

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA

SOUTH CALIFORNIA ST., SUITE 200

MANTUA, CA 93001

(805) 641 - 0142

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Staff: CAREY
Staff Report: 7/14/99
Hearing Date: 8/10-13/99
Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.:** 4-99-005**APPLICANT:** Henry and Charlotte Groves**AGENT:** Marny Randall**PROJECT LOCATION:** 24254 Malibu Road, City of Malibu, Los Angeles County

PROJECT DESCRIPTION: Construction of a retrofit foundation consisting of six poured-in-place caissons and concrete grade beams to underpin an existing beachfront residence undermined by a landslide. The retrofit foundation will connect and support the existing timber pile foundation. The work also includes: the excavation of slide material beneath the residence; construction of dewatering trench; straightening and tying back leaning portion of timber bulkhead; and removal and replacement of 5 foot long portion of bulkhead return wall to accommodate the grade beam foundation. No portion of the development will extend seaward of existing development on site. The applicants propose to record an offer to dedicate lateral access as part of the project.

LOCAL APPROVALS RECEIVED: City of Malibu Approval in Concept

SUBSTANTIVE FILE DOCUMENTS: Geotechnical Investigation for Remedial Stabilization, dated 8/13/98, prepared by Strata-Tech, Inc.; Coastal Engineering Report, dated 9/23/98, prepared by David C. Weiss; Emergency Permit 4-99-005 (Groves).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission approve the proposed project with special conditions relating to assumption of risk and lateral access easement. As conditioned to implement the applicants' proposal to offer to dedicate a lateral public access easement across the site, the proposed development will minimize impacts to public access, consistent with §30210, §30211, §30212 and §30251 of the Coastal Act. As conditioned to assume the risks of development, the proposed project will minimize risks to life and property, consistent with §30253 of the Coastal Act.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **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 development during construction, 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.

III. Special Conditions

1. Applicant's Assumption of Risk

- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from landsliding, storm waves, erosion, or flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- B. Prior to issuance of the coastal development permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

2. Offer to Dedicate Lateral Public Access

In order to implement the applicant's proposal of an offer to dedicate an easement for lateral public access and passive recreational use along the shoreline as part of this project, the applicant agrees to complete the following prior to issuance of the permit: the landowner shall execute and record a document, in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for lateral public access and passive recreational use along the shoreline. The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property. Such easement shall be located along the entire width of the property from the mean high tide line landward to the dripline of the existing deck as illustrated on the site plan prepared by David C. Weiss Structural Engineer and Associates, Inc. and dated December 22, 1998. The document shall contain the following language:

(a) Privacy Buffer

The area ten (10) feet seaward from the dripline of the proposed deck as illustrated on the site plan prepared by David C. Weiss Structural Engineer and Associates, Inc. and dated December 22, 1998, shall be identified as a privacy buffer. The privacy buffer shall be applicable only if and when it is located landward of the mean high tide line and shall be restricted to pass and repass only, and shall be available only when no other dry beach areas are available for lateral public access. The privacy buffer does not affect public access should the mean high tide line move within the buffer area.

(b) The remaining area shall be available for passive recreational use.

The document shall be recorded free of prior liens which the Executive Director determines may affect the interest being conveyed, and free of any other encumbrances which may affect said interest. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording. The recording document shall include legal descriptions of both the applicant's entire parcel(s) and the easement area. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description.

The proposed project was originally scheduled for hearing at the June 1999 Commission meeting. The applicants requested a postponement prior to the hearing. This permit application has now been rescheduled for the August 1999 Commission meeting.

The applicants propose the construction of a retrofit foundation consisting of six poured-in-place caissons and concrete grade beams to underpin an existing beachfront residence undermined by a landslide. The retrofit foundation will connect and support the existing timber pile foundation. The work also includes: the excavation of slide material beneath the residence; construction of a dewatering trench; straightening and tying back the leaning portion of an existing timber bulkhead; and removal and replacement of 5 foot long portion of bulkhead return wall to accommodate the grade

beam foundation. No portion of the development will extend seaward of existing development on site.

