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COASTAL DEVELOPMENT PERMIT - APPLICATION NO. 21-02 FINAL STAFF REPORT – November 8, 2021

(Under authority of the California Coastal Act, Section 30600(b) of the California Public Resources Code and Chapter 1, Article 2, Section 12.20.2 of the Los Angeles City Municipal Code)

I. PROJECT DESCRIPTION

Project Title: Asilomar Blvd.
Stabilization Project

Applicant: City of Los Angeles, Department of Public Works, Bureau of Engineering, Geotechnical Division. (1149 South Broadway, Ste. 120, Los Angeles, California, 90015.)

Project Location:
Council District: 11
Community: Pacific Palisades
District: West Los Angeles

A. Project Description:

CDP 21-02 will permit construction of a geo-technically stable roadway using a construction method called, "Cement-Deep Soil Mixing (CDSM)," across the landslide area to prevent further sliding of the block beneath Asilomar Boulevard, between Almar Avenue and Wynola Street within the Pacific Palisades Community Plan Area within Council District 11. The duration of the Project will be

approximately 1 year. The purpose of the Project is to strengthen the subsurface material under Asilomar Blvd. and to stabilize the slide area beneath the roadway. The Project Site includes the laydown area which will be approximately 50 feet by 250 feet and is located along a coastal bluff adjacent to an active landslide. Construction staging and laydown areas would occur east of the active construction area, along the south side of Asilomar Boulevard, east of Wynola Street. Construction equipment would remain at the Project site for the duration of its use.

The Asilomar Blvd. Stabilization Project work will be constructed within the ROW and will occur using a specialized drill rig that would mix the existing subsurface material with cement, forming columns up to a depth of approximately 120-feet, which would strengthen the subsurface material and stabilize the slide area beneath the roadway. Following construction, the Project Site physiography would appear similar to existing conditions, as all structures would be installed below the ground surface. The Proposed Project

would also maintain the natural look of the existing slope, south of Asilomar Boulevard. The Project Site is within the California Coastal Zone, under the dual jurisdiction of both the California Coastal Commission, and the City Engineer.

As installation of the CDSM columns would occur within the entire ROW between Almar Avenue and Wynola Street, maintenance of vehicular access to private residences with driveways fronting Asilomar Boulevard would be coordinated with the City of Los Angeles, Department of Transportation (LADOT).

Site preparation activities would involve removal of the existing pavement within the Project Site and temporary relocation of some subsurface and aboveground utilities within the roadway. It is estimated that approximately 22,000 cubic yards of material would be excavated and hauled away from the Project Site to a landfill outside of the Coastal Zone and approximately 1,000 cubic yards of roadway base material would be imported. Additionally, the Proposed Project would require approximately 30,000 square feet of new asphalt-concrete pavement. The CDSM columns would be installed using a specialized drill rig that would mix the subsurface materials with cement grout. The CDSM columns would be between two and eight feet in diameter, depending on final design and based upon the physical properties of soil materials present at the Project Site, and spaced along a grid pattern across the Project Site. Following completion of the installation of the CDSM columns, the Project Site would be graded and utilities would be repositioned, as needed. New asphalt pavement would then be applied and the roadway restored.

The Proposed Project would not require excavation or other earthwork on the existing slope face or lower portion of the landslide and would, therefore, limit potential ground deformation during construction activities. *Figure 1 – Project Area* shows the general location of this project

B. Project Background:

The Asilomar Boulevard Landslide is an active landslide located on the south-facing slope below the Asilomar Boulevard right-of-way (ROW) between Almar Avenue and Wynola Street in the Pacific Palisades Community of the City of Los Angeles. The landslide extends from approximately the middle of the Asilomar Boulevard ROW down slope approximately 600-feet to the Palisades Bowl Mobile Home Park, which also fronts onto Pacific Coast Highway. Movements associated with the landslide have been documented back to the 1950s and are currently characterized by settlement and cracking within the southern portion of the Asilomar Boulevard ROW. Previous geotechnical and geologic studies performed at the Project Site indicate that the landslide movement may be occurring on multiple sliding surfaces at depths of approximately 40 to 65-feet, and at a depth of approximately 87-feet below the street surface.

