

# Tu 7d

**CALIFORNIA COASTAL COMMISSION**

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

Filed: 5/17/99  
49th Day: 7/0599  
180th Day: 11/13/99  
Staff: MH-V  
Staff Report: 8/25/99  
Hearing Date: 9/14-17/99  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NO.:** 4-98-302

**APPLICANT:** Priscilla C. Moorman

**AGENT:** Ron Noble

**PROJECT LOCATION:** 31364 Broad Beach Road, Malibu, Los Angeles County

**PROJECT DESCRIPTION:** Construct 25 ft. long, 4.5 ft. high, landward extension of existing 4 ft. long return wall attached to existing seawall to prevent scouring around ends of return wall, on lot with existing single family residence. Proposed project does not include staircase to the beach which has been deleted from plans since submittal.

**LOCAL APPROVALS RECEIVED:** City of Malibu, Planning Approval in Concept dated 2/05/99.

**SUBSTANTIVE FILE DOCUMENTS:** Background report for proposed return wall, dated November 3, 1998, prepared by Noble Consultants, Inc.; Update of Report of Geotechnical Investigation for Proposed Seawall Nos. 31350 and 31364 ad 31376 Broad Beach Rd." dated November 11, 1994, prepared by Leighton and Associates Geotechnical Consultants, dated January 12, 1999; Coastal Engineering Analysis for Lots 3,4, 5, 7, 8, 9, and 10, Broad Beach Road, prepared January 26, 1994, by Noble Consultants Engineering; State Lands Commission letter of review dated April 7, 1999.

**SUMMARY OF STAFF RECOMMENDATION**

Staff recommends approval of the proposed project with Special Conditions regarding:  
1) Geologic Recommendations, 2) Assumption of Risk, and 3) Construction Responsibilities and Debris Removal.

The proposed project extends an existing return wall 25 feet inland to reduce the end effects of scouring on the subject property which is the last of four contiguous parcels protected by a continuous vertical bulkhead constructed in 1996 pursuant to Coastal Development Permits 4-94-012, -013, -014, and -111 for Hill, Green, Irving, and Moorman, respectively (Exhibit 7). The purpose of the bulkhead was to replace a rock

revetment that had been placed seaward of the bulkhead location in front of the subject properties without the benefit of coastal development permits.

At the time the bulkhead was constructed, the parcel immediately downcoast ( East) of the subject Moorman parcel, at 31360 Broad Beach, was developed with a single family residence. The applicant's agent states that the resident of that property was unwilling to allow the necessary access required to construct a longer return wall on the adjacent Moorman parcel. For this reason, the return wall that was constructed in 1996 was limited to a total of 4 feet in length, as measured landward from the bulkhead.

After the bulkhead was constructed (and the rock revetment removed pursuant to a condition of approval by the Commission) a severe coastal storm struck Malibu in early February, 1998. The storm waves destroyed the unprotected residence adjacent to the subject site, at 31360 Broad Beach Road.

At the time of the storm, an area 20.5 feet in length landward (northward) of the 4 ft. Moorman return wall and 14 feet in width by 5 feet in depth was eroded from behind the Moorman seawall resulting in damage to the existing deck and near damage to the residence's foundation. Thus, the present application for Coastal Development Permit 4-98-302 seeks approval to construct a 25 ft. long extension landward of the existing 4 ft. return wall to prevent further storm damage. The application additionally seeks to take advantage of the access now available to properly construct the needed extension of the return wall before new development of 31360 Broad Beach Rd. is undertaken.

The applicant has submitted an update from the geotechnical consultant who prepared the necessary technical reports to support the 1994 applications for the existing bulkhead. The update indicates that the earlier reports provide sufficient information to evaluate the pending application. Thus, no additional geotechnical or wave uprush data has been provided, nor has any additional data been deemed necessary by Commission staff. The applicant has submitted photographic evidence (Exhibits 5 and 6) to document the storm damage recounted above. The extension of the return wall will not result in additional impacts to the sandy beach or to public access beyond those impacts already attributable to the existing shoreline protective device—the construction of which has clearly resulted in significant "end effects." Thus, the end effects of the seawall constructed in 1996 have created the scour pattern during heavy surf that has made the subject proposal necessary.

