

**CALIFORNIA COASTAL COMMISSION**

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Staff: S. Hudson  
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Hearing Date: 7/13/00  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.:** 4-00-074**APPLICANT:** Los Angeles County Department of Public Works**PROJECT LOCATION:** Rambla Pacifico Road at Mile Marker 1.93, Malibu; Los Angeles County**PROJECT DESCRIPTION:** Remediation of a landslide. The project will involve approximately 3,700 cu. yds. of grading for removal and recompaction (augmented with geofiber soil amendment), replacement of an existing 165 ft. long 24-inch diameter steel drainage pipe, and the installation of a subterranean dewatering system.**LOCAL APPROVALS RECEIVED:** N/A**SUBSTANTIVE FILE DOCUMENTS:** Geotechnical Engineering Report Addendum by Los Angeles County Department of Public Works dated 6/22/00; Geotechnical Engineering Report Addendum by Los Angeles County Department of Public Works dated 2/1/00; Geotechnical Engineering Report by Los Angeles County Department of Public Works dated 6/1/99; Design Guide for Fiber-Reinforced Soil Slopes by Gregory Geotechnical dated 8/18/98; and Stabilization of Earth Slopes with Fiber Reinforcement Report by Gregory Geotechnical dated April 1998.**SUMMARY OF STAFF RECOMMENDATION**

Staff recommends **approval** of the proposed project with two (2) special conditions regarding submittal of a revegetation and erosion control plan and monitoring program and assumption of risk. The proposed project is for the reconstruction of a failed slope to remediate a landslide which threatens to undermine Rambla Pacifico Road and Lamplighter Lane. An unnamed blue line stream is located downslope (approximately 1,300 ft. southwest of the project site) which is a tributary of Carbon Canyon Creek. Carbon Canyon Creek (located approximately 2,500 ft. west of the subject site) is designated as an environmentally sensitive habitat area by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan. Special Condition One (1) requires the applicant to submit a revegetation and erosion control plan in order to minimize erosion on site, ensure slope stability, and minimize sedimentation of the nearby blue line stream and Carbon Canyon Creek. Special Condition Two (2) requires the applicant to acknowledge the potential hazards on the project site and waive any claim of liability against the Commission for damage to life or property which may occur.

## **I. STAFF RECOMMENDATION**

**MOTION:**        *I move that the Commission approve Coastal Development Permit No. 4-00-074 pursuant to the staff recommendation.*

### **STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## **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. **Interpretation.** Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. **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.
5. **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. Revegetation and Erosion Control Plan and Monitoring Program**

Prior to issuance of a coastal development permit, the applicant shall submit a revegetation and erosion control plan and monitoring program, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The revegetation and erosion control plan shall be reviewed and approved by the consulting engineering geologist to determine that the plans are in conformance with all geologic recommendations. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

##### **A. Revegetation and Erosion Control Plan**

- (1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes. To minimize the need for irrigation, all landscaping shall consist primarily of native/drought resistant plants, as listed by the California Native Plant Society - Santa Monica Mountains Chapter in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains dated October 4, 1994. Invasive, non-indigenous plant species which tend to supplant native species shall not be used. Existing invasive vegetation on site shall be removed.
- (2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within five (5) years, and this requirement shall apply to all disturbed soils;
- (3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;
- (4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

##### **B. Interim Erosion Control Plan**

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate

cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.

- (3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

### **C. Monitoring**

Five years from the completion of construction activity, the applicant shall submit for the review and approval of the Executive Director, a revegetation monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the revegetation plan approved pursuant to this special condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the revegetation monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the revegetation plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental revegetation plan for the review and approval of the Executive Director. The revised revegetation plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

## **2. Assumption of Risk, Waiver of Liability and Indemnity Agreement**

Prior to issuance of the coastal development permit, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, which states that the applicant acknowledges and agrees (i) that the site may be subject to hazards from landslide, erosion, and slope failure; (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.

