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STATE OF CALIFORNIA-THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA 89 SOUTH CALIFORNIA ST., SUITE 200 VENTURA, CA 93001 (805) 641-0142

Filed: 11/21/95 49th Day: 1/9/96 180th Day: 5/19/96

Staff: TAD-VNT AC Staff Report: 12/22/95

Hearing Date: January 9-12, 1995

Commission Action:

STAFF REPORT: REGULAR CALENDAR

THIIf

APPLICATION NO.: 4-95-185

APPLICANT: Los Angeles County Public Works Department

AGENT: Jennifer Fang - LACPWD

PROJECT LOCATION: Rambla Pacifico 200 feet north of Mile Marker 1.72, Malibu

area of Los Angeles County.

PROJECT DESCRIPTION: The remediation of a landslide and the

construction of a section of Rambla Pacifico destroyed by the landslide. The project involves the grading of approximately 30,000 cubic yards

of material on approximately 2 acres.

LOCAL APPROVALS RECEIVED: None.

SUBSTANTIVE FILE DOCUMENTS: California Coastal Act of 1976, as of January

1995, Emergency CDP 4-95-185, Geotechnical Report for the Eldermoor Landslide, dated June 5, 1995, prepared by the County Materials Engineering

Division.

SUMMARY OF STAFF RECOMMENDATION:

The applicant seeks a follow up coastal development permit to emergency CDP G4-95-185 for the remediation of a landslide and the redevelopment of a section of Rambla Pacifico destroyed by the landslide. The Commission granted the applicant an emergency CDP, #G4-95-185, in September of 1995 as the landslide closed one of the only two remain access routes into the Rambla Pacifico area. The project involves the grading of approximately 30,000 cubic yards of material on approximately 2 acres. The project also involves the re-alignment of Rambla Pacifico to a location more stable and upslope of the present roadway, and the installation of a 48" corrugated steel pipe to replace an existing 24" pipe damaged by the landslide. This project is in response to a major landslide on Rambla Pacifico in the vicinity of mile

marker 1.72 that caused the road to drop 15 feet, and required the evacuation of one home and the roadway. Staff is recommending approval of the proposed project subject to special conditions regarding a restoration and monitoring program, erosion control plans, and condition compliance.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

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

II. Standard Conditions.

- Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
- 4. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. <u>Inspections</u>. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
- 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. <u>Terms and Conditions Run with the Land</u>. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions.

1. Habitat Restoration and Monitoring Program

Prior to the issuance of a coastal development permit the applicant shall submit, for the review and approval of the Executive Director, a detailed restoration program for <u>all</u> areas disturbed by grading and construction activities related to this project. This includes newly developed or widened roads and stagging areas. This program shall be implemented by qualified biologists, ecologists, or resource specialists who are experienced in the field of restoration ecology, and whom have a background knowledge of the various habitats associated with the Santa Monica Mountains and the project sites. The restoration program shall include, but not be limited to the following:

- A. A <u>Preliminary Biological Survey</u> which is to include a description of the site, its native habitat, and a list of the typical trees, shrubs, and herbs associated with this habitat, as well as those found to exist at the time of the survey This survey shall include photographs of each site taken from predesignated photo locations (annotated to a copy of the site plans). The same photo sites shall be used throughout the restoration and monitoring phase to provide a visual status of project progress.
- B. <u>Technical Specifications</u> shall be designed to address the findings of the preliminary survey. These specifications shall provide the framework for the installation, and be implemented as the approved plan for the restoration project. The specifications shall include a schedule to implement the program, a final list of plant materials, and description of the methods to be used during implementation of the plan. The specifications shall require, to the greatest extent possible, that all biological materials used on the project site be of local origin; that is, that seeds, cuttings, salvaged plants, microorganisms, and top soil originate on site or from the nearest possible source that matches the site in climatic and biologic factors. The specifications shall also include maintenance criteria for weeding, re-planting and other mid-program corrections.

