

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 200 Oceangate, Suite 1000  
 Long Beach, CA 90802-4302  
 (562) 590-5071

RECORD PACKET COPY

**W 20 b**

Filed: 10/17/03  
 49th Day: 12/05/03  
 180th Day: 04/14/04  
 Staff: MS-LB  
 Staff Report: 02/26/04  
 Hearing Date: 03/17/04  
 Commission Action:

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NO.:** 5-03-328

**APPLICANTS:** Tim Carey

**PROJECT LOCATION:** 613 Paseo De La Playa, City of Torrance, Los Angeles County

**PROJECT DESCRIPTION:** Replace non-native vegetation on the bluff face with natives to establish habitat for the El Segundo blue butterfly as depicted on Exhibit 4; construction of a 30-inch wide wooden stairway (with 30-inch high railing) extending down the bluff face to replace an existing footpath; and construction of a 10-foot high covered observation deck at lower portion of bluff on a residential coastal bluff lot.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission take one vote adopting a two-part resolution, which would approve portions of the development and deny other portions of the development. The major issue of this staff report is development on the bluff face adjacent to the public sandy beach. The proposed development consists of the restoration of native habitat for the federally endangered El Segundo blue butterfly; establishment of a wooden stairway that extends from the bluff top down to the lower portion of the bluff face terminating at a proposed 500 square foot, 10-foot high observation deck towards the base of the bluff. The proposed project is located along a coastal bluff immediately inland of Torrance Beach, a public beach. The primary issue before the Commission is consistency of the project with Coastal Act policies protecting natural landforms, scenic resources, native vegetation and habitat, community character and public access to and recreational use of the beach.

Staff recommends that the Commission **deny** the construction of the stairway and the observation deck located on the bluff face. Staff recommends that the Commission **approve** the butterfly restoration with special conditions requiring submittal of revised project plans showing removal of the stairway and removal of the observation deck, and special conditions relating to erosion control, landscape monitoring and maintenance. **The motion is on Page 2 of this report.**

As submitted, the proposed stairway and covered observation deck are inconsistent with Sections 30240, 30251 and 30253 of the Coastal Act. The toe of the bluff, where the majority of the development (stairway and deck) is proposed, is immediately inland of Torrance Beach, which is a public beach. The project site is consequently highly visible from the public beach. The pattern of development along this segment of Paseo De La Playa is such that most structures are sited at the top of the coastal bluff (24 out of 28 residential lots), while the bluff face remains largely undisturbed and vegetated. While there are exceptions: twelve lots have stairways or foot paths traversing the bluff face and a few have unpermitted

development on the bluff face and at the toe of the bluff (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff in this area is natural and undeveloped. Private living space is set back from areas open to the public. Additionally, the proposed stairway and covered deck are inconsistent with Sections 30251 and 30253 because the proposed development alters an undeveloped coastal bluff through structural construction.

---

**SUBSTANTIVE FILE DOCUMENTS:**

1. *Geologic Investigation of Slope Erosion*, 613 Paseo De La Playa, Torrance, CA Project No. 4140-98, prepared by Keith W. Ehlert, Consulting Engineering Geologist, May 22, 1998.
2. *Habitat Enhancement Plan for El Segundo Blue Butterfly at 613 Paseo De La Playa, Torrance, CA*, Prepared for U.S. Fish and Wildlife Service Cooperative Agreement #1448-11430-1-J041, prepared by Travis Longcore, Ph.D. and Rudi Mattoni, Ph.D. of The Urban Wildlands Group, Inc., October 1, 2003.
3. Coastal Development Permit No. 5-03-280.

**EXHIBITS:**

1. Vicinity Map, Thomas Guide
  2. County of Los Angeles Assessor's Map
  3. Map of property at 619 Paseo De La Playa with demarcation of Safe Harbor revegetation area
  4. The Urban Wildlands Group, Inc. Habitat Enhancement Plan for the El Segundo Blue Butterfly at 613 Paseo De La Playa, Torrance, 10/1/03
  5. Project Plans for stairway and observation deck (5-03-328)
  6. Letter from applicant dated October 15, 2003
  7. Letter from applicant dated October 27, 2003
  8. Permit History Chart for lots 417 - 631 Paseo De La Playa
  9. Coastal Records Website Aerial Images 2002.
- 

**STAFF RECOMMENDATION:**

**I. Staff Recommendation of Approval in Part and Denial in Part**

Staff recommends that the Commission adopt the following two-part resolution. The motion passes only by affirmative vote of a majority of the Commissioners present.

**A. MOTION:**

*"I move that the Commission adopt the staff recommendation to approve in part and deny in part CDP No. 5-03-328, by adopting the two-part resolution set forth in the staff report."*

**B. RESOLUTION**

**Part 1: Approval with Conditions of a Portion of the Development**

The Commission hereby **GRANTS**, as conditioned, a coastal development permit for the portion of the proposed project consisting of: habitat enhancement for the El Segundo blue butterfly including the removal of non-native vegetation and the

installation of native vegetation on the bluff face for the purpose of establishing habitat for the federally endangered El Segundo blue butterfly and adopt the findings set forth below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act, 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 effects on the environment within the meaning of the California Environmental Quality Act.

## **Part 2: Denial of the Remainder of the Development**

The Commission hereby **DENIES** a coastal development permit for the portion of the proposed development consisting of: construction of the stairway extending down the bluff face and construction of the observation deck located towards the toe of the bluff and adopts the findings set forth below, on the grounds that the development will not be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, would prejudice the ability of the local government having jurisdiction of the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and would result in significant adverse effects 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 construction 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 construction has not commenced, the permit will expire two years from the date on which the Commission voted on the application, or in the case of administrative permits, the date on which the permit is reported to the Commission. Construction shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

## **III. Special Conditions:**

### **1. Submittal of Revised Project Plans**

**A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for the review and approval of the Executive Director, two (2)

sets of revised project plans that show that the bluff stairway and observation deck have been eliminated.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

## **2. Landscaping installation and Monitoring**

A. Installation and ongoing monitoring. The applicant shall undertake plant installation and ongoing monitoring and maintenance as outlined in its proposal: *Habitat Enhancement Plan for El Segundo Blue Butterfly at 613 Paseo De La Playa, Torrance, CA*, Prepared for U.S. Fish and Wildlife Service Cooperative Agreement #1448-11430-1-J041, prepared by Travis Longcore, Ph.D. and Rudi Mattoni, Ph.D. of The Urban Wildlands Group, Inc., October 1, 2003, consistent with the methods and goals outlined therein, for the five year term described in those documents.

B. Each year for five years from the date of issuance of Coastal Development Permit No. 5-03-328, the applicant shall submit, as proposed in the Habitat Enhancement Plan dated October 1, 2003, for the review and approval of the Executive Director, a monitoring report, prepared by a licensed biologist, landscape architect or qualified resource specialist that assesses whether the on-site restoration is in conformance with the restoration plan dated October 1, 2003. The habitat goal is that at five years from the date of the first native plantings, the on-site restoration should provide no less than 80 percent coastal bluff scrub (CBS) plant cover with 10 percent bare sand and no more than 10 percent exotic plant cover. The monitoring reports shall include photographic documentation of plant species, plant coverage and an evaluation of the conformance of the resultant landscaping with the requirements of this special condition.

C. If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the plan listed above in Section 2A, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed landscape architect or a qualified resource specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan. The alternative landscape plan must include plants similar to surrounding properties and provide adequate permanent erosion control.

D. The permittee shall undertake development in accordance with the approved final plan and schedule and other requirements. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. **Future Development Restriction**

A. This permit is only for the development described in coastal development permit No. **5-03-328**. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the Habitat Enhancement Plan or any change in the approved final plans of the development, shall require an amendment to Permit No. **5-03-328** from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

4. **Erosion Control Plan**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and approval of the Executive Director, a plan for runoff and erosion control.

1. **EROSION CONTROL PLAN**

(a) The erosion control plan shall demonstrate that:

- (1) During construction, erosion on the site shall be controlled to avoid adverse impacts on the beach.
- (2) The following temporary erosion control measures shall be used during installation of the plants: cover crops such as the native grass *Festuca* and biodegradable rolls, and/or geo-fabric blankets and wind barriers, and/or jute (not plastic) sandbags.
- (3) The applicant shall employ no hay or straw bales or other weed sources.
- (4) Following installation of the plants, the site shall be stabilized immediately with jute matting or other BMPs to minimize erosion during the rainy season (November 1 to March 31).
- (5) During establishment of the plants, the applicant shall inspect the area each fall in order to determine if there is erosion. If there is erosion, the applicant shall replace sandbags and matting and other temporary erosion control measures as necessary.

(b) The plan shall include, at a minimum, the following components:

- (1) A narrative report describing all temporary erosion control measures to be used during construction.
- (2) A site plan showing the location of all temporary erosion control measures.
- (3) A schedule for installation and removal of the temporary erosion control measures.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a

Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**5. Coastal Development Permit Required For Removal Of Vegetation Installed as a Result of This Coastal Development Permit**

After establishment of the plants, approval of an application for a coastal development permit from the applicant or an amendment to this permit 5-03-328 will be required for removal of the coastal bluff scrub plants installed as part of this project. This does not apply to the removal and replacement of dead or diseased plants identified in the monitoring program.

**IV. Findings and Declarations:**

The Commission hereby finds and declares as follows:

**A. PROJECT DESCRIPTION, LOCATION AND BACKGROUND**

**1. Project Location**

The project site is located within an existing residential area at 613 Paseo de la Playa, City of Torrance, Los Angeles County (Exhibits 1 & 2). The site is the fifth southernmost lot of the 28 lots on the bluff top between the first public road, Paseo de la Playa, and the sea. All 28 bluff top lots have been developed with single family residences. Torrance Beach, the beach seaward of the toe of the bluff, is public. Vertical public access to this beach is available to pedestrians via public parking lots and footpaths located at the Los Angeles County Beaches and Harbors' "Torrance Beach Park", which is approximately 1,800 feet to the north of the project site (Exhibits 1 & 9). There are also a vertical beach public access way and public parking located approximately ¾ of a mile to the south of project site in Palos Verdes Estates.

**2. Project Description**

The applicant is requesting approval for development on a coastal bluff face. The project involves removing exotic vegetation on the lower half of the bluff face (Exhibit 3) and installing native plants propagated from local sources to establish a habitat suitable for the El Segundo blue butterfly. In addition, the applicant is proposing to construct a 30-inch wide stairway that will extend laterally from the northwestern corner of the rear lawn area to the south property line and then continue approximately 80 feet down the bluff face along the southern property line terminating at a proposed 500 square foot, 10-foot high covered observation deck located at the lower portion of the bluff face (Exhibits 3 & 5). Project plans submitted with the original application indicate that the stairway will be concrete, however, the applicant later submitted more detailed plans for the stairway and proposed it to be constructed of wood. The stairway will consist of a stairway constructed at grade with a 30-inch high railing and post footings that will support the structure. The observation deck will also contain a 30-inch high railing and a roof that is 10 feet above grade. The deck is proposed at grade with footings.

In addition, a May 22, 1998 Geologic report submitted by the applicant describes a "board and pipe" slope retention system that was installed on the bluff. The applicant has explained that the board and pipe system was installed in response to surface erosion problems. According to the applicant, the system was installed in 1998 and extended from the top of the bluff to approximately 10 feet over the edge of the top of bluff. This development did not receive a coastal development permit and is not part of this permit application. The Commission's enforcement division will evaluate further actions to address this matter.

### **3. Prior Development at Subject Site and Surrounding Area**

A Coastal Commission 1972 aerial indicates that a residential structure existed on the top of the bluff prior to the Coastal Act. In 1998 the applicant received an exemption for a remodel of the existing home. A 1998 Geologic Investigation of Slope Erosion Report describes a "board and pipe" retaining system that exists on the bluff face that allows for a walkway down to the beach. The "Site Description" section of the report states in part:

*Relatively high steep slopes descend southwesterly from the back yard area to the beach below. The slope is an estimated 140 feet high. Portions of the slope are locally terraced with "board and pipe" retaining systems. It appears the board and pipe systems were installed at some locations to allow for a walkway down to the beach area and to allow for landscaping and planting on the slope.*

No permit is on file for the development and when asked, the applicant explained that the slope retention system was installed in 1998 to stabilize an area that had experienced erosion that extended from the top of the bluff to approximately 10 feet over the bluff. The applicant states that extensive plantings were done and there has been no erosion since.<sup>1</sup> The applicant described later, in a letter dated October 27, 2003, what materials were used to construct the slope retention system and submitted a map indicating the approximate location of the board and pipe system (Exhibit 3). The applicant also stated verbally that the unpermitted development is not part of the current application and in his October 27, 2003 letter, the applicant stated that "no alterations to the system are anticipated or requested as part of this application" (Exhibit 7). Staff has visited the site and the board and pipe system was not visible from the beach. Staff did notice a degraded footpath extending down the bluff towards the beach on the project site. Staff also noticed wooden beams that create a terracing effect down the bluff face on the adjacent property to the north of the project site (Exhibit 9).

