

## CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDARApp. w/ minor  
change

APPLICATION NO.: 5-91-286

APPLICANT: City of Los Angeles AGENTS: Kathy Chan  
Dept. of Recreation and Parks Charles Yelverton  
Leslie Pinchuk

PROJECT LOCATION: 15101 Pacific Coast Highway, Pacific Palisades, Los Angeles, Los Angeles County

PROJECT DESCRIPTION: Installation of approximately three million cubic yards of clean fill dirt in Potrero Canyon: First phase (now completed) entailed installation of subdrain system, storm drain and 25 feet of fill; second phase is 75 additional feet of fill and additional buttress fills along canyon sides, phase 3 is construction of park and restored riparian habitat area.

LOCAL APPROVALS RECEIVED: Los Angeles City Coastal Development Permit 85-21, D.M 7197; C. D. No. 11; EIR Dept of Recreation and Parks, June, 1985

Dept of Building and Safety approval letters dated July 17, 1986, July 15, 1987; July 27, 1987; Dec. 20, 1987; Dec 11, 1987; Dec 12, 1987; 1/29/88; Mar 29, 1988; Aug 22, 1988; June 14, 1988; June 7, 1988; Dec. 14, 1988; March 21, 1989; June 24 1989; Nov 21, 1990; March 27, 1991; Board of Building Safety Approval letter dated April 9, 1991 (for Phase II)

SUMMARY OF STAFF RECOMMENDATION:

Staff Recommends approval of the project with conditions to ensure replacement of the riparian habitat area, and operation and maintenance of the canyon as a public park.

## SUBSTANTIVE FILE DOCUMENTS:

1. Coastal Development Permit 5-86-958 (City of Los Angeles Dept Recreation and Parks), 5-86-958A(City of Los Angeles Dept Recreation and Parks).
2. FEIR Potrero Canyon Park Development Project, City of Los Angeles Department of Recreation and Parks, June 1985.
3. England and Nelson, Land Capability /Suitability Mapping and Analysis, Los Angeles County General Plan Revision Program, (1976); Volume III, Significant Ecological Area Study.
4. Friesen, Richard Dean; Significant Ecological Areas of the Santa Monica Mountains, Report 1977
5. BCA Civil Engineers, Status Report May 16, 1991, Potrero Canuon Development
6. Leighton Assoc. Feasibility Study for Potrero Canyon restoration
7. Kovacs-byer Assoc. Geotechnical Investigation Reports dated 6/3/86; 5/27/87; 7/1/87; 8/12/87; 12/18/87; 3/14/88; 4/27/88; 5/23/88; 8/8/88

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**STAFF RECOMMENDATION**

The staff recommends the Commission adopt the following resolution:

**I. APPROVAL WITH CONDITIONS**

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

**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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. 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. Timing of Condition Compliance

(a) The Applicant shall deliver all resolutions and agreements specified in conditions 2-7 below to the Executive Director within 90 days of the Commission's action on this permit.

(b) The applicant shall submit all final plans and mitigation programs as described in Condition 8 below within one year of the Commission's action on this permit.

(c) Upon final inspection of the fill project the applicant shall notify the Executive Director. The plants, trails, signs and other elements of the park use plan and habitat restoration plan shall be installed and public use shall begin within one year after completion of the grading work.

Failure to comply with the requirements within the time periods specified, or within such additional time as may be granted by the Executive Director for good cause, will terminate this permit.

2. Assumption of risk

Within 90 days of the Commission's action on this permit, the City and all co-applicants shall record a deed restriction and/or submit a resolution by the City Council, as deemed appropriate by the Executive Director, which provides that the applicants understand that the site may be subject to extraordinary hazard from landslides and erosion and the applicants assume the liability from those hazards; that the applicants shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design construction, operation, maintenance, existence or failure of the permitted project.

In addition, the document shall indicate that any adverse impacts on private property caused by the proposed project shall be fully the responsibility of the applicants. The applicants may submit, for compliance with this condition the resolution adopted in compliance with the similar condition applied to 5-86-958.

3. Acceptance of Conditions. Timing of sale of residential lots

Within 90 days of the Commission's action on this permit, the City Council of the City of Los Angeles shall adopt an ordinance, resolution or other action deemed appropriate by the Executive Director accepting the terms and conditions of this permit. The ordinance shall further specify that the City shall not offer for sale any of the city-owned residential lots adjacent to the canyon until the riparian habitat and park construction outlined in these conditions has been completed, the park open for public use, and a source of funds for its inspection and continued maintenance has been identified. When the city-owned residential lots adjacent to the park property are sold, each deed shall include a restriction that gives notice to the buyer that the park created by this restoration program has been deeded for public park purposes in perpetuity.

4. Truck haul hours/interference with access

Within 90 days of the Commission's action on this permit, the applicant shall submit a written agreement that no trucks shall use Pacific Coast Highway during the peak beach use hours on weekends and holidays from Memorial Day weekend through Labor Day. Peak hours of beach traffic are the hours between 12:00 noon and 7:00 pm.

5. Conformance with approved grading plans and approved erosion control plans

Within 90 days of the Commission's action on this permit, the applicant shall agree that all construction shall proceed in conformance with plans dated 5/10/91 by BCA Engineers, as approved by the Board of

Building and Safety of the City of Los Angeles on 5/20/91. The construction shall use materials as specified by the Board and in the geology reports by John Byer. Any expansion of the area of disturbance including the phase three de Pauw buttress or additional work on other properties will require an amendment to this permit. The applicant shall also agree to carry out temporary erosion control measures to stabilize all slopes and loose earth during the rainy season (Oct 1--April 1) and take any additional measures necessary to avoid siltation, mudflows or erosion onto the highway or into ocean waters. These measures shall include but not be limited to measures indicated in plans dated approved 1/9/91 by the Department of Building and Safety. Each year, the applicant shall install appropriate erosion control plans Oct. 1.

Pursuant to this requirement, the applicant shall provide the Executive Director with copies of all letters and reports from the Department of Building and Safety, all updated geologic reports, and shall report at least every six months on the status of the project.

6. Recreational use.

Within 90 days of the Commission's action on this permit, the City of Los Angeles shall agree by resolution that the trail and passive recreation areas developed as a part of this project shall 1) be operated as a public park, 2) include such uses as bicycling and picnicking and 3) shall be open during all daylight hours for public use, according to the normal practices for operation of a public park in the City of Los Angeles.

7. Open Space Preservation Environmentally Sensitive Habitat/Woodland

Within 90 days of the Commission's action on this permit, the applicant as landowner shall agree, by resolution or other official action by the City Council of the City of Los Angeles, to maintain no less than 7.38 acres on the site, the area shown in Exhibit 2, as riparian habitat in perpetuity. The resolution or other action shall state that the restored area shall be maintained in willow and sycamore habitat, and shall be protected from foot traffic, consistent with the Final Potrero Canyon Riparian Mitigation Proposal Dated August, 1991 by ERCE

The applicant shall also agree, by resolution, to refrain from all development within the Environmentally Sensitive Habitat/Woodland open space area except for development explicitly approved in this permit.

8. Landscaping and restoration plans

Within one year of the Commission's action on this permit, the applicant shall submit detailed landscaping plans and a restoration program for the review and approval of the Executive Director. The plans and program shall be consistent with the Final Potrero Canyon Riparian

Mitigation Proposal Dated August, 1991 by ERCE.

Pursuant to this requirement, the applicant shall submit working drawings and a manual of operations showing detailed specifications including numbers and sizes of plants, final design for nuisance water recovery and methods of maintenance and inspection. The project shall receive approval of appropriate city agencies, the California Department of Fish and Game and the United States Fish and Wildlife service. Any significant change in these plans or their method of execution shall be reported to require an amendment to this permit.

The program shall include:

A. The following plans to be completed within one year of Commission action:

i) a statement of habitat objectives, including specific values to be restored and animal species utilization expected.

ii) a detailed site plan

iii) detailed landscape plan, indicating sizes of plants used, planting methods, diversity and location of plant species and associated habitat value to riparian animal species. The plan shall provide willow and riparian vegetation in the riparian corridor, low water use landscaping and access corridor outside the riparian corridors area, appropriate barriers and restored coastal sage scrub habitat.

iv) park working drawings showing picnic and trails areas that are compatible with coastal sage scrub and riparian restoration showing 1) clear and obvious signage at PCH and at the Palisades Recreation Center, 2) trail connections to PCH and to Palisades Recreation Center, 3) automobile and bicycle parking at Palisades Recreation Center, 4) trail access to De Pauw St., 5) Landscaping to reduce visual impacts at Pacific Coast Highway. If the applicant proposes to use introduced vegetation in the passive recreation and trail area, the plans shall specify that no non-native invasive plants shall be employed. Invasive, non-native vegetation is specified, among other sources, in the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended Native Plant Species for Landscaping Wildland Corridors in the Santa Monica Mountains, dated November 23, 1988.

v) detailed final irrigation/runoff plan including final plans for use of nuisance water, pumps, water quality standards, and a water balance plan for the entire park. If necessary to supply water the the riparian area, the applicant may substitute pavement areas or low water use, non invasive plants for the turf areas shown.

- B. A monitoring and maintenance program, to be provided for the review and approval of the Executive Director within one year of the Commission's action on this project, but to be instituted at the completion of construction. The program shall include:

i) Inspection of the vinyl liner and materials under the liner by the consulting geologist and the engineer prior to installation of topsoil and plant materials

ii) monitoring and maintenance of the restored area, by reports prepared at 6 months intervals for a period of two years, and annual reports for three additional years.

iii) A training program for the Department's personnel to assure long term maintenance of the habitat area in a manner consistent with the purpose of this condition.

iv) replacement planting to ensure coverage of at least 80 percent of the site.

v) monitoring of the irrigation system, of the riparian habitat area for water loss, and replacement of nuisance water pumps, or, if necessary, repair and replacement of other fixtures installed as part of this mitigation program.

9. Park and Habitat Development

Within one year of the completion of grading work, construction of the park in conformance with the riparian habitat mitigation plan required in condition 8, and the draft park plan dated 1/29/91 and 4/28/91 shall be completed, the 7.58 acres of riparian habitat shall be installed, the monitoring programs shall have begun and the park shall be open to public use.

IV. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Project Description and History

On February 2, 1987, the Commission approved a permit request by the City of Los Angeles to fill a coastal canyon in the Pacific Palisades district. Construction commenced in 1988. The canyon is about one mile long, extending between Pacific Coast Highway on the south to a small park located on Alma Real on the north. The Commission approved the fill, after much debate, because landslides on the canyon walls had destroyed 21 houses and were threatening additional houses.

At the bottom of the canyon, there was a blue line stream and 3.64 acres of

riparian vegetation, primarily willow woodland. The sides of the canyon were covered with coastal sage scrub. 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 Commission approved 75 feet of fill to be constructed in two phases--an initial ten feet of fill and drainage devices, and then after review of final plans and permit compliance by the Commission, the remaining 65 feet of fill and several buttresses. The purpose of approval in two phases was to enable the City to begin the development immediately and still allow the Commission to review detailed final restoration and habitat and engineering plans before the second phase of the development took place.

In November 1990 the Commission approved an after-the-fact permit for additional grading in the first phase, 5-86-958A. This additional grading and fill was necessary because initial grading and installation of a subdrain had resulted in activation of several landslides. The Commission also extended the time for the City to complete its final grading and restoration plans to March, 1991. Restoration and grading plans were still not in final form in March 1991, so the permit terminated and the City was obliged to reapply for the entire project. With the concurrence of the Commission, work necessary to construct buttresses as quickly as possible to stabilize some endangered structures continued on an emergency basis.

As of September 1, 1991, the applicants have placed 35 feet of fill in the north end of the canyon and 25 feet of fill in the south end of the canyon, an amount totalling about 230,000 cubic yards. The north end of the canyon is three or four feet short of the target fill amount.

In this reapplication, the applicant now proposes to fill the canyon to 100 feet and construct 50 foot buttresses above the fill. The 25 feet additional fill is necessary because the lower level of fill, 75 feet, did not prove to be as useful as was initially believed. A portion of the buttress extending west up to De Pauw street has not yet been finally designed. This is because the top of the buttress may involve private property and the design cannot be completed until individual geology reports for 8 single family lots have been prepared. The City will require an amendment to the permit to construct these Phase 3 buttresses. The City has now provided park plans which include the kind and location of development, combined with grading plans, final restoration plans and final engineering plans and geology reports. The applicant has supplied detailed plans for on-site restoration of habitat, but will not prepare working drawings (size of plants and numbers by species) until the Commission approves the plans provided.

#### B. Environmentally sensitive habitat.

Potrero Canyon historically contained a blue line stream. When the City initially proposed this project, the Corps of Engineers determined that the

stream supported 3.69 acres of riparian vegetation. This particular canyon is cut off from the Santa Monica Mountains by urban development so it was not a wildlife corridor, but it was still habitat for a number of larger bird and small predator species. The riparian vegetation was a willow woodland, accompanied by other riparian understory plants. Such vegetation is rare in Los Angeles County comprising less than 1.4 percent of all habitat. Riparian corridors perform a role in the ecosystem out of proportion to their relative scarcity, supporting nesting areas, small animals not found in drier areas, and providing cover for larger animals, and corridors enabling these larger animals to move from one part of their range to other parts of the mountains. (England and Nelson, 1974; Friesen, 1977)

Because of its relative scarcity in the county and the unique role of this habitat in the ecosystem, this riparian habitat is environmentally sensitive habitat as defined in Section 30107.5 of the Coastal Act. Section 30231 requires the the biological productivity of coastal waters and streams be maintained and where feasible restored, including "maintaining natural vegetation buffer areas that protect riparian habitat and minimizing alterations of natural streams." Section 30236 forbids channellization or substantial "alteration to existing streams except where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development." Section 30240 states that "environmentally sensitive habitat areas shall be protected."

In its previous action, (5-86-958), the Commission reviewed letters from the Fish and Wildlife Service, the Department of Fish and Game and the Department of Parks and Recreation that advised it of the presence and of the importance and rarity of this habitat and its need for protection. These agencies initially identified as much as 6 acres of riparian area. After review of an on-site survey conducted by Wes-tec Consultants, the the Corps of Engineers and Fish and Game permits and agreements required 7.4 acres of restored habitat, based on the City's EIR evaluation of 3.69 acres prepared by Wes-tec. The Commission found that this project would destroy this stream and riparian habitat. It approved the project in spite of these significant impacts only because there was no other feasible method to protect existing houses on the rim of the canyon.

Both the Corps of Engineers permit and the Commission permit required the applicant to restore riparian habitat on-site in a 2:1 ratio, or 7.38 acres on site. The applicant, in course of its investigations of the restoration, found that the proposed riparian area would use almost as much water as turf or a golf course. Between 1986 and 1991, the applicant investigated methods to achieve this, including off-site options. The applicant investigated restoration of Sequit creek in Leo Carillo State Park, and other sites but was unable to find a feasible method of offsite restoration, that met the Commission criteria for offsite restoration. The Commission notes that offsite restoration is required to be: 1) carried out at a three to one ratio, 2) a site where restoration is required either biologically or in terms of extinguishment of existing buildable lots, preferably both, and 3) permanent.

After rejecting these alternative, the applicant decided to go forward with on-site restoration at a 2:1 ratio. The on-site method proposed will employ the placement of a plastic liner on the top of the 100 feet of fill, the establishment of an artificial stream and planting riparian vegetation including mulefat and willows. However, with most of the area planted in low water use plants or coastal sage scrub, the applicant's riparian mitigation program (ERCE, August 1991) states that the total park will not use more water than a well managed "turf and tree" park originally contemplated.

