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



 Filed:
 5/5/06

 49th Day:
 6/23/06

 180th Day:
 11/1/06

 Staff:
 Deanna Phelps

 Staff Report:
 6/22/06

 Hearing Date:
 7/12/06



STAFF REPORT: REGULAR CALENDAR

APPLICATION NO: 4-06-010

APPLICANT: California Department of Parks and Recreation

AGENT: Suzy Lahite, DPR

PROJECT LOCATION: Trippet Ranch Day Use Area, Topanga State Park (Los Angeles County)

PROJECT DESCRIPTION: Public use improvements at the Trippet Ranch Day Use Area of Topanga State Park, including rehabilitation of the historic Skeet Lodge Nature Center and skeet turf area, Americans with Disabilities Act (ADA) access modifications, drainage system improvements, replacement of an existing interpretive kiosk, reestablish a historic orchard area, and approximately 130 cubic yards of grading (80 cu. yds. cut, 50 cu. yds. fill).

LOCAL APPROVALS RECEIVED: N/A

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains certified Land Use Plan; Mitigated Negative Declaration and Initial Study for Topanga State Park Public Use Improvements, approved by the California Department of Parks and Recreation on September 2, 2005.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with **five (5) special conditions** regarding: (1) wildfire waiver, (2) landscaping and erosion control plans, (3) biological monitoring, (4) cultural/archaeological resource monitoring, and (5) oak tree protection, monitoring, and mitigation. The standard of review for the proposed project is the Chapter Three policies of the Coastal Act. In addition, the policies of the certified Malibu – Santa Monica Mountains Land Use Plan (LUP) serve as guidance. As conditioned, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

<u>MOTION</u>: I move that the Commission approve Coastal Development Permit No 4-06-010 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 PERMITS:

The Commission hereby approves the 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 permits 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. <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 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

1. Wildfire Waiver of Liability

By acceptance of this permit, the applicant agrees to 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.

2. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicant shall submit landscaping and erosion control plans, prepared by a landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The plans shall incorporate the criteria set forth below. All development shall conform to the approved landscaping and erosion control plans:

A) Landscaping Plan

- 1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the completion of grading. 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 <u>Recommended List of Plants</u> for Landscaping in the Santa Monica Mountains, dated October 4, 1994. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property.
- 2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.

- 3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- 4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- 5) Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

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 grading shall take place only during the dry season (April 1 October 31). This period may be extended for a limited period of time if the situation warrants such a limited extension, if approved by the Executive Director. 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 control 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 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

C) Monitoring

Five years from the date of project completion 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 Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

3. Biological Monitoring

By acceptance of this permit, the applicant agrees to have a qualified biologist or resource specialist survey the project site prior to any construction activities, to flag the construction work area and to flag any sensitive tree or plant species to be avoided during all work. The applicant also agrees to have a qualified biologist or resource specialist on-site during all grading, construction, and tree trimming/removal activities to monitor the work and to ensure that sensitive biological resources are protected.

4. Cultural/Archaeological Resource Monitoring

By acceptance of this permit, the applicant agrees to have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all activities that involve grading, excavation or other subsurface work. The number of monitors shall be adequate to observe the activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by the archaeologist(s) and Native American consultant(s) with the purpose of locating, recording and collecting any archaeological materials. In the event that any significant archaeological resources are discovered during operations, grading work in this area shall be halted and an appropriate data recovery strategy be developed, subject to review and approval of the Executive Director, by the applicant's archaeologist and Native American consultant consistent with CEQA guidelines.

5. Oak Tree Protection, Monitoring, and Mitigation

To ensure that on-site oak trees are protected during grading and construction activities, protective barrier fencing shall be installed around the drip line of all oak trees during construction operations. In addition, no permanent irrigation is permitted within the dripline or protected zone (5 feet beyond dripline) of any on-site oak trees and

landscaping within the oak tree driplines or the five-foot protected zones shall be limited to native oak tree understory plant species.

The applicant shall retain the services of a certified arborist to report on removal and/or trimming requirements of any of the four native oak trees that surround the Skeet Lodge structure, as identified on Exhibit 4, including recommendations to avoid or minimize impacts, to the extent feasible. Prior to commencement of development, the applicant shall submit the arborist's report, for the review and approval of the Executive Director, along with an oak tree replacement planting program, as mitigation for impacts to these four trees resulting from removal or substantial trimming. The oak tree replacement plan shall be prepared by a qualified biologist, arborist, or other resource specialist, and shall specify 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 forty (40) 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 the four (4) oak trees that immediately surround the Skeet Lodge structure, as identified on Exhibit 4. An annual monitoring report on the oak tree replacement area shall be submitted for the review and approval of the Executive Director for each of the 10 years.