Commission staff has visited the area and researched the historical existence of bluff face development in the subject area and determined that of the twenty-eight residential lots on Paseo De La Playa, approximately twelve (12) have stairs or footpaths that extend down the bluff (including the subject lot, which has a footpath). Five of the twelve lots just mentioned have a permitted stairway or walkway extending down the bluff (two are pre-coastal and three received a coastal development permit for the construction of stairs/walkway). Two of the five just mentioned also received a coastal development permit for concrete walls at the western property line). Three (3) of the twelve lots (with stairs or footpaths) have unpermitted stairways; two (2) have unpermitted development consisting of wooden beams used to make

---

<sup>1</sup> Letter submitted by the applicant, Tim Carey, in response to a request by Commission staff for additional information, dated October 15, 2003.

trails or to terrace the bluff; and two (2) have unpermitted cabana type structures. Approximately sixteen (16) of the twenty-eight lots discussed herein do not appear to have any stairs or walkways extending down the bluff face. (The Commission's Enforcement Division is currently investigating unpermitted development along the bluffs at Paseo De La Playa in Torrance, including stairways and toe of slope improvements.)

#### **4. Permit History for Bluff Face Development in Project Vicinity**

Exhibit No. 8 is a chart of the permit history for the 28 residential lots located along Paseo De La Playa in Torrance. Only three properties along this stretch of Paseo De La Playa have permitted accessory structures (cabanas, storage sheds, covered structures, etc.) or retaining walls at the toe of the slope. The northern most lot has development on the bluff face that includes stairs and a covered structure near the toe of the bluff. This development appears in the Commission aerial photo dated 1972 and existed prior to the effective date of the Coastal Act and the Coastal Zone Conservation Act of 1972. In 1986 the Commission approved development on a nearby northern property that included approval of a 5-foot wide pathway that extended from the home to a deck at the toe of the bluff, a wall at the toe of the bluff and along the side yard property lines (Permit No. 5-85-755). On another property at the northern end of the 28 residential lots, the Commission approved construction of a concrete walkway that extends from the house to the beach, a wall at the toe of the bluff and a perimeter chain link fence (5-90-1041 and applicable amendments). Nine lots to the south of the Torrance beach parking lot, the Commission approved sand colored concrete terrace drains and bluff restoration (5-90-868). There are no coastal development permits on file for lots 521 to 609 (the eight lots to the north of the subject site), 617 (immediately adjacent to the project site to the south) and 627 (three lots to the south of the project site). Of the 28 lots, few have permitted development down the bluff face.

### **B. APPROVAL FINDINGS AND DECLARATIONS**

The findings in this section apply only to that portion of the proposed project that is described in Part 1 of the Commission's resolution on this permit application, which portion is therefore being conditionally approved.

#### **1. Habitat**

Section 30240(a) of the Coastal Act states:

*(a) 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.*

Prior to urbanization, bluff faces in the South Bay supported coastal bluff scrub that supported numerous species, including the El Segundo blue butterfly (*Euphilotes bernardino allyni*), which is currently endangered. According to Dr. Travis Longcore of the Urban Wildlands Group, the site was surveyed for presence of *Eriogonum parvifolium* (food plant for the butterfly). None were found in surveys in 1995, 1999 or in a survey on July 12, 2001. Three dead *Eriogonum parvifolium* were found on the adjacent property at 617 Paseo De La Playa (Exhibit 4). The enhancement area is covered predominantly with the invasive exotic



plants, iceplant *Carpobrotus edulis* and acacia (*Acacia* sp.). Two species of native plants are currently found on the property, *Suaeda* sp. and *Atriplex brewerii*.<sup>2</sup> The applicant is proposing to enter a portion of his property into a habitat enhancement plan for the El Segundo blue butterfly. The Habitat Enhancement Plan was developed by The Urban Wildlands Group, Inc. and the U.S. Fish and Wildlife in a Safe Harbor Agreement, established to enhance habitat for the El Segundo blue butterfly (Exhibit 4). Except for a small flat area near the beach and a path down the southern edge of the property, the lower half of the bluff face on the applicant's property will be restored with native vegetation, which includes the food plant for the butterfly, *Eriogonum parvifolium* (Exhibit 4). The area that is designated the "Safe Harbor revegetation area" extends from the toe of the bluff at the western property line (adjacent to the public beach) up approximately 70 to 80 feet in elevation to approximately mid bluff (Exhibit 3). The width of the lot is 60 feet. The Habitat Enhancement Plan submitted by the applicant proposes to remove the exotic vegetation from the area which will include the iceplant being pulled by hand and *Acacia* being removed with handheld power tools, with the root systems being left in to stabilize the slope. The stumps will be treated with Roundup to prevent regrowth by a certified herbicide applicator.

The applicant proposes to replace the exotics with a diverse community of native bluff plants that will reduce erosion and provide potential habitat for native animals, including the federally endangered El Segundo blue butterfly (Exhibit 4).

According to the application and Habitat Enhancement Plan dated October 1, 2003, all container plants (plants that will be used for the restoration) will be propagated from local seeds and/or cuttings. Local sources include the Palos Verdes peninsula with a preference for Malaga bluffs.<sup>3</sup> Container plants will be grown from seed in greenhouse conditions. Seeds will be hand collected and cleaned and refrigerated until application. The Irrigation plan includes temporary irrigation to saturate the soil prior to planting and to establish the plants once installed. No irrigation will be used during the spring and summer months but may be introduced again in the late fall and through the winter months if needed. Irrigation on the site is provided by an existing system (Hunter sprinkler heads). The existing system will be utilized for irrigation purposes for the proposed restoration.

The landscape plan includes a planting scheme consisting of a list of plants to be installed identified by both their common and scientific names and the quantity of each plant that will be installed. According to the plan, all plant species will be established simultaneously. A mix of native annual species, which includes *Festuca megalura*, will be applied to the site at the time of planting. This *Festuca* grass germinates quickly and will minimize any potential erosion from the site. The plan states in part:

*The planting scheme will include approximately 450 container plants. Plants will be set out in clumps to emulate the naturally patchy occurrence of plants in this community. We assume a founder model of succession to design the planting scheme. This model assumes that those plants that establish early during ecological succession ultimately define the community. Therefore the plantings will emulate the density and proportion of*

---

<sup>2</sup> *Habitat Enhancement Plan for El Segundo Blue Butterfly at 613 Paseo De La Playa, Torrance, CA*, Prepared for U.S. Fish and Wildlife Service Cooperative Agreement #1448-11430-1-J041, prepared by Travis Longcore, Ph.D. and Rudi Mattoni, Ph.D. of The Urban Wildlands Group, Inc., October 1, 2003.

<sup>3</sup> *Id.*

*shrub and subshrub species that we intend to comprise the bluff and dune scrub at project completion.*<sup>4</sup>

The enhancement plan notes that trampling the area presents a danger to the success of plantings. However, in this case the revegetation site is on private property so access is limited. A fence currently exists on the site along the western property line that protects the site from those using the adjacent beach.<sup>5</sup>

The restoration project includes maintenance measure to control weeds by weeding the site throughout the winter and spring following plant installation on a biweekly basis. Weeding will be repeated following the winter rains of the second growing season following installation. One year following plant installation, container plants that did not survive will be replaced following the same protocol as the initial installation.

In addition to the restoration, the Habitat Enhancement Plan includes a monitoring plan. The proposed monitoring plan includes: 1) plant assessments – plant coverage will be quantified annually (during month of March each year) using stratified sampling. The target for native plant covering is 80 percent with 10 percent bare sand and no more than 10 percent exotic plant cover; 2) Photopoints – Progress of revegetation shall be tracked using fixed photopoints (each March); 3) butterfly surveys – The Urban Wildlands Group will survey appropriate habitat for El Segundo blue butterfly at the site each year. A minimum of five visits will be completed and results will be provided to the U.S. Fish and Wildlife Service and the Coastal Commission. In addition, the monitoring plan notes that if required, reports prepared under the Safe Harbors agreement between the U.S. Fish and Wildlife Service and The Urban Wildlands Group will be submitted to the Coastal Commission each Spring by April 30. Special Condition No. 2B formalizes this offer by requiring the annual report for up to 5 years from the date of the approved coastal development permit 5-03-328.

Commission staff biologist reviewed the proposed enhancement plan and monitoring plan and concurs that the submitted plans are appropriate for the type of restoration being proposed. On September 11, 2003 the Commission approved a similar type of bluff restoration project up coast from this site, just north of the Torrance beach public parking lot in the City of Redondo Beach (5-03-280).

Monitoring is necessary to assure that any restoration project succeeds. Conditions vary with each site. Monitoring can assure that the type of plants is appropriate to that site; that the density of cover is established, and that erosion control weeding and replacement of failing plants occurs. Moreover, there are relatively few coastal bluffs suitable for restoration projects and accessible for such efforts. Restoration is necessary to support the reestablishment of the rare and endangered species that once flourished on these bluffs. While no habitat is displaced in the process, the project represents an opportunity that may not be repeated. Monitoring will provide the applicant and the Commission with useful information for designing future projects.

Monitoring is necessary for a second reason. If disturbance of the existing soils is allowed to enable restoration, there is the possibility of erosion resulting from the activity itself.

---

<sup>4</sup> Id

<sup>5</sup> Id

Sloughing has occurred in the past due to rainfall and pioneered trails. The proposed plan provides for coverage dense enough to prevent rain induced erosion, and the existing fencing system should prevent the public from walking on to the restored area. It is important to monitor and maintain the site to assure that these features can function as proposed and if corrections are needed to propose necessary changes.

The Commission is requiring as a special condition that final monitoring plans conform to the plans submitted to the Commission dated October 1, 2003. If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping and monitoring plans approved pursuant to this permit, the applicant is required to submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The Commission finds that coastal bluff restoration that provides potential habitat for an endangered species is consistent with Section 30240 of the Coastal Act.

## **2. Geologic Stability/Erosion Control**

Section 30253 of the Coastal Act states in part:

*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, geologic 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.*

The project site is located within an existing residential area at 613 Paseo de la Playa, City of Torrance. The site is the fifth southern most lot of the 28 lots on the bluff top between the first public road, Paseo de la Playa, and the sea (Exhibit 2). The southern end lots, just up coast from the Palos Verdes Peninsula, consist of higher, rocky material. As the bluffs extend north, they become less steep and consist of sandy material. The applicant submitted a 1998 geologic report for the site that addresses erosion of an estimated 140 feet high slope descending from the rear of the pad where the existing house is located. The report discusses that slope erosion has occurred on the site with the upper portion (just below the back yard) experiencing significant erosion in the past few years. The report concludes that the slope erosion on the slope behind the house does not involve deep seated bedrock landsliding and is occurring in the loose terrace sands overlying the bedrock (Ehlert, 5/22/98). The report continues that the slope erosion is a result of water eroding the loose sandy materials. The report states that unless remedial work is performed, additional erosion of the slopes will occur. The report states in part, "Planting proper vegetation on the slope will be an important factor in reducing the amount of future erosion" (Ehlert, 5/22/98). The report continues to discuss the adverse impacts of ice plant being used as ground cover and states that it is a contributing factor to slope failure where planted. The report states in part:

*Ice plant has been notorious as a contributing factor to slope failure where it has planted, and it should be avoided as a ground cover. It is shallow-rooted and builds*

*up into a thick, heavy mat that impedes evaporation and may break loose and slide during heavy rain because of its weight.<sup>6</sup>*

The applicant proposes to remove the ice plant and install locally native plants from the coastal scrub and Malaga Bluffs communities. The applicant expects that native bluff face plants themselves will provide erosion control. According to the proposed enhancement plan, a mix of native annual species will be planted at the time of planting. The mix includes *Festuca megalura* to act as erosion control. The *Festuca* will stabilize the soil while the other plants become established. The *Festuca* is not invasive, and will diminish in cover as the rest of the plants establish. The Commission recognizes the benefit of restoring the bluff with native plants and suitable habitat for coastal animals and notes that such establishment of plants will prevent erosion. However, the Commission must also be prepared that if the proposed restoration is not successful for whatever reason, measures must be taken to ensure that the bluff will be protected from erosion and runoff. Therefore the Commission is requiring that the final landscape and monitoring plans conform to the proposed plans (80 percent coverage of native plants) and that if the proposed landscape fails, the applicant must submit a revised plan to install some types of vegetation on the bluff that will stabilize the bluff by protecting it from erosion and that revised plan must be submitted to the Executive Director for review and approval. Only as conditioned is the proposed project consistent with Section 30253 of the Coastal Act.

