

CALIFORNIA COASTAL COMMISSION

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**TH 25a.**

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Staff Report:	9/22/08
Hearing Date:	10/15-17/08

STAFF REPORT: REGULAR CALENDAR**APPLICATION NUMBER:** 5-06-360**APPLICANT:** Steve Walbridge**AGENT:** Susan McCabe**PROJECT LOCATION:** 431 Alma Real Drive, Pacific Palisades

PROJECT DESCRIPTION: After-the-fact approval for the demolition of an existing single family home; construction of a two-level over basement, 28-foot high (over average grade), 12,493 square foot single family home with an attached two-car garage; 12 foot high retaining wall across the width of the lot in the rear portion of the property; 1,350 cubic yards of grading (950 cubic yards of cut and 400 cubic yards of fill); and a swimming pool.

Summary of Staff Recommendation

Staff recommends that the Commission **approve** the single-family residence with nine special conditions requiring; 1) conformance with geologic and soil recommendations; 2) swimming pool leak prevention and detection; 3) Landscaping Plans; 4) Assumption of Risk; 5) Erosion and runoff control plans; 6) Future development; 7) Plexiglass/glass wind screen treatment; 8) Condition compliance; and 9) recordation of a deed restriction against the property, referencing all of the Standard and Special Conditions contained in this staff report.

LOCAL APPROVALS RECEIVED:

- 1) City of Los Angeles Department of Building and Safety, Geology & Soils Approval Letter, Log #48051, June 10, 2005
- 2) City of Los Angeles Planning Department, Approval In Concept #ZA 2005-6427 (AIC), September 13, 2005

SUBSTANTIVE FILE DOCUMENTS:

- 1) Geology and Soils Engineering Exploration report by Grover/Hollingsworth and Associates, Inc., April 13, 2005.

- 2) Compaction Report, Retaining Wall Backfill by Grover/Hollingsworth and Associates, Inc., July 24, 2007.
- 3) Report On Landslide Study Pacific Palisades Area, September 1976, by the U.S. Army Corps of Engineers and the U.S. Geological Survey.
- 4) FEIR Potrero Canyon Park development project, City of Los Angeles, Department of Recreation and Parks, June 1995.
- 5) Final Potrero Canyon Riparian Mitigation Proposal by ERCE, August 1991.
- 6) Grading Plan and Vegetation Map, Potrero Canyon Stage 3, by William Conn, January 21, 1991.
- 7) Geologic and Soils Engineering Exploration, Potrero Canyon Park, by Kovacs Byer, and Associates, 6/3/86; 5/27/87; 7/1/87; 8/12/87; 3/14/87; 4/27/88; 5/23/88; 8/8/88.
- 8) Coastal Development Permit 5-91-286 (City of Los Angeles Recs. And Parks) as amended.
- 9) Coastal Development Permit 5-99-409 (Bagnard)
- 10) Coastal Development Permit 5-00-476 (Kirkwood)

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION FOR COASTAL DEVELOPMENT PERMIT NO. 5-06-360:

Staff recommends that the Commission make the following motion and adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-06-360 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

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

further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

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

A) All final design and construction plans and grading and drainage plans, shall be consistent with all recommendations contained in the Geology and Soils Engineering Exploration report by Grover/Hollingsworth and Associates, Inc., April 13, 2005, and with the conditions imposed by the City of Los Angeles Department of Building and Safety, Geologic/Soils Review Letter No. 48051, dated June 10, 2005.

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 required.

2. Swimming Pool Leak Detection

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a written plan to mitigate for the potential of leakage from the proposed swimming pool and spas. The plan shall, at a minimum: 1) provide a separate water meter for the pool to allow monitoring of the water usage for the pool and the home; 2) identify the materials, such as plastic linings or specially treated cement, to be used to waterproof the underside of the pool to prevent leakage, and information regarding past success rates of these materials; 3) provide double wall construction to swimming pool and spa with a drainage system and leak detection system installed between the walls, and; 4) identify methods used to control pool drainage and to prevent infiltration from drainage and maintenance activities into the soils of the applicant's and neighboring properties. The applicant shall comply with the mitigation plan approved by the Executive Director.

3. Landscape Plan

A. Prior to issuance of a Coastal Development Permit, the applicant shall submit a landscaping plan prepared by a professionally licensed landscape architect or resource specialist, for review and approval by the Executive Director. Prior to this submittal, the plan shall be reviewed by Los Angeles City Fire Department for compliance with fuel load standards. The plan shall include, at a minimum, the following components: a map showing the type, size, and location of all plant materials that will be on the developed site, the topography of the developed site, all other landscape features, and a schedule for installation of plants. The landscaping plan shall show all existing vegetation. The plan shall incorporate the following criteria:

- (a) The subject site shall be planted and maintained for slope stability, erosion control, native habitat enhancement purposes. The landscaping shall be planted within sixty (60) days of approval of this permit. To minimize the need for irrigation and minimize encroachment of non-native plant species into adjacent, existing native plant areas, landscaping on the entire lot shall consist of drought tolerant, non-invasive plant species (see Exhibit No. 13 for a list of invasive plant species) of the coastal sage community as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996; no plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council (formerly known as the California Exotic Pest Plant Council), or as may be identified from time to time by the State of California shall be utilized on the property. 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.

- (b) Landscaped areas in the rear sloped (canyon side) portion of the yard shall consist of mainly native, drought tolerant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996. The landscaping shall be planted using accepted planting procedures required by a professionally licensed landscape architect. To alleviate fire hazard risks the commission requires the use of native grasses and low canopy, native/fire resistant species near the canyon edge, gradually increasing the percentage of larger, coastal sage scrub species at the outer edge of the property.
- (c) The landscaping on the flat portion of the lot shall not include volatile plant species, such as eucalyptus, pine, and other introduced species, which increase the fuel load to the area. A majority of the landscaping on the flat portion of the lot shall consist of native plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996.
- (d) The applicant shall provide, for the review and approval of the Executive Director, a fuel modification and fire safety plan for the development. The fuel modification plan shall include the permittee's landscaping plan, details regarding the types, sizes and location of plant materials, how often thinning is to occur, and the location of all combustible structures located between the westerly wall of the home and the canyon-side property line. Highly volatile plants that increase the fuel load, such as eucalyptus, conifers, and other introduced plants that add to the fuel load shall not be used on the flat portion of the lot. The applicant shall not construct or otherwise incorporate "vulnerable" structures such as elevated or cantilevered wooden decks at the canyon edge because of the increased risk of spreading fire. The plan shall minimize impacts to natural vegetation and public views and must have been reviewed and approved by the Los Angeles City Fire Department. If the fuel modification plan anticipates any removal of vegetation, including thinning, on City Department of Recreation and Parks lands, the applicant shall provide a signed agreement with the City of Los Angeles Department of Recreation and Parks acknowledging that the property is adjacent to Potrero Canyon and is consistent with the visual quality and habitat resources of the park. The agreement shall specify the location and methods of fuel modification (if any) on City of Los Angeles Department of Recreation and Parks land, and shall specify the amount of any fees or indemnification required for the use of City Property for such fire buffer.
- (e) An irrigation system incorporating low-flow rotor heads and drip irrigation shall be allowed within the property. The applicant shall provide in-ground moisture sensors and flow meter sensors as proposed to alleviate the

potential impacts from irrigation system malfunction, pipe breakage, and/or excessive watering. The applicant shall also incorporate an automatic irrigation system shutdown in case of a power failure during irrigation operation.

- (f) 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 in the landscaping plan.

B. Monitoring

Five years from the date of the receipt of the Coastal Development Permit for the residence the applicant or successor in interest 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 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.

C. The permittee shall undertake development in accordance with the approved final 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 Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. **Assumption of Risk, Waiver of Liability and Indemnity**

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from landslide activity, erosion and/or earth movement, (ii) to assume the risks to 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.

5. **Erosion and Drainage Control**

A. **Prior to Issuance of the Coastal Development Permit**, the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and drainage control.

1) **Erosion and Drainage Control Plan**

(a) The erosion and drainage control plan shall demonstrate that:

- During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties, public streets, and Potrero Canyon.
- The following temporary erosion control measures shall be used during construction: 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, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible.
- Permanent erosion and drainage control measures shall be installed to ensure the stability of the site, adjacent properties, and public streets.
- All drainage from the flat portion of the lot shall be directed toward the street and away from the canyon slope into suitable collection and discharge facilities.

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

- A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.
- A site plan showing the location of all temporary erosion control measures.
- A schedule for installation and removal of the temporary erosion control measures.
- A written review and approval of all erosion and drainage control measures by the applicant's engineer and/or geologist.
- A written agreement indicating where all excavated material will be disposed and acknowledgement that any construction debris disposed within the coastal zone requires a separate coastal development permit.

(c) The drainage control plan shall demonstrate that:

- Run-off from the project shall not increase the sediment or pollutant load in the storm drain system above pre-development levels.
 - Run-off from all roofs, patios, driveways and other impervious surfaces on the site shall be collected and discharged to avoid ponding and/or erosion either on or off the site.
- (d) The drainage control plan shall include, at a minimum, the following components:
- The location, types and capacity of pipes drains and/or filters proposed.
 - A schedule for installation and maintenance of the devices.
 - A site plan showing finished grades at two-foot contour intervals and drainage improvements.
- (e) These erosion and drainage control measures shall be required to be in place and operational 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 the runoff waters during construction. All sediment shall be retained on-site unless removed to an appropriately approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (f) 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, and/or silt fencing; and include temporary drains and swales and sediment basins. The plan 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.

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 required.

6. Future Development Deed Restriction

This permit is only for the development described in coastal development permit No. 5-06-360. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by coastal development permit No. 5-06-360.

Accordingly, any future improvements to the single family house authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to Permit No. 5-06-360 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

7. Plexiglass/Glass Wind Screen Treatment

A. The plexiglass or glass wind screen located on top of the retaining wall shall consist of materials designed to minimize bird-strikes. Such materials may consist, all or in part, of wood; wrought iron; frosted or partially-frosted glass, plexiglass or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or plexiglass shall not be installed. Use of opaque or partially opaque materials is preferred to clean glass or Plexiglas. All materials shall be maintained throughout the life of the development to ensure continued effectiveness at addressing bird strikes. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit final revised plans showing the location, design, height and materials of all walls, fences, and gates for the review and approval of the Executive Director.

B. The permittee shall undertake development in accordance with the approval 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.

8. Condition Compliance

Within 90 days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

9. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has 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. APPROVAL FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Location

The proposed project is the after- the-fact approval for the demolition of an existing single family home; and construction of a two-level over basement, 28-foot high at its highest level (over average grade), 12,493 square foot single family home with an attached two-car garage (Exhibit No.7 & 7a). The proposed project is located on a 15,810 square foot lot adjacent to the east side of Potrero Canyon and will be supported by conventional spread footings into competent soil.

The subject site is located on lot 30, block 1, tract 9377 in the Huntington Palisades area of the Pacific Palisades community in the City of Los Angeles (Exhibit No.1). This lot is located adjacent to and above Potrero Canyon on top of a 65 foot high slope descending at gradients of 1:1 to 2:1. The lot will overlook the new Potrero Canyon Park recreational area when the Potrero Canyon fill project reaches completion. The Potrero Canyon fill project was developed to stabilize the canyon sides and protect the existing single-family homes on the canyon edge (as further discussed in Section C). The surrounding area is comprised of one to three-level single family homes. The property is located approximately one-half mile inland of Pacific Coast Highway and Will Rodgers State Beach (Exhibit No. 1).

The applicant's proposed house is set back approximately 24 feet east of the existing canyon edge (Exhibit No. 7). The applicant's geologist recommends that the applicant support the house with conventional footings into the compacted fill provided the footings are set back 20 feet from the horizontal setback from the slope face. The applicant's geologist and the City's geologist and geological engineer have approved the applicant's proposed project.

The proposed project includes the construction of an 84-foot long, 12-foot high retaining wall, supported by 11, 24-inch in diameter reinforced concrete piles. The toe of the retaining wall is located 30 feet downslope of the canyon edge. The area behind the retaining wall will be backfilled to extend the rear yard and provide an area for a proposed swimming pool (Exhibit No. 7).

The applicant received an Approval in Concept and a Building Permit from the City of Los Angeles Planning Department in 2005 for the construction of a single-family residence and retaining wall as discussed further in the following section.

B. Project History

Section 30600(b)(1) of the Coastal Act allows local government to assume permit authority prior to certification of a Local Coastal Program. Under this section, local government may establish procedures for the filing, processing, review, modification, approval, or denial of coastal development permits within its area of jurisdiction in the coastal zone. Section 30601 establishes that in certain areas, and in the case of certain projects, a permit from both the Commission and local government will be required. Section 30602 states that any action taken by a local government on a coastal development permit application can be appealed by the Executive Director of the Commission, any person, or any two members of the Commission to the Commission within 20 working days from the receipt of the notice of City action.

In 1978, the City of Los Angeles opted to issue its own coastal development permits. The Commission staff prepared maps that indicate the area in which Coastal Development Permits from both the Commission and the City are required. This area is commonly known as the "Dual Permit Jurisdiction." Areas in the coastal zone outside the dual permit jurisdiction are known as the "Single Permit Jurisdiction". The City assumes permit jurisdiction for projects located in the single permit jurisdiction. This project (5-06-360) is located within the "Single Permit Jurisdiction". In certain instances, when the City determines that the project conforms with City land use regulations, an Approval In Concept is issued and the City directs the applicant to apply for a permit from the Coastal Commission. The City, therefore, relinquishes its Coastal Development Permit issuing authority to the Commission.

