



**MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)
Unincorporated Coastal Zone, Santa Monica Mountains, Los Angeles County
Meeting of 18 April 2016**

(Approved, 15 August 2016)

Persons in Attendance

ERB Members

Ron Durbin
Richard Ibarra
David Magney
Suzanne Goode

Regional Planning Staff

Joseph Decruyenaere, Biologist, Pro Tempore ERB
Joshua Huntington, Planner
Shirley Imsand, Ph.D, Biologist
Marie Pavlovic, Planner, ERB Coordinator

Paparella, 1720 Tuna Canyon Road, Topanga 90290: R2015-01747, CDP 201500074

Shelley Coulson
Greg Ainsworth

MINUTES

OLD BUSINESS

- A. Minutes of 22 February 2016 meeting were approved.**
Motion to approve: David Magney, 2nd Ron Durbin, Ayes: Unanimous

NEW BUSINESS

- B. Paparella Project, 1720 Tuna Canyon Road, Topanga 92090**
Project No. R2015-01747
Permit Nos. CDP 201500074, RENV 201500123
APNs: 4448-018-033 & 4448-018-042
Location: part in Fernwood Rural Village
on the Dix Canyon drainage of Topanga Canyon Watershed
USGS Quad: Topanga
Applicant: Shelley Coulson
Biologist: Greg Ainsworth
Planner: Joshua Huntington

Project Description:

The project is a request to construct a new 596-square-foot kitchen addition, and a new 998-square-foot detached garage to an existing, permitted single-family residence. The new garage and driveway configuration requires a new hammer-head turnaround per Fire requirements. The addition and detached garage are being constructed in H3 habitat. The grading is less than 50 cubic yards and per the applicant, DPW does not require a grading plan. The project site is on public water system, and no well is proposed. There is also no proposed expansion to the existing septic system. The project parcel 4448-018-042 has a small northeastern projection into the Rural Village of Fernwood, but the construction impacts will not be in that section. The house with kitchen addition (extends 25-ft. to south), the driveway widened to 20-ft, and the garage (extends 32-ft. to south) are on a small ridge between Dix Canyon and a tributary to Dix Canyon in H3-mapped habitat.

Biological Resources:

The project parcels are chiefly in H3 habitat but include H1 category habitat in a part of Dix Canyon, subwatershed of the Topanga Canyon Watershed. Dix Canyon on the project parcel has rock outcrops with lichens and bryophytes and a

diverse Sycamore-Oak Woodland grove of trees around Dix Canyon and the north tributary. The slopes chiefly average 25-50% but some areas have slopes 50% and greater. The driveway is shown to be partially asphalt with widening by 1 to 10-ft. with asphalt and installation of a fire-turn-around and hammerhead area of gravel. No capture devices or bio-swales are indicated, but check dams are shown on SWPCEC Plan A2.1. A letter from County Fire to Coastal Commission indicates approval for paved/concrete surfaces. Runoff plans for permanent capture include check dams and planters off the new garage and kitchen, but runoff surface area and size of planters is unspecified. Driveway widening and garage placement will require tree removal (native, non-native, and invasive, with some removals of unlabeled species type). The known native removals are of Toyon (*Heteromeles arbutifolia*), and the size of the trunks is not in the data. Fuel modification plans depict tree removals only and other landscaping to remain in place. Two unspecified drought-tolerant trees will be planted (SWPCEC Plan A2.1) We did not receive plans for the full 200-ft. analysis of fuel modification. County Biologist's analysis of 200-ft. from existing structures indicates extension of fuel modification due to the garage and kitchen additions will project into H1 habitat not previously fuel modified, about 400 sq.ft. Part of the fuel modification area is a grassland. The Biological Assessment states brush clearance by disking is regularly done. The disked grassy area had a number of California narrowleaf milkweed (*Asclepias fascicularis*) when the County biologist site visit occurred in August 2015. The grassy area has not been assessed for native cover.

Hazards: There is no designated critical habitat in the project area. There are no CNDDDB reports of special status species in the project area. All of the project area is in a landslide hazard area and an area of Very High Fire Hazard.

ERB Request: The ERB should make recommendations on the plans for the driveway paving, widening, and runoff; tree removal; runoff and fuel modification for the garage and kitchen additions. Measures should target protection of the sensitive elements that may be impacted by the project: the H1 habitat includes riparian Sycamore-Oak woodland habitat which may have amphibians, birds and bats; impacts to native trees; the H1-type elements of rock outcrops with bryophytes and lichens; and the grassland which may be habitat useful to migrating monarch butterflies (*Danaus plexippus*), a species of concern with notably declining populations.

