

CALIFORNIA COASTAL COMMISSION

South Central Coast District Office
89 South California Street, Suite 200
Ventura, California 93001-2801
(805) 585-1800 FAX (805) 641-1732



W22

SOUTH CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the
March Meeting of the California Coastal Commission*

MEMORANDUM

Date: March 09, 2015

TO: Commissioners and Interested Parties
FROM: John (Jack) Ainsworth, South Central Coast District Senior Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the South Central Coast District Office for the March 2015 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the South Central Coast District.

DETAIL OF ATTACHED MATERIALS**REPORT OF REGULAR WAIVERS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-14-1834-W M & M Management Company	Removal and replacement of an approximately 900 sq. ft. concrete deck that is partially cantilevered over the rip-rap bank of the adjacent waterway. The project also includes construction best management practices to ensure the water quality of the harbor is not degraded.	1305 BEACHMONT STREET VENTURA, CA 93001

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-14-0270-W Alford Enterprises II, LP and Elizabeth Erskine	Removal and replacement of a shared approximately 11 ft. by 40 ft. dock, two gangways approximately 26 ft. and 40 ft. in length, and an approximately 600 sq. ft. deck. The proposed repairs involve only the floating portions of the dock and do not require removal or replacement of the pile system supporting the dock. The project also includes construction best management practices to ensure the water quality of the harbor is not degraded.	1044 & 1056 PENINSULA STREET VENTURA, CA 93001

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-08-027-A2 Ruth Flinkman	Replace previously approved 3,008 sq. ft., 26 foot high single-family residence with a one-story, 1,910 sq. ft. 15.6 foot high manufactured single family residence, with a 80 sq. ft. utility room, 800 sq. ft. entry deck, 50 sq. ft., rear deck, 500 sq. ft. detached garage, pool, pool equipment and pool fence. Eliminate the 680 sq. ft. detached garage with attached 640 sq. ft. studio, 720 sq. ft. detached guesthouse and covered porches, and swimming pool. No revisions to approved footprint, grading, septic system or retaining walls proposed. Additionally, the project includes the restoration of a 4,500 sq. ft. previously disturbed area with native chaparral species.	2586 APPLEFIELD LANE TOPANGA, CA

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
4-04-103-E6 P & P Zamin, LLC	TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a 7,129 sq. ft., two-story single family residence with an attached 911 sq. ft., three-car, below grade garage, swimming pool/spa, 375 ft. long driveway, retaining walls, for driveway and structure, septic system, landscaping, and 2,650 cu. yds. of grading (1,800 cu. yds. of cut and 850 cu. yds. of fill).	2520 MARBY DRIVE MALIBU, CA 90265
4-06-032-E7 Sigalit & David Caron	TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for construction of a 4-stall, 864 sq. ft., 23 foot high barn using non-combustible materials and earthen colored tones with a 2,400 sq. ft. non-combustible corral enclosing the barn with approximately 320 cubic yards of cut and a minor amount of onsite fill, 540 sq. ft. array of solar panels supported on a 3 ft. high aluminum frame and a 4 ft. high emergency electric generator on an existing concrete pad to provide power for water pressure and telephone service, all located within the existing 100 foot Fuel Modification area. A stable waste management plan is also proposed.	20370 SKYHAWK LANE, TOPANGA, CA 90290

REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property, or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
G-4-15-0006 County of Santa Barbara	Replacement of nine (9) vertical timber piles at four locations (Bents 20, 25, 26, and 28) that have been damaged by wave and tidal action from a storm event with new timber piles. Replacement of timber cross frames/longitudinal struts at ten locations, and repair of various damaged deck panels and handrails, that have also been damaged by wave and tidal action.	GOLETA BEACH PIER, GOLETA BEACH COUNTY PARK, CITY OF GOLETA

REPORT OF MISCELLANEOUS ITEM

4-06-138-E6 – RESPONSE TO TWO LETTERS OF OBJECTION THAT WERE RECEIVED

CALIFORNIA COASTAL COMMISSION

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

**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: February 27, 2015
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-14-1834-W

Based on project plans and information submitted by the applicant regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Section 13250(c) of the Administrative Regulations (Title 14, Division 5.5).

