

CALIFORNIA COASTAL COMMISSION

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

W 9c

Filed: 4/27/07
 180th Day: 10/24/07
 Staff: D. Christensen
 Staff Report: 9/20/07
 Hearing Date: 10/10/07

**STAFF REPORT: REGULAR CALENDAR**

APPLICATION NO.: 4-07-033

APPLICANTS: Charles Mortimer, John and Sonia Dunne, and Kevin Vo

PROJECT DESCRIPTION: Installation of a subsurface soldier pile retaining wall extending the width of three adjacent properties (approximately 235 feet) in follow-up to an emergency permit issued for slope remediation.

PROJECT LOCATION: 18300, 18268, and 18262 Coastline Drive; Los Angeles County (APNs 4443-002-025, -024, and -023)

LOCAL APPROVALS RECEIVED: Los Angeles County Department of Public Works-Building and Safety Division approval, dated December 19, 2006; Los Angeles County Department of Regional Planning Site Plan Review approval, dated December 6, 2006.

SUBSTANTIVE FILE DOCUMENTS: Emergency Coastal Development Permit Nos. 4-06-156-G (Mortimer), 4-06-157-G (Vo), and 4-06-158-G (Dunne) issued on January 24, 2007; Los Angeles County Department of Public Works-Geotechnical and Materials Engineering Division Geologic Review Sheet, dated June 14, 2006; Los Angeles County Department of Public Works-Geotechnical and Materials Engineering Division Soils Engineering Review Sheet, dated June 21, 2006; Letter from Geosoils Consultants, Inc., dated December 5, 2006; Letter from structural engineering consultant Dimitry Vergun, dated December 5, 2006; "Preliminary Geologic and Geotechnical Engineering Investigation" by Geosoils Consultants, Inc., dated October 4, 2005; "Addendum Report" by Geosoils Consultants, Inc., dated December 14, 2005; "Additional Analysis Report" by Geosoils Consultants, Inc., dated May 3, 2006; "Response to Los Angeles County Geologic Review Sheet and Soils Engineering Review Sheet for 18262 Coastline Drive" by Geosoils Consultants, Inc., dated September 20, 2006; "Response to Los Angeles County Geologic Review Sheet and Soils Engineering Review Sheet for 18268 Coastline Drive" by Geosoils Consultants, Inc., dated September 20, 2006; "Response to Los Angeles County Geologic Review Sheet and Soils Engineering Review Sheet for 18300 Coastline Drive" by Geosoils Consultants, Inc., dated September 20, 2006.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed development with four (4) special conditions regarding conformance with geotechnical engineer's recommendations, assumption of risk, landscaping plans, and condition compliance. The proposed project, as conditioned, is consistent with the applicable resource protection provisions of the Coastal Act.

STAFF NOTE: DUE TO PERMIT STREAMLINING ACT REQUIREMENTS, THE COMMISSION MUST ACT ON THIS PERMIT APPLICATION AT THE OCTOBER 2007 COMMISSION HEARING.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-07-033 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 Coastal Development Permit No. 4-07-033 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. Conformance with Geotechnical Engineer's Recommendations

By acceptance of this permit, the applicants agree to comply with the recommendations contained in the "Preliminary Geologic and Geotechnical Engineering Investigation", prepared by Geosoils Consultants, Inc., dated October 4, 2005, particularly regarding drainage and landscape maintenance on the subject properties.

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to soldier pile installation, landscaping and drainage. Any substantial changes in the proposed development approved by the Commission that may be required by the consultant shall require amendment(s) to the permit(s) or new Coastal Development Permit(s).

2. Assumption of Risk, Waiver of Liability and Indemnity

By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from erosion and slope failure; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

3. Landscaping Plans

A) *Prior to issuance of a coastal development permit,* the applicants shall submit detailed landscaping plans for the bluff-facing rear yard of each of the subject parcels that has been disturbed by installation of the soldier piles, prepared by a licensed Landscape Architect, for review and approval by the Executive Director. The plans shall include the following components.

