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CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585 - 1800

RECORD PACKET COPY

Filed:	07/08/02
49th Day:	08/26/02
180th Day:	01/04/03
Staff:	A.A.V.
Staff Report:	08/22/02
Hearing Date:	09/10-13/02
Commission Action:	

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-02-107

APPLICANT: Los Angeles County, Department of Public Works

PROJECT LOCATION: 1250 Encinal Canyon Road, Malibu, Los Angeles County

PROJECT DESCRIPTION: Upgrade of existing wastewater treatment plant to meet Regional Water Quality Control Board requirements, including new headworks, extended aeration package plant and chlorine contact tank, and approximately 372 cu. yds. excavation.

Lot area:	28 acres
Proposed Building Coverage:	650 sq. ft.
Proposed Pavement coverage:	0 sq. ft.
Proposed Landscape coverage:	0 sq. ft.
Unimproved:	22 acres

LOCAL APPROVALS RECEIVED: Los Angeles County, Department of Regional Planning, Approval In-Concept, 5/08/02

SUBSTANTIVE FILE DOCUMENTS: California Regional Water Quality Control Board, Los Angeles Region, Board Order No. 00-110, Monitoring and Reporting Program, Time Schedule Order No. 00-111, for Los Angeles County Fire Department, Forester and Fire Warden Camp 13; Geotechnical Evaluation Report, Fire Camp 13, WasteWater Treatment Plant Upgrade design, prepared by Ninyo & Moore, Geotechnical and Environmental Sciences Consultants, 08/13/01.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of the proposed project with **3 special conditions** regarding 1) geologic recommendations, 2) removal of excavated material, and 3) sycamore tree mitigation and monitoring.

I. STAFF RECOMMENDATION:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 4-02-107 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 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. Geologic Recommendations

All recommendations contained in the Geotechnical Evaluation Report prepared by Ninyo & Moore Geotechnical and Environmental Sciences Consultants dated 08/13/02 shall be incorporated into all final design and construction including foundations, grading, and drainage. Final plans must be reviewed and approved by the geotechnical consultants. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of all project 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. Removal of Excavated Material

The applicant shall remove all excavated and debris material from the site and shall provide evidence to the Executive Director of the location of the disposal site prior to the issuance of the permit.

3. Sycamore Tree Mitigation and Monitoring

For the one (1) sycamore tree that will be removed during construction activities, replacement seedlings, less than one year old, shall be planted at a ratio of at least 10:1 on the subject site. ***Prior to the issuance of the coastal development permit***, the applicant shall submit, for the review and approval of the Executive Director, a sycamore tree replacement planting program, prepared by a qualified biologist, arborist, or other resource specialist, which specifies replacement tree locations, tree or seedling size planting specifications, and a monitoring program to ensure that the replacement planting program is successful. An annual monitoring report on the sycamore tree

restoration and preservation program shall be submitted, for the review and approval of the Executive Director, each year for five (5) years following completion of the proposed project.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

Los Angeles County Department of Public Works is proposing to upgrade an existing wastewater treatment plant to meet Regional Water Quality Control Board requirements, that will include new headworks, an extended aeration package plant and chlorine contact tank, and approximately 372 cu. yds. excavation. The 372 cu. yds. of excavated material will be exported to an appropriate site for disposal as required by **Special Condition 2.** No change in the design capacity of the treatment facility is proposed.

The treatment facility is owned and operated by the Los Angeles County Department of Public Works and is located on the grounds of the Malibu Conservation Camp at 1250 Encinal Canyon Road, in the unincorporated Malibu area, Los Angeles County (Exhibits 1,2). The existing treatment facility is located directly adjacent to a paved access road that extends from Encinal Canyon Road to the Fire Camp, and is bound on the north and east by existing buildings of the Camp, and on the south by an 8-13 ft. high masonry retaining wall constructed along the bank of a blueline stream (Exhibit 3). The proposed improvements include construction of a single-story pump engine building on the western portion of the project site and subsurface water treatment structures on the east and southeast side of the pump engine (Exhibit 4). Construction of the wastewater treatment structures will require that one mature sycamore tree be removed.