The applicant received an Approval In Concept letter (ZA-2005-6427-AIC) from the City of Los Angeles Planning Department on September 13, 2005 for a new single family home, with attached garage, pool and spa and concrete block wall. For some unexplained reason the City cleared coastal requirements, without a coastal permit issued by the City or the Commission, and on April 25, 2006, the applicant received Building Permits from the City's Building Department for the new single-family dwelling and retaining wall.

On May 26, 2006, Commission enforcement staff sent a letter to the property owner (current applicant) informing him that the development observed, consisting of demolition of the existing house, grading and excavation on top and on the face of the bluff, including the potential removal of native vegetation required a Coastal Development Permit. As of the date of the letter, the applicant had not commenced construction of the new single-family residence, foundation, or retaining wall. The letter required the applicant to submit a complete coastal development permit application by June 23, 2006. Subsequently, on August 17, 2006, enforcement staff sent a second letter informing the applicant that an

application had not yet been filed, and gave the applicant until September 14, 2006 to submit a complete application. The applicant submitted application No. 5-06-360 on September 14, 2006 to the South Coast District office of the Coastal Commission; however, the application was deemed incomplete and the applicant was requested to provide additional information. The application remained incomplete until March 12, 2008, when the applicant's agent submitted the requested information. Throughout this period construction continued on the project site without the benefit of a Coastal Development Permit from the Commission.

C. Potrero Canyon Fill Project

Coastal Development Permit No. 5-91-286 as presently amended allows the City to place a large volume of fill in Potrero Canyon, a coastal canyon. Before the fill occurred there was a blue line stream and 3.64 acres of riparian vegetation, primarily willow woodland at the bottom of the canyon. The sides of the canyon were covered with coastal sage scrub. The fill in the canyon was necessary because landslides had resulted in the loss of twenty homes and endangerment of other homes. The original permit included about 3 million cubic yards of fill, including fill 100 feet above the flow line of the stream, plus additional buttress fills, wedges of earth, extending up to the level of existing lots on the canyon rims. After denial of the initial permit application, Coastal Development Permit No. 5-86-958 was granted in 1988 and reissued as No. 5-91-286 in September 1991, after the former expired. The Commission found that the development as proposed was not consistent with Section 30231 and 30241 of the Coastal Act and could only be approved if the applicant agreed to restore the riparian habitat area that had existed in the canyon bottom at a 2:1 ratio. The City proposed 7.4 acres of mitigation, to be constructed as an artificial riparian area on top of the fill at the completion of the project (Phase Three). The City proposed a first amendment (No. 5-91-286-A1), the first draft of the Phase Three plans, but withdrew the amendment in order to conduct community meetings on the design of the riparian mitigation. The City's second amendment, No. 5-91-286-A2, proposed restoring 7.9 acres of riparian habitat, located in a basin protected by a plastic liner such as is used in landfill projects.

In 1993, the Commission approved the final design of the upper buttress fills, and a 12-foot wide fire road/trail access through the canyon. The City also provided a final conceptual design of the riparian area that was ultimately approved in concept by the Commission (No. 5-91-286-A2). The second amendment (No. 5-91-286-A3) that was approved with conditions by the Commission allowed a design change in the road at the canyon entrance. The third amendment (No. 5-91-286-A4) that was approved with conditions by the Commission proposed to amend Phase Two of the slope stabilization and canyon fill project to repair landslide failures between Alma Real Drive and Friends Street. Amendment A4 was never issued due to more recent slides that have occurred in the proposed project vicinity that have warranted a more significant stabilization plan than what was approved previously. This proposed stabilization will likely be submitted under a new amendment application in the near future.

Phase One of the project is now complete, and included the installation of a subdrain, the fill of the canyon to a depth of 40 feet, and the construction of a storm drain. Phase Two of the Potrero Canyon project was to consist of the importation of 2.5 million cubic yards of fill to raise the canyon grade considerably. During construction it was found that the required removal of existing landslide debris was not practicable without the deep removals to expose undisturbed bedrock, necessitating the creation of several stabilization fills in addition to the level fill. Approximately sixty-five percent of the proposed grading was completed prior to 2004 when a lack of funding caused work to cease. Phase Three is planned to involve the creation of additional stabilization fills and the creation of open space and installation of the required habitat and mitigation areas. The additional fill includes the proposed project site and properties surrounding the site. According to the preliminary design plans, fill is projected up to the edge (96 foot contour) of the canyon rim on the proposed project site.

D. Access and Recreation

Section 30210 of the Coastal Act 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.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The Coastal Act provides for the protection of public access to the coastline, the preservation of prescriptive rights when such rights are proven and encourages the use of private lands for recreation. The lot subject to this application has been a private, subdivided residential lot for many years. The lot has not been used for recreation. In approving the project that protects this lot from landslides [Coastal Development Permit No. 5-91-286 (City of Los Angeles recreation and Parks)], the Commission required the City to construct and maintain a public park in the canyon adjacent to this lot. The park includes a 7.9 acre reconstructed riparian habitat and additional acreage of coastal sage scrub. The City proposed and the Commission approved a public trail to link the Pacific Palisades recreation center to the coastline. The recreational experience proposed by the City is a mountain trail along an artificial mountain stream. The slopes along the canyon and the proposed stream will be revegetated with local native plants.

The use of this lot for residential purposes is consistent with that approval. However, the canyon wall, including the canyon wall portions of the lots adjacent to the future park, will be visible from part of the recreational area. Section 30251 of the Coastal Act requires that: "Scenic and visual qualities of coastal areas shall be considered and protected as a

resource of public importance.” The landscaping choices, retaining walls, decks, and grading choices of the lot owners along the rim will affect the City’s efforts to create a replacement for the stream and creation of a mountain hiking experience in the park. And development, such as large walls and residential structures that extend into the canyon can affect a persons enjoyment and recreational experience. Therefore, as further conditioned in the Environmentally Sensitive Habitat section below, the designing of the proposed development is conditioned to be visually compatible with the recreational use of the park. Therefore, as conditioned, the proposed project is found consistent with Section 30210, 30211, and the access policies of the Coastal Act.

E. Hazards to Development

The proposed project is located in an area subject to natural hazards. The Pacific Palisades area has a long history of natural disasters, some of which have caused catastrophic damages. Hazards common to this area include landslides, erosion, flooding, and wildfires. As mentioned above, Potrero Canyon is the site of nine disastrous landslides and several areas of slumping (Exhibit No. 4). This landslide activity was attributed to the build-out of the subdivision (specifically along the canyon edge), which increased the nuisance flow into the stream below.

The City filled the canyon to an average 75 feet above the flow line of the stream, and in several locations, placed an additional fill buttress next to the canyon walls. The City’s project is nearing completion, but additional fill is anticipated to be needed to further stabilize various areas along the rim. This present applicant is one of a growing number of property owners who are now proposing to rebuild on the canyon rim.

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 applicant has provided a geology and soils report from the consulting firm of Grover Hollingsworth, Inc. The applicant received a geologic approval letter from the Grading Division of the City of Los Angeles, Department of Building and Safety indicating that the geotechnical reports are acceptable provided that the City’s recommendations are complied with during site development.

The proposed single-family residence is located on a lot in the upper canyon and setback from the existing canyon edge approximately 24 feet and is not located on any canyon fill

area. The main canyon fill was designed to slow down the failure of the material on the canyon walls and to prevent the slides from expanding.

The top of the main canyon fill is currently approximately 25 to 30 feet below the level of the buff edge of this lot. Because the portion of the lots adjacent to the canyon walls may still be subject to creep or sloughing, individual owners are required to demonstrate that their development is sited and designed so that settlement of the main canyon fill or sloughing of the walls will not damage the structures.

The applicant's geology report (Grover Hollingsworth, Geologic and Soils Engineering Exploration, dated April 13, 2005) requires the applicant to remove and recompact the soil under the proposed home. Conventional footings can then be founded into the compacted fill to support the proposed single family home. The applicant's geologist asserts that the house site has a factor of safety of 1.5 or greater.

The factor of safety in excess of 1.5 demonstrates that, by a geotechnical standpoint, the subject site, supported by conventional footings, is geologically stable. The 1.5 factor of safety is the generally accepted factor of safety among geotechnical engineers as the minimum value required to ensure slope stability. The geotechnical report states that the proposed development is considered feasible from a geotechnical engineering standpoint provided their recommendations are incorporated into the development plans. Therefore, the foundation system should assure stability of the site consistent with Section 30253 of the Coastal Act if the project is carried out in accordance with the recommendations set forth in the geotechnical reports and the City of Los Angeles, Department of Building and Safety.

1. Conformance with Geotechnical Recommendations

Recommendations regarding the design and installation of the single family home, swimming pool, foundation system, and grading have been provided in reports and letters submitted by the applicant, as referenced in the above noted final reports. Adherence to the recommendations contained in these reports is necessary to ensure that the proposed single family home and foundation system assures stability and structural integrity, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way requires the construction of protective devices that would substantially alter natural landforms.

Therefore, Special Condition No. 1 requires the applicant to conform to the geotechnical recommendations by Geology and Soils Engineering Exploration by Grover/Hollingsworth and Associates, dated April 13, 2005. The applicant shall also comply with the recommendations by the City of Los Angeles Department of Building and Safety, Geologic/Soils Review Letter Log #48051, June 10, 2005.

The proposed swimming pool has also been reviewed by Grover/Hollingsworth and approved by the City of Los Angeles. However, because of the potential for leakage which can cause or

contribute to slope failure the Commission imposes Special Condition No. 2 which requires the applicant, prior to the issuance of the Coastal Development Permit, to provide a written plan and to implement the plan to mitigate the potential for leakage from the pool. The plan shall include separate water meters for the pool and the existing home to help in determining whether there is a leak in the pool structure and include plastic lining or specially treated cement, to be used to waterproof the underside of the pool to prevent leakage with double wall construction. Also, the applicant shall submit final drainage plans that demonstrates where spill water and water from maintenance activities will be contained and diverted.

2. Assumption of Risk Deed Restriction/ Fuel Modification

Under Section 30253 of the Coastal Act new development in areas of high geologic, flood, and fire hazard may occur so long as risks to life and property are minimized and the other policies of Chapter 3 are met. The Coastal Act recognizes that new development may involve the taking of some 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/her property.

The development is located on the edge of Potrero Canyon. The canyon walls are vegetated with a mixture of native plant species, predominately coastal sage scrub, and introduced ornamental plant species. The subject property is relatively flat for 117 feet from the street to the canyon edge. Then the property slopes approximately 45 feet down the side of the canyon (Exhibit No. 6) at approximately a 1:1 slope. The City of Los Angeles, Department of Recreation and Parks owns the remainder of the canyon wall and bottom of the canyon. One of the many risks in developing in this area is the potential for brush fires. There is a potential conflict between the needs of a homeowner for fire safety and the responsibility of the park agency, which owns the adjacent canyon, to maintain watershed cover and habitat on parkland. To prevent escalating conflicts between the homeowner, the park agency, and fire department, Special Condition No.3, in part, requires the applicant to provide a fuel modification plan approved by the City of Los Angeles Fire Department (as further discussed in Section H.6. and in Section F below).

The Geotechnical analysis reports by Grover Hollingsworth, Inc. have stated that the subject property is suitable for the proposed development, however, the geotechnical report is commissioned by the applicant and ultimately the conclusion of the report and the decision to construct the project relying on the report is the responsibility of the applicant. The proposed project may still be subject to natural hazards such as slope failure, erosion, and wild fire. The geotechnical evaluations do not guarantee that future erosion, landslide activity, land movement, or wild fire will not affect the stability of the proposed project. Because of the inherent risks to development situated on a canyon edge, surrounded by coastal sage scrub and brush, the Commission cannot absolutely acknowledge that the design of the single family home will protect the subject property during future storms, erosion, and/or landslides nor will it prevent the possibility of brush fires. Therefore, the Commission finds that the proposed project is subject to risk from landslides, erosion and/or wild fire and that the applicant should assume the liability of such risk.

The applicant may decide that the economic benefits of development outweigh the risk of harm, which may occur from the identified hazards. However, neither the Commission nor any other public agency that permits development should be held liable for the applicant's decision to develop. Therefore, the applicant is required to expressly waive any potential claim of liability against the Commission for any damage or economic harm suffered as a result of the decision to develop. The assumption of risk, when recorded against the property as a deed restriction, will show that the applicant is aware of and appreciates the nature of the hazards which may exist on the site and which may adversely affect the stability or safety of the proposed development. In case an unexpected event occurs on the subject property, the Commission attaches Special Condition No. 4 which requires recordation of a deed restriction whereby the land owner assumes the risk of extraordinary erosion, geologic, and/or fire hazards on the property and excepts sole responsibility for the removal of any structural or other debris resulting from landslides, slope failures, or erosion on and from the site. The deed restriction will provide notice of potential hazards of the property to potential buyers of the property, lending institutions, and insurance agencies.

Therefore, prior to issuance of the Coastal Development Permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, which reflects the applicant's assumption of the risks of the development. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

3. Erosion Control Measures

Protection of water quality is required by Coastal Act Section 30230 and 30231

Section 30230 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 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.

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion via rain or wind could result in possible acceleration of slope erosion and landslide activity. Special Condition No. 5 requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. The applicant shall follow both temporary and permanent erosion control measures to ensure that the project area is not susceptible to excessive erosion.