C. Monitoring Program

A five year (5) Monitoring Program which monitors the restoration project for compliance with the guidelines and performance standards listed in the proposed survey and technical specifications. The applicant shall submit, for the review and approval of the Executive Director, a written report after the second year following implementation of the restoration program, indicating the success or failure of the restoration program and include recommendations for mid-program corrections, if necessary. At the end of a five year period, a final detailed report shall be submitted for review and approval of the Executive Director. If this report indicates that the restoration project has in part, or in whole, been unsuccessful, based on the approved performance standards, the applicant shall be required to submit a revised or

supplemental program to compensate for those portions of the original program which were not successful. The revised, or supplemental restoration program shall be processed as an amendment to this Coastal Development Permit.

2. Interim Erosion Control Plans

Prior to the issuance of a coastal development permit the applicant shall submit, for the review and approval of the Executive Director, an interim erosion control plan for all areas disturbed by development and grading activities, which includes:

- 1. Description of temporary drainage and erosion control features such as sandbagging, tarping, desilting basins, or any alternative best management practices to minimize erosion from staging, construction areas, and access roads. The temporary plans shall also include an illustration of where these measures shall be applied on a site plan.
- Time frame for the placement and removal of the temporary erosion control measures, and a maintenance schedule and criteria for maintenance.

3. Condition Compliance

The applicant is required to implement the Restoration & Monitoring Program specified in the foregoing conditions prior to the October 1, 1996. Failure to comply with the requirements within the time period specified, or within such additional time as may be granted by the Executive Director for good cause, will nullify this permit approval.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant seeks a follow up coastal development permit for the remediation of a landslide and the redevelopment of a section of Rambla Pacifico destroyed by the landslide. The Commission granted the applicant an emergency CDP, #G4-95-185, in September of 1995 as the landslide closed one of the only two remain access routes into the Rambla Pacifico area. The project involves the grading of approximately 30,000 cubic yards of material on approximately 2 acres. The project also involves the re-alignment of Rambla Pacifico to a location more stable and upslope of the present roadway, and the installation of a 48" corrugated steel pipe to replace an existing 24" pipe damaged by the landslide. This project is in response to a major landslide, approximately 800 feet long, 360' wide, and 400' high, on Rambla Pacifico in the vicinity of mile marker 1.72 that caused a 200' length of road to drop 15 feet. This event required the evacuation of one home and the roadway. In September of 1995, the Commission issued an emergency permit, G4-95-185, for above referenced work. The Commission determined that a state of emergency existed as only one of three original access routes remained open to this area. The other two routes had been destroyed by landslides and the one remaining route was threatened with closure by landslide as well.

B. Environmentally Sensitive Habitat Areas.

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

Section 30231:

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

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

Section 30240:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

ESHA Issue Analysis

The project site is not located within an ESHA; however, it is located approximately 300' up slope of Carbon Creek, an area recognized by the Commission as an Environmentally Sensitive Habitat Area. Furthermore, the project site is located within Coastal Sage Scrub habitat. Coastal Sage Scrub habitat typically contains species such as California Gnatcatcher (Polioptila californica californica) and Coastal Cactus Wren (Campylorhychus brunneicapllus), both of which are listed State and Federally as threatened or as species of special concern, and are expected to occur within Las Flores Canyon, an adjacent canyon containing coastal sage scrub habitat. Furthermore, even though this site is not located within an ESHA the area does drain directly into a riparian zone designated as ESHA. The project site has a great potential for erosion, as it is now devoid of vegetation or another form of erosion control. Soil erosion and the associated sedimentation of streams can adversely impact upland and riparian habitats. These adverse impacts can include:

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

- 2. Erosion of streambanks and adjacent areas destroys streamside vegetation that provides aquatic and wildlife habitats.
- 3. Excessive deposition of sediments in streams blankets the bottom fauna, "paves" stream bottoms, and destroys fish spawning areas.
- 4. Turbidity from sediment reduces in-stream photosynthesis, which leads to reduced food supply and habitat.
- 5. Suspended sediment abrades and coats aquatic organisms.
- 6. Erosion removes the smaller and less dense constituents of topsoil. These constituents, clay and fine silt particles and organic material, hold nutrients that plants require. The remaining subsoil is often hard, rocky, infertile, and droughty. Thus, reestablishment of vegetation is difficult and the eroded soil produces less growth.

