

**Proposed ERB Recommendations for Marzban SFR, R2014-00680
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ERB meeting, 2014.08.18**

**Project: Marzban Residence
Project No. R2014-00680
Permit No. RPP201400258, RENV 201400061
APNs: 4455-018-043
Location: 1620 Cold Canyon Road, Calabasas
Planner: Rudy Silvas
Applicant: Karim Bagheri Fard**

Plans

1. Drainage plans shall give total square foot coverage (footprint) of all hardscape for purposes of calculating runoff. A drainage plan is needed showing 100% capture of a 3/4-in. storm, collecting both irrigation and rainfall runoff from roofs, driveways, and other hardscaped areas. For drainage and runoff control, ERB recommends using cistern(s) to capture and store for irrigation and fire-fighting purposes. The plan is commendable for having a storage tank, but it is not clear if this provides the capture capacity needed. Capture needs to include the pool area runoff and drive runoff that are added by this Project. Runoff capture must protect the downstream cherry woodland and the rock outcrop if these are not removed by the project.

2. Grading plans shall show existing and proposed grade/topography. Height of all retaining walls shall be indicated in cross sections on plans; grading plan should coordinate with drainage as well.

3. **Interim Erosion Control Plan**

- An Erosion Control Plan shall depict all areas for grading and construction, temporary access roads, staging areas, stockpile areas, and natural areas.
- Natural areas on the site shall be clearly delineated on the project site with fencing or survey flags and encroachment during construction shall be prohibited.
- Grading shall take place only during the dry season (April 1 – October 31), with some allowance for extension in drought conditions.
- Temporary sediment basins, drains, swales, silt fencing shall be installed with geofabric covers.
- Export shall be to an appropriate approved, dumping location.
- Temporary erosion control shall be installed for any lull in grading/construction longer than 30 days.

4. Because grading is limited to the dry season, nesting bird surveys may be needed to prevent impact on migratory birds. [Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code (Section 86), which prohibit take, including disturbances which would cause abandonment of active nests containing eggs and/or young.] Project-related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from December 1 through August 31 unless a biological monitor acceptable to the Department of Regional 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. This means the best months for vegetation clearance activities are September through November. Disturbance shall be defined as any activity that physically removes or damages vegetation or habitat, any action that may cause disruption of nesting behavior such as noise exceeding 60dB from equipment, or direct artificial night lighting. Surveys shall be conducted on the subject property within 500 feet of disturbance areas 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 nest 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 (typically 500 ft. for raptors and 300 feet for other birds). Limits of avoidance shall be demarcated with flagged fencing. The project biologist shall record the results of the surveys and results of the recommended protective measures described above and submit the records to the applicant, CDFG, and the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

5. Appropriate mitigation efforts shall include measures to avoid impacts to any bats that may roost within impact areas at the project site. Activities that will result in the removal of trees, buildings or other habitat for bats should be planned considering avoiding adverse impacts to bats. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment, (Fish and Game Code Section 4150, California Code of Regulations, Section 251.1). Several bat species are also considered California Species of Special Concern (CSC) and meet the CEQA definition of rare, threatened or endangered species (CEQA Guidelines 15065). Take of CSC could require a mandatory finding of significance by the Lead Agency, (CEQA Guidelines 15065).

- The Department recommends avoiding disturbances to bridge structures, rock crevices, tree cavities, and other bat nursery and roosting habitat between March 1 and September 15 to avoid the breeding season for bats unless preconstruction surveys are conducted by a qualified biologist and no bat roosts or nurseries are found within the project area.

a. A bat specialist acceptable to the Dept. of Regional Planning shall be appointed to perform and document bat surveys and results and provide a report. The report should document all survey and monitoring activities, results, and contain a summary report. The report is to be submitted to both the Dept. of Regional Planning and the CDFW upon completion of tree disturbance and/or building demolition activities to document compliance with applicable State and Federal laws pertaining to the protection of bats.

b. Focus during the maternity season shall be on bridge structures, rock crevices, tree cavities, and other bat nursery and roosting habitat. To the extent feasible, tree removal or relocation would be scheduled between October 1 and February 28, outside of the maternity roosting season. Maternity season lasts from March 1 to September 30. Trees and/or structures determined to be maternity roosts should be left in place until the end of the maternity season.

c. Each tree and/or structure identified as potentially supporting an active maternity roost should be closely inspected by the bat specialist no earlier than 7 days prior to tree disturbance to more precisely determine the presence or absence of roosting bats.

d. If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree should be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be pushed to the ground slowly and should remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts should not be sawed up or mulched immediately. A period of at least 24 hours, and preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by placing one-way exclusionary devices that allow bats to exit but not enter the building into areas where bats are entering a building.