II. STAFF FINDINGS

A. Regulatory Basis of Review

Los Angeles City Municipal Code

(LACMC) Chapter 1, Article 2, Section 12.20.2.G gives the City Engineer the authority to approve, conditionally approve or disapprove any application for a Permit under the provisions of the *California Coastal Act of 1976*; and, standards as established by Division 5.5 Title 14 of the *California Administrative Code (CAC)*; and, by the passage of the City of Los Angeles Ordinance No. 151,603 on November 25, 1978.

Six findings are required in order for a Coastal Development Permit to be issued. The six findings are:

(1) That the development is in conformity with Chapter 3 of the *California Coastal Act of 1976 (CCA)* (commencing with Section 30200 of the *California Public Resources Code (PRC)*).

(2) That the permitted development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the *California Coastal Act of 1976*.

(3) That the Interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making its determination.

(4) That the decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the *Public Resources Code*.

(5) If the development is located between the nearest public road and the

sea or shoreline of any body of water located within the coastal zone that the development is in conformity with the public access and public recreation policies of Chapter 3 of the *California Coastal Act of 1976*.

(6) Any other finding or findings as may be required for the development by the *California Environmental Quality Act (CEQA)*.

B. Issues of Legal Adequacy of the Application

PRC Section 3600(b) allows local governments to assume authority to issue coastal development permits within its jurisdiction before certification of its local coastal program. The Project is within the City Engineer's jurisdiction (LACMC Section 12.20.2 et seq.). The application filed with the City Engineer was deemed adequate.

The Coastal Commission has the responsibility to review proposals for development in the Pacific Palisades coastal zone for compliance with the California Coastal Act of 1976. The project is located entirely within the California Coastal Zone and is considered 'dual coastal jurisdiction' (i.e., within the jurisdiction of the City of Los Angeles and California Coastal Commission). Within this dual jurisdiction, a Coastal Development Permit (CDP) must be issued by both the City and the Coastal Commission. This project must be authorized by a coastal development permit processed pursuant to the requirements of the *California Coastal Act*. The Asilomar Blvd. Stabilization Project in the coastal zone is considered development, as defined in Section 30106

of the Coastal Act. Section 30106 states that:

‘Development’ means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provision of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

The City of Los Angeles does not have a certified Local Coastal Program for the Pacific Palisades Community. However, after certification of a Local Coastal Program, permit processing procedures for coastal permits in the Pacific Palisades coastal zone are controlled by the Coastal Act and the California Code of Regulations. The City’s permit issuing ordinances must be certified as part of the Local Implementation Plan. After certification of the Local Coastal Program

by the Coastal Commission, the authority of the Coastal Commission is limited to development within the retained or original jurisdiction and to appeals of locally issued coastal development permits. The Coastal Commission will also retain jurisdiction over amendments to coastal development permits that it approved before certification of the Local Coastal Program. Section 30519(a) of the Coastal Act provides that, except for appeals to the commission (as provided in Section 30603) after a Local Coastal Program, or any portion thereof, has been certified and all implementing actions have become effective, the development review authority provided for in Chapter 7 (commencing with Section 30600) of the Coastal Act shall no longer be exercised by the Coastal Commission and shall at that time be delegated to the local government that is implementing the Local Coastal Program. Section 30519(b) states that 30519(a) does not apply to development proposed or undertaken on any tidelands, submerged lands, or on public trust lands. The Commission also retains jurisdiction over coastal development permits that were previously approved by the Commission as well as amendments to such permits.

C. Findings

Staff finds as follows:

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976 (commencing with Section 30200 of the California Public Resources Code).

In addition to the policies discussed above, Chapter 3 of the California Coastal Act of 1976 provides for the following policies:

a) MARINE ENVIRONMENT (Article 4, of Chapter 3 of Public Resources Code, Sections 30230 through 30237). Sections 30230 and 30231 state:

Section 30230. Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams. The proposed project is not expected to impact any coastal waters, wetlands, estuaries or lakes. No marine resources exist within or adjacent to the project site.