- a. A plan showing the type, size, extent and location of all existing and proposed plant materials on the site, the irrigation system, topography of the developed site, and all other landscape features;

- b. To minimize the need for irrigation, all landscaping shall consist of drought tolerant plant species. Native plant species that are utilized shall be of local genetic stock. No lawn grass shall be utilized. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or as may be identified from time to time 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. Any existing landscaping landward of the bluff edge in the rear yards that doesn't meet the above requirements shall be removed;
- c. All planting shall provide 90 percent coverage within two years and shall be repeated if necessary to provide such coverage;
- d. All plantings shall 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 the landscape plan;
- e. Low flow efficient irrigation systems shall be utilized. Any irrigation system shall be designed with drip lines, where feasible; check valves at low points to reduce excess drainage; automatic controllers; rainy weather shutoff controls.
- f. The site shall be stabilized immediately with jute netting or other BMPs to minimize erosion during the rainy season (Nov 1 to March 31) if plantings have not been fully established.

The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

B) Monitoring

- (1) Five years from the date of implementation of the landscaping plans the applicants shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect, that certifies whether 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.
- (2) 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 applicants, 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 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.

4. Deed Restriction

Prior to issuance of a coastal development permit, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicants have executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicants propose to install a subsurface soldier pile retaining wall, consisting of thirty (30), approximately 60-foot deep soldier piles tied with grade beams extending the width of three adjacent properties (approximately 235 linear feet) (**Exhibits 3-5**). The proposed project is situated across the rear yard of the three properties along Coastline Drive, located at the top of the steep coastal bluff above Pacific Coast Highway and just down coast from Topanga Canyon Boulevard in Los Angeles County (**Exhibits 1-2**). Each of the three parcels is developed with a single family residence that was constructed prior to the effective date of the Coastal Act. According to the geotechnical consultant, the steep bluff-top slope is failing due to the presence of an existing landslide feature that was reactivated by excessive storm-related runoff associated with the winter storms of 2005/2006. The southern portion of the residence at 18300 Coastline Dr., as well as the rear yards of 18268 and 18262 Coastline Dr., had experienced serious distress due to landslide movement. The proposed subsurface soldier piles will serve to stabilize the failing bluff-top slope in order to protect the existing residences from erosion and damage.

Proposed development to stabilize the eroding slope behind the residences has been previously completed on each parcel in February 2007 pursuant to Emergency Coastal Development Permits 4-06-156-G (Mortimer), 4-06-157-G (Vo), and 4-06-158-G (Dunne), which were issued on January 24, 2007 (**Exhibit 6**). The emergency permits granted temporary authorization of the work only and permanent retention of the

development requires the issuance of a follow-up regular coastal development permit from the California Coastal Commission. This application was submitted jointly by all three property owners in follow-up to their emergency permits in order to request permanent authorization for the work that was temporarily authorized by the emergency permits. Staff notes that Condition No. 8 of each emergency permit required the planting of disturbed areas at the completion of construction of the soldier pile wall. During a recent site visit, it was evident that the disturbed areas had not yet been landscaped.

B. Hazards and Geologic Stability

Coastal Act Section 30253 states in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.***
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.***

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

The applicants propose to install a subsurface soldier pile retaining wall, consisting of thirty (30), approximately 60-foot deep soldier piles tied with grade beams, extending across the rear yards (a distance of 235 linear feet) of three adjacent bluff-top properties that are developed with single family residences. The proposed development has been previously completed on each parcel in February 2007 pursuant to Emergency Coastal Development Permits 4-06-156-G (Mortimer), 4-06-157-G (Vo), and 4-06-158-G (Dunne) that were issued in January 2007. According to the geotechnical consultant, the steep bluff-top slope is failing due to the presence of an existing landslide feature that was reactivated by excessive storm-related runoff associated with the winter storms of 2005/2006. The southern portion of the residence at 18300 Coastline Dr., as well as the rear yards of 18268 and 18262 Coastline Dr., had experienced serious distress due to landslide movement. The proposed subsurface soldier piles will serve to stabilize the failing bluff-top slope in order to protect the properties from further erosion and damage. Dewatering wells have also been installed on the subject properties in order to keep the groundwater level below the slide plane.