Water will be supplied by city water but will be supplemented by a system that pumps water up from the catch basin at the seaward end of the canyon. The water in the catch basin will be nuisance water (runoff) and water withdrawn from the sediments along the canyon sides by a system of hydraugers. This system (ERCE report dated August 1991) has been approved in concept by the project geologists and engineers and has also been provided to the Fish and Wildlife service and the Department of Fish and Game for review. The Fish and Wildlife service prefers on-site to offsite restoration, but has reservations about use of potable water for restoration purposes. Only because there is no other alternative are they willing to consider use of potentially polluted nuisance water and potable water.

While the applicant was preparing this habitat restoration plan, the earlier coastal development permit for the project lapsed because the applicant had been unable to complete the project and to complete the habitat restoration plan within time requirements called for by the permit conditions. The restoration plan is now complete and conforms to the requirements of the original permit, which set out a long list of criteria for a habitat plan. These requirements included 2:1 on-site restoration, monitoring, establishing the objectives of the plan, evaluating the kind of plant and animal habitat that would occur, and monitoring and maintenance of the restoration plan. However, the restoration plan differs in two ways from the originally contemplated plan: it provides no interim habitat protection, and it will not be completed within 3 years of the starting date of the project. The reason for this is that extensive clearance within the canyon has been necessary to enable construction to proceed leaving no feasible on-site location for interim habitat protection. The reason it could not conform to the time limits is that the project is taking much longer than originally projected, and involves considerably more fill than originally proposed. The habitat cannot be restored until the project has neared completion, and the project will take two to seven additional years to complete depending on the availability of fill.

The habitat is now destroyed by construction, and denying the project is not a practical alternative. The Commission finds that the project must still be approved because even if there was an alternative, the alternative was loss of additional houses to the landslides. In order to mitigate the loss of the riparian area, additional area must be restored and permanently protected. Therefore to be consistent with Sections 30231, 30236 and 30240, the Commission finds that the project must include restoration on-site of riparian

habitat at a 2:1 ratio, and restoration of coastal sage scrub on the canyon walls.

The Commission finds that the project, as conditioned to include the amount and kinds of restoration proposed is consistent with its past action and the habitat sections of the Coastal Act. However, it notes that additional guarantees are necessary in order to assure timely completion of the restoration. The first guarantee is an agreement that on completion of grading, the applicant shall notify the Executive Director, and complete the habitat restoration within one year. In addition, the Commission imposes a second condition, that none of the 21, and possibly 28, residential lots that have been purchased by the City pending their stabilization as part of this project shall be offered for sale until the plants, the waterways and the park improvements have been installed. Finally, because this design does not include detailed final drawings including numbers and specification for the plants, these must be provided to the Executive Director according to the criteria used in designing the preliminary plan within one year of this permit action.

The original conditions specified a number of requirements for habitat restoration that the current plan has incorporated. The Commission notes that the plan provides for monitoring, training of maintenance personnel, inspections, identifies location and percentages of willow and of understory plants, and restricted access. Among other requirements, condition 5 addresses revegetation and requires that the plant palette be specified and that invasive plants be kept out of the restored habitat area.

As conditioned to restore the habitat, maintain it, with adequate guarantees of completion, the Commission finds that the project will have severe impacts on environmentally sensitive habitat, but as conditioned is consistent with the requirement of Sections 30236, 30231 and 30240.

### C. Geologic Hazards

Section 30253 requires the Commission to assure structural integrity and geologic safety. In this case, the Commission is acting in a context of dangerous, ongoing landslides. There are nine major, active slides in the canyon and numerous smaller blowouts. Some slides moved during initial construction, requiring the purchase of one additional house by the City.

The City proposes to stabilize the sides of the canyon by control of drainage and by constructing buttresses to support the nine slides on the canyon sides. The drainage system has been installed. The system includes hydraugers, pipes which drain sediments in the land adjacent to the canyon, and an enclosed pipe along the bottom of the canyon.

In its initial review of the 75 feet of fill, the Department of Building and Safety expressed reservations about the efficacy of the plan to assure the safety of the existing houses. In response to final geology reports, the

current plan proposes 100 feet of fill above the flow line throughout the bulk of the canyon. This fill would taper to the level of PCH near the south end of the canyon and tie into an existing fill at the north of the canyon. Several of the larger slides will be supported by additional buttress fills. This plan involves 25 feet of fill more than envisioned in 1986. This additional fill will support buttress now found to be necessary to support the presently identified slides. The total project will now include 2.288 million cubic yards of fill. Only a minor portion of the project, close to 230,000 cubic yards will have been put into the canyon by September 1991. This 25 feet of additional fill will not have any additional impacts with respect to views or habitat but it will, according to the project geologist provide additional safety and stability.

The plan provides for surface drainage to be connected to vertical lines to the the existing subdrain. The applicant has supplied geologic surveys and tests, geology report, final geology reports and a final set of engineered drawings. In addition, the city has prepared a set of aerial photographs which illustrate the nine major slides and the immediate threat they pose to existing development. The applicant asserts that once the fill is in place, the potential threat to existing privately owned homes will have been reduced, and the 21 lots currently owned by the city can be privately sold to recoup the costs of the canyon fill project.

In 1986, the City identified nine landslides along the sides of the canyon. By 1986, the city had acquired 20 residential lots that were in the path of the landslide. By 1991 the city had acquired 21 lots and was considering the purchase of an additional 7 lots on the west side of the canyon rim. In its initial approval, the Commission reviewed evidence that showed that the headscarps of the slides were moving inland, potentially threatening additional houses along De Pauw and Alma Real. The reports it reviewed concluded that the landslides were caused by the undercutting of the material at the sides of the canyon by the stream at the bottom. The amount of water in the stream had increased with urbanization because of additional runoff from yard watering and other urban uses and because of increased percolation. The Commission reviewed material that asserted that the massive size of the slides: as much as 65,000 cubic yards in one of them, precluded the City from using stream bank alterations or other less radical methods fo protecting the homes above.

After reviewing material associated with the slides, the Commission concluded in 19787 (5-86-958) that there was no less damaging alternative to the canyon fill project, and that the applicant had supplied sufficient material to make a convincing case that placement of the canyon fill would improve the safety of houses along the canyon rims. The Commission finds that the evidence is still convincing and that there is no alternative to the canyon fill project that is less damaging.

The Commission notes that experience, namely the activation of several slides in during phase I (see 5-86-958A), has shown that there are increased risks during construction, and that there is no assurance that the project will work

for all the lots involved. Therefore the Commission cannot approve this project unless the City and all co-applicants assume the risk of the development. The City, in its original project, adopted a resolution assuming the risk of the development. The Commission imposes this condition on this permit, but agrees that the previous assumption of risk will satisfy the conditions.

At the time of its original proposal, the city had not completed final construction drawings, drainage plans or erosion control plans or detailed design of the riparian system, in which the potential conflicts between the aim of the fill, which is to drain the sediments and compact the fill and the aim of the restoration plan had been worked out.

The City has now prepared final engineering plans, has included the vinyl lined habitat area in the final fill plans, has devised a method for using nuisance water to reduce the amount of potable water needed in this project, has designed an erosion control system and has installed the drainage pipes. Phase 2 plans, which include most of the fill, have been reviewed by the Los Angeles City Department of Building and Safety and by the staff engineer and all corrections have been made. Phase III plans, which include the De Pauw buttress and the habitat area have not been reviewed by the City and more work is necessary on them, although they have been signed off by the project engineer. As conditioned to comply with these plans, with the understanding that the final buttress on the De Pauw side will need an amendment, the project will assure safety and geologic stability and conforms to section 30253 of the Coastal Act.

Timing. Because of the hazard to development of stopping during construction, the Commission finds that the applicant may continue work on this project for three months pending condition compliance, including preparation and adoption of necessary resolutions and agreements. The wording of all the conditions has been adjusted to allow compliance to occur during the time of the construction. This is because the City has provided convincing evidence that there are hazards that would occur if the project stopped, and that it is racing against time to complete the project before more slides occur. The applicant has provided an update report of the by the project engineer, including aerial photographs to illustrate this situation.

D. Access and recreation.

The canyon lot is owned by the Department of Recreation and Parks, which acquired in exchange for a bluff face property near by. The Commission in its earlier action required that the final development include park amenities, including trails, signs and bike racks. Because the canyon connects the Village area of Pacific Palisades to Pacific Coast Highway, the Commission required that entrances be established both at the Pacific Coast Highway end and the Palisades recreation area end so that in its final form, the park will provide coastal access.

Section 30210 requires that the Commission require maximum access to and along the coast. Section 30221 requires support areas for coastal recreation be preserved

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Because of the 200 foot high bluffs in the Palisades, little foot or bicycle access from the inland portions of the Palisades to the coastline is available. This park could provide this access. The Commission finds that maximum access requires the provision of 1) a sign at the PCH end and a trail leading up the to the to of the canyon, a 2) a sign at the Palisades recreation area end, 3) picnic areas, 4) separation of the trail and the habitat area. The plans provided by the city have all these elements.

The Commission notes that the adjacent property owners will have benefited considerably from the filling of the coastal resource, Potrero canyon to protect their private land. In order to assure that some public benefit emerges from this project, which involves considerable compromise of the habitat and visual quality sections of the Act in order to protect this property, public access and recreation must be provided in the park. As conditioned to 1) follow the approved lands, maintain signing at both ends of the park and 3) operate the park during normal park operation hours, at the minimum dawn to dusk, 4) notify buyers of benefiting use of the public recreation use of the park, the Commission finds that the development is consistent with Section 30221 and 30210 of the Coastal Act.

E. Visual quality.

Section 30251, visual quality, requires development to preserve natural landforms and to be subordinate to its setting. The goal of this policy is to preserve the natural landscape of coastal California, and to avoid replacing this landscaped with manmade landforms, and introduced plantings and improvements that overwhelm the colors and forms of the landscape.

This project has unavoidable impacts on the natural landform, and has wiped out a riparian area, with its typical tangle of willows and oaks. The Commission's condition to restore this riparian area, and to restore the engineered slopes with coastal sage scrub will assure that some qualities of the former landscape will be restored. The park will allow access along the periphery of the riparian area, and provide sycamore oak woodland along the path. The vegetation plan will also provide some screening of the retaining walls and built slopes at the beach end of the project.

As conditioned, the project will conform with Section 30251 of the coastal act

**F. Local Coastal Program**

Section 30604(a) 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 coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

The LUP for the Pacific Palisades District has not been developed by the City of Los Angeles. The City applied for a grant for the area in 1978, which was approved. The grant envisioned incorporating many of the features of the revised community plan into the LUP for the area, and development of special policies to address geologic hazards and visitor serving facilities. The work program also required that the City investigate policies to protect the canyons. Many of the canyons located in the Pacific Palisades extend into the Santa Monica Mountains. The City has pursued completion of the community plan and the adoption of a specific plan addressing Palisades Village, which lies directly outside the coastal zone, but it has not provided a draft LUP for the commission's review. This project is located on land designated for public open space and recreation in the community plan. The project, which is for a park is consistent with that designation. The work program and past permit decisions encouraged the City to protect riparian habitat areas and blue line streams. Special circumstances including the danger to existing homes make the protection of the stream infeasible. Because of the special circumstances this will not set a precedent which will prejudice the development of standards to protect other streams in the community. Therefore, the Commission finds that the project, as conditioned, will not prejudice the ability of the City to prepare a Local Coastal Program that is consistent with chapter 3 of the Coastal Act.

**G. CEQA**

Section 13096(a) of the Commission's administrative regulations requires Commission approval of 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)(1) 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 impact which the activity may have on the environment.

Applicable law requires the Commission to examine the individual and cumulative impacts of a development and find that there is no other, less environmentally damaging feasible alternative that could be approved. If there is environmental damage, the law requires the Commission to find that

the circumstances require the approval of a project with the anticipated damage, and to require appropriate mitigation.

In this case the less environmentally damaging alternative is the no project alternative, leaving the stream untouched. The City has presented convincing evidence that this alternative would result in the loss of not only the houses that have presently been acquired or demolished, but of other houses as the landslides continued to enlarge. This no project alternative was not feasible, and would result in greater impacts on the city and its residents, both financial and physical than the project as proposed now.

The proposed project, as conditioned, provides adequate mitigation for its adverse impacts on the environment, and there are special circumstances, the loss of over 28 homes justifying this impact. Therefore, the Commission finds that the project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

1628E

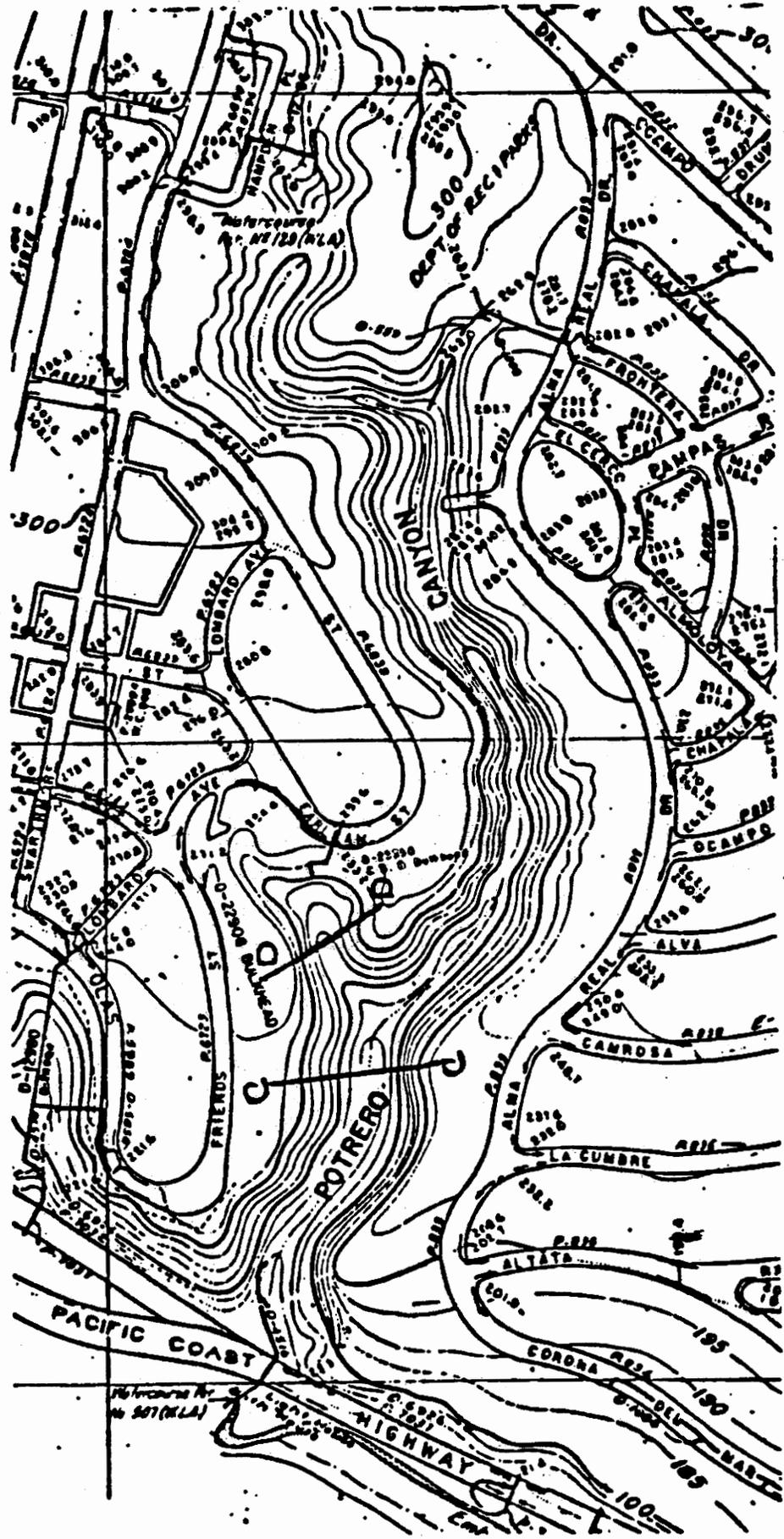


USGS 7.5 MINUTE  
 QUADRANGLE: TOPANGA, CALIF.