A biological consultant, arborist, or other resource specialist shall be present on-site during construction and grading operations (including removal and recompaction) and shall immediately notify the Executive Director if unpermitted activities occur or if any other oak trees on the site are damaged, removed, or impacted beyond the scope of the work allowed by Coastal Development Permit 4-06-010. This monitor shall have the authority to require the applicants to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. Should any of the other on-site oak trees be lost or suffer worsened health or vigor as a result of the project, 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. In that case, the applicant shall submit, for the review and approval of the Executive Director, a supplemental oak tree replacement planting program, prepared by a qualified biologist, arborist, or other qualified resource specialist, which specifies replacement tree locations, planting specifications, and a monitoring program to ensure that the replacement planting program is successful. An annual monitoring report on the supplemental oak tree replacement area shall be submitted for the review and approval of the Executive Director for each of the 10 years. Upon submittal of the replacement planting program, the Executive Director shall determine if an amendment to Permit No. 4-06-010, or an additional coastal development permit, from the Commission is required.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

California Department of Parks and Recreation propose improvements to the Trippet Ranch public day use area of Topanga State Park, located on Entrada Road east of Topanga Canyon Road in the community of Topanga (**Exhibits 1 and 2**). Trippet Ranch is situated near the top of the canyon and serves as the main entrance to Topanga State Park from the Topanga Canyon side. Many of Topanga State Park trails can be accessed from Trippet Ranch. The area is located within the Topanga Canyon watershed and is dominated by mature oak woodland and chaparral vegetated hillsides.

Trippet Ranch contains historic buildings and landscape features built between 1917 and 1940, which include a ranch house, skeet lodge with range, horse stables, maintenance shed, ranch house, stonework retaining walls, and orchard. While Trippet Ranch had served as an actual working ranch, the ranch's primary function (from 1917 through the 1960's) was to provide recreational opportunities for the owner's family and their guests. The ranch offered skeet shooting, horseback riding, and hunting. The ranch is representative of a type and style of recreational "gentleman's ranch" found throughout the mountain and foothill areas that surround the Los Angeles Basin. While many of the historic gentleman's ranches of the period have been sold and subdivided into smaller residential tracts, the Trippet Ranch is a relatively rare surviving example of a historic period landscape. The ranch is now part of Topanga State Park (since approximately the early 1970's) and all of the ranch's buildings, structures, and landscape features have undergone alterations to adapt them for Topanga State Park public use. However, much of their historic integrity has been retained.

Historic resource studies of the Trippet Ranch complex have recommended its listing as a historic district on both the National Register of Historic Places and the California Register of Historic Resources due to the ranch's concentration of unique buildings and landscape features. However, to date, the recommendations have not been submitted for determination.

In addition, the presence of a recorded pre-contact archaeological site (CA-LAN-1265) adjacent to the project area at Trippet Ranch, as well as five other sites within a halfmile radius, indicate the potential presence of cultural resources in the vicinity of the project site. Therefore, the applicant proposes to perform cultural/archaeological resource monitoring as part of the proposed project.

Currently, the Trippet Ranch day use area provides the public with an accessible destination for hiking, mountain bike riding, horseback riding, education and interpretive programs, and wildlife viewing. The Skeet Lodge, in particular, functions as a nature center for school and special use groups. However, a number of the historic structures and landscape features of the Trippet Ranch day use area are in a state of disrepair. Improvements proposed by the applicant include rehabilitation of the historic Skeet Lodge Nature Center and skeet turf area, Americans with Disabilities Act (ADA) access modifications between the parking area and the Skeet Lodge, drainage system improvements, installation of a new interpretive kiosk to replace an existing one, and re-

establish a historic orchard area (**Exhibits 3-7**). Approximately 130 cubic yards of grading (80 cu. yds. cut, 50 cu. yds. fill) is proposed to re-grade the Skeet Lodge access road and skeet turf area in order to enhance access and improve drainage. The proposed project consists of improvements in three areas of Trippet Ranch: the Skeet Lodge area, the parking lot area, and the Ranch House/Orchard area. These three areas correspond to Areas A, B, and C on the Site Plan (**Exhibit 3**).

For the Skeet Lodge area (Area A) (**Exhibit 4**), the applicant proposes to regrade the skeet turf area, replace its existing irrigation system, and re-seed with new turf seed in order to improve drainage and protect the existing skeet trap structures. This will require 80 cu. yds. of grading (cut). Drainage in the area of the Skeet Lodge Nature Center will also be improved in order to redirect water runoff away from the structure and toward the skeet turf area north of the building. Surface drains will be installed in areas where grading is not feasible, and will be connected to the existing surface drainage system. Minor structural improvements are proposed for the Skeet Lodge Nature Center, including repair of the exterior brick masonry walls, replacement of damaged wood framing, and repair of doors and windows. The existing 10 ft.-wide dirt road that provides access between the Trippet Ranch public parking area (Area B) and the Skeet Lodge will be re-graded and resurfaced with decomposed granite. Regrading and resurfacing of the access road will require approximately 50 cu. yds. of grading (fill). In addition, one ADA accessible van parking stall will be delineated with striping and signage on a resurfaced area at the northwest corner of the Skeet Lodge structure.