As of 1999 the existing treatment facility serviced an average of 12,000 gallons per day of domestic sewage effluent from the fire station and correctional facility, with effluent discharge varying depending on the population of the camp. The current design capacity of the facility is 15,000 gallons per day. The facility consists of a surge tank, aeration tank, final clarifier, and a chlorine contact tank. After wastewater has been treated it is then disposed of via seven seepage and/or evaporation pits located approximately 1000 ft. southeast and uphill of the treatment facility (Exhibit 5).

The applicant is proposing to upgrade the subject wastewater treatment facility to comply with Waste Discharge Requirements (Order No. 00-110) issued by the Regional Water Quality Control Board for limits and requirements of discharged effluents. Proposed upgrades of the treatment facility will enhance the existing level of treatment by upgrading the plant with new headworks, extended aeration package plant, and chlorine contact tank. The proposed treatment upgrades are intended to provide an effluent quality to meet all criteria of Waste Discharge Requirements of the Regional

Water Quality Control Board. In conjunction with the proposed upgrades, the Regional Water Quality Control Board has also ordered the operators of the facility to implement a groundwater and surface water monitoring program.

Topographic relief across the area of the existing wastewater treatment facility is approximately 4 ft., consisting of a slope that gently descends towards the southwest. The wastewater treatment facility is situated approximately 10-14 ft. above the streambed of culverted and channelized portion of a blueline stream to the south. The existing wastewater treatment facility is setback approximately 46 ft. from the centerline of the stream channel. The applicant has designed the proposed project such that no new structures or improvements would result in development located closer to the stream corridor than that which currently exists on site (Exhibit 3).

No environmentally sensitive habitat area exists at the project site. Vegetation at the project site is significantly degraded due to the amount and location of existing development at the site. The area of the proposed facility upgrades consist primarily of weedy-type, non-native grasses with the exception of one large sycamore tree and one non-native tree that exist adjacent to the existing treatment facility. No vegetation is established on the channelized banks of the blueline stream; however, the streambed maintains some vegetation, although the streambed vegetation is also highly degraded in the project area. The degraded nature of vegetation at the site is due primarily to the amount and location of numerous structures, paved access ways, and the channelized stream corridor existing at the site. The project area was intensely developed when construction of the Malibu Conservation Camp facilities and the treatment plant facilities occurred in the 1950's. The proposed plant upgrades will be carried out entirely within an area previously disturbed by existing development and will not result in encroachment of development toward the stream on the site.

The proposed project will not be visible from any public scenic viewing area and the project does not include any changes at the subject site that would significantly alter the site to cause impacts to visual resources.

B. Geology

The proposed development is located in the Santa Monica Mountains area, 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 area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains.

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.

Section 30253 of the Coastal Act mandates that new development shall be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The applicant has submitted a Geotechnical Evaluation Report prepared by Ninyo & Moore Geotechnical and Environmental Sciences Consultants dated 08/13/01. The consultants have determined that the project site is appropriate for the proposed development. The Geotechnical Evaluation Report states:

> *Based on the results of our evaluation, the proposed construction is feasible from a geotechnical standpoint. There are no known geotechnical conditions that would preclude the proposed construction provided the recommendations of this report and appropriate construction practices are followed.*

The Geotechnical Evaluation Report prepared by Ninyo & Moore Geotechnical and Environmental Sciences Consultants dated 08/13/01 includes several geotechnical recommendations to be incorporated into project construction, design, and drainage to ensure the stability and geologic safety of the project site. To ensure that the recommendations of the consultants have been incorporated into all proposed development **Special Condition 1** requires the applicant to submit project plans certified by the consulting geotechnical engineer as conforming to all structural and site stability recommendations for the proposed project. Final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development, as approved by the Commission, which may be recommended by the consultant shall require an amendment to the permit or a new coastal development permit.

The Commission notes that the applicant is proposing to excavate approximately 372 cu. yds. of soil for the propose project. Excavated materials that are placed in stockpiles are subject to increased run-off and erosion, therefore, **Special Condition 2** requires the applicant to remove all excavated material, including any building or construction debris from the demolition of the existing structures, from the site to an appropriate location and provide evidence to the Executive Director of the location of the disposal site prior to the issuance of the permit. Should the dumpsite be located in the Coastal Zone, a coastal development permit shall be required.