5-91-286  
 Exhibit 1 Location

POTRERO CANYON VICINITY MAP

Figure 1



5.91.2  
 Exhib  
 2 views

VICINITY MAP  
POTRERO CANYON



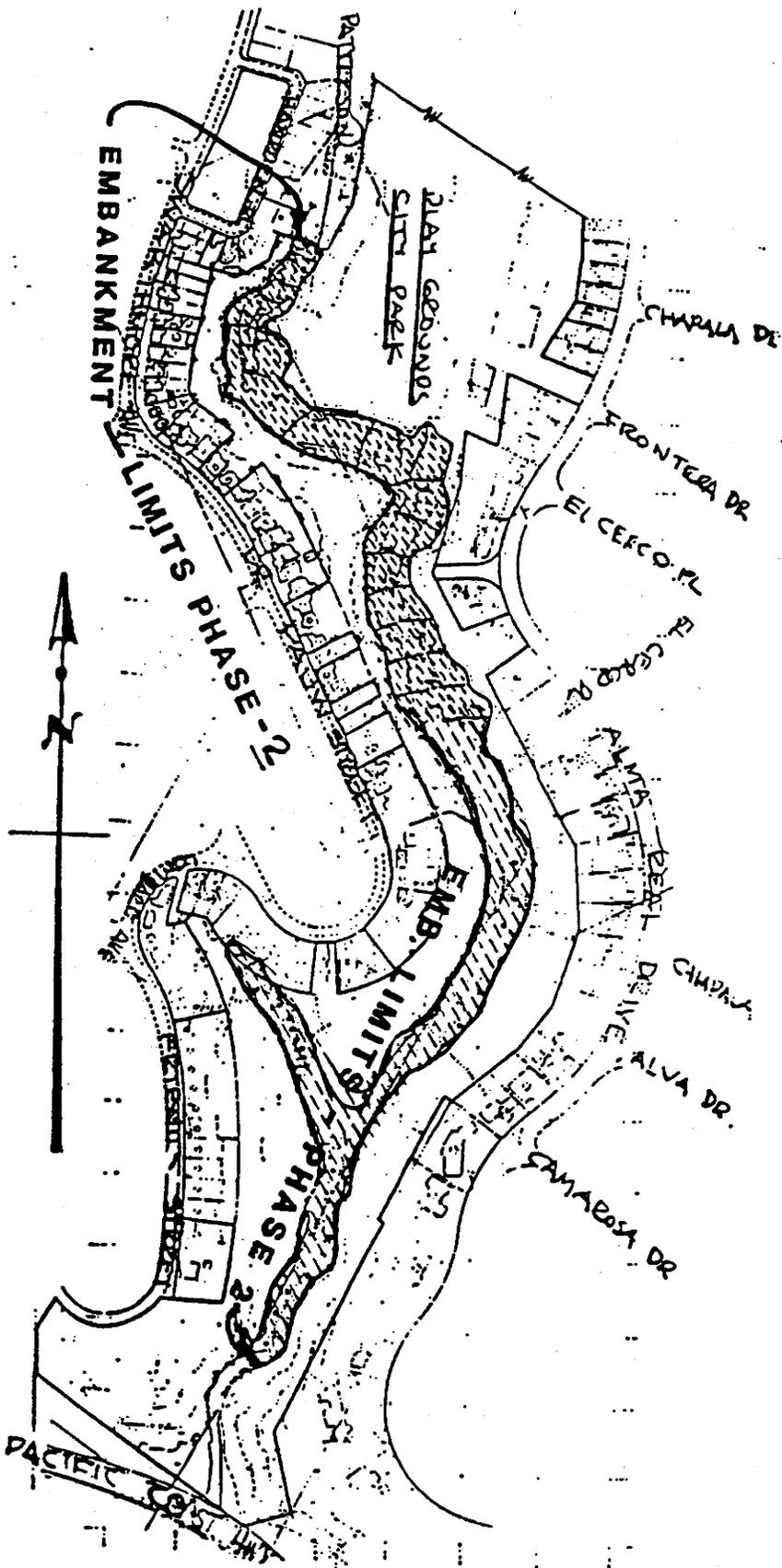
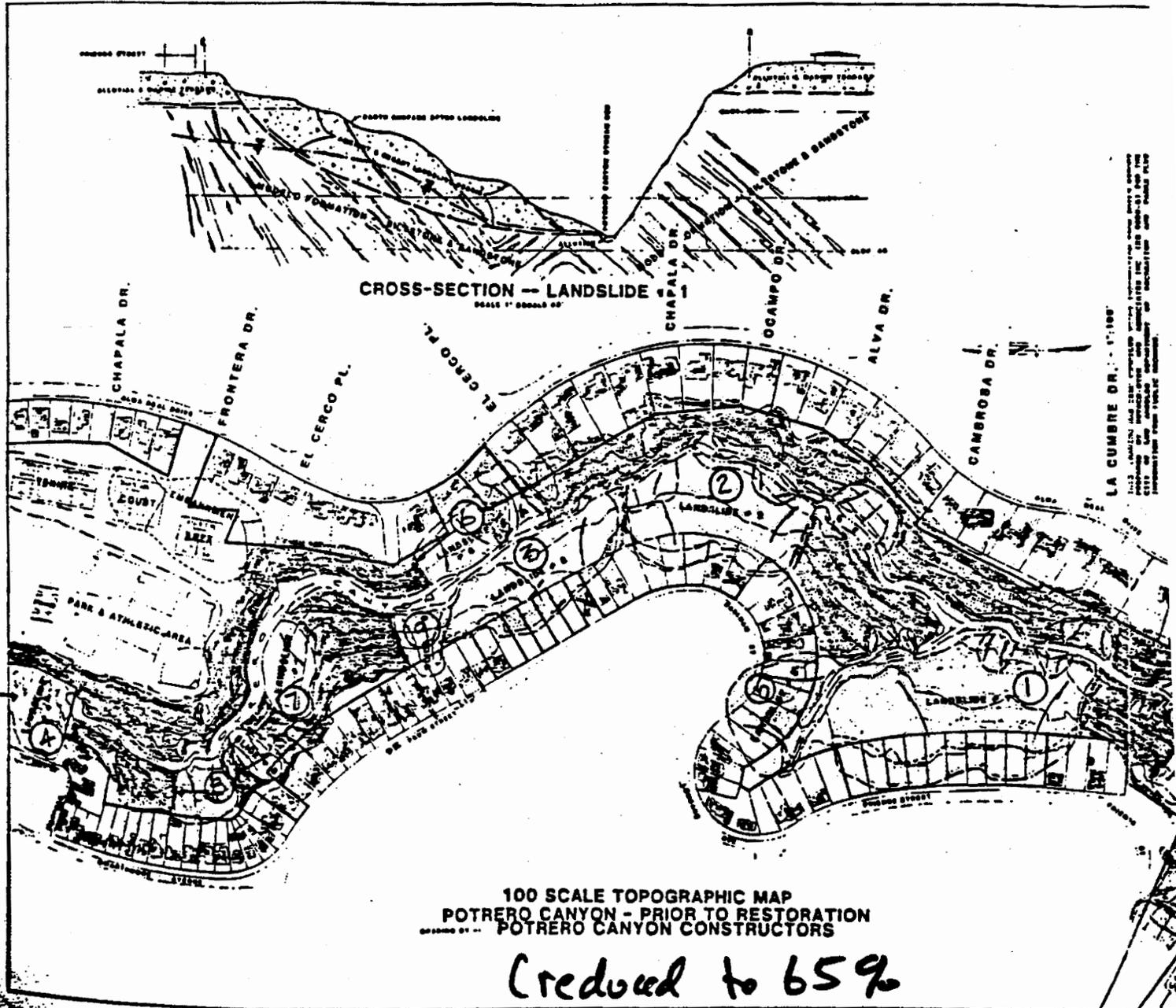


EXHIBIT NO. 2
APPLICATION NO. 5-91-286
Phase 2 limits
California Coastal Commission



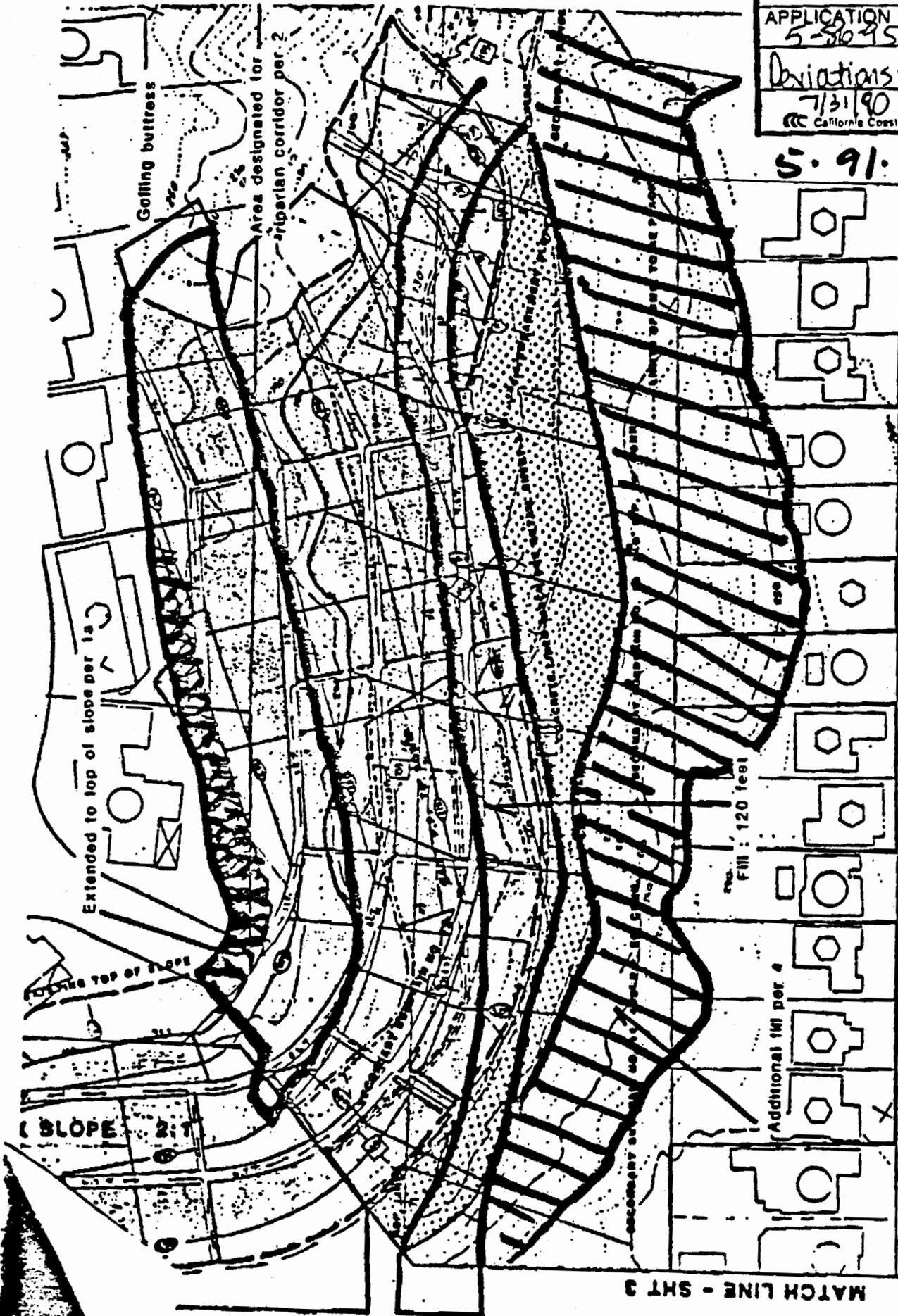
LA CUMBRE DR. 1" = 100'  
 100' SCALE TOPOGRAPHIC MAP  
 POTRERO CANYON - PRIOR TO RESTORATION  
 DRAWING BY POTRERO CANYON CONSTRUCTORS

5.91.286  
 Exhibit 4  
 landslides

EXHIBIT NO. 15  
 APPLICATION NO.  
 5-80-958 A - 541  
 Deviations from  
 7/31/90 Plans  
 California Coastal Commission

5-91-286

Exhibit



DE PAUW STREET

LEGEND  
 SHADING CHANGES FROM 7/31/90 PLANS  
 - 10' WIDE 100' W  
 - 10' WIDE 100' W  
 - 10' WIDE 100' W  
 - 10' WIDE 100' W

ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED  
 ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED  
 ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED

Extended to top of slope per 1a

TO THE TOP OF SLOPE

(SLOPE 2:1)

Mar 12, 91 16:41 No. 012  
 shorter per 1b Smaller embankment

COASTAL COMM 5400

Exhibit 6  
CITY OF LOS ANGELES  
CALIFORNIA

5-91-286

COMMISSIONERS

MARY D. NICHOLS  
DEAN D. PREGERSON  
RICHARD J. RIORDAN  
DOMINICK W. RUBALCAVA  
J. STANLEY SANDERS



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
RECREATION AND PARKS  
200 NO. MAIN ST.  
13TH FLOOR  
LOS ANGELES, CALIF. 90012  
485

JAMES E. HADAWAY  
GENERAL MANAGER

May 14, 1991

Pam Emerson  
California Coastal Commission  
South Coast District  
245 West Broadway, Suite 380  
Long Beach, California 90802

Dear Ms. Emerson:

POTRERO CANYON PARK DEVELOPMENT STAGE II (#1012B) - COASTAL  
COMMISSION FILE NO. 5-91-286

The Department of Recreation and Parks is making application for a coastal development permit to pursue completion of the project known as Potrero Canyon Park. The project is currently proceeding, under an emergency permit from the Coastal Commission, to provide and install inert material (clean dirt) in the area known as slide 6 to provide stability to the area as quickly as possible.

Prior to this time, the Coastal Commission had issued a permit to the Department for the installation of a subdrain in the bedrock bottom of the canyon and a storm drain within the bottom 25 feet of compacted fill. The original permit included several conditions that ultimately could not be met within the established time constraints for various reasons. Therefore, at the request of the Commission, the Department is requesting a new permit for the completion of the development of the project.

The project includes installation of hydroger arrays, blanket drains, subdrain, permanent storm drain pipe, surface drains, and engineered fill including the buttressing of the slides along the canyon walls. This is to increase the factor of safety to the Department of Building and Safety requirement of 1.5. Then, ultimately, the development of the site as a park including restoration of one half the required riparian mitigation within the site.

The project does include, as well, the other half of the mitigation of the riparian habitat at Leo Carillo State Beach. This Department has obtained preliminary approval from the State Department of Parks and Recreation to provide a project within an existing degraded riparian area to complete the required replacement allocated to the Potrero Canyon Park site. The offsite mitigation is required as the Department's engineers have

1128

#6

correspondence

determined that the site cannot reasonably maintain the installation of the required doubling of original habitat that was removed for the installation of the storm drain system. The State has indicated their preliminary approval of acceptance of the project as there is a need for riparian habitat enhancement and they do not have the funds to accomplish the project.

Therefor, submitted, herewith, are the following items for consideration as a part of the Department of Recreation and Parks application for potrero Canyon Park Development Stage II project, Coastal Commission File No. 5-91-286.

