

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071

**W18h****ADDENDUM**

July 30, 2007

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO **ITEM W18h**, COASTAL COMMISSION PERMIT APPLICATION **#5-07-206 (Joyce)** FOR THE COMMISSION MEETING OF **August 8, 2007**.

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**Changes to Staff Report**

Commission staff recommends modifications and additions to the Summary of Staff Recommendation on page 1 and the addition of a new Special Condition to Section III (Special Conditions) of the staff report. Deleted language is in strike through and new language to be added is shown in ***bold, underlined italic***, as shown below:

Page 1 – Modify Summary of Special Conditions, as follows:

**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending that the Commission **APPROVE** a coastal development permit for the proposed development with ~~four (4)~~ ***five (5)*** special conditions addressing: 1) conformance with submitted landscaping and monitoring plan; 2) conformance with submitted erosion control plan; 3) requirement for a coastal development permit to remove installed vegetation once established; ~~and~~ 4) future development; ***and 5) site inspection.***

Page 5 – Modify Section III, Special Conditions, as follows:

**5. Site Inspection**

**A. *By acceptance of this permit, the applicant(s) irrevocably authorize(s), on behalf of [himself, herself, itself, themselves] and [his, her, its, their] successors-in-interest with respect to the subject property, Coastal Commission staff and its designated agents to enter onto the property to undertake site inspections for the purpose of monitoring compliance with the permit, including the special conditions set forth herein, and to document their findings (including, but not limited to, by taking notes, photographs, or video), subject to Commission staff providing 24 hours advanced notice to the contact person indicated pursuant to paragraph B prior to entering the property, unless there is an imminent threat to coastal***

**resources, in which case such notice is not required. If two attempts to reach the contact person by telephone are unsuccessful, the requirement to provide 24 hour notice can be satisfied by voicemail, email, or facsimile sent 24 hours in advance or by a letter mailed three business days prior to the inspection. Consistent with this authorization, the applicant(s) and [his, her, its, their] successors: (1) shall not interfere with such inspection/monitoring activities and (2) shall provide any documents requested by the Commission staff or its designated agents that are relevant to the determination of compliance with the terms of this permit.**

**B. Prior to the issuance of the coastal development permit, the applicant(s) shall submit to Commission staff the email address and fax number, if available, and the address and phone number of a contact person authorized to receive the Commission's notice of the site inspections allowed by this special condition. The applicant is responsible for updating this contact information, and the Commission is entitled to rely on the last contact information provided to it by the applicant.**

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**W18h**

Filed: June 22, 2007  
 49th Day: August 10, 2007  
 180th Day: December 19, 2007  
 Staff: Gabriel Buhr-LB  
 Staff Report: July 12, 2007  
 Hearing Date: August 8-10, 2007  
 Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-07-206**APPLICANT:** James and Eileen Joyce**AGENT:** Ann Dalkey (Urban Wildlands Group)**PROJECT LOCATION:** 529 Paseo de la Playa, City of Torrance, Los Angeles County

**DESCRIPTION:** Remove non-native vegetation and revegetate with native southern foredune scrub and southern bluff scrub to provide habitat for the endangered El Segundo blue butterfly. Habitat restoration would occur on the lower portion of bluff on residential coastal bluff lot.

Lot Area	21,950 square feet
Building Coverage	2,000 square feet
Pavement Coverage	600 square feet
Landscape Coverage (total)	19,350 square feet
Habitat Restoration (proposed)	7,275 square feet
Parking Spaces	2
Zoning	R-3 (Limited Multiple Family)
Plan Designation	R-LO Low Density

**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending that the Commission **APPROVE** a coastal development permit for the proposed development with four (4) special conditions addressing: 1) conformance with submitted landscaping and monitoring plan; 2) conformance with submitted erosion control plan; 3) requirement for a coastal development permit to remove installed vegetation once established; and 4) future development.