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

C. Sensitive Resources

Section 30240 of the Coastal Act requires that:

> ***(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those 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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.***

Section 30107.5 of the Coastal Act defines ESHA as follows:

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

Section 30230 of the Coastal Act states:

> ***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 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.***

Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values, and that only uses dependent on such resources shall be permitted in an environmentally sensitive habitat area. Section 30230 of the Coastal Act requires that marine resources be maintained, enhanced and restored and that special protection be given to areas and species of special biological

importance or economic significance. Section 30230 of the Coastal Act further requires that uses of the marine environment sustain the biological productivity and the quality of coastal waters and streams, and maintain healthy populations of all species and marine organisms. Section 30231 of the Coastal Act mandates that the biological productivity of coastal waters be maintained and, where feasible, restored, to maintain optimum populations of marine organisms and for the protection of human health. Means by which coastal waters may be maintained and restored include minimizing adverse effects of wastewater discharge and by encouraging wastewater reclamation.

As described previously, no environmentally sensitive habitat area exist at the project site. The project site is located in an area that is significantly degraded due to the amount and location of existing development at the site. The degraded nature of vegetation at the site is due primarily to the amount and location of numerous structures and paved surfaces and access ways. The area of the proposed facility upgrades consist primarily of weedy-type, non-native grasses with the exception of one large sycamore tree and one non-native tree that exist adjacent to the existing treatment facility. No vegetation is established on the channelized banks of the adjacent blueline stream. The streambed maintains some vegetation, although the culverted streambed vegetation is also highly degraded in the project area. The project area was intensely developed when construction of the Malibu Conservation Camp facilities and the treatment plant facilities occurred in the 1950's. The proposed plant upgrades will be carried out entirely within an area previously disturbed by existing development and will not result in encroachment of development toward the stream on the site. However, the proposed project will require that one large, mature sycamore tree be removed from the site.

The resource protection policies of the Coastal Act require that new development minimize impacts to sensitive resources. Where new development results in removal of, or adversely impacts, native vegetation, measures to restore disturbed or degraded resources on the project site should be implemented where feasible. In some cases protection of native trees, including oak, walnut, and sycamore trees, that may not be otherwise protected as ESHA is necessary. Typically these native tree species would be found within woodland or savanna areas that are considered ESHA and as such, would be protected from removal or other impacts as non-resource dependent development is prohibited in an ESHA. However, due to past development impacts, or historical land uses, such as the case of the proposed project, individual trees exist that may not be part of a larger habitat area. Nonetheless, these native trees are valuable resources and the Commission has consistently required that they be protected from removal or encroachment into their root zones.

To protect sensitive native tree resources new development must be sited and designed to avoid removal of trees and encroachment into the root zone of each tree. In the case of the proposed project, however, the applicant is proposing to upgrade an existing facility which requires that new structures be constructed directly adjacent to the existing facility. Due to the location and layout of the existing facility, there is no alternative location in which the applicant can construct the proposed improvements. As

such, the proposed project will require that one mature sycamore tree be removed from the project area. Where the removal of native trees cannot be avoided by any feasible alternative, replacement trees must be provided to mitigate for the permanent loss of native trees. The Commission finds that replacement trees are most successfully established when the trees are seedlings. Many factors over the life of the restoration can result in the death of the replacement trees. In order to ensure that adequate replacement is eventually reached, it is necessary to provide a replacement ratio of at least 10:1. Therefore, **Special Condition 3** requires the applicant to submit, for the review and approval of the Executive Director, a sycamore tree replacement planting program, prepared by a qualified biologist, arborist, or other resource specialist, which specifies replacement tree locations, and tree or seedling size planting specifications. Special Condition 3 also states that the applicant shall submit an annual monitoring report on the sycamore tree mitigation and preservation process to ensure the success of the syacmore tree mitigation plan.

