

**CALIFORNIA COASTAL COMMISSION**

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



Page 1 of 6  
 Application No.: 4-97-204  
 Date: 4/23/98

**ADMINISTRATIVE PERMIT**

**APPLICANT:** CA Department of Parks and Recreation.  
 Attn. Richard Rozzelle

**PROJECT DESCRIPTION:** Renovate and convert an existing single family residence into a wildlife rehabilitation center for species native to the Santa Monica Mountains. Construct 14 animal enclosures, and install 300 sq. ft. modular building.

**PROJECT LOCATION:** 26026 Piuma Rd., Calabasas, Los Angeles County

**EXECUTIVE DIRECTOR'S DETERMINATION:** The findings for this determination, and for any special conditions, appear on subsequent pages.

***NOTE:** P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.*

This permit will be reported to the Commission at the following time and place:

May 12-15, 1998 9:00 A.M.  
 Resources Building - Sacramento  
 Auditorium, Main Floor  
 Sacramento, CA 95814  
 (916) 657-2358

**IMPORTANT - Before you may proceed with development, the following must occur:**

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

**BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.**

PETER DOUGLAS  
 Executive Director

By:   
 John Ledbetter  
 Title: Coastal Program Analyst

**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 this permit is reported to the Commission. 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.

**EXECUTIVE DIRECTOR'S DETERMINATION (continued):**

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter Three, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter Three.

## FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

### A. Project Description and Background

The applicant proposes to develop the existing single family residence into a wildlife rehabilitation center for species native to the Santa Monica Mountains. The project will include the construction of approximately 14 animal enclosures, ranging from a 800 sq. ft. flight pen to a 96 sq. ft. pen for small mammals, the installation of a 300 sq. ft. modular building, and interior renovation of the main building.

The animal enclosures will range in size and design depending on the requirements of the species to be housed at any one given time. The 30' x 10' modular building will be used as a nursery for the orphaned, baby animals. The upper level of the main building shall be divided into a reception area, an interpretative area for visitors, office area, and two bedrooms for the resident staff. The lower level will house the intensive care unit, including a staging area, medical examining and treatment room, and housing for the infirm. The garage will be used as a work area for building cages, and storage.

The applicant has indicated that all animal wastes shall be disposed of off-site, and the existing septic tank shall be replaced with a new tank of equivalent size.

### B. Geologic Hazards

Section 30253 of the Coastal Act states in part that 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. The applicant has submitted a Geotechnical Letter by Brian Robinson & Associates, Inc. dated 3/23/98, to address the stability of the slope and retaining wall located behind the existing residence, which states that:

*The overturned wall was not a designed retaining wall, but some type of slough wall, which was not adequately maintained. The bedrock at the site consists of basaltic breccia and is exposed on the slope behind the structure. These rock materials are very hard and stand very well in vertical to near vertical slopes. The existing slope behind the structure is considered to be grossly stable but will be effected by long term rockfall and ravelling.*

The consulting geologist recommends two conditions to mitigate any potential geologic hazard: 1) any loose debris on the slope surface be raked off each year prior to the winter season; and, 2) debris which builds up at the toe of the slope should be removed annually so as to maintain a uniformly draining slope.

Based on the recommendations of the consulting geologist to minimize rockfall and raveling, the Executive Director determines that the development will be free from geologic hazards so long as the geologic consultant's recommendations are incorporated into project plans. Therefore, the Executive Director determines it necessary to require the applicant to submit project plans that have been certified in writing by the consulting Engineering geologist as conforming to their recommendations. The Executive Director determines that as conditioned, the proposed development is consistent with Section 30253 of the Coastal Act.

### C. Environmentally Sensitive Resources

The Coastal Act defines an environmentally sensitive area in Section 30107.5 stating that:

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

The proposed project is located in Malibu Creek State Park, just south of Piuma Road and east of Malibu Canyon Road. The subject parcel is split between the Malibu/Coldcreek Resource Management Area and Malibu Creek Significant Residential Watershed. The parcel includes portions of a designated Environmentally Sensitive Habitat Area (ESHA) and a Significant Oak Woodland (see Exhibit 2). The proposed project is located approximately 100 feet to the east of the ESHA and 250 feet northeast of the Significant Oak Woodland. However, there are numerous significant oak trees interspersed throughout the property, between the several clearings of various sizes including the site of the main building, and the driveway.

The Coastal Act mandates that ESHAs be protected against habitat disruption. Furthermore, the Coastal Act requires that development adjacent to an ESHA be sited and designed to prevent impacts that would degrade the ESHA value. Specifically, Section 30240 states:

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

**(b) *Development in areas adjacent to environmentally sensitive habitat 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.***

The Malibu/Cold Creek Resource Management Area includes Cold Creek Canyon, a relatively undisturbed watershed with year round water supporting well developed native vegetation and wildlife. In addition to oak woodlands and native chaparral habitat

several pockets of native grassland occur within this watershed encompassing about eight square miles (5,000 acres). The watershed serves as tributary areas to Cold Creek and the downstream Malibu Creek and Malibu Lagoon Significant Ecological Areas.