**SUBSTANTIVE FILE DOCUMENTS:**

1. *Habitat Enhancement Plan for El Segundo Blue Butterfly at 529 Paseo De La Playa, Torrance, CA*, Prepared for U.S. Fish and Wildlife Service Cooperative Agreement #1448-11430-1-J041, prepared by Travis Longcore, Ph.D. of The Urban Wildlands Group, Inc., July 27, 2006.
2. Coastal Development Permit No's. 5-92-131, 5-03-280, 5-03-328, and 5-04-324.
3. City of Torrance Local Coastal Plan
4. California Coastal Zone Conservation Commission 1972 aerial photographs #7236-20 and #7236-21

**LIST OF EXHIBITS**

1. Location Map
  2. Assessor's Parcel Map
  3. Map of property at 529 Paseo De La Playa with demarcation of revegetation area
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**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions by passing the following motion:

**MOTION:**     *I move that the Commission approve Coastal Development Permit No. 5-07-206 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:**

**I. Approval with Conditions**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. 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. Landscaping Installation and Monitoring

- A. Installation and ongoing monitoring. The applicant shall undertake plant installation and ongoing monitoring and maintenance as outlined in its proposal: *Habitat Enhancement Plan for El Segundo Blue Butterfly at 529 Paseo De La Playa, Torrance, CA*, prepared for U.S. Fish and Wildlife Service Cooperative Agreement #1448-11430-1-J041, prepared by Travis Longcore, Ph.D. of The Urban Wildlands Group, Inc., July 27, 2006, consistent with the methods and goals outlined therein, for the five year term described in those documents.
- B. Each year for five years from the date of issuance of Coastal Development Permit No. 5-07-206, the applicant shall submit, as proposed in the Habitat Enhancement Plan dated July 27, 2006, for the review and approval of the Executive Director, a monitoring report, prepared by a licensed biologist, landscape architect or qualified resource specialist that assesses whether the on-site restoration is in conformance with the restoration plan dated July 27, 2006. The habitat goal is that at five years from the date of the first native plantings, the on-site restoration should provide no less than 80 percent coastal bluff scrub plant cover with 10 percent bare sand and no more than 10 percent exotic plant cover. The monitoring reports shall include photographic documentation of plant species, plant coverage and an evaluation of the conformance of the resultant landscaping with the requirements of this special condition.
- C. If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the plan listed above in Section 1A, 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 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. The alternative landscape plan must include appropriate native plants similar to surrounding properties and provide adequate permanent erosion control.

- D. The permittee shall undertake development in accordance with the approved final plan, schedule, and other requirements. 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 Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

## 2. **Erosion Control Plan**

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and approval of the Executive Director, a plan for runoff and erosion control.

### 1. **EROSION CONTROL PLAN**

- (a) The erosion control plan shall demonstrate that:

- (1) During construction, erosion on the site shall be controlled to avoid adverse impacts on the beach.
- (2) The following temporary erosion control measures shall be used during installation of the plants: cover crops such as the native grass *Festuca* and biodegradable rolls, and/or geo-fabric blankets and wind barriers, and/or jute (not plastic) sandbags.
- (3) The applicant shall employ no hay or straw bales or other weed sources.
- (4) Following installation of the plants, the site shall be stabilized immediately with jute matting or other BMPs to minimize erosion during the rainy season (November 1 to March 31).
- (5) During establishment of the plants, the applicant shall inspect the area each fall in order to determine if there is erosion. If there is erosion, the applicant shall replace sandbags and matting and other temporary erosion control measures as necessary.

- (b) The plan shall include, at a minimum, the following components:

- (1) A narrative report describing all temporary erosion control measures to be used during construction.
- (2) A site plan showing the location of all temporary erosion control measures.
- (3) A schedule for installation and removal of the temporary erosion control measures.

- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission

amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**3. Coastal Development Permit Required For Removal of Vegetation Installed as a Result of This Coastal Development Permit**

After establishment of the plants, approval of an application for a coastal development permit from the applicant or an amendment to this permit 5-07-206 will be required for removal of the coastal bluff scrub plants installed as part of this project. This does not apply to the removal and replacement of dead or diseased plants identified in the monitoring program.

**4. Future Development**

A. This permit is only for the development described in coastal development permit No. 5-07-206. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the Habitat Enhancement Plan or any change in the final plans of the development approved pursuant to Permit No. 5-07-206, shall require an amendment to Permit No. 5-07-206 from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

**IV. Findings and Declarations**

The Commission hereby finds and declares:

**A. Project Description**

The project site is located within an existing residential area at 529 Paseo de la Playa, City of Torrance, Los Angeles County (Exhibits 1 & 2). The site is the eleventh southernmost lot of the 28 lots on the bluff top between the first public road, Paseo de la Playa, and the sea. The bluff in question varies in height from approximately 60 feet at the Los Angeles County Torrance Beach Park to the north of the residential lots to 120 feet near the boundary of Palos Verdes Estates. All 28 bluff top lots have been developed with single family residences. The residences are located at the top of the bluff, and except for a few cabañas, stairways and pathways, most of which have pre-coastal documentation in other permit actions, the bluff face remains undeveloped (a thorough description and table representing Torrance bluff development can be found in CDP #5-04-324 Bredesen acted on by the Commission at the June 2005 hearing). Torrance Beach, the beach seaward of the toe of the bluff, is public. Vertical public access to this beach is available to pedestrians via public parking lots and footpaths located at the Los Angeles County Beaches and Harbors' "Torrance Beach Park", which is approximately 1,000 feet to the north of the project site. There is also a vertical beach public access way and public parking area located approximately one mile to the south of the project site in Palos Verdes Estates.

