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W18d

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-06-159

APPLICANT: Los Angeles County Department of Public Works

PROJECT DESCRIPTION: Remediate active slope failure along approximately 80 feet on the northern side of Las Flores Canyon Road. Slope remediation will involve: (1) construction of a 80 linear ft. soldier pile retaining wall and timber lagging system, 26 feet high (with a maximum of 3 feet of retaining wall exposed above grade); (2) installation of a 3-foot-high concrete railing on top of the retaining wall; (3) reconstruction of 80 linear feet of the 24-foot-wide Las Flores Canyon Road adjacent to the retaining wall; (4) 46 cubic yards of grading (38 cu. yds. of cut, 8 cu yds. of fill) in the area of the slope failure; and (5) revegetation of the 0.03 acre temporary construction easement with native plant species after construction of the retaining wall has been completed.

PROJECT LOCATION: Las Flores Canyon Road, 220 feet south of culvert marker 2.04, approximately ¼ mile south of the intersection of Las Flores Canyon Road and Hume Road, in the Santa Monica Mountains; Los Angeles County (APN 4448-028-057).

LOCAL APPROVALS RECEIVED: N/A

MOTION & RESOLUTION: **Page 4**

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed development with **Five (5) conditions** regarding: (1) a revegetation plan; (2) assumption of risk; (3) material and design specification; (4) removal of excess excavated material; and (5) best management practices. The proposed project consists of the remediation of an active slope failure along approximately 80 feet of Las Flores Canyon Road. This road provides vehicular

and emergency access to residential communities along Las Flores Canyon Road, including the homes within the Los Flores Heights subdivision.

The project includes reconstruction of the existing developed roadway and the construction of a new soldier pile retaining wall along the northern portion of Las Flores Canyon Road. The project site is located in a rural reach of the Santa Monica Mountains and is surrounded by chaparral habitat and Gorge Road to the north. Las Flores Canyon Creek, a blue line stream (designated by the USGS), runs along the eastern side of Las Flores Canyon Road and is approximately 200 feet downslope from the project site. The project footprint is mostly disturbed due to its location adjacent to the road shoulder and the slope failure and supports scattered ruderal plant species and ornamental plantings.

The County has submitted an engineering and alternatives analysis which asserts that the proposed soldier pile retaining wall is necessary to stabilize the downslope area of Las Flores Canyon Road in order to prevent further slope failure that could undermine the public roadway. The analysis indicates that project alternatives that were considered include the removal and recompaction of fill and loose soils and the construction of a concrete retaining wall. However, neither of these alternatives can be practically implemented due to the steepness of the downslope area and the need for extensive excavation that would result in significant vegetation removal and impacts to ESHA. Though the soldier pile wall introduces a large physical structure into the area, this option avoids impacts to ESHA, revegetates the downslope area, and is designed with faux-rock fascia panels to minimize visual intrusion into the surrounding environment. Staff has reviewed the analysis and concurs that there are no less environmentally damaging alternatives to stabilize the road.

While the areas surrounding the project site support southern mixed chaparral habitat that is considered to be environmentally sensitive habitat area (ESHA), the project site itself, located directly downslope of Las Flores Canyon Road, is mostly disturbed (due to its location adjacent to the roadway and conditions caused by the slope failure) and supports only scattered ruderal plant species and ornamental plantings. Therefore, the project site on which the roadway repairs and soldier pile wall would be constructed is not considered to be ESHA but would be characterized as development in an area adjacent to ESHA.

The proposed project, if implemented correctly, would not result in any impacts to ESHA adjacent to the project site. However, in order to ensure that adjacent ESHA is protected, special conditions been included to require the applicant to: to implement a chaparral habitat revegetation plan that provides for revegetation with native vegetation for all areas that are temporarily disturbed by grading and construction activities; removal all excess fill material from the project site; and implement best management practices to minimize erosion and protect coastal water quality.

The Standard of Review for this application is the policies in Chapter 3 of the Coastal Act. The proposed project, as conditioned, employs a method that is consistent with the applicable resource protection provisions of the Coastal Act.

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EXHIBITS

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SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permits CDP 4-05-165-G, 4-06-039-G, and 4-06-123-G (LA County Department of Public Works; "Revised Report of Geotechnical Investigation, Slope Stabilization, Las Flores Canyon Road," County of Los Angeles Department of Public Works, August 11, 2005; "Alternatives Analysis, Las Flores Canyon Road, 220 Feet South of Mile Marker 2.04," County of Los Angeles Department of Public Works; "Los Angeles County Department of Public Works Biological Reconnaissance Survey, Las Flores Canyon Road Repair Project near MM 2.04, Malibu," URS Corporation, August 22, 2005; and Road Deed from JT Wise Capital, LLC to the County of Los Angeles for road easement, dated August 9, 2007.