### ***Erosion Control***

Sections 30230 and 30231 of the Coastal Act state:

#### **Section 30230**

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

#### **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.*

As discussed above, the project site is currently covered with an exotic species including iceplant that may serve as an erosion control purpose in the short term but is both invasive

---

<sup>6</sup> Id

and as noted above, may in fact increase erosion over time. The proposed project includes removing iceplant by hand and removing acacia with small power tools but leaving the roots in place. The enhancement plan proposes that best management practices will be used to minimize erosion from the site. In addition to leaving acacia root systems in place (after application of Roundup) and planting a cover crop of Festuca, the iceplant that is cleared will be piled by the fence at the base of the slope (on the applicant's property) to form a filter for water that might run off. This is a similar method used in the Redondo Beach pilot restoration project just up coast from Torrance beach (5-03-280). Because the proposed development will be occurring during the potential rainy season, the Commission is requiring that erosion control be implemented during construction. Erosion control measures may include using fiber rolls or geo-fabric blankets to cover exposed dirt when work is not being done such as during the nighttime. Wind barriers should also be used to prevent loose soils from blowing off of the site.

The Commission is requiring that the site be stabilized with jute matting or other BMPs to minimize erosion during the raining season if plantings have not been fully established. If the proposed restoration fails, the applicant must come back to the Executive Director with an alternative landscape plan in order to establish plants that will provide adequate permanent erosion control. Only as conditioned does the Commission find the project consistent with the marine resource protection policies of the Coastal Act.

### **3. Public Access**

All projects requiring a coastal development permit must be reviewed for compliance with the public access provisions of Chapter 3 of the Coastal Act. Section 30210 states that maximum access and recreational opportunities shall be provided to protect public rights:

*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.*

The proposed development is located within an existing fully developed residential community partially located between the sea and the first public road paralleling the sea. Torrance Beach, a public beach, is located seaward of the applicant's property line at the toe of the bluff. Public access through the privately owned residential lots in this community does not currently exist and there is no evidence of historic public access across this lot. However, adequate public access to Torrance Beach is available via public parking lots and footpaths at Redondo Beach located to the north of the project site (Exhibits 1 & 9). There is also a beach access way and public parking to the south of the project site in Palos Verdes Estates. The proposed development will not result in any adverse impacts to existing public access or recreation in the area. Therefore, the Commission finds that the project is consistent with the public access and recreation policies of the Coastal Act.

#### 4. Visual Resources

Section 30251 of the Coastal Act states:

*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 of 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.*

The proposed project consists of replacing iceplant with native coastal scrub plants along the bluff face. There is no proposed change to the chain link fence that exists at the base of the bluff. The fence is open and does not block views from the beach looking inland. The enhancement plan includes a proposed informative sign that will be posted to describe the site as a "Safe Harbor" for the El Segundo blue butterfly. The sign will provide the public with educational information about the natural communities that are being re-established on the site. The Commission finds that public views are protected and the project is consistent with the visual resource policies of the Coastal Act.

#### 5. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development 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:

*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). A denial of a Coastal Development Permit on grounds it would 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) shall be accompanied by a specific finding which sets forth the basis for such conclusion.*

On June 18, 1981, the Commission approved with suggested modifications the City of Torrance Land Use Plan (LUP). The City did not accept the modifications and the certified LUP, which was valid for six months, lapsed. The major issues raised in the LUP were affordable housing, bluff top development and beach parking.

Based upon the findings presented in the preceding section, the Commission finds that the proposed development consisting of the Habitat Enhancement Plan, as conditioned, will not

create adverse impacts on coastal resources and is therefore consistent with applicable policies contained in the City of Torrance certified LUP. In addition, the Commission finds that approval of the proposed habitat enhancement project will not prejudice the City's ability to prepare a Local Coastal Program consistent with the Chapter 3 policies of the Coastal Act, as required by Section 30604(a).

## **6. California Environmental Quality Act**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effect, which the activity may have on the environment.

The Commission finds that the proposed habitat enhancement project, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

## **C. DENIAL FINDINGS AND DECLARATIONS:**

The findings in this section apply only to that portion of the proposed project that is described in Part 2 of the Commission's resolution on this permit application, which portion is therefore being denied.

### **1. Scenic Resources / Community Character & Cumulative Adverse Impacts**

The proposed development consisting of a stairway that extends down the face of a coastal bluff and a 500 square foot, 10-foot high observation deck located towards the toe of the bluff is inconsistent with the following Coastal Act policy:

Section 30251 of the Coastal Act states, in part:

*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 landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

While some bluff faces in southern California have been subdivided and developed, development generally does not extend down the Torrance bluffs. The bluffs extend from about 60 feet high at the north end to almost one hundred forty feet high as the coast curves toward Palos Verdes. The bluff also becomes steeper, changing from a 2:1 slope covered

with dune sand to a rocky cliff. From the beach, the roofs of some of the houses on the top of the bluff, parts of the rear walls of those houses and the edges of some patios are visible. With few exceptions, there is little development along the face of the Torrance bluffs. For the most part, the bluff face to the south, where the bluff rises more steeply, is undisturbed. The project site is located near the southern end of the 28 residential bluff top lots (Exhibit 9). This section of the bluff forms a vegetated and irregular backdrop to the beach. In the area consisting of the northern most lots, where the bluff is lower and flatter, there is more disturbance of the bluff face. On the northern most lots, the seaward side of the houses and their decks are more visible from the beach.

As described earlier in the Permit History section, several bluff face stairs or footpaths exist throughout the 28 bluff top lots, many unpermitted. On two lots at the northernmost end of the row of houses there are stairways and decks permitted by the Commission that extend to the toe of the bluff (5-85-755, 5-90-1041-A3). Bluff face development on the northern most lot (417 Paseo De La Playa) is pre-coastal, meaning that it occurred before passage of the California Coastal Act and was therefore never subject to the requirements of, or review under, the Act. There are no coastal development permits for development on file for lots 521 to 609 (to the north of the project site), 617 (immediately adjacent to the project site to the south) and 627 (three lots to the south of the project site). Single family homes existed on these lots prior to establishment of the Coastal Act. Except for the few lots, described above, located at the northern end of this stretch of homes on Paseo De La Playa, bluff face development either does not exist or is unpermitted development. However, approximately 4-6 of the ten southernmost lots contain or share bluff face footpaths extending to the beach. Unpermitted development cannot be considered when assessing the character of the surrounding area. Moreover, even with these exceptions, in general, the bluff face still resembles the bluff face shown in the sketch in the proposed 1981 LUP, irregular cliffs overlain by blown sand, vegetated with a mixture of ice plant and native plants. The roofs and rear windows of some of the houses and the edges of decks are visible from the beach, but generally the bluff front in this area also appears undisturbed. A parcel to the south (2 lots downcoast or south) of the proposed project received a coastal development permit to correct an earth slump condition on the bluff top (5-83-618). Four lots to the south of the project site, a coastal development permit was approved for a remodel, an addition to an existing single family home and a deck and swimming pool to be located on the inland side of an existing swale towards top of the bluff (5-96-167).

The proposed project is located on the bluff face immediately adjacent to the public beach. The lower half of the bluff at this site is highly visible from the sandy beach. The applicant proposes to construct a stairway and deck on the ground's surface with post footings for support. No caissons or piles are proposed. Development at this location must be sited and designed to be visually compatible with the relatively undisturbed character of the surrounding area. It is also necessary to ensure that new development be sited and designed to protect views to and along the beach area and minimize the alteration of existing landforms.

As described previously, the applicant is requesting approval for development (stairway and deck) on a coastal bluff face. The project involves construction of a bluff face stairway and construction of substantial development towards the toe of the bluff consisting of a covered, 500 square foot, 10-foot high structure that has a 30-inch high railing and post footings to support the structure. According to the applicant, the stairway will provide support for the



restoration efforts by providing a safe clear path down the bluff for both those doing the physical work and for future use by family members.

a. Landform Alteration

The Coastal Act requires new development to be sited to "*minimize the alteration of natural land forms.*" The proposed project would be located along a coastal bluff. The existing bluff is a natural landform visible from public vantage points such as the adjacent beach. Any alteration of this landform would affect the scenic views of the coastline when viewed from the public beach.

b. Community Character

Pursuant to Section 30251 of the Coastal Act, new development must be visually compatible with the surrounding area. In addition, Section 30253 (5) requires the protection of "*special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*" The proposed project would result in a visible intensification of use of the site as compared to its undeveloped state (See Exhibit 9). Although two lots far to the north of the proposed project have bluff face development approved by a Commission in the mid 80's and 90's consisting of stairways, walls and a deck and some lots have unpermitted development at the toe of the bluff and on the bluff face (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff as a whole (all 28 lots) in this area is natural and undeveloped (Exhibit 9). Since the 80's and early 90's, the Commission has learned a great deal about the degrading effects to bluffs caused by constructing structures and/or walls on bluff faces, including adverse impacts to public views and coastal community character.

The project site is immediately inland of Torrance public beach (the proposed deck is towards the base of the bluff), which serves as a popular visitor destination point for recreational uses. Approximately 1,800 feet to the north of the site are a public park, beach parking lot and pedestrian access ways that extend from the street and parking lot to the beach. Just north of the public park is Redondo Beach. Approximately  $\frac{3}{4}$  of a mile to the south is a public beach access way and a public parking lot. New development along the bluff face will adversely impact the visual quality of the subject area, and will do so in a manner inconsistent with the community character, inconsistent with Sections 30251 and 30253 of the Coastal Act.

c. Cumulative Impacts

Section 30250(a) of the Coastal Act requires that new development be located where it will not have significant cumulative adverse effects on coastal resources. As described earlier and identified in Exhibit 9, the majority of development along Paseo De La Playa is located on the bluff top. The proposed bluff stairway and covered deck would set a precedent for future development to intensify residential development in the subject area. Over time, incremental impacts can have a significant cumulative adverse visual impact. Other similarly situated property owners might begin to request authority to conduct new construction on the bluff face, thus contributing to adverse visual impacts.

As described previously, the proposed project is located along a coastal bluff immediately inland of Torrance Beach, a public beach. The lower half of the bluff at this site is highly visible from the sandy beach. Although several lots have stairways or footpaths traversing the bluff face and some have unpermitted bluff face development (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff in this area is natural and undeveloped. Only three other lots contain recreational structures on the bluff face: one with development that is pre-coastal and one with development that is unpermitted. Approval of the proposed stairway and deck could set a precedent for the construction of other such development along the bluff face that would alter the natural land form, resulting in adverse visual impacts and seaward encroachment. Development at this site must be sited and designed to be visually compatible with the undisturbed character of the surrounding area.

### Conclusion

The Commission finds that the bluff stairway and observation deck, as currently proposed, are not sited and designed to protect scenic and visual qualities of the site as an area of public importance. Denial of the proposed development would preserve existing scenic resources and would be consistent with preserving the existing community character where development occurs at the top of the coastal bluff (on 24 out of 28 lots). The alteration of the bluff from construction of the stairway and covered deck would result in an adverse visual effect when viewed from public vantage points along the beach. Allowing the proposed stairway and deck would also lead to seaward encroachment of new development in an area where additional unpermitted development has occurred that has encroached seaward and threatens to affect the community character. The Commission finds that the proposed bluff stairway and covered deck would result in the alteration of natural landforms and would not be visually compatible with the character of the surrounding area. Consequently, the proposed project would increase adverse impacts upon visual quality in the subject area. Therefore, the Commission finds that the proposed stairway and deck are inconsistent with Section 30251 of the Coastal Act and therefore must be denied. Denial of this portion of the project is consistent with the Commission's recent action on applications 5-01-018 (Conger)(approving permit but prohibiting development on the bluff face, reconsidered and revised on other grounds) and 5-01-080 (Palmero).

## **2. Hazards**

Section 30253 of the Coastal Act states, in pertinent part:

*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, geologic 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.*

Development on a coastal bluff is inherently risky due to the potential for bluff failure. Bluff development poses potential adverse impacts to the geologic stability of bluffs and the stability of residential structures and ancillary improvements. In general, bluff instability is caused by environmental factors and impacts caused by man. Environmental factors include seismicity, wave attack, drying and wetting of soils, wind erosion, salt spray erosion, rodent burrowing, percolation of rain water, poorly structured bedding and soils conducive to erosion. Factors attributed to human intervention include bluff over steepening from cutting roads and railroad tracks, irrigation, over-watering, building too close to the bluff edge, grading into the bluff, improper site drainage, use of impermeable surfaces to increase runoff, use of water-dependent vegetation, pedestrian or vehicular movement across the bluff top and toe, and breaks in water or sewage lines.