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

The Commission hereby finds and declares:

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

The proposed project is for the remediation of an active landslide. The project will involve approximately 3,700 cu. yds. of grading for removal and recompaction (augmented with geofiber soil amendment<sup>1</sup>), replacement of an existing 165 ft. long 24-inch diameter steel drainage pipe, and the installation of a subterranean dewatering system.

The project site is located on the steep slope between Rambla Pacifico Road and Lamplighter Lane at Rambla Pacifico Mile Marker 1.93 in the Santa Monica Mountains (Exhibit One). Slopes on site descend to the west from Rambla Pacifico Road to Lamplighter Lane at an approximate slope gradient of 1.5:1 (34°). A shallow landslide, (approximately 12,000 sq. ft. in area) occurred in February 1998 along the downslope shoulder of Rambla Pacifico Road which flowed onto Lamplighter Lane and into the adjacent drainage culvert.

Stormwater runoff from the project site is conveyed downslope via an existing culvert and deteriorated drainage pipe system. The existing deteriorated 24-inch diameter drainage pipe on site will be replaced with a new pipe of the same size as part of the proposed project. Although no streams or environmentally sensitive habitat areas are located on the project site, an unnamed blue line stream is located downslope (approximately 1,300 ft. southwest of the project site) which is a tributary of Carbon Canyon Creek. Carbon Canyon Creek (located approximately 2,500 ft. west of the subject site) is designated as an environmentally sensitive habitat area by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan.

A previous coastal development permit (CDP) application was submitted by the Los Angeles County Department of Public Works (LACDPW) for the proposed project. CDP Application 4-99-048 was originally submitted on March 4, 1999, for reconstruction of the slope on site using a soil-cement mixture. LACDPW noted in their application that the use of a soil-cement mixture would prevent or inhibit revegetation of the project site; however, no analysis of less environmentally damaging alternatives that would allow for revegetation of the subject site was submitted. CDP Application 4-99-048 was determined to be incomplete on March 29, 1999, due to the lack of submitted information required to process the application. The previous application was never completed by the applicant and was subsequently returned on February 2, 2000.

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<sup>1</sup> Geofibers consist of relatively small fiber inclusions (composed of a non-toxic inert polypropylene polymer) used as a soil amendment to increase overall geologic and slope stability. While typical synthetic geotextiles and geogrids (such as geotextile blankets and mats) may be categorized as large macro-enforcement stabilization devices which are placed at strategic locations in the reinforced zone, geofibers are categorized as a micro-enforcement stabilization device (an individual fiber is approximately 1-2 inches in length) distributed as an additive uniformly throughout the soil mass in the reinforced zone.

## **B. 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. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The Los Angeles County Department of Public Works (LACDPW) is requesting approval for approximately 3,700 cu. yds. of grading for removal and recompaction (augmented with geofiber soil amendment), replacement of an existing 165 ft. long 24-inch diameter steel drainage pipe, and the installation of a new subterranean dewatering system consisting of numerous 4-inch diameter perforated and unperforated polyvinyl chloride (PVC) pipe. The project site is located within a large deep-seated potentially active regional landslide (the "Lamplighter Lane Landslide Complex"). In addition, an earthquake thrust fault has been identified on the project site. In February 1998, a shallow landslide (approximately 12,000 sq. ft. in area with a depth of approximately 1 to 10 ft) occurred along the downslope shoulder of Rambla Pacifico Road which flowed onto Lamplighter Lane and into the adjacent drainage culvert. The proposed project is required to remediate the failed slope on site and stabilize Rambla Pacifico Road and Lamplighter Lane. Remediation of the larger regional landslide is beyond the scope of the proposed project.

All grading to reconstruct the failed slope will be implemented in accordance with the project plans prepared by engineers for LACDPW and with the guidelines contained within the "Standard Specifications for Public Works Construction" dated 1997. The Geotechnical Investigation Report by the Los Angeles County Department of Public Works dated June 1, 1999, indicates that the proposed project is suitable from a geotechnical viewpoint and will serve to generally stabilize the existing road slope.