I. STAFF RECOMMENDATION

MOTION: ***I move that the Commission approve Coastal Development Permit No. 4-06-159 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 on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Revegetation Plan

Prior to issuance of this Coastal Development Permit, the applicant shall submit, for the review and approval of the Executive Director, a detailed Revegetation Plan and Monitoring Program, prepared by a biologist or environmental resource specialist with qualifications acceptable to the Executive Director, for all disturbed areas within the temporary construction easement and any other areas of the project site temporarily disturbed by grading and construction activities. Within 60 days of the completion of construction, the applicant shall commence implementation of the approved Revegetation Plan. The Executive Director may grant additional time for good cause. The plans shall identify the species, extent, and location of all plant materials to be removed or planted and shall incorporate the following criteria:

a. Technical Specifications

The Revegetation Plan shall provide for the restoration of chaparral habitat in the project area with native plant species that are appropriate for southern mixed chaparral to cover all areas downslope of the road and where chaparral vegetation has been temporarily disturbed or removed due to construction activities shall be replanted with native plant species that are appropriate for both chaparral habitat in the same general location. The revegetation area shall be delineated on a site plan. All invasive and non-native plant species shall be removed from the revegetation area.

The plan shall include detailed documentation of conditions on site prior to the approved construction activity (including photographs taken from pre-designated sites annotated to a copy of the site plans) and specify restoration goals and specific performance standards to judge the success of the restoration effort.

The plan shall also provide information on removal methods for exotic species, salvage of existing vegetation, revegetation methods and vegetation maintenance. The plan shall further include details regarding the types, sizes, and location of plants to be placed within the mitigation area. Only native plant species appropriate for a southern mixed chaparral and which are endemic to the Santa Monica Mountains shall be used, 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. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized or maintained within the property. Site restoration shall be deemed successful if the revegetation of native plant species on site is adequate to provide 90% coverage by the end of the five (5) year monitoring period and is able to survive without additional outside inputs, such as supplemental irrigation. The plan shall also include a detailed

description of the process, materials, and methods to be used to meet the approved goals and performance standards and specify the preferable time of year to carry out restoration activities and describe the interim supplemental watering requirements that will be necessary.

b. Monitoring Program

A monitoring program shall be implemented to monitor the project for compliance with the specified guidelines and performance standards. The applicant shall submit, upon completion of the initial planting, a written report prepared by a qualified resource specialist, for the review and approval of the Executive Director, documenting the completion of the initial planting/revegetation work. This report shall also include photographs taken from pre-designated sites (annotated to a copy of the site plans) documenting the completion of the initial planting/revegetation work.

Five years from the date of issuance of this coastal development permit, the applicant shall submit for the review and approval of the Executive Director, a Revegetation Monitoring Report, prepared by a qualified biologist or Resource Specialist, which certifies whether the on-site restoration is in conformance with the restoration plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the monitoring report indicates the vegetation and restoration is not in conformance with or has failed to meet the performance standards specified in the revegetation plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental restoration plan for the review and approval of the Executive Director and shall implement the approved version of the plan. The revised restoration plan must be prepared by a qualified biologist or 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.

2. <u>Assumption of Risk</u>

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

B. Prior to the issuance of the coastal development permit, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

3. Material/Design Specifications

Prior to issuance of this Coastal Development Permit, the applicant shall submit detailed plans, for the review and approval of the Executive Director, which show that all exposed surfaces of the approved soldier pile retaining wall and concrete barrier, shall be designed to include, or mimic, the native materials and appearance (including color and texture) of the natural environment (such as the appearance of rock facing).

4. Removal of Excess Excavated Material

Prior to issuance of this Coastal Development Permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated material from the site. If the disposal site is located in the Coastal Zone, the disposal site must have a valid coastal development permit for the disposal of fill material. If the disposal site does not have a coastal permit, such a permit will be required prior to the disposal of material.

5. Best Management Practices.

By acceptance of this permit, the applicant agrees to implement best management practices to minimize erosion and protect water quality adjacent to the project site. These measures shall include minimizing grading during the rainy season (November 1 – March 31). Should construction activities occur during the rainy season, the applicant shall implement sediment control measures such as sand bag barriers, silt fencing, geofabric covers or other appropriate cover, or geotextiles and/or mats on all cut or fill slopes as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. Furthermore, should grading or site preparation cease for a period of more than 30 days, temporary erosion control measures shall be implemented and should include, but not limited to: stabilization of all stockpiled fill, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, and silt fencing. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

1. Project Description

The subject site is located on Las Flores Canyon Road, 220 feet south of culvert marker 2.04, approximately ¼ mile south of the intersection of Las Flores Canyon Road and Hume Road, in the Santa Monica Mountains; Los Angeles County (**Exhibit 1**). The project crosses one privately-owned parcel. The property owner of this parcel has granted permission through a temporary construction easement for L.A. County Public Works to access the subject property and complete the proposed project. The proposed project is located along an 80-foot section of Los Flores Canyon Road. Gorge Road lies to the north and east of Las Flores Canyon Road and the subject site. Las Flores Canyon Creek, a blue line stream (designated by the USGS), runs along the eastern side of Las Flores Canyon Road and is approximately 200 feet downslope from the project site. Slope failure at the project site occurred during a large storm during February 2005. During this storm, heavy rainfall and high water levels in Los Flores Canyon Creek resulted in soil erosion and ultimately slope failure at the subject property.

