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STATE OF CALIFORNIA—THE RESOURCES AGENCY PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4416
(310) 590-5071

Filed: 14 March 1997
49th Day: 5-2-97
180th Day: 9-10-97
Staff: JLR-LB JLR
Staff Report: 19 March 1997
Hearing Date: Apr. 8-11, 1997
Commission Action:

STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: 5-93-228-E2

APPLICANT: Hans Schollhammer

PROJECT LOCATION: 17484 Tramonto Drive, Pacific Palisades

PROJECT DESCRIPTION: Construct a 3-story single-family residence with attached 2-car garage on a vacant 6,635 square foot lot.

LOCAL APPROVALS RECEIVED: Approval in Concept-City of Los Angeles

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit No. 5-93-228

PROCEDURAL NOTE.

The Commission's regulations provide that permit extension requests shall be reported to the Commission if:

1) The Executive Director determines that due to changed circumstances the proposed development may not be consistent with the Coastal Act, or

2) Objection is made to the Executive Director's determination of consistency with the Coastal Act.

If three (3) Commissioners object to an extension request on the grounds that the proposed development may not be consistent with the Coastal Act, the application shall be set for a full hearing as though it were a new application. If three objections are not received, the permit will be extended for an additional one-year period.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends the Commission finds that the extension request is consistent with the Coastal Act and Commission regulations.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission grant the extension on the grounds that there are no changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.

II. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares as follows:

A. Project Description and Location

On September 16, 1993, the Commission conditionally approved a Coastal Development Permit (5-93-228) to construct a 3-story single-family residence with an attached 2-car garage on a vacant 6,635 square foot parcel. Attached as exhibit B is a copy of the Coastal Development Permit and special conditions when the Commission originally approved the project. The subject site is located on a descending hillside lot with a topographical overall relief of approximately 58 feet.

B. Grounds for Extension

The applicant submitted an application for Extension of Permit on September 9, 1996. The Executive Director subsequently determined that there were no changed circumstances which would affect the consistency of the proposed development with the Coastal Act and notice of said determination was sent to all interested parties on February 28, 1997, pursuant to Section 13169 of the California Code of Regulations. The Regulations state that if no written objections are received within ten working days of the mailing date or posting of notice, the Executive Director's determination will be conclusive and a one year extension will be granted. In this case, five letters of objection to the extension request were received within the allotted time period. Therefore, the determination of the consistency of the extension request with the Coastal Act must be reported to the Commission. If three Commissioners object to the extension, the application must be set for a full public hearing as though it were a new application, pursuant to Section 13169 of the Regulations. The permit is automatically extended until the Commission has acted on the extension request, although development may not commence during this period.

C. Issue Analysis

On March 10,11, and 14, 1997 five letters were received in the South Coast District Office which raised objections to granting an extension to the subject permit (See Exhibits C, D, E, F & G). Also, attached as Exhibit H, is the applicant's geologist response to those objections. The opponents' basic concern is geologic stability of the site. That concern was also the basic issue raised when the Commission conditionally approved the permit with special conditions regarding natural hazards. Those conditions required the applicant to conform to the consultant's geology/soils recommendations and to record a deed restriction assuming the risk of developing in this hazardous area.

The opponents contend that the subject site always has been and remains geologically unstable. One opponent, Douglas E. Moran, an Engineering Geologist, submitted a letter dated February 6, 1996. That letter had previously been submitted to the Commission when the applicant received an approved permit extension in February 1996. Mr. Moran remains convinced that the site is underlain with landslide debris.

Another Engineering Geologist opponent, E.D. Michael, states that there has never been an adequate analysis to determine if ancient landslide debris underlies the slope of the subject site.

The applicant's Civil Engineering Geologist, Harley A. Tucker emphatically disputes the conclusions of the two above mentioned geologists conclusions. In a letter dated March 11, 1997, Mr. Tucker states the following:

> Mr. Douglas Moran and Mr. E.D. Michael have separately prepared reports for the Palisades Homeowner's Association and made comments relating to the site. Their stated opinions, based on no subsurface exploratory work, conclude that the site may be underlain by landslide deposits. The Schollhammers have spent thousands of dollars for deep subsurface work, as they too were concerned for the geologic stability of the property. Based on extensive subsurface studies performed on the subject property by this office and a critical review by the engineering geologists and soils engineers of the City of Los Angeles Department of Building and Safety, it was determined by all these professionals that the site is not underlain by a landslide hazard. Furthermore, there was no evidence of landslide hazard discovered on the property during the excavation of deep friction piles for residential construction on 17496 Tramonto Drive. Again, studies of all relevant geotechnical and engineering geologic data developed on the subject property clearly indicate no evidence that landslide hazard is present.

The applicant's geologist further states that geologic conditions of the subject property have not changed since the original studies were prepared as part of the coastal permit application and that there are no known adverse geologic conditions or landslides in the immediate vicinity of the site.

D. Conclusion

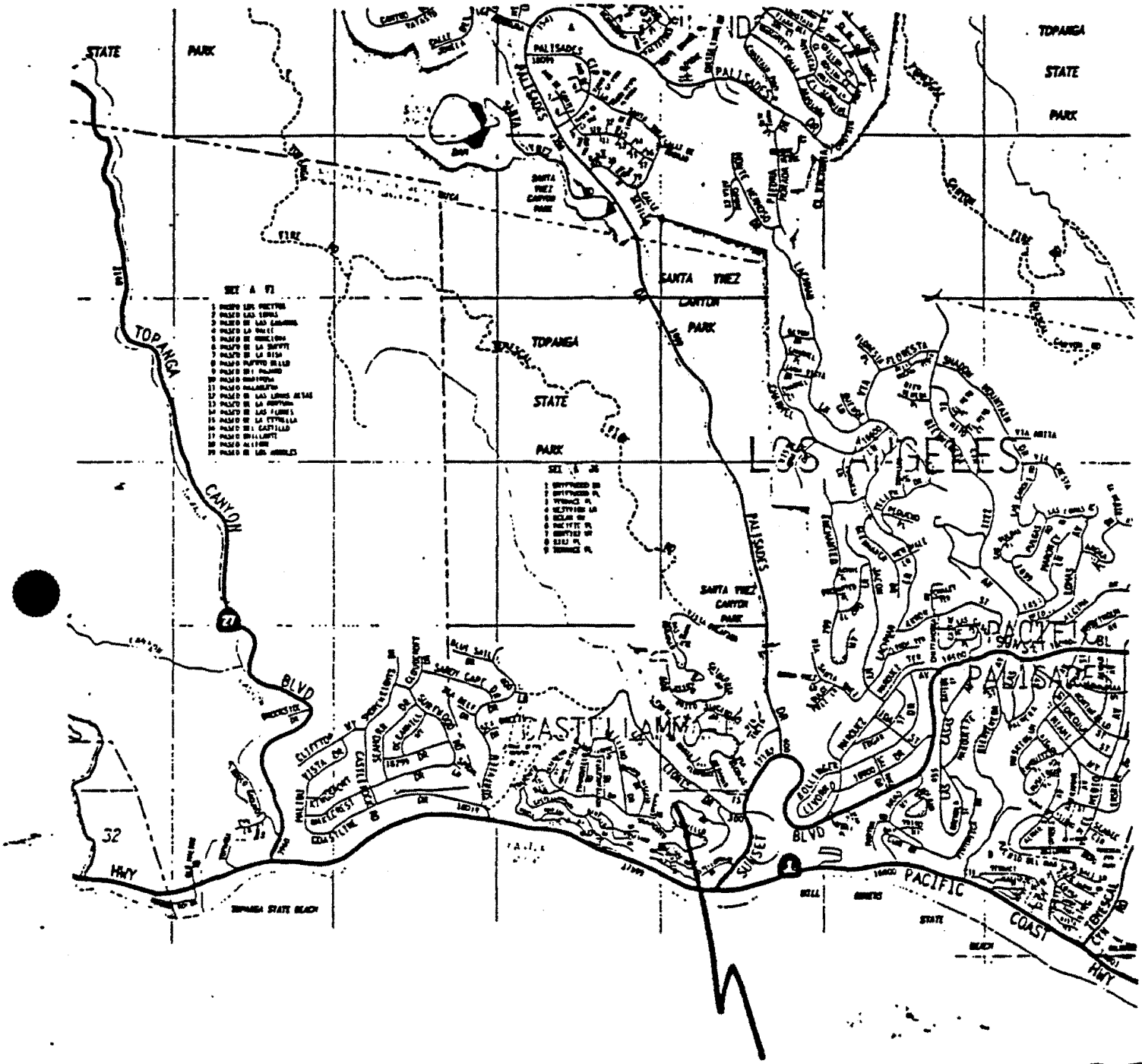
The criteria stated in the Administrative Regulations for extending a Coastal Permit is the determination of whether there are any changed circumstances which would affect the consistency of the proposed development with the Coastal Act. In this case, there is no new information and no circumstances that have changed since the approval of Coastal Development Permit No 5-93-228 on September 16, 1993. There have been no changes in the geologic stability of the site. The Commission conditionally approved the proposed development with requirements that the applicant conform with the consultant's geology/soils conditions and to record a deed restriction assuming the risk of developing in this hazardous area. Those special conditions will remain in effect.