This application is a follow-up to Emergency Permit 4-99-005-G (Groves) granted in January 1999 as well as a follow-up to Emergency Permit 4-98-182-G (Groves) granted in June 1998 for temporary shoring. The proposed foundation underpinning and other construction were necessitated by a landslide which extends landward of the proposed project site. The slide was re-activated by heavy rains in the El Nino storms of 1998. The sliding resulted in several of the timber pilings supporting the west side of the residence being tilted seaward. The house was yellow-tagged by the City of Malibu as a result of the land movement and structural damage to the home. Permit 4-98-182-G was granted in June 1998 for the construction of two concrete piles and temporary wood bracing to support the damaged portion of the foundation and allow habitability of the structure while geologic and geotechnical investigations were undertaken, a repair project was designed, and approvals were obtained from the City and Commission. The concrete piles and bracing were constructed.

The applicants' consultants proceeded to conduct geotechnical and wave uprush studies and to develop plans for the ultimate repairs to the damaged foundation. The applicants were processing permits for the foundation underpinning at the City of Malibu. The applicants submitted a follow-up permit application for Emergency Permit 4-98-182-G in August 1998. During the processing of this permit, the applicants indicated that plans had been finalized for the ultimate foundation improvements and that the improvements needed to be implemented as soon as possible because of the impending rainy season. The applicants' consultants were concerned that rain might once again activate the slide and cause further damage to the home.

The applicants submitted Emergency Permit 4-99-005-G for the foundation retrofit project in January 1999. The application included letters from the consulting geologist, structural engineer, and the City of Malibu Building and Safety Department all indicating that the proposed foundation improvements needed to be constructed on an emergency basis to avoid damage or destruction of the residence. Staff visited the site with the applicants' agent and the project engineer. The emergency permit was granted on January 7, 1999.

In consultation with staff, the applicants withdrew follow-up permit application 4-98-182 and resubmitted the subject permit application 4-99-005 as a follow-up to both emergency permits and to authorize all work that has been carried out on the site to stabilize the home. All work now proposed has been constructed on the site.

The applicants have submitted a letter from the State Lands Commission (SLC) dated 1/5/99 which indicates that SLC staff has reviewed the proposed project. Their review indicates that the site is presently burdened with a deed restriction for public access and passive recreation across the site. Their review further indicates that SLC staff does not at this time have sufficient information to determine whether this project will

intrude upon state sovereign lands or interfere with other public rights. They do not think that the expenditure of time, effort and money necessary to make such a determination is warranted in this case. The letter concludes that:

Accordingly, the CSLC presently asserts no claims that the project intrudes onto sovereign lands or that it would lie in an area that is subject to the public easement in navigable waters. This conclusion is without prejudice to any future assertion of state ownership or public rights, should circumstances change, or should additional information come to our attention.

Staff would note that the applicants propose, as part of the project, to record an offer to dedicate lateral public access across the project site.

Previous Commission Action

The Commission approved Permit No. P-12-24-75-6794 (Welsh) for the: "Construction of a 2-story single family dwelling, 39' above average finished grade" on the subject site. This permit was approved under the provisions of Proposition 20 in March 1976. As a condition of approval, the applicants were required to record a deed restriction: "...granting lateral public access up to 25' inland from the mean high tide line, however, in no case will said dedication be nearer than 5' to the proposed development". This deed restriction was recorded and the house was built.

B. Geologic Stability

Section 30253 of the Coastal Act states in pertinent 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 applicant has submitted plans prepared and certified by David C. Weiss, Structural Engineer & Associates dated 11/16/98 for the emergency repair work. The proposed remedial construction consists of six poured-in-place caissons and concrete grade beams to connect and support the existing timber pile foundation. The work also includes: the excavation of slide material beneath the residence; construction of dewatering trench; straightening and tying back leaning portion of timber bulkhead; and removal and replacement of 5 foot long portion of bulkhead return wall to accommodate the grade beam foundation. In addition, the applicant has submitted a Geotechnical Investigation for Remedial Stabilization, dated 8/13/98, prepared by STRATA-TECH, Inc. Finally, the applicant submitted an Engineering Geologic Memorandum, dated 8/12/98, prepared by Geoplan, Inc.

