

CALIFORNIA COASTAL COMMISSION

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 Staff: D. Christensen
 Staff Report: 11/19/09
 Hearing Date: 12/9/09

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.:** 4-08-089**APPLICANTS:** Los Angeles County Department of Public Works
Mountains Restoration Trust**PROJECT LOCATION:** Cold Creek Valley Preserve, south of Stunt Road and 1,000-ft. east of Mulholland Highway, Santa Monica Mountains, Los Angeles County (APNs 4455-022-027, -901, and -902)**PROJECT DESCRIPTION:** Implement a habitat restoration program for 2.2 acres of disturbed chaparral and riparian habitat areas.**LOCAL APPROVALS RECEIVED:** N/A

SUBSTANTIVE FILE DOCUMENTS: “Habitat Mitigation and Restoration Plan for Mountains Restoration Trust Site”, by UltraSystems Environmental Inc., dated June 2008; “Habitat Restoration Agreement” between County of Los Angeles and Mountains Restoration Trust, executed July 14, 2009; “Management Agreement” between Mountains Restoration Trust (MRT) and the Mountains Restoration and Conservation Authority (MRCA) appointing MRT to manage the MRCA-owned parcels known as APN 4455-022-026 (-901) and 4455-022-025(-902), executed August 10, 1999; CDP 5-91-755 (Preferred Financial); “Irrevocable Offer-To-Dedicate Scenic Easement and Declaration of Restrictions” regarding APN 4455-022-027, dated January 27, 1997, Recorded Document No. 99-1396233.

SUMMARY OF STAFF RECOMMENDATION

The applicants propose to implement a two acre habitat restoration program on a 67-acre property that is part of the Cold Creek Valley Preserve area of the Santa Monica Mountains. The purpose of the project is to restore degraded chaparral and riparian habitat that will be utilized by Los Angeles County Department of Public Works (LACDPW) to provide compensatory mitigation for necessary LACDPW repair and maintenance projects subject to Commission-approved special conditions specifically requiring off-site habitat mitigation where there are unavoidable adverse impacts to sensitive habitat areas and adequate area on-site for mitigation is not available. Staff recommends **approval** of the proposed project with **six (6) special conditions** regarding: (1) final habitat restoration plan, (2) herbicide use, (3) signage plan, (4) habitat mitigation tracking and reporting, (5) open space restriction, and (6) deed restriction. The standard of review for the proposed project is the Chapter Three policies of the Coastal Act. In addition, the policies of the certified Malibu – Santa Monica Mountains Land Use Plan (LUP) serve as guidance. As conditioned, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-08-089 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 term or 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. Final Habitat Restoration Program

Prior to issuance of the coastal development permit, the applicants shall submit, for the review and approval of the Executive Director, a final, revised “Habitat Mitigation and Restoration Program” for the proposed 2.2 acres of restoration within Planting Areas 1A, 1B, 3A, and 3B. Planting shall be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures. All native plant species shall be of local genetic stock. The program shall be prepared by a qualified biologist(s), ecologist(s), or resource specialist(s), hereafter, referred to as the Environmental Resource Specialist(s), with experience in the field of habitat restoration. The applicants shall provide the resource specialist’s qualifications, for the review and approval of the Executive Director, prior to plan development. The Program shall provide, at a minimum, for the following:

A. Restoration Plan

1. A baseline assessment of all native vegetation and habitat on site, including detailed documentation of existing conditions on site (including photographs taken from pre-designated sites annotated to a copy of the site plans. The plan shall delineate existing vegetation types, show the distribution and abundance of any sensitive species.
2. A description of the goals of the restoration plan, including, as appropriate, topography, hydrology, vegetation types, sensitive species, and wildlife usage. The plan shall also document the performance standards, which provide a mechanism for making adjustments to the mitigation site when it is determined, through monitoring, or other means that the restoration techniques are not working and the necessary management and maintenance requirements, and provisions for timely remediation should the need arise.
3. Native seeds shall also be collected in anticipation of future plantings. The plan shall specify the planting palette (seed mix and collected plants), planting design, source of plant material, and plant installation. The planting palette shall be made up exclusively of native plants that are appropriate to the habitat and region or grown from seeds or vegetative materials obtained from the site or from an appropriate nearby location so as to protect the genetic makeup of natural populations. Horticultural varieties shall not be used. Plantings shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the revegetation requirements.

4. Sufficient technical detail on the restoration design including, at a minimum, a planting program including a description of planned site preparation, method and location of exotic species removal, timing of planting, plant locations and elevations on the baseline map, and maintenance timing and techniques.
5. Provisions for on-going habitat restoration maintenance and/or management for the term of this coastal development permit. At a minimum, semi-annual maintenance and/or management activities shall include, as necessary, periodic weeding of invasive and non-native vegetation and revegetation consistent with the approved restoration plan.\
6. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
7. The applicant shall commence implementation the final approved Habitat Restoration Plan upon issuance of the coastal development permit and complete the planting work within a one year period.

B. Monitoring Program

A monitoring program shall be implemented to monitor the project for compliance with the specified guidelines and performance standards and shall provide the following:

1. Initial Monitoring Report: The permittees shall submit, upon completion of the initial revegetation, a written report prepared by a qualified resource specialist, for the review and approval of the Executive Director, documenting the completion of the initial 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.
2. Interim Monitoring Reports: After initial revegetation is completed, the applicants shall submit, for the review and approval of the Executive Director, on an annual basis until the authorization for the approved development expires (10 years from the date of Commission action) a written monitoring report prepared by a monitoring resource specialist indicating the progress and relative success or failure of the restoration on the site. This report shall also include further recommendations and requirements for additional enhancement/restoration activities in order for the project to meet the criteria and performance standards. This report shall also include photographs taken from predesignated sites (annotated to a copy of the site plans) indicating the progress of recovery at each of the sites. Each report shall be cumulative and shall summarize all previous results. Each report shall also include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the enhancement/restoration project in relation to the interim performance standards and final success criteria.

3. Final Report: Prior to the date that authorization for the approved development expires (5 years from the date of Commission action), a final detailed report on the restoration shall be submitted for the review and approval of the Executive Director. If this report indicates that the restoration project has, in part, or in whole, been unsuccessful, based on the performance standards specified in the restoration plan, the applicant(s) shall submit within 90 days a revised or supplemental restoration program to compensate for those portions of the original program which did not meet the approved success criteria. The revised or supplemental program shall be processed as an amendment to this permit.
- C. The Permittees shall undertake development in accordance with the final approved 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 Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

2. Herbicide Use

Herbicides shall not be used within any portion of a stream channel as measured from toe of bank to toe of bank. Herbicide use shall be restricted to the use of Glyphosate Aquamaster™ (previously Rodeo™) herbicide for the elimination of non-native and invasive vegetation located within the project site for purposes of habitat restoration only. The applicants shall remove non-native or invasive vegetation by hand and the stumps may be painted with Glyphosate Aquamaster™ herbicide. Herbicide application by means of spray shall not be utilized. No use of any herbicide shall occur during the rainy season (November 1 – March 31) unless otherwise allowed by the Executive Director for good cause. In no instance shall herbicide application occur if wind speeds on site are greater than 5 mph or 48 hours prior to predicted rain. In the event that rain does occur, herbicide application shall not resume again until 72 hours after rain.

3. Signage Plan

Prior to issuance of the coastal development permit, the applicants shall submit two (2) sets of signage plans, for the review and approval of the Executive Director, indicating the location, size, design, and content of all signs to be installed. All signs shall be installed concurrent with commencement of restoration. Signage shall comply with the following:

1. A minimum of three signs shall be placed in conspicuous locations at on-site trailheads and near the restoration areas.
2. The text of the signs shall notify Preserve visitors that habitat restoration is in progress and to please stay on the existing trails.
3. All signs shall be maintained in good condition for the life of the restoration project and, when necessary, shall be replaced with new signs that comply with the plans approved pursuant to this Condition.

4. Habitat Mitigation Tracking and Reporting

- A. In order for LACDPW to receive credit for habitat restoration on the subject site to satisfy the condition compliance requirements of other approved coastal development permits where the Commission has specifically required a condition that allows the use of off-site habitat restoration as mitigation for on-site impacts, the applicant shall submit, for the review and approval of the Executive Director, the habitat mitigation reporting/tracking sheet included as **Exhibit 8** for each separate CDP condition. The Executive Director must review and approve each submitted reporting/tracking sheet before the off-site compensatory mitigation condition of an individual coastal development permit may be deemed satisfied pursuant to the habitat restoration.
- B. By acceptance of this permit, LACDPW agrees to maintain an ongoing record of all portions of the restoration areas on site that are to be (or that have been previously) utilized as mitigation for other LACDPW projects pursuant to separate coastal development permits, a list referencing the specific acreage of restoration on site utilized to satisfy off-site habitat restoration/mitigation requirements for each separate individual coastal development permit, and a record of the remaining acreage of restoration area on site still available for use in satisfaction of other off-site mitigation requirements. The applicant shall submit a summary report of the above information, for the review and approval of the Executive Director, on an annual basis for the life of this project.