The applicants for the bulkhead constructed in 1996 did not offer, nor did the Commission require as a condition of approval, offers to dedicate lateral public access easements seaward of the bulkhead. The applicant is not providing an offer to dedicate a lateral public access easement as part of the project description presently proposed for Commission consideration.

**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. Geologic Recommendations**

All applicable recommendations contained in the background report for proposed seawall, dated November 3, 1998, prepared by Noble Consultants, Inc.; Update of Report of Geotechnical Investigation for Proposed Seawall Nos. 31350 and 31364 ad 31376 Broad Beach Rd." dated November 11, 1994, prepared by Leighton and Associates Geotechnical Consultants, dated January 12, 1999; Coastal Engineering Analysis for Lots 3,4, 5, 7, 8, 9, and 10, Broad Beach Road, prepared January 26, 1994, by Noble Consultants Engineering, shall be incorporated into all final project plans and designs and shall be implemented during construction, and all plans must be reviewed and approved by the consulting geotechnical and coastal engineers prior to commencement of construction. Prior to the issuance of the coastal development permit, the applicant shall submit evidence to the Executive Director's satisfaction that the geotechnical and coastal engineering consultants have reviewed and approved all final project plans and designs and construction procedures as incorporating their recommendations, and have so indicated by stamping and signing all relevant final plans and drawings.

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission. Any substantial changes in the proposed development approved by the Commission which may be required by the consultants shall require an amendment to the permit or a new coastal development permit. The Executive Director shall determine whether any changes to the plans approved by the Commission constitute a "substantial change."

#### **2. Assumption of Risk**

- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from 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.

### **3. Construction Responsibilities and Debris Removal**

No stockpiling of construction materials or storage of equipment shall occur on the beach and no machinery will be allowed in the intertidal zone at any time. The permittee shall immediately remove from the beach area any and all debris that results from the construction activities.

### **IV. Findings and Declarations**

The Commission hereby finds and declares:

#### **A. Background and Project Description**

The proposed project extends an existing return wall 25 feet inland to reduce the end effects of scouring on the subject property which is the last of four contiguous parcels protected by a continuous vertical bulkhead constructed in 1996 pursuant to Coastal Development Permits 4-94-012, -013, -014, and -111 for Hill, Green, Irving, and Moorman, respectively (Exhibit 7). At the time the bulkhead was constructed, the parcel immediately downcoast and East of the subject Moorman parcel, at 31360 Broad Beach, was developed with a single family residence. A neighbor at that address at the time was unwilling to facilitate the necessary access to construct a more extensive return wall on the adjacent Moorman parcel that would have been preferred at the time of bulkhead construction, therefore, the extent of the return wall that could be feasibly constructed in 1996 was limited to the existing 4 feet in length. Since the construction of the bulkhead, however, and the removal of the rock revetment that the bulkhead replaced for the purpose of protecting the four parcels noted above, a severe coastal storm event occurred in early February, 1998. The storm impacted the Broad Beach area of Malibu and destroyed the residence at 31360 Broad Beach Road.

At the time of the storm, an area 20.5 feet in length landward (northward) of the 4 ft. Moorman return wall and 14 feet in width by 5 feet in depth was eroded from behind the Moorman seawall resulting in damage to the existing deck and near damage to the residence's foundation. Thus, the present application for Coastal Development Permit 4-98-302 seeks approval to construct a 25 ft. long extension landward of the existing 4 ft. return wall to prevent further storm damage. The application additionally seeks to take advantage of the access now available to properly construct the needed extension of the return wall before new development of 31360 Broad Beach Rd. is undertaken.

The proposed return wall will not result in additional impacts to the sandy beach or to public access beyond those impacts already attributable to the construction of the 4-parcel bulkhead previously approved by the Commission. The construction of the bulkhead has clearly resulted in significant "end effects," thus, the adverse impacts of the seawall on shoreline processes, beach profiles, and sand supply have created the scour pattern at the end of the bulkhead that has made the subject proposal necessary.

