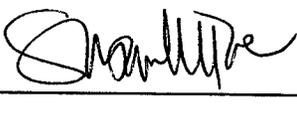


# Regional Planning Commission Transmittal Checklist

Hearing Date  
07/20/2011  
Agenda Item No.  
6

**Project Number:** R2009-01295-(3)  
Oak Tree Permit No. 201000012  
**Case(s):** Plot Plan No. 201100223  
Environmental Assessment No. 201000020  
**Planner:** Rudy Silvas

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation ( MND – Initial Study & MMP)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans (Preliminary)

Reviewed By:  for Ni Kim



Los Angeles County Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012  
 Telephone (213) 974-6462

**PROJECT NO. R2009-01295**

**Oak Tree Permit No. 201000012, Plot Plan No. 201100223, Environmental Assessment No. 201000020**

**PUBLIC HEARING DATE**  
7/20/2011

**AGENDA ITEM**  
6

**RPC CONSENT DATE**

**CONTINUE TO**

**APPLICANT**

Marny Randall

**OWNER**

April Ranch, LLC

**REPRESENTATIVE**

Marny Randall

**PROJECT DESCRIPTION:** Request for Oak Tree Permit to remove 4 oak trees, including 1 heritage oak, to widen April Rd. with access from Mulholland Hwy., through State Parkland, and entering privately owned property, with request for Plot Plan for new single family residence, guest house and swimming pool. Oak Tree Permit also for encroachment into protective zones of 51 oaks to place a new Edison conduit along the centerline of private drive, and for pruning 5 additional oaks all located on privately owned site of project. The 4 oaks to be removed are located on State Parks land. Subject site located in the A-1-20 zone (Light Agricultural - 20 Acres Min. Required Lot Area), and OS zone (Open Space) under access road near Mulholland Highway. County to vacate April Rd. from Mulholland Hwy., to be acquired by State.

**REQUIRED ENTITLEMENTS:** Oak Tree Permit to remove 4 oak trees and encroach into the protected zone of 51 oak trees, with pruning of limbs greater than 2 inches of an additional 5 oaks, required under County Code Section 22.56.2050, with Burden of Proof under Section 22.56.2100 to be satisfied. Site Plan Review pursuant to County Code Section 22.56.1670 for proposed construction of new residence, with a guest house and swimming pool, shall be heard concurrently with the Oak Tree Permit application.

**LOCATION/ADDRESS**

2701 April Rd. Agoura Hills CA.

**SITE DESCRIPTION**

Site plan depicts access road, oak tree locations, pad area where residence and accessory guest house and pool are proposed, existing residence to be removed after construction of new residence in SW corner of site, equestrian ring, and all site contours and stream, including proposed culvert and footbridge.

**ACCESS**

April Road

**ZONED DISTRICT**

The Malibu

**ASSESSORS PARCEL NUMBER**

2063012003

**COMMUNITY**

Agoura Hills

**SIZE**

40 Acres

**COMMUNITY STANDARDS DISTRICT**

Santa Monica Mountains North Area

**EXISTING LAND USE**

**EXISTING ZONING**

Project Site	One single family residence in SW corner, equestrian use on north end.	A-1-20
North	One single family residence and equestrian uses.	A-1-20
East	Malibu Creek State Park	A-1-20
South	Malibu Creek State Park	A-1-20, and OS
West	Malibu Creek State Park	A-1-20

**GENERAL PLAN/COMMUNITY PLAN**

Santa Monica Mountains North Area Plan

**LAND USE DESIGNATION**

(N-20) Mountain Lands 20 (1 du/20 acres max.), OS-P (Open Space Parks) under State Parks land.

**MAXIMUM DENSITY**

1 du/ 20 acres max.

**ENVIRONMENTAL DETERMINATION**

Mitigated Negative Declaration, pursuant to CEQA Guidelines Section 15070.

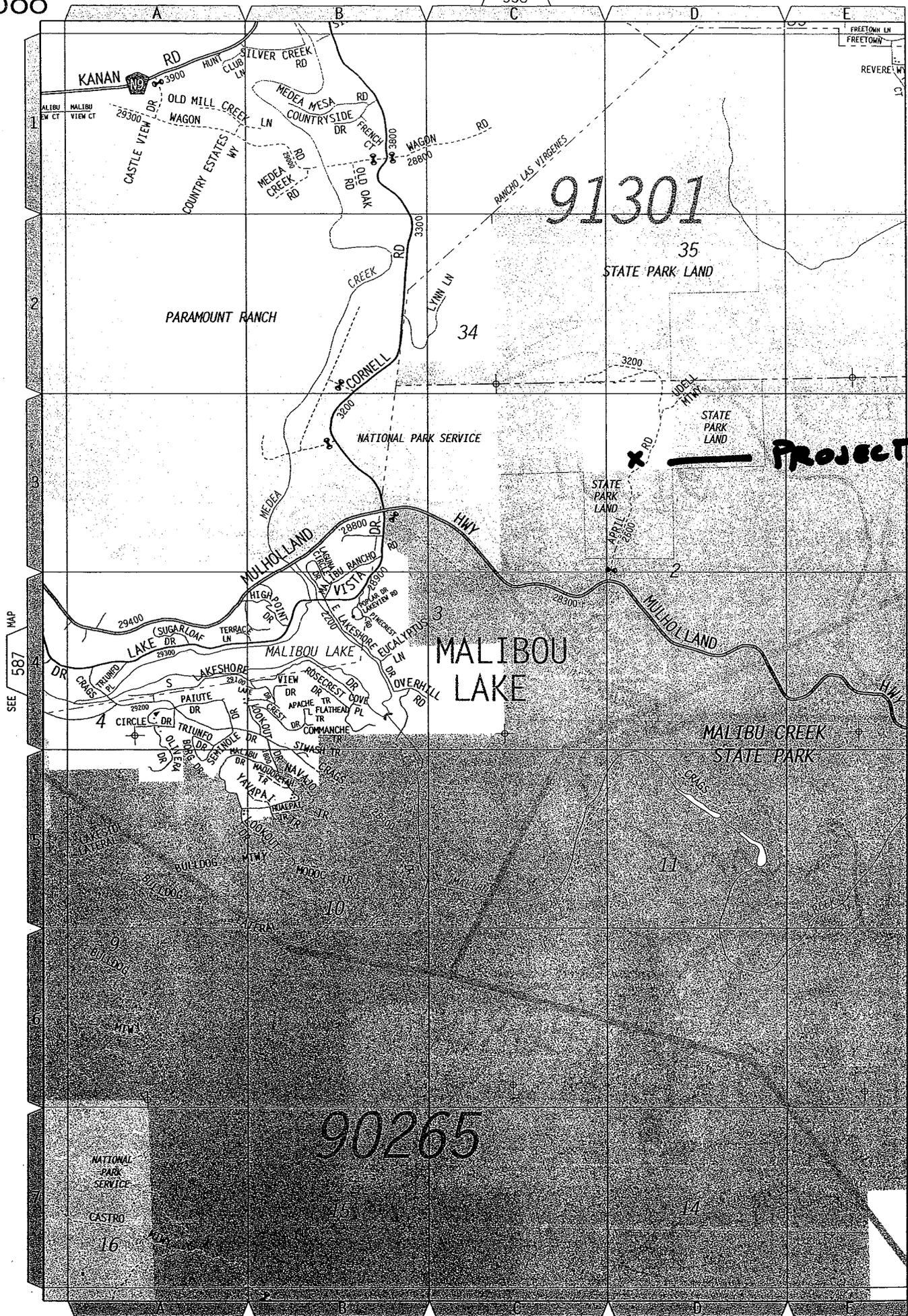
**RPC LAST MEETING ACTION SUMMARY**

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

**TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

STAFF CONTACT PERSON: Rudy Silvas		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

\*(O) = Opponents (F) = In Favor



SEE MAP 587

91301

90265

Project

0 .125 .25 .375 .5 miles 1 in. - 1900 ft.

SEE 628 MAP



## **STAFF ANALYSIS**

**PROJECT NO. 2009-01295-(3)**

**OAK TREE PERMIT NO. 201000012; PLOT PLAN NO. 201100223;  
ENVIRONMENTAL ASSESSMENT NO. 201000020**

### **PROJECT DESCRIPTION**

The project is to widen an access road (April Road) as required by the Los Angeles "County" Fire Department for safety, build a new single family residence with detached guest house and swimming pool, place a new Edison conduit beneath the access road, install a new drainage culvert which will connect to a stream which is a tributary (connecting stream) to Malibu Creek, and to construct a foot bridge over the stream. The Oak Tree Permit application is for removal of four oak trees, including one heritage oak, to widen the April Road access from Mulholland Highway, through State Parks land, to privately owned property in the project area. A Plot Plan application was filed for review of a new single family residence, guest house and swimming pool. An Oak Tree Permit application has also been filed for encroachment into the protected zone of fifty-one oaks for access road improvements and new Edison conduit beneath private drive on the private property portion of project area, and for pruning five additional oaks. The four oaks to be removed are located on State Parks land. Project area located in the A-1-20 zone (Light Agricultural - 20 Acres Min. Required Lot Area), and OS zone (Open Space) over access road entrance from Mulholland Highway. The County is requested by the project proponents, April Ranch, LLC., to vacate the April Road entrance from Mulholland Highway, which will be acquired by the State.

### **REQUIRED ENTITLEMENTS**

Oak Tree Permit to remove four oak trees and encroach into protected zone of fifty-one oak trees, with pruning of limbs greater than two inches diameter for an additional five oaks, required under County Code Section 22.56.2050, with Burden of Proof under Section 22.56.2100 to be satisfied. Site Plan Review pursuant to County Code Section 22.56.1670 for proposed construction of new residence, with a guest house and swimming pool, shall be heard concurrently with the Oak Tree Permit application. The proposed Stream culvert and footbridge will require a separate California Department of Fish and Game 1602 Permit (Streambed Alteration Agreement), and a U.S. Army Corp of Engineers 404 Permit.

### **LOCATION**

The subject property is located at 2701 April Road, in the unincorporated County area of Agoura Hills. The location is situated within the Third Supervisorial District of Los Angeles (County), and within the Santa Monica Mountains North Area Community Standards District (CSD).

### **Existing Zoning**

#### **Subject Property**

The subject site is currently zoned A-1-20 over the privately owned portion and a majority of the project area over State Parks land, with the OS zoned area over the April Road entrance area from Mulholland Highway.

### **Surrounding Zones**

Surrounding properties are zoned:

North: A-1-20

South: A-1-20, and OS

East: A-1-20

West: A-1-20

### **Existing Land Uses**

#### **Subject Property**

The subject property area (privately owned portion) currently has one single family residence in the southwest corner which will be removed when the new residence and guest house are constructed. Another single family residence was removed in the pad area where the proposed new residence, guest house and swimming pool will be constructed. Also, in the northern part of the privately owned portion there exists a horse riding ring and other equestrian related accessory structures. Continued use of the privately owned portion will be residential (i.e. new residence, with removal of existing residence in southwest portion of site) and agricultural (i.e. private equestrian riding ring with accessory equestrian structures). The State Parks owned land portion of the subject property area has several structures used by State Parks employees for caretaker purposes. The continued use of the State Parks site will be for recreational purposes.

#### **Surrounding Properties**

Surrounding land uses consist of:

North: One single-family residence with accessory equestrian uses

South: Malibu Creek State Park

East: Malibu Creek State Park

West: Malibu Creek State

### **SITE PLAN DESCRIPTION**

Subject property area (privately owned portion where new residence is to be built) is depicted as a large square parcel, with depiction of the pad location, access road, proposed residential and guest house structure locations, swimming pool, existing residential structure to be removed in southwest corner of site, private equestrian facility, existing utility easements and new proposed location of underground Edison conduit, drainage swales and culverts, areas of grading and all existing oak tree locations. Subject property area (State Parks portion) is also depicted showing April Road (access road) entrance from Mulholland Highway through State Parks property on to privately owned portion of project area where residence will be built. All points along

access road to be widened and improved are depicted on site plan. All right of way easements, including April Road portion to be vacated, as well as existing oak trees and those to be removed or encroached upon, County Fire Department hammerhead turnaround, drainage culvert proposed under access road on State Park site and connecting to existing stream, proposed footbridge over stream, retaining walls varying in height from 2.5 to 11 feet on privately owned portion and State Parks portion of subject property area, and areas of grading with quantities are also depicted on site plan.

### **ENVIRONMENTAL DETERMINATION**

Staff of the Los Angeles County Department of Regional Planning (DRP) has determined that a Mitigated Negative Declaration, pursuant to California Environmental Quality Act (CEQA) Section 15070, is the appropriate environmental documentation required under CEQA for the project. The project is in a particularly sensitive environment location, has oak woodland with a natural stream and native chaparral present, and mitigation measures are necessary as part of a Mitigation Monitoring Program, pursuant to CEQA Guidelines Section 15097, to reduce all potentially significant environmental impacts to less than significant. Mitigation Measures have been prepared to address impact issues of Noise, Air Quality, Biota, Cultural Resources, Drainage and Grading, Residence Design, Recycling, Hazardous Materials Storage, Sewer, Underground Storage Tanks, Emergency Services, Library Mitigation Fees, and for Mitigation Compliance. A Mitigation Compliance Report is required to be submitted to the County annually to ensure that all mitigation measures as part of the Mitigation Monitoring Program are properly implemented. *Please see attached Initial Study and Mitigation Monitoring Program for project.*

### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of County Code Section 22.56.2130 for the Oak Tree Permit, CEQA Guidelines Section 15072 for the Notice of Intent to Adopt the Mitigated Negative Declaration, and procedures for distribution of notices to neighboring property owners and onsite posting per County Code Sections 22.60.174 and 22.60.175, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

In order to ensure notification thirty (30) days before the scheduled hearing date of July 20, 2011, in accordance with the above provisions, a total of 37 public hearing notices were mailed out on June 15, 2011 to all property owners within a 100 foot radius of the subject property. Only owners and occupants of property contiguous to the project are required to be notified for the Notice of Intent to Adopt the Mitigated Negative Declaration under CEQA Guidelines Section 15072. The Oak Tree Permit hearing, because no concurrent permit, variance, zone change, or tentative map for a

subdivision has been filed, requires only notification in a local newspaper per County Code Section 22.56.2130 (B).

Also to ensure notice of the hearing thirty (30) days before the hearing date, the Notice of Public Hearing was published and advertised in the *Malibu Times* newspaper on June 16, 2011, and was also sent on June 15, 2011 to the Agoura Hills Library located at 29901 Ladyface Court in Agoura Hills along with the Factual Sheet.

Staff also received the Certificate of Posting from the applicant stating that the Notice of Public Hearing was posted at the site 30 days before the hearing date in accordance with Section 22.60.175 of the County Code.

#### PREVIOUS CASES/ZONING HISTORY

- The current zoning for the project area is A-1-20 and O-S. Prior to establishment of the current zoning, the entire project area was zoned A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) in 1958.
- The subject property area (privately owned portion) was developed with two single family residences, equestrian ring, and accessory structures for equestrian related uses. Plot Plan 201000064 was approved on March 4, 2010 for new equestrian related accessory structures. One residence and several older accessory structures have been removed over the pad area that will be redeveloped for the new residence and guest house. The remaining residence in the southwest corner of the privately owned portion of the project area, which is currently occupied as a rental, will be removed when the Certificate of Occupancy is issued by County Building and Safety for the new residence. CUP No. 201000055 and Variance No. 201000004 were filed for a second unit residence in addition to proposed guest house on April 26, 2010, but both applications were subsequently withdrawn on July 28, 2010 along with proposal for a second unit residence.
- The subject property area (State Parks owned portion) acquired by State Parks in 2001, was previously developed in 1950 with a residential structure now used for caretaker purposes for State Parks employees. In 1998, Parcel Map No. 25062 was filed for four residential lots, but was withdrawn on August 31, 2001. No further improvements have been made to the site.
- The owner of the privately owned portion of the project area was required to file for a Certificate of Compliance due to the parcel being a part of a Record of Survey, 96 - 23. Certificate of Compliance No. CC 200900116 was recorded and issued on September 17, 2009, Instrument No. 2009142495, putting the property in compliance with State Subdivision Map Act Requirements.

## **STAFF EVALUATION**

### **General Plan Consistency**

The Santa Monica Mountains North Area Plan (SMMNAP) Land Use Category for the subject property area (privately owned portion) is (N20) Mountain Lands 20 (1 dwelling unit/20acres max.), and (OS-P) Open Space Parks for the State Parks owned portion up to and including the area under the April Road entrance from Mulholland Highway. The proposed residence and guest house, in addition to the equestrian related uses that will remain on the privately owned property, which is 40 acres in size, are compatible with the Mountain Lands 20 category. This category, per the SMMNAP, lists single family housing, agriculture, and equestrian uses as permitted on lands designated as Mountain Lands. The land use density for the privately owned portion of the project area will be one dwelling unit per 40 acres, below the one dwelling unit per 20 acres maximum allowed under the SMMNAP. The SMMNAP Open Space Parks designation for the State Parks owned portion of the project area is consistent with its use. The State Parks area is identified as Malibu Creek State Park, and such lands designated as Open Space under the SMMNAP "is to provide areas for the preservation of environmental, historical, or cultural resources, recreation, and protection of the public health and safety." The designated use of Malibu Creek State Park is not scheduled to change.

### **Zoning Ordinance and Development Standards Compliance**

Located within the Santa Monica Mountains North Area (SMMNA) Community Standards District (CSD), the subject property area is situated under the A-1-20 zone (privately owned portion), and the OS zone (State Parks owned portion). The proposed new single family residence and detached guest house are permitted under the basic A-1 zone, County Code Section 22.24.070 and 22.24.080, and are not prohibited under the Zone-specific Development Standards of the SMMNA CSD for the A-1 zone, County Code Section 22.44.133 (E). The applicant is proposing grading quantities of 427 cubic yards of cut and 546 cubic yards of fill, including 119 cubic yards of imported fill, for over-excavation and preparation of the existing pad area for the new residence and on-site driveway. In addition, 710 cubic yards of cut and 720 cubic yards of fill, including import of 10 cubic yards of fill for off-site improvements and road widening to 20 feet of April Road to serve the subject property area from Mulholland Highway is also proposed. Previous grading quantities for accessory equestrian structures of 1,000 cubic yards of cut and 779 cubic yards of fill, including 221 cubic yards of export, were also calculated into the total cumulative amount of grading for the site, identified as 4,182 cubic yards cumulative to be handled. The total cumulative amount is below the 5,000 cubic yards total grading allowed without the requirement for a CUP under the SMMNA CSD per County Code Section 22.44.133 (D)(4). An Oak Tree Permit to remove 4 oak trees to widen the access road per County Fire Code requirements, encroach into the protected zone of 51 additional trees for access road improvements, place an underground Edison conduit along the centerline of the access road on the

private property location, and to prune 5 additional oak tree branches in excess of two inches diameter is required per County Code Section 22.56.2050. The single family residence proposed meets the development standards for the A-1 zone per County Code Section 22.24.110, pursuant to County Code Section 22.20.105 for development standards of single family residences, Section 22.20.110 for height limits, Section 22.20.120 for yard requirements and Section 22.20.130 for parking. The guest house residence meets development standards for accessory uses in the A-1 zone under County Code Section 22.24.080, pursuant to County Code Section 22.20.080 for requirements in approving detached living quarters. The guest house, and any other accessory structures on the privately owned portion of the subject property area, will be required to comply with Regional Planning policy as directed in the Department's Development Standards for Accessory Buildings memo dated August 11, 2008. The development proposal and land use for this project is not in conflict with SMMNA CSD standards for development and thereby in compliance with it.