5. Open Space Restriction

No development, as defined in Section 30106 of the Coastal Act, grazing, or agricultural activities shall occur anywhere APN 4455-022-901 or APN 4455-022-902, as generally shown on **Exhibit 7**, except for:

- (1) Fuel modification required by the Los Angeles County Fire Department undertaken in accordance with a final approved fuel modification plan approved by the Commission pursuant to a different CDP(s) issued by the Commission;
- (2) Drainage and polluted runoff control activities required and approved by the Commission pursuant to a different CDP(s) issued by the Commission;
- (3) Planting of native vegetation and other habitat restoration activities undertaken in accordance with the approved Habitat Restoration Program approved pursuant to **Special Condition No. 1** of this CDP, or other restoration plans required and approved by the Commission pursuant to a different CDP(s) issued by the Commission;
- (4) Installation of signage required and approved by the Commission pursuant to **Special Condition No. 3** of this CDP, or other educational/informational

signage approved by the Commission pursuant to a different CDP(s) issued by the Commission;

- (5) Maintenance of existing public hiking and/or equestrian trails;
- (6) If approved by the Commission as an amendment to this coastal development permit or a new coastal development permit, construction and improvement of new public hiking/equestrian trails or roads and utilities consistent with existing easements.

6. Deed Restriction

Prior to issuance of the Coastal Development Permit, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that each property owner (MRT and MRCA) has executed and recorded against their respective parcels governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The proposed project is located on an approximately 67-acre property within the Cold Creek Valley Preserve along Stunt Road in the eastern portion of the Santa Monica Mountains (**Exhibit 1**). The site is managed by the Mountains Restoration Trust (MRT), a non-profit land trust dedicated to preserving natural land in the Santa Monica Mountains through restoration, education and land acquisition. There are three parcels that make up the 67-acre project area: APN 4455-022-027, a 56-acre parcel owned by the MRT; and APNs 4455-022-901 and 4455-022-902, a 5-acre parcel and 6-acre parcel, both owned by the Mountains Recreation and Conservation Authority (MRCA), a public agency dedicated to the preservation and management of open space, parkland, watershed lands, trails, and wildlife habitat (**Exhibit 2**). Pursuant to a Management Agreement executed in 1999 between MRT and the MRCA, the MRT was granted the sole and exclusive right to manage and control the MRCA-owned properties as part of

the larger Cold Creek Preserve area. Several trails used by hikers and equestrians bisect the property. These trails (Meadow, Yucca, and Deer Grass Trails) serve as connector trails to the larger Cold Creek and Backbone Trails (**Exhibit 3**).

The project site primarily consists of southern mixed chaparral vegetation. Riparian vegetation is also present as an ephemeral blue-line stream (tributary to Cold Creek) bisects the site. Much of the 67-acre site is relatively undisturbed, with the exception of on-site trails and several pockets of degraded habitat areas that are dominated by non-native and invasive plant species. The applicants propose to implement a habitat restoration program on the subject site for the purpose of providing compensatory mitigation for other Los Angeles County Department of Public Works' (LACDPW) projects that have been approved by the Commission for development in the Santa Monica Mountains coastal zone pursuant to separate coastal development permits and which were subject to special conditions specifically requiring off-site habitat mitigation. LACDPW has sought authorization from the Commission in recent years for several road repair projects in the Santa Monica Mountains following damage caused by the 2005 winter storm season.

The Commission has granted approximately 40 Emergency Coastal Development Permits (ECDPs) for LACDPW projects since 2005. The Commission has also approved several regular Coastal Development Permits (CDPs), both in follow-up to several of these ECDPs and for additional road repair projects. Some of these road repair projects involved unavoidable adverse impacts to sensitive habitat, given the constraints of the mountain roadside sites, and are thus ones for which the County seeks to provide off-site compensatory mitigation as part of the subject permit application. The County also hopes to use the proposed work to provide such mitigation for some future projects that have similar limitations. In cases where there are unavoidable adverse impacts to sensitive habitat areas as a result of necessary repair and maintenance projects, the Commission requires mitigation, which entails restoration of similar habitat at a ratio of 3:1 or greater for all sensitive habitat areas permanently displaced by a project. Mitigation restoration shall occur on-site if adequate area exists on-site. However, as is often the case on the constrained mountain road repair sites with relatively narrow road easements, there is often inadequate area on site to provide the required mitigation. Therefore, in past permit actions on LACDPW projects, the Commission has allowed for the required mitigation be provided off-site (when adequate area on-site for mitigation is not available) on property owned by the Mountains Restoration Trust (MRT), or other appropriate entity, subject to the review and approval of the Executive Director.

The County's numerous recent road repair projects that have impacted sensitive habitat typically involve relatively small impact areas that may only measure several hundred square feet in size. Due to the constrained area within the County's road easement right-of-way on these sites, there is typically inadequate area on-site to accommodate the required 3:1 mitigation ratio. Rather than implement separate off-site mitigation plans for these numerous small restoration areas on an individual project basis, Commission staff has coordinated with both the County and MRT staffs to develop the

proposed restoration program in order to more efficiently implement these restoration projects and ensure that such implementation will be successful. The County has identified 25 road repair projects requiring off-site mitigation (8 projects previously approved by the Commission pursuant to CDPs, 11 projects authorized by emergency permits, and 6 projects which the County has informed Commission staff are currently pending (**Exhibit 6**).

The proposed project site was determined appropriate for the proposed restoration program by the County and MRT, as it contains several acres of disturbed areas of both mixed chaparral and riparian habitat types (the types of habitat the County is required to mitigate for several of their previously approved and currently pending projects). Restoration and enhancement of these areas would enhance the ecological function of the larger Cold Creek Valley Preserve area. MRT identified 3.69 acres of disturbed habitat situated in four areas of the approximately 67-acre site which require restoration (**Exhibits 4, 5**). However, at this time, the applicants are only proposing restoration of two of the four identified areas on the site (Areas 1 and 3), for a total restoration area of 2.2 acres. MRT would implement the 2.2-acre restoration work over the next twelve month period. The applicants have indicated that implementation of a single comprehensive restoration project over the entire 2.2 acre area at one time, as opposed to implementing several “micro-restoration projects” as mitigation for individual County projects over a longer period time is expected to increase the success rate of the restoration effort. Below is a summary of the proposed restoration acreage by habitat type and planting area.

Habitat Types	Restoration Acreage by Planting Area		Total
	1A and 1B	3A and 3B	
Mixed Chaparral *	1.251	0.549	1.80
Riparian **	-	0.40	0.40
Total	1.26	0.949	2.20

* Mixed Chaparral includes Chaparral, Ceanothus Chaparral, Willow Scrub, Chaparral Oak/Walnut/Sycamore Woodland type habitats

** Riparian includes Riparian and Oak/Sycamore Riparian Woodland type habitats

Commission staff visited the site on October 7, 2009 and confirmed that the identified restoration areas were accurately described as “disturbed”, located outside areas that would be subject to fuel modification requirements for structures on neighboring parcels, and thereby appropriate for the proposed restoration.

B. ENVIRONMENTALLY SENSITIVE HABITAT AND WATER QUALITY

Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment,

controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Coastal Act Section 30240 affords protection of environmentally sensitive habitat areas as follows:

(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.

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

Section 30231 of the Coastal Act mandates that coastal water quality shall be maintained and, where feasible, restored through, among other means, 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 shall be protected and that development within or adjacent to such areas must be designed to prevent impacts which could degrade those resources.

Pursuant to Section 30107.5, in order to determine whether an area constitutes an ESHA, and is therefore subject to the protections of Section 30240, the Commission must answer three questions:

- 1) Is there a rare species or habitat in the subject area?
- 2) Is there an especially valuable species or habitat in the area, which is determined based on:
 - a) whether any species or habitat that is present has a special nature, OR
 - b) whether any species or habitat that is present has a special role in the ecosystem;
- 3) Is any habitat or species that has met either test 1 or test 2 (i.e., that is rare or especially valuable) easily disturbed or degraded by human activities and developments?

If the answers to questions one or two and question three are “yes”, the area is ESHA.

The project site is located within the Mediterranean Ecosystem of the Santa Monica Mountains. The Coastal Commission has found that the Mediterranean Ecosystem in the Santa Mountains is rare, and valuable because of its relatively pristine character, physical complexity, and resultant biological diversity. Large, contiguous, relatively pristine areas of native habitats, such as coastal sage scrub, chaparral, oak woodland, and riparian woodland have many special roles in the Mediterranean Ecosystem, including the provision of critical linkages between riparian corridors, the provision of essential habitat for species that require several habitat types during the course of their life histories, the provision of essential habitat for local endemics, the support of rare species, and the reduction of erosion, thereby protecting the water quality of coastal streams. Additional discussion of the special roles of these habitats in the Santa Monica Mountains ecosystem are discussed in the March 25, 2003 memorandum prepared by the Commission’s Ecologist, Dr. John Dixon¹ (hereinafter “Dr. Dixon Memorandum”), which is incorporated as if set forth in full herein.