1. The plans for Stage II, which include the completion of the drainage systems and installation of the engineered fill for the project. The park use master plan which includes trails, emergency evacuation routes, picnic areas, signage, riparian habitat, coastal scrub replacement and reference to parking and restroom facilities within the Palisades Recreation Center area at the top of the canyon. The park use plan has been developed and reviewed by the Department's environmental consultants, ERCE. Since the site is being brought up to the Department of Building and Safety requirements for development within hillside grading areas there are no special requirements for closing the park due to potential geological events. The slopes will be monitored for movement routinely by the Department's geotechnical consultants for a period of time after completion of the project to assure full compliance with the intent of the plans.
2. The Revised Potrero Canyon Riparian Mitigation Proposal prepared by ERCE.
3. The addendum to the traffic report prepared by TMA supporting hauling on Saturday in accordance with the approved haul route by the Dept of Building and Safety.
4. The Dept of Building and Safety approval of the haul route memo for the project.
5. A copy of the letter from the State Dept of Parks and Recreation giving preliminary approval to the offsite mitigation project.
6. Copies of the off site grading rights of entry required for the property on the canyon rim not owned by the City.

P2

5-91-286  
Exhibit 6

California Coastal Commission  
May 14, 1991  
Page Three

7. Copies of the Building and Safety Correction list indicating substantial completion of the permit process. The permit will be complete prior to Coastal Commission hearing in June.
8. Copy of the memo requesting the flow meters be installed to begin the flow studies in the storm drain and to begin work on the final designs for the ultimate water supply system to the riparian habitat which will be installed at the completion of the fill operations.

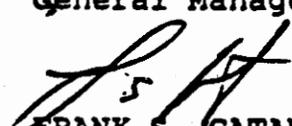
The only outstanding items, that have been requested and are not included are the letters of approval from the U.S. Army Corps of Engineers and State Fish and Game. Although the agencies have been contacted numerous times the responses have not been forth coming. A continued effort will be made to secure the approvals prior to the June meeting.

Also, please note that the Department received a notice that the application did not include proof of the legal interest in the property. In Binder 1 of the submittal is Proof of ownership of the park site and adjacent City properties. Should more information be required please do not hesitate to request specifically what is required and it will be furnished.

Should you have any additional questions after the meeting please do not hesitate to call Kathleen Chan, Project Manager at (213) 485-5671.

Very truly yours,

JAMES E. HADAWAY  
General Manager



FRANK S. CATANIA  
Director  
Planning and Development

FSC:KC\mea  
Coastal3.wp5.1

cc: Claire Rogger, Council District 11  
Les Pinchuck, City Attorneys Office  
ERCE  
BCA, Enngineers  
Kovacs/Byer

5-91-286  
Exhibit 6  
p3

COMMISSIONERS

MARY D. NICHOLS  
DEAN D. PREGERSON  
RICHARD J. RIORDAN  
DOMINICK W. RUBALCAVA  
J. STANLEY SANDERS

CITY OF LOS ANGELES  
CALIFORNIA



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
RECREATION AND PA  
200 NO. MAIN ST.  
13TH FLOOR  
LOS ANGELES, CALIF. 900  
485

JAMES E. HADAWAY  
GENERAL MANAGER

March 27, 1991

Pam Emerson  
California Coastal Commission  
South Coast District  
245 West Broadway, Suite 380  
Long Beach, California 90802

RECEIVED

MAR 28 1991

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

Dear Ms. Emerson:

POTRERO CANYON PARK DEVELOPMENT STAGE II - DEPARTMENT OF RECREATION  
AND PARKS PROJECT NUMBER 1012B

Attached is an application for Coastal Development permit for Stage II of the Potrero Canyon Park Development project.

The submittal includes the following list of documents:

- 1) The Application
- 2) Plans for Phase II, also including Stage III. Stage III plans are currently being revised and will be provided under separate cover.
- 3) The Legal Description and Proofs of Ownership for all properties related to the project development
- 4) Review Letter regarding the status of the Project and the approved E.I.R.
- 5) Board of Recreation and Park Commissioners Reports Approving the Project, delineating the project scope, and approving the award of a design and construction contract for Phase II
- 6) Rights of Entry for the Hydraulgers under Privately Owned Property
- 7) Copy of the Settlement Agreement Regarding the Repair to Privately owned Property on Slide 6
- 8) An approximate schedule for the remaining stages in the development of this project
- 9) Copies of all geotechnical reports prepared for the Project since the original approved report of June, 1986
- 10) Copy of the mailing list which will be used in the preparation of the envelopes.

S-91-286  
Exhibit 7

ITEMS REMAINING TO BE SUBMITTED:

- 1) The stamped, addressed envelopes;
- 2) Letters of review from the Corps of Engineers, Fish and Wildlife and Fish and Game;
- 3) Revegetation, mitigation, park plan and operation and maintenance plans for Phase III, (currently under revision).
- 4) Building and Safety Approval (Local Agency) currently underway.

This application is being made for Stage II of the project which includes the installation of approximately 2.3 million cubic yard of inert material to fill the canyon in the interest of public safety. The scope of the project also includes the buttressing of Slide 6 to prevent further damage to private property on Alma Real Drive. There are related engineering improvements involved in the installation of Stage II including raising the shafts of the existing storm drain access holes, hydraugers, subdrain, surface drainage, and yearly erosion control work.

This work is preparatory to the installation of additional buttresses along the canyon walls to provide a safety factor of 1.5 to the historical slide areas in accordance with the requirements of the City of Los Angeles Department of Building and Safety. This work is indicated as Stage III due to the fact that there are several off-site grading permits that must be secured prior to the Department of Recreation and Parks requesting Coastal Commission approval of that portion of the project.

Stage III of the project will also include plans to provide for the start of the coastal scrub revegetation on the canyon walls and that portion of the riparian habitat restoration to be completed off-site.

Currently, the Department's environmental consultants, ERCE, are preparing the necessary studies, plans, and reports needed to provide your Commission with a clear picture of the plans to accommodate the required mitigation measures for the entire project. Thusfar, it has been determined that the canyon cannot naturally support more riparian habitat area than existed previously. Accordingly, ERCE is completing off-site mitigation studies to provide a viable location within the coastal zone and the County of Los Angeles to complete the additional off-site work.

5-91-286  
Ex 7  
P2

California Coastal Commission  
March 27, 1991  
Page Three

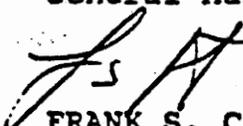
The consultants are also working to providing the documentation for riparian habitat replacement of three to four acres on site. The consultants will also prepare the installation, operation maintenance and monitoring plans for the restorations as part of the park development plans which will comprise portions of Stage II and Stage IV.

The Department and its consultants look forward to meeting with you again on April 24, 1991 at 10:00 a.m., in your office for the next production meeting. At that time it is anticipated that the envelopes, preliminary park development plan, and riparian habitat plans will be ready for your review and comments.

Should you have any questions please contact Kathleen Chan, Project Manager at (213) 485-5671.

Very truly yours,

JAMES E. HADAWAY  
General Manager



FRANK S. CATANIA  
Director  
Planning and Development

FSC:KC/mea

cc: Claire Rogger, Council District 11  
L. Pinchuck, City Attorney  
ERCE  
BCA Engineers  
Kovacs/Byer  
Landscape Design Division/Virginia Hatley

CCC-POTR

5-91-286  
Exhibit 7  
p3

# CITY OF LOS ANGELES

CALIFORNIA



TOM BRADLEY  
MAYOR

## COMMISSIONERS

DEAN D. PREGERSON  
RICHARD J. RIORDAN  
WILLIAM R. ROBERTSON  
DOMINICK W. RUBALCAVA  
J. STANLEY SANDERS

DEPARTMENT OF  
RECREATION AND PARKS  
200 NO. MAIN ST.  
13TH FLOOR  
LOS ANGELES, CALIF. 90012  
485

JAMES E. MADAWAY  
GENERAL MANAGER

August 9, 1991

RECEIVED

AUG 9 1991

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

Pam Emerson  
California Coastal Commission  
South Coast District  
245 West Broadway, Suite 380  
Long Beach, California 90802

Dear Ms. Emerson:

POTRERO CANYON PARK DEVELOPMENT STAGE II - DEPARTMENT OF RECREATION  
AND PARKS PROJECT NO. 1012B

Attached hereto, the Department of Recreation and Parks respectfully submits, the remainder of the required items necessary to complete our permit application for the Potrero Canyon Park Development Stage II project.

Attached are the following:

Twenty copies of the "FINAL POTRERO CANYON RIPARIAN MITIGATION PROPOSAL" as prepared by ERCE. The plan provides for all the mitigation, 7.9 acres to be completed in Potrero Canyon.

Twenty copies of the revised engineering plans, including the riparian and coastal sage scrub habitat replacement plans. These books represent reduced copies of the engineering plans, landscape plans and riparian habitat plans along with the engineer's text. Should full size plans again be required by any of your staff please notify us immediately and they will be furnished.

Also attached, are copies of letters to the Santa Monica Mountain Conservancy, and State Parks and Recreation Department thanking them for their response to our needs for off-site mitigation and explaining that we will be completing the work in Potrero Canyon as originally planned.

Attached is a copy of the Board report establishing the policy of the conservation area within Potrero in accordance with U.S. Fish and Wildlife concern that the area would be held in perpetuity as habitat. The report will actually be approved by the Board on Monday, August 12, 1991. Should you need a certified copy of the approved report it can be supplied as early as August 13, please indicate if it will be required.

5.91.286  
Exh. 6.18

California Coastal Commission  
August 9, 1991  
Page Two

Finally the new mailing envelopes for the public notice are attached.

For your own information, the flow meters are installed and by the meeting date in September we will have some real data as to the actual quantities of nuisance water that could in fact be recycled into the habitat area.

Should you require any further documentation or information please do not hesitate to call Kathleen Chan, Project Manager at (213) 485-5671. Ms. Chan will be on vacation until August 19, 1991. Should you have any immediate needs regarding this submittal please call Dallan R. Zamrzla at (213) 485-5671.

Very truly yours,

JAMES E. HADAWAY  
General Manager



FRANK S. CATANIA  
Director  
Planning and Development

FSC/KC:mea  
CHAN\CCC-POT2  
Attachments

cc: Claire Rogger, Council District 11  
Les Pinchuck, City Attorney's Office  
ERCE  
BCA Engineers  
Kovacs/Byer  
Landscape Design Division/Virginia Hatley  
Project Manager

5-91-286  
exhibit 8  
p.2

AUG 9 1991

REPORT OF GENERAL MANAGER

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

NO. \_\_\_\_\_

DATE 8-12-91

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: POTRERO CANYON PARK DEVELOPMENT PHASE II AND PHASE III  
(#1012B) - HABITAT PROTECTION POLICY

FSC \_\_\_\_\_ JT \_\_\_\_\_  
SNJ \_\_\_\_\_ DG \_\_\_\_\_  
SEK \_\_\_\_\_ JR \_\_\_\_\_

TELEPHONE	FSC.....	6
APPROVAL	REGION .....	1
CORRESPONDENCE	.....	2
COMMENT	ADMIN .....	3
INFORMAL	General Manager..	4
REVIEW	PRSNL .....	5
SCHEDULE	GRANTS .....	6
SIGNATURE	DRZ.....	

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

RECOMMENDATION:

It is recommended that the Board:

Adopt a policy, specific to Potrero Canyon Park, protecting the revegetated areas within the facility by dedicating them as conservation areas.

SUMMARY:

Potrero Canyon Park will come before the Coastal Commission for the required development permit for Phase II and III in September. During the review of the plans by the other resource agencies involved in the permitting process, U.S. Department of Fish and Wildlife, Army Corps of engineers, and State Department of Fish and Game, a specific request was made to include deed restrictions for the site maintaining the riparian habitat replacement in perpetuity. Since the Department owns the park site and can guarantee that it will in fact remain park land the deed restriction requirement was modified.

The resource agencies are requesting that the Board adopt a policy that in the case of Potrero Canyon Park a conservation easement be established and maintained in the riparian habitat. The restored riparian habitat will remain a habitat easement in perpetuity, restricted from any future building activity not specifically in accordance with habitat requirements. Maintenance and human access in the easement areas will be restricted to that required necessary to accomplish maintenance of the area. Department staff will be trained in the specific maintenance required in the areas by resource professionals prior to the Department taking over maintenance from the installation contractor for Phase III.

5-91-286  
Exhibit 9  
P1

REPORT OF GENERAL MANAGER

PG. 2

NO. \_\_\_\_\_

The replacement of the lost habitats was an original permit requirement and the request for a policy governing the establishment and commitment to maintaining the resource does not appear to be inconsistent with any existing Department policy. Therefore, staff is requesting the Board adopt a policy that the Canyon Park dedicated to conservation and be maintained in accordance with the requirements specific to the habitat in perpetuity.

5-91-286  
Exhibit 9  
P2

acknowledged in this plan that it will be necessary to artificially create both a new water table and hydrological supply process in the filled canyon to sustain the proposed habitat. The artificial water table is to be created by the placement of an impermeable liner near the surface of the finished fill. The plan does not specify either how the water table liner will be installed, what it would be made of, or how much irrigation water would be needed to supply the riparian habitat. Neither does it specify final grades in the riparian area nor what sort of soil will be acceptable there.

Since project design stipulates all present nuisance and storm drainage now entering the canyon will be drained offsite through a subsurface drainage pipe at the base of the 100 feet of fill to be placed in the canyon, this plan calls for diverting some of this water to the surface once again in order to supply the riparian area. Permanent irrigation water is necessary to make up for any deficit in nuisance flows in order to support the habitat.

Finally, although a general plant palette is specified for the revegetation effort in the original plan, specific composition, by species and numbers of container plants per acre, is lacking. This section of the report will provide the answers to these questions.

## 2.1 RIPARIAN LINER

An artificial impermeable layer will need to be established near the surface of the finished fill to sustain the required riparian habitat. Formerly, all surface waters were carried to the floor of the canyon where they met a relatively impermeable sedimentary rock subsurface layer covered by 10 to 15 feet of alluvium. The filling of the canyon will bury this subsurface layer, covering it with highly compacted (90 percent) earthen material to a depth of 100 feet. Because the intent of the fill is to prevent further landslides, the engineers have designed the new drainage system to prevent the entry of surface drain waters into these fill soils.

In general, riparian vegetation lies from 0 to 15 feet above the water table although the tap rooted oaks of the riparian woodland can be found at up to 100 feet above it. The willow woodlands planned for the majority of the riparian acreage in the canyon should lie between 0 and 3 feet above the water table. Sycamore and oak woodlands occupy elevations higher than 3 feet above the water table.

Proposed  
mitigation plan  
p1

Excerpts  
from

ERCF  
Final

5-91-286

Exhibit 10

Thus, a new artificially created impermeable layer needs to be created at the top of the canyon fill to sustain a water table near the surface. Essentially what will be created is a large impermeable flower box which will be filled with water to near the surface in most areas.

ERCE investigated several methods for creating the water table liner. Initially it was thought impermeable clay materials would be used. However, these clays are not completely impermeable and the project engineers expressed concern that any drainage through such a clay barrier might threaten the slope stability of the project. Therefore, the use of impermeable membranes of the sort used in permanent landfill installations was pursued.

The product selected is a high density polyethylene material 60 mils thick, produced by the Gundle Company, called Guideline HD liner. Sheets of this material would be laid in the field next to each other and heat sealed at the seams. This material would be sloped up at the sides of the riparian habitat to retain water which enters the system. Since the outfall of the original canyon will be raised to the depth of the new fill material, any excess waters entering the basin created by the liner would be carried away by standpipes below the liner edge to the subsurface drainage within the canyon. Major storm flows would be handled by larger culverts also placed below the liner edge.