#### **Neighborhood Impact/Land Use Compatibility**

The existing project area boundaries encompasses both the privately owned land where the residence and guest house are to be constructed, and the State Parks land area to the south, a part of Malibu Creek State Park, where the 4 oak trees are to be removed to widen the existing dirt access road to 20 feet. The privately owned site previously had two residential structures, one in the area where the new residence and detached guest unit is proposed and which has since been removed, and one in the southwest corner of the site which is still intact and in use by renters. An equestrian ring and related equestrian structures are situated in the northern section of the privately owned site. The State Parks land area, with the exception of an existing residential structure and related accessory structures for use by caretakers of the State Parks land, and two sea-bin storage containers, is undeveloped. A natural stream which is a tributary to Malibu Creek runs south from the privately owned site to the State Parks site. The project area and its surroundings are extremely rural and natural.

The proposed residence and guest house on the privately owned site would be developed in an area previously occupied by one of the two residences and related accessory structures. The existing pad area would be graded for over-excavation and re-compaction in order to construct the new residence, guest unit and swimming pool. This would also entail the construction of retaining walls, drainage swales and culverts, and a driveway entrance from the access road to be improved. The proposed single family residence would be two stories at a maximum height of 32 feet and 9 inches above finished grade, and with 7,200 square feet of residential floor area. The detached guest house would be single story at a maximum height of 19 feet and 10 inches above finished grade, with 740 square feet of floor area. All development would be required to comply with County Green Building Standards and Low Impact Development standard requirements. Also on the privately owned site, an Edison

conduit would be placed beneath the access road and run north along the road's centerline. The conduit would run the entire length of the access road through the privately owned site, originating from a proposed transformer box to be placed near the entrance to the privately owned site from the State Parks site. The access road itself is only proposed to be improved by the project's proponents up to the location of the new residence. The Oak Tree Permit will address all impacts to the existing oaks caused by the undergrounding of the Edison conduit and the improvements to the access road.

The proposed road widening to twenty (20) feet on the State Parks site, as required by the County Fire Department for safety access purposes, does require the removal of four oak trees, including one Heritage Oak, and encroachment into the protected zone of several other oaks. Retaining walls will also be constructed to improve and widen the existing access road near the entrance from Mulholland Highway. In one location where the road is to be widened, and where 3 of the 4 oaks to be removed, it was foreseen by State Parks, Regional Planning, and the Santa Monica Mountains Conservancy that a plan to save the 3 oaks might be possible if the access road widening could be reduced to 15 feet and shifted away from the oaks. However, despite efforts to work out such a plan, a problem to accommodate this plan would entail further impacts to the existing stream with its bank abutting the existing access road. Upon a site investigation by the County Forester's Staff, with representatives from State Parks, Regional Planning, and the applicant's representative present as well, Staff of the County Forestry Division stated that the best efforts to improve the State Parks parcel and accommodate the improvements necessary for the access road would be to remove the three oak trees and proceed with an Oak Tree Mitigation plan to plant replacement oaks with a 5:1 ratio at a suitable location on the State Parks site. The plan to remove the three oaks in this critical location would also prevent further impacts to the existing stream under the California Department of Fish and Game (CDFG) and U.S. Army Corp of Engineers (USACE) jurisdiction. The proposal for the new drainage culvert under the access road which would connect to the natural stream, and the proposed footbridge over it, will be reviewed by the USACE and CDFG.

The access road widening, although required by the County Fire Department to be twenty feet wide, has been allowed for crimping (width reduction) along two sections of the road. The County Fire Department has approved crimping in these two sections down to fifteen feet. Crimping in these two sections will protect further impacts to several oaks that will remain intact near the three oaks slated for removal (no. 19, 20, and 21), and will also better protect the existing caretaker residence facility on State Parks property.

The project proponents have asked the County for the vacation of the April Road entrance because if it remains a public street, the improvement would require a minimum of twenty-six feet (26) of road widening, requiring the road base to go much

deeper and thereby eliminating many more oaks. The County Department of Public Works (DPW) is willing to vacate the April Road entrance and the State is in agreement. The State is interested in acquiring the April Road entrance section as it traverses over their property. They will grant an easement to the properties beyond, which take access over that parcel traversed by the April Road entrance. The County will not complete the vacation until the State grants the easements. In the meantime, the project proponents will use an encroachment permit from County DPW to do the widening to private driveway standards, not public road standards. State Parks has signed an Ownership and Consent Affidavit, dated March 10, 2011, agreeing to the submittal of the Oak Tree Permit application.

The State also requires that a gate be placed on the April Road entrance. A gate is proposed at 250 feet from the edge of right-of-way for Mulholland Highway. The gate is necessary to control the illegal dumping of trash on State Parks property. The gate will be installed at the project proponents' cost.

Impacts to the land and surrounding areas as a result of the project requires implementation of mitigation measures, part of a Mitigation Monitoring Program, in order to reduce potentially significant impacts to the oak woodland and natural stream within the project area, with the potential to create negative externalities. Following a 30 day Initial Study consultation in which comments were received from various agencies, a Mitigation Monitoring Program was prepared. Mitigation Measures have been drafted to control storm water runoff, with requirements for approval of a drainage concept and Standard Urban Stormwater Mitigation Plan (SUSMP) and compliance with LID standards. Impacts to the oak woodland will be reduced to less than significant levels with the higher ratio of oak tree replacement, 5:1 for regular oak removal and 10:1 for Heritage oak removal, all part of an Oak Mitigation Plan pursuant to the State of California's Oak Woodland Conservation Act {Public Resources Code (PRC) 21083.4(b)(1) & (2) of CEQA} to address the replanting of the trees and the seven year maintenance requirement necessary to ensure the growth and viability of the replacement oaks.

Mitigation measures will also ensure that the fuel modification plan to be implemented for the new residence and guest house will include protection to the greatest extent possible of all existing native vegetation, and protection against planting of highly invasive plant species, with flora and fauna surveys to identify locations of any sensitive or rare species. Surveys for the presence of the California Gnatcatcher and Special Status Plants, required as part of the Biota Measures under the Mitigation Monitoring Program, have been received by Regional Planning on June 28, 2011 and will be reviewed. In addition, a mitigation measure for the project will also be required that no vineyards or related structures for storage of grapes be placed within 100 feet of the streambed.

Noise and dust control measures will also be implemented to reduce any such impacts during construction activity, and recycling of any and all salvageable materials (i.e. existing residence on private property to be removed) will also be implemented. Design quality measures for the residence and guest house will be implemented requiring earth tone colors. The applicant will be required to satisfy the Departments of Public Works and Public Health for Onsite Wastewater Treatment System (OWTS) requirements, and underground tanks for such use. Payment of library mitigation and emergency service fees will also be required. The applicant will be required to submit to Regional Planning a Mitigation Compliance Report for review annually, which Regional Planning will coordinate the checks of all measures of with all agencies identified to participate in the Mitigation Monitoring Program.

The project, through implementation of the identified Mitigation Measures in the Mitigation Monitoring Program and as part of the Mitigated Negative Declaration (MND) proposed for adoption, would be a compatible land use within the A-1-20 and OS zones, the Mountain Lands 20 and Open Space Parks land use designations of the project area under the SMMNAP, and with the SMMNA CSD standards. The project when completed, along with satisfaction of all required mitigation measures, will continue to maintain the rural character and setting of the area.

#### **RELATED ZONING ENFORCEMENT CASES**

None currently open. Previous Zoning Enforcement Case No. EF980251 was opened on the private property site of the project area in 2000 for a contractors storage yard, metal cargo containers, inoperable vehicles and hazardous materials on site. These violations were cleared and the case was closed on March 27, 2002. The record for note of violations on site was verified with Zoning Enforcement West on June 22, 2011

#### **Burden of Proof**

The applicant is required to substantiate all facts identified by Section 22.56.2100 of the County Code. The Oak Tree Permit Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

#### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

Staff consulted with the Departments of Fire, Public Works, Public Health, Parks and Recreation and the County Library. The County Fire Department's Forestry Division provided initial comments on the Oak Tree Permit on September 9, 2010. The Forestry Division is still working on what the final fees for a seven year maintenance period will be due to the project's location within an oak woodland area. The other Divisions of County Fire responded on June 8, 2011 with requirements for the access road

reiterated, and for flow tests and fire hydrant placement, fuel modification plan and brush clearance. Public Works responded on April 28, 2011 that it is to be acknowledged that the applicant's intent is to process the vacation request for the April Road entrance. Public Health responded on April 29, 2011 that the Department recommends approval of the project, with conditions that the applicant meet requirements for an Onsite Wastewater Treatment System (OWTS), and that a letter from Las Virgenes Municipal Water District be obtained by the applicant assuring water connection and service. Parks and Recreation responded on April 14, 2011 and declared that the project will have no affect on any Departmental facilities. The County Library responded on April 21, 2011 and required only that the applicant pay library mitigation fees. These recommendations are reflected in the Project's Mitigation Monitoring Program, and in the Project Conditions in the attached Conditions of Approval.

#### **PUBLIC COMMENTS**

Staff has not received any comments from the public regarding the Oak Tree Permit or Plot Plan applications, nor have any comments been received for the proposed adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program as of July 7, 2011.

#### **FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

#### **STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends that the Regional Planning Commission close the public hearing and approve Oak Tree Permit No. 201000012, Plot Plan No. 201100223, and adopt the Mitigated Negative Declaration with Mitigation Monitoring Program identified under Initial Study No. 201000020, subject to the attached Findings and Conditions.

#### **SUGGESTED APPROVAL MOTIONS**

I move that the public hearing be closed and that the Regional Planning Commission adopt the Mitigated Negative Declaration associated with Project No. R2009-01295-(3) and Environmental Assessment No. RENV 201000020 with the recommended mitigation measures.

I move that the Regional Planning Commission **APPROVE** Oak Tree Permit Number 201000012 with the attached findings and conditions.

PROJECT NO. 2009-01295-(3)  
OAK TREE PERMIT NO. 201000012; PLOT PLAN NO.  
201100223; ENVIRONMENTAL ASSESSMENT NO. 201000020

STAFF  
ANALYSIS  
PAGE 11 OF 11

Prepared by Rudy Silvas, Principal Regional Planning Assistant  
Reviewed by Mi Kim, Acting Section Head

Attachments:

Draft Findings  
Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Environmental, Initial Study and MMP  
Site Photographs  
Site Plan  
Land Use Map

MKK:rs 7/07/2011

# DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION, COUNTY OF LOS ANGELES

PROJECT NO. 2009-01295-(3)

OAK TREE PERMIT NO. 201000012; PLOT PLAN NO. 201100223;  
ENVIRONMENTAL ASSESSMENT NO. 201000020

## REQUEST

Applicant requests an Oak Tree Permit to remove four oak trees and encroach into the protective zone of fifty-one oak trees, with pruning of limbs greater than two inches in diameter of an additional five oaks, required under County Code Section 22.56.2050, with Burden of Proof under Section 22.56.2100 to be satisfied, in order to widen access road (April Road) to site per County Fire Department requirements, and for placement of a new Edison conduit beneath section of access road. Applicant also requests Site Plan review and approval pursuant to County Code Section 22.56.1670, for proposed construction of new residence, detached guest house and swimming pool, which shall be heard concurrently with the Oak Tree Permit application. New stream culvert and footbridge will require a separate California Department of Fish and Game 1602 Permit (Streambed Alteration Agreement) and a U.S. Army Corp of Engineers 404 Permit. The four oaks to be removed are located on State Parks land. Subject site located in the A-1-20 zone (Light Agricultural - 20 Acres Min. Required Lot Area), and OS zone (Open Space) over access road entrance near Mulholland Highway. The County is requested by the project proponents to vacate the April Road entrance from Mulholland Highway, which will be acquired by the State. An encroachment permit for work on April Road entrance must be secured by applicant from County Public Works, if work begins prior to vacation.

REGIONAL PLANNING COMMISSION HEARING DATE: JULY 20, 2011

## PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION

To be determined at a duly noticed public hearing on July 20, 2011 before the Regional Planning Commission.

## FINDINGS

1. The subject property is located at 2701 April Road, in the unincorporated County area of Agoura Hills. The location is situated with the Third Supervisorial District of Los Angeles (County), and within the Santa Monica Mountains North Area Community Standards District (CSD).
2. Subject property area (privately owned portion where new residence is to be built) is depicted as a large square parcel, with depiction of the pad location, access road, proposed residential and guest house structure locations, swimming pool, existing residential structure to be removed in southwest corner of site, private equestrian

facility, existing utility easements and new proposed location of underground Edison conduit, drainage swales and culverts, areas of grading and all existing oak tree locations. Subject property area (State Parks portion) is also depicted showing April Road (access road) entrance from Mulholland Highway through State Parks property on to privately owned portion of project area where residence will be built. All points along access road to be widened and improved are depicted on site plan. All right of way easements, including April Road portion to be vacated, as well as existing oak trees and those to be removed or encroached upon, County Fire Department hammerhead turnaround, drainage culvert proposed under access road on State Park site and connecting to existing stream, proposed footbridge over stream, retaining walls varying in height from 2.5 to 11 feet on privately owned portion and State Parks portion of subject property area, and areas of grading with quantities are also depicted on site plan.

3. Located within the SMMNA CSD, the subject property area is situated under the A-1-20 zone (privately owned portion), and the OS zone (State Parks owned portion). The proposed new single family residence and detached guest house are permitted under the basic A-1 zone, County Code Section 22.24.070 and 22.24.080, and are not prohibited under the Zone-specific Development Standards of the SMMNA CSD for the A-1 zone, County Code Section 22.44.133 (E). The applicant is proposing grading quantities of 427 cubic yards of cut and 546 cubic yards of fill, including 119 cubic yards of imported fill, for over-excavation and preparation of the existing pad area for the new residence and on-site driveway. In addition, 710 cubic yards of cut and 720 cubic yards of fill, including import of 10 cubic yards of fill for off-site improvements and road widening to 20 feet of April Road to serve the subject property area from Mulholland Highway is also proposed. Previous grading quantities for accessory equestrian structures of 1,000 cubic yards of cut and 779 cubic yards of fill, including 221 cubic yards of export, were also calculated into the total cumulative amount of grading for the site, identified as 4,182 cubic yards cumulative to be handled. The total cumulative amount is below the 5,000 cubic yards total grading allowed without the requirement for a CUP under the SMMNA CSD per County Code Section 22.44.133 (D)(4). An Oak Tree Permit to remove 4 oak trees to widen the access road per County Fire Code requirements, encroach into the protected zone of 51 additional trees for access road improvements, place an underground Edison conduit along the centerline of the access road on the private property location, and to prune 5 additional oak tree branches in excess of two inches diameter is required per County Code Section 22.56.2050. The single family residence proposed meets the development standards for the A-1 zone per County Code Section 22.24.110, pursuant to County Code Section 22.20.105 for development standards of single family residences, Section 22.20.110 for height limits, Section 22.20.120 for yard requirements and Section 22.20.130 for parking. The guest house residence meets development standards for accessory uses in the A-1 zone under County Code Section 22.24.080, pursuant to County Code Section 22.20.080 for requirements in approving detached living quarters. The guest house,

and any other accessory structures on the privately owned portion of the subject property area, will be required to comply with Regional Planning policy as directed in the Department's Development Standards for Accessory Buildings memo dated August 11, 2008. The development proposal and land use for this project is not in conflict with SMMNA CSD standards for development and thereby in compliance with it.

4. Located within the SMMNA CSD, the subject property area is situated under the A-1-20 zone (privately owned portion), and the OS zone (State Parks owned portion). The proposed new single family residence and detached guest house are permitted under the basic A-1 zone, County Code Section 22.24.070 and 22.24.080, and are not prohibited under the Zone-specific Development Standards of the SMMNA CSD for the A-1 zone, County Code Section 22.44.133 (E). The applicant is proposing grading quantities of 427 cubic yards of cut and 546 cubic yards of fill, including 119 cubic yards of imported fill, for over-excavation and preparation of the existing pad area for the new residence and on-site driveway. In addition, 710 cubic yards of cut and 720 cubic yards of fill, including import of 10 cubic yards of fill for off-site improvements and road widening to 20 feet of April Road to serve the subject property area from Mulholland Highway is also proposed. Previous grading quantities for accessory equestrian structures of 1,000 cubic yards of cut and 779 cubic yards of fill, including 221 cubic yards of export, were also calculated into the total cumulative amount of grading for the site, identified as 4,182 cubic yards handled. The total cumulative amount is below the 5,000 cubic yards total grading allowed without the requirement for a CUP under the SMMNA CSD per County Code Section 22.44.133 (D)(4). An Oak Tree Permit to remove 4 oak trees to widen the access road per County Fire Code requirements, encroach into the protective zone of 51 additional trees for access road improvements, place an underground Edison conduit along the centerline of the access road on the private property location, and to prune 5 additional oak tree branches in excess of two inches diameter is required per County Code Section 22.56.2050. The single family residence proposed meets the development standards for the A-1 zone per County Code Section 22.24.110, pursuant to County Code Section 22.20.105 for development standards of single family residences, Section 22.20.110 for height limits, Section 22.20.120 for yard requirements and Section 22.20.130 for parking. The guest house residence meets development standards for accessory uses in the A-1 zone under County Code Section 22.24.080, pursuant to County Code Section 22.20.080 for requirements in approving detached living quarters. The development proposal and land use for this project is not in conflict with SMMNA CSD standards for development and thereby in compliance with it.
5. The existing project area boundaries encompasses both the privately owned land where the residence and guest house are to be constructed, and the State Parks land area to the south, a part of Malibu Creek State Park, where the 4 oak trees are to be removed to widen the existing dirt access road to 20 feet. The privately owned

site previously had two residential structures, one in the area where the new residence and detached guest unit is proposed and which has since been removed, and one in the southwest corner of the site which is still intact and in use by renters. An equestrian ring and related equestrian structures are situated in the northern section of the privately owned site. The State Parks land area, with the exception of an existing residential structure and related accessory structures for use by caretakers of the State Parks land, and two sea-bin storage containers, is undeveloped. A natural stream which is a tributary to Malibu Creek runs south from the privately owned site to the State Parks site. The project area and its surroundings are extremely rural and natural.

6. The proposed residence and guest house on the privately owned site would be developed in an area previously occupied by one of the two residences and related accessory structures. The existing pad area would be graded for over-excavation and re-compaction in order to construct the new residence, guest unit and swimming pool. This would also entail the construction of retaining walls, drainage swales and culverts, and a driveway entrance from the access road to be improved. The proposed single family residence would be two stories at a maximum height of 32 feet and 9 inches above finished grade, and with 7,200 square feet of residential floor area. The detached guest house would be single story at a maximum height of 19 feet and 10 inches above finished grade, with 740 square feet of floor area. All development would be required to comply with County Green Building Standards and Low Impact Development standard requirements. Also on the privately owned site, an Edison conduit would be placed beneath the access road and run north along the road's centerline. The conduit would run the entire length of the access road through the privately owned site, originating from a proposed transformer box to be placed near the entrance to the privately owned site from the State Parks site. The access road itself is only proposed to be improved by the project's proponents up to the location of the new residence. The Oak Tree Permit will address all impacts to the existing oaks caused by the undergrounding of the Edison conduit and the improvements to the access road.
7. The proposed road widening to twenty (20) feet on the State Parks site, as required by the County Fire Department for safety access purposes, does require the removal of four oak trees, including one Heritage Oak, and encroachment into the protected zone of several other oaks. Retaining walls will also be constructed to improve and widen the existing access road near the entrance from Mulholland Highway. In one location where the road is to be widened, and where 3 of the 4 oaks to be removed, it was foreseen by State Parks, Regional Planning, and the Santa Monica Mountains Conservancy that a plan to save the 3 oaks might be possible if the access road widening could be reduced to 15 feet and shifted away from the oaks. However, despite efforts to work out such a plan, a problem to accommodate this plan would entail further impacts to the existing stream with its bank abutting the existing access road. Upon a site investigation by the County Forester's Staff, with representatives

from State Parks, Regional Planning, and the applicant's representative present as well, Staff of the County Forestry Division stated that the best efforts to improve the State Parks parcel and accommodate the improvements necessary for the access road would be to remove the three oak trees and proceed with an Oak Tree Mitigation plan to plant replacement oaks with a 5:1 ratio at a suitable location on the State Parks site. The plan to remove the three oaks in this critical location would also prevent further impacts to the existing stream under the California Department of Fish and Game (CDFG) and U.S. Army Corp of Engineers (USACE) jurisdiction. The proposal for the new drainage culvert under the access road which would connect to the natural stream, and the proposed footbridge over it, will be reviewed by the USACE and CDFG.

