



**MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)  
Unincorporated Coastal Zone, Santa Monica Mountains, Los Angeles County  
Meeting of 24 February 2014**

(Approved as amended, 16 June 2014)

**Persons in Attendance**

**ERB Members**

Rosi Dagit  
Suzanne Goode  
Margot Griswold, Ph.D.  
David Magney

**Regional Planning Staff**

Samuel Dea, Planner  
Kevin Finkel, Planner  
Shirley Imsand, PhD, Coordinator  
Gina Natoli, Planner  
Rudy Silvas, Planner

**Malibu Institute, TR071735-(3), RENV 201100192, CUP 201100122, p.2-3, 10-13**

Jim Anderson  
Tom Hix  
Primo Tapia  
Kathleen Truman

**Monte Nido Estates, TR38931, RENV 201200025, p.4-8, 14-18**

Imad Aboujawdah  
Richard Ibarra  
Daryl Koutnik, Ph.D.  
Bill McKibbin

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**MINUTES**

**Strikeout text indicates what was said at meeting and later corrected.**

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**RECOMMENDATIONS SUMMARY:**

**I. Discussion of Enforcement of Landscape, Recommendations:**

- A. Include landscape check on Public Works checklist; coordinate with Public Works to perform check. (Timing could be a problem in that some landscapes are installed after the Public Works check.)
- B. Fund a position for biologist or biologist-planner who could aid in doing landscape checks for compliance at the Calabasas office.
- C. Make it policy that any landscape requirement is a condition of approval.
- D. Make the landscape plan a condition for occupancy in the Coastal Development Permit.
- E. Attach the landscape requirement to the deed and have the landscape requirement travel with the deed in perpetuity.
- F. Attach any landscape requirement to the annual check for brush clearance.
- G. To landscape plans, add exclusion of existing plants with high hazard qualities such as *Eucalyptus* spp. and palm trees.

**IV. Project No. TR071735-(3), Malibu Institute**

Educational Retreat & Conference Center, with renovation of existing 18-hole golf course

Address: 901 Encinal Canyon Road, Malibu

Permit Nos.: TR No. 071735, CUP No. 201100122, PKP No. 20110005; RENV 201100192

Retreat Center APNs: 4471-001-034, 4471-001-035, 4471-002-010, 4471-002-011,  
4471-021-034, 4471-003-030

Planners: Samuel Dea and Kevin Finkel

Applicant: Thomas Hix for Malibu Institute, L.L.C.

Biologists: James Anderson and Primo Tapia of Envicom Corporation

USGS 7.5' Quad: Point Dume

**RECOMMENDATIONS SUMMARY:**

1. The stream system of Trancas Creek should be restored within the golf course for connectivity and daylighted as much as possible. The pond and stream system should be connected from the headwaters, through the golf course, through the dam between the ponds, and should extend to natural drainages at the south end of the project site near Encinal Canyon Road into Trancas Creek on the southern side of Encinal Canyon Road. The pumped water system does not need to be used, as water should not be put into the Santa Monica Mountains where it does not exist naturally.

Recommendation: Rosi Dagit and amendment Gina Natoli / 2<sup>nd</sup>: Suzanne Goode

Ayes: Dagit, Goode, Magney, Natoli / Abstain: Griswold

2. As much as possible, and where compatible with golf course management, the golf course should try to use native grasses as part of landscape component of the fairway and roughs for the golf course. This will be less problematic for invasive characteristics of non-native plants and reduce water use. Suggested plants are White yarrow (*Achillea millefolium*); Salt-grass (*Distichlis spicata* ssp. *spicata*); and Clustered field sedge (*Carex praegracilis*).

Recommendation: David Magney / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

3. Bioswales should all be green bioswales with absorptive native plants.

Recommendation: David Magney, 2<sup>nd</sup> Suzanne Goode, Ayes: Unanimous

4. Monitoring for the reintroduction of invasive plant and animal species and removal if found shall be done annually.

Recommendation: Suzanne Goode / 2<sup>nd</sup> Rosi Dagit / Ayes: Unanimous

5. Floristic surveys shall be performed for sensitive species such as lichens, bryophytes, and vascular plant floras, and surveys are needed for invertebrate insects and mollusks (such as *Helminthoglypta traskii traskii*).

Recommendation: David Magney / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

6. Sensitive native animal species shall be held when possible during renovations for later replacement to and throughout the restored and undeveloped part of the site; mitigation lands or credits may need to be purchased for sensitive species that are found and cannot be held; for some relocations; for sensitive species assumed to be present; and for cumulative loss of habitat.

Recommendation: David Magney / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

7. ERB stated that they do not have any objections to the contents of DRP biologist Joseph Decruyenaere's report and that they shall approve his recommendation as is.

Recommendation: Rosi Dagit / 2<sup>nd</sup> David Magney / Ayes: Unanimous

**CONSISTENCY:**

8. ERB recommends that the Malibu Institute Project is inconsistent with the 1986 Malibu Land Use Plan due to the high-intensity use in a Significant Watershed. The facilities and conference center plan introduces a high-intensity use, too much built environment, and too many visitors to the Significant Watershed of Trancas Creek. The new golf course plan is still too extensive for this sensitive habitat.

