CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
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STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-96-166

APPLICANT: The Salvation Army AGENT: VCL Construction

PROJECT LOCATION: 26801 Dorothy Drive, Calabasas, Los Angeles County

PROJECT DESCRIPTION: Construct 4 story, 14,240 sq. ft., 43 foot high (max) conference and dormitory facility with meeting room and kitchen. 800 cu. yds. of grading. Demolish existing dormitory building.

Lot area:	640 acres
Building coverage:	7,500 sq. ft.
Pavement coverage:	7,500 sq. ft.
Landscape coverage:	6,300 sq. ft.
Parking spaces:	none
Plan designation:	Low intensity visitor serving commercial recreation
Ht abv ext. grade:	43 ft.

LOCAL APPROVALS RECEIVED: Los Angeles County Department of Regional Planning Conditional Use Permit No. 95219-(3) and Oak Tree Permit No. 95219-(3) dated September 5, 1996; Fire Department, County of Los Angeles, Approval in Concept dated 5/9/96 and Fuel Modification letter dated June 3, 1996; California Department of Fish and Game, Streambed Alteration Agreement 5-391-96 dated November 1, 1996.

SUBSTANTIVE FILE DOCUMENTS: Coastal development permit file Nos. 5-91-857, -88-292, -87-620, -87-362, -87-189, -86-200 (Salvation Army), 4-95-231 (Department of Parks and Recreation), and 4-94-103 (L.A. County Department of Public Works); L. Newman Design Group, Inc., Oak Tree Report, January 18, 1996; Engineering Design Group, Geotechnical Investigation and Foundation Recommendations, September 19, 1996; Envicom Corporation, Biota Report, November 3, 1988.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with special conditions relating to landscaping and erosion control plans, geology, drainage, wild fire waiver and future development. The site is located in a developed site, an existing non-profit camp, situated in an Environmentally Sensitive Habitat Area and significant watershed adjacent to Tapia State Park and the Las Virgenes Municipal Water Treatment Facility. The site is also located in close proximity to the Malibu Creek, a blue line stream.

STAFF RECOMMENDATION

I. Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

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

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

3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

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

5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.

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

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

III. Special Conditions.

1. Geology.

All recommendations contained in the Engineering Design Group, Geotechnical Investigation and Foundation Recommendations, September 19, 1996 shall be incorporated into all final design and construction plans, including grading, foundation, and drainage, and all plans must be reviewed and approved by the

consultants prior to commencement of development. Prior to issuance of the coastal development permit the applicants shall submit evidence to the Executive Director of the consultant's review and approval of all final design and construction plans.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal permit.

2. Landscaping and Erosion Control Plan

Prior to issuance of permit, the applicant shall submit detailed landscaping and erosion control plans prepared for review and approval by the Executive Director. The plans shall incorporate the following criteria:

(a) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes at the completion of grading. To minimize the need for irrigation and to screen or soften the visual impact of development all landscaping shall consist of native, drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended Native Plant Species for Landscaping Wildland Corridors in the Santa Monica Mountains, dated October 4, 1994. Invasive, non-indigenous plant species which tend to supplant native species shall not be used.

(b) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two years and shall be repeated, if necessary, to provide such coverage. This requirement shall apply to all disturbed soils including all existing graded roads and pads.

c) Should grading take place during the rainy season (November 1 - March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location.

3. Drainage Plans

Prior to the issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director, a drainage and erosion control plan, designed by a licensed engineer which will not result in increases in either peak run-off volume or velocity for a 25 year / 24 hour rainfall event. Specifically, runoff volumes and velocities for a 25-year and 24-hour event must be calculated for existing and post-project conditions to demonstrate that no increase in runoff volume or velocity will occur. The drainage and erosion control plan shall include, but not be limited to, a system which collects run-off from the roofs, patios, driveways, parking

areas, and other impervious surfaces, and discharges it in a non-erosive manner, including if appropriate on-site detention/desilting basins, dry wells, etc. If any on-site detention system is planned either on or upslope from an engineered fill or an identified landslide, the drainage and erosion control plans shall be reviewed and signed by a licensed civil engineer or engineering geologist, indicating that the drainage and erosion control plan will not negatively impact or destabilize the identified fill or landslide. Should the project's drainage structures fail or result in erosion, the applicant/landowner shall be responsible for any necessary repairs and restoration.

4. Wild Fire Waiver of Liability.

Prior to the issuance of the coastal development permit, the applicants shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wild fire exists as an inherent risk to life and property.

5. Future Development.

Prior to the issuance of a coastal development permit, the applicant shall execute and record a document, in a form and content acceptable to the Executive Director, stating that the subject permit is only for the development described in the Coastal Development Permit No. 4-96-166; and that any future additions or improvements to the structure that might otherwise be exempt under Public Resource Code Section 30610(a), will require a permit from the Coastal Commission or its successor agency. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed.

IV. Findings and Declarations

The Commission hereby finds and declares as follows:

A. Project Description and Background

The applicant proposes to construct a 4 story, 14,240 sq. ft. 43 foot high (max) conference and dormitory facility with meeting room and kitchen on a sloped site within an existing non-profit organization (Salvation Army) campground of 640 acres. (Exhibit 1) The propose building will have a 100 person capacity, and a 24 unit, 48 bed dormitory, a kitchen and meeting room. (Exhibit 2) The existing 8 bed dormitory will be demolished to accommodate the proposed development. 400 cubic yards of cut and 400 cubic yards of fill is included, much of which is within the building footprint. Although four stories the building is designed to step up the hill facing Malibu Creek. (Exhibit 3)

The building will be used as a conference center for seminars and disaster preparedness meetings for Salvation Army staff. The camp has been used in the

past as an assembly area and dormitory for fire fighting. The applicant notes that the dormitory will allow attendees to remain on-site, avoiding the need to commute. Attendees will normally use shuttle buses from urban areas. The facility will not be used by groups unaffiliated with the Salvation Army.

