

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

W 10b

Filed: 7/27/07
49th Day: 9/14/07
180th Day: 1/23/07
Staff: D. Christensen
Staff Report: 8/23/07
Hearing Date: 9/5/07

**STAFF REPORT: REGULAR CALENDAR**

APPLICATION NO.: 4-05-146

APPLICANT: Los Angeles County Department of Public Works

PROJECT LOCATION: East side of Corral Canyon Road at Mile Marker 2.71, Santa Monica Mountains, Los Angeles County

PROJECT DESCRIPTION: The applicant is requesting approval of re-compaction of a road shoulder and installation of jute netting and native vegetation within an approximately 15,000 sq. ft. area of a descending slope below Corral Canyon Road in follow-up to an emergency permit issued for slope remediation.

LOCAL APPROVALS RECEIVED: N/A

SUBSTANTIVE FILE DOCUMENTS: Emergency Coastal Development Permit 4-05-146-G (LACDPW); "Biological Reconnaissance Survey Results for the Corral Canyon Road Repair Project at Mile Marker 2.71" prepared by URS Corporation, dated October 25, 2006.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed development with three (3) special conditions regarding revegetation and erosion control, assumption of risk, and condition compliance. The proposed development has been previously completed pursuant to Emergency Coastal Development Permit 4-05-146-G, which was issued on September 9, 2005. Pursuant to Special Condition Five (5) of the emergency permit, the emergency work was authorized on an interim basis only and a follow-up regular coastal development permit is required in order to authorize the development on a permanent basis. This application is the follow-up to the previously issued emergency permit and is a request by the County of Los Angeles to permanently authorize the emergency work that was previously completed. The Standard of Review for this application is the Coastal Act. The proposed project, as conditioned, is consistent with the applicable resource protection provisions of the Coastal Act.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-05-146 pursuant to the staff recommendation.*

Staff Recommendation of Approval:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Approve the Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or 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. Revegetation and Erosion Control Plan

Prior to issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Executive Director, a detailed Revegetation and Erosion Control Plan and Monitoring Program, prepared by a biologist or environmental resource specialist with qualifications acceptable to the Executive Director, for all disturbed areas along the roadside slope and all areas of the project site temporarily disturbed by as-built slope stabilization grading activities. Within 60 days of the issuance of this coastal development permit, the applicant shall commence implementation of the approved Revegetation and Erosion Control Plan. The Executive Director may grant additional time for good cause. The plans shall identify the species, extent, and location of all plant materials to be planted and shall incorporate the following criteria:

a. Technical Specifications

The Revegetation and Erosion Control Plan shall provide for the stabilization of exposed soils and restoration of chaparral habitat in the project area with native plant species that are appropriate for mixed coast sage scrub and chaparral to cover all areas along the outboard slope where chaparral vegetation has been temporarily disturbed or removed and soils are exposed due to as-built roadside slope stabilization activities. The disturbed site shall be replanted with native plant species which are endemic to the Santa Monica Mountains, as listed by the California Native Plant Society - Santa Monica Mountains Chapter in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains dated February 5, 1996. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized or maintained within the property.

The revegetation area shall be delineated on a site plan. All invasive and non-native plant species shall be removed from the revegetation area. The plan shall include detailed documentation of conditions on site prior to the approved construction activity (including photographs taken from pre-designated sites annotated to a copy of the site plans) and specify restoration goals and specific performance standards to judge the success of the restoration effort.

Site restoration shall be deemed successful if the revegetation of native plant species on site is adequate to provide 90% coverage by the end of the five (5) year monitoring period and is able to survive without additional outside inputs, such as supplemental irrigation. The plan shall also include a detailed description of the process, materials, and methods to be used to meet the approved goals and performance standards and specify the preferable time of year to carry out restoration activities and describe the interim supplemental watering requirements that will be necessary.

b. Monitoring Program

A monitoring program shall be implemented to monitor the project for compliance with the specified guidelines and performance standards. The applicant shall submit, upon completion of the initial planting, a written report prepared by a qualified resource specialist, for the review and approval of the Executive Director, documenting the completion of the initial planting/revegetation work. This report shall also include photographs taken from pre-designated sites (annotated to a copy of the site plans) documenting the completion of the initial planting/revegetation work.