According to the "Preliminary Geologic and Geotechnical Engineering Investigation" by Geosoils Consultant, Inc.:

A slide plane zone was observed in the two borings drilled on the site for this investigation. The property is underlain by bedrock of the Martinez Formation with terrace deposits and landslide debris above. The upper 7 to 10 feet in Borings B-1 and B-2 encountered terrace deposit material that overlies the slide debris. Boring B-1 was drilled at the top of the south-facing, descending slope at 18300 Coastline Drive and encountered slide debris to 26 feet. Boring B-2 was drilled at the top of the descending slope at 18264 Coastline Drive and encountered slide debris to 29 feet. The two geologic cross sections were drawn through these two borings and show the depth to the slide plane and the projection of the slide plane to the face of the slope.

The report further states:

In order to stabilize the rear yards of the residences, it is recommended that soldier piles be installed. The soldier piles should be designed to support the upper portion of the landslide should the lower portion continue to fail down slope. The soldier piles should be founded a minimum of ten feet into bedrock located below the slide plane...The proposed remedial repair is feasible from a geologic and geotechnical engineering viewpoint, provided that the following recommendations are incorporated into the final design and construction phase of the proposed repair. The site is located in an earthquake induced landslide area as defined by the State of California Seismic Hazard Zone, Malibu Quadrangle; however, the work included herein is considered remedial.

Los Angeles County Department of Public Works-Geotechnical and Materials Engineering Division reviewed the applicant's geotechnical reports and provided final plan approval on December 19, 2006. The proposed soldier piles were installed in February 2007 to stabilize the failing bluff-top slope in order to protect the properties from further erosion and damage. Commission staff visited the site on September 12, 2007, approximately seven months after the soldier piles were installed, and the rear yards in the area of the work have not been revegetated with drought tolerant plants, as was required as a condition of approval for the Emergency Coastal Development Permits that were issued for the work.

The proposed development, although necessary to remediate a landslide condition, will still not eliminate the potential for erosion and slide movement of the bluff, between the bluff face and the soldier pile wall, on the subject sites. The Commission finds that minimization of site erosion will add to the stability of the sites. Erosion can best be minimized by requiring the applicants to plant all disturbed areas of the properties' rear yards with drought tolerant vegetation common to coastal bluffs. In addition, in-ground irrigation systems, inadequate drainage, and excessive watering in general are major contributors to accelerated bluff erosion, landslides, and sloughing, which could further compromise the stability of the sites. The applicant's geotechnical report recommends that site drainage and landscaping should be maintained such that water is directed away from the bluff and not allowed to pond or seep into the ground, or flow over slopes in a concentrated manner on the site. In addition, the geotechnical report recommends maintaining the dewatering wells. To ensure that the recommendations contained in the applicant's geotechnical report are followed to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, **Special Condition No. One (1)** is required. Special Condition One requires the applicants to comply with the recommendations contained in the "Preliminary Geologic and

Geotechnical Engineering Investigation”, prepared by Geosoils Consultants, Inc., dated October 4, 2005, particularly regarding drainage and landscape maintenance on the subject properties.

In addition, in order to ensure the stability and geotechnical safety of the site, **Special Condition No. Three (3)** specifically requires the applicants to submit detailed landscaping plans, prepared by a licensed Landscape Architect, for the bluff-top rear yard of each of the subject parcels that has been disturbed by installation of the soldier piles. The plans shall specify landscaping consisting of non-invasive, drought tolerant vegetation, and low flow irrigation. No lawn grass shall be utilized. The use of native plant species is encouraged, although not a requirement of Special Condition 3 since only the small, previously landscaped rear yard areas behind the residences were disturbed by the project, not any undisturbed portion of the bluff or bluff face, and it is more appropriate in this case that site landscaping utilize drought tolerant, non-invasive plant species to minimize the need for irrigation. Any existing landscaping landward of the bluff edge in the rear yards that doesn't meet the above requirements shall be removed. The plantings shall provide 90 percent coverage within two years and shall be maintained in good growing condition to prevent erosion and instability of the landslide. The site shall also be stabilized immediately with jute netting or other BMPs to minimize erosion during the rainy season (Nov 1 to March 31) until plantings are fully established.