The Salvation Army camp includes Camp Mt. Craig and Camp Gilmore. These are residential camps for youth ages 7 through 12, supervised by trained staff as recommended by the American Camping Association. Each year approximately 2000 children experience the camps.

The subject property is 640 acres and zoned A-1-A (Light Agriculture - one acre minimum required lot size). The proposed project site is within the Certified Land Use Plan (LUP) designated Malibu Creek Significant Watershed Area and within the Malibu Creek riparian corridor which is an (LUP) designated Environmentally Sensitive Habitat Area (ESHA). Surrounding land uses include vacant land, a former County park (Tapia Park) under conversion to a State Park to the east, and the Las Virgenes Municipal Water Treatment Facility (water treatment plant) to the south.

Originally, the proposed facility was to have required an upgrade to the "Arizona crossing" over Malibu Creek. The applicant has since worked out an alternative access route to the site with the County Fire Department, included with submittal materials, so that the upgrade is not necessary.

B. Environmentally Sensitive Resources

Section 30231 of the Coastal Act is designed to protect and enhance, or restore where feasible, marine resources and the biological productivity and quality of coastal waters, including streams:

Section 30231:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values:

Section 30240:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The policies addressing protection of Significant Watersheds are among the strictest and most comprehensive in addressing new development. In its findings regarding the Land Use Plan, the Commission emphasized the importance placed by the Coastal Act on protecting sensitive environmental resources. The Commission found in its action certifying the Land Use Plan in December 1986 that:

> coastal canyons in the Santa Monica Mountains require protection against significant disruption of habitat values, including not only the riparian corridors located in the bottoms of the canyons, but also the chaparral and coastal sage biotic communities found on the canyon slopes.

The LUP contains several policies designated to protect the Watersheds, and ESHA's contained within, from both the individual and cumulative impacts of development. These policies are used by the Commission as guidance during the review of applications for coastal development permits.

Protection of Environmental Resources

> P63 Uses shall be permitted in ESHAs, DSRs, Significant Watersheds, and Significant Oak Woodlands, and Wildlife Corridors in accordance with Table 1 and all other policies of this LCP.

The proposed project is within the Malibu Canyon Significant Watershed area and therefore must reviewed against the applicable Table 1 policy standards:

> Structures shall be clustered to minimize the effects on sensitive environmental resources.
>
> Structures shall be located as close to the periphery of the designated watershed as feasible, or in any other location for which it can be demonstrated that the effects of development will be less environmentally damaging.
>
> Structures and uses shall be located as close as possible to to existing roadways and other services to minimize the construction of new infrastructure.
>
> Grading and vegetation removal shall be limited to that necessary to accommodate the residential unit, garage, and one other structure, one access road and brush clearance required by the Los Angeles County Fire Department. Where clearance to mineral soil is not required by the fire Department, fuel load shall be reduced through thinning or mowing, rather than complete removal of vegetation. The standard for a graded building pad shall be a maximum of 10,000 sq. ft.
>
> New on-site access roads shall be limited to a maximum length of 300 feet or one third of the parcel depth, whichever is smaller. Greater lengths may be allowed through conditional use, provided that the Environmental Review Board and County Engineer determine that there is no acceptable alternative and that a significant impact will not be realized and shall constitute a conditional use.
>
> The cleared area shall not exceed 10 percent of the area excluding the

access roads.

Designated environmentally sensitive streambeds shall not be filled. Any crossings shall be accomplished by a bridge.

Approval of development shall be subject to review by the Environmental Review Board.

The project is also within a mapped riparian/woodland corridor of Malibu Creek, an LUP designated ESHA. Therefore, the project must be evaluated against the policies set forth in Table 1 of the Certified LUP. The following policies from Table 1 specify design standards for development within or adjacent to an ESHA:

Land alteration and vegetation removal, including brushing, shall be prohibited within undisturbed riparian woodlands, oak woodlands and savannaahs and any areas designated as ESHAs by this LCP...

Trails or roads permitted for recreation shall be constructed to minimize grading and runoff. A drainage control plan shall be implemented.

Streambeds in designated ESHa's shall not be altered except where consistent with Section 30236 of the Coastal Act. Road crossing shall be minimized, and where crossings are considered necessary, should be accomplished by installation of a bridge.

A minimum setback of 100 feet from the outerlimit of the pre-existing riparian tree canopy shall be required for any structure associated with a permitted use.

Structures shall be located in proximity to existing roadways, services and other development to minimize impacts on habitat. Approval of the development shall be subject to review by the ERB.

There are also a number of other applicable LUP policies::

P64 An Environmental Review Board (ERB) comprised of qualified professionals with technical expertise in resource management (modeled on the Significant Ecological Areas Technical Advisory Committee) shall be established by the Board of Supervisors as an advisory body to the Regional Planning Commission and the Board to review development proposals in the ESHAs, areas adjacent to the ESHAs, Significant Watersheds, Wildlife Corridors, Significant Oak Woodlands, and DSRs. The ERB shall provide recommendations to the Regional Planning Commission (or decision making body for coastal permits) on the conformance or lack of conformance of the project to the policies of the Local Coastal Program. Any recommendation of approval shall include mitigation measures designed to minimize adverse impacts on environmental resources. Consistent with P271 (a)(7), projects shall be approved by the decision making body for coastal permits only upon a finding that the project is consistent with all policies of the LCP.