As originally approved with special conditions addressing natural hazards, the

Commission found the proposed development consistent with the Coastal Act. Therefore, staff recommends the Commission concur with the Executive Director's determination that there are no material changes in the proposed development or changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.

JLR:bll

8621F



5-93-228E2

Exhibit A

5301C

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RECEIVED

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION
SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4416
(310) 590-5071

SEP 8 1995

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Date: 12-9-94
Permit No. 5-93-228

COASTAL DEVELOPMENT PERMIT

On September 16, 1993, the California Coastal Commission granted to

HANS SCHOLLHAMMER

this permit subject to the attached Standard and Special conditions, for development consisting of:

Construct a 3-story single family residence with attached 2-car garage on a vacant 6,635 sq. ft.

more specifically described in the application file in the Commission offices.

The development is within the coastal zone in Los Angeles County at 17484 Tramonto Dr., Pacific Palisades.

Issued on behalf of the California Coastal Commission by

PETER DOUGLAS
Executive Director

By: James T. Ryan

Title: Staff Analyst

ACKNOWLEDGMENT

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part, that: "A public entity is not liable for injury caused by the issuance. . . of any permit. . ." applies to the issuance of this permit.

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGEMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).

2-23-1995
Date

Hans Schollhammer
Signature of Permittee

5-93-228E2
Exhibit B

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STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions 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. Geologic Recommendation

Prior to issuance of the coastal development permit, the applicant shall submit evidence for the review and approval of the Executive Director, of the consultant's review and approval of all final design and construction plans. All recommendations contained in the Report of Professional Engineering Geologic Investigation by Harley Tucker, Inc. dated February 22, 1990; and Report of Soil Engineering Investigation by Soiltech Consultants, Inc. dated February 28, 1990; and the City of Los Angeles Department of Building and Safety Grading Division dated June 6, 1990, and September 10, 1991, shall be incorporated in to all final design and construction plans, and all plans must be reviewed and approved by the consultants prior to commencement of development.

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Exhibit B

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant or by the Department of Building and Safety shall require an amendment to the permit or a new coastal permit.

2. Assumption of Risk

Prior to issuance of coastal development permit, the applicant as landowner shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazard from landslide and soil erosion, and the (b) applicant hereby waives any future claims of liability against the Commission or its successors in interest for damage from such hazards. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens.

JR:tn
0096F

5-93-228
Exhibit B

DOUGLAS E. MORAN, INC

150 South Prospect Avenue
Tustin, CA 92680
(714) 544-2215
Fax: (714) 544-7395

FAX TRANSMISSION COVER SHEET

Date:	*March 11, 1997*
To:	*Mr. James L. Ryan* *California Coastal Commission*
Fax:	*(310) 590-5084*
Job No.:	*93-46*
Subject:	*Extension No. 5-93-228E* *17484 Tramonto Drive* *Castellammare Mesa* *Pacific Palisades, California*
Sender:	*Douglas E. Moran*
Message:	*Submitted herewith is a letter prepared by this office (letter dated February 6, 1996) which pertains to the subject site and an adjacent lot. It is understood that the Commission is about to reconsider an application for permission to construct a residence on the subject site. My opinions regarding the site, as presented in the referenced letter, remain unchanged.* *The letter is submitted to the Commission at the request of Mr. Vincent Flaherty of the Castellammare Home Owners Association.*
	cc: Mr. Vincent Flaherty

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Exhibit C
1 of 5

YOU SHOULD RECEIVE 5 PAGE(S), INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL DOROTHY O'NEAL AT (714) 544-2215.

DOUGLAS E. MORAN, INC. ENGINEERING GEOLOGY & SOIL ENGINEERING

February 6, 1996
Job No.: 93-46

California Coastal Commission
South Coast Area
245 West Broadway, Suite #380
Long Beach, CA 90802-4416

FILE COPY

Subject: Extension No. 5-93-228 E and
Extension No. 5-93-229 E
17484 and 17496 Tramonto Drive
Castellammare Mesa
Pacific Palisades, California

Dear Commissioners:

The properties that are the subject of this letter are situated on a slope that descends northeastward from the crest of Castellammare Mesa to Los Liones Drive on the floor of Los Liones Canyon. The top of the slope is nearly 290 feet above sea level, and the toe is roughly 140 feet above sea level (this estimate is based on a report that roughly 40 feet of compacted fill was placed in the canyon to form the roadway). The slope extends upstream (northwestward) about 1400 feet from the intersection of Sunset Boulevard and Los Liones Drive.

Prior to construction of Los Liones Drive, the canyon floor (in this area) was only about 100 feet above sea level. The elevation difference between the crest of the mesa and the alluviated floor of the canyon was about 190 feet, and the horizontal distance between was about 700 feet (an overall gradient near 27 percent or about 15 degrees from horizontal).

This slope is occupied by Tramonto Drive (between its intersections with Los Liones Drive and Revello Drive) and about 20 acres of real estate. During the last thirty years or more, the several properties situated on the slope have been the subject of dozens of reports of the results of geological and geotechnical investigation and analysis. Most of the investigations have been conducted for the expressed purpose of providing assurance of building site stability and recommendations for construction. However, most of the investigations have been completed and then repeated without

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Exhibit C
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assurance of stability being provided and without permits to construct being obtained. Therefore, most of the slope remains unoccupied.

The reason why most of the slope remains unoccupied in spite of the many efforts that have been made to justify construction on it is that much of the slope appears to be composed of landslide debris, locally covered by and obscured by loose fill. That conclusion is based in part on the shape of the slope, in part on the weakness of the material of which the slope is composed, and in part on the results of some of the investigations performed.

Through some of the geologists who have performed investigations have expressed the opinion that the slope was shaped by erosion and is underlain by stable bedrock, others have expressed the opinion that it is underlain by landslide debris and is not stable. Some say 'tis and some say 'taint.

Reports and letters in which these conflicting geologic opinions have been presented indicate that they have been based upon study of available maps and aerial photographs, observation of the slope and of materials exposed by exploratory excavations made on the slope, review of reports prepared by other geologists, and results of engineering analyses which indicate that the slope has an adequate degree of stability (even if composed of landslide debris). The engineering analyses performed have been based in part upon the results of tests performed to determine physical properties of materials but also (in part) upon interpretations of geologic observations or geologic conclusions.

Unfortunately, neither geologic interpretation nor engineering analysis is infallible. That is why differences of opinion persist. That also is why landslides occur and cause damage to structures built where it had been concluded on the basis of geologic interpretation and engineering analysis that a site was stable (not likely to fail under circumstances it is only reasonable to presume will from time to time prevail). In fact, most of the landslides that have occurred and caused damage to structures in southern California during the last thirty years have occurred where geologic interpretation and engineering analysis had supported the conclusion that a landslide did not exist or was not likely to slide. Some notable examples are the Big Rock Mesa landslide, the Flying Triangle landslide, and the Ocean Woods Condominiums landslide. The Ocean Woods landslide occurred on the slope that is being discussed here.

In this context, it is only fair to say that geologic interpretation and engineering analysis lead to

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Exhibit C
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reliable conclusions and successes far more frequently than to failures, and that is more than fortunate. It is true because the knowledge and the techniques that geologists and engineers employ generally are reliable, just not infallible. That deserves to be remembered in reviewing the many reports of the results of investigations that have been performed on the slope traversed by Tramonto Drive.

The fact that landslides have occurred on a slope indicates that there are weaknesses in the materials of which the slope is composed, and it must be recognized that such weaknesses may threaten the stability and safety of improvements founded on or adjacent to the slope. In order to reliably evaluate site or slope stability by means of engineering analysis, it is essential that the existence of landslides be determined, and that conditions that may have caused or contributed to the occurrence of landslides be identified. These are among the duties of a geologist.

Geologists who have expressed the opinion that the Tramonto Drive slope was shaped by erosion rather than by landsliding have based that conclusion on an assertion that they did not recognize evidence that the materials they examined had been disturbed by landsliding. Persuasive evidence that materials had been disturbed and displaced due to landsliding was described by others.

It is appropriate for a geologist to search for evidence that is conclusive, but in the absence of conclusive evidence, it is only appropriate to take a conservative position and assume the worst. Furthermore, it is not appropriate for a geologist to conclude that there is no landslide because an engineering analysis indicates the slope might be relatively stable, even if there is a landslide on it. Engineering analysis is not reliable unless based upon a reliable representation of geologic conditions that will influence the outcome of the analysis.

At the request of the California Coastal Commission, I reviewed a large number of reports and letters regarding properties on the Tramonto Drive slope during 1983. I expressed my opinions in a report regarding a property adjacent to the subject properties (at 17474 Tramonto Drive) at that time. A portion of landslide that was found on the adjacent property extends on to the subject properties as well. The reports reviewed in 1983 were reviewed again and reports prepared subsequently (including the most recent Coastal Commission Staff Report regarding the subject properties) also were reviewed prior to preparing this report. That is the basis for the comments that follow.

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Exhibit C

Reports pertaining to the subject properties and other reports prepared by Harley Tucker indicate that he has failed to recognize evidence of landsliding in the rock he has examined (in exploratory excavations as much as 60 feet deep) and that he is among those who have concluded that the Tramonto Drive slope was shaped by erosion rather than by landsliding. He attributes shears and fractures found to tectonic activity rather than landsliding.