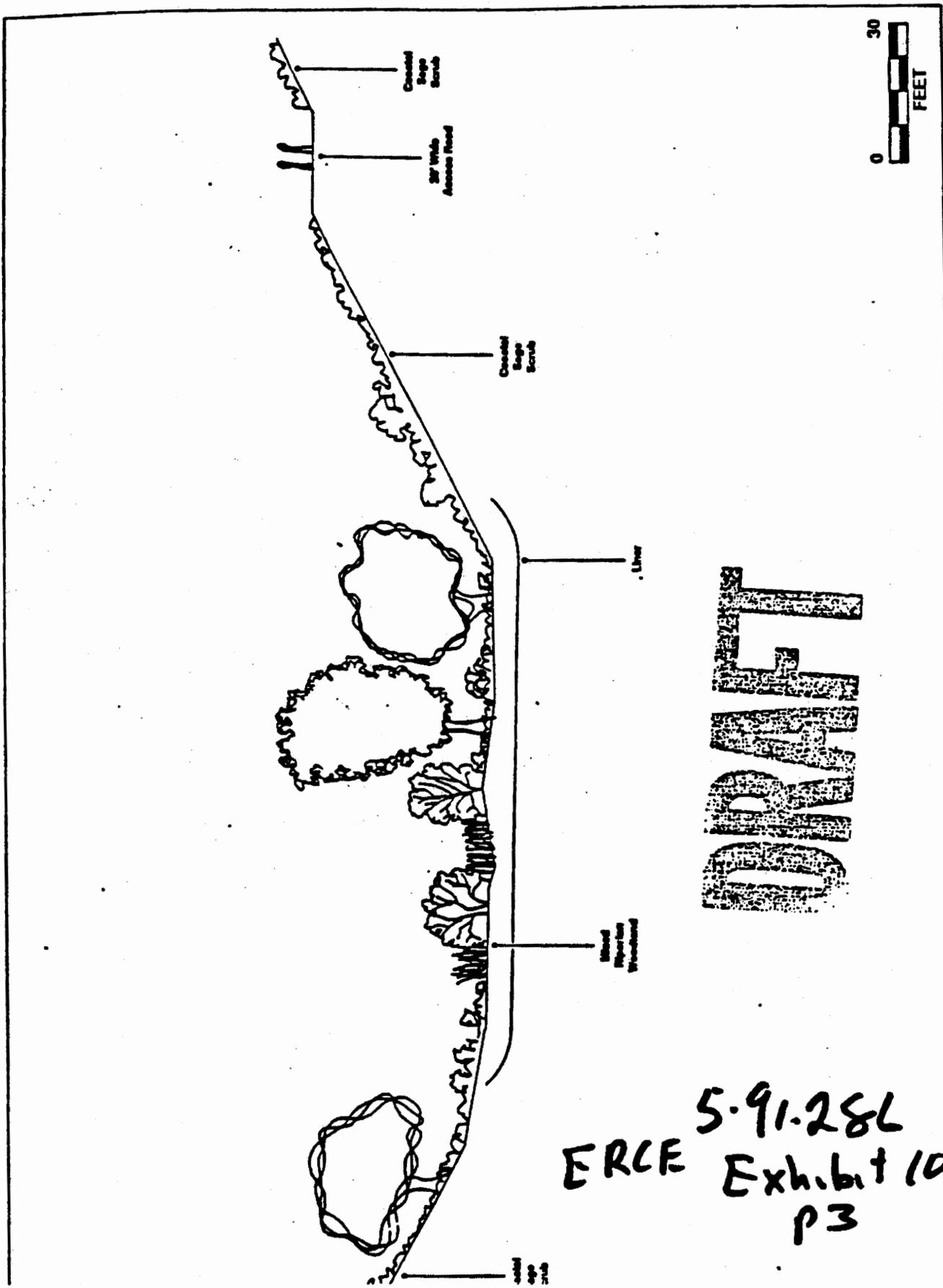
## 2.2 REVEGETATION SOILS FOR PHASE III

The soils used to fill the canyon are mainly subject to engineering standards. While these standards are usually not incompatible with horticultural specifications, they may be. Several horticultural factors are of importance: pH, salinity, nutrient composition, nutrient holding capacity, soil biota, pore space and water holding capacity. Because of these factors, the soils placed in Phase III are scrutinized further.

### 2.2.1 Horticultural Suitability

Material used to fill the canyon will come from subsoils and parent material excavated from construction sites. Their suitability is based upon structural stability concerns. Material to be used for the surface layer of the canyon fill in Phase III must also be suitable for plant growth. All material proposed for placement in the riparian liner, as well as the top

ERCE 5-91-286 Exhibit 10 p3

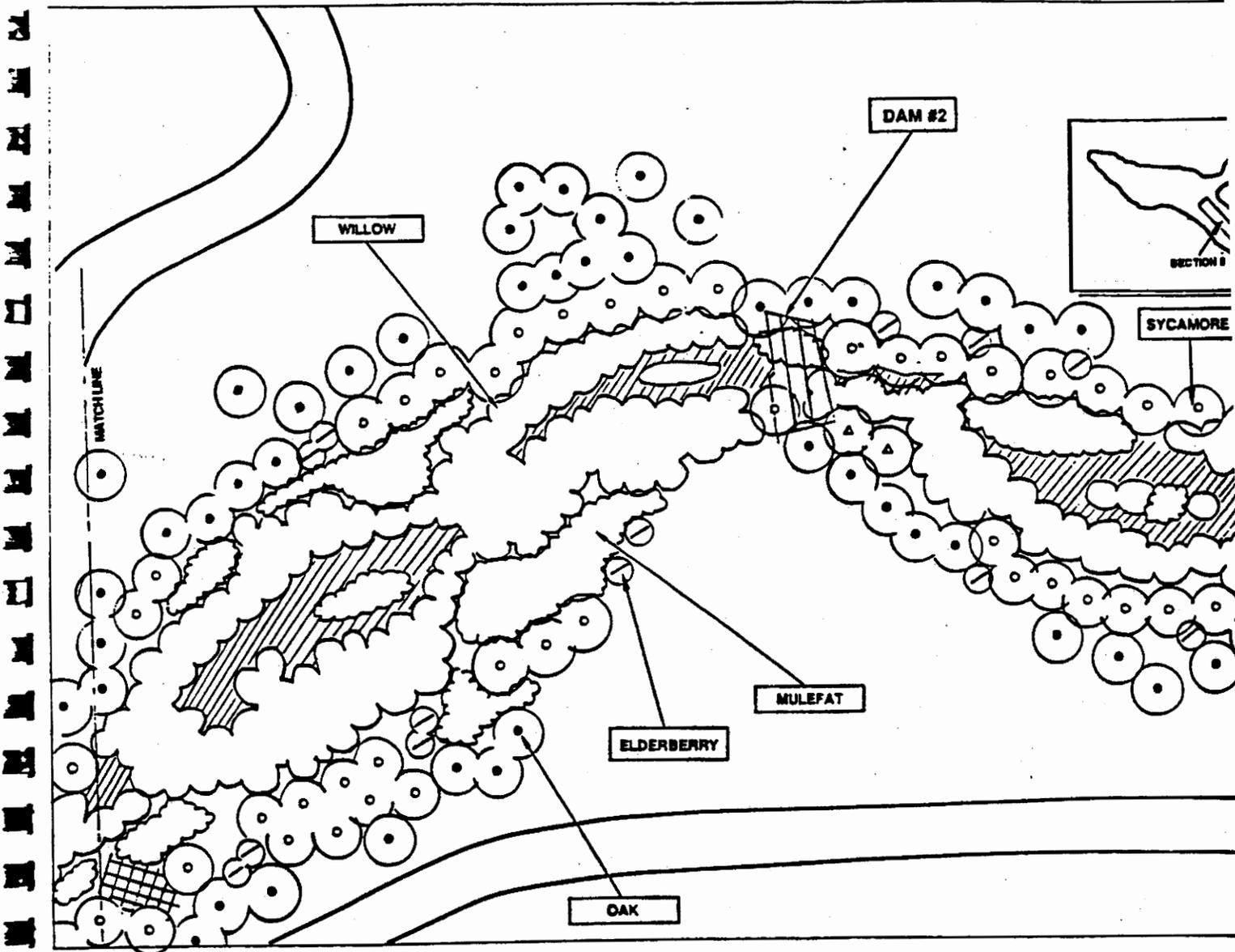


DRAFT

ERCE 5-91-286  
Exhibit 10  
p3

FIGURE

ERCE



ERCE

Habitat Layout Plan of the Canyon Bottom - Section 2

example  
plant  
palette

5-91-286  
exhibit 10  
P 4

DA 7  
←

M E M O R A N D U M

TO: ALONZO A. CARMICHAEL, PLANNING OFFICER  
DEPARTMENT OF RECREATION AND PARKS

ATTN: DAVID ATTAWAY

FROM: WILLIAM F. CHILDS, DEPUTY CITY ATTORNEY *WFC*

DATE: OCTOBER 21, 1986

RE: ENVIRONMENTAL IMPACT REPORT (EIR) FOR POTRERO CANYON PARK

You have asked whether a change in the proposed project, from a fill height of 40 feet and using soldier piles to a fill height of 75 feet without using soldier piles, is a significant enough change in the project to warrant a subsequent or supplemental EIR. In our opinion, the proposed change does not require further environmental analysis.

Public Resources Code § 21166 requires a subsequent or supplemental EIR only when:

"(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

"(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

"(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available."

In this case, subsection (c) is clearly not applicable, so that the only question is whether the change in project is "substantial."

RECEIVED  
DEC 23 1986  
CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

Exhibit II  
p. 1  
5-86-958  
5-91-286

Alonzo A. Carmichael  
Attn: David Attaway  
Re: EIR for Potrero Canyon Park  
October 21, 1986  
Page 2

The existing EIR (SCH No. 84-091901) considered two alternatives: (1) the 40-foot fill using soldier piles and (2) a 125-foot fill without soldier piles. The revised project at a 75-foot fill level and without soldier piles is but one of many possible reasonable alternatives that could be interpolated between the two alternatives.

"[I]t must be assumed that the decision-makers and the public could make an informed comparison of the environmental effects of [the two alternatives originally proposed]. It is then not unreasonable to conclude that an alternative not discussed in the EIR could be intelligently considered by studying the adequate descriptions of the plans that are discussed. This EIR should 'not become vulnerable because it fails to consider in detail each and every conceivable variation of the alternatives stated.' (Citation.)" Village Laguna of Laguna Beach, Inc. v. Board of Supervisors (1982) 134 Cal.App.3d 1022, 1030.

Thus, the project as now proposed is but one of those "conceivable variations" between the two extremes and not a "substantial change" in the proposed project. As such, no additional EIR is required.

WFC:pe  
485-6393

Exhibit 11  
p2



United States Department of the Interior

FISH AND WILDLIFE SERVICE

FISH AND WILDLIFE ENHANCEMENT  
SOUTHERN CALIFORNIA FIELD STATION  
Laguna Niguel Office  
Federal Building, 24000 Avila Road  
Laguna Niguel, California 92656

JUN 24 1991

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT  
June 21, 1991

Ms. Pam Emerson  
California Coastal Commission  
245 W. Broadway, Suite 380  
P.O. Box 1450  
Long Beach, California 90801-1450

Re: Revised Draft Potrero Canyon Riparian Mitigation Proposal, Pacific Palisades, Los Angeles County, California

Dear Ms. Emerson:

The U.S. Fish and Wildlife Service (Service) has reviewed the referenced document dated April 1991. We provide the following comments for your consideration.

The intent and design of any mitigation should be clearly defined. The issues that the Service views as critical to successful mitigation for this project's impact's to fish, wildlife, and habitats are water sources, water quality, water amount, and the location of mitigation in parks.

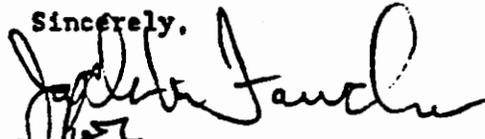
Water is a precious resource in southern California. Fish, wildlife, and vegetation require uncontaminated water in sufficient quantity for maintenance of healthy populations. Therefore, water should be provided by sources that assures high water quality and an adequate supply. We acknowledge that most drainages in coastal southern California receive runoff water with various pollutants from surrounding developments. However, to suggest that the maintenance of mitigation be solely supported by runoff water from suburbia to simply satisfy a mitigation requirement is unacceptable. The Service recommends that the majority of water for maintenance of mitigation sites come from sources of unpolluted water.

Providing mitigation for fish, wildlife, and habitats in parks or recreation areas is often non-productive and non-permanent. Parks and recreation areas have specific objectives, demands, and needs to fulfill. As a result wildlife and recreational needs are often incompatible. As leisure time increases, demands for recreation facilities increases. Therefore, natural habitats are sacrificed to meet recreation needs. As you know mitigation is set aside and protected in perpetuity. Park agencies usually are not amenable to permanently setting aside their lands. Therefore, the Service would have to be assured that any parklands that are used as mitigation for fish and wildlife habitat is protected and appropriately buffered in perpetuity via deed restrictions.

5.91.286  
Exhibit 12

...n these considerations and recommendations implemented into the mitigation design, the Service has no problems with the basic mitigation concept. I hope that these comments are helpful. If you have any questions please contact John Hanlon at (714) 643-4270.

Sincerely,



Brooks Harper  
Office Supervisor

cc:  
CDFG, Reg. 5, Long Beach, CA (Attn: M. Giusti)  
Corps, Los Angeles, CA (Attn: L. Varnhagen)

5-91-286  
Exhibit 12  
p 2

Corps permit

Noise

The City has analyzed noise impacts from the previous project (40 feet of fill and soldier piles) and found the increased noise levels "not expected to be significant or exceed City noise standards. No adverse noise impacts would occur at night." Noise from this project should be greater than the previous project due to 1) a higher level of fill (75 feet versus 40); 2) areas of fill up to near street level; 3) a 4-5 fold increase in truck trips due to the increased volume of fill.

Mitigation

Southcoast riparian (trees and vegetation usually found along streams) habitat, especially coastal stream habitat, is rapidly disappearing due to urban encroachment. Potrero Canyon is a mixture of riparian habitat (primarily willows), coastal sage scrub, and escaped horticulturals. The City has submitted a plan to mitigate for the loss of riparian habitat in the canyon. They estimate approximately 3.51 acres of riparian habitat will be destroyed as a result of this project and propose to create approximately 7.38 acres of riparian habitat by placing a relatively impermeable fill layer (clay) or fabric approximately 15 feet below the surface. The semi-impermeable layer is designed to prevent seepage of water into the lower fill and to maintain an elevated water table for riparian species such as willows (See Figures 5 and 6). The City plans to irrigate the park area until vegetation is established and thereafter as needed. Revegetation or restoration plans are not always as successful as hoped. However, the U.S. Fish and Wildlife Service (FWS) and California Department of Fish and Game have reviewed the proposed mitigation plan and have indicated that it may meet their environmental concerns regarding the removal of habitat.

Permits

The California Department of Fish and Game has issued a streambed alteration agreement for this project. The conditions on this agreement are incorporated into the Corps proposed special conditions. The California Coastal Commission is scheduled to hear this permit at the February hearings scheduled for February 24th through 27th.

Additional Information

More detailed information is contained in the Potrero Canyon Geology and Soils Engineering Report prepared by Kovacs-Byer and Associates in June 1986 and in the Potrero Canyon Conceptual Riparian Habitat Rehabilitation Plan prepared by WESTEC Services Inc. in October 1986. These reports may be reviewed in the Corps District Office. An Environmental Impact Report was also prepared by the City on the previous project.