The Proposed Project is to construct a geo-technically stable roadway using a construction method called, "Cement-Deep

Soil Mixing (CDSM) across the landslide area to prevent further sliding of the block beneath Asilomar Boulevard, between Almar Avenue and Wynola Street. Project construction activities will not involve transport of hazardous substances and, thus, there will be no spillage of crude oil, gas, petroleum products, or hazardous substances as prohibited by PRC Section 30232. The project will not involve the diking, filling, or dredging of open coastal waters (PRC Section 30233), commercial fishing and recreational boating facilities (PRC Sections 30234 and 30234.5), constructing revetments, breakwaters, or other construction altering the natural shoreline (PRC Section 30235). The project does not alter rivers or streams and, therefore, does not affect water supply and flood control (PRC Section 30236). PRC Section 30237 relates to Orange County wetlands and therefore does not apply here.

b) LAND RESOURCES – ARCHEOLOGICAL OR PALEONTOLOGICAL RESOURCES (Article 5 of Chapter 3 of Public Resources Code, Sections 30240 through 30244). Sections 30240 and 30244 state:

Section 30240.

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the

continuance of those habitat and recreation areas.

Section 30244. Where development would adversely impact archeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Adjacent to the project site is the City's Asilomar Park. This is only a sliver of land at this location, with its width ranging from 10' to 25' wide along the project site. Below Asilomar Park, are undeveloped portions of two (2) mobile home parks that are adjacent to the Pacific Coast Highway (SR-1) and Temescal Canyon Road. The nearest mobile home is approximately 335' from the Asilomar Boulevard right-of-way.

A recent biological survey was conducted along the adjacent bluff. Vegetation is dominated by native shrubs including lemonade berry (*Rhus integrifolia*), quail brush (*Atriplex lentiformis*) and California sage bush (*Artemisia californica*). Non-native species are also prevalent. The project would not adversely affect habitat or biological resources.

The project area contains no environmentally sensitive habitat areas, would not adversely affect any archaeological or paleontological resources found previously in the Brentwood-Pacific Palisades Community, and does not contain agricultural land or soils or timberland. Roadway surfaces will be restored to a condition similar to the pre-project condition.

c) DEVELOPMENT (Article 6 of Chapter 3 of Public Resources Code, Sections

30250 through 30255). Coastal Act Sections 30251, 30252, 30253 and 30254 states:

Section 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

This project's location is (935' +/-) inland from the Mean High Tide Line (MHTL), and at an elevation of 258 to 285 ft above MHTL, however the Asilomar Blvd. Stabilization Project's CDSM drill will only temporarily impact views of the of the Pacific Ocean during construction. There will be a temporary loss of scenic views to adjacent residences, while the DSM drilling equipment is drilling subgrade columns. No adverse long-term impacts to scenic and visual qualities of the coastal area are expected.

Section 30252. The location and amount of new development should maintain and enhance public access to the coast by:

(1) Facilitating the provision or extension of transit service

(2) Providing commercial facilities within or adjoining residential development or in

other areas that will minimize the use of coastal access roads

(3) Providing non-automobile circulation within the development

(4) Providing adequate parking facilities or providing substitute means of serving the development with public transportation

(5) Assuring the potential for public transit for high intensity uses such as high-rise office buildings

(6) Assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The project does not interfere with any existing coastal access roadways, bikeways, pedestrian paths or walkways. There will be a temporary closure of the street and sidewalk for the installation of the CDSM columns. Once installed they are not expected to interfere with any pedestrian access to the coast in the vicinity as they will be located at ground level or below ground level.

Section 30253. New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural land forms along the bluffs and cliffs.

(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

(4) Minimize energy consumption and vehicle miles traveled.

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The project would not affect geologic, flood or fire risks (30253(1) (2)). The Asilomar Blvd. Stabilization Project will be in accordance with City of Los Angeles Building Codes and take into account geologic risks.

The project would not conflict with any requirements of the State Air Resources Control Board or South Coast Air Quality Management District (SCAQMD) (30253(3)). The project will meet all current SCAQMD standards during construction aspects of the project.

The project will have no affect energy consumption and vehicle miles traveled (30253(4)).

The project would not permanently affect the local community (30253(5)).

Section 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works-facilities can accommodate only a

limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

The project itself is a public agency project, being located within the public right-of-way. The purpose of the project is construct a geo-technically stable roadway using a CDSM construction method across the landslide area to prevent further sliding of the block beneath Asilomar Boulevard, between Almar Avenue and Wynola Street.

d) INDUSTRIAL DEVELOPMENT
(Article 7 of Chapter 3 of Public Resources Code, Sections 30260 through 30265.5).

The proposed project does not involve the development or expansion of industrial developments as addressed in Article 7, and as such, Section 30260 through 30265.5 are not applicable to the proposed project.