6. The issuance of grading permit or building permit shall be tied to completion of this report or memo on nesting bird and bat surveys.

7. The applicant shall be aware of and adhere to the 300-foot or 1/3 parcel depth length requirement for a new access driveway to serve the designated pad site, per Malibu Local Coastal Plan Land Use Policy requirements.
8. The house and other structures shall be in earth tones to camouflage the structures, coordinating with the color of soil, rocks, and native vegetation of the site. Use of native vegetation in landscaping will help screen the structure.
9. Exterior night lighting shall be minimized using low intensity (lights not exceeding 800 lumens are recommended), low stature fixtures (2.5-3 ft.). Lights shall be directed downwards with full shielding against projection into the nighttime sky, surrounding properties, and undeveloped areas. If DPW does not require public lighting, then none shall be used. Security lighting, if used, shall be on an infrared detector or a motion sensor. Refer to the Rural Outdoor Lighting District Ordinance for restrictions on shielding, height, intensity, and encroachment, especially 22.44.540.A-D:
http://planning.lacounty.gov/view/rural_outdoor_lighting_district_ordinance
10. Implement bird-friendly design in the structure. For example, Project design should minimize large reflective external surfaces, in order to minimize the danger of bird strikes due to reflections of habitat that make a surface like glass appear to be open habitat.
11. Any Pool and/or Spa shall have a no-chlorine or low-chlorine purification system, with maintenance of proper pool water pH, calcium and alkalinity balance, to insure that runoff will not include excessive amounts of chemicals. Plans call for pool drainage using pumps and tank trucks.

Fuel Modification:

12. A fuel modification plan is needed showing zones with dimensions and parcel boundaries. Zones A & B need to be defensible staging areas for fire fighting. The fuel modification plan should follow the standard regulations:
 - Zone A: 20 ft. wide; irrigated; non-invasive ground covers
 - Zone B: 30 ft. wide beyond Zone A; irrigated; contains non-invasive ground covers, native plants, deep-rooted perennials, some well-spaced shrubs and trees.
 - Zone C: Beyond Zones A & B (to 200 ft. from the structure or to property line, whichever is less), mosaic of thinned, clumped, native vegetation, pruned on a staggered 2-3 year schedule, with clumps adjacent to one another in alternate pruning times.
13. In preparing Zone C for fuel modification:
 - Retain as many non-sprouting species as possible. (They usually have a single trunk.) Do not cut off the trunk in pruning, as this kills the plant.
 - Choose multiple-trunked, resprouting species for removal over non-sprouters. The remaining multi-trunked shrubs should be pruned in a staggered, clumped pattern on an alternating schedule, allowing 2-3 years between prunings for any one clump. Resprouting species can be pruned to near ground level.

Landscaping, including Landscape Monitoring

14. All landscaping in Zones B and C shall consist of locally native/drought resistant plants, indigenous to the Santa Monica Mountains, using accepted planting procedures, consistent with fire safety requirements. All native plant species shall be of local genetic stock.
15. Vegetation within 20 feet of the proposed house may be removed to mineral earth. Vegetation within 100-200 foot radius of the main structure shall be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with the approved final fuel modification plan. Irrigated lawn, turf, and ground cover

planted within the first twenty-foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

16. Removal of natural vegetation for the purpose of fuel modification within the 100-200 foot zone surrounding the proposed structure(s) shall not commence until the local government has issued a building or grading permit. Vegetation thinning within the 100-200 foot fuel modification zone shall not occur until commencement of construction.

17. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone, or Diphacinone) shall not be used. Instead use non-persistent methods that do not infiltrate the natural food chain such as trapping, gas, etc.

18. Perimeter fencing shall not be allowed or be "wildlife friendly" such as split-rail, allowing easy transit of wildlife; however, security fencing adjacent to the house is acceptable, for example, around a swimming pool.

19. Five years from the date of the receipt of the Certificate of Occupancy for the residence, the applicants shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies whether the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

20. If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicants, or successors in interest, shall submit a revised or supplemental landscape plan, for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.