#### Site Conditions and Geotechnical Conclusions

As noted above, the bluffs in this area consist of sandy material at the north end, slowly being displaced by higher, rocky material as the bluffs extend toward the Palos Verdes Peninsula (Exhibit 9). In 1998, a geologic investigation was performed on the subject lot. The report concluded that the site is underlain by bedrock of the Monterey Foundation mantled by about 40 to 50 feet of sandy terrace deposits (Ehlert, 5/22/98). The report discusses that slope erosion has occurred on the site with the upper portion (just below the back yard) experiencing significant erosion in the past few years and that a portion of the back yard has been lost as a result of the erosion. The report states that generally, the board and pipe system only provide very localized slopes support for planters and cannot be counted on to increase gross stability of the slope (Ehlert, 5/22/98). The report also explains that according to information found in the City of Torrance files, there is a history of slope failures in the area of these bluffs. The 1998 report concludes that the slope erosion on the slope behind the house does not involve deep seated bedrock landsliding and is occurring in the loose terrace sands overlying the bedrock (Ehlert, 5/22/98). The report continues to explain that the slope erosion is a result of water eroding the loose sandy materials. The report states that unless remedial work is performed, additional erosion of the slopes will occur and that some of the "board and pipe" systems have failed due to slope erosion. The report includes the adjacent property to the south because it too shows evidence of slope erosion.

Commission staff geologist has reviewed the 1998 geologic report and based on that report, staff concludes that this site will continue to experience erosion problems and the bluff surficial instability described in the 1998 geologic report leads staff to conclude that the construction of a stairway and deck on the bluff face would require significant engineering resulting in increased adverse impacts on the bluff. Because the geologic stability of the proposed development has not been demonstrated, it is not possible to find affirmatively that the development is consistent with section 30253 of the Coastal Act.

#### Drainage

The applicant does not propose any changes to the existing natural drainage. A 500 square-foot covered deck and a bluff stairway increases the impermeability of the site and it is unclear where the roof top drainage from the covered deck is directed. Drainage patterns created from the new development is not evident and it is not clear what adverse impacts are caused by the development to the geologic stability of the bluff or to the beach that is seaward of the development.

## Conclusion

For the reasons stated above, the Commission finds that the bluff face 500 square foot, 10-foot high covered deck structure and the bluff stairway have not been shown to be consistent with Section 30253 of the Coastal Act, which requires that risks be minimized and geologic stability be assured. Therefore, this portion of the project must be denied.

### **3. Public Access and Recreation**

Sections 30210, 30220, and 30221 of the Coastal Act, among other sections, contain policies regarding public access to the shoreline. In addition, Section 30240 addresses appropriate development adjacent to a recreation area.

Section 30210 states:

*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.*

Section 30220 states:

*Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221 states:

*Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30240 (b) states:

*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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

In respect to development in areas adjacent to environmentally sensitive habitat areas, the Commission is in agreement with the proposed bluff restoration portion of this project and approves the restoration with special conditions listed above (See Section IV B of this report). The analysis below, however, deals with the proposed construction of a bluff stairway and observation deck towards the toe of the bluff and the adverse impacts of that development to an adjacent park and recreation area, the public beach.

The proposed project includes development adjacent to a public beach. The project may have indirect impacts on public recreation by moving the line of private structures closer to the public areas. The project site is located along a lower portion of a bluff face and the toe of a bluff on the seaward side of Paseo De La Playa, which is the first public road immediately inland of Torrance Beach. The lower half of the bluff at this site is highly visible from the sandy public beach. The pattern of development along this segment of Paseo De La Playa is such that structures are sited at the top of the bluff, while the bluff face remains largely undisturbed and vegetated. The bluff faces, generally fenced at the toe of the bluff, provide a buffer between the public beach and the private residential uses. As discussed previously, only three properties along this stretch of Paseo De La Playa (28 residential lots) have permitted accessory structures or retaining walls at the toe of the slope. Two consist of concrete retaining walls and one consists of a pre-coastal small covered structure at the lower portion of the bluff (417 Paseo De La Playa). Although several lots have stairways or paths traversing the bluff face and some have unpermitted development at the toe of the bluff (currently under investigation by the Commission's Enforcement staff), the overall appearance of the bluff in this area is natural and undeveloped (Exhibit 9). Public access is available directly seaward of the toe of the bluff at Torrance Beach. Development at this site, if approved, must be sited and designed to be compatible with Section 30240 (b) of the Coastal Act. Section 30240 (b) of the Coastal Act states that development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade those areas or be incompatible with their continuance. It is necessary to ensure that new development be sited and designed to prevent seaward encroachment of development that would impact public access to coastal resources. The proposed deck would be a significant new development encroaching seaward.

As described previously, the applicant is requesting approval for a 500 square-foot, 10-foot high, covered deck structure towards the toe of the bluff just inland of the public beach on a residential lot. While the requested structure does not physically impede public access at the toe of the slope or adjacent beach area, new private structures adjacent to the beach often facilitate private use of public beaches. As discussed previously, only 10% of the 28 residential lots have permitted accessory structures (covered structures) and/or retaining walls at the toe of the slope along this stretch of Paseo De La Playa. Two consist of concrete retaining walls and one consists of a pre-coastal small covered structure at the lower portion of the bluff (417 Paseo De La Playa). In addition, some have undertaken clearly private development on the sandy beach without a benefit of a coastal development permit. A growing number of property owners along Paseo De La Playa may begin to intensify use of their properties if the proposed project is approved. Increased intensification of private development located along the coastal bluffs adjacent to Torrance Beach will result in a less inviting beach appearance to the general public that may also discourage use of the beach. The Commission finds that the area in front of the development is a recreation area and that the proposed project would decrease the distance from the public beach to private residential uses, therefore significantly degrading the area for public recreation and would therefore be incompatible with Sections 30210, 30220, 30221 and 30240 (b). Therefore, the Commission finds that the proposed project is inconsistent with the public access policies and Section 30240 (b) of the Coastal Act and must be denied.

#### **4. Unpermitted Development**

Development has occurred on site without benefit of the required coastal development permit, including the installation of a board and pipe slope retention system on the bluff face. Consequently, the work that was undertaken constitutes development that requires a coastal development permit. This application does not address the unpermitted development on site. The Commission's enforcement division will evaluate further actions to address this matter.

Consideration of the permit application by the Commission has been based solely on the consistency of the proposed development with the policies of Chapter 3 of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to the alleged unpermitted development, nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

#### **5. Local Coastal Program**

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program that conforms with Chapter 3 policies of the Coastal Act.

On June 18, 1981, the Commission approved with suggested modifications the City of Torrance Land Use Plan (LUP). The City did not accept the modifications, and the certified LUP, which was valid for six months, has lapsed. The area that was not resolved included development standards for the beach and the bluffs. The City of Torrance does not have a certified LUP. Therefore the standard for this review is the Coastal Act.

The construction of the proposed stairway and deck is inconsistent with the Chapter 3 policies of the Coastal Act discussed previously, specifically, though not necessarily exclusively, Sections 30240, 30251 and 30253 of the Coastal Act. Development on the coastal bluff would cause adverse impacts to the natural landform, the coastal scenic resources and public access, which are inconsistent with Chapter Three public access policies, Sections 30240, 30251 and 30253 of the Coastal Act. Section 30240 of the Coastal Act states that development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts, which would significantly degrade those areas. Section 30251 of the Coastal Act states that permitted development should minimize landform alteration and visual impacts. Section 30253 of the Coastal Act states that new development should not contribute to significant erosion and geologic instability or be inconsistent with community character. By approving development that is inconsistent with so many aspects of Chapter 3 of the Coastal Act, the proposed development would prejudice the City's ability to prepare a Local Coastal Program for the City of Torrance that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a). Therefore, approval of the project is found inconsistent with Section 30604(a), and the project must be denied.

#### **6. Alternatives**

Denial of the proposed stairway and deck will neither eliminate all economically beneficial or productive use of the applicant's property, nor unreasonably limit the owner's reasonable investment backed expectations regarding the value of the subject property. The applicant

already possesses a substantial residential development of significant economic value of the property. In addition, several alternatives to the proposed development exist. Among those alternative developments are the following (though this list is not intended to be, nor is it, comprehensive of the possible alternatives):

a. No Bluff Stairway or Deck

No changes that include construction of a stairway and deck on the bluff face would result from the "no project" alternative. The owner would continue to use the existing home. There would be no disturbance of the bluff face or the toe of the bluff and no seaward encroachment of development. The bluff face would remain as an undeveloped vegetated slope and would be consistent with community character as development occurs at the top of the coastal bluff. The proposed 500 square foot structure located near the western property line, which would diminish the value of the public beach by discouraging public usage, would not be built. The existing footpath would remain providing the family with continued access to the beach. This alternative would result in the least amount of effects to the environment and also would not have any adverse effect on the value of the property.

b. Relocate development

A deck located on the bluff top in the rear yard area with a sufficient setback from the bluff edge would provide a safe place for the family to gather and enjoy scenic views of the beach and ocean. The bluff face would remain as an undeveloped vegetated slope and would be consistent with community character as development occurs at the top of the coastal bluff. The proposed 500 square foot structure located near the southern property line, which would diminish the value of the public beach by discouraging public usage, would not be built. The existing footpath would remain providing the family with continued access to the beach. This alternative would result in minimal impacts to the environment and also would not have any adverse effect on the value of the property.

**7. California Environmental Quality Act (CEQA)**

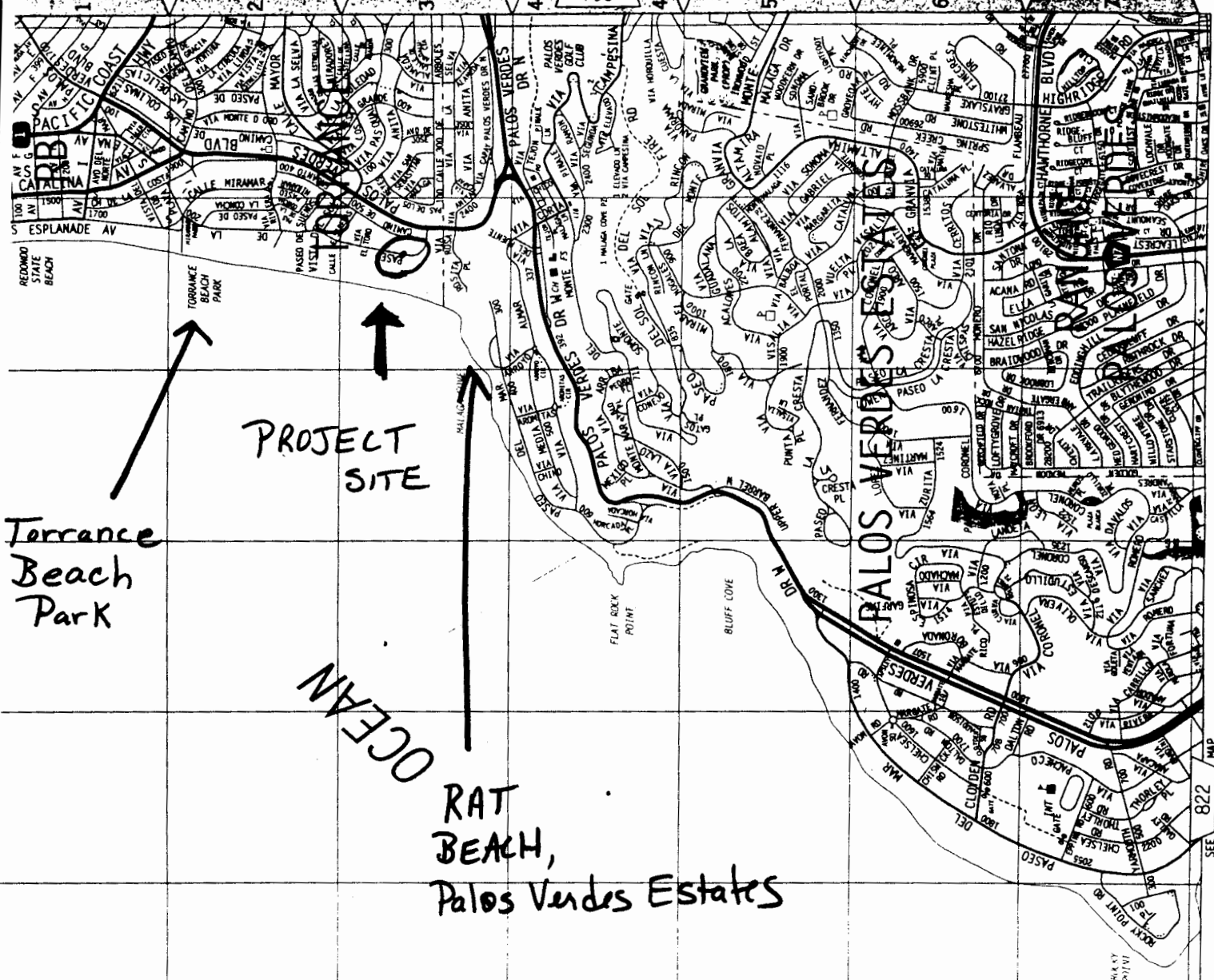
Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effect which the activity may have on the environment.

The proposed project includes development on the bluff face at the toe of the bluff. Coastal resources in the general area include scenic views from the public beach and public recreational access. As discussed previously, the majority of development along Paseo De La Playa is located along the bluff top. Allowing the proposed project would lead to seaward encroachment of new development in an area where additional unpermitted development has occurred that has encroached seaward and threatens to affect the community character. The proposed project would set a precedent for future development to intensify residential

development in the subject area. Over time, incremental impacts can have a significant cumulative adverse visual impact. In addition, approving the project described above may set precedents for future projects on other properties along this bluff and the cumulative impacts of that would be severe in degrading the public's recreational beach experience.