The proposed project consists of the remediation of an active slope failure along approximately 80 feet on the northern side (downslope area) of Las Flores Canyon Road. Slope remediation will involve: (1) construction of a 80 linear ft. soldier pile retaining wall and timber lagging system, 26 feet high (with a maximum of 3 feet of retaining wall exposed above grade); (2) installation of a 3-foot-high concrete railing on top of the retaining wall; (3) reconstruction of 80 linear feet of the 24-foot-wide Las Flores Canyon Road adjacent to the retaining wall; (4) 46 cubic yards of grading (38 cu. yds. of cut, 8 cu yds. of fill) in the area of the slope failure; and (5) revegetation of the 0.03 acre temporary construction easement with native plant species after construction of the retaining wall has been completed. (**Exhibits 2 - 4**).

2. Past Commission Actions

Portions of Las Flores Canyon Road in the vicinity of the project site have been the subject of past Commission actions to remediate undermined road conditions. Remediation of the 80-foot-long portion of roadway on the subject property has never been the subject of any previous emergency permit actions.

On October 11, 2005, the Commission approved emergency permit CDP 4-05-165-G, which was issued to the Los Angeles County Department of Public Works for slope remediation work on Las Flores Canyon Road, approximately 130 feet north of culvert marker 1.94, near the intersection of Las Flores Canyon Road and Hume Road (north of the property that is the subject of the current application). This slope remediation work included the construction of a 155-foot-long soldier pile retaining wall with tieback anchors on the downslope shoulder of Las Flores Canyon Road and the disturbance of an approximately 10,400 sq. ft. area of disturbance and reconstruction of 2,400 sq. ft. of

roadway to stabilize an active landslide that has undermined a portion of Las Flores Canyon Road.

On March 29, 2006, the Commission approved emergency permit CDP 4-06-039-G, which was issued to the Los Angeles County Department of Public Works for slope remediation work on the downslope shoulder of Las Flores Canyon Road, 330 feet south of culvert marker 0.98 (north of the property that is the subject of the current application). This slope remediation work included construction of a 140-foot-long, approximately 5 to 25 feet in height above finished grade, soldier pile retaining wall, excavation of approximately 1,260 cu. yds. of unstable slope material, placement and recompaction of approximately 35 cu. yds. fill material, and revegetation of all disturbed areas with native vegetation.

On September 25, 2006, the Commission approved emergency permit CDP 4-06-123-G, which was issued to the Los Angeles County Department of Public Works. This permit was issued for the same slope remediation work on Las Flores Canyon Road that was authorized in CDP 4-06-039-G described above. Because the County failed to initiate the work within the timeline required in CDP 4-06-039-G, it was necessary to issue a new permit, CDP 4-06-123-G, to allow for the slope remediation 330 feet south of culvert marker 0.98 on Las Flores Canyon Road.

B. MARINE ENVIRONMENT AND ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Section 30231 of the Coastal Act states:

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

Section 30240(b) of the Coastal Act states:

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

The project includes reconstruction of the existing developed roadway and the construction of a new soldier pile retaining wall along the northern portion of Las Flores Canyon Road. The project area is located in a canyon with steep slopes within the Santa Monica Mountains. The areas surrounding the project site support southern

mixed chaparral habitat including Ceanothus, California sagebrush, California buckwheat, and laurel sumac. The Commission finds that southern mixed chaparral habitat, such as the native vegetation located in the area immediately surrounding the subject site, provides important habitat for wildlife species and protects water quality within coastal streams by reducing erosion in the watershed. Because of its increasing rarity, its important role in the functioning of the Santa Monica Mountains Mediterranean ecosystem, and its extreme vulnerability to development, southern mixed chaparral habitat within the Santa Monica Mountains and adjacent to the proposed road remediation work meets the definition of ESHA under the Coastal Act.

However, the subject project site, which is located directly downslope of Las Flores Canyon Road, is mostly disturbed due to its location adjacent to the roadway and conditions caused by the slope failure and supports only scattered ruderal plant species and ornamental plantings. Therefore, the Commission finds that although the project site on which the roadway repairs and soldier pile wall would be constructed is not considered to be ESHA, the surrounding southern mixed chaparral habitat adjacent to the project site does meet the definition of ESHA.