Five years from the date of issuance of this coastal development permit, the applicant shall submit for the review and approval of the Executive Director, a Revegetation Monitoring Report, prepared by a qualified biologist or Resource Specialist, that certifies whether the on-site restoration is in conformance with the restoration plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the monitoring report indicates the vegetation and restoration is not in conformance with or has failed to meet the performance standards specified in the revegetation plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental restoration plan for the review and approval of the Executive Director and shall implement the approved version of the plan. The revised restoration plan must be prepared by a qualified biologist or 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.

2. Assumption of Risk

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from erosion, landslide, and slope failure; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement.

3. Condition Compliance

Within 90 days of Commission action on this coastal development permit application, or within such time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may

result in the institution of enforcement action under the provisions Chapter 9 of the Coastal Act.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant requests approval for the re-compaction of a road shoulder and installation of jute netting and native vegetation within an approximately 15,000 sq. ft. area of a descending slope along Corral Canyon Road. The purpose of the project is to stabilize surficial failure along the outboard embankment and descending slope of the road that occurred due to excessive storm-related surface water runoff. Proposed development to stabilize the eroding slope below the public roadway has been previously completed pursuant to Emergency Permit 4-05-146-G (LACDPW), which was issued on September 9, 2005 (**Exhibit 4**). The emergency permit granted temporary authorization of the work only and permanent retention of the development requires the issuance of a follow-up regular coastal development permit from the California Coastal Commission. This application was submitted by the County in follow-up to their emergency permit in order to request permanent authorization for the work that was temporarily authorized by Emergency Permit 4-05-146-G and conducted in October 2005.

The project site is situated along the east roadside shoulder of Corral Canyon Road at Mile Marker 2.71, just south of Newell Road and the residential development known as the Malibu Bowl small lot subdivision, within the Santa Monica Mountains, Los Angeles County (**Exhibit 1**). The proposed slope stabilization work area is 15,000 sq. ft. in size (300-ft. long by 50-ft. wide) along the eroding road embankment and slope that steeply descends into Corral Canyon (**Exhibits 2, 3**). Corral Canyon Creek, a significant blue line stream, is located approximately 3,000 ft. downslope of the project site. The project area is located within an area designated as the Corral Canyon Significant Watershed. The work area lies partially within a vacant, privately-owned parcel. The property owner has granted permission for L.A. County Public Works to access and complete the proposed project.

The applicant has submitted a biological report entitled, *Los Angeles County Department of Public Works Biological Reconnaissance Survey Results, Corral Canyon Road Repair Project at MM 2.71*, prepared by URS Corporation, dated October 25, 2006. This biological reconnaissance survey was conducted in January 2006, after the work was completed under Emergency Permit No. 4-05-146-G. The report confirmed that the project site and surrounding biological resources consists of mixed coast sage scrub chaparral as well as ruderal vegetation associated with roadside disturbance. The project impacted a small amount of native chaparral vegetation. However, most of the work occurred within the ruderal-vegetated roadside corridor. The submitted biological report also indicates that the project area was disturbed from grading and recompacting

the road shoulder, but that no erosion control devices had been placed. Commission staff visited the site on July 31, 2007, approximately a year and a half after the work was completed, and it appears that a large portion of the outboard slope had never been stabilized with jute netting and vegetation after grading and recompaction of the slope because much of the recompacted slope soils were exposed.

B. Environmentally Sensitive Habitat and Water Quality

Section 30231 of the Coastal Act states:

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.

Section 30240 states:

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

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

Section 30107.5 of the Coastal Act, defines an environmentally sensitive area as:

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Sections 30231 of the Coastal Act require that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through among other means, minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values.

The applicant requests approval for the re-compaction of a road shoulder and installation of jute netting and native vegetation within an approximately 15,000 sq. ft. area of a descending slope along Corral Canyon Road. The purpose of the project is to

stabilize surficial failure along the outboard embankment and descending slope of the road that occurred due to excessive storm-related surface water runoff. Proposed development has been previously completed in October 2005 pursuant to Emergency Permit 4-05-146-G (LACDPW) to stabilize the eroding slope below a public road way, which was issued on September 9, 2005. The project site is situated along the east roadside shoulder of Corral Canyon Road at Mile Marker 2.71, just south of Newell Road and the residential development known as the Malibu Bowl small lot subdivision, within the Santa Monica Mountains, Los Angeles County. The proposed slope stabilization work area is 15,000 sq. ft. in size (300-ft. long by 50-ft. wide) along the eroding road embankment and slope that steeply descends into Corral Canyon. Corral Canyon Creek, a significant blue line stream, is located approximately 3,000 ft. downslope of the project site. The project area is located within an area designated as the Corral Canyon Significant Watershed.

