

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: MATERIAL AMENDMENT

Application No.: 5-91-286-A11

Applicant: City of Los Angeles

Location: 15101 Pacific Coast Highway, Potrero Canyon, Pacific Palisades, City of Los Angeles, Los Angeles County

Description of Amendment: Amend Special Condition 3 to allow sale of last seven City-owned canyon rim lots (15205, 15209, 15213, 15217, 15329, and 15333 De Pauw Street and 15206 Earlham Street). Direct funds to an established trust fund to be used solely for completion of remaining phases of development of Potrero Canyon Park Restoration Project.

Description of Original Coastal Development Permit: Installation of approximately three million cubic yards of clean fill dirt in Potrero Canyon: First Phase (now completed) entailed installation of subdrain system, storm drain, and 25 feet of fill; Second Phase (Now Completed) included 75 additional feet of fill, some deep excavations of landslides, and reconstruction of buttress fills along canyon sides; Third Phase Three is the construction of additional buttress fills, park and restored riparian habitat area. Coastal development permit approved with conditions on September 11, 1991.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The City of Los Angeles proposes an amendment to the original coastal development permit to allow the public sale of the last seven City-owned Canyon rim lots. Funds generated by the sale will go into a City established and administered trust fund used solely for completion of the remaining phases of development of the Potrero Canyon Park Restoration Project, consistent with the City's agreement to mitigate the loss of 3.69 acres of riparian habitat. The City of Los Angeles has neither a certified Local Coastal Program nor a certified Land Use Plan for the planning subarea of Pacific Palisades. Therefore, the standard of review is the Coastal Act.

Staff recommends **approval** of the proposed coastal development permit amendment with changes to three special conditions to permit the applicant to sell the last seven City-owned lots, require a coastal development permit for any future development, and require biannual progress and accounting reports. Additionally, staff recommends the Commission impose Special Condition 28, which would require the applicant to work with Caltrans and submit a detailed analysis of the feasibility of a pedestrian access crossing at Pacific Coast Highway adjacent to the approved trail system at the mouth of Potrero Canyon. The applicant would also be required to comply with all previously approved conditions of approvals.

Procedural Note:

The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166.

The project is a substantial change from that previously approved. Therefore, pursuant to Section 13166 of the Commission's regulations, the Executive Director is referring this application to the Commission.

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APPENDICES

- Appendix A – Previous Permit Amendments and Substantive File Documents¹
- Appendix B – List of Approved Conditions, Including Special Conditions Recommended in this Report

EXHIBITS

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Site Plans
- Exhibit 3 – Parcel Maps
- Exhibit 4 – Project Budget
- Exhibit 5 – Project Schedule

¹ Full permit amendment files and substantive file documents available at the South Coast Commission office in Long Beach

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the proposed amendment to Coastal Development Permit No. 5-91-286 subject to the conditions set forth in the staff recommendation.*

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

Resolution:

The Commission hereby approves a coastal development permit amendment 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 amendment 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.

III. STANDARD AND SPECIAL CONDITIONS

The following is adopted as part of the Commission's resolution:

Appendix B, attached, includes all standard and special conditions that apply to this development as approved by the Commission in its original action 5-91-286 and all subsequent amendments to the permit through Amendment No. 11. Typographical errors have been corrected for consistency and references to specific amendments are noted in [brackets]. All special conditions have been assigned numbers sequentially based on the permit amendments they were imposed under.

This coastal development permit amendment would change Special Condition 3, Special Condition 22, and Special Condition 25 and impose Special Condition 28, as detailed below. Proposed changes are presented with eliminated words ~~struck through~~ and new words underlined. Unless specifically changed by this amendment, all standard and special conditions attached to Coastal Development Permit No. 5-91-286 and/or amendments thereto shall remain in effect.

1. **Change Special Condition 3. Acceptance of Conditions, Timing of Sale of Residential Lots:**

- A1. Within 90 days of the Commission's action on this permit, the City Council of the City of Los Angeles shall adopt an ordinance, resolution or other action deemed appropriate by the Executive Director accepting the terms and conditions of this permit. The ordinance shall further specify that the City shall not offer for sale any of the city-owned residential lots adjacent to the canyon until the riparian habitat and park construction outlined in these conditions has been completed, the park open for public use, and a source of funds for its inspection and continued maintenance has been identified.
- A2. Notwithstanding section A1. of this condition, the City may sell any lots adjacent to the canyon prior to completion of the park and riparian habitat only if the funds acquired from the sale are deposited into the City's Potrero Canyon Trust Fund for exclusive use for the completion of the Potrero Canyon Park Restoration Project. Any future sale of lots beyond those approved in this permit shall require Commission approval through a permit amendment. When the city-owned residential lots adjacent to the park property are sold, each deed shall include a restriction that gives notice to the buyer that the park created by this restoration program has been deeded for public purposes in perpetuity.
- B. Permit the sale of two of the city-owned residential lots restricted in Special Condition 3A, specifically located at 615 and 623 Alma Real Drive. Monies from the sale of the specified lots will be directed to the Potrero Canyon Trust Fund and be used to fund additional geologic investigation within Potrero Canyon, and for the design of final grading plans and park plans for the Potrero Canyon Park Restoration Project.
- C. Permit the sale of six of the city-owned residential lots restricted in Special Condition 3A, specifically located at 15229/15233, 15237, 15241, 15253, 15261 and 15265 De Pauw Street, as generally depicted in Exhibit No. 2 attached to this staff report. Monies from the sale of the specified lots will be directed to the Potrero Canyon Trust Fund and be used to fund construction of the approved Potrero Canyon Restoration Project.

D. Permit the sale of six of the city-owned residential lots restricted in Special Condition 3A, specifically located at 15221, 15225, 15273, 15277, 15281, and 15285 De Pauw Street, as generally depicted in Exhibit No. 3 attached to this staff report. Monies from the sale of the specified lots shall be directed to the Potrero Canyon Trust Fund and be used to fund construction of the approved Potrero Canyon Restoration Project.

E. Permit the sale of seven of the city-owned residential lots restricted in Special Condition 3A, specifically located at 15205, 15209, 15213, 15217, 15329, and 15333 De Pauw Street and 15206 Earlam Street, as generally depicted in Exhibit No. 3 attached to this staff report. Monies from the sale of the specified lots shall be directed to the Potrero Canyon Trust Fund and be used to fund construction of the approved Potrero Canyon Restoration Project.

~~E~~F. After close of escrow for the sale of the lots indicated in section B, C, D, and E. of this condition, the City shall submit to the Executive Director, for his review and approval, documentation verifying that the funds acquired from the sale of these lots have been deposited in the Potrero Canyon Trust Fund.

2. **Change Special Condition 22. Future Development:** This permit amendment is only for the development described in coastal development permit amendment 5-91-286-A4011. Pursuant to Title 14 California Code of Regulations section 13253(b) the exemptions otherwise provided in Public Resources Code section 30610(b) shall not apply to the development governed by the coastal development permit amendment 5-91-286-A4011. Accordingly, any future improvements to the structures authorized by this permit amendment shall require an amendment to permit 5-91-286 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

3. **Change Special Condition 25. Progress Report:** The applicant shall agree in writing, prior to issuance of this Amendment No. 11, for the review and approval by the Executive Director, to submit ~~an agreement commencing one year from the date of Commission approval of this amendment;~~ an biannual report detailing the progress of the Potrero Canyon Restoration Project and (1) an accounting of the expenditures to date, and (2) projected expenditures of funds from the Potrero Canyon Trust Fund during the next six month period, (3) the remaining balance of the account, and (4) tasks yet to be undertaken and the projected costs of those tasks. The applicant shall submit the first report no later than December 26, 2014.

Consistent with the conditions of the permit, as amended, the report shall include separate line items for each of the following components of the riparian habit and park, including but not limited to: establishment of riparian habitat area, establishment of park open space, landscaping materials, trails materials, benches, signs, the fire/maintenance road, and the lateral access trail to Pacific Coast Highway.

Funding for the lateral access trail between the mouth of Potrero Canyon and the intersection of Pacific Coast Highway and Temescal Canyon Road shall not be diverted from funds currently allocated to the riparian habitat and the park within Potrero Canyon. The lateral access trail shall be funded using the surplus funds currently detailed in the project budget, and may also receive funds currently budged for unanticipated conditions, contingency funds.

and other funds which are unspent upon completion of sale of the seven residential lots, final grading of Potrero Canyon, and completion of the riparian habitat and park.

If, upon review of any biannual progress report, the Executive Director determines that the remaining balance of the fund is insufficient as to complete the development consistent with the conditions of the permit, as amended, the applicant shall apply for an amendment to the permit within 60 days of Executive Director's notification unless the Executive Director determines that no amendment is legally necessary.

Additionally, the applicant shall immediately report any change to the project schedule to the Executive Director and the applicant shall apply for an amendment to the permit within 60 days of Executive Director's notification unless the Executive Director determines that no amendment is legally necessary.

4. **Impose Special Condition 28. Study of Pedestrian Access Crossing at Pacific Coast Highway:** The City and its contractors and engineers shall work with Caltrans and submit, subject to the review and approval of the Executive Director, a detailed analysis of the feasibility of a pedestrian beach access crossing at Pacific Coast Highway adjacent to the approved trail system at the mouth of Potrero Canyon. The analysis shall consider alternative beach access designs, including but not limited to, a pedestrian bridge crossing, a pedestrian tunnel, and a signalized at-grade pedestrian crossing over the highway. The analysis shall include a report detailing the projected costs of all alternatives. This permit amendment does not approve the construction of any pedestrian beach access crossing and an amendment to Coastal Development Permit No. 5-91-286 or a new coastal development permit shall be required prior to construction of any pedestrian access crossing.

IV. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION AND DESCRIPTION

The City of Los Angeles Department of Recreation and Parks proposes to amend a previously issued Coastal Development Permit (CDP) that allowed the City to fill a coastal canyon (Potrero Canyon) to protect the homes on the canyon rim from landslides. Potrero Canyon is located approximately 0.5 miles north of Chautauqua Boulevard and 0.5 miles south of Temescal Canyon Road in the Pacific Palisades area of the City of Los Angeles (**Exhibit 1**).

The City requests to change Special Condition 3 of the original CDP to allow for the sale of the last seven City-owned lots prior to the completion of the grading and construction of the riparian habitat and public park (**Exhibits 2-4**). The seven lots are designated as:

15205 W. De Pauw Street
15209 W. De Pauw Street
15213 W. De Pauw Street
15217 W. De Pauw Street
15329 W. De Pauw Street

15333 W. De Pauw Street
15206 Earlham Street

The City purchased 22 residential properties located along the canyon rim as a consequence of litigation due to unsafe conditions created by landslides within the canyon. In its approval of 5-91-286 on September 11, 1991, the Commission imposed Special Condition 3, restricting the City from selling any of those residential lots until the park and habitat mitigation component of the canyon fill project were installed. Subsequently, through approved Amendment Nos. 6, 8, and 9, the Commission has allowed the sale of 15 of the 22 residential lots to provide financing for the park and riparian habitat mitigation project.

Funds generated by the sale of the City owned residential lots are directed to the Potrero Canyon Trust Fund (PCTF). The PCTF is an account established by the City in 2008 to hold and distribute money solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project.

The original approved construction plans for the Potrero Canyon Park Restoration Project have not been completed. According to the City, in order to fund the remainder of the approved project, approximately \$8.2 million of new revenue needs to be generated and the sale of the last seven lots is projected to generate \$8.8 million (**Exhibit 4**). Permission to sell the lots requires Commission approval through a permit amendment.

B. PROJECT HISTORY

Coastal Development Permit 5-91-286, as currently amended, allows the City to place 3 million cubic yards of fill in Potrero Canyon, a coastal canyon inland of Pacific Coast Highway. Before the fill occurred there was a blue line stream and 3.69 acres of riparian vegetation, primarily willow woodland at the bottom of the canyon. The sides of the canyon were covered with coastal sage scrub. The fill in the canyon was necessary because landslides had resulted in the loss of 20 homes and endangerment of other homes. The original permit included fill 100 feet above the flow line of the stream, plus additional buttress fills, wedges of earth, extending up to the level of existing lots on the canyon rims. After denial of the initial permit application, Coastal Development Permit No. 5-86-958 was granted in 1988 and reissued as 5-91-286 in 1991, after the initial permit expired. The Commission found that the development as proposed was not consistent with Section 30231 and 30240 of the Coastal Act and could only be approved if the applicant agreed to restore the riparian habitat area that had existed in the canyon bottom at a 2:1 ratio. The City proposed 7.4 acres of mitigation (slightly greater than a 2:1 ratio) to be constructed as an artificial riparian habitat area on top of the fill at the completion of the grading portion of the project (Phase Three).

In 1991, the City proposed the first amendment to the permit (5-91-286-A1), consisting of the first draft of the Phase Three plans, but withdrew the amendment in order to conduct community meetings on the design of the riparian mitigation. The City's second amendment (5-91-286-A2), approved in 1993, proposed restoration of 7.9 acres of riparian habitat (an increase in 0.5 acres from the previously approved permit to account for additional grading), located in a basin protected by a plastic liner such as is used in landfill projects. That amendment to the permit also included the final design of the upper buttress fills, and a 12-foot wide fire road/trail

access through the canyon, and a final conceptual design of the riparian area. The third amendment (5-91-286-A3) was approved with conditions by the Commission in 1996 and allowed a design change in the road at the canyon entrance. The fourth amendment (5-91-286-A4), approved with conditions by the Commission, amended Phase Two of the slope stabilization and canyon fill portion of the project to repair landslide failures between Alma Real Drive and Friends Street. Amendment No. 4 was never issued due to more recent slides in the proposed project vicinity that warranted a more significant stabilization plan than what was approved previously. Amendment 5 was incomplete and returned to the applicant due to inactivity.

In 2008, the Commission approved amendment No. 6, for the sale of two of the 22 City-owned canyon rim lots (615 and 623 Alma Real Drive). The lots were sold and generated approximately \$4.6 million. The money was placed in the City's Potrero Canyon Trust Fund (PCTF). According to the City, the money generated by the sale of the initial two lots was used to fund the initial phase of construction that consists of repair of the slope below 211 and 231 Alma Real Drive (Amendment No. 7). Amendment No. 7, approved in October 2009, allowed an additional 161,000 cubic yards of fill for the construction of a 130 foot high, 2:1 fill slope near the mouth of the filled canyon along the eastern slopes of the canyon to stabilize the slope below the two private properties.