8. The access road widening, although required by the County Fire Department to be twenty feet wide, has been allowed for crimping (width reduction) along two sections of the road. The County Fire Department has approved crimping in these two sections down to fifteen feet. Crimping in these two sections will protect further impacts to several oaks that will remain intact near the three oaks slated for removal (no. 19, 20, and 21), and will also better protect the existing caretaker residence facility on State Parks property.
9. The project proponents have asked the County for the vacation of the April Road entrance because if it remains a public street, the improvement would require a minimum of twenty-six feet (26) of road widening, requiring the road base to go much deeper and thereby eliminating many more oaks. The County Department of Public Works (DPW) is willing to vacate the April Road entrance and the State is in agreement. The State is interested in acquiring the April Road entrance section as it traverses over their property. They will grant an easement to the properties beyond, which take access over that parcel traversed by the April Road entrance. The County will not complete the vacation until the State grants the easements. In the meantime, the project proponents will use an encroachment permit from County DPW to do the widening to private driveway standards, not public road standards. State Parks has signed an Ownership and Consent Affidavit, dated March 10, 2011, agreeing to the submittal of the Oak Tree Permit application.
10. The State also requires that a gate be placed on the April Road entrance. A gate is proposed at 250 feet from the edge of right-of-way for Mulholland Highway. The gate is necessary to control the illegal dumping of trash on State Parks property. The gate will be installed at the project proponents' cost.
11. Impacts to the land and surrounding areas as a result of the project requires implementation of mitigation measures, part of a Mitigation Monitoring Program, in order to reduce potentially significant impacts to the oak woodland and natural stream within the project area, with the potential to create negative externalities. Following a 30 day Initial Study consultation in which comments were received from

various agencies, a Mitigation Monitoring Program was prepared. Mitigation Measures have been drafted to control storm water runoff, with requirements for approval of a drainage concept and Standard Urban Stormwater Mitigation Plan (SUSMP) and compliance with LID standards. Impacts to the oak woodland will be reduced to less than significant levels with the higher ratio of oak tree replacement, 5:1 for regular oak removal and 10:1 for Heritage oak removal, all part of an Oak Mitigation Plan pursuant to the State of California's Oak Woodland Conservation Act {Public Resources Code (PRC) 21083.4(b)(1) & (2) of CEQA} to address the replanting of the trees and the seven year maintenance requirement necessary to ensure the growth and viability of the replacement oaks.

12. Mitigation measures will also ensure that the fuel modification plan to be implemented for the new residence and guest house will include protection to the greatest extent possible of all existing native vegetation, and protection against planting of highly invasive plant species, with flora and fauna surveys to identify locations of any sensitive or rare species. Surveys for the presence of the California Gnatcatcher and Special Status Plants, required as part of the Biota Measures under the Mitigation Monitoring Program, have been received by Regional Planning on June 28, 2011 and will be reviewed. In addition, a mitigation measure for the project will also be required that no vineyards or related structures for storage of grapes be placed within 100 feet of the streambed.
13. Noise and dust control measures will also be implemented to reduce any such impacts during construction activity, and recycling of any and all salvageable materials (i.e. existing residence on private property to be removed) will also be implemented. Design quality measures for the residence and guest house will be implemented requiring earth tone colors. The applicant will be required to satisfy the Departments of Public Works and Public Health for Onsite Wastewater Treatment System (OWTS) requirements, and underground tanks for such use. Payment of library mitigation and emergency service fees will also be required. The applicant will be required to submit to Regional Planning a Mitigation Compliance Report for review annually, which Regional Planning will coordinate the checks of all measures of with all agencies identified to participate in the Mitigation Monitoring Program.
14. The project, through implementation of the identified Mitigation Measures in the Mitigation Monitoring Program and as part of the Mitigated Negative Declaration (MND) proposed for adoption, would be a compatible land use within the A-1-20 and OS zones, the Mountain Lands 20 and Open Space Parks land use designations of the project area under the SMMNAP, and with the SMMNA CSD standards. The project when completed, along with satisfaction of all required mitigation measures, will continue to maintain the rural character and setting of the area.
15. There have been no complaints received as of July 7, 2011, verbally or in writing, from the public regarding the proposed project.

16. The applicant is required to substantiate all facts identified by Section 22.56.2100 of the County Code. The Oak Tree Permit Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the Burden of Proof.
17. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
18. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16 of Chapter 22.56, if any, on the subject property; and
- B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
- C. That in addition to the above facts, at least one of the following findings must apply:
  1. That the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
    - a. Alternative developments plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
    - b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
  2. That the oak tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s), or
  3. That the condition of the oak tree(s) proposed for removal, with reference to seriously debilitating disease or danger of falling, is such

that it cannot be remedied through reasonable preservation procedures and practices, or

4. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

#### REGIONAL PLANNING COMMISSION ACTION

1. Staff of the Los Angeles County Department of Regional Planning (DRP) has determined that a Mitigated Negative Declaration, pursuant to California Environmental Quality Act (CEQA) Section 15070, is the appropriate environmental documentation required under CEQA for the project. The project is in a particularly sensitive environment location, has oak woodland with natural stream and native chaparral present, and mitigation measures are necessary as part of a Mitigation Monitoring Program, pursuant to CEQA Guidelines Section 15097, to reduce all potentially significant environmental impacts to less than significant. Mitigation Measures have been prepared to address impact issues of Noise, Air Quality, Biota, Cultural Resources, Drainage and Grading, Residence Design, Recycling, Hazardous Materials Storage, Sewer, Underground Storage Tanks, Emergency Services, Library Mitigation Fees, and for Mitigation Compliance. A Mitigation Compliance Report is required to be submitted to the County annually to ensure that all mitigation measures as part of the Mitigation Monitoring Program are properly implemented.
  2. In view of the findings of fact and conclusions presented above, Oak Tree Permit No. 201000012, Plot Plan No. 201100223, and the adoption of the Mitigated Negative Declaration with Mitigation Monitoring Program identified under Environmental Assessment No. 201000020 is **APPROVED** subject to the attached conditions.
- c: Each Commissioner, Zoning Enforcement, Building and Safety, County Forester

**VOTE**

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

MKK:rs  
07/07/2011

This grant authorizes four (4) oak tree removals, identified as Oak Tree Numbers 5 (Heritage Tree), 19, 20 and 21, encroachment into the protective zone of fifty-one (51) oak trees, identified as Oak Tree Numbers 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 43, 45, 46, 49, 50, 52, 53, 54, 55, 59, 60, 61, 87, 90, 91 and 92, and the pruning of limbs greater than two-inches diameter on five (5) oak trees, identified as Oak Tree Numbers 33, 34, 52, 54 and 55 on the applicant's site plan, subject to the following conditions:

1. This permit shall not be effective until a plot plan (site plan review) is approved for the proposed road widening, culvert, foot bridge and Edison Conduit emplacements, and construction of the proposed single family residence, guest house, swimming pool and other related accessory structure(s), along with all grading shown, requiring the need to remove/encroach upon the said trees.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of "Regional Planning" their affidavit stating that they are aware of and agree to accept all of the conditions and mitigation measures of this grant. The affidavit shall be filed and recorded with the County Recorder's Office and returned to Regional Planning by **September 20, 2011**.
3. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to the attached County Forester's letter dated September 9, 2010, and additional fees required as outlined per the Mitigation Monitoring Program and Oak Mitigation Plan for maintenance of said trees for a total of seven years.
4. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
5. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance

up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
7. This grant shall expire unless used within two years from the date of final approval by the County. The date of final approval on this Oak Tree Permit application is the date of approval by the Regional Planning "Commission". There is no appeal period on this permit approval. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. **The permittee shall deposit with the County of Los Angeles the sum of \$200.00.** The deposit shall be placed in a performance fund which shall be used exclusively to compensate the Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for one (1) inspection. If additional Department of Regional Planning inspections are deemed necessary, required supplementary funds (at \$200 per inspection) shall be deposited with Regional Planning. Inspections shall be unannounced and may be coordinated with the County Forester.
9. If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. The applicant shall also record a Land Use Restriction Covenant for the accessory detached guest house, prohibiting the installation of any kitchen facility and limitation to only one bathroom facility, within 60 days of the project's approval (i.e. by September 20, 2011).
13. The applicant shall comply with all requirements set forth by the County Fire Department in their letter dated June 8, 2011 (attached hereto), noting that the County Fire Department

has approved a plan to allow crimping of the access road widening to 15 feet in two designated areas.

14. The applicant shall comply with all requirements of the adopted Mitigation Monitoring Program (attached hereto).
15. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated September 9, 2010 (attached hereto), and with the additional requirements set forth in the Oak Mitigation Plan per the project's adopted Mitigation Monitoring Program {measure no. 5(F)} dated July 7, 2011 (attached hereto), to the satisfaction of said County Forestry Division, Regional Planning and State Parks, or except as otherwise required by said County Forestry Division, Regional Planning and State Parks.
  - a. The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) for the Heritage Oak removal, and five to one (5:1) for each of the three additional Oak trees removed for a total of twenty-five (25) trees; per the Forester's letter dated September 24, 2010 for the Heritage Oak removal, and the Oak Mitigation Plan to be approved by County Forestry, Regional Planning and State Parks per the project's adopted Mitigation Monitoring Program {measure no. 5(F)}.
16. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of, each mitigation tree.
17. All replacement trees shall be planted on native undisturbed soil. The first two irrigations or watering of planted trees shall incorporate the addition of a mycorrhizae product (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting trees.
18. Within 60 days of approval of the project (i.e. by September 20, 2011), the applicant shall deposit a fee of \$6,000 into a mitigation monitoring account with Regional Planning to initiate the Mitigation Monitoring Program associated with the project's adopted Mitigated Negative Declaration.
19. Within three days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code for this project, which includes this grant. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee is responsible for the payment of fees established by said Department for the project's impacts to fish and wildlife and to defray the cost of wildlife protection and management. The current fee amount is \$2,119. No land use requirement subject to this requirement is final, vested, or operative until this fee has been paid. Recordation of the Notice of Determination by the County Clerk is required within five days of the project's approval date.

Attachment: County Forester's letter dated September 9, 2010; County Fire Department's letter dated June 8, 2011, and Mitigation Monitoring Program dated June 1, 2011.





# OAK TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

5 Removal    36 Encroachment    39 To Remain    44 Total existing oak trees

Pursuant to Zoning Code Section 22.56.2100, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, if any, on the subject property.
SEE ATTACHED
B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.
SEE ATTACHED
C. That in addition to the above facts, at least one of the following findings must apply:
1. That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
2. That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than removal of the tree(s), or
3. That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or other danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practices.
4. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.
see attached

MARNY RANDALL  
909 Euclid Street, #6/Santa Monica, California 90403/Phone: 310-395-2615/Fax: 310-395-2368  
Mobile: 310-386-5521/E-mail: marnyrandall@verizon.net

2-2009-01295  
OAK 2010 00012

June 30, 2010

OAK TREE PERMIT BURDEN OF PROOF

2701 APRIL ROAD  
AGOURA HILLS, CALIF. 91301  
APN 2063-012-003

- A. The remaining trees will be protected during construction and the driveway will be constructed to protect the roots of the remaining trees. Trenching in the areas of the root zones will be accomplished by hand.
- B. The drainage plan addresses all drainage along the driveway where the oaks may be affected by construction. Drainage has been directed away from the trees.
- C. The five oaks trees to be removed must be removed to allow a driveway of sufficient width to meet Los Angeles County Fire Dept standards for access width. The encroachments and trimming of the remaining oaks are necessary for the same reason.

# Environmental Checklist Form (Initial Study)

## County of Los Angeles, Department of Regional Planning



**Project title:** "April Road Residence" / Project No. R2009-01295/ Case No. ROAK 201000012/ RPP 201100223

**Environmental Case No.** RENV 201000020

**Project location:** 2701 April Road, Agoura Hills, CA

**APN:** 2063-012-003 **Thomas Guide:** 588-D3 **USGS Quad:** Malibu Beach # 70

**Gross Acreage:** 40 acres gross

**Description of project:** Project proposal for removal of an existing single family residence, detached garage and other accessory structures for the construction of an 8,334 sq. ft. new single family residence at a height of 33 feet, with a detached 740 sq. ft. guest house at a height of 20 feet, and an accessory swimming pool. Grading will be done to prepare the existing pad area and on-site driveway for the new residence and guest house with 427 cubic yards of cut and 546 cubic yards of fill, including 119 cubic yards of imported fill. Grading of 710 cubic yards of cut and 720 cubic yards of fill, including 10 cubic yards of import is proposed for the off-site improvements and widening to 20 feet of April Road that will serve the subject property from Mulholland Highway. Grading of 1,000 cubic yards of cut and 779 cubic yards of fill, including 221 cubic yards of export, are also considered for the cumulative amount of grading for this project. The total cumulative amount will be 2,137 cubic yards of cut, and 2,045 cubic yards of fill, including 92 cubic yards of export, for a total of 4,182 cubic yards handled. An Oak Tree Permit has been filed to remove four (4) oak trees, including one heritage oak, to encroach into the protective zone of fifty-one (51) oaks for access road improvements and a proposed underground Edison conduit, and to prune five (5) of the ordinance sized oaks in order to accommodate the on-site private driveway and off-site April Road improvements. A new drainage culvert will be placed under the access road, along with a footbridge to span the creek adjacent and on the east end of the access road. A hammerhead turnaround will be provided along April Road (access road) at 512 feet from Mulholland Highway entrance point. First 100 feet of April Rd. is to be vacated by County and acquired by the State. Also, the proposed underground Edison conduit is to originate from a proposed transformer 10 feet north of the State Parks property line and 20 feet east of the access road.

**General plan designation:** Open Space (OS) under State Park land near access from Mulholland Highway, Non-Urban (R) under pad location

**Community/ Area wide Plan designation:** Santa Monica Mountains North Area Plan/ N20-Mountain Lands 20 (1 du/20 acres max) under pad location; OS-P – Open Space Parks under access road near Mulholland Highway.

**Zoning:** A-1-20 (Light Agriculture – 20 acres min. lot size required), OS (Open Space) under access road near Mulholland Highway.

**Surrounding land uses and setting:** Surrounding land uses consist of a single family residence and agricultural use to the north, Malibu Creek State Park to the east, west and south. The natural setting of the subject property and surrounding area is primarily undisturbed, with the exception of two residences, one north and one south of the proposed residence, and an equestrian facility and several other agricultural accessory structures on site and in the surrounding area. The terrain is hilly, with significant ridgelines traversing the parcels to the west, northeast and southeast of the subject property. The area is inhabited by a Valley Oak Woodland, coastal sage scrub, and a natural stream course also traverses the parcel to the south.

**Major projects in the area:**

*Project/Case No.*

RPP 201000066

PM 25062, IS 98019

*Description and Status*

North of site, addition to single family residence and additional accessory structures for private equestrian usage.

South of pad location, previous subdivision proposal for 4 new lots, case withdrawn on August 31, 2010.

**Reviewing Agencies:**

*Responsible Agencies*

None

Regional Water Quality Control Board:

Los Angeles Region

Lahontan Region

Coastal Commission

Army Corps of Engineers

Caltrans

*Special Reviewing Agencies*

City of Agoura Hills

Santa Monica Mountains Conservancy

Local Tribal Rep.

National Forest

Las Virgenes USD/Wtr. Dist.

Resource Conservation

District of Santa Monica Mountains Area

So. Ctrl. Coastal Info Ctr.

SCAQMD

*County Reviewing Agencies*

DPW:

- Land Development Division (Grading & Drainage)

- Geotechnical & Materials Engineering Division

- Watershed Management Division (NPDES)

- Traffic and Lighting Division

- Environmental Programs Division

- Waterworks Division

*Regional Significance*

None

SCAG Criteria

Air Quality

Water Resources

Santa Monica Mtns. Area

*Trustee Agencies*

None

State Dept. of Fish and Game

State Dept. of Parks and Recreation

State Lands Commission

University of California (Natural Land and Water Reserves System)

Fire Department

- Forestry, Environmental Division

- Planning Division

Sanitation District

Public Health: Environmental Hygiene (Noise)

Sheriff Department

Parks and Recreation

Subdivision Committee

County Public Library

**Public agency approvals which may be required:**

*Public Agency*

State Fish and Game

USACE

*Approval Required*

(1602 permit for Streambed Alteration Agreement.)

(404 permit for drainage culvert)

**Lead agency name and address:**

County of Los Angeles

Department of Regional Planning

320 West Temple Street

Los Angeles, CA 90012

**Project sponsor's name and address:**

Marny Randall

909 Euclid Street # 6

Santa Monica, CA 90403

**Contact person and phone number:** Rudy Silvas, (213) 974-6462

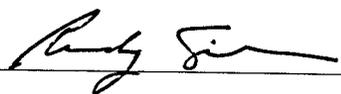
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

IMPACT ANALYSIS SUMMARY MATRIX		No Impact				Potential Concern
				Less than Significant Impact		
				Less than Significant Impact w/ Project Mitigation		
				Potentially Significant Impact		
Environmental Factor	Pg.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1. Aesthetics	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Agriculture/Forest	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Air Quality	8	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Diesel fumes</i>
4. Biological Resources	9	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Oak woodland/ riparian impacts</i>
5. Cultural Resources	11	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Heritage oak removal</i>
6. Energy	12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Geology/Soils	13	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Landslide area</i>
8. Greenhouse Gas Emissions	15	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Oak removals</i>
9. Hazards/Hazardous Materials	16	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Storage and construction materials</i>
10. Hydrology/Water Quality	18	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>SUSMP required</i>
11. Land Use/Planning	21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Design of residence</i>
12. Mineral Resources	22	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Noise	23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Nearby resident</i>
14. Population/Housing	24	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Public Services	25	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. Recreation	26	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Transportation/Traffic	27	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Utilities/Services	29	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Underground utility cable</i>
19. Mandatory Findings of Significance	31	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Oak woodland and stream impacts</i>

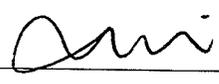
DETERMINATION: (To be completed by the Lead Department.)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Rudy Silvas   
\_\_\_\_\_  
Signature

6/15/11  
\_\_\_\_\_  
Date

Mi Kim   
\_\_\_\_\_  
Signature

6/15/11  
\_\_\_\_\_  
Date

## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the County General Plan, other County planning documents, and County ordinances. Some thresholds are unique to geographical locations.
- 8) Climate Change Impacts: When determining whether a project's impacts are significant, the analysis should consider, when relevant, the effects of future climate change on : 1) worsening hazardous conditions that pose risks to the project's inhabitants and structures (e.g., floods and wildfires), and 2) worsening the project's impacts on the environment (e.g., impacts on special status species and public health).