Based on a review of information contained in the Commission file for Coastal Development Permit 4-93-111 (Moorman) for the bulkhead protecting the subject site (and the three adjacent upcoast parcels), the Commission notes that the end effects that have obviously been produced by the 4-lot seawall are often discounted as nonexistent or highly unlikely by applicants—and their geotechnical and coastal engineering consultants—seeking approval to construct shoreline protective devices.

Contrary to the claims commonly made by applicants and their consulting engineers, the present project and its history illustrate how significant the end effects of these devices often prove to be. In the present case, the coastal engineer evaluating the potential effects of the bulkhead at the time of its proposal to the Commission in 1994 discounted the likelihood that the bulkhead would produce significant changes or erosion to the beach. The wave uprush study prepared for the project indicated that the seawall was located 111 feet from the mean high tide line at the eastern (Moorman) end and stated that the protected residences would rarely be affected by wave attack, thus the consultants asserted that the bulkhead would not produce any noticeable additional effects on beach profiles.

A letter of response to questions raised by Commission staff, prepared by the coastal engineer, Ronald Noble, Nobel Consultants, Inc. for the applicants seeking the bulkhead in 1994, dated September 15, 1994, specifically addresses potential end effects of the seawall:

"...Under the scenario in which no protective device exists along the adjacent properties, the incoming waves retain more erosive energy since less wave energy is reflected seaward with no adjacent protective device, and therefore Lot No. 6 should experience a higher level of erosion to its backshore area. Therefore, the proposed seawall structures located along properties adjacent to Lot No. 6 would provide some sheltering effect for Lot No. 6 under storm wave attack. It is also noted that localized scour effects at the protective structures' return ends may be expected. This can be mitigated by providing toe scour control to minimize the end erosion impacts. (emphasis added)

The Commission notes that in contrast to the minimal effects predicted, after the seawall was constructed in 1996 the adjacent residence on Lot 6 was completely demolished by the storm waves of February, 1998. Significantly, the Commission notes

that the end effects caused by the seawall on and adjacent to the Moorman parcel were in fact extreme enough to warrant the present application.

The applicants for the bulkhead constructed in 1996 did not offer, nor did the Commission require as a condition of approval, offers to dedicate lateral public access easements seaward of the bulkhead. The applicant is not providing an offer to dedicate a lateral public access easement as part of the project description presently proposed for Commission consideration.

#### **B. Geology; Shoreline Hazards**

Coastal Act Section 30253 states that:

##### **Section 30253**

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.

##### **Geologic Stability**

The applicant has submitted an update from the geotechnical consultant who prepared the necessary technical reports to support the 1994 applications for the existing bulkhead. The report prepared by Leighton and Associates Geotechnical Consultants, dated January 12, 1999 and titled "Update of Report of Geotechnical Investigation for Proposed Seawall Nos. 31350 and 31364 ad 31376 Broad Beach Rd." (November 11, 1994), prepared by Leighton and Associates, indicates that the earlier reports provide sufficient information to evaluate the pending application from a geotechnical perspective. Thus, no additional geotechnical or wave uprush data has been provided, nor has any additional data been deemed necessary by Commission staff. The applicant has submitted photographic evidence (Exhibits 5 and 6) to document the storm damage recounted above.

The applicant has also submitted a background report for proposed return wall, dated November 3, 1998, prepared by Noble Consultants, Inc., and a report titled "Coastal Engineering Analysis for Lots 3,4, 5, 7, 8, 9, and 10, Broad Beach Road," prepared January 26, 1994, by Noble Consultants Engineering. The reports provide recommendations concerning the construction and location of the existing bulkhead and the proposed return wall. Many of the recommendations concerning the seawall

are applicable to the proposed project, as are the parameters of the proposed design prepared by Ronald Noble, project engineer.