In 2010, the Commission approved Amendment No. 8, for the sale of six City owned canyon rim lots (15229/15233, 15237, 15241, 15253, 15261 and 15265 De Pauw Street). Because one of the lots was sold as a double lot, the inventory of City-owned lots available for sale was reduced to 13. The money was deposited into the PCTF and is being used towards the completion of the canyon grading. An additional six lots (15221, 15225, 15273, 15277, 15281, and 15285 De Pauw Street) were approved for sale under Amendment No. 9 in 2012. Seven of the original 22 lots remain under the title of the City and subject to the sale proposed by Amendment No. 11.

The initial grading for the project consisted of three phases. Phase One included clean out of the canyon and installation of a storm drain. Phase One was completed in 1990. Phase Two was to consist of the importation of 2.5 million cubic yards of fill to raise the canyon grade considerably. During construction it was found that the required removal of existing landslide debris was not practicable without the deep removals to expose undisturbed bedrock, necessitating the creation of several stabilization fills in addition to the level fill. Approximately sixty-five percent of the proposed grading was completed prior to 2004 when a lack of funding caused work to cease. Phase Two was completed in 2013 under Amendment No. 10 when the City finalized additional grading within Potrero Canyon to repair the pre-existing landslide along the western slope of the canyon. That grading stabilized the canyon below two of the City-owned lots which are subject to the sale proposed by the subject Amendment No. 11 (15329 and 15333 De Pauw Street).

Phase Three is planned to involve the creation of additional stabilization fills, the installation of the required habitat and mitigation areas, and the establishment of a public park including open space and a trail system and other passive park amenities. Final construction is projected to take place between April 2016 and April 2018 (**Exhibit 5**).

C. GRADING

Section 30253 of the Coastal Act states in part:

New development shall:

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

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The entire grading and slope stabilization project was approved because the City supplied the Commission convincing evidence that there was no other feasible way to stop ongoing collapse of the canyon walls and destruction of privately owned houses located on the canyon rim. According to the City, completion of the original approved Potrero Canyon Park Restoration Project requires sale of the City owned lots to help finance the final planning and construction of the project since the only source of funding for the completion of the project is from the sale of the 22 City-owned lots located along the Canyon's rim.

This amendment would allow for the sale of the remaining seven City-owned residential lots. The City proposes to utilize funds generated from the sale of the residential lots to continue funding the grading for the main canyon and the riparian habitat and park development.

According to the City's Geotechnical Engineering Division, most of the upper reaches of the canyon have been filled to an elevation within a few feet of the finished rough grade. Approximately 233,650 cubic yards of compacted fill still needs to be placed within the canyon with a majority of the fill to be placed in the southern (seaward) portion of the canyon.

The remaining grading for the project (Phase Three), some of which is part of the Commission approved canyon fill project has been divided by the City into four Planning Units. The four Planning Units and City's progress towards completing them are as follows:

Unit 1, Elkus – Pardee *[Completed in 2012]* Unit 1 included a portion of the east side of canyon wall in the southerly portion of the project. During the 2005 winter storms, the upper portion of the slope at the rear of 211 and 231 North Alma Real Drive, owned by the Elkus and Pardee families, had failed. This was a relatively shallow but steep failure that occurred within the upper portion of the canyon wall. Approximately 173,000 cubic yards of fill was required to complete Unit 1.

Unit 2, Main Canyon Grading and Park Development *[Ongoing, Subject to Progress Reporting Condition]* Unit 2 includes most of the northerly portion of the canyon. A geotechnical study has been prepared by URS [geotechnical consultants] under the direction of GEO [Geotechnical Engineering Group] which provides data, analyses, and recommendations for the grading of the canyon walls. The work is included in the subject

project budget, subject to additional funding generated from the sale of the lots proposed in this amendment.

Unit 3, Friends Street Slope [*Ongoing, Subject to Progress Reporting Condition*] Unit 3 includes the area along the west wall of the canyon opposite Unit 1. A detailed geotechnical investigation by GEO was prepared for a sewer and storm drain project that extends from Friends Street beneath the slope into the canyon. This geotechnical data will be submitted to the DBS [Department of Building and Safety] in a separate report. This unit of the project also includes the riparian habitat and park development, as required by Special Condition 24. The work is included in the subject project budget, subject to additional funding generated from the sale of the lots proposed in this amendment.

Unit 4, PCH Slope [*Potential Project, not approved by the Commission*] Unit 4 includes the slope that extends from Pacific Coast Highway to Friends Street. This slope was graded during the earlier phases of grading, under the consultant's oversight. More recently obtained geotechnical data indicates that this slope is potentially unstable. Additional geotechnical studies are recommended to address this area. The work within this unit may include the construction of a pedestrian bridge over Pacific Coast Highway to provide a more direct connection between the beach and the park. There are no structures for human habitation at the top and bottom of the slope. Reducing the acceptable calculated factor of safety may reduce the cost of mitigating the stability of the slope. However, a reduced stability may have consequences affecting the overall safety of park users utilizing any future bridge over PCH. The work is not included in the project budget and would require an amendment to the original permit or a new coastal development permit, subject to Commission approval. The City has previously stated that it will consider applying for a permit to construct a pedestrian bridge after completion of the rest of the project, subject to available funding.

Special Condition 3 of the Coastal Development Permit No. 5-91-286, as originally approved by the Commission in 1991, required the City Council to adopt and submit an ordinance specifying that the City would not offer for sale any of the city-owned residential lots adjacent to the canyon until the riparian habitat and park construction was completed, the park was open for public use, and a source of funds for its inspection and continued maintenance was identified. The Commission allowed a change to the special condition in Amendment No. 2 when the City argued that in the future it would need to sell some lots in order to raise money to complete the work in the approved project. The Commission approved Amendment No. 6 in order to allow the City to sell the first two lots to raise money for the initial riparian habitat and park designs and plans. In approving Amendment No. 8 to generate funds to begin construction of the riparian habitat and park, the Commission imposed Special Condition 25, requiring the City to submit an annual progress report on the status of construction and the budget of the entire project. Under Amendment No. 9, the City was permitted to sell six additional lots, provided it demonstrated significant progress towards the completion of the Potrero Canyon Park Restoration Project, consistent with the permit, as amended.

The City provided its most recent status report dated June 26, 2014, detailing its progress and the most recently updated projected expenditures and budget for the riparian habitat and park. Progress since the last amendment authorizing sale of lots to generate funds (5-91-286-A9; July, 2012) includes:

- The 50% Final Grading and Park Plans
- The 70% Final Grading and Park Plans, incorporating minor design changes subject to the approval of the Executive Director.
- Additional Technical Advisory Committee meetings
- The De Pauw Street slope stabilization project authorized by Amendment No. 10
- Consultation with the California Department of Fish and Wildlife and the Army Corps of Engineers, as required by the original permit
- Continued development of landscaping plans
- The Draft Habitat Mitigation and Monitoring Plan, in consultation with Commission Ecologist Dr. Jonna Engel

The City has spent \$5,714,981 on the design and construction of the Potrero Canyon Park Restoration Project as of June 26, 2014. The City's cost estimate for completion of the entire project, including grading, restoration of the riparian habitat, and park, is \$24,829,295 (**Exhibit 4**). The City's cost estimate has increased since the Commission approved Amendment No. 9; the cost estimate for the entire project was previously \$27,500,000 and is now \$30,544,276.

The City's revenue projection has also increased. Amendment No. 9 projected revenue of approximately \$29,400,000 after the sale of all residential lots. According to the most recently submitted progress report submitted with the current amendment, sales of the residential lots have thus far generated \$22,314,422 and sales of the last seven lots are projected to generate \$8,800,000, for a total projected budget of \$31,114,423 (**Exhibit 4**).

The projected revenue of \$8,800,000 from the sale of the lots subject to this permit amendment may be conservative. The City generated approximately \$9,100,000 from the sale of the six lots authorized by Amendment No. 9, although it initially projected revenue of approximately \$7,100,000 (see 5-91-286-A9 staff report dated 6/12/12 for all previous cost and revenue projections).

The City's projected date for completion of the Potrero Canyon Park Restoration Project has also changed since the previous permit amendment authorizing sales of residential lots. According to information submitted with Amendment Nos. 8 and 9, the riparian habitat and the park were to be completed in 2015; construction of the park is now projected to occur from April 2016 to April 2018 (**Exhibit 5**).

To ensure that the park and habitat plans would be constructed in conjunction with the final grading, and included in the funding generated by the sale of the remaining lots, Special Condition 24 imposed under Amendment No. 8 (see Appendix B) requires that the City agree that park and riparian improvements approved by the coastal development permit, as amended, shall be completed as part of the final grading of the main canyon. The City continues to support this

requirement and continues to work with Commission staff to complete the park and habitat area during the same phase of the project (Phase 3). The City has stated that the final grading including stabilization work, the riparian habitat area and the park open space will take one year and the landscaping will begin one year from the start of construction, in order to allow the plant species to be ordered and harvested off-site by a private vendor. This would be consistent with Special Condition 9 of the original permit and with Special Condition 24 (see Appendix B).

To monitor the progress of the construction and expenditure of funds for the canyon project, as conditioned in the previous amendment, the City will continue to be required to submit progress reports. Because this amendment authorizes the sale of the remaining seven residential lots and therefore represents the last opportunity for the City to generate funds to complete the riparian habitat and the park, and because the project has incurred frequent delays and changes in budget, the Commission modifies **Special Condition 25** to require the City to submit progress reports biannually rather than annually. Because the most recent progress report was submitted June 26, 2014 (**Exhibits 4-5**), the special condition requires the applicant to submit the next progress report six months later, no later than December 26, 2014. The reports will also be required to create separate line items for each component of the project which was conditionally approved by the Commission, most essentially the riparian habitat restoration and the park. The reports will provide the Commission data on the construction and use of the funds and will enable staff to work with the City more effectively on condition compliance. If, based on information in the progress reports, the Executive Director determines that the funds budgeted to the riparian habitat, the park, or any other essential project component are insufficient as to complete the development required to satisfy the conditions of the coastal development permit, as amended, the applicant shall apply for an amendment to the permit within 60 days of Executive Director's notification unless the Executive Director determines that no amendment is legally necessary.

The Commission finds that the sale of the seven lots is necessary to continue and complete final grading and development of the riparian habitat and the park required by the permit. The City has established a conservative project scope and produced conservative revenue projections to ensure that the main canyon and park developments are completed on schedule and within budget. All work will continue to be consistent with the originally approved permit and subsequent amendments thereto, and any future proposed grading not previously approved will require an amendment to the original permit, as required by amended **Special Condition 22**. **Special Condition 3** has been changed to permit the sale of the final seven residential lots and continues to ensure that all money generated from the sale of the lots will be deposited into the Potrero Canyon Trust Fund and used to complete the remainder of the approved project. As conditioned the development is consistent with Section 30253 of the Coastal Act.

D. HABITAT

Section 30240 of the Coastal Act states in part:

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 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.

The primary impact on environmentally sensitive habitat generated by the original filling of the canyon approved under the permit was the elimination of a blue line stream and concomitant destruction of 3.69 acres of riparian habitat, including willows, sycamores, and associated understory. This impact was identified in the original EIR and required to be replaced at a 2:1 ratio, on site, as an EIR mitigation measure, by the Army Corps of Engineers, California Department of Fish and Game, and the Commission. After further amendments to the original permit, the required on-site replacement of riparian habitat restoration has increased to 7.9 acres.

The original coastal development permit was conditioned so that none of the previously described City-owned residential lots could be sold until the required habitat installation was completed and open to the public. The Commission previously approved the sale of two lots (Amendment No. 6) to fund additional geologic investigation of the canyon, and the creation of final grading plans and final habitat (park) restoration plans; and the sale of six lots each in 5-91-286-A8 and 5-91-286-A9 to go towards funding completion of remaining grading phases.

The City is currently working with Commission staff to complete the Final Habitat Mitigation and Monitoring Plan. Additionally, the City is working with staff on condition compliance to ensure that the final design of the habitat and the park satisfy the conditions of the original permit and subsequent amendments.

The City has submitted this amendment to request that the final seven residential lots be allowed to be sold prior to completion of the park and habitat area. According to the City, the sale of the City owned lots provides the only funding available to complete the canyon project. All funds from the sale of the lots go into the PCTF, which was established by the City to accept funding from the lot sales, which was specifically created for use for the canyon project, as conditioned by the amended coastal development permit.

Special Condition No. 3, as revised by this amendment, ensures that money from the sale of the residential lots will be directed to the PCTF for financing the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project and Special Condition No. 24 (imposed by Amendment No. 8) ensures that the park and riparian area shall be constructed along with the finished grading of the canyon. Therefore, as conditioned the project is consistent with Section 30231 and 30240 of the Coastal Act.

E. PUBLIC ACCESS AND RECREATION

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30223 of the Coastal Act states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

In its 1991 approval, the Commission required that the City mitigate impacts on coastal resources by preserving and enhancing the recreational use of the canyon. The Commission required that the City Department of Recreation and Parks provide a picnic area and trail link from the Palisades Recreation Center to Pacific Coast Highway so that in its final form, the park would provide coastal access. Due to the 200 foot high bluffs that exist throughout much of the adjacent areas in the Pacific Palisades, scant pedestrian access is available from inland portions of the Palisades to the coastline. This park, as designed and approved, has the potential to provide that access.

The 70% Final Grading and Park Plans completed by the City in 2014 do not include pedestrian access (or bicycle access or public vehicle access) to Pacific Coast Highway via the trail system at the mouth of Potrero Canyon. The City's most recent plan is to provide a vertical trail through Potrero Canyon Park from Palisades Recreation Center to the mouth of the canyon at a point just landward of Pacific Coast Highway. From that point, a lateral trail, separated from Pacific Coast Highway by a berm, would lead to the intersection of Temescal Canyon Road and Pacific Coast Highway, approximately 0.5 miles northwest from the bottom of Potrero Canyon. From that point, the public could cross the highway at a signalized intersection to access the coast at Will Rodgers Beach (**Exhibit 2**).