## 1. AESTHETICS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p><b>Would the project:</b></p> <p><b>a) Have a substantial adverse effect on a scenic vista, including County-designated scenic resources areas (scenic highways as shown on the Scenic Highway Element, scenic corridors, scenic hillsides, and scenic ridgelines)?</b></p> <p><i>Although grading is proposed to prepare the pad area for new construction, no visual impacts are likely to be seen from Mulholland Highway.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>b) Be visible from or obstruct views from a regional riding or hiking trail?</b></p> <p><i>No oak tree removals or grading proposed will create visual impacts from regional riding and hiking trails, none of which are indicated as being in the area adjacent to the site.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, historic buildings, or undeveloped or undisturbed areas?</b></p> <p><i>Although the largest oak, a Heritage oak, is to be removed near the point of access from Mulholland Highway, the Heritage Oak is part of a cluster of oaks that are viewed from the highway. The remaining cluster of oaks will not be removed.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>d) Substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features?</b></p> <p><i>New residence will be secluded from Mulholland Highway.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>e) Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?</b></p> <p><i>No impacts from glare or substantial shadows is anticipated.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 2. AGRICULTURE / FOREST

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Site is designated "other land"</i>				
b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Location is zoned A-1-20 (Light Agricultural – minimum 20 acre lot size requirement), and single family residence is proposed. Site has existing private equestrian usage which is to remain.</i>				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)) or timberland zoned Timberland Production (as defined in Public Resources Code § 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Subject site is located adjacent to State Parkland, access road traverses through State Parkland from Mulholland Highway. Site or access road is not in land under National Forest designation.</i>				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Site is not within National Forest land area.</i>				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No alterations are proposed which would conflict with the agriculturally zoned parcel.</i>				

### 3. AIR QUALITY

*Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.*

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>Would the project:</b>				
<b>a) Conflict with or obstruct implementation of applicable air quality plans of the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Project involves grading for road widening and residential construction; a total of 4,182 cubic yards to be handled.*

<b>b) Violate any applicable federal or state air quality standard or contribute substantially to an existing or projected air quality violation (i.e. exceed the State's criteria for regional significance which is generally (a) 500 dwelling units for residential uses or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for nonresidential uses)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Project is for replacement of an existing single family residence, road improvements to serve residence.*

<b>c) Exceed a South Coast AQMD or Antelope Valley AQMD CEQA significance threshold?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Project is for one single family residence and guest house.*

<b>d) Otherwise result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Existing residence is to be replaced, no additional dwellings proposed.*

<b>e) Expose sensitive receptors (e.g., schools, hospitals, parks) to substantial pollutant concentrations due to location near a freeway or heavy industrial use?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Project will not create pollution.*

<b>f) Create objectionable odors affecting a substantial number of people?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Three surrounding residences and equestrian ring with stables and horses located near construction pad area. Odors from diesel equipment and dust created during construction will be controlled with mitigation measures.*

. BIOLOGICAL RESOURCES, April Ranch, R2009-01295, 2/2011

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service (USFWS)?

Sensitive animals that could occur and be impacted within the road and building construction zones: (Monarch butterfly), Quino Checkerspot butterfly, Gertsch's Socalchemmis spider, Santa Monica grasshopper, Arroyo Toad, Western Spadefoot, Silvery legless lizard, Coastal western whiptail, San Bernardino ringneck snake, Coast horned lizard, Cooper's hawk, Southern CA rufous-crowned sparrow, Allen's hummingbird, pallid bat, spotted bat, hoary bat, western red bat, California leaf-nosed bat, Western small-footed myotis, Yuma myotis, San Diego desert woodrat

Sensitive plants: Western spleenwort, Sonoran maiden fern, Braunton's milk-vetch, Malibu baccharis, Brewer's calandrinia, round-leafed filaree, Mariposa lilies (4 sensitive species), Lewis' evening-primrose, southern tarplant, Spineflowers ( 2 sensitive species, of which 1 is endangered), Santa Susana tarplant, Norris' beard moss; Dudleya (6 sensitive species, 4 threatened), Conejo buckwheat, Vanishing wild buckwheat, Southern CA black walnut, Coulter's goldfields, ocellated Humboldt lily, Mud nama, Peninsular nolina, Pentachaeta lyonii, Salt Spring checkerbloom. (2 endangered and 4 threatened species)

- b) Have a substantial adverse effect on sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, and regulations DFG or USFWS? These communities include Significant Ecological Areas (SEAs) identified in the General Plan, SEA Buffer Areas, and Sensitive Environmental Resource Areas (SERAs) identified in the Coastal Zone Plan.

Road widening and utility undergrounding will impact Riparian Oak Woodland, a state-listed sensitive habitat. Four (4) jurisdictional oak trees, including a heritage oak of 58 in. DBH will be removed. At least 51 other oaks of jurisdictional size, including 2 heritage oaks, will have protected zones encroached upon. All trees of 5" DBH and larger with impacted protected zones are part of the oak woodland that should be censused and monitored for a period of 2 years. Any deaths will be presumed to be due to impact of the project. These should be mitigated in the standard way for jurisdictional oaks, with plantings monitored for 7 years, replacement of those that die monitored for 7 years, and contribution by either conservation, restoration, or contribution of funds to oak protection. Plantings may count as half of the mitigation for the oak woodland.

Emplacement of the road and utility undergrounding should be done as recommended by the County Forester in the Oak Tree Permit, with hand tools or small hand-held power tools within protected zones of oaks 5 in. DBH and larger. An airspace might also be approved for this work by County Forestry. The objective is to leave most of the oak roots intact and thread road materials and utility line through the roots. Exposed roots should be covered with moist burlap or earth during intervals with construction halting for periods of more than 24 hours. When unforeseen halts occur, someone should cover the exposed roots within 24 hours.

Fuel modification (thinning) for the buildings will extend into natural areas: riparian on the east, south-aspect slope chaparral on the north, and across a drainage and onto north-aspect slope chaparral on the south. These areas should be censused in spring by project biologist and designation of sensitive plants and habitats to save from thinning should be done.

Natural native detritus such as the removed oak trees should remain in the area, as downed wood is an important component of the ecosystem. Do not remove natural native detritus, but incorporate into the habitat landscape.

The proposed landscape plan of all locally native plants is to be commended.

- c) Have a substantial adverse effect on federally protected wetlands (including marshes, vernal pools, and coastal wetlands)

or waters of the United States, as defined by § 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?

The unnamed intermittent creek that runs alongside the planned road improvement and its tributaries could be adversely impacted by the construction. These are chiefly in State Park lands, so careful construction must be required. Care should be taken to prevent any construction detritus from entering or remaining in these drainages. A conduit from one of the tributaries is to be expanded. A substantial blockage of the main drainage is to be improved by clearing and possible replacement by a footbridge for access to State Park trails. The proposed gate near Mulholland Highway allowing hiker access but no unauthorized motorized vehicles will be a good deterrent to continual trash dumping that occurs. Dumping of trash is highly damaging to riparian and other natural areas, and the gate placement should be expedited.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Riparian areas and drainages are widely used by wildlife and plant propagules for movement, and the project drainages undoubtedly support these functions. Care must be taken to leave the drainages as natural as possible. Conduits should permit wildlife passage and be as large as possible for this end.

e) Convert oak woodlands (as defined by the state, oak woodlands are oak stands with greater than 10% canopy cover with oaks at least 5" inch in diameter measured at 4.5 feet above mean natural grade) or otherwise contain oak or other unique native trees (junipers, Joshuas, etc.)?

As the project is currently planned, the oak woodlands will not be converted. Some oaks will be removed and some may be impacted by emplacement of new road surface and undergrounding of utility conduit. There are other substantial riparian trees such as California Sycamore, and care should also be taken with these trees using the handtools and careful work around roots that has been prescribed for the oaks.

f) Conflict with any local policies or ordinances protecting biological resources, including Wildflower Reserve Areas (L.A. County Code, Title 12, Ch. 12.36) and the Los Angeles County Oak Tree Ordinance (L.A. County Code, Title 22, Ch. 22.56, Part 16)?

The project reports do not recognize the state oak woodland provisions that must be applied to the project. In particular 5" and larger DBH native oaks (all species) should be censused and mitigated for as for 8" County jurisdictional oaks and for oak woodland. [PRC §21083.4]

g) Conflict with the provisions of an adopted state, regional, or local habitat conservation plan?

No habitat conservation plans for this area are known to County Department of Regional Planning.

## 5. CULTURAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Removal of large Heritage oak and other oaks may have their impacts mitigated to less than significant.</i>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>A diverse changes to any significant archaeological resources uncovered may be mitigated to a level that is less than significant.</i>				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating potential paleontological resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Any paleontological resources uncovered shall be identified and measures prepared to protect them.</i>				
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Although no record of human remains on site, mitigation measures have been prepared to handle the discovery of any unknown remains that may be uncovered.</i>				

**6. ENERGY**

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Comply with Los Angeles County Green Building Standards?(L.A. County Code Title 22, Ch. 22.52, Part 20 and Title 21, § 21.24.440.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Construction of new residence and accessory structures will be required to comply with Green Building Standards.</i>				
b) Involve the inefficient use of energy resources (see Appendix F of the CEQA Guidelines)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>All construction will be new, no anticipation of inefficient use of energy.</i>				

## 7. GEOLOGY AND SOILS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>Would the project:</b>				
<b>a) Be located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone, and expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>				
<b>i) Rupture of a known earthquake fault.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Nearest mapped Earthquake fault zone is the Malibu Coast fault at 5.3 miles to the south. Source: Los Angeles County Safety Element Map, Plate 1 – Fault Rupture Hazards and Historical Seismicity.</i>				
<b>ii) Strong seismic ground shaking?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Site is indicated to be in an Earthquake induced - landslide hazard zone. Source: State of California Seismic Hazard Zones Map, Malibu Beach Quadrangle – October 17, 2001. All construction must be to the latest building code standards.</i>				
<b>iii) Seismic-related ground failure, including liquefaction?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Site is not indicated to be in a liquefaction hazard zone. Source: State of California Seismic Hazard Zones Map, Malibu Beach Quadrangle – October 17, 2001.</i>				
<b>iv) Landslides?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Site is indicated to be in an Earthquake induced - landslide hazard zone. Source: State of California Seismic Hazard Zones Map, Malibu Beach Quadrangle – October 17, 2001. All construction must be to the latest building code standards.</i>				
<b>b) Result in substantial soil erosion or the loss of topsoil?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Runoff erosion control measures will be required, compliance with LID required.</i>				
<b>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Soils report and grading plan to be reviewed by Public Works.</i>				
<b>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

substantial risks to life or property?

*Public Works to set forth any requirement for the applicant on expansive soil during grading plan check.*

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

*Mitigation measures set forth by Environmental Health and Public Works for review of the Onsite Wastewater Treatment System (OWTS) for residence and guest house.*

f) Conflict with the Hillside Management Area Ordinance (L.A. County Code, Title 22, § 22.56.215) or hillside design standards in the County General Plan Conservation and Open Space Element?

*Mitigation measures require compliance with Public Works and hillside design standards to ensure compatibility and protection of the surrounding hillside where residence and accessory structures are proposed.*

## 8. GREENHOUSE GAS EMISSIONS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>Would the project:</p> <p>a) Generate greenhouse gas (GhGs) emissions, either directly or indirectly, that may have a significant impact on the environment (i.e., on global climate change)? Normally, the significance of the impacts of a project's GhG emissions should be evaluated as a cumulative impact rather than a project-specific impact.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*New residence and guest house proposed not anticipated to have a significant impact to the environment, new fireplace in proposed shall meet SCAQMD requirements.*

<p>b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases including regulations implementing AB 32 of 2006, General Plan policies and implementing actions for GhG emission reduction, and the Los Angeles Regional Climate Action Plan?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Removal of mature oaks, Heritage Oak, reduces oak woodland capacity to sequester carbon dioxide from the atmosphere. Oak tree removals will require compliance with an Oak tree Mitigation Plan for Oak Woodlands to reduce impact to less than significant.*

**9. HAZARDS AND HAZARDOUS MATERIALS**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials or use of pressurized tanks on-site?

Any materials used for construction, oak tree removal, and road paving that may be considered hazardous shall strictly adhere to an approved set of mitigation measures for their use, storage, transportation on and off site, and removal or disposal. It shall be ensured in the mitigation measures that the proper agencies monitor the use of such hazardous materials so that they are handled properly.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?

Mitigation measures will be required for all hazardous materials used in construction, oak removal or for road paving to ensure that they be properly stored on site in the appropriate type of container to prevent leakage of fumes, soil contamination, or from spilling into the drainage course.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 500 feet of sensitive land uses (e.g., homes, schools, hospitals)?

Mitigation measures will require all hazardous materials be properly handled, stored and transported on and off site.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Site is not likely on list of hazardous materials site.

e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Project site is not within an airport land use plan or within two miles of a public airport.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people

residing or working in the project area?

Project is not within the vicinity of a private airstrip.

g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

Project too small to interfere with response or evacuation plan.

h) Expose people or structures to a significant risk of loss, injury or death involving fires, because the project is located:

Project will require road widening by Fire Department, fuel modification plan, safety features built into new structures.

i) in a Very High Fire Hazard Severity Zones (Zone 4)?

Improvements to April Road will allow quicker access to other sites in area north of Mulholland Highway

ii) in a high fire hazard area with inadequate access?

Improvements to April Road will allow quicker access to other sites in area north of Mulholland Highway

iii) in an area with inadequate water and pressure to meet fire flow hazards?

Fire flow and pressure requirements must be met. Water service to be provided by Las Virgenes Municipal Water District.

iv) in proximity to land uses that have the potential for dangerous fire hazard (such as refineries, flammables, and explosives manufacturing)?

State Park/heavy foliage surroundings. Fuel modification plan required.

10. HYDROLOGY AND WATER QUALITY

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>SUSMP is required for approval.</i>				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Project to be served by Las Virgenes Municipal Water District</i>				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>SUSMP required to be approved, Streambed Alteration Agreement (1602 Permit from CDFG) required for culvert under access road. A 404 Permit is also required from the U.S. Army Corp of Engineers.</i>				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>SUSMP required to be approved, Streambed Alteration Agreement (1602 Permit from CDFG) required for culvert under access road. A 404 Permit is also required from the U.S. Army Corp of Engineers.</i>				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>SUSMP required to be approved.</i>				
f) Generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or otherwise significantly affect surface water or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUSMP required to be approved.

- g) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84 and Title 22, Ch. 22.52)?

Project will be designed to comply with requirements set forth under LID Ordinance.

- h) Generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or otherwise significantly affect surface water or groundwater quality?

Will be addressed with SUSMP and proper mitigation measures.

- i) Result in point or nonpoint source pollutant discharges into State Water Resources Control Board-designated Areas of Special Biological Significance?

Designated areas to be verified, but all runoff to be controlled and addressed in SUSMP.

- j) Use septic tanks or other private sewage disposal system in areas with known septic tank limitations or in close proximity to a drainage course?

OWTS to be reviewed by Environmental Health per mitigation measures.

- k) Otherwise substantially degrade water quality?

A SUSMP must be approved that will protect water quality, implement necessary mitigation measures.

- l) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map, or within a floodway or floodplain?

Not in designated federal Flood Hazard Boundary, floodway or floodplain, but within the Malibu Creek Watershed Drainage concept, LID compliance and mitigation measures for flood control to be implemented.

- m) Place structures, which would impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain?

Structures not proposed to be placed in location to impede or redirect flood flows.

- n) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Drainage concept plan, access road improvements required by Public Works and Fire to ensure safety of residents.

o) Place structures in areas subject to inundation by seiche, tsunami, or mudflow?

Project site is in a landslide prone area, grading plan to be reviewed by Public Works.

## 11. LAND USE AND PLANNING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Project will not alter rural setting.</i>				
b) Be inconsistent with the plan designations of the subject property? Applicable plans include: the County General Plan, County specific plans, County local coastal plans, County area plans, County community/neighborhood plans, or Community Standards Districts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Despite proposed removal of 4 oaks and encroachment of other oaks to accommodate road widening and new Edison utility placement, project will remain within the scope of the area plan designation for Mountain Lands 20.</i>				
c) Be inconsistent with the zoning designation of the subject property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Project does not conflict with A-1-20 (Light Agricultural-20 acres minimum size lot area requirement) zoning on property, or OS (Open Space) zoning where access road originates from Mulholland Highway through State Park land.</i>				
d) Conflict with Hillside Management Criteria, SEA Conformance Criteria, or other applicable land use criteria?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Mitigation measures will be used to ensure design and/or color of residence blends in with surrounding hillsides.</i>				

12. MINERAL RESOURCES

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

No known valuable mineral resource identified on site.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No locally important mineral resource identified, no extraction of any material from site is proposed with project.

### 13. NOISE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p><b>Would the project result in:</b></p> <p><b>a) Exposure of persons to, or generation of, noise levels in excess of standards established in the County noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08) or the General Plan Noise Element?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Noise will be generated temporarily during construction period and kept to a minimal level. Area sparsely populated, but two nearby residences of concern for impacts.*

<p><b>b) Exposure of sensitive receptors (e.g., schools, hospitals, senior citizen facilities) to excessive noise levels?</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*No schools, hospitals or senior citizen facilities in surrounding vicinity.*

<p><b>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from parking areas?</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*No substantial permanent increases in noise levels are expected.*

<p><b>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from amplified sound systems?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Temporary increase in noise during construction to be mitigated to protect nearby residences.*

<p><b>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Project is not within an airport land use plan area or within two miles of an airport.*

<p><b>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Project is not within the vicinity of a private airstrip.*

## 14. POPULATION AND HOUSING

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Proposed project is a demolition and rebuild of a single family residence, with oak tree permit for road widening and underground utility. Very few if any further residences in area are likely to be proposed.*

b) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Unlikely for project to lead to any significant local population increase.*

c) Displace existing housing, especially affordable housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Project is for replacement of existing single family residence.*

d) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Project does not involve displacing substantial numbers of people.*

## 15. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
<b>Fire protection?</b> <i>Project scope is small, and nearest fire station is 1.5 miles away to the northwest on Cornell Road.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Sheriff protection?</b> <i>Area appears to be a low crime rate area. Nearest Sheriff station is Malibu Lost Hills at 27050 Agoura Rd., Calabasas.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Schools?</b> <i>Las Virgenes Unified School District</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Parks?</b> <i>Malibu Creek State Park surrounding property.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Libraries?</b> <i>Nearest library in Agoura Hills. Library mitigation fee may be required.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Other public facilities?</b> <i>No others appear to be impacted.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## 16. RECREATION

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Project is for replacement of existing single family residence with oak tree permit.*

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Project does not require any new recreational facilities.*

c) Is the project consistent with the Department of Parks and Recreation Strategic Asset Management Plan for 2020 (SAMP) and the County General Plan standards for the provision of parkland?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*No comment on project from County Parks and Recreation.*

d) Would the project interfere with regional open space connectivity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Project unlikely to interfere with open space connectivity.*

## 17. TRANSPORTATION/TRAFFIC

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>a) Conflict with an applicable plan, ordinance, or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel, and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? Measures of performance effectiveness include those found in the most up-to-date Southern California Association of Governments (SCAG) Regional Transportation Plan, County Congestion Management Plan, and County General Plan Mobility Element.</p> <p><i>Project does not increase existing density.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Exceed the County Congestion Management Plan (CMP) Transportation Impact Analysis thresholds?</p> <p><i>No increase in area density proposed.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP, for designated roads or highways (50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link)?</p> <p><i>No increase in density.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</p> <p><i>Project has no impact or bearing on air traffic.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Existing access road (April Road) from Mulholland Highway will be improved, increasing safety of ingress and egress from Mulholland Highway.

f) Result in inadequate emergency access?