The Cold Creek watershed has also been included in the inventory of California Natural Areas Coordinating Council, which includes this area as one of the 1,250 such natural areas in the State of California exhibiting "the significant features of the broad spectrum of natural phenomena that occur in California. These areas include those that are unique or outstanding examples and those that are typical or representative of a biotic community of geological formation. All areas have been selected on their merit..."

The Malibu/Santa Monica Mountains LUP contains several policies (P63- P68, P74, P82, P84, P88, P91, and P96) designated to protect the Watersheds, and ESHA's contained within, from both the individual and cumulative impacts of development.

The applicant proposes to construct approximately 14 cages of primarily wood, PVC piping and wire mesh, which will be temporary in nature and not require any foundations or footings. The prefabricated modular building will be placed on a flat portion of the existing driveway and serviced by utilities from the main building. The cages will be located in both the cleared areas as well as under the canopy of the oaks, depending on the needs of the particular species under rehabilitation.

Given the light construction materials and absence of foundations, those cages located under the oaks will not create a significant impact on the oaks within the project boundaries. The Resource Ecologist for the Department of Parks and Recreation, Suzanne Goode, has reviewed the proposed project and concludes:

*"These cages will have false bottoms, open roofs and sides which will allow the free flow of rain water and condensation from the oak tree branches to reach all areas near the bases of these oak trees. Therefore, it is my opinion that these animal cages will not effect the natural processes of the oak trees."*

Further, under no circumstances will the oak trees be altered or removed. The applicant has provided the following statement, in a letter dated 11/24/97, to that effect:

*"The project will not require the manipulation or removal of the coastal oaks on the property. In addition, the permit granted to the wildlife rescue organization, who will ultimately operate the facility, will specify similar oak tree protection language."*

Given the site is a state park, fuel modification requirements for fire prevention are regulated by state law. The applicant has indicated that an ongoing fuel modification program exists for the subject site, and that no further changes to the existing program are necessary or will be permitted to accommodate the proposed animal cages. In a letter dated 4/22/98 the applicant states:

*"The proposed project for the Malibu Wildlife Center (MWC) at the above location includes the placement of animal cages throughout the property. The animal cages will be located in areas which have been historically cleared of exotic grasses and other light fuels to protect the residential structure on the property. Additional fuel modification to protect the animal cages is not required by state law and will not be allowed under the terms of the use permit granted to the MWC."*

The proposed project will not require any significant alterations within the project boundaries, as no new roads, permanent structures or utilities will be required in order to convert the existing residence into a wildlife rescue center. In fact, by definition, the proposed adaptive reuse of the residence is to utilize, and hence preserve, the surrounding natural habitat as much as possible.

Thus, the approval of the proposed project would maintain protection of the adjacent ESHA area and Significant Oak Woodland by the integrated nature of the proposed use and the habitat, the low impact design of the cages, and the minimal impact of the modular building located over the existing driveway. Therefore, the Executive Director determines the project as proposed would be consistent with Sections 30240(a), and 30240(b) of the Coastal Act.

#### D. 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 Chapter 3 (commencing with Section 30200) 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 Chapter 3 (commencing with Section 30200).***

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

Therefore, the Executive Director determines that approval of the proposed development will not prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area of Malibu that is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