The applicable recommendations conclude that the proposed additional length of return wall will be sufficient to protect the subject property against the continued end effects caused by the existing bulkhead during high surf and storm conditions. The Commission finds, therefore, that the proposed project will be consistent with the geologic stability requirements of Coastal Act Section 30253 provided that the recommendations of the consultants are incorporated into the project description pursuant to Special Condition 1.

#### Assumption of Risks from Natural Hazards

The Malibu coast has been subject to substantial damage as a result of storm and flood occurrences, geological failures and firestorms. The proposed project site is subject to flooding and/or wave damage from storm waves and storm surge conditions. Past occurrences have resulted in public costs (through low-interest loans for home repairs and/or rebuilding after disasters) in the millions of dollars in the Malibu area alone.

Along the Malibu coast, significant damage has also occurred to coastal areas from high waves, storm surge and high tides. In the winter of 1977-78, storms triggered numerous mudslides and landslides and caused significant damage along the coast. The "El Nino" storms in 1982-83 caused additional damage to the Malibu coast, when high tides over 7 feet combined with surf between 6 and 15 feet. These storms caused over \$12 million in damage. The El Nino storms of 1987-88, 1991-92, and 1997-1998 did not cause the far-reaching devastation of the 1982-83 storms; however, they too were very damaging in localized areas and could have been significantly worse except that the peak storm surge coincided with a low tide rather than a high tide.

The subject parcel is situated adjacent to a parcel that experienced total loss of the then-existing single family residence at 31360 Broad Beach during the 1998 storm season. Moreover, the subject parcel experienced relatively severe end effects from storm wave scour at the end of the bulkhead protecting the applicant's residence. Therefore, the history of the applicant's own parcel, and this area of Broad Beach is sufficient to demonstrate that development along the coast is subject to an extraordinary degree of risk from natural forces that cannot be fully mitigated.

The existing bulkhead, even as reinforced by the proposed return wall will continue to be subject to wave attack, flooding, and erosion hazards that in the past have caused significant damage to development along the California coast, including the Malibu coastal zone and the beach area nearby the subject property. The Coastal Act recognizes that new development, such as the construction of the proposed bulkhead and single family residence on a beach, may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk



acceptable for the proposed development and to determine who should assume the risk.

Therefore, the Commission finds that due to the unforeseen possibility of wave attack, erosion, and flooding to which the subject site is exposed, the applicant shall assume these risks as a condition of approval. Because this risk of harm cannot be completely eliminated, Special Condition 2 requires the applicant to waive any claim of liability against the Commission, and its agents and employees, for damage to life or property which may occur as a result of the permitted development. The applicant's assumption of risk, when executed and recorded on the property deed, will also show that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and which may adversely affect the stability or safety of the proposed development.

#### Safe Construction Practices

Section 30253 of the Coastal Act requires that new development not increase risks to life or property in areas subject to a high degree of risk from flooding, etc. The proposed project requires construction on a beach which may be subject to tidal influence. Construction debris, materials, or equipment used on, stored in, or carelessly discarded near the tidal zone may therefore result in the loss of these items into the marine environment where they may cause significant hazards to swimmers and beach users. Therefore, consistent with good construction practices and the requirements of Coastal Act Section 30253, the Commission finds it necessary to impose Special Condition 3 (construction responsibilities and debris removal) to ensure that construction debris, materials, and equipment are not stored on the beach or allowed into the intertidal zone at any time.

The Commission finds, therefore, for all of the reasons cited above, that as conditioned by Special Conditions 1, 2, and 3, the proposed project is consistent with the applicable requirements of Coastal Act Section 30253.

#### C. Public Access.

Coastal Act Section 30210 states that:

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.

Coastal Act Section 30211 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.

Coastal Act Section 30212(a) provides that in new shoreline development projects, access to the shoreline and along the coast shall be provided except in specified circumstances, where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources.
- (2) adequate access exists nearby, or,
- (3) agriculture would be adversely affected. Dedicated access shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Finally, Section 30251 of the Coastal Act states that:

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

#### Public Access Considerations for Beachfront Projects

The Commission has established a policy that 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 which posed adverse impacts upon public access 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, or impacts of a proposed shoreline protective device on beach profiles, in contradiction of Coastal Act policies 30210, 30211, and 30212.