Reports pertaining to other properties in the area (including reports that were prepared by Geolabs and GeoSoils) indicate that convincing evidence that the rock had been disturbed and displaced by landsliding was recognized. The descriptions of materials included in the reports reviewed do not provide conclusive evidence that the slope was shaped by erosion. Rather, they provide strong evidence that most of the rock described has been displaced and disturbed by landsliding. It was concluded that the Tramonto Drive slope had indeed been shaped by landsliding.

Having reviewed most if not all of the reports that pertain, I remain convinced that the slope in question was formed by landsliding and that it is underlain by landslide debris locally covered by loose fill. I am convinced that portions of the subject properties are underlain by landslide debris. Evidence presented to support these conclusions is convincing while evidence presented to support contrary conclusions is not. No matter how forcefully some say 'taint, I am not persuaded.

Very truly yours,
DOUGLAS E. MORAN, INC.

Douglas E. Moran
Engineering Geologist 17
Geotechnical Engineer 618*
*License Expires 12/31/97

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Exhibit C
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REGISTERED PROFESSIONAL ENGINEER
DOUGLAS EARL MORAN
No. 618
Exp 12-31-97
GEOTECHNICAL
STATE OF CALIFORNIA

gl=a:\reports\93-46

E. D. MICHAEL • CONSULTING GEOLOGIST
6225 BONSALL DRIVE • MALIBU • CALIFORNIA 90265 • 213 • 457-9319

May 7, 1991

Lloyd A. Straits
17501 Tramonto Drive
Pacific Palisades, California 90272

Subject: Review of Documents Re: Proposed Development of Schoellhammer Property, Lots 2 and 4, Block 19, Tract 8923, Tramonto Drive, Pacific Palisades Area, Los Angeles, California

Dear Mr. Straits:

This letter presents the results of my review of certain documents regarding the currently proposed development of the subject property. It is necessarily brief. Of the large number of documents you have provided, the following have been selected as the most significant.

(1) my December 21, 1981 report regarding an appeal from Coastal Permit Decision of Local Government (CDP81-31, BZA Case No. CP60), 17474 Tramonto Drive, for the Castellammare Property Owners Association;

(2) a June 18, 1982 United States Department of the Interior letter to Mr. Charles A. Yelverton by John T. McGill;

(3) a May 13, 1983 report by Douglas E. Moran, Inc. of Lot 1, Block 19, Tract 8923, 17474 Tramonto Drive for the California Coastal Commission;

(4) parts of a November 21, 1986 GeoSoils, Inc. report (WO 2275-VN) of the Tramonto Drive area for Mr. William Runka;

(5) a May 26, 1987 Richard Mills, Associates Inc. report (87-116-01) of portions of Lots 2 and 3, Tract 29827, at 17339 Tramonto Drive for Teton Development Company;

(6) May 28, 1980 minutes of the Engineering Geology Advisory Committee, Room 416, City Hall, present: George Larsen (sic), Richard Ramirez, Jack Rolston, S.S. Naimark;

(7) a June 24, 1980 Department of Building and Safety letter to Oceanwood Estates re 17469 Tramonto Drive;

(8) a February 17, 1988 GeoSoils report (WO2275-VN) for Mr. William Runka.

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Exhibit D
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(9) a November 18, 1978 Foundation Engineering Company, Inc. report of 17474 Tramonto Drive to Mr. Alfred A. Wilkes;

(10) a February 22, 1990 Harley Tucker, Inc. report (Project No. 5350-1.90) to Dr. Hans Schoellhammer for the subject property;

SUMMARY AND ANALYSIS OF GEOLTECHNICAL INVESTIGATIONS FOR OCEANWOOD AREA

The Oceanwood area, at one time referred to as Oceanwood Estates, includes a part of the southwestern slope of a western tributary of Santa Ynez Canyon in which lower Tramonto Drive between its intersection with Los Liones Drive and Revello Drive is situated. The earliest detailed investigation was by John T. McGill in 1959 for his U.S. Geological Survey Miscellaneous Investigations Map I-284. McGill mapped much of the area as a large prehistoric landslide wherein is included a lower, subsidiary slide, with a marked arcuate scarp. The crown of that scarp, i.e., its upper edge, is essentially defined by the curving downslope edge of Tramonto Drive immediately north and east of its intersection with Revello Drive. The subject properties are situated in that scarp. A somewhat more detailed interpretation of this slide area is shown in Figure 4 of Document (1).

Between 1959 and 1968, the area was studied by Pacific Soils Engineering, Inc. Despite numerous indications of earth movement in the boring logs that could be reasonably interpreted as due either to landsliding or tectonism, and the geomorphic character of the site which strongly suggests landsliding, preparers of the Pacific Soils report simply stated, without explanation or justification, that in their opinions the site was not a landslide.

A somewhat similar investigation was undertaken by the firm of Lockwood-Singh and Associates in 1980 which reached similar conclusions in essentially the same manner, i.e., by simply opting to explain various features in the property consistent with landsliding as due to some other cause.

McGill was persuaded to change his mind regarding his interpretation of the Oceanwood area as a prehistoric landslide after reviewing of materials forwarded to him by a geologist, Mr. Charles A. Yelverton. Details of the reasons for which McGill changed his mind are contained in Document (2). The data upon which McGill made his decision were from Pacific Soils Engineering, Inc., Geolabs, Inc., Gorian and Associates, Inc. and Lockwood-Singh and Associates. In particular, McGill was persuaded by a lengthy trench excavated as part of the Lockwood-Singh investigation that the investigators claimed showed no evidence of landsliding.

It is to be noted however, that McGill accepted at face value the interpretations contained in those reports; he did not see the borings or trenches himself. In fact, Yelverton's letter presented McGill with something of a Hobson's choice: either change his interpretation or state that he did not trust the

interpretations of the various developers' geologists. He chose the former, saying that he believed the "...weight of the evidence..." indicated that bowl-shaped landforms in the Oceanwood area were not of a landslide but rather a fluvial origin, shaped by a stream that formerly flowed at a higher level through ancestral Los Liones Canyon.

Subsequently, I pointed out that the bowl-shaped feature, if fluvial in origin, could only be a remnant of a meandering Pleistocene stream in an area where there is no other evidence of such a stream regimen. A detailed discussion of this matter is presented in Document (1) (pp. IV-3 - IV-5).

Geotechnical reports, uniformly by developers' consultants, purporting to show that the Oceanwood area is not underlain by landslide debris are remarkably free of discussions of the abundant evidence the area displays that is consistent with a landslide interpretation which scientific objectivity requires. In this sense, such reports are more like promotional literature than scientific studies. At best, this failure to provide a balanced analysis could result from a belief on the part of the developers' consultants that the area is not a landslide, coupled with the knowledge that a fair discussion of the possibility of a landslide would subject the developer to the additional expense of a more detailed investigation that might prove the presence of a landslide. This tunnel-vision approach to site analysis is fairly common in the geotechnical professions, at least as practiced in the Los Angeles area.

When this matter was brought before the Coastal Commission, and particularly my interpretation of the area as a landslide, vis-a-vis that of Lockwood-Singh as a product of stream erosion, the California Coastal Commission decided to employ an independent consultant to render an opnion on the matter, one agreeable to both Lockwood-Singh and myself. Douglas E. Moran who is both an engineering geologist and a soils engineer was selected, and in his resulting report, Document (3), Moran concluded (p. 22) that "...(T)he anomolous topography noted in the vicinity of the subject property probably developed as a result of landsliding that occurred late in the Pleistocene epoch of geologic time...(and)...(I)t appears the landsliding occurred as a result of erosional downcutting of Los Liones Canyon and was controlled by geologic structure which was adversely oriented with respect to the canyon bottom." Moran further stated that the geologic reports he reviewed which indicated there was no landslide in the Oceanwood area did not present evidence to support that conclusion.

Perhaps most important to date in this regard is Document (4), the November 21, 1986 report by GeoSoils, Inc. In that report are contained logs of trenches that indicate the presence of a landslide. In particular, the log of exploratory trench GST-4 shows a zone of "sheared clay seams with gypsum" at a distance of approximately 20 feet from the northwestern end of the trench. That point is almost exactly where I show the con-

tact of McGill's subsidiary slide in Figure 4 of Document (1). That contact, extended farther to the southwest should lie just adjacent to or in the subject lots along their northeastern boundaries. Larson and Yoakum, the authors of Document (4) recommend (p. 10) that the southeastern portion of Parcel A "...which is underlain by this slide feature, plus an area 10+ feet outside, be restricted to non-residential structures."

Brief conversations with Mr. George Larson of GeoSoils, and Mr. Joseph Cobbarubias of the City Department of Building and Safety within the past few days indicate that this restricted use criterion, although not officially defined, is nevertheless the basis for a current City policy to rely upon it in the absence of definite evidence to disprove the presence of a slide. According to Document (5) (pp. 4 - 5), the City Engineering Geology Advisory Committee has recommended that the area of the subsidiary slide originally defined by McGill, and enlarged according to the findings of GeoSoils in Document (4), be restricted from use for habitations. This recommended restriction apparently goes beyond that originally described in Documents (6) and (7).

The only reasonable conclusion to be reached from these observations is that the original recognition by McGill of the subsidiary prehistoric landslide was correct except that its contact is located some 250 feet farther to the north and west that his map shows. Hence, the use restrictions associated with that contact should apply to other properties it traverses and, in particular, the subject properties.