Access road improvements will improve emergency access.

g) Conflict with the Bikeway Plan, Pedestrian Plan, Transit Oriented District development standards in the County General Plan Mobility Element, or other adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Project will not conflict with any Bikeway, Pedestrian or Transit Oriented District Plan.

h) Decrease the performance or safety of alternative transportation facilities?

Project will have no impact on any alternative transportation facilities.

## 18. UTILITIES AND SERVICE SYSTEMS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Exceed wastewater treatment requirements of the Los Angeles or Lahontan Regional Water Quality Control Boards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Project is proposed to be on Onsite Wastewater Treatment System (OWTS).</i>				
b) Create water or wastewater system capacity problems, or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Project is proposed to be on OWTS.</i>				
c) Create drainage system capacity problems, or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>SUSMP required to be approved.</i>				
d) Have sufficient reliable water supplies available to serve the project demands from existing entitlements and resources, considering existing and projected water demands from other land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>A simple well serve service letter will be required from Las Virgenes Municipal Water District.</i>				
e) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84 and Title 22, Ch. 22.52) or Drought Tolerant Landscaping Ordinance (L.A. County Code, Title 21, § 21.24.430 and Title 22, Ch. 21, Part 21)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Project will be required to comply with LID requirements.</i>				
f) Create energy utility (electricity, natural gas, propane) system capacity problems, or result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Underground Edison utility cable will encroach into protective zone of protected oak trees.

g) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Project will not entail density increase.

h) Comply with federal, state, and local statutes and regulations related to solid waste?

No conflict with federal, state, and local statutes.

19. MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Project impacts to oaks and local stream require mitigation measures and a SUSMP.*

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*No significant increase in further residential development is perceived as a cumulative effect with this project.*

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*During construction, mitigation measures are necessary to ensure proper storage of construction related materials.*

**MITIGATION MONITORING PROGRAM  
PROJECT NO. R2009-01295**

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><b>Noise</b></p> <p>1. Noise impacts during construction shall be mitigated to protect the nearby residences. In order to minimize construction noise impacts, the applicant shall implement the following mitigation measures:</p> <p>A. The applicant shall comply with all applicable sections of the County of Los Angeles noise control ordinance Title 12 Environmental Protection Noise Control (i.e. construction noise). In addition, standard construction noise attenuation measures should be included but not limited to the following: 1) maintain equipment and follow the manufacturer's recommended noise muffling devices; 2) minimize equipment idling; 3) staging and delivery areas should be located as far as feasible from nearby residences and schedule deliveries during mid-day or mid morning; and 4) to the extent feasible, utilize electrical powered tools or equipment instead of diesel powered equipment for exterior work.</p> <p>B. During grading and earth material hauling activities, it is suggested that such work be prohibited on any Sunday or legal holidays, or at any other time between weekday hours of 6:00 p.m. and 8:00 a.m. (ordinance indicates construction work prohibited between 7:00 p.m. and 7:00 a.m.). "Grading" means any excavating or filling of earth material or any combination thereof conducted at a site for construction or other improvements thereon.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Noise measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to and during construction.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning and Public Works.</p>
<p><b>Air Quality</b></p> <p>2. All off-road diesel powered engines used during construction and any excavation/grading phases must utilize aqueous diesel fuels.</p>	<p>Deposit fees for implementation of MMP to the County for review and</p>	<p>Monitoring to occur prior to and during construction.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and</p>	<p>Los Angeles County Departments of Regional Planning, Public Works, and SCAQMD</p>

MITIGATION MONITORING PROGRAM  
PROJECT NO. R2009-01295

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>3. The Project Developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>A. Keep all construction equipment in proper tune in accordance with manufacturer's specifications.</li> <li>B. Require all on-site construction equipment to meet EPA Tier 2 or higher emissions standards according to the following schedule adopted by other lead agencies in the South Coast Air Basin: <ul style="list-style-type: none"> <li>1. April 1, 2010, to December 31, 2011: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 2 off-road emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control.</li> </ul> </li> </ul>	<p>initiation of Air Quality measure to be paid within 60 days of approval of Project.</p>		<p>deposit of all fees, and for implementing required measures as directed.</p>	

MITIGATION MONITORING PROGRAM  
PROJECT NO. R2009-01295

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>strategy for a similarly sized engine as defined by CARB regulations.</p> <p>2. January 1, 2012, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.</p> <p>3. Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.</p>				

MITIGATION MONITORING PROGRAM  
PROJECT NO. R2009-01295

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>4. A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.</p> <p>C. Limit truck and equipment idling time to five minutes or less.</p> <p>D. Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.</p> <p>4. The Project Developer shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Use watering to control dust generation during demolition of structures or break-up of pavement.</li> <li>• Water active grading/excavation sites and unpaved surfaces at least three times daily.</li> <li>• Cover stockpiles with tarps or apply non-toxic chemical soil binders.</li> <li>• All trucks hauling dirt, sand, soil, or other loose materials are to be covered.</li> <li>• Traffic speeds on all unpaved roads to be reduced to 15 mph or less</li> <li>• Sweep streets at the end of the day if</li> </ul>				

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<p>visible soil is carried onto adjacent public paved roads, and all paved parking and staging areas (recommend water sweepers with reclaimed water).</p> <ul style="list-style-type: none"> <li>• Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.</li> <li>• Install wind breaks at the windward sides of construction areas.</li> <li>• Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.</li> <li>• An information sign shall be posted at each entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call the foreman and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt by the construction site foreman. The sign shall also list the number to Regional Planning's Zoning Enforcement Division (213) 974-6483, and SCAQMD's Dust Control Division at 1(800) 288-7644, to report any complaints not rectified by the project foreman.</li> </ul>				

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<p><b>Biota</b></p> <p>5. The following mitigation measures shall be applied:</p> <p>A. To reduce further impacts and the long term loss of native habitat and any special status plant species, and to reduce the potential for invasive species establishment, a Landscape/Fuel Modification plan shall be submitted for review and approval by the County of Los Angeles Department of Regional Planning's Senior Biologist prior to the issuance of any grading and building permits. Review of the Landscape/Fuel Modification plan must be coordinated with the Fire Department's Fuel Modification Unit.</p> <p>1. Landscape planting/restoration of areas disturbed through previous development, and establishment of the fuel modification plan for the new residence, guest house and related accessory structures shall be in accordance with new Landscape/Fuel Modification plan to be approved. The Senior Biologist or Staff Biologist of the Department of Regional Planning shall require botanical surveys of the fuel modification areas for sensitive and rare plant species for the Landscape/Fuel Modification plan to be approved, in accordance with recommendations set forth by State Fish and Game. Timely botanical surveys are to be conducted by the applicant's biologist to determine the presence of, impacts to, avoidance of and mitigation measures for special status plant species. Botanical surveys should adhere to State Fish and Game's Guidelines for Assessing</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Biota measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to and during construction, for Oak Trees up to seven years after planting.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works, State Department of Fish and Game, State Parks, U.S. Army Corp of Engineers, and County Forester.</p>

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<p>Impacts to Rare Plants and Rare Natural Communities.</p> <p>2. Copies of all biological assessment reports for sensitive species surveys conducted, along with the Landscape/Fuel Modification plan, shall be forwarded to Mr. Daniel Blankenship, Staff Environmental Scientist at California Department of Fish and Game (P.O. Box 221480, Newhall, CA 91322-1480) 661-259-3750.</p> <p>3. The Landscape/Fuel Modification Plan shall list all plants to be used, are to be non-invasive plants, shall include local indigenous plants native to the Santa Monica Mountains, including Coastal Sage Scrub where feasible to benefit wildlife on the property and adjacent areas, and should identify areas of coastal sage scrub suitable for the coastal California gnatcatcher either to nest, forage and/or utilize as a dispersal habitat.</p> <p>4. County regulations apply relating to brush clearance for fire safety or as otherwise required by the County Fire Department; or on a publicly owned right-of-way; or by a public utility on its own property or right-of-way or on land providing access to such property or right-of-way; or for work performed under a permit issued to control erosion or flood hazards; or that poses a hazard to persons or property, as determined by the County Fire Department.</p> <p>5. Vegetation within the Fuel Modification Plan area outside of irrigated areas shall be thinned selectively (i.e. no wholesale clearing) so that elements of native vegetation remain. The trimming</p>				

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<p>of native shrubs shall be rotated from year to year so that individual plants are able to recover from pruning and 'rest' before being pruned again. Fuel modification activities shall be accomplished by manual means (including hand-held powered equipment such as weed whackers); mowers, disking, other large machinery, or herbicides shall not be used.</p> <p>6. In order to reduce the potential for invasive species of plants to grow on the site, all heavy trucks and equipment with mud shall be hosed off prior to entering the site.</p> <p>B. Project related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from February 1 through August 31, unless a biological monitor acceptable to the Director of Planning surveys the project area prior to disturbance to confirm that disturbance to habitat will not result in the failure of nests on-site or immediately adjacent to the area of disturbance. Disturbance shall be defined as any activity that physically removes and/or damages vegetation or habitat, any action that may cause disruption of nesting behavior such as noise exceeding 90cIB from equipment, or direct artificial night lighting. Surveys shall be conducted on the subject property within 300 feet of disturbance areas (500 feet for raptors) no earlier than seven (7) days prior to the commencement of disturbance. If an active nest is discovered on-site or can be reasonably deduced to exist immediately adjacent off-site (in cases where access to adjacent properties is prevented), the project biologist shall demarcate an area to be avoided by construction activity until the active</p>				

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<p>nest(s) is vacated for the season and there is no evidence of further nesting attempts. This demarcated area will incorporate a buffer area surrounding the active nest that is suitable in size and habitat type to provide a reasonable expectation of breeding success for nesting birds. Limits of avoidance shall be demarcated with flagging or fencing. The project proponent shall record the results of the surveys and recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.</p>				
<p>C. Should grading be planned within the time frame as outlined in measure 5.(B) above then prior to grading the qualified biologist shall be retained by the applicant as the biological monitor, all subject to the approval of the County of Los Angeles. The biological monitor shall ensure that impacts to adjacent biological resources (inclusive of special-status plants) are avoided or minimized, and shall conduct pre-grading field surveys, in accordance with measure 5.(B), for special-status plant and animal species that may be affected and/or eliminated as a result of grading and/or site preparation activities. Prior to earthmoving or other potentially disturbing activities, the Department's Senior or Staff Biologist shall coordinate the assignment of specific dates and times for the biological monitor to be present to relocate any vertebrate species that may be impacted to an appropriate offsite location of similar habitat. The biological monitor shall be authorized to stop such activities if violations of mitigation measures or any local, state, or federal laws are suspected.</p>				

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<p>D. Any temporary or permanent fencing or sign posts shall be of a type that does not inadvertently snare perching birds, especially raptors. In an effort to eliminate the potential of snaring, fence and sign posts shall be of a type either lacking bolt holes near the top of the post or shall have the holes filled with a nut and bolt.</p> <p>E. In order to avoid impacts to nighttime wildlife activities, exterior night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.</p> <p>F. All conditions for Oak Tree Permit No. 201000012 from the County Forestry Division shall be applicable and must be satisfied. In addition to the basic conditions of approval by the County Forestry Division, and in compliance with the State of California's Oak Woodland Conservation Act {Public Resources Code (PRC) 21083.4(b)(1) &amp; (2) of CEQA} the applicant shall plant replacement oaks within designated oak planting locations as part of the Oak Mitigation Plan to be approved for the project by County Regional Planning, the County Forester and State Parks to ensure that replacement oak tree planting areas are suitable for successful growth and survivability. In addition to the fees required by the County Forester for inspections during the two year maintenance period, the applicant shall provide maintenance fees to cover inspection and maintenance of the replacement oak trees for up to a total of seven years. Maintenance of the replacement oak trees beyond the two year period will be funded by the applicant. The exact sum of the fees to continue maintenance</p>				

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<p>beyond the two year period, for up to seven years, shall be determined through negotiation between the applicant, County Forestry, County Regional Planning and State Parks. The fee must be agreed upon prior to final approval of the Oak Tree Mitigation Plan by County Regional Planning, County Forestry and State Parks. Because all replacement oak trees shall be planted on State Parks land, no conservation easements shall be necessary. State Parks will assume long term maintenance of the replacement oak mitigation areas upon termination of the seven year maintenance period.</p> <ol style="list-style-type: none"> <li>1. The replacement ratio for oaks removed, other than the 10:1 ratio established for the Heritage Oak Removal, shall be at a ratio of 5:1 for the Oak Tree Mitigation Plan.</li> <li>2. The seven (7) year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Senior Biologist of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive seven (7) years will start anew with the new replacement trees to be planted. Additional monitoring fees will be applied in any such event.</li> </ol> <p>G. To avoid direct loss of bats, if present on the project site, that could result from the removal of the trees that may provide maternity roost habitat (e.g., in cavities of under loose bark), grading and construction will take place, to the extent feasible, outside of maternity roosting season (March 1 to September 30). Where this is not feasible, a qualified bat specialist (i.e., a</p>				

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<p>person holding a state collection permit and memorandum of understanding with the CDFG allowing handling and collection of bats) will conduct a pre-construction survey to identify those trees proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats. Each tree identified as potentially supporting an active maternity roost will be closely inspected by the bat specialist a maximum of 7 days prior to tree disturbance to more precisely determine the presence or absence of roosting bats. Trees determined to be maternity roosts will be mapped and 250-foot avoidance perimeter will be marked around any roosts located. These trees will be left in place until the end of the maternity season (September 30).</p> <ul style="list-style-type: none"> <li>• The bat specialist will document all monitoring activities and will prepare a summary report upon completion of tree disturbance activities</li> <li>• Reports will cover the number and type of affected trees determined to support roosting bats prior to disturbance</li> <li>• If bats are not detected, but the bat specialist determines that roosting bats may be present, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw.</li> <li>• Report shall document any actions undertaken to safely exclude roosting bats prior to disturbance and the results of those actions; trees and or</li> </ul>				

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<p>structures to avoid roosting bats; and roosting bats found (alive or dead) after trees and/or building structures were removed or relocated.</p> <ul style="list-style-type: none"> <li>This report will be provided to the County Regional Planning within 30 days following completion of tree removals.</li> </ul> <p>H. Anticoagulants are not to be used as a method of rodent control on the site at any time.</p> <p>I. No vineyards or related structures for storage of grapes shall be placed within 100 feet of any streambed.</p>				
<p><b>Cultural Resources</b></p> <p>6. All work will stop immediately should any cultural resources (i.e. artifacts, burial grounds) be uncovered/discovered at any time prior to and during grading/construction. With approval from County Regional Planning, the applicant shall then select and retain a qualified archaeologist to assess the find, make recommendations, and to monitor until all grading is completed.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Cultural Resources measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur should any artifacts or remains be discovered.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works</p>
<p><b>Drainage and Grading</b></p> <p>7. The project shall comply with a drainage concept plan, along with any related Hydrology Study and Standard Urban Stormwater Mitigation Plan (SUSMP) to be reviewed and approved by County Public Works.</p> <p>8. The concrete collector swales or troughs that are proposed to serve the project site shall be constructed utilizing materials that are of earth tone colors.</p> <p>9. A grading plan is required to be reviewed</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Drainage and Grading measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to issuance of grading permits and during construction.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works, Las Virgenes Municipal Water District</p>

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<p>and approved by County Public Works prior to issuance of any grading and building permits for the development proposed. Any potential landslide area affecting the project shall be addressed.</p> <p>10. The project shall comply with Low Impact Development (LID) standards per Title 12, Chapter 12.84 of the Los Angeles County Code.</p> <p>11. An encroachment permit must be secured from County Public Works, prior to commencement of any grading and construction, while the County is in the process of vacating the entrance section of April Road.</p> <p>12. The applicant shall contact the State of California Department of Fish and Game for instructions on their review of the drainage concept and grading plan, and obtainment of a Streambed Alteration Agreement (1602 Permit) for drainage culvert installation and footbridge construction over onsite stream. Contact person at State Fish and Game will be Mr. Rick Mayfield, <a href="mailto:RMayfield@dfg.ca.gov">RMayfield@dfg.ca.gov</a> 805-985-5686. Review and approval of the plan by State Fish and Game is required prior to any issuance of grading permits by Public Works.</p> <p>13. The applicant shall contact the U.S. Army Corps of Engineers for instructions on their review of the drainage concept and grading plan, and obtainment of a 404 Permit for installation of a drainage culvert connecting to the onsite stream. Contact person at the Army Corp is Mr. Daniel Swenson, <a href="mailto:Daniel.P.Swenson@usace.army.mil">Daniel.P.Swenson@usace.army.mil</a> 213-452-3414. Review and approval of the plan by the Army Corp is required prior to any issuance of grading permits by Public Works.</p>				

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Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>14. Grading plan depicting road construction activities, including cuts/fills, appurtenance relocation(s), and underground Edison conduit installation shall be submitted to the Las Virgenes Municipal Water District, and must be conditional with the District due to the ownership and operation of an existing potable main at the project site by the District. Contact person at the District is Lindsay Cao at 818-251-2100. Review and approval of the plan is required by the District prior to any issuance of grading permits by Public Works.</p>				
<p><b>Residence Design</b></p> <p>15. The residence and guest house shall be designed in accordance with contemporary green building standard, and per County Code Section 22.52.2100 for Green Building.</p> <p>16. Earth tone colors shall be used for the residence, guest house and all other related structures.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Residence Design measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to and during construction.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning and Public Works</p>
<p><b>Recycling</b></p> <p>17. Construction, demolition, and grading projects in the Los Angeles County's unincorporated areas are required to recycle or reuse a minimum of 50 percent of the construction and demolition debris generated by weight per the Los Angeles County's Construction and Demolition Debris Recycling and Reuse Ordinance. A Recycling and Reuse Plan must be submitted to and approved by Public Works' Environmental Programs Division before a construction, demolition, or grading permit may be issued. Contact Public Works at (626) 458-3524.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Recycling measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to issuance of demo and building permits and during construction.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works (Environmental Programs Division), Fire Department (Fire Prevention Division)</p>

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Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><b>Hazardous Materials Storage</b></p> <p>18. The applicant shall contact the Fire Department's Health Hazardous Materials Division, Site Mitigation Unit at (323) 890-4107, to comply with their requirements for storage of any construction materials that are identified as hazardous and may cause soil contamination due to leakage, or emission or hazardous fumes.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Hazardous Materials Storage measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to issuance of building permits and during construction</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Fire Department (Hazardous Materials Division)</p>
<p><b>Sewer</b></p> <p>19. Prior to building permit issuance, the applicant shall secure a final approval from the Land Use Program Section of Public Health for the construction of an onsite wastewater treatment system (OWTS). A complete feasibility report shall be submitted to the Land Use Program section for review and approval. The applicant may contact Patrick Nejadian at (626) 430-5390 of the Land Use Program section of Public Health with any questions, or the Calabasas District Office at (818) 880-3413. The feasibility report shall be prepared in conformance with the Department's "Onsite Wastewater Treatment System (OWTS) Guidelines."</p> <ul style="list-style-type: none"> <li>In areas where percolation rates exceed 5.12 gallons per day per square feet, a supplemental treatment component in addition to the conventional septic system will be required.</li> <li>If a public sewer connection is available within 200 feet of any part of the proposed building or exterior drainage, all future drainage and piping shall be connected to such public sewer.</li> </ul>	<p>Deposit fees for implementation of Sewer measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to issuance of grading permits and during construction</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works (Land Development, Waterworks &amp; Sewer Maintenance Divisions), Public Health (Land Use Program and Drinking Water Program Sections)</p>