Applicant: M & M Management Company
Agent: Nicole Harding, J.E. Armstrong Architects, Inc.
Location: 1305 Beachmont Street, Ventura, Ventura County
Description: Removal and replacement of an approximately 900 sq. ft. concrete deck that is partially cantilevered over the rip-rap bank of the adjacent waterway. The project also includes construction best management practices to ensure the water quality of the harbor is not degraded.
Rationale: The proposed project is relatively minor in nature. The applicants have proposed best management practices to prevent impacts to open waters. Therefore, there are no individual or cumulative adverse impacts on coastal resources associated with this project and the project is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid until reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on March 11, 2015 in Chula Vista. If three or more Commissioners object to this waiver, a coastal permit will be required.

Persons having questions or wishing to object to the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

CHARLES LESTER
Executive Director

By: Jacqueline Blaugrund
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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



NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER-DE-MINIMUS

DATE: February 27, 2015
TO: All Interested Parties
SUBJECT: Waiver of Coastal Development Permit Requirement
Waiver No.: 4-14-0270-W

Based on project plans and information submitted by the applicants regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

Applicants: Alford Enterprises II, L.P. and Elizabeth Erskine
Agent: Jacquelyn Chung, Swift Slip Dock and Pier Builders, Inc.
Location: 1044 and 1056 Peninsula Street, Ventura, Ventura County
Description: Removal and replacement of a shared approximately 11 ft. by 40 ft. dock, two gangways approximately 26 ft. and 40 ft. in length, and an approximately 600 sq. ft. deck. The proposed repairs involve only the floating portions of the dock and do not require removal or replacement of the pile system supporting the dock. The project also includes construction best management practices to ensure the water quality of the harbor is not degraded.
Rationale: The proposed project is relatively minor in nature and will not involve the removal or replacement of the existing piles supporting the docks. In addition, the applicants have proposed best management practices to prevent impacts to open waters. Therefore, there are no individual or cumulative adverse impacts on coastal resources associated with this project and the project is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the project site has been posted and until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on March 11, 2015 in Chula Vista. If three or more Commissioners object to this waiver, a coastal permit will be required. Persons having questions or wishing to object to the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,

CHARLES LESTER
Executive Director

By: Jacqueline Blaugrund
Coastal Program Analyst

CALIFORNIA COASTAL COMMISSION

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties

FROM: Charles Lester, Executive Director

DATE: February 26, 2015

SUBJECT: Coastal Development Permit No. 4-08-027 granted to Jeff Kline and transferred to Ruth Flinkman, for the following development at 2586 Applefield Lane, Los Angeles County consisting of:

Construction of a 3,008 sq. ft., 26 foot high single family residence, 680 sq. ft. detached garage with attached 640 sq. ft. studio beneath, 720 sq. ft. detached guesthouse, covered porches, swimming pool, septic system, retaining walls, hammerhead turnaround, temporary construction trailer, access road paving, installation of water line and fire hydrant, and 170 cu. yds of grading (cut) at 2586 Applefield Lane, Santa Monica Mountains, Los Angeles County.

Previously amended in 4-08-027-A1 to:

Addition of a water well and 5,000-gallon water tank.

The Executive Director of the California Coastal Commission has reviewed a proposed amendment (CDP Amendment 4-08-027-A2) to the above referenced permit, which would result in the following change(s):

Replace previously approved 3,008 sq. ft., 26 foot high single-family residence with a one-story, 1,910 sq. ft., 15.6 foot high manufactured single family residence, with a 80 sq. ft. utility room, 800 sq. ft. entry deck, 50 sq. ft. rear deck, 500 sq. ft. detached garage, pool, pool equipment and pool fence. Eliminate the 680 sq. ft. detached garage with attached 640 sq. ft. studio, 720 sq. ft. detached guesthouse and covered porches, and swimming pool. No revisions to approved footprint, grading, septic system or retaining walls proposed. Additionally, the project includes the restoration of a 4,500 sq. ft. previously disturbed area with native chaparral species.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(a)(2) this amendment is considered to be IMMATERIAL and the permit will be modified accordingly if no written objections are received within ten working days of the date of this notice. This amendment has been considered "immaterial" for the following reason(s):