ERB COMMENTS AND RECOMMENDATIONS:

- 1. The extension of the 200-ft. fuel modification zone, due to the project additions, will not require any further fuel modification in the riparian habitat. Only dead or dying material would be removed. This area is distant enough from structures to not need thinning or fire-ladder removal.**
- 2. Planting perennials in the grassland area will help in controlling erosion in the fuel modified area. Fuel modification will continue there, but should be changed from disking to weed-whip to accord with the LIP, and this method will help maintain perennial roots.**
- 3. A Construction Runoff Plan shall be prepared that depicts the locations of any sediment and debris traps, any straw wattles, sand bags, or silt fence that will be used to direct flows to the traps, and flow directions. The permittee's contractor should inspect the traps and other containment devices to ensure proper function. The plan should be implemented during the rainy season or prior to rain events.**
- 4. Equipment for grading, construction, landscaping, and fuel modification should be pressure-washed before transport to the property to remove dirt and any invasive plant propagules.**
- 5. The permittee's contractor shall comply with all litter and pollution laws and will provide covered trash receptacles so that all food scraps, food wrappers, beverage containers, etc. can be disposed of. The contractor will empty the trash receptacles at the end of each day or as needed, and dispose of it at an off-site landfill.**
- 6. The permittee's contractor shall ensure that no debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil petroleum products, or other organic material from any construction, or associated activity of whatever nature, shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into the nearby stream.**
- 7. The permittee's contractor shall refuel and lubricate all equipment over drip pans or other appropriate containment devices.**
- 8. The permittee's contractor shall position all stationary equipment and any equipment that is to be repaired over the drip pans or other appropriate containment devices.**
- 9. The permittee's contractor shall check and maintain all equipment on a daily basis in order to prevent leaks. If a leak occurs, the permittee's contractor shall immediately clean up any spills and fix the leak.**

10. The permittee's contractor shall make available at the site all supplies necessary for clean-up of spills (absorbent and barrier materials in quantities determined by the permittee's contractor to be sufficient to capture the largest reasonably foreseeable spill and drums or containers suitable for holding and transporting contaminated materials).

11. As a basic plan, calculate all horizontal, impervious surface area (SA) including roofs, decks, etc., convert to gallons from a 3/4-in. rainfall [$SA_{sq.ft.} \times (7.48 \text{ gal/cu.ft}) \times (0.75 \text{ in.} / (12 \text{ in./ft.}))$] and insure the planters have sufficient capacity.

12. Public Works should check design of driveway drainage and capture of runoff. To insure capture by the southern check dam and hammerhead and control north runoff, install a north curb and slope the driveway so that all runoff of the driveway is directed to the south capture areas.

13. LA County Public Works must review the check dam for all driveway drainage to insure it is adequate.

14. Disking for fuel modification is prohibited in the LIP §22.44.1240.A.2. To retain the grassland, fuel modification by hand tools, including weed whips, should be used.

15. The time of year for fuel modification should be after the native grasses have dispersed seed, or if earlier, allow clumps of native grasses to disperse seed in alternate years. Weed-whipping before the non-natives have matured seed is the best time to promote the native perennials over the non-natives.

16. Hand tools are preferred for initial and future fuel modification in any fuel-modified area for this project. Hand tools will allow sensitive insects and small animals to escape. Any large equipment used should be pressure-washed to remove invasive plant propagules before transport to the site.

17. Any pines (*Pinus* spp.) or *Eucalyptus* spp. that are within 20-ft (Zone A) of any structure should be removed. This includes all seedlings. They are fire hazards. Also remove any pine or eucalyptus branch that is close enough to have branches overhanging the roofs or branches within 10-ft. of roofs of the structures.

18. Wildlife surveys should be done before any clearing, grubbing, grading, driveway expansion or fuel modification activities are scheduled to begin.

19. Bat survey should be done any time of year pre-construction. CDFW protocols should be followed for removal of trees with bats and extirpation of bats from rock outcrops. Bat maternity colonies are possible and should not be disturbed (March 1-September 30). CDFW should be consulted in all cases when bat roosts are to be removed or blocked. In the event of bat expulsion, bat habitat should be constructed appropriate to the species being expelled.