### E. California Environmental Quality Act

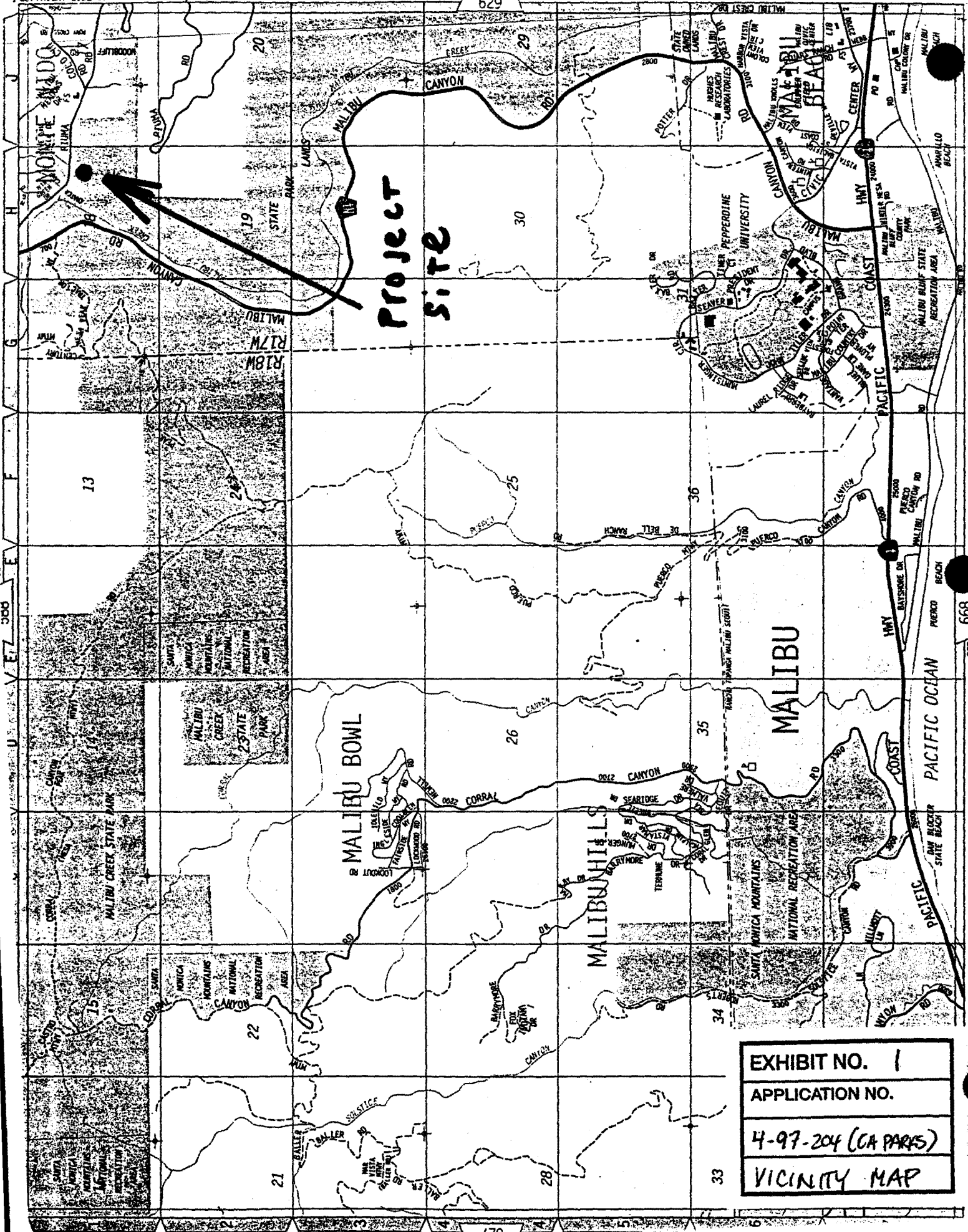
The Coastal Commission's permit process has been designated as the functional equivalent of CEQA. Section 13096(a) of the California Code of Regulations requires approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of CEQA. Section 21080.5 (d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse effects that the activity may have on the environment.

The proposed development will not cause significant , adverse environmental effects which will not be adequately mitigated by the condition imposed by the Executive Director. Therefore, the Executive Director determines that the proposed project, as conditioned in this permit to mitigate the identified impacts, is found consistent with the requirements of CEQA and the policies of the Coastal Act.

#### **Special Conditions:**

##### 1. Geologic Recommendations

Prior to the authorization to proceed with development, the applicant shall submit, for review and approval by the Executive Director, an annual slope debris maintenance plan, including all recommendations contained in Geotechnical Letter, Brian Robinson, 3/23/98, relating to slope and toe debris clean-up. Said plan must be reviewed and approved by the consultants.