To assist in the determination of whether a project is consistent with Sections 30231 and 30240 of the Coastal Act, the Commission has, in past Malibu coastal development permit actions, looked to the certified Malibu/Santa Monica Mountains LUP for guidance. The Malibu LUP has been found to be consistent with the Coastal Act and provides specific standards for development along the Malibu coast and within the Santa Monica Mountains. The Malibu/Santa Monica Mountains LUP policies regarding protection of Significant Watersheds are among the strictest and most comprehensive in addressing new development. In its findings regarding the certification of the Malibu/Santa Monica Mountains LUP, the Commission emphasized the importance placed by the Coastal Act on protection of sensitive environmental resources finding that:

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

In addition, Policy 82 of the LUP, in concert with the policies of the Coastal Act, provides that grading shall be minimized to ensure that the potential negative effects of runoff and erosion on watersheds and streams are minimized. Policies 84 and 94, in concert with the Coastal Act policies, provide that disturbed areas shall be revegetated with native plant species within environmentally sensitive habitat areas and significant watersheds.

In the case of the proposed project, the Commission finds that the proposed grading and recompaction of the outboard slope of the road, followed by installation of jute netting and revegetation, was required to effectively stabilize a surficial slope failure that occurred during the 2005 storm season. The Commission notes, however, that removal of vegetation, grading, and exposure of on-site soils can increase erosion on site and would subsequently result in a potential increase in the sedimentation of the downslope significant watershed area and Corral Canyon Creek. The Commission finds that the minimization of site erosion will minimize the project's potential individual and cumulative contribution to adversely affect the adjacent watershed and stream. Erosion

can best be minimized by requiring the applicant to revegetate all disturbed areas of the site with native plants, compatible with the surrounding environment.

The applicant has submitted a biological report entitled, *Los Angeles County Department of Public Works Biological Reconnaissance Survey Results, Corral Canyon Road Repair Project at MM 2.71*, prepared by URS Corporation, dated October 25, 2006. This biological reconnaissance survey was conducted in January 2006, after the work was completed under Emergency Permit No. 4-05-146-G. The report confirmed that the project site and surrounding biological resources consists of native, mixed coast sage scrub chaparral as well as ruderal vegetation associated with roadside disturbance and slope instability. The project impacted a small amount of native chaparral vegetation. However, most of the work occurred within the ruderal-vegetated roadside corridor. The submitted biological report indicates that the project area was disturbed from grading and recompacting the road shoulder, but that no erosion control devices had been placed. Commission staff visited the site on July 31, 2007, approximately a year and a half after the work was completed, and it appeared that a large portion of the outboard slope had never been stabilized with jute netting and vegetation after grading and recompaction of the slope, as was proposed, because much of the recompacted slope soils were exposed.

In past permit actions, the Commission has found that in order to ensure that repair work is as consistent as possible with the resource protection policies of both the Coastal Act and LUP, all sensitive chaparral habitat areas on site that will be disturbed as a result of proposed development should be revegetated and restored. In this case, it is evident that the slope re-grading was carried out, but the applicant has not yet revegetated the slope. Therefore, to ensure that revegetation and erosion control of the reconstructed slope is successful to minimize increased erosion and sedimentation of nearby sensitive habitat, **Special Condition No. One (1)** requires the applicant to submit a Revegetation and Erosion Control Plan, prepared by a biologist or environmental resource specialist, for the review and approval of the Executive Director. Native plant species that are appropriate for site's mixed coast sage scrub and chaparral plant community shall be used to cover all areas along the outboard slope where chaparral vegetation has been temporarily disturbed or removed and soils are exposed due to as-built roadside slope stabilization activities. The disturbed site shall be replanted with native plant species which are endemic to the Santa Monica Mountains. In addition, **Special Condition One (1)** also requires the applicant to implement a five year monitoring program to ensure the success of the replanting. Further, in order to ensure that the revegetation and erosion control monitoring program is implemented in a timely manner, **Special Condition No. Three (3)** requires the applicant to satisfy all conditions of this permit which are prerequisite to the issuance of this permit within 90 days of Commission action.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30231 and 30240 of the Coastal Act.