20. Beginning thirty days prior to the initiation of project activities (grading, brush clearance, etc) and regardless of time of year, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent should delay all project activities until the qualified biologist determines the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Alternatively, the qualified biologist could mark a buffer zone for the nest with flagging, stakes and construction fencing to demarcate 300 feet (or 500 feet) between the project activities and the nest. CDFW must authorize closer buffer distances. Monitoring biologist shall use judgment, but in general, buffers should be determined so that construction activities result in noise less than 60 dB at the nest. The monitor shall communicate about the prohibition buffers with the foremen and work crews. Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. The project proponent should provide the results of surveys and protective measures to the CEQA lead agency and CDFW, in order to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

21. If preconstruction surveys show potential for birds and/or bats, shed removal should be done according to CDFW recommendations. Tree removals shall be done carefully in order to allow roosting birds and bats to escape. To the extent feasible, tree removal or relocation shall be scheduled between October 1 and November 30, in order to be outside bird nesting season (December 1 to August 30) and outside of the bat maternity

roosting season (March 1 to September 30). Trees shall be removed in a manner that allows birds and bats to escape, pushed or pulled to the ground in 2-3 nudges, with a pause of approximately 30 seconds between each nudge to allow bats and birds to become active. The tree should then be pushed to the ground slowly and should remain in place for a period of 48 hours to allow any trapped animals to escape. Chain saws shall only be used after the tree has been on the ground for 48 hours.

22. Exterior lighting shall follow provisions in the LIP §22.44.1270, avoiding light trespass into the night sky and any natural areas both onsite and offsite, including natural areas such as fuel modified areas in H3 habitat.

23. Glass should be least reflective and/or have frit patterns that will promote energy conservation and also prevent bird strikes when the bird mistakes a reflection of habitat for available flight space.

24. All unpaved areas in fuel-modified zones, especially the grassland, should be seeded with a mix of grassland and forb natives of the Santa Monica Mountains. For native bunch grasses, container grass bunches can be used. *Stipa pulchra* and/or *Stipa lepida*, as appropriate, are possible perennial grasses. Planting native perennials and maintaining the roots or these are important objectives.

25. Identify the trees proposed for planting. (This can be done on the biological report tree map.) They should be drought-tolerant natives of the Santa Monica Mountains, consistent with County Fire requirements.

BIOLOGICAL REPORT:

26. The biological report needs to be updated and verified by DRP biologist before the project can be approved. Items to be revised or added are:

- Fuel modification map showing H1 habitat; existing fuel modification extent of 200-ft. from all structures existing, neighboring and on the project site; and extension due to the project additions.
- Tree map identifying and giving data on species, trunk DBH, and canopy for all trees within 200-ft. of residence and driveway. Map may be keyed to a table with data. Show proposed removals. This should be expanded to accord with recommendation #15 on pine and eucalyptus removals in Zone A and trees that overhang roofs.
- Analyze tree removals of natives with respect to LIP 22.44.1920.K, and present a plan for mitigations required, if any.
- Redo the vegetation map of alliances and H1 habitat, H1 buffer, H1 quiet zone, H3 (categories mapped in the LUP). The vegetation alliances should be those observed and are to be mapped separately from the habitat category designations. The habitat category designations should be those mapped in the LUP (adopted designations).
- Revision of the sensitive species table, adding components not formerly provided
 - all species in 6-quad CNDDDB & CNPS analysis
 - species possible from LA County Sensitive Bird List
 - brief habitat description
 - assessment for possible/unlikely on the site
- Floral and faunal lists of observed species

Recommendation/2nd: Joe Decruyenaere/David Magney, Ayes: Unanimous

CONSISTENCY:

27. The project is consistent with the biological resource protection policies and development standards of the Santa Monica Mountains Local Coastal Program and Local Implementation Program after incorporation of ERB recommendations.

Recommendation/2nd: Suzanne Goode/Ron Durbin, Ayes: Unanimous

ERB date of review: 2016.04.18

ERB Evaluation: Consistent Consistent after Modifications
 Inconsistent No decision

ERB date of review: 2016.04.18

Staff Biologist Consistent Consistent after Modifications
 Recommendation: Inconsistent No decision

OTHER MATTERS/ANNOUNCEMENTS:

ERB recommends that a set of standard recommendations be prepared that can be voted on as a package.

C. Public comment pursuant to Section 54954.3 of the Government Code.

No Public Comment was made.