Currently, runoff flows over and across the subject property to the bottom of Potrero Canyon and to the adjacent street. Although the applicant has proposed a drainage plan to remove water from the site consistent with the consulting geologist and City's requirements, the Commission finds that a complete erosion control plan for both permanent and temporary measures is necessary to protect water quality during and after construction of the project. Therefore, prior to issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Executive Director, a temporary and permanent erosion control plan that includes a written report describing all temporary and permanent erosion control and run-off measures to be installed and a site plan and schedule showing the location and time of all temporary and permanent erosion control measures (more specifically defined in Special Condition No.5).

4. Development between Residential Structure and Westerly Property Line

As discussed in Section C of this staff report, nine major slides and a number of surficial slumps occurred as a result of erosion from the stream that was located in the bottom of the Potrero Canyon (Exhibit No. 4). The subject site was not affected by the landslide activity but does lie in close proximity to one of the nine major landslides.

The Geotechnical report has indicated that the proposed home can be built using conventional spread footings into compacted soils and that the subject site has a factor of safety in excess of 1.5 on the flat portion of the lot and along the canyon slope. Future development in the area between the current home in this application and the westerly property line on the canyon slope may require additional geology reports and would require the review by the Commission to ensure the continued compliance with Section 30253 of the Coastal Act. Therefore, Special Condition No. 6 requires the applicant to

record a deed restriction limiting future improvements to the permitted structure. Future improvements located between the westerly wall of the single family home approved in this permit and the westerly property line as shown in Exhibit No. 7 shall require an amendment to this permit from the Commission or shall require an additional coastal development permit from the Commission, with the exception of property line fences, decks at grade, and walkways, located on the flat portion of the lot.

5. Irrigation

Native and drought tolerant plant species require one to three years of artificial watering. Once the plant material has been established a slow weaning of artificial watering should occur. The installation of permanent irrigation systems, inadequate drainage, and landscaping that requires intensive watering are also major contributors to accelerated slope erosion, landslides, and sloughing, which could necessitate protective devices. It has been found by the California Native Plant Society, that a permanent irrigation system is not required once the plant material is established with native and drought tolerant landscaping. The requirement of a temporary irrigation system for the establishment of the vegetation does not imply that irrigation should not be used subsequent to the removal of that system. Hand watering or the use of a temporary hose with sprinkler head attachment could be used during extreme drought conditions.

As exhibited in previous sections, this area of the Pacific Palisades has undergone major landslide events. Such hazards led to the fill of the canyon with 2 million cubic yards of earth to stabilize further slope retreat. One of the reasons behind the slope failures in this region was the increase in nuisance flow into the stream from surrounding homes. Although the fill project has greatly enhanced the stability of the canyon and the lots upon the canyon edge, there is still risk of land movement created from the saturation of the canyon walls.

The Commission staff geologist has indicated in the past that, in his opinion, in landslide prone areas, irrigation water in sloped areas pose a potential for increased earth movement.

Due to the nature of Potrero Canyon and its history of catastrophic landslides, the Commission finds that approval of a permanent irrigation system in this area would not be consistent with Section 30253, which requires the Commission to use all means to “minimize risks” in areas of high geologic hazard. There are additional habitat protection reasons why the Commission cannot approve permanent irrigation that are discussed in Section F below.

Due to the nature of this area and its history of catastrophic landslides, the Commission finds that approval of a permanent irrigation system in this area would not be consistent with Section 30253, which requires the Commission to use all means to “minimize risks” in areas of high geologic hazard. Therefore, to further curtail the water usage on the site, Special Condition No. 5, requires the applicant to not incorporate a permanent irrigation

system in the project. A temporary aboveground irrigation system for the establishment of the vegetation is authorized for up to three years or until the plantings are established, whichever occurs first. If, after the three-year time limit, the landscaping has not established itself, the applicant can apply for an amendment to this coastal development permit for the continued use of the temporary irrigation system until which time the landscaping becomes established.

During the first month of landscaping installation and thereafter, introduced plants can easily overwhelm natural systems. Ornamental and invasive plants grow rapidly and use several different methods of spreading. Such plants include pepper trees and honeysuckle, plumbago, morning glories, German ivy, eucalyptus, ornamental grasses and other plants that are attracted to moisture and which can overtake a newly planted landscaped or native area. Therefore, to further ensure the continued viability of the landscaping plan and the native plant assemblage on the canyon face, Special Condition No. 3 restricts the landscaping plan from incorporating any invasive plant species.

6. Fuel Modification/Fire Safety Plan

As previously mentioned, the canyon walls are currently vegetated with a mixture of native and introduced ornamental plant species, some of which could contain a high fuel load. The City of Los Angeles brush clearance ordinance (Section 57.21.07) requires clearance of vegetation to three inches off the ground within 100 feet of any structure and selective clearing within the next 100 feet of any structure for a total of 200 feet. This requirement would not only require the homeowners of lots along the canyon to clear their property but would also require the clearance of City Park property as well. For most of the homes along the canyon, 200 feet from any structure on the property extends to the canyon floor. Therefore, according to the City Ordinance, even the area comprising mitigation measure for the fill project (the riparian vegetation on the canyon floor and the coastal sage scrub on the canyon slopes) would require, at a minimum, selective clearing. Thus, the 2 to 1 revegetation ratio would be voided.

In response to the potential conflict between the City Fire Department, the City revegetation plan as mitigation for the fill, and native landscaping requirements, Commission staff has, on previous projects along Potrero Canyon, met with Battalion Chief Alfred Hernandez of the Los Angeles City Fire Department and representatives with both Councilwoman Miscikowski's office and Los Angeles Department of Recreation and Parks. Chief Hernandez stated that the 100 and 200 foot clearance requirement is the standard at which they issue brush clearance notices. However, he added that there are exceptions to this requirement if there is a threat of landslide activity on the site. In such cases the City Fire Department could review fuel modification/fire safety plans, which would include types, sizes, and spacing of vegetation. This would allow for the coverage of vegetation so as not to cause further landslide/erosion problems.

California natives are often the first plants to be removed from at-risk landscape. Yet, the assumption that natives should be excluded from hillside plantings is an

erroneous and potentially costly one. Though many plants from Southern California's chaparral and coastal sage scrub communities rely upon fire for continuance of their life cycles, they are not entirely to blame for autumn's fires. Other Mediterranean-climate plants, such as eucalyptus and Cistus, evolved in similar ways and require the same fire cycles; these introduced species are often the first to burn and can produce the fiercest and most persistent heat.

California natives can be used safely in hillside gardens and, necessarily, should be included for the critical purposes of erosion control. It is not difficult to design an attractive, fire-safe, slope-stable, native garden. Keep in mind that a plant's species is not as important as its placement and maintenance.¹

To ensure the compatibility with landscaping requirements (as further discussed in Section F below) and for the project's consistency with Section 30253 of the Coastal Act, Special condition No. 3 is required. This condition will allow the City of Los Angeles Fire Department to have the opportunity to review the applicant's landscaping and fuel modification plan. The City Fire Department has done this in past coastal development permits, such as the Catellus development project in Playa del Rey (A-5-PDR-00-077/5-99-329 (Catellus)). In that project, Battalion Chief Alfred Hernandez and LAFD staff reviewed the landscaping and fuel modification plan, working with the applicant and the Commission to resolve potential conflicts between brush clearance and native landscaping conditions on the project.

The fuel modification plan shall specify the types, sizes, and locations of all landscaping material on the subject site. The fuel modification plan will review the total fuel load on the entire lot. The applicant shall incorporate the most fire resistant plant types (as described on Exhibit No. 13) near the home on the flat portion of the lot. As plantings are placed further from the proposed home, on the sloped portion of the lot, native plant species shall be used. The fuel modification plan shall discuss the control of these plant species using appropriate measures so as not to affect the native habitat planted pursuant to this Special Condition. The applicant shall also not construct cantilevered wooden decks or eaves (or other combustible structures) on the canyon edge, as this supplies an added fuel supply if a fire were to travel up the canyon slope.

Only as conditioned can the Commission find that the proposed development is consistent with Section 30230, 30231, and 30253 of the Coastal Act.

F. Environmentally Sensitive Habitat Area

The Coastal Act requires that development adjacent to environmentally sensitive habitat areas and public parks be developed in a manner that is consistent with the habitat protection and recreation requirements within Section 30240 of the Coastal Act, which states:

¹ Natives in the Landscape, Fire-safe and slope-stable Landscaping; The Southern California Gardener; Sept/Oct 1993

- (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.

As found by the Commission in prior permit actions, the riparian habitat in this area is protected by Section 30240 of the Coastal Act. The Commission approved grading and fill in this canyon in order to protect this and other residential lots along the canyon rim. Before grading and filling of the canyon, the canyon sides supported coastal sage scrub and the stream supported willows and other riparian vegetation. This habitat was extirpated as a result of construction. The Commission approved the fill of the stream and the grading subject to a number of special conditions. These included the reconstruction of the stream and its associated riparian habitat at a 2:1 ratio as required by the Department of Fish and Game and as proposed by the City. The City proposed construction of a 7.9-acre riparian area and stream. The Commission also required interim mitigation in a nearby State Park. In addition, the City proposed, and the Commission approved, a plan to revegetate the buttress fill slopes with coastal sage scrub, a sensitive assemblage of plants that is threatened with loss statewide. As a result of the conditions imposed on the fill project and at the completion of mitigation measures there will be an assemblage of environmentally sensitive habitat present in the form of riparian vegetation. The City will also plant the slopes of the canyon (on City property) with coastal sage scrub plant species. In addition, the City of Los Angeles Recreation and Parks is creating a park and recreational area, adjacent to the project site, at the completion of the Potrero Canyon fill project. The final Potrero Canyon Riparian Mitigation Proposal, August 1991, states:

Coastal sage scrub habitat while not yet protected by law, is a rapidly declining plant community in Southern California. It is estimated that up to 90 percent of the historic distribution of coastal sage scrub has been lost. The remainder is becoming increasingly isolated and fragmented. Development in the next decade threatens most of the remaining habitat (Atwood 1990). Therefore, it is highly desirable to replace any lost coastal sage scrub cover in the reconstructed Potrero Canyon.

The Commission has subsequently determined that coastal sage scrub meets the coastal definition of ESHA in certifying the City of Malibu LCP in 2002 and in approving several CDP applications in the Santa Monica Mountains. At the fill project's completion, the canyon will become a recreational area, with pedestrian walkways, riparian habitat, and coastal sage scrub. The project site is adjacent to and overlooks Potrero Canyon (a recreational park site as well as an area of environmentally sensitive riparian habitat). Section 30240 requires that development adjacent to such an area be sited and designed

to prevent impacts that significantly degrade such areas or are incompatible with the continuance of this installed habitat or the future canyon park.

The park and trail system is not yet installed, but the City is currently seeking grant money for the final improvements. During the first month of its installation and thereafter, introduced plants can easily overwhelm artificially constructed systems. Such plants include, for example, pepper trees and honeysuckle, plumbago, morning glories, German ivy, eucalyptus, ornamental grasses and other plants that are attracted to moisture and which can overtake a natural stream and associated upland. The Native Plant Society has prepared a list of invasive plants. In recent years, the Commission has referenced the list, Recommended List of Plants for Landscaping in the Wildland Corridors of the Santa Monica Mountains, 1996, in its conditions, giving guidance to applicants.

Introduced plants from homes on the rim could invade these revegetated areas and undermine the City's efforts to re-establish riparian vegetation and coastal sage scrub as required by CDP No. 5-91-286 (L.A. City Rec. and Parks). Although the City initiated the fill to repair Potrero Canyon, it is quite clear that the owners of the residential lots benefited from the project. The project was approved in order to protect existing residential structures from collapse and to allow the lots along the canyon to be developed safely. Because measures were required to mitigate the damage to habitat caused by the grading, the redevelopment of the residential lots on the canyon rim must be conditioned to assure that the landscaping of these lots is compatible with the adjacent revegetation effort.

Potrero Canyon has been the site of numerous devastating landslides and, even with the fill of the canyon, additional landsliding is possible. To alleviate the conflict and concern of native landscaping, fire hazards, and landslide activity, the Commission requires Special Condition No. 3 (as previously discussed in Section E). This condition will allow the City of Los Angeles Fire Department to have the opportunity to review the applicant's landscaping and fuel modification plan. The landscaping condition requires that the entire property be landscaped with drought tolerant, non-invasive plant species, with the sloped portion of the lot planted with mainly native and drought tolerant non-invasive plants, and the upper flat portion of the lot planted with a majority of native vegetation of the Santa Monica Mountains, with non-native drought tolerant and non-invasive plants permitted. The area around the proposed home on the flat portion of the lot shall be planted with the most fire resistant plant species as described in Exhibit No. 13. The applicant shall choose from the most fire resistant natives available and should plant the upper edges of the canyon with low-lying shrubs and grasses for fire safety measures. An assemblage of coastal sage scrub shall be used as landscaping spreads further down the canyon slope. The Commission has further conditioned the project to allow for the temporary use of aboveground irrigation systems to establish the landscaping. The temporary irrigation system can be used for up to three years or until the landscaping has become established, whichever occurs first. After this time the temporary irrigation system shall be removed. Owing to the possible erosion and landslide problems in the past, as well as the possibility of fire hazard, the applicant can apply for an amendment to this coastal development permit for the continued use of the temporary irrigation system if the vegetation has not

been established by the three-year time period. The applicant must demonstrate that the landscaping has not become established.

