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CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
100 SOUTH CALIFORNIA ST., SUITE 200
SANTA ANA, CA 93001
(714) 641-0142

RECORD PACKET COPY

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Staff: CAREY *ja*
Staff Report: 4/17/03
Hearing Date: 5/6-9/03



STAFF REPORT: AMENDMENT

APPLICATION NO: 4-95-064-A

APPLICANT: Los Angeles County Fire Department

AGENT: Dean Challes, Los Angeles County Public Works

PROJECT LOCATION: 1823 South Decker Road, Santa Monica Mountains, Los Angeles County

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Demolition of an existing 2,307 sq. ft., 1 story fire station, damaged by the January 1994 Northridge Earthquake, removal of existing fuel tanks, replacement of the structure with a new parking lot and septic system, and 1,200 cu. yds of grading (600 cu. yds. cut and 600 cu. yds. fill).

DESCRIPTION OF AMENDMENT: The redesign and relocation of the septic system, overexcavation and recompaction of 652 cu. yds. of fill beneath parking lot, 257 cu. yds. of grading (168 cu. yds. of cut and 89 cu. yds. of fill) to correct pad drainage, and removal of unpermitted loose fill material within the protected zone of six oak trees by hand.

LOCAL APPROVALS RECEIVED: Los Angeles County Approval in Concept and Health Department Preliminary Approval

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/ Santa Monica Mountains Land Use Plan, Coastal Development Permit 4-95-064 (L.A. Co. Fire Department).

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the amendment request with six special conditions of approval regarding oak tree protection measures, revised septic system plans, oak tree mitigation, landscaping, disposal of excess fill, and condition compliance.

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) *The Executive Director determines that the proposed amendment is a material change,*
- 2) *Objection is made to the Executive Director's determination of immateriality, or*
- 3) *The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.*

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material (§13166 of the California Code of Regulations).

I. STAFF RECOMMENDATION:

The staff recommends that the Commission **APPROVE** the permit amendment, with special conditions.

MOTION

Staff recommends a **YES** vote on the following motion. This will result in the adoption of the following resolution and findings.

*I move that the Commission **approve with special conditions** Coastal Development Permit Amendment 4-94-064A per the staff recommendation as set forth below.*

A majority of the Commissioners present is required to pass the motion.

RESOLUTION

The Commission hereby approves the amendment to the coastal development permit, subject to the conditions below, on the grounds that, as modified, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. SPECIAL CONDITIONS.

NOTE: All standard and special conditions attached to the previously approved permit remain in effect.

1. Oak Tree Protection.

The applicant shall remove excess fill around the oak trees within 90 days of the issuance of the permit amendment, or within such additional time as the Executive Director may grant for good cause. The applicant shall ensure that a Los Angeles County Forester or an independent biological consultant or arborist with appropriate qualifications acceptable to the Executive Director is present on the site during the removal of fill beneath the oak trees, installation of the leach field and line(s) from the septic tank to the leach field, and any other construction near the protected zone of the any of the oak trees. Any approved work that is within the protected zone of any oak tree shall be performed by hand. The County Forester or other biological monitor shall have the authority to require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise.

2. Revised Plans.

Prior to issuance of the permit amendment, the applicant shall submit, for the review and approval of the Executive Director, revised plans that show that the two 60 foot long leach lines and the 40 foot long leach line for the primary system, as shown on the plan prepared by RJR Engineering, dated April 2003, have been relocated at least ten (10) feet to the southeast (Exhibit 5). All development must comply with the approved revised plans.

3. Oak Tree Mitigation

Prior to issuance of the permit amendment, the applicant shall submit, for the review and approval of the Executive Director, an oak 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 ten-year monitoring program to ensure that the replacement planting program is successful. At least ten replacement seedlings, less than one year old, grown from acorns collected in the area, shall be planted on the project site, as mitigation for development impacts to Oak Tree No. 8. An annual monitoring report on the oak tree restoration and preservation shall be submitted for the review and approval of the Executive Director for each of the 10 years.

4. Landscaping Plan.

Prior to issuance of the permit amendment, the applicant shall submit, for the review and approval of the Executive Director, a landscaping plan.

- 1) All disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of installation of the leach field. 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.
- 2) 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.

Five (5) years from the date of completion of the proposed development, 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 these permits, 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.

5. Excess Graded Material

The applicant shall remove all excess graded material to an appropriate disposal site located outside of the Coastal Zone. Prior to the issuance of the coastal development permit, the applicants shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated material from the site. Should the dumpsite be located in the Coastal Zone, a coastal development permit shall be required.

