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STATE OF CALIFORNIA -- THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

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## RECORD PACKET COPY

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# STAFF REPORT: CONSENT CALENDAR

**APPLICATION NO.:** 4-00-152

**APPLICANT:** Steve Tamkin

**PROJECT LOCATION:** 4427 Vista del Preseas, Malibu, Los Angeles County.

**PROJECT DESCRIPTION:** Construction of a 4,773 square foot, 26 foot high, two story single family residence, attached three car garage, swimming pool, concrete patio, 70 foot long retaining wall (one to four feet in height), five foot high masonry block wall and iron entry gate, five foot high iron perimeter fence, private sewage disposal system, and 840 cubic yards of grading (420 cubic yards of cut, 420 cubic yards of fill).

Lot Area:	43,536 square feet
Building Coverage:	3,170 square feet
Paved Area:	5,030 square feet
Height Above Existing Grade:	26 feet

LOCAL APPROVALS RECEIVED: City of Malibu, Geology and Geotechnical Engineering, Approval in Concept, December 10, 1999; City of Malibu, Environmental Health, Approval in Concept, December 24, 1999; City of Malibu, Biologist, Approval in Concept, May 11, 1999; County of Los Angeles, Fire Department, Approval in Concept, July 26, 2000; and County of Los Angeles, Fire Department, Fuel Modification Plan, Approval, August 3, 2000.

SUBSTANTIVE FILE DOCUMENTS: "Engineering Geologic Report," Geoplan, Inc., August 18, 1989; "Engineering Geology Report," E.D. Michael, Consulting Geologist, November 14, 1998; "Supplemental Engineering Geology Report," E.D. Michael, Consulting Geologist, June 29, 1999; "Supplemental Response to City of Malibu," E.D. Michael, Consulting Geologist, August 8, 1999; "Subsurface Geotechnical Engineering Investigation and Report," Ralph Stone and Company, Inc., August 10, 1999; "Review of City of Malibu," E.D. Michael, Consulting Geologist, September 28, 1999; "Addendum Report No. 1 to the Subsurface Geotechnical Engineering Investigation and Report." Ralph Stone and Company, Inc., October 8, 1999; "Review of City of Malibu," E.D. Michael, Consulting Geologist, November 11, 1999; letter to Steve Tamkin from E.D.



Michael, Consulting Geologist, dated July 22, 2000; and the certified Malibu Santa Monica Mountains Land Use Plan.

**SUMMARY OF STAFF RECOMMENDATION:** Staff recommends **approval** of the proposed project with seven (7) special conditions regarding geologic recommendations, revised landscape and erosion control, removal of natural vegetation, wildfire waiver of liability, drainage and polluted runoff, color restriction, and future improvements.

## I. STAFF RECOMMENDATION

MOTION: I move that the Commission approve Coastal Development Permit No. 4-00-152 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 that would substantially lessen any significant adverse impacts of the development on the environment.

#### II. Standard Conditions

1. <u>Notice of Receipt and Acknowledgment</u>. 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.** <u>Expiration</u>. 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. <u>Interpretation</u>. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.

**4.** <u>Assignment</u>. 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. <u>Terms and Conditions Run with the Land</u>. 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

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#### 1. Plans Conforming to Geologist's and Engineer's Recommendations

All recommendations contained in the reports prepared by E.D. Michael, Consulting Geologist, dated November 14, 1998; June 29, 1999; and September 28, 1999 and by Ralph Stone and Company, Inc., dated August 10, 1999, shall be incorporated into all final design and construction including recommendations concerning <u>foundation</u>, <u>drainage</u>, and <u>septic system</u> plans and must be reviewed and approved by the consultants prior to commencement of development. Prior to issuance of the coastal development permit, the applicant shall submit evidence to the Executive Director of the consultants' review and approval of all final design and construction plans.

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

#### 2. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicant shall submit revised landscaping and erosion control plans, prepared by a licensed landscape architect or qualified resource specialist, for review and approval by the Executive Director. The revised landscaping and erosion control plans shall be reviewed and approved by the consulting engineering geologist to ensure that the plans are in conformance with the consultant's recommendations. The revised plans shall incorporate the following criteria:

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#### A) Landscaping Plan

1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes within sixty (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation and to screen and soften the visual impact of development, 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 February 5, 1996. Invasive, non-indigenous plant species that tend to supplant native species shall not be used. The plan shall specify the erosion control measures to be implemented and the materials necessary to accomplish short-term stabilization, as needed on the site.

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 ninety (90) percent coverage within two (2) years, and this requirement shall apply to all disturbed soils;

- 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;
- 3) 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.
- 4) Vegetation within fifty (50) feet of the proposed house may be removed to mineral earth, vegetation within a two hundred (200) foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes, and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the final fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf, and ground cover planted within the fifty (50) foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

#### B) Interim Erosion Control Plan

- 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, and shall 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 throughout 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 of the coastal zone or within the coastal zone to a site 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 thirty (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 (5) years from the date of the receipt of the Certificate of Occupancy for the residence, the applicant shall submit for the review and approval of the Executive Director a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or 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.