Past Commission review of shoreline residential projects in Malibu has shown that individual and cumulative public access impacts of 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.

"Stringline" Policy--(control of seaward extent of buildout)

As a means of controlling seaward encroachment of residential structures on a beach to ensure maximum access, protect public views and minimize wave hazards as required by Coastal Act Sections 30210, 30211, 30251, and 30253, the Commission has, in past permit actions, developed the "stringline" analysis to control the seaward extent of buildout. As applied to beachfront development, the stringline limits extension of a structure to a line drawn between the nearest corners of adjacent structures and limits decks to a similar line drawn between the nearest corners of the adjacent decks.

The Commission has applied this analysis to numerous past permits involving infill on sandy beaches and has found it to be an effective policy tool in preventing further encroachments onto sandy beaches. In addition, the Commission has found that restricting new development to building and deck stringlines is an effective means of controlling seaward encroachment to ensure maximum public access as required by Sections 30210 and 30211 and to protect public views and the scenic quality of the shoreline as required by Section 30251 of the Coastal Act.

Consistency with Public Access Policies: Conclusion

The proposed project does not invoke the restrictions of the stringline policy because the proposed project is not a structural addition or deck. The project is a 25 ft. long, 4.5 ft. high extension of an existing 4 ft. long, 4.5 ft. high return wall attached to an existing bulkhead protecting the existing residence at 31364 Broad Beach Rd. The extension of the return is not expected to result in any additional adverse effects upon the shoreline and public access beyond those already caused by the existing bulkhead (and thereby creating the need for the proposed project). Thus, while the proposed project is necessitated by adverse effects on shoreline processes and potentially adverse resultant effects upon public access, the proposed project itself constitutes mitigation of these physical effects upon the applicant's parcel and would not create new adverse effects on the sandy beach that have not already resulted.

As discussed in the background information contained in Section A above, the Commission has reviewed the previous permit approvals for the bulkhead associated with the subject project and noted that the geotechnical and coastal engineering submitted in support of that application asserted that the seawall would have no significant adverse effects on beach profiles. The Commission did not require a lateral public access easement because the coastal engineering and geotechnical engineering analyses upon which the Commission relied indicated that no adverse effects upon public coastal access would result from the then-proposed bulkhead.

With regard to the return wall, no additional adverse effects upon shoreline processes are expected to occur beyond those that have already been experienced due to the construction of the bulkhead. The proposed project would not preclude public access to any presently existing vertical or lateral public access easements or rights or adversely affect public coastal views. For all of these reasons, the Commission finds that the project would have no individual or cumulative adverse impacts on public access. Therefore, the Commission finds that the proposed project is consistent with Coastal Act Sections 30210, 30211, 30212 and 30251.

#### **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). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for that conclusion.

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 conform 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 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 a Coastal Development Permit application to be supported by a finding showing the application, as conditioned, 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 would have on the environment.

The Commission finds that the proposed project, as conditioned, will not have any 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 consistent with CEQA and the policies of the Coastal Act.

ENCINAL CANYON RD

TRANCAS CANYON RD

PACIFIC

BROAD BEACH

BROAD BEACH RD

COAST

ZUMA BEACH

PROJECT SITE

CITY OF MALIBU  
PLANNING DEPARTMENT  
APPROVAL IN CONCEPT  
SIGNATURE: *[Signature]*  
DATE: 2/15/99  
PLANNING REVIEW NO. PPR-98-297  
THIS IS NOT A PERMIT  
AND IS SUBJECT TO ANY  
CONDITIONS LISTED BELOW  
THIS APPROVAL IS VALID FOR 1 YR FROM THE DATE STAMPED.