6. Condition Compliance

Within 120 days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

III. FINDINGS.

A. Amendment Description

The applicant proposes to amend Permit 4-95-064 to modify the design and siting of the septic system. The revised septic system will be located on an easement on a parcel adjacent to the project site that the County obtained through eminent domain. The amendment also includes the excavation and recompaction of fill previously placed in the area of the parking lot, and 257 cu. yds. of grading (168 cu. yds. of cut and 89 cu. yds. of fill) to correct the pad drainage. As described below, the original contractor for the project carried out pad grading on the site. However, the project geologist has recommended that the fill placed beneath the parking lot be excavated and

recompacted to ensure that this material will meet the required criteria of 90 percent compaction to reduce any potential future damage to the parking area. Finally, the 257 cu. yds. of grading is proposed to make minor modifications to the elevation of several existing areas of the pad to ensure that runoff is conveyed from the site.

B. Background

The Commission approved Permit 4-95-064 for the demolition of the original 2,307 sq. ft. fire station and construction of a new 3,988 sq. ft. structure. The original fire station was damaged by ground shaking during the January 1994 Northridge Earthquake. The demolition of the damaged station and construction of a replacement structure did not qualify for a permit exemption because the size of the new structure was more than 10% larger than the square footage of the damaged structure.

The replacement project included 1,200 cu. yds. (600 cu. yds. cut and 600 cu. yds. fill) of grading to remove and recompact existing artificial fill beneath the building pad. The approved project included the replacement of an existing asphalt parking area with a larger parking lot with a retaining wall along the southern side of the lot. This retaining wall and portions of the parking lot resulted in small encroachments into the driplines of several oak trees.

Permit 4-95-064 was approved subject to three special conditions including landscaping and erosion control plans, verification of the geologist's approval of the final plans, and health department approval of the septic system.

The septic system was proposed to be located in the southwest corner of the site and to include two seepage pits. The applicant had not yet fully designed the septic system or obtained approval from the County Department of Environmental Health. Subsequent to the Commission approval of the permit, the applicant discovered that the area of the site proposed for the septic system was not suitable for disposal of effluent. Apparently, no areas on the project site had sufficient percolation to provide for sewage disposal. The County has recently completed eminent domain proceedings to obtain an easement over a portion of the contiguous parcel to the south that contains a suitable area for the septic system.

Construction of the new fire station was commenced, but the project has not been completed although the fire station structure is mostly complete. Building pad grading was carried out and the approved retaining walls were constructed. The contractor defaulted on the contract and failed to complete the project. The completion of the project has been on hold pending the resolution of the septic system siting and design.

Development has occurred on the project site that was not authorized in Permit 4-95-064. Several pits were dug for septic testing within the protected zone of several oak trees located south of the fire station structure. This work disturbed the leaf litter around the trees, resulted in the placement of excess fill over the root zone and around the trunks of several trees, and may have disturbed or removed oak roots. The pits were

refilled. However, loose fill still remains in this area of the site and around the trunks of the oak trees. This testing was carried out by consultants for the County in order to determine the feasibility of installing a leach field in this area of the site. Additionally, two oak trees were removed. The County has submitted a letter from Deputy Forester Keith Deagon that states that two oak trees (Trees No. 2 and 4) were found to be dead in 1998 and that he issued an Emergency Oak Tree Permit authorizing the removal of these trees in order to avoid a safety hazard.

C. Sensitive Resources.

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, and minimizing alteration of natural streams.

Section 30240 of the Coastal Acts states:

(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.

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 means such as 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, §30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values.

Trees that are native to the Santa Monica Mountains, such as oak trees, are important coastal resources. Native trees prevent the erosion of hillsides and stream banks, moderate water temperatures in streams through shading, provide food and habitat, including nesting, roosting, and burrowing to a wide variety of wildlife species, contribute nutrients to watersheds, and are important scenic elements in the landscape. Trees that are part of a woodland, savannah, or riparian ESHA would be protected from removal or other development impacts. However, due to past development impacts, or historical land uses like grazing, individual trees exist that may not be part of a larger intact habitat area. In such cases, native trees, including oaks, should still be protected. Finally, native trees that are not part of a larger, intact habitat may nonetheless provide nesting or roosting habitat for raptors and other birds that are rare, threatened, endangered, fully protected, or species of special concern. It is critical to such species that the tree habitat be protected. In past permit actions, the Commission has required that the removal of native trees, particularly oak trees, or encroachment of structures into the dripline or root zone be avoided unless there is no feasible alternative for siting development.