2. The permitted development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

Since the project conforms to the applicable Community Plan and relevant provisions and policies of the Coastal Act, the Project will not prejudice the ability of the City to prepare a Local Coastal Plan in conformity with the Coastal Act and amendments.

3. The Interpretative Guidelines for

Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making the City Engineer's determination.

As noted in the preceding Sections, the California Coastal Commission's interpretive guidelines (State and Regional) for the Pacific Palisades area have been reviewed and considered in preparation of these findings and recommendations. However, following prevailing case law (e.g., Pacific Legal Foundation v. Coastal Commission (1982) 33 Cal.3d 158), the City Engineer's determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations.

4. The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.

The decision of the permit granting authority, as evidenced in the staff report of this project, has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.

5. If the development is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California

Coastal Act of 1976.

a) PUBLIC ACCESS (Article 2, of Chapter 3 of the Public Resources Code, Sections 30210 - 30214). Sections 30210 and 30211 state:

Section 30210. In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

This project is not located between the nearest public road and the sea or shoreline of a body of water located within the coastal zone. The Coastal Act requires that public access to the coast be protected. Impact to recreational opportunities in the Pacific Palisades area will be temporary in nature, during construction activities. The proposed project will not interfere with coastal access and will not impair any existing access to the coast.

The Contractor will close the street during construction but will maintain local access for residents to the driveways of their properties and shall coordinate with residents the closures/limited access to their driveways, as necessary. A sidewalk is provided for pedestrians along the

northerly side of Asilomar Boulevard, in the area in which the project will take place.

The Regional Interpretative Guidelines for Los Angeles County were adopted by the California Coastal Commission to supplement the Statewide Interpretive Guidelines. Both regional and statewide guidelines, pursuant to Section 30620(b) of the Coastal Act, are 'designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied in the coastal zone prior to certification of local coastal programs.' The project is in conformance with these Guidelines.

b) RECREATION (Article 3, of Chapter 3 of Public Resources Code, Sections 30220 through 30224). Sections 30220 and 30223 state:

Section 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

The project will not interfere with or impair any oceanfront or other land suitable for water-oriented recreational activities.

Section 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

The proposed project will not affect any currently undeveloped upland areas that might be approved for coastal recreation uses. There are no existing coastal-dependent recreational uses at the project site.

6. Any other finding or findings as may be required for the development by the California Environmental Quality Act (CEQA).

Pursuant to CEQA, the City of Los Angeles Bureau of Engineering Environmental Management Group completed an Environmental Impact Report (EIR), SCH No. 2017091076, for the Asilomar Blvd. Stabilization Project which was certified by the Los Angeles City Council in June 09, 2021.

Upon a decision being made as it relates to the Coastal Development Permit, the EIR will be recorded in the Los Angeles County Registrar-Recorder's Office and the State Clearinghouse. City Council File No. 21-0343

There are no additional evaluations required by the CEQA in connection with the approval of this permit.

III. PUBLIC COMMENTS

A project presentation meeting and public hearing will be held on October 21, 2021 via a virtual ZOOM meeting

Approximately 15 interested members of the community virtually attended the meeting. At the meeting, the project was presented with key aspects identified, the requirements of the *Coastal Act of 1976* were discussed, along with the administrative process the City will go through in order to obtain Coastal Permits from both the City and the State Coastal Commission.

Two verbal comments were received as it relates to any issues or concerns about this project and the Coastal Act's requirements and standards. Comments

received during the hearing related to the project's location and construction methodology.

Nine (9) written comments were received via email by the end of the project's comment period (October 22, 2021 at 4:00PM). These comments

Six comments were related to the project's location and construction methodology.

Three comments did not relate to this Project's Scope of Work. They are as follows:

One comment was from a constituent in the process of purchasing property at the Pacific Palisades Bowl mobile home park, and inquired if the project includes the stabilization of the lower portion of the hill adjacent to the mobile home park to prevent future landslides downhill. This area is outside the Project Site.

One comment was from the Department of Water and Power who are planning on placing the existing utility lines underground. This work will be done separately from this Project's Scope of Work.

One comment asked to remove parking from the west side of Asilomar Blvd. and provide a walking path; and also, for signage to be placed in a more esthetic manner in specific locations that are not within the Project Site.

IV. STANDARD CONDITIONS OF APPROVAL

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 City Engineer's Office.