The existing water treatment facility treats domestic wastewater then disposes treated wastewater through seven seepage and/or evaporation pits located approximately 1000 ft. southeast and uphill of the treatment facility. New Waste Discharge Requirements of the Regional Board require the applicant to upgrade the plant such that it will produce an enhanced treatment process for wastewater. Installation of new disinfection equipment will remove harmful pathogens such as fecal coliform from effluent before it is discharged to groundwater. The proposed upgrades will sere to reduce the amount of pathogens transported to groundwater through effluent discharge and, therefore, will reduce the potential for adverse impacts on the quality of groundwater and other associated coastal waters. Additionally, upgrade requirements of the treatment facility include new groundwater and surface water monitoring wells. Installation of these additional monitoring components will further equip the treatment plant for identifying and minimizing adverse impacts to water quality. The Commission finds that should results of the monitoring and reporting program indicate that any significant change is required of plant facilities, or plant operations and/or treatment process, the Executive Director shall be notified to determine if an amendment to CDP # 4-02-107 or a new Coastal Development Permit is required.

For the reasons set forth above, the Commission finds that upgrade of the wastewater treatment facility will serve to maintain and enhance the quality of groundwater, its beneficial uses, and associated coastal waters, and therefore is consistent with Section 30231 of the Coastal Act. The Commission further finds that, as conditioned, the proposed project is consistent with Sections 30240, 30230, and 30231 of the Coastal Act.

D. LOCAL COASTAL PROGRAM

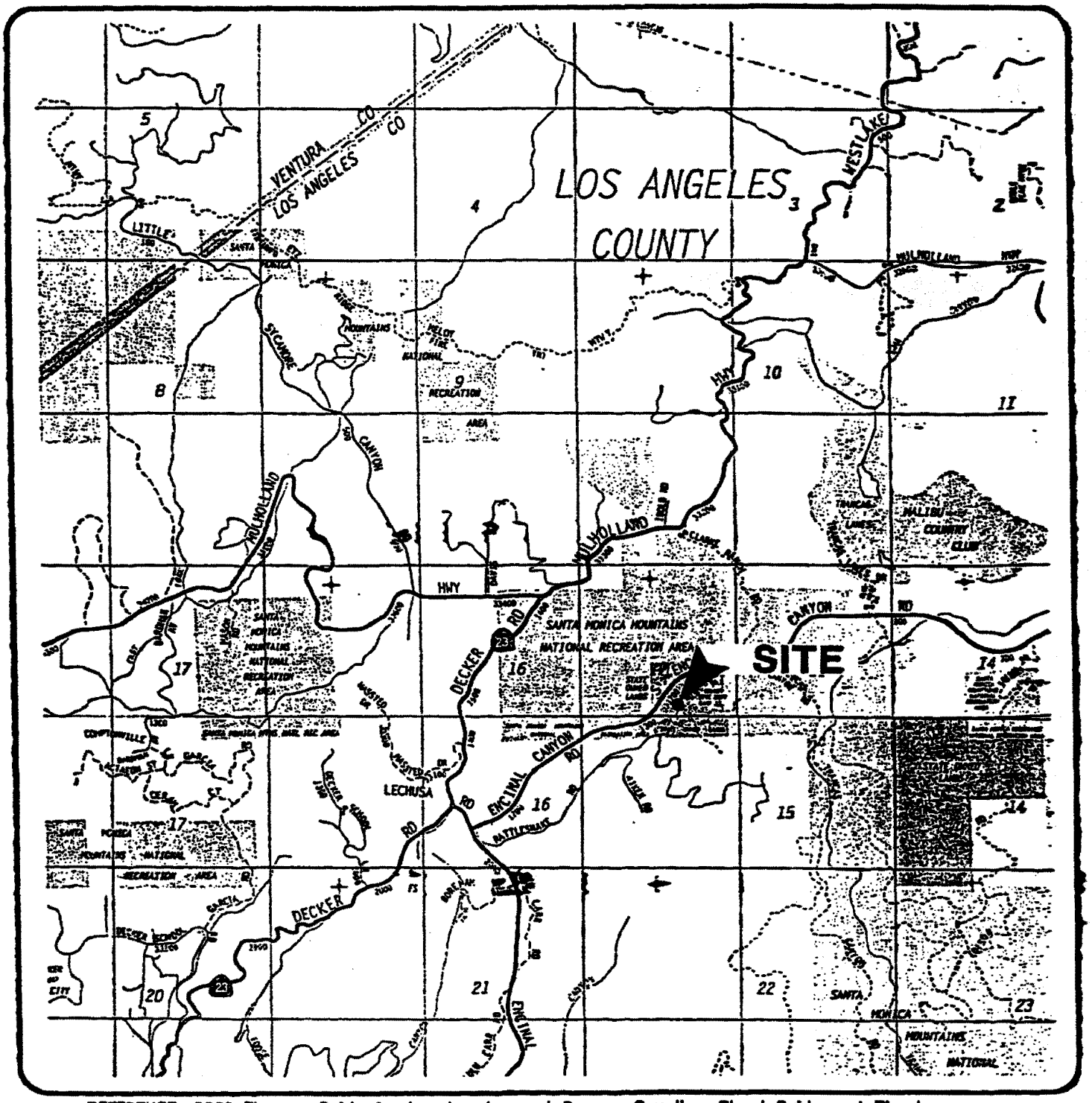
Section 30604 of the Coastal Act states:

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 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 project 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 the Malibu area and Santa Monica Mountains which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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 Environmentally 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.



REFERENCE: 2000 Thomas Guide for Los Angeles and Orange Counties, Street Guide and Directory

NORTH

0 2400 4800

Approximate Scale in Feet

Ninyo & Moore

SITE LOCATION MAP

FIRE CAMP 13
WASTEWATER TREATMENT PLANT
UPGRADE DESIGN
MALIBU, CALIFORNIA

Exhibit 1
4-02-107
Vicinity Map

NO.	DATE
01	8/2001

FIGURE 1

View Enlarged Map | View Printing Instructions

County of Los Angeles: Rick Auerbach, Assessor

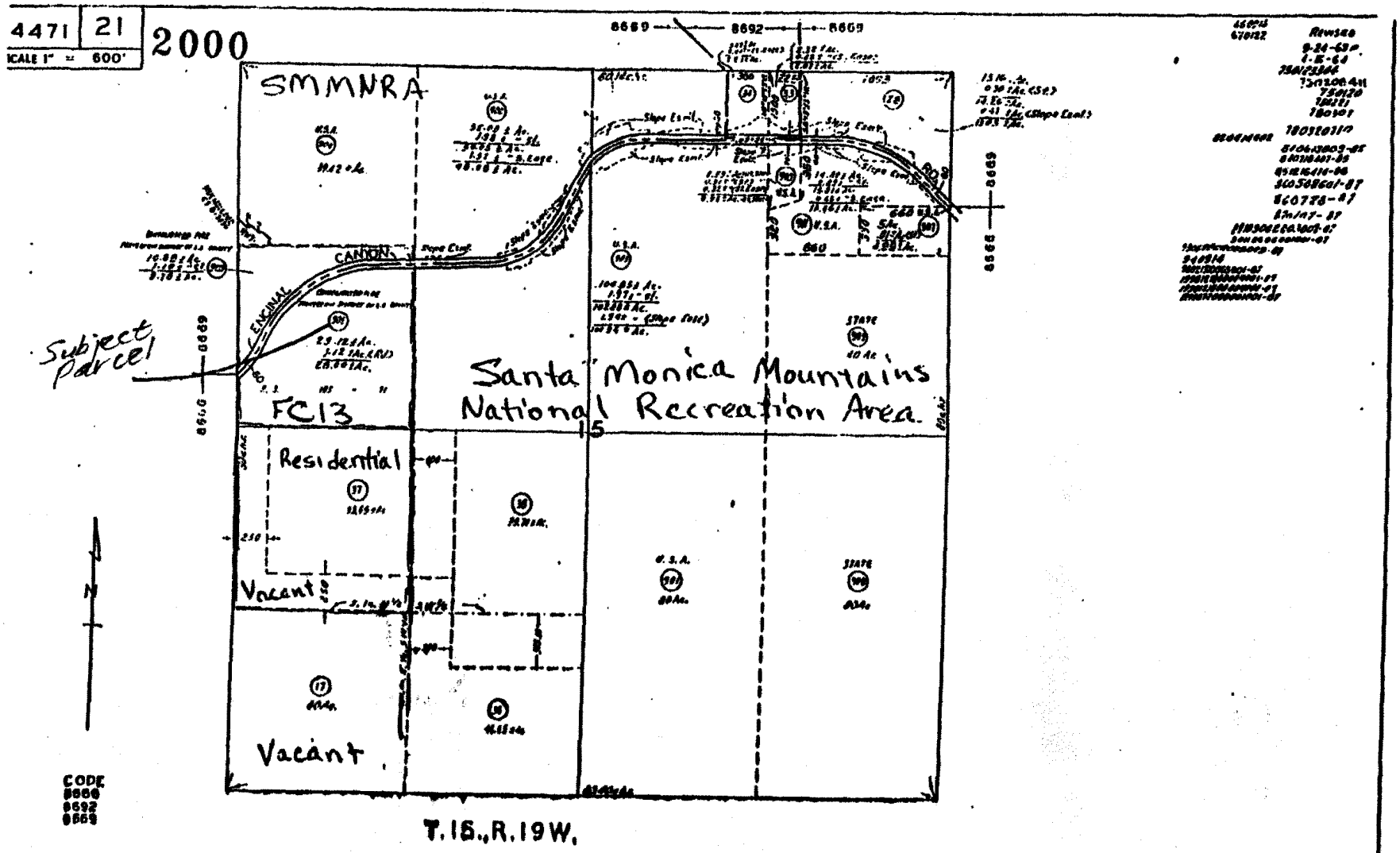
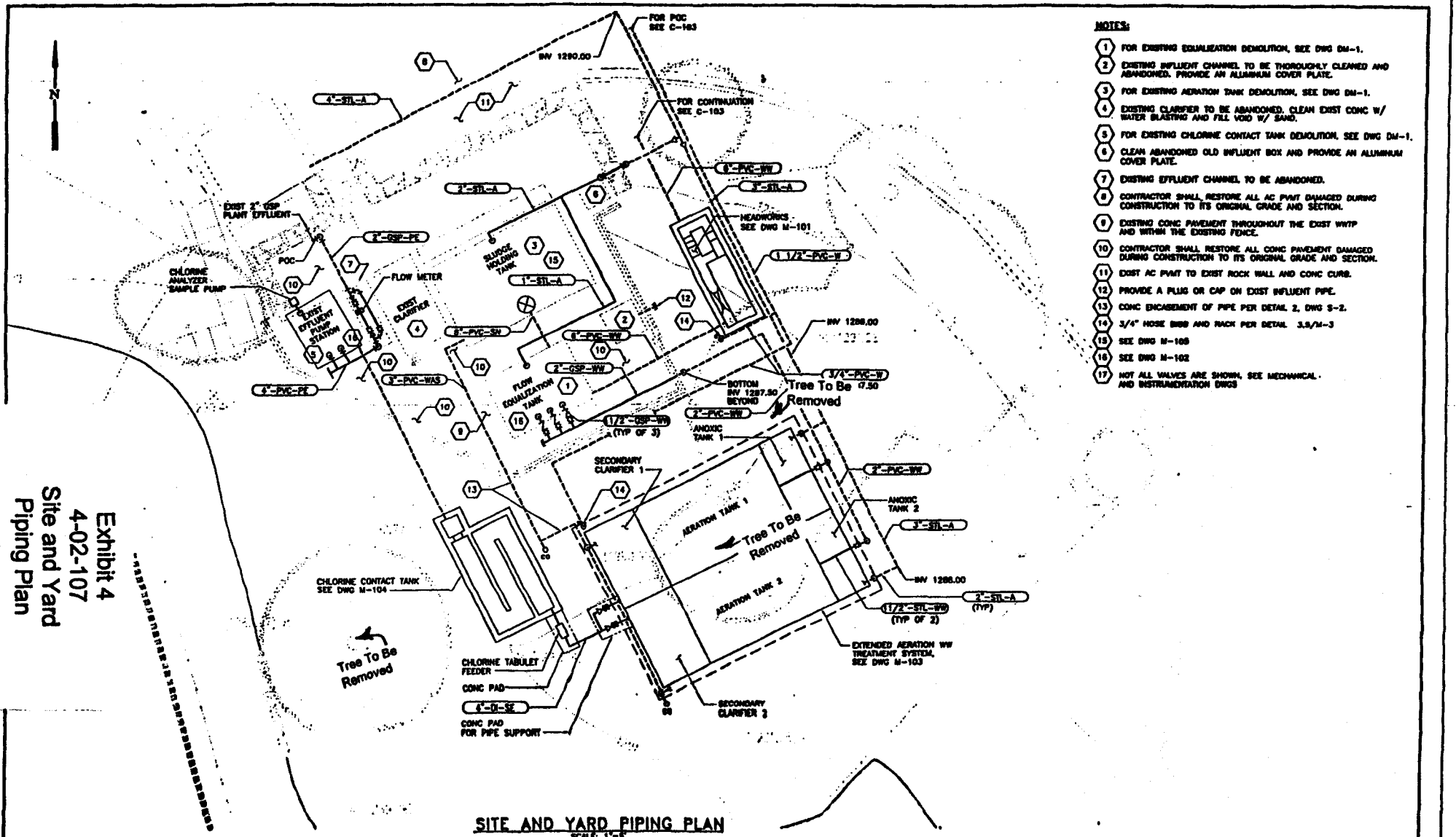