#### 3. Removal of Natural Vegetation

Removal of natural vegetation for the purpose of fuel modification within the fifty (50) foot zone surrounding the proposed structure shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the fifty (50) to two hundred (200) foot fuel modification zone shall not occur until commencement of construction of the structures approved pursuant to this permit.

#### 4. Wildfire Waiver of Liability

Prior to the issuance of a coastal development permit, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents, and employees against any and all claims, demands, damages, costs, and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property.

#### 5. Drainage and Polluted Runoff Control Plan

Prior to the issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director, a drainage and polluted runoff control plan designed by a licensed engineer which minimizes the volume, velocity, and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is in conformance with the geologists' recommendations. The plan shall include but not be limited to the following criteria:

- (a) Post-development peak runoff rates and average volumes shall not exceed predevelopment conditions.
- (b) Runoff from all roofs, parking areas, driveways and other impervious surfaces shall be collected and directed through a system of vegetated and/or gravel filter strips or other media filter devices. The filter elements shall be designed to 1) trap sediment, particulates, and other solids and 2) remove or mitigate contaminants through infiltration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in non-erosive manner.
- (c) The plan shall include provisions for maintaining the drainage and filtration systems so that they are functional throughout the life of the approved

development. Such maintenance shall include the following: (1) the drainage and filtration system shall be inspected, cleaned and repaired prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

#### 6. Color Restriction

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The color of the structures, roofs, and driveway permitted hereby shall be restricted to a color compatible with the surrounding environment (white tones shall not be acceptable). All windows shall be comprised of non-glare glass.

A. 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, that reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances 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.

#### 7. Future Development Deed Restriction

This permit is only for the development described in Coastal Development Permit No. 4-00-152. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6) and 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610 (a) and (b) shall not apply to the entire parcel. Accordingly, any future improvements to the permitted single family residence or second residential unit (guest house) structure, including but not limited to clearing of vegetation or grading, other than as provided for in the approved fuel modification, landscaping, and erosion control plans prepared pursuant to Special Condition Two (2), shall require an amendment to Permit No. 4-00-152 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

A. 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, which reflects the above restrictions on development in the deed restriction and shall include legal descriptions 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.

## **IV. Findings and Declarations**

The Commission hereby finds and declares:

#### A. Project Description and Background

The applicant proposes to construct a new 4,773 square foot, 26 foot high, two story single family residence, attached three car garage, swimming pool, concrete patio, 70 foot long retaining wall (one to four feet in height), five foot high masonry block wall and iron entry gate, five foot high iron perimeter fence, and private sewage disposal system, with 840 cubic yards of grading (420 cubic yards of cut, 420 cubic yards of fill). The subject site is a vacant lot, located at 4427 Vista del Preseas in the La Chusa Highlands Subdivision, approximately one mile north from the intersection of Encinal Canyon Road and Pacific Coast Highway, in the City of Malibu, Los Angeles County. The proposed site for the residence consists of a relatively level pad at an elevation of twenty five feet above the street. In his letter dated July 22, 2000, E.D. Michael, Consulting Geologist, stated that the subject site was previously graded between 1959 and 1963. The property is an irregularly shaped parcel that is approximately .95 acres in size. In addition, the site is presently virtually free of vegetation.

The character of the project site's surrounding area is rural, with expansive open space and coastal vistas, particularly due to the network of publicly owned lands located in the region. The subject parcel is situated within a partially developed residential neighborhood with similarly sized residences on similarly sized lots and is located on the southern flank of the Santa Monica Mountains. The site is directly to the south of Charmlee Park, a regional park now owned and operated by the City of Malibu and to the northeast of National Park Service land. Approximately 500 feet to the northwest of the subject site, Vista del Preseas terminates at a water tank, which is operated by the Los Angeles County Department of Public Works, Waterworks District. At this termination point of Vista del Preseas, an existing trail begins which leads into and continues on into the southern portion of Charmlee Park. Hikers, equestrians, and bicyclists have traditionally accessed the southern end of Charmlee Park through the roads of the subdivision, within which the subject site is located. Ų

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The proposed development, however, will be compatible with the character of the surrounding area and will be designed to minimize negative impacts to visual resources.

#### B. Hazards and Geologic Stability

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The proposed development is located in the Malibu/Santa Monica Mountains area, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wildfires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

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, 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 a geologic report entitled, "Engineering Geology Report," prepared by E.D. Michael, Consulting Geologist, dated November 14, 1998, which states:

The subject property is safe for development as qualified below. The building site is entirely safe from the hazards of ". . . landslide, settlement or slippage . . . ," and flooding, and it will have no adverse effect on the stability of properties beyond it.

The report dated November 14, 1998 also states the following, regarding site stability:

Almost all the La Chusa Highlands area is underlain by landslide debris including a number of developed properties. The development history of the area and its unique geologic character require detailed discussion.