An investigation for development of the Wilkes property, now the Flaherty property, which is adjacent to the subject property on the northwest, was undertaken by William Waisgerber who prepared a geologic report dated January 31, 1978. Waisgerber noted a "crushed zone" along which terrace deposits have been offset in such a manner as to be consistent with the interpretation of a landslide as indicated in Documents (4) and (8). Copies of his sections are included in Document (9). Nevertheless, in the recent investigation of the subject property, reported in Document (10), there is no indication of the crushed zone noted by Waisgerber. The copy of Document (10) that I reviewed does not include a geologic map or sections, nor the locations of exploratory trenches in the subject property. Nevertheless, the area of the property is so small that it would be astonishing if the trenches examined did not intersect the southeasterly extension of Waisgerber's "crushed zone" in the lot adjacent to the northwest, which zone can reasonably be considered an extension of GeoSoils "sheared clay seam" section in Trench GST-4 as reported in Documents (4) and (8).

The logs presented in Document (10) are essentially lithologic descriptions even though labeled "Artificial Fill," "Natural Soil," and so on. No attempt is made to interpret these materials in terms of their origins. That report, in my opinion, is another example of the tunnel-vision approach to geological interpretation. It simply dismisses the possibility of a landslide

on the basis of selectively cited references (see pp. 14-15).

It is difficult to understand how, in such a controversial and extensively studied area, there can be any justification either for the obvious lack of objectivity in reporting, or how a public agency such as the City Department of Building and Safety, which is charged with a responsibility for the public's health safety and welfare, could justify its acceptance of such a report.

SIGNIFICANCE OF ANCIENT LANDSLIDE DEBRIS

The presence of ancient landslide debris in the Oceanwood area is significant, because it is this debris, essentially as originally mapped by McGill, which supports the slope underlying properties along Tramonto Drive, especially just below its intersection with Revello Drive where the subject properties are now proposed for development.

There has never been an adequate analysis of stability of the prehistoric landslide mapped by McGill or the slope in which that feature, whether it be a landslide or not, is situated between Tramonto and Los Liones drives. Moreover, dewatering wells recommended by various consultants, in particular, by Larson and Yoakum in Documents (4) and (8), have not been installed. It is irrelevant to the question of stability that the dewatering wells have not been installed, because the area has not been developed. It is the fact that dewatering has been considered necessary which is important.

If the lower of the two prehistoric landslides McGill mapped were to fail, support would be removed from all properties along Tramonto Drive in the nearby vicinity.

CONCLUSIONS

It is obvious, and it always has been obvious, that there is a serious question as to whether the Oceanwood area is underlain by landslide debris. The fact that some consultants have offered essentially unsupported "opinions" to the contrary is an insufficient basis upon which to approve further development. The risk is too great. Allowing development of the subject properties will add substantially to that risk in terms of safety and liability.

Very truly yours,

E. D. Michael

E.D. MICHAEL
Engineering Geologist 157

EDM/vlp/strait47.1

5-93-228E2
Exhibit D

PALISADES PROPERTY OWNERS ASSOCIATION
POST OFFICE BOX 1446
PACIFIC PALISADES
CALIFORNIA 90272

SENT BY FAX AND REGULAR MAIL

February 9, 1997

Mr. James Ryan
California Coastal Commission
245 West Broadway, Ste 380
Long Beach, CA 90802-4416

Reference: Permit # 5-93-228 (Schollhammer)

Dear Mr. Ryan:

The Pacific Palisades Property Owners Association, Inc. recommends that California Coastal Commission deny the immaterial extension of Permit # 5-93-228 (Schollhammer) on the grounds that the permit is not in conformity with the provisions of Chapter 3 of the Coastal Act, would prejudice the ability of the local government having jurisdiction over the area to implement a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and would have significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

RISK TO LIFE AND PROPERTY IN HIGH GEOLOGIC HAZARD AREA

The project is an antithesis of the requirement to minimize risks to life and property in an area of high geological hazard and does not satisfy Section 30253 of the Coastal Act. The property downslope from the subject property has been determined by the City of Los Angeles to be a "nonhabitable" area of ancient landslide. The same prehistoric landslide was also logged and mapped underlying the applicants property by several independent geologists. Thomas Clements Associates May 22, 1970, Geolabs, Inc. July 1972, William Waisgerber January 1979, Foundation Engineering Co. 1980, Geosoils, Inc. November 17, 1982, Richard Mills Associates 1987.

The area surrounding the applicant's property is a notoriously geologically unstable and high hazard area. Two new landslides are within 200 feet of the proposed project. Details of these slides are provided in the U.S. Army Corps of Engineers Landslide Study of the Pacific Palisades area. In 1972, a major slide destroyed 3 homes and an 8-unit apartment on Revello Drive which runs parallel to and shares a common intersection with Tramonto Drive adjacent to the proposed project. In 1967, another major

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slide occurred within 150 ft. of the subject property in which Tramonto Drive buckled, water sewer and utility lines were broken and the Ocean Woods Condominium was declared unsafe and evacuated while remedial work of over $560,000 was pursued. The only access road to the area, Tramonto Drive, was taken out of service for over nine months. In February of 1972, peak movement occurred in another active slide (tracked since 1935) about 150 feet from the proposed project during which Tramonto Drive settled about one foot, 3 homes were demolished and another severely damaged. Restoration of Tramonto Drive required the driving of 60-foot I-beam pilings plus timberwork.

While landslides are the major historical features of the geological trauma of this area, the earthquake hazard is a significant latent danger that could produce far greater property and human loss because of the coupling effects of the soil instability and water table in the area. General earthquake fault maps and hazard maps (see Attachments I and II) show that branches from the Malibu Coast-Santa Monica fault pass through this area and, due to the sedimentary type soils and landslide proneness, the earthquake intensities and hazards would likely be among the highest in the Los Angeles metropolitan area. Information obtained from Draft EIR 86-0789-PM dated March 1988, on file with the Environmental Review Section of the L.A. City Planning Department shows that the Malibu Coast-Santa Monica fault is capable of producing maximum quakes of the magnitude of 6.8 on the Richter Scale, with quakes of 6.3 as the probable maximum. The Malibu Coast-Santa Monica fault has experienced shaking within the last few years and is therefore considered an active fault.

The cross-section of the geological formations under the proposed project show that a fault does in fact pass through the eastern edge of the property.

The geological cross-section also shows a soil depth to about 26 feet at one end of the property consisting of only uncompacted artificial fill, topsoil and alluvium. Caissons or pilings installed into this steeply sloped terrain would extend into an intermediate sandstone/conglomerate layer but not to an underlaying siltstone layer. The test boring data show that the soil at that depth still contains cobble conglomerate with silty matrix and rounded cobbles. This is not a very substantial anchoring for pilings or caissons and would likely allow significant shifting during an earthquake especially with the effects of liquefaction if there is moisture present in the soil at the time.

From the above, we conclude that due to the extreme geological hazards indigenous to the area and the poor mitigation features employed, the proposed project does not satisfy Section 30253 of the Coastal Act. It does not minimize risks of life and property, rather it would cause additional property and human life to be subjected to these uncommonly high local risks.

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PRIOR INDEPENDENT GEOLOGICAL REPORTS LOGGING A LANDSLIDE DO NOT BECOME OUTDATED AND THEREFORE CANNOT BE REFUTED BY LATER REPORTS CONTAINING NO EVIDENCE OF LANDSLIDING.

In 1980, the City of Los Angeles reviewed and rejected a project for multi-unit residential development on the property located contiguous and downslope of the presently proposed project (17469 Tramonto Dr., portions of lots 2 and 3, Tract 29827). The basis for the rejection was that the record (Lockwood- Singh's report) did not demonstrate the absence of a prehistoric landslide originally mapped by the U.S. Geological Survey and logged after subsurface testing on that property by Geolabs Inc., 1972 W.O. 2-01-3496 (and since then logged on that same downslope property by GeoSoils Inc., 1982 W.O 1547-VN), and that lots in the immediate area are subject to landslides and unstable soil.
Thus, the City of Los Angeles has established a precedent for denying residential development on the land downslope and contiguous to the proposed project based on the record of soil instability. Subsequent to their decision the City of Los Angeles was sued by that developer, and the Superior Court of the State of California upheld the City's decision (Case No. C 354 343). Thus, there is also a legal precedent reinforcing the denial of development on the property downslope and contiguous to the presently proposed project.

From 1986 through 1989 GeoSoils Inc. had the opportunity perform extensive subsurface testing on the property known as tentative tract 36968 and once again, the existence of the ancient landslide and the location of its scarp/boundary were verified.

THE STATE COASTAL HEARINGS ON THIS PERMIT HAVE BEEN HELD EITHER IN SAN FRANCISCO, SAN DIEGO OR CARMEL; THEREBY DEPRIVING THE LOCAL COMMUNITY OF THE RIGHT TO ATTEND THE HEARING. THIS IS A VIOLATION OF DUE PROCESS AND WE ARE HEREBY REQUESTING THAT THE COMMISSION RESCHEDULE THIS MATTER TO BE HEARD LOCALLY.