The consultants identify the existence of a landslide underlying the proposed project site. This slide, first identified in 1974, was reactivated by the large amount of rain in the El Nino storms of 1997-98. The slide extends northerly of the project site above Malibu Road, as shown on Exhibit 3. The project geologist's exploration of the area indicated that landslide extended in a headward direction as a result of flooding in early 1998. The report states that: "The extension appears to have overridden the headward part of the 1974 landslide causing the substantial surcharge which deepened the slide plane beneath the swelling piles.

This landsliding resulted in the deformation of several of the timber pilings on the west side of the residence, as well as the existing timber bulkhead located beneath the residence. The timbers, which form the foundation of the residence, and the timbers which secure the wooden bulkhead, do not extend to bedrock. As the slide moved in a seaward direction, several of the timbers were forced forward to a leaning position. This "wracking" of the piles endangered the overall stability of the residence. The structure was "yellow tagged" by the City of Malibu Environmental and Building Safety Department. As described above, the applicants constructed (under Emergency Permit 4-98-182-G) two concrete piles and temporary wood bracing to support the damaged portion of the foundation and allow habitability of the structure until geologic and geotechnical investigations were completed, a repair project was designed, and approvals were obtained from the City and Commission.

Complete remediation of the slide would require grading and work outside the applicants' property. The geotechnical report states that:

Due to the extent of the landslide and fluctuating groundwater conditions it does not appear to be feasible to stabilize the entire landslide by the corrective measures of only one property owner, offsite mitigative measures are in order. Stabilization of the landslide should entail a joint effort by adjoining and upslope property owners that could include grading drainage control, dewatering of the slide, and soldier piles. A soldier pile wall in front of the structure of the subject site could possibly deflect movement of the slide onto adjacent properties.

Rather than remediating the landslide, the proposed project would stabilize the existing residence and provide underpinning for the foundation. The proposed project includes the construction of six poured-in-place concrete caissons embedded into bedrock. As shown on Exhibit 2, these caissons are located around the perimeter of the existing structure. The proposed caissons and the existing timber piles are connected by a concrete grade beam system. The existing timber piles are embedded within the grade beams, as shown on Exhibit 2. After construction of the caissons and grade beams, the timber piles are cut off below the grade beams so that they cannot be further wracked by landslide movement. Should the landslide be further activated in the future, the slide debris can flow around the caissons below the structure. The caissons have been designed to sustain such forces.

In order to construct the caisson and grade beam foundation in the proposed configuration, the applicants are proposing to relocate the existing septic tank approximately six feet seaward. The overall capacity of the septic system will not be increased. The septic tank will still be located behind and will be protected by the existing timber bulkhead. Further, the repair of the existing timber bulkhead is proposed, consisting of excavation of slide debris from behind the wall and straightening the wall to a vertical position. The bulkhead will be supported in place by tie-back anchors. A five foot long section at the landward end of the bulkhead return wall on the eastern side of the residence will be replaced in order to accommodate the proposed location of one of the grade beams.

Finally, the applicants propose the construction of a dewatering trench along the northern and eastern property lines to reduce hydrostatic build-up below the structure. This consists of a 15 foot deep, 18 inch wide trench lined with an impermeable membrane and filled with gravel. This trench will function as a French drain, intercepting water and conveying along the eastern property line to the beach.

The applicants' consultants conclude that the proposed project will stabilize the existing structure and improve the structural stability. As described above, after construction of the caisson and grade beam foundation system, the foundation will be embedded into bedrock. The caissons have been designed to withstand the forces associated with any future landsliding. Landslide debris will be able to flow around the caissons. Finally, the proposed dewatering trench will minimize hydrostatic pressure on the structure. The geotechnical report states that: "This repair is not intended to remedy all distress to the subject property, but will extend the habitable usefulness of the residence". Thus, the Commission notes that the proposed development, as submitted, is consistent with the requirements of Coastal Act Section 30253 that require the assurance of the structural integrity of proposed development.

However, the Commission further notes that the proposed development is located on a beachfront lot in the City of Malibu. The Malibu coast has historically been subject to substantial damage as the result of storm and flood occurrences--most recently, and perhaps most dramatically, during the past El Nino severe winter storm season that gave rise to the emergency permit request underlying the applicant's current proposed application.

The subject site is clearly susceptible to flooding and/or wave damage from storm waves, storm surges and high tides. Past occurrences have caused property damage resulting in public costs through emergency responses and low-interest, publicly-subsidized reconstruction loans in the millions of dollars in Malibu area alone from last year's storms.