Proposed Special Conditions:

1. That the applicant submit a phased development plan (Plan) to be approved by the District Engineer prior to initiation of the permitted activity. The Plan will describe 1) each phase of development as planned, 2) temporary erosion control methods, including seasonal limits and temporary slope stabilization measures, 3) immediate and permanent slope stabilization measures once a phase is completed. (Detailed vegetation plans for a phase must be completed prior to initiation of that phase.)
2. That any deviation from the Engineering Report of Kovacs and Byers or from the mitigation plan submitted by the City will invalidate this permit.
3. That only clean fill (natural earth materials free from asphalt, concrete, etc.) material be utilized
4. That temporary fills shall be constructed of nonerodible materials and shall be

APPLICATION NO. 87-059-CC

5-91-286

Exhibit 13

Exhibit 13



United States Department of the Interior

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FISH AND WILDLIFE SERVICE

FISH AND WILDLIFE ENHANCEMENT  
SOUTHERN CALIFORNIA FIELD STATION  
Laguna Niguel Office  
Federal Building, 24000 Avila Road  
Laguna Niguel, California 92656

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST I

April 4, 1991

Mr. Brad Burkhardt  
ERCE  
5510 Morehouse Drive  
San Diego, California 92121

RE: Potrero Canyon Riparian and Coastal Sage Scrub Mitigation,  
Los Angeles, Los Angeles County, California

Dear Mr. Burkhardt:

The U.S. Fish and Wildlife Service (Service) has reviewed the referenced feasibility study dated February 1991. You provided the referenced document to us on March 13, 1991.

The proposed artificially supported riparian habitat mitigation proposal in Potrero Canyon is unacceptable to the Service. We suggest that the Potrero Canyon site be vegetated with coastal sage scrub and that the 7.4 acres of riparian habitat be created in nearby coastal drainages. It is the Service's understanding that the Coastal Commission requires that the mitigation occur within the coastal zone and we support this requirement. In addition, it is important that any mitigation is protected in perpetuity.

Thank you for the opportunity to review this document. If you have any questions, please feel free to contact John Hanlon at (714) 643-4270.

Sincerely,

Brooks Harper  
Office Supervisor

cc:  
CDFG, Region 5, Long Beach, CA (Attn: M. Giusti)  
CDFG, Region 5, Long Beach, CA (Attn: J. Fischer)  
CCC, Long Beach, CA (Attn: P. Emerson)  
CE, Los Angeles District, Los Angeles, CA (Attn: L. Varnhagen)

5-91-286  
Exhibit 14

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereinafter called the Department, and DEPT OF RECREATION AND PARKS of LOS ANGELES State of CALIF. hereinafter called the operator, is as follows:

WHEREAS, pursuant to Section 1601 of California Fish and Game Code, the operator, on the 7 day of JANUARY, 1987 notified the Department that he intends to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed of, the following water: POTRERO CYN CRK in the County of LOS ANGELES, State of California, Section T 15 R 17W

WHEREAS, The Department (represented by J. HERNANDEZ has made an inspection of subject area on the 7 day of JANUARY, 1987, and) has determined that such operations may substantially adversely affect existing fish and wildlife resources including: GAME NONGAME, FISH, AND RIPARIAN HABITATE

THEREFORE, the Department hereby proposes measures to protect fish and wildlife during the operator's work. The operator hereby agrees to accept the following recommendations as part of his work: Numbers 2, 3, 8, 12, 14, 15, 16, 20, 21, 22 from the list of recommendations on the back of this page and the following special recommendations:

- 1. All work in or near the stream or lake shall be confined to the period 7 JANUARY 87 to 1 NOVEMBER 92
- 2. THIS AGREEMENT IS PROPOSED IN CONCURRENCE WITH THE RIPARIAN HABITATE REHABILITATION PLAN PREPARED FOR DEPT OF RECREATION AND PARKS, CITY OF LOS ANGELES BY WESTEC SERVICES INC. OCTOBER 1986 - ANY DIVIATION FROM SAID PLAN WITHOUT PRIOR DEPT APPROVAL WILL INVALIDATE THIS AGREEMENT.

RECEIVED  
JAN 08 1987

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

If the operator's work changes from that stated in the notification specified above, this agreement is no longer valid and a new notification shall be submitted to the Department of Fish and Game. Failure to comply with the provisions of this agreement and with other pertinent Code Sections, including but not limited to Fish and Game Code Sections 5650, 5652 and 5948, may result in prosecution.

Nothing in this agreement authorizes the operator to trespass on any land or property, nor does it relieve the operator of responsibility for compliance with applicable federal, state, or local laws or ordinances. A consummated agreement does not necessarily constitute Department of Fish and Game endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This agreement becomes effective on 7 JAN 87 and terminates 1 NOVEMBER 92

Operator: [Signature] Title: ENVIRONMENTAL ASSOCIATE II

[Signature] Department Representative Title: WARDEN

Organization: City of LA, Dept. of Recreation + Parks

Department of Fish and Game, State of California

Date: 1-7-87

Date: 7 JANUARY 87

\* If inspection was not made, cross out words within parentheses.

S. 91. 286  
Exh. 6. 15

Mr. Attaway

-2-

March 28, 1985

Thank you for your consideration in this matter. If you have any questions, please contact Jack L. Spruill of our Environmental Services staff, at 245 West Broadway, Suite 350; or (213) 590-5137.

Sincerely,



Fred A. Worthley Jr.  
Regional Manager  
Region 5

cc: M. Pletcher  
ESB, Sacramento  
State Clearinghouse - SCH 84091901

5-91-286  
Exh. 6. + 15  
P2

## DEPARTMENT OF FISH AND GAME



245 West Broadway, Suite 350  
Long Beach, California 90802-4467  
(213) 590-5113

March 28, 1985

5-91 286  
Exh. b. + 1

David M. Attaway  
City of Los Angeles  
Department of Recreation and Parks  
200 North Main Street  
Los Angeles, California 90012

Dear Mr. Attaway:

We have reviewed the Draft Environmental Impact Report for the proposed Potrero Canyon Park Development Project describing development of a City park located within the Pacific Palisades community. Project proposals include filling portions of the canyon with materials suitable for disposal in a Class III landfill to an approximate height of 40 feet. Upon completion of the fill project, the remaining canyon would serve to supplement the recreational facilities at the Palisades Recreation Center and to provide a scenic pedestrian accessway for passive recreational uses. The plan also includes buttress fills and soldier piling to provide slope stabilization within the steep-walled canyon. We have the following comments for your consideration.

We are concerned about the proposed filling of approximately six acres of well established riparian and aquatic resources within Potrero Canyon. These native habitats are rapidly disappearing in Los Angeles County primarily due to urban related development.

Our primary concern in this regard is the status of the endangered least Bill's vireo in this canyon because it utilizes dense willow stands for nesting purposes. Our concerns are also related to protection of any other endangered and threatened plants and animals as specified in the California Endangered Species Act which went into effect on January 1, 1985. The EIR does not provide a detailed assessment of plants and animals that could inhabit Potrero Canyon, and, therefore, it is impossible for us to determine if the vireo exists there. We recommend that the City hold further action in abeyance until it can provide us with a detailed biological resource inventory of the canyon. We also recommend that the necessary field survey be designed to include the status of the least Bill's vireo during the 1985 nesting season. Nesting normally begins in May and extends through September. The results of these surveys should then be circulated for our review and comments. Our position on the proposed project will be provided to your agency upon the completion of that review process.

1-1

1-2

stabilize the soils. Both short and long term impacts need to be more fully examined.

5. Alternative engineering solutions such as instream gabions; stream bank gabions and other problems site specific solutions need to be more fully addressed. These solutions may be able to provide satisfactory slope stabilization.
6. There needs to be a full discussion and resolution of the potential inconsistency with the Coastal Zone Management Plan (Sections 30240(a), 30251 and 30253).

If you have any questions regarding this letter, please contact Mr. Bill Tippetts of my staff at (619) 237-7252.

Sincerely,

Ronald C. McCullough, Regional Director  
Southern Region

cc: Resource Protection Division  
Santa Monica Mountains District  
California Coastal Commission

Exhibit 16  
5-91-286  
p2

## DEPARTMENT OF PARKS AND RECREATION

Southern Region Headquarters  
1333 Camino Del Rio South, Suite 200  
San Diego, California 92108  
(619) 237-7961

October 22, 1985

RECEIVED  
OCT 28 1985

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

U. S. Army Engineer District  
Attn: SPLCO-R-85-192-BB  
P. O. Box 2711  
Los Angeles, California 90053-2325

Gentlemen:

My staff has reviewed Application No. 85-192-BB which was submitted by the City of Los Angeles and found the application inadequate in several areas. Each of the deficiencies are discussed below. Until these deficiencies are satisfactorily addressed, the California Department of Parks and Recreation opposes the proposed project.

1. Replacing natural riparian stream with a large drainage pipe system will significantly alter stream discharge. The proposed drainage system will carry storm flows down to Will Rogers State Beach without the natural slowing and dampening effect which is currently provided by the riparian stream. We anticipate that this modification of streamflow could create unacceptable impacts on the beach (e.g., public safety and washing away sand). Temescal Canyon, which has been partially modified to increase its streamflow discharge, periodically creates similar problems at Will Rogers State Beach.
2. Protrero Canyon contains excellent riparian vegetation, a resource which is becoming scarce in Southern California's coastal zone. The proposed project will eliminate this vegetation without providing adequate mitigation for the loss. Creation of a new stream course on top of the fill is not satisfactorily detailed to permit an evaluation of its suitability as mitigation.
3. The preferred project entails filling the canyon with 40 feet of imported material. An earlier proposal had recommended up to 120 feet of fill. What safeguards can be provided so that, if the 40 feet of fill is not satisfactory, another 80 feet of fill is not the next step to solving the slope stabilization problem?
4. The problem of stabilizing this large volume of fill material is not adequately addressed. Native plantings are the only acceptable re-vegetation choice, but these may take several years to satisfactorily.

Exh. b. t 16  
p1

(5-86-258)  
5-91 286



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street  
San Francisco, Ca. 94105

OCT 24 1985

Colonel Dennis F. Butler  
District Engineer  
U.S. Army Corps of Engineers  
Los Angeles District  
P.O. Box 2711  
Los Angeles, California 90053-2325

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OCT 25 1985

FISH AND GAME  
LONG BEACH, CA

Subject: Public Notice No. 85-192-BB (September 30, 1985)  
City of Los Angeles, Potrero Canyon Creek, Pacific  
Palisades

Dear Colonel Butler:

We have reviewed the subject public notice regarding an application for a Department of the Army permit to discharge fill material in Potrero Canyon Creek to provide for bank stabilization and passive recreation in Potrero Canyon. These comments have been prepared under the authority, and in accordance with, the provisions of the Federal Guidelines (40 CFR 230), as required by Section 404(b)(1) of the Clean Water Act. As proposed, the project fails to comply with the Guidelines.

Construction of the project will have direct, adverse impacts on approximately 6 acres of riparian and wetland vegetation. The applicant has not demonstrated that there are no alternative project designs that would have less adverse impact on the aquatic environment. Specifically, the 404(b)(1) Guidelines prohibit the discharge of fill material if there is a less-damaging practicable alternative (40 CFR 230.10(a)).

Should the applicant first demonstrate that there are no alternatives to the proposed discharge that would have less adverse impact on the aquatic system, Section 230.10(d) of the Guidelines prohibits the placement of fill unless appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic system. The Environmental Protection Agency will review any such mitigation proposals only if the practicable alternatives analysis demonstrates that less-damaging alternatives do not exist.

5-86-958

5-91-286

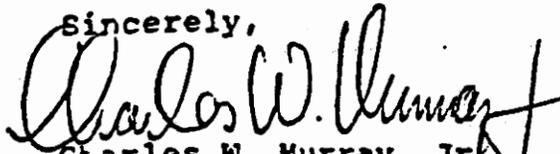
Exhibit 17

PI

For the reasons identified above, the proposed project does not comply with the 404(b)(1) Guidelines. We believe the applicant should make every effort to find an alternative design to stabilize the stream banks. Based on these considerations, and following consultation with other resource agencies, the Environmental Protection Agency recommends that the application for a permit be denied.

Thank you for the opportunity to comment on this proposed project. Should you have questions concerning our comments, please contact Robert Leidy at (415) 974-7190, FTS 454-7190.

Sincerely,



Charles W. Murray, Jr.  
Assistant Regional Administrator  
for Policy and Management

cc: USFWS, Kaufman, Laguna Niguel  
CDFG, Lollock, Sacto  
CDFG, Eliason, Long Beach  
NMFS, Slawson, Terminal Island  
Applicant

5-91-286  
Exhibit 17  
p2

THOMAS S. MONTGOMERY AND ASSOCIATES  
Transportation & Traffic Engineers

June 9, 1989

Mr. David Attaway  
Department of Recreation and Parks  
CITY OF LOS ANGELES  
Room 1290, City Hall East  
200 North Main Street  
Los Angeles, California 90012

RECEIVED  
NOV 1 1990  
CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

RE: The Potrero Canyon Landfill Traffic Impact Study

Dear Mr. Attaway:

As authorized, we have conducted a study to determine the potential traffic impacts associated with this proposed landfill project. This report contains the findings and conclusions of our analysis with all necessary supportive data. In general, we have concluded that the additional traffic generated by this landfill operation would not have a significant adverse effect on the operation of the street system serving the landfill site, provided that the hours of operation for this facility be restricted to 9:00 AM to 4:00 PM on weekdays.

**PROJECT DESCRIPTION**

The study site (Potrero Canyon) is located north of Pacific Coast Highway (PCH) between Temescal Canyon Road and Chautauqua Boulevard in the Pacific Palisades community of the City of Los Angeles (see Figure 1, "Vicinity Map"). In order to develop the Potrero Canyon area for public recreation use, the subject landfill operation is necessary. It is our understanding that the landfill operation

5.91.286  
Exhibit 18 p2

CITY OF LOS ANGELES  
CALIFORNIA

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REVELACION P. ABRACOSA  
RICHARD W. HARTZLER  
BENITO A. SINCLAIR



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
BUILDING AND SAFETY  
411 CITY HALL  
LOS ANGELES, CA 90012-41  
WARREN V. O'BRIEN  
GENERAL MANAGER  
EARL SCHWARTZ  
EXECUTIVE OFFICER

March 27, 1991

BOARD FILE NO. 910518

5-91-286  
Exhibit 1

Honorable Board of Building  
and Safety Commissioners  
Room 423, City Hall

APPLICATION TO IMPORT 2.3 MILLION CUBIC YARDS OF EARTH

PROJECT LOCATION: 15101 Pacific Coast Highway

TRACT: 10426, Lot: Fraction 7

OWNER: L. A. City Dept. of Recreation and Parks  
200 N. Main Street, Room 1290  
Los Angeles, CA 90012

The Department has reviewed the application together with information received from the Departments of Public Works and Transportation. Having considered the effects of the Grading activities and the hauling operation on public health, safety and welfare, it is recommended that the application be approved as follows:

CONDITIONS OF APPROVAL

A. DEPARTMENT OF BUILDING AND SAFETY CONDITIONS

1. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
2. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
3. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (485-3104).
4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

15101 Pacific Coast Highway  
March 27, 1991

5. Streets shall be cleaned of spilled materials at the termination of each workday.
6. No person shall perform any grading within areas designated "hillside" unless a copy of the permit is in the possession of a responsible person and available at the site for display upon request.
7. A copy of this letter, the approval letter from the Board of Building and Safety Commissioners, the approved haul route and the approved grading plans, shall be available on the job site at all times.
8. The export of fill material shall be completed within the maximum time limit of 1,460 working days, (4 years).
9. The grading permit for the project shall be obtained within one year from the date of action of the Board of Building and Safety Commissioners.
10. A log noting the dates of hauling and the number of trips per day shall be available on the job site at all times.

B. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION CONDITIONS

1. Street use Inspection Division does not require a permit because Pacific Coast Highway is State jurisdiction.
2. The hauling operations shall be conducted between the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday..
3. The vehicles used for hauling shall be truck and trailer.
4. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public streets shall be removed by the contractor.
5. All trucks are to be watered at the job site to prevent excessive blowing dirt.
6. The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
7. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.

Exhibit 19

p2

5-91-286

8. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
9. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 485-3711 before the change takes place.
10. This application shall expire one year after the date of Commission approval. If the permit fee is not paid by that date and the work commenced, reapplication and inspection shall be required.
11. All transportation mitigation measures of Environmental Impact Report dated June 1985 shall be made a condition of this haul route approval.

- Mitigation Measures:
- a. Exclusive right and left lanes on PCH should be provided for site ingress and egress of fill trucks.
  - b. A temporary traffic signal on PCH would also allow fill trucks easy access to and from the highway.
  - c. Truck operations would avoid periods of peak traffic flow.
  - d. Warning signs should be installed on PCH warning motorist of truck activity.

Attached is an excerpt of the Environmental Impact Report analysis of traffic and circulation. The complete report may be viewed at the Grading Division public counter, Room 460-A in City Hall.

ACCEPTABLE HAUL ROUTE

LOADED TRUCKS: On Santa Monica Freeway, to Pacific Coast Highway, to Potrero Canyon Site.

EMPTY TRUCKS: Reverse of above.

Exhibit 19  
P 3 5-91-286

CITY OF LOS ANGELES  
CALIFORNIA

1710

COMMISSIONERS

REVELACION F ABRACOSA  
PRESIDENT  
MARCIA MARCUS  
VICE PRESIDENT  
RICHARD W HARTZLER  
BENITO A SINCLAIR  
TOM WOO



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
BUILDING AND SAFETY  
411 CITY HALL  
LOS ANGELES CA 90012 4869

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GENERAL MANAGER  
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EXECUTIVE OFFICER

DEPUTY GENERAL MANAGERS

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DR DOROTHY M TUCKER

JAN BEAR  
SECRETARY

June 24, 1989

Log # 11858  
C.D. 11

City of Los Angeles Department of Recreation and Parks  
Room 1290, City Hall East  
200 North Main Street  
Los Angeles, CA 90012

KOVACS-BYER & ASSOCIATES, INC.  
**RECEIVED**

JUL 5 1989

TRACT: 10426 (Potrero Canyon Park)  
LOT: 7  
LOCATION: 15101 PACIFIC COAST HIGHWAY

KB \_\_\_\_\_ PR \_\_\_\_\_

Supplemental Geological Report No. 9000-G, dated, June 15, 1989,  
prepared by Kovacs-Byer and Associates, Incorporated.

The subject report concerning remedial landslide stabilization above the canyon cleanout work of Phase I, Potrero Canyon Park has been reviewed by the Grading Division of the Department of Building and Safety. According to the report, recent slide movement will require a 1:1 slope trim to remove slide overburden and construction of dewatering systems and temporary buttress support. Access to the slope may require ingress through Lot 23.

The report is acceptable, provided the following conditions are complied with during site development:

1. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans which clearly indicates that the geologist and soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in their reports.
2. All recommendations of the report which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

Exhibit 20  
5-91-286

Page 2  
15101 Pacific Coast Highway  
June 24, 1989

3. It is noted that the proposed work is remedial and not in conformance with the Code. Approval is granted based upon the remoteness of the slope to off-site developed properties and in the event further slope problems develop additional corrective repairs may be required by the Department.
4. The plans shall include any required grading on off-site property and the manner of restoration to be included in the supplemental permit.

JAMES D. KAPRIELIAN  
Chief of Grading Division

~~JOSEPH W. COBARRUBIAS~~  
Engineering Geologist III

JWC:dr  
TGRSG062589L/4GR  
(213) 485-2160

cc: Kovacs-Byer & Assoc.  
WLA District Office

Exhibit 20  
5-91-286  
12

LOS ANGELES  
CALIFORNIA

DEPARTMENT OF  
BUILDING AND SAFETY  
211 CITY HALL  
LOS ANGELES CA 90012 4869



TOM BRADLEY  
MAYOR

FRANK V. KROEGER  
GENERAL MANAGER

MARREN V. O'BRIEN  
EXECUTIVE OFFICER  
DEPUTY GENERAL MANAGERS

K. ROBERT AYERS  
ROBERT J. PICOTT  
EARL SCHWARTZ  
TIMOTHY TAYLOR

KOVACS-BYER & ASSOCIATES, INC.  
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DEC 21 1988

KB  
December 14, 1988 FR

COMMISSIONERS  
BENITO A. SINCLAIR  
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REVELACION P. ABRACOSA  
VICE-PRESIDENT  
RICHARD W. HARTZLER  
MARCIA MARCUS  
TOM WOO  
ADVISORY BOARD MEMBERS  
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PRESIDENT  
ROBERT B. BURKE  
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IRWIN H. GOLDENBERG  
DIANE MUNIZ PASILLAS  
DR. DOROTHY M. TUCKER  
JAN BEAR  
SECRETARY

Log # 8220  
C.D. 11

Department of Recreation and Parks  
200 North Main Street  
Los Angeles, CA 90012

TRACT: 10426  
LOT: 7  
LOCATION: 15101 PACIFIC COAST HIGHWAY

Supplemental Geological Report No. 9000-6, dated, October 27, 1988, prepared by Kovacs-Byer and Associates, Incorporated.

The supplemental report has been submitted at the request of the Department to establish a guideline for Phase I alluvial removal at the toe of potentially unstable slopes. The areas in question have been located by the consultant during preliminary and in-grading investigations.

Past pop-outs of canyon slopes above excavations have concerned the Department as they represent potential hazards to workmen. To date, no indication of hazard to upslope development has been observed. The report prescribes a precautionary slot-cutting method for the canyon clearout and summarizes the areas of potential concern. Later grading phases will provide removals and support to unstable slope areas after the subdrain and storm drain devices have been installed.

The report is acceptable provided the policy to provide the recommended precautionary controls and Department notification is continued.

JAMES D. KAPRIELIAN  
Chief of Grading Division

  
JOSEPH W. COBARRUBIAS  
Engineering Geologist III

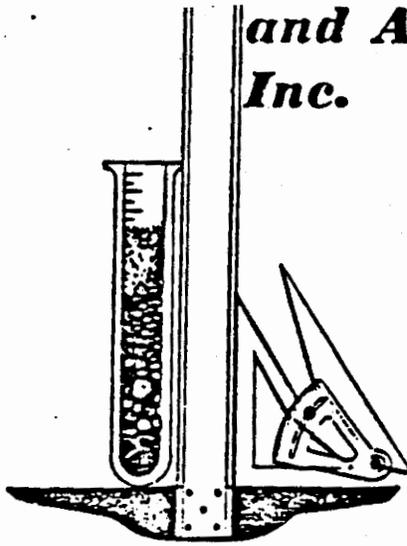
JWC:dr  
TGRSG121488A/4GR  
(213) 485-2160

cc: Kovacs-Byer & Assoc.  
WLA District Office

5.91-286  
Exhibit 21  
p 7

**and Associates  
Inc.**

July 27, 1990  
KB 9000-G



City of Los Angeles Department  
of Recreation and Parks  
200 North Main Street  
Thirteenth Floor  
Los Angeles, California 90012

Attention: Kathleen Chan,  
Project Manager

Subject

Engineering Geologic Memorandum  
Potrero Canyon Park  
Phase II Grading Plan  
15101 Pacific Coast Highway  
Pacific Palisades, California

Gentlemen:

As requested by Kathleen Chan, Kovacs-Byer and Associates is submitting our opinions regarding the design of Phase II for development of Potrero Canyon Park. Kovacs-Byer and Associates, in their June, 1986 report, recommended that the "minimum" depth of fill necessary to provide slope stability in Potrero Canyon was approximately 75 feet above the bottom of the canyon. However, during grading and construction of Phase I, it was found that side slopes of Potrero Canyon were potentially unstable above the 75 foot line. To stabilize the rim areas, 2:1 buttress fills ascending from the

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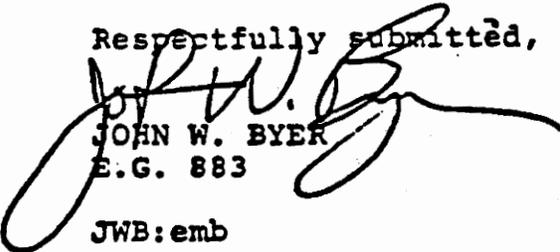
**ENGINEERING GEOLOGY / SOILS & FOUNDATION ENGINEERING**

compacted fill pad are necessary. If the buttress fill begins at the 75 foot level, the buttress will be 75 feet high with two intervening eight foot wide paved benches. If the fill pad is constructed at the 100 foot level, the proposed side slope buttresses will be 50 feet high with one 8 foot wide terrace drain. This translates into a savings of 58 feet of horizontal, useable level park space, as well as an increase in the safety factor for gross and surficial stability of the slopes. Using the 100 foot level fill will also reduce the time necessary to construct buttress fills and, therefore, will reduce the amount of time for completion of Phase II.

#### CONCLUSIONS

It is opinion of Kovacs-Byer and Associates that the final elevation for Phase II grading should be 100 feet above the original flowline of Potrero Canyon.

Respectfully submitted,

  
JOHN W. BYER  
E.G. 883

JWB:emb

xc: (2) Addressee  
(Fax one copy)

5.91.286  
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ENGINEERING GEOLOGY / SOILS & FOUNDATION ENGINEERING p2

# Memorandum

February 2, 1987

To: Chris Kroll

From: Richard McCarthy

Subject: Preliminary Review of Potrero Canyon Park Project  
Document Reviewed—"Preliminary Geologic and Soils Engineering  
Exploration, Slope Stabilization, Potrero Canyon, Pacific  
Palisades, California" by Kovacs-Byer, June 3, 1986

## Purpose of Project

Landsliding and surface runoff have presented a public safety hazard to residences abutting Potrero Canyon's west and east rims. Therefore the City of Los Angeles proposes to implement slope stabilization and erosion control measures to prevent further expansion of the canyon. After stabilization of the canyon walls is complete, the City of Los Angeles intends to use the canyon bottom as a public park.

## Site Description

Potrero Canyon is a north-south trending feature located in Pacific Palisades. The 40 acre canyon is rimmed by approximately 120 single family residences (some vacant lots are included in this figure). The canyon mouth fronts Pacific Coast Highway. A motel that faces Pacific Coast Highway blocks the mouth of Potrero Canyon from public view (as observed from Pacific Coast Highway).

Potrero Canyon is approximately 3,500 feet long, has an average width of 400 feet, and is 265 feet deep. Near vertical slopes comprise the upper rim of the canyon with the lower portion of the canyon walls ranging from 1.5:1 to 5:1. Native and imported vegetation covers the canyon walls and bottom. Phreatophytes occur near seeps on the canyon rim and bottom.

Terrace deposits ranging in thickness from 30 to 59 feet overlie bedrock around the canyon rim. Alluvial and marine deposits comprise the highly erodible terrace unit. Generally, the terrace materials consist of sandy clay, gravelly sand, and silty sand.

Bedrock exposed within Potrero Canyon consists of the Modelo and Pico formations. These Pliocene rocks consist of siltstone, sandstone and sedimentary breccia beds. Sheared and contorted bedrock is common within the southern portion of the canyon.

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Exhibit 24

Nine major landslides and numerous smaller failures have been identified within Potrero Canyon. The Kovacs-Byer report has age dated these landslides between 16,000 and 20,000 years old. Six of the nine larger landslides became active in recent times. The largest of these prehistoric slides involves almost 675,000 cubic yards of earth material. The Kovacs-Byer report states that higher precipitation (up to 40 inches per year) was responsible for initiating these prehistoric failures, not just within Potrero Canyon but in large areas of Southern California.

#### Description of Proposed Project

1. Down-cutting by the movement of water through Potrero Canyon has been one of the major factors contributing to the instability and reactivation of landslides along the canyon walls. Therefore, in order to convey storm water in a non-erosive device, the City of Los Angeles Department of Public Works has proposed that a 48 inch storm drain transect the axis of the canyon and connect with the existing 60 inch drain which directs storm water under Pacific Coast Highway to the beach. The proposed storm drain is designed to transport flows generated from a 50-year storm (465 cubic feet per second) After installation, compacted fill will be placed over the storm drain.

2. The proposed project calls for the placement of 75 feet of compacted fill throughout the entire length of the canyon bottom. Areas to receive compacted fill shall be stripped of all vegetation, debris, alluvium, and soft or disturbed earth materials. Riparian habitat will be completely destroyed. Inclined stabilization fill slopes at a 3:1 gradient are also proposed in order to reach the desired 1.5 factor of safety for the canyon walls and canyon rim. The volume of imported fill has been estimated at approximately one million cubic yards. Estimated time for project completion is 2 to three years. After project completion, ground surfaces that are 5:1 or flatter will be considered developable for park use. All earthwork shall be completed during the months from April 15 through October 15 inclusive. Deviation from this schedule will require written approval from the field engineer/geologist.

Based on the submitted Kovacs-Byer report, it appears that some grading on private property (located on the west side of Potrero Canyon) will be required. In addition, it is reasonable to assume that during the cut and fill operation reactivation of the existing landslides may occur and/or new failures may take place that could impact private property. It is unclear whether the project plan calls for phased stabilization (i.e. landslides stabilized individually) or the stabilization of all landslides simultaneously.

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8. Copies of the Kovacs-Byer report have been sent to the Division of Mines and Geology for formal review and to Dames and Moore (consultants to Occidental on the Pacific Palisades drill site) for comment.

9. Any massive stabilization plan approved for Potrero Canyon will completely destroy the riparian habitat as it is today.

Earthwork Specifications (as per Kovacs-Byer report, p. 67-70)

A. Prior to the start of construction, a series of slope indicators and construction vibration monitors shall be installed. A house-by-house inspection shall be conducted of all the residences which rim the canyon. All existing cracks, etc. will be documented at that time. Locations for the slope indicators and vibration monitors will be specified during finalization of the grading plans.

B. All earthwork shall be completed during the months from April 15 through October 15 inclusive. Deviation from this schedule will require written approval from the field engineer/geologist.

C. The areas to receive compacted fill shall be stripped of all vegetation, debris, alluvium and soft or undisturbed earth materials. The excavated areas shall be observed by the geologist prior to placing compacted fill. No removals from the toe areas of the existing landslides shall be permitted unless approved by the geologist.

D. The exposed grade shall then be scarified to a depth of six inches, moistened to optimum moisture content, and recompacted to 90 percent of the maximum density.

E. Fill, consisting of soil approved by the soils engineer, shall be placed in compacted layers with suitable compaction equipment. The excavated onsite materials are considered satisfactory for reuse in the controlled fills. Any imported fill shall be observed by the soils engineer prior to use in fill areas. Rocks and inert solids larger than six inches in diameter shall be placed in windrows specified on the grading plans.

F. The fill shall be compacted to at least 90 percent of the maximum laboratory density for the material used. The maximum density shall be determined by ASTM D 1557-78 or equivalent.

G. Field observation and testing shall be performed by the soils engineer during grading to assist the contractor in obtaining the required degree of compaction and the moisture content. Where compaction is less than required, additional compactive effort shall be made with adjustment of the moisture content, as necessary, until 90 percent compaction is obtained.