Recommendation: Rosi Dagit / 2<sup>nd</sup> David Magney / Ayes: Unanimous

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Malibu Institute, TR071735-(3), ERB Meeting Date: 24 February 2014  
ERB Evaluation:  Consistent  Consistent after Modifications  
 Inconsistent  No decision

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Malibu Institute, TR071735-(3), ERB Meeting Date: 24 February 2014  
Staff Recommendation:  Consistent  Consistent after Modifications  
 Inconsistent  No decision

**Suggested Modifications: Comply with all ERB recommendations numbers 1-7.**

1. The improvements to water quality and runoff and removal of invasive species in the Malibu Institute Project plan are all sorely needed for the Trancas Creek Significant Watershed and its biological communities.
  2. The reconnection of the stream and water features with the natural watershed system of Trancas Creek is a good idea. Flood control needs should be thoroughly investigated to determine if the golf course natural habitat can take care of what is needed without concrete dams and spillways on the water courses of the watershed that connect with the Malibu Institute. Any man-made drainage structures that can be eliminated should be removed or redesigned to permit wildlife connectivity. Such structures are all impediments to wildlife and plant connectivity. Culverts should be redesigned as possible to permit wildlife and plants to transit through the dam between the ponds (Trancas Lakes) and under Encinal Road. Reconnecting the watershed should be done with the aim of restoring wildlife and plant movement through the area of the Malibu Institute.
  3. Daylighting should be done as much as possible, particularly at the periphery of the Golf Course.
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**V. Tract Map TR38931, Monte Nido Estates**

**Eleven Plot Plans, 25631 through 25752 Piuma Rd., Malibu**

**Permit Nos.: RENV 201200025**

**Planner: Rudy Silvas**

**Applicant: Imad Aboujawdah**

**Biologist: Dr. Daryl Koutnik, PCR**

**USGS 7.5' Quad: Malibu Beach**

**A. Project No.: R2013-03620**

**Permit No.: RPP T201301334**

**APN: 4456-038-019**

**Location: 25724 Piuma Rd., Calabasas**

**Proposal: New 2-story, 4,119 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 700 CY cut and 100 CY fill (600 CY export).**

**B. Project No.: R2013-03621**

**Permit No.: RPP T201301335**

**APN: 4456-038-002**

**Location: 25693 Piuma Rd., Calabasas**

**Proposal: New 2-story, 4,440 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 100 CY cut and 500 CY fill (400 CY import).**

**C. Project No.: R2013-03622**

**Permit No.: RPP T201301336**

**APN: 4456-038-018**

**Location: 25722 Piuma Rd., Calabasas**

**Proposal: New 2-story, 4,407 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 350 CY cut and 50 CY fill (300 CY export).**

**D. Project No.: R2013-03623**

**Permit No.: RPP T201301337**

**APN: 4456-038-017**

**Location: 25720 Piuma Rd., Calabasas**

**Proposal: New 3-story, 5,411 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 350 CY cut and 0 CY fill (350 CY export).**

**E. Project No.: R2013-03624**

**Permit No.: RPP T201301338**

**APN: 4456-038-020**

**Location: 25734 Piuma Rd., Calabasas**

**Proposal: New 2-story, 3,662 sq. ft. single family dwelling with landscaping and septic system on a vacant lot. Proposed grading includes 450 CY cut and 75 CY fill (375 CY export).**

**F. Project No.: R2013-03625**

**Permit No.: RPP T201301339**

**APN: 4456-038-007**

**Location: 25631 Piuma Rd., Calabasas**

**Proposal: New 2-story, 5,234 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 350 CY cut and 50 CY fill (300 CY export).**

- G. Project No.: R2013-03626  
 Permit No.: RPP T201301340  
 APN: 4456-038-021  
 Location: 25750 Piuma Rd., Calabasas  
 Proposal: New 2-story, 4,407 sq. ft. single family dwelling with landscaping and septic system on a vacant lot. Proposed grading includes 700 CY cut and 0 CY fill (700 CY export).
- H. Project No.: R2013-03627  
 Permit No.: RPP T201301341  
 APN: 4456-038-016  
 Location: 25680 Piuma Rd., Calabasas  
 Proposal: New 2-story, 3,636 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 420 CY cut and 0 CY fill (420 CY export).
- I. Project No.: R2013-03628  
 Permit No.: RPP T201301342  
 APN: 4456-038-013  
 Location: 25634 Piuma Rd., Calabasas  
 Proposal: New 2-story, 4407 sq. ft. single family dwelling with landscaping and septic system on a vacant lot. Proposed grading includes 320 CY cut and 0 CY fill (320 CY export).
- J. Project No.: R2013-03629  
 Permit No.: RPP T201301343  
 APN: 4456-038-004  
 Location: 25675 Piuma Rd., Calabasas  
 Proposal: New 2-story, 5,318 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 225 CY cut and 95 CY fill (130 CY export).
- K. Project No.: R2013-03630  
 Permit No.: RPP T201301344  
 APN: 4456-038-022  
 Location: 25752 Piuma Rd., Calabasas  
 Proposal: New 2-story, 3,732 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 480 CY cut and 100 CY fill (380 CY export).

**RECOMMENDATIONS SUMMARY:**

1. Structure footprints should be at least 100 feet away from the edge of the riparian vegetation along the stream.  
 Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous
2. Building footprints should be at least 50 feet from edge of oak woodlands, more distant if possible, to avoid impacts from any required fuel modifications.  
 Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous
3. No residential development should be allowed within the boundaries of proposed ESHA.  
 Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

**BIOLOGICAL RESOURCES ASSESSMENT:**

4. Preconstruction surveys for biological resources should include surveys for, and assessments of: lichen, bryophyte, and vascular plant floras, and surveys for assessments of impacts to invertebrate fauna. Several species of invertebrates, including insects and mollusks (such as *Helminthoglypta traskii traskii*), are known to occur in the area (Santa Monica Mountains).

Recommendation: David Magney / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

#### MITIGATION AREAS

5. Items 5g (lot 21) and 5k (lot 4) at the western end of the tract should be combined, and the area and driveway should be retired from development. This will better preserve the habitats of oak woodland, which already has major ground clearance for fire safety, and nearby watercourse riparian area. The retired lots should then go into the TDC Program (Transfer of Development Credits) of the proposed Local Coastal Program.

Recommendation: David Magney / Amendment, Gina Natoli / 2<sup>nd</sup> Rosi Dagit / Ayes: Unanimous

6. Oak impacts on the driveway flag area will, therefore, not need to occur. If the lots are not retired, then an Oak Tree Permit application is needed.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

#### LANDSCAPE RESTRICTIONS:

7. Landscape plans shall be for locally native plants only. Locally indigenous plants are to be from the Santa Monica Mountains. Drought-tolerant plants and allowances should be followed. There shall be no invasive plants approved on any landscape plan for the tract. The DRP invasive list and the Cal-IPC invasive list shall be used to determine prohibited plants. A list of typical plants to avoid shall be attached to the landscape plan with the phrase "Non-natives that are specifically prohibited include, but are not limited to, palm trees (family *Arecaceae*), pampas grass (*Cortaderia* spp.), Pepper trees (*Schinus* spp.), *Eucalyptus* spp."

