



DEPARTMENT OF PARKS AND RECREATION
Acquisition and Real Property Services
2241 Harvard Street, Ste. 200
Sacramento, California 95815

Armando Quintero, Director

April 27, 2023

Steve Penn
Asset Management Division Chief
Los Angeles County Department of Beaches & Harbors
13837 Fiji Way
Marina Del Rey, CA 90292

RE: Manhattan Beach 28th Street Stormwater Infiltration Project – Property Coordination

Dear Mr. Penn,

California Department of Parks and Recreation (“State Parks”) has received the attached information about the City of Manhattan Beach’s 28th Street Storm Drain Infiltration Project (“Project”) that impacts parcels granted to the County of Los Angeles (“County”) by the State of California, by and through State Parks, in 1995. You have requested an exemption to the conditions subsequent in the attached Grant Deed recorded as document 95-1527005 in the Los Angeles County Recorder’s Office (“Grant Deed”).

State Parks has determined that due to the public benefit of the Project, to the extent the Project would conflict with the conditions subsequent, it will waive the conditions for this Project. State Parks does not consider this to be an “intentional material breach of any condition” as described in the Grant Deed, and therefore is not required to terminate the County’s interest pursuant to Civil Code section 885.010 et seq.

By granting this limited waiver, State Parks does not waive or alter the conditions subsequent for any other project in the future, or otherwise alter or amend State Parks’ rights as stated in the Grant Deed.

If you have any questions or comments, please do not hesitate to contact Bahadur Mann at (916) 804-1207 or bahadur.mann@parks.ca.gov.

Sincerely,

DocuSigned by:


Brian Dewey

Assistant Deputy Director
Facilities and Development

Enclosures

cc: Email to Steve Penn at SPenn@bh.lacounty.gov

1. Introduction

The City of Manhattan Beach (City) proposes to implement the 28th Street Storm Drain Infiltration Project (Project) to improve water quality at the beach and for the Santa Monica Bay. The primary goal of the Project is to improve water quality locally, on the beach, and in the Santa Monica Bay by:

- Reducing bacterial discharges from the storm drain system and
- Reducing trash/debris discharge from the storm drain system.

The Project will generate additional benefits, including:

- Enhancing beach conditions,
- Reducing the potential for beach closures,
- Providing an enhanced environment for marine life,
- Creating educational and outreach opportunities for the local community, and
- Improving the 26th Street Parking Facility.

Implementation of a beach infiltration system was identified as the highest priority capital project for the City in the Beach Cities Enhanced Watershed Management Program (EWMP). The EWMP was developed in a collaborative effort involving the Cities of Manhattan Beach, Hermosa Beach, Redondo Beach, Torrance, and the Los Angeles County Flood Control District (LACFCD). The EWMP identified capital improvement projects in the participating jurisdictions to help improve water quality and address applicable pollutants in the Santa Monica Bay, specifically related to bacteria. **Figure 1-1** illustrates the Project area, surrounding drainage areas, and the Beach Cities EWMP Group.