Section 30240 of the Coastal Act requires that development in areas adjacent to environmentally sensitive habitat areas be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas. In past permit actions, the Commission has found that new development within chaparral habitat areas results in potential adverse effects to this habitat, downstream riparian habitat, and ultimately marine resources from increased erosion, contaminated storm runoff, disturbance to wildlife, and loss of chaparral plant and animal communities.

The proposed slope remediation is a necessary repair project to an existing roadway that was damaged by soil erosion associated with a large storm. The County has submitted an engineering and alternatives analysis which asserts that the proposed soldier pile retaining wall is necessary to stabilize the downslope area of Las Flores Canyon Road in order to prevent further slope failure that could undermine the public roadway. The analysis indicates that project alternatives that were considered include the removal and recompaction of fill and loose soils and the construction of a concrete retaining wall. However, neither of these alternatives can be practically implemented due to the steepness of the downslope area and the need for extensive excavation that would result in significant vegetation removal and impacts to ESHA. Though the soldier pile wall introduces a large physical structure into the project area, this alternative would avoid impacts to ESHA, would revegetate the downslope area, and would be designed with faux-rock fascia panels to minimize visual intrusion into the surrounding environment. Staff concurs that there are no less environmentally damaging alternatives to the proposed project and believes that this option has been designed to prevent impacts that would degrade ESHA adjacent to the project site. Therefore, the Commission finds that the project, if implemented as proposed, would avoid impacts to ESHA, would increase the slope area planted with native plants, and would minimize visual impacts as viewed from a short stretch of Los Flores Canyon Road located to the

north. Therefore, there are no other feasible alternatives to the proposed project that would reduce impacts than the proposed project.

In order to ensure that the area downslope of the roadway within the temporary construction easement is compatible with the character of the adjacent ESHA habitat and does not result in increased presence of non-native or invasive plant species, **Special Condition One (1)** has been included to require the applicant to prepare and implement a detailed Revegetation Plan and Monitoring Program for all areas of the project site temporarily disturbed by grading and construction activities. The Revegetation Plan would require the identification of the species, extent, and location of all plant materials to be removed or planted and would require that all planted materials be native species that are appropriate for southern mixed chaparral. Additionally, this condition also requires that all invasive and non-native plant species shall be removed from the project area. The proposed project would not result in the loss of any ESHA on site and would not result in any encroachments or adverse impacts to either oak woodland or riparian areas downslope.

Section 30231 of the Coastal Act mandates the maintenance and protection of the biological productivity and quality of coastal waters and streams. Las Flores Canyon Creek, a blue line stream (designated by the USGS), runs along the eastern side of Las Flores Canyon Road and is approximately 200 feet downslope from the project site. Construction activities associated with the proposed project, including roadway repairs, grading, and vegetation removal have the potential to impact water quality within Las Flores Canyon Creek.

The proposed project would involve slope remediation work including 46 cubic yards of grading (38 cu. yds. of cut, 8 cu yds. of fill) in the area of the slope failure over a 0.03-acre temporary construction area. Remediation work would result in the removal of ruderal plant species and ornamental plantings. Removal of vegetation at the project site has the potential to cause increased sedimentation and erosion at Las Flores Canyon Creek, thereby adversely impacting the water quality of the creek. In order to ensure that adverse impacts to water quality due to increased erosion and sedimentation are minimized, and does not result in increased presence of non-native or invasive plant species, **Special Condition One (1)** has been included to require the applicant to prepare and implement a detailed Revegetation Plan and Monitoring Program for all areas of the project site temporarily disturbed by grading and construction activities, which includes removal of non-native species and replanting of all disturbed areas with native chaparral species.

As described above, the proposed slope remediation work would include 38 cubic yards of cut grading and 8 cubic yards of fill grading, resulting in the need to export 30 cubic yards of fill material. In order to ensure that the excess cut material does not have direct or indirect impacts on water quality or adjacent ESHA, either through direct placement or through erosion of excess material from the project site, **Special Condition Four (4)** has been included to require that the applicant provide evidence of the location of the disposal site of all excess excavated material from the site.

To further protect water quality adjacent to the project site during and after project construction, **Special Condition Five (5)** has been included to require the applicant to implement best management practices to minimize erosion and protect water quality. These measures include minimizing grading during the rainy season and implementing sediment control measures such as sand bag barriers, silt fencing, or geofabric covers on all cut or fill slopes, should construction activities occur during rainy season. **Special Condition Five (5)** also requires that erosion measures be installed at the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction and requires temporary erosion control measures should construction activities cease for more than 30 days.

In conclusion, as discussed in detail above, the proposed development will be approved in order to repair an existing public roadway. Siting and design alternatives have been considered in order to identify the alternative that can avoid and minimize impacts to adjacent ESHA and water quality. The Commission therefore finds that the project, as conditioned, would protect adjacent ESHA and the biological productivity and water quality of Las Flores Canyon Creek, and is therefore consistent with Sections 30240 and 30231 of the Coastal Act.