5. Plexiglass or Glass Wind Screens

The proposed project includes a 36" high glass windscreen/fencing on top of the proposed retaining wall. Glass walls or wind screens are known to have adverse impacts upon a variety of bird species. Birds are known to strike these glass walls causing their death or stunning them which exposes them to predation. Some authors report that such birds strikes cause between 100 million to 1 billion bird deaths per year in North America alone. Birds strike the glass because they either don't see the glass, or there is some type of reflection in the glass which attracts them (such as the reflection of bushes or trees that the bird might use for habitat).

There are a variety of methods available to address bird strikes against glass. For instance, glass can be frosted or etched in a manner that renders the glass more visible and less reflective. Where clear glass is used, appliqués (e.g.) stickers can be affixed to the glass that have a pattern that is visible to birds. Some appliqués incorporate features that allow humans to see through the glass, but which are visible to birds. Usually appliqués must be replaced with some frequency in order to retain their effectiveness. In the case of fences or walls, alternative materials can be used, such as wood, stone, or metal (although this approach isn't usually palatable when there is a desire to see through the wall). Use of frosted or etched glass, wood, stone or metal material is preferable to appliqués because of the lower maintenance and less frequent replacement that is required.

The applicant has indicated that they will frost or etch the plexiglass so that the glass will be more visible and less reflective. As a special condition of this permit (Special Condition No. 7) the applicant is required to use partially-frosted glass, plexiglass or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or plexiglass shall not be installed. Use of opaque or partially opaque materials is preferred to clean glass or Plexiglas.

Conclusion

Only as conditioned, to submit a landscaping plan and a fuel modification plan, and to use opaque or partially opaque materials as perimeter fencing is the proposed project found consistent with section 30240 of the Coastal Act.

G. Visual Impacts/Landform Alteration

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 the surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas.

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.

As discussed previously, a major canyon fill project is underway to stabilize the residential lots along the canyon rim. While the canyon bottom has been disturbed by this fill project, the canyon slopes above the fill line have remained, in most cases, undisturbed. Upon completion of the fill project, the fill line will be approximately 30 to 40 feet in elevation below the top of the slope. However, the City is investigating adding additional fill to approximately the top of the canyon to protect the residences surrounding the canyon. The City has prepared a conceptual plan that shows that on this property fill would extend to approximately the canyon rim or top of the existing retaining wall and wooden deck. The proposed retaining wall, which has been constructed, is sited approximately 10 vertical feet below the existing canyon rim and 45 horizontal feet west of the existing wall that supports the existing cantilevered deck.

In its approval of the canyon fill project, the Commission required, among other things, the planting of riparian habitat at the bottom of the canyon and coastal sage scrub on the canyon slopes. The Commission also required the creation of a public park with hiking trails from the beginning of the canyon to Pacific Coast Highway. The offset of allowing the City to fill the canyon with millions of cubic yards of earth was the creation of a public park with reconstructed riparian and coastal sage communities. The park will have a walking trail that connects the existing Palisades Park (including the Palisades Park Recreation Center, public tennis courts, baseball fields, passive recreation areas, a public library, and public parking lots) to Pacific Coast Highway and Will Rogers State Beach. The requirement to establish a public park in the filled canyon (Coastal Development Permit 5-91-286, as amended) will allow the public to enjoy a coastal canyon experience that is not readily available in this area of the City Los Angeles. Therefore the subject property will overlook a public park with trails linking the inland areas of Pacific Palisades to Will Rogers State Beach upon completion of the final fill project.

Since the start of the filling of Potrero Canyon, the Commission has approved two projects that involved construction on or over the eastern canyon rim along Alma Real. The first one involved the demolition of an existing single-family residence and construction of a

new 7,952 square foot single-family residence, set back approximately 33 feet from the canyon edge, and construction of a cantilevered deck over the canyon edge [CDP No. 5-99-409, A1, A2 and A3 (Bagnard)]. The project was located on the adjacent property (Lot No. 30) to the south of the proposed project site. The Commission approved the residence, but denied the construction of the after-the-fact cantilevered deck over the canyon edge, which was supported by caissons and grade beams. However, because it was not geologically feasible to remove the five caissons and reinforcement steel in the grade beam trenches and recompact the slope, the Commission and applicant reached a settlement agreement whereby the applicant would submit a remediation plan to resolve the violation (CDP No. 5-99-409-A2). The agreement and approved permit included the construction of a grade-level deck located on the flat portion of the lot, behind the canyon edge and removal of the tops of five (5) existing caissons to below grade, filling the grade beam trenches and a graded pad area with concrete grout colorized to resemble the natural soils, and revegetating the canyon slope with native, drought resistant plant species. The remediation plan was found to be visually compatible with the surrounding area and consistent with the future Potrero Canyon Park.

The second project approved by the Commission involved an after-the-fact approval for the demolition of an existing single-family residence and construction of a new 5,665 square foot single-family residence (5-00-476(Kirkwood)) located approximately 7 lots to the south of the proposed project. The applicant also constructed a 13 foot high, 125 foot long retaining wall on the canyon slope, which was issued an exemption by the City of Los Angeles. Because of legal as well as factual information concerning the retaining wall, the Commission's ability to address the wall and consider possible mitigation was limited; therefore, the wall was not part of the Commission's approved permit.

In both cases, the Commission required that due to the proximity to the canyon and future City park and trail, the sites should be landscaped to mitigate the visual impact from the canyon. There is other existing development along the slopes of the canyon, such as decks and retaining walls that are also visible from the canyon and area of the future park and trail. Some of this development is pre-coastal and some have been constructed without the benefit of a Coastal Development Permit. These are subject to ongoing investigations by the Commission's Enforcement unit and subject to future enforcement action.

It has been determined that the removal of the unpermitted retaining wall would require the construction of a 2:1 slope per City grading requirements and construction of new retaining walls along the sides of the property to support the fill due to the grade differential between the surrounding properties (see Exhibit No. 11 and 12). Removal of the retaining wall and additional grading activity could destabilize the canyon slope and require an even greater amount of landform alteration in an attempt to stabilize the area, and the grading and additional retaining walls could be more visually obtrusive from the canyon.

The proposed retaining wall is located on the canyon slope and extends beyond adjacent development. Although, the visual impact of the wall could be significant from the Canyon

and future park and trail in the canyon, the visual impact can be mitigated through fill and landscaping. Furthermore, according to the City, the City's plan to add more fill will extend up to and abut the new retaining wall, which will partially bury the wall, whereby reducing the visibility of the wall from the canyon, which can be further mitigated with landscaping. Commission staff discussed with the City, as a requirement of this permit the possibility of the applicant placing fill on the slope on the downslope side of the proposed (after-the-fact) retaining wall, consistent with the City's conceptual fill plans. The City indicated that they agreed that the wall raised a visual issue from the canyon and that fill would help minimize the visual impact, however, they did not support allowing individual property owners to add fill on the canyon slope on an individual basis for cosmetic purposes or to allow yard extensions, as it is in this case. The City preferred that fill be done by the City pursuant to the City's fill plan once the fill project has been finalized and approved. However, at this time it is not known when the City will begin to add additional fill to the canyon. The Commission recently in May 2008, approved an amendment to the original canyon fill permit (CDP No. 5-91-286) to allow:

...for the sale of two of the twenty-two City owned canyon rim lots (615 and 623 Alma Real Drive). The money would be directed to an established Trust Fund and used solely for the completion of all remaining phases of development of the Potrero Canyon Park Restoration Project. Specifically, monies generated from the sale of these two lots would fund additional needed geologic investigations of Potrero Canyon, and creation of final grading plans and final park plans for the canyon...

Until the City conducts the additional geologic investigations and completes final grading plans, placement of fill on individual lots, for other than slope stability purposes to protect existing structures and property, will not be permitted by the City.

Because the wall has already been installed and removing it would be more disruptive and would have more of a significant visual impact than the existing wall, the best option to minimize the visual impact would be to require the placement of fill in front of the wall, consistent with the City's conceptual plan which would bury a majority of the wall. Then with landscaping placed on the fill slope and immediately in front of the wall, the visual impact would be significantly reduced. However, because at this time the City will not allow fill until the City has finalized its grading plan, which could be years, the most non-obtrusive alternative is to leave the wall in place and require landscaping immediately in front of the wall. Therefore, the applicant shall landscape the area in front of, or immediately downslope of the wall, with native drought tolerant vegetation consistent with the City's canyon landscaping plan (Special Condition No. 3). Vegetation shall also include, to a minor extent, non-native drought tolerant and non-invasive vegetation, that will grow to a sufficient height to help screen the 10 foot high retaining wall from the canyon area.

Therefore, to ensure that the proposed project does not create a future visual impact to the Potrero Canyon Park below or adverse geotechnical impacts to the stability of the canyon, the Commission imposes Special Condition No.3. Only as condition will the proposed project be consistent with Section 30251 and 30253 of the Coastal Act.

H. Unpermitted Development

Development has occurred on the subject site that includes demolition of the existing single-family residence, grading and construction of a new single-family residence, retaining wall, landscaping, and grading of the property without the required coastal development permit. The applicant is proposing to construct a single family home on the subject property.

To ensure that the unpermitted development component of this application is resolved in a timely manner, Special Condition No. 8 requires that the applicant satisfy all conditions of this permit which are prerequisite to the issuance of this permit within 90 days of Commission action. The Executive Director may grant additional time for good cause.

Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to any alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

I. 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).

In 1978, the Commission approved a work program for the preparation of Local Coastal Programs in a number of distinct neighborhoods (segments) in the City of Los Angeles. In the Pacific Palisades, issues identified included public recreation, preservation of mountain and hillside lands, and grading and geologic stability.

The City has submitted five Land Use Plans for Commission review and the Commission has certified three (Playa Vista, San Pedro, and Venice). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just been completed. When the City began the LUP process in 1978, with the exception of two tracts (a 1200-acre and 300-acre tract of land) which were then undergoing subdivision approval, all private lands in the community were subdivided and built out. The Commission's approval of those tracts in 1980 meant that no

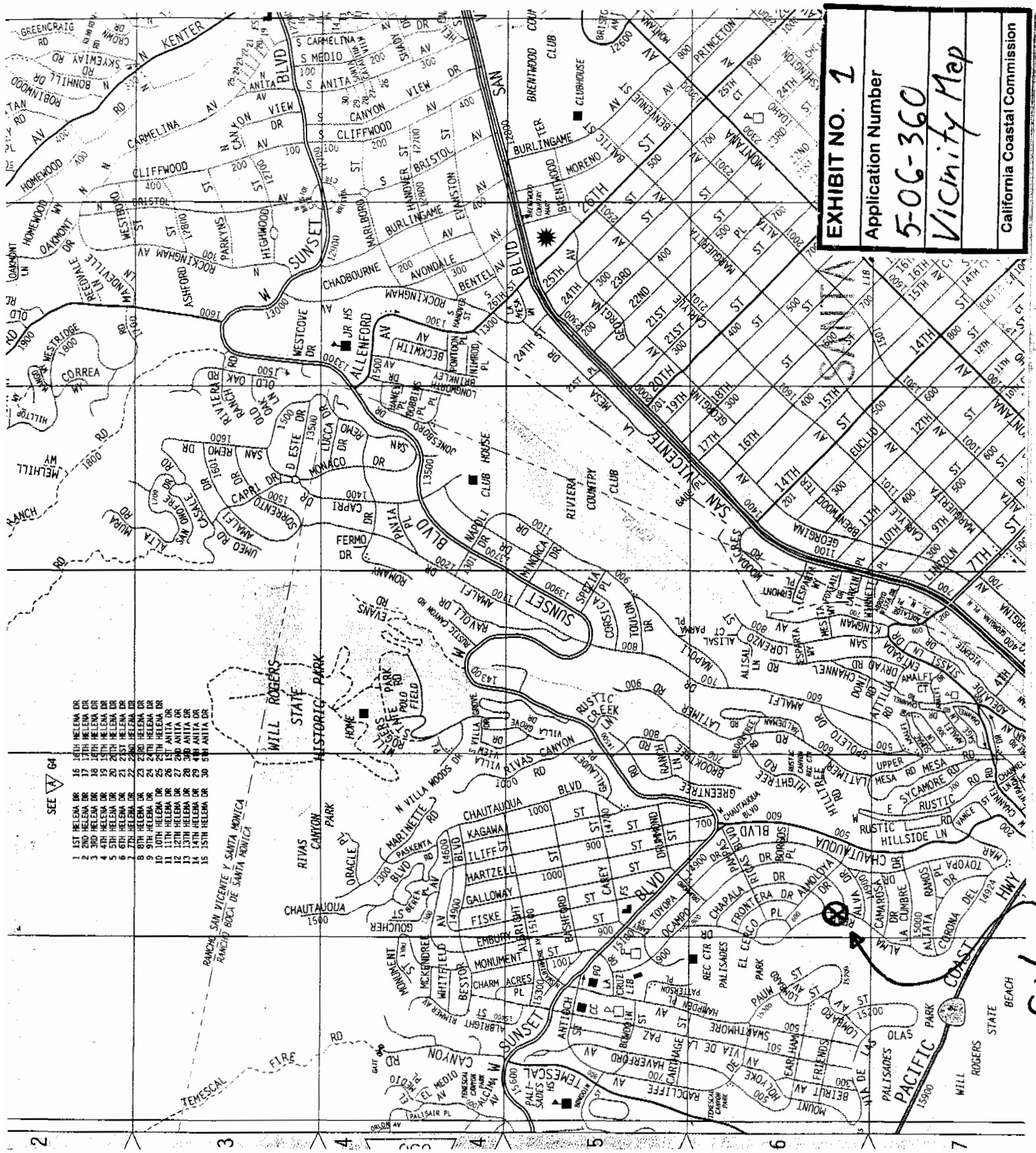
major planning decision remained in the Pacific Palisades. The tracts were A-381-78 (Headlands) and A-390-78 (AMH). Consequently, the City concentrated its efforts on communities that were rapidly changing and subject to development pressure and controversy, such as Venice, Airport Dunes, Playa Vista, San Pedro, and Playa del Rey.