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Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<ul style="list-style-type: none"> <li>The design and installation of the OWTS shall conform to the requirements of Public Health and all other applicable regulatory agencies. If due to the proposed development, grading, geological limitations, required setbacks and flood or surface/ground water related concerns or for any other reasons, conformance with all applicable requirements cannot be achieved, the Department will not recommend issuance of any building permits.</li> </ul> <p>20. Prior to final approval of the onsite wastewater treatment system (OWTS), the applicant shall provide a water availability letter from the Las Virgenes Municipal Water District to the Drinking Water Program Section at Public Health assuring water connection and service. For any questions, contact Richard Lavin at (626) 430-5420 of the Drinking Water Program Division at Public Health.</p>				
<p><b>Underground Storage Tanks</b></p> <p>21. Should any operation within the subject project include the construction, installation, modification, or removal of underground storage tanks, industrial waste treatment, or disposal facilities, Public Works' Environmental Programs Division must be contacted for required approvals and operating permits.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Underground Storage Tanks measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to issuance of grading permits and during construction.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works (Environmental Programs Division),</p>

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Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><b>Emergency Services</b></p> <p>22. The applicant shall participate in an appropriate financing mechanism, such as a developer fee or an in-kind consideration in lieu of developer fees, to provide funds for fire protection facilities which are required by new commercial, industrial or residential development in an amount proportionate to the demand created by this project. Currently, the developer fee is a set amount per square foot of building space, adjusted annually, and is due and payable at the time a building permit is issued. In the event that the developer fee is no longer in effect at the time of building permit issuance then this mitigation measure will be required.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Emergency Services measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to issuance of final occupancy approval.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works, Fire Department , Sheriff Department</p>

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Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><b>Library Mitigation Fees</b></p> <p>23. The applicant will be required to pay library facilities mitigation fees at the time the building permits for the project are issued. The proposed project is located in the Library's Planning Area 7 (Santa Monica Mountains). The current mitigation fee for this area, which is adjusted annually based on changes in the Consumer Price Index, is \$808 per residential unit. Therefore, the applicant would be required to pay a mitigation fee of \$808 (\$808 x 1 residential unit). The actual fee obligation for this project may be higher because the fee per residential unit will be that in effect at the time the building permits are issued.</p>	<p>Deposit fees for implementation of MMP to the County for review and initiation of Library Mitigation Fees measure to be paid within 60 days of approval of Project.</p>	<p>Monitoring to occur prior to issuance of final occupancy approval.</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Departments of Regional Planning, Public Works and County Library</p>

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<p><b>Mitigation Compliance</b></p> <p>24. As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting an annual mitigation compliance report to the County Regional Planning for review, and is responsible for replenishing the mitigation monitoring account when necessary, until such time as all mitigation measures have been implemented and completed.</p> <p>25. Any unused portion of the deposit in the applicant's established mitigation monitoring account, upon satisfactory completion of the mitigation monitoring program, will be refunded to the applicant.</p>	<p>Submittal and approval of annual Mitigation Compliance Report. Replenishment of Mitigation Monitoring account if necessary until such time as all mitigation measures have been implemented and completed.</p>	<p>Annually</p>	<p>Applicant responsible for contacting monitoring agencies, for payment and deposit of all fees, and for implementing required measures as directed.</p>	<p>Los Angeles County Dept. of Regional Planning</p>

## MITIGATED NEGATIVE DECLARATION

**PROJECT NUMBER:** R2009-01295

**CASE NUMBERS:** ROAK 201000012; RPP 201100223; RENV 201000020

**1. DESCRIPTION:**

Request for Oak Tree Permit to remove 4 oak trees, including 1 heritage oak, to widen April Rd. with access from Mulholland Hwy., through State Parkland, and entering privately owned property, with request for Plot Plan for new single family residence, guest house and swimming pool. Oak Tree Permit also for encroachment into protective zones of 51 oaks to place a new Edison conduit along the centerline of private drive, and for pruning 5 additional oaks, all located on privately owned site of project. The 4 oaks to be removed are located on State Parks land. Subject site located in the A-1-20 zone (Light Agriculture - 20 acres min. lot size required), and OS zone (Open Space) under access road near Mulholland Highway. County to vacate April Rd. from Mulholland Hwy., to be acquired by State. A 1602 Permit from State Fish and Game and a 404 Permit from the Army Corp of Engineers is also required, for new culvert installation and footbridge construction over onsite tributary (stream) to Malibu Creek.

**2. LOCATION:**

2701 April Road, Agoura Hills, CA 91301

**3. PROPONENT:**

Ms. Marny Randall  
909 Euclid St., #6  
Santa Monica, CA 90403

**4. FINDINGS OF NO SIGNIFICANT EFFECT:**

**BASED ON THE INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT THROUGH IMPLEMENTATION OF MITIGATION MEASURES WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.**

**5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:**

**THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS MITIGATED NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012**

**PREPARED BY:** Rudy Silvas of the Zoning Permits III (West) Section, Department of Regional Planning

**DATE:** June 15, 2011

R2009-01295



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294  
(323) 890-4330

SEP 15 2010

P. MICHAEL FREEMAN  
FIRE CHIEF  
FORESTER & FIRE WARDEN

September 9, 2010

Phillip Estes, Principal Regional Planner  
Department of Regional Planning  
Zoning Permits Section  
320 West Temple Street  
Los Angeles, CA 90012

Dear Mr. Estes:

### **OAK TREE PERMIT #2010-00012, 2701 APRIL ROAD, AGOURA HILLS**

We have reviewed the "Request for Oak Tree Permit #2010-00012." The project is located at 2701 April Road in the unincorporated area of Agoura Hills. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by consulting arborist Robert W. Wallace, dated August 29, 2010.

**We recommend the following as conditions of approval:**

#### **OAK TREE PERMIT REQUIREMENTS:**

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$1000. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement

#### SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS  
ARTESIA  
AZUSA  
BALDWIN PARK  
BELL  
BELL GARDENS  
BELLFLOWER

BRADBURY  
CALABASAS  
CARSON  
CERRITOS  
CLAREMONT  
COMMERCE  
COVINA

CUDAHY  
DIAMOND BAR  
DUARTE  
EL MONTE  
GARDENA  
GLENDDORA  
HAWAIIAN GARDENS

HAWTHORNE  
HIDDEN HILLS  
HUNTINGTON PARK  
INDUSTRY  
INGLEWOOD  
IRWINDALE  
LA CANADA FLINTRIDGE  
LA HABRA

LA MIRADA  
LA PUENTE  
LAKEWOOD  
LANCASTER  
LAWNDALE  
LOMITA  
LYNWOOD

MALIBU  
MAYWOOD  
NORWALK  
PALMDALE  
PALOS VERDES ESTATES  
PARAMOUNT  
PICO RIVERA

POMONA  
RANCHO PALOS VERDES  
ROLLING HILLS  
ROLLING HILLS ESTATES  
ROSEMEAD  
SAN DIMAS  
SANTA CLARITA

SIGNAL HILL  
SOUTH EL MONTE  
SOUTH GATE  
TEMPLE CITY  
WALNUT  
WEST HOLLYWOOD  
WESTLAKE VILLAGE  
WHITTIER

of construction and nine (9) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chain link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

**PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:**

7. This grant allows the removal of four (4) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 5 (Heritage Tree), 19, 20 and 21 on the applicant's site plan and Oak Tree Report. This grant allows encroachment within the protected zone of fiftyone (51) trees of the Oak genus identified as Tree Numbers 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 43, 45, 46, 49, 50, 52, 53, 54, 55, 59, 60, 61, 87, 90, 91 and 92 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and

stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

#### **MITIGATION TREES:**

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed (10:1 for heritage trees) for a total of sixteen (16) trees. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

**NON-PERMITTED ACTIONS AND VIOLATIONS:**

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,



MICHAEL Y. TAKESHITA, ASSISTANT CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

MYT: jl

Enclosure



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

**RECEIVE**  
JUN 20 2011

P. MICHAEL FREEMAN  
FIRE CHIEF  
FORESTER & FIRE WARDEN

June 8, 2011

Rudy Silvas, Principle Planner  
Regional Planning Department  
Zoning Permits II West Section  
320 West Temple Street  
Los Angeles, CA 90012

Dear Mr. Silvas:

**MITIGATED NEGATIVE DECLARATION, NOTICE OF CONSULTATION, NEW RESIDENCE, OAK TREE PERMIT FOR ROAD WIDENING, PROJECT NO. R2009-01295, CASE NO. RENVT 201000020; RPPT 201100223, ROAKT 201000012, 2701 APRIL ROAD, AGOURA HILLS (FFER #201100047)**

The Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

### PLANNING DIVISION:

#### **PUBLIC SERVICES**

1. Fire Protection Correction: The nearest Fire Station (Fire Station 65) located at 4206 N. Cornell Road, Agoura, CA 91301, is approximately 2.8 miles northwest of the project site.

### LAND DEVELOPMENT UNIT:

1. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.
2. This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and

#### SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS  
ARTESIA  
AZUSA  
BALDWIN PARK  
BELL  
BELL GARDENS  
BELLFLOWER

BRADBURY  
CALABASAS  
CARSON  
CERRITOS  
CLAREMONT  
COMMERCE  
COVINA

CUDAHY  
DIAMOND BAR  
DUARTE  
EL MONTE  
GARDENA  
GLENORA  
HAWAIIAN GARDENS

HAWTHORNE  
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IRWINDALE  
LA CANADA-FLINTRIDGE  
LA HABRA

LA MIRADA  
LA PUENTE  
LAKEWOOD  
LANCASTER  
LAWDALE  
LOMITA  
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MALIBU  
MAYWOOD  
NORWALK  
PALMDALE  
PALOS VERDES ESTATES  
PARAMOUNT  
PICO RIVERA

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WHITTIER

ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, must be met.

3. The Fire Department apparatus access road, including April Road, shall provide a minimum unobstructed all weather access surface width of 20 feet, clear-to-sky and be within 150 feet of all portions of the exterior walls of the first story of all proposed structures. The proposed hammerhead turnaround shall be designed to the Fire Department's specification and required location(s) will be determined when plans are submitted to the Fire Department for review and approval.
4. Any proposed culvert/bridge as part of the fire apparatus access road shall be constructed and maintained in accordance with the Department of Public Works standards and designed to support a live load sufficient to carry a minimum of 75,000 pounds.
5. The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade. In such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topographical difficulties, shall be no more than 17%. Grade breaks shall not exceed 10% in ten feet.
6. The proposed development may require a fire flow up to 2,500 gallons per minute at 20 pounds per square inch residual pressure for two-hour durations. The required fire flow maybe reduced by 50 percent when additional information on the architectural plans is provided (construction type and installation of an approved automatic fire sprinklers system). The plans shall be submitted to the Fire Department for review and approval prior to building permit issuance.
7. Fire hydrant spacing shall be 600 feet and shall meet the following requirements:
  - a. No portion of the lot frontage shall be more than 450 feet via vehicular access from a public fire hydrant.
  - b. No portion of a structure shall exceed 750 feet via vehicular access from a properly spaced public fire hydrant.
  - c. When cul-de-sac depth exceeds 450 feet on a residential street, hydrants shall be required at the corner and mid-block.
  - d. Additional hydrants will be required if hydrant spacing exceeds specified distances.
8. Specific Fire Department requirements for access, fire flows, hydrants and applicable codes compliance will be addressed when architectural plans are submitted to the Fire Department for review during the building permit process of this development.
9. The County of Los Angeles Fire Department, Land Development Unit, appreciates the opportunity to comment on this project. Should any questions arise regarding these comments, please contact Land Development Inspector, Juan Padilla, at (323) 890-4243 or [juan.padilla@fire.lacounty.gov](mailto:juan.padilla@fire.lacounty.gov)

**FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:**

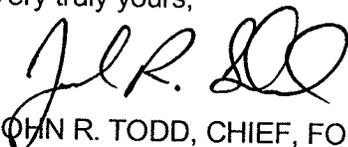
1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

**HEALTH HAZARDOUS MATERIALS DIVISION:**

1. The Health Hazardous Materials Division has no objection to the proposed project.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



JOHN R. TODD, CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

JRT:lj



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

April 28, 2011

IN REPLY PLEASE  
REFER TO FILE: **LD-1**

TO: Rudy Silvas  
Zoning Permits West Section  
Department of Regional Planning

FROM:  Steve Burger  
Land Development Division  
Department of Public Works

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
APRIL ROAD RESIDENCE  
PROJECT NO. R2009-01295  
RENV201000020  
2701 APRIL ROAD, AGOURA HILLS**

MAY 3 - 2011

We reviewed the Initial Study/Mitigated Negative Declaration for Project No. R2009-01295. The project is for the removal of an existing single-family residence, detached garage, and other accessory structures and for the construction of a new 8,334-square-foot, single-family residence with a detached 740-square-foot guest home and an accessory swimming pool.

The following comments are for your consideration and relate to the environmental aspects of the document only:

### **Services-Traffic/Access**

The project description on future environmental documents should include a statement indicating the applicant's intentions to process a vacation request for the portion of April Road within public right of way.

If you have any questions regarding traffic/access comment, please contact Matthew Dubiel at (626) 458-4921 or [mdubiel@dpw.lacounty.gov](mailto:mdubiel@dpw.lacounty.gov).

If you have any other questions or require additional information, please contact Toan Duong at (626) 458-4945 or [tduong@dpw.lacounty.gov](mailto:tduong@dpw.lacounty.gov).

JY:ca

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COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION  
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

April 14, 2011

Sent via e-mail: [pestes@planning.lacounty.gov](mailto:pestes@planning.lacounty.gov)

TO: Phillip Estes, AICP  
Department of Regional Planning

FROM:  Joan Rupert, Section Head  
Environmental and Regulatory Permitting Section

SUBJECT: **PROJECT CONSULTATION REQUEST**  
**ROAK 201000012**  
**PROJECT NO. R2009-01295**  
**RENV 201000020**  
**LOCATION: 2701 APRIL ROAD, AGOURA HILLS**

The above project has been reviewed for potential impacts on the facilities of this Department. We have determined that the proposed project will not affect any Departmental facilities.

Thank you for including this Department in the review of this notice. If we may be of further assistance, please contact Ms. Julie Yom at (213) 351-5127 or [jyom@parks.lacounty.gov](mailto:jyom@parks.lacounty.gov).

JY: JR/ Project Consultation for construction of a single family residence.

c: Parks and Recreation (N. E. Garcia, L. Hensley, J. Barber, F. Moreno, J. Yom)



COUNTY OF LOS ANGELES  
**Public Health**

**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**JONATHAN E. FREEDMAN**  
Chief Deputy Director

**ANGELO J. BELLOMO, REHS**  
Director of Environmental Health

**KENNETH MURRAY, REHS**  
Director of Environmental Protection Bureau

**PATRICK NEJADIAN, REHS**  
Chief EHS, Land Use Program

**KEN HABARADAS, M.S., REHS**  
Environmental Health Staff Specialist  
Land Use Program  
5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5382 • FAX (626) 960-2740

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)



**BOARD OF SUPERVISORS**

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Fourth District

**Michael D. Antonovich**  
Fifth District

April 29, 2011

TO: Rudy Silvas  
Principal Regional Planner  
Department of Regional Planning

FROM: Ken Habaradas, M.S., REHS  
Environmental Health Division  
Department of Public Health

SUBJECT: **PROJECT NO. R2009-01295**  
**2701 APRIL ROAD, AGOURA HILLS**

- Environmental Health recommends approval of this project.
- Environmental Health does NOT recommend approval of this project.

The Department of Public Health – Environmental Health Division has reviewed the information provided for the above-referenced project. The project is an oak tree permit to remove four oaks, encroach up to 51, and prune 5 additional oaks, all in oak woodland, and to remove an existing residence and construct a new residence on septic system with pool and detached guest house.

The Department has no objection to the approval of this project provided the applicant meets attached conditions.

If you should have any questions, please feel free to contact me at (626) 430-5382.

KH:kh

COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL HEALTH ♦ DRINKING WATER PROGRAM

5050 Commerce Drive, Baldwin Park, CA 91706

Date: April 29, 2011

Project No. R2009-01295

Page 1 of 1

Location: 2701 April Road, Agoura Hills

The Drinking Water Program recommends approval of the CUP with the following condition:

1. Prior to final approval of the onsite wastewater treatment system (OWTS), the applicant shall provide a water availability letter from the Las Virgenes Municipal Water District assuring water connection and service.

For questions regarding the above condition, please contact Richard Lavin at (626) 430-5420.



County of Los Angeles Public Library ■ [www.colapublib.org](http://www.colapublib.org)  
7400 East Imperial Hwy., Downey, CA 90242 ■ (562) 940-8400



Margaret Donnellan Todd  
County Librarian

April 21, 2011

TO: Rudy Silvas  
Zoning Permits III (West) Section  
Department of Regional Planning

FROM: Yolanda De Ramus *[Signature]*  
Assistant Director, Administrative Services

SUBJECT: **NOTICE OF CONSULTATION**  
**PROJECT NO. R2009-01295**  
**2701 APRIL ROAD, AGOURA HILLS, CA**

This is to provide you with written comments on the Notice of Consultation for the above referenced project. On page 25, of the Initial Study, we disagree with your finding that the library mitigation fee "may be" required.

The site of the proposed project is located in the Las Virgenes Bookmobile service area of the County of Los Angeles Public Library. Since this project is in the unincorporated area served by the County Public Library, it is subject to the County's library facilities mitigation fee.

In order to mitigate the impact of this project, the applicant or its successor in interest will be required to pay the library facilities mitigation fee at the time the building permit for the project is issued. The proposed project is located in the Library's Planning Area 7 (Santa Monica Mountains). The current mitigation fee for this area, which may be adjusted annually based on changes in the Consumer Price Index, is \$808 per residential unit. Therefore, the total mitigation fee that would be required is \$808 (\$808 x 1 residential unit). The actual fee obligation for this project may be higher because the fee per residential unit will be that in effect at the time the building permits are issued.

Please ensure that this fee obligation is addressed in the mitigation monitoring plan and conditions of approval for this project.

If you have any questions or require additional information regarding this matter, please contact Malou Rubio at (562) 940-8450.

YDR:MR:MB:vm

U:\STAFFSERVICES\DEVELOPER FEE\EIR\Project No. R2009-01295 - NOC.doc

c: Malou Rubio, Head, Support Services  
Robert Seal, Library Administrator

APR 26 2011

**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207



April 25, 2011

Mr. Rudy Silvas  
Department of Regional Planning  
Los Angeles County  
320 West Temple Street  
Los Angeles, California 90012

**Notice of Consultation, Project No. R2009-01295,  
2701 April Road, Agoura Hills**

Dear Mr. Silvas:

Thank you for sending Santa Monica Mountains Conservancy (Conservancy) the above-referenced notice of consultation. The Conservancy offers the following comments and recommendations on the above-referenced proposed project. As noted in the Initial Study for this project, the subject property is bordered on three sides by Malibu Creek State Park, and is traversed by several significant ridgelines. The Mountains Recreation and Conservation Authority's (MRCA) publicly-owned Liberty Canyon Wildlife Corridor property lies approximately 0.25 miles north of the subject property. Conservancy staff has been in consultation with California State Parks regarding the subject proposed project.

The Initial Study provided to our staff indicates that the proposed project could adversely impact multiple biological resources if not adequately mitigated. The final California Environmental Act (CEQA) documentation should spell out the precise mitigation measures to be implemented by the applicant, and these mitigation measures should be included as conditions of any and all permits associated with the subject proposed project.