P65 The Environmental Review Board shall consider the individual and cumulative impact of each development proposal within a designated

Significant Watershed. Any development within a significant watershed shall be located so as to minimize vegetation clearance and consequent soil erosion, adverse impacts on wildlife resources and visual resources, and other impacts. Therefore, development should be clustered and located near existing roads, on areas of relatively gentle slopes as far as possible outside riparian areas in canyons and outside ridgeline saddles between canyons which serve as primary wildlife corridors.

P67 Any project or use which cannot mitigate significant adverse impacts as defined in the California Environmental Quality Act on sensitive environmental resources (as depicted on Figure 6) shall be denied.

P79 To maintain natural vegetation buffer areas that protect all sensitive riparian habitats as required by Section 30231 of the Coastal Act, all development other than driveways and walkways should be set back at least 50 feet from the outer limit of designated environmentally sensitive riparian vegetation.

P80 The following setback requirements shall be applied to new septic systems: (a) at least 50 feet from the outer edge of the existing riparian or oak canopy for leachfields, and (b) at least 100 feet from the outer edge of the existing riparian or oak canopy for seepage pits. A larger setback shall be required if necessary to prevent lateral seepage from the disposal beds into stream waters.

P81 To control runoff into coastal waters, wetlands and riparian areas, as required by Section 30231 of the Coastal Act, the maximum rate of storm water runoff into such areas from new development should not exceed the peak level that existed prior to development.

P82 Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.

P84 In disturbed areas, landscape plans shall balance long-term stability and minimization of fuel load. For instance, a combination of taller, deep-rooted plants and low-growing ground covers to reduce heat output may be used. Within ESHAs and Significant Watersheds, native plant species shall be used, consistent with fire safety requirements.

P85 Earthmoving operations within Environmentally Sensitive Habitat Areas, Significant Watersheds, and other areas of high potential erosion hazard (including areas with a slope exceeding 2:1) shall be prohibited between November 1 and March 31 unless a delay in grading until after the rainy season is determined by the Planning Director to be more environmentally damaging. Where grading begins before the rainy season, but extends into the rainy season for reasons beyond the applicant's control, measures to control erosion must be implemented at the end of each day's work.

P86 A drainage control system, including on-site retention or detention where appropriate, shall be incorporated into the site design of new developments to minimize the effects of runoff and erosion. Runoff

control systems shall be designed to prevent any increase in site runoff over pre-existing peak flows. Impacts on downstream sensitive riparian habitats must be mitigated.

P88 In ESHAs and Significant Watersheds and in other areas of high potential erosion hazard, require site design to minimize grading activities and reduce vegetation removal based on the following guidelines:

Structures should be clustered.

Grading for access roads and driveways should be minimized; the standard new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the County Engineer and Environmental Review Board and the determination that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use.

Designate building and access envelopes on the basis of site inspection to avoid particularly erodible areas.

Require all sidecast material to be recompacted to engineered standards, re-seeded, and mulched and/or burlapped.

P91 All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.

P93 Where grading is permitted during the rainy season (November 1 - March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location.

P94 Cut and fill slopes should be stabilized with planting at the completion of final grading. In Environmentally Sensitive Habitat Areas and Significant Watersheds, planting should be of native plant species using accepted planting procedures, consistent with fire safety requirements. Such planting should be adequate to provide 90% coverage within 90 days, and should be repeated if necessary to provide such coverage. This requirement should apply to all disturbed soils. Jute netting or other stabilization techniques may be utilized as temporary methods. The County Forestry Division should be consulted for recommendations for appropriate plant materials.

The Malibu Canyon Significant Watershed supports outstanding oak and riparian woodlands with an unusually large variety of riparian plant species. Black Cottonwood, California Bay, Leatherleaf Ash, White Alder, Arroyo Willow, Sycamore, Coast Live Oak, Wild Grape and Giant Chain Fern are all abundant. Much of the watershed is remote and undisturbed, particularly the northwest

and central portions.

Malibu Creek is biologically distinctive due to the fact that it continues to sustain native steelhead trout populations below the reservoir, as well as many wildlife species declining in numbers, such as mountain lions and golden eagles. Furthermore, the mouth of Malibu Creek supports the only lagoon in Los Angeles County. This area provides a critical refuge for migratory shorebirds and waterfowl and supports populations of at least 18 native fishes.

Malibu Canyon and the lagoon have been subjected to various human impacts including habitat removal, increased siltation, sewage effluent discharge, harassment of wildlife by domestic animals and people, and fragmentation by roads and residences. However, much of the watershed is undisturbed. The majority of the watershed is dominated by a diverse mosaic of chaparral, coastal sage scrub, grassland and native woodlands.

Malibu Creek provides habitat for Steelhead Trout, Oncorhynchus mykiss, in the reach below Rindge Dam. This species and its habitat are currently candidates as Endangered and Threatened Species and Designated Critical Habitat respectively. The historic range of the Steelhead Trout once ranged form Alaska to Baja California, and where located in great numbers through Southern California streams and rivers. However, due to a combination of dam construction, channelization, urbanization, and water development most of the species habitat has disappeared, Malibu Creek is considered to be the species southern most distribution.

The proposed building site is located within an existing developed portion of the Camp. This area is extensively developed with structures, roads and other camp related facilities. Although this area is highly disturbed it is located within ariparian/oak woodland habitat which is a designated ESHA. The building site is situated on a moderately sloping hillside and will replace an existing structure. The proposed structure is separated from the creek by an existing paved access road. The woodland habitat understory has been denuded of understory vegetation by the action of trampling and deliberate clearance for fire protection. The proposed project will require the removal of only one oak tree which is in poor condition. A County oak tree permit was not found to be necessary because the single tree to be removed was in poor condition and "...in a state if rapid decline which will result in its death in the near future."