A 1972 aerial photograph in the Coastal Commission office shows that a residential structure existed on the top of the bluff prior to the Coastal Act. Commission staff has visited the area and researched the historical existence of bluff face development in the subject area on the residential lots on Paseo de la Playa. Of the twenty-eight residential lots on Paseo de la Playa, six have

approved stairs or hardened footpaths that extend down the bluff, three of which are pre-coastal, and three of which received coastal development permits allowing the construction of stairs/walkway to the beach. The Commission acknowledges that several lots have inconspicuous pioneered paths down the bluff; shared with adjacent lots or the public, these are not improved and appear in 1973 photographs. The applicant's property has a pioneered footpath extending down the bluff face which is shared with the property directly adjacent to the south; based on the 1972 aerial photographs of the bluffs, Coastal Commission staff has determined that the path existed prior to the date that the Commission or its predecessor agency assumed permit jurisdiction and is therefore determined to be a pre-coastal pathway. The applicant intends to utilize this pathway for access to the revegetation site during installation, maintenance and monitoring, however no improvements or development to the pathway is proposed or approved as a part of this coastal development permit.

The applicant is requesting approval for development on a coastal bluff face. The project involves removing exotic vegetation consisting primarily of iceplant (*Carpobrotus edulis*) on the lower quarter of the bluff face (Exhibit 3) and installing native plants propagated from local sources to establish a native southern bluff scrub habitat suitable for the El Segundo blue butterfly. No permanent irrigation system will be installed, hand watering will be conducted as needed to augment natural precipitation. As part of the project, the applicants propose a landscape-monitoring plan to measure the effectiveness and success of the restoration project. The applicant does not propose any changes to the existing drainage patterns on the site.

## **B. Habitat**

Section 30240(a) of the Coastal Act states:

*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.*

### **Legal Mechanisms to Install and Protect Habitat**

The US Fish and Wildlife Service encourages the establishment of habitat for an endangered species through the creation of a Safe Harbor Agreement between a private landowner and the federal government. In exchange, the landowner would face no penalties for removal of the established habitat after it has been established and maintained on-site for a period of thirteen years.

The Coastal Act operates differently in regards to established native habitat. If the proposed installation is successful, and the endangered El Segundo blue butterfly becomes established on-site, the land would likely be designated as an environmentally sensitive habitat area (ESHA) and subject to additional habitat restrictions under Section 30240 of the Coastal Act. While it is not likely that the Commission would allow significant development on the bluff even without the proposed habitat restoration and potential creation of ESHA, once the proposed habitat has been established no clearance of the ESHA would be permitted except for the required maintenance of the habitat. Only uses dependent on the ESHA would be allowed within the habitat area.

### **Site Description and Habitat Enhancement Plan**



Prior to urbanization, bluff faces in the South Bay hosted coastal bluff scrub that supported numerous species, including the El Segundo blue butterfly (*Euphilotes bernardino allyni*), which is currently endangered. According to Dr. Travis Longcore of the Urban Wildlands Group, the site was surveyed for presence of *Eriogonum parvifolium* (food plant for the butterfly) and found a small area on the lower portion of the bluff that had previously been planted with *Eriogonum parvifolium*. The proposed enhancement area is covered predominantly with the invasive exotic plants, iceplant (*Carpobrotus edulis*) and acacia (*Acacia* sp.). The applicant is proposing to enter a portion of his property into a habitat enhancement plan for the El Segundo blue butterfly. The Habitat Enhancement Plan was developed by The Urban Wildlands Group, Inc. and the U.S. Fish and Wildlife in a Safe Harbor Agreement, established to enhance habitat for the El Segundo blue butterfly. The lower quarter of the bluff face on the applicant's property will be restored with native vegetation, which includes the food plant for the butterfly, *Eriogonum parvifolium*. The area that is designated as the "Safe Harbor Revegetation Area" extends from the toe of the bluff at the western property line (adjacent to the public beach) up approximately 60 feet (12 feet rise in elevation) to an area where lemonade berry (*Rhus integrifolia*) bushes, another native coastal scrub flora, have been previously planted by the applicant (Exhibit 3). The width of the lot is 60 feet. The Habitat Enhancement Plan submitted by the applicant proposes to remove the exotic vegetation from the area, this consists primarily of iceplant which will be removed by hand. Existing native plants already planted by the property owners will remain in place. The applicant proposes to replace the exotics with a diverse community of native bluff plants that will reduce erosion and provide potential habitat for native animals, including the federally endangered El Segundo blue butterfly.