The City indicated in its application supporting Amendment No. 8 that Unit 4, PCH Slope (including a pedestrian bridge) was a high priority and that it would work to fund the project in future budgets. In its application supporting Amendment No. 9, the City indicated that although the pedestrian bridge was still a potential project, there was no funding for it and Unit 4 was not written into the budget. In a July 31, 2014 meeting and an August 14, 2014 staff site visit, the City stated that constructing the pedestrian bridge was its first priority following completion of all approved phases of the project. The City stated that no money has been specifically budgeted for the bridge but that any money remaining upon completion of the project could be spent to construct the bridge.

In order to provide maximum public access to the coast, the original permit required a parking lot and public restroom along Pacific Coast Highway and a trail connection to Pacific Coast Highway (Special Condition 8, Section A, sub-condition iv and v). The sub-condition requiring the parking lot to support 10-30 spaces was conditioned to allow for the parking to be relocated to an alternate location subject to Commission review and approval. The City proposes to relocate the parking required by that sub-condition to the Palisades Recreation Center, as the parking supply of the Rec Center is being expanded by 23 spaces (**Exhibit 2**). A public restroom is also provided at the Rec Center.

Special Condition 8, Section A, sub-condition iv required the City to submit park working drawings showing “trail connections to PCH and to Palisades Recreation Center”, but did not specify a specific mile marker or cross street on Pacific Coast Highway where the trails should connect; therefore the applicant’s plan to connect the trail system at the intersection of PCH and Temescal Canyon Road (**Exhibits 1-2**) is consistent with the terms of the original permit. In order to require the City to provide maximum public access, the Commission revises **Special Condition 25** to require the City to include the lateral access trail as a separate line item in the project budget and submit biannual progress and budget reports on its status. In order to ensure that funding the lateral access trail construction does not prevent the riparian habitat or the park from being constructed, the condition requires the City to allocate surplus money to the trail – rather than removing money from other components of the budget to pay for the trail. That condition also requires the City to plan and budget for benches and signs which will improve public access and recreation throughout the canyon. Additionally, the Commission imposes **Special Condition 28**, which requires the City and its contractors and engineers to work with Caltrans and submit, subject to the review and approval of the Executive Director, a detailed analysis of the feasibility of a pedestrian beach access crossing at Pacific Coast Highway adjacent to the approved trail system at the mouth of Potrero Canyon. The analysis shall consider alternative designs, including but not limited to a pedestrian bridge (similar to that envisioned by the applicant), a pedestrian tunnel, and a signalized at-grade pedestrian crossing over the highway.

As stated above, the original coastal development permit was conditioned so that none of the previously described City-owned residential lots could be sold until the park and trail access were completed and open to the public. Money from the sale of the residential lots would be used to create a final park and trail plan that would be compatible with the final grading plans for the stabilization of the canyon, and would provide maximum public access to the coast. **Special Condition 3**, as amended, ensures that money from the sale of the residential lots will be directed to the Potrero Canyon Park Trust Fund, an account established to hold and distribute money solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project. The condition will remain in effect with this amendment, and will ensure that the final grading will include the park and trail access. As conditioned, the project is consistent with Sections 30210, 30211, and 30223 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (“LCP”), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3.

The City of Los Angeles has neither a certified LCP nor a certified Land Use Plan for the Pacific Palisades planning subarea where the development subject to this permit is proposed. However, the City's work program to develop a Local Coastal Program considers natural hazards, public access and recreation, and habitat preservation issues for this area of the City. Approval of the proposed development, as conditioned to ensure that the riparian habitat restoration and passive park are completed, will not prejudice the City's ability to prepare a certifiable Local Coastal Program. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

For the portion of the proposed development that is being approved, with conditions, there are no feasible alternatives or mitigation measures (beyond the conditions imposed) available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

Appendix A – Previous Permit Amendments and Substantive File Documents

Description of Coastal Development Permit 5-91-286: Installation of approximately three million cubic yards of clean fill dirt in Potrero Canyon: First Phase (now completed) entailed installation of subdrain system, storm drain, and 25 feet of fill; Second Phase includes 75 additional feet of fill, some deep excavations of landslides and reconstruction of buttress fills along canyon sides; and Phase Three is the construction of additional buttress fills, park and restored riparian habitat area. Approved September 11, 1991.

Description of Amendment #1: Withdrawn.

Description of Amendment #2: Amend Potrero Canyon fill project Phase Three to: 1) lower final height of canyon floor to approximately 89 feet above flow line, 2) change interior road configuration to one fire lane/access trail 12 feet wide through the facility from Pacific Coast Highway to the Pacific Palisades Recreation Center, 3) increase riparian area from 7.4 acres to a maximum of 7.9 acres, 4) redesign configuration of buttress fills, 5) extend deadline for final engineering plans, and 6) install surface water diversion system. Amendment approved October 14, 1993.

Description of Amendment #3: Realign an approximately 560 foot long segment of a one-mile long fire/access road to be incorporated into landslide repair plans. Landslide repair includes demolition of Sunspot Motel, excavation of debris and importation of fill and construction of approximately 180 foot high, 87,000 cubic yard buttress fill. Amendment approved October 10, 1996.

Description of Amendment #4: Amend Phase Two of a slope stabilization and canyon fill project to repair landslide failures between Alma Real Drive and Friends Street up to the 231 Alma Real Drive rear property line and at 15202 Earlham Street (Wachtel property). The project will use approximately 300,000 cubic yards of fill now stock-piled at the site to extend buttress fill to two additional residential lots in order to stabilize hillsides at both sites. Amendment approved August 7, 2003 but never issued.

Description of Amendment #5: Incomplete submittal, returned due to inactivity.

Description of Amendment #6: Amend Special Condition #3 to allow for the sale of two of the twenty-two City owned canyon rim lots (615 and 623 Alma Real Drive). The money would be directed to an established Trust Fund and used solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project. Specifically, monies generated from the sale of these two lots would fund additional needed geologic investigations of Potrero Canyon, and creation of final grading plans and final park plans for the canyon. Permission to sell additional lots will require application for a subsequent amendment. Approved June 11, 2008.

Description of Amendment #7: Add an additional 161,000 cubic yards of fill for the construction of a 130 foot high, 2:1 fill slope near the mouth of the filled canyon along the eastern slopes of the canyon. The fill slope will be constructed on two private properties along the rim of the canyon and on City property to stabilize the slope. A drainage system, consisting of terrace drains and down drains will be incorporated into the fill slope. Approved October 8, 2009.

Description of Amendment #8: Amend Special Condition #3 to allow for the sale of six of the remaining twenty City owned canyon rim lots (15229/15233, 15237, 15241, 15253, 15261 and 15265 De Pauw Street). The money would be directed to an established Trust Fund and used solely for the completion of remaining phases of development of the Potrero Canyon Park Restoration Project. Specifically, monies generated from the sale of these six lots would fund construction of final grading within the canyon and park development for the Potrero Canyon Park Restoration Project. Permission to sell additional lots will require application for a subsequent amendment. Approved January 7, 2011.

Description of Amendment #9: Amend Special Condition No. 3 to allow for the sale of six of the remaining fourteen City owned canyon rim lots (15221, 15225, 15273, 15277, 15281, and 15285 De Pauw Street). The money would be directed to an established Trust Fund and used solely for the completion of remaining phases of development of the Potrero Canyon Park Restoration Project. Specifically, monies generated from the sale of these six lots would fund construction of final grading within the canyon and park development for the Potrero Canyon Park Restoration Project. Permission to sell additional lots will require application for a subsequent amendment. Approved July 12, 2012.

Description of Amendment #10: Allow additional grading within Potrero Canyon to repair a pre-existing landslide along the western slope of the canyon. Grading will include removal of slide material, recompaction, adding 7,600 cubic yards of fill at a 2:1 slope, installation of drainage system, and relandscaping. Approved August 14, 2013.

Substantive File Documents:

1. Coastal Development Permits 5-86-958, 5-91-286 and approved amendments (City of Los Angeles, Department of Recreation and Parks).
2. City of Los Angeles Geotechnical Engineering Division, "Interim Design Report, Potrero Canyon Park Development Study," Updated October 5, 2010.
3. City of Los Angeles Geotechnical Engineering Division, "Pre-Design Report, Potrero Canyon Park Development Study," dated March 18, 2008.
4. City of Los Angeles Geotechnical Engineering Division, "Geotechnical Report, Potrero Canyon Park, Pacific Palisades, City of Los Angeles," dated March 11, 2008.
5. City of Los Angeles Geotechnical Engineering Division, "Geotechnical Real Estate Disclosure, Lot #38 of Tract 9377, 615 Alma Real Drive, Pacific Palisades, CA 90272," dated March 19, 2008.
6. City of Los Angeles Geotechnical Engineering Division, "Geotechnical Real Estate Disclosure, Lot #39, 623 Alma Real Drive, Pacific Palisades, CA 90272," dated March 19, 2008.
7. City of Los Angeles, Ordinance #179472 – Added Chapter 147 of Division of the Los Angeles Administrative Code – Potrero Canyon Trust Fund, adopted December 11, 2007.

Appendix B – Standard and Special Conditions

The following is adopted as part of the Commission’s resolution:

Appendix B, attached, includes all standard and special conditions that apply to this development as approved by the Commission in its original action 5-91-286 and all subsequent amendments to the permit through Amendment No. 11. Typographical errors have been corrected for consistency and references to specific amendments are noted in [brackets]. All special conditions have been assigned numbers sequentially based on the permit amendments they were imposed under.

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 (APRIL 15, 1993). Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any specific conditions as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any Condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and Conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and Conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and Conditions.

SPECIAL CONDITIONS:

1. **Timing of Condition Compliance.** *[Imposed under 5-91-286, amended by A2]*
 - a) The applicant shall deliver all resolutions and agreements specified in conditions 2-7 below to the Executive Director within 90 days of the Commission’s action on this permit.

- b) The applicant shall submit all final plans and mitigation programs as described in Condition 8 below within one year of the Commission's action on this permit.
- c) The applicant shall complete all corrections to plans and programs required below within 90 days of the review of such plans by the Executive Director or by the Commission, unless additional time is granted by the Executive Director for a good cause.
- d) Upon final inspection of the fill project the applicant shall notify the Executive Director. The plants, trails, signs, and other elements of the park use plan and habitat restoration plan shall be installed and public use shall begin within one year after completion of the grading work.

Failure to comply with the requirements within the time periods specified, or within such additional time as may be granted by the Executive Director for good cause, will terminate this permit.

- 2. **Assumption of Risk.** *[Imposed under 5-91-286]* Within 90 days of the Commission's action on this permit, the City and all co-applicants shall record a deed restriction and/or submit a resolution by the City Council, as deemed appropriate by the Executive Director, which provides that the applicants understand that the site may be subject to extraordinary hazard from landslides and erosion and the applicants assume the liability from those hazards; that the applicants shall indemnify and hold harmless the California Coastal Commission, its officers, agents, and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design construction, operation, maintenance, existence, or failure of the permitted project.

In addition, the document shall indicate that any adverse impacts on private property caused by the proposed project shall be fully the responsibility of the applicants. The applicants may submit, for compliance with this condition the resolution adopted in compliance with the similar condition applied to 5-86-958.

- 3. **Acceptance of Conditions, Timing of Sale of Residential Lots.** *[Imposed under 5-91-286, amended by A2, A6, A8, A9, and A11]*

A1. Within 90 days of the Commission's action on this permit, the City Council of the City of Los Angeles shall adopt an ordinance, resolution or other action deemed appropriate by the Executive Director accepting the terms and conditions of this permit. The ordinance shall further specify that the City shall not offer for sale any of the city-owned residential lots adjacent to the canyon until the riparian habitat and park construction outlined in these conditions has been completed, the park open for public use, and a source of funds for its inspection and continued maintenance has been identified.

A2. Notwithstanding section A1. of this condition, the City may sell any lots adjacent to the canyon prior to completion of the park and riparian habitat only if the funds acquired from the sale are deposited into the City's Potrero Canyon Trust Fund for exclusive use for the completion of the Potrero Canyon Park Restoration Project. Any future sale of lots beyond those approved in this permit shall require Commission approval through a permit

- amendment. When the city-owned residential lots adjacent to the park property are sold, each deed shall include a restriction that gives notice to the buyer that the park created by this restoration program has been deeded for public purposes in perpetuity.
- B. Permit the sale of two of the city-owned residential lots restricted in Special Condition 3A, specifically located at 615 and 623 Alma Real Drive. Monies from the sale of the specified lots will be directed to the Potrero Canyon Trust Fund and be used to fund additional geologic investigation within Potrero Canyon, and for the design of final grading plans and park plans for the Potrero Canyon Park Restoration Project.
 - C. Permit the sale of six of the city-owned residential lots restricted in Special Condition 3A, specifically located at 15229/15233, 15237, 15241, 15253, 15261 and 15265 De Pauw Street, as generally depicted in Exhibit No. 2 attached to this staff report. Monies from the sale of the specified lots will be directed to the Potrero Canyon Trust Fund and be used to fund construction of the approved Potrero Canyon Restoration Project.
 - D. Permit the sale of six of the city-owned residential lots restricted in Special Condition 3A, specifically located at 15221, 15225, 15273, 15277, 15281, and 15285 De Pauw Street, as generally depicted in Exhibit No. 3 attached to this staff report. Monies from the sale of the specified lots shall be directed to the Potrero Canyon Trust Fund and be used to fund construction of the approved Potrero Canyon Restoration Project.
 - E. Permit the sale of seven of the city-owned residential lots restricted in Special Condition 3A, specifically located at 15205, 15209, 15213, 15217, 15329, and 15333 De Pauw Street and 15206 Earlham Street, as generally depicted in **Exhibit No. 3** attached to this staff report. Monies from the sale of the specified lots shall be directed to the Potrero Canyon Trust Fund and be used to fund construction of the approved Potrero Canyon Restoration Project.
 - F. After close of escrow for the sale of the lots indicated in section B, C, D, and E. of this condition, the City shall submit to the Executive Director, for his review and approval, documentation verifying that the funds acquired from the sale of these lots have been deposited in the Potrero Canyon Trust Fund.
4. **Truck Haul Hours/Interference with Access.** *[Imposed under 5-91-286]* Within 90 days of the Commission's action on this permit, the applicant shall submit a written agreement that no trucks shall use Pacific Coast Highway during the peak beach use hours on weekends and holidays from Memorial Day weekend through Labor Day. Peak hours of beach traffic are the hours between 12:00 noon and 7:00 p.m.
5. **Conformance with Approved Grading Plans and Approved Erosion Control Plans.** *[Imposed under 5-91-286, amended by A2]* Within one year of the Commission's approval of this amendment [No. 2], the applicant shall provide revised final engineering plans, for the review and approval of the Commission. Prior to submittal the revised plans should be reviewed and approved by the project geologist, generally conforming to the preliminary plans approved in this amendment action. The plans shall be stamped by the project geologist and a

licensed civil engineer, and where appropriate, the project naturalist. The plans shall be consistent with the following:

- a) The revised plans and calculations shall be based on previous geologic reports and shall be approved in writing by the City of Los Angeles Board of Building and Safety.
- b) The construction shall use materials specified by the Board, and in geology reports by John Byer, except that if approved by the geologist, six inch concrete chunks and windrowed rocks may be incorporated in the fill. Any expansion of the area of disturbance described in this amendment [No. 2] or work on properties not described in permit file 5-87-958 or 5-91-286 will require an amendment to this permit.
- c) The applicant shall also agree to control dust and to carry out temporary erosion control measures to stabilize all slopes and loose earth during the rainy season (October 1 – April 1) and take any additional measures including temporary revegetation necessary to avoid dust storms, siltation, mudflows, or erosion onto the highway or into ocean waters. These measures shall include but not be limited to measures indicated in plans dated 1/9/91 and stamped approved by the Department of Building and Safety. Each fall, the applicant shall install appropriate erosion control plans designed for that phase of the project on or before October 1.