Recommendation: David Magney / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

8. The restriction to use locally native plants in landscapes shall be a condition on the permit and on the deed that shall pass with the land in perpetuity.

Recommendation: David Magney / 2<sup>nd</sup> Rosi Dagit / Ayes: Unanimous

9. Native plant landscaping proposed to screen the development from aesthetic views (from public lands, the Backbone Trail and other public trails, high areas such as Saddle Peak, and the scenic Piuma Road) shall be secondary to design that can make the development less obtrusive. Design elements that shall first be applied are: a. lower heights and b. siting of the houses and accessory buildings out of sight.

Recommendation: Gina Natoli / 2<sup>nd</sup> David Magney / Ayes: Unanimous

#### PROJECT PLANS AND DETAILS OF DESIGN:

All of the recommendations drafted by DRP Biologist Joseph Decruyenaere were adopted as follows:

10. Applicant must clearly delineate ESHA locations on all plans.

Recommendation: Rosi Dagit, 2<sup>nd</sup> Gina Natoli, Ayes: Unanimous

11. Riparian and jurisdictional resource areas should be mapped and shown on all plot plans wherever present. The bridge crossing will require permitting from CDFW and USACE. Include a CRAM or HGM functional analysis and mitigation measures with the notification package sent to these agencies.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

12. Many of the areas mapped as "ruderal" in the biological report are manufactured slope areas that appear to have been planted with native species—chiefly native grasses and coyote bush, presumably as an erosion control method. Although this vegetation is artificially created and the County does not regard it as sensitive, it is not ruderal and should not be mapped as such.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

13. A drainage plan is needed showing 100% capture of a 3/4" storm, collecting both irrigation and rainfall runoff from roofs, driveways, and other hardscaped areas. For drainage and runoff control, ERB recommends using cisterns to capture and store water for irrigation and fire-fighting purposes.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

14. Incorporate project design features and provide a drainage plan to ensure detention of storm water complies with current RWQCB requirements.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

15. Implement a temporary erosion control plan during construction in keeping with RWQCB requirements. Site septic facilities as far as possible from public open space and oak trees; incorporate filtration or micropore treatments in order to protect water quality.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

16. The house and other buildings 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.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

17. Submit a landscape/fuel modification plan for review and approval by DRP; landscaping shall provide a visual screening and erosion-preventative function. New landscaping shall consist only of locally indigenous native plants outside of Fuel-Modification Zone A/B.

Recommendation: Rosi Dagit, 2<sup>nd</sup> Gina Natoli, Ayes: Unanimous

18. Fish's milkwort (*Polygala cornuta* var. *fishiae*), southern California black walnut (*Juglans californica*), oak woodland, and ESHA should be depicted on fuel modification plans and protected from fuel-modification impacts.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

19. 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.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

20. 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, re-sprouting 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. Re-sprouting species can be pruned to near ground level.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

21. Perimeter fencing shall not be allowed; however, security fencing adjacent to the house is acceptable, for example, around a swimming pool.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

22. Exterior night lighting shall be minimized in observance of Rural Outdoor Lighting District standards, using low intensity (not exceeding 800 lumens) lights on low stature (2.5-3 ft.) fixtures. 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](http://planning.lacounty.gov/view/rural_outdoor_lighting_district_ordinance).

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

23. Avoid large reflective surfaces on house exteriors in order to reduce the likelihood of bird strikes.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

**CONSISTENCY:**

24. The ERB recommends that the project is consistent with the County Local Coastal Program for the Santa Monica Mountains after it follows all recommendations outlined above.

Recommendation Rosi Dagit / 2<sup>nd</sup> Margot Griswold / Ayes: Unanimous

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Monte Nido Estates, TR38931, ERB Meeting Date: 24 February 2014  
ERB Evaluation:     \_\_\_ Consistent     X Consistent after Modifications  
                      \_\_\_ Inconsistent   \_\_\_ No decision

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**Staff Biologist Recommendation:**

Monte Nido Estates, TR39031, ERB Meeting Date: 24 February 2014  
                      \_\_\_ Consistent     X Consistent after Modifications  
                      \_\_\_ Inconsistent   \_\_\_ No decision

**Suggested Modifications:**

1. Comply with all ERB recommendations. On setbacks the planner needs to allow what has previously been permitted, but follow the ERB recommendations as much as possible on the projects reviewed at the 24 February 2014 meeting.
  2. For any oak tree permit, the oaks in the island of project V.B. (lot 2) appear to be impacted by clearing for the project. Assessment should be made for encroachment on those trees.
  3. Fuel modification and clearing up to the protected zones of oak trees are serious impacts on oak woodlands, because the oak shallow roots extend over 3 times the canopy radius, beyond the protected zone that is legislated for single oak trees. Brush clearance and fuel modification remove essential parts of the oak woodland community, even if removals do not include oak trees. Fuel modification on all the project sites will be impacting oak woodland, and there should be an assessment of oak woodland impacted acreage (including fuel modification) compared to non-impacted oak woodland acreage in the parcels proposed for open space. The standard used for mitigation is generally twice the acreage in mitigation of the acreage of impact. If the impact-free oak woodland acreage proposed for open space is not 2 times the impacted acreage (including off-site impact), then mitigation should be expanded to include enough oak woodland to equal 2 times the impacted acreage of oak woodland. Retirement of development on the parcels in ERB Recommendation No.5 above could remove some impacts and add some mitigation acreage for oak woodland.
  4. Parcels proposed for open space shall have the deeds retire any future development rights, and there shall be a conservation easement on those parcels held by a conservation organization.
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## **MINUTES: DISCUSSION COMMENTS AND RECOMMENDATIONS**

### **ANNOUNCEMENTS / DISCUSSION ITEMS:**

I. **Report on Study Group Meeting on Enforcement of Landscape Requirements: Drought-tolerant, Fire-Safe, and Native.** Shawn Skeries from Zoning Enforcement and Gina Natoli provided information to the ERB. Currently landscape requirements may or may not be added to conditions of a project. Inspections for compliance are conducted by the Building & Safety Division of Public Works, and these reviews are concerned with building construction and safety issues like setbacks, not with landscaping requirements. Enforcement at DRP is complaint-driven, so no landscape checks are done outside of complaints, and very few complaints are about landscaping. Enforcement does not have manpower to check every element of land use. For landscaping complaints, enforcement needs one of the DRP biologists to accompany the enforcement officer. Fire department does a review for brush clearance annually. Several suggestions were made for capturing landscape requirements into continuing review for compliance.