According to the application and Habitat Enhancement Plan dated July 27, 2006, all container plants (plants that will be used for the restoration) will be propagated from local seeds and/or cuttings. Local sources include the Palos Verdes peninsula with a preference for Malaga bluffs. Container plants will be grown from seed in greenhouse conditions such that the plant fills the container size specified. Roots will reach the bottom of the container but not show signs of being root-bound. Seeds will be hand collected and cleaned and refrigerated until application. The Irrigation plan includes initial irrigation at the time that the plants are installed. Watering will be conducted as needed to augment natural precipitation. Initial watering frequency will be twice a month, tapering to once a month as the plants mature, and halted during the summer to allow for dormancy. No irrigation will be used during the spring and summer months but may be introduced again in the late fall and through the winter months if needed.

The landscape plan includes a planting scheme consisting of a list of plants to be installed identified by both their common and scientific names and the quantity of each plant that will be installed. According to the plan, all plant species will be established simultaneously. A mix of native annual species, which includes *Festuca megalura*, will be applied to the site at the time of planting. This *Festuca* grass germinates quickly and will minimize any potential erosion from the site. The plan states in part:

*The planting scheme will include approximately 450 container plants. Plants will be set out in clumps to emulate the naturally patchy occurrence of plants in this community. We assume a founder model of succession to design the planting scheme. This model assumes that those plants that establish early during ecological succession ultimately define the community. Therefore the plantings will emulate the density and proportion of shrub and subshrub species that we intend to comprise the bluff and dune scrub at project completion.*

The enhancement plan notes that trampling the area presents a danger to the success of plantings. However, in this case the revegetation site is on private property so access is limited. A fence currently exists on the site along the western property line that protects the site from those using the adjacent beach.

The restoration project includes maintenance measure to control weeds by weeding the site throughout the winter and spring following plant installation on a biweekly basis. Special attention will be paid to potential establishment of ice plant. Weeding will be repeated following the winter rains of the second growing season following installation. One year following plant installation, container plants that did not survive will be replaced following the same protocol as the initial installation.

In addition to the restoration, the Habitat Enhancement Plan includes a monitoring plan. The proposed monitoring plan includes: 1) plant assessments – plant coverage will be quantified annually (during month of March each year) using stratified sampling. The target for native plant covering is 80 percent with 10 percent bare sand and no more than 10 percent exotic plant cover; 2) Photopoints – Progress of revegetation shall be tracked using fixed photopoints (each March); 3) butterfly surveys – The Urban Wildlands Group will survey appropriate habitat for El Segundo blue butterfly at the site each year. A minimum of five visits will be completed and results will be provided to the U.S. Fish and Wildlife Service and the Coastal Commission. In addition, the monitoring plan notes that if required, reports prepared under the Safe Harbors agreement between the U.S. Fish and Wildlife Service and The Urban Wildlands Group will be submitted to the Coastal Commission each spring by April 30. **Special Condition #1(B)** formalizes this offer by requiring the annual report for up to 5 years from the date of the approved coastal development permit 5-07-206.

A Commission staff biologist reviewed the proposed enhancement plan and monitoring plan and concurs that the submitted plans are appropriate for the type of restoration being proposed. On September 11, 2003 the Commission approved a similar type of bluff restoration project up coast from this site, just north of the Torrance beach public parking lot in the City of Redondo Beach (5-03-280).

Monitoring is necessary to assure that any restoration project succeeds. Conditions vary with each site. Monitoring can assure that the type of plants is appropriate to that site; that the density of cover is established, and that erosion control weeding and replacement of failing plants occurs. Moreover, there are relatively few coastal bluffs suitable for restoration projects and accessible for such efforts. Restoration is necessary to support the reestablishment of the rare and endangered species that once flourished on these bluffs. While no habitat is displaced in the process, the project represents an opportunity that may not be repeated. Monitoring will provide the applicant and the Commission with useful information for designing future projects.