The Coastal Act requires that environmentally sensitive habitat areas "be maintained, enhanced, and where feasible, restored." The project site is not within an area designated as ESHA; however, the site is located approximately 300' above, and drains into, Carbon Creek which is recognized by the Commission as ESHA. Furthermore, the habitat associated with the project site provides an important source of Coastal Sage Scrub habitat, as well as erosion and sediment control for the ESHA further down the watershed. Therefore, the Commission finds that in order to minimize erosion from the project site and protect sensitive habitat areas the following special conditions are necessary. Special Condition #1 of the permit requires that the applicant submit, for the review and approval of the Executive Director, a Habitat Restoration Program for the project area that identifies the indigenous vegetation associated with the proposed project site, significant vegetation that exists within the development area, and the methods to be used to restore vegetation to all areas disturbed by development. This condition further requires the applicant to monitor the restoration activities for a period of no less than 5 years to insure the long term survivability of restoration efforts. This program will allow for mid-course corrections and maintenance to ensure that site habitat restoration is successful. In order to ensure that restoration of the site is conducted in a timely manner, Special Condition #3 requires the applicant to implement the restoration and monitoring program prior to the 1996-1997 rain season. Furthermore, Special Condition #2 requires the applicant to submit interim erosion control plans for areas disturbed by grading and development activities which indicate the best management practices implemented to control erosion and sedimentation on site. The use of best management practices will help to ensure that sedimentation is controlled on site until such time that restoration efforts are completed. Therefore, the Commission finds that the project, as conditioned is consistent with Sections 30231 and 30240 of the Coastal Act.

C. Geologic Stability

Section 30253 of the Coastal Act states:

New development shall:

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

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

The proposed development is located in the Santa Monica Mountains, an area which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all vegetation, thereby contributing to an increased potential for erosion and landslide on the property. The applicant has submitted a Geotechnical Report for the Eldermoor Landslide, dated June 5, 1995, prepared by the County Materials Engineering Division. The report states as follows:

Progressive failure of the 6.8 acre Eldermoor Landslide began in mid March. Significant movement occurred on April 1, 1995, resulting in the loss of a 200-foot length of the outboard lane of Rambla Pacifico Road near M.M. 1.72. The active slide is approximately 800 feet long, 360 feet wide, with a vertical height of 400 feet. At least four private properties are directly affected by the landslide, as well as a water line owned by the Las Virgenes Water District and two power/phone line poles.

We recommend realigning the roadway by grading a 1/2:1 (h:v) gradient cut slope into the hillside. The proposed 1/2:1 cut slope will be approximately 50 feet high in the colluvial area, and 100 feet high in the rock area. The total volume of removal will be approximately 30,000 cubic yards.

The Coastal Act requires that new development assure "stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area..." Rambla Pacifico is only one of two routes into this area, therefore it is critical this roadway be reconstructed in order to provide access and emergency access to the many homes in the area. Hume Road which is the other route into this area is also threatened with closure by landsliding.

The proposed grading is necessary to realign the roadway to avoid the landslide area. The realigned road will be outside of the active landslide area and will be located on a stable area of the slope. However, the resulting 50 foot cut slope if not adequately revegetated will be subject to surface erosion which could present a risk to adjacent properties and the new roadway itself. Therefore, the Commission finds that in order to minimize erosion and provide geologic stability by inhibiting surface infiltration, it necessary to require the applicant to submit a Habitat Restoration Program for all areas of the site disturbed by development activities. This program will require the applicant to re-establish a native, indigenous, vegetative cover at the site for habitat and erosion control purposes. Furthermore, Special Condition #1 also requires the applicant to monitor restoration activities for a period of no less than 5 years to insure the long term survivability of restoration efforts. In order to ensure that restoration of the site is conducted in a timely manner, Special Condition #3 requires the applicant to

implement the restoration and monitoring program prior to the 1996-1997 rain season. Furthermore, <u>Special Condition #2</u> requires the applicant to submit interim erosion control plans for areas disturbed by grading and development activities which indicate the best management practices implemented to control erosion and sedimentation on site. The use of best management practices will help to ensure that sedimentation is controlled on site until such time that restoration efforts are completed. Only as conditioned is the proposed project consistent with Section 30253 of the Coastal Act.