The County of Los Angeles determined this project did not require ERB review due to a recent environmental review of the site for a similar proposal carried out by the Significant Ecological Areas Technical Advisory Committee (SEATAC) under Conditional Use Permit 87-361 in 1989. The proposed project was reviewed by the State Department of Parks and Recreation which found no impacts on the adjacent State Park. The project was subject to a streambed alteration agreement by the California Department of Fish and Game, although this agreement was rendered unnecessary since the County Fire Department ultimately determined that improvements to a Arizona crossing on site did not need to be constructed.

There are several camp facilities located in the Santa Monica Mountains. These camps were developed prior to the Coastal Act and have been in operation for many years. These camps are unique visitor serving facilities located in

sensitive environmental and visual resource areas. Coastal Act policy 30240 and LUP policy 68 and Table 1 policies allow only resource dependent uses to be developed within ESHAs. However, the Commission has through past permit actions permitted limited development of camp facilities within ESHAs where the facilities were located within existing developed areas of the camp and were designed to minimize the impacts on the ESHA. For example in Coastal Development Permit 4-93-055 (Camp Shalom) the Commission permitted the construction of a 20,000 sq. ft. dormitory and conference center adjacent to an ESHA subject to special conditions regarding landscaping, future development, drainage, future improvements to septic system and archaeology. In Coastal Development Permit 5-91-857 (Salvation Army) the Commission permitted the construction of of two muti-use buildings totaling 7,500 sq. ft. and the removal of five oak trees within an ESHA subject to special conditions regarding future development, assumption of risk, and replacement of oak trees.

Because the proposed development is located within an Significant Watershed and ESHA the project must be evaluated against the development policies set forth in table 1 of the the LUP. As previously stated the proposed project is sited within the existing developed area of the camp and will replace an existing structure. Therefore, the structure is clustered with existing development which will minimize the effects on sensitive resources. The building site is adjacent to a paved roadway and will not require any road extensions. The proposed 800 cubic yards of grading is limited for the most part to the area within the building foot print which minimizes the area of disturbance. The building conforms to the natural landform thereby minimizing the grading and landform alteration of the site. The building footprint will occupy approximately 7,500 sq. ft. which is in conformance with the 10,000 sq. ft. maximum pad size allowed under table 1.

In addition, the project does not require alteration of any streams including Malibu Creek. The project is setback 100 feet from the bank of Malibu Creek and is separated from the creek by an existing paved roadway. No additional vegetation clearance is required for this structure because the area has been already cleared of undergrowth vegetation for fire clearance for the previous structure and adjacent structures. The structure will be served by the Tapia Regional Sewer system so there is no need for a septic system.

The proposed structure is larger than the previous structure and will increase impervious surfaces directly adjacent to Malibu Creek which is a designated ESHA. The impervious surfaces created by the building and related improvements will increase both the volume and velocity of storm water runoff from the site. If not controlled and conveyed off-site in a non-erosive manner this runoff would result in increased erosion on and off site. Increased erosion not only destabilizes the the site it results in sedimentation of the nearby stream. Increased sedimentation of the adjacent stream will adversely impact this sensitive riparian system and water quality. Increases in erosion can result in the following adverse impacts:

1. Eroded soil contains nitrogen, phosphorus, and other nutrients. When carried into water bodies, these nutrients trigger algal blooms that reduce water clarity and deplete oxygen which lead to fish kills, and create odors.

2. Erosion of streambanks and adjacent areas destroys streamside

vegetation that provides aquatic and wildlife habitats.

3. Excessive deposition of sediments in streams blankets the bottom fauna, "paves" stream bottoms, and destroys fish spawning areas.

4. Turbidity from sediment reduces in-stream photosynthesis, which leads to reduced food supply and habitat.

5. Suspended sediment abrades and coats aquatic organisms.

6. Removal of the smaller and less dense constituents of topsoil. These constituents, clay and fine silt particles and organic material, hold nutrients that plants require. The remaining subsoil is often hard, rocky, infertile, and droughty. Thus, reestablishment of vegetation is difficult and the eroded soil produces less growth.

7. Introduction of pollution, sediments, and turbidity into marine waters and the nearshore bottom has similar effects to the above on marine life. Pollutants in offshore waters, especially heavy metals, are taken up into the food chain and concentrated (bioaccumulation) to the point where they may be harmful to humans, as well as lead to decline of marine species.

To ensure that the proposed project minimizes erosional impacts, the Commission finds it necessary to require the applicant to submit detailed drainage plans which illustrate how runoff will be conveyed off-site in a non-erosive manner and that peak runoff rates will be no greater than pre-existing peak flows. In addition, to ensure that the proposed grading and site disturbance will not cause adverse impacts such as increased erosion or sedimentation, the Commission finds it necessary to require the applicant to submit landscaping plans which utilize native vegetation for all graded and disturbed areas.(Special Condition 2). These conditions will ensure that all impacts of grading and increased impervious surfaces resulting from the proposed project are mitigated to the maximum extent feasible, thereby minimizing any adverse affects on the ESHA.

Furthermore, to ensure that any future additions to the proposed structure, which may be otherwise exempt from permit requirements, are reviewed for consistency with the ESHA and water quality policies of the the Coastal Act, the Commission finds that it is necessary to require a future development deed restriction.

Therefore, for the reasons set forth above, the Commission finds that only as conditioned will the proposed project be consistent with the policies found in Sections 30231 and 30240 of the Coastal Act.

C. Geology; Hazards

Section 30253 of the Coastal Act states in part that new development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, instability, or destruction of the

site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

In addition, the Commission has relied on the policies of the County's certified Land Use Plan for the Malibu/Santa Monica Mountains for guidance in past decisions governing development proposals in the Santa Monica Mountains. The LUP contains the following policies:

P 147: Continue to evaluate all new development for impact on, and from, geologic hazard.