As noted in the Initial Study, the subject property and surrounding area has the potential for more than 20 sensitive animal and 30 sensitive plant species to occur. The proposed road widening, which will eventually include realignment and new road construction, would result in the removal of four oak trees and an encroachment upon the protected zones of at least 51 other oaks. Fire Department-required fuel modification would extend into

Mr. Rudy Silvas

Notice of Consultation, Project No. R2009-01295, 2701 April Road, Agoura Hills

April 25, 2011

Page 2

natural areas, including the riparian area surrounding the blue line stream to the east of the road. To our staff's knowledge, no mitigation measures have yet been specified for these impacts or for the impacts that would result from the proposed streambed alteration.

To adequately mitigate for these impacts, the Conservancy recommends that County approval of this project be conditional on nothing less than the property owner's voluntary dedication of a conservation easement to a public agency prior to the issuance of any permits. (See attached diagram for proposed conservation easement minimum dimensions.) The Mountains Recreation and Conservation Authority is an appropriate and expeditious agency to accept such a conservation easement dedication if it is not desired by another agency.

The project plan calls for April Road to be realigned and widened on both the subject property and California State Park's property to the south (APN 2063-012-920). The proposed conservation easement is also an appropriate mitigation measure for new road construction on public property. The hammerhead turnaround to be provided along April Road on the State Park's property should remain as proposed.

The Conservancy respectfully urges that the Fire Department and the County consider a reduced requirement such that portions of April Road only be widened to 15 feet (rather than 20) for as much of its length as possible to minimize impacts to protected oak trees and riparian buffer areas.

In particular, we ask the Fire Department and County to consider whether it is absolutely necessary to remove the three clustered oak trees located along the road on the State Parks property to the south of the subject property. This portion of the road is to be realigned according to the current project plan. In the interests of protecting natural resources on State lands, an attempt should be made to preserve the three clustered oak trees presently marked for removal, as well as greatly avoid encroaching on the other 51 protected oaks or the riparian buffer area.

We urge the Fire Department and County to consider the following. No new development is proposed on the aforementioned State Parks property, and no increase in residential density is proposed for the subject property. This project would not result in an increase in the overall traffic along April Road. If portions of the road are not widened beyond 15 feet to avoid impacts to trees and the riparian area, long stretches of the road could still be made full width.

Mr. Rudy Silvas

Notice of Consultation, Project No. R2009-01295, 2701 April Road, Agoura Hills

April 25, 2011

Page 3

In particular, the roughly 30-foot section of road where the three clustered oak trees are located provides a good line of sight for motorists. At minimum, it may be possible to reduce the proposed road width to 15 feet through this section, for a run of approximately 45 feet, without compromising the safety of the residents of either the subject property, or the single residential property to the north of the subject property, allowing these oaks to remain. If these oak trees must be removed from State Parks property, and the other protected trees and the riparian zone must be encroached upon for the project to be implemented, the Conservancy's requested voluntary conservation easement condition becomes even more important as a mitigation measure.

The proposed conservation easement boundary in the attached diagram is specifically drawn to allow the full continued use of the property as a single-family residence and equestrian property as proposed.

The Conservancy's concerns would be partially addressed if the owner, or their legally authorized representative, verbally or in writing states to the Director of the Department of Regional Planning that they will voluntarily accept the following permit condition language.

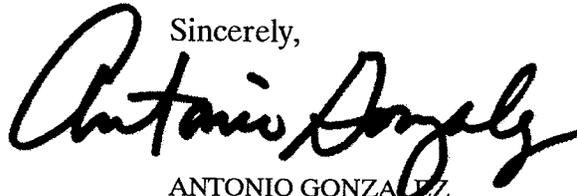
**Permit Condition Language:** Applicant shall show proof of recordation and agency acceptance of a conservation easement in favor of the Mountains Recreation and Conservation Authority (MRCA) covering no less area than that shown on the figure accompanying the Santa Monica Mountains Conservancy's letter dated April 25, 2011. (Said area is depicted on an aerial photo map from the County GIS website.) No County permits shall be granted without proof of such an easement recordation and a signed Certificate of Acceptance from the MRCA. Said acceptance shall not be unreasonably withheld or delayed by the MRCA.

Applicant shall provide the MRCA with a recordable easement metes and bounds legal description, a plotted easement map, and a current preliminary title report. Said title report shall demonstrate that the conservation easement is not subordinate to any construction liens and that no new easements or encumbrances after the date of this letter will affect the conservation easement. The entirety of the easement area shall prohibit any fencing, domestic animal grazing, lighting, grading, planting of non-native vegetation, facilities, or hardscape. The easement shall expressly allow for Fire Department-required fuel modification and the cultivation and irrigation of plants native to the Santa Monica Mountains.

Mr. Richard Bruckner, Director  
Notice of Consultation, Project No. R2009-01295, 2701 April Road, Agoura Hills  
April 25, 2011  
Page 4

If you have any questions for our agency, please contact Paul Edelman, Deputy Director of Natural Resources and Planning, at 310-589-3200, ext. 128, or by e-mail at edelman@smmc.ca.gov. The applicant should feel encouraged to contact our agency as well. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Antonio Gonzalez". The signature is written in a cursive, flowing style with a large initial "A".

ANTONIO GONZALEZ  
Chairperson



## Silvas, Rudy

---

**From:** Paul Edelman [edelman@smmc.ca.gov]  
**Sent:** Tuesday, June 21, 2011 10:32 AM  
**To:** Silvas, Rudy  
**Subject:** RE: 2701 April Road

Rudy – from my reading of the tea leaves, I think you have secured the resource protection measures that are doable given the conditions. We thank you. Please lock all these in and let me know if a letter from the Conservancy would truly help.

Thanks Paul

---

**From:** Silvas, Rudy [mailto:rsilvas@planning.lacounty.gov]  
**Sent:** Thursday, June 16, 2011 7:01 PM  
**To:** Paul Edelman  
**Subject:** 2701 April Road

Hello Mr. Edelman. I called your office today and left a message. Attached is the Initial Study and Mitigation Monitoring Program prepared for impacts at the site where April Road, turning into a private drive, will be widened to create a safer access to the location where the new single family residence and guest house are proposed. Four oaks in an oak woodland would be removed to accomplish this process. Please read the project description of the initial study for the full scope of it.

All 25 replacement oaks would be replanted on State Parks land, and we are asking that a seven year monitoring period be established and funded for by the applicant. The applicant is not totally in agreement with that measure, 5(F) under Biota, due to unknown fee at this time which must be negotiated as worded in the measure.

The applicant's agent stated that Suzanne Goode of State Parks is aware of the plan to replant oaks on State Parks land where we met. I'll will be looking forward to talk with her further about this process.

I have told the applicant about your concerns for the establishment of vineyards and we have agreed to place a condition on the plan that no vineyards or related structures for storage of grapes be placed within 100 feet of the streambed. The applicant agreed to this.

Please take a look at the documents when you have an opportunity and give me a call.

Thank you,

Rudy Silvas  
Principal Planner  
Zoning Permits West Section  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles, CA 90012  
<http://planning.lacounty.gov>  
213-974-6462

## Silvas, Rudy

---

**From:** Daniel Blankenship [DSBlankenship@dfg.ca.gov]  
**Sent:** Monday, April 25, 2011 4:13 PM  
**To:** Silvas, Rudy  
**Cc:** Rick Mayfield  
**Subject:** MND 2701 April Road, Agoura Hills CEQA-2011-0227-0000-R5

Dear Rudy Silvas:

Thank you for the opportunity to review the above referenced MND. The Department concurs with the biological mitigation measures for oak tree conservation, sensitive species monitoring, and the need to notify for a streambed alteration agreement. Thank you for your attention to potential biological resource impacts.

Please send copies of the oak tree mitigation plan to me following the further development of the planting plan and the offsite mitigation concepts. Also, please send copies of all biological assessment reports for sensitive species surveys conducted. If the project is conducted during bird nesting season, please have a qualified biologist conduct nesting bird surveys and establish appropriate buffers as needed to minimize potential impacts to nesting migratory birds.

Your contact for the streambed alteration agreement will be Mr. Rick Mayfield. [RMayfield@dfg.ca.gov](mailto:RMayfield@dfg.ca.gov) 805-985-5686 . I have cc'ed Rick on this e-mail to alter him to the proposed project. However, please have the notification application submitted to the South Coast Regional Office per the instruction on our home page. <http://dfg.ca.gov/>

Please let me know if you have any questions.

Thanks,

Dan

Daniel S. Blankenship  
Staff Environmental Scientist  
CA Department of Fish and Game  
P.O. Box 221480  
Newhall, CA 91322-1480  
phone/fax (661) 259-3750  
cell (661)644-8469  
[dsblankenship@dfg.ca.gov](mailto:dsblankenship@dfg.ca.gov)



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HEADQUARTERS

4232 Las Virgenes Road

Calabasas, CA 91302

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MEMBER AGENCY OF THE  
METROPOLITAN WATER  
DISTRICT  
SOUTHERN CALIFORNIA

April 29, 2011

Rudy Silvas

Zoning Permit III (West) Section

Department of Regional Planning

Los Angeles County

320 West Temple Street

Los Angeles, CA 90012

RE: New Residence, Oak Tree Permit for Road Widening  
2701 April Road, Agoura Hills  
Project No. R2009-01295  
Case No. RENVT 201000020; RPPT 201100223  
ROAKT 201000012

Dear Mr. Silvas:

Las Virgenes Municipal Water District (LVMWD) is in receipt of your request for agency comment concerning potential environmental effect of the proposed project located at 2701 April Road, Agoura Hills, California.

The District suggests the following items be addressed in preparation of a CEQA document regarding this project.

- The District owns/operates an existing potable main at the proposed project site; therefore, road construction activities including cuts/fills, appurtenance relocation(s) and underground Edison conduit installation need to be conditional with the District.

If you have any questions, please contact Lindsay Cao at 818.251.2100.

Very truly yours,

*JLZ for John Zhao*

John Zhao, P.E.

Principal Engineer

LC:acg

MAY 3 - 2011



**South Central Coastal Information Center  
California Historical Resources Information Center  
California State University, Fullerton  
Department of Anthropology  
800 North State College Boulevard  
Fullerton, CA 92834-6846  
(657) 278-5395 / FAX (657) 278-5542  
anthro.fullerton.edu/sccic.html**

- Los Angeles County
- Orange County
- Ventura County

**Cultural Resources Records Search**

**Quick Check**

Lead Agency (Name & Address): County of Los Angeles, Department of Regional Planning

Permit/ Project #: ROAK 201000012, RPP 201100223, R2009-01295 Date: March 30, 2011

Case Planner: Rudy Silvas Phone # (213) 974-6462 USGS 7.5' Quad: Malibu Beach #70

**Brief Project Description** (including a project area description):

Project proposal for removal of an existing single family residence, detached garage and other accessory structures for construction of 8,334 sq. ft. new single family residence, with detached 740 sq. ft. guest house, and an accessory swimming pool. Grading proposed to prepare existing pad area and on-site driveway for new residence and guest house, for the off-site improvements and widening to 20 feet of April Road (access road) to serve subject property from Mulholland Highway. The total cumulative amount, including previous grading quantities, will be 2,137 cubic yards of cut and 2,045 cubic yards of fill, including 92 cubic yards of export, for a total of 4,182 cubic yards handled. Oak Tree Permit filed to remove four (4) oak trees, including one Heritage oak, and to encroach into the protective zone of fifty-one (51) oaks for access road improvements and a proposed underground Edison conduit, also to prune five (5) of the ordinance sized oaks in order to accommodate the on-site private driveway and off-site April Road improvements. New drainage culvert to be placed under access road, along with a footbridge to span the creek adjacent and on the east end of the access road. A hammerhead turnaround will be provided along April Road (access road) at 512 feet from Mulholland Highway entrance point. Also, a proposed underground Edison conduit is to originate from a proposed transformer 10 feet north of the State Parks property line and 20 feet east of the access road. Project located south of Agoura Hills, in unincorporated area, north of Mulholland Highway and 0.75 miles east of Cornell Road. Site is north of Malibu Creek State Park, has hilly terrain, significant ridgelines to the west, northeast and southeast, and within a Valley Oak Woodland.

**\*\* SCCIC INITIAL RECORDS SEARCH \*\***

- The project area has been (fully) (partially) surveyed by a professional archaeologist and no cultural resources were found. Report # LA 3914 1998, Tartaglia
- The project area has been (fully) (partially) surveyed by a professional archaeologist and cultural resources were found.
- The project area has not been (fully) surveyed by a professional archaeologist but cultural resources are likely to be in the area.
- The project area has not been (fully) surveyed by a professional archaeologist and cultural resources are not likely to be in the area.

## RECOMMENDATIONS

- A Phase I\* archaeological survey should be done by a professional archaeologist prior to approval of project plans.
- A Phase II\*\* testing program for determination of significance.
- A professional archaeologist should be retained to monitor any earth moving operations.
- No archaeological work is needed prior to approval of the project plans. However, a halt-work condition should be in place in the event that cultural resources are discovered during construction.

## COMMENTS

A surface survey was conducted in 1998. No resources were found, however, buried resources are possible. If resources are uncovered, a qualified archaeologist should be retained to assess the find and make recommendations.

\*\* This Quick Check does not cover cultural heritage sites, either listed or pending, such as historic buildings or points of interest.

\*\* Phase I survey, Phase II testing, and archaeological includes a complete records search, field evaluation, and a final report with results and recommendations.

Date Completed: 5.17.11

Signature: \_\_\_\_\_

*Stacy St. James*  
Stacy St. James, Coordinator

Invoice #: N/C

## QUICK CHECKS

Quick Checks were developed to be fast and easy way for **city and county planners** to assess the potential for archaeological resources. Quick Checks **were never intended to replace a complete Records Search where both archaeological and historical resources are researched**, nor were they meant to be used by historic preservation personnel as anything more than a justification from city and county planners to conduct cultural resources consultations. As indicated on the Quick Check form, Quick Checks do not cover cultural heritage sites, either listed or pending, such as historic buildings or Points of Interest. When a Phase I archaeological survey, Phase II testing project, or archeological monitor is recommended, a complete Records search is a necessary part of the review process.

Quick Checks are requested by: city and county agencies; archaeologists on behalf of city and county agencies; through special city and county agencies on behalf of other clients for a permit application.

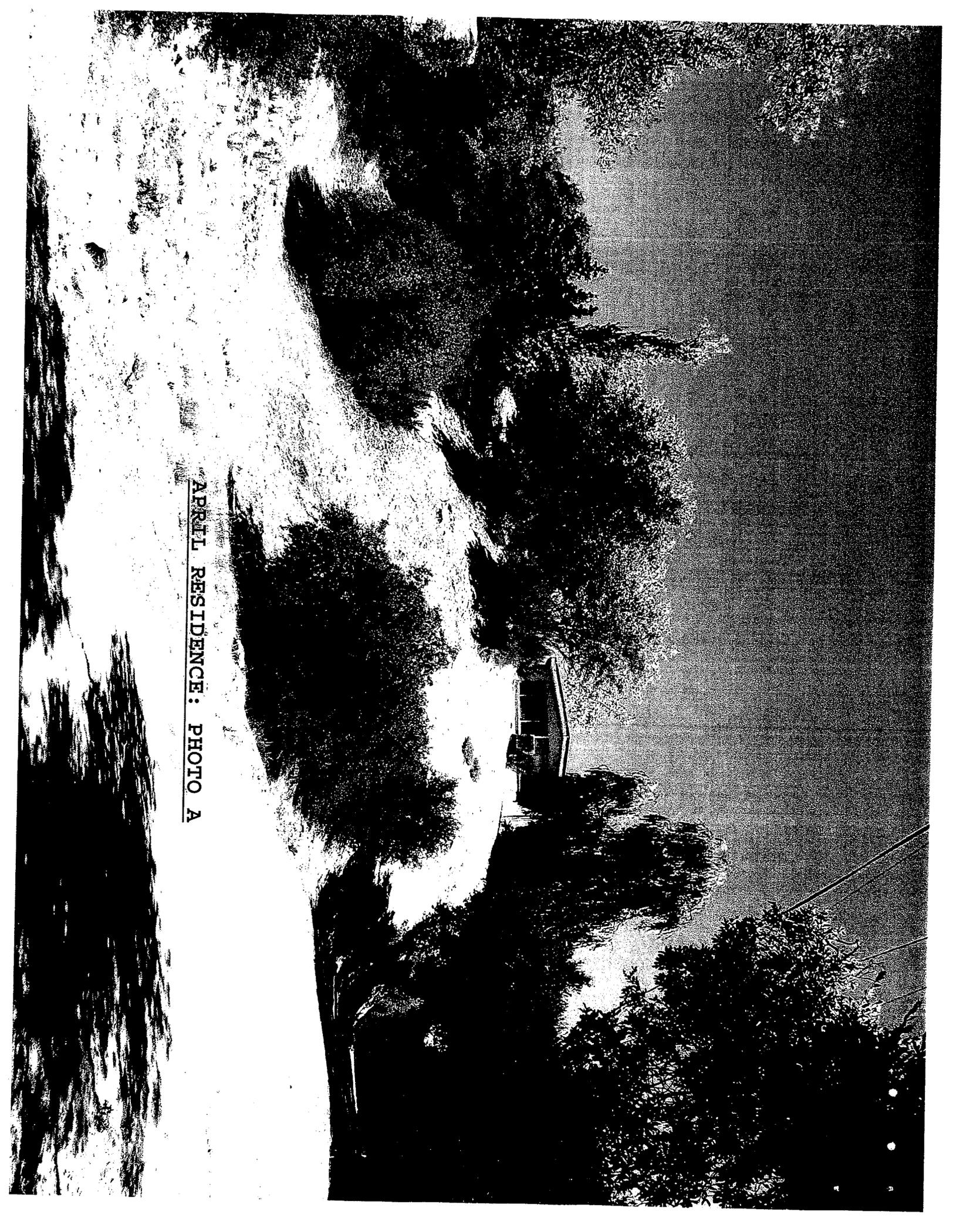
If the invoice should not be billed to a particular city or county agency, please include the appropriate contact name and billing information (address and telephone number). Also include the name of the city/county contact handling the case, as well as a phone number and mailing address. The SCCIC will then send an invoice to the client along with an explanation of the invoice. The request will not be processed until payment has been received.