- A. Include landscape check on Public Works checklist; coordinate with Public Works to perform check. (Timing could be a problem in that some landscapes are installed after the Public Works check.**
- B. Fund a position for biologist or biologist-planner who could aid in doing landscape checks for compliance at the Calabasas office.**
- C. Make it policy that any landscape requirement is a condition of approval.**
- D. Make the landscape plan a condition for occupancy in the Coastal Development Permit.**
- E. Attach the landscape requirement to the deed and have the landscape requirement travel with the deed in perpetuity.**
- F. Attach any landscape requirement to the annual check for brush clearance.**
- G. To landscape plans, add exclusion of existing plants with high hazard qualities such as *Eucalyptus* spp. and palm trees.**

IIA. Directive of County Counsel on ERB staffing and Bylaws. Re-organization of the ERB with a Chairman and Co-chairman would be done under Bylaws, but ERB does not have Bylaws, and it would be complex to produce these. ERB members will retain the current organization with DRP biologist coordinating and chairing the meetings.

IIB. The new Land Use Program for County Coastal Zone in the Santa Monica Mountains was approved by the County Board of Supervisors on 11 February 2014, and the Program is proceeding in process of review with review by the California Coastal Commission. ERB will be tasked with a revision of review process and have additional responsibilities in review.

### **OLD BUSINESS**

- III. **Approval of Comments & Recommendations and Minutes of ERB meeting of 21 October 2013.**  
Recommendation to approve: Suzanne Goode, 2<sup>nd</sup> Margot Griswold, Ayes: Unanimous

#### IV. Project No. TR071735-(3), Malibu Institute

**Educational Retreat & Conference Center, with renovation of existing 18-hole golf course**

**Address:** 901 Encinal Canyon Road, Malibu

**Permit Nos.:** TR 071735, CUP No. 201100122, PKP No. 20110005; RENV 201100192

**Retreat Center APNs:** 4471-001-034, 4471-001-035, 4471-002-010, 4471-002-011,  
4471-021-034, 4471-003-030

**Planners:** Samuel Dea and Kevin Finkel

**Applicant:** Thomas Hix for Malibu Institute, L.L.C.

**Biologists:** James Anderson and Primo Tapia of Envicom Corporation

**USGS 7.5' Quad:** Point Dume

**Proposal:** The applicant is proposing to remodel an existing 18-hole golf course and develop a retreat and conference center with overnight accommodations on approximately 650 acres of an assemblage of 29 parcels (to be consolidated to 7 parcels if project is approved) spanning from north of Mulholland Drive to Encinal Canyon Road on the Project's south boundary at the entry to the existing Malibu Golf Course. All development is on previously disturbed land. The Project will use two of the parcels to develop an educational retreat and conference center, and it will remodel the existing 18-hole golf course to be on only 107 of the current 118 acres and have drainage and runoff controls for water quality improvement. The remaining five parcels (about 450 acres) will be dedicated as permanent open space to the National Park Service. The Project proposes constructing 224,760 square feet of structures, with a majority that will have a LEED™ Platinum rating or equivalent standard, reusing the building footprint of an existing 12,475-square foot clubhouse and cart barn complex. Grading consists of 120,000 cubic yards (c.y.) of cut and 120,000 c.y. of fill, to be balanced onsite, and a net increase of 201,125 sq.ft. of footprint of structures to a total of about 224,760 sq.ft. Part of the golf course will become Wellness/Fitness Center facilities and 40 bungalow structures with 160 rooms for up to 320 overnight guests. Water will be provided by the current system: from the Las Virgenes Municipal Water District and 6 existing wells that pump into an existing 100,000-gallon water tank. The existing caretaker unit of 875 sq.ft. will be retained; an abandoned 4160 sq.ft. residence will be removed. Most of the asphalt areas (185,000 sq.ft.) will be converted to permeable paving and subsurface filtration, replacing the current system that discharges to Trancas Creek. The existing wastewater system is to be replaced by a new 40,000-gal./day tertiary treatment/recycling system, with recycled water used for golf course irrigation. An existing helicopter pad will be relocated and provided with a high pressure system for filling water bags of firefighting helicopters. About 1590 non-native trees will be removed, an exception being non-native oaks. The ponds (Trancas Lakes) are planned to be drained and dried to eliminate non-native fish and crayfish and reconfigured to have a basking area for native western pond turtles and a pumping system that will enable circulation of water through the ponds and improved water quality.

**Resources:** The subject parcels are chiefly in the headwaters of the **Significant Watershed of Trancas Canyon**, and the golf course is centered on Trancas Canyon and a major tributary to Trancas connecting within the golf course from the east. The Project development is entirely within the proposed Coastal Zone of the proposed Santa Monica Mountains Significant Ecological Area. Much of the buildings and parking lots are within the **Trancas Canyon Significant Watershed SERA**. **Plummer's mariposa-lily** is reported from the part of the Project site to be conserved. **Cooper's hawk** and **coastal whiptail lizard** are reported from developed parts of the site. **Western pond turtles** are found in the ponds. The applicant reports that **12 adult western pond turtles have been logged and tagged in the ponds; but no juvenile turtles were found. A Significant Ridgeline dividing Zuma Canyon on the east and Trancas Canyon on the west is on part of the Project site to be conserved. The Backbone Trail is located** in part on the Zuma Ridge Motorway that is on the significant ridgeline. **Malibou Lake Connecting Trail** is adjacent to the western edge of the Project area to be conserved.