The proposed amendment involves minor revisions to the previously approved project which consists of: 1) replacing the previously approved 3,008 sq. ft. two-story single family residence

with a one-story 1,910 sq. ft. manufactured single family residence with a 80 sq. ft. utility room, 800 sq. ft. entry deck, 50 sq. ft. rear deck, 500 sq. ft. detached garage, pool, pool equipment and pool fence, 2) elimination of the previously approved 680 sq. ft. detached garage with attached 640 sq. ft. studio, 720 sq. ft. detached guesthouse and covered porches, and swimming pool. No revisions to the development footprint, grading, septic system or retaining wall are necessary. Additionally, the amendment includes the restoration of a previously disturbed area to be revegetated with native chaparral species and monitored for restoration success. These revisions will not result in any additional fuel modification areas. The proposed amendment will not result in any additional significant adverse impacts to coastal resources that were not considered, minimized, and mitigated in the original approval of the project. The proposed development will not exceed the 10,000 sq. ft. development area for the subject property. The proposed changes to the previously approved project will not result in any adverse impacts to an sensitive environmental resource areas (SERAs) and will not result in any new adverse impacts to visual resources on site. As such, the proposed amendment is consistent with the policies and provisions of the Santa Monica Mountains LCP.

If you have any questions about the proposal or wish to register an objection, please contact Denise Venegas at the Commission District office (805) 585-1800.

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

March 2, 2015

Notice is hereby given that P &P Zamin, LLC, has applied for a one year extension of 4-04-103 granted by the California Coastal Commission on March 5, 2008

for: Construct a 7,129 sq. ft., two-story single family residence with an attached 911 sq. ft., three-car, below grade garage, swimming pool/spa, 375 ft. long driveway, retaining walls, for driveway and structure, septic system, landscaping, and 2,650 cu. yds. of grading (1,800 cu. yds. of cut and 850 cu. yds. of fill).

at: 2520 MARBY DRIVE, MALIBU (LOS ANGELES COUNTY)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
CHARLES LESTER
Executive Director

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Julie Reveles
Staff Services Analyst

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NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

March 2, 2015

Notice is hereby given that Sigalit & David Caron has applied for a one year extension of 4-06-032 granted by the California Coastal Commission on December 12, 2006

for: Construction of a 4-stall, 864 sq. ft., 23 foot high barn using non-combustible materials and earthen colored tones with a 2,400 sq. ft. non-combustible corral enclosing the barn with approximately 320 cubic yards of cut and a minor amount of onsite fill, 540 sq. ft. array of solar panels supported on a 3 ft. high aluminum frame and a 4 ft. high emergency electric generator on an existing concrete pad to provide power for water pressure and telephone service, all located within the existing 100 foot Fuel Modification area. A stable waste management plan is also proposed.

at: 20370 SKYHAWK LANE, TOPANGA (LOS ANGELES COUNTY)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
CHARLES LESTER
Executive Director

Julie Reveles
Staff Services Analyst

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**

Date: February 19, 2015

Permit No.: G-4-15-0006

Applicant: County of Santa Barbara

Project Location: Goleta Beach Pier, Goleta Beach County Park, City of Goleta, Santa Barbara County

Work Proposed: Replacement of nine (9) vertical timber piles at four locations (Bents 20, 25, 26, and 28) that have been damaged by wave and tidal action from a storm event with new timber piles.
Replacement of timber cross frames/longitudinal struts at ten locations, and repair of various damaged deck panels and handrails, that have also been damaged by wave and tidal action.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from the submitted information that an unexpected occurrence in the form of a significant storm event which resulted in damage to the pier from wave and tidal action and caused a sailboat to lose anchor and strike the pier, and that continued wave and tidal action could result in pier failure. This occurrence requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 90 days unless otherwise specified by the terms of the permit; and
- (b) Public comment on the proposed emergency action has been reviewed if time allows.