Unfortunately, the native habitats of the Santa Monica Mountains, such as coastal sage scrub, chaparral, oak woodland and riparian woodlands are easily disturbed by human activities. As discussed in the Dr. Dixon Memorandum, development has many well-documented deleterious effects on natural communities of this sort. These environmental impacts may be both direct and indirect and include, but certainly are not limited to, the effects of increased fire frequency, of fuel modification, including vegetation clearance, of introduction of exotic species, and of night lighting. Increased fire frequency alters plant communities by creating conditions that select for some species over others. The removal of native vegetation for fire protection results in the direct removal or thinning of habitat area. Artificial night lighting of development affects plants, aquatic and terrestrial invertebrates, amphibians, fish, birds and mammals. Thus, large, contiguous, relatively pristine areas of native habitats, such as coastal sage scrub, chaparral, oak woodland, and riparian woodlands are especially valuable because of their special roles in the Santa Monica Mountains ecosystem and are easily disturbed by human activity. Accordingly, these habitat types meet the definition of ESHA. This is consistent with the Commission’s past findings in support of its actions on many permit applications and in adopting the Malibu LCP².

The proposed project is located on an approximately 67-acre property within the Cold Creek Valley Preserve along Stunt Road in the eastern portion of the Santa Monica Mountains. As discussed previously, the project site consists primarily of relatively undisturbed mixed chaparral vegetation, as well as riparian habitat adjacent to an on-site blue-line stream (tributary to Cold Creek), that is part of a large, contiguous block of

¹ The March 25, 2003 Memorandum Regarding the Designation of ESHA in the Santa Monica Mountains, prepared by John Dixon, Ph. D, is available on the California Coastal Commission website at <http://www.coastal.ca.gov/ventura/smm-asha-memo.pdf>

² Revised Findings for the City of Malibu Local Coastal Program (as adopted on September 13, 2002) adopted on February 6, 2003.

pristine native vegetation. However, there are several areas of the property that are disturbed and dominated by non-native and invasive plant species. The applicants have identified disturbed mixed chaparral and riparian habitat within the approximately 67-acre site and have devised a plan to restore 2.2 acres in order to enhance the ecological function of the larger Cold Creek Valley Preserve area.

For all of the reasons discussed above, the Commission finds that the on-site stream and riparian and mixed chaparral areas of the proposed restoration sites meet the definition of ESHA under the Coastal Act.

Pursuant to Section 30240 of the Coastal Act, only resource dependent uses may be allowed within ESHA and development adjacent to ESHA must provide adequate buffers to serve as transitional habitat, to provide distance and separation from human intrusion. In this case, the proposed project is a habitat restoration project that would serve to enhance the ecological function of the larger Cold Creek Valley Preserve area and constitutes a resource dependent use. Thus, the proposed project constitutes an allowable use within ESHA consistent with Section 30240 of the Coastal Act.

MRT identified 3.69 acres of disturbed habitat situated in four areas of the approximately 67-acre project site and worked with the County to develop an initial restoration plan for the entire 3.69 acres of disturbed areas on site. The plan involves removal of non-native species, planting of natives, temporary irrigation, and monitoring. However, the applicants have since revised the proposed project description to only include restoration of two of the four identified areas on the site, for a total restoration area of 2.2 acres. MRT would implement the 2.2-acre restoration work over the next twelve month period.

The applicants propose to implement a habitat restoration program on the subject site for the purpose of providing compensatory mitigation for other Los Angeles County Department of Public Works' (LACDPW) projects that have been approved by the Commission for development in the Santa Monica Mountains coastal zone pursuant to separate coastal development permits and which were subject to special conditions specifically requiring off-site habitat mitigation. LACDPW has sought authorization from the Commission in recent years for several road repair projects in the Santa Monica Mountains following damage caused by the 2005 winter storm season. The Commission has granted approximately 40 Emergency Coastal Development Permits (ECDPs) for LACDPW projects since 2005. The Commission has also approved several regular Coastal Development Permits (CDPs), both in follow-up to several of these ECDPs and for additional road repair projects.

Some of these road repair projects involved unavoidable adverse impacts to sensitive habitat, given the constraints of the mountain roadside sites, and are thus ones for which the County seeks to provide off-site compensatory mitigation as part of the subject permit application. The County also hopes to use the proposed work to provide such mitigation for some future projects that have similar limitations. In cases where there are unavoidable adverse impacts to sensitive habitat areas as a result of

necessary repair and maintenance projects, the Commission requires mitigation, which entails restoration of similar habitat at a ratio of 3:1 or greater for all sensitive habitat areas permanently displaced by a project. Mitigation restoration shall occur on-site if adequate area exists on-site. However, as is often the case on the constrained mountain road repair sites with relatively narrow road easements, there is often inadequate area on site to provide the required mitigation. Therefore, in past permit actions on LACDPW projects, the Commission has allowed for the required mitigation be provided off-site (when adequate area on-site for mitigation is not available) on property owned by the Mountains Restoration Trust (MRT), or other appropriate entity, subject to the review and approval of the Executive Director.

The County's numerous recent road repair projects that have impacted sensitive habitat typically involve relatively small impact areas that may only measure several hundred square feet in size. Due to the constrained area within the County's road easement right-of-way on these sites, there is typically inadequate area on-site to accommodate the required 3:1 mitigation ratio. Rather than implement separate off-site mitigation plans for these numerous small restoration areas on an individual project basis, Commission staff has coordinated with both the County and MRT staffs to develop the proposed restoration program in order to more efficiently implement these restoration projects and ensure that such implementation will be successful. The County has identified 25 road repair projects requiring off-site mitigation. Several of these projects have already been approved by the Commission through CDPs, several have pending CDP applications being processed, several have received authorization through Emergency CDPs and the required follow-up CDP has not yet been applied for or approved yet, and several others are upcoming projects the County intends to seek authorization for in the near future.

Several of the separate, but related, LACDPW road repair projects that have been previously approved by the Commission included a special condition that required submittal by the applicant of an off-site Restoration Plan of the same habitat type impacted (at a ratio of 3:1 or greater) as mitigation for the habitat area permanently displaced as a result of the project. Thus, the restoration plan proposed by this coastal permit application would serve to satisfy the permit condition requirements for those qualifying County Public Works projects in which the Commission has required off-site compensatory mitigation for habitat impacts. In order for the County to use the proposed restoration acreage for condition compliance associated with CDPs, an adequate mechanism for tracking and reporting mitigation compliance for each individual County project approved pursuant to separate coastal development permits in relation to the restoration program approved pursuant to this coastal permit must be established. As such, the Commission finds that **Special Condition No. Four (4)** is required. Special Condition 4 requires the County to utilize the habitat mitigation reporting/tracking sheet found on **Exhibit 8** of this staff report to submit to the Executive Director for each County Public Works project the County is required to provide off-site compensatory mitigation for permanent habitat impacts as part of a Commission-approved regular coastal development permit. The Executive Director must review and approve each submitted reporting/tracking sheet before the off-site compensatory mitigation condition

of an individual coastal development permit may be deemed satisfied. The tracking program required by **Special Condition No. Four (4)** will ensure that habitat restoration on the project site will be accurately related to the individual mitigation requirements for each of the County's individual CDPs for separate road repair projects overtime. Only by establishing this tracking and reporting mechanism the Commission can ensure orderly tracking and authorization of the mitigation credits.

Moreover, the applicants originally submitted an initial restoration plan for the entire 3.69 acres of disturbed areas on site. The applicants have since revised the proposed project description to only include restoration of two of the four identified areas on the site, for a total restoration area of 2.2 acres. However, the applicants have not submitted a revised restoration plan for the reduced scope of the project that outlines only the 2.2-acres of restoration. Therefore, **Special Condition No. One (1)** requires the applicants to submit a revised Final Habitat Restoration Program, for the review and approval of the Executive Director, that accurately describes the revised project.

Further, to ensure that the Final Habitat Restoration Program is adequately implemented in accordance with the applicants' proposal and that the effort is successful, **Special Condition No. One (1)** requires implementation of the approved final plan within one year, and monitoring for a five year period, submission of a Restoration Monitoring Report at the end of the five year period for the review and approval of the Executive Director, and supplemental planting/seeding be implemented as necessary, to ensure successful restoration that is in compliance with the specified guidelines and performance standards outlined in the proposed restoration plan.