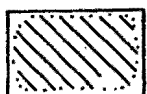
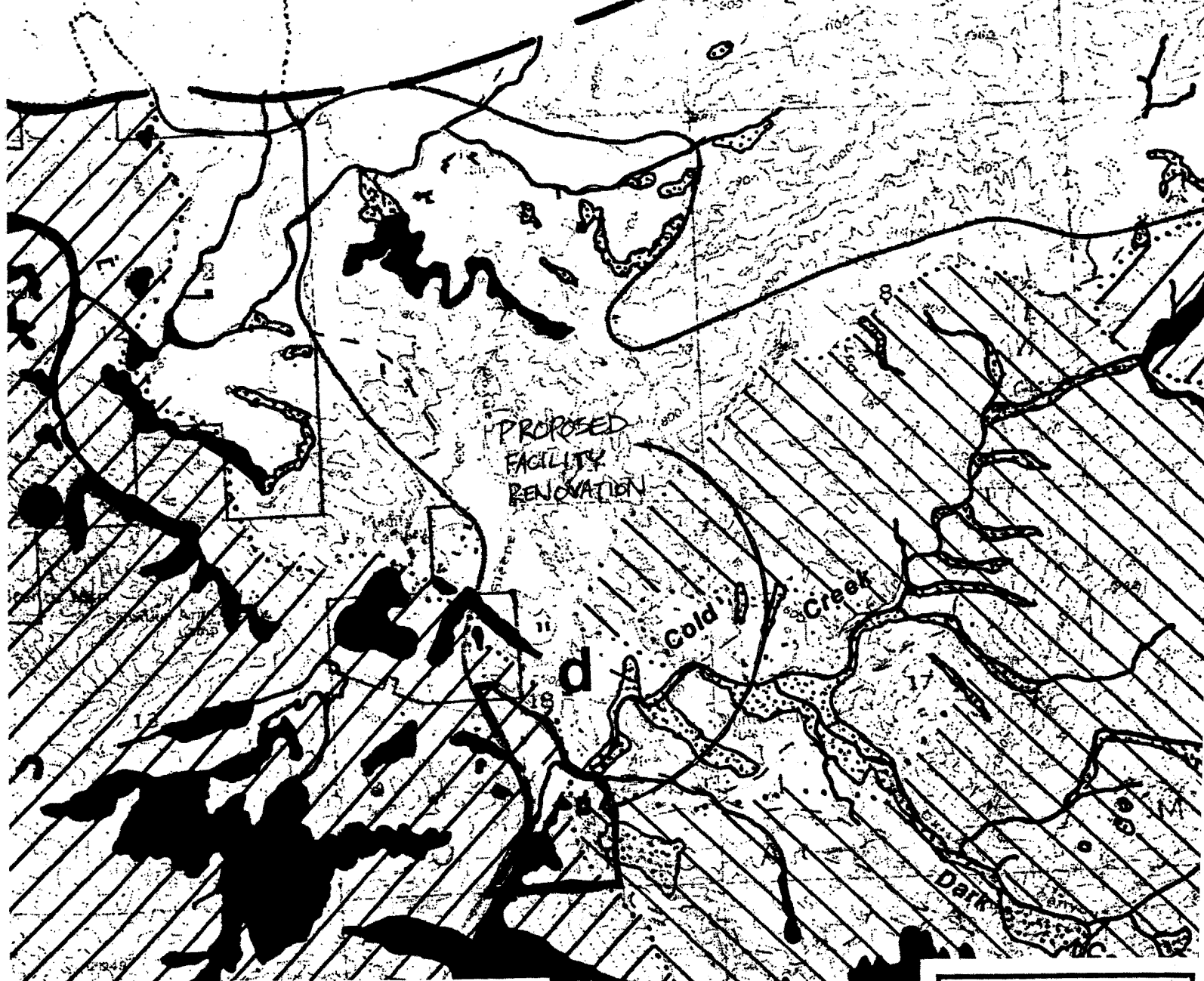


**Project Site**

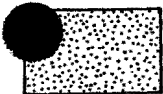
EXHIBIT NO. 1
APPLICATION NO.
4-97-204 (CA PARKS)
VICINITY MAP



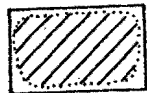
# BOUNDARY



**MALIBU/  
COLD CREEK RESOURCE  
MANAGEMENT AREA**



**SIGNIFICANT OAK WOODLAND  
AND SAVANNAHS**



**SIGNIFICANT WATERSHEDS  
RESIDENTIAL — RESOURCE  
DEPENDENT USES**

EXHIBIT NO. **2**

APPLICATION NO.

4-97-204 (CA PARKS)