There are four large oak trees that flank the Skeet Lodge Nature Center, all of which contain limbs that overhang the structure and potentially threaten the integrity of the historic structure. One of the oak trees is actually leaning into the roof overhang at the northwest corner of the building. Due to grant funding constraints, the applicant has been unable to contract with an arborist in order to obtain professional recommendations regarding trimming or removal requirements of the four oak trees. Once regulatory permits are obtained for the project the applicant will be able to contract with an arborist for an oak tree analysis. An oak tree analysis by a certified arborist and biological monitoring are proposed by the applicant as part of the proposed project.

For the parking lot area (Area B) (**Exhibit 5 and 7**), the applicant proposes to replace an existing trailhead information panel with a new, approximately 240 sq. ft., 13-ft. high, shaded interpretive kiosk in the same location. In addition, the applicant proposes to bring an existing disabled parking stall into ADA compliance by slightly modifying the slope where the parking stall meets the decomposed granite-surfaced trailhead.

In regard to the Ranch House and orchard area (Area C) (**Exhibit 6**), the applicant proposes to improve drainage in the vicinity of the Ranch House by excavating a trench to replace an existing drain pipe and surface drains, and install new piping/surface drains with impermeable backing material. Existing piping being replaced can be found up to eight feet in depth from the finish ground surface. Runoff water will be directed to installed surface drains. The masonry retaining walls behind the Ranch House will be

repointed or reconstructed in areas where they are failing. In the historic orchard area west of the Ranch House, missing or dead orchard trees will be replaced.

B. Hazards

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.

<u>Geology</u>

The Department of Parks and Recreation staff engineer has reviewed the soil and geologic conditions of the proposed project site and has concluded that the existing erosion potential of Trippet Ranch will be reduced by proposed drainage improvements. Therefore, with regard to geologic stability the Commission finds that the proposed project is consistent with Section 30235 of the Coastal Act.

Wild Fire

The proposed project is located in the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wild fire. 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, <u>Terrestrial Vegetation of California</u>, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for, frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire 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 wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition No. One (1)**, 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 1, the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the promission, design, construction, operation, maintenance, existence, or failure of the permitted projects.

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. Environmentally Sensitive Habitat and Water Quality

Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240 states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

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

Section **30107.5** of the Coastal Act, defines an environmentally sensitive area as:

"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 **30231** of the Coastal Act requires that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through, among other means, 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, Sections 30107.5 and 30240 of the Coastal Act state that environmentally sensitive habitat areas must be protected against disruption of habitat values.

The subject site is located near the top of Topanga Canyon within Topanga State Park, which contains significant areas of coast live oak woodland. Through past permit actions in the Santa Monica Mountains the Commission has found that native oak trees are an important coastal resource. 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. Areas surrounding Trippet Ranch are considered to be ESHA as they contain large tracts of contiguous, relatively undisturbed oak woodland and chaparral habitat. Furthermore, individual oak trees interspersed among existing development on the subject site do provide some habitat for a wide variety of wildlife species and are considered to be an important part of the character and scenic quality of the area.

Oak trees are a part of the California native plant community and need special attention to maintain and protect their health. Oak trees in residentially landscaped areas often suffer decline and early death due to conditions that are preventable. Damage can often take years to become evident and by the time the tree shows obvious signs of disease it is usually too late to restore the health of the tree. Oak trees provide important habitat and shading for other animal species, such as deer and bees. Oak trees are very long lived, some up to 250 years old, relatively slow growing, becoming large trees between 30 to 70 feet high, and are sensitive to surrounding land uses, grading or excavation at or near the roots and irrigation of the root area particularly during the summer dormancy. Improper watering, especially during the hot summer months when the tree is dormant and disturbance to root areas are the most common causes of tree loss.

The article entitled "Oak Trees: Care and Maintenance" prepared by the Forestry Department of the County of Los Angeles states:

Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment. The root system is extensive but surprisingly shallow, radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the dripline, is especially important: the tree obtains most of its surface water and nutrients here, as well as conducts an important exchange of air and other gases.

This publication goes on to state:

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.... Construction activities outside the protected zone can have damaging impacts on existing trees.... Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.... Any roots exposed during this work should be covered

with wet burlap and kept moist until the soil can be replaced. The roots depend on an important exchange of both water <u>and</u> air through the soil within the protected zone. Any kind of activity which compacts the soil in this area blocks this exchange and can have serious long term negative effects on the trees. If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips . . .

In past permit actions, the Commission has required that the removal of native trees, particularly oak trees, or encroachment of structures into the root zone be avoided unless there is no feasible alternative for the siting of development. The proposed project involves minor structural rehabilitation work to the Skeet Lodge, drainage improvements, regrading and resurfacing of the skeet turf area and accessway to the Skeet Lodge, and the addition of a parking stall next to the Skeet Lodge. Staff notes that four, large oak trees are located immediately adjacent to the Skeet Lodge Nature Center, with branches that overhang all four corners of the structure. In addition, oak trees surround the skeet turf area north of the Skeet Lodge. In order to protect the historic Skeet Lodge structure, the applicant proposes to trim and/or remove any or all of the four oak trees that flank the lodge pending analysis by a certified arborist. Therefore, potential adverse impacts as a result of the project to the four Skeet Lodge oak trees is anticipated, and mitigation must be provided in the form of replacement trees. No feasible alternatives for the siting of the proposed development exist in order to avoid or reduce oak tree impacts.

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 be 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.

In order to mitigate for the potential loss of the four Skeet Lodge oak trees, the Commission finds it necessary to require the applicant to retain the services of a certified arborist to report on recommendations regarding removal and/or trimming requirements of the four native oak trees that surround the Skeet Lodge structure, as detailed in **Special Condition Five (5)**. Should the applicant's retained certified arborist determine that any of the on-site oak trees shall be removed or suffer worsened health or vigor as a result of the project, **Special Condition Five (5)** specifies that the applicant shall submit the arborist's report prior to commencement of development, for the review and approval of the Executive Director, along with an oak tree replacement planting program and a ten-year monitoring program to ensure that the replacement planting program is successful. In addition, **Special Condition Five (5)** requires the applicant to plant up to at least forty (40) replacement seedlings, less than one year old, grown from acorns collected in the area as mitigation for development impacts to up to four (4) oak trees that immediately surround the Skeet Lodge structure.

In addition, in order to ensure that no impacts outside the scope of work allowed by this permit occur to the oak trees that are in the vicinity of proposed development, **Special Condition Five (5)** requires the applicants to retain the services of a qualified biological consultant or arborist, who shall be present on site during construction and grading operations. The consultant shall immediately notify the Executive Director if unpermitted activities occur or if any other oak trees on the site, in addition to the four surrounding the Skeet Lodge structure are damaged, removed, or impacted beyond the scope of the work allowed by this permit. This monitor shall have the authority to require the applicants to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. The applicant shall provide on-site oak tree mitigation, at a 10:1 ratio, in the event that any oak tree is damaged or lost.

To ensure that oak trees are protected during grading and construction activities, **Special Condition Five (5)** requires the applicant to install protective barrier fencing around the drip line of on-site oak trees during construction operations. In addition, to ensure the oak trees on-site are not adversely affected by irrigation or inappropriate landscaping, **Special Condition Five (5)** includes a provision that prohibits permanent irrigation within the drip line or protected zone (5 feet beyond drip line) of any on-site oak trees, and landscaping within the oak tree drip lines or the five-foot protected zones shall be limited to native oak tree understory plant species.

In addition, in order to ensure that the applicant's proposal to perform biological monitoring during project operations is implemented, **Special Condition Three (3)** requires that the applicant have a qualified biologist or resource specialist survey the project site prior to any construction activities, to flag the construction work area and any sensitive tree or plant species to be avoided during all work, and to monitor the grading, construction, and tree trimming/removal work to ensure that sensitive biological resources are protected.

As stated previously, the site is located within the Topanga Canyon watershed and involves sloping hillside terrain with soils that are susceptible to erosion. While the proposed drainage improvements shall serve to improve the erosion potential on the project site, interim erosion control measures implemented during construction will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during grading and construction activities. Therefore, the Commission finds that **Special Condition Two (2)**, which requires implementation of a landscaping and erosion control plan, is necessary to ensure the proposed development will not adversely impact water quality or coastal resources. In addition, to ensure that disturbed areas are revegetated to minimize erosion and sedimentation within the Topanga Canyon watershed, **Special Condition Two (2)** also includes provisions requiring that all soils disturbed by the proposed project shall be planted with native vegetation and maintained.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, will minimize impacts to ESHA and water quality, consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

D. Archaeological Resources

Section **30244** of the Coastal Act states that:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Archaeological resources are significant to an understanding of cultural, environmental, biological, and geological history. The proposed development is located in a region of the Santa Monica Mountains which contains one of the most significant concentrations of archaeological sites in southern California. The Coastal Act requires the protection of such resources to reduce the potential adverse impacts through the use of reasonable mitigation measures.

Degradation of archaeological or cultural resources can occur if a project is not properly monitored and managed during earth moving activities and construction. In this case, a recorded pre-contact archaeological site (CA-LAN-1265) is located adjacent to the project area at Trippet Ranch. In addition, five other pre-contact archaeological sites are located within a half-mile radius of the project site. As such, the potential exists for the proposed project to impact cultural/archaeological resources.