C. Hazards

Coastal Act Section 30253 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 proposed development is located in the Santa Monica Mountains, an area which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The Los Angeles County Department of Public Works (LACDPW) is requesting approval (in follow-up to a previously issued emergency permit) for the re-compaction of a road shoulder and installation of jute netting and native vegetation within an approximately 15,000 sq. ft. (300-ft. long by 50-ft. wide) area of a descending slope along Corral Canyon Road. The purpose of the project is to stabilize surficial failure along the outboard embankment and descending slope of the road that occurred due to excessive storm-related surface water runoff. Commission staff visited the site on July 31, 2007, approximately a year and a half after the work was completed, and it appeared that a large portion of the outboard slope had never been stabilized with jute netting and vegetation after grading and recompaction of the slope because much of the recompacted slope soils were exposed.

The Commission finds that minimization of site erosion will add to the stability of the site. Erosion can best be minimized by requiring the applicant to plant all disturbed areas of the site with native plants compatible with the surrounding chaparral habitat. Further, in past permit actions, the Commission has found that invasive and non-native plant species are typically characterized as having a shallow root structure in comparison with their high surface/foilage weight and/or require a greater amount of irrigation and maintenance than native vegetation. The Commission notes that non-native and invasive plant species with high surface/foilage weight and shallow root structures do not serve to stabilize steep slopes, such as the slopes on the subject site, and that such vegetation results in potential adverse effects to the geologic stability of the project site. In comparison, the Commission finds that native plant species are typically characterized not only by a well developed and extensive root structure in comparison to their surface/foilage weight but also by their low irrigation and

maintenance requirements. Therefore, in order to ensure the stability and geotechnical safety of the site, **Special Condition No. One (1)** specifically requires that all disturbed areas on the project site be stabilized with native vegetation appropriate for a chaparral habitat area.

Further, the proposed project, as conditioned to ensure that the disturbed site slopes are revegetated with native vegetation, has been designed to ensure slope stability on site to the maximum extent feasible. However, the Coastal Act recognizes that certain development projects located in geologically hazardous areas, such as the subject site, still involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to determine who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property. As such, the Commission finds that due to the foreseen possibility of erosion, flooding, and slope failure, the applicant shall assume these risks as a condition of approval. Therefore, **Special Condition No. Two (2)** requires the applicant to waive any claim of liability against the Commission for damage to life or property which may occur as a result of the permitted development. The applicant's assumption of risk, will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and which may adversely affect the stability or safety of the proposed development.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30253 of the Coastal Act.

D. Local Coastal Program

Section 30604 of the Coastal Act states:

a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

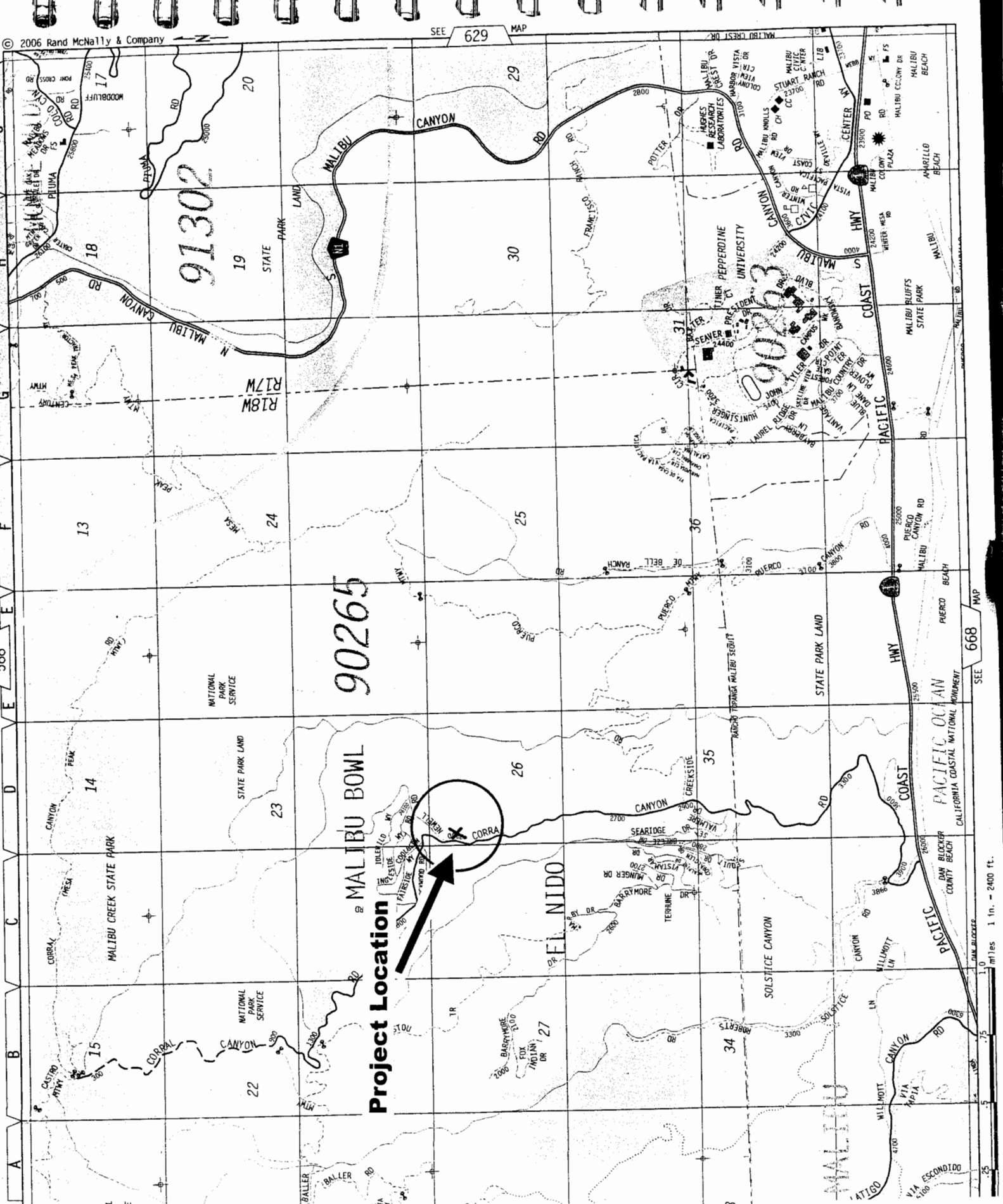
Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding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

prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area which is also consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

E. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application 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 that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed above, the proposed development, as conditioned, is consistent with the policies of the Coastal Act. Feasible mitigation measures which will minimize all adverse environmental effects have been required as special conditions. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.



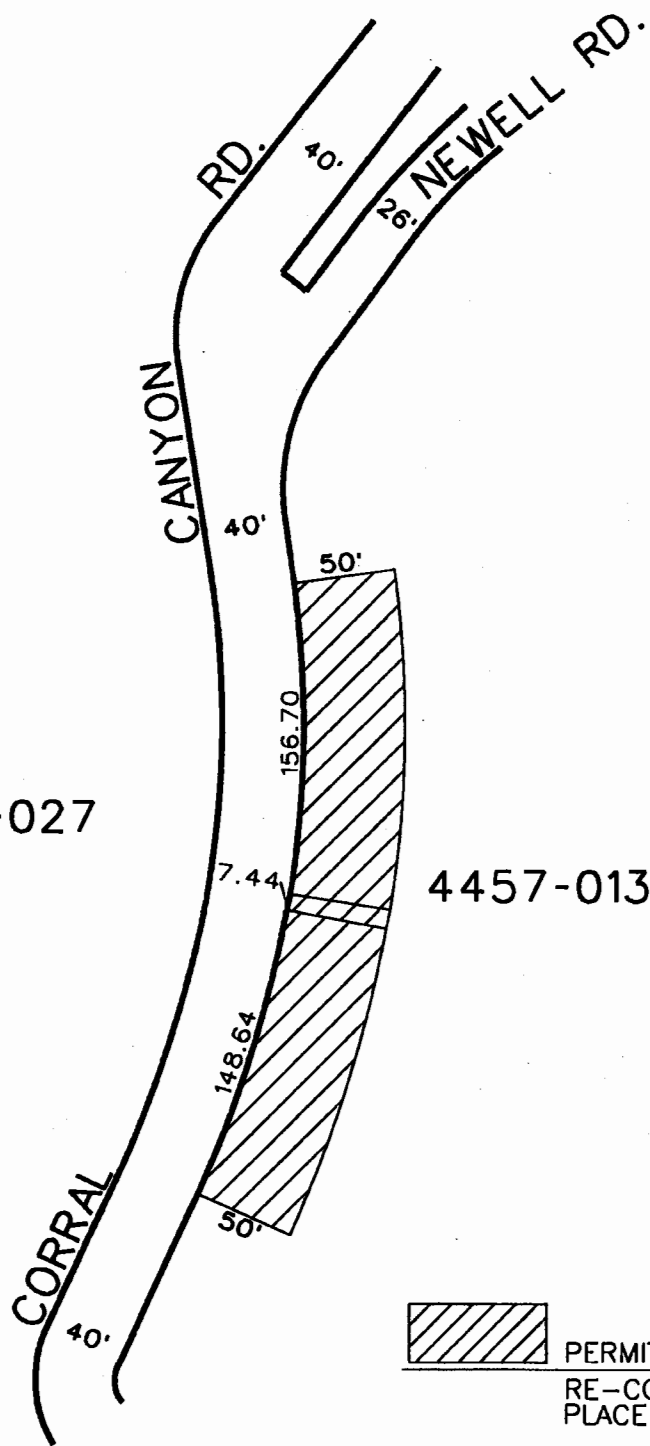
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Project Location