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H. Fill slopes may be constructed at a 2:1 gradient or flatter per the enclosed calculations and shall be benched into firm slide debris. A drainage berm shall be provided at the top of all graded slopes which daylight on the terrace surface.

I. Once the central canyon areas have received approximately 60 to 70 feet of compacted fill, removal and recompaction of the upper 5 to 10 feet of slide debris should commence. Alternate slots no greater than 15 feet wide should be excavated at one time. At no time should excavation be allowed within 50 feet measured horizontally from the rim of the canyon.

J. For compacted fill placed on landslides, subdrains shall be provided on equipment-width benches every 20 feet vertically, and shall be sloped to drain to the atmosphere. Ten-foot wide drainage benches shall be constructed for every 25 vertical feet of fill placed on a slope. Drains shall also be provided in the area of active or historically active seeps.

K. It shall be the responsibility of the contractor to provide temporary drainage facilities during construction of the subdrain system.

L. The debris basin shall be constructed upon bedrock or approved compacted fill. Equipment access should be provided for the periodic maintenance of the basin.

M. The terrace/bedrock contact should be provided with a drainage blanket wherever fill will be placed against it.

N. Where the proposed fill daylights below steep natural slopes, provisions for control of drainage and sloughing shall be made. These shall be specified on the grading plans.

O. Settlement markers shall be provided upon all fills and tops of slopes at the completion of grading as specified by the soils engineer.

#### Conclusions

Seven options for the stabilization of Potrero Canyon were considered by the Kovacs-Byer report. My review of this project has focused on the 75 foot fill alternative presented above. It appears that any attempt to stabilize the landslides within the canyon will require the destruction of the riparian habitat as it exists today. However, with regard to the 75 foot fill alternative, the following points need to be clarified by the City:

1. The project requires the importation of 1 million cubic yards of fill material (source not specifically identified). This appears to be an open-ended option. The proposed plan estimates 2 to 3 years for completion. This time frame may be overly optimistic.

Exh. b. + 24  
5-91-286  
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2. Will the importation of 1 million cubic yards of fill material impact any beaches in Los Angeles County? The taking of sediment destined to nourish local beaches could result in accelerated or induced erosion of those beaches. This point needs to be explained.

3. There is some confusion as to when the storm drain is to be installed; before or after grading. Kovacs-Byer suggests that the storm drain be installed before any fill is imported into the canyon. If this is not the case, Kovacs-Byer must be informed of the change by the City.

4. Hydraulers (at least 10) are to be installed beneath private residences. It is possible that the existing landslides will be reactivated or that new failures may occur during the grading/fill operation. These failures may extend onto private adjacent property. This project will have offsite impacts!

5. Which haul road alternative is the City proposing to use?

cc: Peter Douglas  
Tom Crandall  
Teresa Henry  
Susan Hansch  
Susan Hatfield  
Jim Burns  
Richard Saul  
Dorothy Dickey

2165A

Exhibits :  
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5-91-286

**Memorandum**

To : California Coastal Commission  
South Coast District  
666 East Ocean Boulevard, Suite 3107  
P.O. Box 1450  
Long Beach, CA 90801

Date: February 18, 1987

**RECEIVED**  
FEB 23 1987CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

Attention: Teresa Henry

From : Department of Conservation  
Division of Mines and Geology  
1416 - 9th Street, Sacramento 95814

Subject: Potrero Canyon Park  
Pacific Palisades: File #5-86-958

We have received and reviewed the June 3, 1986 report by Kovacs-Byer and Associates, Inc. In addition the site was visited on November 10, 1986. We have the following comments.

Description of the Project

Potrero Canyon is, in its present natural state, a narrow, steep-walled incision in the coastal bluff north of the Pacific Coast Highway and about one-half mile northwest of the mouth of the Santa Monica Canyon in the community of Pacific Palisades. The Canyon is about one mile long, averages about 500 feet in width and is approximately 200 feet deep near its mouth. The walls of Potrero Canyon are oversteepened and landslide prone.

It is proposed to place a 75-foot-deep fill along the axis of the canyon with overlying fill inclined 3:1 against the upper walls of the canyon to stabilize the rim. A system of sub-fill and canyon floor drains and hydraugers is proposed.

Geology of Potrero Canyon

The canyon is cut along the strike of eastward to southeastward dipping, Tertiary, marine sedimentary rocks. The west, or dip slope, wall of the canyon is scarred by landslides. While landslides may only be visible in the west-facing slope, landslides are probable in the remainder of the canyon due to the jointing and fracturing that is present in the canyon walls. The ridges are capped by 30 to 40 feet of fluvial and marine terrace deposits. The potentially active Potrero Canyon fault crosses the mouth of the canyon.

Exh. 6. + 25  
5-91-286

## Natural Hazards in Potrero Canyon

Landslides are sapping the rim of the canyon. Homes have been destroyed and more are threatened along with streets and utilities. Continued loss of, or damage to, property can be expected if some form of mitigation is not found.

### Proposed Mitigation

It is the object of the project to mitigate the hazards that result from the unstable canyon walls. The drains are to remove present and future ground water and the fill is to buttress the canyon walls. Lost riparian habitat will be mitigated by developing a park on the fill surface.

### Questions about Mitigation Measures

1. Existing landslide debris has been found to contain water-bearing zones. We question the determination that the landslide material is firm and stable due to the water-bearing zones. Part of the drained water that enters the proposed subdrains probably will come from slide debris. The fill will act as a press against the canyon wall. The resulting loss of volume in the slide debris could promote local subsidence in the fill. Where subsiding fill rests on the canyon wall, failure of the canyon wall may occur with the loss of the fill (the supporting mass). In addition, subsidence in the fill could disrupt the drainage system and cause saturation and landslide failure.
2. Keeping the site drained is a major objective. However, this may be inconsistent with the plan to develop a park on the fill. This issue should be reviewed.

*Richard B. Saul*

Richard B. Saul  
Associate Geologist  
RG1188 CEG446

Approved:

*James F. Davis*  
James F. Davis  
State Geologist

cc: Clifton H. Gray  
Tom Tobin

0164H

Exh. b. t 25  
5-91-286  
p2

Conditions  
of approvalSTANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

SPECIAL CONDITIONS:

1. Demonstration of Right to Develop on Private Property  
Prior to transmittal of the permit, the applicant shall demonstrate to the satisfaction of the Executive Director that a legal right, interest, or other entitlement (i.e. easements, right of eminent domain, co-applicancy status) to use all areas affected by the development has been procured.
2. Assumption of Risk  
Prior to transmittal of the permit, the City and all co-applicants shall submit a signed document or a recorded deed restriction, as deemed appropriate by the Executive Director, which provides that the applicant(s) understand that the site may be subject to extraordinary hazards from landslides and erosion and the applicant(s) assume the liability from those hazards; that the

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applicant(s) shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

In addition, the document shall indicate that any adverse impacts on private property caused by the proposed project shall be fully the responsibility of the applicant(s).

### 3. Final Grading Plans

Prior to commencement of construction on Phases 2 & 3 of the project, but in no case later than six months from the date of issuance of the permit, the applicant shall submit for the review and approval of the Commission a final grading plan prepared by a registered civil engineer. The grading plans shall incorporate all recommendations outlined on pages 67-70 of the geologic and soils report, dated June 3, 1986, prepared by Kovacs-Byer and Associates, Inc. In addition, the final plan shall incorporate the following design standards:

- a. a 2-3 year time table which thoroughly outlines each phase of the project, including phased objectives.
- b. no fill material suitable to nourish local beaches shall be used as part of the project.
- c. no contaminated fill (i.e. hazardous wastes, hydrocarbons) shall be used as part of the project.

### 4. Traffic Plan

Prior to commencement of construction on Phases 2 & 3 of the project, but in no case later than six months from the date of issuance of the permit, the applicant shall submit for the review and approval of the Commission a traffic plan that incorporates steps to regulate traffic generated by the project in order to minimize disruption of traffic on Pacific Coast Highway, including limiting truck traffic to weekdays only.

### 5. Limited Duration of Project

The proposed development shall be completed within 3 years from the date of issuance of the permit. In order to extend this time period, the applicant must apply for and obtain an amendment to this permit.

### 6. Erosion/Runoff Control Plan

Prior to transmittal of the permit, the applicant shall submit, for the review and approval of the Executive Director, a plan for the control of erosion and runoff during construction. The plan shall assure that no silt will move off site during the grading and filling phases of the project. The plan shall also include interim erosion control measures.

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Exhibit 26

## 7. Landscape Plan

Prior to commencement of construction on Phases 2 & 3 of the project, but in no case later than six months from the date of issuance of the permit, the applicant shall submit for the review and approval of the Commission a landscape plan which addresses landscaping at the mouth of the canyon. The plan shall incorporate the use of native vegetation and shall be designed to minimize the need for irrigation and to screen or soften the visual impact of proposed development at the canyon mouth.

## 8. Final Storm Drain/Subdrain Plans

Prior to transmittal of the permit, the applicant shall submit final plans of the storm drain and subdrain system (Phase I) of this project to the Executive Director for his review and approval.

## 9. Storm Drain Discharge Impact Mitigation Plan

Prior to transmittal of the permit, the applicant shall submit for the review and approval of the Executive Director a plan which analyzes the impact of increased levels of discharge (peak, average, seasonal, etc.) on the beach, intertidal and nearshore areas. The plan shall analyze the potential effects of scouring, beach erosion and ponding. The plan shall propose mitigation measures to address and eliminate or minimize identified adverse impacts of the project on the beach, intertidal and nearshore areas. These mitigation measures shall be incorporated into the final project plans.

## 10. Riparian/Coastal Sage Scrub Habitat Restoration Plan

Prior to commencement of construction of Phases 2 & 3 of the project, but in no case later than six months from the date of issuance of the permit, the applicant shall submit a final restoration plan for the review and approval of the Commission. The final plan shall be submitted to the Commission after it has been reviewed and approved by the project geologist, the U.S. Fish and Wildlife Service (FWS) and the California Department of Fish and Game (DFG). The final plan shall provide for the restoration of at least two acres for every acre of riparian habitat lost as a result of the project and shall include the following elements:

### a. General Elements

1. Statement of habitat objectives, including specific values to be restored and animal species utilization expected.
2. Detailed site plan
3. Landscape plan indicating diversity and location of plant species and associated habitat value to riparian animal species.
4. Irrigation/runoff/drainage plan, including an estimate of inflow needed to sustain riparian vegetation, and analysis of probability of sustaining this flow under long-term varying weather conditions.

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The plan shall incorporate the following elements:

- a. Establishment of hours of public use of the park and parking lot which shall include, at minimum, the hours between sunrise and sunset and permitted activities, e.g. hiking, picnicking. As determined by the consulting geologist, the plan shall include "high risk periods", such as rainy periods, when public use shall be restricted.
- b. The use of existing parking at the Palisades Recreation Center to serve public park users. Public parking shall be available during the hours of park operation. If a fee is charged, the fee shall not exceed the rate used at Will Rogers State Beach.
- c. The provision of bicycle racks for a minimum of 25 bicycles adjacent to the Palisades Recreation Center parking lot and adjacent to the terminus of the pedestrian overpass at Will Rogers State Beach.
- d. The provision of signing at the entrance to the Palisades Recreation Center, the pedestrian overpass at Will Rogers State Beach and along Pacific Coast Highway at Chautauqua Boulevard and Temescal Canyon Road. The signs shall make the public aware of the existence of the park, its hours of operation and location and the availability of public parking at the recreation center.
- e. The provision of a public restroom facility adjacent to the recreation center parking lot.
- f. The location of the proposed picnic area, access trails vista points and other support facilities shall be reviewed and approved by the consulting biologist who prepares the final habitat rehabilitation plan and the responsible state and federal resource agencies. The location and intensity of these facilities shall be such that they minimize adverse impacts on the reestablished habitat areas.
- g. The provision of periodic monitoring of on-site geologic conditions by a registered geologist and an emergency evacuation plan.

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The documents needed to comply with Condition No. 2 will be sent to you from our San Francisco office AFTER the Commission meeting. When you receive the documents, if you have any questions, please contact the Legal Department at (415) 543-8555.

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Exhibit 2  
p-4

STAFF RECOMMENDATION

The Staff recommends the Commission adopt the following resolution:

I. Approval with conditions

The Commission hereby approves an amendment to the permit for the proposed development on the grounds that, as conditioned, the amended project would be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and would not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of the Coastal Act.

II. Special Conditions

Except as specifically modified, all previous special conditions on the project still apply to this approval.

12. Reporting and monitoring

The applicant shall agree to provide quarterly reports on the status of the project, in addition to copies of all change orders, modifications and permit actions by the Department of Building and Safety. Any hazardous or extraordinary condition encountered in construction, including further landsliding and slope failure shall be reported in writing to the Commission offices no later than five days after such an occurrence. The applicant shall agree to seek emergency permits or amendments as required by the Executive Director for any additional work required to abate hazards.

13. Deadline for mitigation and phase II grading plans

Prior to commencement of any work approved in this amendment, the applicant shall agree to provide for the review and approval of the Commission park use, landscaping and riparian restoration plans as indicated in the conditions 7 10 and 11 of the original permit by February 1, 1991. If such plans have not been approved by the Commission by March 20, 1991, this permit shall terminate and all work shall cease unless the applicant has a subsequent amendment approved by the Commission extending the date. If the permit terminates the applicant may continue with such work necessary for surficial stabilization and temporary drainage that the Executive Director finds is necessary to ensure temporary stability of the landfill operation.

14. Extension of time limit and Additional habitat mitigation

The duration of the permit is extended past the three years originally granted:

The time to complete the phase IA work permitted in this action is extended until November 19, 1991.

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Exh. 6. + 26  
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Upon review of the applicant's final grading plans, landscaping plans, riparian habitat restoration and park use plans, the Commission may review a work schedule for completion of the final project (Phase II and III), and subject to its discretion, approve a further time extension not to exceed four additional years, until November 9, 1994 for completion of all work, including restoration and park development. Additional time granted prior to completion of restoration shall be considered in determining the adequacy of any habitat restoration plan.

14. Additional Habitat mitigation

As part of any riparian restoration plan, the applicant shall submit for the review and approval of the Commission a list of offsite riparian or formerly riparian areas under the ownership and control of the City of Los Angeles and located in the Coastal Zone or directly adjacent to the Coastal Zone. The applicant shall provide plans or other methods to restore severely degraded or to create new or restored habitat on such lands permanently. The purpose of the restoration is to mitigate for the length of time that habitat destroyed under this permit has not been functioning. The habitat rendered nonfunctional for a period of over three years shall be replaced on an acre by acre basis. The applicant shall submit a time schedule and agree to replace such habitat in a timely manner.

removed  
by  
Commission:

15. Approval of De Pauw Buttress and underlying Phase II fill.

The Commission hereby approves placement of Phase II fill necessary to support the DePauw street slide buttress fill, approximately 1000 linear feet of fill approximately 75 feet above the flowline of the stream and associated drainage devices. Prior to authorization of construction of any additional Phase II fill, the applicant shall provide detailed engineering plans, which shall include cross sections through the buttress at two points, plans and cross sections of the Phase IA and Phase I downstream interface, and drainage plans for accommodating surface sheet flow, water squeezed out of underlying sediments by the weight of the fill and normal and diverted stream and seep flow. Such detailed final grading plans shall be examined by the Executive Director for conceptual conformity with Exhibits 4, 5 and 6 in this package (BCA engineers revised buttress plan dated July 31, 1990) and if there is in the opinion of the Executive Director a substantial change in design, the plans shall be provided for the Commission to review as a second amendment to the permit.

II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

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Exhibit 2  
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