\*25' return wall extension

RECEIVED

APR 21 1999

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

4-98-302

LOCATION MAP



EXHIBIT NO. 1
APPLICATION NO. Moorman
4-98-302

PPR 98-297

'C PLAN  
1"=20'

PRISCILLA MOORMAN  
PROPERTY

31364 BROAD BEACH  
ROAD

31360

LOT #7

31368 BROAD BEACH  
ROAD

8

RECEIVED

APR 21 1999

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL DISTRICT

498-302

TILE  
DECK

1<sup>ST</sup> FLOOR  
ELEV. +14.5'

WOOD  
DECK  
ELEV. +14.5'

WOOD  
DECK

EXISTING SEAWALL  
CONSTRUCTED IN 1996

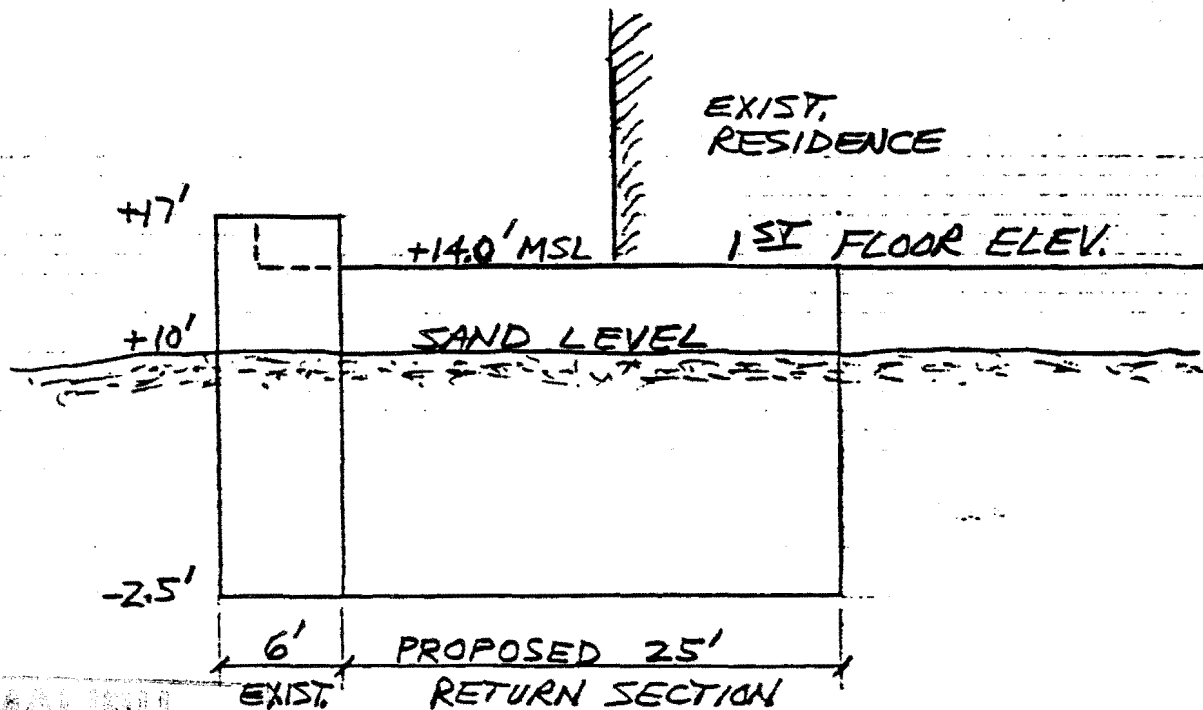
PROJECT

SITE PLAN

1"=10'-0"

EXHIBIT NO. 3
APPLICATION NO.
Moorman
4-98-302





ELEVATION A-A  
1" = 10'-0"

CITY OF MALIBU

PLANNING DEPARTMENT  
APPROVAL IN CONCEPT.

SIGNATURE [Signature]

DATE \_\_\_\_\_

PLANNING REVIEW NO. \_\_\_\_\_

THIS IS NOT A PERMIT  
AND IS SUBJECT TO ANY  
CONDITIONS LISTED BELOW

+14.0'

EXIST. TIMBER  
DECK

SAND LEVEL

PROPOSED SEAWALL  
RETURN SECTION

(STEEL SHEET PILE W/ CONC.  
CAP) - TOP @ EL. +14.0' MSL  
BOTTOM @ EL. -2.5' MSL



SECTION B-B  
1" = 5'-0"

BY: LMN

11/2/00

CHECKED BY: \_\_\_\_\_

EXHIBIT NO. 4

APPLICATION NO.