Lastly, the Coastal Act recognizes that certain development projects located in geologically hazardous areas, such as the subject site, still involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to determine who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property. As such, the Commission finds that due to the foreseen possibility of erosion, landsliding, and slope failure, the applicants shall assume these risks as a condition of approval. Therefore, **Special Condition No. Two (2)** requires the applicants to waive any claim of liability against the Commission for damage to life or property which may occur as a result of the permitted development. The applicant's assumption of risk will show that the applicants are aware of and appreciate the nature of the hazards which exist on the site, and which may adversely affect the stability or safety of the proposed development.

Further, **Special Condition No. Four (4)** requires the applicants to record a deed restriction that imposes the terms and conditions of this permit as restrictions on use and enjoyment of the properties and provides any prospective purchaser of the sites with recorded notice that the restrictions are imposed on the subject properties.

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

C. Visual Resources

Section 30251 of the Coastal Act states that:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinated to the character of its setting.

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and preserved. The proposed project is situated across the rear yards of three adjacent bluff-top properties on the south side of Coastline Drive, above Pacific Coast Highway, in Los Angeles County. Each of the three parcels is developed with a single family residence. Although the site is visible from Pacific Coast Highway, a designated Scenic public roadway, due to the height of the coastal bluff above the highway, the residences are not highly visible. In addition, the proposed project has been constructed below road grade in the rear yard of the residences and will not block public views.

Section 30251 of the Coastal Act also requires development to minimize alteration of natural landforms. The proposed project is located near the edge of a coastal bluff and involves installation of a subsurface retaining wall. The Commission finds that the applicants have minimized landform alteration in their effort to stabilize an eroding slope. Therefore, the Commission finds that the proposed project is consistent with Section 30251 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).

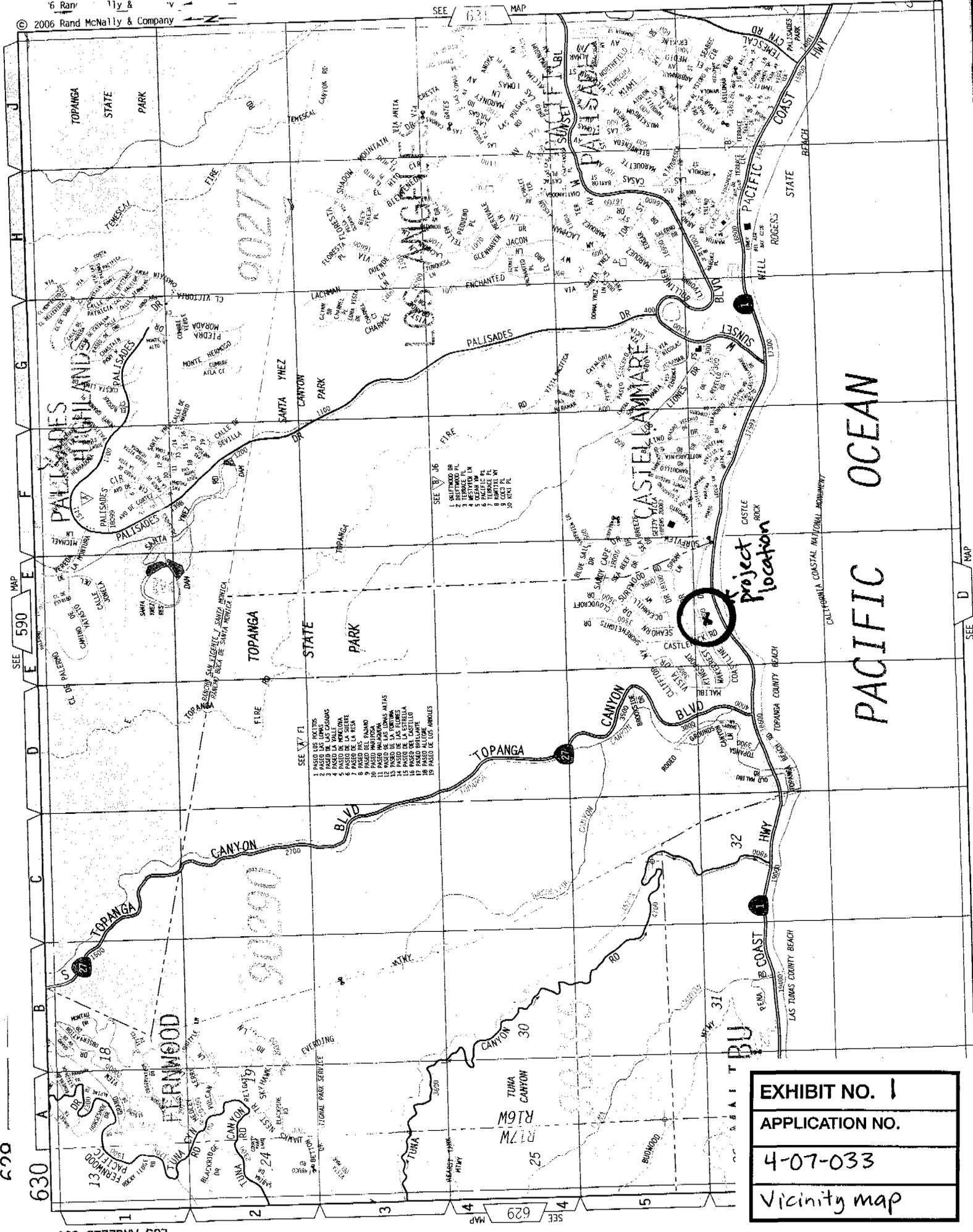
Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding 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).