In addition, LACDPW has conducted an alternatives analysis for the proposed project and determined that the proposed method of slope repair is the environmentally preferred alternative. LACDPW has indicated that in order to adequately reconstruct the failed slope on site, it is necessary to use some form of additional stabilization,

such as the proposed geofiber soil amendment, geotextile mat or blankets, a soil-cement mixture, or multiple retaining walls. Staff notes that LACDPW originally proposed to reconstruct the slope on site using a soil-cement mixture to provide adequate geologic stability. However, the use of a soil-cement mixture would have resulted in the following adverse effects on the project site: (1) prevent or inhibit revegetation of the reconstructed slope, (2) increase impermeable surfaces, (3) increase stormwater runoff, and (4) result in significant adverse effects to public views. Therefore, in cooperation with Commission staff, LACDPW conducted an alternatives analysis to identify other alternatives to stabilize the failed slope which would result in fewer adverse effects to coastal resources than the originally proposed use of soil-cement. In their analysis, LACDPW found that the use of standard planar geotextile structures (such as geotextile mats or blankets) was not feasible in this case because the limited amount of area between Rambla Pacifico Road and Lamplighter Lane would not allow for proper anchoring of such devices without a massive amount of additional grading). In addition, staff found that although the use of multiple retaining walls to stabilize the slope would allow for adequate revegetation to occur, this alternative would result in the addition of impermeable area on site, increased stormwater runoff, and adverse effects to public views. However, the use of the proposed geofiber soil amendment to reinforce the slope on site will not result in any of the above mentioned adverse effects and will allow for adequate revegetation of the project site. In addition, LACDPW has indicated that the geofiber soil amendment (composed of an inert polypropylene polymer) is not toxic, will not deteriorate, and will not result in the leaching of any contaminants into the ground soil on the subject site. Therefore, the use of a geofiber soil amendment, as proposed by this application, has been determined to be the preferred alternative. In regards to the proposed use of the geofiber soil amendment, the Geotechnical Engineering Report Addendum by Los Angeles County Department of Public Works dated 2/1/00 states:

*Removal and replacement with a soil-cement mixture was originally recommended in our geotechnical report dated June 1, 1999, to remediate localized instability at the subject location. However, due to concerns that soil-cement might impede plant growth, we investigated alternate solutions...The use of geofibers, a polypropylene polymer that is blended with the on-site soils to produce a fiber-reinforced soil, provides a number of advantages over soil-cement. Fiber-reinforced soil allows for plant growth and adequate landscaping...Utilizing geofibers, rather than soil-cement, within the proposed compacted fill wedge, will result in a better engineered and cost effective solution while providing the required slope stability.*

In addition, the Geotechnical Engineering Report Addendum by Los Angeles County Department of Public Works dated 6/22/00 further states:

*Polypropylene, the polymer that comprises the fibers, is an inert, non-reactive compound that is not subject to leaching...these fibers do not pose any occupational safety concerns nor are they toxic to plant, animal, or human life. The fibers are resistant to ultraviolet degradation and to biological and chemical environments normally found in the soils...Fibers are compatible with plant growth...Fibers are not*

***toxic...Fiber reinforced soil installation requires no specialized equipment and can be readily utilized by contractors experienced in standard earthwork procedures.***

As such, the Commission notes that the proposed project to reconstruct the failed slope utilizing a geofiber soil amendment is the preferred alternative and will serve to ensure relative geologic stability while minimizing adverse effects to coastal resources. However, the Commission also notes that the proposed grading activity, although necessary to remediate a hazardous landslide condition, will still result in potential erosion of the steep slopes on the subject site. The Commission finds that minimization of site erosion will add to the stability of the site. Erosion can best be minimized by requiring the applicant to landscape all disturbed and graded areas of the site with native plants compatible with the surrounding environment. Therefore, to ensure that the project site is adequately revegetated, Special Condition One (1) requires the submittal of a revegetation plan which indicates species, extent, and location of all plant materials to be used in the revegetation program. To ensure that the revegetation effort is successful, five years from the completion of construction activity, the applicant shall submit for the review and approval of the Executive Director, a revegetation monitoring report that certifies that the on-site landscaping is in conformance with the revegetation plan approved pursuant to this special condition. In addition, to ensure that onsite erosion is minimized during grading operations, Special Condition One (1) also requires the submittal of a temporary erosion control measure plan for the stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing, temporary drains, swales, and sediment basins.