Pre-historic landslides in La Chusa Highlands have occurred in essentially three phases . . . Phases 1 and 2 appear to be very old, certainly on the order of hundreds and possibly thousands of years in age, as is apparent from the degree to which the masses have been incised and otherwise modified by erosion. Phase 3 debris may have been developed within the past few hundred years or less, having mostly been undercut by erosion of streams in modern channels. Historic landslides, most within the past 30 years or so, continue to occur various places in La Chusa Highlands in road fills, steep road cuts, and in some of the Phase 3 debris; however none occurs in or near the subject property. . . .

The relatively great age of the Phase 2 debris underlying the subject property and adjacent areas is excellent evidence of its stability. ...

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The age of the Phase 2 landslide debris underlying the subject property is the best basis for the opinion that the property will remain stable. The high degree of permeability of the debris apparent both in roadcut exposures as well as "percolation" test performed for the property adjacent as reported by Merrill (1989), is good evidence that ground water will never rise sufficiently to affect stability.

Furthermore, in his report dated September 28, 1999, E.D. Michael, Consulting Geologist, goes on to state:

There should be no adverse effect due to recharge by rain water. The site has survived without damage a number of major storms since it was graded in the 1950s including the storm seasons of 1968-1969, 1977-1978, and 1979-1980 when widespread flooding and landsliding were experienced throughout Los Angeles County. Development of the site will reduce the rate of recharge during storms significantly due to the introduction [of] impermeable surfaces and a surface drainage system.... The landslide breccia debris is sufficiently permeable that introduction of the relatively small volume of water represented by the septic system effluent could have no adverse mechanical effect.

In addition, the applicant has also submitted a geologic report, entitled "Subsurface Geotechnical Engineering Investigation and Report," prepared by Ralph Stone and Company, Inc., dated August 10, 1999, which incorporates numerous specific recommendations regarding construction, foundations, and drainage for the subject site. With regard to the foundation system for the proposed structures, this report states:

Cast-in-place fr[i]ction piles penetrating a minimum of ten (10) feet into bedrock may be designed for a skin friction/down-drag from the existing fill and/or landslide debris/breccia. Friction piles should be designed for all vertical and lateral loads. The minimum recommended pile diameter is 24 inches. Piles should be tied laterally in two direction[s] at the ground surface with grade beams. ...

Piles supporting linear retaining structures need not be tied laterally in two directions at the ground surface with grade beams or tie beams.

Therefore, the Commission finds that based on the recommendations of the applicant's geotechnical consultants, the proposed development is consistent with the requirements of Section 30253 of the Coastal Act, so long as the geologic consultants' recommendations are incorporated into the final project plans and designs. Therefore, the Commission finds it necessary to require the applicant to submit final project plans that have been certified in writing by the geotechnical consultants as conforming to all recommendations of the consultants, in accordance with **Special Condition One (1)**.

In addition, **Special Condition Two (2)** requires the implementation of landscaping and erosion control measures designed to reduce or eliminate potential erosion that might otherwise occur pursuant to the proposed development. As such, landscaping of the disturbed and graded areas on the subject property, as required by **Special Condition Two (2)**, will serve to enhance the geological stability of the site. In addition, interim

erosion control measures implemented during construction will also minimize erosion and enhance site stability. The Commission finds that the minimization of site erosion will add to the stability of the site. Erosion can best be minimized by requiring the applicant to revegetate all disturbed and graded areas of the site with native plants, compatible with the surrounding environment.

The landscape plan required pursuant to **Special Condition Two (2)** requires the use of primarily native plant species. Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foliage weight. The Commission finds that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native, invasive species and therefore aid in preventing erosion.

In addition, the use of invasive, non-indigenous plant species tends to supplant species that are native to the Malibu/Santa Monica Mountains area. Increasing urbanization in this area has caused the loss or degradation of major portions of the native habitat and loss of native plant seed banks through grading and removal of topsoil. Moreover, invasive groundcovers and fast growing trees that originate from other continents that have been used as landscaping in this area have invaded and seriously degraded native plant communities adjacent to development.

Therefore, the Commission finds that in order to ensure site stability, the disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in **Special Condition Two (2)**.

In addition, in order to ensure that vegetation clearance for fire protection purposes does not occur prior to commencement of grading or construction of the proposed structures, the Commission finds it necessary to impose a restriction on the removal of natural vegetation, as specified in **Special Condition Three (3)**. Through the elimination of premature natural vegetation clearance, erosion is reduced on the site and disturbance of the soils is decreased. Therefore, **Special Condition Three (3)** specifies that natural vegetation shall not be removed until grading or building permits have been secured and construction of the permitted structures has commenced.