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 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 incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed above, the proposed development, as conditioned, is consistent with the policies of the Coastal Act. Feasible mitigation measures which will minimize all adverse environmental effects have been required as special conditions. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.



- SEE V 7 F1
- 1 PASO LOS REXITOS
 - 2 PASO DE LAS CASAS
 - 3 PASO DE LA VALLA
 - 4 PASO DE LA SIERRA
 - 5 PASO DE LA RESA
 - 6 PASO DEL PANARO
 - 7 PASO MANTOZA
 - 8 PASO DE LA YERBA
 - 9 PASO DE LA ESTRELLA
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 - 2 TERRACE PL
 - 3 WESTVIEW LN
 - 4 PALMCREST DR
 - 5 PALMCREST DR
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 - 7 PALMCREST DR
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 - 9 PALMCREST DR
 - 10 PALMCREST DR

EXHIBIT NO. 1

APPLICATION NO.

4-07-033

Vicinity map

630

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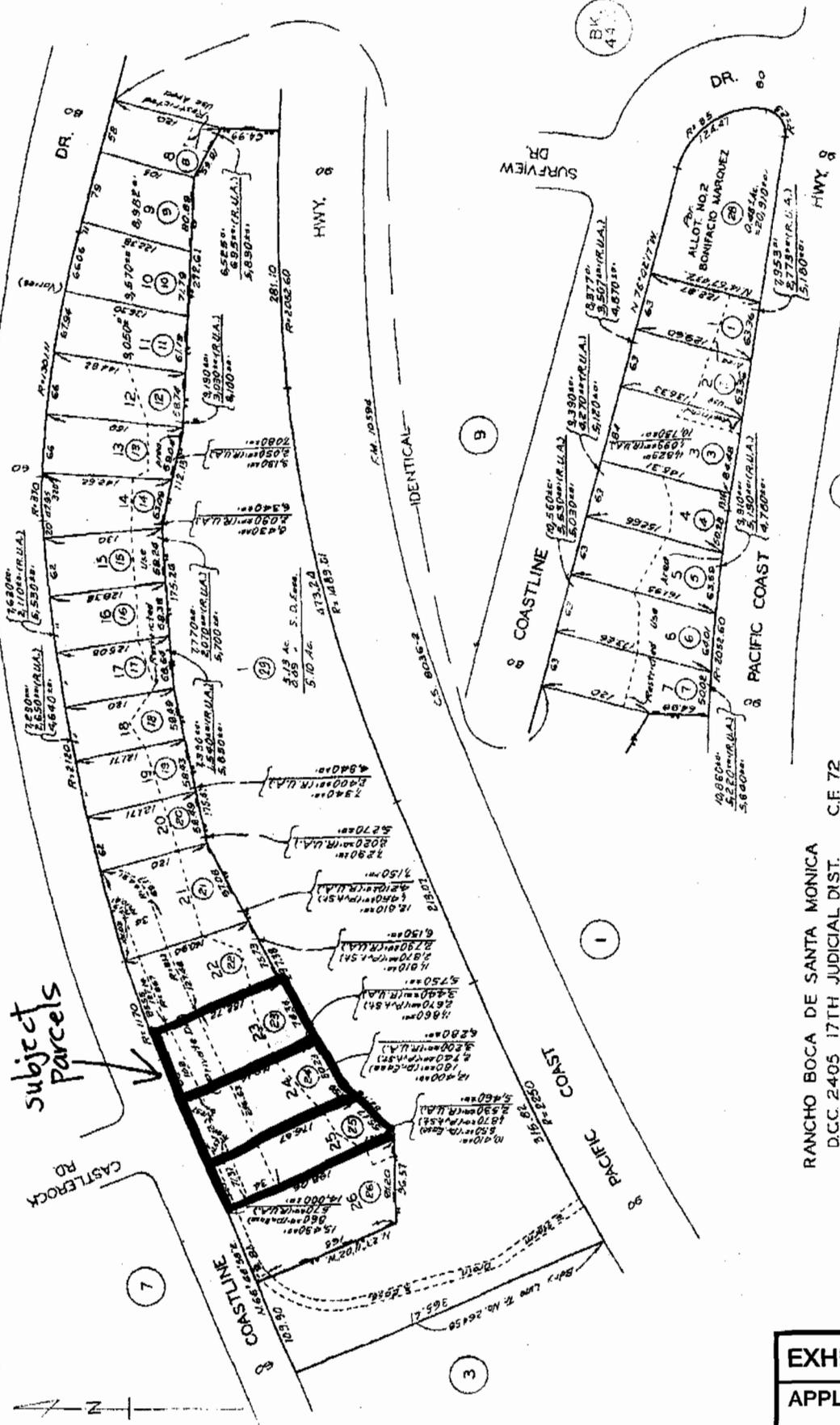
SEE 629 MAP

SEE D MAP

County of Los Angeles: Rick Auerbach, Assessor

670207 REVISED

4443 2
SCALE 1" = 100'



RANCHO BOCA DE SANTA MONICA
 D.C.C. 2405 17TH JUDICIAL DIST. C.F. 72
 PARCEL MAP P.M. 127-6
 TRACT NO. 28339 MB. 760-26-28

ASSMT. SEE:

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

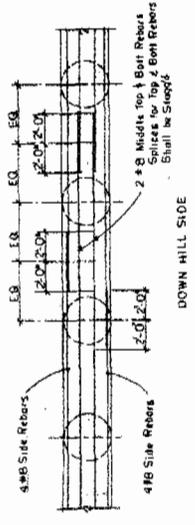
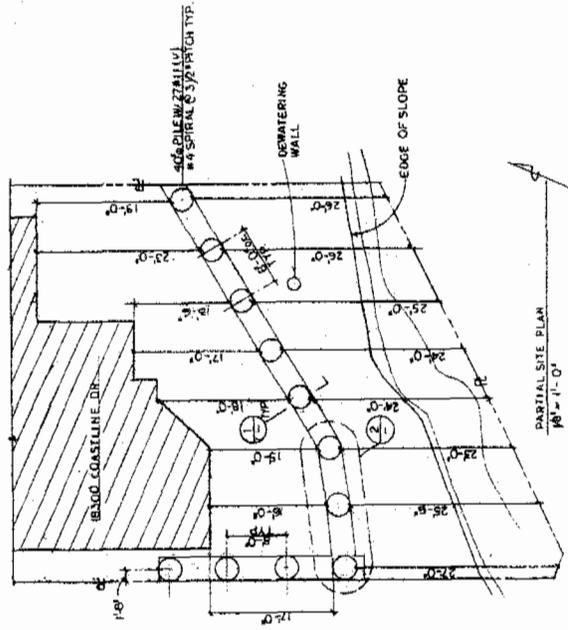
EXHIBIT NO. 2
APPLICATION NO.
4-07-033
Parcel map