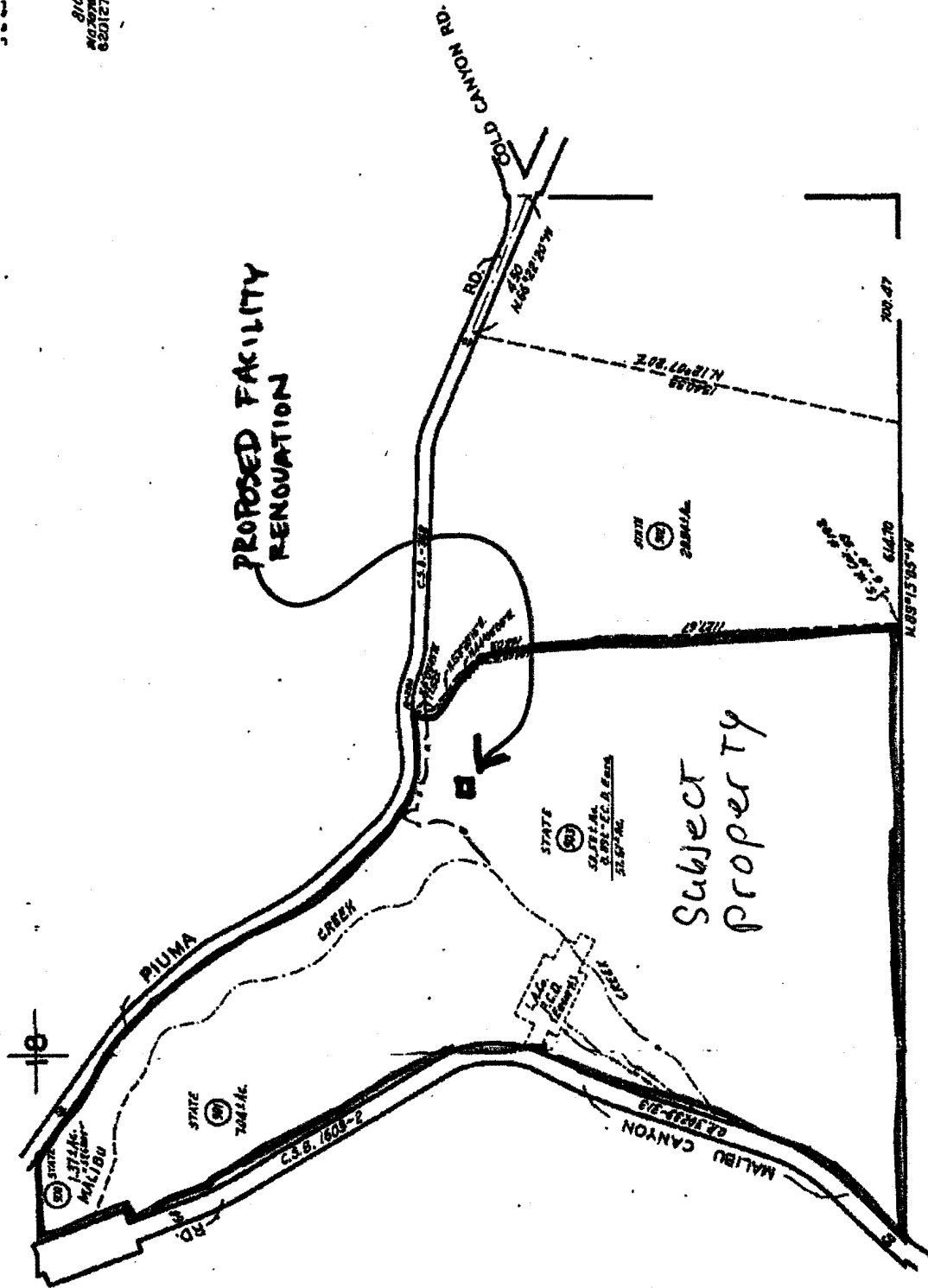
ESHA MAP



**ENVIRONMENTALLY SENSITIVE  
HABITAT AREA — RESOURCE  
DEPENDENT USES**

Revised:  
 10-1-57  
 7-6-60  
 4-2-64  
 7/23/80  
 8/20/86/205  
 8/21/87/008  
 44556-85

ASSESSOR'S MAP  
 COUNTY OF LOS ANGELES, CALIF.



T.1 S., R.17 W.

II: 4456-8

4456 8  
 SCALE = 300'