Further, in past permit actions, the Commission has found that invasive and non-native plant species are typically characterized as having a shallow root structure in comparison with their high surface/foliage weight and/or require a greater amount of irrigation and maintenance than native vegetation. The Commission notes that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize steep slopes, such as the slopes on the subject site, and that such vegetation results in potential adverse effects to the geologic stability of the project site. In comparison, the Commission finds that native plant species are typically characterized not only by a well developed and extensive root structure in comparison to their surface/foliage weight but also by their low irrigation and maintenance requirements. Therefore, in order to ensure the stability and geotechnical safety of the site, Special Condition One (1) specifically requires that all proposed disturbed and graded areas on subject site are stabilized with native vegetation.

As discussed above, the Commission notes that the proposed project will serve to increase geologic stability on the subject site. However, the Commission also notes that the Geotechnical Engineering Report by Los Angeles County Department of Public Works dated 6/1/99 indicates that the potential for landslide activity on the project site may not be completely eliminated. The report states:

*The proposed remedial measures will provide shallow support for Rambla Pacifico Road within the area of MM 1.93 failure. However, the roadway is located within a larger, historically active landslide, the Lamplighter Lane Landslide. The stability of the larger landslides were not within the scope of this investigation. If movement of the Lamplighter Lane Landslide occurs, the roadway and the proposed mitigation may be adversely affected.*

Based on the information submitted by LACDPW, the Commission notes that the proposed development is located in an area of the Coastal Zone which has been identified as subject to slope failure, landslide, and erosion hazards. The Commission further notes that although the proposed project will serve to increase geologic stability of the project site, there remains some inherent risk to development on such sites. The Coastal Act recognizes that certain development, such as the proposed project to stabilize the steep slope between Rambla Pacifico Road and Lamplighter Lane, 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. 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 his property. As such, the Commission finds that due to the unforeseen possibility of landslide, erosion, and slope failure, the applicant shall assume these risks as a condition of approval. Therefore, Special Condition Two (2) 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, will 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.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30253 of the Coastal Act.

### **C. Environmentally Sensitive Habitat Area**

Section 30230 of the Coastal Act states that:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms*

*and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

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 areas.*

*(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

Sections 30230 and 30231 of the Coastal Act require that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through among other means, minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values.

The proposed project includes 3,700 cu. yds. of grading for removal and recompaction to remediate a slope failure on the downslope shoulder of Rambla Pacifico Road. Stormwater runoff from the project site is conveyed downslope via an existing culvert and drainage pipe system. Although no streams or environmentally sensitive habitat areas are located on the project site, an unnamed blue line stream is located downslope (approximately 1,300 ft. southwest of the project site) which is a tributary of Carbon Canyon Creek. Carbon Canyon Creek (located approximately 2,500 ft. west of the subject site) is designated as an environmentally sensitive habitat area by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan (LUP).

To assist in the determination of whether a project is consistent with Sections 30230, 30231 and 30240 of the Coastal Act, the Commission has, in past Malibu coastal development permit actions, looked to the previously certified Los Angeles County Malibu/Santa Monica Mountains LUP for guidance. The LUP has been found to be consistent with the Coastal Act and provides specific standards for development along the Malibu coast and within the Santa Monica Mountains. The LUP policies regarding protection of significant watersheds are among the strictest and most comprehensive in addressing new development. In its findings regarding the certification of the Malibu/Santa Monica Mountains LUP, the Commission emphasized the importance

placed by the Coastal Act on protection of sensitive environmental resources finding that:

*Coastal canyons in the Santa Monica Mountains require protection against significant disruption of habitat values, including not only the riparian corridors located in the bottoms of the canyons, but also the chaparral and coastal sage biotic communities found on the canyon slopes.*

In addition, Policy 82 of the LUP, in concert with the Coastal Act, provides that grading shall be minimized to ensure that the potential negative effects of runoff and erosion on watershed and streams is minimized. Policies 84 and 94, in concert with the Coastal Act, provide that disturbed areas shall be revegetated with native plant species within environmentally sensitive habitat areas and significant.