As conditioned, to address the geologic stability and fire hazards, landscaping, community character, and sensitive habitat issues related to the project, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

J. California Environmental Quality Act

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.

The proposed project, as conditioned to assume the risk of the development, supply and implement an erosion control plan, provide a landscaping plan with drought tolerant and native plant species, require only temporary irrigation to establish the landscaping, and provide a fuel modification plan, is the project found to be consistent with the Chapter 3 policies of the Coastal Act. As explained above and incorporated herein, all adverse impacts have been minimized and the project, as conditioned, will avoid potentially significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project is consistent with the requirements of the Coastal Act and CEQA.



- 1 1ST HELENA DR
2 2ND HELENA DR
3 3RD HELENA DR
4 4TH HELENA DR
5 5TH HELENA DR
6 6TH HELENA DR
7 7TH HELENA DR
8 8TH HELENA DR
9 9TH HELENA DR
10 10TH HELENA DR
11 11TH HELENA DR
12 12TH HELENA DR
13 13TH HELENA DR
14 14TH HELENA DR
15 15TH HELENA DR

EXHIBIT NO. 1
Application Number 5-06-360
Vicinity Map
California Coastal Commission

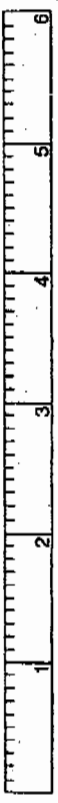
Site

411 19

1" = 100'

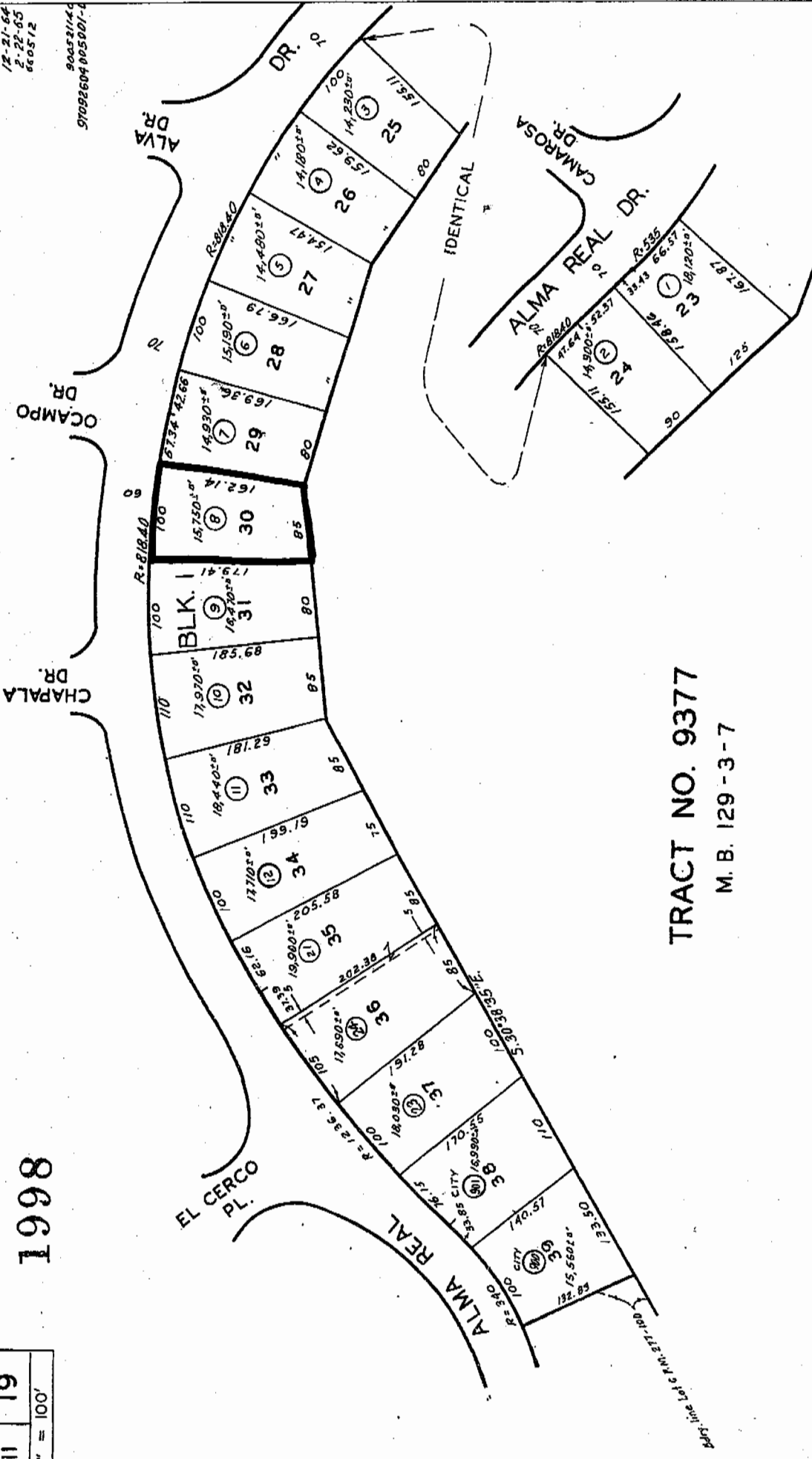
1-800-345-7334

1998



SCALE 1/10 OF AN INCH

12-21-64
2-22-65
660512
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97092604 005001-0



TRACT NO. 9377

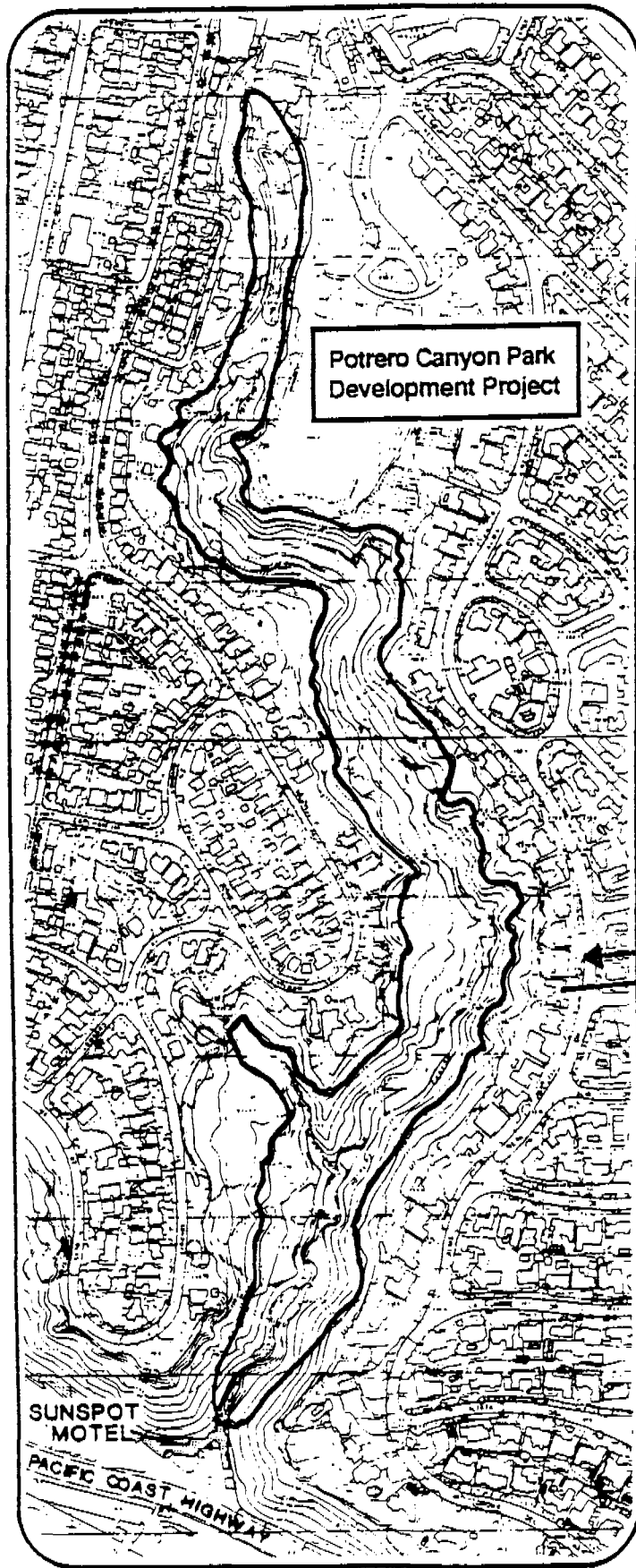
M. B. 129 - 3 - 7

CODE
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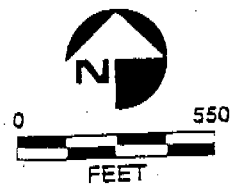
FOR PREV. ASSMT. SEE: 4411-19

EXHIBIT NO. 2
Application Number
5-06-360
Parcel Map



SOURCE: EnviroSphere, 1985.

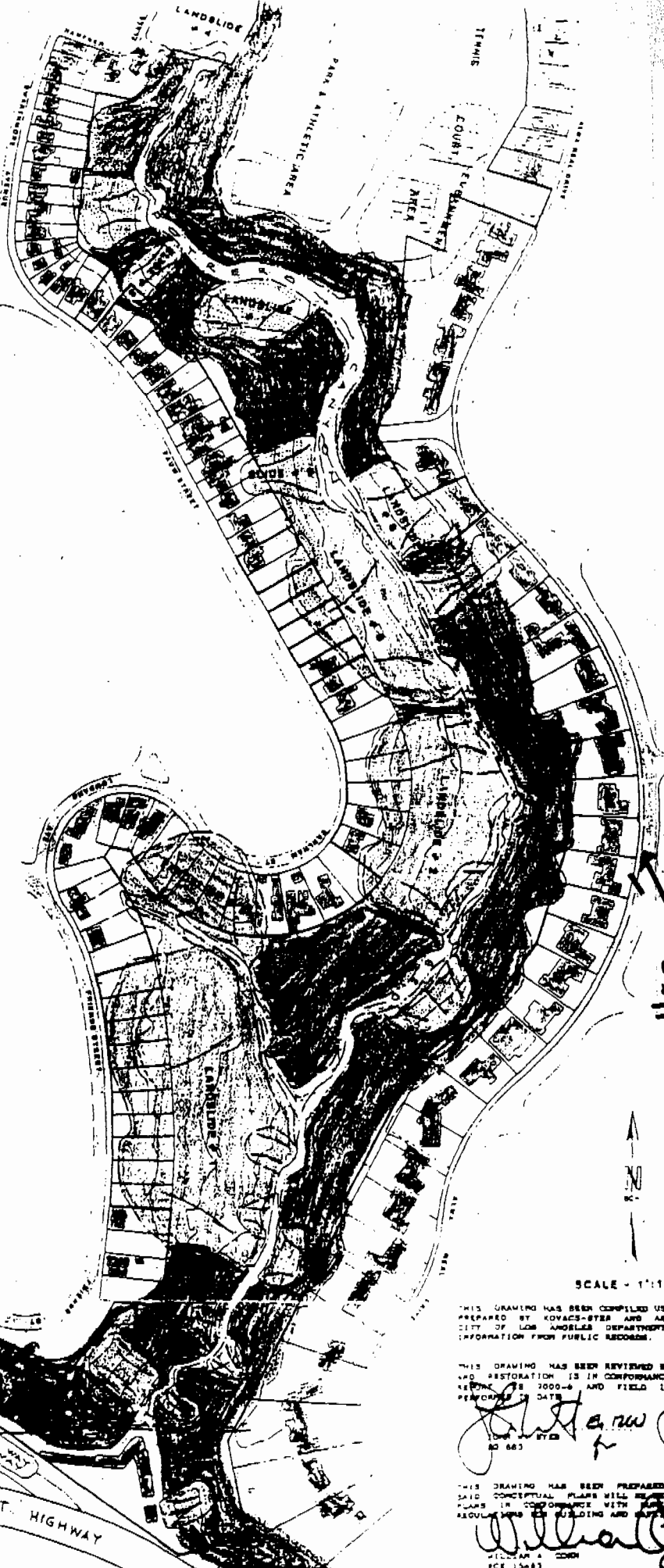
EXHIBIT NO.	3
Application Number	5-06-360
	Potrero Canyon
	Park
California Coastal Commission	



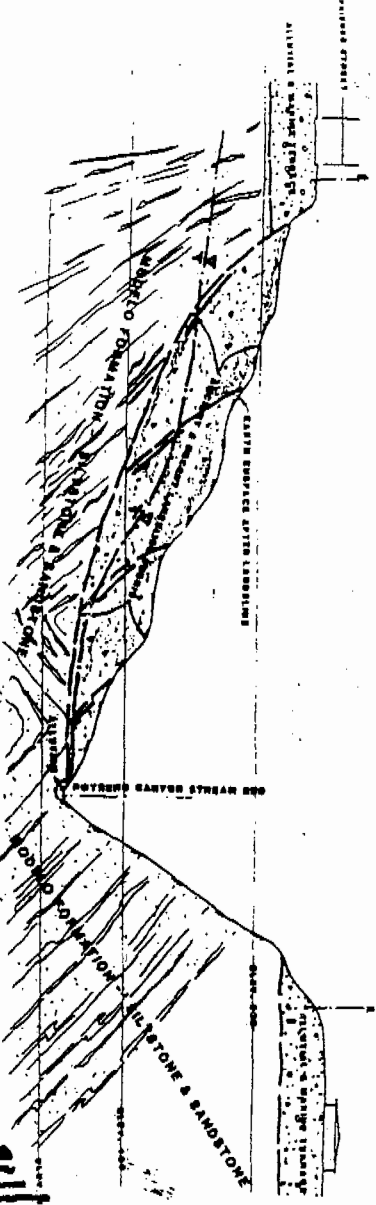
FIGURE

2

100 SCALE TOPOGRAPHIC MAP
 POTRERO CANYON - PRIOR TO RESTORATION
 DRAWING BY POTRERO CANYON CONSTRUCTORS



CROSS-SECTION -- LANDSLIDE # 1
 SCALE 1" = 20' 0"



Site

SCALE - 1"=100'

EXHIBIT NO.	4
5 Application Number	5-06-360
	Landslide Map
California Coastal Commission	

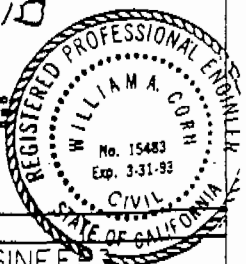
THIS DRAWING HAS BEEN COMPILED USING INFORMATION FROM SOILS REPORT PREPARED BY KOVACS-STER AND ASSOCIATES INC. (KRS 9000-61) FOR THE CITY OF LOS ANGELES DEPARTMENT OF RECREATION AND PARKS PLUS INFORMATION FROM PUBLIC RECORDS.