Inappropriate processing and scheduling of permits deprives the local community of its lawful right to respond to applications, and denies the City and State authorities the benefit of opposing opinions or information regarding past reports and permit histories that are not always readily available to staff. It should be emphasized that **hearings for projects such as these should be held locally so the Commission can have the benefit of opposing viewpoints and reports.**

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APPROVAL WOULD JEOPARDIZE ABILITY TO IMPLEMENT AN L.C.P.

Approval of this project would oppose Section 30604 of the Coastal Act by jeopardizing the ability of The City to prepare its Local Coastal Program (L.C.P.). Because approval of this project is inconsistent with earlier similar decisions made by the City of Los Angeles and it in essence creates doubt as to the nature and substance of the geological criteria being applied, its approval by the State Coastal Commission would create great confusion with regard to the policy being pursued for rational control of development in this geologically unstable area. Approving this permit would therefore jeopardize the ability of the City to implement a Local Coastal Program (LCP) for the area and would defeat the purposes of Section 30604(a) of the Coastal Act.

It should be noted that the Castellammare area of Pacific Palisades was specifically retained in the dual permit zone during the categorical exclusion deliberation process because of the recognized unresolved coastal issues regarding the unique geological hazards in the area. To not resolve these issues in a clear and forthright manner would inevitably lead to haphazard development in the area with severe safety consequences for development mistakes that would also inevitably follow. This area is too uniquely geologically treacherous to allow this to happen. The State Coastal Commission should take this opportunity to reschedule this permit and proceed to assure that a more rational process is followed in granting approvals than decisions determined by who shows up and who doesn't show up at a hearing scheduled far away from the community that will be impacted.

SUITABILITY OF AREA TO THE REQUIRED INCREASED ACCESS

The construction traffic required to install the proposed development and the service access required after its installation will impact an already marginally safe road. Adverse impact on an access road conflicts with the applicable Regional Interpretive Guidelines for the Pacific Palisades area of Los Angeles which state:

"Road construction or improvements should be based on the suitability of the area to increased access. Where information on the environmental carrying capacity of coastal resources is available, roads and other support facilities should be kept within that capacity."

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PACIFIC PALISADES RESIDENTS ASSOCIATION, INC.

POST OFFICE BOX 617
PACIFIC PALISADES
CALIFORNIA 90272
(213) 454-4254

March 13, 1997

Mr. Charles Damm
District Director
California Coastal Commission
245 West Broadway, Ste 380
Long Beach, CA 90802-4416

Reference: Pending Permit Extension No. 5-93-228 (Schollhammer)

1. Extension of a CDP for a residential structure on a large prehistoric landslide located at 17484 Tramonto Drive.

2. Cumulative impact problem re: adjacent Tentative Tract 52032, the development of sites previously determined unsuitable for residential structures by the Department of Building and Safety, the California Coastal Commission and several licensed geologists approved by the Board.

3. This project was approved by the commission in 1993 at the San Francisco Hearing without representation from the community where the impacts will be felt. The adjacent homeowners cannot afford the time nor the expense of a trip to San Francisco or San Diego, nor can they afford the cost of sending geologists such as Douglas Moran who have disapproved the project. We request, as a matter of basic due process, that this matter be rescheduled so that those concerned and their experts can address the commission.

Dear Mr. Damm:

The Pacific Palisades Residents Association supports the rights of property owners to use their property for any purpose permitted by law. But by those same rights, we realize it is implicit that a private property owner cannot use his private property rights to injure or infringe upon the property rights of others.

The above referenced proposed permit extension falls into this category, as its approval would conflict with past approvals and planning of adjacent properties, with respect to among other things, cumulative impact and safety. Therefore, the Pacific Palisades Residents Association is opposed to the extension of the above referenced permit in a designated area of geological hazard on a site previously determined to be unsuitable for residential development in geological reports of record.

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Due to the site's questionable geology, and the fact that the owner has chosen to hold back previous negative geology reports requiring a foundation setback from the slide zone, the proposed plans would likely allow foundation pilings to be placed within the slide scarp which, according to several previous subsurface geology reports on the subject property and adjacent properties, could cause future injury to life and property. Adjacent projects granted prior conditional approvals have all been located outside the boundaries of the prehistoric landslide and have observed a 10 foot foundation setback from the slide zone.

ADJACENT APPROVALS

In its letter of May 4, 1988 the City Grading Division approved Parcel Map 5938 (Runka 17473 through 17455 Tramonto), conditioned upon a ten foot setback from the prehistoric slide zone logged in 1986 through 1989 by GeoSoils Inc. W.O. 2275-VN. Condition 17A of the parcel map 5938 requires "That no habitable structure shall be constructed within the area of the landslide as shown on the geologic maps by GeoSoils, Incorporated, dated February 17, 1988." It is important to note that the projected scarp of the slide runs through the property requesting the above referenced Coastal Permit.

Past City Grading Approvals for Wilkes (17474 Tramonto), were also conditioned upon a ten foot foundation set back from the same prehistoric slide scarp logged by William Waisgerber and Associates 1979 and Foundation Engineering Inc. 1980. The projected scarp shown on the geological map for that project runs through the above referenced Schollhammer property.

Roberts, 17470 Tramonto (a third property bisected by the arc of the slide scarp) followed their consultant's recommendations (**American Geotechnical Inc. 1989**) agreeing to install dewatering wells and planning the residence in the upper portion of the property away from the "non-habitable, Area of Questionable Stability" (determined regarding that property by **the Engineering Geology Advisory Committee at its meeting of May 28, 1980, by the Board of Building and Safety Commissioners in its letter of June 24, 1980 Board File #809413, and by the Engineering Geology Advisory Committee in its February 24, 1981 letter by Howard C. Maymire.** On April 21, 1989 Roberts recorded a covenant ensuring that there would be no lot split of the parcel, and another covenant agreeing to maintain the downhill portion of the property as "open space for yard, garden or landscaping, and any other use of said area or any part thereof shall be prohibited." The portion of the Roberts property upon which that restrictive covenant was recorded is contiguous to the Schollhammer property.

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Therefore, Extension of the CDP for the subject property would be inconsistent with all previous contiguous approvals in that it would require no setback from the prehistoric landslide. According to the geology report, the lot is situated over a topographic bowl area formed by stream deposition followed by erosion. The report concludes that no landslide has occurred on or adjoining the property and imposes no condition of setback from the slide as mapped by the five other independent engineering geologists who subsurface tested and mapped the boundaries of the slide on three contiguous sides of the above mentioned 17484 Tramonto.

THREE ACRE PARCEL DOWNSLOPE AND CONTIGUOUS TO SUBJECT SITE

Harley Tucker, the geologist in support of the above referenced pending Coastal Permit at 17486 and 17496 Tramonto, was simultaneously retained to do a report on the property contiguous and downslope from it, 17407 Tramonto (Tentative Tract 50232, Pending City of Los Angeles CDP 91-007). That report, which is currently under consideration by the Grading Division, again concludes no landslide is present and asks for approval of construction for a tract of six homes contiguous and downslope of the subject 17484 and 17496 Tramonto. That property, 17407 Tramonto (T.T.50232) has however, in the past, been referenced under a different address and in July, 1972, Geolabs, Inc. in W.O. 2-01-3496 concluded after extensive subsurface testing that an ancient slide was present and recommended that no habitable structures be located within the slide zone. In 1987, Richard Mills Associates, Inc. under W.O. 87-116-01 conditioned development based upon special footing setbacks from the slide zone. **In 1987, the subject property was again tested by GeoSoils, Inc. who after borings and trenches,** mapped the landslide on the subject property under **W.O. 1547-VN** and also recommended that no habitable structures be located within a ten foot set back from the slide scarp. It is interesting to note that after GeoSoils found the slide, they were dismissed without pay by the owners who continued shopping for a geologist.

NEGATIVE GEOLOGICAL REPORTS WITHHELD BY OWNERS

The above referenced negative Geolabs Inc. report is not on file with the Department of Grading or Engineering. The above referenced negative geologic reports on the subject property by GeoSoils Inc. and Richard Mills Assc. were also never filed with the City.

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The Pacific Palisades Residents Association contends that the Grading Division has erred in conditionally approving 17484 Tramonto because the approval is inconsistent with contiguous city approvals and geological reports requiring setbacks from the "non-habitable" slide zone. Further, we ask the Coastal Commission to require that previously withheld reports, especially GeoSoils 1987, W.O. VN-1547, be submitted by the applicant to the Grading Division for possible reconsideration of the subject application, and prior to consideration of the request for grading approval of Tentative Tract 50232 at 17407 Tramonto Drive.

We are therefore requesting an independent review of the above mentioned geological reports in conjunction with a review of the subsurface reports by GeoSoils 1986 through 1989, Thomas Clements 1972, Geolabs 1972, Waisgerber 1979, Foundation Engineering 1980, Richard Mills 1987, (all who mapped, logged and recommended the non-habitable prehistoric slide boundary), so that future approvals will remain consistent with the foundation setbacks from the ancient landslide recommended by the above mentioned geologists.

LOCAL COASTAL PLAN

Inconsistent approval policy will prejudice the ability to develop a Local Coastal Plan and complicate the cumulative impact problem for permitees and owners of adjacent properties in an area of Prehistoric Landslide and Questionable Stability.