Monitoring is necessary for a second reason. If disturbance of the existing soils is allowed to enable restoration, there is the possibility of erosion resulting from the activity itself. Sloughing has occurred in the past due to rainfall and pioneered trails. The proposed plan provides for coverage dense enough to prevent rain induced erosion, and the existing fencing system should prevent the public from walking on to the restored area. It is important to monitor and maintain the site to assure that these features can function as proposed and if corrections are needed to propose necessary changes.

The Commission is requiring as a part of **Special Condition #1** that final monitoring plans conform to the plans submitted to the Commission dated July 27, 2006. 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 and monitoring plans approved pursuant to this permit, the applicant is required to submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The Commission finds that coastal bluff restoration that provides potential habitat for an endangered species is consistent with Section 30240 of the Coastal Act.

### **C. Geologic Stability/Erosion Control**

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,*

Section 30253 of the Coastal Act states:

*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 project site is located within an existing residential area at 529 Paseo de la Playa, City of Torrance. The site is the eleventh southern most lot of the 28 lots on the bluff top between the first public road, Paseo de la Playa, and the sea (Exhibit 2). The southern end lots, just up coast from the Palos Verdes Peninsula, consist of higher, rocky material. As the bluffs extend north, they become less steep and consist of sandy material. Large portions of the bluff face within the subject area are planted with iceplant as a groundcover. Iceplant is often described as a contributing factor to slope failure due to the fact that it is shallow rooted and grows into a heavy mat that impedes evaporation and may break loose and slide during periods of high rainfall because of its weight and structure.

The applicant proposes to remove the iceplant and install locally native plants from the coastal scrub and Malaga Bluffs communities. The applicant expects that native bluff face plants themselves will provide erosion control. According to the proposed enhancement plan, a mix of native annual species will be planted at the time of planting. The mix includes *Festuca megalura* to act as erosion control. The *Festuca* will stabilize the soil while the other plants become established. The *Festuca* is not invasive, and will diminish in cover as the rest of the plants establish. The Commission recognizes the benefit of restoring the bluff with native plants and suitable habitat for coastal animals and notes that such establishment of plants will prevent erosion. However, the Commission must also be prepared that if the proposed restoration is not successful for whatever reason, measures must be taken to ensure that the bluff will be protected from erosion and runoff. Therefore the Commission is requiring that the final landscape and monitoring plans conform to the proposed plans (80 percent coverage of native plants) and that if the proposed landscape fails, the applicant must submit a revised plan to install some types of vegetation on the bluff that will stabilize the bluff by protecting it from erosion and that revised plan must be submitted to the Executive Director for review and approval.

As discussed above, the project site is currently covered with an exotic species (iceplant) that may serve as an erosion control purpose in the short term but is both invasive and as noted above, may in fact increase erosion over time. The proposed project includes removing iceplant by hand. The enhancement plan proposes that best management practices will be used to minimize erosion from the site. In addition to planting a cover crop of *Festuca*, the iceplant that is cleared will be piled by the fence at the base of the slope (on the applicant's property) to form a filter for water that might run off. This is a similar method used in the Redondo Beach pilot restoration project just up coast from Torrance beach (5-03-280). Because the proposed development will be occurring during the potential rainy season, the Commission is requiring that erosion control be implemented during construction. Erosion control measures may include using fiber rolls or geo-fabric blankets to cover exposed dirt when work is not being done such as during the nighttime. Wind barriers should also be used to prevent loose soils from blowing off of the site.

The Commission is requiring that the site be stabilized with jute matting or other BMPs to minimize erosion during the rainy season if plantings have not been fully established. If the proposed restoration fails, the applicant must come back to the Executive Director with an alternative landscape plan in order to establish plants that will provide adequate permanent erosion control. Only as conditioned does the Commission find the project consistent with the marine resource protection policies of the Coastal Act.

#### **D. Public Access**

All projects requiring a coastal development permit must be reviewed for compliance with the public access provisions of Chapter 3 of the Coastal Act. Section 30210 states that maximum access and recreational opportunities shall be provided to protect public rights:

*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.*

The proposed development is located within an existing fully developed residential community partially located between the sea and the first public road paralleling the sea. Torrance Beach, a public beach, is located seaward of the applicant's property line at the toe of the bluff. Public access through the privately owned residential lots in this community does not currently exist and there is no evidence of historic public access across this lot. However, adequate public access to Torrance Beach is available via public parking lots and footpaths at Redondo Beach located to the north of the project site (Exhibit 1). There is also a beach access way and public parking to the south of the project site in Palos Verdes Estates. The proposed development will not result in any adverse impacts to existing public access or recreation in the area. Therefore, the Commission finds that the project is consistent with the public access and recreation policies of the Coastal Act.