C. HAZARDS AND GEOLOGIC STABILITY

Coastal Act Section 30253 states in part:

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

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

The Los Angeles County Department of Public Works proposes a slope remediation which includes: (1) construction of a 80 linear ft. soldier pile retaining wall and timber lagging system, 26 feet high (with a maximum of 3 feet of retaining wall exposed above

grade); (2) installation of a 3-foot-high concrete railing on top of the retaining wall; (3) reconstruction of 80 linear feet of the 24-foot-wide Las Flores Canyon Road adjacent to the retaining wall; (4) 46 cubic yards of grading (38 cu. yds. of cut, 8 cu yds. of fill) in the area of the slope failure; and (5) revegetation of the 0.03 acre temporary construction easement with native plant species after construction of the retaining wall has been completed.

The slope failure at the project site occurred during a large storm during February 2005. During this storm, heavy rainfall and high water levels in Las Flores Canyon Creek resulted in soil erosion and ultimately slope failure at the subject property. The purpose of the proposed remediation is to maintain the public's ability to use Las Flores Canyon Road for vehicular access and provide for emergency services/access to the residences and communities along this roadway.

The Commission notes that the proposed development, although necessary to remediate a hazardous eroding slope condition, will still not eliminate the potential for erosion of the steep slope on the subject site. The Commission finds that minimization of site erosion will add to the stability of the site. Erosion can best be minimized by requiring the applicant to plant all disturbed areas of the site with native plants compatible with the surrounding chaparral habitat. Further, in past permit actions, the Commission has found that invasive and non-native plant species are typically characterized as having a shallow root structure in comparison with their high surface/foliage weight and/or require a greater amount of irrigation and maintenance than native vegetation. The Commission notes that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize steep slopes, such as the slopes on the subject site, and that such vegetation results in potential adverse effects to the geologic stability of the project site. In comparison, the Commission finds that native plant species are typically characterized not only by a well-developed and extensive root structure in comparison to their surface/foliage weight but also by their low irrigation and maintenance requirements. Therefore, in order to ensure the stability and geotechnical safety of the site, **Special Condition One (1)** specifically requires that all proposed disturbed areas on subject site be stabilized with native vegetation appropriate for chaparral habitat.

The proposed project, as conditioned to ensure that the disturbed slopes on site are revegetated with native vegetation, has been designed to ensure slope stability on site to the maximum extent feasible. However, the Coastal Act recognizes that certain development projects located in geologically hazardous areas, such as the subject site, still involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to determine who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property. As such, the Commission finds that due to the foreseen possibility of erosion, landslide, and slope failure, the applicant shall assume these risks as a condition of approval. Therefore, **Special Condition Two (2)** requires the applicant to waive any

claim of liability against the Commission for damage to life or property which may occur as a result of the permitted development. The applicant's assumption of risk, will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and which may adversely affect the stability or safety of the proposed development.

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

D. VISUAL RESOURCES

Section 30251 of the Coastal Act states that:

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

The proposed project includes the construction of an 80-foot-long soldier pile retaining wall, which will be a maximum of 3-ft.-high exposed above grade. The retaining wall will include a lagging system and 3-ft high concrete railing. The project further includes the reconstruction of 80 linear feet of the 24-foot-wide Las Flores Canyon Road adjacent to the retaining wall, 46 cubic yards of grading, and revegetation of the 0.03 acre temporary construction easement with native plant species.

The Commission notes that the soldier pile retaining wall, road reconstruction, and associated grading would serve to increase the structural stability of the roadway on the subject site and ensure public safety. Although the proposed retaining wall will be 26 ft. high, the majority of the wall would actually be below grade. No more than approximately 3 feet of wall would be exposed above grade and visible from public viewing areas. However, the Commission also notes that portions of the wall would still be highly visible from sections of Las Flores Canyon Road and would be more urban in appearance and will be less consistent with the rural nature of the area surrounding the project site than previously existed. Therefore, in order to ensure that any adverse effects to public views resulting from the proposed development are minimized, **Special Condition Three (3)** requires that the surface of the proposed soldier pile retaining wall and concrete barrier be designed to include, or mimic, the color and texture of native materials and appearance of the natural environment (such as the appearance of rock facing). Therefore, for the reasons discussed above, the Commission finds that the proposed development, as proposed, will not result in any adverse effects to public views and is consistent with Section 30251 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

Section 30604 of the Coastal Act states:

> ***a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).***

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program that conforms with the Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and are accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area which is also consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