**Request:** Review the proposed development and provide recommendations to be used as guidelines for the Regional Planning Commission's consideration of land use entitlements and as part of any necessary environmental review of the Project under the California Environmental Quality Act (CEQA).

**The project was previously reviewed by ERB on 19 November 2012:**

[http://planning.lacounty.gov/assets/upl/agenda/erb\\_20121119-minutes.pdf](http://planning.lacounty.gov/assets/upl/agenda/erb_20121119-minutes.pdf)

**The applicant approved of Gina Natoli serving *pro-tempore* to fulfill the ERB quorum.**

**APPLICANT'S PRESENTATION:** All of the project components are to be located in areas that are already disturbed. The Project will redesign the golf course placing 18 holes on 107 of current 118 acre area, and install infrastructure upgrades to use less water and provide better filtration of water through sub-surface layers and bioswales. The approximate 20 acres of the golf course bordering the clubhouse area will be used to accommodate the development of 40 bungalows, each with four double-occupancy bedrooms and no kitchen facilities. Built space will be redesigned into conference facilities and education and health club facilities. All food waste will be composted. Lighting will be designed

to conform to the "Dark Sky" criteria, such as by removal of overhead parking lot lighting. The project will increase the footprint of structures by 201,125 sq.ft. to a total of about 224,760 ~~224,000~~ sq.ft. The facility will be self-contained and not need to send people out to lodgings outside the Project, which greatly reduces the broad spread of impacts. Using solar panels on the parking lots and roof-tops will provide shades and will generate approximately 2/3 of the Project's power needs. Roofs on some of the buildings will have solar panels or be vegetated, and roof water runoff will be collected and reused. Golf course ponds are naturally, entirely fed by springs, and the new design will add a system to pump water upstream so that flow will oxygenate the water and obviate current stagnant conditions, and ponds will be aerated. The onsite tertiary recycling system (sewage system) will be underground and effluent will provide approximately 10% of the golf course's irrigation needs. The project will require 194.21 acre feet/yr from Las Virgenes Water District, which is a reduction of current potable water needs by 32%. ~~(Current water use is about 330 acre feet/year which will reduce to 282 acre feet/year of potable water supplied by the Las Virgenes Water District for 15% reduction.)~~ Water conservation measures include removal of about 2,000 non-native trees and use of a sterile, hybrid Bermuda grass that requires minimal water and minimal fertilization, is very drought-tolerant, and sterile, though it does spread by rhizomes. The irrigation system will be replaced with a much more efficient and modern system. Non-native trees are to be replaced with native plants under guidance of the Mountains Restoration Trust, which has already collected acorns for this purpose from native oaks on the property. Greens will have a constructed 2.5 to 3-ft. subsurface filtration system, that will route filtered irrigation water to bioswales between the greens and the Trancas Creek system of ponds and constructed stream course on the golf course. The conference asphalt area will have permeable paving draining into a subsurface filtering and collection system that will also lead to bioswales. When the bioswales have water, it will be used in irrigation. The Project has a conditional letter of acceptance from the National Park Service for the over 450 acres of open space that will be donated to the Recreation Area as permanent open space.

A letter on behalf of the applicant from Dr. Lee Kats of Pepperdine University, who has studied the biota of the Malibu Institute property and Trancas Canyon, was distributed to the ERB members. (This letter will be included with the ERB public comments document and posted on the website for the meeting.)

#### **ERB COMMENTS, DISCUSSION, & RECOMMENDATIONS**

**1. ERB states that the Malibu Institute Project has been thoughtfully and responsibly designed, and the effort that has gone into every detail to make it responsive to environmental concerns is greatly appreciated.**

**2. The stream system of Trancas Creek should be restored within the golf course for connectivity and daylighted as much as possible. The pond and stream system should be connected from the headwaters, through the golf course, through the dam between the ponds, and should extend to natural drainages at the south end of the project site near Encinal Canyon Road into Trancas Creek on the southern side of Encinal Canyon Road. The pumped water system does not need to be used, as water should not be put into the Santa Monica Mountains where it does not exist naturally.**

**Comments by DRP:**

**The pumped water system does not need to be used, as it is natural for the Creek bed to be dry most of the year. Natural flow in the rainy season and the pond aeration will be sufficient to prevent stagnation. Turtles will be able to live with this kind of restoration, and newts probably can adapt to it too. Erosion should not be a problem if done correctly.**

**Recommendation: Rosi Dagit and amendment Gina Natoli / 2<sup>nd</sup>: Suzanne Goode**

**Ayes: Dagit, Goode, Magney, Natoli / Abstain: Griswold**

**Applicant's Response:** Daylighting the stream area would require moving an estimated 700,000 cu.yd. of earth, which would preclude the renovation of the golf course and development of overnight visitor-serving accommodations on the Project site. The fill substrate is being used to filter the effluent of the golf course, so it is providing a benefit to leave it in place. The biological advice from Dr. Kats did not recommend daylighting the old creek bed. The applicant will research the feasibility of daylighting and restoring some sections to accommodate connectivity through the golf course and to the natural habitat to the extent possible.

**3. The project scope should be reduced both for size of golf course and the size of the conference center, both to reduce water consumption and to reduce overall impact of persons. An increase in the built environment of a large facility by a factor of 10, even a facility on 650 acres, is not consistent with the 1986 Local Coastal Program for a Significant Watershed.**

**Recommendation: Rosi Dagit**

**Applicant's Response:** Costs of all the restorative measures necessitate having the project size that has been designed. The restoration will not take place if the Project is not designed to earn a profit. The County has indicated that it wants to have the golf course function continue, and the Project is incorporating the best measures known to provide a golf course with the minimum of impacts possible.