In the winter of 1977-1978, storm-triggered mudslides and landslides caused extensive damage along the Malibu coast. According to the National Research Council, damage

to Malibu beaches, seawalls, and other structures during that season caused damages of as much as almost \$5 million to private property alone.

The El Nino storms recorded in 1982-1983 caused high tides of over 7 feet, which were combined with storm waves of up to 15 feet. These storms caused over \$12.8 million to structures in Los Angeles County, many located in Malibu. The severity of the 1982-1983 El Nino storm events are often used to illustrate the extreme storm event potential of the California, and in particular, Malibu coast. The 1998 El Nino storms also resulted in widespread damage to residences, public facilities and infrastructure along the Malibu Coast.

Thus, ample evidence exists that all beachfront development in the Malibu area is subject to an unusually high degree of risk due to storm waves and surges, high surf conditions, erosion, and flooding. The existing development on site, even after the completion of the remedial repair work, will continue to be subject to the high degree of risk posed by the hazards of oceanfront development in the future. Furthermore, while the stability of the existing structure is improved by the proposed project, the landslide has not been remediated. As such, the subject site is still subject to risk from landsliding in the future. The Coastal Act recognizes that development, such as the proposed repairs and new underpinning to the foundation, even as designed and constructed to incorporate all recommendations of the consulting coastal engineer, may still involve the taking of some risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use the subject property.

The Commission finds that due to the possibility of landsliding, liquefaction, storm waves, surges, erosion, and flooding, the applicant shall assume these risks as conditions of approval. Because this risk of harm cannot be completely eliminated, the Commission requires the applicant to waive any claim of liability against the Commission for damage to life or property which may occur as a result of the permitted development. The applicant's assumption of risk, as required by Condition No. 1, when executed and recorded on the property deed, will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and that may adversely affect the stability or safety of the proposed development.

The Commission finds, for the reasons set forth above, that the proposed development, as conditioned, is consistent with Section 30253 of the Coastal Act.

C. Public Access.

One of the basic mandates of the Coastal Act is to maximize public access and recreational opportunities along the coast. The Coastal Act has several policies which address the issues of public access and recreation along the coast.

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

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

Section 30212 of the Coastal Act states (in part):

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Coastal Act §30210 and §30211 mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. Likewise, section 30212 of the Coastal Act requires that adequate public access to the sea be provided to allow use of dry sand and rocky coastal beaches.

All beachfront projects requiring a coastal development permit must be reviewed for compliance with the public access provisions of Chapter 3 of the Coastal Act. In past permit actions, the Commission has required public access to and along the shoreline in new development projects and has required design changes in other projects to reduce interference with access to and along the shoreline. The major access issue in such permits is the occupation of sand area by a structure in contradiction of Coastal Act §30210, §30211, and §30212.

Past Commission review of shoreline residential projects in Malibu has shown that individual and cumulative adverse effects to public access from such projects can include encroachment on lands subject to the public trust (thus physically excluding the public); interference with the natural shoreline processes necessary to maintain publicly-owned tidelands and other public beach areas; overcrowding or congestion of such tideland or beach areas; and visual or psychological interference with the public's access to and the ability to use public tideland areas.

Interference by shoreline protective devices can have a number of effects on the dynamic shoreline system and the public's beach ownership interests. First, changes in the shoreline profile, particularly changes in the slope of the profile which results from a reduced beach berm width, alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on their own property. The second effect on access is through a progressive loss of sand as shore material is not available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. This effects public access again through a loss of area between the mean high water line and the actual water. Third, shoreline protective devices such as revetments and bulkheads cumulatively affect public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. Fourth, if not sited landward in a location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy. Finally, revetments and bulkheads interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events but also potentially throughout the winter season.

The impacts of shoreline protective devices are greater the more frequently that they are subject to wave action. In order to minimize impacts from shoreline protective devices that are demonstrably necessary to protect existing development, the Commission has required applicants to site such structures as far landward as is feasible.