THIS DRAWING HAS BEEN REVIEWED BY KOVACS-STER AND ASSOCIATES INC. AND RESTORATION IS IN CONFORMANCE WITH RECOMMENDATIONS FROM SOILS REPORT KRS 9000-61 AND FIELD INSPECTION FOR RESTORATION WORK PERFORMED IN DATE

William A. Corn RCE 4310
 RCE 3374

THIS DRAWING HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION AND SAID CONCEPTUAL PLANS WILL BE DEVELOPED INTO GRADING AND DRAINAGE PLANS IN CONFORMANCE WITH MUNICIPAL CODES AND CURRENT BUILDING REGULATIONS FOR GRADING AND DRAINAGE CITY OF LOS ANGELES

William A. Corn
 RCE 15483



3A

Grover-Hollingsworth and Associates, Inc.
Geotechnical Consultants

BY: GB DATE: 8/88
AS BUILT GRADING PLAN
FOR TRACT 9377
GEOLOGIC MAP NO. 1988

CLIENT: BACH
DATE: 8/88
SUBJECT: GEOLOG

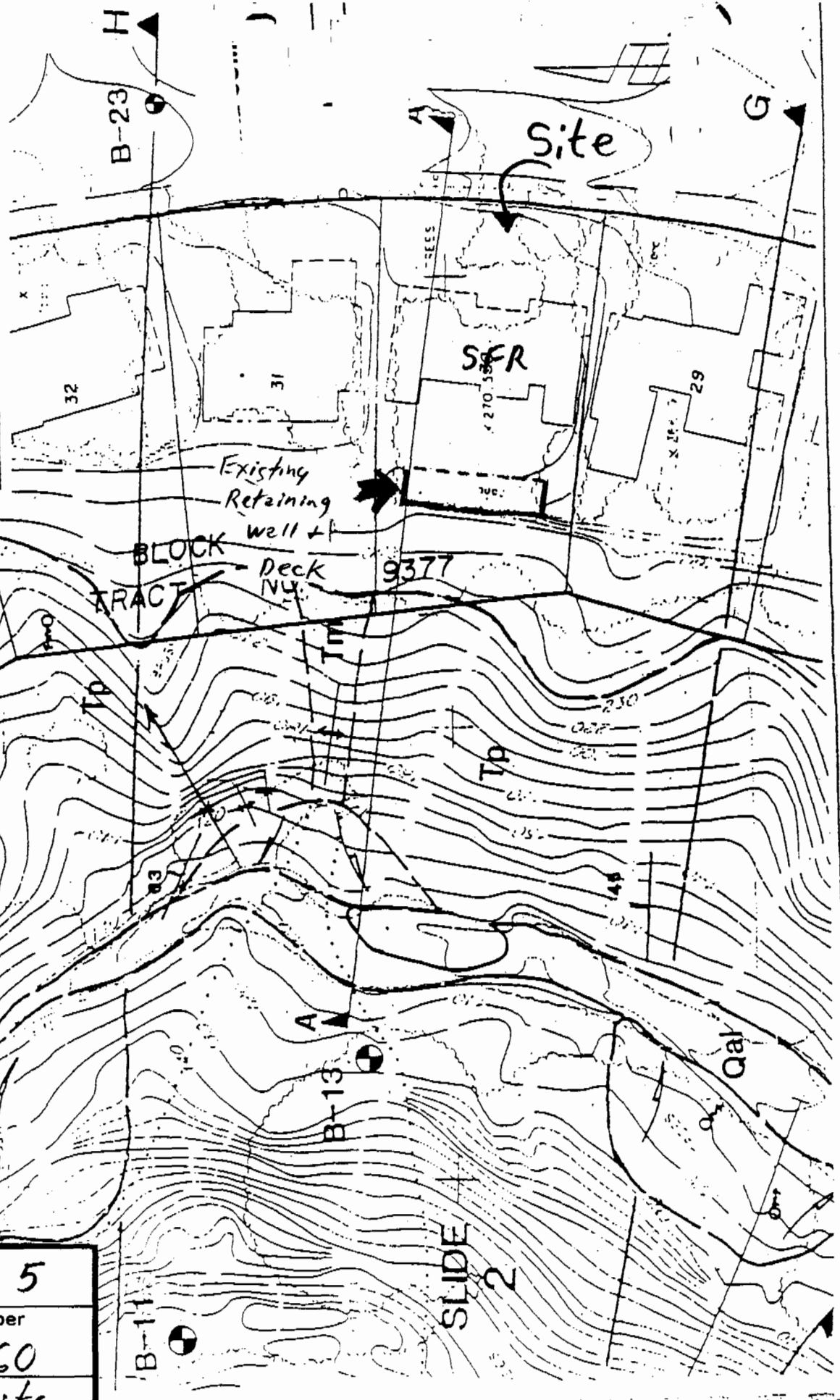


EXHIBIT NO.	5
Application Number	5-06-360
Existing Site	Plan A
California Coastal Commission	

EXHIBIT NO.	6
Application Number	5-06-360
Existing Site	Plan B
California Coastal Commission	

- LEGEND:
- ADJACENT CONCRETE
 - ADJACENT GRASS
 - ADJACENT ASPHALT
 - ADJACENT CHAIN LINK FENCE
 - ADJACENT 2" X 2" SUB
 - ADJACENT 4" X 4" SUB
 - ADJACENT 6" X 6" SUB
 - ADJACENT 8" X 8" SUB
 - ADJACENT 10" X 10" SUB
 - ADJACENT 12" X 12" SUB
 - ADJACENT 14" X 14" SUB
 - ADJACENT 16" X 16" SUB
 - ADJACENT 18" X 18" SUB
 - ADJACENT 20" X 20" SUB
 - ADJACENT 22" X 22" SUB
 - ADJACENT 24" X 24" SUB
 - ADJACENT 26" X 26" SUB
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 - ADJACENT 30" X 30" SUB
 - ADJACENT 32" X 32" SUB
 - ADJACENT 34" X 34" SUB
 - ADJACENT 36" X 36" SUB
 - ADJACENT 38" X 38" SUB
 - ADJACENT 40" X 40" SUB
 - ADJACENT 42" X 42" SUB
 - ADJACENT 44" X 44" SUB
 - ADJACENT 46" X 46" SUB
 - ADJACENT 48" X 48" SUB
 - ADJACENT 50" X 50" SUB
 - ADJACENT 52" X 52" SUB
 - ADJACENT 54" X 54" SUB
 - ADJACENT 56" X 56" SUB
 - ADJACENT 58" X 58" SUB
 - ADJACENT 60" X 60" SUB
 - ADJACENT 62" X 62" SUB
 - ADJACENT 64" X 64" SUB
 - ADJACENT 66" X 66" SUB
 - ADJACENT 68" X 68" SUB
 - ADJACENT 70" X 70" SUB
 - ADJACENT 72" X 72" SUB
 - ADJACENT 74" X 74" SUB
 - ADJACENT 76" X 76" SUB
 - ADJACENT 78" X 78" SUB
 - ADJACENT 80" X 80" SUB
 - ADJACENT 82" X 82" SUB
 - ADJACENT 84" X 84" SUB
 - ADJACENT 86" X 86" SUB
 - ADJACENT 88" X 88" SUB
 - ADJACENT 90" X 90" SUB
 - ADJACENT 92" X 92" SUB
 - ADJACENT 94" X 94" SUB
 - ADJACENT 96" X 96" SUB
 - ADJACENT 98" X 98" SUB
 - ADJACENT 100" X 100" SUB

Proposed Retaining wall

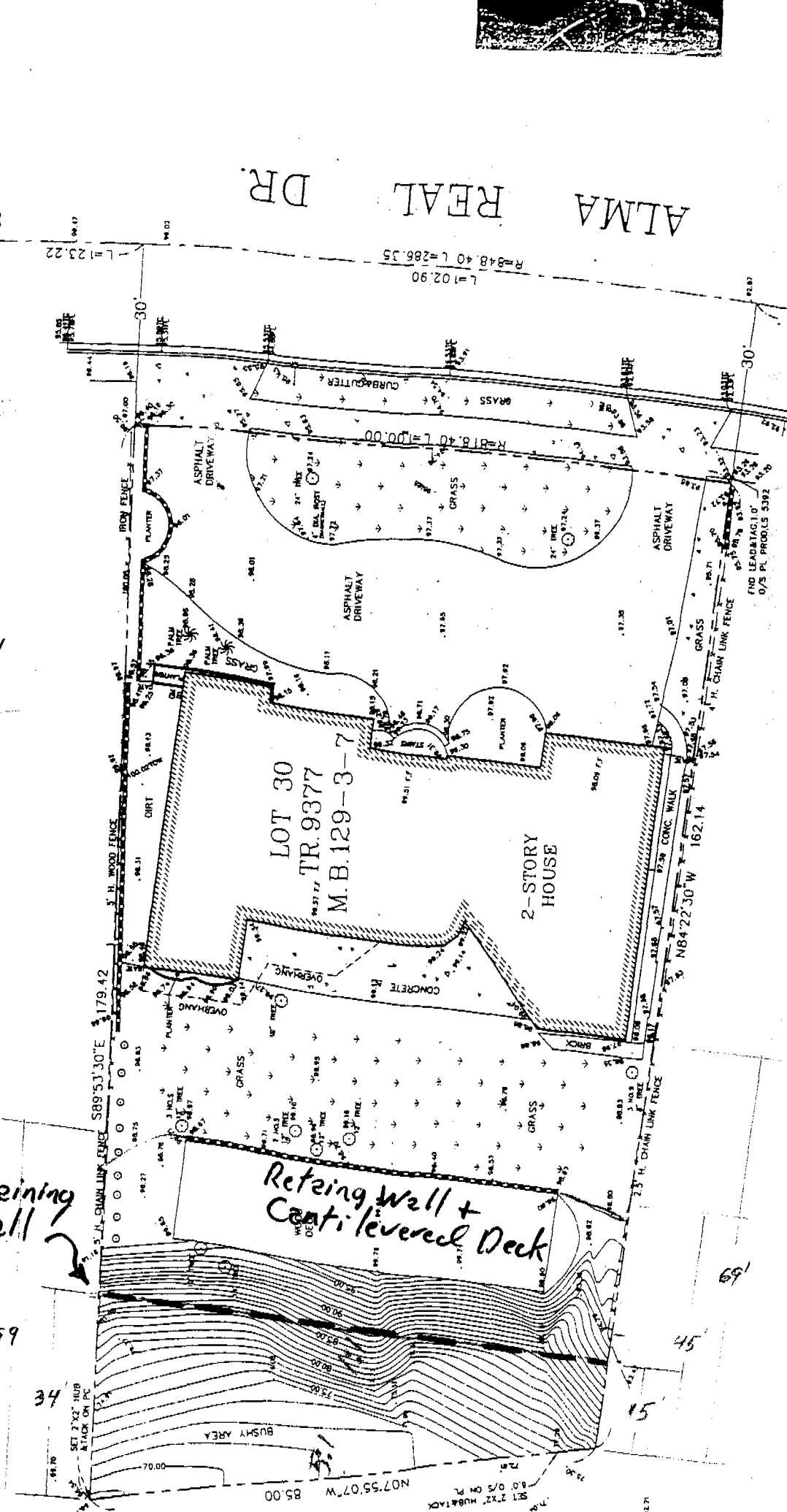
Reteing wall + Cantilevered Deck

59

34

45

15



CHAPALA DR.