#### Wildfire Waiver

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The proposed project is located in the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wildfire. The typical vegetation in the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney, in *Barbour, Terrestrial Vegetation of California*, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for, frequent wildfires. The typical warm, dry

summer conditions of the Mediterranean climate combine with the natural characteristics of native vegetation to pose a risk of wildfire damage to development that cannot be completely avoided or mitigated.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wildfire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition Four (4)**, the wildfire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of **Special Condition Four (4)**, the applicant also agrees to indemnify the Commission, its officers, agents, and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

The Commission finds that only as conditioned to incorporate the landscape and erosion control plans, all recommendations by the applicant's consulting geologist and engineer, and the wildfire waiver of liability, will the proposed project be consistent with Section 30253 of the Coastal Act.

#### C. Visual Impacts

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and protected:

Section 30251 of the Coastal Act states:

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.

In addition, in past actions, the Commission has provided for protection of visual resources when reviewing development proposals in the Santa Monica Mountains. For example, the Commission has found that new development shall be sited and designed to protect public views from scenic highways, to and along the shoreline, and to scenic coastal areas, including public parklands. In addition, the Commission has found in past actions that structures shall be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment. Furthermore, in highly scenic areas and along scenic highways, the Commission has found that new development shall be sited and designed to protect views to and along the ocean and to and along other scenic features, minimize the alteration of natural

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land forms, conceal graded slopes, be visually compatible with and subordinate to the character of the setting, and not intrude into the skyline as seen from public viewing areas. In past actions, the Commission has also found that structures shall be sited to conform to the natural topography of the site, as is feasible.

As stated above, the applicant proposes to construct a new 4,773 square foot, 26 foot high, two story single family residence, attached three car garage, swimming pool, concrete patio, 70 foot long retaining wall (one to four feet in height), five foot high masonry block wall and iron entry gate, five foot high iron perimeter fence, and private sewage disposal system, with 840 cubic yards of grading (420 cubic yards of cut, 420 cubic yards of fill).

The subject site is highly visible from the southwestern end of Charmlee Park and from those trails that are located within that portion of the park. Furthermore, hikers, equestrians, and bicyclists have traditionally accessed this southern end of Charmlee Park through the roads of the subdivision, in which the subject site is located. In addition, the subject property is minimally visible from Pacific Coast Highway and nearby beaches to the south. The project site is located within a partially developed residential area consisting of similarly sized single family residences constructed on similarly sized lots. There are existing large, single family residences to the southeast and southwest of the site. The proposed project, therefore, will be consistent with the character of the surrounding area. Furthermore, the subject site is not situated on a ridgeline, the design of the residence will incorporate a stepped-back design, the residence is designed to conform to the topography of the site, and minimal grading is proposed. However, due to the visible nature of the project as seen from Charmlee Park, Pacific Coast Highway, and nearby beaches, the Commission finds it necessary to require mitigation measures to minimize visual impacts as seen from these scenic public resources.

Requiring the residence to be finished in a color consistent with the surrounding natural landscape and, further, that the windows of the proposed structures be of a non-reflective nature, can mitigate the impact on public views. To ensure that any visual impacts associated with the colors of the structures and potential glare of the window glass are minimized, the Commission finds it necessary to require the applicant to use colors compatible with the surrounding environment and non-glare glass, as required pursuant to **Special Condition Six (6)**.

In addition, future developments or improvements to the property have the potential to create significant adverse visual impacts as seen from Charmlee Park, Pacific Coast Highway, and nearby beaches. It is necessary to ensure that future developments or improvements normally associated with a single family residence, which might otherwise be exempt, be reviewed by the Commission for compliance with the visual resource protection policies of the Coastal Act. As a result, **Special Condition Seven** (7), the future improvements deed restriction, will ensure that the Commission will have the opportunity to review future projects for compliance with the Coastal Act.

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Additionally, requiring the residence to be adequately landscaped can also mitigate visual impacts. The landscaping should consist of native, drought resistant plants and be designed to minimize and control erosion, as well as partially screen and soften the visual impact of the structures, as seen from Charmlee Park, Pacific Coast Highway, and nearby beaches, with vertical elements such as trees and shrubs. Furthermore, the fuel modification plan should be designed to reduce negative visual impacts from vegetation clearance. Therefore, the Commission finds that it is necessary to require the applicant to submit a revised landscape plan, as specified in **Special Condition Two (2)**.

In addition, fuel modification requirements can affect natural vegetation for up to 200 feet from the footprint of defensible structures. There will be approximately 140 feet of this 200 foot fuel modification zone that will extend onto the adjacent vacant property to the north and below Charmlee Park, which consists of native vegetation. However, there are already other single family residences in the vicinity of the project site with overlapping fuel modification zones that extend into the this vacant land owned by the County of Los Angeles. As a result, only one small area of would be subject to new fuel modification for the proposed structure, due to the overlapping zones. Furthermore, the applicant has also submitted information stating that the area where fuel modification would be required on County land is already within a fire break cleared by the County. As a result, impacts from the proposed development on native vegetation and visual resources for fuel modification will not be significant.