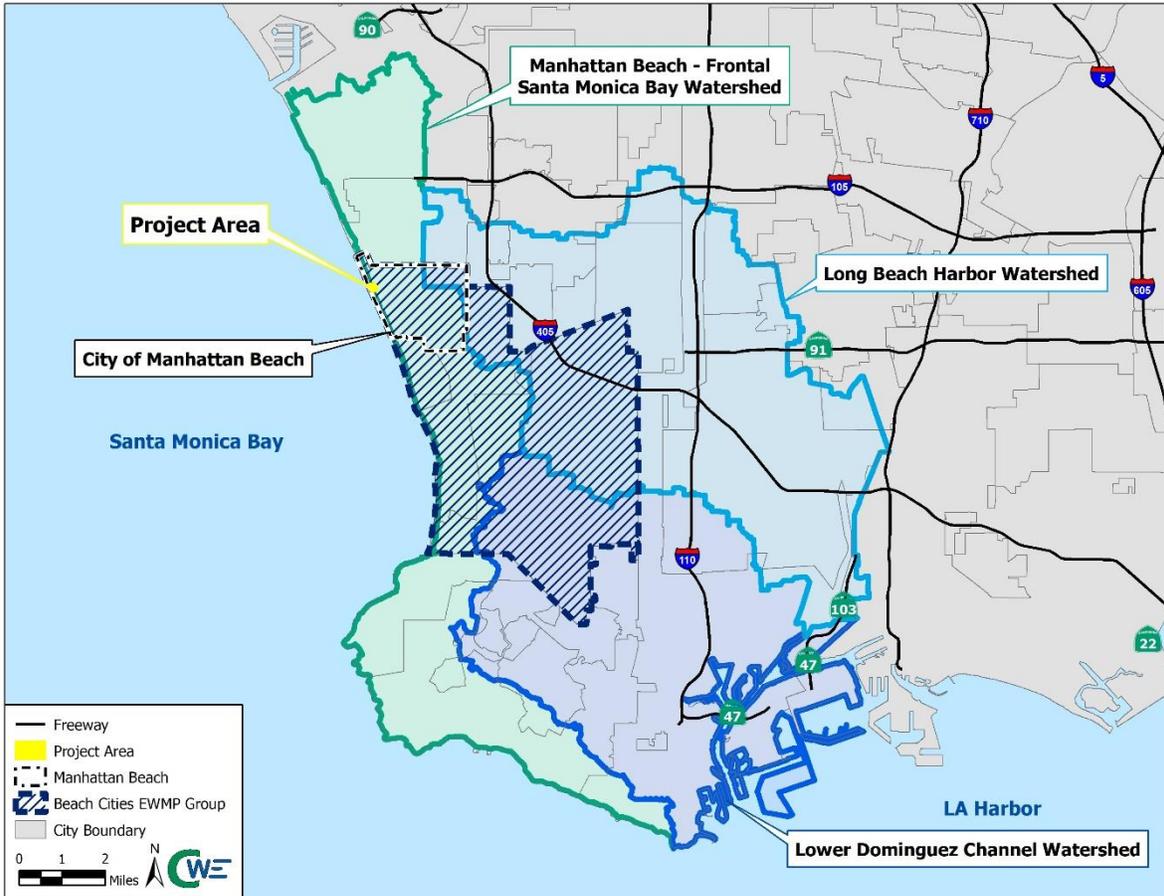


Figure 1-1 Surrounding Watersheds and Watershed Group

The Project’s drainage area covers over 1,500 acres. A drainage area is defined as the land area where rain falls and is then captured in a single drainage system (28th Street Storm Drain). Almost the whole area is within the City of Manhattan Beach, as illustrated in **Figure 1-2**. The Project captures 60% of the City’s area. The pollutants generated in the drainage area are mitigated by the Project, preventing them from reaching the beach and Santa Monica Bay.