Therefore, the Commission finds that for the potential adverse effects which may occur to those resources as a result of the proposed development, reasonable mitigation measures should be required pursuant to Section 30244 of the Coastal Act. In past permit actions regarding development on sites containing potential cultural resources the Commission has required that a qualified archaeologist and appropriate Native American consultant be present on-site during all grading, excavation, and site preparation that involve earth moving operations in order to ensure that adverse effects to archaeological resources are minimized. The applicant proposes to perform cultural/archaeological resource monitoring as part of the proposed project. In addition to the recruitment of a qualified archaeologist to perform monitoring, the applicant proposes to make a request for a Native American monitor prior to all subsurface work in the project area.

In order to ensure that the applicant's cultural resource monitoring proposal is implemented, **Special Condition Four (4)** requires the applicant to have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation or other subsurface work. In addition, if any significant archaeological resources are discovered during construction, work shall be stopped and an appropriate data recovery strategy shall be developed by the applicant's archaeologist and Native American consultant consistent with California Environmental Quality Act (CEQA) guidelines.

The Commission finds that the proposed development, as conditioned, will minimize impacts to cultural resources and includes appropriate mitigation measures, consistent with Section 30244 of the Coastal Act.

E. Public Access and Recreation

The Coastal Act requires that maximum public access to and along the coast be provided in new development projects. The Coastal Act also requires new development to provide adequate lands suitable for recreation to serve the needs of new residents.

Coastal Act Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30213 states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Coastal Act Section **30240 (b)** also requires that development not interfere with recreational areas and states:

(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.

Coastal Act sections 30210, 30213, and 30240 mandate that maximum public access and recreational opportunities be provided and that development not degrade park and recreation areas or interfere with the public's right to access the coast. All projects requiring a coastal development permit must be reviewed for compliance with the public access and recreation provisions of Chapter 3 of the Coastal Act.

The Trippet Ranch day use area of Topanga State Park is managed by State Parks as public land which provides recreational opportunities for hikers, sightseers, mountain bikers, and wildlife viewers. Due to the park's open space and habitat values and significant natural and historical landscape, the park also offers vast educational opportunities for the public.

The proposed project includes improved public amenities such as an upgraded interpretive kiosk, ADA access, and rehabilitation of historic park elements, including the

Skeet Lodge Nature Center, in order to protect existing park facilities, enhance public access opportunities, and encourage use by more segments of the community. The proposed project would facilitate improved public access at the site and would further priority land uses under the Coastal Act. As a result of the above findings, the Commission finds that the project, as proposed, is consistent with Coastal Act Sections 30210, 30213, and 30240.

F. Local Coastal Program

Section 30604 of the Coastal Act states:

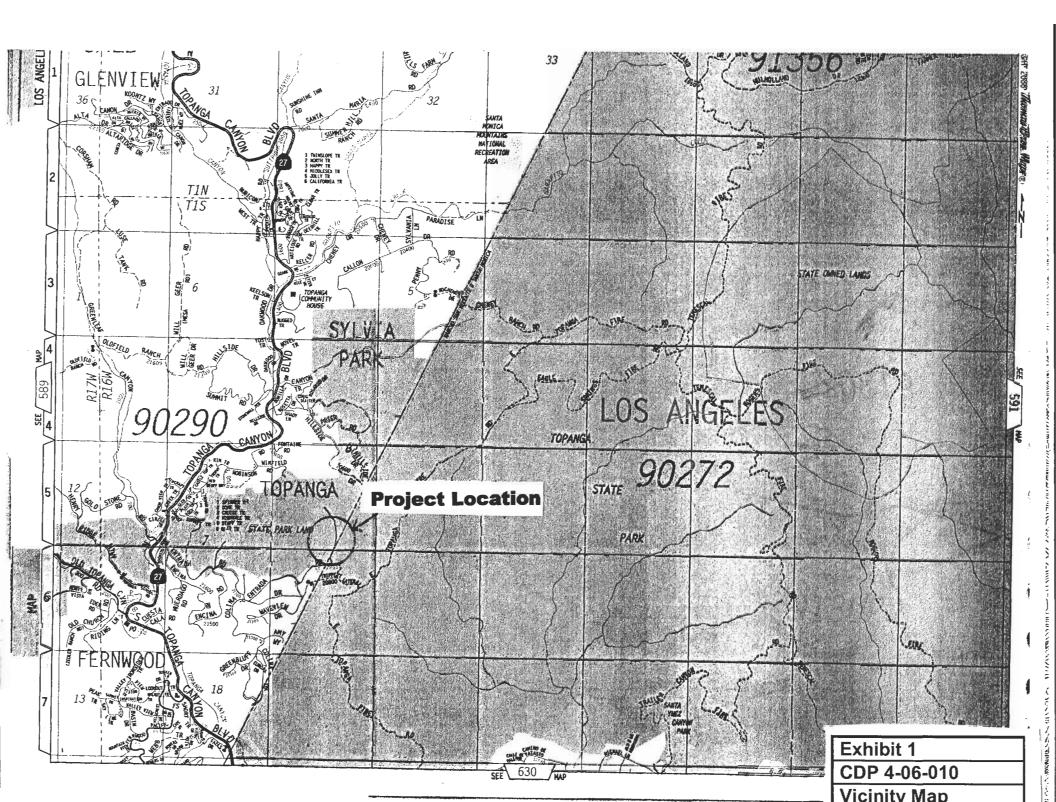
a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the 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 are accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County of Los Angeles' 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).