In summary, the proposed project, as conditioned, will not result in a significant adverse impact to the scenic public views or character of the surrounding area in this portion of the Santa Monica Mountains. Thus, the Commission finds that the proposed project is consistent, as conditioned, with Section 30251 of the Coastal Act.

#### D. Water Quality

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation; increase of impervious surfaces; increase of runoff, erosion, and sedimentation; and introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems. Furthermore, the Commission also recognizes that the potential build-out of lots in Malibu, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area.

Section 30231 of the Coastal Act 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, minimizing alteration of natural streams.

As described above, the proposed project includes the construction of a new a new 4,773 square foot, 26 foot high, two story single family residence, attached three car garage, swimming pool, concrete patio, 70 foot long retaining wall (one to four feet in height), five foot high masonry block wall and iron entry gate, five foot high iron perimeter fence, private sewage disposal system, and 840 cubic yards of grading (420 cubic yards of cut, 420 cubic yards of fill). The conversion of the project site from its natural state will result in an increase in the amount of impervious surface and reduction in the naturally vegetated area. Further, use of the site for residential purposes will introduce potential sources of pollutants such as petroleum, household cleaners, and pesticides, as well as accumulated pollutants from rooftops and other impervious surfaces and effluent from septic systems.

Furthermore, in their report dated August 10, 1999, Ralph Stone and Company, Inc., state:

Control of soil moisture is essential for the long term performance of improvements. All roof and surface drainage should be conducted away from the development in engineered nonerosive devices to a safe point of discharge to the street. No site runoff drainage should be allowed to cross over the tops of slopes except in nonerosive engineered devices. ...

All roof drainage should be collected in eave gutters that discharge directly into engineered nonerosive drainage devices.

In addition, the removal of natural vegetation and placement of impervious surfaces allows for less infiltration of rainwater into the soil, thereby increasing the rate and volume of runoff, causing increased erosion and sedimentation. Additionally, the infiltration of precipitation into the soil allows for the natural filtration of pollutants. When infiltration is prevented by impervious surfaces, pollutants in runoff are quickly conveyed to coastal streams and the ocean. Thus, new development can cause cumulative impacts to the hydrologic cycle of an area by increasing and concentrating runoff, leading to stream channel destabilization, increased flood potential, increased concentration of pollutants, and reduced groundwater levels.

Such cumulative impacts can be minimized through the implementation of drainage and polluted runoff control measures. In addition to ensuring that runoff is conveyed from the site in a non-erosive manner, such measures should also include opportunities for runoff to infiltrate into the ground. Methods such as vegetated filter strips, gravel filters, and other media filter devices allow for infiltration. Because much of the runoff from the site would be allowed to return to the soil, overall runoff volume is reduced and more water is available to replenish groundwater and maintain stream flow. The slow flow of

runoff allows sediment and other pollutants to settle into the soil where they may be filtered. The reduced volume of runoff takes longer to reach streams and the pollutant load of runoff will be greatly reduced.

As described above, the project is conditioned to implement and maintain a drainage plan designed to ensure that runoff rates and volumes after development do not exceed pre-development levels and that drainage is conveyed in a non-erosive manner. This drainage plan is required in order to ensure that risks from geologic hazard are minimized and that erosion and sedimentation are also minimized. In order to further ensure that adverse impacts to coastal water quality do not result from the proposed project, the Commission finds it necessary to require the applicant to incorporate filter elements that intercept and infiltrate or treat the runoff from the subject site. This plan is required by Special Condition Five (5). Such a plan will allow for the infiltration and filtration of runoff from the developed areas of the site and will capture the initial "first flush" flows that occur as a result of the first storms of the season. This flow carries with it the highest concentration of pollutants that have been deposited on impervious surfaces during the dry season, making the capture of the "first flush" flow a vital component of the drainage and polluted runoff control plan. Additionally, the applicant must monitor and maintain the drainage and polluted runoff control system to ensure that it continues to function as intended throughout the life of the development.

Finally, the applicant proposes to construct a new 1,500 gallon septic tank and disposal system to service the single family residence. Percolation tests have been performed on the subject site. In addition, in his report dated June 29, 1999, E.D. Michael, Consulting Geologist, states:

I recommend a capping depth of 3 feet. Capping the seepage pit at 3 feet is less expensive and better in terms of inspection or servicing. The breccia is so permeable that it is unlikely the level of effluent would ever rise high enough to infiltrate the overlying 5-foot section of fill, and even if that were to occur, there would be no adverse effect. There is no nearby slope, and the gradient of the surface at that location is very low. Mounding is of no concern because of the highly permeable character of the underlying materials.

It is my unequivocal opinion that the disposal of sewage effluent by means of one or more seepage pits in the general vicinity of Boring 3 will not cause any instability either for the subject property or any neighboring property.

Furthermore, the Environmental Health Department of the City of Malibu has also given in concept approval for the proposed sewage disposal system. This conceptual approval by the City of Malibu indicates that the sewage disposal system for the project in this application comply with all minimum requirements of the Uniform Plumbing Code.