Exhibit 2
4-02-107
Parcel Map

Exhibit 3
4-02-107
Site Plan



NOTES:

1. FOR EXISTING EQUALIZATION DEMOLITION, SEE DWG DM-1.
2. EXISTING INFLUENT CHANNEL TO BE THOROUGHLY CLEANED AND ABANDONED. PROVIDE AN ALUMINUM COVER PLATE.
3. FOR EXISTING AERATION TANK DEMOLITION, SEE DWG DM-1.
4. EXISTING CLARIFIER TO BE ABANDONED. CLEAN EXIST CONC W/ WATER BLASTING AND FILL VOID W/ SAND.
5. FOR EXISTING CHLORINE CONTACT TANK DEMOLITION, SEE DWG DM-1.
6. CLEAN ABANDONED OLD INFLUENT BOX AND PROVIDE AN ALUMINUM COVER PLATE.
7. EXISTING EFFLUENT CHANNEL TO BE ABANDONED.
8. CONTRACTOR SHALL RESTORE ALL AC PVMT DAMAGED DURING CONSTRUCTION TO ITS ORIGINAL GRADE AND SECTION.
9. EXISTING CONC PAVEMENT THROUGHOUT THE EXIST WWTP AND WITHIN THE EXISTING FENCE.
10. CONTRACTOR SHALL RESTORE ALL CONC PAVEMENT DAMAGED DURING CONSTRUCTION TO ITS ORIGINAL GRADE AND SECTION.
11. EXIST AC PVMT TO EXIST ROCK WALL AND CONC CURB.
12. PROVIDE A PLUG OR CAP ON EXIST INFLUENT PIPE.
13. CONC ENCASEMENT OF PIPE PER DETAIL 2, DWG S-2.
14. 3/4" HOSE BIBB AND RACK PER DETAIL 3.5/M-3
15. SEE DWG M-105
16. SEE DWG M-102
17. NOT ALL VALVES ARE SHOWN, SEE MECHANICAL AND INSTRUMENTATION DWGS

SITE AND YARD PIPING PLAN

SCALE: 1"=8'