Moorman

4-98-302

EET

=4



Looking West at Existing & Proposed Moorman Return Wall (11/9/98)



Looking Northwest at Location of Proposed Extension to Moorman Return Wall (11/9/98)

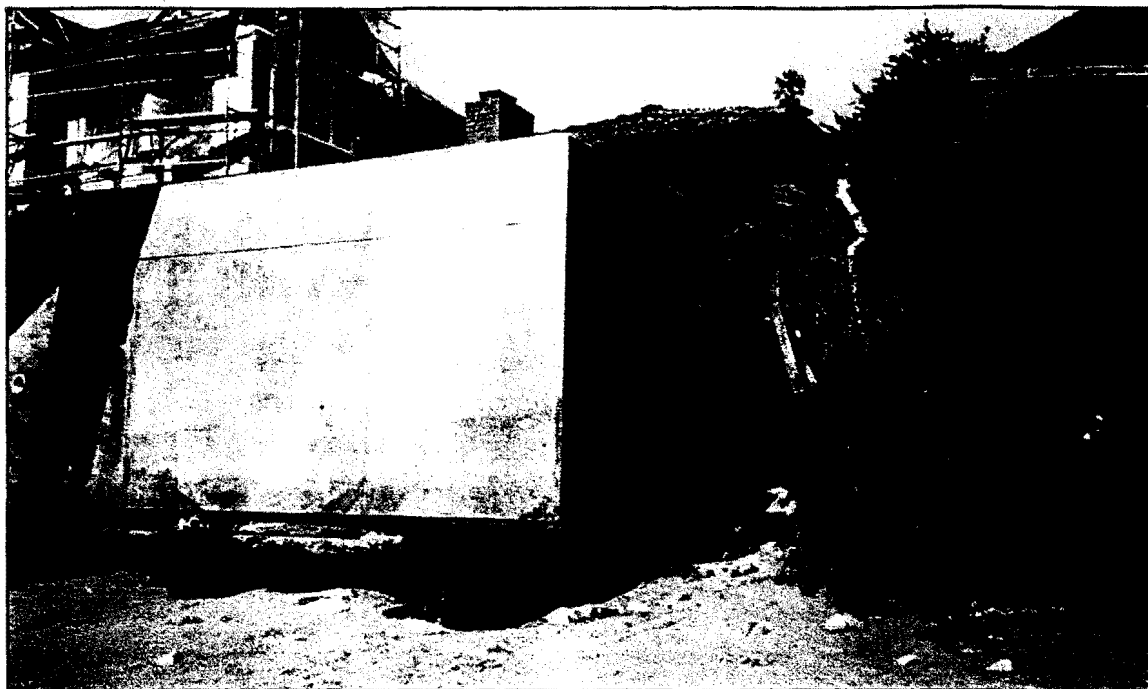
**NOBLI**  
CONSULTANTS, P.C.

EXHIBIT NO. 5

APPLICATION NO.

Moorman

4-98-302



Looking North at Moorman Existing Seawall & Return Wall (2/11/98)



Looking North at Damage to Moorman's Deck/Residence from 2/8/98 Coastal Storm (2/11/98)

**NOBLE**  
CONSULTANTS, INC.

EXHIBIT NO. 6  
APPLICATION NO.