The applicants also propose to remove exotic and invasive vegetation from the restoration site. In previous permit actions, the Commission has allowed for the use of Glyphosate Aquamaster™ when it was found that use of an herbicide was necessary for habitat restoration and that there were no feasible alternatives that would result in fewer adverse effects to the habitat value of the site. However, the Commission notes that Glyphosate herbicide, although determined by the EPA to be low in toxicity, is still toxic and could result in some adverse effects to wildlife or non-targeted vegetation should overspray or downstream migration occur. In order to minimize the potential for introduction of herbicide into the aquatic environment or onto adjacent non-targeted vegetation, **Special Condition No. Two (2)** restricts the use of herbicides to the use of Glyphosate Aquamaster™ (previously Rodeo™) herbicide for the elimination of invasive vegetation located within the project site for purposes of habitat restoration only. No use of any herbicide shall occur during the rainy season (November 1 – March 31) unless otherwise allowed by the Executive Director for good cause. In no instance shall herbicide application occur if wind speeds on site are greater than 5 mph or 48 hours prior to predicted rain. In the event that rain does occur, herbicide application shall not resume again until 72 hours after rain.

There is evidence of public use of existing trails on the proposed restoration sites. As such, there is potential for trail users to stray from the trails and adversely impact the restoration effort. To ensure that members of the public are aware of the habitat

restoration effort and are notified to stay on the existing trails, signage shall be posted in conspicuous locations at on-site trailheads and near the restoration areas. As detailed in **Special Condition No. Three (3)**, the applicants shall submit a signage plan, for the review and approval of the Executive Director, indicating the location, size, and design of a minimum of three signs that notify Preserve visitors that habitat restoration is in progress and to please stay on the existing trails. All signs shall be installed concurrent with commencement of restoration and shall be maintained in good condition for the life of the restoration project.

As discussed previously, there are three parcels that make up the 67-acre project area: APN 4455-022-027, a 56-acre parcel owned by the MRT; and APNs 4455-022-901 and 4455-022-902, approximately 5-acre parcels owned by the Mountains Recreation and Conservation Authority (MRCA). Pursuant to a Management Agreement executed in 1999 between MRT and the MRCA, the MRT was granted the sole and exclusive right to manage and control the two MRCA-owned properties (that are also a part of the proposed project area) as part of the larger Cold Creek Preserve area.

The Commission finds that the most effective way to assure ESHA preservation on the site (including the areas to be restored) is the granting of an open space conservation easement or recordation of an open space restriction that prohibits residential development on the subject site now and in the future. In this case, an offer to dedicate a Scenic/Open Space Easement has already been previously recorded on the 56 acre parcel (APN: 4455-022-027) owned by the MRT in order to retire the residential development potential of the property pursuant to the Commission's Transfer of Development Credit (TDC) program and credits required pursuant to Commission's approval of CDP No. 5-91-755 for increased residential development rights on another property in the Santa Monica Mountains. The Scenic Easement is intended to ensure that the property remains as open space for habitat protection, resource conservation, and recreation uses and to prevent the adverse cumulative effects on coastal resources and public access that would occur if the property were developed for residential use.

The recorded offer to dedicate the Scenic Easement specifically allows for the removal of non-native and invasive vegetation on site for the purpose of habitat restoration projects, such as the proposed project, as well as some limited public access and trail improvements. Thus, the proposed habitat restoration project is clearly consistent with the terms and conditions of the recorded offer-to-dedicate a Scenic Easement on the property. This existing offer to record an easement will ensure that ESHA and restoration areas on this parcel will be preserved in perpetuity. In addition, **Special Condition No. Six (6)** requires the applicant to record a separate deed restriction that imposes the terms and conditions of the permit as restrictions on use and enjoyment of the property and provides any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property.

However, the recorded offer-to-dedicate a Scenic Easement on the MRT parcel does not apply to the two subject parcels owned by the MRCA. Thus, in order to ensure that the proposed restoration areas are protected in perpetuity, the Commission finds that an

open space restriction will ensure that development within the two MRCA-owned parcels (APN 4455-022-901 and -902) is limited to: approved fuel modification and drainage control activities; planting of native vegetation and other restoration activities; and construction and maintenance of public hiking/equestrian trails, and the use of existing easements pursuant to **Special Condition No. Five (5)**. To implement the open space restriction, the applicant is required to ensure that a deed restriction is recorded for the two parcels owned by the MRCA that imposes the terms and conditions of this permit, including the open space restriction, as restrictions on use and enjoyment of the property and thereby provides any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property. Staff notified the MRCA of the pending application and invited them to join as co-applicants pursuant to Coastal Act Section 30601.5. MRCA has not yet requested to join as a co-applicant. However, MRCA staff have indicated to Commission staff that they are willing to execute and record any necessary legal documents (including the above referenced deed restriction) for their properties that the Commission may require as a condition of approval of this permit. Only as so conditioned, will the proposed project minimize impacts to ESHA, pursuant to Section 30240 of the Coastal Act.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, will minimize impacts to ESHA and water quality, consistent with Sections 30231 and 30240 of the Coastal Act.

C. LOCAL COASTAL PROGRAM

Section **30604(a)** 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 coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal 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 to Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed projects will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the projects and are accepted by the applicant. As conditioned, the proposed development will avoid or minimize adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. The following special conditions are required to assure the project's consistency with Section 30604 of the Coastal Act:

Special Conditions 1 through 6

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).

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT

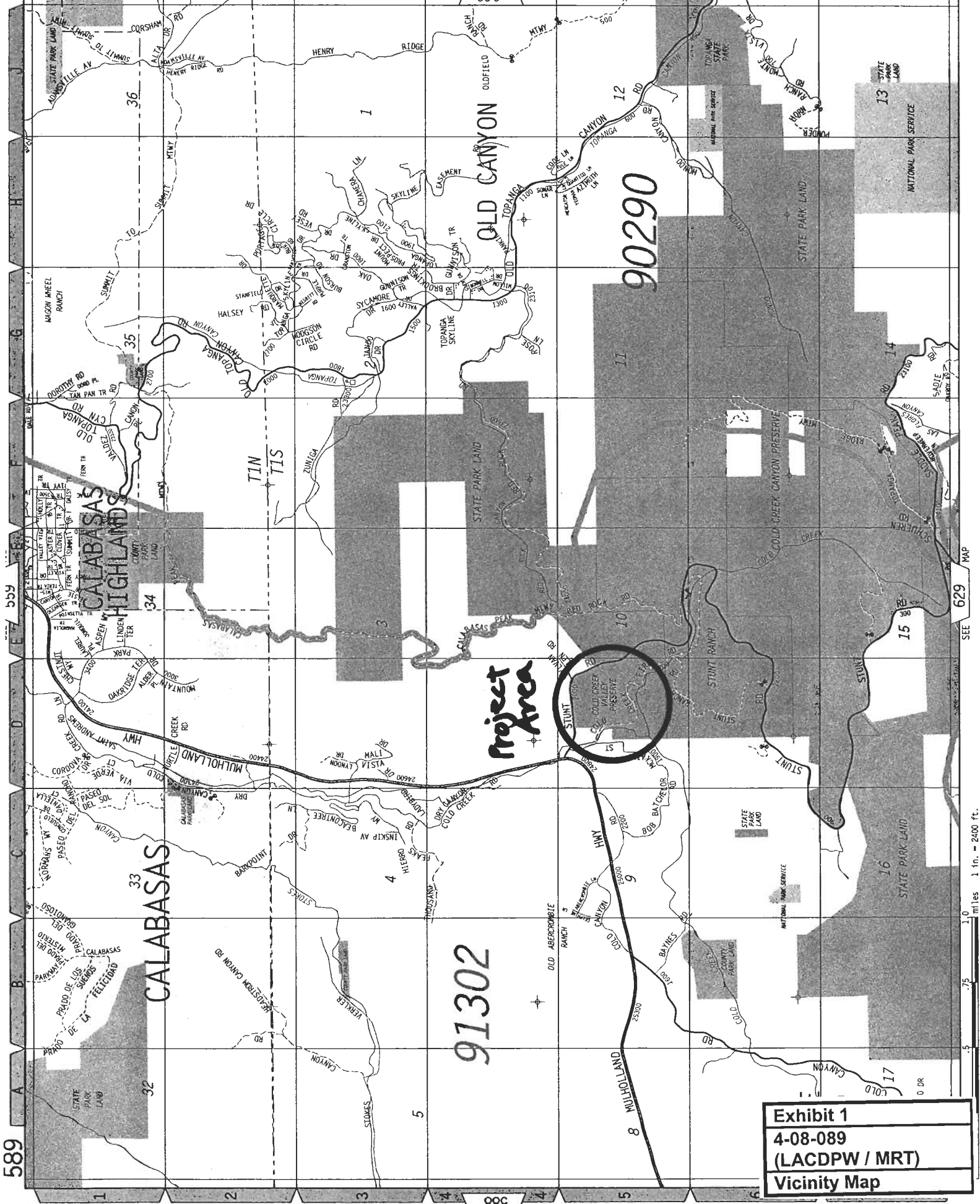
Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California 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 in detail above, project alternatives and mitigation measures have been considered and incorporated into the project. Five types of mitigation actions include those that are intended to avoid, minimize, rectify, reduce, or compensate for significant impacts of development. Mitigation measures required to avoid impacts include restrictions on herbicide use (water quality), signage plan (ESHA), restoration plan implementation (ESHA), habitat mitigation tracking and reporting (ESHA), and open space restriction and deed restriction (ESHA).