The Commission has found in past permit actions that conformance with the provisions of the plumbing, health, and safety codes is protective of resources and serves to minimize any potential for wastewater discharge that could adversely impact coastal waters. Therefore, the Commission finds that the proposed project, as conditioned to incorporate and maintain a drainage and polluted runoff control plan, is consistent with Section 30231 of the Coastal Act.

#### E. Local Coastal Program

Section 30604 of the Coastal Act states:

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 development 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 of Malibu's ability to prepare a Local Coastal Program for this area 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 a 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 that 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.





November 14, 1998



#### Plate 3.

**INDEX MAP OF LA CHUSA HIGHLANDS PRE-HISTORIC LANDSLIDE PHASES** This map has been reduced to a scale of 1:24,000 from Plate 1 of Michael (1963). Numerous smaller historic landslide masses also are present in the area, but none near the subject property, the location of which in indicated by the star symbol.

EXHIBIT 3	······································
CDP 4-00-152 (Tamkin)	
Landslide Map	

E.D. MICHAEL, Consulting Geologist, 6225 Bonsall Dr., Malibu







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DECENCE JUN 3 0 2000







#### GRADING NOTES

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1. ANY MODIFICATIONS OF OR CHANCES IN APPROVED GRADING PLANS MUST BE APPROVED BY THE BUILDING OFFICIAL

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3. ENGINEER MUST SET GRADE STAKED FOR ALL LENGTAGE DEVICES AND OBTAIN INSPECTION APPROVAL BEFORE POURING 1

4. PROVISIONS SHALL BE MADE FOR CONTRIBUTORY CRAMAGE AT ALL TIMES.

5. SECURE PERHISSION FROM CITY ENCINERS, EASEMENT GRANTER, STATE HIGHWAY DEPARTMENT, AND/OR HOHEOARES ASSOCIATION FOR CONSINCIENT, GRADING AND/UR DISCHARES OF DRAMAGE WITH STREET KOTT, OFT-WAT.

6. GRADING SHALL NOT BE STARTED WITHOUT FIRST NOTIFYING THE GRADING INSPECTOR: A PRE-GRADING MEETING ON THE STE IS DECURED BEFORE START OF GRADING WITH THE FOLLOWING PEPPLE PRESENT GUARE GRADING INSPECTOR. DESIGN LIMIL BUILDER, SOL ENGINEER, GEOLOGIST, GRADING, INSPECTOR, AND HAVEN REGURED. THE ARCHARD.ORDER AND PRE-DIMOLOGIST. THE REGURED INSPECTORS FOR GRADING WILL BE EXPLANED AT THIS INSPECTOR.

7. CUT AND FILL SLOPES SHALL BE NO STEERER (HAN 3' HORIZONTAL TO 1' VERTICAL (2011), EXCEPT WHERE SPECIFICALLY APPROVED OTHERWISE

B. FULS SMALL BE COMPACTED THROUGHOUT TO A HIRIMUM OF 90% RELATIVE COMPACTION ACCREDATE BASE FOR ASPHALTIC AREAS SMALL BE COMPACTED TO MINIMUM OF 95% RELATIVE COMPACTION. MAXIMUM DENSITY SMALL BE DETERMINED BY UNITORM BULGING CODE STANDARD NO. 10-2 DR APPROVED ED.:MALENT.

9. AREAS TO RECEIVE FILL SHALL BE PROPERLY PREPARED AND APPROVED IN WRITING. BY THE SOIL ENGINEER AND THE BUILDING OFFICIAL PRIOR TO PLACING FILL

10. FILL SHALL BE SENCHED INTO COMPLETENT MATERIAL PER CITY OF MAUBUL STANDARD OR SOLLS ENCINEER'S DIRECTIONS.

II. ALL EXISTING FILLS SHALL BE APPROVED BY THE BUILDING OFFICIAL OR REMOVED PRIOR TO PLACING ADDITIONAL FILLS.

12. ANY EXISTING IRRIGATION LINES AND CISTERNS SHALL BE REMOVED OR CRUSHED. IN PLACE, AND APPROVED BY THE BUILDING OFFICIAL AND SOULS EMGINEER.

13. STOCK PRING OF EXCESS MATERIAL SHALL BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO EXCAVATION.

14. The design engineer, as a condition of rough grade approval, shall provide a blue top with accompanying witness stake, set at the center of each fad exercisions the pool leavation for precise previses and a blue top with witness stake set at the organize symple incorporate for electronic the point elevation for preview.