Exhibit 4
4-02-107
Site and Yard
Piping Plan

LEE & RO, Inc.
City of Industry, California

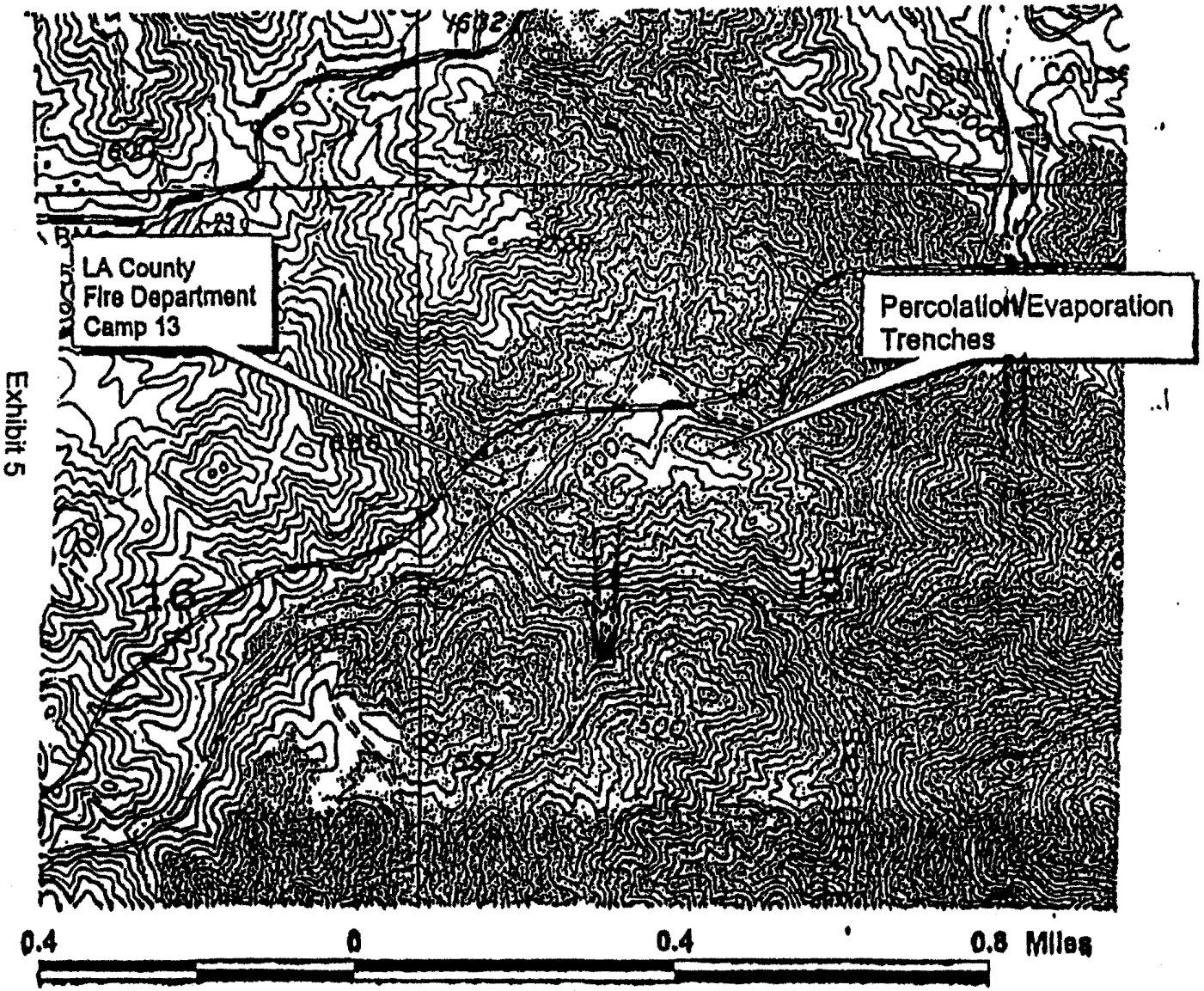
No.	DATE	REVISIONS

LOS ANGELES COUNTY
DEPARTMENT OF PUBLIC WORKS
LOS ANGELES CO FIRE DEPT CAMP 13
WASTEWATER TREATMENT PLANT
REHABILITATION PROJECT

SITE AND YARD PIPING PLAN

JOB NO. 3A3
DRAWING NO. C-102
SHEET NO. 7 of 39

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD



Location Map
LA County
Fire Department
Camp 13

Figure One

Exhibit 5
4-02-107
Percolation/Discharge Site