The following special conditions are required to assure the project's consistency with Section 13096 of the California Code of Regulations:

Special Conditions 1 through 6

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.



Project Area

90290

91302

Exhibit 1
4-08-089
(LACDPW / MRT)
Vicinity Map

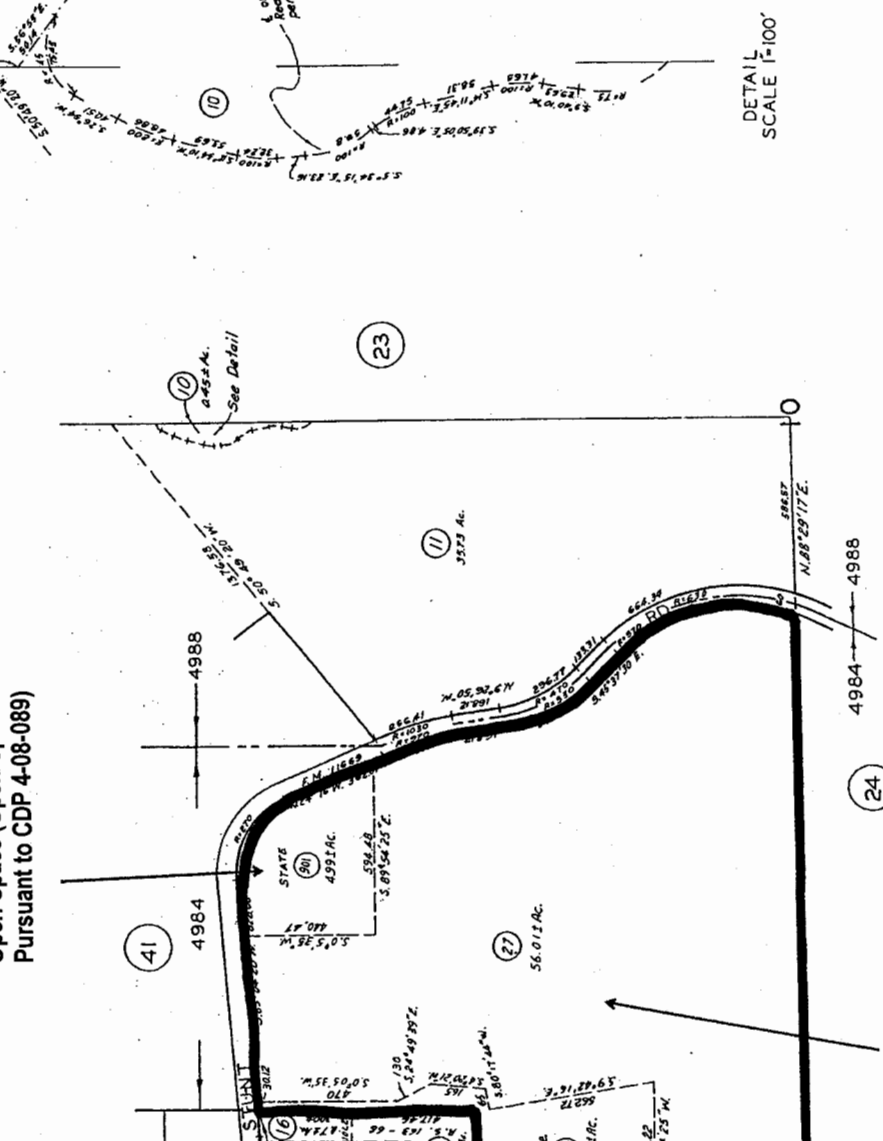
1.0 miles 1 in. = 2400 ft.

589

4455 22
 SCALE 1" = 400'

10-26-25
 66082E
 67000Z
 69080T002
 770329
 9/12/2002
 9/12/2002
 199118407002001-02

APN 4455-022-901 MRCA-owned
 Open Space (Open Space Restriction Pursuant to CDP 4-08-089)

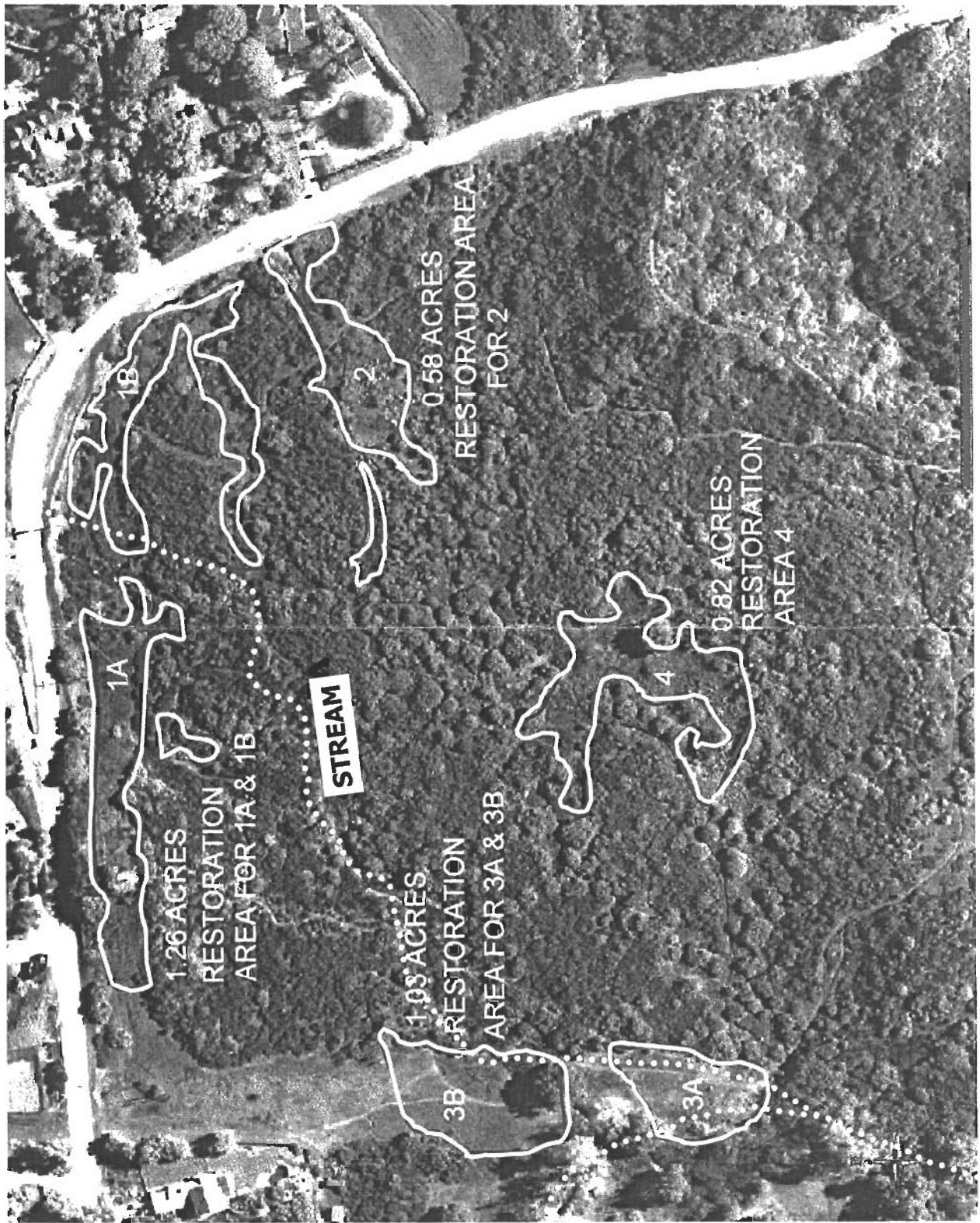


APN 4455-022-902 MRCA-owned
 Open Space (Open Space Restriction Pursuant to CDP 4-08-089)

APN 4455-022-027 MRT-owned
 Open Space (Pursuant to recorded offer-to-dedicate Scenic Easement)

DE	84
	86
X PREV. ASSMT. SEE: 55-22	
Exhibit 2	
4-08-089	
(LACDPW / MRT)	
Subject Parcels	