In this case, there is an existing single family residence with an existing wooden bulkhead protective device. As described above, the residence was approved in 1976 with a condition requiring the recordation of a deed restriction for lateral public access. The proposed foundation retrofit will extend development no further seaward than existing development on the site. However, the most seaward concrete grade beam, while located beneath the existing residence and landward of several existing timber piles, would be just seaward of the existing timber bulkhead. Staff had concerns that this grade beam could have adverse impacts on beach processes or public access. The applicants' engineer addressed this concern. The report states that:

...because this structure is buried so low in the sand, it will not be subject to the normal wave forces to which a bulkhead or building structure would be. Additionally, overtopping and undermining are not concerns...The most seaward grade beam will have no effect on the erosion rate of the beach because it is buried most of the time and will be exposed only during the most severe storms and it is virtually at the face of the existing bulkhead structure...Scour or undermining of the most seaward grade beam is of no concern because it is supported on the proposed piles. Because of the location of the most seaward

grade beam, the minor amount of "reflected" scour that might occur at the face of the beam is no different from that of the existing bulkhead.

As such, the proposed grade beam will not function as a protective device and will not have any effect on beach processes beyond those that might occur as a result of the location of the existing bulkhead. The applicants have proposed to record an offer to dedicate a public access easement to a public agency to mitigate any potential impacts to public access. This offer is preferable to the earlier recorded deed restriction since the offer can be accepted and held by a public agency. Condition No. 2 acknowledges the applicants' offer and requires the recordation of a deed restriction to implement it.

The project will not extend development seaward beyond existing development on the site, will not preclude public access to any presently existing vertical or lateral public access easements or rights or adversely affect public coastal views. The most seaward grade beam will not function as a protective device, and is constructed at a level that it will rarely be exposed. Finally, the applicants have included an offer to dedicate lateral public access across their site. For all of these reasons, the Commission finds that the proposed project, as conditioned, will have no individual or cumulative adverse effects on public access. Therefore, the Commission finds that the project, as conditioned, is consistent with Coastal Act §30210, §30211, and §30212.

D. Local Coastal Program

Section 30604 of the Coastal Act states that:

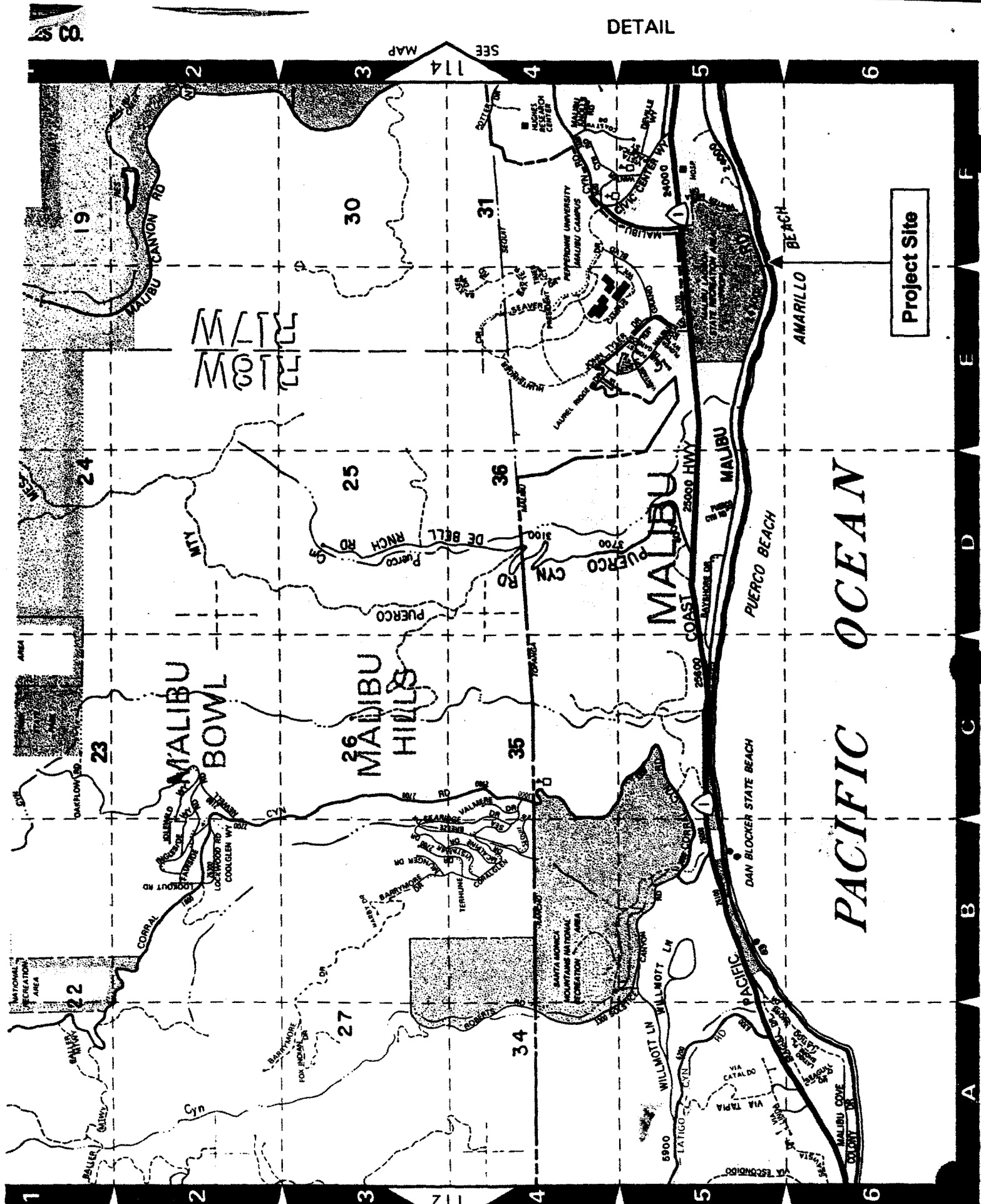
a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the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