19. ALL TRENCH BACKPILLS SHALL BE TESTED AND APPROVED BY THE SOLL ENGINEER PER THE MALIBU BUILDING CODE.

16. The engineeing geologist and sole engineer shall after cleaning and prior to the placement of fill in dancing, induced data data of adverse stability and to determine the presence of adsence of subjurtate where or synthmed flow, if metro, subsocies will be desired and constructed PRIOR TO THE PLACEMENT OF FILL IN EACH RESPECTIVE CANYON

17. SUBORAIN OUTLETS SHALL BE COMPLETED AT THE BEGINNING OF THE SUBORAIN CONSTRUCTION.

18. The exact location of the subdring shall be surveyed in the field for line/grade and reflected on as-graded plans

19. ALL CUT SLOPES SHALL BE INVESTIGATED BOTH DURING AND ATTER GRADING BY THE ENGINEERING GEOLOGIST TO DETERMINE IF ANY SLOPE STABILITY PROBLEM CASTS. SHOULD ELECANDING DISCLOSE ANY GEOLOGICAL INVERDS DE POTENTIAL GEOLOGICAL NAZARDS. THE ENGINEERING GEOLOGIST SHALL SUBHIT RECOMMENDOS GENERONTON TO THE BUILDING OFFICIAL FOR APPROVAL.

WHERE SUPPORT OR BUTTRESSING OF OUT AND NATURAL SLOPES IS DETERMINED 20. ES INTERE SUFFORD OF BUTILESSING OF OUT AND ANDER SUFFORD SUFFORMED AND AND SUFFORMED SUFFORMED

21. WHEN CUT PADS ARE BROUGHT TO NEAR GRADE, THE ENGINEERING GEOLOGIS" SHALL DETERMINE IF THE REPORCE IS EXTENSIVELY PRACTICED AND UP, READLY TRANSMIT WATER. IN CONSIGENCE INFORMATION THE EMPLOYED AND UP, and SOLE ENGINEER, A COMPACTED FRAMEWORKET WILL BE PLACED.

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22 THE ENGINEERING GEOLOGIST SHALL PERFORM PERIODIC INSPECTIONS AND SUBMIT A COMPLETE REPORT AND MAP UPON COMPLETION OF THE ROUGH GRADING

23. THE COMPACTION REPORT AND APPROVAL FROM THE SUIL ENGINEER SHALL INDICATE THE TYPE OF FIELD LESTING, PERFORMED - EACH TEST SHALL BE IDENTIFIES WITH THE METHOD OF DETAINING THE IN-PLACE DENSITY, WHETHER SAND COME OR NOCLEAR QUICE, AND SHALL BE SO NOTED FOR EACH TEST.

24. THE QRADING CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT VERIFYING THAT THE WORK DONE UNDER HIS DIRECTION WAS PERFORED IN ACCORDANCE WITH THE APPROVED PLANS AND RECURRENTS OF CHAPTER 70 OF THE MAJINU BULLING CODE OR DESCRIBUIG ALL WARANCES FROM THE APPROVED PLANS AND REQURRENTS OF THE CODE

25 THE UNDERSIGNED DESIGN ENGINEER VERIFIES THAT THIS GRADING PLAN WAS PERFARED UNDER IN SUPERVISION IN ACCORDANCE WITH THE MUBBL BULDING CODE.  $\lambda_{\perp}$  Soils engineer and engineer for geology recommendations were INCORPORATED IN THE PLAN. IMUST BE SIGNED AND DATED BY THE DESIGN ENGINEER.)

26 GRADING OPERATIONS MUST BE CONDUCTED UNDER PERIODIC GEOLOGIC INSPECTION WITH INSPECTION REPORTS TO BE SUBMITED TO THE BUILDING DEPARTMENT.

27 EXPORT SOIL MUST BE TRANSPORTED TO A LEGAL DUMP OR TO A PERMITTED SITE SHOWN CLEARLY ON APPROVED PLANS.

28. SLOPES SHALL BE PLANTED WITH AN APPROVED PLANT NATERIAL AND PROVIDED WITH AN APPROVED IRRIGATION SYSTEM, UNLESS AN ALTERNATIVE HAS BEEN APPROVED BY THE CITY BIDLOGIST

29 THE ENGINEER SHALL SUBMIT A LETTER OF CERTIFICATION TO THE BUILDING OFFICIAL STATING THAT THE GRADING WAS DONE IN COMPLIANCE WITH THE APPROVED CRADING PLAN.

SC PRELIMINARY SOIL AND GEOLOGY REPORTS AND ALL SUBSEQUENT REPORTS, AS APPROVED BY THE CITY OF MALIBU, ARE CONSIDERED A PART OF THE APPROVED SEXURING PLAN. ALL RECOMMENDATIONS CONTAINED ARE TO BE COMPLIED WITH OR REVISIONS SUBMITTED FOR REVIEW.

31 ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN OPEN UNTIL TROUTES TO HONOLE STORY WATER ARE APPROVED AND PUNCTIONAL HOLEVER. N ANY USE, THE PERMISE SHALL BE HELD LABLE FOR ANY DAMAGE OVE TO SEPTIMETING WATER, DRAINAGE PATTERNS.