A total of twenty-two (22) letters were sent out to adjacent property owners, occupants, government agencies, and interested persons inviting them to attend the meeting/hearing and to provide input on the project.

Staff members attending the meeting came from the Bureau of Engineering Environmental Management Group and Geo-Technical Group, and City Council District 11.

Expiration. If development has not commenced, the permit will expire two years from the permit date as reported from the Coastal 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.

Interpretation. Any questions of intent or interpretation of any condition will be resolved by the City Engineer.

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

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

conditions.

V. SPECIAL CONDITIONS OF APPROVAL

Comply with all Mitigation Measures and Best Management Practices (BMP) in the CEQA Environmental Impact Report. Specifically, all Mitigation Measures and BMP that are concerned with the California Coastal Act issues such as Biological Resources, Coastal Access, etc. Also, comply with all Standard Conditions and Special Conditions that are listed in the Deep Soil Mixing Pilot Study's California Coastal Commission State Coastal Development Permit (CDP) Application No. 5-18-0844, dated August 8, 2019. (Attachment 1)

VI. STAFF RECOMMENDATIONS

Based on the preceding analysis and the comments received prior to, during and after the public hearing, we recommend that the City Engineer issue a Coastal Development Permit for this project.
for

11/08/2021

Maria Martin
Manager
Environmental Management Group
Bureau of Engineering

Date

DOCUMENT PREPARED BY:

Chapter I, Article 2, Section 12.20.2, et seq.

Eileen Schoetzow

11/08/2021

Eileen Schoetzow

Date

City of Los Angeles. *NavigateLA*

City of Los Angeles. *Brentwood-Pacific Palisades Community Plan*

VI. REFERENCES

California Coastal Act -- Public Resources Code Division 20, Section 30000 et seq.

City of Los Angeles. *ZIMAS*

California Coastal Commission, October 14, 1980. *Regional Interpretive Guidelines. South Coast Region. Los Angeles County.*

City of LA, BOE. 2021. Asilomar Landslide Mitigation. Environmental Impact Report.

California Coastal Commission, December 16, 1981. *Statewide Interpretive Guidelines.*

VII. ATTACHMENT

1. *Deep Soil Mixing Pilot Study's California State Coastal Commission CDP Application No. 5-18-0844, dated August 8, 2019.*

City of Los Angeles. *Municipal Code,*

FIGURE 1 - SITE LOCATION
SITE LOCATED IN PUBLIC ROW – ADDRESS IS NEAREST ADJOINING PROPERTY



CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
PH (562) 590-5071 FAX (562) 590-5084
WWW.COASTAL.CA.GOV

ATTACHMENT 1

Page 1

August 8, 2019

Permit Application No.: 5-18-0844

COASTAL DEVELOPMENT PERMIT

On June 12, 2019, the California Coastal Commission granted to **City Of Los Angeles, Department of Public Works, Bureau of Engineering (Craig Kunesh)** this permit subject to the attached Standard and Special conditions, for development consisting of **an approximately 8-week pilot test of the Deep Soil Mixing stabilization technique within 10,000 sq. ft. of public right-of-way including installation of three 4-ft. diameter and four 6-ft. diameter, 90-ft. deep columns within three 160 sq. ft. test areas, more specifically described in the application filed in the Commission offices.**

The development is within the coastal zone at **Asilomar Boulevard, between Wynola Street & Abramam Avenue, Pacific Palisades, City of Los Angeles, CA 90272, Los Angeles County**

Issued on behalf of the California Coastal Commission by

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in black ink, appearing to read "Dani Ziff".

Dani Ziff
Coastal Program Analyst

ACKNOWLEDGMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part of that: "A Public entity is not liable for injury caused by the issuance... of any permit..." applies to the issuance of this permit.

August 8, 2019

Permit Application No.: 5-18-0844

COASTAL DEVELOPMENT PERMIT

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGEMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).

Date: 8/19/19

Signature

**STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

1. **Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the permit application, subject to the standard and special conditions contained herein, and the Final Revised Plans. Any deviation from the approved approximately eight (8)-week pilot project, including, but not limited to, future use of the Deep Soil Mixing technique in the coastal zone, shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director provides a written determination that no amendment is legally required.
2. **Submittal of Final Revised Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall submit, for the review and written approval of the Executive Director, two 11" x17" sets of final plans, modified as required below.