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

Sincerely,

Charles Lester
Executive Director

for By: John Ainsworth
Title: Senior Deputy Director

CONDITIONS OF APPROVAL:

1. The enclosed form must be signed by the applicant and returned to our office within fifteen (15) days.
2. Only that work specifically described above and for the specific property listed above, subject to the conditions set forth below, is authorized. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within forty-five (45) days of the date of this permit, or as extended by the Executive Director through correspondence, and shall take place in a manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
4. The work authorized by this emergency permit is temporary, unless permanent retention of the development is authorized through the issuance of a regular Coastal Development Permit from the California Coastal Commission. Within sixty (60) days of completion of the development, the permittee shall submit a complete application for a regular coastal development permit to have the emergency work be considered permanent. The Executive Director may grant additional time for good cause.
5. In exercising this permit the applicant agrees to indemnify and hold harmless the California Coastal Commission, and its agents and employees from any liabilities or claims for damage to public or private properties or from personal injury that may result to any party from the project authorized herein.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other local, state and federal agencies including, but not limited to the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, Army Corp of Engineers, Regional Water Quality Control Board, and the State Lands Commission, as applicable.
7. By acceptance of this emergency permit, the applicant agrees to comply with the following construction-related requirements:
 - A. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave or tidal action, erosion, or dispersion.
 - B. Any and all debris resulting from construction activities shall be removed from the site within twenty-four (24) hours of completion of construction and disposed of at an appropriate location.
 - C. If turbid conditions are generated during construction, a silt curtain shall be utilized to control turbidity.
 - D. Floating booms shall be used to contain debris discharged into coastal waters and any debris discharged shall be removed as soon as possible but no later than the end of each day.
 - E. Divers shall recover non-buoyant debris discharged into coastal waters as soon as possible after loss.

- F. The applicants shall dispose of all construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a separate coastal development permit shall be required before disposal can take place.
- G. Reasonable and prudent measures shall be taken to prevent any discharge of fuel or oily waste from heavy machinery or construction equipment into coastal waters. The applicants and applicants' contractors shall have adequate equipment available to contain any such spill immediately.
- H. All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day.
- I. The applicants shall use the least damaging method for the construction of pilings and pier structures and any other activity that will disturb benthic sediments. The applicants shall limit, to the greatest extent practicable, the suspension of benthic sediments into the water column.
- J. Material used shall not include timber preserved with creosote, (or similar petroleum-derived products.) Pilings treated with Ammoniacal Copper Arsenate (ACA), Ammoniacal Zinc Arsenate (ACZA) or Chromated Copper Arsenate (CCA) shall be used only if wrapped or coated prior to installation with a water tight plastic sleeve, or similar sealant. To prevent the introduction of toxins and debris into the marine environment, the use of plastic wrapped pilings (e.g. PVC Pilewrap) and reinforced plastic for pilings (e.g. high density polyethylene (HDPE) pile armor), shall conform to the following requirements:
 - i. The material used shall be durable and a minimum of one-tenth of an inch thick.
 - ii. All joints shall be sealed to prevent leakage.
 - iii. Measures shall be taken to prevent ACA, CCA and/or ACZA from dripping over the top of plastic wrapping into State Waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping.
 - iv. The plastic sleeves shall extend a minimum of 18 inches below the mudline.
 - v. Plastics used to protect concrete or timber piers and docks or for flotation shall be subject to regular inspection to prevent sloughing of plastics into the waterway.
 - vi. If federal or state regulatory agencies, through new or better scientific information, determine that environmentally less damaging materials or methods are available for new piles or piling replacement, the least environmentally damaging materials and/or methods should be required for such projects, where feasible.

IMPORTANT

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

provisions for public access and/or a requirement that the applicant assume all liability for damages incurred from storm waves.

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

Enclosure: 1) Acceptance Form
2) Regular Permit Application Form

CALIFORNIA COASTAL COMMISSION

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

**District Director's Report**

DATE: March 2, 2015
TO: Commissioners and Interested Persons
FROM: South Central District Staff
SUBJECT: Time Extension for Coastal Development Permit 4-06-138-E6.