CUMULATIVE IMPACT

The subject applicant Schollhammer is currently proposing to build out 2 of his 3 lots with no regard for foundation setbacks from the slide. If approved, nothing will prevent him from next building out the third lot, in the middle, without a slide setback. Again, the owners of contiguous Tentative Tract 52032, KMK Development, using the same expediter and geological consultant as Schollhammer, are also in the pipeline requesting a City CDP for subdivision of six residential lots. At least three of the lots would be within the "non-habitable area of ancient landslide".

But several certified geologists who subsurface tested and logged the slide zone on these properties in the past, stand by their reports recommending foundation setbacks or no building at all. If the City of Los Angeles through its grading division and the State Coastal Commission allow these first homes to be built

encroaching into the slide area, then tract 50232 of six more homes will immediately follow. Further, property owners previously permitted for five homes on large contiguous parcels with foundation setbacks from the "non-habitable landslide area" (i.e. Runka 17455 Tramonto, Roberts 17470 Tramonto), will be able to hire the "no slide" geologist and reapply to the City and State for permits to subdivide and build additional residential structures within the restricted area of ancient landslide. There is the potential for 16 additional homes to be built at this location. The cumulative impact from approval of the subject coastal development permits which disregard the landslide, would begin a chain of applications for contiguous properties previously rejected as too unstable for construction, and result in a substantial future safety hazard impacting many new residences, with increased liability to the City of Los Angeles.

Thank you for your consideration.

Yours very truly,

Robert C. Locker
President
Pacific Palisades Residents Association

RCL/em

cc: Hon. Marvin Braude
Mr. James K. Hahn
Mr. Peter Douglas

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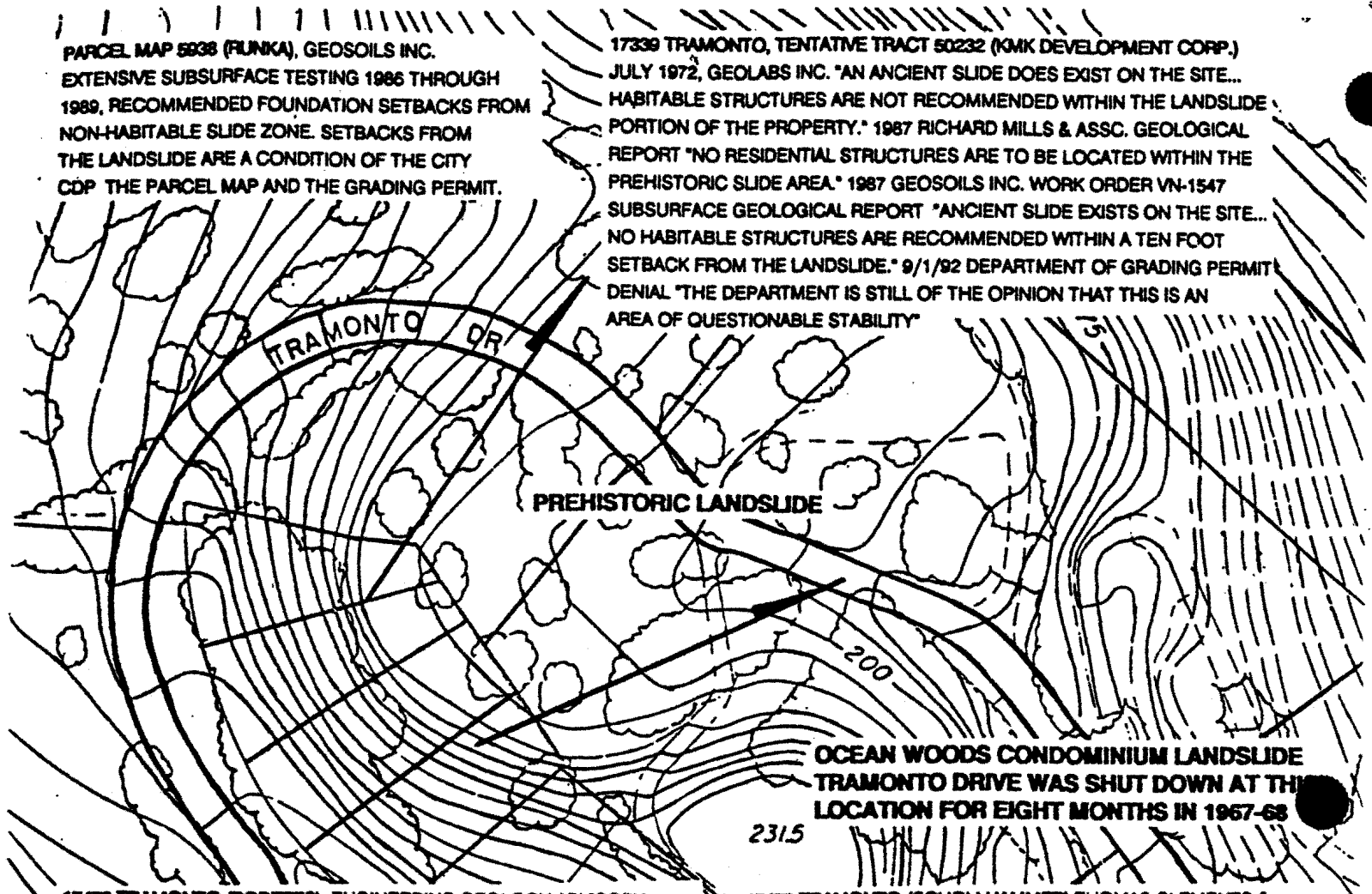
PREVIOUS SUBSURFACE GEOLOGICAL TESTING AND CITY OF L.A. DEPARTMENT OF GRADING ACTIONS

PARCEL MAP 5936 (RUNKA), GEOSOILS INC. EXTENSIVE SUBSURFACE TESTING 1986 THROUGH 1989, RECOMMENDED FOUNDATION SETBACKS FROM NON-HABITABLE SLIDE ZONE. SETBACKS FROM THE LANDSLIDE ARE A CONDITION OF THE CITY CDP THE PARCEL MAP AND THE GRADING PERMIT.

17339 TRAMONTO, TENTATIVE TRACT 50232 (KMK DEVELOPMENT CORP.) JULY 1972, GEOLABS INC. "AN ANCIENT SLIDE DOES EXIST ON THE SITE... HABITABLE STRUCTURES ARE NOT RECOMMENDED WITHIN THE LANDSLIDE PORTION OF THE PROPERTY." 1987 RICHARD MILLS & ASSC. GEOLOGICAL REPORT "NO RESIDENTIAL STRUCTURES ARE TO BE LOCATED WITHIN THE PREHISTORIC SLIDE AREA." 1987 GEOSOILS INC. WORK ORDER VN-1547 SUBSURFACE GEOLOGICAL REPORT "ANCIENT SLIDE EXISTS ON THE SITE... NO HABITABLE STRUCTURES ARE RECOMMENDED WITHIN A TEN FOOT SETBACK FROM THE LANDSLIDE." 9/1/92 DEPARTMENT OF GRADING PERMIT DENIAL "THE DEPARTMENT IS STILL OF THE OPINION THAT THIS IS AN AREA OF QUESTIONABLE STABILITY"



17470 TRAMONTO (ROBERTS), ENGINEERING GEOLOGY ADVISORY COMMITTEE ACTION 5/28/80 "...RECOMMENDS THAT NO RESIDENTIAL STRUCTURES BE PERMITTED" ON RESTRICTED PORTION OF PROPERTY. L.A. CITY BOARD OF BUILDING AND SAFETY COMMISSION ACTION 6/24/80 "NO HABITABLE STRUCTURES ARE PERMITTED." 2/24/81 ENGINEERING GEOLOGY ADVISORY COMMITTEE ACTION BY HOWARD C. WAYMIRE "NO STRUCTURES WITHIN THE AREA OF QUESTIONABLE STABILITY." AMERICAN GEOTECHNICAL CORP. GEOLOGICAL REPORT 8/11/88 "A PORTION OF THE RIDGE IS APPARENTLY DOWNWARD DISPLACED AND HAS AN ARCUATE CURVING BACKSLOPE. THE PORTION OF THE SLOPE WHICH DESCENDS INTO LOS LIONES CANYON APPEARS SOMEWHAT PUSHED OUT THIS TYPE OF LANDFORM IS COMMONLY ATTRIBUTABLE TO LANDSLIDING."

17474 TRAMONTO (WILKES/FLAHERTY) WILLIAM WAISGERBER & ASSC. SUBSURFACE GEOLOGICAL REPORT 1/31/78 "LOWER PORTION OF THE PROPERTY IS NOT RECOMMENDED FOR RESIDENTIAL CONSTRUCTION." FOUNDATION ENGINEERING INC. 1980; "IT IS OUR OPINION THAT THESE (SOIL) PRESSURES (ON THE DOWNDROPPED CRUSHED ZONE) ARE TOO HIGH TO DESIGN FOR." 1/18/82 DEPARTMENT OF BUILDING AND SAFETY GRADING APPROVAL CONDITIONED UPON A 10 FOOT FOUNDATION SETBACK FROM THE "CRUSHED ZONE". GEOSOILS INC. W.O. 2967-VN "ORIGINAL FAILURE PROBABLY OCCURRED AT LEAST 10,000 TO 12,000 Y.P.B...WE HAVE CONSERVATIVELY RECOMMENDED AGAINST PLACING STRUCTURES UPON THE FEATURE."