4. As much as possible, and where compatible with golf course management, the golf course should try to use native grasses as part of landscape component of the fairway and roughs for the golf course. This will be less problematic for invasive characteristics of non-native plants and reduce water use. Suggested plants are White yarrow (*Achillea millefolium*); Salt-grass (*Distichlis spicata* ssp. *spicata*); and Clustered field sedge (*Carex praegracilis*).

Recommendation: David Magney / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

Applicant's Response: The applicant stated that they would speak with their golf turf consultants at Michigan State University and University of California, Riverside, about incorporating the native species identified. The applicant also noted their willingness to reach out to turf experts at the University of California, Davis, or other local institution as suggested by ERB.

5. Bioswales should all be green bioswales with absorptive native plants.

Recommendation: David Magney, 2<sup>nd</sup> Suzanne Goode, Ayes: Unanimous

6. Monitoring for the reintroduction of invasive plant and animal species and removal if found shall be done annually.

Recommendation: Suzanne Goode / 2<sup>nd</sup> Rosi Dagit / Ayes: Unanimous

Applicant's Response: The applicant stated that they do not object to this recommendation and that Mitigation Measure 11 in the EIR addresses this recommendation.

7. Floristic surveys shall be performed for sensitive species such as lichens, bryophytes, and vascular plant floras, and surveys are needed for invertebrate insects and mollusks (such as *Helminthoglypta traskii traskii*). The applicant has agreed and planned to conduct preconstruction survey for these species.

Recommendation: David Magney / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

Applicant's Response: The applicant agreed and has planned to perform preconstruction survey for these species as indicated in the proposed MMRP.

8. Sensitive native animal species shall be held when possible during renovations for later replacement to and throughout the restored and undeveloped part of the site; mitigation lands or credits may need to be purchased for sensitive species that are found and cannot be held; for some relocations; for sensitive species assumed to be present; and for cumulative loss of habitat.

Recommendation: David Magney / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

9. ERB stated that they do not have any objections to the contents of DRP biologist Joseph Decruyenaere's report and that they shall approve his recommendation as is.

Recommendation: Rosi Dagit / 2<sup>nd</sup> David Magney / Ayes: Unanimous

#### CONSISTENCY:

The ERB voted on recommendations 1-9 as noted above, except for the recommendation #3 on consistency. Following this vote, the applicant and his representatives were told that their item for discussion had concluded, the project did not need to come back before ERB, and the recommendations stand. After completing other business on the agenda, the ERB returned to the item to discuss project consistency without the project planner or applicant group present.

A discussion was held concerning whether the project scope should be reduced both for size of golf course and the size of the conference center, both to reduce water consumption and to reduce overall impact of persons. An increase in the built environment of a large facility by a factor of 10, even a facility on 650 acres, is not consistent with the 1986 Local Coastal Program for a significant watershed.

10. ERB recommends that the Malibu Institute Project is inconsistent with the 1986 Malibu Land Use Plan due to the high-intensity use in a Significant Watershed. The facilities and conference center plan introduces a high-intensity use, too much built environment, and too many visitors to the Significant Watershed of Trancas Creek. The new golf course plan is still too extensive for this sensitive habitat.

Recommendation: Rosi Dagit / 2<sup>nd</sup> David Magney / Ayes: Unanimous

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Malibu Institute, TR071735-(3), ERB Meeting Date: 24 February 2014

ERB Evaluation:         Consistent         Consistent after Modifications  
                              Inconsistent         No decision

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Malibu Institute, TR071735-(3), ERB Meeting Date: 24 February 2014

Staff Recommendation:     \_\_\_ Consistent            X Consistent after Modifications  
                                  \_\_\_ Inconsistent       \_\_\_ No decision

**Suggested Modifications: Comply with all ERB recommendations numbers 1-9, except 3.**

1. The improvements to water quality and runoff and removal of invasive species in the Malibu Institute Project plan are all sorely needed for the Trancas Creek Significant Watershed and its biological communities.
  2. The reconnection of the stream and water features with the natural watershed system of Trancas Creek is a good idea. Flood control needs should be thoroughly investigated to determine if the golf course natural habitat can take care of what is needed without concrete dams and spillways on the water courses of the watershed that connect with the Malibu Institute. Any man-made drainage structures that can be eliminated should be removed or redesigned to permit wildlife connectivity. Such structures are all impediments to wildlife and plant connectivity. Culverts should be redesigned as possible to permit wildlife and plants to transit through the dam between the ponds (Trancas Lakes) and under Encinal Road. Reconnecting the watershed should be done with the aim of restoring wildlife and plant movement through the area of the Malibu Institute.
  3. Daylighting should be done as much as possible, particularly at the periphery of the Golf Course.
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**V. Tract Map TR38931, Monte Nido Estates**

**Eleven Plot Plans, 25631 through 25752 Piuma Rd., Malibu**

**Permit Nos.: RENV 201200025**

**Planner: Rudy Silvas**

**Applicant: Imad Aboujawdah**

**Biologist: Dr. Daryl Koutnik, PCR**

**USGS 7.5' Quad: Malibu Beach**

**Tract Documents:** Initial Study RENV 201200025 has been prepared for the 11 plot plans as well as five additional plot plans within TR38931. A new unified Biological Resources Assessment has been prepared for all plot plans. Public comment received is available on the website under the meeting date.