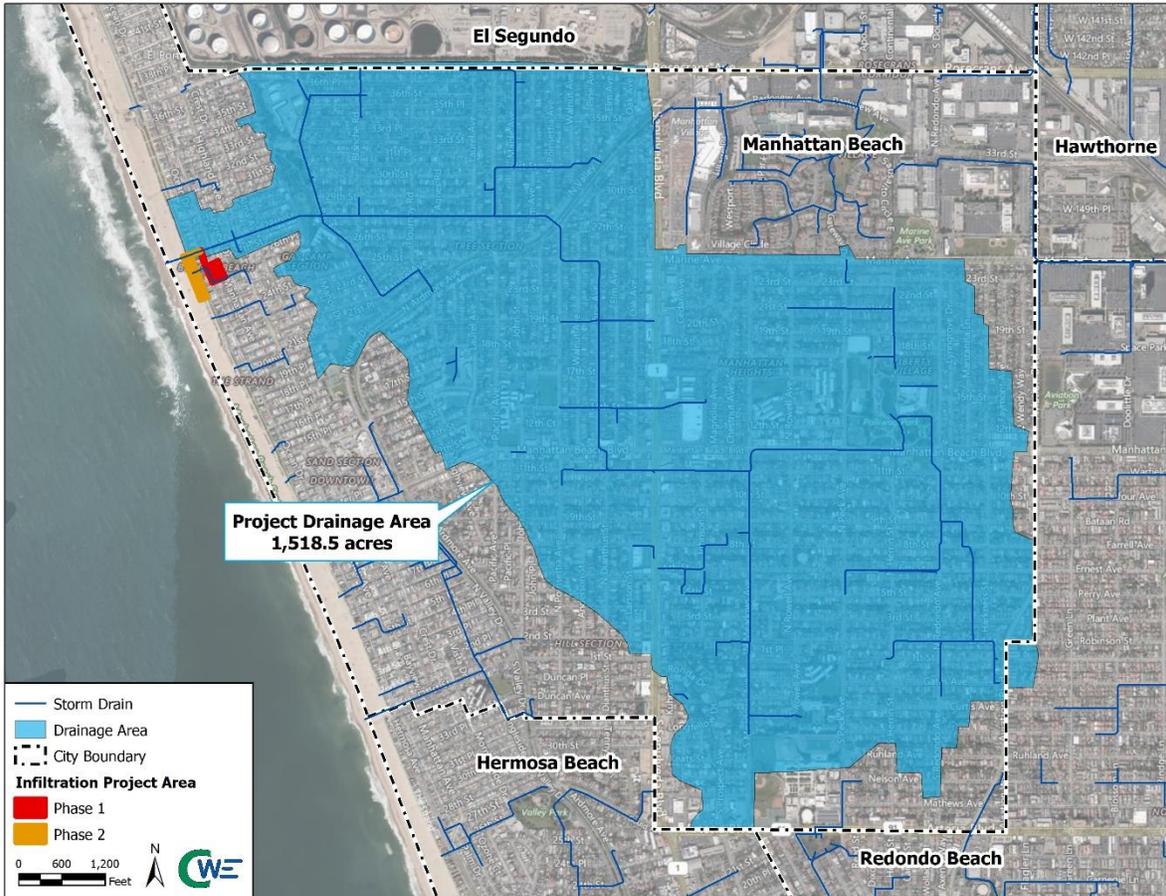


Figure 1-2 Project Drainage Area

1.1 Project Conceptual Approach

The City seeks to implement the Project to achieve the water quality goals identified in the Beach Cities EWMP. The Project addresses discharges that drain into the 28th Street Storm Drain and ultimately the Santa Monica Bay. **Figure 1-3** illustrates the general concept of the Project. The Project will reduce pollutants sent to downstream water bodies by capturing runoff, such as rainwater and irrigation overspray. Captured runoff will be discharged into an underground system that facilitates infiltration.

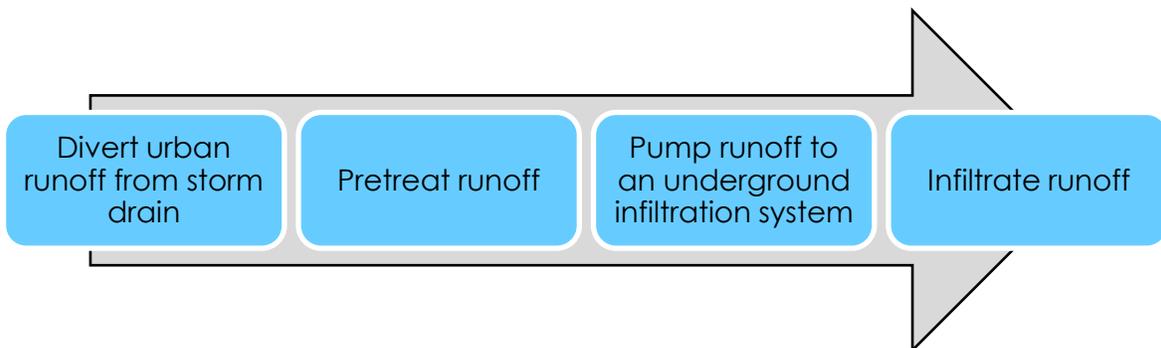


Figure 1-3 General Project Concept



1.2 Benefits

The Project provides multiple benefits, which are summarized below:

- Improve water quality locally, on the beach, and in the Santa Monica Bay
 - Reduce bacteria discharges from drainage system
 - Reduce discharge of trash/debris from drainage system
- Enhance beach conditions
 - Reduced debris from the upstream drainage system
 - Reduce the potential for odors related to drainage system
- Reduce the potential for beach closures
- Create opportunities for education and outreach in local communities
 - Inform the community of water quality challenges and strategies to improve it
 - Install permanent educational signage
 - Engage in dialogue with stakeholders and the public through community meetings
- Provide an enhanced environment for marine life
- Improve the 26th Street Parking Facility



2. Proposed Improvements

The City proposes to use a phased approach to accomplish the goals of the Project. Phase 1 includes improvements at the 26th Street Parking Facility, while Phase 2 includes improvements on the beach. **Figure 2-1** illustrates the Project areas for each phase.