17478 TRAMONTO (SCHOLLHAMMER) THOMAS CLEMENTS & ASSC. ENGINEERING GEOLOGICAL REPORT 5/22/70 "PROPERTY IS ON A LARGE PREHISTORIC LANDSLIDE." GEOLABS INC. EXTENSIVE SUBSURFACE GEOLOGICAL REPORT JULY 1972 "ANCIENT LANDSLIDE DOES EXIST ON THE SITE...STRUCTURES ARE NOT RECOMMENDED WITHIN THE LANDSLIDE PORTION OF THE PROPERTY." CITY OF L.A. ACTION BY CHIEF GEOLOGIST CHARLES A. YELVERTON 9/20/72 "CONTINUATION OF THE PRESENTLY INACTIVE CONDITION OF THE SLIDE IS DEPENDENT UPON THE TOE OF THE SLOPE REMAINING UNDISTURBED. THE TOE OF THE SLOPE IS OUTSIDE THE BOUNDARY OF THE LOT IN QUESTION AND NOT WITHIN THE CONTROL OF THE APPLICANT." E.D. MICHAEL CONSULTING GEOLOGIST 5/7/91 "IF THE LOWER OF THE TWO LANDSLIDES MCGILL MAPPED WERE TO FAIL, SUPPORT WOULD BE REMOVED FROM ALL PROPERTIES ALONG TRAMONTO DRIVE IN THE VICINITY. ALLOWING DEVELOPMENT OF THE SUBJECT PROPERTIES WILL ADD SUBSTANTIALLY TO THAT RISK IN TERMS OF SAFETY AND LIABILITY." DOUGLAS E. MORAN INC. GEOLOGIC REVIEW 8/9/93 "MUCH OF THE SLOPE TRANSVERSED BY TRAMONTO DRIVE IS UNDERLAIN BY LANDSLIDE DEBRIS AND IS UNSTABLE...THE TOPOGRAPHY DEVELOPED AS A RESULT OF LANDSLIDING AND ITS SURFACE IS UNDERLAIN BY REMNANTS OF LANDSLIDES, PORTIONS OF WHICH ARE W... THE LIMITS OF THE PROPERTIES."

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Exhibit F

REFERENCES

1. May 22, 1970 - Geological Report: Thomas Clements Associates regarding 17478 Tramonto "underlain by prehistoric landslide".

2. July, 1972 - Geolabs, Inc., Feasibility Investigation, medium to high-rise construction, 17341 Tramonto Drive, Pacific Palisades for Boise Cascade Residential Communities Group, W.O. 2-01-3496 (ancient landslide easterly of the intersection of Revello and Tramonto Dr.) "We conclude an ancient landslide does exist on the site..."

3. November 3, 1978 - Geological Report: Leroy Crandall & Associates to Ocean Woods Terrace Condominiums regarding replacement of retaining wall 17339 Tramonto Dr.

4. November 18, 1978 - Stability Analysis: Foundation Engineering Company, Inc. - 17474 Tramonto Dr. - soil pressures in slide mass "too high to design for"

5. December 5, 1978 - Leroy Crandall & Associates, Geological Report #E78290 to Martin Engler: Report of Slope Failure Investigation, Ocean Woods Apartments - 17331 Tramonto Drive.

6. January 31, 1978 - Geological Report: William Waisgerber and Associates, - 17474 Tramonto Dr. - underlain by prehistoric landslide "...instability is restricted to that part of the propert's slope which lies next to and below the Crushed Zone. Consequently the lower part of the property is not recommended for residential construction of any kind."

7. January 19, 1979 - Letter of Conditions: J.O. Robb, Chief of Grading, to Martin Engler regarding Leroy Crandall & Associates Report #E789290, Lot 1, Tract 29827

8. May 28, 1980 - Minutes of the Engineering Geology Advisory Committee, Members present: George Larsen, geologist; Richard Ramirez, geologist; Jack Rolston, soils engineer - regarding portions of lots 1 and 2, tract 29827, 17400 through 17470 Tramonto Dr. "the Committee recommends that no residential structures be permitted on those portions of the... restricted area."

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9. June 24, 1980 - Board of Building and Safety Commissioners determination letter: lots 1 and 2 tract 36968 (17400 through 17470 Tramonto) "no habitable structures are permitted"

10. October 28, 1980 - Leroy Crandall & Associates, Report of Geotechnical Investigation: Repair of Slope Failures Below Pool Deck

11. November 7, 1980 - Leroy Crandall & Associates, Landslide Mitigation Measures for the Ocean Woods Terrace Apartments, 17339 Tramonto Dr.

12. December 21, 1981 - Geological Report Review: E.D. Michaels regarding prehistoric landslide at 17474 Tramonto Dr. and vicinity

13. September 16, 1982 - Geological Report Review: E.D. Michael, regarding 17474 Tramonto Dr.

14. November 17, 1982 - Geological Report: Geosoils, Inc. W.O. 1547-VN, regarding ancient slide underlaying 17339, 17400 and 17407 Tramonto Dr. Eight trenches and three borings confirm existence of ancient slide with configuration roughly as postulated by McGill in 1959.

15. March 17, 1983 - Leroy Crandall & Associates, Geological Report #AE83045 for San Diego Trust & Savings Bank regarding fill and soil failures at the Ocean Woods Terrace Apartments

16. May 13, 1983 - Douglas E. Moran & Associates, Geotechnical Report for the California Coastal Commission regarding 17474 Tramonto Dr. and prehistoric slide. "...analyses performed cannot be relied upon to demonstrate either that the subject site is stable or that plans for construction on it are adequate to assure its stability."

17. August 22, 1983 - Letter of Conditions: in response to Leroy Crandall & Associates Report #AE83045 from John D. Colvin, Chief of Grading to San Diego Trust & Savings Bank - 17339 Tramonto Dr.

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18. November 21, 1986 - GeoSoils, Geological and Soil Engineering Report for Radcliffe Development, Parcel Map 5938, Tract 29827, 17455 Tramonto Drive

19. February 2, 1987 - GeoSoils, Geological and Soil Engineering Report for Radcliffe Development, Parcel Map 5938, Tract 29827, 17455 Tramonto Drive

20. May 26, 1987 - Richard Mills & Associates, Geotechnical Engineering Investigation, 17339 Tramonto Drive "...no structures are proposed north of Tramonto Drive in the non-habitable area of possible ancient landslide delineated by McGill in 1959 and adopted by the Engineering Geology Advisory Committee for the City of Los Angeles, in its February 24, 1981 letter by Howard C., Maymire."

21. August 5, 1987 - GeoSoils, Geological and Soil Engineering Report for Radcliffe Development, Parcel Map 5938, Tract 29827, 17455 Tramonto Drive

22. December 30, 1987 - GeoSoils, Geological and Soil Engineering Report for Radcliffe Development, Parcel Map 5938, Tract 29827, 17455 Tramonto Drive

23. February 17, 1988 - GeoSoils, Geological and Soil Engineering Report for Radcliffe Development, Parcel Map 5938, Tract 29827, 17455 Tramonto Drive - "The limits of the possible ancient landslide are defined on both the parcel and on adjoining property. This location is based upon review of <u>all</u> data ...slide plane logged at a depth of 56+ feet in boring B-1...is towards Los Liones Canyon as might be anticipated. Orientation is as might be expected for a failure plane...The edge of any large slide would expect to be bordered by steeply dipping, irregular shears as exist in this location.

24. Pacific Palisades Area, Report on Landslide Study, Main Report, Prepared by U.S. Army Engineer District, Corps of Engineers

25. March, 1988 - Draft Environmental Impact Report No. 86-0789-PM, Tramonto Drive Parcel Map No. 5938, Radcliffe Development Corporation

26. April 7, 1988 - GeoSoils, Geological and Soil Engineering Report for Radcliffe Development, Parcel Map 5938, Tract 29827, 17455 Tramonto Drive

27. June, 1988 - Draft Environmental Impact Report No 86-0789-PM, Tramonto Drive Parcel Map No. 5938, Radcliffe Development Corporation

28. Final Environmental Impact Report No. 86-0789-Parcel Map 5938 - 17455 Tramonto Dr. - Page 26, "According to GeoSoils Inc. evidence for slope instability in the form of landslides, soils slumps and surficial creep is present on the site. The largest of these is a well concealed possibly ancient slide which involves a portion of Parcel A. A geologic report submitted by geologist Eugene D. Michael also indicates a slide exists in this area and involves the site." Page 28, "The following mitigation measures are recommended by GeoSoils,Inc: "Based upon the slide potential which exists over a portion of Parcel A, a non-structural use is recommended for this portion of Parcel A and the paralleling ten feet back from the edge of the potential slide...which should not be developed."

29. May 7, 1991 - Geological Report Review: Eugene D. Michael, consulting geologist, proposed development of Schollhammer property, 17484 and 17496 Tramonto Dr. - Page 5, " If the lower of the two slides McGill mapped were to fail, support would be removed from all properties along Tramonto Drive in the nearby vicinity...allowing development of the subject properties will add greatly to that risk in terms of safety and liability."

30. April 7, 1993 - Letter: Douglas E. Moran, Engineering Geologist, Geotechnical Engineer, to the California Coastal Commission regarding the Schollhammer properties: "I am convinced that portions of the subject property are underlain by landslide debris."