COASTAL DEVELOPMENT PERMIT

- A. The site plans shall be revised to reflect the project description received by the Commission on February 1, 2019 and include the special conditions of CDP No. 5-18-0844.
 - B. The temporary fence located on the south (seaward) side of the project site shall be outfitted with a silt screen to minimize intrusion of construction materials, including sediment and dust, into the adjacent park and habitat area.
3. **Construction Best Management Practices.**
- A. **Minimize Erosion and Sediment Discharge.** During construction, erosion and the discharge of sediment off-site or to coastal waters shall be minimized through the use of appropriate Best Management Practices (BMPs), including:
 1. Land disturbance during construction (e.g., clearing, grading, and cut-and-fill) shall be minimized, and grading activities shall be phased, to avoid increased erosion and sedimentation.
 2. Erosion control BMPs (such as mulch, soil binders, geotextile blankets or mats, or temporary seeding) shall be installed as needed to prevent soil from being transported by water or wind. Temporary BMPs shall be implemented to stabilize soil on graded or disturbed areas as soon as feasible during construction, where there is a potential for soil erosion to lead to discharge of sediment off-site or to coastal waters.
 3. Sediment control BMPs (such as silt fences, fiber rolls, sediment basins, inlet protection, sand bag barriers, or straw bale barriers) shall be installed as needed to trap and remove eroded sediment from runoff, to prevent sedimentation of coastal waters.
 4. Tracking control BMPs (such as a stabilized construction entrance/exit, and street sweeping) shall be installed or implemented as needed to prevent tracking sediment off-site by vehicles leaving the construction area.
 5. Runoff control BMPs (such as a concrete washout facility, dewatering tank, or dedicated vehicle wash area) that will be implemented during construction to retain, infiltrate, or treat stormwater and non-stormwater runoff.
 - B. **Minimize Discharge of Construction Pollutants.** The discharge of other pollutants resulting from construction activities (such as chemicals, paints, vehicle fluids, petroleum products, asphalt and cement compounds, debris, and trash) into runoff or coastal waters shall be minimized through the use of appropriate BMPs, including:
 1. Covering stockpiled construction materials, soil, and other excavated materials to prevent contact with rain, and protecting all stockpiles from stormwater runoff using temporary perimeter barriers.
 2. Cleaning up all leaks, drips, and spills immediately; having a written plan for the clean-up of spills and leaks; and maintaining an inventory of products and chemicals used on site.

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3. Proper disposal of all wastes; providing trash receptacles on site; and covering open trash receptacles during wet weather.
 4. Prompt removal of all construction debris from Asilomar View Park.
 5. Detaining, infiltrating, or treating runoff, if needed, prior to conveyance off-site during construction.
- C. Fueling and maintenance of construction equipment and vehicles shall be conducted off site if feasible. Any fueling and maintenance of mobile equipment conducted on site shall not take place in the park, and shall take place at a designated area located at least 50 feet from environmentally sensitive habitat area, drainage courses, and storm drain inlets, if feasible (unless those inlets are blocked to protect against fuel spills). The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Equipment that cannot be feasibly relocated to a designated fueling and maintenance area (such as cranes) may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills.
- D. Minimize Other Impacts of Construction Activities. Other impacts of construction activities shall be minimized through the use of appropriate BMPs, including:
1. Soil compaction due to construction activities shall be minimized, to retain the natural stormwater infiltration capacity of the soil.
 2. The use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) shall be avoided, to minimize wildlife entanglement and plastic debris pollution.
4. **Nesting Bird Surveys.** For any construction activities that occur during nesting season (January to September), the permittee shall retain the services of a qualified biologist to conduct nesting bird species surveys in order to determine the presence of sensitive bird species including, but not limited to, California gnatcatchers. At least 30 calendar days prior to commencement of any project operations, the applicant shall submit the name and qualifications of the biologist, for the review and approval of the Executive Director. All project construction and operations shall be carried out consistent with the following:
- A. The permittee shall ensure that the biologist shall conduct the surveys 30 calendar days prior to the construction activities, including excavation and drilling, to detect any active bird nests in all trees and large shrubs within 500 feet of the project (including, but not limited to, the large shrubs on the bluff face). A follow-up survey must be conducted three (3) calendar days prior to the initiation of construction and nest surveys must continue on a monthly basis throughout the nesting season or until the project is completed, whichever comes first. These surveys shall be submitted to the Executive Director within two days of completion.
 - B. If an active nest of any song bird is found within 300 feet of the project, or an active nest for any raptor species is found within 500 feet of the project, the permittee's biologist shall monitor bird behavior and construction noise levels. The nest shall not be removed or