Exhibit 1
4-05-146
Vicinity Map

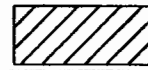


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SCALE: 1" = 100'



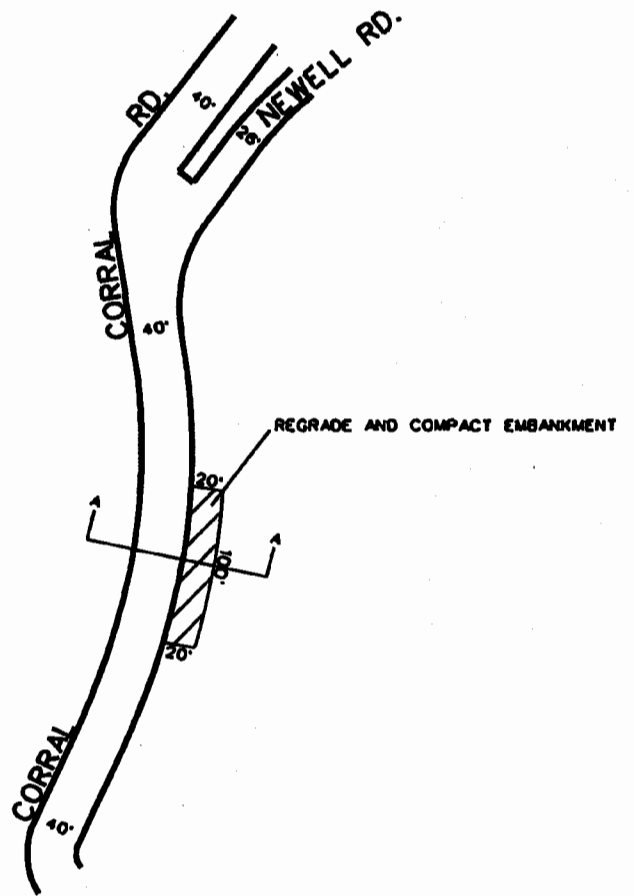
PERMIT TO ENTER AREA
RE-COMPACT SLOPE AND
PLACE EROSION CONTROL

CORRAL CANYON ROAD AT MM 2.71
R831336076

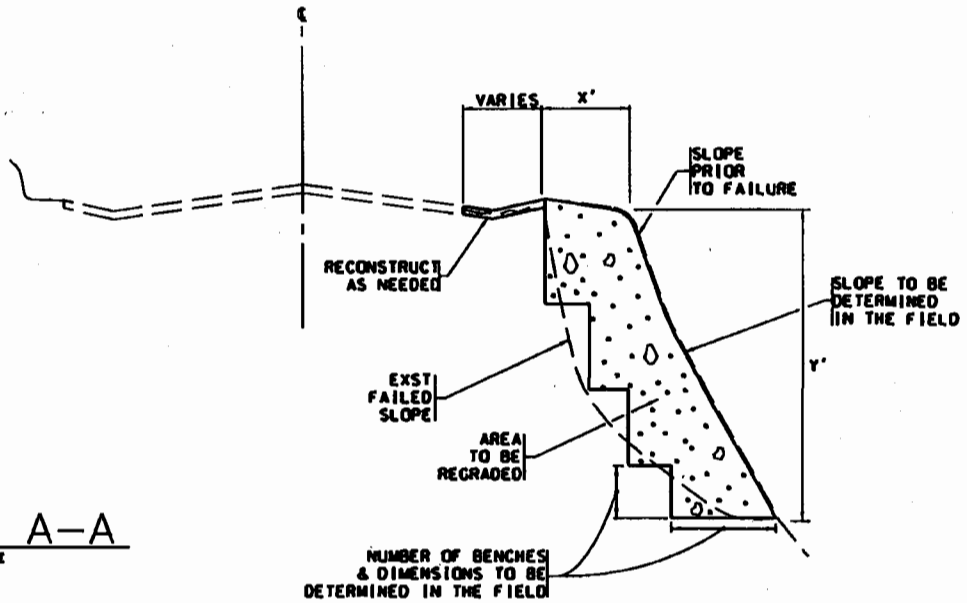
PERMIT TO ENTER

Exhibit 2
4-05-146
Location Map

PLAN VIEW
NO SCALE



SECTION A-A
NO SCALE



NOTE: ALL DIMENSIONS SUBJECT TO CHANGE IN THE FIELD

R831336076 T.G. 628-D4
CORRAL CANYON ROAD AT MM 2.71

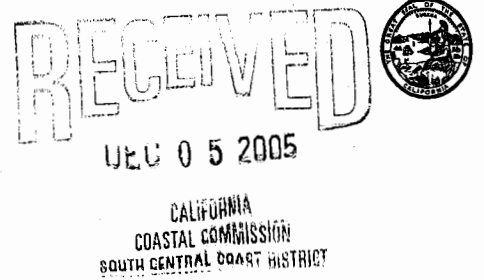
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Exhibit 3
4-05-146
Site Plan

HDT
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CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



EMERGENCY PERMIT

September 9, 2005

Permit No.: 4-05-146-G

Applicant: Los Angeles County Department of Public Works

Agent: Michael Miranda, Los Angeles County Department of Public Works

Project Location: Corral Canyon at MM 2.71 (APN 4457-013-053); Los Angeles County

Work Proposed: Recompaction of road shoulder and installation of jute netting and native vegetation within an approximately 15,000 sq. ft. area of the descending slope below Corral Canyon Road in order to remediate an active slope failure.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that an unexpected occurrence in the form of an active and continuing slope failure threatens to undermine the public roadway and constitutes a risk to public health and safety in the Santa Monica Mountains. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and

The work is hereby approved, subject to the conditions listed on the reverse.

Very Truly Yours,

Peter M. Douglas
Executive Director

By: John Ainsworth
Title: Deputy Director, South Central Coast District

Exhibit 4
4-05-146
Emergency Permit
4-05-146-G

CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the applicant and returned to our office within fifteen (15) days.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within thirty (30) days of the date of this permit.
4. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