D. Grading/Landform Alteration & Visual Resources

Section 30251 of the Coastal Act state:

Section 30251

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

The project site is located on both the up and down hill side of Rambla Pacifico Road, a the major access route in this area, and is highly visible from locations throughout the Carbon Canyon area of Malibu. Although the applicant is proposing 30,000 cubic yards of cut they have minimized landform alteration and grading by cutting the slope back to only what is necessary to realign the road outside of the active landslide area. There are no alternative routes which would require less grading. The proposed cut slopes are at the maximum allowable slope gradient of 1 1/2:1. However, if this slope is not adequately revegetated it will adversely impact the visual resources of the area. Therefore, in order to restore the scenic and visual qualities of the site, the Commission finds it necessary to require the applicant to submit a Habitat Restoration Program for the site. This program, Special Condition #1, shall require the applicant to restore the site with native, indigenous, vegetation, which will in turn provide erosion control to the site, and restore the scenic and visual qualities of the area. This condition further requires the applicant to monitor restoration activities for a period of no less than 5 years to insure the long term survivability of revegetation efforts. The Commission finds that the project as proposed, and conditioned, is consistent with Section 30251 of the Coastal Act.

E. Local Coastal Program.

Section 30604 of the Coastal Act states that:

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

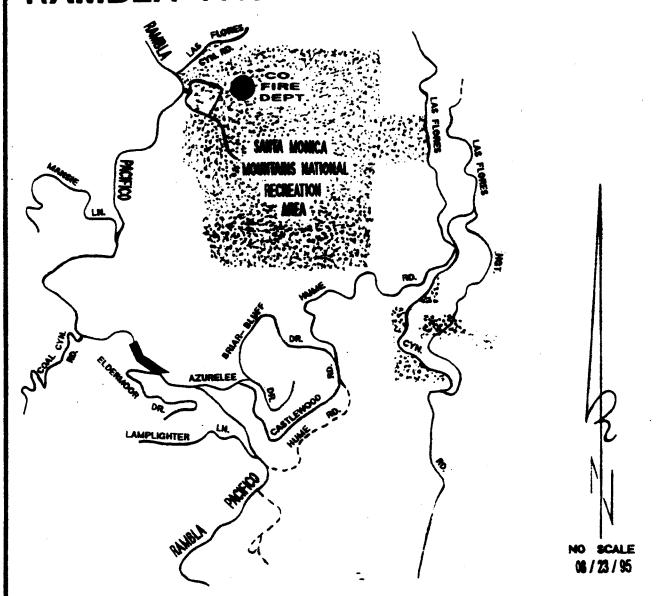
Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. On December 11, 1986. the Commission certified the Land Use Plan portion of the Malibu/Santa Monica Mountains Local Coastal Program. The certified LUP contains policies to guide the types, locations, and intensity of future development in the Malibu/Santa Monica Mountains area. Among these policies are those specified in the preceding sections regarding environmentally sensitive resources. As conditioned, the proposed development, as conditioned, will not create adverse impacts and is consistent with the policies contained in the LUP. Therefore, the Commission finds that approval of the proposed development will not prejudice the County's ability to prepare a Local Coastal Program implementation program for Malibu and the Santa Monica Mountains which is consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

F. CEOA.

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, to be consistent with any applicable requirement of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. There are no negative impacts caused by the proposed development, as conditioned, which have not been adequately mitigated. Therefore, the proposed project, as conditioned, is found to be consistent with CEQA and the policies of the Coastal Act.