As described above, the proposed project would have adverse environmental impacts. There are feasible alternatives or mitigation measures available, as described in the section above that would substantially lessen any significant adverse impacts that the activity may have on the environment. Therefore, the proposed project is not consistent with CEQA or the policies of the Coastal Act because there are feasible alternatives, which would lessen significant adverse impacts, which the activity would have on the environment. Therefore, the project must be denied.





Torrance Beach Park

PROJECT SITE

OCEAN

RAT BEACH, Palos Verdes Estates

PACIFIC

RECEIVED

COASTAL COMMISSION

5-03-328

EXHIBIT # 1

PAGE OF

Next >>

View Enlarged Map

County of Los Angeles, Rick Auerbach, Assessor

7512 | 1  
SHEET 1  
SCALE 1" = 100'

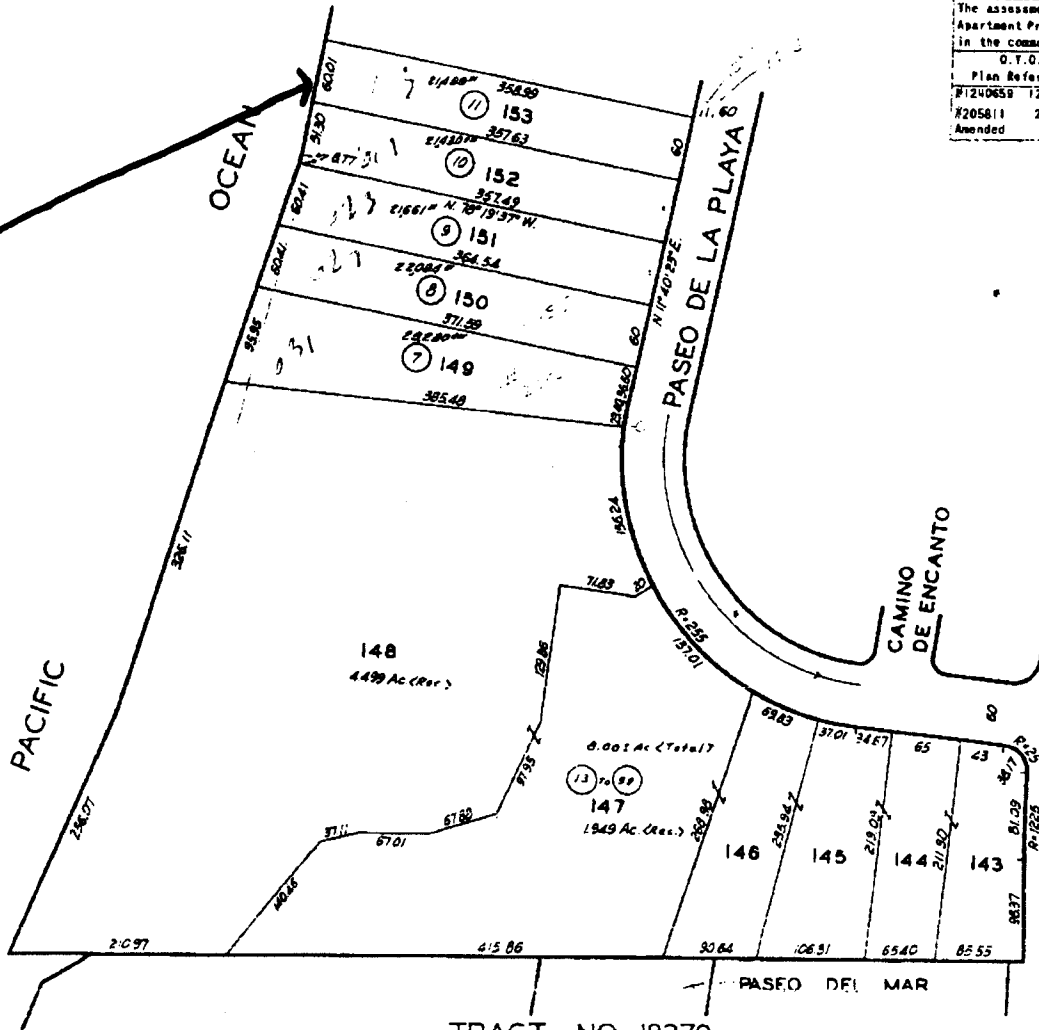
The Assessment  
Apartment Pro.  
in the Common  
O.T.O.  
Plan Refers  
#1240659 12-  
#205811 2-  
Amended

PROJECT  
SITE



CODE  
9359

FOR PREV. ASSM'T. SEE: 709 202



TRACT NO. 18379

M.B. 503 O 14

7512-201-032  
502

COASTAL COMMISSION

5-03-328

EXHIBIT # 2

PAGE \_\_\_\_\_ OF \_\_\_\_\_



RECEIVED  
South Coast Region

OCT 28 2003

CALIFORNIA  
COASTAL COMMISSION

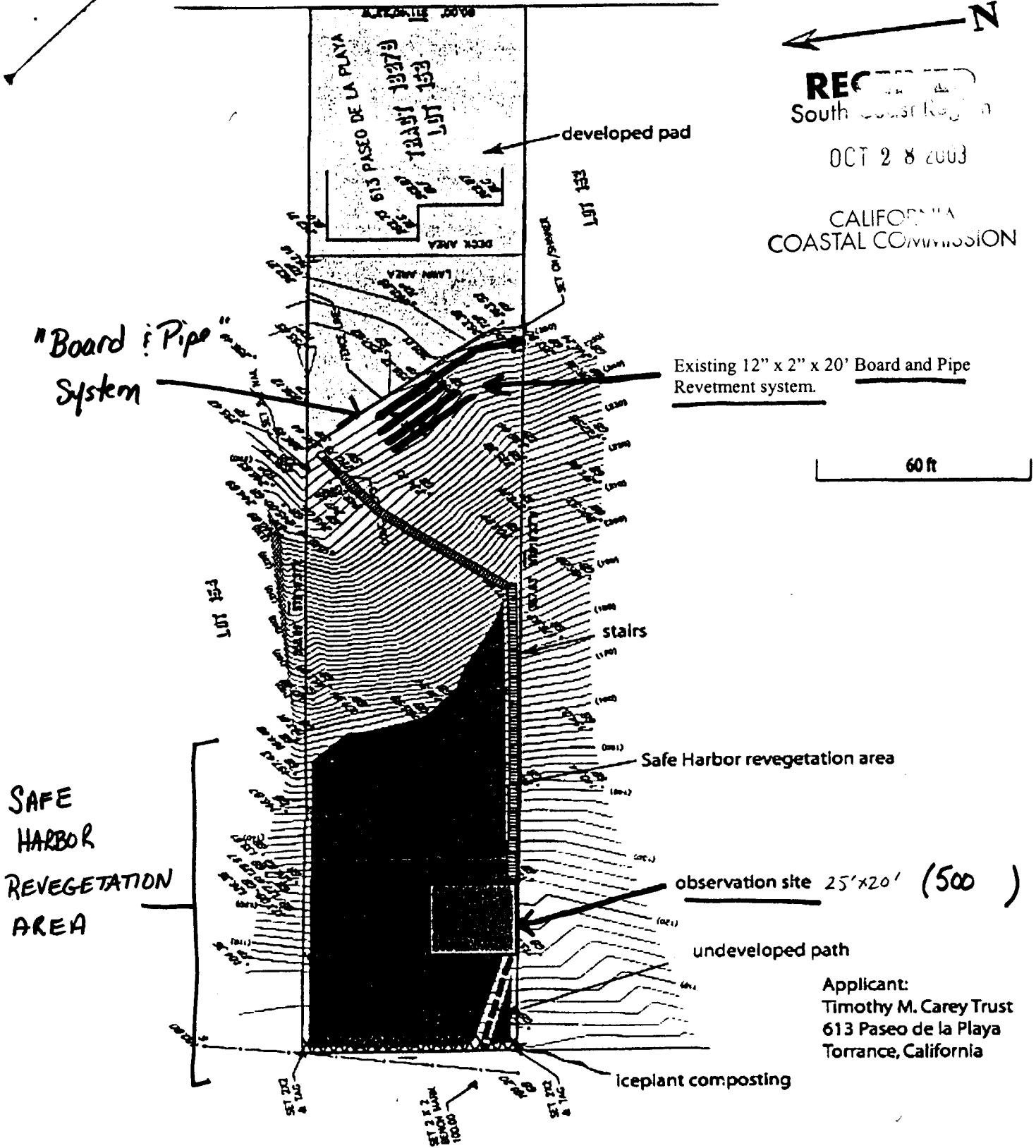


Figure 1. Map of property at 619 Paseo de la Playa with demarcation of Safe Harbor revegetation area.

COASTAL COMMISSION

5-03-328

EXHIBIT # 3

PAGE \_\_\_\_\_ OF \_\_\_\_\_

OCT 17 2003

# The Urban Wildlands Group, Inc.

P.O. Box 24020, Los Angeles, California 90024-0020, Tel (310) 276-2306

## Habitat Enhancement Plan for El Segundo Blue Butterfly at 613 Paseo de la Playa, Torrance, California

October 1, 2003

Travis Longcore, Ph.D.  
Rudi Mattoni, Ph.D.

Prepared for  
U.S. Fish and Wildlife Service  
Cooperative Agreement #1448-11430-1-J041

### Introduction

As described in the *Recovery Plan for the El Segundo Blue Butterfly* (U.S. Fish and Wildlife Service 1998), the population in the Malaga Cove area represents one of three extant populations and is within the Torrance Recovery Unit. It is located at the southern end of the range of the species and is disjunct from the other populations by approximately nine miles of urban areas. Downlisting criteria for this species requires that the population within this recovery unit be secured and managed and show a statistically significant upward population trend over a 10-year period. Occupied areas within this recovery unit are entirely on private land located on coastal bluff faces downslope from residential houses above the beach. The butterfly population within these areas has been slowly declining since listing due to lack of management that has resulted in invasion by exotic plant species, which outcompete the butterfly's host plant, coast buckwheat (*Eriogonum parvifolium*). These areas are also periodically disturbed during landscaping activities by the homeowners.

In addition to the significance of the Malaga bluffs to the El Segundo blue butterfly, Southern Coastal Bluff Scrub is one of the rarest and most threatened ecosystems in California and the United States. It is considered Very Threatened by the California Department of Fish and Game and G1 by The Nature Conservancy, both of which are the most threatened rankings used. This community is comprised of numerous endemic plant species, which will be grown and planted as part of the restoration project. A major threat to the Southern Coastal Bluff Scrub community is invasion of exotic species from landscaped areas. The educational and outreach component of the project will serve to educate homeowners along the bluff top to avoid planting invasive