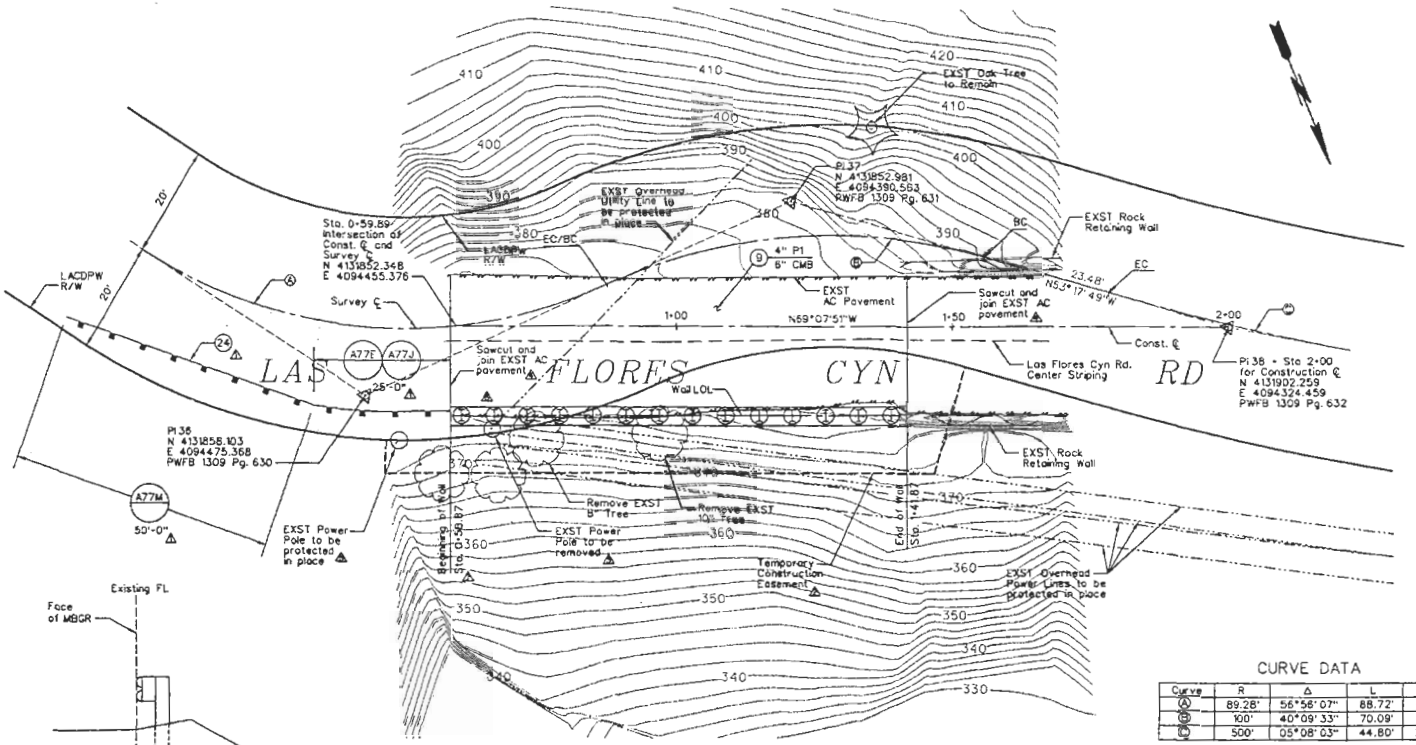
F. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

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

the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

EXHIBIT 1
4-06-159
Vicinity Map



SECTION AT MBGR ⚠

PLAN
1" = 10'

CURVE DATA

Curve	R	Δ	L	T
Ⓐ	89.28'	56°56'07"	88.72'	48.41'
Ⓑ	100'	40°09'33"	70.09'	36.55'
Ⓒ	500'	05°08'03"	44.80'	22.42'

Note: Survey curve data obtained from PWFB 1309 Pg. 630 through 632

CONSTRUCTION LEGEND

(9) Asphalt Concrete Pavement on Base Material
(24) Metal Beam Guard Railing (MBGR) ⚠

BENCH MARK

Datum NGVD 1929 Malibu 1970 Adj.
LF-4 Elev. 495.39 (adj.)
Fd. Sm Spk & W @ E'ly EP
Las Flores Cyn Rd. 217' S/O MM 1.98
per PWLB 1309 Pg. 608

DATE	MK	DESCRIPTION
2/14/06	⚠	REVISED RDC NUMBER
5/13/05	⚠	REVISE BEGINNING OF WALL STATION
5/13/05	⚠	EXTEND WALL BY 3 PILES
9/13/05	⚠	ADD POWER POLE / MODIFY NOTES
9/7/05	⚠	REVISE LIMITS OF AC WORK
8/30/05	⚠	REVISED RDC NUMBER
8/15/05	⚠	INDICATE TEMP. CONST. EASEMENT
8/9/05	⚠	MODIFY METAL BEAM GUARD RAIL