In the case of the project site, there is a small grove of oak trees located in the southern area of the parcel. There are also a few oak trees on the slope north of the fire station structure (in addition to many conifers of varying size). An oak tree report prepared by the County in 1992 identified ten oak trees (numbered 1 through 10) in the grove along the southern area of the site. Permit 4-95-064 acknowledged that the replacement fire station project would include development encroachments within the protected zone (the "protected zone" includes the dripline or rootzone of the tree plus five feet) of eight of these oak trees (trees 1 through 8), primarily for the grading of the parking lot and construction of the retaining wall along the southern edge of the parking lot. The other two trees (trees 9 and 10) are adjacent to the southern property line, next to Decker Road, and the approved development was far outside the protected zone of these trees. As noted above, the County has submitted information that two oak trees (trees 2 and 4) were removed in 1998 when the forester determined that the trees were dead and presented a safety hazard. The eight oak trees existing on the site (trees 1, 3, and 5-10) are numbered and shown on Exhibit 5.

In addition to the encroachments acknowledged in Permit 4-95-064, unpermitted development on the project site has resulted in impacts to oak trees. As discussed above, several pits were dug for septic testing within the protected zone of several oak trees located south of the fire station structure. This work disturbed the leaf litter around the trees, resulted in the placement of excess fill over the root zone and around the trunks of several trees, and may have disturbed or removed oak roots. The pits were refilled. However, loose fill still remains in this area of the site and around the trunks of the oak trees. This placement of fill around the oaks can result in continuing impacts to the trees beyond whatever impacts resulted from the digging of the pits. Oaks have shallow roots that are important in the exchange of water and air through the soil. Placement of fill and/or soil compaction can reduce or block the air and water exchange. Additionally, as noted in "Oak Trees: Care and Maintenance", prepared by the Los Angeles County Department of Forester and Fire Warden (date unknown):

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk; no soil should be added or scraped away. Water should drain away from this area and not allowed to pond so that soil remains wet at the base.

The County Forestry Division has visited the project site (January 2003). The Deputy Forester indicates (letter is Exhibit 6) that trees Nos. 1, 3, 5, 6, 7, and 8 have fill material around their trunks and recommends that this fill material and any other foreign debris be removed and that proper measures are taken to allow for drainage around these trees. As described above, the applicant's consultants dug test pits in this area to test for septic percolation. Although the pits were filled in, loose excess fill within the driplines of the oak trees was not removed. The applicant proposes to remove this fill, using hand methods under the supervision of a County forester. In order to implement this proposal, **Special Condition No. 1** requires the applicant to remove the fill and to take other measures such as having the County Forester or other qualified resource specialist supervise any work that is carried out within or near the protected zone of any of the oak trees.

The development proposed in the amendment has the potential to result in further impacts to two of the oak trees (trees 7 and 8). Subsequent to the Commission approval of the permit, the applicant discovered that the area of the site proposed for the septic system was not suitable for disposal of effluent. Apparently, no areas on the project site had sufficient percolation to provide for sewage disposal. The County has recently completed eminent domain proceedings to obtain an easement over a portion of the contiguous parcel to the south that contains a suitable area for the septic system. A distribution line will extend from the septic tank beneath the parking lot on the project site downslope to the leach field. This pipe will extend through the rootzone of oak tree 8. Given the area available for effluent disposal, the siting of the septic system, and the location of the oak trees on the site, there does not appear to be an alternative location for this pipe that could avoid all of the trees. Trenching for pipes such as this can cut or severely damage roots, resulting in severe impacts to the tree, including death. Impacts can be minimized if trenching is carried out using hand tools and avoiding the cutting of roots. The County Deputy Forester has recommended that all work under the drip lines of the trees be performed by hand in order to minimize impacts. Carrying out such work by hand is required by **Special Condition No. 1**.

Because of the geology of this area, the septic system must utilize a leach field for effluent. As originally designed, several of the leach lines were located within the root zone of three oaks (trees 6, 7, and 8). At staff's suggestion, the applicant redesigned the layout of the proposed leach lines such that they are outside the protected zone of all of the oak trees (the "protected zone" includes the dripline or rootzone of the tree plus five feet). The leach field area slopes away from the oak trees so that drainage of effluent will move away from the trees. Even so, roots from oak trees can extend up to 50 feet beyond the dripline of the tree. The proposed leach lines are just outside the protected zones of trees 7 and 8. The location of the leach field will result in the addition

of water to the area. The introduction of added water to oak trees can have adverse impacts. As noted in "Oak Trees: Care and Maintenance", prepared by the Los Angeles County Department of Forester and Fire Warden (date unknown):

Overwatering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew.