Pursuant to this requirement, the applicant shall provide the Executive Director with copies of all letters and reports from the Department of Building and Safety, all updated geologic reports, and shall report at least every six months on the status of the project.

6. **Recreational Use.** *[Imposed under 5-91-286]* Within 90 days of the Commission's action on this permit, the City of Los Angeles shall agree by resolution that the trail and passive recreation areas developed as a part of this project shall: 1) be operated as a public park, 2) include such uses as bicycling and picnicking, and 3) shall be open during all daylight hours for public use, according to the normal practices for operation of a public park in the City of Los Angeles.
7. **Open Space Preservation Environmentally Sensitive Habitat/Woodland.** *[Imposed under 5-91-286]* Within 90 days of the Commission's action on this permit, the applicant as landowner shall agree, by resolution or other official action by the City Council of the City of Los Angeles, to maintain no less than 7.38 acres on the site, the area shown in Exhibit 2 [original permit], as riparian habitat in perpetuity. The resolution or other action shall state that the restored area shall be maintained in willow and sycamore habitat, and shall be protected from foot traffic, consistent with the Final Potrero Canyon Riparian Mitigation Proposal dated August, 1991 by ERCE.

The applicant shall also agree, by resolution, to refrain from all development within the Environmentally Sensitive Habitat/Woodland open space area except for development explicitly approved in this permit.

8. **Landscaping and Restoration Plans.** *[Imposed under 5-91-286, amended by A2]* Within one year of the Commission's action on this permit amendment [No. 2], the applicant shall submit

detailed landscaping plans and a restoration program for the review and approval of the Executive Director. The plans and program shall be consistent with the Final Potrero Canyon Riparian Mitigation Proposal, revised August, 1991 by ERCE.

Pursuant to this requirement, the applicant shall submit working drawings and a manual of operations showing detailed specifications including numbers and sizes of plants, final design for nuisance water recovery, and methods of maintenance and inspection. The project shall receive approval of appropriate City agencies, the California Department of Fish and Game, and the United States Fish and Wildlife Service. Any significant change in these plans or their method of execution shall be reported to require an amendment to this permit.

The program shall include:

A. The following plans to be completed within one year of Commission action:

- i. a statement of habitat objectives, including specific values to be restored and animal species utilization expected;
- ii. a detailed site plan;
- iii. detailed landscape plan, indicating sizes of plants used, planting methods, diversity and location of plant species and associated habitat value to riparian animal species. The plan shall provide willow and riparian vegetation in the riparian corridor, low water use landscaping and access corridor outside the riparian area, appropriate barriers, and restored coastal sage scrub habitat;
- iv. park working drawings showing picnic and trails areas that are compatible with coastal sage scrub and riparian restoration showing 1) clear and visible signage at PCH and at the Palisades Recreation Center, 2) trail connections to PCH and to Palisades Recreation Center, 3) automobile and bicycle parking at Palisades Recreation Center, and 4) landscaping to reduce visual impacts at Pacific Coast Highway. If the applicant proposes to use introduced vegetation in the passive recreation and trail area, the plans shall specify that no non-native plant species shall be employed. Invasive, non-native vegetation is specified, among other sources, in the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended Native Plant Species for Landscaping Wildland Corridors in the Santa Monica Mountains, dated January 20, 1992;
- v. the City shall work with Caltrans to prepare revised park plans that shall provide for public parking of not fewer than 10 and no more than 30 spaces on City or Caltrans property at the southern end of the canyon to serve the park. Restroom facilities shall be provided accessible to recreation areas and located on park or adjacent public property. The parking lot and restrooms shall be constructed as part of the final park improvements. Future concessions development may relocate or incorporate such parking and other facilities, but the parking and bathroom facilities shall be provided free of charge, shall be identifiable as public facilities, and their identifying signs shall remain visible from Pacific Coast Highway and the park. If

access for parking and construction of a restroom at the south (PCH) end of the canyon is not feasible, the City will submit plans for these facilities at an alternate location for the review and approval of the Commission; and

- vi. detailed final irrigation/runoff plan including final plans for use of nuisance water, pumps, water quality standards, and a water balance plan for the entire park. The plans shall maximize low flow collection to provide water for the riparian area. If necessary to supply water to the riparian area, the applicant may substitute paved terraces of low water use, non-invasive plants for the turf areas shown.
- B. A monitoring and maintenance program, to be provided for the review and approval of the Executive Director within one year of the Commission's action on this project, but to be instituted at the end of construction. This program shall include:
- i. inspection of the vinyl liner and materials under the liner by the consulting geologist and the engineer prior to installation of topsoil and plant materials;
 - ii. monitoring and maintenance of the restored area, by reports prepared at six month intervals for a period of two years, and annual reports for three additional years, which shall be provided to the Executive Director and the Recreation and Park Commission at these intervals;
 - iii. a training program for the Department's personnel to assure long term maintenance of the habitat area in a manner consistent with the purpose of this condition;
 - iv. replacement planting to ensure coverage of at least 80% of the site
 - v. monitoring of the irrigation system, of the riparian habitat area for water loss, and replacement of nuisance water pumps, or if necessary, repair and replacement of other fixtures installed as part of this mitigation program; and
 - vi. implementation of the City's non-point source, storm drain water quality improvement program, including the Best Management Practices required in the NPDES permit applicable to the Potrero Canyon facility, the surface diverter system, and the downtown Palisades storm drain system. At a minimum such a program shall include public information regarding the effects on the habitat and Santa Monica Bay of discharge into surface drains, and notification of the Recreation and Park Department maintenance staff by the project naturalist of acceptable and unacceptable irrigation, use of chemicals and fertilizers, and other limitations that might affect the water quality of the riparian area.
9. **Park and Riparian Habitat.** *[Imposed under 5-91-286]* Within one year from the completion of grading work, construction of the park in conformance with the Riparian Habitat Mitigation Plan required in special condition 8, and the Draft Park Plan dated 1/29/91 and 4/28/91 shall be completed, the 7.58 acres of riparian habitat shall be installed, the monitoring programs shall have begun, and the park shall be open to public use.

10. **Recycling Landslide Debris.** *[Imposed under A2]* Within 90 days of the Commission action on this amendment the City and its contractors and engineers shall explore with Caltrans the use of landslide debris and road failure material as a landfill source for Potrero Canyon, and possible location and methods for processing the fill so it would be suitable, and methods for using the landslide material. The results of interagency meetings on the subject shall be provided to the Commission. The City shall also agree to accept structural fill from Caltrans road maintenance projects at competitive rates.
11. **Evidence of Applicability of Assumption of Risk.** *[Imposed under A3]* Prior to issuance of the amendment to the permit, the applicant shall provide evidence for the review and approval of the Executive Director that 1) the Los Angeles City Council resolution assuming risk of the development, and 2) the documents assuming the risk of the development recorded on subdivided residential lots required by special condition 2 of coastal development permit 5-91-286 (consistent with the similar condition applied to the predecessor permit 5-86-958) adequately assume the risk of the expanded development. The applicant shall demonstrate that the present documents adequately indemnify the Coastal Commission from damage caused by landslides, mudslides, or slope failure. If the Executive Director determines that the present documents do not apply to the additional project area approved in the amendment, the applicant shall 1) amend its Council resolution and 2) record additional documents assuming the risk of the development, consistent with special condition 2 of permit 5-91-286, as required by the Executive Director.
12. **Timing of Buttress Fill.** *[Imposed under A3]* Prior to issuance of the amendment to the permit the applicant or its representatives shall agree to commence the revegetation program for the buttress fill area not later than six months following final inspection of the buttress fill approved in this amendment. Pursuant to this condition, by May 1, 1997, the applicant shall provide a plant list for the review and approval of the Executive Director. Said list shall include the varieties and the number of plants proposed, the sizes of container plants, and, if seed is proposed, the type of seed and methods proposed to ensure germination. The revegetation program shall be carried out and maintained consistent with the terms of special condition 8 of the permit 5-91-286. The applicant shall further agree to monitor the installation of coastal sage scrub for no fewer than five years. If, after one year, plant coverage is less than 80% and/or weedy or introduced species represent more than 10% of the plant coverage, the City shall re-install the coastal sage scrub vegetation. Pursuant to this condition, the applicant shall have annual reports prepared by a qualified biologist or revegetation expert and/or submit to Fish and Game, and shall agree to replant if necessary and to carry out other remediation measures recommended in the reports, of by the Executive Director upon review of evidence of failure of the project.
13. **Siltation Control.** *[Imposed under A3]* Prior to the issuance of the amendment to the coastal development permit, the City shall submit, for the review and approval of the Executive Director, an Erosion Control and Siltation Prevention Plan which controls erosion from the construction site, and prevents silt from the construction site from entering coastal waters during and after the construction. The applicant shall provide evidence acceptable to the Executive Director that the erosion control plans conform to the standards of the California Regional Water Quality Control Board and the U.S. Army Core of Engineers. The approved plan shall be implemented during construction of the proposed project.

14. **Consistency with Approved Plans and Foundation Design.** *[Imposed under A3]* Prior to the issuance of the amendment to the coastal development permit, the City shall submit, for the review and approval of the Executive Director, final plans for the demolition, excavation, fill, drainage devices, and roads which have been reviewed and approved for structural soundness and safety by a qualified engineer. The submitted plans must be in substantial conformance with the plans approved by the Commission and must contain the foundation design recommendations contained in the Geologic Review letter of approval from Joseph Cobarrubias dated February 23, 1996, and the report titled Geologic and Soils Exploration/Proposed Remedial Repair of Sunspot Motel Landslide, Pacific Palisades, J. Byer Group Project ID Number JB 16504-B, January 4, 1996. The quantity of over-excavated material shall generally follow the descriptions and reasoning indicated in this report. Any changes in the design of the proposed project which was approved by the Commission which may be required by the engineer, including any expansion of the size of the fill, additional fills, and/or additional excavations, shall be submitted to the Executive Director in order to determine if the proposed change requires a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. The proposed road and buttress fill shall be constructed in a manner consistent with the final approved plans.
15. **Assumption of Risk Waiver of Liability and Indemnity Agreement.** *[Imposed under A4, amended by A7 and A10]*
- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from specific hazards, such as landslide, erosion, and earth movement, (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 arising from any injury or damage due to such hazards.
- B. Prior to any conveyance of the property that is the subject of this coastal development permit, the applicant shall execute and record 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 (hereinafter referred to as the "Standard and Special Conditions"), and 2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special 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.

- C. Prior to the issuance of the coastal development permit, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

16. **Conformance of Design and Construction Plans to Geotechnical Report – Geologic Hazard.** *[Imposed under A4, amended by A7 and A10]*

- A. All final design and construction plans, including grading, elevation plans, and drainage plans, shall meet or exceed all recommendations and requirements contained in Geotechnical Investigation, Final Report, prepared by URS, dated February 17, 2010.
- B. Prior to the issuance of the amended coastal development permit, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.
- C. The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment of this coastal development permit unless the Executive Director determines that no amendment is legally required.

17. **Erosion and Drainage Control.** *[Imposed under A4, amended by A7 and A10]*

- A. Prior to issuance of the amended coastal development permit, the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and drainage control during and after construction that is consistent with Special Condition Number 5 of the original permit 5-91-286. This condition does not replace the previously approved erosion control special condition.
 - a. The erosion and drainage control plan shall demonstrate that:
 - i. During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties, Pacific Coast Highway, down slope areas and the Pacific Ocean;
 - ii. The following temporary erosion control measures shall be used during construction: 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;
 - iii. Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets; and
 - iv. All sediment shall be retained on site.
 - b. The plan shall include, at a minimum, the following components:

- i. A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
 - ii. A site plan showing the location of all temporary erosion control measures.
 - iii. A schedule for installation and removal of the temporary erosion control measures.
 - iv. A written review and approval of all erosion and drainage control measures by the applicant's engineer.
 - c. The drainage control plan shall demonstrate that:
 - i. Spill from trucks shall be controlled; spills of fuel shall be immediately cleaned up
 - ii. Stockpiles shall be covered
 - iii. Measures shall be taken to prevent tracking of sediment from the site
 - iv. Filters shall be installed in debris basins
 - d. The drainage control plan shall include, at a minimum, the following components:
 - i. The location, types and capacity of pipe drains and/or filters proposed.
 - ii. A schedule for installation and maintenance of the devices.
 - iii. A site plan showing finished grades (at ten-foot contour intervals) and drainage improvements.
 - e. Each year, the applicant shall install appropriate erosion control plans by October 1, consistent with Special Condition 5 of the original permit 5-91-286 as amended in 5-91-286-A2.
 - f. The applicant shall provide the Executive Director with copies of all letters and reports from the Department of Building and Safety, all updated geologic reports, and shall report at least every six months on the status of the project.
 - B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

18. **Proof of Legal Ability to Conduct Work on All Properties and to Comply with Conditions.** *[Imposed under A4, amended by A7 and A10]* Prior to issuance of the amended coastal development permit, the permittee shall provide 1) proof of the permittee's ability to carry out the project on any lot on which the project encroaches, and 2) proof of the applicant's ability to comply with all the terms and conditions of this coastal development permit. No land subject to this coastal development permit may be developed until and unless all terms and conditions relating to the project as a whole have been met and agreed to in writing by all parties with ownership interest.