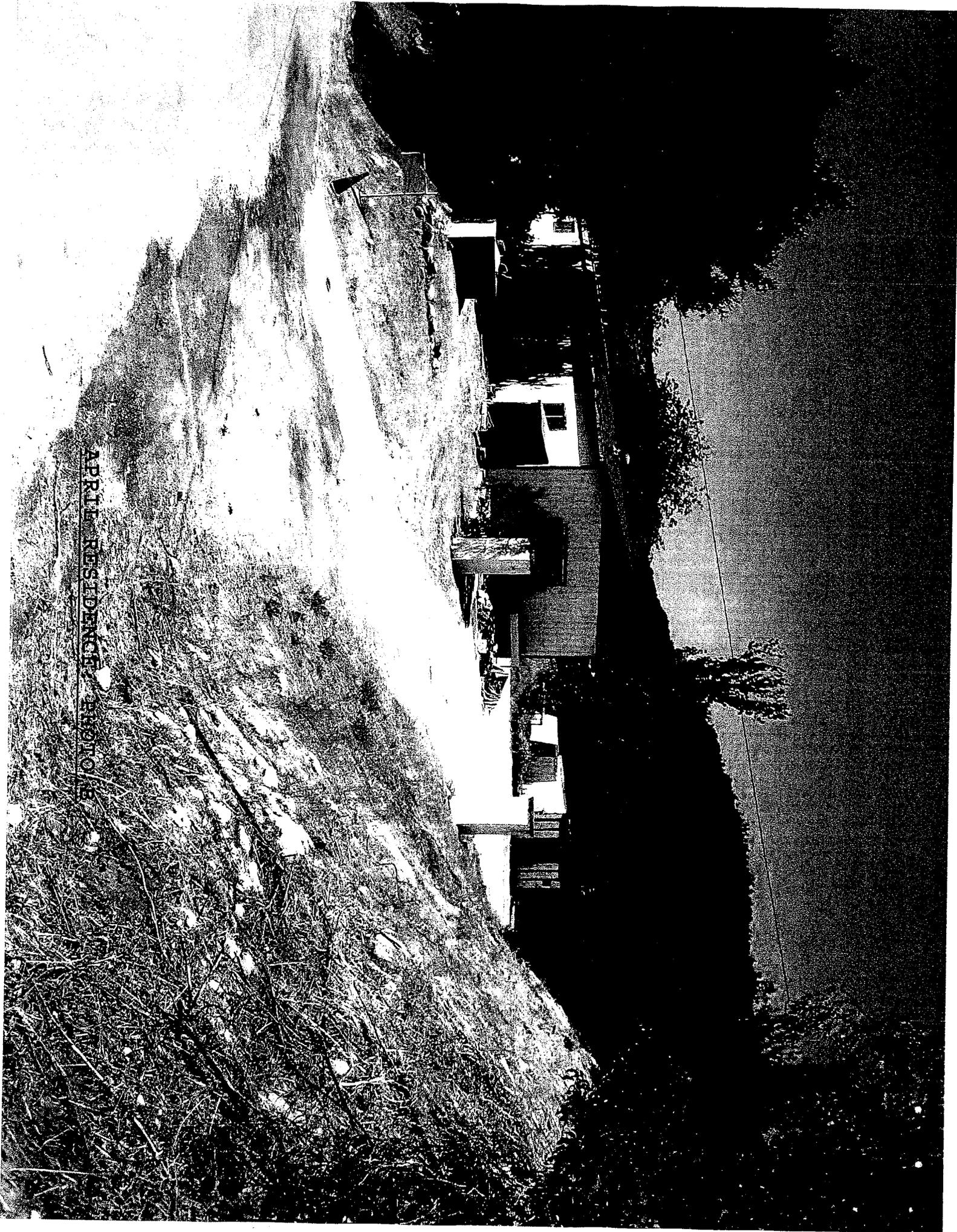
Please describe the project area conditions in addition to providing brief project descriptions. If any building(s) 45 years and older are within the project area, please note the year the building(s) was built and how it will be affected.

Always include a map indicating the project location such as on a USGS Topographic Quadrangle or Thomas Brothers map.

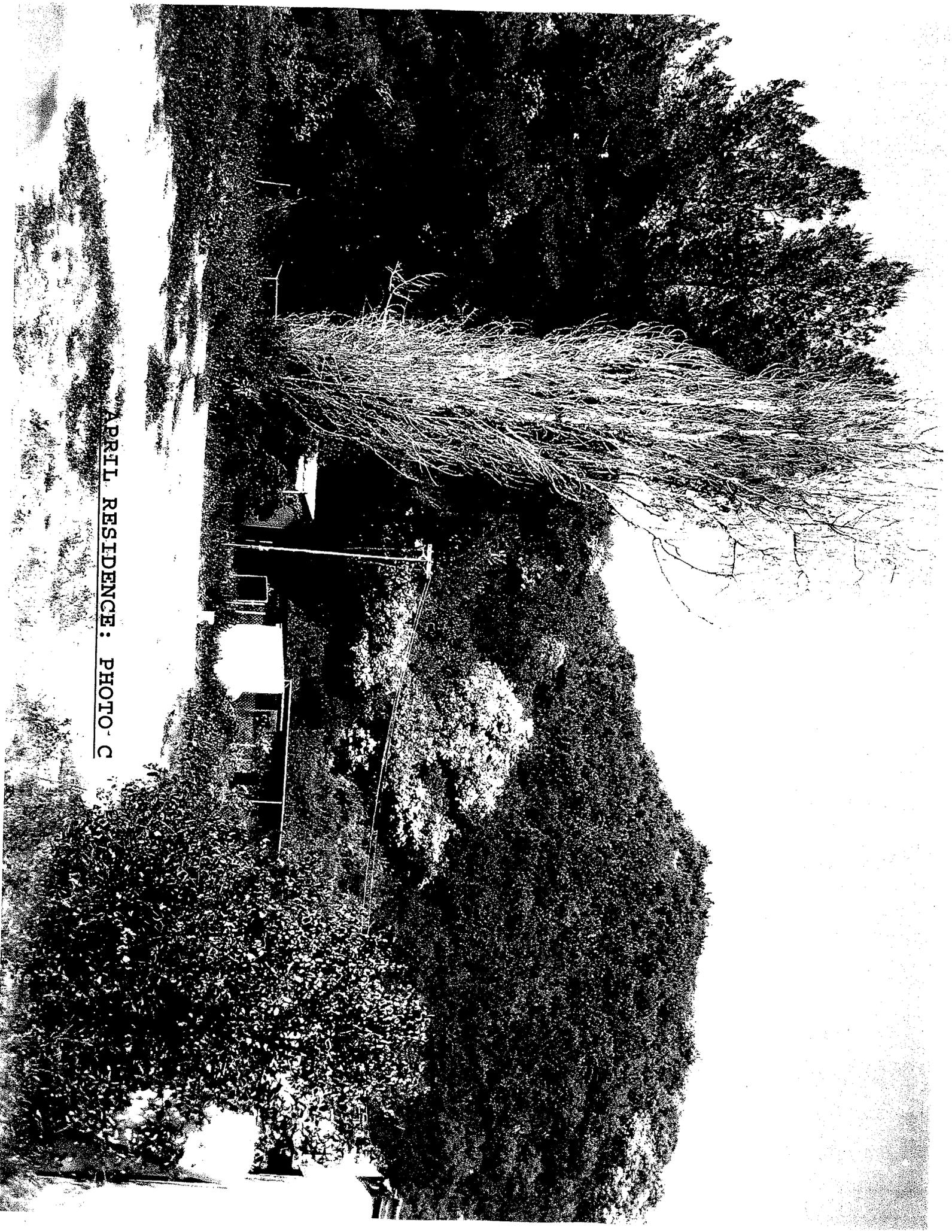


APRIL RESIDENCE: PHOTO A

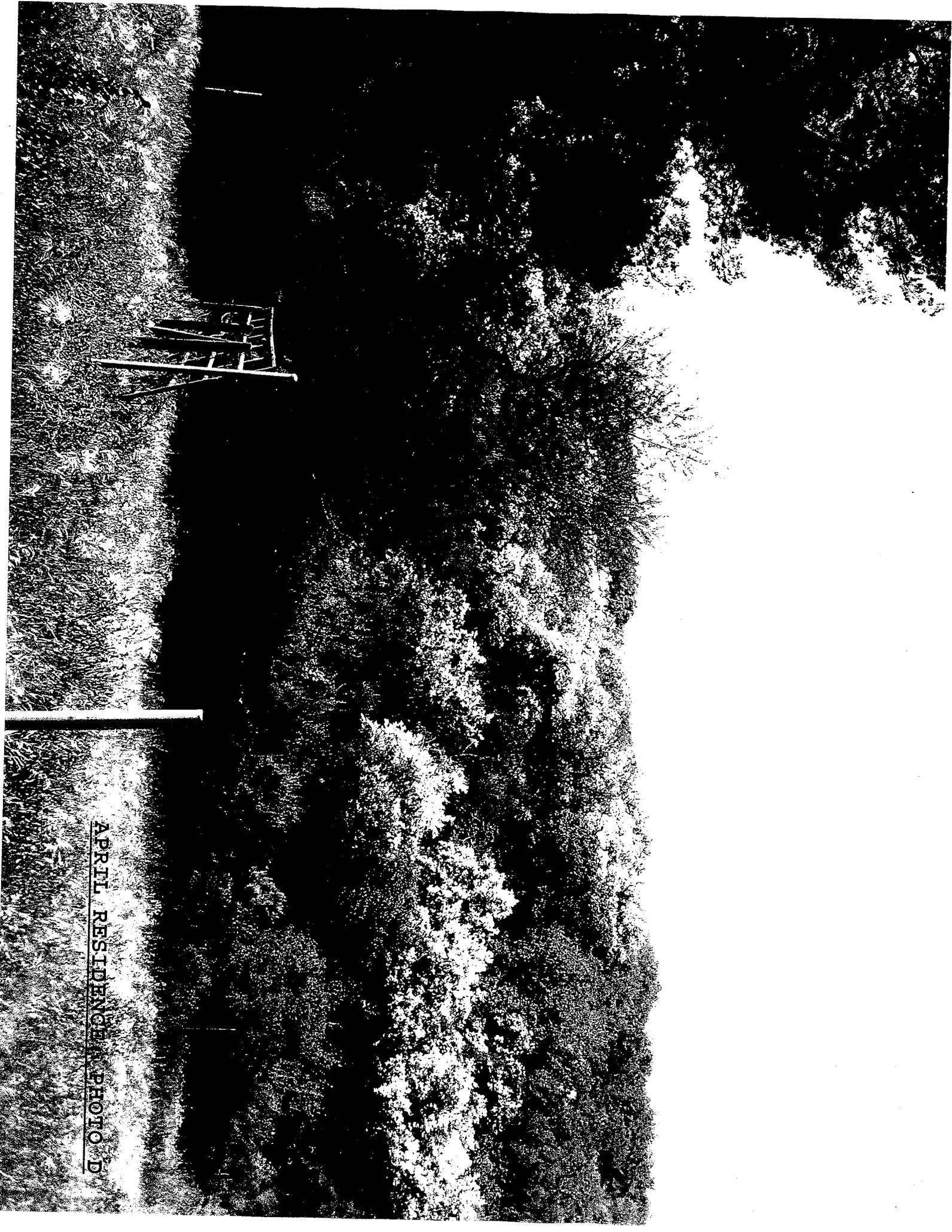




APRIL RESIDENCE PHOTO B

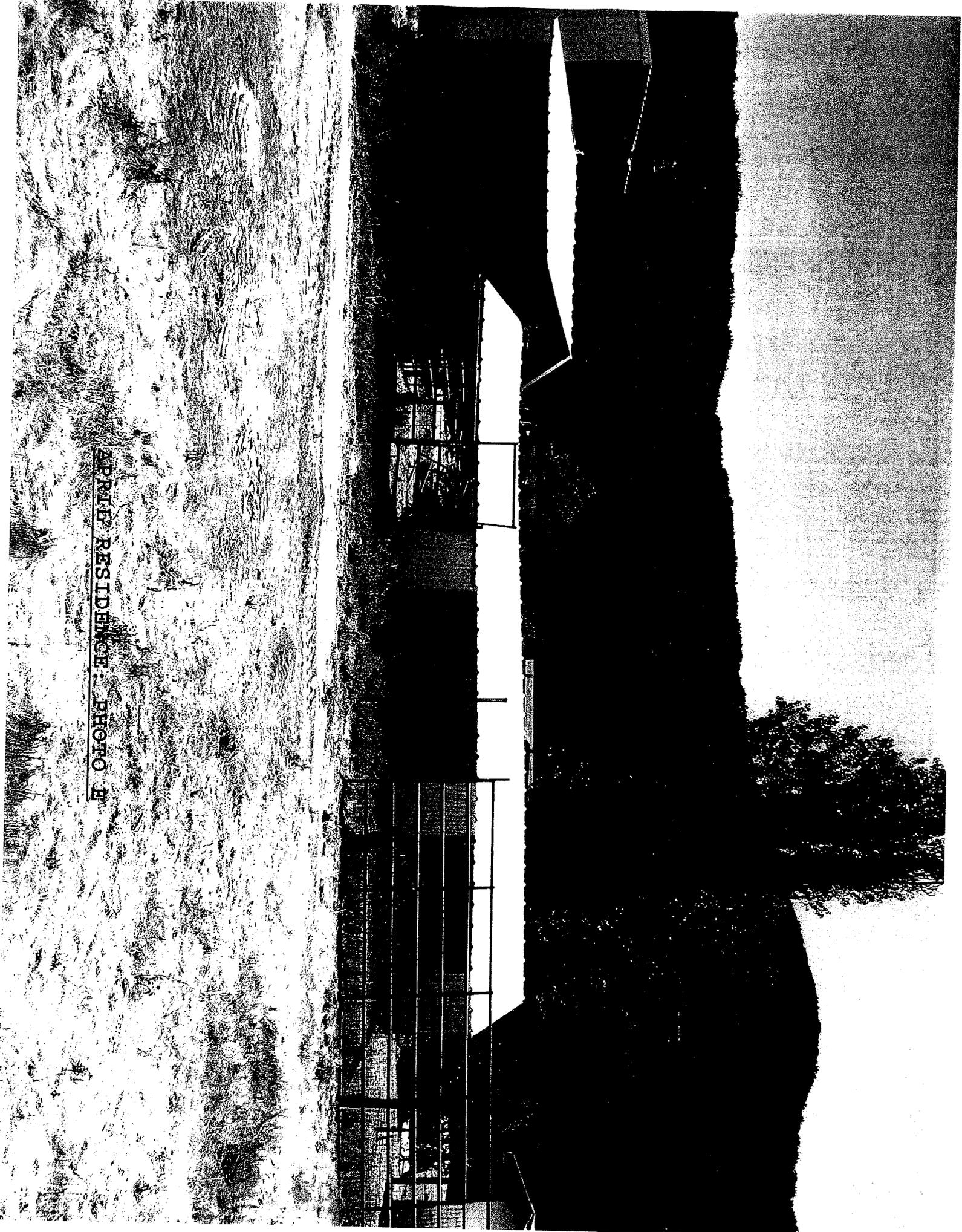


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APRIL RESIDENCE PHOTO D

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APRIL RESIDENCE: PHOTO F



APRIL RESIDENCE : PHOTO 6





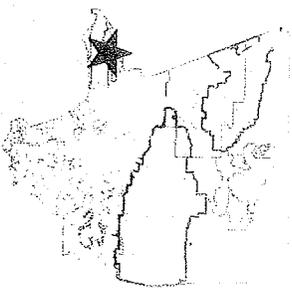




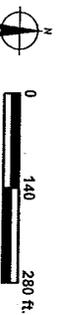
**Legend**

- Parcel Boundary
  - Arroyo Street
  - Freeway
  - Master Plan of Highways
  - Expressway - (E)
  - State Highway - (S)
  - Secondary Highway - (C)
  - Major Highway - (M)
  - Major Highway - (H)
  - Secondary Highway - (S)
  - Railroad of Road Transit
  - Rapid Transit
  - Underground Rapid Transit
  - Significant Riparian Areas
  - Census Tract (2000)
  - Zoning Index Map Grid
  - USGS Quad Sheet Grid
  - 15' datum, State Grid
  - Very High Fire Hazard Severity Zone
  - Community Standards District (CSD) Area Specific Boundary
  - ESHA (Coastal Only) Significant Ecological Area
  - Township and Range
  - National Forest
  - San Joaquin District (EUD) Select District (SD)
  - Zoned District (ZD)
  - Superstitial District Boundary
  - Safety Related Stations (from TSP)
    - Fire Station
    - Highway Patrol
    - Police Station
    - Sheriff Station
    - Special Station
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- Zoning (Boundary)**
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- Landmark Point (Not in Comp/As per)**
- 1 - 1st Danah Residence (1 to 6 June)
  - 2 - Low Medium Density Residential (12 June)
  - 3 - Residential (13 June)
  - 4 - High Density Residential (13 to 22 June)
  - 5 - High Density Residential (23 to 30 June)
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Note: This is a static image, which means only a portion of maps. To get full legend, please use "Display Map Legend" on the top left of screen.



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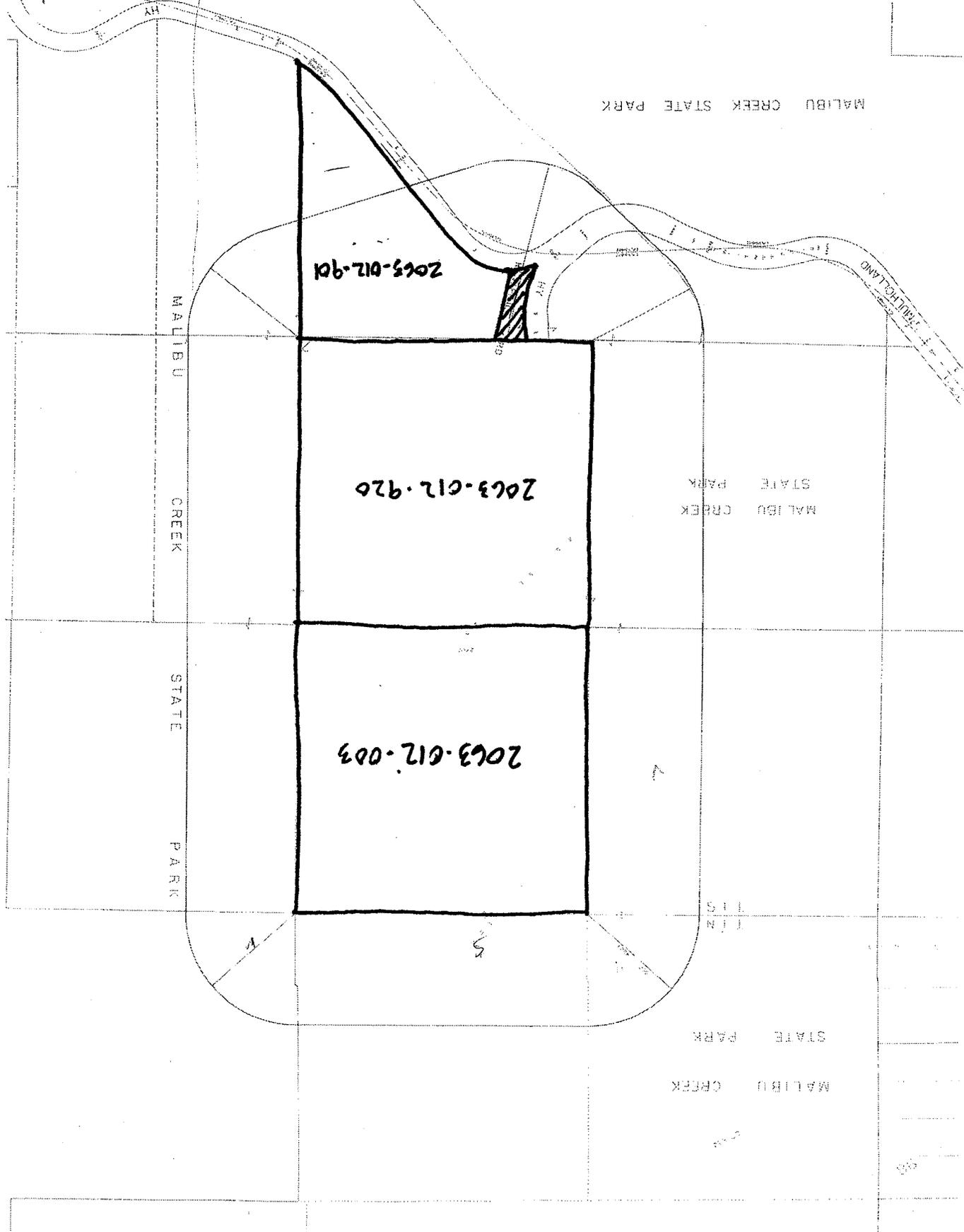


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CASE NO. R2009-01295  
R2009-01295  
R2009-01295

# 500' RADIUS MAP



MALIBU CREEK STATE PARK

MALIBU CREEK STATE PARK

MALIBU CREEK STATE PARK

MALIBU CREEK

STATE PARK

2063-012-920

2063-012-926

2063-012-003

TRAILHEAD LANE