Phase 1 will maximize, to the greatest extent practicable, the volume of water diverted and infiltrated. The City will assess improvements made to water quality through the implementation of Phase 1 to determine the need for Phase 2 implementation. In total, the two phases will ultimately capture runoff from the drainage area illustrated in **Figure 1-2**.



Figure 2-1 Concept Layout

2.1 Phase 1

Phase 1 improvements focus on the 26th Street Parking Facility, which is bordered by Manhattan Avenue, Ocean Drive, 27th Street, and 26th Street, as shown in the figure above. Runoff will be diverted from the storm drain on 28th Street through a pipe aligned southeast on Ocean Drive. Opportunities to include a gravity diversion upstream will be evaluated during the design process. The diverted runoff will be pretreated to remove trash and sediment and pumped to a matrix of drywells located in and around the parking facility.



The storm drain is a reinforced concrete tunnel that is approximately 40 feet deep near Manhattan Avenue. The diversion along Ocean Drive will reduce the amount of excavation required for the pretreatment unit and pump station.

The intent of Phase I is to maximize capture at this location due to the high infiltration rates and the proximity to the beach outfall. A total of 48 drywells are anticipated to be installed. Captured runoff will fill the drywells, which are six-foot diameter shafts, partially filled with gravel. Water will be able to infiltrate through the soil, improving water quality. **Figure 2-2** illustrates the preliminary drywell layout at the 26th Street Parking Facility.