19. **Submittal of Geotechnical Reports.** *[Imposed under A6]* After completion of the proposed geologic investigation and review of Potrero Canyon, the City shall submit the geotechnical

reports generated by the Geotechnical Engineering Division for the review and approval of the Executive Director.

20. **Submittal of Revised Project Plans.** *[Imposed under A6]* Prior to issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, two sets of revised conceptual grading plans that show the proposed grading for the Via de Las Olas canyon/landslide area removed from the project.
21. **Landscaping Plan.** *[Imposed under A7]*
 - A. Prior to issuance of the amended coastal development permit, the applicant shall submit detailed landscaping plans and a restoration program for the review and approval of the Executive Director. The plans and program shall be consistent with the Final Potrero Canyon Riparian Mitigation Proposal prepared by ERCE, dated August 1991. Pursuant to this requirement the applicant shall submit working drawings and a manual of operations showing detailed specifications including numbers and sizes of plants and methods of maintenance and inspection. Local native plant stock shall be used if available. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time 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 within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).
 - B. No permanent in ground irrigation systems shall be installed on site. Temporary above ground irrigation is allowed to establish plantings.
 - C. At the intervals of 6, 12, 24, 48 and 60 months from the date of issuance of Coastal Development Permit No. 5-91-286-A7, the applicant shall submit, as proposed in the Final Potrero Canyon Riparian Mitigation Proposal prepared by ERCE, dated August 1991, for the review and approval of the Executive Director, a monitoring report, prepared by a licensed biologist, landscape architect or qualified resource specialist that assesses whether the on-site restoration is in conformance with the restoration plan. The habitat goal is that at five years from the date of the first native plantings, the on-site restoration should provide no less than 80% coastal sage scrub plant cover. The monitoring reports shall include photographic documentation of plant species, plant coverage and an evaluation of the conformance of the resultant landscaping with the requirements of this special condition.
 - D. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

22. **Future Development.** *[Imposed under A7, amended by A10 and A11]* This permit amendment is only for the development described in coastal development permit amendment 5-91-286-A11. Pursuant to Title 14 California Code of Regulations section 13253(b) the exemptions otherwise provided in Public Resources Code section 30610(b) shall not apply to the development governed by the coastal development permit amendment 5-91-286-A11. Accordingly, any future improvements to the structures authorized by this permit amendment shall require an amendment to permit 5-91-286 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
23. **Final Grading Plans.** *[Imposed under A7, amended by A10]*
- A. Prior to issuance of the amended coastal development permit, the applicant shall submit, for the review and written approval of the Executive Director, two full size sets of final grading plans consistent with the project as described in this permit.
 - B. The permittees shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
24. **Scheduled Park and Riparian Improvements.** *[Imposed under A8]* The City shall submit a written agreement, prior to issuance of this amendment for the review and approval by the Executive Director, stating that park and riparian improvements approved in the original permit and subsequent amendments shall be completed as part of the City's completion of the main canyon grading and park development. If an amendment is required for revised grading and park plans, the amendment shall be submitted by the applicant and approved by the Commission prior to any future lot sales.
25. **Progress Report.** *[Imposed under A8, amended by A11]* **Change Special Condition 25.**
Progress Report: The applicant shall agree in writing, prior to issuance of Amendment No. 11, for the review and approval by the Executive Director, to submit a biannual report detailing the progress of the Potrero Canyon Restoration Project and (1) an accounting of the expenditures to date, (2) projected expenditures of funds from the Potrero Canyon Trust Fund during the next six month period, (3) the remaining balance of the account, and (4) tasks yet to be undertaken and the projected costs of those tasks. The applicant shall submit the first report no later than December 26, 2014.

Consistent with the conditions of the permit, as amended, the report shall include separate line items for each of the following components of the riparian habit and park, including but not limited to: establishment of riparian habitat area, establishment of park open space, landscaping materials, trails materials, benches, signs, the fire/maintenance road, and the lateral access trail to Pacific Coast Highway.

Funding for the lateral access trail between the mouth of Potrero Canyon and the intersection of Pacific Coast Highway and Temescal Canyon Road shall not be diverted from funds

currently allocated to the riparian habitat and the park within Potrero Canyon. The lateral access trail shall be funded using the surplus funds currently detailed in the project budget, and may also receive funds currently budgeted for unanticipated conditions, contingency funds, and other funds which are unspent upon completion of sale of the seven residential lots, final grading of Potrero Canyon, and completion of the riparian habitat and park.

If, upon review of any biannual progress report, the Executive Director determines that the remaining balance of the fund is insufficient as to complete the development consistent with the conditions of the permit, as amended, the applicant shall apply for an amendment to the permit within 60 days of Executive Director's notification unless the Executive Director determines that no amendment is legally necessary.

Additionally, the applicant shall immediately report any change to the project schedule to the Executive Director and the applicant shall apply for an amendment to the permit within 60 days of Executive Director's notification unless the Executive Director determines that no amendment is legally necessary.

26. **Nesting Bird Survey.** *[Imposed under A10]* If construction activities are scheduled to begin during bird nesting season (March 1 to August 31), the applicant shall have a qualified ornithologist visit the site and conduct a survey for nesting sensitive bird species. If nesting birds are found, construction activities will be delayed until the nests of any protected birds are no longer active. Construction activities will not occur during nesting season unless a preconstruction nesting survey, taken no more than two weeks prior to construction, finds no active nests in the construction area. Results of surveys will be documented and submitted to the Executive Director of the California Coastal Commission. If construction activities do not begin until after the end of nesting season (August 31), no nesting survey will be required.
27. **Future Residential Slope Development.** *[Imposed under A10]* All future residential development shall be prohibited from the graded slope, including but not limited to, retaining walls, garden walls, pools, equipment or storage sheds, and stairways. Chain-link perimeter fencing, or similar security fencing, consistent with City requirements, is allowed with appropriate permits.
28. **Special Condition 28. Study of Pedestrian Access Crossing at Pacific Coast Highway.** *[Imposed under A11]* The City and its contractors and engineers shall work with Caltrans and submit, subject to the review and approval of the Executive Director, a detailed analysis of the feasibility of a pedestrian beach access crossing at Pacific Coast Highway adjacent to the approved trail system at the mouth of Potrero Canyon. The analysis shall consider alternative beach access designs, including but not limited to, a pedestrian bridge crossing, a pedestrian tunnel, and a signalized at-grade pedestrian crossing over the highway. The analysis shall include a report detailing the projected costs of all alternatives. This permit amendment does not approve the construction of any pedestrian beach access crossing and an amendment to Coastal Development Permit No. 5-91-286 or a new coastal development permit shall be required prior to construction of any pedestrian access crossing.

Vicinity Map: Potrero Canyon, Pacific Palisades, Los Angeles



CONSTRUCTION & DEMOLITION SYMBOLS
 CONSTRUCT: REMODEL EXISTING: REMOVE: WORK BY OTHERS:

CONSTRUCTION NOTES:
 1. CONSTRUCT 12" DIA. STORM ACCESS ROAD PER DETAIL "D" ON SHEET C-3
 2. CONSTRUCT TYPICAL TERRACE BENCH AND DRAINAGE DITCH PER DETAIL "A" ON SHEET C-3
 3. SHEET C-4 TYPICAL CHECK DAM PER DETAIL "H" ON SHEET C-4
 4. CONSTRUCT STREAM PER DETAIL "F" SHEET C-3
 5. CONSTRUCT 5" WIDE GRADED TRAIL PER PLAN, FINISH PER LANDSCAPE PLANS
 6. CONSTRUCT SPLASH PAD 5'x10' WITH 12" THK. FACING RP RAP PER DETAIL "L" ON SHEET C-5
 7. EXISTING/PROPOSED DRAINAGE CHANNEL TO FLOWED SPREAD PER SHEET 50 (PLAN 5-221-1 AND 5-200-2)
 8. CONSTRUCT 2" WIDE DOWN DRAIN PER DETAIL "N" ON SHEET C-3
 9. CONSTRUCT DOWN DRAIN TO PIPE TRUNK PER DETAIL "M" ON SHEET C-3
 10. CONSTRUCT SPLASH WALL PER DETAIL "K" SHEET C-5
 11. INSTALL 12" PVC DIA. 30' STORM DRAIN PIPE
 12. INSTALL 8" PVC DIA. 35' SHORTER DRAIN PIPE
 13. INSTALL 8" PVC DIA. 35' FORCE MAIN
 14. CONSTRUCT RISER OUTLET PER DETAIL "Y" ON SHEET C-5
 15. CONSTRUCT 4" DIAMETER PER DETAIL "X" ON SHEET C-5
 16. INSTALL 18" RP
 17. INSTALL 6" PVC DRAINAGE WRAPPED WITH 3" CF/AF PER DETAIL "P" ON SHEET C-3
 18. RESTRUCTURE EXISTING TERRACE/DRAIN DRAIN DRAIN PER 5-200-3
 19. INSTALL 4" TEE AND VALVE IN VALVE BOX
 20. CONSTRUCT WOODCHISE STILING BASIN PER DETAIL "Q" ON SHEET C-5
DEMOLITION NOTES:
 1. PROTECT IN PLACE
 2. REMOVE EXISTING
 3. RELATIVE EXISTING STRUCTURES
 4. WOODY EXISTING STRUCTURE

LEGEND:
 EXISTING CONTOUR
 PROPOSED CONTOUR
 EXIST. STORM DRAIN
 PROPOSED STORM DRAIN
 EXIST. SEWER
 LIMIT OF WORK
 PROPOSED GRADING ELEVATION
 TERRACE BENCH
 EXISTING DRAINAGE BY
 MINIMUM REQUIRED LEVEL
 FLOW LINE
 DOWN DRAIN
 RP RAP
 RISER OUTLET W/ PAD
 PERMISSIBLE PAVED
 EDGE OF LIMER
 HYDRAULIC
 5" WIDE GRADED TRAIL
 LIMER SHELF (BELOW GRADE)
 SUDBURN
 VALVE BOX
 FORCE MAIN DISCHARGE
 DAYLIGHT LINE
 PROPOSED FORCE MAIN
 BUTTRISS AT WYWAY

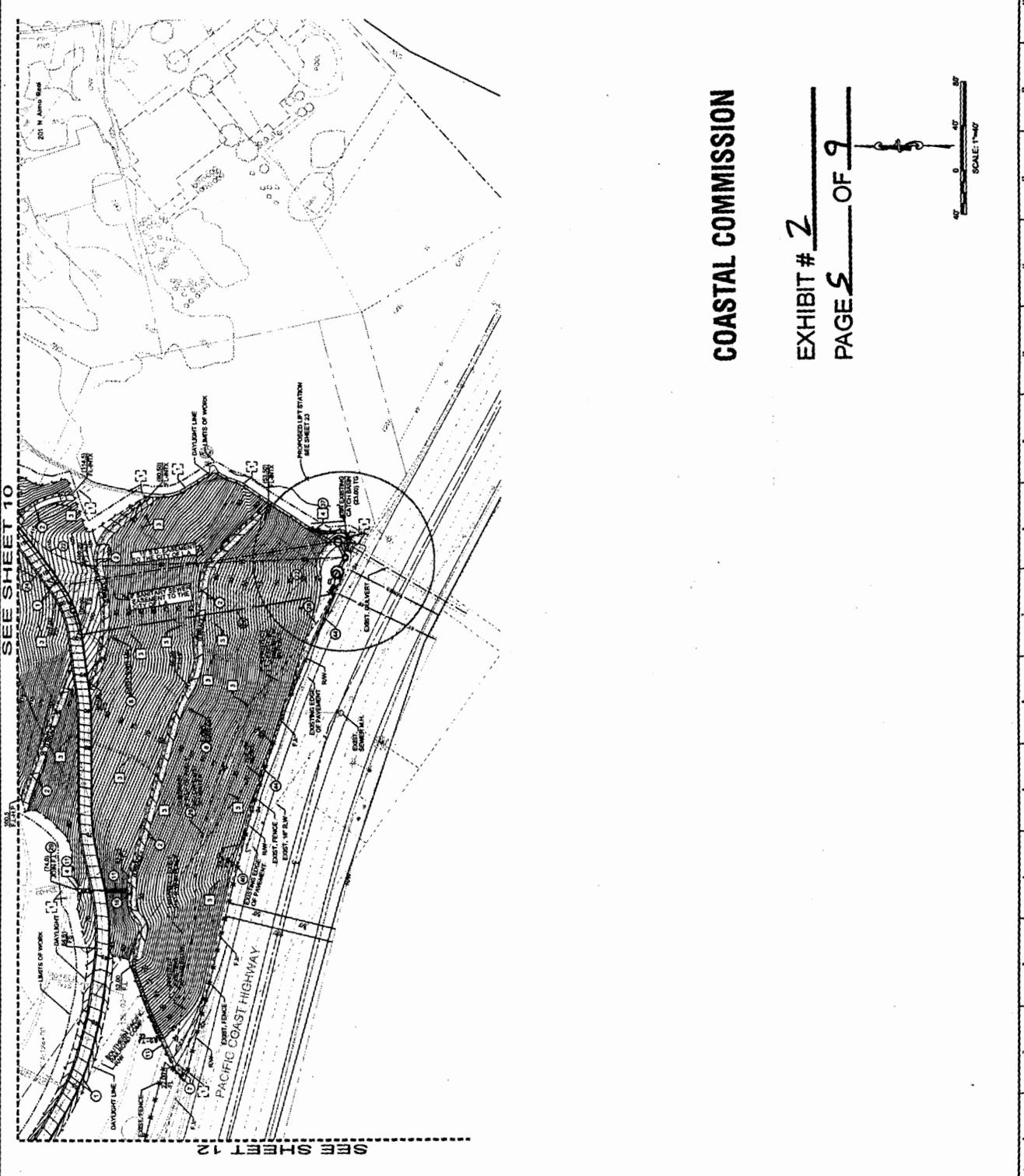


COASTAL COMMISSION
EXHIBIT # 2 OF 9
PAGE 4 OF 9
 SCALE: 1"=40'
 SHEET NO. C-10

		INDEX NO. _____ BUILDING NO. _____ DATE: _____	
PROJECT: GRADING AND DRAINAGE PLAN - 8 OF 9 POTRERO CANYON PARK 15800 PACIFIC COAST HIGHWAY PACIFIC PALISADES, CA 90272		DRAWN BY: GARY LEE MOORE CHECKED BY: MICHAEL J. GARDNER APPROVED BY: _____	
SHEET TITLE: GRADING AND DRAINAGE PLAN - 8 OF 9 CLIENT: LOS ANGELES DEPARTMENT OF PUBLIC WORKS CONTRACT NO.: E1507428 PURCHASE NO.: 720 DRAWING DATE: 11/20/11		SHEET NO.: C-11 SHEETS: 11 OF 11	