32. GRADING OPERATIONS, INCLUDING MAINTENANCE OF EQUIPMENT, SHALL BE ACCOMPLISHED WITHIN THE CONFINES OF THE NOISE ORDINANCE AND POLICIES OF THE CITY OF MULTION.

33. ROOF CUTTERS SHALL BE CONTACLED TO PREVENT ROOF DRAINAGE FROM FALSING ON MANUFACTURED SLOPEN, LUTTERS SHALL BE CONNECTED TO NON-ERGSNE FIFTING OF OTHER HERTOR ADCEPTABLE TO THE BUILDING OFFICIAL

34. MAY EXCAVATION ADJACENT TO OTHER PROPERTY OR STRUCTURES ARE SUBJECT TO THE PROVISIONS OF CALIFORMA CIVIL CODE, SECTION 342, AND 15 THE RESPONSIBILITY OF THE PERTITTEL ANO/OR OWNER.

#### PLANTING AND IRRIGATION NOTES

35 ALL CUT AND FILL SLOPES WILL BE PLANTED WITH AN APPROVED GROUND COVER AND PROVIDED WITH AN IRRIGATION SYSTEM AS SOON AS PERCIFICAL DURING GRADING. IN ADDITION TO THE GROUND COVER PLANTS SHALL BE INSTALLED ON ALL SLOPES. ALL PLANTING SHALL BE DF A TYPE APPROVED BY THE CUT BIOLOGISTS.

36. THE PLANS FOR A DESIGNED IRRIGATION SYSTEM FOR FULL COVERAGE OF ALL PORTION OF THE SLOPES SHALL BE SUBMITTED AND APPROVED PRIOR TO ROUGH CRUICK PREVAL BY THE CITY BIOLOGIST.

37 PLANTING AND IRRIGATION PLANS FOR SLOPES MUST BE PREPARED AND SIGNED BY A CML ENGINEER OR LANDSCAPE ARCHITECT.

38 FINISH GRADING WILL BE COMPLETED AND APPROVED AND SLOPE PLANTING AND REIGATION SYSTEMS INSTALLED BEFORE OCCUPANCY OF BUILDINGS.





#### EROSION CONTROL PROVISIONS

I THIS SEPARATE PLAN IS FOR DRATIALE AND LAUSION JON WOL MEASURES TO BE USED

2 STORM WATER WATARDEMENT PLANS (COUPLINATING ALL THE AND WISIONS OF DRUINANCE SI OF THE MALED MUNICIPAL CODE SHALL BE SJAMITED AND ANDARDING AREN' D PERMIT ISSLANCE SUCH PLANS ARE TO DUCLED CLUSSIFICITIAN AND POST UDISTRUCTION PHASE PROVISIONS REFLECTING DEST MANAGEMENT MAAFIOCS!

3 IN CASE OF EMERGENLY CALL STEVEN & TAMAIN WORK TELEPIENE NO 1 BC: 4-5-7435 HOME TELEPIENE NO 1-100 412 4546

4 EQUIPMENT AND WORKERS FOR EMERICAL WARKS SHALL SO MADE ALALA AN ART ALALA AN ART ALALALA AND AT AL TIMES DURING THE RATIO SEASON ALCOSTAN MALEKALS LAAL ST ALALALA AND THE THE AND SUDDIALES AL CONVENTENT LOCATIONS TO FACH THE FARTS CONSTRUCTION OF THEOREMIC DEVICES WHEN BAIN SO IMPOLING

S EROSION CONTROL DEVICES SHALL NOT BE MOVES OR MIDPICE WITHELT THE APPROVAL OF THE BUTCOND DEFICIAL

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F ALL REMOVABLE ERDSION PROTECTIVE SEVERES SHARE BE IN HEATE AT THE END OF EACH MORKING DAY

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9 GRADED AREAS ON THE PERHITED AREA DERIMETER HUST CRAIN AVAIL FRE FACE OF SUPPEN AT THE COACLUSION OF EACH NORKING EACH TRANADE TO BE LIKECTED TOWARD DESULTING FACILITIES

10 THE PERMITEE AND CONTRACTOR SHAL OF RESPONSIBLE AND SHALL TAKE MICESSARY PRECAULIDUS TO PREVENT PUBLIC RESPONSE UNIO HARAS --ERE UMDUNCED VATUR CREATES A MARARDIS CUDITION

IT ISSUANCE OF A GRADING PERMIT BIES NUT ELIMINATE THE NEEL FOR PERMITS FROM DITHER AGENCIES WITH REGULATORY RESPONSIBILITIES FLA CLASTRUCTICA ACTIVITIES ASSOCIATED VITH THE VORK AUTHORIZED ON THIS PLAN

12 ERDSION CONTROL MEASURES AND PLANTING SHALL BE INSTALL ID AND MONTAINED AS SEEN AS PRACTICAL. IN AREAS NOT SUBJECT TO FREQUENT TRAFFIC

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EXHIBIT 13 CDP 4-00-152 (Tamkin) Erosion Control Plan