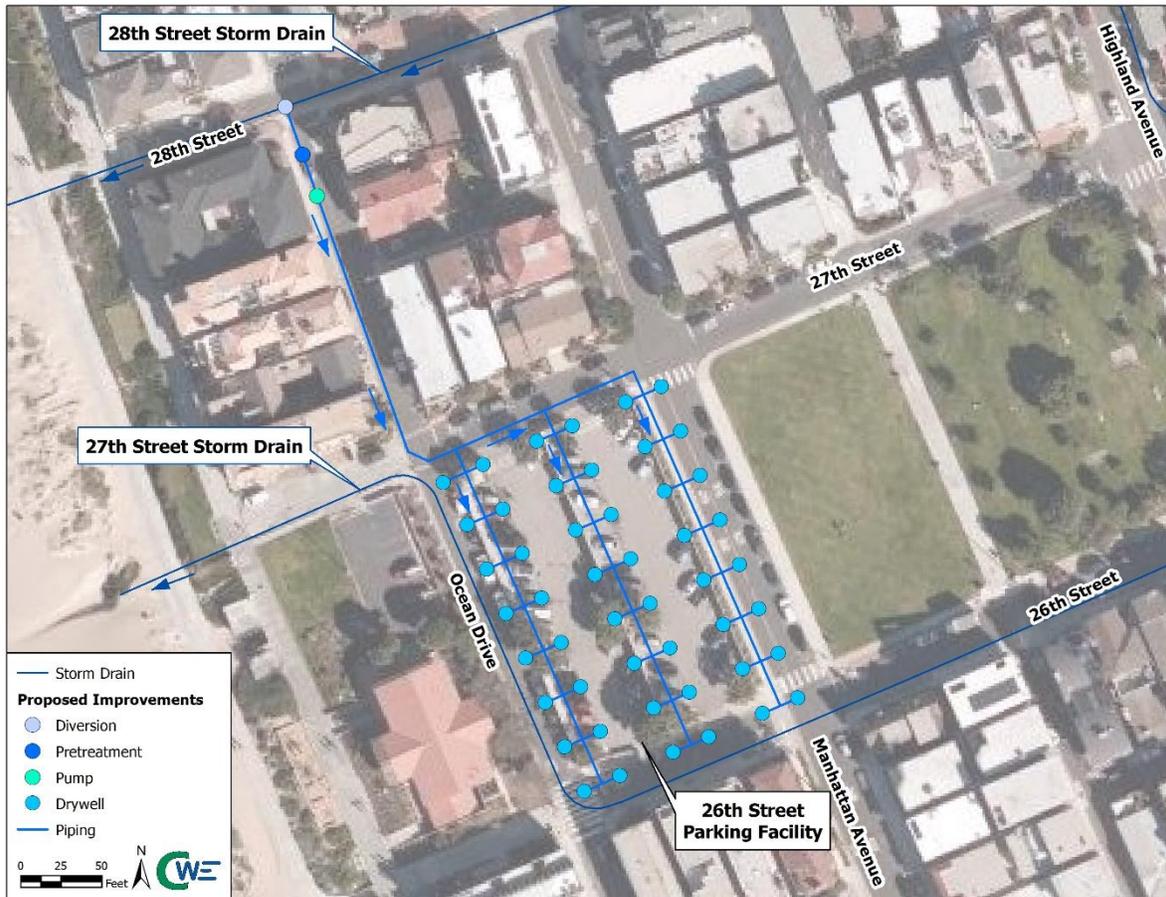


Figure 2-2 Phase 1: 26th Street Parking Facility Drywell Concept

The exact location of each drywell will be determined during final design and will be placed to avoid existing utilities, retaining walls, and other onsite features. The parking lot will be repaved as part of the Project using pervious pavement, to maximize the infiltration on site. Improvements to the landscaping and existing walls of the facility may also be incorporated.

Approximately 55 acre-feet of runoff is expected to be captured during a single storm event following implementation of Phase 1. The parking facility will look the same as what is there now with some upgrades (new pavement, new landscape, signage, etc.). Manholes will be in the parking facility above each drywell, like what exists in the street for various utilities, and the rest of the improvements will be underground.



2.2 Phase 2

Following implementation of Phase 1, the improvements to water quality will be monitored and assessed to determine the need and goals for Phase 2 implementation. Like Phase 1, a diversion, pretreatment system, and pump will be required to capture runoff from the existing storm drain on 28th Street. It is expected that at least part of the system used for Phase 1 will also be used for Phase 2, which will reduce construction impacts and costs. Runoff will be pumped into a buried infiltration trench on the beach, as is illustrated in **Figure 2-3**. The infiltration trench is essentially a pit filled with gravel and perforated pipes wrapped in a filter fabric. The pipes and void space from the gravel allow for water to be stored while infiltration occurs into the sand. Other buried structures that meet the Project objective are also under consideration as alternatives. The system will be buried under the surface and potential future impacts associated with sea level rise have been considered.



Figure 2-3 Phase 2: Beach Infiltration Concept

Up to 10 acre-feet of runoff is expected to be captured during a single storm event under Phase 2. In total, the two phases of the Project aim to capture up to 63 acre-feet of runoff during a single storm event, or 1-inch of rainfall generated within the 1,500-acre drainage area.

Following Phase 2 implementation, the surface will be restored to match existing conditions and dune restoration may also be included as part of the Project. Manholes will be visible on the street at the diversion, pretreatment, and pump, while the rest of the infrastructure will be underground.



Figure 2-4 illustrates the improvements of both phases, which is the eventual goal. Specific sizes and locations may move slightly during the design process, while the overall concept will remain the same.