5. The work authorized by this emergency permit is temporary, unless permanent retention of the development is authorized through the issuance of a regular Coastal Development Permit from the California Coastal Commission. Within sixty (60) days of the date of this permit, the permittee shall submit a complete application for a regular coastal development permit to have the emergency work be considered permanent.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
7. Prior to the initiation of any emergency work, the applicant shall conduct a biological survey, prepared by a qualified Resource Specialist, of the approximately 15,000 sq. ft. project area. The survey shall be adequate to assess all existing native vegetation and habitat resources (including the number, location, and size of any oak trees and the extent of coastal sage scrub and chaparral habitat) that will be disturbed or removed by the emergency work. The survey shall be submitted as part of the applicant's submittal of an application for a regular coastal permit to have the emergency work be considered permanent.
8. The applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction.
9. All graded, recompacted, and disturbed areas shall be stabilized with planting at the completion of final grading. Planting shall be of native species indigenous to the Santa Monica Mountains and consistent with the vegetation of the area surrounding the project site using accepted planting procedures, consistent with fire safety requirements.

IMPORTANT

The emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a coastal permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call Steve Hudson at the Commission Area office.

Enclosures: 1) Acceptance Form


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(805) 585-1800

**EMERGENCY PERMIT ACCEPTANCE FORM**Emergency Permit No. 4-05-146 G

Instructions: After reading the attached Emergency Permit, please sign this form and return within 15 days from the Permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them. I understand that the emergency work is temporary and a regular Coastal Permit is necessary to make it a permanent installation.



Signature of property owner or
Authorized representative

MICHAEL MIRANDA
Name

900 S. FREMONT AVE
Address
ALHAMBRA, CA
91803

9-22-05
Date of Signing