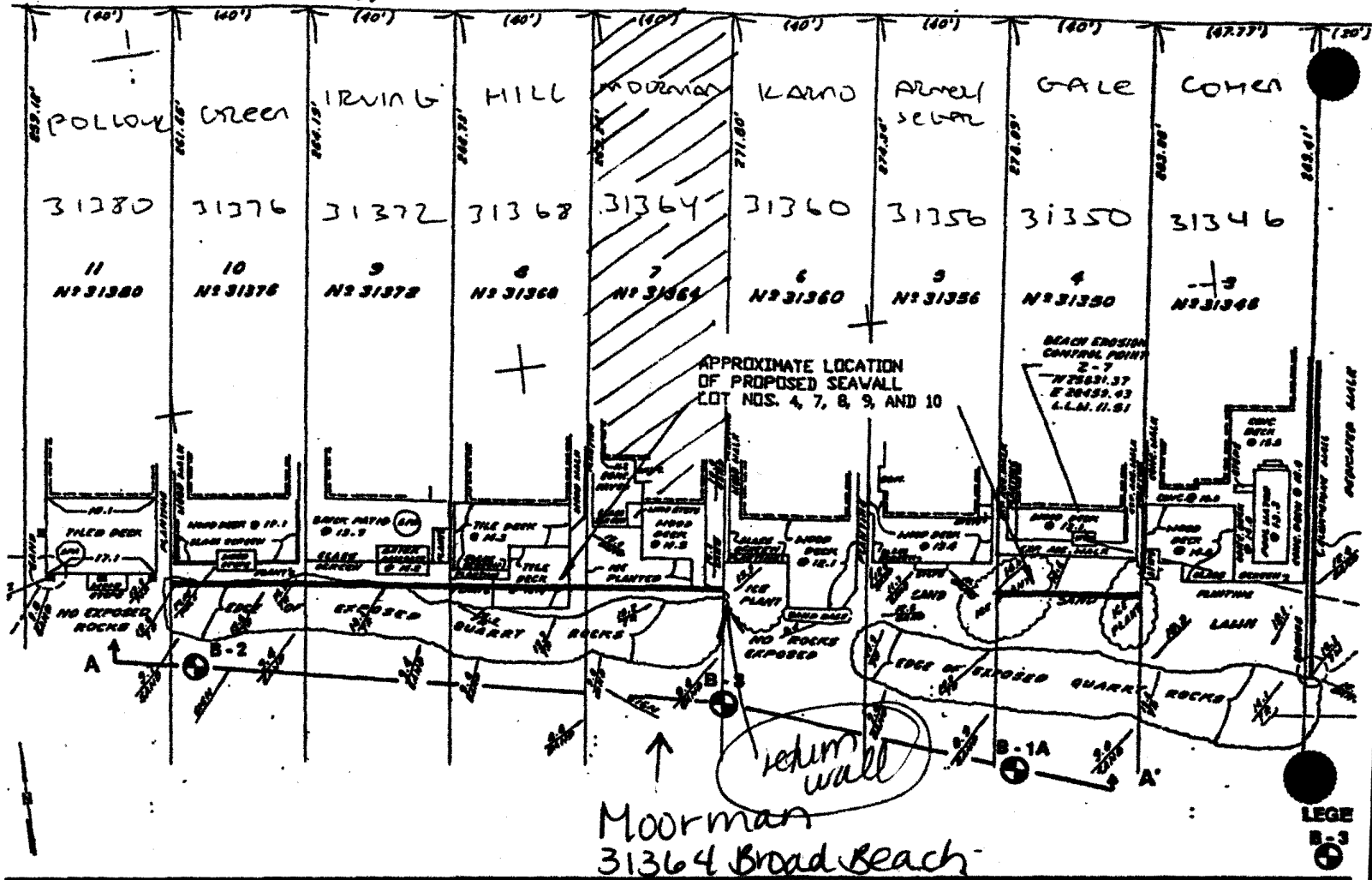
Moorman  
4-98-307

BROAD

BEACH

ROAD

(582°31'30"E)



BORING LOCATION MAP  
GEOTECHNICAL INVESTIGATION FOR  
SEA WALL AT BROAD BEACH  
CITY OF MALIBU, CALIFORNIA

Project No.  
Scale  
Engr./ Geol.  
Drafted By  
Date

Previously approved and constructed  
bulkhead - 1994

EXHIBIT NO. 7

APPLICATION NO.

4-98-302

Moorman

Exhibit 3: Site Plan

4-94-012, 4-94-013, 4-94-014, 4-94-10  
and 4-94-111