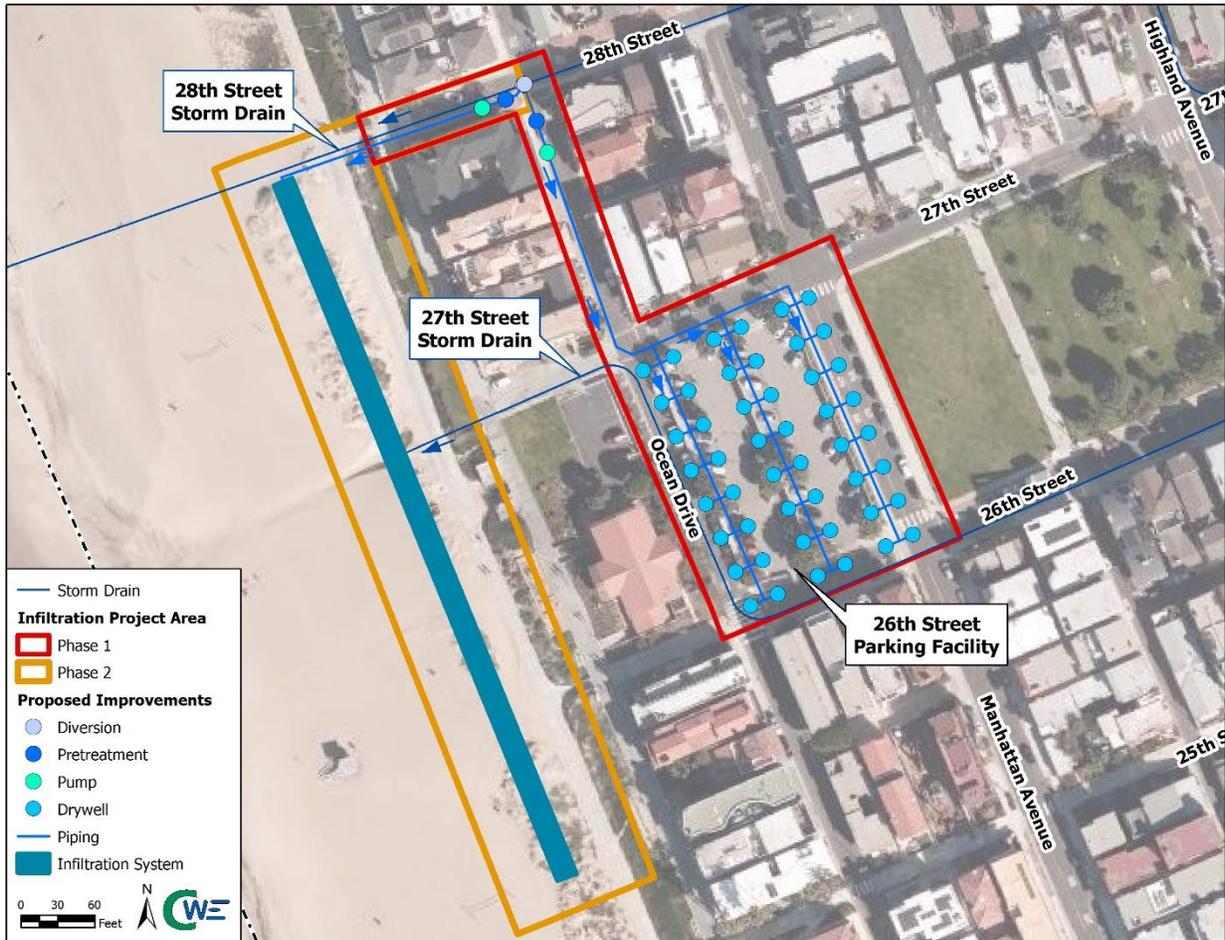


Figure 2-4 Full Project Implementation Concept

577 19 1995

When Recorded Mail To:

County of Los Angeles
Dept. of Public Works
550 South Vermont Avenue, 12th Fl
Los Angeles, CA 90020
Attn: Crystal Sy, Escrow Unit

COPY of Document Recorded <u>95 1527005</u> Has not been compared with original. Original will be returned when processing has been completed. LOS ANGELES COUNTY REGISTRAR RECORDER/COUNTY CLERK

A08700 OFFICIAL STATE BUSINESS - EXEMPT FROM RECORDING FEES PURSUANT TO GOVT CODE SECTION 6103
Manhattan State Beach

STATE OF CALIFORNIA

GRANT DEED

Pursuant to the provisions of Section 5002.6 of the Public Resources Code, the STATE OF CALIFORNIA, through its duly appointed, qualified and acting Director of the Department of Parks and Recreation, hereby grants to the County of Los Angeles, a body corporate and politic, in trust for the people of the State of California, the following described real property in the County of Los Angeles, State of California:

As shown on the attached Exhibit "A", consisting of 2 pages, and by this reference made a part hereof.

EXCEPTING AND RESERVING to the State of California all mineral deposits, not previously reserved in other documents of record, as defined in Section 6407 of the Public Resources Code below a depth of 500 feet, without surface rights of entry.