Drinby K. Vergara
 Structural Engineer
 1801 Colorado Avenue
 Suite 1000, CA 90240
 310.458.1433 (Home)

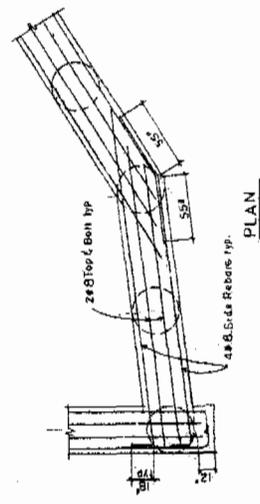
CHARLES MORTIMER RESIDENCE
 18300 COASTLINE DRIVE, MALIBU, CA 90260
 (310) 454-6209

SITE STABILIZATION

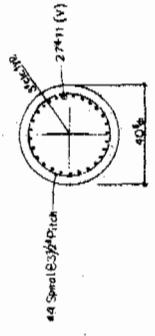
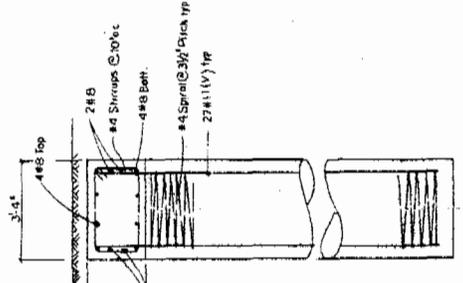
52



1#2 GRADE BEAMS REBAR, SPLICES DETAIL
 P=1'-0"



2 TYP. REIN. REBAR, BENDS & SPLICES
 P=1'-0"



1 TYP. PILE SECTION
 P=2'-0"

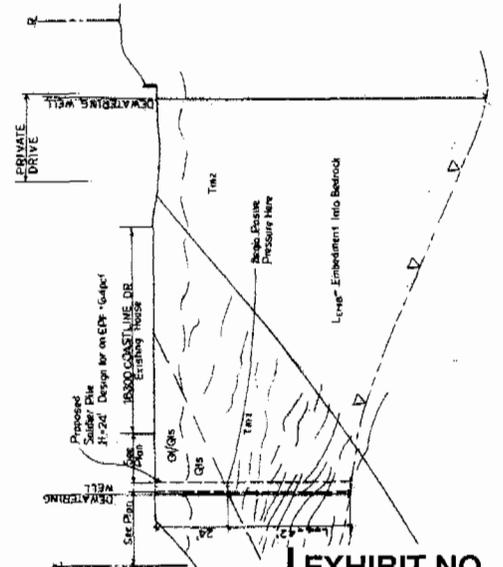
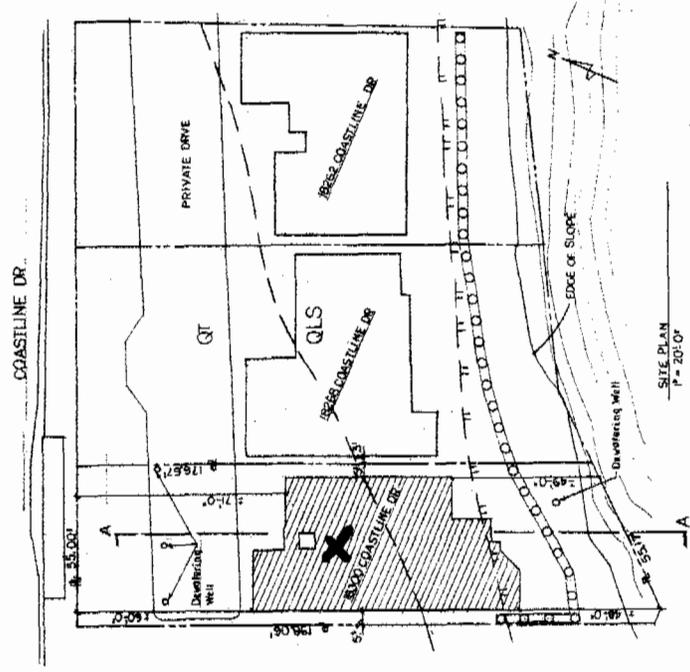


EXHIBIT NO. 3
 APPLICATION NO.