TAD-VNT 1851M LOS ANGELES COUNTY

DEPARTMENT OF PUBLIC WORKS RAMBLA PACIFICO N/O MM. 1.72



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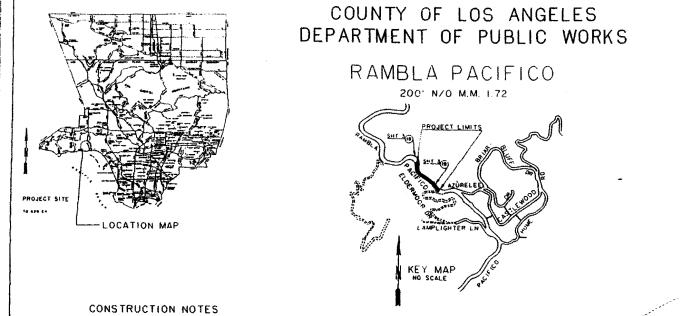
LOCATION MAP

EXHIBIT NO.

APPLICATION NO.

4-95-185

MOM. BROK. 114 / 93 ___ THOM. BROK. 429 / E4



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PRIME CONTRACTOR LICENSE REQUIRED. CLASS & OR CIZ

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CONSTRUCTION LEGEND

- (8) ASPHALT CONCRETE PAVENENT
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- SAULTURE SHINE TORE (E)
- (8) DRAINAGE SYSTEM AS SHOWN ON SHEET INDICATED
- HEADWALL AND WINGWALLS, PER CALTRIANS STD DES-E
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- (3) WETAL BEAM GUARD RAIL PER CALTRANS STO AT

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"IO% MAXIMUM SLOPE AT MBGR LOCATIONS

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HORES RAMBLA PACIFICO

200' N/O M.M. 1.72

CASH CONTRACT 7325

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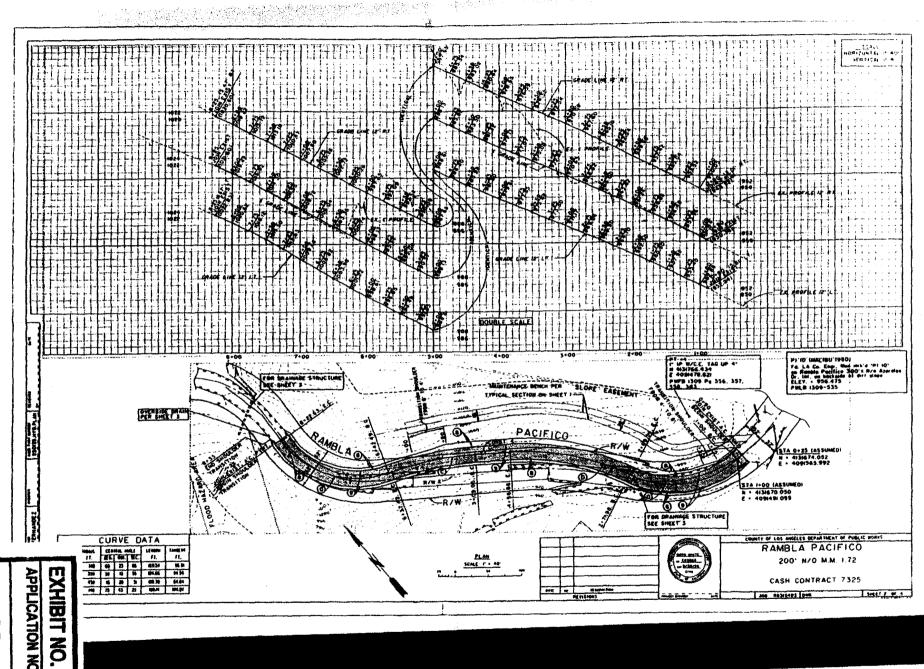
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APPLICATION NO EXHIBIT S_O