REVISIONS

DAVID S. CHAN — No. 39864 — 06/30/07 — REGISTERED CIVIL ENGINEER — STATE OF CALIFORNIA

PROJECT ENGINEER — DATE 7/31/06

THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

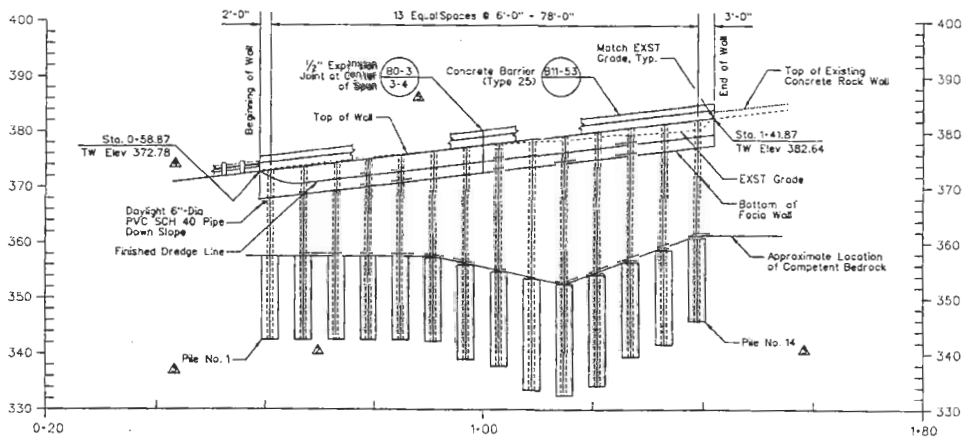
GENERAL PLAN

LAS FLORES CANYON ROAD
220 FEET SOUTH OF CM 2.04
PROJECT ID NO. RDC0014711 ⚠⚠

BR. NO. 39B0 | PCA RB31336099 | DWG P8619802 | SHEET 3 OF 7

CAD PROJECT FILE NAME: LasFloresCynRd_MM2104.dgn

EXHIBIT 2
4-06-159
Site Plan



WALL ELEVATION

1" = 10'

PILE LOCATION

PILE NO. ⚠	CONST. ℄ STA.	OFFSET (ft)	HOLE DIA (in)	TYPE OF PILE	Fy (ksi)
1	0+60.87	16.08	36	W24x94	50
2	0+68.87	16.08	36	W24x94	50
3	0+72.87	16.08	36	W24x94	50
4	0+78.87	16.08	36	W24x94	50
5	0+84.87	16.08	36	W24x94	50
6	0+90.87	16.08	36	W24x94	50
7	0+96.87	16.08	36	W24x117	50
8	1+02.87	16.08	36	W24x117	50
9	1+08.87	16.08	36	W24x162	50
10	1+14.87	16.08	36	W24x162	50
11	1+20.87	16.08	36	W24x162	50
12	1+26.87	16.08	36	W24x117	50
13	1+32.87	16.08	36	W24x117	50
14	1+38.87	16.08	36	W24x94	50

PILE DATA

PILE NO. ⚠	TOP OF WALL ELEV (ft)	PILE TIP ELEV (ft)	D (ft)	DESIGN HT. (ft)	BOTTOM OF FACIA WALL ELEV. (ft)
1	373.02	342.02	15	16	368.02
2	373.74	341.74	15	17	368.74
3	374.45	342.45	15	17	369.45
4	375.16	342.16	15	18	370.16
5	375.87	341.87	15	19	370.87
6	376.58	342.58	15	19	371.58
7	377.30	339.30	17	21	372.30
8	378.01	338.01	17	23	373.01
9	378.72	333.72	20	25	373.72
10	379.43	333.43	20	26	374.43
11	380.15	335.15	20	25	375.15
12	380.86	340.86	17	23	375.86
13	381.57	343.57	17	21	376.57
14	382.28	348.28	15	19	377.28

CADD PROJECT FILE NAME: LosFloresCynRd_WA204.dgn

DATE	MK	DESCRIPTION
2/14/06	⚠	REVISED RDC NUMBER
9/13/05	⚠	ADDED EXPANSION JOINT CALLOUT
9/13/05	⚠	REVISED WALL STATION / ELEV.
9/13/05	⚠	RE-NUMBERED PILES
9/13/05	⚠	EXTEND S. END OF WALL BY 3 PILES
8/30/05	⚠	REVISED RDC NUMBER

REVISIONS

THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

DAVID S. CHAN 54844 08/30/07 REGISTERED CIVIL ENGINEER

PROJECT ENGINEER DATE

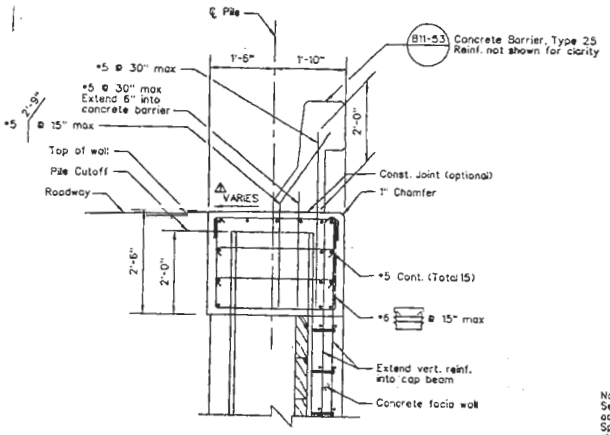
COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