The proposed leach field is sited near two oak trees (trees 7 and 8). In order to minimize impacts to these two trees from the addition of water, particularly in the summer season when the area would normally be dry, the leach lines should be located as far as possible from the trees' drip lines. As described above, the applicant redesigned the layout of the proposed leach lines such that they are outside the protected zone of all of the oak trees. However, although the protected zone is the most critical area, oak tree roots can extend up to 50 feet beyond this area. As such, the additional water from the proposed leach lines can impact the oak trees even if they are located outside the protected zone. The proposed leach field includes five leach lines, two 80-foot long lines, two 60-foot long lines, and one 40-foot long line. Staff's review of this design indicates that the location of the two 60 foot lines and the 40-foot line could be shifted at least ten feet to the southeast (Exhibit 5). County staff agrees that this modification could be made to the septic system plan. This would increase the distance between the protected zone of tree no. 7, thereby reducing the potential for impacts to this tree from overwatering. In order to ensure that the septic plan is so modified, **Special Condition No. 2** requires the submittal of a revised plan showing this change. There is no alternative location for the two 80 foot lines that are adjacent to the protected zone of tree no. 8.

Where the removal of trees cannot be avoided by any feasible project alternative, mitigation must be provided. Mitigation is also required for impacts that occur to trees as a result of development encroachments into the root zone that cannot be avoided through the implementation of siting or design alternatives. The mitigation must include, at a minimum the planting of replacement trees. If there is suitable area on the project site, replacement trees should be provided on-site, at a ratio of ten replacement trees for every one tree removed. In this case, the overexcavation and recompaction of the parking lot, encroachment of the septic system pipe and the proximity of the leach lines (the two 80 foot long leach lines) to oak tree No. 8 cannot be avoided through the implementation of siting or design alternatives. These impacts are in addition to the encroachment of the retaining wall previously acknowledged under Permit 4-95-064, and the unpermitted trenching and placement of fill within the dripline. Given these impacts, it is likely that tree no. 8 will be subject to reduced health and vigor, if not death, over time as a result. In order to mitigate the loss or reduced health of this tree, the Commission finds it necessary to require the applicant to plant replacement oak trees on the project site. The area of the project site north of the fire station structure

provides a suitable location for these replacement trees. There are several oak trees growing in that area already in addition to many conifers.

Resource specialists studying oak restoration have found that oak trees are most successfully established when planted as acorns collected in the local area or seedlings grown from such acorns. The Commission has found, through permit actions, that it is important to require that replacement trees are seedlings or acorns. 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 ten replacement trees for every tree removed or impacted to account for the mortality of some of the replacement trees. **Special Condition No. 3** requires the applicant to submit a plan showing the location where the replacement trees will be planted along with a monitoring program to ensure that the replacement trees grow successfully.

In addition to potential impacts to oak trees, as described above, the proposed grading on the existing pad to correct the drainage includes more cut material than fill. In order to ensure that this excess material is disposed of in a location that will minimize impacts to coastal resources, **Special Condition No. 5** is necessary to require that the fill is placed at a permitted site or outside of the Coastal Zone. Further, the installation of the leach field could have impacts to water quality and coastal resources through erosion and sedimentation if the leach field area is not appropriately landscaped. **Special Condition No. 4** requires the preparation of a landscaping plan for graded and disturbed areas on the site that utilizes native, drought tolerant plant species.

The Commission finds that the proposed amendment to the project, as conditioned to remove unpermitted fill, perform all necessary work within the dripline of oaks by hand, to have a County forester present during any work near the oak trees, to submit revised plans moving three of the proposed leach lines, and to plant ten replacement trees as mitigation for impacts to one oak tree, is consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

E. Local Coastal Program

Section 30604(a) of the Coastal Act states:

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 §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 §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 of the Coastal Act. 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/Santa Monica Mountains area which is consistent with the policies of Chapter 3 of the Coastal Act as required by §30604(a).

F. Unpermitted Development.

Unpermitted development has occurred on the project site that was not authorized in Permit 4-95-064. Several pits were dug for septic testing within the protected zone of several oak trees located south of the fire station structure. This work disturbed the leaf litter around the trees, resulted in the placement of excess fill over the root zone and around the trunks of several trees, and may have disturbed or removed oak roots. The pits were refilled. However, loose fill still remains in this area of the site and around the trunks of the oak trees. In order to ensure that the matter of unpermitted fill under the oak trees is resolved in a timely manner, **Special Condition No. 1** requires the applicant to remove the fill within 90 days of issuance of the permit amendment and **Special Condition No. 6** requires that the applicant satisfy all conditions of this permit amendment which are prerequisite to the issuance of this permit amendment within 120 days of Commission action, or within such additional time as the Executive Director may grant for good cause.

Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

G. 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 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 any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

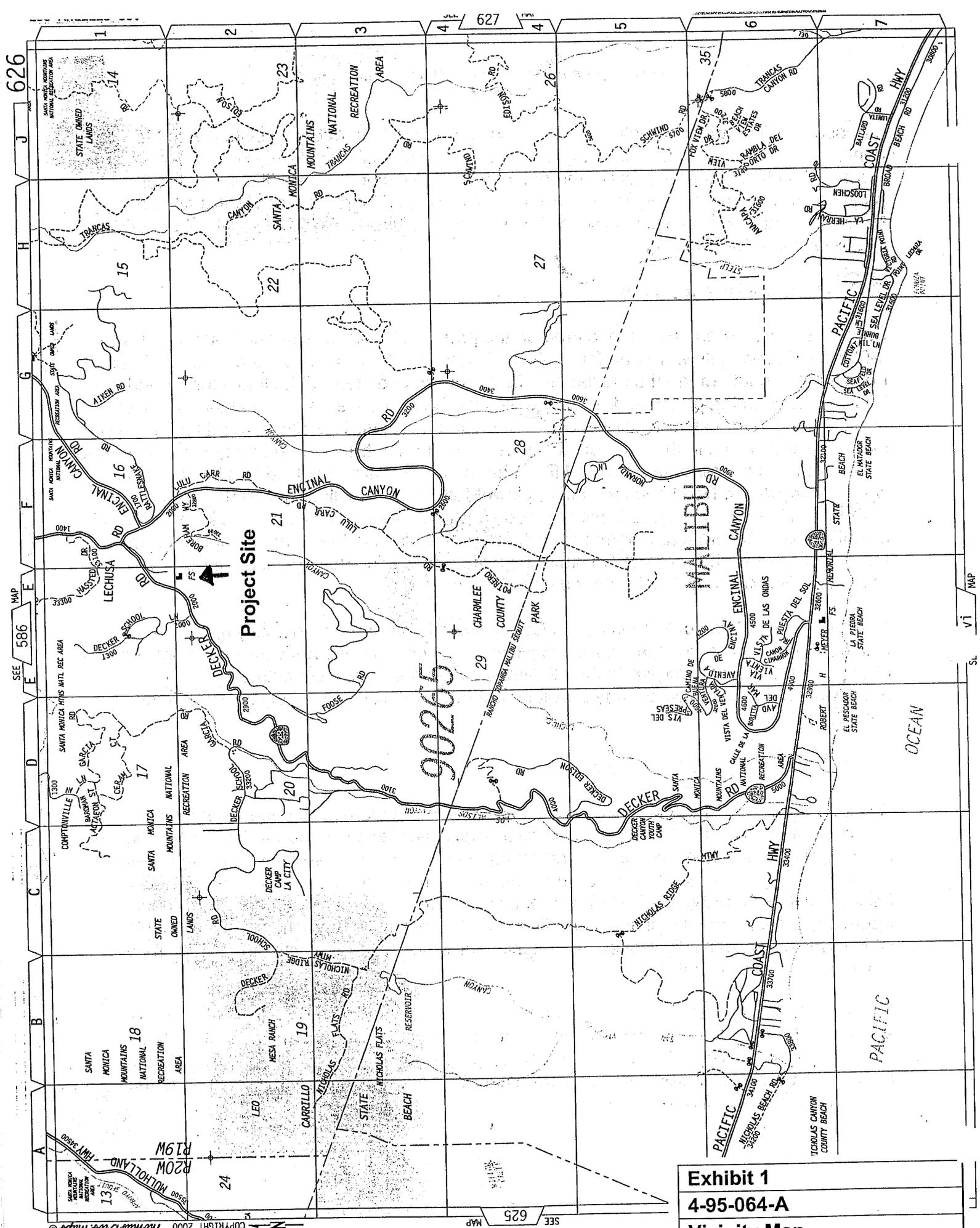


Exhibit 1
4-95-064-A
Vicinity Map

1995

4472 11

SCALE 1" = 200'