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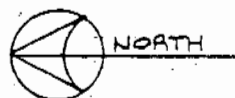
EXHIBIT NO. 7

Application Number

506-360

Site Plan &

Existing Bluff Edge
California Coastal Commission



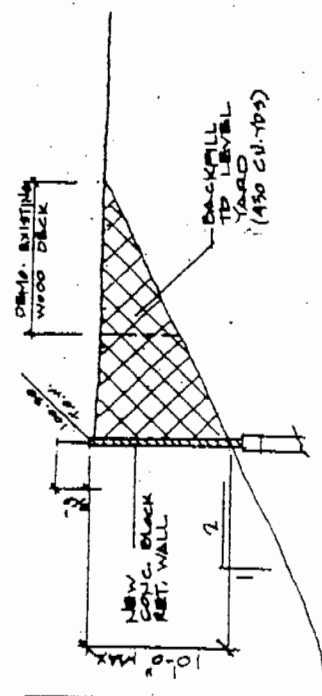
PLAZA

SCALE: 1" = 10'-0"

RADIATION QUANTITIES

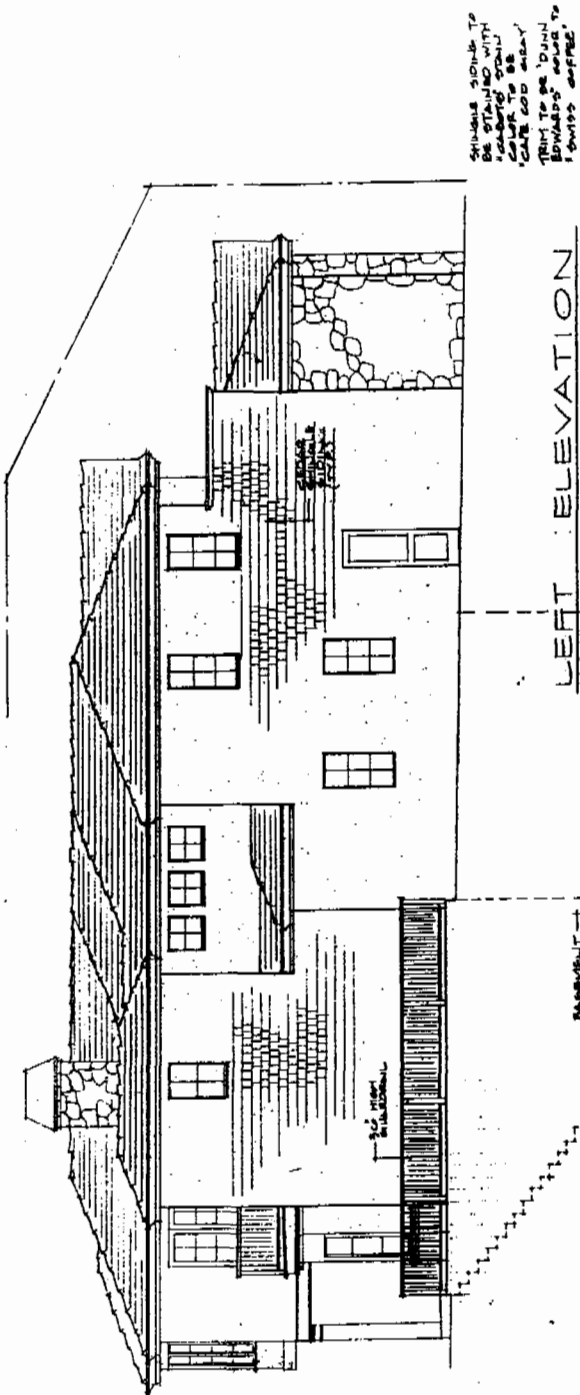
CUT. # 1244 CU, YDB.

WILL	=	130	CU.YDS.
EXPORT	=	814	CU.YDS.

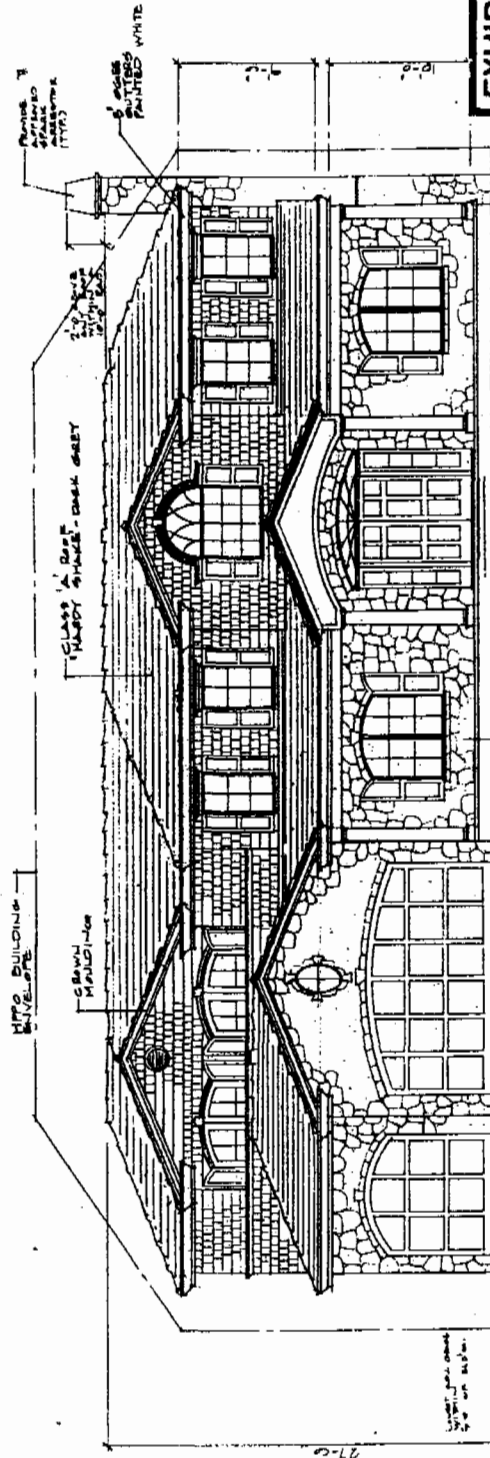


clark remington . design & planning

304 monument st. suite 101 pacific palisades california 90272



SHOULD BE STAINED WITH 'CABOT'S SEAL' TO BE 'CARE COO' TRIM TO BE 'DUNN EDWARDS' WHITE PAINTED WHITE



SHOULD BE STAINED WITH 'CABOT'S SEAL' TO BE 'CARE COO' TRIM TO BE 'DUNN EDWARDS' WHITE PAINTED WHITE

EXHIBIT NO. 7a

Application Number

5-06-360

Elevation

FRONT ELEVATION

SCALE: 1/8" = 1'-0"

B-23 H

CDP No.
5-99-409

Bluff Edge

Proposed Wall

Proposed
Location of
Caissons

BLOCK
TRACT

NO.

9377

EXHIBIT NO.

8

Application Number

5-06-360

Location of Proposed

Retaining Wall

California Coastal Commission

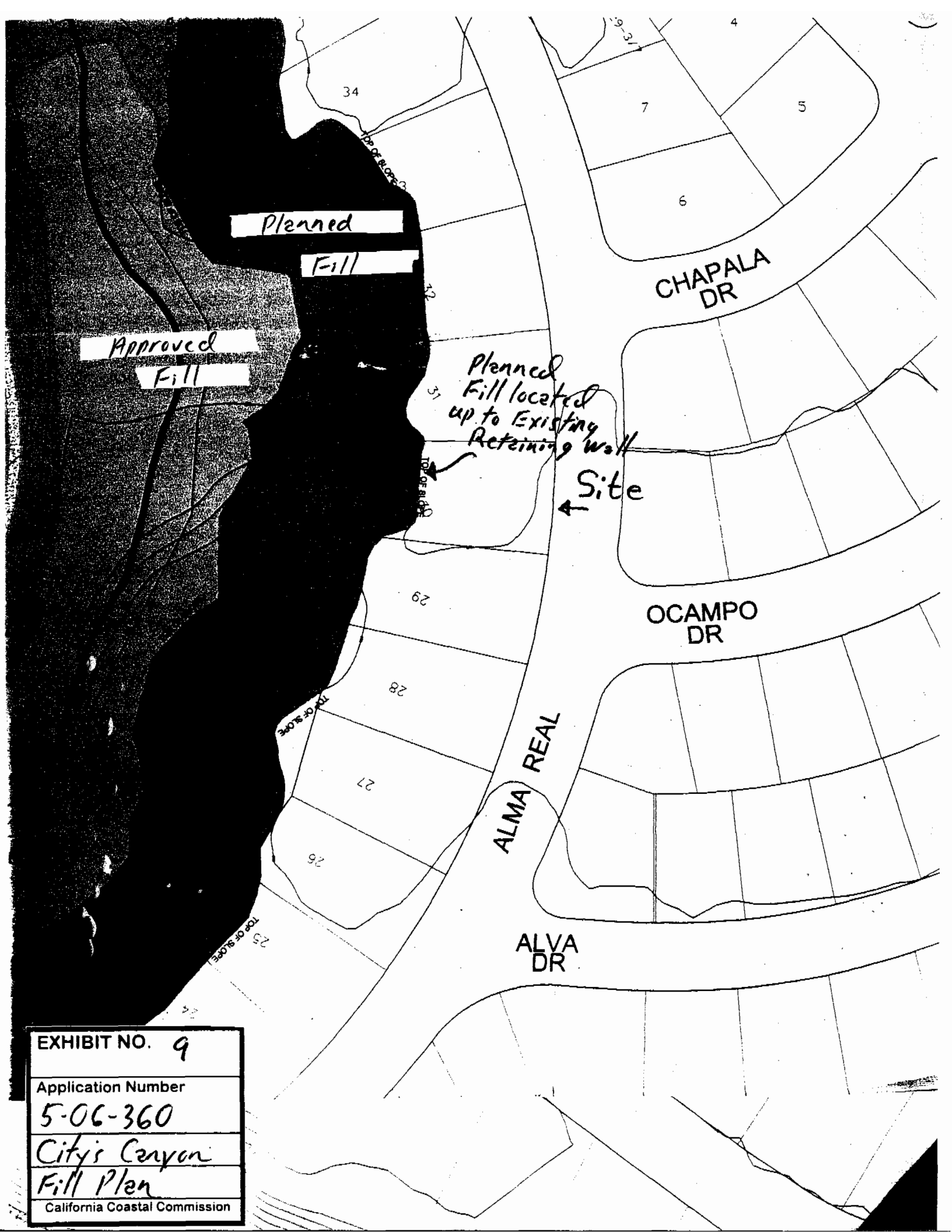


EXHIBIT NO. 9

Application Number

5-06-360

City's Canyon
Fill Plan

California Coastal Commission

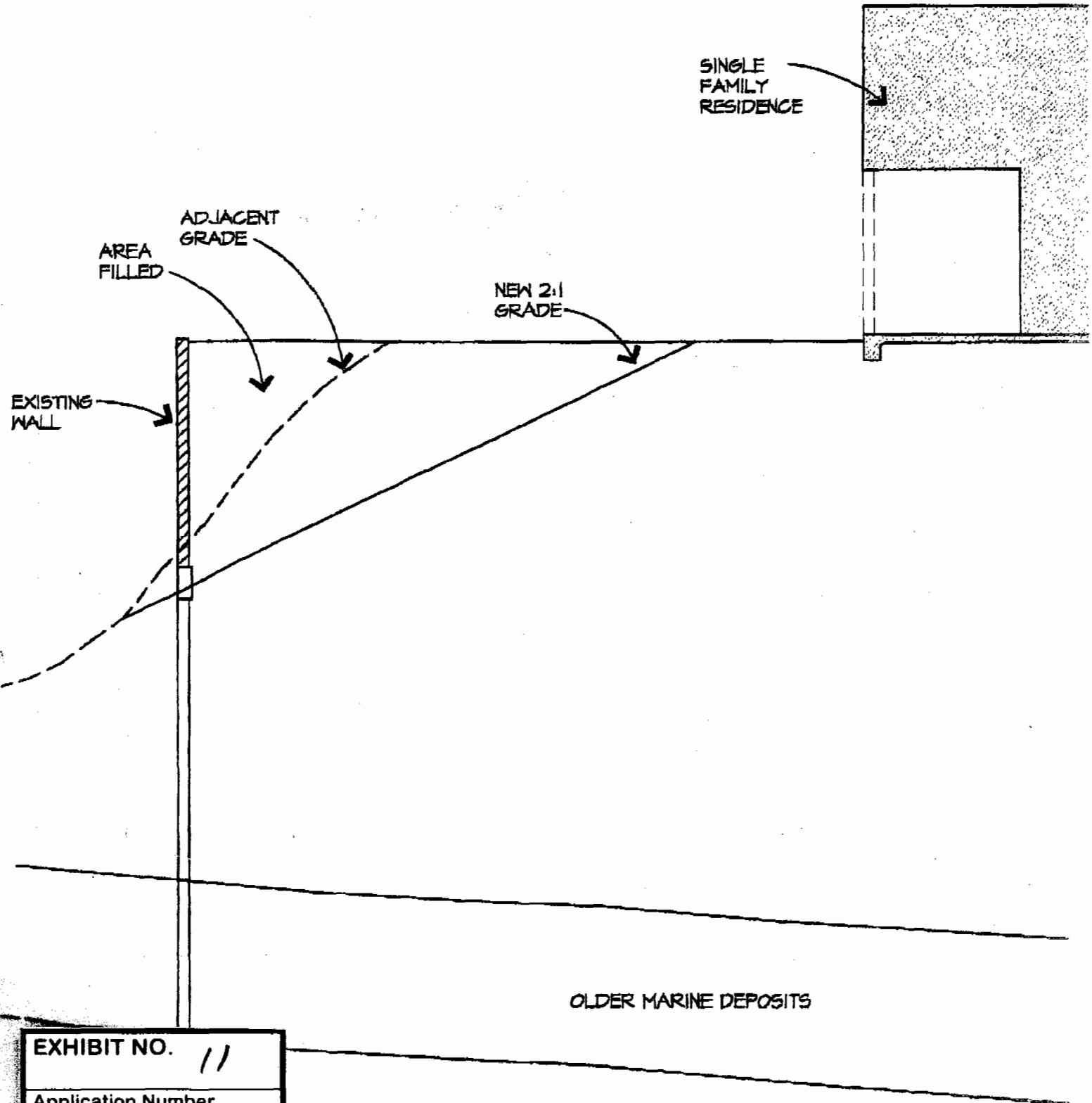


EXHIBIT NO. 11

Application Number

5-06-360

2:1 slope needed
without wall

California Coastal Commission

**Grover-Hollingsworth and Associates, Inc.**
Geotechnical Consultants

BY: _____ DATE 05/17/08

REF. _____

SCALE 1/4"=1'-0"