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. 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 conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CEQA

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

The Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.



SEE MAP 112

DETAIL

SEE MAP 114

EXHIBIT 1
 Permit 4-99-005
 Vicinity Map



SCALE: 1/4"=1'-0"

THIS PLAN DOES NOT INCLUDE AN ADDITION TO THE EXISTING SINGLE FAMILY RESIDENCE (PER SECTION 110-23 MALIBU BUILDING CODE)

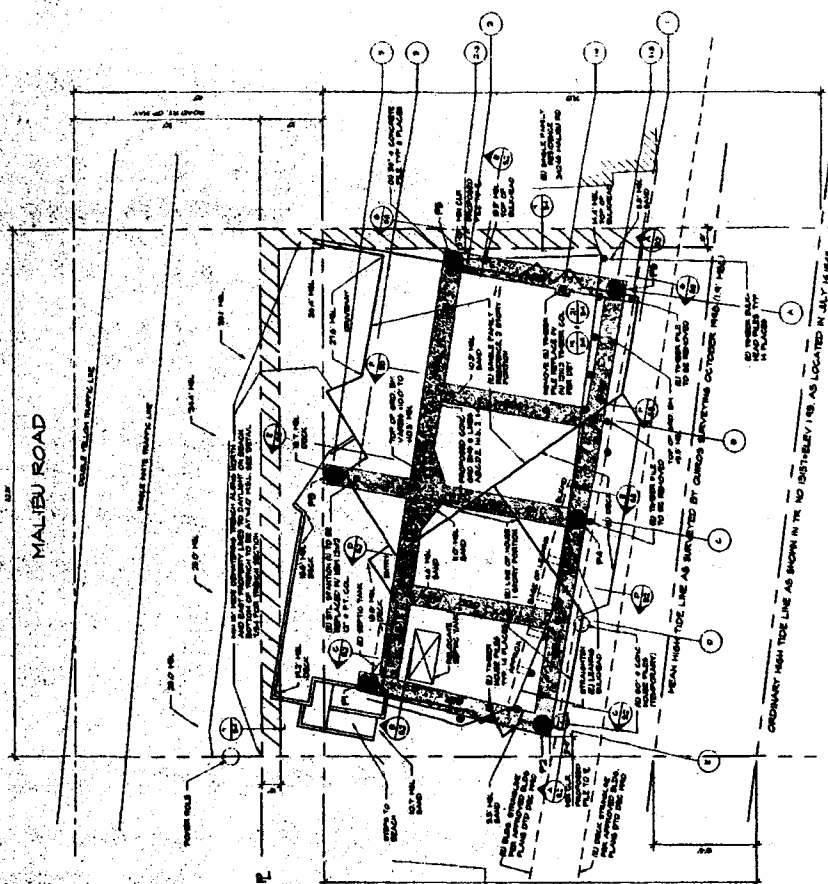
SITE PLAN

**SITE PLAN
AND GENERAL NOTES**

EDYTON OCEAN-FRONT ROAD
254 WALTON ROAD
TIBU, CA

HEWITT & CHAMLOTTE GROVES
11 EVERGREEN LANE
MANHATTEN BEACH, CA

DAVID C. WEISS
STRUCTURAL ENGINEER & ASSOCIATES, INC.
23440 CLAMMENDON SYMTEL, SUITE 203
WOODLAND HILLS, CALIFORNIA 91367
PHONE: (818) 224-8873 FAX: (818) 224-8822



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EXHIBIT 2
Permit 4-99-005
Site Plan

