(s) in \_\_\_\_\_ previously constructed under Assessment Act proceedings.
- ☐ A Bonded Sewer Fee was paid on (all, a portion) of this area with Certificate No. \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.
- ☐ Additional Comments: \_\_\_\_\_.

**ORDINANCE NO. ~~186924~~**

An ordinance adding Section 63.136 to the Los Angeles Municipal Code to prohibit entry upon a Venice Canal or Grand Canal/Ballona Lagoon Environmentally Sensitive Habitat Area between a designated walkway and the water.

**WHEREAS**, on October 29, 1999, the Los Angeles City Council adopted the Venice Local Coastal Program Land Use Plan (LUP), which was prepared to comply with the California Coastal Act of 1976 (CF 98-0518), which was certified by the California Coastal Commission June 14, 2001;

**WHEREAS**, the LUP identifies policies for the protection of an Environmentally Sensitive Habitat Area (ESHA), which is defined by the LUP and by the California Coastal Act as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments;

**WHEREAS**, the LUP establishes the land between walkways and the waterways of the Venice Canals and the Grand Canal/Ballona Lagoon in the Venice area of the City of Los Angeles to be ESHAs;

**WHEREAS**, the LUP establishes dual policies governing the Venice Canal and Grand Canal/Ballona Lagoon ESHAs, policies consistent with requirements of the California Coastal Act. The LUP provides that uses permitted in or adjacent to the canals shall be implemented in a manner to protect the biological productivity of marine resources and maintain healthy populations of marine organisms. The LUP also provides that uses such as authorized open space, habitat management, controlled nature study and interpretation, and passive public recreation use of walkways for birdwatching, photography, and strolling upon designated walkways and paths shall be encouraged and promoted;

**WHEREAS**, The California Coastal Act at Section 30240, subpart (a) provides that, "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas." Section 30210 of the California Coastal Act also provides that, "In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse";

**WHEREAS**, on May 26, 2020, the City Council determined that the City's ESHAs are delicate ecosystems that may easily be disturbed by human activities and that, in order to bolster the City's ability to protect these habitats, the City should have the legal

authority to prevent people from leaving designated walking trails and pathways in ESHAs, except for limited purposes related specifically to the ESHAs and waterways. (CF 20-0645); and

**WHEREAS**, the City Council finds that prohibiting persons from entering upon the Venice Canal and Grand Canal/Ballona Lagoon ESHAs, while continuing to allow for off-walkway and path nature study and interpretation and boating activities, protects the biological productivity of marine resources, and maintains healthy populations of marine organisms in the ESHAs while allowing recreational activities consistent with the requirements of the LUP, adopted pursuant to the requirements of the California Coastal Act.

**NOW, THEREFORE,**

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. A new Section 63.136 is added to the Los Angeles Municipal Code to read as follows:

**SEC. 63.136. ENTRY UPON VENICE CANAL, GRAND CANAL, AND BALLONA LAGOON ESHA PUBLIC RIGHTS-OF-WAY PROHIBITED.**

**(a) Definitions.**

1. **“Ballona Lagoon East Bank”** shall mean the open space adjacent to the east bank of Ballona Lagoon in the Grand Canal/Ballona Lagoon.

2. **“Designated Walkway”** shall mean the pedestrian paths or improved walkways along and abutting the Grand Canal/Ballona Lagoon or Venice Canals waterways.

3. **“Environmentally Sensitive Habitat Area”** or **“ESHA”** shall have the same meaning as set forth in California Coastal Act section 30107.5, which is any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

4. **“Grand Canal/Ballona Lagoon”** shall mean the Grand Canal and Ballona Lagoon located in the City of Los Angeles near Venice Beach, bounded to the east by Via Dolce and Via Donte Streets, to the west by Strongs Drive, Canal Court, and Pacific Avenue, to the north by Washington Boulevard, and to the south by Via Marina.

5. **“LUP”** shall mean the Venice Local Coastal Program Land Use Plan prepared to comply with the California Coastal Act of 1976, adopted by the

City Council October 29, 1999 (CF 1998-0518), and certified by the California Coastal Commission June 14, 2001.

6. **“Venice Canal(s)”** shall mean the Grand Canal, Carrol Canal, Linnie Canal, Howland Canal, and Sherman Canal located in the City of Los Angeles near Venice Beach, bounded to the east by Ocean Avenue, to the west by Strongs Drive, to the north by South Venice Boulevard, and to the south by Washington Boulevard.

7. **“Venice Canal ESHA” or “Grand Canal ESHA”** shall mean the land located between a Designated Walkway and the waterways in the Venice Canals or Grand Canal/Ballona Lagoon.

(b) **Entry Upon Canal ESHAs Prohibited.** No person shall leave a Designated Walkway in the Venice Canals or Grand Canal/Ballona Lagoon and enter the Venice Canal ESHA or Grand Canal/Ballona Lagoon ESHA, or enter onto the Venice Canal ESHA or Grand Canal/ Ballona Lagoon ESHA from the canal waterways except for the limited purpose of:

1. Actively engaging in the boating activity of moving a boat into and out of the water at a public boat launch facility or a private dock with the dock-owner's authorization, moving into a boat from a Designated Walkway, or exiting from a boat onto a Designated Walkway;

2. Nature study and interpretation for educational purposes associated with a school or educational institution and permitted by the Board of Public Works or its designee; or

3. Governmentally authorized habitat management, including keeping an ESHA free of accumulated trash and waste.

(c) **Entry Upon Ballona Lagoon East Bank Prohibited.** Public access is prohibited onto the Ballona Lagoon East Bank.



Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
ROBERT MAHLOWITZ  
Deputy City Attorney

Date 1/27/21

File No. 20-0645


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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

  
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Ordinance Passed 02/10/2021

Approved 02/22/2021

Published Date: 02/26/2021  
Ordinance Effective Date: 03/29/2021  
Council File No.: 20-0645