P 149 Continue to require a geologic report, prepared by a registered geologist, to be submitted at the applicant's expense to the County Engineer for review prior to approval of any proposed development within geologically unstable areas including landslide or rock-fall areas and the potentially active Malibu Coast-Santa Monica Fault Zone. The report shall include mitigation measures proposed to be used in the development.

P 156 Continue to evaluate all new development for impact on, and from, fire hazard.

The proposed development is located in the Santa Monica Mountains, an area which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The applicant has submitted Geotechnical Investigation and Foundation Recommendations, September 19, 1996 prepared by Engineering Design Group for the subject site. The applicants' consultants determined that the proposed project site is canyon type terrain gently sloping to Malibu Creek, consisting of fill over clay, silt and sand soils. The applicant's geological investigation states that:

... the proposed new construction ... is feasible from a geotechnical standpoint, provided the recommendations of this report and generally accepted construction practices are followed.

Based on the recommendations of the consulting geologists, the Commission finds that the development is consistent with Section 30253 of the Coastal Act so long as the geologic consultant's geologic recommendations are incorporated into project plans. Therefore, the Commission finds it necessary to require the applicant to submit project plans that have been certified in writing by the consulting Engineering Geologist as conforming to their recommendations.

Additionally, due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from the associated risks. Through the waiver of liability, the applicant acknowledges and appreciates the nature of the fire hazard which

exists on the site and which may affect the safety of the proposed development.

For all of the reasons set forth above, the Commission finds that the proposed development, as conditioned, is consistent with Section 30253 of the Coastal Act.

D. Visual Resources.

Section 30251 of the Coastal Act states that:

> The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

In addition, the certified LUP contains the following policies regarding landform alteration and the protection of visual resources which are applicable to the proposed development:

P82 Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.

P90 Grading plans in upland areas of the Santa Monica Mountains should minimize cut and fill operations in accordance with the requirements of the County Engineer.

P91 All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.

P125 New development shall be sited and designed to protect public views from LCP-designated scenic highways to and along the shoreline and to scenic coastal areas, including public parklands. Where physically and economically feasible, development on sloped terrain should be set below road grade.

P129 Structures should be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment.

P130 In highly scenic areas and along scenic highways, new development (including buildings, fences, paved areas, signs, and landscaping) shall:

> be sited and designed to protect views to and along the ocean and to and along other scenic features, as defined and

identified in the Malibu LCP.

minimize the alteration of natural landforms.

be landscaped to conceal raw-cut slopes.

P134 Structures shall be sited to conform to the natural topography, as feasible. Massive grading and reconfiguration of the site shall be discouraged.

P135 Ensure that any alteration of the natural landscape from earthmoving activity blends with the existing terrain of the site and the surroundings.

P138b Buildings located outside of the Malibu Civic Center shall not exceed three (3) stories in height, or 35 feet above the existing grade, whichever is less.

P138e Height limits specified in P138b through P138d shall not apply to specific architectural design features such as bell towers, stair towers, cupolas, roof parapets, kiosks, changes in roof elevations and roof monuments which do not add square footage, floor area or stories to the building and which do not exceed 15 feet above the required height limit.

The proposed structure is a 14,240 sq. ft., 43 foot high, four level structure sited on a moderately sloping hillside adjacent to Malibu creek and is surrounded by an oak woodland. The structure is designed to conform with the hillside and ranges in height from 15 feet to a maximum of 43 feet. The highest point of the structure is a central stairtower. Because the structure does conform with the natural terrain very little grading (800 cu. yds.) and land form alteration is required for the structure's foundations.

Through past permit actions the Commission has limited the height of structures in the Santa Monica Mountains to a maximum of 35 feet above existing grade. LUP policy 138b states that, "Buildings...shall not exceed three stories or 35 feet in height above existing grade, whichever is less. In this case, the proposed structure consists of four levels stepping down the hillside and with the exception of the central stair tower is in conformance with the three story 35 foot height limitation. Through past permit action the Commission has permitted specific design features such as stair towers to exceed the 35 foot height limit provided these features were consistent with policy 138e of the LUP. Policy 138e states in part that, "height limits specified... shall not apply to specific architectural design features such as bell towers, stair towers, cupolas...which do not add square footage, floor area or stories to the building and which do not exceed 15 feet above the required height limit. In this case only the central stair tower exceeds the LUP height limit of 35 feet. As mentioned above policy 138e of the LUP allows for this type of architectural feature to exceed the 35 foot height limit provided it does not exceed 50 feet in height. Therefore, the proposed structure is in conformance with the LUP designated height limitations.

In addition, because of the dense tree cover and site topography the proposed structure will not be visible from any scenic roadway, public scenic vistas,

State or County parkland or nearby trails. The proposed design is also visually compatible with and the existing camp structures. To ensure the visual impacts associated with site disturbance and grading are minimized to the maximum extent feasible the Commission finds that it is necessary to require that all disturbed and graded areas are landscaped with native species. Therefore, the Commission finds that as conditioned to require appropriate landscaping and planting of graded areas, the proposed project is consistent with Section 30251 of the Coastal Act.

E. Sewage System.

The Commission recognizes that the potential build-out of lots in the Santa Monica Mountains, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area. Section 30231 of the Coastal Act states that:

> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

In addition, the Malibu/Santa Monica Mountains Land Use Plan contains the following policies concerning sewage disposal:

> P217 Wastewater management operations within the Malibu Coastal Zone shall not degrade streams or adjacent coastal waters or cause or aggravate public health problems.
>
> P218 The construction of individual septic tank systems shall be permitted only in full compliance with building and plumbing codes...
>
> P226 The County shall not issue a coastal permit for a development unless it can be determined that sewage disposal adequate to function without creating hazards to public health or coastal resources will be available for the life of the project beginning when occupancy commences.