REVISED
2-1-87
1-1-82
2-1-84 P.
5-8-84
680725005
72/117223
78099

12-1-85
640573

POR. S.W. 1/4, SEC. 16

T. 1 S., R. 19 W.

SEP 2 2 1994

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

FOR PREV. ASSMT. SEE:
4472-11

CODE
8632

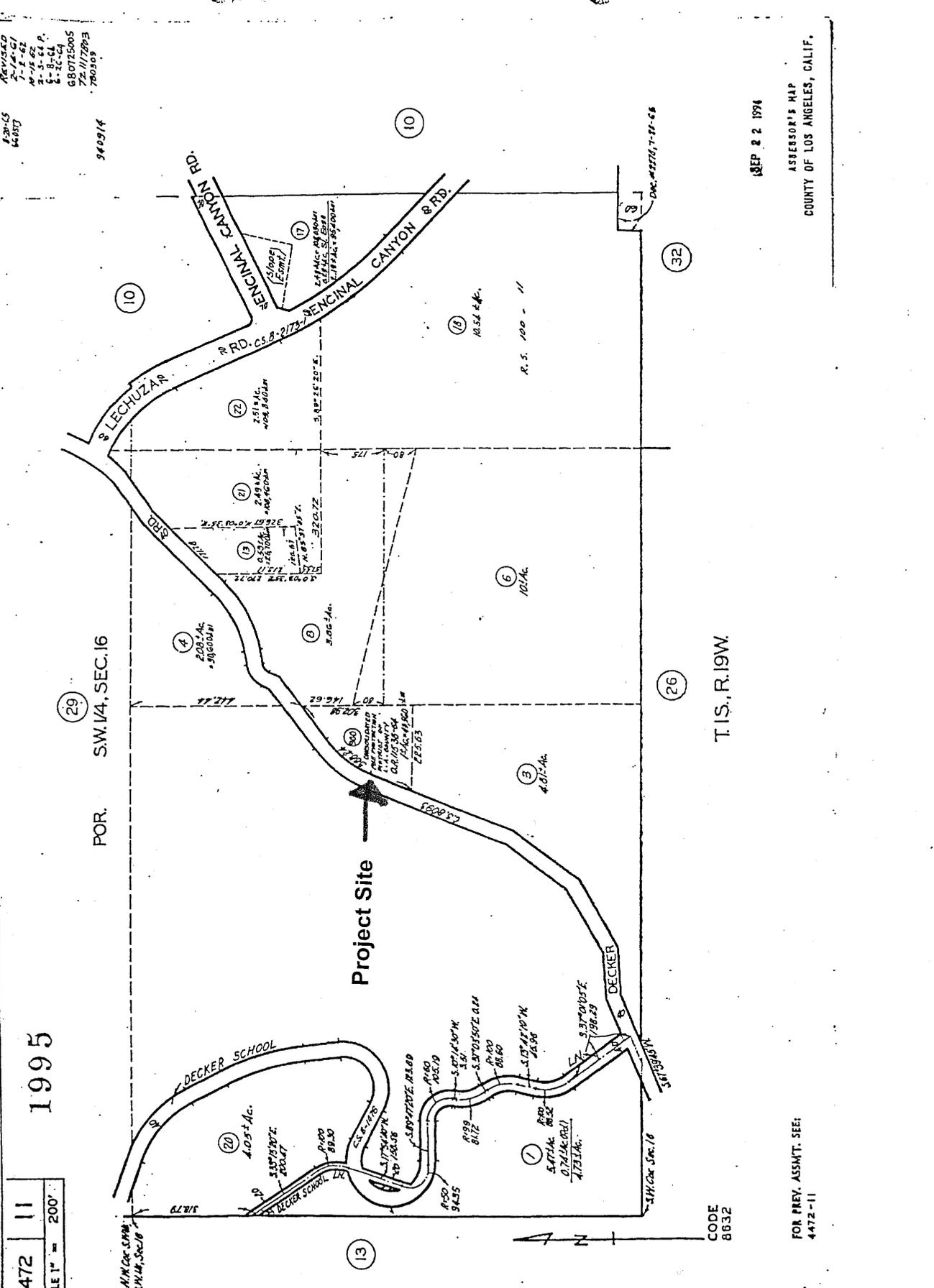


Exhibit 2
4-95-064-A
Assessor's Parcel Map

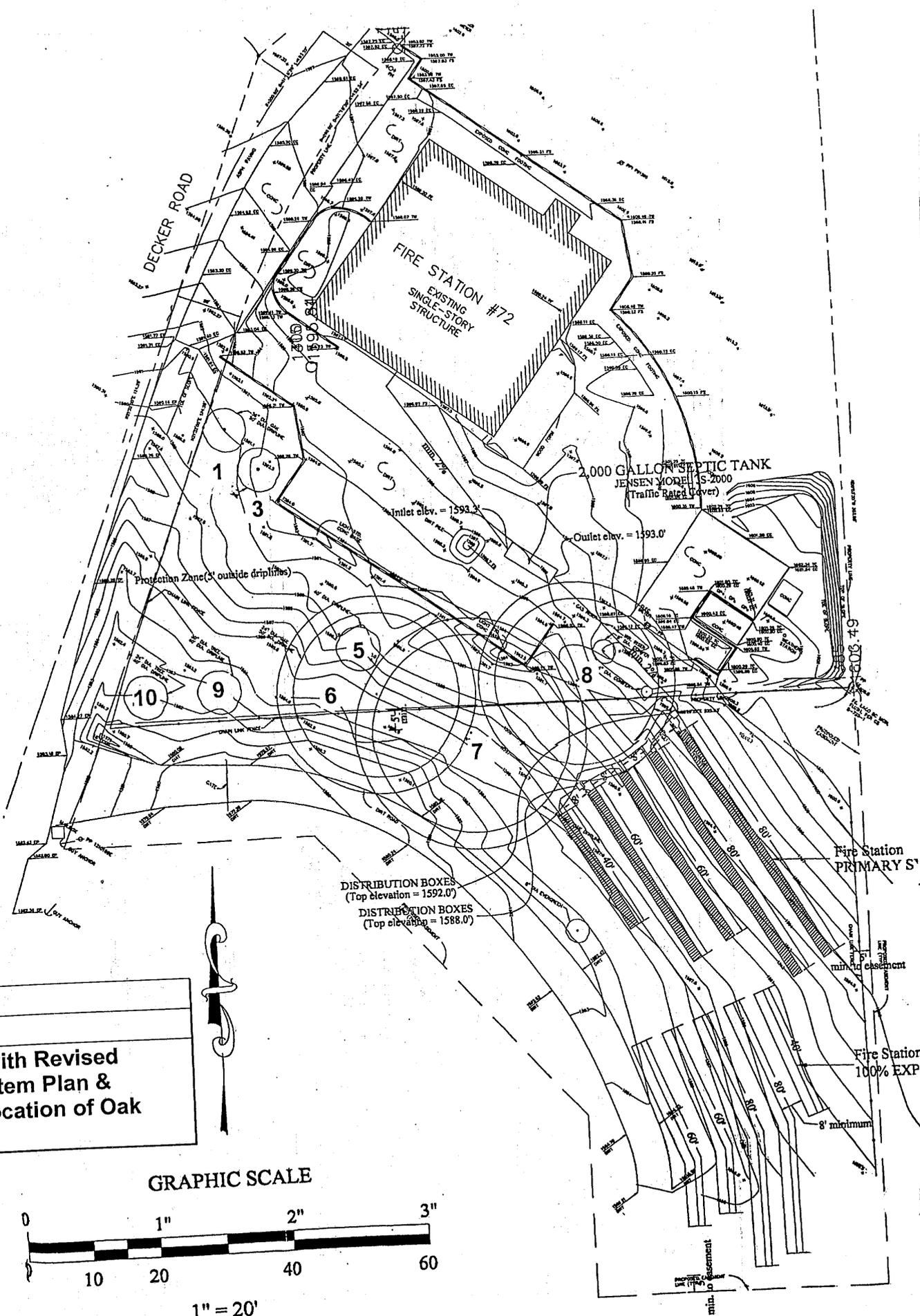
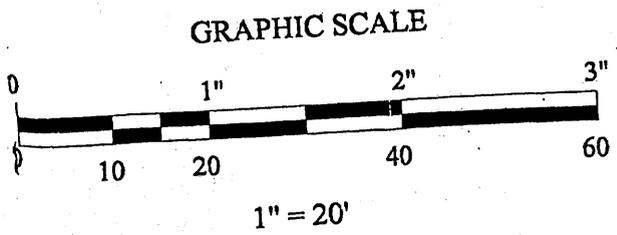


Exhibit 5
4-95-064-A
Site Plan with Revised
Septic System Plan &
showing location of Oak
trees





COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

RECEIVED

FEB 6 2003

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

January 31, 2003

Ms. Barbara Carey
California Coastal Commission
South Central Coast Area Office
89 S. California Street, Suite 200
Ventura, CA 93001

Dear Ms: Carey

OAK TREES AT COUNTY OF LOS ANGELES FIRE STATION 72 -- MALIBU

On January 16, 2003, Deputy Forester Bradley Yocum from our Environmental Review Unit met with representative Dean Challes from the Los Angeles County Department of Public Works at Fire Station 72 located at 1832 South Decker Road in unincorporated Malibu. The purpose of this meeting was to evaluate and discuss issues relating to the on-site Oak trees and their welfare, due to the proposed construction of fire station 72 and installation of a septic system/leach field on an adjacent property.