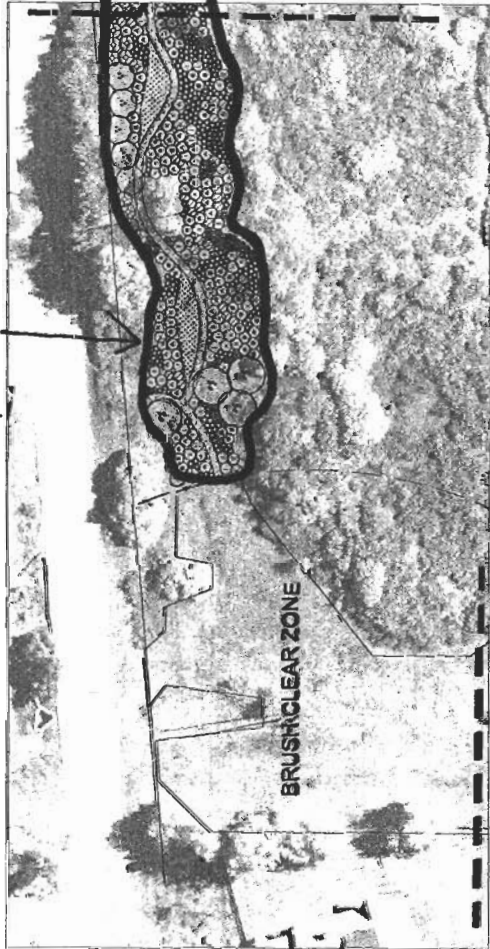
T. I.S., R.17W.



RESTORATION AREAS FOR RE-VEGETATION SITES

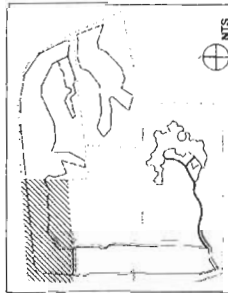
Exhibit 4
4-08-089 (LACDPW / MRT)
Aerial View

Part of Restoration Area 1A



MATCHLINE A-A, SEE SHEET L-302

MATCHLINE C-C, SEE SHEET L-304



KEY MAP

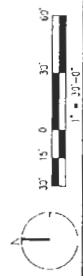
PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	REMARKS
(*)	JUGLANS CALIFORNICA VAR. CALIFORNICA	CALIFORNIA WALNUT	4	1 GAL	27" WIDTH
(*)	PLATANUS RACEMOSA	WESTERN SYCAMORE	1	1 GAL	30" W DTH
(*)	QUERCUS ABRIFOLIA VAR. ABRIFOLIA	COAST LIVE OAK	1	1 GAL	36" W DTH
(*)	QUERCUS BERBERIDIFOLIA	SCRUB OAK	12	1 GAL	8" W DTH
(//)	ADENOSTOMA FASCICULATUM	CHamise	37	1 GAL	8" W DTH
(//)	TRICHOSTEMA LAMNATUM	WOOLY BLUE CURLS	128	1 GAL	3" W DTH
(//)	RHUS TRILOBATA	BASKET BUSH	128	1 GAL	3" W DTH
(//)	CELANOTHUS MEDICARPUS	BIGPOD CEANOTHUS	36	1 GAL	8" W DTH
(//)	HETEROMELES ABLUTIFOLIA	TOYON	5	1 GAL	18" W DTH
(//)	RHAMNUS LUCIFOLIA	HOLLYLEAF RASPBERRY	44	1 GAL	8" W DTH
(//)	SALVIA APIANA	WHITE SAGE	31	1 GAL	8" W DTH
(//)	SALVIA MELLIIFERA	BLACK SAGE	43	1 GAL	8" W DTH
(//)	ERIGONNUM CONFERTIFLORUM	GOLDEN YARROW	56	1 GAL	3" W DTH

SEED MIX

- ADENOSTOMA FASCICULATUM
- ERIGONNUM LONGICUM
- ERIGONNUM FASCICULATUM VAR. FOLIOLOSUM
- ESCHSCHOLZIA CALIFORNICA
- HEMIFILIPPOENDRA
- HAZARDIA SOLANAROSA
- MELANTHUS GRACILENTUS
- JUNCEUS FARTUGUEI
- LOUIS SCOPARIUS VAR. SCOPARIUS
- PENSTEMON HETEROPHYLLUS
- TRICHOSTEMA LAMNATUM

- BASE GROUND
- PATHWAYS
- ORANGE



MRT HABITAT RESTORATION
AREA 1A PLANTING PLAN



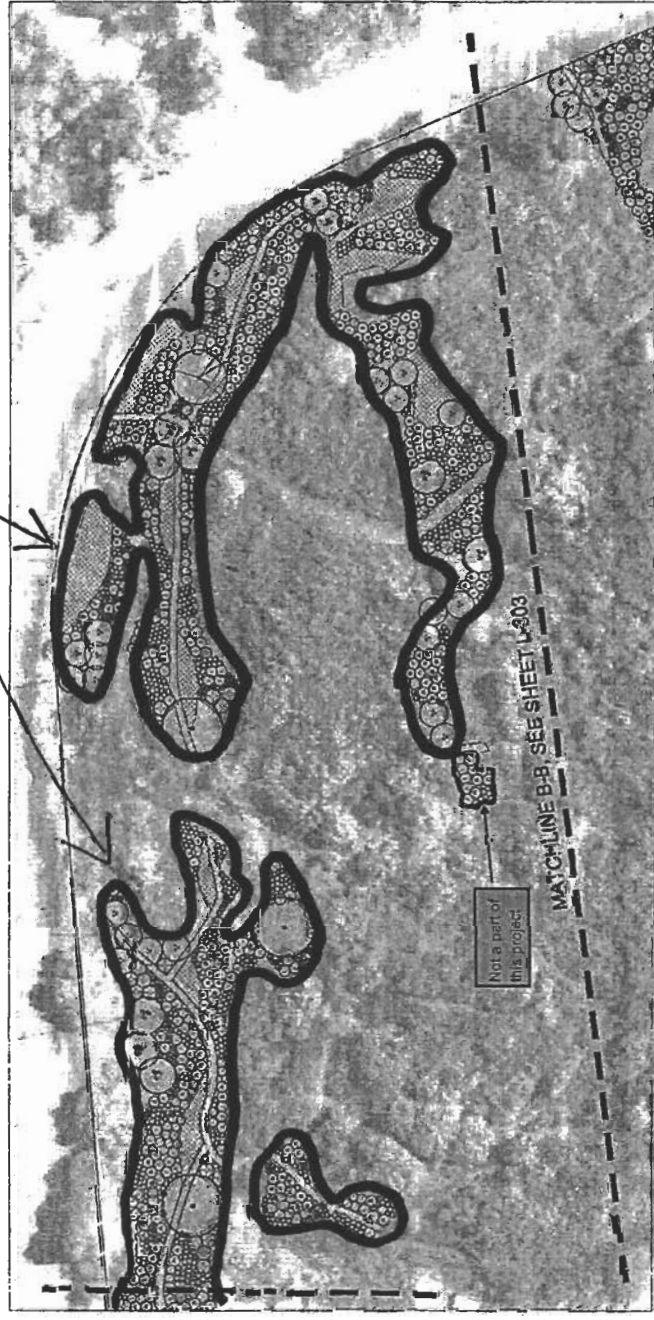
APPROVED	DATE
CITY OF PALM BEACH	DATE

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SAN ANTONIO, TX 78228
TEL: 214-343-2200
FAX: 214-343-2201
WWW.CORNERSTONESTUDIOS.COM

Exhibit 5
4-08-089
(LACDPW / MRT)
Restoration Planting Plans

Restoration Areas 1A and 1B



MATCHLINE A-A, SEE SHEET L-301

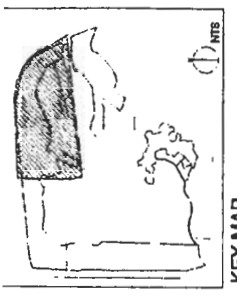
REVIEWED BY:
CORNERSTONE STUDIO

L-302 JOB SHEET 8 OF 11

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	REMARKS
○	JUGLANS CALIFORNICA VAR. CALIFORNICA	CALIFORNIA WALNUT	8	1 GAL. 20" WIDTH	
○	PLATANUS FACIOSA	WESTERN STYCAMORE	1	1 GAL. 20" WIDTH	
○	QUERCUS AGRIFOLIA VAR. AGRIFOLIA	COAST LAKE OAK	3	1 GAL. 20" WIDTH	
○	QUERCUS BEBERPFOFFA	SCRUB OAK	40	1 GAL. 8" WOTH	
○	HAZARDIA SOUARIROSA	SAWTOOTH GOLDENROD			
○	HELIANTHUS GRACILENTUS	SCREER SWIFLOWER			
○	LOTUS SCOPARIUS VAR. SCOPARIUS	COMMON DESERVED			
○	PHENICOM HETEROZYLLUS	ROTHILL PENTSTEMON			
○	TRICHOSTEMA LANATUM	WOOLLY BLUEBELLS			