The applicant requests a one-year Time Extension to previously approved Coastal Development Permit No. 4-06-138 (Approved on August 8, 2007). This CDP allowed the applicant to construct a 5,279 sq. ft., two story, 31 foot high single family residence with attached 800 sq. ft. garage; septic system; driveway; landscaping, pool, spa, decks, retaining walls, and 1,800 cu. yds. of grading. The applicant also proposes to remove an existing temporary construction trailer onsite following completion of construction and to dedicate an open space conservation easement over those portions of the property not including the proposed development area, zones A and B of the proposed fuel modification plan, and existing roads.

The Executive Director determined on August 5, 2014, that there were no changed circumstances affecting the proposed development's consistency with the Coastal Act. This Determination was reported to the Commission at the August 2014 Commission meeting. Notice of this determination was mailed to neighboring property owners within 100 feet. Pursuant to the Commission's Regulations, 14 Cal. Admin. Code Section 13169(c):

If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b) above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to the extension on grounds that there are changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

One written letter of objection and one e-mail objection to the time extension was received within 10 working days of the mailed notice (Exhibit 1). The written letter, submitted by Ed Neil, does not specifically assert that there are changed circumstances affecting the project site. The letter states that the "...project has well water rights which would share a single well with two other parcels below". This letter asserts that drilling a new well would possibly drain the aquifer, leaving other properties without water, and impacting a year-round stream in the Dark Canyon Watershed. The letter further asserts that: "We are reaching a critical point in this drought where enough is enough as far as building in the mountains".

The project approved in CDP 4-06-138 did not include the installation of a well as part of the project description. No water well was depicted on the project plans. As such, the Commission did not approve a water well on the subject property. Therefore, the issue raised in the objection letter is not relevant to the subject CDP extension and does not represent a changed circumstance affecting the project site. Furthermore, the current applicant's representative has stated that the applicant does not propose to utilize a well for domestic use at the site. Rather, the applicant intends to obtain water from the Las Virgenes Water District for domestic use through the extension of a water line approximately 300 feet to the subject property.

The second objection, provided by Ronald Freund through e-mail, raises several issues. The e-mail does not specifically state that there are changed circumstances affecting the site since the Commission approval of the CDP in 2007, but it does assert that: "I do not believe a diligent evaluation of the proposed construction and habitat removal was done at that time". The e-mail raises several issues with regard to the approved development, including: 1) the site serves as a wildlife corridor, principally for bobcats and foxes; 2) an endangered bird species (*Polioptila californica californica*) lives on the site; 3) Piuma Road is an important scenic asset and the approved structure is much larger than other homes in the area; and 4) the proposed grading and removal of the natural incline of the site will affect runoff and may affect traffic on Piuma Road.

As addressed in the staff report for the subject CDP, the Commission found that habitat on the project site (with the exception of disturbed areas existing prior to the effective date of the Coastal Act) constitutes ESHA. Development of the site was permitted in order to provide the owner a reasonable economic use of the property. However, the maximum development area was limited to no greater than 10,000 sq. ft. in size (the actual approved development area is 8,600 sq. ft.) in order to minimize the impacts to ESHA, including those resulting from the removal of chaparral habitat. The remainder of habitat on site will be protected through an open space easement recorded on the property. Further, impacts to wildlife migration is minimized by restricting fencing of the residential development such that fencing the entire site is prohibited and fencing cannot extend beyond the required "A" zone of the required fuel modification (50 foot radius from structures). This fencing would be located on the knoll. There is a draw or small drainage on either side of the knoll (where residential development was approved) that are available for the movement of wildlife. These areas are located on a straight stretch of Piuma Road, so motorists' view of any animals crossing the road in this area would not be affected.