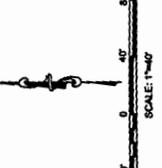
CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
 GARY LEE MOORE, P.E., CITY ENGINEER

- CONSTRUCTION & DEMOLITION SYMBOLS**
- CONSTRUCT
 - REMODEL EXISTING
 - EXISTING
 - REMOVE & RECONSTRUCT
 - REMOVE
 - WORK BY OTHERS
- CONSTRUCTION NOTES:**
- CONSTRUCT 12" SOIL CEMENT ACCESS ROAD PER DETAIL C-3
 - CONSTRUCT TYPICAL TERRACE BENCH AND DRAINAGE DITCH PER DETAIL A ON SHEET C-3.
 - CONSTRUCT TYPICAL CHECK DAM PER DETAIL H ON SHEET C-4
 - CONSTRUCT STREAM PER DETAIL F SHEET C-3
 - CONSTRUCT 12" THICK FACING RFP PER PLAN. FINISH PER LARCH PLANS
 - CONSTRUCT 5" WIDE GRADED TRAIL PER PLAN. FACING RFP PER DETAIL T ON SHEET C-5
 - ADJUST/REMOVE EXISTING MANHOLE TO FINISHED SURFACE PER SPINE STD PLAN S-321-1 AND SHEET C-3
 - CONSTRUCT 2" WIDE DOWN DRAIN PER DETAIL J ON SHEET C-3
 - RESTRICTIVE EXISTING DITCH AND EXISTING DRAINAGE STRUCTURES
 - CONSTRUCT 24" DIA. WALL PER DETAIL K DIT. C
 - INSTALL 12" PVC SDR 35 STORM DRAIN PIPE.
 - INSTALL 6" PVC SDR 35 FORCE MAIN
 - CONSTRUCT RISER OUTLET PER DETAIL Y ON SHEET C-3
 - INSTALL 4" PVC SUBIRRIAL WRAPPED WITH 3' OF ASPHALT & FILTER FABRIC
 - CONSTRUCT 12" THICK UNDERDRAINING PER DETAIL V ON SHEET C-3
 - INSTALL 8" TEE AND VALVE IN VALVE BOX AND WELT TO PUMP WELL
- DEMOLITION NOTES:**
- PROTECT IN PLACE
 - REMOVE EXISTING
 - REMOVE EXISTING STRUCTURE(S)
 - REMOVE EXISTING STRUCTURE
- LEGEND:**
- EXISTING CONTOUR
 - PROPOSED CONTOUR
 - EXIST. STORM DRAIN
 - PROPOSED STORM DRAIN
 - EXIST. SEWER
 - PROPOSED SEWER
 - PROPOSED GRADING ELEVATION
 - TERRACE BENCH
 - EXISTING DRAINAGE IN
 - MINIMUM REQUIRED LEVEL
 - FLOW LINE
 - DOWN DRAIN
 - RFP RFP
 - RISER OUTLET W/ FWD
 - PERMEABLE PAVEMENT
 - EDGE OF LINER
 - HYDRANT
 - 5" WIDE GRADED TRAIL
 - LANDS SLOPE (BELOW GRADING)
 - SUBDRAIN
 - VALVE BOX
 - FORCE MAIN DISCHARGE
 - DAYLIGHT LINE
 - 8" PROPOSED FORCE MAIN
 - MITTRESS ACTIVITY

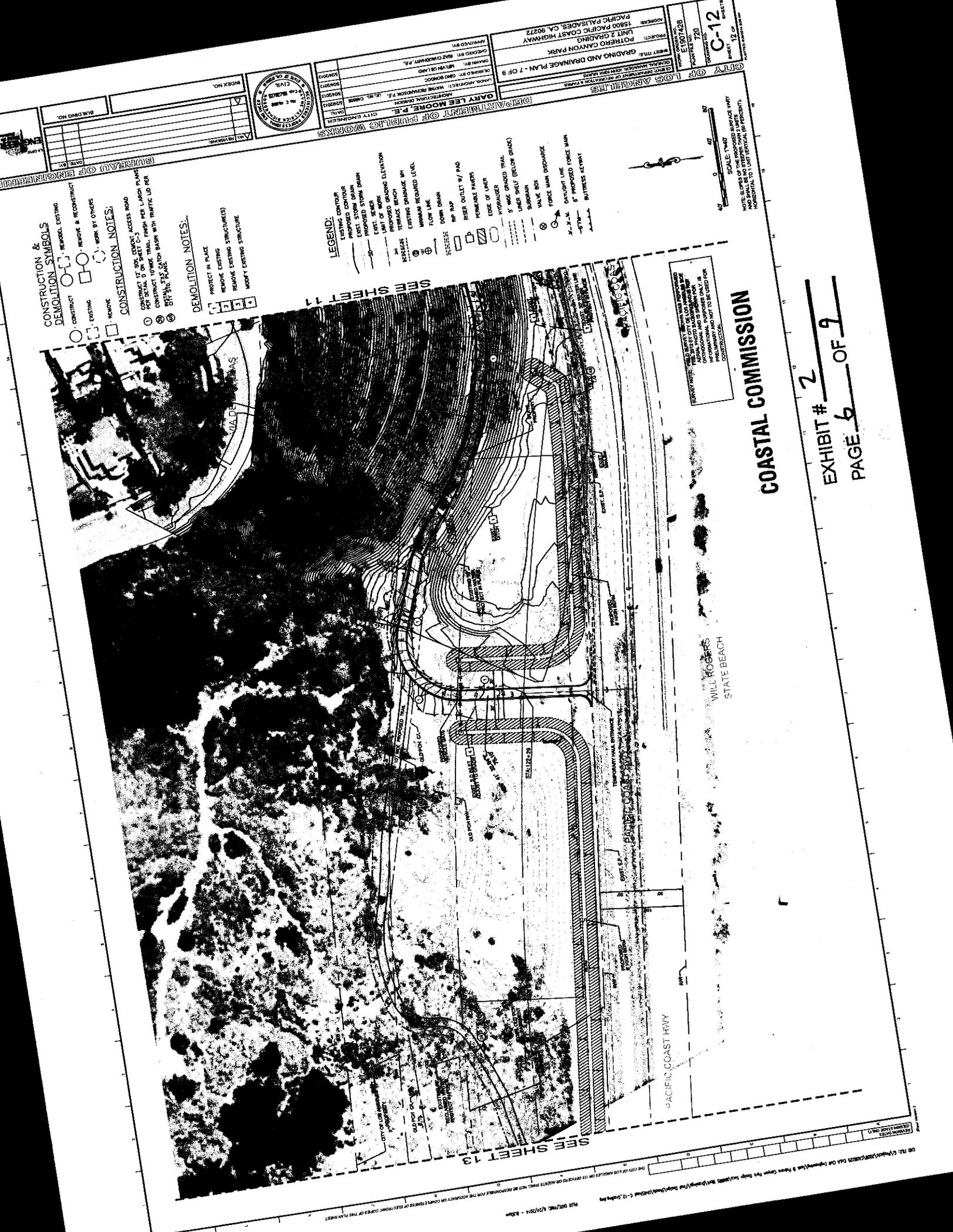


COASTAL COMMISSION

EXHIBIT # 2 OF 9
 PAGE 2 OF 9



NOTES: ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
 HORIZONTAL TO 1/8\"/>



CONSTRUCTION & DEMOLITION SYMBOLS

CONSTRUCT REMODEL EXISTING
 EXISTING REMOVE
 REMOVE BY OTHERS

CONSTRUCTION NOTES:

1. CONSTRUCT 12' SIDE CURB, ACCESS ROAD
 2. CONSTRUCT 6" ON SPREAD PER LATCH PLANS
 3. CONSTRUCT 10' WIDE TRAIL, TRASH PER LATCH PLANS
 4. CONSTRUCT 12' SIDE CURB, ACCESS ROAD WITH TRAFFIC LID PER
 5. SEE SPEC. FOR DETAIL

DEMOLITION NOTES:

1. PROTECT IN PLACE
 2. REMOVE EXISTING
 3. REMOVE EXISTING STRUCTURE(S)
 4. REMOVE EXISTING STRUCTURE
 5. WORK Y EXISTING STRUCTURE

LEGEND:

EXISTING CENTER LINE
 PROPOSED CENTER LINE
 EXISTING STORM DRAIN
 PROPOSED STORM DRAIN
 LEVEL OF WORK
 PROPOSED GRADING ELEVATION
 EXISTING DRAINAGE SW
 EXISTING DRAINAGE SW
 MINIMUM REQUIRED LEVEL
 FLOW LINE
 DOWN DRAIN
 RIF RAP
 RIVER OUTLET W/ PAD
 PERMISSIBLE PAVEMENT
 EDGE OF LAKE
 HYDRANT
 5' WIDE GRADED TRAIL
 LINER SHEL (BELOW GRADE)
 SUBURBAN
 VALVE BOX
 FORCE MAIN DISCHARGE
 DRAINAGE LINE
 PROPOSED FORCE MAIN
 BUTTRESS RETAINMENT

SCALE: 1"=40'
 NOTE: SHOW THE PROPOSED GRADE VARY
 ADDITIONAL TO 1 UNIT HORIZONTAL AS PER CITY OF LOS ANGELES

COASTAL COMMISSION

EXHIBIT # 2 OF 9
 PAGE 6 OF 9

CITY OF LOS ANGELES
 DEPARTMENT OF PUBLIC WORKS
 GARY LEE MOORE, P.E.
 CIVIL ENGINEER
 PROJECT: GRADING AND DRAINAGE PLAN - 7 OF 9
 UNIT 2 GRADING
 POTRERO CANYON PARK
 15800 PACIFIC COAST HIGHWAY
 PACIFIC PALISADES, CA 90272
 SHEET NO. C-12
 OF 12 SHEETS
 DATE: 12/1/74

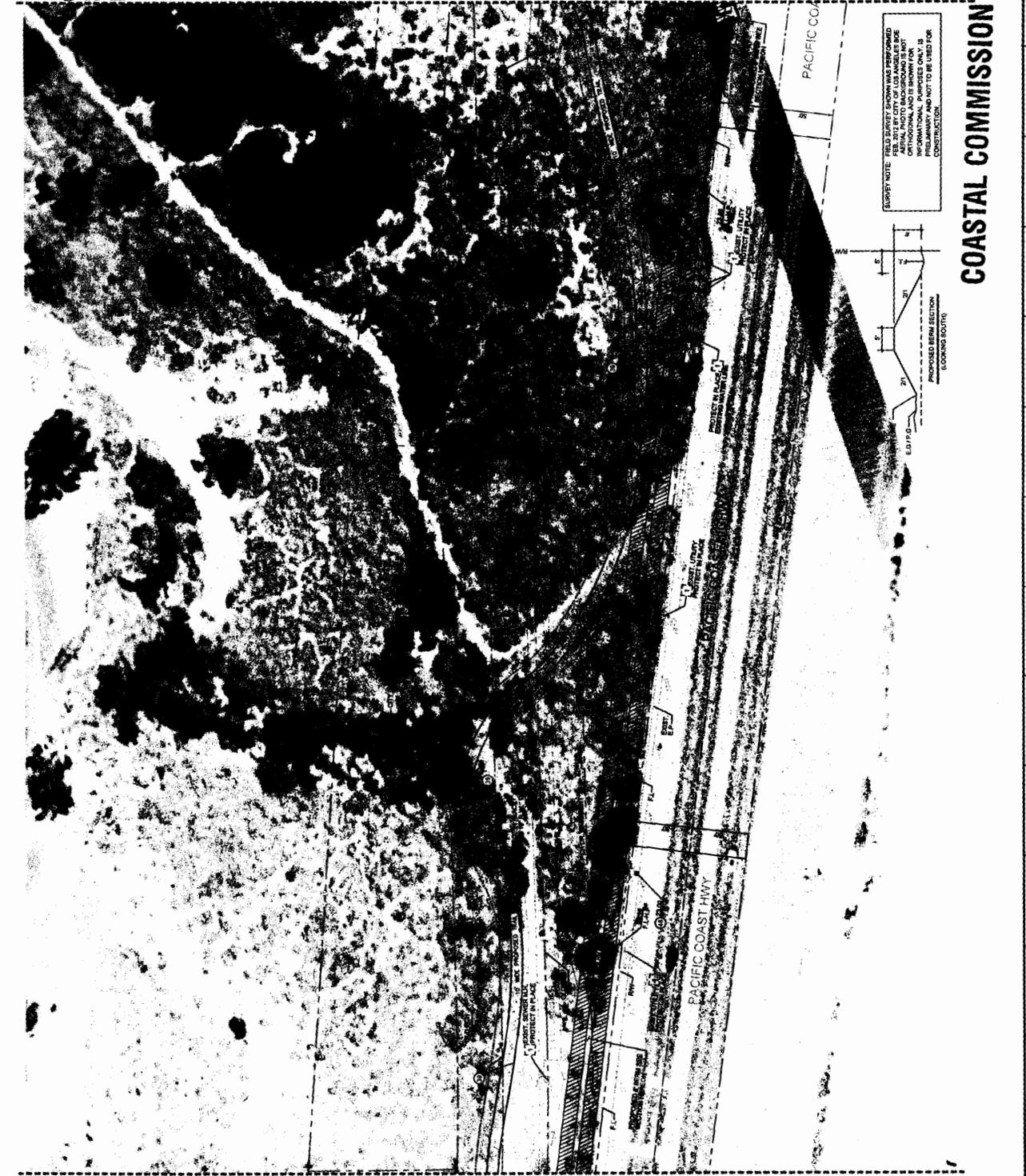
SHEET TITLE: GRADING AND DRAINAGE PLAN - B OF 9
 PROJECT: POTRERO CANYON PARK
 ADDRESS: 15800 PACIFIC COAST HIGHWAY
 CITY OF LOS ANGELES
 SHEET NO. E1907428
 DRAWN BY: LARRY GILMAN
 CHECKED BY: RAY CHANDLER, P.E.
 DESIGNED BY: GARY MOORE
 LAYOUT ARCHITECT: WALTER REYNOLDS, P.E.
 L.C. NO. 44888
 CIVIL ENGINEER
 GARY MOORE, P.E.
 L.C. NO. 44888
 CIVIL ENGINEER
 DATE: 05/20/14
 INDEX NO. BUILDING NO.