CLIENT: _____

GH _____

SUBJECT 431 ALMA REAL

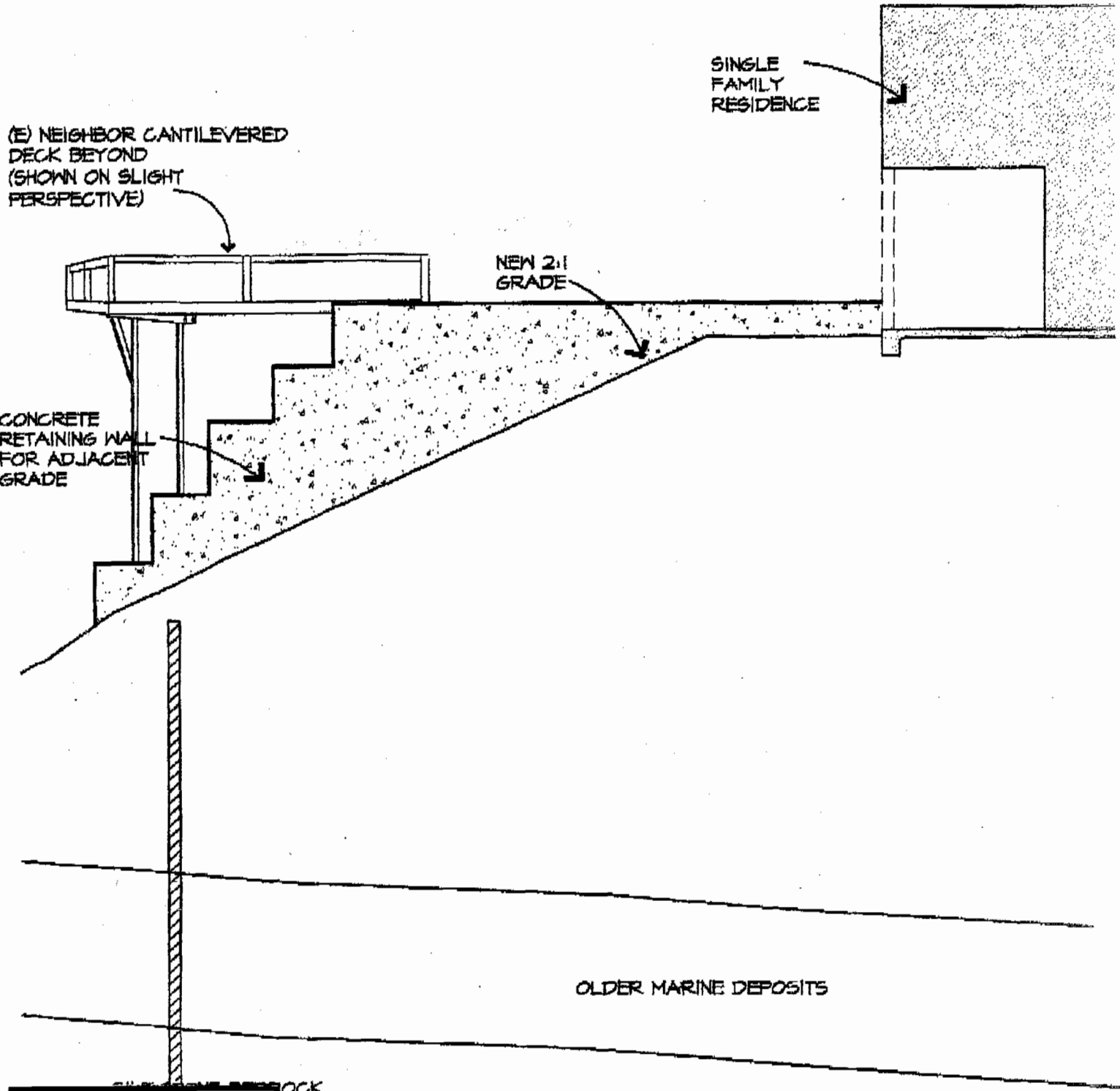


EXHIBIT NO. 12

Application Number

5-06-360

2:1 Slope with
side wall

California Coastal Commission



Grover-Hollingsworth and Associates, Inc.
Geotechnical Consultants

BY: _____ DATE 05/17/08

REF _____

SCALE 1/4"=1'-0"

CLIENT: _____

GH _____

SUBJECT 431 ALMA REAL

Leonor
C2a
C

FIRE RESISTANT PLANTS

These plants are considered fire resistant by virtue of the fact that they are under 18" tall, succulent (S) or of known fire retardance (FR). Other, taller plants may be used in the landscape if properly spaced and maintained.

Achillea millefolium

Agave sp. (S)

Anemopsis californica

Antirrhinum multiflorum

Aquilegia formosa

Aquilegia pubescens

Arctostaphylos edmundsii

Arctostaphylos edmundsii parvifolia

Arctostaphylos uva-ursi

Arctostaphylos 'Anchor Bay'

Arctostaphylos 'Carmel Sur'

Arctostaphylos 'Emerald Carpet'

Arctostaphylos 'Indian Hill'

Arctostaphylos 'Pacific Mist'

Arctostaphylos 'Sandsprite'

Arctostaphylos 'Williams'

Armeria maritima

Artemesia californica 'Canyon Gray'

Artemesia pycnocephala

Artemesia pycnocephala 'Compacta'

Asarum caudatum

Asclepias fascicularis

Aster chilensis

Astragalus coccineus

Atriplex canescens (FR)

Atriplex hymenelytra (FR)

Atriplex lentiformis (FR)

Baccharis pilularis 'Twin Peaks'

Beloperone californica (S)

Camissonia cheiranthifolia
suffruticosa

"Yarrow"

"Century Plant"

"Yerba Mansa"

"Snapdragon"

"Scarlet Columbine"

"Sierra Columbine"

"Little Sur Manzanita"

"Bronze Mat Manzanita"

"Red Bearberry"

EXHIBIT NO. 13
Application Number 5-06-360
Fire Resistant Plant List
California Coastal Commission

"Sea Thrift"

"Prostrate Sagebrush"

"Sandhill Sagebrush"

"Compact Sandhill Sagebrush"

"Wild Ginger"

"Butterfly Bush"

"Wild Aster"

"Scarlet Locoweed"

"Four-winged Salt Bush"

"Desert Holly"

"Quail Bush"

"Dwarf Coyote Brush"

"Chuparosa"

"Beach Suncups"

Ceanothus hearstiorum
Ceanothus maritimus
Ceanothus griseus horizontalis
 'Yankee Point'
Cirsium proteanum
Coreopsis gigantea (S)
Coreopsis maritima
Delphinium cardinale
Delphinium parryi
Dicentra formosa
Diplacus longiflorus
Diplacus puniceus
Diplacus hybrids
Dudleya sp. (S)
Echinocereus engelmannii (S)
Epipactis gigantea
Erigeron glaucus
Eriogonum crocatum
Eriogonum fasciculatum 'Theodore
 'Payne'
Eriogonum fasciculatum 'Warriner
 'Lytle'
Eriogonum grande rubescens
Eriogonum parvifolium
Eriogonum parvifolium paynei
Eriogonum umbellatum
Eriophyllum confertiflorum
Eriophyllum nevinii (FR)
Erysimum capitatum
Erysimum concinnum
Euphorbia misera (S)
Ferocactus acanthodes (S)
Ferocactus viridescens (S)
Fouquieria splendens (S)
Fragaria californica
Fragaria chiloensis
Grindelia stricta venulosa
Helianthemum scoparium

"San Simeon Ceanothus"
 "Maritime Ceanothus"
 "Yankee Point California Lilac"
 "Red Thistle"
 "Giant Coreopsis"
 "Sea Dahlia"
 "Scarlet Larkspur"
 "Parry's Larkspur"
 "Western Bleeding Heart"
 "Bush Monkey-Flower"
 "Red Bush Monkey-Flower"
 "Hybrid Monkey-Flower"
 "Live-forever"
 "Hedgehog Cactus"
 "Stream Orchid"
 "Beach Aster"
 "Conejo Buckwheat"
 "Dwarf Buckwheat"
 "Prostrate Buckwheat"
 "Red Buckwheat"
 "Coast Buckwheat"
 "Santa Paula Buckwheat"
 "Sulphur Buckwheat"
 "Golden Yarrow"
 "Catalina Dusty Miller"
 "Orange Wallflower"
 "Fragrant Wallflower"
 "Golden Spurge"
 "California Barrel Cactus"
 "San Diego Barrel Cactus"
 "Ocotillo"
 "Wood Strawberry"
 "Beach Strawberry"
 "Coastal Wild Gum"
 "Rock Rose"

COASTAL COMMISSION

EXHIBIT # _____
 PAGE 2 OF 4

Heuchera sp.
Iris douglasiana
Iris hybrids
Isomeris arborea (FR)
Iva hayesiana
Juncus oxymeris
Juncus patens
Lavatera assurgentiflora (FR)
Lavatera 'Purissima' (FR)
Leptodactylon californicum
Lewisia cotyledon
Linum lewisii
Lobelia dunni serrata
Lonicera hispidula
Lupinus sp.
Mahonia repens
Mimulus cardinalis
Mimulus guttatus
Monardella macrantha
Monardella odoratissima
Nolina sp. (S)
Oenothera deltoides
Opuntia basilaris (S)
Penstemon azureus angustissimus
Penstemon bridgesii
Penstemon centranthifolius
Penstemon cordifolius
Penstemon heterophyllus
Penstemon labrosus
Penstemon parvulus
Penstemon spectabilis
Perityle incana (FR)
Polystichum munitum
Pteridium aquilinum
Ranunculus californica
Rhus trilobata

"Alum Root"
 "Douglas Iris"
 "Pacific Coast Hybrid Iris"
 "Bladderpod"
 "Iva"
 "Rush"
 "Rush"
 "Malva Rose"
 "Hybrid Tree Mallow"
 "Prickly Phlox"
 "Cliff Maidens"
 "Blue Flax"
 "Trailing Lobelia"
 "Pink Honeysuckle"
 "Lupines"
 "Creeping Barberry"
 "Scarlet Monkey-flower"
 "Yellow Stream Monkey-flower"
 "Scarlet Pennyroyal"
 "Coyote Mint"
 "Nolina"
 "Dune Primrose"
 "Beavertail Cactus"
 "Azure Penstemon"
 "Mountain Bugler"
 "Scarlet Bugler"
 "Heart-leaf Penstemon"
 "Foothill Penstemon"
 "Rabbit Ears"

 "Showy Penstemon"
 "Guadalupe Island Rock Daisy"
 "Western Sword Fern"
 "Bracken Fern"
 "Buttercup"
 "Squaw Bush"

COASTAL COMMISSION

EXHIBIT # _____
 PAGE 3 OF 4

Ribes viburnifolium
Romneya coulteri (FR)
Rosa nutkana (FR)
Rosa woodsii ultramontana (FR)
Salvia sonomensis
Salvia spathacea
Salvia 'Dara's Choice'
Salvia mellifera 'Pt. Mugu'
Salvia mellifera 'Terra Seca'
Satureja chandleri
Satureja douglasii
Scutellaria austinae
Sedum purdyi (S)
Sidalcea malvaeflora sparsifolia
Silene laciniata major
Silene verecunda
Sisyrinchium bellum
Sisyrinchium californicum
Sisyrinchium elmeri 'Lilian'
Solanum wallacei wallacei (S)
Solanum xanti (S)
Sphaeralcea ambigua
Stanleya pinnata
Symphoricarpos mollis
Thalictrum sp.
Tolmiea menziesii
Vaccinium ovatum
Viguiera deltoidea
Yucca sp. (S)
Zauschneria sp.

"Evergreen Currant"
 "Matilija Poppy"
 "Nootka Rose" EXHIBIT # _____
 "Wild Rose" PAGE 4 OF 4
 "Creeping Sage"
 "Hummingbird Sage"

 "Dwarf Black Sage"
 "Prostrate Black Sage"
 "Mountain Savory"
 "Yerba Buena"
 "Austin's Skullcap"
 "Stonecrop"
 "Checkerbloom"
 "Indian Pink"
 "Campion"
 "Blue-eyed Grass"
 "Golden-eyed Grass"

 "Catalina Island Nightshade"
 "Purple Nightshade"
 "Apricot Mallow"
 "Prince's Plume"
 "Trailing Snowberry"
 "Meadow Rue"
 "Piggyback Plant"
 "Evergreen Huckleberry"
 "Parish Viguiera"

 "California Fuchsia"

This list compiled by The Theodore Payne Foundation for Wild Flowers
 and Native Plants, Inc., a non-profit foundation. For further
 information, contact us at (818) 766-1802.