The objection asserts that the California gnatcatcher (*Polioptila californica californica*) lives on the subject site. This federally-listed threatened bird can potentially occur in coastal sage scrub habitat from Ventura County south to Baja California. Although known populations of the gnatcatcher have not been identified in the Los Angeles County area of the Santa Monica Mountains, one confirmed identification of the gnatcatcher occurred in the Northwestern edge of the Santa Monica Mountains in Ventura County. The range and distribution of the gnatcatcher is closely aligned with coastal sage scrub vegetation. Gnatcatchers may also occur in other plant communities adjacent to sage scrub, especially during the non-breeding season, but gnatcatchers are closely tied to coastal sage scrub for reproduction. The subject site contains primarily north-facing slopes with chaparral or mixed chaparral habitat, which is not the habitat type typically occupied by the gnatcatcher. The National Park Service vegetation mapping (2007) identifies several types of chaparral habitat occurring on the subject site (birchleaf mountain mahogany,

bigpod ceanothus), as well as habitat types with a mix of chaparral and coastal sage scrub associated plant species (laurel sumac-black sage, laurel sumac-California buckwheat, chamise-black sage, and bush poppy alliance). Further, the biology report prepared for the subject project based on a site specific survey identified all of the existing vegetation on the site as mixed chaparral that includes chamise (*Adenostoma fasciculatum*), laurel sumac (*Malosma laurina*), bigpod ceanothus (*Ceanothus megacarpus*) and hoary leaf ceanothus (*Ceanothus crassifolius*), intermixed with isolated patches of California sagebrush (*Artemisia californica*), black sage (*Salvia mellifera*), and giant rye-grass (*Leymus condensatus*) as well as scattered coast live oak trees (*Quercus agrifolia*), and California black walnut trees (*Juglans californica*). The biology report identifies several species of song birds as well as a turkey vulture as being sighted on the property. The California gnatcatcher (*Poliophtila californica californica*) was not identified on the site at that time. The habitat present on the site is not the coastal sage scrub habitat typically occupied by the California gnatcatcher, although there are plant species present that the gnatcatcher is known to utilize for foraging or nesting (*Eriogonum fasciculatum*, *Artemisia californica*, *Salvia mellifera*, *Adenostoma fasciculatum*). As such, there is a potential for gnatcatchers to occur on the site. As described in the staff report for CDP 4-06-138, the Commission found the chaparral and mixed chaparral habitat on the site to be ESHA. In order to protect the values of this habitat for use by birds and other wildlife, the Commission required the approved development to be sited to minimize impacts by locating the residence as close to existing development and roads as feasible, restricted the development area, and required the remaining habitat on the project site to be protected for open space.

The approved structure will be constructed on a knoll just north of Piuma Road. The Commission made extensive findings regarding the significance of visual resources in the area, as well as siting and design alternatives available to minimize visual impacts. The approved development area location was determined specifically because it is close to Piuma Road and other structures, to minimize the removal of ESHA for the structure and required fuel modification. Given the topography of the site, a house in this location will be somewhat higher than the road grade and therefore highly visible from the roadway. Additionally, the residence will be visible from parkland and trails in the area. However, any other alternative sites on the property would require significantly more grading, landform alteration, and vegetation removal to develop which would increase impacts to ESHA. In order to minimize visual impacts, the Commission required the residence to be redesigned so that is no higher than 26 feet from existing grade or finished grade. The Commission also found that while the residence will be one of the larger structures in the area, it was not out of character with such development.

The subject project site is located north of Piuma Road and downslope of the ridgeline located south of the road. In the vicinity of the knoll where the approved development area will be located, the site slopes down from Piuma Road and then slopes back up to the knoll. As such, drainage from the approved residence would flow downslope away from Piuma Road. Furthermore, the approved CDP requires the applicant to prepare and implement a permanent drainage plan that conveys runoff from the building site in a non-erosive manner. The proposed grading plan was reviewed and approved in the original CDP and there are no changed circumstances regarding drainage in the area that would affect the Commission's decision.

For the reasons stated above, the Executive Director has determined that the objections do not identify changed circumstances that may affect the consistency of the development with the Coastal Act or the certified local coastal program. Therefore, the Executive Director is reporting the time extension to the Commission pursuant to above referenced regulation. If three Commissioners object to the Executive Director's determination on the time extension, it will be scheduled as a material time extension at a subsequent meeting.