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 projects, 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.



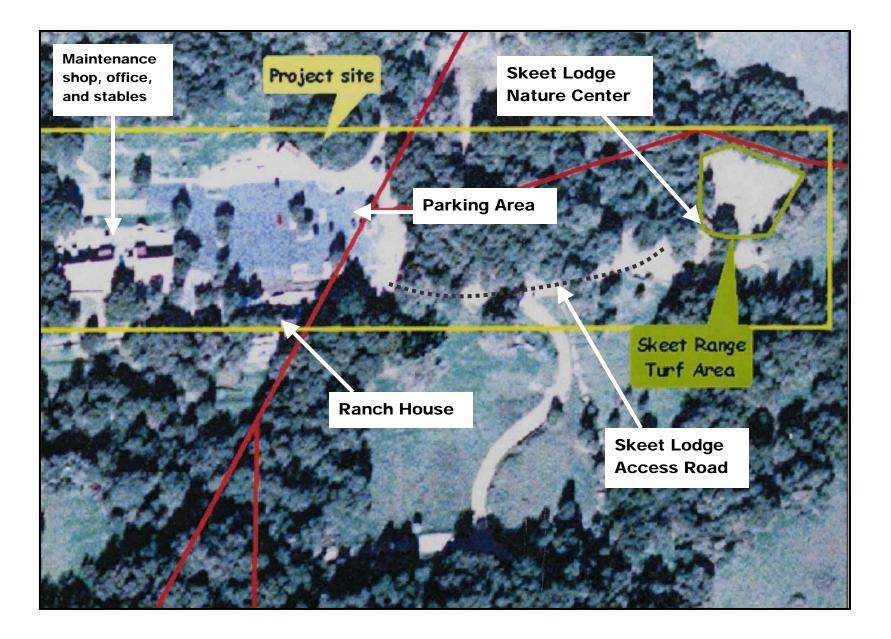
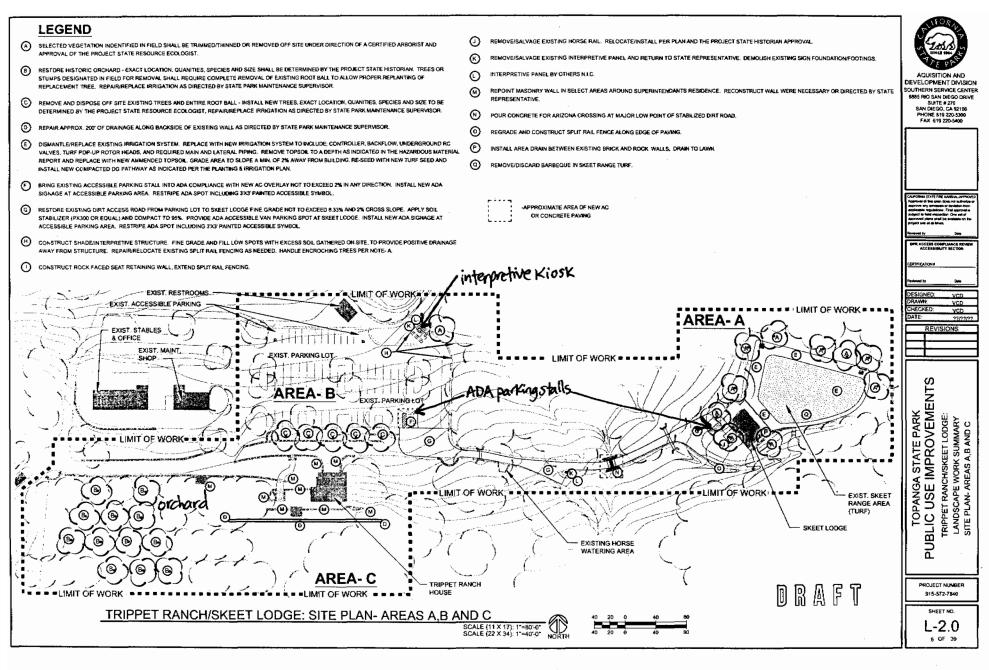