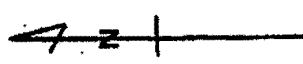
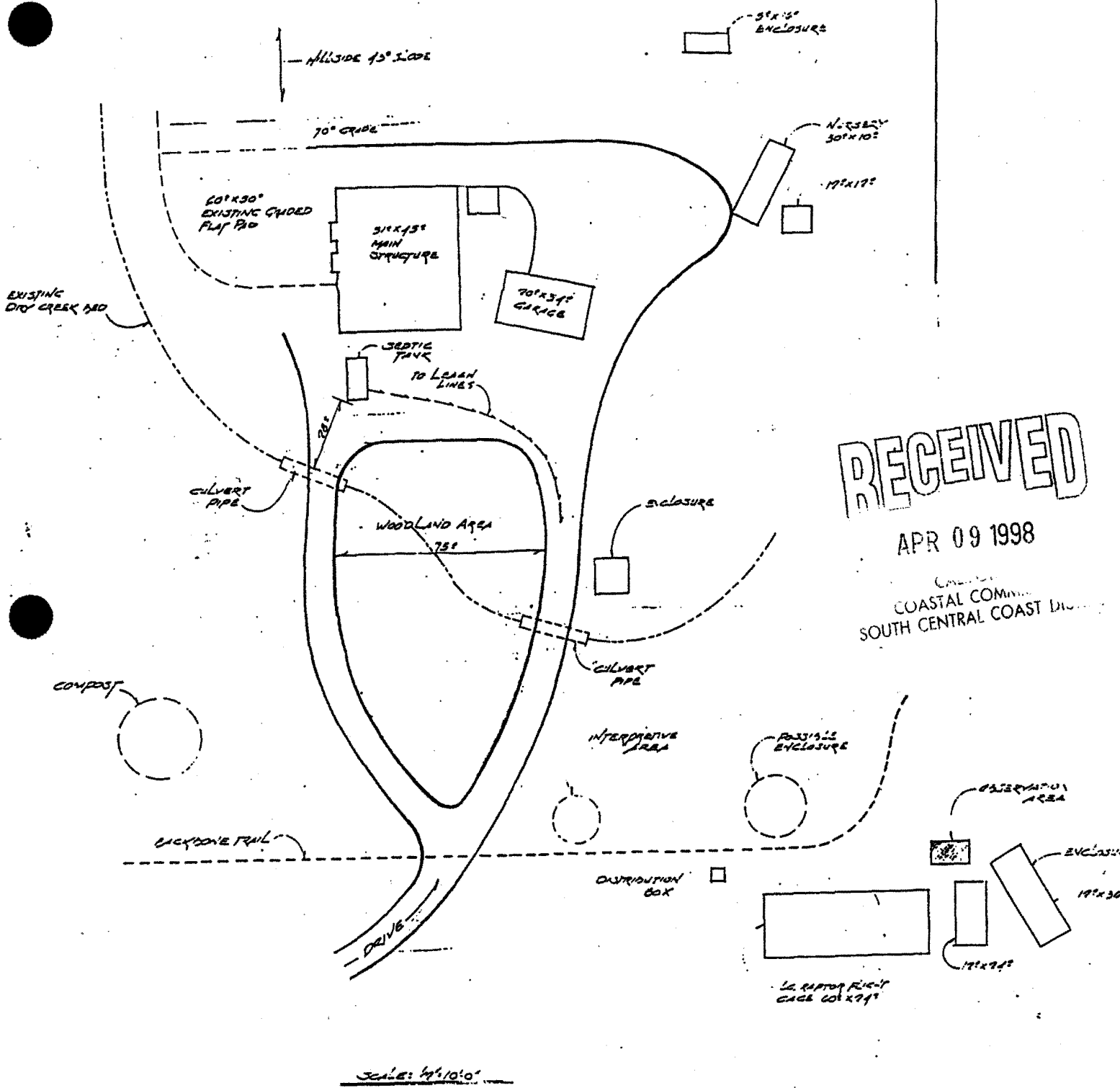


EXHIBIT NO. 3  
 APPLICATION NO.  
 4-97-204 (CA PARKS)  
 PARCEL MAP



**RECEIVED**

APR 09 1998

COASTAL COMMUNITY DISTRICT  
SOUTH CENTRAL COAST DISTRICT

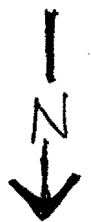
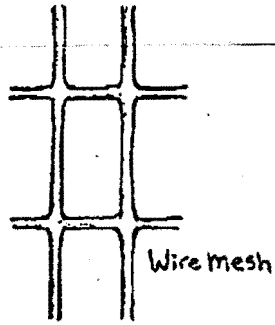


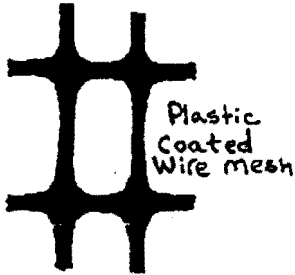
EXHIBIT NO. **4**  
 APPLICATION NO.  
**497-204 (CA PARKS)**  
**SITE PLAN**

	<b>MALIBU WILDLIFE CENTER</b>
	26026 PIUMA ROAD CALABASAS, CA 91302 (310) 317-2299

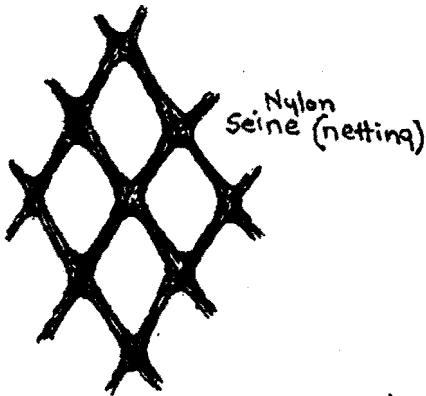


Wire mesh

Cages will be made of the following materials: Nylon seine (1/4"-2" spacing) and wire mesh (1/4"-3") - coated and uncoated including chain link fencing. Cage frames will include wood and PVC with plywood, fiberglass and galvanized metal used to shield animals from weather and predators. See below.