**COASTAL COMMISSION**

5-03-328

EXHIBIT # 4

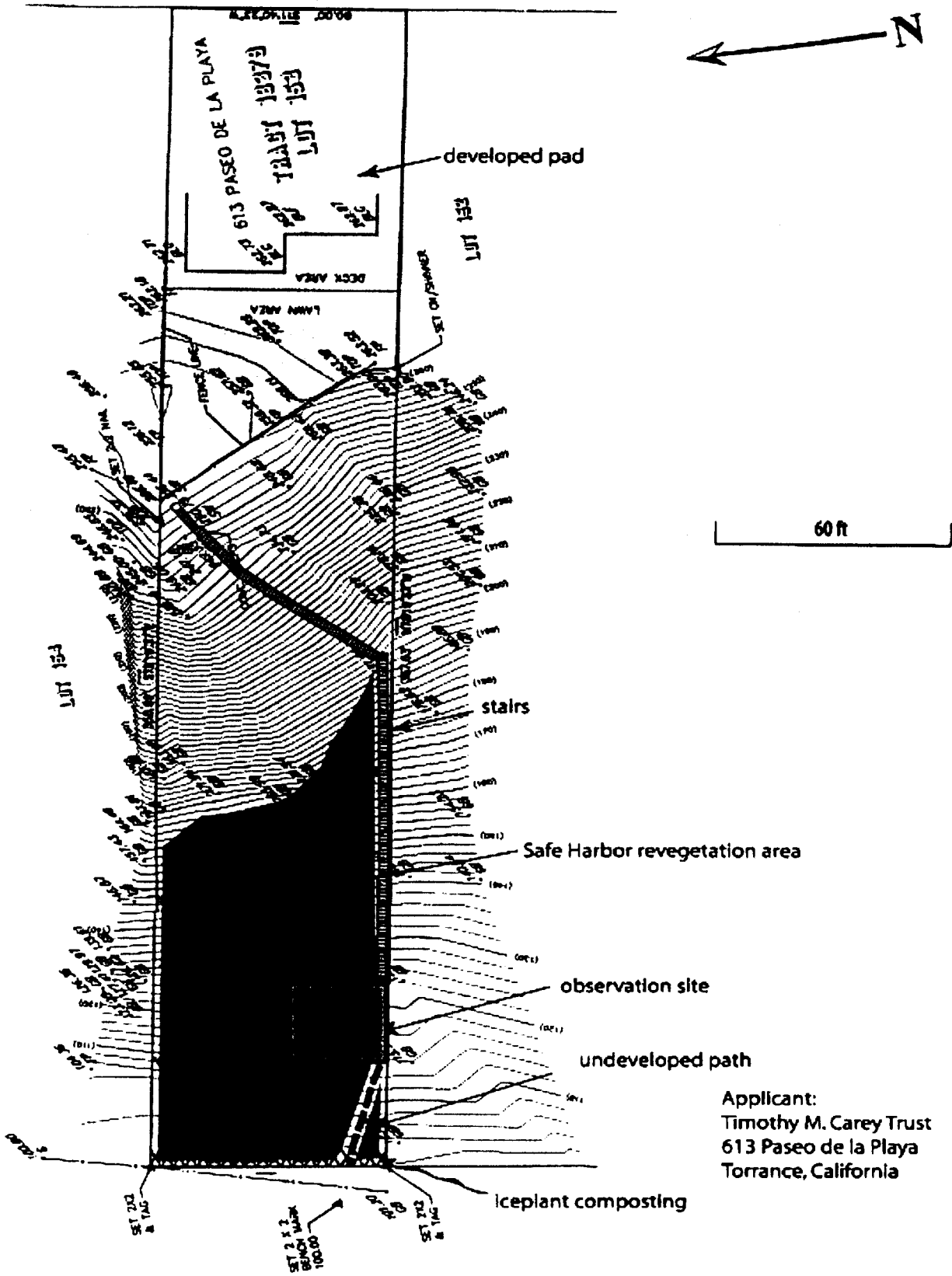
PAGE 1 OF 8

exotics and to protect the native bluff plants that still persist.

COASTAL COMMISSION  
5-03-328

EXHIBIT # 4

PAGE 2 OF 8



Applicant:  
 Timothy M. Carey Trust  
 613 Paseo de la Playa  
 Torrance, California

Figure 1. Map of property at 619 Paseo de la Playa with demarcation of Safe Harbor revegetation area.

**COASTAL COMMISSION**  
 5-03-328

EXHIBIT # 4

PAGE 3 OF 8

The plan discusses conditions on one property along the Malaga bluffs, 613 Paseo de la Playa, Torrance, California. The property will be enrolled in a Safe Harbor Agreement to enhance habitat for the El Segundo blue butterfly. This plan describes the enhancement action, and a monitoring plan.

## **Current Conditions**

### ***Plant Communities***

The plant communities of the Malaga Bluffs have been mapped by Brinkmann-Busi (1995). Vegetation is predominantly exotic, with significant patches of remnant native species. Iceplant (*Carpobrotus* sp.) and acacia (*Acacia* sp.) are the dominant exotic species. Only two species of native plants are currently found on the property, *Suaeda* sp. and *Atriplex brewerii*.

### ***Foodplant Locations***

The property was surveyed for presence of *Eriogonum parvifolium*. None were found in a survey on July 12, 2001, nor had it been found in surveys in 1999 or 1995. We located 3 dead *E. parvifolium* on the adjacent property at 617 Paseo de la Playa, but no living individuals.

### ***Infrastructure***

The site has an above-ground irrigation system installed.

## **Revegetation Plan**

The revegetation area is delineated in Figure 1. It includes the majority of the lower bluff, but excludes a small flat area near the beach and a path down the southern edge of the property.

### ***Site Preparation***

Exotic vegetation within the revegetation area will be removed. This consists primarily of iceplant, which will be pulled by hand and composted onsite. A small clump of *Acacia* will be removed with handheld power tools, with the root systems left in to stabilize the slope. Stumps will be painted with Roundup® by a certified herbicide applicator, following all applicable state and local regulations.

### ***Plant Propagation***

All container plants will be propagated from local seed and/or cuttings. Local sources shall include the Palos Verdes peninsula, with a preference for Malaga bluffs. Container plants will be grown from seed in greenhouse conditions such that the plant fills the container size specified. Roots will reach the bottom of the container but not show signs of being root-bound. Seeds will be hand collected and cleaned and refrigerated until application.

### ***Irrigation***

Prior to plant installation in January 2004 (tentative), the site will be watered for eight

**COASTAL COMMISSION**

**5-03-328**

EXHIBIT # 4

PAGE 4 OF 8

day for two days to saturate the soil to a depth of 18 inches if sufficient rain has not fallen to already do so. After container plant installation, irrigation will be used to supplement natural rainfall as necessary. During the first three months after plant installation, we will irrigate as necessary to keep the soil moist to a depth of 18 inches. Irrigation will be halted three months after plant installation, approximately late April 2004, and no irrigation will be utilized during the spring and summer months. Depending on plant performance, supplemental irrigation may be introduced again in late fall and through the winter months of 2004–2005.

### ***Planting Scheme***

The planting scheme will include approximately 450 container plants. Plant will be set out in clumps to emulate the naturally patchy occurrence of plants in this community. We assume a founder model of succession to design the planting scheme. This model assumes that those plants that establish early during ecological succession ultimately define the community. Therefore the plantings will emulate the density and proportion of shrub and subshrub species that we intend to comprise the bluff and dune scrub at project completion.

Container plants will be installed in the following quantities.

<b><u>Perennials</u></b>	<b>NAME</b>	<b>Propagation</b>	<b>Quantity</b>
<i>Eriogonum parvifolium</i>	COAST BUCKWHEAT	Deepot	100
<i>Encelia californica</i>	CALIFORNIA SUNFLOWER	Deepot	40
<i>Lotus scoparius</i>	DEERWEED	Deepot	50
<i>Isomeris arboria</i>	BLADDERPOD	Deepot	20
<i>Galium angustifolium</i>	BEDSTRAW	Deepot	20
<i>Rhus integrifolia</i>	LEMONADEBERRY	Deepot	5
<i>Baccharis salicifolia</i>	MULE FAT	Deepot	5
<i>Dudleya lanceolata</i>		4-inch flat	25
<i>Corethrogyne filaginifolia</i>		4-inch flat	25
<i>Phacelia ramosissima</i>		4-inch flat	25
<i>Artemisia californica</i>	CALIFORNIA SAGEBRUSH	Deepot	20
<i>Opuntia littoralis</i>	PRICKLY PEAR	4-inch flat	10
<i>Cucurbita foetidissima</i>	CALABAZILLA	4-inch flat	1
<i>Lupinus chamissonis</i>	DUNE LUPINE	Deepot	40
<i>Erysimum capitatum</i> [= <i>E. suffrutescens</i> ]	WESTERN WALLFLOWER	Deepot	40

Plants will be installed such that the crown of the roots is flush with the surface of the soil. All plants will be mulched with onsite materials or newsprint. Plants will be watered in at time of installation.

A mix of native annual species will be applied to the site at the time of planting. The mix includes a significant proportion of *Festuca megalura* to act as erosion control. This grass germinates quickly and will minimize any potential erosion from the site. Because of the large quantity used, its erosion control purpose, its phenotypic homogeneity, and its noncompetitive nature, the source of *Festuca* seed will not be local.

### **Annuals**

<i>Festuca megalura</i>		0.25 lb
<i>Eschscholtzia californica</i>	CALIFORNIA POPPY	0.5 oz
<i>Plantago erecta</i>	DWARF PLANTAIN	0.5 oz

**COASTAL COMMISSION**  
**5-03-328**

EXHIBIT # 4  
PAGE 5 OF 8



<i>Chaenactis glabriuscula</i>		0.5 oz
<i>Descurainia pinnata</i>	WILD TANSEY	0.5 oz
<i>Lepidium lasiocarpum</i>	PEPPERGRASS	0.5 oz
<i>Cryptantha clevelandii</i>		0.5 oz
<i>Lupinus bicolor</i>	TWO-TONE LUPINE	0.5 oz
<i>Lupinus truncatus</i>		0.5 oz
<i>Camissonia chieranthifolia</i>	BEACH EVENING PRIMROSE	0.5 oz
<i>Heterotheca grandiflora</i>	TELEGRAPH WEED	0.5 oz

### ***Erosion Control***

Best management practices will be used to minimize erosion from the site. Iceplant that is cleared will be piled by the fence at base the of the slope to form a filter for water that might run off. Root systems of Acacia plants will be left in place after application of Roundup® by a certified herbicide applicator. After removal of exotic plants, a cover crop of Festuca megalura will be applied immediately. This fast-growing native grass will stabilize the slope while container plants and other slower-growing species are established. It does not pose a competitive threat to the other native plants.

### ***Drainage Plan***

No special measures are proposed to alter the drainage of the slope. The increased impermeability of the slope will be minimal. Development of deep-rooted shrub cover will reduce the total runoff from the slope through interception on plant leaves and enhanced infiltration. This assertion can be confirmed by inspection of the Curve Numbers for shrubs versus low groundcover in the U.S. Resource Conservation Service's TR-55 urban hydrology model.

### ***Maintenance***

#### **Site Protection**

Trampling presents a danger to the success of plantings. However, because the revegetation site is on private property access is limited. A fence is currently in place that protects the site from disturbance from those using the adjacent beach. The fence will remain in place, and an informative signs will be posted to describe the site as a "Safe Harbor" for the El Segundo blue butterfly.

#### **Weed Control**

The site will be weeded throughout the winter and spring following plant installation on a biweekly basis. Special attention shall be paid to potential establishment of iceplant. Weeding shall be repeated following the winter rains of the second growing season following installation.

#### **Replacement Plantings**

One year following plant installation, container plants that do not survive will be replaced. Planting shall follow the same protocol as initial installation.

**COASTAL COMMISSION**  
**5-03-328**

EXHIBIT # 4  
PAGE 6 OF 8

## Monitoring Methods

To comply with potential conditions from the California Coastal Commission and to track performance for the U.S. Fish and Wildlife Service, the monitoring plan will include the following:

- Performance standards, including 80% coverage at the end of five years;
- Butterfly surveys; and
- Photographs from predesignated sites;

## Technical Assessments

Plant coverage will be quantified annually using three fixed transects. This assessment will be conducted during the month of March each year following plant installation. Three 50-foot transects will be laid out in the revegetation area and marked with rebar. Plant cover will be documented by recording the species (or bare ground) found at each foot mark (20 points for each transect). Results within each zone will be combined to produce percent native cover, exotic cover, and bare ground. In addition, the sampling methodology will allow calculation of plant species diversity using the Shannon index:

$$H' = -\sum p_i \ln p_i$$

Where  $p_i$  is the proportion of cover of the  $i$ th species (Magurran 1988). This measure ( $H'$ ) incorporates both species richness and species abundance. Tracking this number provides an additional measure beyond simple plant coverage to evaluate ecological value. The goal of the project is to achieve 80% native plant cover, maximum 10% exotic plant cover, and 10% bare soil with a native plant diversity of  $H' \geq 2$ .

## Butterfly Surveys

As part of the Safe Harbor Agreement, The Urban Wildlands Group will survey appropriate habitat for El Segundo blue butterfly at the site each year. A minimum of five visits will be completed, and results of surveys will be provided to the U.S. Fish and Wildlife Service and the Coastal Commission.

## Photopoints

Progress of revegetation shall be tracked using fixed photopoints. Each March, color photographs of the project site will be taken with a 50 mm lens from established locations. The previous year's photos will be used to ensure that the same view is replicated each year. The timing is intended to capture the maximum plant growth period, including annual species that would not be visible during other times of the year. The first year, photodocumentation shall occur after irrigation is halted. If irrigation is necessary during year two, similar timing shall apply.

**COASTAL COMMISSION**

5-03-328

EXHIBIT # 4

PAGE 7 OF 8

### **Schedule of Reporting**

If required in addition to reports prepared under the Safe Harbors agreement between the U.S. Fish and Wildlife Service and The Urban Wildlands Group, reports will be submitted to the California Coastal Commission each spring by April 30. Reports shall include quantitative report of cover as described above, photodocumentation, assessment of the adherence of the project to the restoration plan.

### **Contingency Measures**

Success for the project will be best ensured through a process of adaptive management, which is characterized by the capacity to evaluate conditions and make changes to address issues as they arise. Through consultation with Coastal Commission Staff the project should be flexible in its implementation in response to unforeseen changed circumstances.

### **Literature Cited**

- Magurran, A. E. 1988. Biological diversity and its measurement. Princeton University Press, Princeton, NJ.
- U.S. Fish and Wildlife Service. 1998. Recovery plan for the El Segundo blue butterfly (*Euphilotes battoides allyni*). U.S. Fish and Wildlife Service, Portland, Oregon.