### **E. Visual Resources**

Section 30251 of the Coastal Act states:

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

The proposed project consists of replacing iceplant with native coastal scrub plants along the bluff face. There is no proposed change to the chain link fence that exists at the base of the bluff. The fence is open and does not block views from the beach looking inland. The Commission finds that public views are protected and the project is consistent with the visual resource policies of the Coastal Act.

### **F. 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 Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).*

On June 18, 1981, the Commission approved with suggested modifications the City of Torrance Land Use Plan (LUP). The City did not accept the modifications and the certified LUP, which was valid for six months, lapsed. The major issues raised in the LUP were affordable housing, bluff top development and beach parking.

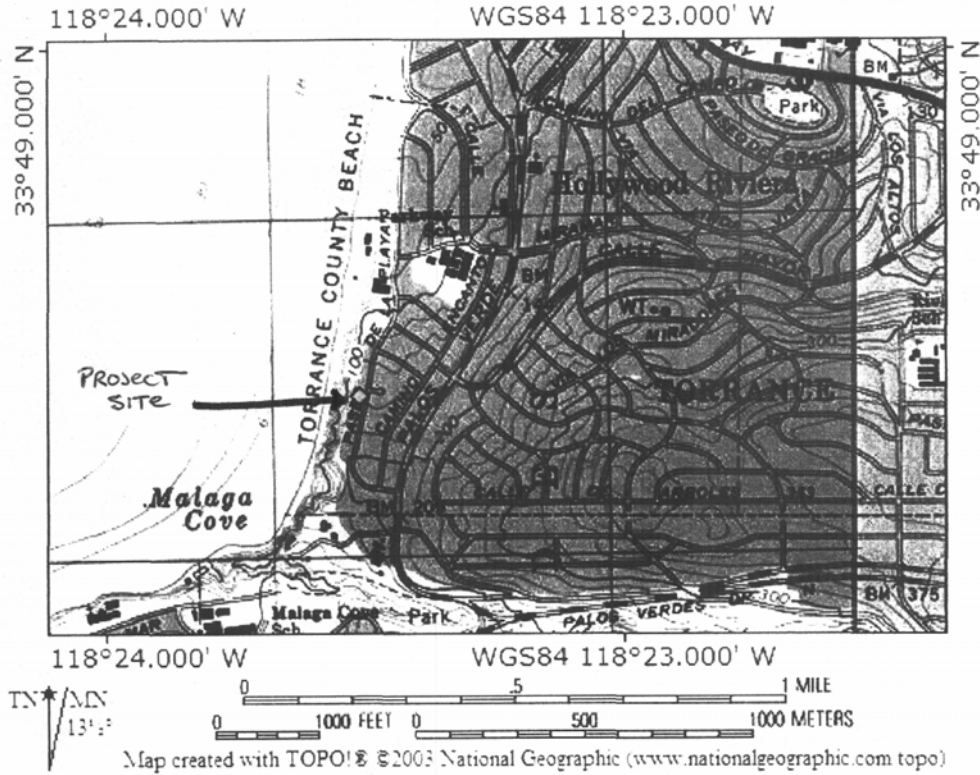
Based upon the findings presented in the preceding section, the Commission finds that the proposed development consisting of the Habitat Enhancement Plan, as conditioned, will not create adverse impacts on coastal resources and is therefore consistent with applicable policies contained in the City

of Torrance certified LUP. In addition, the Commission finds that approval of the proposed habitat enhancement project will not prejudice the City's ability to prepare a Local Coastal Program consistent with the Chapter 3 policies of the Coastal Act, as required by Section 30604(a).