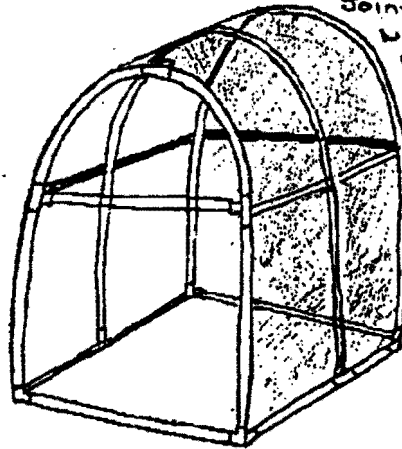


Plastic Coated Wire mesh



Nylon Seine (netting)

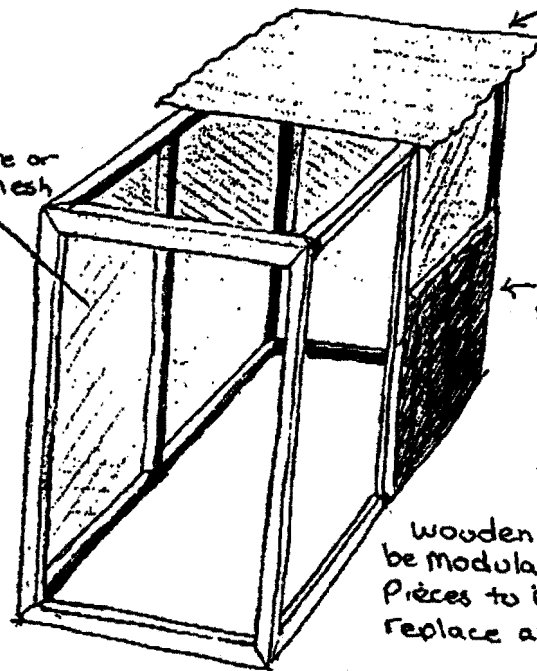
PVC will be pieced together with PVC joints and seine will be attached. Plywood or fiberglass may be used as a protective barrier as in wooden cages.



Wire or Nylon mesh

metal or fiberglass roofing

plywood siding



Wooden cages will be modular 4'x8' pieces to enlarge or replace as needed.