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disturbed. The biological monitor shall be present during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. Construction-related activities may occur only if noise levels are at or below a peak of 65 dB at the nest site(s). If construction-related noise exceeds a peak level of 65 dB at the nest site(s), sound mitigation measures such as sound shields, blankets around smaller equipment, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce noise levels to 65 dB at the nest site(s), construction shall cease and shall not recommence until new sound mitigation can be employed.

5. **Project Monitoring.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval by the Executive Director, a Deep Soil Mixing (DSM) Pilot Project Monitoring Program that includes the following:
- A. A list of the applicant's retained qualified resource specialists (a paleontologist, an archaeologist, and a Native American monitor) and their duties associated with the DSM pilot project. The applicant shall retain the services of a qualified paleontologist, an archaeologist, and a Native American monitor for any appropriate project-related activities.
 - B. A plan to use Ground Penetrating Radar (GPR) and dig test pit areas to a sufficient depth prior to construction of the cement columns to minimize the potential for impacts to archaeological, paleontological, and cultural resources. The GPR should be used by a qualified resource specialist at the project site and along the bluff slope PRIOR TO CONSTRUCTION to identify the location of any significant subsurface resources. Potentially significant resources should be mapped and, as appropriate and in consultation with a qualified paleontologist, the proposed DSM column test sites should be relocated to avoid such resources. Test pit areas should be dug to a depth sufficient to uncover any potential cultural deposits including but not limited to skeletal remains and grave-related artifacts, traditional cultural sites, religious or spiritual sites, or other archaeological artifacts. The appropriate depth should be informed by the number of years the site is understood to have been used by humans and the geologic strata identified in the Geotechnical Study and Paleontological Technical Study submitted to the Coastal Commission on August 21, 2018. If cultural deposits or other archaeological artifacts are discovered during project construction, the proposed DSM column test sites should be relocated to avoid such resources as appropriate and in consultation with the appropriate specialist (archeologist or Native American monitor). Qualified paleontological, archaeological, and Native American monitors should be consulted in the preparation of this plan and should be present on-site during all appropriate project-related meetings and activities.
 - C. A Construction Monitoring Plan that includes:
 - 1. Plans to implement the recommendations identified in the Paleontological Technical Study submitted to the Coastal Commission on August 21, 2018.
 - 2. In the event that buried tribal cultural, archaeological, or paleontological resources are discovered during ground-disturbing activities, work shall stop in that area and within 30-feet of the find until a qualified specialist (archaeologist, paleontologist, or Native American monitor, as appropriate) can assess the significance of the find and, if

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necessary, develop appropriate treatment measures. Treatment measures may include development of avoidance strategies and/or mitigation of impacts through data recovery programs such as excavation or detailed documentation. If the qualified specialist determines that the sediments being excavated are previously disturbed or are unlikely to contain significant tribal cultural, archaeological, or paleontological materials or fossils, the qualified specialist may specify that monitoring be reduced or eliminated. A report of findings, with an appended itemized inventory of specimens, shall be prepared and shall signify completion of the mitigation. A copy of the report shall be submitted to the Executive Director within 30 days of completion of the project.

- D. A plan to develop and submit a report to the Executive Director within 30 days of the project's completion that shall contain a summary of the pilot project's DSM installation, observations, and lab test results and conclusions regarding the feasibility of using this technique within the California coastal zone.
- E. In the event that the cement columns are exposed, to address potential visual impacts, the applicant shall:
 - 1. Submit photographs to the Executive Director within 30 days of exposure identifying the extent of the exposure.
 - 2. Within 30 days of submitting photographs identifying the extent of the exposure of the cement columns, the applicant shall submit a visual impact analysis and a plan to remove the exposed portion(s) of the cement columns if feasible. If it is not feasible to remove the exposed portion(s) of the cement columns due to geologic hazards, the cement columns shall be colored in such a way that the result would be a natural, mottled appearance, if appropriate.
- F. The permittee shall undertake development in accordance with the approved plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required.