



**MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)  
Santa Monica Mountains  
MEETING OF NOVEMBER 15, 2010  
(Minutes approved on December 13, 2010)**

**PERSONS IN ATTENDANCE**

**ERB MEMBERS**

Rosi Dagit (absent)  
Ron Durbin  
Suzanne Goode (absent)  
Dr. Margot Griswold (absent)  
Richard Ibarra  
Dr. Travis Longcore  
David Magney

**REGIONAL PLANNING STAFF**

Dr. Wesley Colvin (ERB Coordinator)  
Sean Skeries

**PROJECT APPLICANT/REPRESENTATIVE**

Natalie Soloway

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**AGENDA ITEMS**

**NEW BUSINESS:**

1. **Project No. R2010-00952/RPP 2010-00690**  
Soloway Demolition, 3525 Encinal Canyon Rd., pp. 2-4

**OTHER MATTERS:**

2. Discussion of wireless facilities by ERB as requested by Board Member Dagit, p. 4
3. Public comment pursuant to Section 54954.3 of the Government Code, p. 4

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**NOTE: ERB MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED AS VOLUNTEERS TO SERVE IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. MEETINGS ARE ALSO RECORDED ON TAPE WHICH IS USED PRIMARILY AS A BACK-UP FOR STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE MEETING. NEW OR CLARIFIED INFORMATION PRESENTED IN BIOTA REVISIONS MAY RAISE NEW ISSUES AND REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE FOLLOWING MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.**

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**ERB MINUTES  
November 15, 2010**

**NEW BUSINESS**

**1. 1:15 PM Soloway Demolition**

**Project No. R2010-00952**  
**Permit No. RPP 2010-00690**  
**APN: 4472-028-028**  
**Location: 3525 Encinal Canyon Rd., Malibu, CA 90265**  
**Applicant: Natalie Soloway, Owner**

**Project:** The project proposes the demolition of an existing guest house (683 square feet) adjacent to a single family residence with no intention to rebuild the guest house.

**Resource:** The project site is located in the Encinal Canyon area of the Santa Monica Mountains Malibu Coastal Zone. The western side of the project is adjacent to ESHA and Encinal Canyon Creek. The eastern boundary of the ESHA is approximately 3 feet from the project. The centerline of Encinal Canyon Creek is approximately 25 feet west of the project. There are twelve oak trees within 200 feet of the project. The closest oak is approximately 50 feet south/southwest of the project.

**Request:** **Review plans for the proposed demolition of the guest house.** The ERB recommendations will be used as guidelines for the Director's Review and as part of any necessary environmental review of the project under the California Environmental Quality Act (CEQA). Projects normally exempt from CEQA are subject to environmental review when in sensitive locations [PRC §15300.2(a)].

**ERB COMMENTS:**

- Correct resource description to indicate that the closest oak is located south/southwest of project instead of southeast as indicated on Agenda. This oak (T<sub>1</sub>) is at the entrance to the owner's property. Oaks and sycamores along the creek are closer to the guest house, but would not be impacted by demolition of this structure.
- T<sub>1</sub> Oak depicted on site plans is the only one that could be impacted by demolition of guest house and may require pruning if branches cannot be pulled up 13'6" above road.
- Coastal Commission has no jurisdiction over Los Angeles County Fire Code.

- Rock veneered cinder block walls within creek, retaining walls and check dam/weir structures would be within the overhanging canopy impact zone of oak and sycamore trees.
- Stream ESHA should be restored to riparian vegetation and not chaparral vegetation.
- CDFG requires a permit for all work in streambeds. The Coastal Commission has authority over ESHA, and they should work with CDFG in areas requiring permits from CDFG.
- County Oak Tree Permit would be required, since oak trees would be damaged to restore site by removal of all streamside masonry.
- Determine if walls in creek pre-date the Coastal Act.
- Restoration of creek by removal of walls should only occur if benefit outweighs impact.
- Removal of check dam/weir structure that restricts creek width may be warranted.

**APPLICANT COMMENTS:**

- Prefers to remove and recycle as much material from the demolition of the guest house as possible.
- Heather Johnson from Coastal Commission visited site.
- A geologist, Don Kobeleski, is preparing a report of project site for Coastal Commission engineer.
- Coastal Commission desires removal of retaining wall/cinder block work in/adjacent to creek.
- Coastal Commission desires restoration of the project area to chaparral vegetation.
- Current residence on property was built in 1980. According to Los Angeles Times, this is the third house built on site after fires during the 1970s burnt down the previous ones.
- Current shared septic system of guest house/main residence was approved and permitted by health department in 2005 or 2006.
- Neighbor removed his cabin from her property after being in contempt of court.

**ERB RECOMMENDATIONS:**

- 1) **Prune oak tree (T<sub>1</sub>) to allow Fire Department access after obtaining permit from LA County Fire.**
- 2) **Categorical exemption is warranted if only demolition of the guest house is to occur.**
- 3) **Guest house site will address soil compaction after demolition and revegetate with riparian species.**
- 4) **Timing of project should occur during the dry season.**
- 5) **Chaparral vegetation is not appropriate choice for stream restoration.**
- 6) **Mitigated Negative Declaration is feasible for restoration of stream.**
- 7) **Depending on the extent of the rock wall removal, an amended application is advised so that the applicant only has to go through the CEQA process once for demolition of the guest house concurrently with creek restoration desires by the Coastal Commission.**
- 8) **The evaluation of creek restoration must conclude that the benefit outweighs the impact.**

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ERB Meeting Date: November 15, 2010

ERB Evaluation:        X   Consistent                             Consistent after Modifications  
                                        Inconsistent                             No decision

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**OTHER MATTERS**

2.      Discussion of wireless facilities by ERB as requested by Board Member Dagit  
         Discussion postponed to future ERB meeting due to absence of Board Member Dagit
  
3.      Public comment pursuant to Section 54954.3 of the Government Code.  
         No comments from the public were made.