The proposed development will connect to the Tapia regional sewer system which is operated by the Las Virgenes Water District. Sewage effluent will be transported via existing sewer lines to the Tapia waste water treatment plant. This is a tertiary treatment regional sewage facility. Therefore, the Commission finds that the proposed project will not adversely impact coastal waters or streams and is consistent with Section 30231 of the Coastal Act.

F. Local Coastal Program

Section 30604 of the Coastal Act states that:

> (a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity

with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned will not prejudice the County's ability to prepare a Local Coastal Program for the Santa Monica Mountains which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

There are no negative impacts caused by the proposed development, as conditioned, which have not been adequately mitigated. Therefore, the proposed project, as conditioned, is found consistent with CEQA and the policies of the Coastal Act.

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LOS ANGELES CO. DETAIL

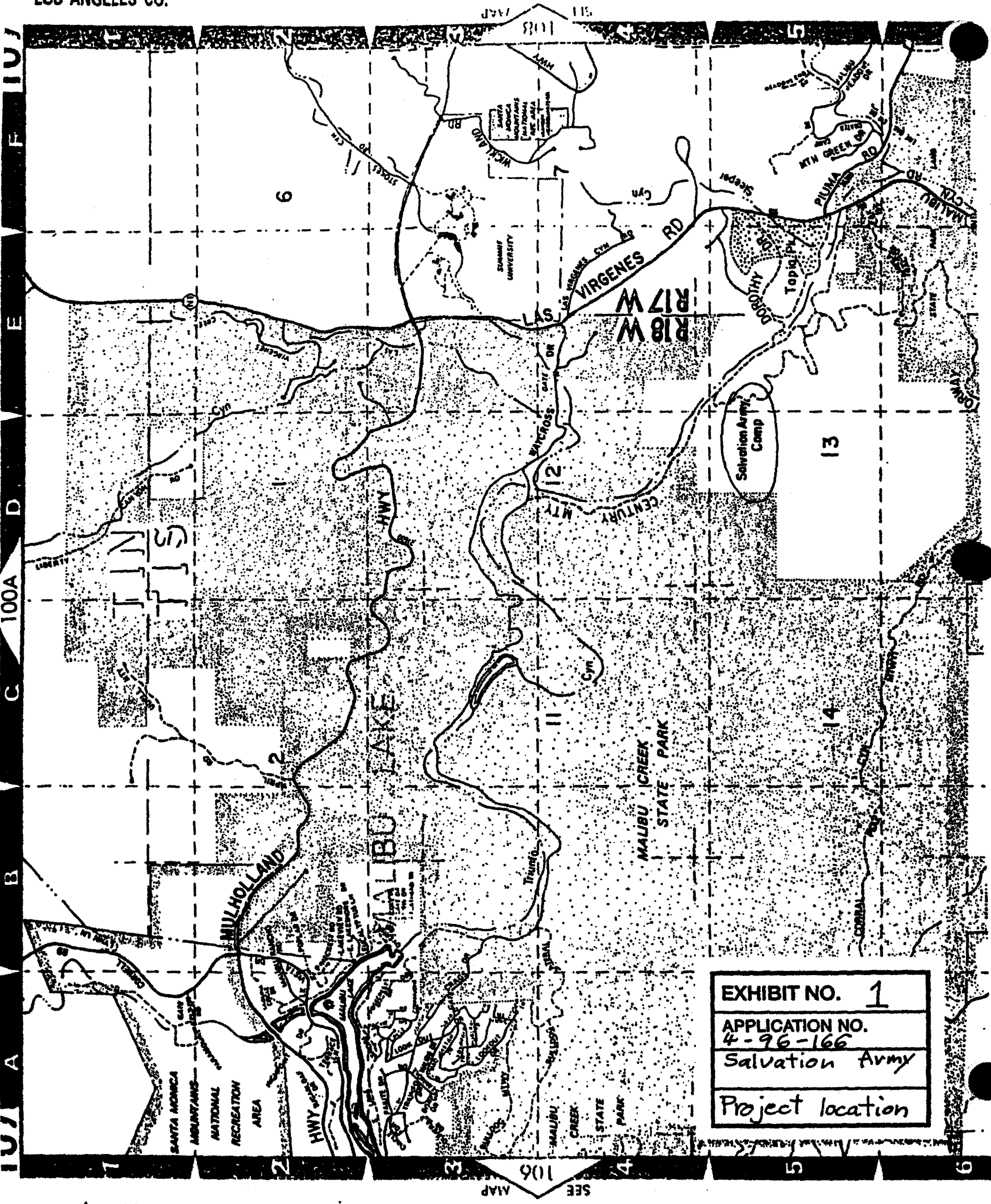


EXHIBIT NO. 1

APPLICATION NO. 4-96-166

Salvation Army

Project location

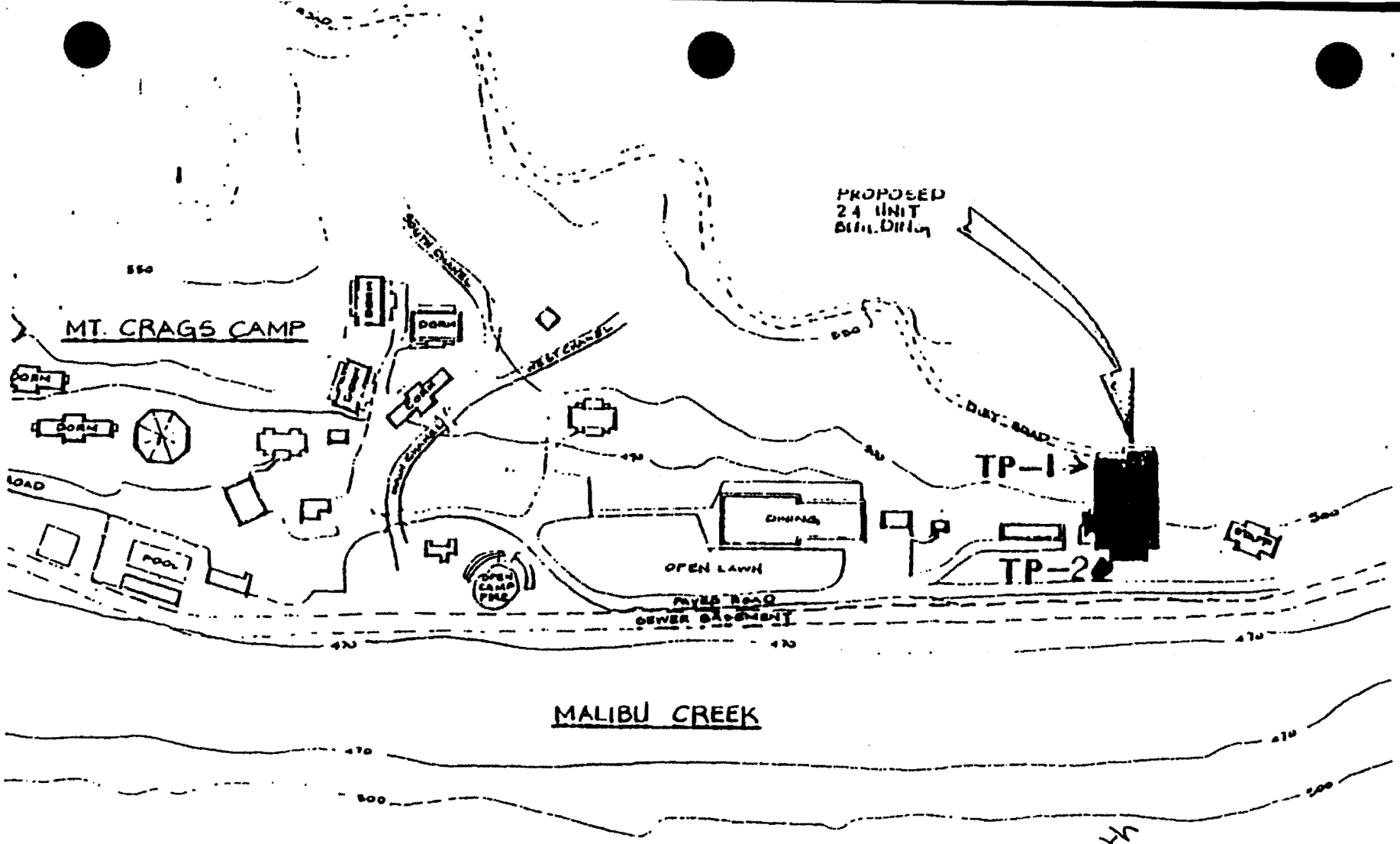


EXHIBIT NO. 2
APPLICATION NO. 4-96-166
Salvation Army Site Plan with Proposed Building