CONSTRUCTION & DEMOLITION SYMBOLS
 CONSTRUCT: [Symbol] REMODEL EXISTING: [Symbol]
 EXISTING: [Symbol] REMOVE: [Symbol]
 REMOVE & RECONSTRUCT: [Symbol]
 REMOVE BY OTHERS: [Symbol]

CONSTRUCTION NOTES:
 1. CONSTRUCT 10" WIDE TRAIL, FINISH PER LARCH PLAN
 2. 15" DIA. 3" DEEP CATCH BASIN WITH TRAFFIC LID PER
 3. DT 3110 PLAN

PROTECT IN PLACE
 REMOVE EXISTING
 REMOVE EXISTING STRUCTURE(S)
 REMOVE EXISTING STRUCTURE

LEGEND:
 EXISTING CONTOUR
 PROPOSED CONTOUR
 EXIST. STORM DRAIN
 PROPOSED STORM DRAIN
 EXIST. SEWER
 LIMIT OF WORK
 PROPOSED GRADING ELEVATION
 TERRACE BENCH
 EXISTING DRAINAGE BH
 MINIMUM REQUIRED LEVEL
 FLOW LINE
 DOWN DRAIN
 RIP RAP
 RISER OUTLET W/ PAD
 PERMEABLE PAVEMENT
 EDGE OF LAKE
 HYDRANT
 6" WIDE GRADED TRAIL
 LAKE SHELF (BELOW GRADE)
 SUBWALL
 VALVE BOX
 FORCE MAIN DISCHARGE
 BRANCH OFF LAKE
 PROPOSED FORCE MAIN
 BUTTRESS KEYWAY



THE CITY OF LOS ANGELES IS PROVIDING THESE PLANS FOR INFORMATIONAL PURPOSES ONLY. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION ON THESE PLANS.
 DATE: 05/20/14
 SHEET: E1907428
 PROJECT: POTRERO CANYON PARK
 ADDRESS: 15800 PACIFIC COAST HIGHWAY
 CITY OF LOS ANGELES

COASTAL COMMISSION

EXHIBIT # 2
 PAGE 7 OF 9

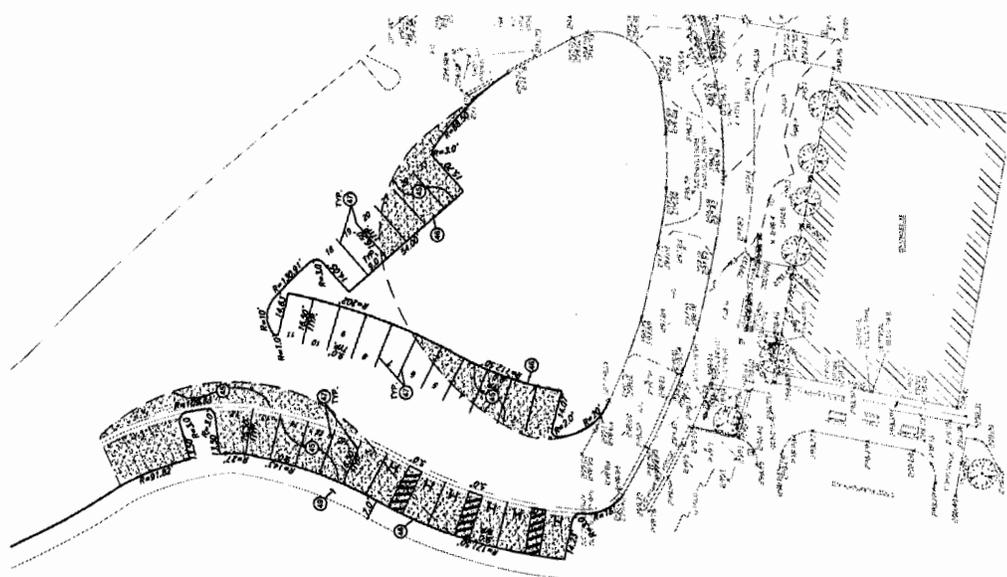
BUREAU OF ENGINEERING CIVIL ENGINEERING		DEPARTMENT OF PUBLIC WORKS CITY ENGINEER		CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS	
INDEX NO. _____ BUILDING NO. _____ DATE BY _____	INDEX NO. _____ BUILDING NO. _____ DATE BY _____	APPROVED BY: _____ CHECKED BY: _____ DRAWN BY: _____ DESIGNED BY: _____ LAYOUT: _____ ADJUSTED: _____ DATE: _____	APPROVED BY: _____ CHECKED BY: _____ DRAWN BY: _____ DESIGNED BY: _____ LAYOUT: _____ ADJUSTED: _____ DATE: _____	PROJECT: _____ UNIT 2 GRADING POTRERO CANYON PARK PARKING LOT MODIFICATIONS RECREATIONAL CENTER	PROJECT NO. _____ SHEET NO. _____ TOTAL SHEETS _____

- CONSTRUCTION NOTES:**
- 1. CONSTRUCT 4" DIA. A.C. PAVEMENT OVER 6" CAP
 - 2. CONSTRUCT TYPE A 6" CURB FOR SPRING STD
 - 3. PLAN S-410-2
 - 4. PAINT PARKING STALLS PER CITY STD PLAN
 - 5. PROPOSED SIDEWALK

- DEMOLITION NOTES:**
- 1. PROTECT IN PLACE
 - 2. REMOVE EXISTING
 - 3. REMOVE EXISTING STRUCTURES
 - 4. MODIFY EXISTING STRUCTURE

- CONSTRUCTION & DEMOLITION SYMBOLS**
- - CONSTRUCT
 - - REMODEL EXISTING
 - - EXISTING
 - - REMOVE & RECONSTRUCT
 - - REMOVE
 - - WORK BY OTHERS

- LEGEND:**
- EXISTING BUILDING CONTOUR
 - EXISTING BUILDING
 - EXISTING WROUGHT IRON (W.I.) FENCE
 - SLOPE
 - FLOW LINE
 - EXISTING GRADE (PER SURVEYOR)
 - PROPOSED FRESH GRADE
 - POWER POLE
 - EXISTING PORT
 - EXISTING PILLBOX
 - EXISTING RECREATIVE BOULDER
 - TREE
 - STREET LIGHT
 - PROPOSED A.C.



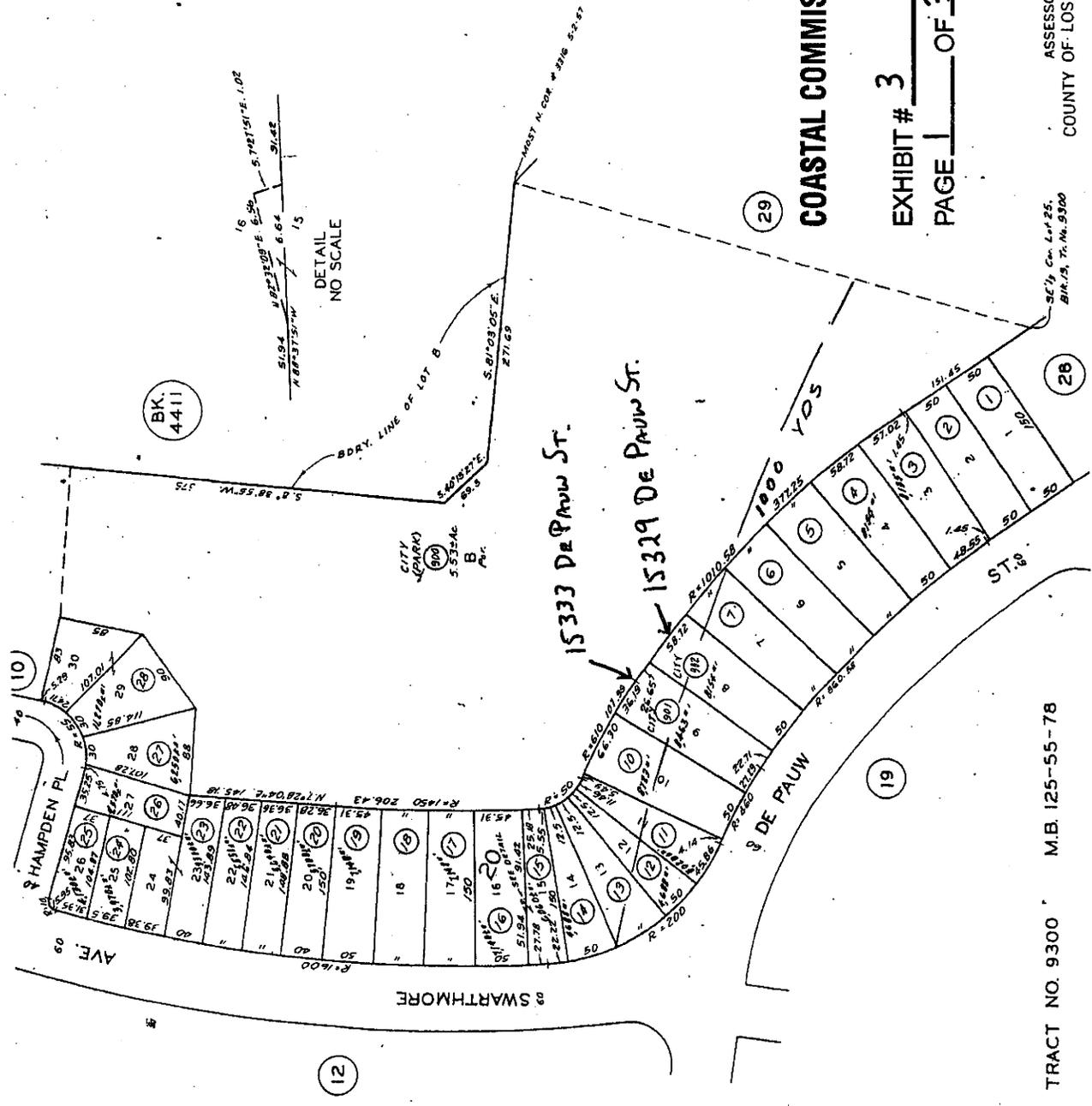
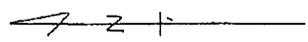
COASTAL COMMISSION

EXHIBIT # 2
 PAGE 9 OF 9



+412 11
SCALE 1" = 100'

1987



COASTAL COMMISSION

EXHIBIT # 3
PAGE 1 OF 3

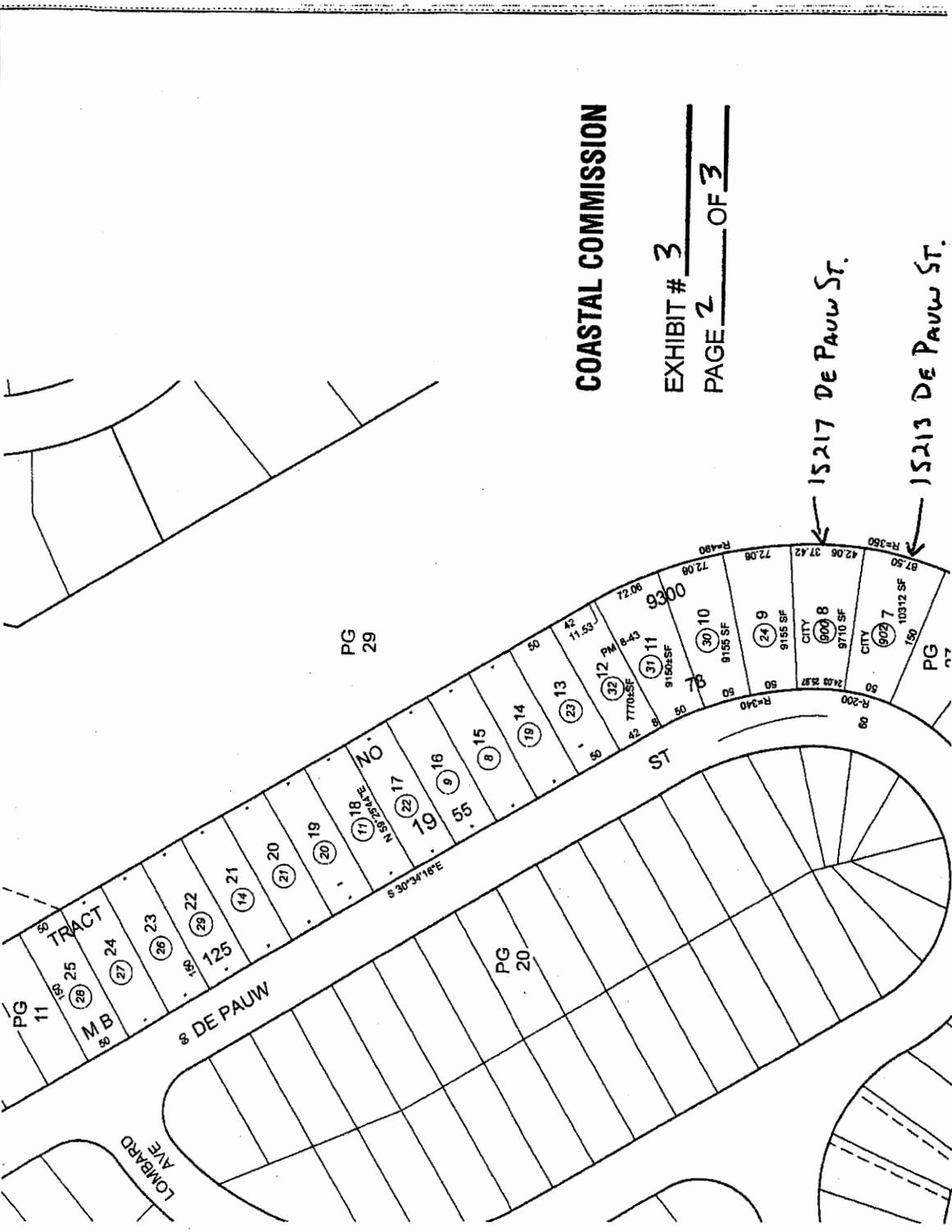
ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