4-07-033
 18300 Coastline Dr.
 Site Plan / cross section

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 100
VENTURA, CA 93001
(805) 585-1800



EMERGENCY PERMIT
(REVISED 1/24/07)

January 24, 2007

Permit No.: 4-06-156-G

Applicant: Charles Mortimer

Project Location: 18300 Coastline Drive (APN 4443-002-025); Los Angeles County

Work Proposed: Construction of a subsurface soldier pile retaining wall with pilings 66 feet deep extending the width of the property and including a return wall at the west edge of the parcel.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that an unexpected occurrence in the form of an active and continuing landslide/slope failure threatens to damage an existing single family residence and constitutes a risk to public health and safety in the Santa Monica Mountains. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and

The work is hereby approved, subject to the conditions listed on the reverse.

Very Truly Yours,

Peter M. Douglas
Executive Director

A handwritten signature in black ink, appearing to read "John Ainsworth", written over a horizontal line.

By: John Ainsworth
Title: District Director, South Central Coast District

EXHIBIT NO. 6
APPLICATION NO.
4-07-033
Emergency CDPs

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**
(REVISED 1/24/07)**January 24, 2007****Permit No.: 4-06-157-G****Applicant: Kevin Vo****Project Location: 18262 Coastline Drive (APN 4443-002-023); Los Angeles County****Work Proposed: Construction of a subsurface soldier pile retaining wall with pilings 53 feet deep extending the width of the property.**

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that an unexpected occurrence in the form of an active and continuing landslide/slope failure threatens to damage an existing single family residence and constitutes a risk to public health and safety in the Santa Monica Mountains. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and

The work is hereby approved, subject to the conditions listed on the reverse.

Very Truly Yours,

Peter M. Douglas
Executive Director

A handwritten signature in black ink, appearing to read "John Ainsworth", written over a horizontal line.

By: John Ainsworth
Title: District Director, South Central Coast District

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**

(REVISED 1/24/07)

January 24, 2007**Permit No.:** 4-06-158-G**Applicant:** John & Sonia Dunne**Project Location:** 18268 Coastline Drive (APN 4443-002-024); Los Angeles County**Work Proposed:** Construction of a subsurface soldier pile retaining wall with pilings 53 feet deep extending the width of the property.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the information submitted that an unexpected occurrence in the form of an active and continuing landslide/slope failure threatens to damage an existing single family residence and constitutes a risk to public health and safety in the Santa Monica Mountains. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows; and

The work is hereby approved, subject to the conditions listed on the reverse.

Very Truly Yours,

Peter M. Douglas
Executive Director

A handwritten signature in black ink, appearing to read "John Ainsworth", written over a horizontal line.

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CONDITIONS OF APPROVAL

1. The enclosed form must be signed by the applicant and returned to our office within 15 days.
2. Only that work specifically described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must commence within 30 days of the date of this permit.
4. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
5. The work authorized by this emergency permit is temporary, unless permanent retention of the development is authorized through the issuance of a regular Coastal Development Permit from the California Coastal Commission. Within 60 days of the date of issuance of this permit, the permittee shall submit a complete application for a regular coastal development permit to have the emergency work be considered permanent.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
7. The applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, 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 excess excavated material shall be removed from the site. If the disposal site is located in the Coastal Zone, the disposal site must have a valid coastal development permit for disposal of fill material.
8. All graded and disturbed areas shall be stabilized with planting at the completion of final grading. In order to minimize the introduction of irrigation on the bluff, planting shall be of drought resistant, native species indigenous to the Santa Monica Mountains and consistent with the native vegetation of the area surrounding the project site using accepted planting procedures, consistent with fire safety requirements. Only native plant species that have been obtained from local Santa Monica Mountains genetic stock and are consistent with the surrounding native plant community shall be used.
9. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards including landslide and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement

IMPORTANT

The emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a coastal permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call Steve Hudson at the Commission Area office.

Enclosures: 1) Acceptance Form