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	REMARKS
○	CHAMISE	CHAMISE	90	1 GAL. 8" WIDTH	
○	WOOLLY BLUE BELLS	WOOLLY BLUE BELLS	348	1 GAL. 2" WIDTH	
○	JASPER BUSH	JASPER BUSH	348	1 GAL. 2" WIDTH	
○	BURROCK CREAMCLOVER	BURROCK CREAMCLOVER	72	1 GAL. 8" WIDTH	
○	TUTOR	TUTOR	21	1 GAL. 18" WIDTH	
○	HOLLYHAW REDBERRY	HOLLYHAW REDBERRY	58	1 GAL. 8" WIDTH	
○	WHITE SAGE	WHITE SAGE	78	1 GAL. 8" WIDTH	
○	BLACK SAGE	BLACK SAGE	84	1 GAL. 8" WIDTH	
○	GOLDEN YARROW	GOLDEN YARROW	200	1 GAL. 2" WIDTH	
○	ANEMONE FACIOSA	ANEMONE FACIOSA			
○	TRICHOSTEMA LANATUM	TRICHOSTEMA LANATUM			
○	INDIGO TRICOLORATA	INDIGO TRICOLORATA			
○	CELANOTHUS BECOPARIFUS	CELANOTHUS BECOPARIFUS			
○	INTERMEDIUS AFRICUTELLA	INTERMEDIUS AFRICUTELLA			
○	RYNARIBUS ELORPOLA	RYNARIBUS ELORPOLA			
○	SALVA APANNA	SALVA APANNA			
○	SALVA GILLIFLOERA	SALVA GILLIFLOERA			
○	EMPHRASMUM COMPENSIFLORUM	EMPHRASMUM COMPENSIFLORUM			
○	ADALEUIS FACIOSA	ADALEUIS FACIOSA			
○	EROGONUM ELONGATUM	EROGONUM ELONGATUM			
○	EROGONUM FACIOSUM VAR. FACIOSUM	EROGONUM FACIOSUM VAR. FACIOSUM			
○	EROGONUM FACIOSUM VAR. FOLIOLOMUM	EROGONUM FACIOSUM VAR. FOLIOLOMUM			
○	EMPHRASMUM COMPENSIFLORUM	EMPHRASMUM COMPENSIFLORUM			
○	EMPHRASMUM COMPENSIFLORUM	EMPHRASMUM COMPENSIFLORUM			
○	EMPHRASMUM COMPENSIFLORUM	EMPHRASMUM COMPENSIFLORUM			
○	EMPHRASMUM COMPENSIFLORUM	EMPHRASMUM COMPENSIFLORUM			

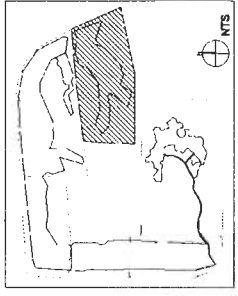
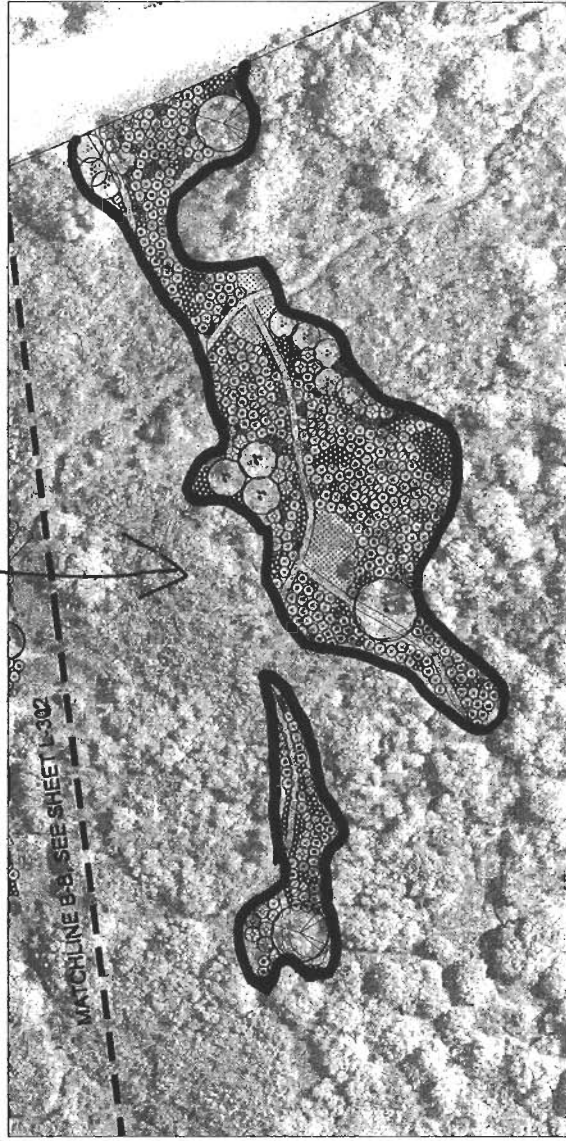


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 108 TR. 28 S. 29th Street 714. 973. 2208 Fax
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 108 TR. 28 S. 29th Street 714. 973. 2208 Fax

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MRT HABITAT RESTORATION
 AREA 1B PLANTING PLAN

Restoration Area 2



PLANTING LEGEND

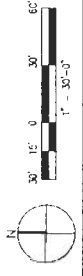
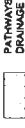
REVIEWED BY: CORNERSTONE STUDIOS DATE: 1/11/2008

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	REMARKS
(*)	JUGLANS CALIFORNICA VAR. CALIFORNICA	CALIFORNIA WALNUT	3	1 GAL	20" WIDTH
(*)	PLATANUS RACEMOSA	WESTERN STAMBORE	2	1 GAL	30" WIDTH
(*)	QUERCUS AGRIFOLIA VAR. AGRIFOLIA	COAST LIVE OAK	1	1 GAL	36" WIDTH
(*)	QUERCUS BERBERIDIFOLIA	SCRUB OAK	26	1 GAL	6" WIDTH
(//)	ADENOSTOMA FASCICULATUM	CHAMISE	15	1 GAL	6" WIDTH
(//)	TRICHOSTEMA LANATUM	WOOLY BLUE DURLS	182	1 GAL	3" WIDTH
(//)	RHAIS TRILOBATA	BASKET BLUSH	182	1 GAL	3" WIDTH
(//)	CELANOTHUS MEGACARPUS	BUGPOD CEANOTHUS	108	1 GAL	6" WIDTH
(//)	HETEROMELES ARBUTIFOLIA	TOYON	6	1 GAL	18" WIDTH
(//)	RHAMNUS LUCIFOLIA	HOLLYLEAF RHEBERRY	183	1 GAL	6" WIDTH
(//)	SALVIA APHYLLA	WHITE SAGE	71	1 GAL	6" WIDTH
(//)	SALVIA MELLIFERA	BLACK SAGE	80	1 GAL	6" WIDTH
(//)	ERIOGYLLUM CONFERTIFLORUM	GOLDEN YARROW	108	1 GAL	3" WIDTH
(//)	ADENOSTOMA FASCICULANS	NARROWLEAF MILKWEED			
(//)	ERIODENDRUM GIBBERUM	REDWOOD			
(//)	ERIODENDRUM FASCICULATUM VAR. FASCICULATUM	REDWOOD			
(//)	ESCHSCHOLZIA CALIFORNICA	CALIFORNIA POPPY			
(//)	ERIGONIA ANNUUM	WILD FLORIST			
(//)	HAZARDIA SELARICUS	SAVITCH GOLDENRUSH			
(//)	HELIANTHUS GRACILENTUS	SLENDER SUNFLOWER			
(//)	JUNCUS PATENS	COMMON RUSH			
(//)	SCOPARIUS VAR. SCOPARIUS	COMMON MILKWEED			
(//)	PRINSTEMON VETEROPHYLLUS	FOOTBALL PRINSTEMON			
(//)	TRICHOSTEMA LANATUM	WOOLLY BLUECURLS			

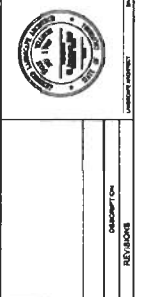
SEED MIX



BARE GROUND



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
MRT HABITAT RESTORATION
 AREA 2 PLANTING PLAN



APPROVED	DATE	REVISION	DATE	BY

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 SAN JOSE OFFICE: 415-253-0000

APPROVED: _____ DATE: _____
 CITY OF MALIBU

ex.5

ATTACHMENT 12

Re-vegetation mitigation areas for County of Los Angeles Department of Public Works Road road repairs sites that were damaged during the 2004-05 Winter Storm Events to compensate for permanent habitat losses