Exhibit 2 CDP 4-06-010 Aerial View



1.1.1

Exhibit 3
CDP 4-06-010
Project Site Plan

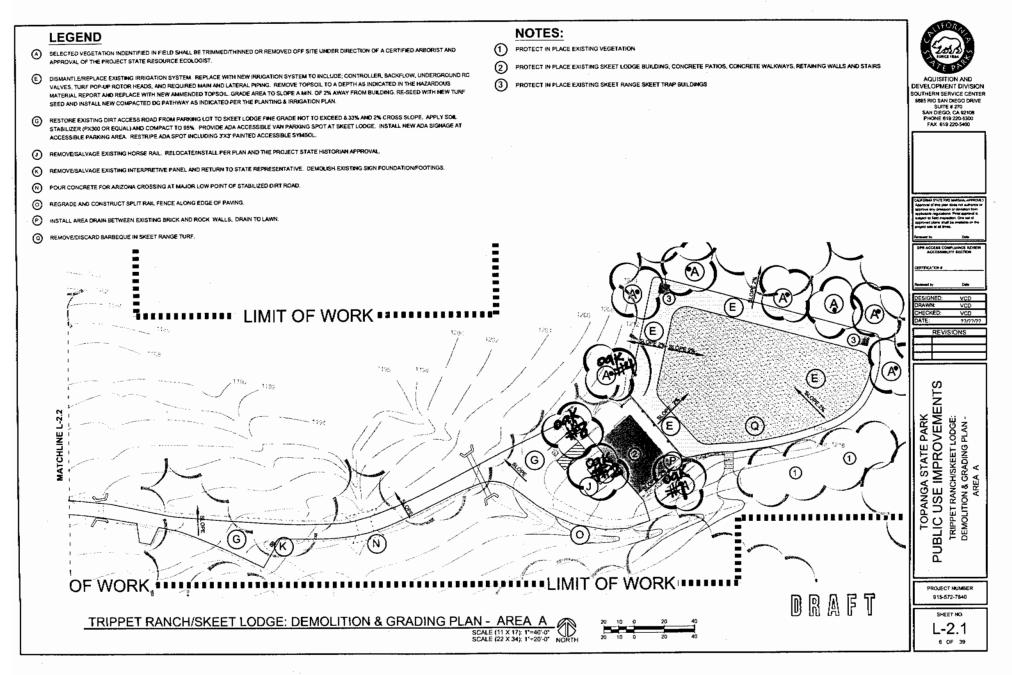


Exhibit 4	٦
CDP 4-06-010	
Skeet Lodge Plan	

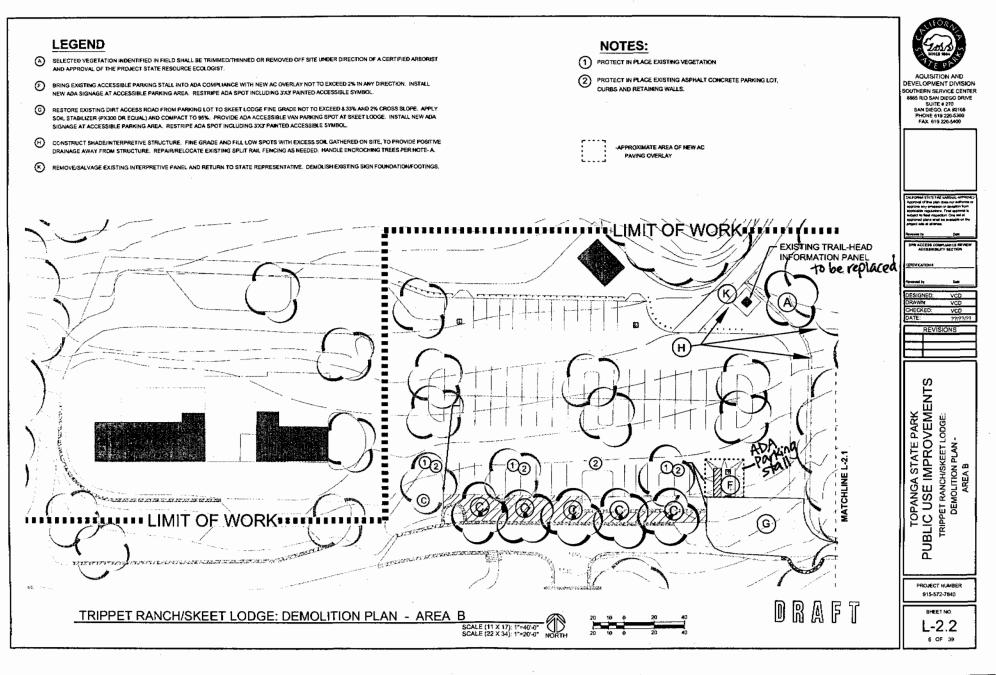
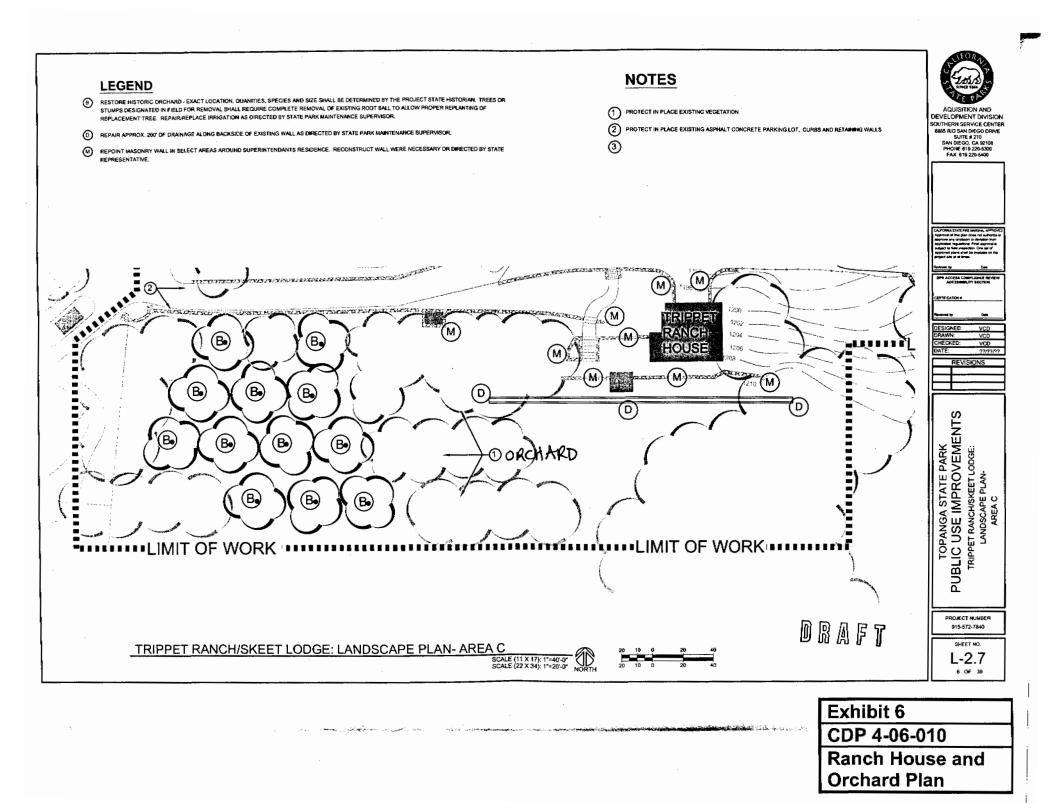