RETAINING WALL PROFILE

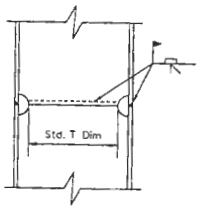
LAS FLORES CANYON ROAD
220 FEET SOUTH OF CM 2.04
PROJECT ID NO. RDC0014711 ⚠⚠

BR. NO. 3980 | PCA RB31336099 | DWG PB619803 | SHEET 4 OF 7

EXHIBIT 3
4-06-159
Wall Elevation

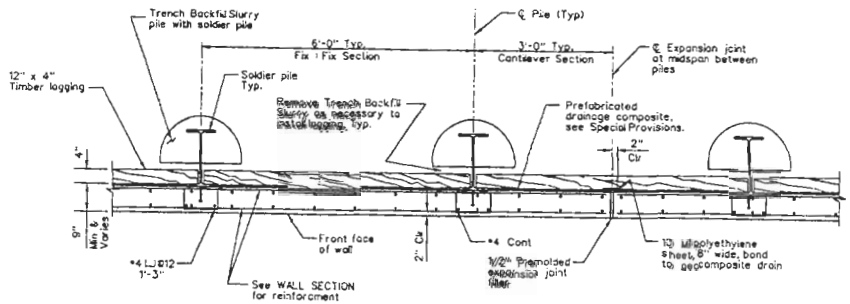


DETAIL A
No Scale

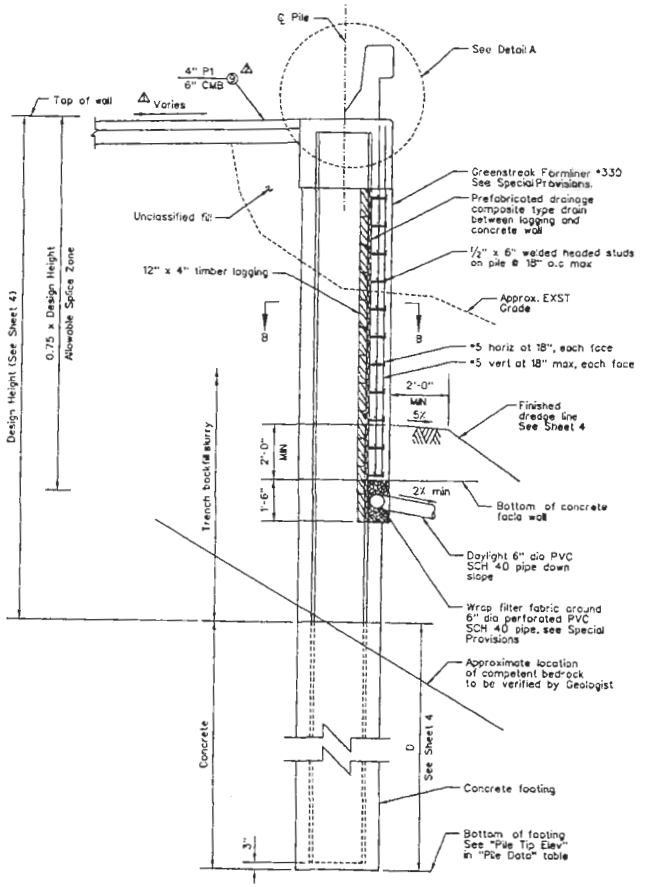


Note:
See "WALL SECTION" for acceptable splice locations. Spices in adjacent piles shall be offset 3' min.

PILE SPLICE DETAIL
1" = 1'-0"



SECTION B-B ⚠
No Scale



WALL SECTION
No Scale

THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

DATE		DESCRIPTION
2/14/06	⚠	REVISED RDC NUMBER
9/13/05	⚠	ADDED EXP. JOINT TO SECTION B-B
8/30/05	⚠	REVISED RDC NUMBER
8/9/05	⚠	ADD AC PVMT. OVER BASE CALLOUT
8/8/05	⚠	ADD/MODIFY SLOPE

REVISIONS

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

RETAINING WALL DETAILS

LAS FLORES CANYON ROAD
220 FEET SOUTH OF CM 2.04
PROJECT ID NO. RDC0014711 ⚠⚠

DAVID S. DIXON 34044 06/30/07

PROJECT ENGINEER — DATE 7/26/06

BR. NO. 3980 | PCA RB31336099 | DWG PB619804 | SHEET 5 OF 7

CADD PROJECT FILE NAME: LasFloresCnyRd_MM1204.dgn

EXHIBIT 4
4-06-159
Wall Detail