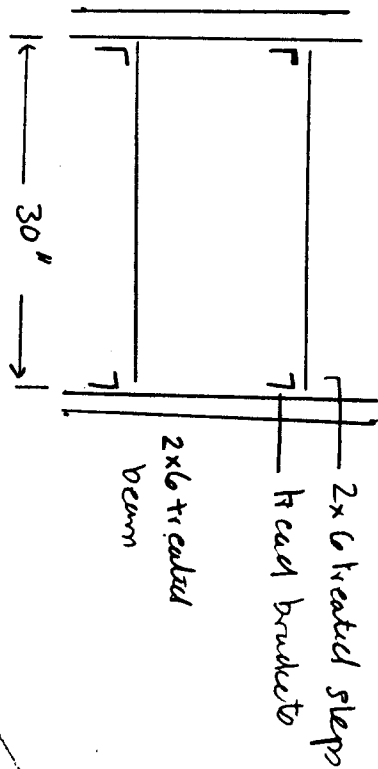
**COASTAL COMMISSION**  
5-03-328

EXHIBIT # 4  
PAGE 8 OF 8

OCT 17 2003

COASTAL COMMISSION

TOP  
ELEVATION  
STAIRS



SIDE ELEVATION  
STAIRS

2x4 rail

2x6  
treated  
beam

Simpson  
post bracket  
- some tube  
post footing  
w/ concrete

4x4 post

post footing  
spaces as  
needed to  
follow topography

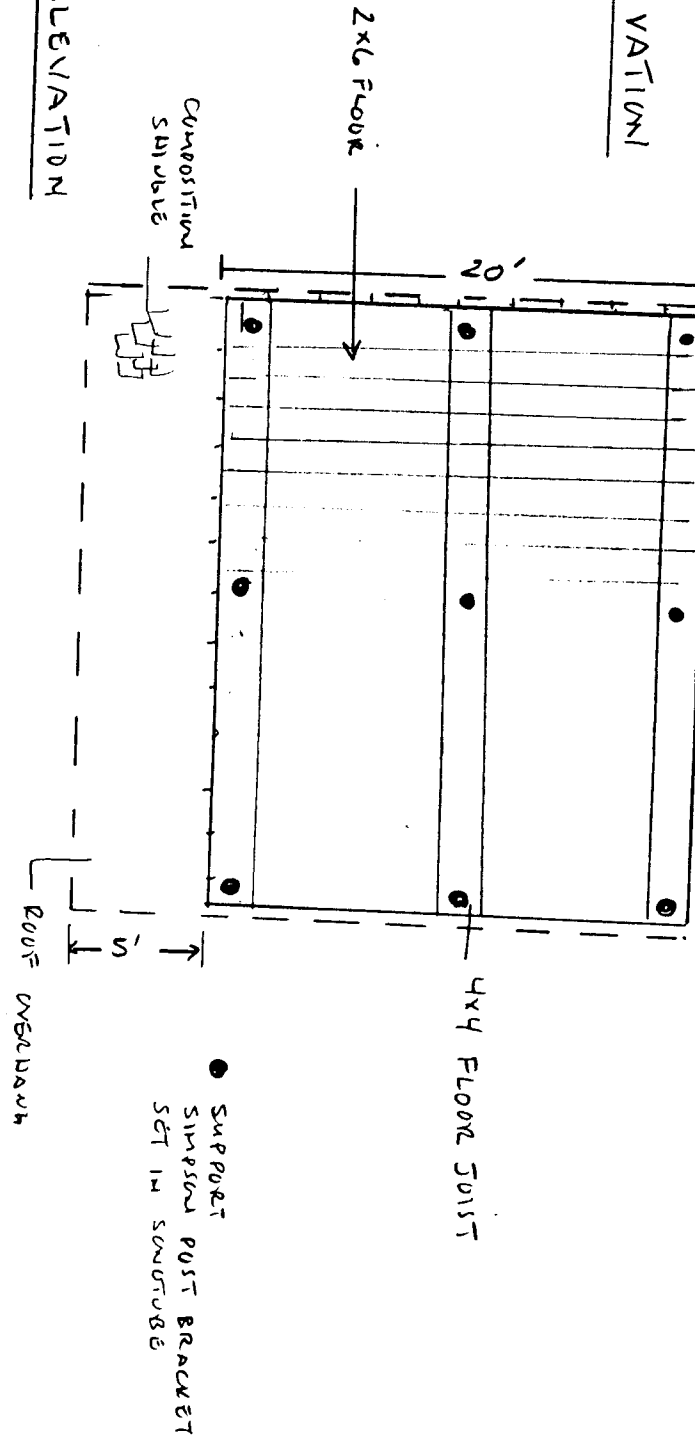
30"  
6"

COASTAL COMMISSION  
5-03-328

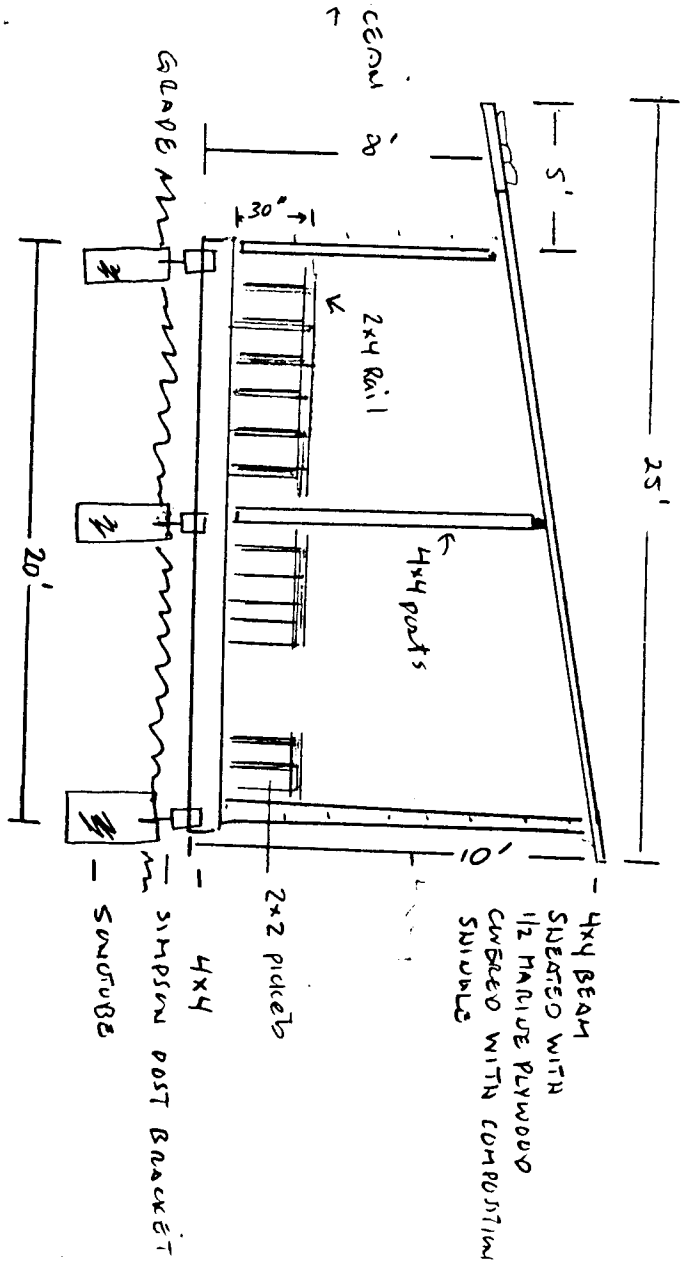
EXHIBIT # 5  
PAGE 1 OF 3

WOODEN STAIRS (1/1)  
 1213 Paseo de la Playa  
 Redondo Beach 90277  
 TIM CARNEY TRUST 10/15/03

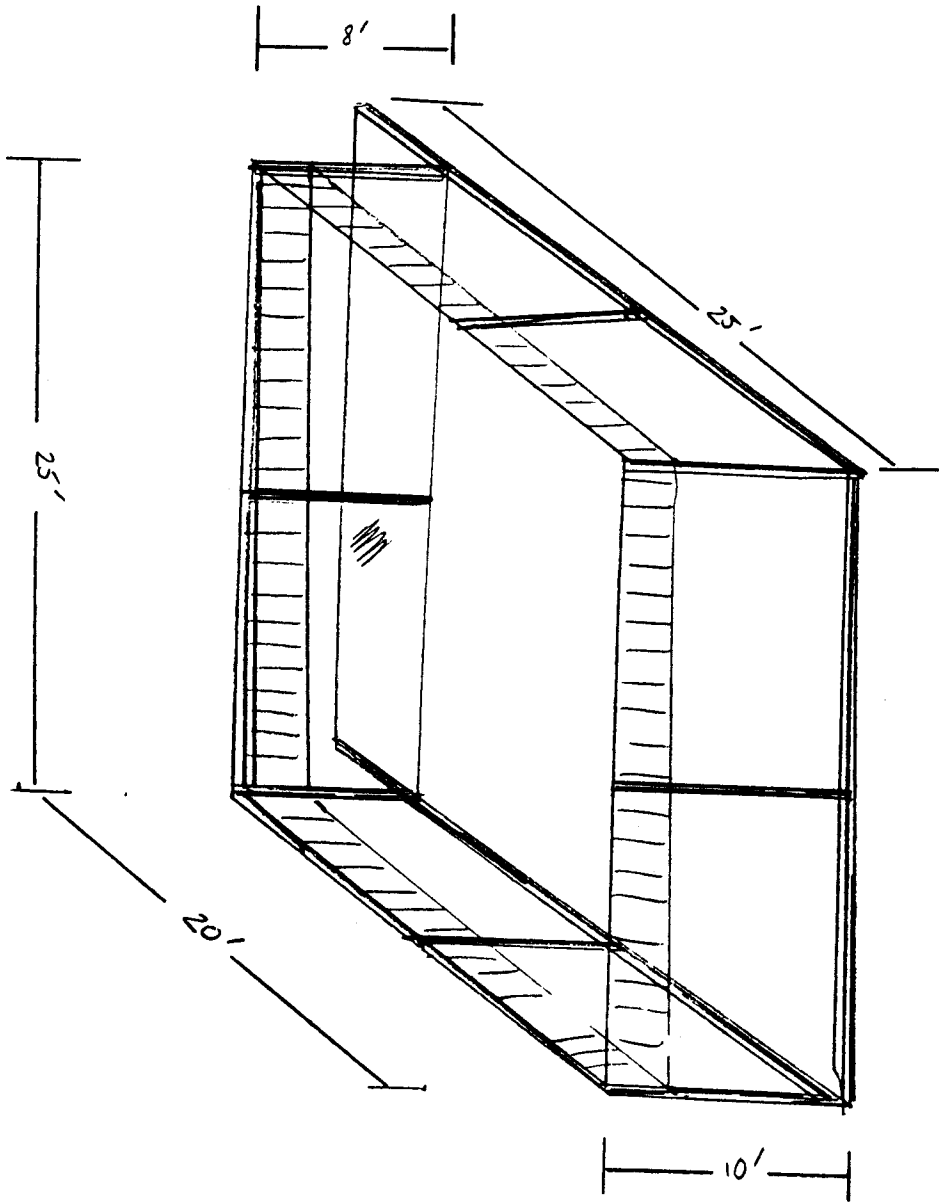
TOP ELEVATION



SIDE ELEVATION



OBSERVATION DECK (1/2)  
 6013 PASEO DE LA PLAYA  
 REDONDO BEACH 902177  
 TIM CAREY TRUST



OBSERVATION DECK  
 613 PASEO DE LA PLAYA  
 REDONDO BEACH 90277  
 TIM CAREY TRUST  
 (2/2)

**COASTAL COMMISSION**  
**5-03-328**

EXHIBIT # 5  
 PAGE 3 OF 3

**Tim Carey**  
613 Paseo de la Playa  
Redondo Beach, CA 90277  
310-787-6569 days

RECEIVED  
South Coast Region

SEP 17 2003

CALIFORNIA  
COASTAL COMMISSION

Melissa Stickney  
CALIFORNIA COASTAL COMMISSION  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach CA 90802-4302

Regarding: Application 5-03-328  
Request for Additional Information

Dear Melissa,

Thank your supervisor and geologists for waiving the need to conduct an extensive geotechnical investigation on the bluff at 613 Paseo de la Playa as previously requested for this application. As we discussed, the scope of a full geotechnical survey would require extensive test hole drilling on the sight that was overkill for the scope of the proposed work.

From your letter, dated August 26, 2003, please find enclosed:

**1. Project Drawings**

**a. Landscape Plans**

Two copies of correspondence from THE URBAN WILDLANDS GROUP addressing these details.

**b. Drainage Plans**

No changes to the existing natural drainage is proposed.

**c. Elevation Plans**

Two copies of project drawings enclosed. Please note, the application incorrectly stated that the highest elevation above grade was 15 feet. The correct highest elevation is 10 feet (on the roof of the observation deck, if permitted). The elevation on the wooden steps is 30 inches (for the handrails).