Exhibit 5 CDP 4-06-010 Parking Area Plan



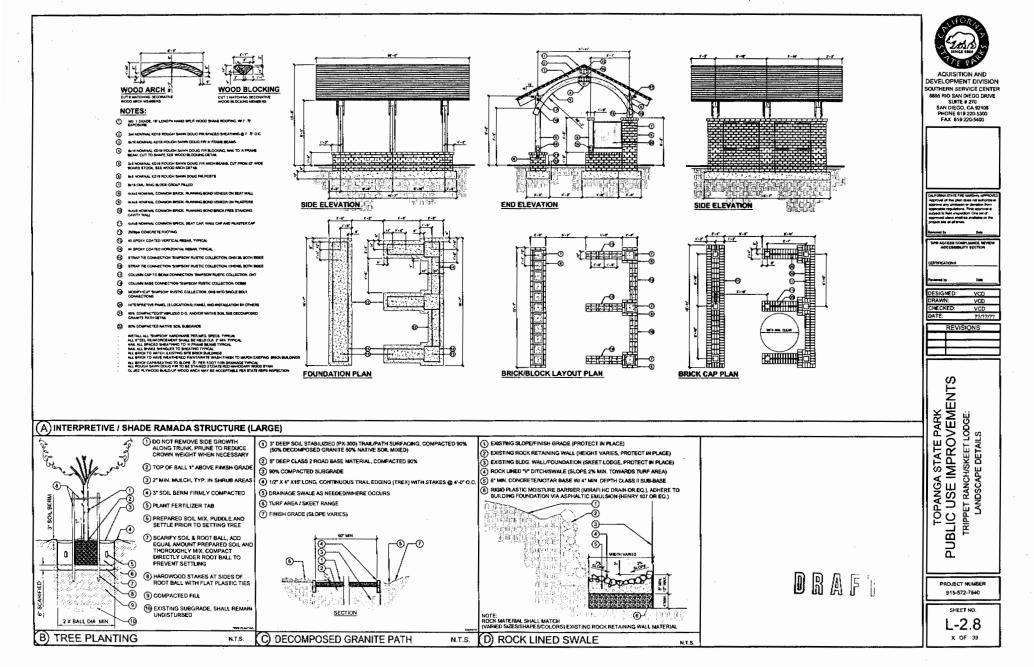


Exhibit 7	
CDP 4-06-010	
Kiosk Plan	