Upon inspection, Deputy Forester Yocum noted that six (6) trees were encroached upon by the earlier grading and construction activities at the fire station. It should be mentioned the Los Angeles County Department of Regional Planning issued an Oak Tree Permit [#92-259 (3)] granting approval for eight encroachments in their findings dated June 9, 1993. However, Deputy Forester Yocum observed that two trees (Tree numbers 2 and 4) were removed out of the eight approved encroachments. Tree Number 2 was at the time of the Oak Tree Report a 16-inch diameter Quercus engelmannii and Tree Number 4 was a 22-inch diameter Quercus agrifolia. Further research revealed that the two trees were removed in 1998 under Section 22.56.2070B of County of Los Angeles Oak Tree Ordinance which allows removal of trees in cases of emergency when trees are in a hazardous condition (see enclosed letter, dated January 29, 2003, from Deputy Forester Keith Deagon).

The health of the remaining six (6) trees are as follows: Trees Numbers 1 and 3 are lacking in vigor and are diseased. This could be attributed to the fact that the two trees are located in fill materials and debris from the previous construction, that this particular species, Quercus engelmannii, is not indigenous to this region; therefore, not adapted to the climate of the Santa Monica Mountains, and the current drought conditions that are effecting native plant communities. Tree Numbers 5 through 8 are Coastal Live Oak (Quercus agrifolia). They are also located in fill material, but their health is in fair to good condition.

Exhibit 6 (3 Pages)

4-95-064-A

County Forester Letter

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AN

- AGOURA HILLS BRADBURY CUDAHY HAWTHORNE LA MIRADA MALIBU POMONA SIGNAL HILL
ARTESIA CALABASAS DIAMOND BAR HIDDEN HILLS LA PUENTE MAYWOOD RANCHO PALOS VERDES SOUTH EL MONTE
AZUSA CARSON DUARTE HUNTINGTON PARK LAKEWOOD NORWALK ROLLING HILLS SOUTH GATE
BALDWIN PARK CERRITOS EL MONTE INDUSTRY LANCASTER PALMDALE ROLLING HILLS ESTATES TEMPLE CITY
BELL CLAREMONT GARDENA INGLEWOOD LAWNSDALE PALOS VERDES ESTATES ROSEMEAD WALNUT
BELL GARDENS COMMERCE GLENDORA IRWINDALE LOMITA PARAMOUNT SAN DIMAS WEST HOLLYWOOD
BELLFLOWER COVINA HAWAIIAN GARDENS LA CANADA-FLINTRIDGE LYNWOOD PICO RIVERA SANTA CLARITA WESTLAKE VILLAGE
WHITTIER

Ms. Barbara Carey
January 31, 2003
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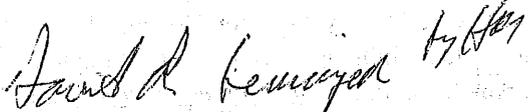
Additional work that may potentially impact Tree Numbers 7 and 8 is the proposed construction of a septic system/leach field to be located south of the aforementioned trees. The encroachments will be minor in nature and all drainage will be away from the trees. If any roots are encountered during this phase of the construction they will be properly cared for, as the work will be under the direction and supervision of a County forester.

We would recommend the following conditions to rectify the current situation and potentially improve the health of the remaining trees:

- (1) Remove the existing fill and other foreign debris outside of the drip line of all impacted trees.
- (2) Have the deadwood and mistletoe removed from all impacted trees under the direction of a certified arborist.
- (3) Ensure that proper measures are taken to allow for proper drainage around the remaining trees.
- (4) Have all work under the drip lines of the trees be performed by hand.
- (5) Have a County forester present during the next phase of construction to make certain that impacts to the remaining trees are minimized.

If you have any comments or questions, please contact this office at (323) 890-4330.

Very truly yours,


DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:lc

c: Dean Calles, Project Manager -- Los Angeles County Department of Public Works
Ms. Patricia Hachiya -- County of Los Angeles Department of Regional Planning

January 29, 2003

Mr. Frank Menenses, Case and Hearing Officer
Current Planning Division
County of Los Angeles
Department of Regional Planning
230 West Temple Street
Los Angeles, CA 90012

Dear Mr. Menenses:

On January 27, 2003 Deputy Forester Brad Yocum of the Environmental Review Unit contacted me. Deputy Forester Yocum inquired as to the status of two removed oak trees at County Fire station 72. In 1998, while working as the supervisor of the Environmental Review Unit, I was contacted by Renolds Cairncross, Facilities Project Manager. Mr. Cairncross, requested a review of Oak Tree Permit 92-259 and an evaluation of the oaks on site. I requested that fencing be placed five feet outside the drip lines of the encroached oak trees and allowed the removal of trees numbered 2 and 4 due to mortality. I issued an Emergency Oak tree Permit authorizing removal. The dead standing oaks were a safety hazard and liability to the site. If you have any further questions, I can be reached at 626 969 2375.

Sincerely:



Deputy Forester Keith J. Deagon
County of Los Angeles Fire Department
Prevention Bureau