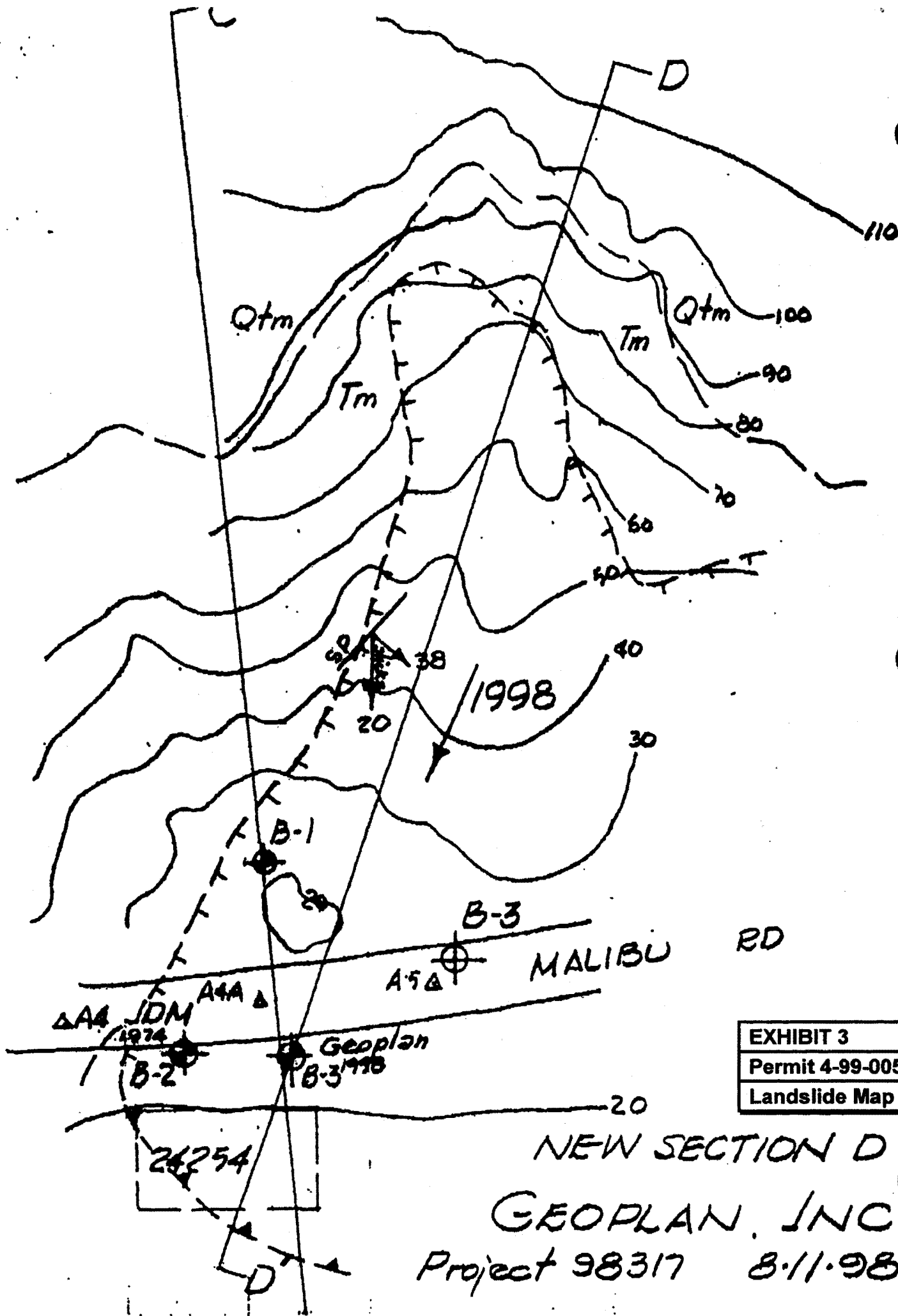


EXHIBIT 3
Permit 4-99-005
Landslide Map

NEW SECTION D
GEOPLAN, INC.
Project 98317 8.11.98

D