**Resource:** Malibu-Cold Creek Resource Management Area and ESHAs of Riparian Oak Woodland and drainage courses tributary to Dark Canyon and Cold Creek

**A. Project No.: R2013-03620**

**Permit No.: RPP T201301334**

**APN: 4456-038-019**

**Location: 25724 Piuma Rd., Calabasas**

**Proposal: New 2-story, 4,119 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 700 CY cut and 100 CY fill (600 CY export).**

**B. Project No.: R2013-03621**

**Permit No.: RPP T201301335**

**APN: 4456-038-002**

**Location: 25693 Piuma Rd., Calabasas**

**Proposal: New 2-story, 4,440 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 100 CY cut and 500 CY fill (400 CY import).**

**C. Project No.: R2013-03622**

**Permit No.: RPP T201301336**

**APN: 4456-038-018**

**Location: 25722 Piuma Rd., Calabasas**

**Proposal: New 2-story, 4,407 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 350 CY cut and 50 CY fill (300 CY export).**

**D. Project No.: R2013-03623**

**Permit No.: RPP T201301337**

**APN: 4456-038-017**

**Location: 25720 Piuma Rd., Calabasas**

**Proposal: New 3-story, 5,411 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 350 CY cut and 0 CY fill (350 CY export).**

**E. Project No.: R2013-03624**

**Permit No.: RPP T201301338**

**APN: 4456-038-020**

**Location: 25734 Piuma Rd., Calabasas**

**Proposal: New 2-story, 3,662 sq. ft. single family dwelling with landscaping and septic system on a vacant lot. Proposed grading includes 450 CY cut and 75 CY fill (375 CY export).**

- F. Project No.: R2013-03625  
 Permit No.: RPP T201301339  
 APN: 4456-038-007  
 Location: 25631 Piuma Rd., Calabasas  
 Proposal: New 2-story, 5,234 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 350 CY cut and 50 CY fill (300 CY export).
- G. Project No.: R2013-03626  
 Permit No.: RPP T201301340  
 APN: 4456-038-021  
 Location: 25750 Piuma Rd., Calabasas  
 Proposal: New 2-story, 4,407 sq. ft. single family dwelling with landscaping and septic system on a vacant lot. Proposed grading includes 700 CY cut and 0 CY fill (700 CY export).
- H. Project No.: R2013-03627  
 Permit No.: RPP T201301341  
 APN: 4456-038-016  
 Location: 25680 Piuma Rd., Calabasas  
 Proposal: New 2-story, 3,636 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 420 CY cut and 0 CY fill (420 CY export).
- I. Project No.: R2013-03628  
 Permit No.: RPP T201301342  
 APN: 4456-038-013  
 Location: 25634 Piuma Rd., Calabasas  
 Proposal: New 2-story, 4407 sq. ft. single family dwelling with landscaping and septic system on a vacant lot. Proposed grading includes 320 CY cut and 0 CY fill (320 CY export).
- J. Project No.: R2013-03629  
 Permit No.: RPP T201301343  
 APN: 4456-038-004  
 Location: 25675 Piuma Rd., Calabasas  
 Proposal: New 2-story, 5,318 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 225 CY cut and 95 CY fill (130 CY export).
- K. Project No.: R2013-03630  
 Permit No.: RPP T201301344  
 APN: 4456-038-022  
 Location: 25752 Piuma Rd., Calabasas  
 Proposal: New 2-story, 3,732 sq. ft. single family dwelling with swimming pool, landscaping and septic system on a vacant lot. Proposed grading includes 480 CY cut and 100 CY fill (380 CY export).

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

Reviewed previously by ERB 19 November 2012:

[http://planning.lacounty.gov/assets/upl/agenda/erb\\_20121119-minutes.pdf](http://planning.lacounty.gov/assets/upl/agenda/erb_20121119-minutes.pdf)

The applicant approved of Gina Natoli serving *pro-tempore* to fulfill the ERB quorum.

## **ERB COMMENTS & RECOMMENDATIONS**

### **SETBACKS:**

-Planner Rudy Silvas stated that setbacks and driveways will need to be revised from what was posted to the ERB website. These revisions are still in process. Setbacks will be waived on some lots and driveways.

1. **Structure footprints should be at least 100 feet away from the edge of the riparian vegetation along the stream.**

Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

2. **Building footprints should be at least 50 feet from edge of oak woodlands, more distant if possible, to avoid impacts from any required fuel modifications.**

Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

3. **No residential development should be allowed within the boundaries of proposed ESHA.**

Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

### **BIOLOGICAL RESOURCES ASSESSMENT:**

4. **Preconstruction surveys for biological resources should include surveys for, and assessments of: lichen, bryophyte, and vascular plant floras, and surveys for assessments of impacts to invertebrate fauna. Several species of invertebrates, including insects and mollusks (such as *Helminthoglypta traskii traskii*), are known to occur in the area (Santa Monica Mountains).**

Recommendation: David Magney / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

### **MITIGATION AREAS**

5. **Items 5g (lot 21) and 5k (lot 4) at the western end of the tract should be combined, and the area and driveway should be retired from development. This will better preserve the habitats of oak woodland, which already has major ground clearance for fire safety, and nearby watercourse riparian area. The retired lots should then go into the TDC Program (Transfer of Development Credits) of the proposed Local Coastal Program.**

Recommendation: David Magney / Amendment, Gina Natoli / 2<sup>nd</sup> Rosi Dagit / Ayes: Unanimous

6. **Oak impacts on the driveway flag area will, therefore, not need to occur. If the lots are not retired, then an Oak Tree Permit application is needed.**

Recommendation: Rosi Dagit / 2<sup>nd</sup> Suzanne Goode / Ayes: Unanimous

### **LANDSCAPE RESTRICTIONS:**

7. **Landscape plans shall be for locally native plants only. Locally indigenous plants are to be from the Santa Monica Mountains. Drought-tolerant plants and allowances should be followed. There shall be no invasive plants approved on any landscape plan for the tract. The DRP invasive list and the Cal-IPC invasive list shall be used to determine prohibited plants. A list of typical plants to avoid shall be attached to the landscape plan with the phrase "Non-natives that are specifically prohibited include, but are not limited to, palm trees (family Arecaceae), pampas grass (*Cortaderia* spp.), Pepper trees (*Schinus* spp.), *Eucalyptus* spp."**

Recommendation: David Magney / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

8. **The restriction to use locally native plants in landscapes shall be a condition on the permit and on the deed that shall pass with the land in perpetuity.**

Recommendation: David Magney / 2<sup>nd</sup> Rosi Dagit / Ayes: Unanimous

9. **Native plant landscaping proposed to screen the development from aesthetic views (from public lands, the Backbone Trail and other public trails, high areas such as Saddle Peak, and the scenic Piuma Road) shall be secondary to design that can make the development less obtrusive. Design elements that shall first be applied are: a. lower heights and b. siting of the houses and accessory buildings out of sight.**