31. August 9, 1993 - Letter: Douglas E. Moran, Engineering Geologist, Geotechnical Engineer, to Mr. Jim Ryan, Staff Analyst California Coastal Commission regarding Schollhammer properties: "...surface is underlain by remnants of landslides, portions of which are within the limits of the properties that are the subject of your report."

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RUTH AND LLOYD STRAITS
17501 TRAMONTO DRIVE
PACIFIC PALISADES, CA 90272

March 12, 1997

Mr. James L. Ryan
California Coastal Commission
245 West Broadway, Suite 380
Long Beach, CA 90802

RE: Permit Extension 5-93-228 - 17484 Tramonto Drive

Dear Mr. Ryan:

We would like to go on record in opposition to the extension of the above referenced permit. This permit was granted in San Francisco 1993 when the Commission was unable to have the benefit of testimony from several engineering geologists who have opposed construction on the site.

The project was railroaded on fast track through the City Coastal Permit process without notice to abutting property owners (please see the attached declaration of the seventeen adjoining property owners). Thusly, city permit officials did not have the benefit of testimony from geologists who have tested the site in the past, and who hold opposing viewpoints.

The lot next door to the site was denied a Coastal Development Permit after the Commission's independent third party geologist, Douglas Moran, submitted a report to the Commission. We are asking the Commission to allow a third party independent geologist to review the project. Our neighbors and we, who will be most affected by this project, would be happy to bear the costs of such a third party geological review. Please advise us if this would be possible.

Sincerely,

Ruth and Lloyd Straits

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Exhibit G

HARLEY HUGER
INCORPORATED

Consulting Engineering Geologists

21600 Wyandotte Street, Suite 106
Canoga Park, California 91303
818 703-0908

March 11, 1997 Proj. No. 5350-7.90

Dr. and Mrs. Hans Schoellhammer
918 - 10th Street
Santa Monica, California 90403

SUBJECT: UPDATED ENGINEERING GEOLOGIC REPORT, LOT 2, BLOCK 19, TRACT 8923, 17484 TRAMONTO DRIVE, PACIFIC PALISADES AREA, CITY OF LOS ANGELES, CALIFORNIA.

Re: California Coastal Commission, Extension No. 5-93-228E.

Dear Dr. and Mrs. Schoellhammer:

In accordance with your request, this office is providing this updated engineering geologic report for the above subject property in response to a letter prepared by Douglas E. Moran, Inc., on behalf of the Castellammare Homeowner's Association in opposition to the development. In conjunction with the preparation of this response, the following data was reviewed, some of which has been incorporated into the preparation of this response report:

1. City of Los Angeles Geologic Review Letter, September 10, 1991, Tract 8923, Lot 2324, Block 19, 17484 and 17496 Tramonto Drive.

2. Dibblee, Thomas W., Jr., 1992, Geologic Map of the Topanga and Canoga Park (South 1/2) Quadrangles, Los Angeles County, California.

3. Michael, E.D., Consulting Geologist, May 7, 1991, "Review of Documents Re: Proposed Development of Schoellhammer property, Lots 2 & 4, Block 19, Tract 8923, Tramonto Drive, Pacific Palisades, California."

4. Palisades Property Homeowner's Association, February 9, 1997, Letter "Re: Schoellhammer project"

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5. SWN Soiltech Consultants, Inc., February 28, 1990, "Report of Soil Engineering Investigation, Proposed Single-Family Residences, Lots 2 and 4, Block 19, Tract 8923, Tramonto Drive, Pacific Palisades Area, Los Angeles, California."

6. ----------, March 30, 1990, "Addendum Report of Soil Engineering Investigation, Proposed Single-Family Residences, Lots 2, 3 and 4, Block 19, Tract 8923, Tramonto Drive, Pacific Palisades Area, Los Angeles, California."

7. Tucker, Harley A. Inc., February 22, 1990, "Report of Professional Engineering Geologic Investigation, Proposed Residential Construction, Lots 2 and 4, Block 19, Tract 8923, Tramonto Drive, Pacific Palisades Area, Los Angeles, California."

8. ----------, March 29, 1990, "Lot 3, Tract 8923, Tramonto Drive, Pacific Palisades, California."

9. ----------, June 17, 1991, "Proposed Single-Family Residences, Lots 2 and 4, Block 19, Tract 8923, 17484 and 17496 Tramonto Drive, Pacific Palisades Area, Los Angeles, California."

10. ----------, July 23, 1991, "Lots 2, 3 and 4, Tract 8923, 17490 Tramonto Drive, Pacific Palisades, California."

11. ----------, August 27, 1991, "Supplemental Engineering Geologic Report, Proposed Residential Construction, Lots 2 and 4, Block 19, Tract 8923, Tramonto Drive, Pacific Palisades Area, Los Angeles, California."

12. ----------, October 18, 1991, "Lot 3, Block 19, Tract 8923, 17490 Tramonto Drive, Pacific Palisades Area, Los Angeles, California."

13. McGill, J. T., 1989, "Geologic Maps of the Pacific Palisades Area, Los Angeles, California," U.S. Geological Survey, Map I-1828, sheet 1 of 2.

14. U. S. Geological Survey, Open-File Report, 1994, Preliminary Geologic Map of the Topanga 7.5' Quadrangle (enlargement of Pacific Palisades area, southeast part of the Topanga 7.5' Quadrangle, southern California, prepared by R. F. Yerkes and R. H. Campbell).

It should be understood that this office, as well as the office of SWN Soiltech Consultants, Inc., Geotechnical Engineers, have prepared reports for the subject property and nearby areas. These

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reports involved the excavation of numerous deep exploratory borings and backhoe trenches, one of which was 80 feet long and 18 feet deep, to ascertain the geological conditions underlying the subject property. The reports, as well as the 80 foot long trench, were scrutinized very carefully by engineering geologists of the City of Los Angeles Department of Building and Safety. The City of Los Angeles, after exhaustive review, gave approval of the site for single-family dwelling construction. The City of Los Angeles, after reviewing numerous data, could find no evidence of landsliding on the subject property. Furthermore, it should be understood that mathematical slope stability analysis performed by the soils engineer, SWN Soiltech Consultants, Inc., has indicated that a factor of safety against sliding has been determined to be higher than the minimum City code standards of 1.5. Additionally, it should be pointed out that recent geologic mapping of 21 friction pile excavations for the property located at 17496 Tramonto Drive (2 lots southerly of the subject property) revealed no indications of landslide activity. These friction piles were logged by the consultant and no landslide deposits were mapped within these friction piles which ranged in depth from 25 to 45 feet. It should also be pointed out that the most recent U. S. Geological Survey publication in 1994 entitled "Preliminary Geologic Map of the Topanga 7.5' Quadrangle (enlargement of Pacific Palisades area southeast part of Topanga 7.5' Quadrangle of southern California, prepared by two eminent geologists, R. F. Yerkes and R. H. Campbell with the U. S. Geological Survey, have also agreed with our findings and have not included the site or nearby areas within an ancient or recent landslide structure. The recent geologic map of the area published by Thomas W. Dibblee, Jr., also did not map the site or adjacent downslope areas as part of an ancient or recent landslide. Mr. Thomas Dibblee has performed more geologic mapping than any geologist in California history. He has prepared numerous quadrangle maps which are used by consultants, as well as governmental agencies for evaluating consultants reports. The late John McGill of the U. S. Geological Survey, in his latest map of the Pacific Palisades area in 1989, also showed no evidence of landsliding. Mr. McGill reviewed all of the reports that were available for the Pacific Palisades, including the reports referenced by Douglas Moran and E. D. Michael and has come to an entirely different conclusion regarding the stability of this area. The site in question has never experienced any known historic landslide hazard. Concrete steps that were constructed on the slope below the property in the early 1920's show no signs of displacement or indication of movement.

The City of Los Angeles in reviewing our past engineering geologic and geotechnical engineering reports have visited the property and inspected subsurface excavations exposing bedrocks in long exploratory trenches and have also concluded that, based on their on-site evaluation, no landslide hazard exists.

Mr. Douglas Moran and Mr. E. D. Michael have separately prepared reports for the Palisades Homeowner's Association and made comments relating to the site. Their stated opinions, based on no subsurface exploratory work, conclude that the site may be underlain by landslide deposits. The Schoellhammers have spent thousands of dollars for deep subsurface work, as they

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too were concerned for the geologic stability of the property. Based on extensive subsurface studies performed on the subject property by this office and a critical review by the engineering geologists and soils engineers of the City of Los Angeles Department of Building and Safety, it was determined by all these professionals that the site is not underlain by a landslide hazard. Furthermore, there was no evidence of landslide hazard discovered on the property during the excavation of deep friction piles for residential construction on 17496 Tramonto Drive. **Again, studies of all relevant geotechnical and engineering geologic data developed on the subject property clearly indicate no evidence that landslide hazard is present.**

It should be pointed out that Mr. Vince Flaherty, an opponent of any development on the subject property and an advocate for the Pacific Palisades Homeowner's Association, lives immediately downslope and next door to the subject property.

If you have any questions regarding this limited geologic report, please contact the undersigned.

Very truly yours,

Harley A. Tucker, President
C.E.G. 954

HAT/smb.b

cc: Addressee, Via FAX, 310-393-6433
California Coastal Commission (1)
Attn: James Ryan, Coastal Program Analyst, Via FAX, 310-590-5084

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