#	Project Name	3:1 Mitigation for Permanent Displacement (acres)	Type of Habitat	Permit no
1	Corral Canyon @ MM 0.02	0.003	Mixed chaparral*	4-06-009
2	Fairside Dr @ MM 0.29	0.003	Riparian **	4-06-065
3	Fernwood Pacific Dr @ MM 0.90	0.010	Mixed chaparral*	
4	Greenleaf Cyn Rd @ MM 0.25	0.069	Mixed chaparral*	4-06-025-G
5	Hillside Drive @ MM 1.09	0.017	Mixed chaparral*	4-05-181-G
6	Hillside Drive 170-277' S/O MM 1.09	0.034	Mixed chaparral*	4-05-180
7	Hillside Drive 30' - 65' S/O MM 1.09	0.024	Mixed chaparral*	4-05-182-G
8	Hillside Drive 90'-130' S/O MM 1.09	0.028	Mixed chaparral*	4-05-183-G
9	Hume Road @ MM 0.94	0.003	Mixed chaparral*	4-06-002-G
10	Hume Road Landslide - Castlewood to Briarbluff	0.689	Mixed chaparral*	4-08-026
11	Las Flores Cyn Rd 130' N/O CM 0.30	0.015	Riparian **	4-06-137
12	Latigo Canyon Rd @ MM 1.05	0.007	Mixed chaparral*	4-06-019-G
13	Latigo Canyon Rd @ MM 2.08	0.028	Mixed chaparral*	4-06-114
14	Latigo Canyon Rd @ MM 6.41	0.010	Mixed chaparral*	4-06-152
15	Latigo Cyn Rd @ 125' to 175' S/O MM 1.14	0.036	Mixed chaparral*	4-06-019-G
16	Malibu Cyn Rd @ MM 3.17	0.131	Mixed chaparral*	4-05-172-G
17	Newton Canyon Road Et Al	0.096	Mixed chaparral*	
18	Piuma Rd @ MM 2.81	0.015	Mixed chaparral*	4-05-190-G
19	Saddle Peak @ MM 0.88	0.024	Mixed chaparral*	4-05-061-G
20	Schueren Road @ MM 1.27	0.258	Mixed chaparral*	4-05-174-G
21	Seabreeze Drive @ 130' N/O MM 0.20	0.031	Riparian **	4-07-094
22	Tuna Cyn Rd MM 4.97/4.98/5.04	0.013	Riparian **	4-09-054
23	Valley Dr @ House Number 1534	0.007	Mixed chaparral*	
24	Vera Canyon Rd @ Lofty Hill	0.006	Mixed chaparral*	
25	Vera Canyon Rd -150' no cul de sac	0.023	Mixed chaparral*	

Mitigation area for 25 road repair projects 1.580

Mitigation area to be banked for future projects 0.620

Total mitigation area 2.200

Notes

* Mixed Chaparral includes: Chaparral, Ceanothus Chaparral, Willow Scrub, Chaparral Oak-Sycamore/Walnut Woodland type habitats

** Riparian includes: Oak riparian woodland; riparian woodland; and Riparian, mixed chaparral, Oak/Sycamore Woodland type habitats

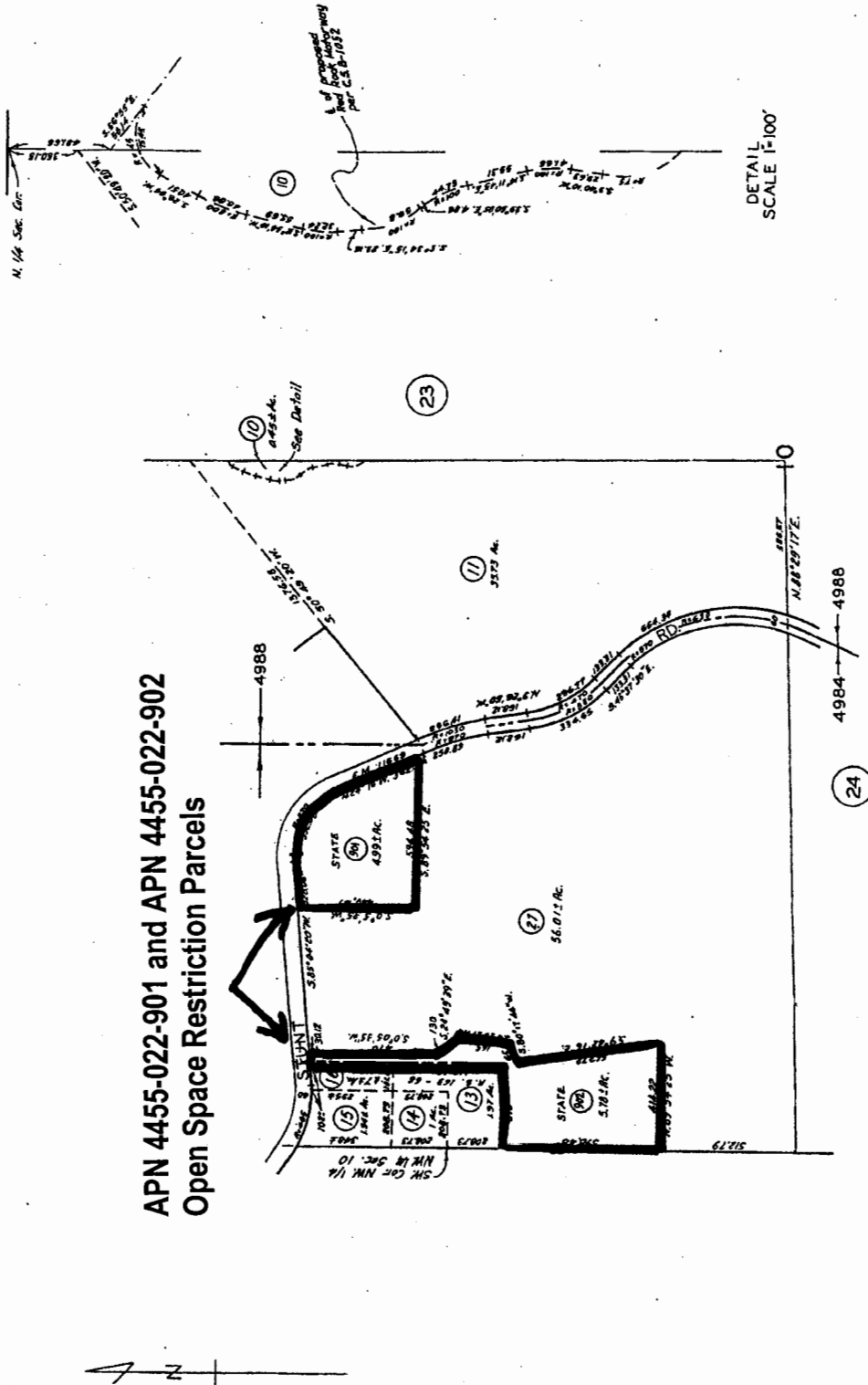
Exhibit 6
4-08-089
(LACDPW / MRT)
LACDPW Identified Projects

445522
 SCALE 1" = 400'

2000

APN 4455-022-901
 620801002
 770389
 9/12/00 220000001-02
 9/12/00 220000002-02
 1999/11/24/0000001-02

**APN 4455-022-901 and APN 4455-022-902
 Open Space Restriction Parcels**



DETAIL
 SCALE 1"=100'

REV. ASSMNT. SEE:
 - 22

T. I.S., R. I.T.W.

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.

Exhibit 7
4-08-089
(LACDPW / MRT)
Open Space Restriction Area

**OFF-SITE COMPENSATORY HABITAT IMPACT MITIGATION TRACKING AND REPORTING FORM
MRT/LACDPW COLD CREEK VALLEY PRESERVE RESTORATION SITE – CDP 4-08-089**

LACDPW Project Information

CDP No.: _____
 Project Location: _____
 Date Commission Approved: _____
 Habitat Type Permanently Impacted: _____
 Area of Habitat Permanently Impacted on Project Site (in acres): _____

*Attach "Notice of Intent to Issue Coastal Development Permit" for project with this form.

Habitat Type	Total Restoration Area Authorized Pursuant to CDP 4-08-089	Portion of Total Restoration Area Previously Utilized To Satisfy Off-Site Mitigation Requirements	Portion of Remaining Restoration Area to be Applied as Mitigation for Project Above	Remaining Acreage of Restoration Area Available for Use in Satisfaction of Other Off-site Mitigation Requirements
MIXED CHAPARRAL (includes Chaparral, Ceanothus Chaparral, Willow Scrub, Chaparral Oak/Walnut/Sycamore Woodland type habitats)	1.80	0	0	1.80
RIPARIAN (includes Riparian and Oak/Sycamore Riparian Woodland type habitats)	0.40	0	0	0.40
Totals	2.20	0	0	2.20

Note: All areas shown in acres.

Exhibit 8 4-08-089 (LACDPW / MRT) Mitigation Tracking and Reporting Form
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