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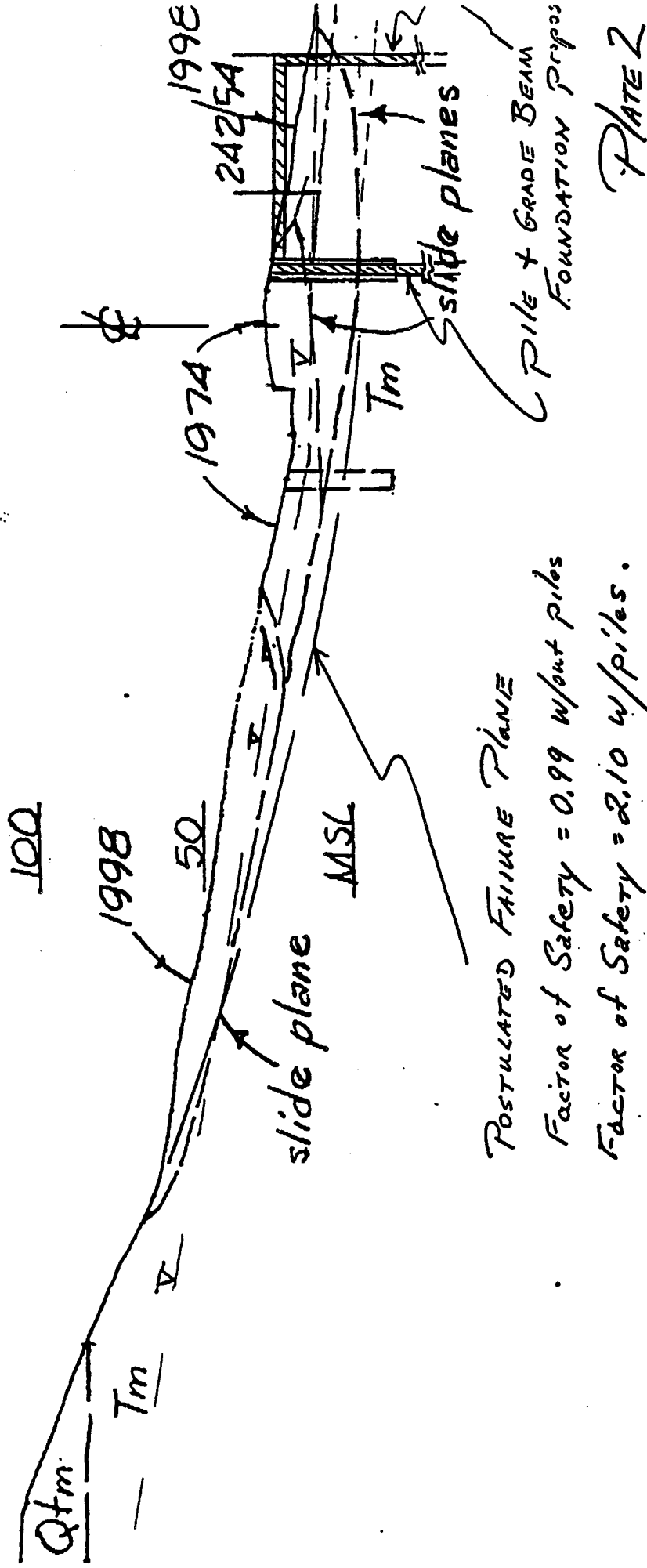


PLATE 2

NEW SECTION D
24254 MALIBU ROAD

GEOPLAN, INC.
Dated 198317 2.11.98