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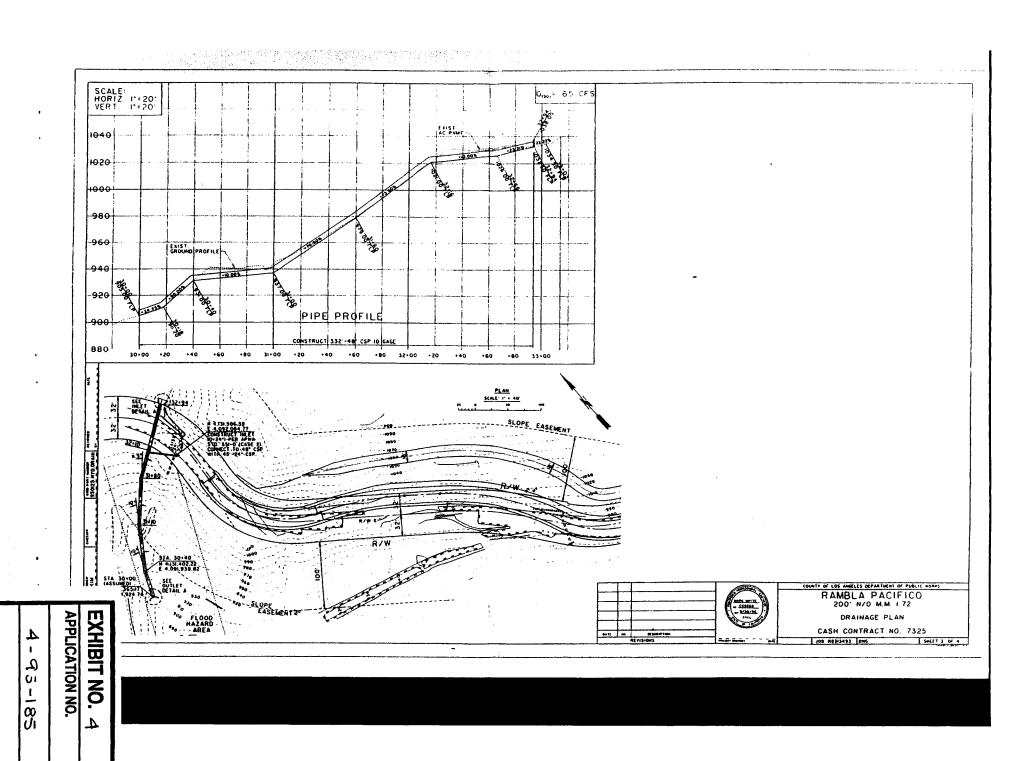
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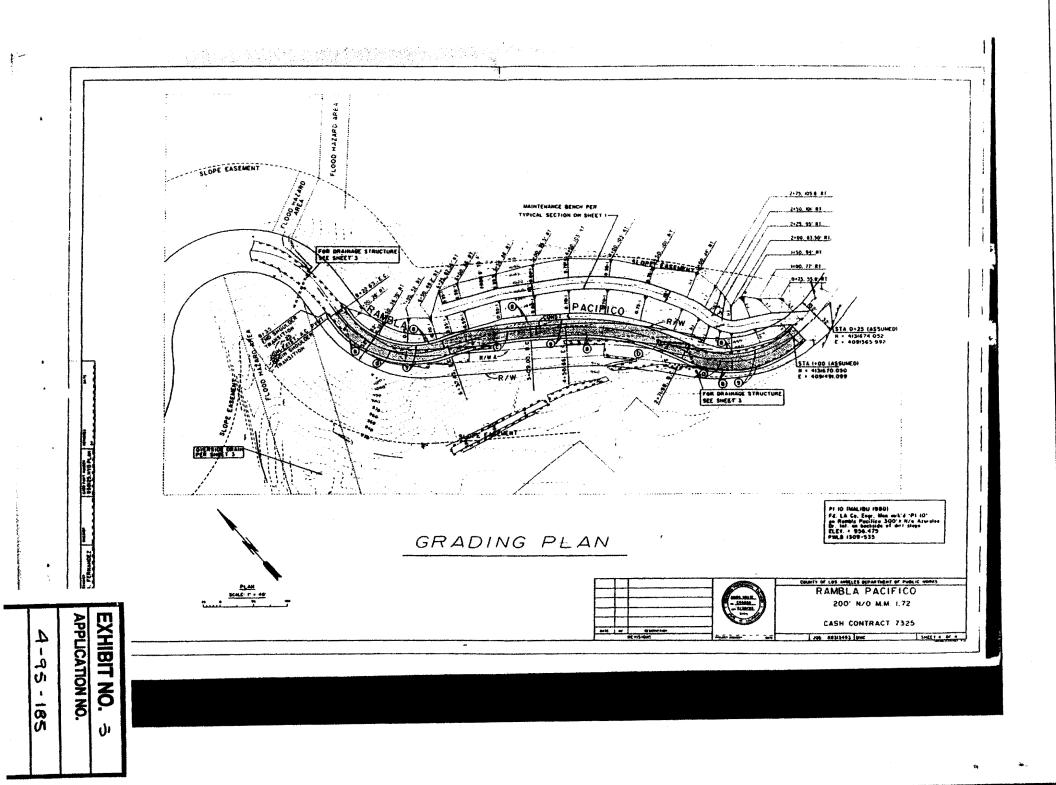