As previously discussed, the proposed grading is required to reconstruct a failed slope and stabilize both Rambla Pacifico Road and Lamplighter Lane. However, the proposed grading may result in potential increased erosion on site and adverse effects to the blue line stream located approximately 1,300 ft. downslope from the project site from increased sedimentation (and subsequently, to Carbon Canyon Creek located downstream of the blueline tributary). The Commission finds that the minimization of erosion on site will minimize the project's potential individual and cumulative contribution to adversely affect the streams located downslope from the proposed development.

Erosion can best be minimized by requiring the applicant to landscape all disturbed and graded areas of the site with native plants compatible with the surrounding environment. Therefore, to ensure that the project site is adequately revegetated, Special Condition One (1) requires the submittal of a revegetation plan which indicates species, extent, and location of all plant materials to be used in the revegetation program. To ensure that the revegetation effort is successful, five years from the completion of construction activity, the applicant shall submit for the review and approval of the Executive Director, a revegetation monitoring report that certifies that the on-site landscaping is in conformance with the revegetation plan approved pursuant to this special condition. In addition, to ensure that onsite erosion is minimized during grading operations, Special Condition One (1) also requires the submittal of a temporary erosion control measure plan for the stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing, temporary drains, swales, and sediment basins.

In addition, the Commission notes that the use of non-native and/or invasive plant species for landscaping results in both direct and indirect adverse effects to native plants species indigenous to the Malibu/Santa Monica Mountains area. Direct adverse effects from such landscaping result from the direct occupation or displacement of native plant community habitat by new development and associated non-native landscaping. Indirect adverse effects include offsite migration and colonization of native plant species habitat by non-native/invasive plant species (which tend to outcompete native species) adjacent to new development. The Commission notes that

the use of exotic plant species for landscaping has already resulted in significant adverse effects to native plant communities in the Malibu/Santa Monica Mountains area. Therefore, in order to minimize adverse effects to the indigenous plant communities of the Malibu/Santa Monica Mountains area, Special Condition One (1) also specifically requires that all landscaping consist primarily of native plant species and that invasive plant species shall not be used.

Therefore, the Commission finds that the proposed amendment, as conditioned, is consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

#### **D. Visual Resources**

Section 30251 of the Coastal Act requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored. 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 subordinated to the character of its setting.*

The proposed 3,700 cu. yds. of grading for removal and recompaction is remedial in nature and required to reconstruct the failed slope to an approximation of its pre-failure topography. As such, the Commission notes that the proposed grading will not result in any adverse effects to public views from landform alteration. However, the Commission also notes that the minimization of site erosion will add to the stability of the slope, thereby, also serving to minimize adverse effects to the visual resources on the subject site. Erosion can best be minimized by requiring the applicant to landscape the remediated slope with native plants, compatible with the surrounding environment. Therefore, in order to ensure that any potential adverse effects to public views resulting from the proposed development are minimized, Special Condition One (1) has been required to ensure that all disturbed and graded areas will be stabilized and vegetated with native plant species.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30251 of the Coastal Act.

## **E. Local Coastal Program**

Section 30604 of the Coastal Act states that:

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

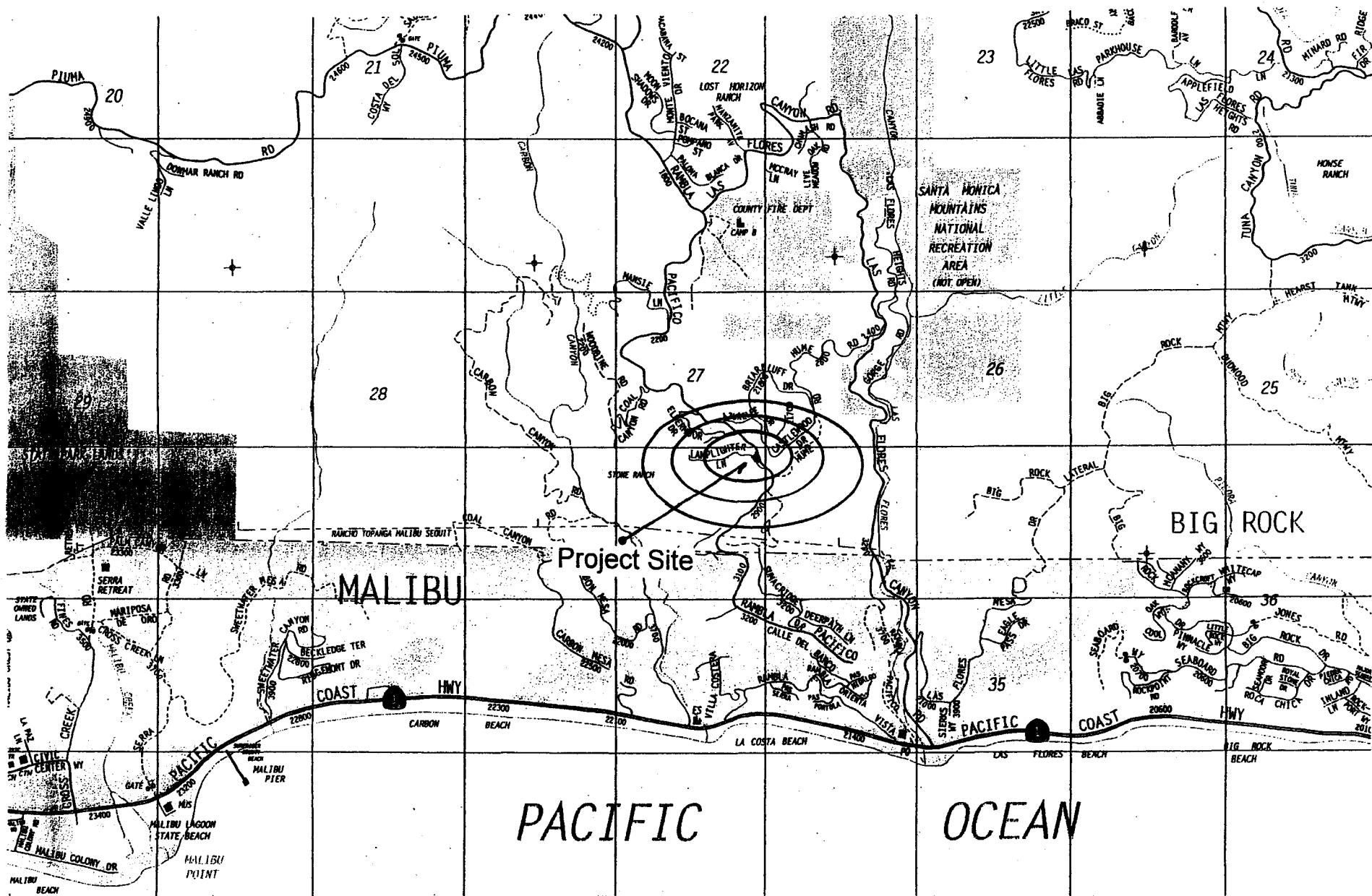
## **F. CEQA**

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.

**SMH-VNT**

File:smh/permits/regular/4-00-074 LACDPW report



<b>EXHIBIT 1</b>
<b>CDP 4-00-074 (LACDPW)</b>
<b>Location Map</b>

SCALE 1" = 150'

- 1990.61 to N.E. Cor. of S.E. 1/4 Sec. 27  
09°31'10"E.

AZURELEE, DR.