TRACT NO. 9300 M.B. 125-55-78

FOR PREV. ASSM'T SEE:
1423-7

CODE
67

4412 28 SHEET
 P.A. 1423-10
 TRA 67
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 OFFICE OF THE ASSESSOR
 COUNTY OF LOS ANGELES
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2014



MAPPING AND GIS
 SERVICES
 SCALE 1" = 100'

COASTAL COMMISSION

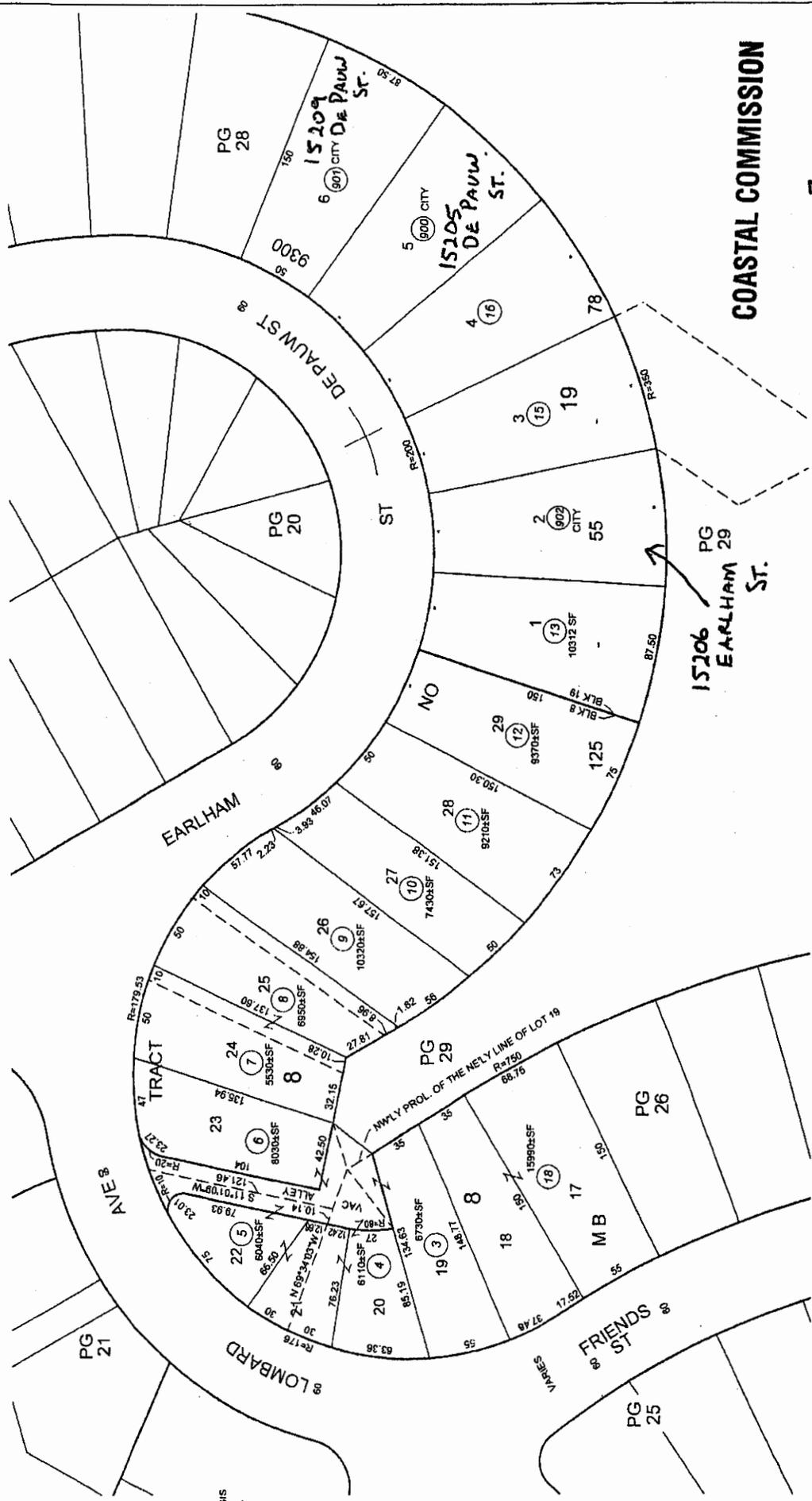
EXHIBIT # 3
 PAGE 2 OF 3

15217 DE PAUW ST.
 15213 DE PAUW ST.

2012



MAPPING AND GIS
SERVICES
SCALE 1" = 80'



COASTAL COMMISSION

EXHIBIT # 3

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**SUMMARY OF REVENUE AND EXPENDITURES FOR THE POTRERO CANYON
NATURE PRESERVE**

The following is the updated cost estimates for the Potrero Canyon Park Project. These estimates are based upon the final grading plans. The construction cost estimate is approximate only. Since the preparation and review of the 50% plans several significant design changes have occurred that will change the construction and overall construction estimate. The attached Budget Summary only shows the revenue available after expenditures have been deducted and presents the estimated costs from this point forward.

The expenditures to date include BOE staff costs, Unit 1 construction costs and geotechnical monitoring costs, Unit 2 design costs and construction and geotechnical monitoring of the De Pauw Street Landslide Repair.

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POTRERO CANYON PROPERTIES**Group 1 Auction – November 17, 2008**

Address	Buyer	Selling Price	Date Escrow Closed
N. Alma Real St.	Stephen & Kristine Shannon	\$2,355,000	March 9, 2009
N. Alma Real St.	Frederick Beddingfield	\$2,265,000	April 14, 2009
TOTALS		\$4,620,000	

Group 2 Auction – April 25, 2011

Address	Buyer	Selling Price	Date Escrow Closed
15241 De Pauw St.	David Carlin	\$1,110,000	October 5, 2011
15253 De Pauw St.	Frank Akef	\$1,090,000	March 14, 2012
15261 De Pauw St.	Eitan Shacham	\$1,120,000	August 18, 2011
15265 De Pauw St.	Frank Akef	\$1,360,000	November 11, 2011
15237 De Pauw St.	David Carlin	\$1,060,000	August 12, 2012
TOTALS		\$5,740,000	

Group 3 Auction - October 31, 2012

Address	Buyer	Selling Price	Date Escrow to Close
15221 De Pauw St.	David Carlin	\$1,501,830.95	April 21, 2013
15225 De Pauw St.	Shawn Rabizadeh	\$1,461,052.28	May 15, 2013
15229-33 De Pauw St.	David Carlin	\$2,811,507.23	April 21, 2013
15273 De Pauw St.	David Rabizadeh	\$1,544,565.35	April 21, 2013
15275-77 De Pauw St.	Farzad & Niloofar Farhangnia	\$1,571,375.95	April 21, 2013
15281 De Pauw St.	Farzad Farhangnia	\$1,601,351.95	April 21, 2013
15285 De Pauw St.	Brett & April Loncar	\$1,462,739.27	April 21, 2013
TOTALS		\$11,954,422.98	

COASTAL COMMISSIONEXHIBIT # 4
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Group 4 Auction 2015

Address	Estimated Value by GSD	Estimated Date Escrow to Close
33 De Pauw St.	\$1,400,000	2015
329 De Pauw St.	\$1,100,000	2015
217 De Pauw St.	\$1,100,000	2015
5213 De Pauw St.	\$1,100,000	2015
5209 De Pauw St.	\$1,100,000	2015
5205 De Pauw St.	\$1,500,000	2015
15206 Earham Ave..	\$1,500,000	2015
TOTALS	\$8,800,000	

Total Revenue to Date: \$ 22,314,422.98

Estimated Revenue from Group 4 Sales: \$ 8,800,000

Total Estimated Revenue: \$ 31,114,422.98

COASTAL COMMISSION

EXHIBIT # 4
PAGE 3 OF 6

Expenditures;

The following summarizes the expenditures on the project from when BOE took over to present. These expenditures were funded by the Potrero Canyon Trust Fund. This summary includes the De Pauw Street Landslide repair cost.

BOE Staff costs:

Initial withdrawal to cover BOE Salary shortfall	\$ 162,000
2012-13, 4 th CPR – May 22, 2013 BOE staff cost reimbursement	\$ 266,000
2013-2014 4 th CPR - BOE staff reimbursement cost	<u>\$ 266,000</u>
Subtotal	\$ 694,000

Unit 1 Construction

Construction Cost (Calex)	\$ 3,231,536
Geotechnical Monitoring (AMEC)	<u>\$ 249,000</u>
Subtotal	\$3,480,536

Unit 2 & 3 Design Costs (MARRS) – includes

Technical Advisory Committee

Model

De Pauw Street Landslide Repair Plans

Preliminary and Final Design for the Park

Subtotal \$ 818,597*

* Budget Authority in the Board Report Adopted on Aug. 15, 2011. Additional budget authority will be required for MARRS to complete the final plans.

De Pauw Street Landslide Repair

Geotechnical Monitoring	\$ 130,000
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Grading (John Meek)

\$ 546,505

Subtotal

\$ 676,505

Survey Robotic Station

Cost of the Robotic Station

\$ 45,343**

The estimated total costs expended from the PCTF to date

\$ 5,714,981

**Acquisition in progress

Estimate of Available Funds to Complete the Project

Includes Revenue from the Group 4 Property Sales

Estimated Revenue

\$ 31,114,423

Costs Expended

\$ 5,714,981

Estimate of Available funds to complete the project

\$ 25,399,442

Currently Available Funds

Revenue from properties that have been sold

\$ 22,314,422

Costs Expended

\$ 5,714,981

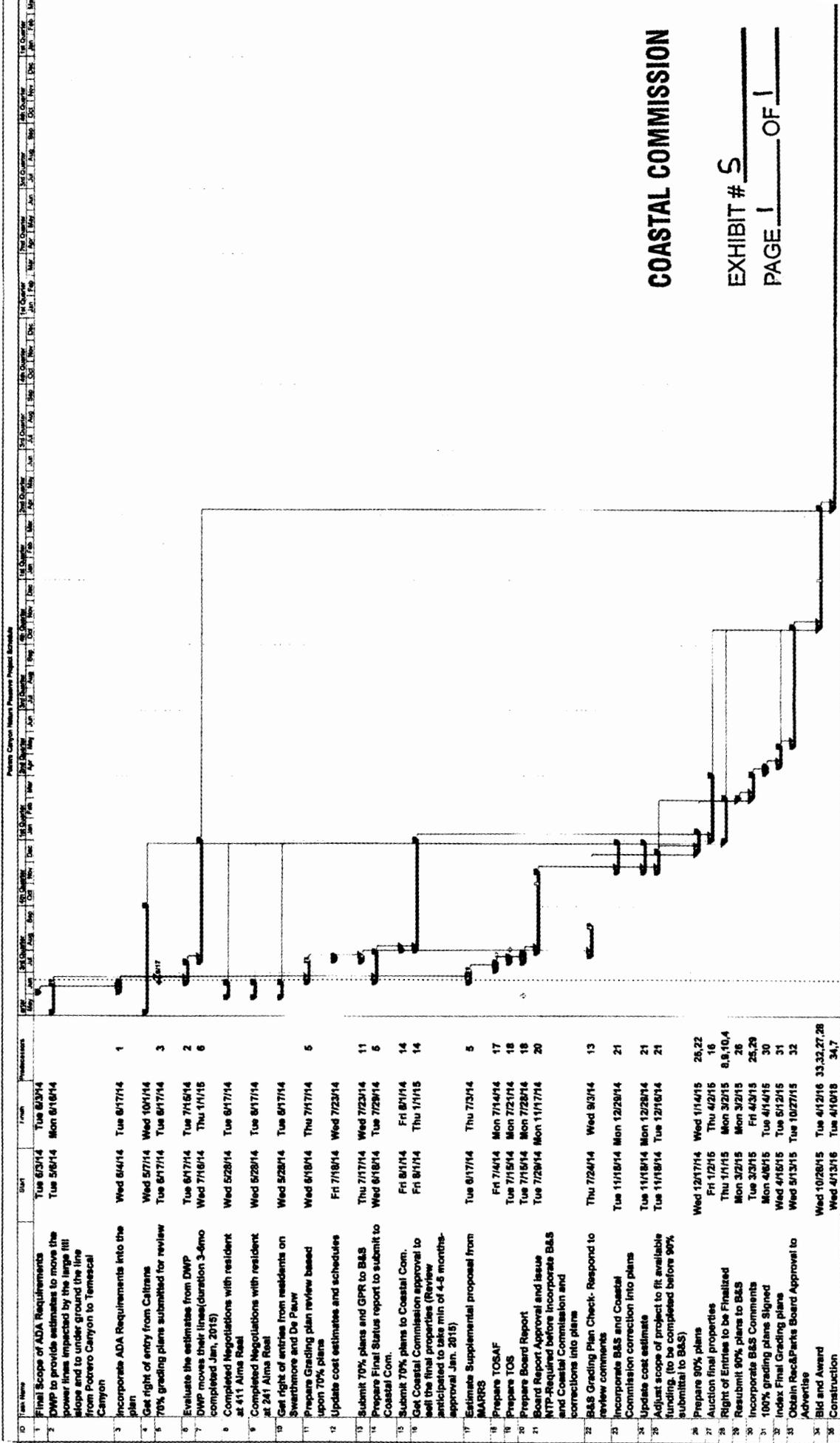
Estimate of currently available funds

\$ 16,599,441

COASTAL COMMISSION

EXHIBIT # 4

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 EXHIBIT # 5
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