4'x8' unit

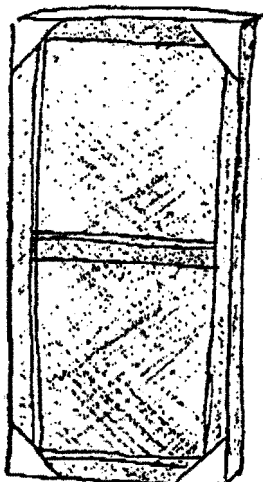


EXHIBIT NO. 5
APPLICATION NO.
4-97-204 (CA PARKS)
CAGES

Upper pad next to house - Area 12

Detail of large modular cage

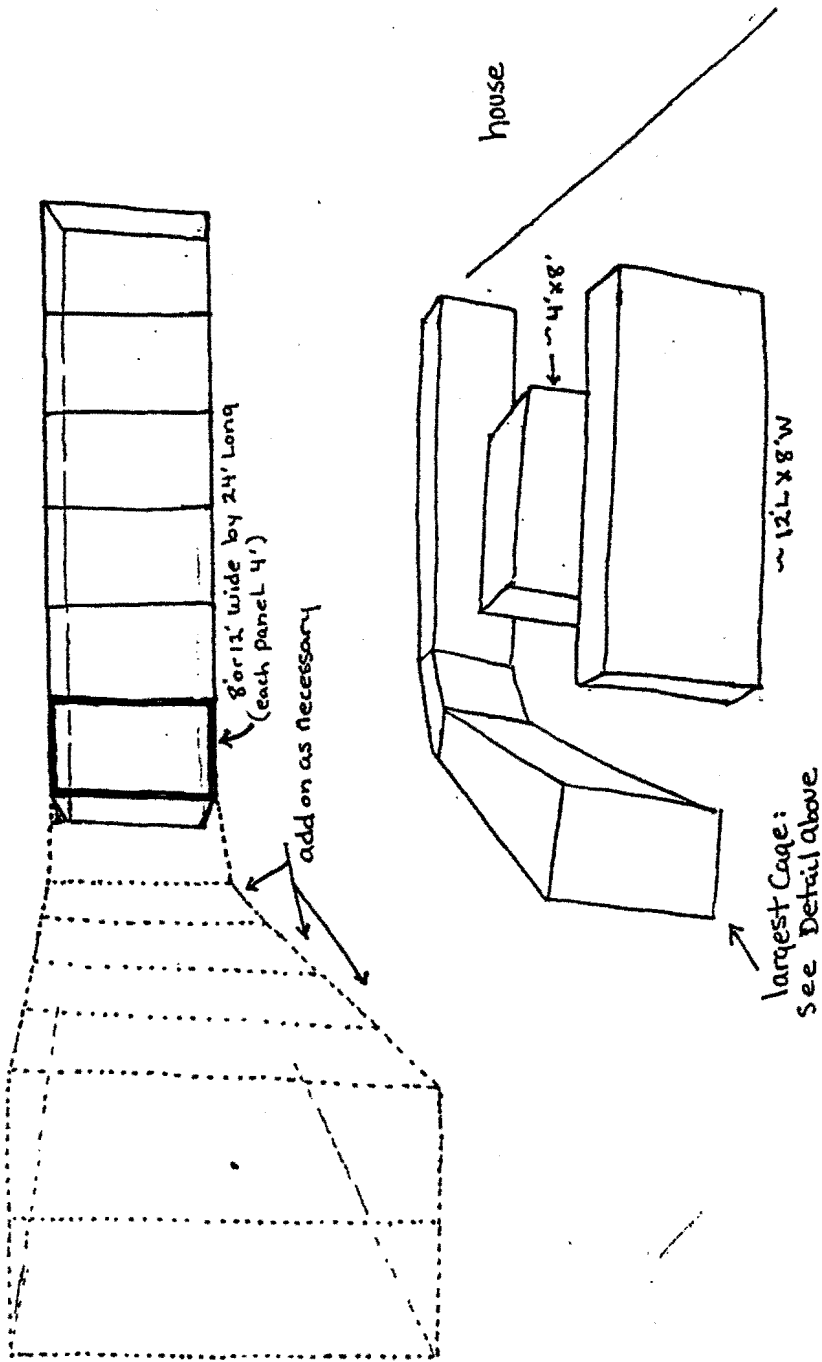
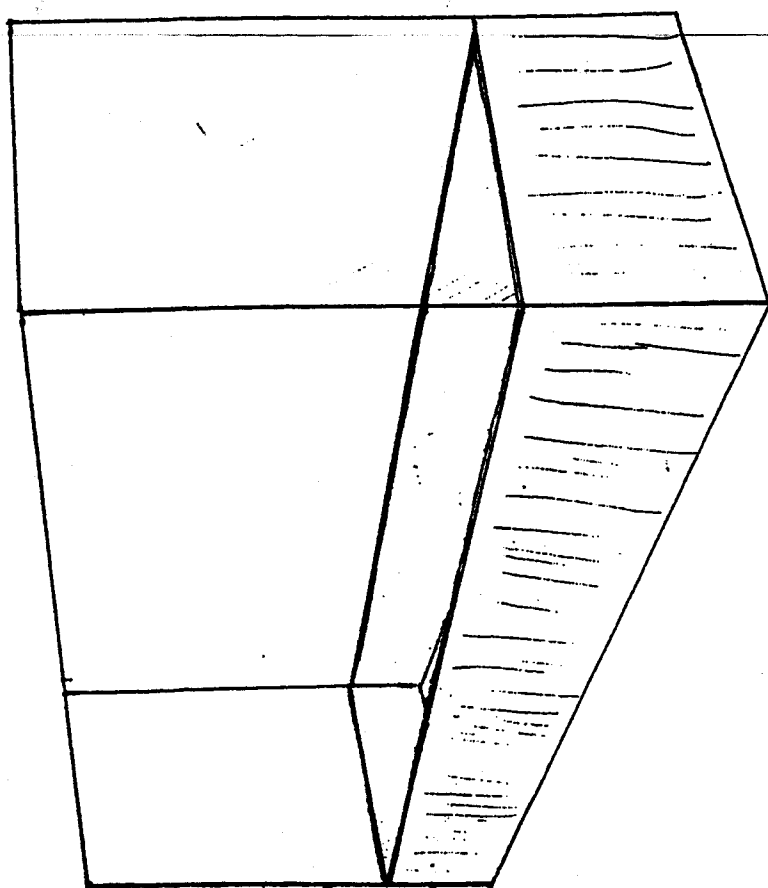


EXHIBIT NO. 6
APPLICATION NO.
4-97-204 (CA PARKS)
CAGES

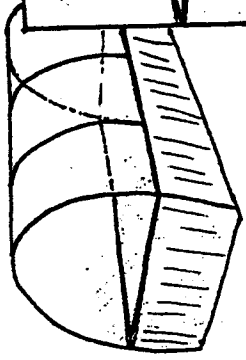
Lower Pad  
Area 2



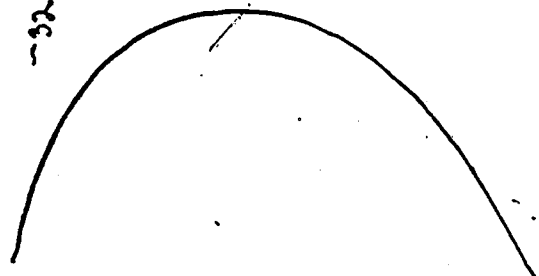
260' x ~20' x ~16H  
May be divided to house  
individuals separately.



~32x12x16



~32x12x16



Backbone Trail

EXHIBIT NO.	7
APPLICATION NO.	
4-97-204 (A PARP'S)	
CAGES	