**G. California Environmental Quality Act (CEQA)**

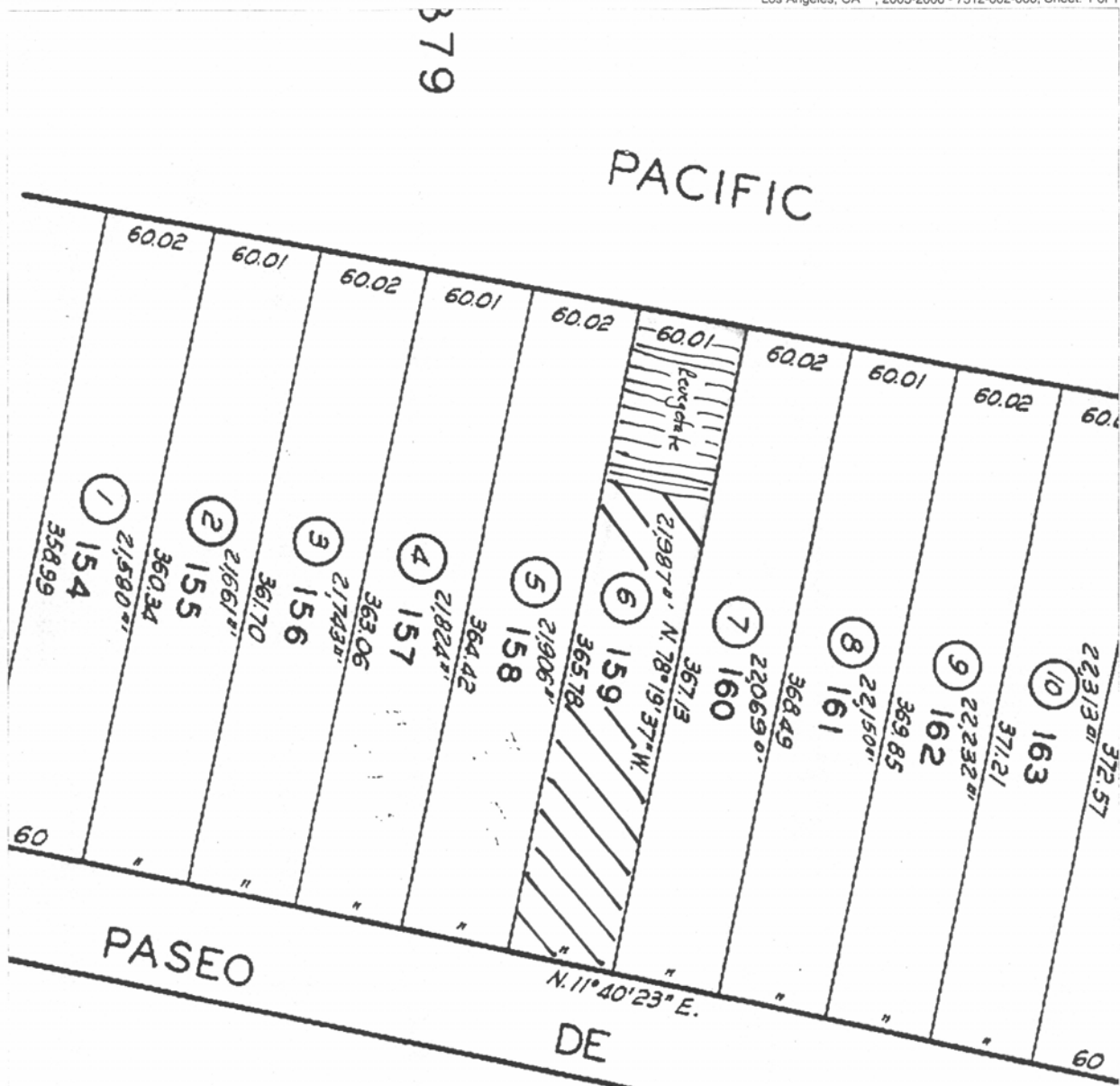
Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality 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 which the activity may have on the environment.

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



USGS topographical map of Paseo de la Playa with address 529 indicated by yellow diamond.

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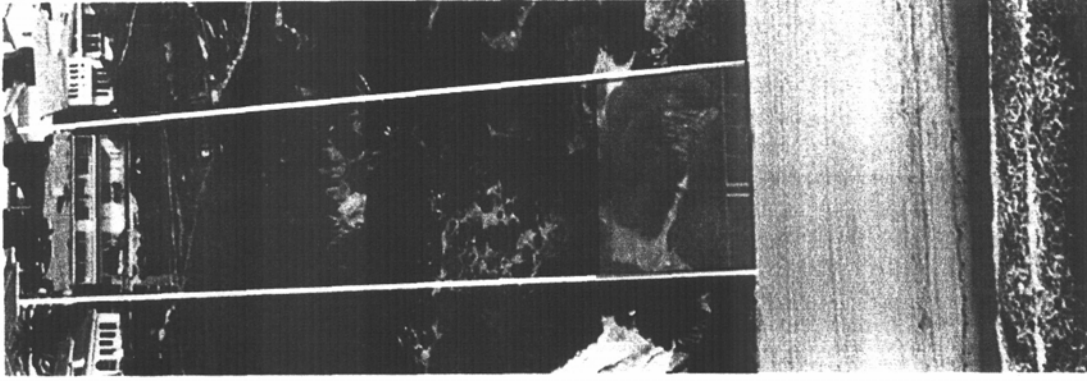
## Site Plan for Joyce Revegetation

Shaded area at bottom of slope to be revegetated.