## Project Site

WV begins of NY line of  
Lampighter Lane per parcel 5,  
#1893 7.3-2.3

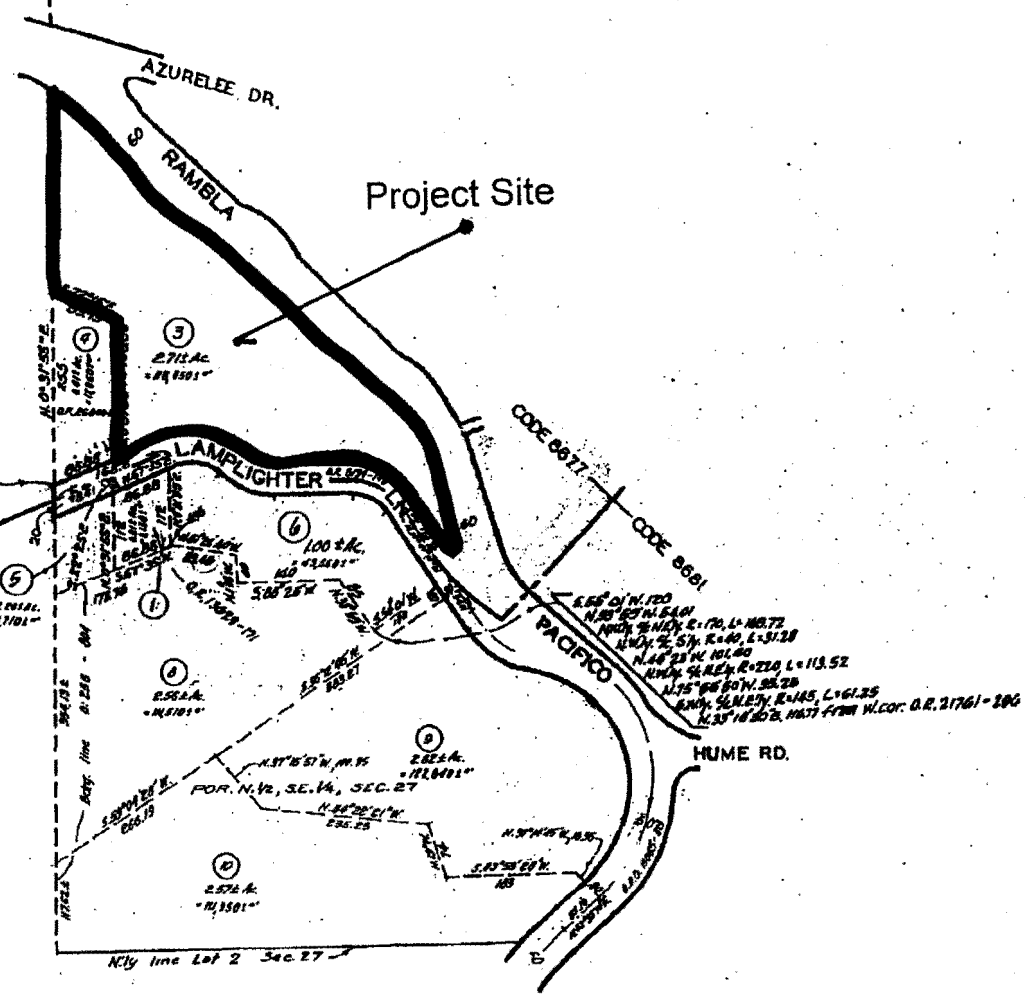
N	
C	M
E	V

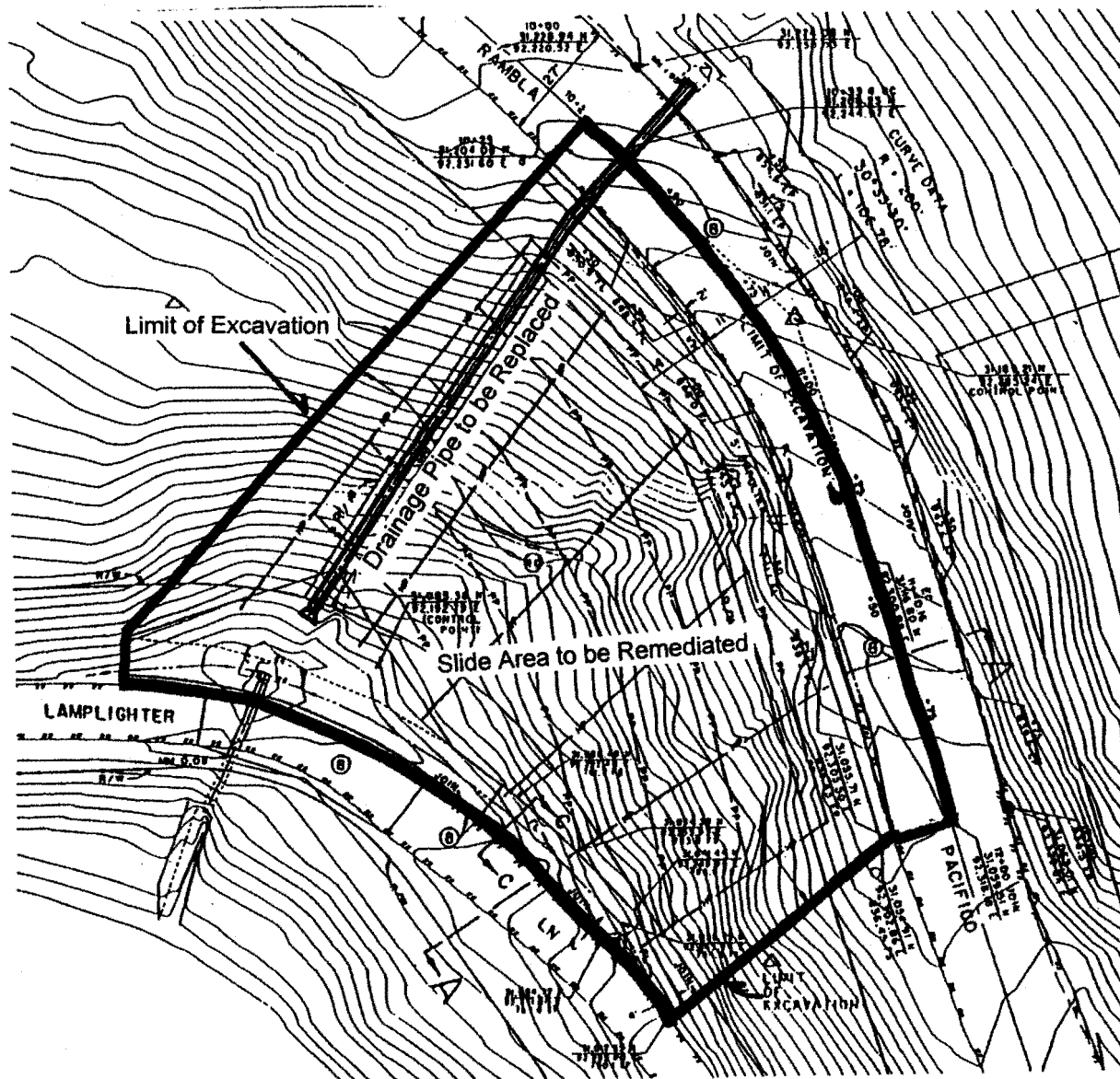
CODE  
8 677  
8 681

FOR PREV. ASSM'T. SEE:  
4433-7

T. 1 S., R. 17 W.

<b>EXHIBIT 2</b>
<b>CDP 4-00-074 (LACDPW)</b>
<b>Parcel Map</b>





PLAN  
SCALE: 1" = 20'  
0 25 50

EXHIBIT 3
CDP 4-00-074 (LACDPW)
Site Plan/Grading Plan



**LOS ANGELES COUNTY  
DEPARTMENT OF  
PUBLIC WORKS**



MATERIALS ENGINEERING DIVISION

**RAMBLA PACIFICO**  
**@ M.M. 1.93**  
**TYPICAL GRADED SECTION**

**DATE**  
**05/24/99**

**FIGURE 5**

**EXHIBIT 4**

CDP 4-00-074 (LACDPW)

### Grading Plan Cross Section