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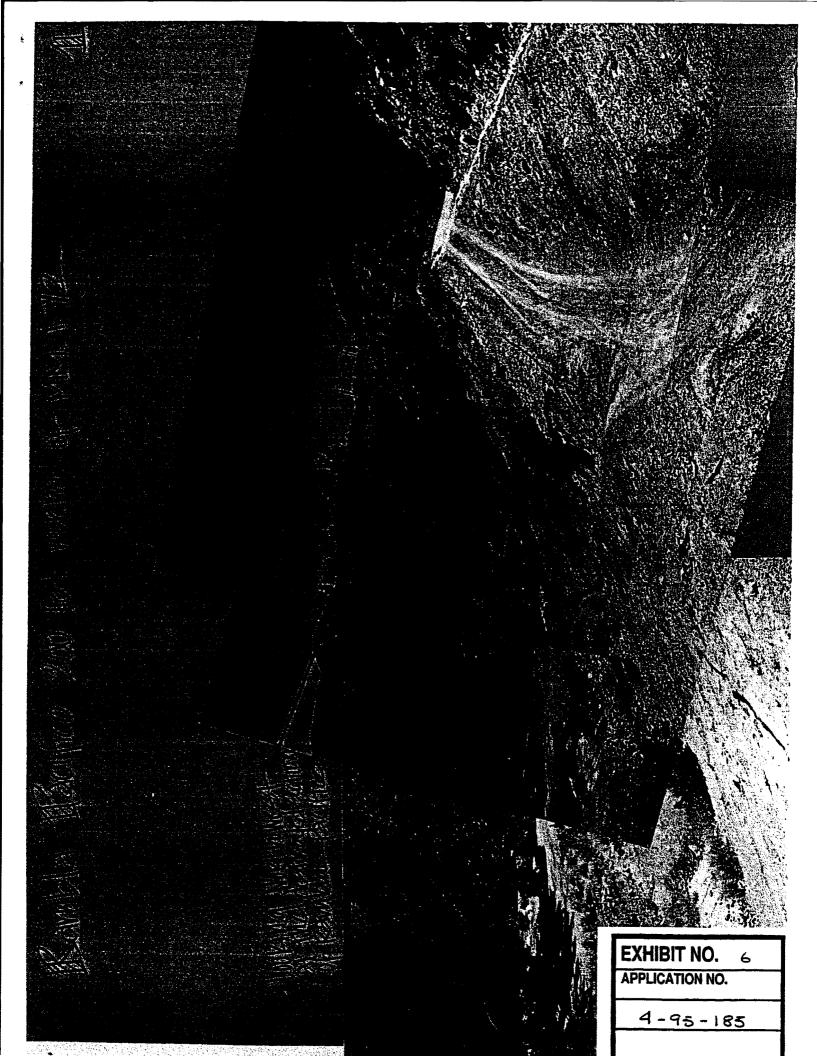


APPLICATION NO. W

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