THE ENGINEER

SITE PLAN\LOCATION (

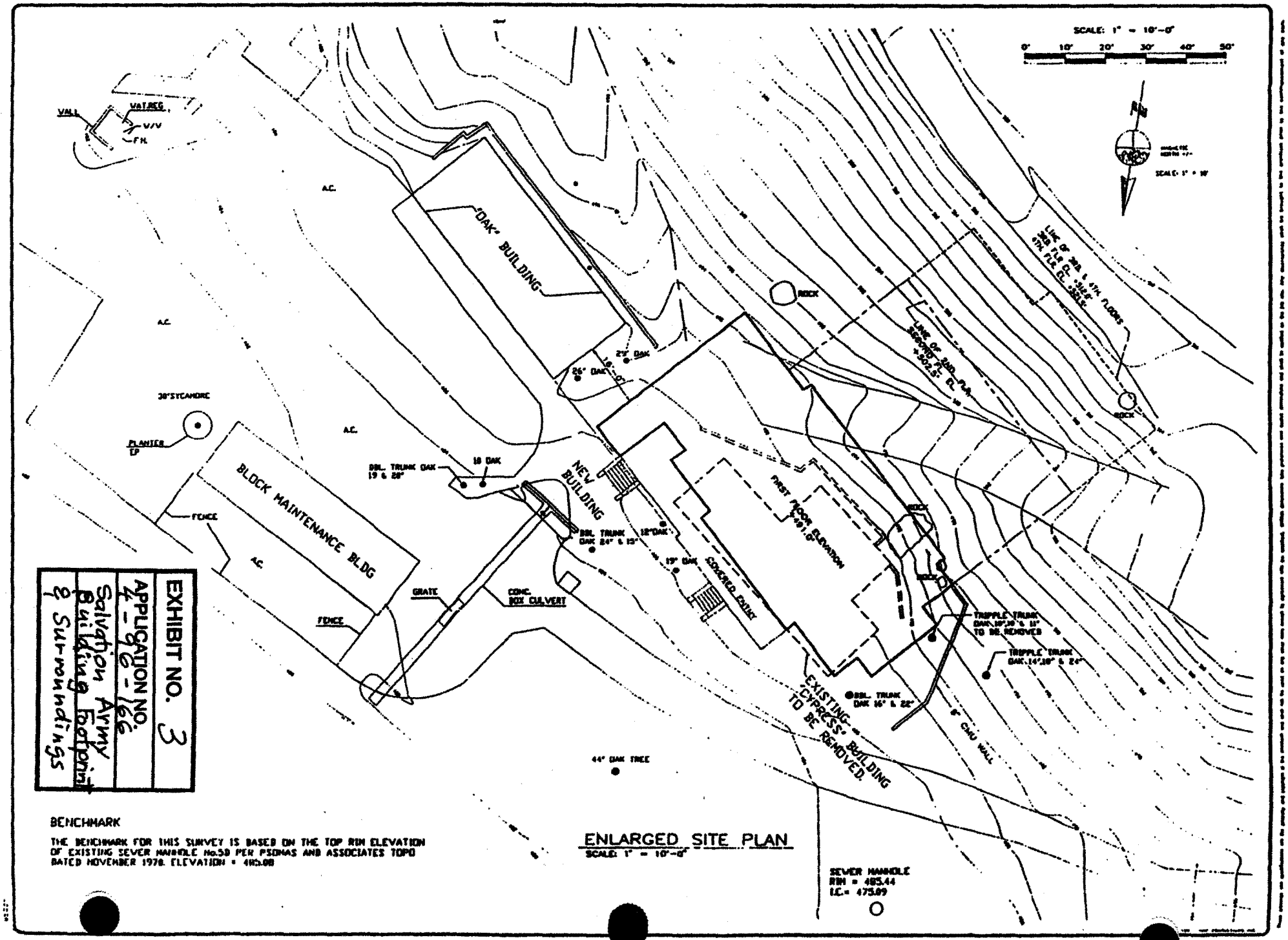
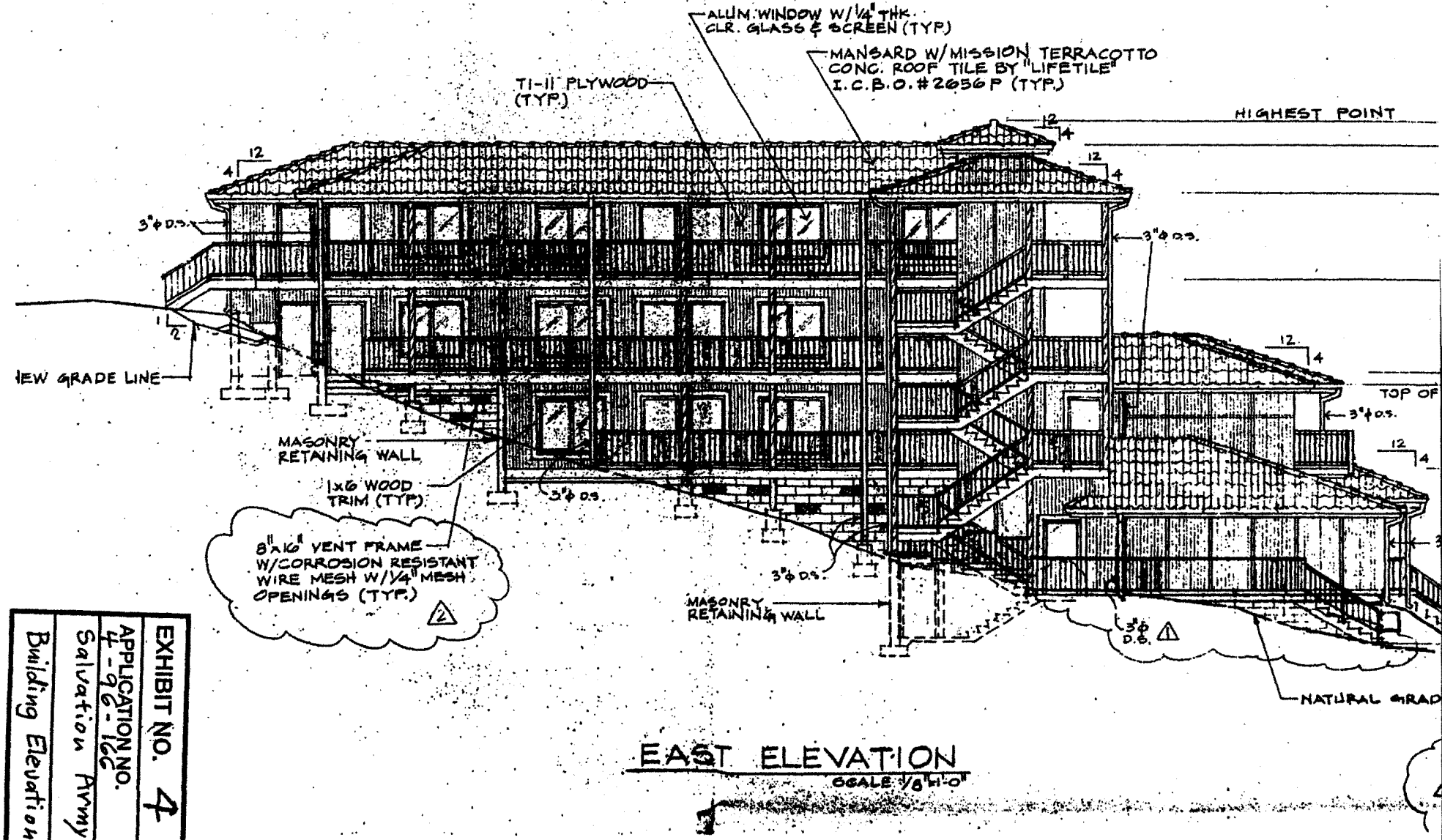


EXHIBIT NO. 3
APPLICATION NO. 4-96-166
Salvation Army Building Footprint & Surroundings

BENCHMARK

THE BENCHMARK FOR THIS SURVEY IS BASED ON THE TOP RIM ELEVATION OF EXISTING SEWER MANHOLE No.58 PER PSOMAS AND ASSOCIATES TOPO DATED NOVEMBER 1978. ELEVATION = 485.08

ENLARGED SITE PLAN
SCALE: 1" = 10'-0"



EAST ELEVATION

SCALE 1/8"=1'-0"

EXHIBIT NO. 4

APPLICATION NO. 4-96-166

Salvation Army

Building Elevation