Recommendation: Gina Natoli / 2<sup>nd</sup> David Magney / Ayes: Unanimous

### **PROJECT PLANS AND DETAILS OF DESIGN:**

All of the recommendations drafted by DRP Biologist Joseph Decruyenaere were adopted as follows:

10. **Applicant must clearly delineate ESHA locations on all plans.**

Recommendation: Rosi Dagit, 2<sup>nd</sup> Gina Natoli, Ayes: Unanimous

11. Riparian and jurisdictional resource areas should be mapped and shown on all plot plans wherever present. The bridge crossing will require permitting from CDFW and USACE. Include a CRAM or HGM functional analysis and mitigation measures with the notification package sent to these agencies.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

12. Many of the areas mapped as “ruderal” in the biological report are manufactured slope areas that appear to have been planted with native species—chiefly native grasses and coyote bush, presumably as an erosion control method. Although this vegetation is artificially created and the County does not regard it as sensitive, it is not ruderal and should not be mapped as such.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

13. A drainage plan is needed showing 100% capture of a 3/4” storm, collecting both irrigation and rainfall runoff from roofs, driveways, and other hardscaped areas. For drainage and runoff control, ERB recommends using cisterns to capture and store water for irrigation and fire-fighting purposes. Consult [www.oasisdesign.net](http://www.oasisdesign.net) for examples of ideas on cistern systems design. Cisterns may be located beneath buildings and/or driveways. A cistern below a driveway may require a permeable surface.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

14. Incorporate project design features and provide a drainage plan to ensure detention of storm water complies with current RWQCB requirements.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

15. Implement a temporary erosion control plan during construction in keeping with RWQCB requirements. Site septic facilities as far as possible from public open space and oak trees; incorporate filtration or micropore treatments in order to protect water quality.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

16. The house and other buildings 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.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

17. Submit a landscape/fuel modification plan for review and approval by DRP; landscaping shall provide a visual screening and erosion-preventative function. New landscaping shall consist only of locally indigenous native plants outside of Fuel-Modification Zone A/B.

For guidance, refer to

a. The California Native Plant Society website (especially good for botanic gardens where native plants can be seen and for nurseries that carry native plant stock): <http://www.cnps.org/>

b. The Los Angeles County Fire List:

<http://www.fire.lacounty.gov/wp-content/uploads/2014/02/Approved-Plant-List.pdf> (Appendix IV)

And [http://theodorepayne.org/plants/fire\\_resistant.htm](http://theodorepayne.org/plants/fire_resistant.htm)

Recommendation: Rosi Dagit, 2<sup>nd</sup> Gina Natoli, Ayes: Unanimous

18. Fish’s milkwort (*Polygala cornuta* var. *fishiae*), southern California black walnut (*Juglans californica*), oak woodland, and ESHA should be depicted on fuel modification plans and protected from fuel-modification impacts.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

19. 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.

Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

20. 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, re-sprouting 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. Re-sprouting species can be pruned to near ground level.  
Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

21. Perimeter fencing shall not be allowed; however, security fencing adjacent to the house is acceptable, for example, around a swimming pool.  
Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

22. Exterior night lighting shall be minimized in observance of Rural Outdoor Lighting District standards, using low intensity (not exceeding 800 lumens) lights on low stature (2.5-3 ft.) fixtures. 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](http://planning.lacounty.gov/view/rural_outdoor_lighting_district_ordinance).  
Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

23. Avoid large reflective surfaces on house exteriors in order to reduce the likelihood of bird strikes.  
Recommendation: Rosi Dagit / 2<sup>nd</sup> Gina Natoli / Ayes: Unanimous

**CONSISTENCY:**

24. The ERB recommends that the project is consistent with the County Local Coastal Program for the Santa Monica Mountains after it follows all recommendations outlined above.  
Recommendation Rosi Dagit / 2<sup>nd</sup> Margot Griswold / Ayes: Unanimous

Monte Nido Estates, TR38931, ERB Meeting Date: 24 February 2014  
ERB Evaluation:     \_\_\_ Consistent             X  Consistent after Modifications  
                          \_\_\_ Inconsistent       \_\_\_ No decision

Staff Biologist Recommendation:  
Monte Nido Estates, TR39031, ERB Meeting Date: 24 February 2014  
                          \_\_\_ Consistent             X  Consistent after Modifications  
                          \_\_\_ Inconsistent       \_\_\_ No decision

**Suggested Modifications:**

1. Comply with all ERB recommendations. On setbacks the planner needs to allow what has previously been permitted, but follow the ERB recommendations as much as possible on the projects reviewed at the 24 February 2014 meeting.
2. For any oak tree permit, the oaks in the island of project V.B. (lot 2) appear to be impacted by clearing for the project. Assessment should be made for encroachment on those trees.
3. Fuel modification and clearing up to the protected zones of oak trees are serious impacts on oak woodlands, because the oak shallow roots extend over 3 times the canopy radius, beyond the protected zone that is legislated for single oak trees. Brush clearance and fuel modification remove essential parts of the oak woodland community, even if removals do not include oak trees. Fuel modification on all the project sites will be impacting oak woodland, and there should be an assessment of oak woodland impacted acreage (including fuel modification) compared to non-impacted oak woodland acreage in the parcels proposed for open space. The standard used for mitigation is generally twice the acreage in mitigation of the acreage of impact. If the impact-free oak woodland acreage proposed for open space is not 2 times the impacted acreage (including off-site impact), then mitigation should be expanded to include enough oak woodland to equal 2 times the impacted acreage of oak woodland. Retirement of development on the parcels in ERB Recommendation No.5 above could remove some impacts and add some mitigation acreage for oak woodland.
4. Parcels proposed for open space shall have the deeds retire any future development rights, and there shall be a conservation easement on those parcels held by a conservation organization.

## **OTHER MATTERS**

### **VI. Public comment pursuant to Section 54954.3 of the Government Code.**

**No Public Comment was made orally. Letters to ERB will be posted on the ERB webpage under the appropriate case.**