Received

AUG 12 2014

8/12/14

California Coastal Commission
South Central Coast District

ladies and gentlemen;

This is regarding Coastal Permit # 4-06-138.
(LA County)

The development of this massive house in an ESHA and directly above a year-round pristine tributary is of extreme concern to everyone in the area.

This project has well water rights which would share a single well with two other parcels below. 24573 and 24593 Pinnon Rd. are the addresses of the other parcels. 24573 is a massive 7500 sq ft house that uses at least 4000 gallons per day of well water. The back parcel that I own (24593) uses 500 gallons per week to water native oaks and walnuts obtained from the fire dept. (no plans to develop)

With our present drought situation the greenlighting of this project will assuredly drain our aquifer and leave us all without water!

Drilling of a new well will possibly drain our aquifer but will definitely drain the source of water for the only year-round "stream" in all

of the Park Canyon watershed. All large mammals in the area will be forced to the distant Malibu Creek or will have to scavenge for residential water creating unfavorable interactions!

This project will also destroy a small Eastwood manzanita forest.

The only option for water is to extend the 8" main a considerable distance (Roughly 400'); But will be met with considerable resistance.

We are reaching a critical point in this drought where enough is enough as far as building in the mountains.

Sincerely
Ed Neil
(310) 924-0163

I'm a botanist working with Mountain Restoration Trust, Forestry, Tree People etc. I lead nature hikes in spring and used to dive with the infamous Dr. Rins Fly - previous Coastal Commission member

Reveles, Julie@Coastal

From: Ron [REDACTED]
Sent: Tuesday, August 12, 2014 11:56 AM
To: Reveles, Julie@Coastal
Subject: Re: extension 4-06-138

Thank you.

On Tue, Aug 12, 2014 at 11:53 AM, Reveles, Julie@Coastal

wrote:

Just letting you know that I received your email. I will have to go over this with my supervisor as I only handle the extension portion of the permit but the matter will be addressed.

From: Ron
Sent: Tuesday, August 12, 2014 11:51 AM
To: Reveles, Julie@Coastal
Subject: extension 4-06-138

Ms. Reveles,

The following outlines my objection to the proposed extension for and any development on the site at 24563 Piuma Rd. Rather than a prolonged narrative, I'll list the problems with such an large development in that location. I have read the previous coastal documentation, noted as Item W 14d and dated 8/7/07. I do not believe a diligent evaluation of the proposed construction and habitat removal was done at that time.

- the specific site, and just to its east, serves as a common wildlife corridor, principally for bobcats and foxes that cross Piuma Rd. in the region. It is a frequent occurrence to see them cross the road directly at this location. Any of these species attempting to cross elsewhere will be in locations where there are bends in the road, endangering them and motorists who would not have time to easily react to their presence.
- an endangered bird species (*Polioptila californica californica*), protected under the California Endangered Species Act, lives on this acreage. The birds are seen infrequently, but almost always just below the rise on this property.
- the road is an important scenic asset and there are no homes/developments of that magnitude anywhere directly off Piuma Rd. While it may be within a property owner's right to build on an approved site, there must be some restraint in the size of such development. Typical homes that are this close to the road and visible from it are in the 2500 sq ft range. For this project, the developer is planning a home more than double this

size, two stories and including large outside decking and a pool. Homes of that magnitude are not to be seen except at a considerable distance from the road, and this development would come within approx 150 ft or less of Piuma Rd. I would recommend a site survey if anyone in the approval process hasn't actually visited the location.

- The proposed grading and removal of the natural incline of this site will affect runoff during rains and the large surface area's water runoff may be problematic for traffic on Piuma Rd. I did not see comments regarding such issues in the initial approval. The proximity to Piuma Rd is the primary factor that concerns me with regard to this.

Thank you for considering my concerns regarding this oversized project and its effect on the local environment. If you may have need of speaking with me regarding any of this, I can be reached at 310-963-2927.

Sincerely,

Ronald Freund