No irrigation to be installed (hand water only).

Ice plant to be removed.

Revegetation area slopes downward 12 feet from top to bottom, with a flat plateau at top and a steeper (unvegetated) outcrop near the downslope fence.



**EXHIBIT# 3**

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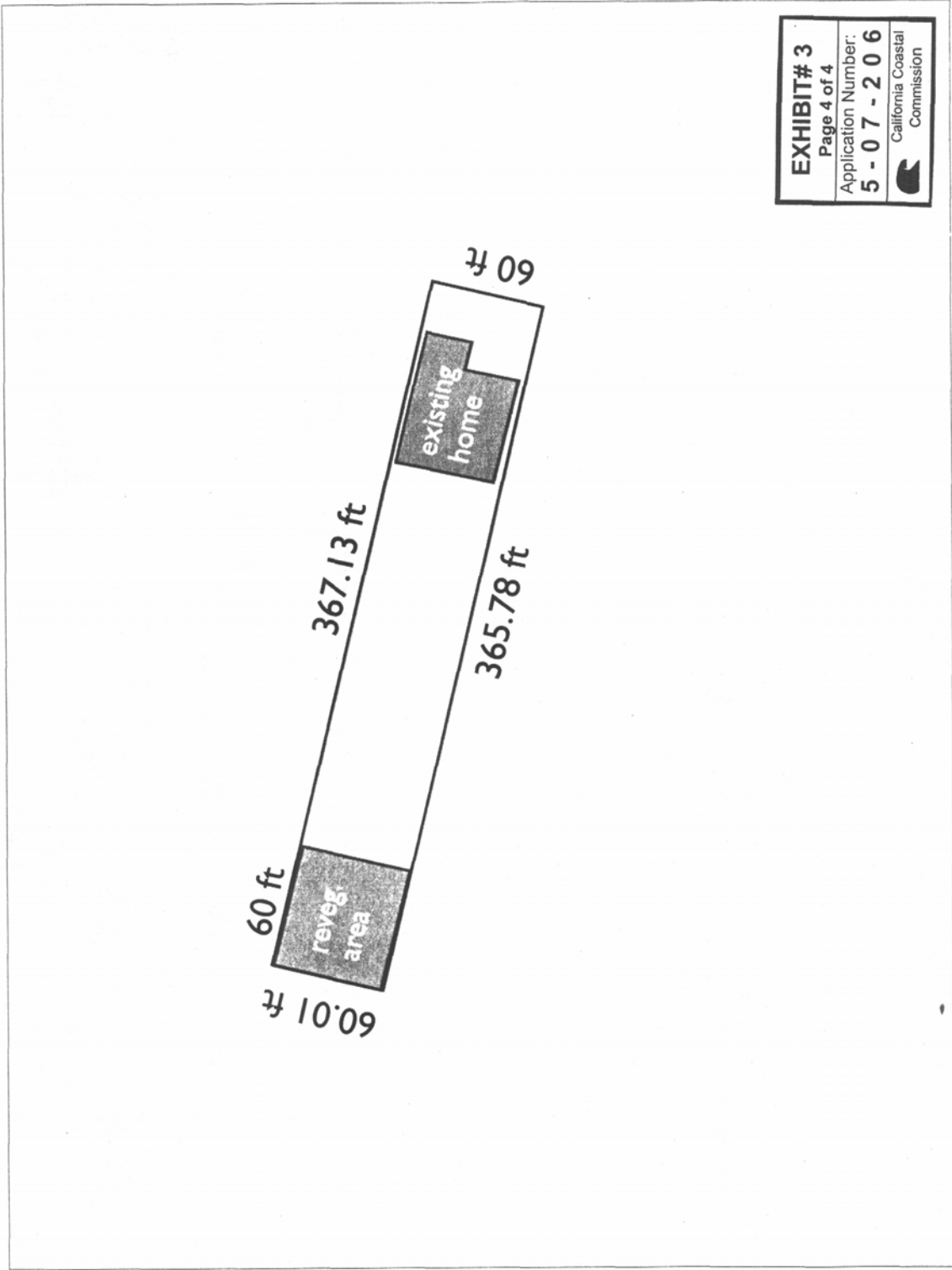
View of iceplant  
to be removed  
(foreground).



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