**d. Reduced Plans**

Two copies of reduced drawings 8 ½ by 11, including elevations and site plan.

**2. Updated Geologic Report**

Waived per conversation with Melissa Stickney.

**COASTAL COMMISSION**  
**5-03-328**

EXHIBIT # 6

PAGE 1 OF 2

5-03-328

Response for Additional Information

October 15, 2003

Page 2 of 2

**3. Existing Development**

The May 22, 1998 geological report by Keith Ehlert addresses the installation of a "board and pipe" system to be installed to allow for a walkway down to the beach and to allow for landscaping and planting. In 1998, when we purchased the property, we had a concern over decay to the top of the bluff. At that time, we were experiencing a severely wet winter and did not know whether the bluff was unstable or the erosion was caused by other reasons. Keith Ehlert confirmed for us that the slope was stable and that the areas of erosion were a direct result of someone turning on a broken sprinkler system and leaving it running for a considerable amount of time. (At that time, the house had been repossessed by a bank and had sat vacant for many months)

To stabilize the area that had experienced erosion, a "board and pipe" system was installed in the area of the erosion that extended from the top of the bluff to approximately 10 feet over the bluff. Extensive plantings were done and there has been no erosion since then. In addition, the backyard was resloped so that any surface water that fell onto the yard was redirected to a community swale in the center portion of the yard instead of toward the bluff face.

No coastal permits, or city permits were requested for the "board and pipe" that was installed.

For the "Notice of Pending Permit" do you want it posted in the front yard or on the rear fence closest to the actual proposed development?

Thank you for your consideration of this application.

Sincerely,

  
Tim Carey

COASTAL COMMISSION  
5-03-328

EXHIBIT # 6  
PAGE 2 OF 2



**Tim Carey**  
613 Paseo de la Playa  
Redondo Beach CA 90277  
310-787-6569 days

**RECEIVED**  
South Coast Region

OCT 28 2003

CALIFORNIA  
COASTAL COMMISSION

October 27, 2003

Melissa Stickney  
CALIFORNIA COASTAL COMMISSION  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

Regarding: Application 5-03-328  
Request for Additional Information #2

Dear Melissa,

In response to your October 23, 2003 request for additional information please find enclosed the following:

**Existing Development (Board and Pipe System)**

I have indicated on the enclosed modified site maps the location of the board and pipe revetment system that was installed in 1998. The system contains 12 inch by 2 inch 20 foot long treated lumber held in place by 2 to 2 ½ inch pipes that were set into the hillside with a sledge hammer.

The location of the system on the site map is approximate. Most of the boards have been covered by vegetation at this time.

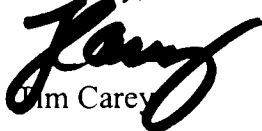
No alterations to this system are anticipated or requested as part of this application.

**Appendix D and Notice of Posting**

A modified Appendix D – Declaration of Posting and Notice of Posting is also enclosed showing the correct posting date of October 27, 2003. The posting is on the north east facing gate on the street side. This is the only gate that is visible from the street by the general public.

Thank you for your assistance with the application,

Sincerely,

  
Tim Carey

**COASTAL COMMISSION**  
**5-03-328**

EXHIBIT # 7  
PAGE \_\_\_\_\_ OF \_\_\_\_\_

PASEO DE LA PLAYA, CITY OF TORRANCE

Projects to the North of the Project Site

Address	CDP(s)	Applicant	Project Description	Result	Other
417	5-97-050	Kreag	Construction of a gunite jacuzzi with waterfall and landscaped area in rear yard of existing SFR	Approved with conditions (issued 7/15/97)	Assumption of Risk, acknowledge ESH/ESB
	5-97-050-A1	Prince	Demolition of existing SFR and construction of a SFR with an attached 3-car garage. No change to existing development seaward of the new home.	Approved with conditions (issued 9/5/02)	Assumption of Risk, No future protective device,
	5-97-050-A2	Prince	Enlarging basement floor area landward and 550 cu.yd. of grading	Approved/no condition (issued 6/17/03)	
421	No permit on file				
425	No permit on file				
429	5-84-187	Briles	Construction of a SFR with 4-car garage on vacant lot	Approved with Conditions/Admin.(issued 12/28/84)	Deed Restriction - Liability
	5-84-187-A	Briles	Amend lower portion of landscape plan	Returned 10/25/85	
	5-85-755	Briles	Construction of a 7-foot wide concrete pathway down bluff face to beach, 6-foot high concrete "security" walls along property lines and at base of bluff and landscaping seaward of existing sfr (5-84-187)	Approved w/ changes See Revised Findings 1/8/86; Revised Findings - approved w/changes, 2/5/86.	Final conditions of approval incl. 5-foot wide pathway (semi-impervious), wall at toe of bluff limited to 6-feet high, and native plant materials only.
433	5-90-1041	Stamegna	Construction of a SFR on a vacant lot	Approved with Conditions (permit issued 3/4/92)	Assumption of Risk, stringline of deck, future development
	5-90-1041-A	Stamegna	Decrease building footprint, increase rear building setback by 3', add 400sq.ft. to second floor	Approved/Immaterial Amend (Issued 4/19/93)	

COASTAL COMMISSION  
5-03-328

EXHIBIT # 8  
PAGE 1 OF 4

Address	CDP(s)	Applicant	Project Description	Result	Other
	5-90-1041-A2	Hawthorne/Campbell	Install drainline, concrete stairway, chainlink fence and gate, irrigation system, erosion control and restoration of habitat on bluff face.	Approved w/ conditions (Issued 4/29/96)	Restoration, Maintenance and Monitoring Program, Assumption of Risk, Erosion Control Plans, Condition Compliance - 30 days
	5-90-1041-A3	Campbell	Construction of a 4-foot high retaining wall at the toe of the bluff, perimeter chain-link fence and swimming pool at the top of the bluff within the approved area of the SFR	Approved/Immaterial Amend (Issued 4/29/93)	
	5-90-1041-A4	Campbell	Relocate the bluff top retaining wall a maximum of 27-feet further seaward from previously approved location. The amended project will include backfill, extending the ground level cement covered deck to the retaining wall and locating the bluff top swimming pool further seaward.	Approved/Immaterial Amend (Issued 4/29/93)	
437	P-7342	Hood	Construction of a 26-foot high 2-story, SFR with detached 4-car garage, arcade and swimming pool w/ attached jacuzzi.	Approved w/conditions, 6/21/76	use solar heating system for pool and jacuzzi, no structures incl. Decks and balconies shall encroach on the 25-foot bluff setback.
441	P-77-716	Warren	Construction of a 2-story SFR with 4-car garage.	Approved w/conditions (Issued 12/13/97).	Submit revised plans w/ no structures incl. decks encroaching within 25-foot bluff setback.
445	P-7266	Bacon	Construction of a SFR	Approved w/conditions	Deed Restriction for sft, solar heating for jacuzzi, no portion of structure, incl decks and balconies shall encroach into 25-foot bluff setback.

COASTAL COMMISSION

5-03-328

EXHIBIT # 8

PAGE 2 OF 4

Address	CDP(s)	Applicant	Project Description	Result	Other
	A-80-6753	Bacon	Addition of a 2nd floor sunshade to an existing SFR. The structural projection will not extend seaward beyond the roof overhang.	Administrative 5/19/80	
449	5-90-868	Schreiber	Grade bluff, restore and revegetate bluff face with native plant materials. Existing SFR on the site.	Approved w/conditions (Issued 12/6/90).	Geologist's certification; revised plans for lower terrace drain area and sand colored concrete terrace drains; bluff work to be supervised by consulting engineer and landscape architect; condition compliance.
501	5-01-018	Conger	Construction of first story addition at rear of existing SFR and construction of three retaining walls, patio, spa, stairs and wood deck in rear yard area.	Approved w/conditions (8/7/01). Permit not issued, see reconsideration.	
	5-01-018R	Conger	Request for reconsideration of Commission's approval.	Reconsideration Granted 10/8/01	
	5-01-409	Conger	Construction of first story addition at rear of existing SFR and construction of three retaining walls, patio, spa, stairs and wood deck in rear yard area.	Approved w/conditions (11/13/03)	Assumption of Risk; No future protective device; No future improvements; Landscape Plan; Erosion control.
	5-01-409-A	Conger	Elimination of Section B in Special Conditions 2, 3 and 5	Approved as Immaterial Amendment (Permit Amendment Issued 10/13/02)	
505	No permit on file				
507	No permit on file				
511	5-85-183	Hall	Seaward extension of existing SFR to include a first floor addition and deck.	Administrative 6/11/85	Top of bluff determination

COASTAL COMMISSION  
5-03-328

EXHIBIT # 8  
PAGE 3 OF 4

Address	CDP(s)	Applicant	Project Description	Result	Other
515	5-90-1079	Wright	Removal of vegetation and alteration of the bluff face for the placement of wood steps down a coastal bluff from an existing SFR to a public beach.	Approved w/conditions (Permit Issued 1/15/92)	Future Improvements
	5-91-697	Wright	Remodel SFR, enclose balcony and enlarge first floor den	Waiver 11/21/91	
517	A-79-4879	McGraw	Remodel sunscreen and 2nd level deck and spa		
521-609	No permit on file				
613 (Project Site)	5-03-328	Carey	Bluff restoration; Construction of stairs down bluff to beach and observation deck	Pending	

**Projects to the South of the Project Site**

617	No permit on file				
623	5-83-618	Fire	Correct earth slump condition on bluff top	Approved w/conditions 10/13/83	
627	No permit on file				
631	5-96-167	Lichter	Remodel and addition to existing SFR; deck and swimming pool (inland of swale)	Approved w/conditions	Future Improvements and assumption of risk

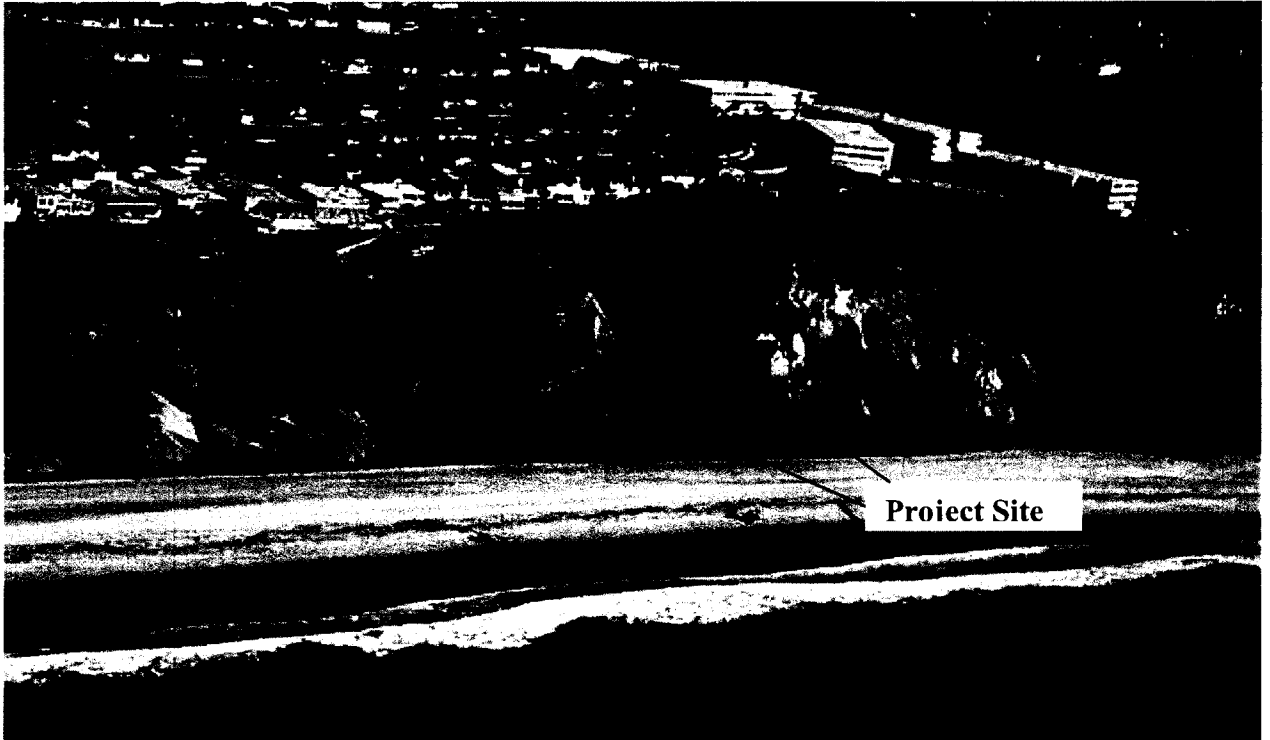
COASTAL COMMISSION

5-03-328

EXHIBIT # 8

PAGE 4 OF 4





NORTH ←←←←←

525 – 631 Paseo De La Playa, City of Torrance



NORTH ←←←←←

417 – 605 Paseo De La Playa, City of Torrance