THIS DEED IS MADE SUBJECT TO THE FOLLOWING EXPRESS CONDITIONS
SUBSEQUENT:

- (1) The real property and improvements herein conveyed shall be used, operated and maintained by the County for public recreation and beach purposes in perpetuity.
- (2) No new or expanded commercial development shall be allowed on the granted real property.
- (3) Any project for new or expanded noncommercial development on the granted real property shall not exceed an estimated cost limitation for each project of two hundred fifty thousand dollars (\$250,000), as adjusted annually to reflect the California Construction Index utilized by the State of California, Department of General Services. Any authorization for new and expanded noncommercial development shall be limited to

projects that provide for the safety and convenience of the general public in the use and enjoyment of, and enhancement of, recreational and educational experiences, and shall be consistent with the use, operation, and maintenance of the granted lands and improvements herein granted in trust. The per-project limitation in this paragraph shall apply in the aggregate, so that not more than the amount specified herein may be expended for the project as a whole, regardless of any division of the project into phases or parts. "Project" means the whole of an action that constitutes the entirety of the particular type of new construction, alteration, or extension or betterment of existing structure.

- (4) The granted lands and improvements may not be subsequently sold, transferred, or encumbered. "Encumber" includes, but is not limited to, mortgaging the property, pledging the property as collateral, or any other transaction under which the property would serve as security for borrowed funds. Any lease of the granted lands or improvements shall only be consistent with the public recreation and beach purposes as herein conveyed.

Upon an intentional material breach of any condition, the State will terminate the County's interest in the real property conveyed hereunder pursuant to Civil Code Section 885.010 et sequitur.

Each of the foregoing express conditions subsequent shall also be covenants by the Grantee for use and development of the granted real property, and equitable servitudes upon the interests granted herein, which may be enforced through injunction for specific performance or preventive relief.

THIS DEED IS ALSO MADE SUBJECT TO all valid existing contracts, leases, encumbrances and claims of title which may affect said parcels.

IN WITNESS WHEREOF, the State has caused this Grant Deed to be executed this 15 day of September, 1995.

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

Donald W. Murphy, Director

By B. J. [Signature]
Deputy Director

State of California

County of SACRAMENTO

On 9-15-95 before me, MARY E. COTA personally appeared KENNETH B. JONES personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed in the within instrument and acknowledged to me that he/she/they executed the same in his/her/ their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Mary E. Cota Notary public in and for said State.

This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act as a substitute for the advice of an attorney. The printer does not make any warranty, either expressed or implied, as to the legal validity of any provision or the suitability of these forms in any specific transaction.

EXHIBIT "A"

All that real property in the County of Los Angeles, State of California conveyed to the State of California by the following cited six documents recorded in the Official Records of said County as referenced:

PARCEL ONE:

Document/Grantor: Grant Deed/GEO. H. PECK, A SINGLE MAN.
Recorded: September 18, 1931, Book 11100, Page 274,
Official Records of Los Angeles County.

PARCEL TWO:

Document/Grantor: Grant Deed/COUNTY OF LOS ANGELES, A BODY
CORPORATE AND POLITIC.
Recorded: September 18, 1931, Book 11111, Page 245,
Official Records of Los Angeles County.

PARCEL THREE:

Document/Grantor: Grant Deed/COUNTY OF LOS ANGELES, A BODY
CORPORATE AND POLITIC.
Recorded: October 27, 1947, Book 25674, Page 291,
Official Records of Los Angeles County.

PARCEL FOUR:

Document/Grantor: Grant Deed/SECURITY FIRST NATIONAL BANK OF
LOS ANGELES AS TRUSTEE UNDER THE WILL OF
GEORGE H. PECK, DECEASED.
Recorded: January 5, 1949, Book 29098, Page 44,
Official Records of Los Angeles County.

PARCEL FIVE:

Document/Grantor: Grant Deed/CITY OF MANHATTAN BEACH, A
MUNICIPAL CORPORATION OF THE SIXTH CLASS.
Recorded: March 31, 1949, Book 29723, Page 156,
Official Records of Los Angeles County.

PARCEL SIX:

Document/Grantor: Quitclaim Deed/CITY OF MANHATTAN BEACH, A
MUNICIPAL CORPORATION OF THE SIXTH CLASS.
Recorded: March 31, 1949, Book 29723, Page 166,
Official Records of Los Angeles County.

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed or grant to the County of Los Angeles, a governmental agency, is hereby accepted under authority of a resolution adopted by the Board of Supervisors of said County on March 13, 1979, and the Grantee consents to the recordation thereof by its duly authorized officer.

Dated

September 15, 1995

By

John E. Anderson

John E. Anderson
Mapping & Property Management
County of Los Angeles Department of Public Works